



# City of Racine

City Hall  
730 Washington Ave.  
Racine, WI 53403  
www.cityofracine.org

## Meeting Minutes - Final Public Safety and Licensing Committee

*Chairman Alderman Gregory Holding  
Vice Chairman Alderman Robert Mozol  
Alderman Melissa Kaprelian-Becker  
Alderman Krystyna Sarrazin  
Alderman Molly Hall*

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Monday, April 8, 2013

5:30 PM

City Hall, Room 205

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### Call To Order

**PRESENT:** 4 - Robert Mozol, Melissa Kaprelian-Becker, Krystyna Sarrazin and Molly Hall

**EXCUSED:** 1 - Chairman Holding

### Approval of Minutes for the March 25, 2013 Meeting.

*Minutes of the previous meeting were approved as printed on motion of Kaprelian-Becker.*

### PUBLIC HEARING ON ORD. 07-13

*The following people spoke at the public hearing:*

*Atty. Robert W. Peterson - disagree with the ordinance  
Jennifer Bucholz - support  
Mary Schiro - support*

[13-8832](#)

**Subject:** Ordinance 07-13

An ordinance creating Chapter 3, Sections 3.1 - 3.9, of the general ordinances of the City of Racine, Racine County, Wisconsin relating to sexual offender residency restrictions.

**Recommendation of the Public Safety and Licensing Committee on 4-8-13:** That Ordinance 07-13 be adopted as amended.

Fiscal Note: N/A

*Due to the lengthy discussion with this item, Alderman Mozol made a motion seconded by Alderman Hall to move this item to the end of the agenda. Motion passed by the following vote:*

**AYES:** KAPRELIAN-BECKER, SARRAZIN AND HALL  
**NON-VOTING:** MOZOL  
**EXCUSED:** HELDING

*When the committee returned to this agenda item, motion made by Alderman Hall*

*seconded by Alderman Sarrazin to allow any aldermen to speak. Motion passed by the following voice vote:*

*AYES: KAPRELIAN-BECKER, SARRAZIN AND HALL*

*NOES: MOZOL*

*EXCUSED: HELDING*

*After much discussion the following suggestions were made: remove all of the 4 sections of the WHEREAS so this is how the ordinance would start:*

*An ordinance creating Chapter 3, Sections 3.1 - 3.9, of the general ordinances of the City of Racine, Racine County, Wisconsin relating to sexual offender residency restrictions*

*"Section 3.1. - Sexual offender residency restrictions.*

*(1) Finding and intent.*

*(a) Repeat sexual offenders, sexual offenders who use physical violence and sexual offenders who prey on children are sexual predators who present an extreme threat to public safety. Sexual offenders are likely to use physical violence; and most sexual offenders commit many offenses, have many more victims than are ever reported, and are prosecuted for only a fraction of their crimes. Thus, the cost of sexual offenders to society at large is difficult to calculate.*

*Under section 3.1 (2) (b) section numbers are not correct – Rob will have to advise on this*

*Section 3.9 it should read:*

*Section 3.9. - Property owners prohibited from renting real property to sexual offenders.*

*It is unlawful to let or rent any place, structure or part thereof, manufactured home, trailer, or other conveyance, with the knowledge that it will be used as a permanent residence or temporary residence by any person prohibited from establishing such permanent residence or temporary residence by any person prohibited from establishing such permanent residence or temporary residence pursuant to the terms of this ordinance, if such place, structure or part thereof, manufactured home, trailer, or other conveyance, is located within 1,000 feet of any prohibited locations which is not currently rented to a designated offender.*

*Under section 3.10 the following change should be made:*

*Section 3.10. - Notification.*

*Consistent with State requirements, the State agency working with the sex offender must notify the Alderman of the District and the Racine Police Chief a minimum of twenty-eight (28) days prior to establishing either a permanent residence or temporary residence within the City of Racine.*

*Under section 3.11 the following should be changed to read:*

*Section 3.11. - Appeal of designated offender status.*

*(1) Request for exception to restrictions under subsections 3.2 and 3.3.*

*(a) The 1,000 foot residence requirements set forth above may be waived or modified upon approval of the designated committee created by the Mayor through appeal by the State or the affected party. Such appeal shall be made in writing to the City*

*Clerk's office, who shall forward the request to the Common Council for referral to the designated committee created by the Mayor, which shall receive reports from the Racine Police Department on such appeal. The designated committee will forward their recommendation to the PS&L Committee, who will then review and forward their recommendation to the Common Council for final approval.*

