

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

**June 9, 2011 - 5:00 p.m.**  
**Common Council Chambers, City Hall**

**Members Present:** Chairperson Ald. Mark Hanna, Vice Chairperson Ald. Jodi VanderWeele, Ald. Julie Kath, Ald. Eric Rindfleisch, Ald. Scott Versey

**Others in Attendance:** Assistant City Attorney Charles Adams, Lt. Scott Mittelstadt, City Clerk Susan Richards, Ald. Darryl Carlson, Development Manager Chad Pelishek, Pat Eirich, John Winter, Toby Watson, Marianne Evans, Cindia Lopez, James J. Bower, Derek Rejholec, Jorge Galicia, Marilyn Montemayor, Scott Bennett, Helen Ruppel, Marge Mattern, Richard Hartmann

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

The Pledge of Allegiance was recited.

A motion to approve the minutes of the previous meeting held May 19, 2011 was made by Ald. Versey and seconded by Ald. Rindfleisch. **All ayes; motion approved.**

**Gen. Ord. No. 10-11-12 (4-55)**

An ordinance repealing and recreating Subsection 70-6(a)(2) of the Municipal Code so as to clarify the definition of an enclosed place in the statewide smoking ban and to eliminate Section 3 of Gen. Ord. No. 61-10-11, as amended on May 2, 2011, which read “All existing facilities that properly applied for building permits are grandfathered in as they currently exist.”

Ald. Hanna moved, seconded by Ald. VanderWeele, to draft an ordinance adopting the State law defining smoking rooms verbatim, including all future changes made by the State. **All ayes; motion approved.** Ald. Rindfleisch moved, seconded by Ald. Versey, to file Gen. Ord. No. 10-11-12 (4-55). **All ayes; motion approved.**

**R.O. No. 38-11-12 (4-59) – Various License Applications: Bev. Op. Lic. App. Nos. 9071 (Nathaniel D. Eichler), 9072 (Marianne M. Evans), 9067 (Nichole L. Guillette), 9073 (Tricia L. Jackson), 1553 (Walter J. Jacoby), 9069 (Heather M. McClellan), 6879 (Cindia Lopez); Taxicab Op. Lic. App. Nos. 9075 (James J. Bower), 9065 (Derek L. Rejholec), 8147 (Jorge A. Galicia)**

Submitting various license applications for the period ending June 30, 2012 and June 30, 2013.

Nathaniel D. Eichler failed to appear before the committee. Ald. VanderWeele moved, seconded by Ald. Hanna, to request via certified mailing Mr. Eichler’s appearance before the committee at its June 23rd meeting. **All ayes; motion approved.**

Marianne M. Evans appeared before the committee to discuss her application. After discussion of her record, Ald. Rindfleisch moved, seconded by Ald. VanderWeele, to grant the license. **All ayes; motion approved.**

Nichole L. Guillette failed to appear before the committee. Ald. Kath moved, seconded by Ald. Rindfleisch, to request via certified mailing Ms. Guillette's appearance before the committee at its June 23rd meeting. **All ayes; motion approved.**

Tricia L. Jackson failed to appear before the committee. Ald. Kath moved, seconded by Ald. VanderWeele, to request via certified mailing Ms. Jackson's appearance before the committee at its June 23rd meeting. **All ayes; motion approved.**

ACA Adams informed the committee that a conviction from 1994 made Walter J. Jacoby ineligible for a license and that Mr. Jacoby had come in and withdrawn his license application. No further action needs to be taken.

Heather M. McClellan failed to appear before the committee, but had phoned the City Attorney's office to indicate she was unable to appear due to her work schedule. Ms. McClellan was instructed to appear at the June 23rd meeting. Ald. VanderWeele moved, seconded by Ald. Versey, to hold the application until the June 23rd meeting. **All ayes, motion approved.**

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

James J. Bower appeared before the committee to discuss his application. After discussion of his record, Ald. Rindfleisch moved, seconded by Ald. Hanna, to grant the license with instructions to correct the application. **All ayes; motion approved.**

Derek L. Rejholec failed to appear before the committee. Ald. VanderWeele moved, seconded by Ald. Versey, to request via certified mailing Mr. Rejholec's appearance before the committee at its June 23rd meeting. **All ayes; motion approved.** Mr. Rejholec appeared before the committee later during the meeting to discuss his application. After discussion of his record, Ald. VanderWeele moved, seconded by Ald. Rindfleisch, to reconsider the previous motion. **All ayes; motion approved.** Ald. Rindfleisch moved, seconded by Ald. Versey, to grant the license. **All ayes; motion approved.**

