

**MINUTES**  
**COMMITTEE ON LAW & LICENSING**

**April 12, 2011 - 5:00 p.m.**  
**Common Council Chambers, City Hall**

**Members Present:** Chairperson Ald. Eric Rindfleisch, Ald. Julie Kath, Ald. William Wangemann  
**Excused:** Vice Chairperson Ald. Jodi VanderWeele  
**Absent:** Ald. Tom Bowers  
**Others in Attendance:** Assistant City Attorney Charles Adams, Lt. Scott Mittelstadt, Licensing Clerk Cinda Langhoff, Development Manager Chad Pelishek, Randy Schwoerer, Kevin R. Fetterer, Anthony P. Bray, Jennifer Bray, Ivan V. Castillo, Mario A. Galicia, Kyle G. Alft, Travis W. Siegl, Max Dickmann

Chairperson Rindfleisch called the meeting to order at 5:05 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 March 29, 2011 was made by Ald. Kath and seconded by Ald. Wangemann. **All ayes; motion approved.**

**Possible action regarding Alc. Bev. Lic. No. 2774-Union Ave. Tap (Kevin R. Fetterer, Agent)**

Kevin R. Fetterer appeared before the committee. Lt. Mittelstadt informed the committee that Mr. Fetterer met with Officer Braesch to resolve police concerns and has been very cooperative. Ald. Wangemann moved, seconded by Ald. Kath, to take no action against Union Ave. Tap or Kevin R. Fetterer. **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. Lt. Mittelstadt informed the committee that he had spoken with Mr. Bray regarding the police department's concerns about an employee who lives upstairs from the bar and that their opinions regarding this matter differed. Ald. Wangemann moved, seconded by Ald. Kath, to take no further action. **All ayes; motion approved.**

**Possible action regarding Taxicab Op. Lic. No. 8863 (Ivan V. Castillo) and Taxicab Business Lic. No. 2746-Alpine Taxi I (Mario A. Galicia, Agent)**

Ivan V. Castillo and Mario A. Galicia appeared before the committee. Mr. Castillo indicated that he had been speeding while driving the taxi because he wasn't paying attention and that it was his first violation. Ald. Wangemann moved, seconded by Ald. Kath, to issue warnings to both Ivan V. Castillo and Alpine Taxi I regarding the speeding incident. **All ayes; motion approved.**

**R.O. No. 449-10-11 (24-51) – Various License Applications: Bev. Op. Lic. App. Nos. 9021 (Kyle G. Alft), 5479 (Tariék T. Gahiji II), Taxicab Op. Lic. App. No. 9024 (Travis W. Siegl)**  
Submitting various license applications for the period ending June 30, 2011 and June 30, 2012.

Kyle G. Alft appeared before the committee to discuss his application. After discussion of his record and his failure to include a violation on his application, Ald. Wangemann moved, seconded by Ald. Kath, to grant the license with a warning to include all relevant information on future applications. **All ayes; motion approved.**

Tariék T. Gahiji II failed to appear before the committee. Ald. Wangemann moved, seconded by Ald. Kath, to request via certified mailing Mr. Gahiji's appearance before the committee at its April 26th meeting. **All ayes; motion approved.**

MOTION TO CONVENE IN CLOSED SESSION was made by Ald. Wangemann, seconded by Ald. Kath, under the exemption provided in § 19.85(1)(f) of the Wisconsin Statutes for the purpose of considering social or personal histories of the following licensees, applicants or agents: Travis W. Siegl, which if discussed in public would be likely to have a substantial adverse effect upon the reputation of such person. Each of these persons has the right to demand that consideration of that person's matter be held in open session. **All ayes; motion approved.**

MOTION TO RECONVENE IN OPEN SESSION was made by Ald. Kath, seconded by Ald. Wangemann. **All ayes; motion approved.**

**Action on matter considered in closed session**

Ald. Kath moved, seconded by Ald. Wangemann, to deny the license application based upon the police department's public safety concerns. **Two ayes and one nay (Ald. Rindfleisch); motion approved.** Ald. Kath moved, seconded by Ald. Wangemann, to rescind the motion to deny, refer this matter to the Law & Licensing committee of the new council, and invite Mr. Siegl to the next meeting. **All ayes; motion approved.**

**R.O. No. 466-10-11 (25-49) – Communication from Manager of the Harbor Centre BID**  
Submitting a communication from the Manager of the Harbor Centre BID making various requests of the City to hold "Taste Sheboygan" on Sept. 14th.