*(b) The designated committee shall convene within 15 days of the clerk-treasurer's receipt of the request for exemption.*

*The designated committee shall consider the public interest as well as the affected party's presentation and concerns. In making its determination under this provision, the appeal board may consider any or all of the following factors that may be applicable in the particular request:*

*Motion was made by Alderman Hall seconded by Alderman Mozol to approve the ordinance with all of the changes before Monday night's Common Council Meeting.*

*Motion passed by the following vote:*

*AYES: MOZOL, SARRAZIN AND HALL*

*EXCUSED: KAPRELIAN-BECKER AND HELDING*

**Recommended For Approval**

**AYES:** 3 - Robert Mozol, Krystyna Sarrazin and Molly Hall

**EXCUSED:** 2 - Chairman Holding and Melissa Kaprelian-Becker

**13-8802**

**Subject:** Communication requesting Change of Agent for Michigan Pub, LLC, 1300 Michigan Blvd.- Scott A. Jensen, Agent, "Class B" Fermented Malt Beverage and Intoxicating Liquor license (4th District).

**Recommendation of the Public Safety and Licensing Committee on 4-8-13:** That the Change of Agent request for Michigan Pub, LLC, 1300 Michigan Blvd.- Scott A. Jensen, Agent, "Class B" Fermented Malt Beverage and Intoxicating Liquor license be approved.

Fiscal Note:N/A

*Scott Jensen appeared and addressed the committee's questions.*

**Recommended For Approval**

**13-8803**

**Subject:** Communication requesting Change of Agent for Beachside Oasis, LLC, 100 Kewaunee Street.- Scott A. Jensen, Agent, Class "B" and "Class C" Fermented Malt Beverage and Wine license (4th District).

**Recommendation of the Public Safety and Licensing Committee on 4-8-13:** The request for Change of Agent for Beachside Oasis, LLC, 100 Kewaunee Street.- Scott A. Jensen, Agent, Class "B" and "Class C" Fermented Malt Beverage and Wine license be approved.

Fiscal Note: N/A

*Scott Jensen appeared and addressed the committee's questions.*

**Recommended For Approval**

13-8785

**Subject:**(Direct Referral) Request of the Committee for the appearance of Gerald Bester, Agent for Gerald's Smokehouse, 1501 Washington Avenue regarding an incident at your establishment on 10-21-2012.

**Recommendation of the Public Safety and Licensing Committee on 4-8-13:** That the item be received and filed.

Fiscal Note: N/A

*Gerald Bester appeared and addressed some of the committee's concerns. He stated that the individuals involved were not from his establishment and they were gang members. He stated that he did what he felt was necessary to protect himself, his patrons and his employees. He stated his military training taught him to shoot straight up in the air. He informed the committee members that the charges had been dropped. After some clarification, it was determined that he plead "no contest" and was issued a UMCC. Some of the aldermen expressed their concern with the way the situation was handled, but also complimented Mr. Bester on calling the police to help him with disbursing his crowd and other situations where he felt the need. Alderman Sarrazin stated she had done her homework and had spoke with some of the neighbors and they had no problems with the establishment.*

*After much discussion on the item, Alderman Mozol made a motion seconded by Alderman Kaprelian-Becker to refer to a Due Process Hearing. Motion failed by the following vote:*

*AYES: MOZOL*

*NOES: KAPRELIAN-BECKER, SARRAZIN AND HALL*

*EXCUSED: HELDING*

*Alderman Kaprelian-Becker made a motion seconded by Alderman Sarrazin made a motion to receive and file the item. Motion passed by the following vote:*

*AYES: KAPRELIAN-BECKER, SARRAZIN AND HALL*

*NOES: MOZOL*

*EXCUSED: HELDING*

**Recommended to be Received and Filed**

13-8788

**Subject:**(Direct Referral) Sale of Abandoned Vehicles 4-8-2013

**Recommendation of the Public Safety & Licensing Committee on 4-8-13:** That the item be received and filed as the highest responsible bidder out of the three bids was Sturtevant Auto Salvage.

**Fiscal Note:** This will generate \$22,543.02 in revenue.

**Recommended to be Received and Filed**

[13-8816](#)

**Subject:** (Direct Referral) License Premise Report and DRC Report for April 8, 2013

**Recommendation of the Public Safety and Licensing Committee on 4-8-13:** That the report be received and filed.

Fiscal Note: N/A

**Received and Filed**

### **Adjournment**

**The meeting was adjourned at 7:40p.m.**