

SAFETY AND LICENSING COMMITTEE
MINUTES
May 9, 2013
5:00 P.M.

PRESENT: Alderperson Garb, Mettille, Oswald, Plank and Smith

EXCUSED:

OTHERS

PRESENT: Char Peterson	City Clerk
Len Vander Wyst	Fire Chief
Pete Helein	Police Chief
Stacy Doucette	Assistant City Attorney
Lt. Steve Elliot	Police Department
Dana Schmidt	Police Department

Chairperson Oswald called the meeting to order at 5:00 P.M.

M. Smith moved, seconded by S. Garb to approve the Minutes of the April 25, 2013 meeting.
(5/0)

APPEARANCE

-NONE-

ACTION ITEMS

- a. Operator's License application of Roberto Hernandez-Rivas, 2013 Jonathan Drive, Grand Chute.

Lt. Elliot stated Mr. Hernandez reported he was convicted of speeding and operating without a license. The police department's concern is his disregard of his driver's license. He has 15 violations between 2008 and 2012. This shows his lack of responsibility and disrespect for government authority.

Mr. Hernandez stated he did not have a license because of the way he came to this country. He stated he currently holds a driver's license and has turned his life around. He stated he feels that had he had a license at the times when he was pulled over he would only been given a warning. He does admit he should not have been driving without a license but due to his family situation he had no choice.

Lt. Elliot stated he was given warnings and was treated fairly.

Motion by T. Mettille, seconded by K. Oswald that the Operator's License application of Roberto Hernandez-Rivas BE APPROVED.

Mr. Smith stated he will support this because there are no OWI's on Mr. Hernandez record but stated he does see disrespect for authority and hopes he uses it wisely.

Aldersperson Plank stated his record shows a disregard for the law and holding an operator's license comes with a huge responsibility.

Alderson Mettill stated he had no alternative for him to get license so he does not see that has a disregard for the law.

Vote on Motion. (3/2-Plank, Smith)

- d. Taxicab Driver License application of Robert V. Berrens, 1500 Jennie Street, Menasha.

Lt. Elliot stated it is the responsibility of the Police Department to bring in front of this committee anyone who has a felony on their record. Mr. Berrens has a felony conviction for manufacturing and delivery of marijuana from 2002.

Mr. Berrens stated he was 18 at the time and has straightened his life out. He is married, owns his home and pays taxes. He is not the same person he was at 18.

Lt. Elliot stated he did have a truthful application and did list his felony.

Motion by M. Smith, seconded by T. Mettill that the Taxicab Driver License application of Robert V. Berrens BE APPROVED.

Vote on Motion. (5/0)

- e. Commercial Solicitation License application of Kenneth M. Klockzien, 1807 South Jackson Street.

Lt. Elliot stated Mr. Klockzien does have felony convictions from 1993 and 1996.

Mr. Klockzien stated he did have a rough time in his life and did time in jail. He has a wife and children and has turned his life around.

William Ferguson, Greenville – he has worked for him for over a year and he has no issues with Kenneth.

Motion by T. Mettill, seconded by K. Plank that the Commercial Solicitation License application of Kenneth M. Klockzien BE APPROVED.

Vote on Motion. (5/0)

- h. Referred Back by Mettill: The Operator's License application of Sukhmeet Kaur, 220 West Valley Road, #12 BE DENIED. (2/2-Alderson Plank, Alderson Smith)

Ms. Kaur stated she knows her past is bad and she is asking for a chance to make her future brighter.

Motion by T. Mettill, seconded by K. Oswald that the Operator's License application of Sukhmeet Kaur BE APPROVED.

Vote on Motion. (2/3-Garb, Plank, Smith)

Motion fails.

Motion by M. Smith, seconded by K. Plank that the Operator's License application of Sukhmeet Kaur BE DENIED.

Vote on Motion. (3/2-Mettill, Oswald)

- b. Operator's License application of Sandra L. Kositzke, 153 West Greenfield Drive, Little Chute.

Motion by K. Plank, seconded by K. Oswald, due to her police record, that the Operator's License application of Sandra L. Kositzke BE DENIED.

Vote on Motion. (5/0)

- c. Operator's License application of Joshua L. Woltman, W3207 Westowne Court.
Motion by K. Plank, seconded by K. Oswald due to the OWI on his record, that the Operator's License application of Joshua L. Woltman BE DENIED.
Vote on Motion. (5/0)
- f. Commercial Solicitation License application of Joseph R. Remter, 2533 Palisades Drive.
Motion by T. Mettille, seconded by K. Plank based on his police record that the Commercial Solicitation License application of Joseph R. Remter BE DENIED.
Vote on Motion. (5/0)
- g. Commercial Solicitation License application of Nathan H. Stone, N3802 Breeseway Drive.
Motion by M. Smith, seconded by K. Oswald based on his police record that the Commercial Solicitation License application of Nathan H. Stone BE DENIED.
T. Mettille stated he is going to vote against the denial because an underage drinking citation is not related to a Commercial Solicitation License.
Vote on Motion. (1/4-Garb, Mettille, Oswald, Plank)
Motion by T. Mettille, seconded by K. Oswald that the Commercial Solicitation License application of Nathan H. Stone BE APPROVED.

Vote on Motion. (4/1-Smith)

- i. Operator's Licenses.

