

MINUTES
COMMITTEE ON LAW & LICENSING

July 13, 2010 - 5:00 p.m.
Common Council Chambers, City Hall

Members Present: Chairperson Ald. Eric Rindfleisch, Vice Chairperson Ald. Jodi VanderWeele, Ald. Tom Bowers
Excused: Ald. Julie Kath, Ald. William Wangemann
Others in Attendance: Assistant City Attorney Charles Adams, Emily C. Check, Ondjrea K. Krueger, Navraj Ghuman, Amar Ghuman, Tracy J. Konz, Denise Goebel, John Ross, Wongjan Manyvanh, Ounekham Manyvanh

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 June 29, 2010 was made by Ald. VanderWeele and seconded by Ald. Bowers. **All ayes; motion approved.**

R.O. No. 68-10-11 (5-84) – Various License Applications: Bev. Op. Lic. App. No. 8601 (Emily C. Check)

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

Emily C. Check 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. VanderWeele, to grant the license with a warning to include all relevant information on future applications. **Two ayes and one nay (Ald. Rindfleisch); motion approved.**

R.O. No. 101-10-11 (6-79) – Various License Applications: Bev. Op. Lic. App. Nos. 8077 (Stephanie A. Garcia), 8315 (Brittany E. Stewart), 8045 (Ondjrea K. Krueger) and 8215 (Christopher A. Theune)

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

Stephanie A. Garcia failed to appear before the committee. Ald. Bowers moved, seconded by Ald. VanderWeele, to request via certified mailing Ms. Garcia's appearance before the committee at its July 27th meeting. **All ayes; motion approved.**

Brittany E. Stewart failed to appear before the committee. Ald. VanderWeele moved, seconded by Ald. Bowers, to request via certified mailing Ms. Stewart's appearance before the committee at its July 27th meeting. **All ayes; motion approved.**

Ondjrea K. Krueger appeared before the committee to discuss his application. After discussion of her record and her failure to include a violation 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. **All ayes; motion approved.**

Christopher A. Theune failed to appear before the committee. Ald. VanderWeele moved, seconded by Ald. Bowers, to request via certified mailing Mr. Theune's appearance before the committee at its July 27th meeting. **All ayes; motion approved.**

Possible action regarding Alc. Bev. Lic. No. 2734–Marathon I (Navraj Ghuman, Agent) and Bev. Op. Lic. No. 3336 (Tracy J. Konz)

Navraj Ghuman and Tracy J. Konz appeared before the committee to discuss the June 24, 2010 incident involving the sale of drug paraphernalia.

Navraj Ghuman indicated that the gas station had previously been leased to another party and that Mr. Ghuman had only recently taken over running the business. The lessee left behind his merchandise and Mr. Ghuman was not even aware of the glass pens behind the counter.

A motion was made by Ald. Bowers to request a voluntary five (5) day surrender of licenses by both Navraj Ghuman and Tracy Konz. **Motion died for lack of a second.**

Ald. VanderWeele moved, seconded by Ald. Bowers, to request that Mr. Ghuman voluntarily surrender his Class “A” beer and cigarette/tobacco licenses for a period of five (5) consecutive business days within 30 days. **One aye and two nays (Ald. Bowers and Ald. Rindfleisch); motion failed.**

A motion was made by Ald. Bowers to request a voluntary three (3) non-consecutive day surrender of Mr. Ghuman’s Class “A” beer and cigarette/tobacco licenses within 30 days. **Motion died for lack of a second.**

Ald. Bowers moved, seconded by Ald. Rindfleisch, to request that Mr. Ghuman voluntarily surrender his Class “A” beer and cigarette/tobacco licenses for a period of three (3) consecutive business days within 30 days. **All ayes; motion approved.**

Tracy J. Konz informed the committee that she sold the item as a pen and had been told by the former lessee that some items were kept behind the counter because of thefts in the past, and she had no idea that the pen could be used as drug paraphernalia. She indicates that she did ring up the sale.

A motion was made by Ald. Bowers to grant Tracy Konz’ license with a warning to include all relevant information on future applications, contingent upon Ms. Konz accepting a two (2) day voluntary surrender of her provisional license within 30 days. **Motion died for lack of a second.**

A motion was made by Ald. VanderWeele to grant Tracy Konz’ license with a warning to include all relevant information on future applications, contingent upon Ms. Konz accepting a ten (10) day voluntary surrender of her provisional license within 30 days. **Motion died for lack of a second.**

Ald. Bowers moved, seconded by Ald. Rindfleisch, to grant Tracy Konz’ license with a warning to include all relevant information on future applications, contingent upon Ms. Konz accepting a five (5) day voluntary surrender of her provisional license within 30 days. **All ayes; motion approved.**

Presentations by potential applicants for available “Class B” alcohol beverage licenses

John Ross, Denise Goebel, Ounekham Manyvanh and Wongjan Manyvanh appeared before the committee and presented their cases regarding their pre-applications for the available “Class B” liquor licenses.

John Ross and Denise Goebel of Kohler Credit Union spoke regarding Blue Phoenix located at 2401 Calumet Drive. Kohler Credit Union foreclosed on this property and is attempting to sell the tavern which has two rental units above the tavern. They are listing the property with a realtor and would like a liquor license so that the property will be more appealing to a buyer. The property has a large kitchen and food had been served there in the past.

Ounekham Manyvanh spoke on behalf of Thai Cafe. Thai Cafe presently has a beer and wine license. They wish to have a liquor license as they are planning to have a D.J. on Friday and Saturday evenings. Their contractor was present with plans for a display he will build to hold liquor bottles.

