

MINUTES
COMMITTEE ON LAW & LICENSING

March 1, 2011 - 5:00 p.m.
Common Council Chambers, City Hall

Members Present: Chairperson Ald. Eric Rindfleisch, Vice Chairperson Ald. Jodi VanderWeele, Ald. Tom Bowers, Ald. Julie Kath, Ald. William Wangemann

Others in Attendance: Assistant City Attorney Charles Adams, Lt. Scott Mittelstadt, Licensing Clerk Cinda Langhoff, Mayor Bob Ryan, Attorney Anthony Resimius, Gary Hughes, Shelly L. King, Sunday L. Boettcher, Michelle H. Harris, Gregg L. Davis, Jeffrey J. Kolar, Lori Lynn Woelfel, Jerome R. Godard, Darryll D. Matthies, Kevin R. Fetterer, Stephanie M. Johnson

Chairperson Rindfleisch called the meeting to order at 5:01 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 15, 2011 was made by Ald. Wangemann and seconded by Ald. VanderWeele. **Four ayes; motion approved.**

R.O. No. 339-10-11 (18-56) – Various License Applications: “Class B” Liquor Lic. App. No. 2786 (Joint Ventures)

Submitting various license applications for the period ending June 30, 2011 and June 30, 2012.

The release of license issue regarding Joint Ventures has not been cleared up yet. Ald. Kath moved, seconded by Ald. VanderWeele, to hold “Class B” Liquor Lic. App. No. 2786 (Joint Ventures) until the next meeting. **Four ayes; motion approved.**

Ald. Bowers joined the meeting at 5:05 p.m.

R.O. No. 361-10-11 (20-59) – Various License Applications: Taxicab Op. Lic. App. No. 8936 (Shelly L. King)

Submitting various license applications for the period ending June 30, 2011 and June 30, 2012.

Shelly L. King appeared before the committee to discuss her application. After discussion of her record, Ald. Wangemann moved, seconded by Ald. Kath, to deny the license application based upon Ms. King’s record of violations and public safety concerns. **Four ayes and one abstention (Ald. VanderWeele); motion approved.**

R.O. No. 384-10-11 (21-52) – Various License Applications: Bev. Op. Lic. App. Nos. 8948 (Sunday L. Boettcher), 4443 (Michelle H. Harris), 8169 (Andrew P. Marks), 1055 (Robert J. Scheibl); Taxicab Op. Lic. App. Nos. 8949 (Kristine L. Cornell), 8954 (Gregg L. Davis)

Submitting various license applications for the period ending June 30, 2011 and June 30, 2012.

Sunday L. Boettcher appeared before the committee to discuss her application. After discussion of her record and her failure to include violations on her application, Ald. VanderWeele moved,

seconded by Ald. Bowers, to grant the license with a warning to include all relevant information on future applications. **Three ayes and two nays (Ald. Rindfleisch and Ald. Wangemann); motion approved.**

Michelle H. Harris appeared before the committee to discuss her application. After discussion of her record and her failure to include violations on her application, Ald. Bowers moved, seconded by Ald. VanderWeele, to grant the license with a warning to include all relevant information on future applications. **Four ayes and one nay (Ald. Rindfleisch); motion approved.**

Andrew P. Marks failed to appear before the committee. Ald. VanderWeele moved, seconded by Ald. Kath, to request via certified mailing Mr. Marks' appearance before the committee at its March 15th meeting. **All ayes; motion approved.**

Robert J. Scheibl failed to appear before the committee. Ald. VanderWeele moved, seconded by Ald. Kath, to request via certified mailing Mr. Scheibl's appearance before the committee at its March 15th meeting. **All ayes; motion approved.**

Kristine L. Cornell failed to appear before the committee. Ald. VanderWeele moved, seconded by Ald. Kath, to request via certified mailing Ms. Cornell's appearance before the committee at its March 15th meeting. **All ayes; motion approved.**

Gregg L. Davis appeared before the committee to discuss his application. After discussion of his record and his failure to include violations on his application, Ald. Kath moved, seconded by Ald. Bowers, to deny the license application based upon Mr. Davis' record of violations related to the licensed activity and his failure to accurately reveal all relevant convictions on his application. **Three ayes and two nays (Ald. Rindfleisch and Ald. VanderWeele); motion approved.**

Possible action regarding Bev. Op. Lic. No. 8644 (Cruzita L. Kuble)

ACA Adams informed the committee that Ms. Kuble has voluntarily surrendered her beverage operator's license and no action needs to be taken.

Possible action regarding Alc. Bev. Lic. No. 2129-Hops Haven Brew Haus (Jeffrey J. Kolar, Agent)

Jeffrey J. Kolar appeared before the committee and claimed that the two underage females had been carded and that Hops Haven had, in fact, called the police to report the incident. Ald. VanderWeele moved, seconded by Ald. Kath, to take no further action against Hops Haven Brew Haus. **All ayes; motion approved.**

Possible action regarding Alc. Bev. Lic. No. 2601-Walgreens #12020 (Lori Lynn Woelfel, Agent), Alc. Bev. Lic. No. 1424-Walgreens #06097 (Jerome R. Godard, Agent) and Alc. Bev. Lic. No. 2088-Walgreens #6570 (Darryll D. Matthies, Agent)

Lori Lynn Woelfel, Jerome R. Godard and Darryll D. Matthies appeared before the committee regarding Walgreens' failure to license their employees. Mr. Matthies spoke on behalf of the agents

called in. He explained that this was simply a misunderstanding and that as soon as it was brought to their attention, Walgreens cooperated fully with the police department and City. Ald. Wangemann moved, seconded by Ald. Bowers, to issue warnings to all three Walgreens stores regarding their failure to make certain that their employees had obtained beverage operator licenses. **All ayes; motion approved.**

Possible action regarding Alc. Bev. Lic. No. 2774-Union Ave. Tap (Kevin R. Fetterer, Agent) and Bev. Op. Lic. No. 8232 (Stephanie M. Johnson)

Kevin R. Fetterer and Stephanie M. Johnson appeared before the committee. Mr. Fetterer indicated that “no smoking” signs have now been posted, the door to the basement room has been locked, and licenses have been posted. He feels that the disturbance on Super Bowl Sunday was an isolated incident and he is working with the Police Department and will make whatever changes are necessary at the bar. Lt. Mittelstadt stated that a recent police report had erroneously indicated that Ms. Johnson had been observed bartending while intoxicated, but it actually was a different bartender.

