

MINUTES
COMMITTEE ON LAW & LICENSING

September 24, 2013 - 2:00 p.m.
Common Council Chambers, City Hall

Members Present: Chairperson Ald. Jodi VanderWeele, Vice Chairperson Ald. Kevin Matichek, Ald. Susan Lessard, Ald. Scott Lewandoske, Ald. Bill Thiel
Others in Attendance: City Attorney Stephen G. McLean, Lt. Douglas Teunissen, Timothy J. Kumbalek, Mark B. Cesario, Cody D. Stewart, Candice M. Wells, Ashley J. Wollin, Heather M. Rhoads, Jamie L. Forey, Robert D. Phippen, Brenda Lorenz, Puswinder Singh Gill

Chairperson VanderWeele called the meeting to order at 2:00 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 September 10, 2013 was made by Ald. Matichek and seconded by Ald. Lessard. **All ayes; motion approved.**

R.O. No. 108-13-14 (8-19-13) – Various License Applications: Bev. Op. Lic. App. No. 0104 (Timothy J. Kumbalek); Taxicab Op. Lic. App. No. 0091 (Rick L. Wappler)

Submitting various license applications for the period ending June 30, 2014 and June 30, 2015.

Timothy J. Kumbalek appeared before the committee to discuss his application. The manager from Q-Mart was also present and spoke in support of Mr. Kumbalek being granted a license. After discussion of his record and his failure to include violations on his application, Ald. Lessard moved to deny the license application. **Motion died for lack of a second.** Ald. Matichek moved, seconded by Ald. Thiel, to grant the license contingent upon the application being corrected, and with a warning to include all relevant information on future applications. **Three ayes, one nay (Ald. Lessard) and one abstention (Ald. Lewandoske); motion approved.**

Rick L. Wappler failed to appear before the committee. Ald. Lessard moved, seconded by Ald. Matichek, to deny the license application based upon Mr. Wappler's failure to accurately reveal all relevant convictions on his application, his record of violations related to the licensed activity, and his failure to cooperate with the committee. **All ayes; motion approved.**

R.O. No. 122-13-14 (9-3-13) – Various License Applications: Bev. Op. Lic. App. Nos. 0123 (Mark B. Cesario), 0114 (Cody D. Stewart), 0112 (Candice M. Wells), 0119 (Ashley J. Wollin); Taxicab Op. Lic. App. Nos. 8913 (Heather M. Rhoads), 0116 (Jeff J. Rothering)

Submitting various license applications for the period ending June 30, 2014 and June 30, 2015.

Mark B. Cesario appeared before the committee to discuss his application. After discussion of his record and his failure to include violations on his application, Ald. Lessard moved, seconded by Ald. Matichek, to grant the license contingent upon the application being corrected, and with a warning to include all relevant information on future applications. **All ayes; motion approved.**

Cody D. Stewart appeared before the committee to discuss his application. After discussion of his record and his failure to include a violation on his application, Ald. Lessard moved, seconded by Ald. Thiel, to grant the license contingent upon the application being corrected, and with a warning to include all relevant information on future applications. **Four ayes and one nay (Ald. Matichek); motion approved.**

Candice M. Wells appeared before the committee to discuss her application. After discussion of her record, Ald. Lessard moved, seconded by Ald. Matichek, to grant the license. **All ayes; motion approved.**

Ashley J. Wollin appeared before the committee to discuss her application. After discussion of her record, Ald. Matichek moved, seconded by Ald. Thiel, to deny the license application based upon Ms. Wollin's record of violations related to the licensed activity. **All ayes; motion approved.**

Heather M. Rhoads appeared before the committee to discuss her application. After discussion of her record and her failure to include a violation on her application, Ald. Matichek moved, seconded by Ald. Lessard, to deny the license application based upon Ms. Rhoads' failure to accurately reveal all relevant convictions on her application and her record of violations related to the licensed activity. **Four ayes and one nay (Ald. VanderWeele); motion approved.**

Jeff J. Rothering failed to appear before the committee. Ald. Lessard moved, seconded by Ald. Matichek, to request via certified mailing Mr. Rothering's appearance before the committee at its October 15th meeting. **All ayes; motion approved.**

R.C. No. 174-13-14 (9-16-13) – Taxicab Op. Lic. App. No. 8147 (Jorge A. Galicia)

Jorge A. Galicia again failed to appear before the committee. Ald. Lessard moved, seconded by Ald. Matichek, to deny the license application based upon Mr. Galicia's failure to accurately reveal all relevant convictions on his application, his record of violations related to the licensed activity, and his failure to cooperate with the committee. **All ayes; motion approved.**

Possible action regarding Bev. Op. Lic. No. 4677 (Jamie L. Forey)

Jamie L. Forey appeared before the committee to discuss the September 1, 2013 disturbance near Champs Sports Bar. Ms. Forey indicated she was intoxicated at the time. She has been banned from all Sheboygan Tavern Safety Coalition bars until December 1st. Ald. Lessard moved, seconded by Ald. Matichek, to request that Ms. Forey voluntarily surrender her beverage operator's license for a period of five (5) consecutive days within fourteen (14) days. **Four ayes and one nay (Ald. VanderWeele); motion approved.**

Ald. Lewandoske was excused from the meeting at 2:58 p.m.

