

MINUTES
COMMITTEE ON LAW & LICENSING

June 29, 2010 - 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, Amanda M. Hintz, Jessica L. McCandless, Nicole A. Hermann, Joshua J. Malson, Rufino C. Martinez, Frank J. Kovacs, Jay A. Nitsch, Salvador Olivas, Thomas Laiken

Chairperson Rindfleisch called the meeting to order at 5:02 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 June 15, 2010 was made by Ald. Wangemann and seconded by Ald. Kath. **Four ayes and no nays; motion approved.**

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

R.O. No. 39-10-11 (4-53) – Various License Applications: Bev. Op. Lic. App. Nos. 8578 (Amanda M. Hintz), 8573 (Jessica L. McCandless) and 7311 (Nicole A. Hermann)

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

Amanda M. Hintz 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.**

Jessica L. McCandless appeared before the committee to discuss her application. After discussion of her record and her failure to include violations on her application, Ald. Wangemann moved, seconded by Ald. Kath, to deny the license application based upon Ms. McCandless' record. **Two ayes (Ald. Wangemann and Ald. Kath) and three nays; motion failed.** Ald. VanderWeele moved, seconded by Ald. Bowers, to grant the license with a warning to include all relevant violations on future applications. **Three ayes and two nays (Ald. Wangemann & Ald. Kath); motion approved.**

Nicole A. Hermann appeared before the committee to discuss her application. After discussion of her record and her failure to include violations on her application, Ald. Wangemann moved, seconded by Ald. Kath, to deny the license application based upon Ms. Hermann's failure to accurately reveal all relevant convictions on her application and based upon her record. **All ayes; motion approved.**

R.O. No. 68-10-11 (5-84) – Various License Applications: Bev. Op. Lic. App. Nos. 8601 (Emily C. Check), 8607 (Joshua J. Malson), 7491 (Rufino C. Martinez), 2431 (Jeremy J. Ebert) and 6800 (Frank J. Kovacs), Taxicab Op. Lic. App. Nos. 3911 (Jay A. Nitsch) and 7390 (Salvador Olivas)

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

Emily C. Check failed to appear before the committee. Ald. VanderWeele moved, seconded by Ald. Wangemann, to request via certified mailing Ms. Check's appearance before the committee at its July 13th meeting. **All ayes; motion approved.**

Joshua J. Malson appeared before the committee to discuss his application. After discussion of his record, Ald. Bowers moved, seconded by Ald. Wangemann, to grant the license with a warning to avoid future law violations. **All ayes; motion approved.**

Rufino C. Martinez appeared before the committee to discuss his application. After discussion of his record and his failure to include violations on his application, Ald. Bowers moved, seconded by Ald. VanderWeele, to grant the license with a warning to include all relevant information on future applications. **All ayes; motion approved.**

Jeremy J. Ebert failed to appear before the committee, but had telephoned Ald. Rindfleisch and indicated that he was unable to attend because he was out of town. Ald. VanderWeele moved, seconded by Ald. Bowers, to grant the license with instructions to correct the application. **All ayes; motion approved.**

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

Jay A. Nitsch appeared before the committee to discuss his application. After discussion of his record and his failure to include a violation on his application, Ald. VanderWeele moved, seconded by Ald. Bowers, to grant the license with a warning to include all relevant information on future applications. **All ayes; motion approved.**

Salvador Olivas appeared before the committee to discuss his application. After discussion of his record and his failure to include violations on his application, Ald. Wangemann 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. 1860–Club Michigan, Inc. (Thomas E. Laiken, Agent)

Thomas E. Laiken appeared before the committee to discuss the May 22, 2010 incident. He indicated that, as a result of that incident, the bar now has a policy prohibiting employees from drinking while working. Lt. Mittelstadt then spoke regarding a separate incident at Club Michigan

involving a highly intoxicated person who was charged with fourth degree sexual assault and a report that the bar manager didn't do enough to control the situation. Mr. Laiken indicated that the bar has now hired a full-time security person and has installed 16 cameras. A motion was made by Ald. Wangemann, seconded by Ald. VanderWeele, to issue a warning to Club Michigan, Inc. regarding the incidents. **Four ayes and one abstention (Ald. Kath); motion approved.**

R.O. No. 101-10-11 (6-79) – Various License Applications

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

Ald. VanderWeele moved, seconded by Ald. Kath, to call in Bev. Op. Lic. App. No. 8077 (Stephanie A. Garcia) to discuss her application with the committee. **All ayes; motion approved.**

Ald. Bowers moved, seconded by Ald. Wangemann, to grant license with warning letter (to include all violations on future applications) to Bev. Op. Lic. App. No. 8650 (Todd A. Lorge). **All ayes; motion approved.**

Ald. Bowers moved, seconded by Ald. Wangemann, to call in Bev. Op. Lic. App. No. 8315 (Brittany E. Stewart) to discuss her application with the committee. **Four ayes and one nay (Ald. VanderWeele); motion approved.**

Ald. VanderWeele moved, seconded by Ald. Wangemann, to grant license with warning letter (to include all violations on future applications) to Bev. Op. Lic. App. No. 7435 (David A. Cesar). **All ayes; motion approved.**

Ald. VanderWeele moved, seconded by Ald. Kath, to call in Bev. Op. Lic. App. No. 8045 (Ondjrea K. Krueger) to discuss her application with the committee. **All ayes; motion approved.**

Ald. Wangemann moved, seconded by Ald. Bowers, to call in Bev. Op. Lic. App. No. 8215 (Christopher A. Theune) to discuss his application with the committee. **All ayes; motion approved.**

Ald. VanderWeele moved, seconded by Ald. Kath, to grant license with warning letter (to include all violations on future applications) to Bev. Op. Lic. App. No. 2283 (Michael Wappler). **All ayes; motion approved.**

Ald. VanderWeele moved, seconded by Ald. Bowers, to grant license with warning letter (to include all violations on future applications) to Taxicab Business Lic. App. No. 2746-Alpine Taxi I (Mario Galicia, owner). **Four ayes and one nay (Ald. Kath); motion approved.**

Ald. VanderWeele moved, seconded by Ald. Bowers, to grant license with warning letter (to include all violations on future applications) to Taxicab Op. Lic. App. No. 8184 (Shannon J. Kabasa). **All ayes; motion approved.**

Ald. Bowers moved, seconded by Ald. Kath, to grant license with warning letter (to include all violations on future applications) to Taxicab Op. Lic. App. No. 7483 (Charlotte A. Gollihue). **All ayes; motion approved.**

Ald. VanderWeele moved, seconded by Ald. Bowers, to grant license with warning letter (to include all violations on future applications) to Taxicab Op. Lic. App. No. 4943 (Christine A. Stangel). **All ayes; motion approved.**

Ald. Wangemann moved, seconded by Ald. Bowers, 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 law violations that may require future action by the Committee

After hearing a brief report from ACA Adams regarding a law violation on June 24, 2010 at Marathon/Morgan Petroleum (905 Indiana Avenue), Ald. VanderWeele made a motion, seconded by Ald. Wangemann, to call in the following license holders to discuss the matter with the committee:

- Alc. Bev. Lic. No. 2734–Marathon I (Navraj Ghuman, Agent);
- Bev. Op. Lic. No. 3336 (Tracy J. Konz)

All ayes; motion approved.

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

There being no further business to come before the committee, the meeting was adjourned at 6:10 p.m.

The next committee meeting is scheduled to be held on July 13, 2010 at 5:00 p.m. in the Common Council Chambers located at City Hall, 828 Center Avenue.