Jorge A. Galicia appeared before the committee to discuss his application. After discussion of his record and his failure to include violations on his application, Ald. Versey moved, seconded by Ald. VanderWeele, 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. 2717-SheVegas (Toby T. Watson, Agent)**

Toby T. Watson appeared before the committee. Mr. Watson informed the committee that he didn't realize that they couldn't do a cabaret show. Ald. Rindfleisch moved, seconded by Ald. VanderWeele, to issue a warning to SheVegas regarding the recent incidents of illegal adult entertainment at SheVegas. **All ayes; motion approved.**

**R.O. No. 57-11-12 (5-55) – Various License Applications (individual applications)**

Submitting various license applications for the period ending June 30, 2012 and June 30, 2013.

Ald. Rindfleisch moved, seconded by Ald. Versey, to call in Bev. Op. Lic. App. No. 7568 (Katie L. Arentz) to discuss her application with the committee. **All ayes; motion approved.**

Ald. VanderWeele moved, seconded by Ald. Rindfleisch, to call in Bev. Op. Lic. App. No. 9134 (Alicia E. Greyn) to discuss her application with the committee. **All ayes; motion approved.**

Ald. VanderWeele moved, seconded by Ald. Versey, to call in Bev. Op. Lic. App. No. 9130 (Mike I. Grunow) to discuss his application with the committee. **All ayes; motion approved.**

Ald. VanderWeele moved, seconded by Ald. Versey, to grant a license to Bev. Op. Lic. App. No. 9140 (Evelyn R. Hungerford). **Four ayes and one nay (Ald. Rindfleisch); motion approved.**

Ald. VanderWeele moved, seconded by Ald. Rindfleisch, to call in Bev. Op. Lic. App. No. 9120 (Maria D. Jimenez) to discuss her application with the committee. **All ayes; motion approved.**

Ald. Kath moved, seconded by Ald. Rindfleisch, to call in Bev. Op. Lic. App. No. 9097 (Darrick C. Magee) to discuss his application with the committee. **All ayes; motion approved.**

Ald. VanderWeele moved, seconded by Ald. Kath, to call in Bev. Op. Lic. App. No. 9126 (Wesley S. Melton) to discuss his application with the committee. **All ayes; motion approved.**

Ald. VanderWeele moved, seconded by Ald. Kath, to grant a license with a warning to Bev. Op. Lic. App. No. 9132 (Juan A. Olivas). **All ayes; motion approved.**

Ald. VanderWeele moved, seconded by Ald. Kath, to call in Bev. Op. Lic. App. No. 9137 (Chelsie M. Petek) to discuss her application with the committee. **Four ayes and one abstention (Ald. Rindfleisch); motion approved.**

Ald. VanderWeele moved, seconded by Ald. Kath, to grant a license with a warning to Bev. Op. Lic. App. No. 9133 (Joseph Raymond Servant). **All ayes; motion approved.**

Ald. VanderWeele moved, seconded by Ald. Versey, to call in Bev. Op. Lic. App. No. 9082 (Nathan B. TenPas) to discuss his application with the committee. **All ayes; motion approved.**

Ald. VanderWeele moved, seconded by Ald. Rindfleisch, to grant a license with a warning to Bev. Op. Lic. App. No. 9079 (Jennifer G. Thelen). **All ayes; motion approved.**

Ald. Rindfleisch moved, seconded by Ald. VanderWeele, to grant a license with a warning to Bev. Op. Lic. App. No. 6855 (Alexander D. Wagner). **All ayes; motion approved.**

Ald. Rindfleisch moved, seconded by Ald. Versey, to call in Bev. Op. Lic. App. No. 9115 (Jeffery D. Walli) to discuss his application with the committee. **All ayes; motion approved.**

Ald. VanderWeele moved, seconded by Ald. Versey, to grant a license with a warning to Bev. Op. Lic. App. No. 7509 (Amanda M. Beniger). **All ayes; motion approved.**

Ald. VanderWeele moved, seconded by Ald. Kath, to grant a license with a warning to Bev. Op. Lic. App. No. 1186 (Linda S. Boyle). **Four ayes and one nay (Ald. Rindfleisch); motion approved.**

Ald. Kath moved, seconded by Ald. VanderWeele, to call in Bev. Op. Lic. App. No. 8362 (Barry R. Drews) to discuss his application with the committee. **All ayes; motion approved.**