All parties were requested to return for the Law & Licensing meeting to be held on July 27th at which time the committee will determine who will be granted an opportunity to apply for the licenses.

R.O. No. 128-10-11 (7-63) – Various License Applications

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

Ald. VanderWeele moved, seconded by Ald. Bowers, to hold “Class B” Liquor Lic. App. No. 2747 (Blue Phoenix). **All ayes; motion approved.**

Ald. VanderWeele moved, seconded by Ald. Bowers, to call in Bev. Op. Lic. App. No. 7183 (Ashley A. Bower) to discuss her application with the committee. **All ayes; motion approved.**

Ald. Bowers moved, seconded by Ald. VanderWeele, to call in Bev. Op. Lic. App. No. 7570 (Juan D. Coronado) to discuss his application with the committee. **All ayes; motion approved.**

Ald. Bowers moved to grant license with warning letter to App. No. 8657 (DeRuyter). **Motion died for lack of a second.** Ald. VanderWeele moved, seconded by Ald. Bowers, to call in Bev. Op. Lic. App. No. 8657 (Jason J. DeRuyter). **All ayes; motion approved.**

Ald. VanderWeele moved, seconded by Ald. Bower, to grant license with warning letter (to include all violations on future applications) to Bev. Op. Lic. App. No. 8202 (John P. Doyle). **All ayes; motion approved.**

Ald. Bowers moved, seconded by Ald. VanderWeele, to call in Bev. Op. Lic. App. No. 5903 (Jessie P. Felde) to discuss his application with the committee. **All ayes; motion approved.**

Ald. Bowers moved to grant license with warning letter to App. No. 6900 (Klempke). **Motion died for lack of a second.** Ald. VanderWeele moved, seconded by Ald. Bowers, to call in Bev. Op. Lic. App. No. 6900 (Ashlee M. Klempke). **All ayes; motion approved.**

Ald. Bowers moved, seconded by Ald. VanderWeele, to grant license with warning letter (to include all violations on future applications) to Bev. Op. Lic. App. No. 1692 (Dawn M. Krueger). **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 Bev. Op. Lic. App. No. 7142 (Brian K. Nitsch). **All ayes; motion approved.**

Ald. Bowers moved, seconded by Ald. VanderWeele, to call in Bev. Op. Lic. App. No. 8674 (Staci L. Perkins) to discuss her application with the committee. **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 Bev. Op. Lic. App. No. 8668 (Jeremiah M. Richter). **All ayes; motion approved.**

Ald. Bowers moved, seconded by Ald. VanderWeele, to grant license with warning letter (to include all violations on future applications) to Bev. Op. Lic. App. No. 8107 (Amanda M. Cataldo). **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 Bev. Op. Lic. App. No. 7936 (Michelle L. Coldren). **All ayes; motion approved.**

Ald. Bowers moved, seconded by Ald. VanderWeele, to grant license with warning letter (to avoid future law violations) to Bev. Op. Lic. App. No. 7169 (Brianna L. Dodge). **All ayes; motion approved.**

Ald. Bowers moved to call in App. No. 6036 (Henrickson). **Motion died for lack of a second.** Ald. VanderWeele moved, seconded by Ald. Bowers, to grant license with warning letter (to avoid future law violations) to Bev. Op. Lic. App. No. 6036 (Angela E. Henrickson). **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 Bev. Op. Lic. App. No. 7345 (Katharine I. Jennerman). **All ayes; motion approved.**

Ald. Bowers moved, seconded by Ald. VanderWeele, to call in Bev. Op. Lic. App. No. 8182 (Eric M. Johnson) to discuss his application with the committee. **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 Bev. Op. Lic. App. No. 4068 (Becky L. Kester). **All ayes; motion approved.**

Ald. Bowers moved, seconded by Ald. VanderWeele, to call in Bev. Op. Lic. App. No. 7941 (Dale L. Maurer) to discuss his application with the committee. **All ayes; motion approved.**

Ald. VanderWeele moved, seconded by Ald. Bowers, to call in Bev. Op. Lic. App. No. 6372 (Roy A. Potter, Jr.) to discuss his application with the committee. **All ayes; motion approved.**

Ald. VanderWeele moved, seconded by Ald. Bowers, to call in Bev. Op. Lic. App. No. 7366 (Samantha M. Schillingowski) to discuss her application with the committee. **All ayes; motion approved.**

Ald. VanderWeele moved, seconded by Ald. Bowers, to call in Taxicab Op. Lic. App. No. 8666 (Steve E. Woodward) to discuss his application with the committee. **All ayes; motion approved.**

Ald. Bowers moved, seconded by Ald. VanderWeele, to grant license with warning letter (to include all violations on future applications) to Taxicab Op. Lic. App. No. 8546 (Dorris M. Frei). **All ayes; motion approved.**

Ald. Bowers moved, seconded by Ald. VanderWeele, to call in Taxicab Op. Lic. App. No. 7760 (Brenda J. Villarreal) to discuss her application with the committee. **All ayes; motion approved.**

Ald. VanderWeele 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.

Gen. Ord. 9-10-11 (6-68)

An ordinance repealing and recreating Section 70-6 of the Municipal Code so as to adopt and clarify the statewide smoking ban.

ACA Adams distributed a copy of a proposed substitute ordinance. Discussion regarding penalty section. Ald. Bowers moved, seconded by Ald. VanderWeele, to approve the substitute ordinance and submit it to the Common Council. **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. Bowers 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 6:51 p.m.

The next committee meeting is scheduled to be held on July 27, 2010 at 5:00 p.m. in the Common Council Chambers located at City Hall, 828 Center Avenue.