

**COMMUNITY PROTECTION & SERVICES COMMITTEE**  
**September 8, 2016**

A meeting of the Community Protection & Services Committee was called to order at 4:30 p.m. by Chairperson Wiesner in Council Chambers, City Hall. **Roll Call:** Members Mr. Wiesner and Ms. Catarozoli were present; Mr. Ward was excused. Also present was City Attorney Randy Nesbit, City Administrator Josh VanLieshout, Alderman Vandertie and City Staff Members; Chief Porter, Chief Dietman and Ast. Chief Montevideo.

*Moved by Ms. Catarozoli, seconded by Mr. Wiesner to adopt the following agenda:*

1. Roll call.
2. Adoption of agenda.
3. Consideration of: Request from Ralph Thomas Hoffman, 1 Anytimeride, LLC to operate taxicab in the City of Sturgeon Bay.
4. Consideration of: Request for hearing from Sturgeon Bay Jaycees regarding non-renewal of 2016-2017 Combination Class B Liquor/Beer license.
5. Discussion of: Public Safety Training Facility.
6. Consideration of: City of Sturgeon Bay Fire Department Ordinance repeals and recreations.
7. Adjourn

*Carried.*

**Request from Ralph Thomas Hoffman, 1 Anytimeride, LLC to operate taxicab in the City of Sturgeon Bay**

Ralph Hoffman requested to apply for a taxi cab license for the City of Sturgeon Bay; operating at 1anytimeride, LLC. The Chairman set a public hearing for September 22, 2016 at 4:30pm in the Council Chambers.

**Request for hearing from Sturgeon Bay Jaycees regarding the non-renewal of 2016-2017 Combination Class B Liquor/Beer license**

Originally a request for the Jaycee's renewal was brought forward at a former CPS meeting where it was denied due to lack of compliance with necessary paperwork and non-representation at the meeting. The recommendation for non-renewal then went to Council, where it was denied there as well. The Jaycees have since requested a hearing to overturn the denial.

City Attorney Randy Nesbitt explained the ordinance is in essence a hybrid of two State procedures within State Statue 125.12 relating to alcohol. During the hearing, the Jaycees

will be allowed to make their case; City staff will then give history on why there was a recommendation to not renew the 2016-2017 Combination Class B Liquor/Beer license; the Jaycees will then have another chance for rebuttal; and a recommendation to council from the CPS committee will then be considered.

**Sturgeon Bay Jaycee Representatives:**

**Jamie Kerscher, 6703 STH 42/57, Sturgeon Bay, WI**

**Kathy Clark, 1108 Ridgeway Drive, Sturgeon Bay, WI**

Ms. Clark acknowledged the Jaycees are guilty of not submitting the paperwork to show they have been in compliance; but they came prepared to show the information at this meeting. Ms. Clark stated she would like for the committee to reconsider the non-renewal Class B license, as this is a main source of funding for the Jaycees. A handout was presented to the committee; a calendar showing the days the hall was open and serving alcohol.

Ms. Catarozoli stated having the information is helpful, but it doesn't clearly show liquor use in consecutive dates. Mr. Wiesner added the intent of the ordinance was to have those businesses holding liquor licenses step up and use them to their full potential.

Ms. Clark responded by saying initially they were under the impression the original letter sent to the clerk's office was sufficient. They figured all the necessary paperwork was in place, and if it wasn't they would have been contacted as they stated to do such in their letter. As for no one representing them at the prior CPS meeting, that was again a miscommunication. No one was available at the time of the meeting, but they did show at the Council meeting and expressed their desire to appeal the non-renewal.

Ms. Catarozoli said the committee is placed in a hard position; and feels it is the State's vague statues that are partially to blame. Running a business means teaching those involved to be prepared; documentation must be shown as requested. Other businesses are waiting for a license and would like the opportunity to hold such.

Attorney Nesbitt noted that the calendar handout only shows the days the establishment was open, it does not show liquor sales; at least one sale much be presented to satisfy the ordinance. He encouraged the Jaycees to keep better records of this.

Ms. Clark believes bank records would probably reflect the information required.

**Stuart Champeau: 1017 N. 4<sup>th</sup> Avenue, Sturgeon Bay, WI (Rogue Theater)**

Mr. Champeau addressed the committee on behalf of the Jaycees. He runs the Rogue Theater which is based out of the Jaycee clubhouse. Their company pays the Jaycees for use of their liquor license and bartenders during their shows; stating a large number of their patrons enjoy a drink while watching the performances. The theater is open often; and he believes they can help disclose compliance by the Jaycees through their receipts of alcohol sales. He thinks it is encouraging that two non-profits can work together in this County and support each other; as the Sturgeon Bay Jaycees do with the Rogue Theater.

**Christine Kellems: 120 Alabama Street, Sturgeon Bay, WI**

Ms. Kellems commented she is in support of what was said at this hearing; how better records need to be kept. She suggested apps and programs that are easily obtained to help do such. Overall, she is in favor of the renewal of the 2016-2017 license to the Jaycees.

City Administrator VanLieShout responded the materials were given to the Sturgeon Bay Jaycees at the same time as the other license holders. That correspondence is part of the record; and shall be considered with this hearing process.

Ms. Clark agreed the information was received; as for the miscommunication surrounding the volunteers who work for the Jaycees, more guidance in the future on handling such compliancy shall be worked on and enhanced.