Ald. Versey moved, seconded by Ald. VanderWeele, to call in Bev. Op. Lic. App. No. 5479 (Tariék T. Gahiji II) to discuss his application with the committee. **All ayes; motion approved.**

Ald. Rindfleisch moved, seconded by Ald. Versey, to call in Bev. Op. Lic. App. No. 7782 (Benjamin F. Heyman) to discuss his application with the committee. **Four ayes and one abstention (Ald. Kath); motion approved.**

Ald. VanderWeele moved, seconded by Ald. Rindfleisch, to call in Bev. Op. Lic. App. No. 3338 (Jeffrey Lee Klein) to discuss his application with the committee. **All ayes; motion approved.**

Ald. VanderWeele moved, seconded by Ald. Rindfleisch, to call in Bev. Op. Lic. App. No. 8425 (Timber M. Kruse) to discuss her application with the committee. **All ayes; motion approved.**

Ald. Versey moved, seconded by Ald. Rindfleisch, to call in Bev. Op. Lic. App. No. 7826 (Kenneth J. Liebergen) to discuss his application with the committee. **All ayes; motion approved.**

Ald. VanderWeele moved, seconded by Ald. Versey, to grant a license with a warning to Bev. Op. Lic. App. No. 8485 (Eric Medina). **All ayes; motion approved.**

Ald. Versey moved, seconded by Ald. Rindfleisch, to call in Bev. Op. Lic. App. No. 6084 (Brandon C. Munz) to discuss his application with the committee. **All ayes; motion approved.**

Ald. Kath moved, seconded by Ald. Rindfleisch, to call in Bev. Op. Lic. App. No. 7853 (Theresa L. Nitze) to discuss her application with the committee. **All ayes; motion approved.**

Ald. VanderWeele moved, seconded by Ald. Rindfleisch, to grant a license with a warning to Bev. Op. Lic. App. No. 6196 (Kevin S. Nyhuis). **All ayes; motion approved.**

Ald. VanderWeele moved, seconded by Ald. Versey, to grant a license with a warning to Bev. Op. Lic. App. No. 7511 (Daniel J. Pragatz). **All ayes; motion approved.**

Ald. Versey moved, seconded by Ald. VanderWeele, to grant a license with a warning to Bev. Op. Lic. App. No. 8378 (Cheryl K. Ross). **All ayes; motion approved.**

Ald. VanderWeele moved, seconded by Ald. Rindfleisch, to call in Bev. Op. Lic. App. No. 7052 (Jamie L. Schad) to discuss her application with the committee. **All ayes; motion approved.**

Ald. VanderWeele moved, seconded by Ald. Versey, to call in Bev. Op. Lic. App. No. 8238 (Jipson M. Vincent) to discuss his application with the committee. **All ayes; motion approved.**

Ald. VanderWeele moved, seconded by Ald. Versey, to grant a license with a warning to Bev. Op. Lic. App. No. 2274 (Paul L. Vreeke). **All ayes; motion approved.**

Ald. Rindfleisch moved, seconded by Ald. Kath, to call in Bev. Op. Lic. App. No. 8447 (Peter R. Vreeke) to discuss his application with the committee. **All ayes; motion approved.**

Ald. Rindfleisch moved, seconded by Ald. Versey, to call in Taxicab Op. Lic. App. No. 9094 (Tara L. Abdallah) to discuss her application with the committee. **All ayes; motion approved.**

Ald. Versey moved, seconded by Ald. VanderWeele, to call in Taxicab Op. Lic. App. No. 9090 (Jessica M. Jindra) to discuss her application with the committee. **All ayes; motion approved.**

Ald. Versey moved, seconded by Ald. VanderWeele, to grant a license to Taxicab Op. Lic. App. No. 7931 (Timothy D. Krejci). **All ayes; motion approved.**

Ald. Versey moved, seconded by Ald. VanderWeele, to grant a license with a warning to Taxicab Op. Lic. App. No. 6977 (Edwin R. Lehmann). **Three ayes and two nays (Ald. Rindfleisch and Ald. Kath); motion approved.**

Ald. Kath moved, seconded by Ald. Versey, to call in Taxicab Op. Lic. App. No. 9127 (Abraham Loya) to discuss his application with the committee. **All ayes; motion approved.**

Ald. VanderWeele moved, seconded by Ald. Rindfleisch, to grant a license with a warning to Taxicab Op. Lic. App. No. 7585 (Esteban J. Loya). **All ayes; motion approved.**