A motion was made by Ald. VanderWeele, seconded by Ald. Kath, to hold the Union Ave. Tap matter for 30 days to give Mr. Fetterer the opportunity to meet with the Police Department and work out a plan to solve some of the ongoing issues. **All ayes; motion approved.** Mr. Fetterer will be called back to the Law & Licensing meeting scheduled for April 12, 2011.

Ald. VanderWeele moved, seconded by Ald. Bowers, to take no further action against Stephanie M. Johnson. **All ayes; motion approved.**

R.O. No. 406-10-11 (22-45) – Various License Applications

Submitting various license applications for the period ending June 30, 2011 and June 30, 2012.

Ald. VanderWeele moved, seconded by Ald. Kath, to grant a license with a warning to Bev. Op. Lic. App. No. 9001 (Jinhee Bae-Hermann). **All ayes; motion approved.**

Ald. VanderWeele moved, seconded by Ald. Kath, to call in Bev. Op. Lic. App. No. 8997 (Lori M. Barnes) to discuss her application with the committee. **All ayes; motion approved.**

Ald. VanderWeele moved, seconded by Ald. Kath, to grant a license to Bev. Op. Lic. App. No. 8975 (Holly T. Howard). **All ayes; motion approved.**

Ald. VanderWeele moved, seconded by Ald. Bowers, to call in Bev. Op. Lic. App. No. 7081 (Joseph Mertens) to discuss his application with the committee. **All ayes; motion approved.**

Ald. VanderWeele moved, seconded by Ald. Bowers, to a grant license to Bev. Op. Lic. App. No. 8999 (Pa Zong S. Moua). **All ayes; motion approved.**

Ald. VanderWeele moved, seconded by Ald. Kath, to grant a license with a warning to Bev. Op. Lic. App. No. 8978 (Christie M. Moya). **All ayes; motion approved.**

Ald. VanderWeele moved, seconded by Ald. Bowers, to call in Bev. Op. Lic. App. No. 9002 (Megan A. Papendieck) to discuss her application with the committee. **All ayes; motion approved.**

Ald. VanderWeele moved, seconded by Ald. Bowers, to grant a license to Bev. Op. Lic. App. No. 8961 (Doris Roskosch). **All ayes; motion approved.**

Ald. Bowers moved, seconded by Ald. Wangemann, to call in Taxicab Op. Lic. App. No. 9003 (Vanessa C. Molina) to discuss her application with the committee. **Four ayes and one nay (Ald. VanderWeele); motion approved.**

Ald. VanderWeele moved, seconded by Ald. Kath, 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 law violations that may require future action by the Committee

After hearing a brief report from ACA Adams regarding the possibility that Thai Cafe may be selling alcohol even though they never picked up their license, Ald. VanderWeele made a motion, seconded by Ald. Kath, to call in Alc. Bev. Lic. No. 2245-Thai Cafe Restaurant (Wongjan Manyvanh, Agent) to discuss the matter with the committee. **All ayes; motion approved.**

After hearing a brief report from Lt. Mittelstadt regarding an upstairs tenant and cook at Nine 21 Bar & Grill with several recent arrests, Ald. Bowers made a motion, seconded by Ald. Wangemann, to call in Alc. Bev. Lic. No. 2601-Nine 21 Bar & Grill LLC (Anthony P. Bray, Agent) to discuss the matter with the committee. **Four ayes and one abstention (Ald. Rindfleisch); motion approved.**

Presentations by potential applicants for available "Class B" alcohol beverage licenses

Gary Hughes and Attorney Anthony Resimius appeared before the committee to present their cases regarding pre-applications for the two available "Class B" liquor licenses.

Gary Hughes spoke on behalf of the Knights of Columbus and the property at 833 Center Avenue they recently purchased from the City. Remodeling should be completed by July 1. After the building is remodeled, the bar will seat approximately 14 people and the hall will hold approximately 95 people. They plan to rent the hall for small functions and weddings. Food preparation will no longer be done on site.

Attorney Anthony Resimius spoke on behalf of his client, Sheboygan Resort Operator LLC, and the pending sale transaction regarding the Blue Harbor Resort. Blue Harbor Resort presently has a reserve license which is not transferrable.

Discussion and action regarding granting opportunity to apply for available “Class B” alcohol beverage licenses

A motion was made by Ald. VanderWeele, seconded by Ald. Kath, to invite the Knights of Columbus to apply for one of the available “Class B” alcohol beverage licenses within seven (7) days. **Four ayes and one nay (Ald. Bowers); motion approved.**

A motion was made by Ald. VanderWeele, seconded by Ald. Kath, to invite Sheboygan Resort Operator LLC to apply for one of the available “Class B” alcohol beverage licenses within seven (7) days. **All ayes; motion approved.**

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

There being no further business to come before the committee, the meeting was adjourned at 6:30 p.m.

The next committee meeting is scheduled to be held on March 15, 2011 at 5:00 p.m. in the Common Council Chambers located at City Hall, 828 Center Avenue.