Brandy J. Beaumont	815 E. Brewster Street
Kyle A. Brandt	1204 Graham Avenue, Oshkosh
Nicholas Casper-Day	734 W. Commercial Street
Tianna D. Clark	W1905 County Rd H, New Holstein
Casey A. Francis	2010 Wisconsin Street, Oshkosh
Holly T. Gray	903 Harrison Street, Neenah
Jill A. Holewinski	1735 10 th Avenue, Green Bay
Jeenah C. Jones	1025 1/2 w. Franklin Street
Hannah J. Martin	1237 W. Marquette Street
Kurt W. Mueller	914 W. Fourth Street
Chase Q. Nushart	215 E. Kimball Street
Mahendrakumar T. Patel	2333 W. Wisconsin Avenue
Christina Radtke	713 E. Harrison Street
Devin K. Ross	711 E. Boldt Way, SPC 1263
Jordan R. Skorlinski	1392 Whispering Pines Lane, Neenah
Teal M. Staniforth	122 N. Durkee Street
Kasey R. Smith	W2593 Colonial Court
Wesley S. Varughese	711 E. Boldt Way, SPC 1532
Brad M. Wanta	669 Franklin Street, Oshkosh
Tylor J. Weiland	W6337 Rock Road, Hortonville
Mary J. Wendt	130 S. Joseph Street

Motion to approve by M. Smith, seconded by K. Oswald.

Vote on Motion. (5/0)

- j. Operator's Licenses contingent upon completion of Responsible Beverage Servers class.

None

- k. Secondhand Jewelry Dealer License application of Scanlan Jewelers, 2031 East Calumet Street contingent upon departmental approvals.
- l. Farm Market License application of Festival Foods, 1200 West Northland Avenue contingent upon departmental approvals.

Motion to approve action items k and l by M. Smith, seconded by T. Mettille.

Vote on Motion. (5/0)

In reference to the Operator License Application for Roberto Hernandez-Rivas that was acted on earlier in the meeting, Lt. Elliott requested that the minutes reflect Mr. Hernandez-Riva's admission that a subject by the name of Alejandro was his Brother. Clerk Peterson duly noted this would be added to the minutes.

- m. Fire Department request to accept grant funds for the continuation of the smoke detector program.

Motion to approve by K. Oswald, seconded by K. Plank.

Vote on Motion. (5/0)

- n. Fire Department request to accept grant funds for the purchase of self-contained breathing apparatus.

Motion to approve by M. Smith, seconded by T. Mettille.

Vote on Motion. (5/0)

- o. City Attorney request for approval of the changes to Ordinance 2-1 pertaining to the destruction of public records.

Attorney Doucette stated we are asking for this review because of the volume of records that needs to be retained. She further stated the memo states which records would be given the shorter retention period. She stated she feels 121 days is a reasonable amount of time to keep the video records.

Chief Helein stated he would be happy to bring the policy related to records retention to the next meeting.

Aldersperson Garb stated she would like to see the whole package and why this is being recommended before it moves forward.

Aldersperson Mettille stated the former chief came before this committee saying that if we don't approve more storage from the IT perspective records were going to be loss. This just seems a different approach, why the difference now?

Chief Helein stated the city is attempting to work with the state and comply with their recommendations. Storage is a huge issue as we continue to have more cameras and videos.

Attorney Doucette stated this is not evidentiary audio and video records. This is the down footage.

Motion to hold until the next meeting by S. Garb, seconded by T. Mettille.

Vote on Motion. (5/0)

- p. Special Class "B" Beer License application of Appleton Downtown, Inc., Jennifer L. Stephany, Person in Charge, Houdini Plaza concerts, corner of College and Appleton Streets,

Thursday nights, June 13, 2013 through September 5, 2013 (and Wednesday, July 3, 2013) contingent upon departmental approvals.

Motion to approve by K. Plank, seconded by M. Smith.

Vote on Motion. (5/0)

- q. Special Class "B" License applications filed after the Agenda was published.

None

INFORMATION ITEMS

- a. Elect Vice-Chair.

Aldersperson Plank nominated M. Smith which was seconded by T. Mettille.

Vote on Motion. (5/0)

- b. Directors Reports:

City Clerk

- The 2011 and 2012 council attendance for committee meetings and council reports are completed and are available on the website.
- Liquor and Operator License renewal is underway. Averaging about 60 walk-ins daily. There are a number of outstanding liquor license renewals.
- An email will be going out shortly asking Council Members containing the training schedule for the Granicus VoteCast Touch Voting System in preparation for going live at the June 5th Council meeting.

Fire Chief

- 95% complete with delivery of the radios which we received a grant for.
- Two new firefighters will be graduating from the academy at the end of this week.

Police Chief

- Weekly Reports
- Working on a grant for additional funding for police officers.

- c. Police Department Information on liquor law violation convictions-none.
- d. No Operator's License applicants have failed to show their certificate of completion of the responsible beverage service course, resulting in expiration of no Provisional Operator's License.
- e. Special Event Licenses issued since the last meeting:
- i. Jefferson Elementary Civil War Living History Day – May 3, 2013
 - ii. APD – Police Week Vehicle Display – May 15, 2013

ADJOURNMENT:

M. Smith moved, seconded by K. Plank to adjourn the meeting at 6:30 P.M. (5/0)