Ald. Versey moved, seconded by Ald. Rindfleisch, to grant a license with a warning to Taxicab Op. Lic. App. No. 9124 (Robert J. Olbrantz). **All ayes; motion approved.**

Ald. VanderWeele moved, seconded by Ald. Versey, to call in Taxicab Op. Lic. App. No. 9093 (Jonathon R. Rahmlow) to discuss his application with the committee. **All ayes; motion approved.**

Ald. Rindfleisch moved, seconded by Ald. Versey, to call in Taxicab Op. Lic. App. No. 9081 (Jessica G. Reyes) to discuss her application with the committee. **All ayes; motion approved.**

Ald. VanderWeele moved, seconded by Ald. Versey, to grant a license with a warning to Taxicab Op. Lic. App. No. 8438 (Salvador G. Castillo). **Four ayes and one nay (Ald. Kath); motion approved.**

Ald. Kath moved, seconded by Ald. Versey, to call in Taxicab Op. Lic. App. No. 7348 (Mauro Castro, Jr.) to discuss his application with the committee. **All ayes; motion approved.**

Ald. Rindfleisch moved, seconded by Ald. Versey, to call in Taxicab Op. Lic. App. No. 7740 (Mario A. Galicia) to discuss his application with the committee. **Four ayes and one nay (Ald. VanderWeele); motion approved.**

Ald. Rindfleisch moved, seconded by Ald. Versey, to grant a license with a warning to Taxicab Op. Lic. App. No. 5224 (Michael B. Gaumer). **All ayes; motion approved.**

Ald. VanderWeele moved, seconded by Ald. Versey, to grant a license with a warning to Taxicab Op. Lic. App. No. 7483 (Charlotte A. Gollihue). **Four ayes and one nay (Ald. Kath); motion approved.**

Ald. VanderWeele moved, seconded by Ald. Kath, to grant a license with a warning to Taxicab Op. Lic. App. No. 8830 (Paul S. Marks). **All ayes; motion approved.**

Ald. Versey moved, seconded by Ald. Rindfleisch, to grant a license with a warning to Taxicab Op. Lic. App. No. 3490 (Lee A. Miller). **All ayes; motion approved.**

Ald. VanderWeele moved, seconded by Ald. Rindfleisch, to call in Taxicab Op. Lic. App. No. 3911 (Jay A. Nitsch) to discuss his application with the committee. **All ayes; motion approved.**

Ald. VanderWeele moved, seconded by Ald. Rindfleisch, to call in Taxicab Op. Lic. App. No. 8522 (Paul D. Pantel) to discuss his application with the committee. **All ayes; motion approved.**

Ald. VanderWeele moved, seconded by Ald. Versey, to grant a license with a warning to Taxicab Op. Lic. App. No. 6742 (Jose A. Razo). **All ayes; motion approved.**

Ald. VanderWeele moved, seconded by Ald. Kath, to grant a license with a warning to Taxicab Op. Lic. App. No. 6311 (Ronald J. Sanford). **All ayes; motion approved.**

Ald. VanderWeele moved, seconded by Ald. Kath, to grant a license with a warning to Taxicab Op. Lic. App. No. 5842 (Theodore T. Sanstadt). **All ayes; motion approved.**

Ald. VanderWeele moved, seconded by Ald. Rindfleisch, to grant a license with a warning to Taxicab Op. Lic. App. No. 7731 (Reynel Santana). **All ayes; motion approved.**

Ald. Versey moved, seconded by Ald. Rindfleisch, to grant a license with a warning to Taxicab Op. Lic. App. No. 7308 (Andrew W. Siegl). **All ayes; motion approved.**

Ald. VanderWeele, seconded by Ald. Versey, to grant the remainder of the license applications for the individuals listed on the above-referenced R.O. **All ayes; motion approved.**

**R.O. No. 58-11-12 (5-56) – Various License Applications (business applications)**

Submitting various license applications for the period ending June 30, 2012 and June 30, 2013.

