

MINUTES
COMMITTEE ON LAW & LICENSING

March 15, 2011 - 5:00 p.m.
Common Council Chambers, City Hall

Members Present: Vice Chairperson Ald. Jodi VanderWeele, Ald. Tom Bowers, Ald. Julie Kath
Excused: Chairperson Ald. Eric Rindfleisch, Ald. William Wangemann
Others in Attendance: Assistant City Attorney Charles Adams, Licensing Clerk Cinda Langhoff, Kristine L. Cornell, Lori M. Barnes, Megan A. Papendieck, Vanessa C. Molina, Wongjan Manyvanh, Anthony P. Pray, Jennifer Bray

Vice Chairperson VanderWeele called the meeting to order at 5:02 p.m.

The Pledge of Allegiance was recited.

Introduction of committee members, staff and guests.

Ald. Kath moved, seconded by Ald. Bowers, to approve the minutes of the previous meeting held March 1, 2011 with the following addition to the minutes regarding R.O. No. 406-10-11:

“Ald. VanderWeele moved, seconded by Ald. Kath, to call in Bev. Op. Lic. App. No. 5998 (Barbara F. Weber) to discuss her application with the committee. All ayes; motion approved.”

All 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 now been straightened out and the application can now be approved. Ald. Kath moved, seconded by Ald. Bowers, to approve “Class B” Liquor Lic. App. No. 2786 (Joint Ventures). **All ayes; motion approved.**

R.O. No. 384-10-11 (21-52) – Various License Applications: Bev. Op. Lic. App. Nos. 8169 (Andrew P. Marks) and 1055 (Robert J. Scheibl); Taxicab Op. Lic. App. No. 8949 (Kristine L. Cornell)

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

Andrew P. Marks failed to appear before the committee. Ald. Bowers moved, seconded by Ald. Kath, to deny the license application based upon Mr. Marks’ record of violations and his failure to cooperate with the committee. **All ayes; motion approved.**

Robert J. Scheibl failed to appear before the committee. Ald. Bowers moved, seconded by Ald. Kath, to deny the license application based upon Mr. Scheibl’s failure to accurately reveal all

relevant convictions on his application and his failure to cooperate with the committee. **All ayes; motion approved.**

Kristine L. Cornell 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. Kath, to grant the license with a warning to include all relevant information on future applications. **All ayes; motion approved.**

R.O. No. 406-10-11 (22-45) – Various License Applications: Bev. Op. Lic. App. Nos. 8997 (Lori M. Barnes), 7081 (Joseph Mertens), 9002 (Megan A. Papendieck) and 5998 (Barbara F. Weber); Taxicab Op. Lic. App. No. 9003 (Vanessa C. Molina)

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

Lori M. Barnes appeared before the committee to discuss her application. After discussion of her record and her failure to include a violation on her application, Ald. Bowers moved, seconded by Ald. Kath, to grant the license with a warning to include all relevant information on future applications. **All ayes; motion approved.**

Joseph Mertens failed to appear before the committee. Ald. Kath moved, seconded by Ald. Bowers, to request via certified mailing Mr. Mertens' appearance before the committee at its March 29th meeting. **All ayes; motion approved.**

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

Barbara F. Weber had called the City Attorney's office in response to the call-in letter she was sent. Further investigation revealed that background check issues related to another person with the same name and Barbara F. Weber was advised that she did not need to appear. Ald. Kath moved, seconded by Ald. Bowers, to grant the license. **All ayes; motion approved.**

Vanessa C. Molina 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. Kath, to grant the license with a warning to include all relevant information on future applications. **All ayes; motion approved.**

Possible action regarding Alc. Bev. Lic. No. 2245-Thai Cafe Restaurant (Wongjan Manyvanh, Agent)

Wongjan Manyvanh appeared before the committee. Thai Cafe Restaurant had applied for a license but then never picked up the license and the committee was concerned that they might be selling alcohol without the license being issued. ACA Adams explained to Ms. Manyvanh that saki is alcohol. Cinda Langhoff informed the committee that the building inspection department has now done their inspection and an occupancy permit will be issued. Ms. Manyvanh indicated that she would pick up the license and post it. Ald. Kath moved, seconded by Ald. VanderWeele, to issue a

warning to Thai Cafe Restaurant regarding their not picking up the license and properly posting it. **All ayes; motion approved.**

Possible action regarding Alc. Bev. Lic. No. 2601-Nine 21 Bar & Grill LLC (Anthony P. Bray, Agent)

Anthony P. Bray and Jennifer Bray appeared before the committee. Mr. Bray claimed that he was never told by the police department to evict the employee who lives above the bar because of drug and nuisance issues. Mr. Bray is aware of one nuisance complaint. A motion was made by Ald. VanderWeele, seconded by Ald. Kath, to hold the Nine 21 Bar & Grill LLC matter for 30 days to give Mr. Bray the opportunity to meet with the police department to discuss the police department's concerns. **All ayes; motion approved.** Mr. Bray will be called back to the Law & Licensing meeting scheduled for April 12, 2011 (the committee's final meeting of the 2010 - 2011 council year).

R.O. No. 429-10-11 (23-42) – Various License Applications

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

Ald. Bowers moved, seconded by Ald. VanderWeele, to grant a license with a warning to Bev. Op. Lic. App. No. 9011 (Christine M. Ruska). **All ayes; motion approved.**

Ald. Kath moved, seconded by Ald. Bowers, to grant a license with a warning to Bev. Op. Lic. App. No. 2217 (Ronald R. Taubenheim). **All ayes; motion approved.**

Ald. Kath moved, seconded by Ald. VanderWeele, to grant a license with a warning to Taxicab Op. Lic. App. No. 8093 (Melisa K. Bilbrey). **All ayes; motion approved.**

Ald. Kath moved, seconded by Ald. VanderWeele, 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 a Change of Premise for Sheboygan Resort Operator LLC, “Class B” Liquor License App. No. 2805

ACA Adams explained that there is a need to permanently expand the premises to include the area formerly covered by the license held by Weissgerber's. Ald. Kath moved, seconded by Ald. Bowers, to approve the change of premise effective April 3, 2011, contingent upon the release/surrender of Weissgerber's license at the same time. **All ayes; motion approved.**

Discussion and possible action regarding an amendment to the “Guidelines to be used for granting & denial of liquor licenses”

ACA Adams explained that item no. 11 with regard to economic impact of the business on the City has been added to the guidelines at the committee's request. Because only three committee members were present at the meeting, Ald. Kath moved, seconded by Ald. Bowers, to hold this item until all five committee members are present. **All ayes; motion approved.**

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

ACA Adams indicated that he had no such violations to report.

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

There being no further business to come before the committee, the meeting was adjourned at 5:52 p.m.

The next committee meeting is scheduled to be held on March 29, 2011 at 5:00 p.m. in the Common Council Chambers located at City Hall, 828 Center Avenue.