

MINUTES
COMMITTEE ON LAW & LICENSING

February 23, 2010 - 5:00 p.m.
Municipal Courtroom, Sheboygan Police Department

Members Present: Chairperson Ald. Jim Bohren, Vice Chairperson Ald. Edward Surek, Ald. Julie Kath, Ald. Jodi VanderWeele, Ald. Vang Neng Vue
Others in Attendance: Assistant City Attorney Charles Adams, Lt. Scott Mittelstadt, Ald. Jean Kittelson, Director of Public Works Bill Bittner, Pamela Richman, Stephen Kinate, Harold Biebel,

Chairperson Jim Bohren called the meeting to order at 5:00 p.m.

The Pledge of Allegiance was recited.

Introduction of committee members, staff and guests.

A motion to approve the minutes of the previous meeting held February 12, 2010 was made by Ald. Surek and seconded by Ald. VanderWeele. **All ayes; motion approved.**

R.O. No. 422-09-10 (22-22) – Communication from Harold Biebel

Submitting a communication from Harold Biebel requesting permission to place an Antique Popcorn Wagon in Fountain Park for the months of May through September.

ACA Adams informed the committee that City ordinances delegate the authority to grant permission to sell on park property to the Department of Public Works. Ald. Kittelson indicated that Bill Bittner is working on establishing conditions/guidelines and will bring those guidelines to the Public Works committee for approval. Ald. VanderWeele moved, seconded by Ald. Surek, to file this R.O. **All ayes; motion approved.**

R.O. No. 364-09-10 (19-17) – Various License Applications: Bev. Op. Lic. App. Nos. 8474 (Dana C. Museus) and 8480 (Pamela K. Richman)

Submitting various license applications for the period ending June 30, 2010 and June 30, 2011.

Dana C. Museus failed to appear before the committee. Ald. Surek moved, seconded by Ald. VanderWeele, to deny the license application based upon Mr. Museus' failure to accurately reveal all relevant convictions on his application and his failure to cooperate with the committee. **All ayes; motion approved.**

Pamela K. Richman appeared before the committee to discuss her application. After discussion of her record, Ald. Surek moved, seconded by Ald. Kath, to grant the license with a warning to avoid future law violations. **All ayes; motion approved.**

R.O. No. 402-09-10 (21-56) – Various License Applications: Bev. Op. Lic. App. No. 8503 (Rosalba Perez) and Taxicab Op. Lic. App. No. 5558 (Stephen D. Kinate)

Submitting various license applications for the period ending June 30, 2010 and June 30, 2011.

Rosalba Perez failed to appear before the committee. Ald. VanderWeele moved, seconded by Ald. Kath, to request via certified mailing Ms. Perez's appearance before the committee at its March 9th meeting. **All ayes; motion approved.**

Stephen D. Kinate appeared before the committee to discuss his application. After discussion of his record, Ald. Kath moved, seconded by Ald. Vue, to grant the license with a warning to avoid future law violations. **All ayes; motion approved.**

R.O. No. 401-09-10 (21-34) – Hold Harmless Agreement

Submitting a Hold Harmless Agreement for First United Lutheran Church for the proper City Officials to sign in order to utilize the facilities for future local, state and federal elections.

ACA Adams informed the committee that the agreement proposed by the church is not applicable to the election situation and he is working with the City Clerk's office on an appropriate agreement. Ald. Surek moved, seconded by Ald. VanderWeele, to hold this matter until the next meeting. **All ayes; motion approved.**

R.O. No. 423-09-10 (22-42) – Various License Applications

Submitting various license applications for the period ending June 30, 2010 and June 30, 2011.

Ald. Vue moved, seconded by Ald. Kath, as follows:

- To call in the following license applicants to discuss their applications with the committee:
 - Taxicab Op. Lic. App. No. 8506 (Maria B. Juarez).

All ayes; motion approved.

Ald. Surek moved, seconded by Ald. VanderWeele, as follows:

- To grant the remainder of the license applications for individuals and entities listed on the above-referenced R.O.

All ayes; motion approved.

Discussion and possible action regarding Alc. Bev. Lic. No. 2228–Kev & Blondies Blue Phoenix (Patricia L. Nyhuis, Agent)

ACA Adams informed the committee that Kev & Blondies Blue Phoenix has been closed since mid January and the property has been deeded to Kohler Credit Union in a foreclosure action. A notice of non-renewal should be sent at the end of April.

Discussion and possible action regarding Alc. Bev. Lic. No. 2685-Lino Ristorante Italiano (Therese M. Janssen, Agent)

ACA Adams informed the committee that on March 10, 2010 this license will have been issued for six months, but the restaurant is not yet open for business. Ald Kath moved, seconded by Ald. Surek, to call in Therese Janssen to discuss their timeline for opening. **All ayes; motion approved.**

Discussion and possible action regarding law violations that may require future action by the Committee

Discussion regarding the recent arrests at Second Home Tavern related to significant drug activity at the tavern. A quasi-judicial hearing will be scheduled for March 23 at 4:00 p.m. Chairperson Jim Bohren indicated that he will need to recuse himself from the hearing.

After hearing a brief report from ACA Adams concerning an incident of underage drinking at Harmony Bar on February 11, 2010, Ald. Surek made a motion, seconded by Ald. VanderWeele, to call in the following license holder:

- Alc. Bev. Lic. No. 2386–Harmony Bar I (Ruby Brock, Agent)

All ayes; motion approved.

Ald. VanderWeele made a motion to adjourn. Ald. Surek seconded the motion. **All ayes; motion approved.**

There being no further business to come before the committee, the meeting was adjourned at 5:50 p.m.

The next committee meeting will be held on March 9, 2010 at 5:00 p.m. in the Municipal Courtroom located at the Sheboygan Police Department, 1315 North 23rd Street.