*Moved by Ms. Catarozoli, seconded by Mr. Wiesner that the Community Protection & Services Committee accepts the staff recommendation to Common Council to approve the renewal of the 2016-2017 Combination Class B Liquor/Beer license for the Sturgeon Bay Jaycees. All ayes. Carried.*

City Administrator VanLieShout noted the next meeting of the Common Council will be Tuesday, September 20<sup>th</sup>, 2016 at noon.

**Public Safety Training Facility**

Fire Chief Tim Dietman gave background regarding a proposed public safety training facility. Currently, the city does not have one; staff has to go to Green Bay for training. In 2009 the department received an ISO (insurance services office) rating of 3; but would like the department to improve to a 2 rating which they can't do without a training facility.

A company out of Bellevue is working with the department to put together a plan for a training facility using connex boxes; something that can be taken apart after use. This was the most affordable option.

A possible location for the facility is out by the dog park. There, in a fenced in portion of land, the department is looking to piece together a 20 x 24 building with a restroom. The connex boxes would create a 30ft. tower. The building restroom could be utilized by patrons of the dog park, as well.

As of now, Chief Dietman is curious to see how the community feels about building such a facility. The county's Chief's Association is interested in building the facility, as all the county agencies would benefit by having trainings close-by; there is also more potential for funding. The facility would only be used for Class A fire training; meaning clean burns, nothing toxic like diesel fires. Also forcible entry. The frequency of usage will be 2-3 times a week.

Ms. Catarozoli questioned if it was possible for the facility to be placed somewhere other than Sturgeon Bay? Chief Dietman responded because of the ISO rating, the facility would need to be placed within the miles covered in the jurisdiction of the Sturgeon Bay Fire Department; which does cover City of Sturgeon Bay, the Town of Sturgeon Bay and the Town of Sevastopol. The structure would be built to fit in and look like surrounding buildings; there are structures built in small towns that one may not even know it is there.

Mr. Wiesner questioned whether the land is owned by the City, and if there was sewer and water. Chief Dietman responded the City does own the land, but there is no sewer and water at this time; they are looking into getting it. Mr. Wiesner would like to see associated costs that will incur, and what other agencies will help to cover such costs.

Chief Dietman stated they have been talking with insurance companies to see what kind of effect having a training facility built with the potential to lower the department's ISO score, will have on the businesses in the area. Attorney Nesbit noted that when Sister Bay build their new building the ISO rating for residential and commercial ratings changed drastically. Chief Dietman believes this is very achievable for the City of Sturgeon Bay. There is really a minimal impact to the City to make this happen. At the next CPS meeting Chief Dietman hopes to have the cost numbers to share with the committee.

### **Repeal and Recreate City of Sturgeon Bay Fire Department Ordinances**

Fire Chief Dietman expressed the need to update Section 6 of the City of Sturgeon Bay municipal code; which is the fire prevention section. Attorney Nesbit agreed that they need to be looked at and updated.

As stated in the Executive Summary; recently State law and State codes have changed leaving the Sturgeon Bay Fire Department out of date. The Department operates under the WI State Department of SPS addressing fire inspections and State laws and codes. In 2013 WI Act 270 addressed local fire ordinances; if a fire department did not submit ordinances for State approval, the local ordinances would not be grandfathered and therefore not enforceable. By adopting the most current edition of NFPA 1, Sturgeon Bay Fire will be able to address State codes without having the change the document as newer additions are released. NFPA 1 is the governing code utilized most.

SPS 310 which had addressed storage, transfer or dispensing of flammable, combustible or hazardous liquids was changed to ATCP. When this happened, ATCP only then regulated storage, transfer or dispensing flammable, combustible or hazardous liquids of 110 gallons and over leaving some of the language in SPS 310 to be addressed. Without this language, there are issues with the transferring of fuel locally in marinas, leaving the risk very high for a spill or incident due to improper transfer. The created ordinance would allow the City of Sturgeon Bay Fire Department to enforce a local ordinance to preserve our waterways.

Municipal Code changes apply to:

Section 1: 6.15 NFPA 1; Section 2: 6.17 Codes Relating to Fire Protection Adopted; Section 3: 6.18 Enforcement; Section 4: 6.19 Fueling of Motor Vehicles; Section 5: 6.20 code is repealed; Section 6: 6.22 Burning and Litter; Section 7: 6.23 Fire Inspections; Section 8: code is repealed and recreated to read: 6.26 Marina Fire Protection, Minimum Requirements; and Section 9: 6.27 Explosive Materials.

Mr. Wiesner questioned whether annual changes will be needed? Chief Dietman responded that as long as the State doesn't make changes this should be it.

**Christine Kellems: 120 Alabama Street, Sturgeon Bay, WI**

Ms. Kellems addressed Chief Dietman asking if 6.22(1) include outdoor patio heaters. Chief Dietman replied that it only applies to the burning of trash and litter; not outdoor campfires.

*Moved by Ms. Catarozoli, seconded by Mr. Wiesner that the Community Protection & Services Committee accepts the staff recommendation to Common Council to repeal and recreate City of Sturgeon Bay Fire Department ordinances as attached. All ayes. Carried.*

*Moved by Ms. Catarozoli, seconded by Mr. Wiesner to adjourn the meeting of the Community Protection Services Committee. All ayes. Carried. The meeting was adjourned at 5:35 p.m.*

Respectfully submitted,

Sarah Spude-Olson  
Police Department  
Administrative Office Manager