Randy Schwoerer appeared before the committee. Mr. Schwoerer was advised by ACA Adams that they will need to apply for a street festival permit through the police department and also request permission to use City property through the Public Protection & Safety Committee. Ald. Kath moved, seconded by Ald. Wangemann, to file the R.O. **All ayes; motion approved.**

**Gen. Ord. No. 57-10-11 (25-68)** *(listed on Agenda as Gen. Ord. 56-10-11 (25-68))*

An ordinance amending and repealing and recreating various sections of Chapter 26 of the Municipal Code relating to contractor qualifications, licensing and insurance/bonding requirements.

Development Manager Chad Pelishek was present and informed the committee that this ordinance brings our code in alignment with changes in State law. The changes made allow the City to remain involved with licensing while assuring some level of competence in contractors. Ald. Wangemann

moved, seconded by Ald. Kath, to approve the proposed ordinance and submit it to the common council with a favorable recommendation. **All ayes; motion approved.**

**Discussion regarding available “Class A” alcohol beverage licenses**

ACA Adams informed the committee that twelve (12) “Class A” alcohol beverage licenses are allotted to the City of Sheboygan and nine (9) have already been granted, leaving three (3) available licenses. Pick N Save’s application is included on R.O. 467-10-11 which is also on today’s agenda. In addition, Midnight Rush Liquor Store had been granted a license in October 2010 and is presently in violation of the continuation of business ordinance. Ald. Wangemann moved, seconded by Ald. Kath, to invite all applicants, potential applicants, plus the holder of the inactive license, to the next meeting to make presentations. **All ayes; motion approved.**

**R.O. No. 467-10-11 (25-71) – Various License Applications**

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

Max Dickmann from Roundy’s appeared before the committee and presented a copy of the Pick N Save (2633 S. Business Drive) store plans to the committee. While this originally appeared as a permanent change of premises, it is actually a new application for a “Class A” Liquor License and was handled by the committee as such. Following discussion, Ald. Wangemann moved, seconded by Ald. Kath, to grant a “Class A” Liquor License to “Class A” Liquor Lic. App. No. 2516-Pick N Save #6433. **All ayes; motion approved.**

Ald. Kath moved, seconded by Ald. Wangemann, to grant a license with a warning to Bev. Op. Lic. App. No. 5779 (Stephanie L. Gill). **All ayes; motion approved.**

Ald. Wangemann moved, seconded by Ald. Kath, to call in Taxicab Op. Lic. App. No. 9038 (Corey Barnett Copeland) to discuss his application with the committee. **All ayes; motion approved.**

Ald. Kath moved, seconded by Ald. Wangemann, to grant a license with instructions to correct the application to Taxicab Op. Lic. App. No. 9028 (Andrew R. Siegl). **All ayes; motion approved.**

Ald. Wangemann 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**

Lt. Mittelstadt indicated that he is aware of a recent law violation but will delay that discussion until the meeting of the Law & Licensing committee of the new council in two weeks.

Ald. Wangemann made a motion to adjourn sine die. Ald. Kath seconded the motion. **All ayes; motion approved.**

There being no further business to come before the committee, the meeting was adjourned sine die at 6:05 p.m.

The next committee meeting is tentatively scheduled to be held on April 26, 2011 at 5:00 p.m. in the Common Council Chambers located at City Hall, 828 Center Avenue.