Ald. Rindfleisch moved, seconded by Ald. Versey, to call in Class “A” Fermented Malt Bev. Lic. App. No. 2519-Northside Clark (Chandra Sekhar Vasireddy, Agent) to discuss the application with the committee. **All ayes; motion approved.**

Ald. VanderWeele moved, seconded by Ald. Versey, to grant a license to Class “A” Fermented Malt Bev. Lic. App. No. 2581-South Side Clark. **All ayes; motion approved.**

Ald. Rindfleisch moved, seconded by Ald. Versey, to call in “Class B” Liquor Lic. App. No. 2831-Waters Edge Villas (Taylor R. Martin, Agent) to discuss the application with the committee. **All ayes; motion approved.**

Ald. Rindfleisch moved, seconded by Ald. Versey, to call in “Class B” Liquor Lic. App. No. 2704-El Gallo Giro (Efren Martinez, Agent) to discuss the application with the committee. **All ayes; motion approved.**

Ald. VanderWeele moved, seconded by Ald. Versey, to call in “Class B” Liquor Lic. App. No. 2207-The Silver Fern (Eric R. Kriete, Agent) to discuss the application with the committee. **All ayes; motion approved.**

Ald. Kath moved, seconded by Ald. VanderWeele, to grant licenses to Class “B” Fermented Malt Bev. Lic. App. Nos. 2767-Thai Lotus and 1809-The Wharf. **All ayes; motion approved.**

Ald. Versey moved, seconded by Ald. VanderWeele, to call in Taxicab Business Lic. App. No. 2746-Alpine Taxi I (Mario A. Galicia, Agent) to discuss the application with the committee. **All ayes; motion approved.**

Ald. Versey moved, seconded by Ald. VanderWeele, to hold Taxicab Business Lic. App. No. 2829-American Taxi until the June 23rd meeting. **All ayes; motion approved.**

Ald. Rindfleisch moved, seconded by Ald. Versey, to grant a license to Taxicab Business Lic. App. No. 2694-City Taxi. **All ayes; motion approved.**

Ald. Versey moved, seconded by Ald. VanderWeele, to grant a license to Taxicab Business Lic. App. No. 2574-Custom Care & Transport. **All ayes; motion approved.**

Ald. Kath moved, seconded by Ald. VanderWeele, to grant a license to Taxicab Business Lic. App. No. 2778-Custom Express Courier. **All ayes; motion approved.**

Ald. VanderWeele moved, seconded by Ald. Versey, to grant a license to Taxicab Business Lic. App. No. 2509-Santana’s Limo. **All ayes; motion approved.**

Ald. Rindfleisch, seconded by Ald. Versey, to grant the remainder of the license applications for the business 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**

ACA Adams informed the committee of an open after hours violation at The Silver Fern on April 19th and also an incident of tobacco being sold to an underage person at the Northside Clark station by Jipson M. Vincent. The Silver Fern’s agent, the Northside Clark’s agent, and Jipson M. Vincent are already being called in to discuss these matters with the committee as those three license applications were a part of R.O. Nos. 57-11-12 and 58-11-12 above.

#### **Presentations by potential applicants for available “Class A” alcohol beverage licenses**

Ald. Hanna recused himself from any discussions regarding the applications for “Class A” licenses because of Q Mart’s involvement and then left the meeting at 6:07 p.m.. Vice Chairperson VanderWeele chaired the meeting from this point.

Chueman Lee did not appear on behalf of Midnight Rush although he had been informed that presentations were on the agenda.

John Winter of Q Mart appeared before the committee and presented information regarding Q Mart's pre-application for the available "Class A" liquor licenses for the stores located at 1006 Geele Avenue and 1211 Weeden Creek Road. Helen Ruppel, a patron at the Geele Avenue Q Mart, spoke in favor of that Q Mart being granted a liquor license. Ald. Darryl Carlson, Scott Bennett, and Marilyn Montemayor spoke out against a liquor license being granted for the Geele Avenue Q Mart.

**Discussion and action regarding granting opportunity to apply for available "Class A" alcohol beverage licenses**

Following a lengthy discussion, Ald. Kath moved, seconded by Ald. Versey, to invite the Weeden Creek Road Q Mart to apply for one of the two available liquor licenses. **One aye (Ald. Kath) and three nays; motion failed.**

Ald. Versey moved, seconded by Ald. Kath, to invite Q Mart to apply for the two available liquor licenses for the Geele Avenue and Weeden Creek Road stores. **Two ayes and two nays (Ald. Rindfleisch and Ald. VanderWeele); motion failed.**

Ald. Rindfleisch made a motion to adjourn. Ald. Versey seconded the motion. **All ayes; motion approved.**

There being no further business to come before the committee, the meeting was adjourned at 6:42 p.m.

The next committee meeting is scheduled to be held on Thursday, June 23, 2011 at 5:00 p.m. in the Common Council Chambers located at City Hall, 828 Center Avenue.