Possible action regarding Taxicab Business Lic. No. 2912-Independent Cab (Robert D. Phippen, Agent)

Robert D. Phippen and operating manager Brenda Lorenz appeared before the committee. Mr. Phippen indicated that they did not receive the first letter calling them in. Ald. Lessard moved, seconded by Ald. Matichek, to issue a warning to Independent Cab regarding the traffic accident involving a cab on August 24, 2013. **Four ayes; motion approved.**

Possible action regarding Bev. Op. Lic. No. 9679 (Zachary A. Glaubig)

Zachary A. Glaubig failed to appear before the committee, even though he signed for the certified letter on September 23, 2013. Ald. Lessard moved, seconded by Ald. Matichek, to hold this matter in order to give Lt. Teunissen an opportunity to make contact with Zachary A. Glaubig prior to the committee deciding whether or not to schedule a quasi-judicial hearing. **Four ayes; motion approved.**

Ald. Lewandoske re-joined the meeting at 3:05 p.m.

Possible action regarding Alc. Bev. Lic. No. 2606–Citgo [610 S. 14th St.] (Puswinder Singh Gill, Agent)

Puswinder Singh Gill appeared before the committee. Ald. Lessard moved, seconded by Ald. Thiel, to issue a warning to Cito regarding the sale of tobacco to an underage person at Citgo on July 22, 2013. **Three ayes, one nay (Ald. Matichek) and one abstention (Ald. Lewandoske); motion approved.**

Possible action regarding Alc. Bev. Lic. No. 2940–Kulwinder Food Mart I [Marathon - 905 Indiana Ave.] (Ladi S. Kahlon, Agent)

Ladi S. Kahlon failed to appear before the committee, even though he signed for the certified letter on September 12, 2013. Ald. Lessard moved, seconded by Ald. Matichek, to hold this matter in order to give Lt. Teunissen an opportunity to make contact with Ladi S. Kahlon prior to the committee deciding whether or not to schedule a quasi-judicial hearing. **All ayes; motion approved.**

Possible action regarding Bev. Op. Lic. No. 9943 (Sheena M. Kroening)

Ald. Lessard moved, seconded by Ald. Matichek, to hold this matter until further information is obtained. **All ayes; motion approved.**

Update regarding voluntary surrender of Taxicab Op. Lic. No. 4943 (Christine A. Stangel)

Ms. Stangel telephoned the City Attorney's Office and indicated that she is not going to surrender her license. A quasi-judicial hearing will be scheduled.

R.O. No. 137-13-14 (9-16-13) – Various License Applications

Submitting various license applications for the period ending June 30, 2014 and June 30, 2015.

Ald. Matichek moved, seconded by Ald. Lessard, to grant a license to Fermented Malt Bev. Lic. and Class “C” Wine Lic. App. No. 3010 (El Valle LLC). **All ayes; motion approved.**

Ald. Lessard moved, seconded by Ald. Matichek, to grant a license with a warning, contingent upon the application being corrected, to Bev. Op. Lic. App. No. 7767 (Chris S. Albrecht). **All ayes; motion approved.**

Ald. Lessard moved, seconded by Ald. Matichek, to call in Bev. Op. Lic. App. No. 0140 (Richard J. David) to discuss his application with the committee. **All ayes; motion approved.**

Ald. Lessard moved, seconded by Ald. Matichek, to grant a license with a warning, contingent upon the application being corrected, to Bev. Op. Lic. App. No. 0143 (Robert D. Gottsacker). **All ayes; motion approved.**

Ald. Lessard moved, seconded by Ald. Matichek, to grant a license with a warning, contingent upon the application being corrected, to Bev. Op. Lic. App. No. 9340 (Maritza Malpica). **All ayes; motion approved.**

Ald. Matichek moved, seconded by Ald. Lessard, to call in Bev. Op. Lic. App. No. 0134 (Joshua A. Neumeyer) to discuss his application with the committee. **All ayes; motion approved.**

Ald. Lessard moved, seconded by Ald. Matichek, to grant a license with a warning, contingent upon the application being corrected, to Bev. Op. Lic. App. No. 9336 (Christine M. Pintor). **All ayes; motion approved.**

Ald. Matichek moved, seconded by Ald. Thiel, to grant a license with a warning, contingent upon the application being corrected, to Bev. Op. Lic. App. No. 0144 (Angela M. Rubin). **All ayes; motion approved.**

Ald. Matichek moved, seconded by Ald. Thiel, to call in Bev. Op. Lic. and Taxicab Op. Lic. App. No. 7074 (Jack B. Schepp) to discuss his applications with the committee. **All ayes; motion approved.**

Ald. Lessard moved, seconded by Ald. Matichek, to call in Bev. Op. Lic. App. No. 7048 (Michael J. Stuedemann) to discuss his application with the committee. **All ayes; motion approved.**

Ald. Lessard moved, seconded by Ald. Matichek, to call in Bev. Op. Lic. App. No. 9880 (Leon A. Velez) to discuss his application with the committee. **All ayes; motion approved.**

Ald. Matichek moved, seconded by Ald. Lessard, to call in Taxicab Op. Lic. App. No. 9846 (Celia M. Waraich) to discuss her application with the committee. **Four ayes and one nay (Ald. VanderWeele); motion approved.**

Ald. Lessard moved, seconded by Ald. Matichek, to call in Taxicab Op. Lic. App. No. 0142 (Jesse Singh Waraich) to discuss his application with the committee. **All ayes; motion approved.**

Ald. Lessard moved, seconded by Ald. Matichek, 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 Lt. Teunissen regarding public indecency violations at The Blue Lite on September 6 and September 13, 2013, Ald. Lessard made a motion, seconded by Ald. Matichek, to call in Alc. Bev. Lic. No. 1035-The Blue Lite (Dean D. Dayton, Agent) and Bev. Op. Lic. No. 8169 (Andrew P. Marks) to discuss the matter with the committee. **All ayes; motion approved.** James Wolfe does not have a beverage operator's license and will not be called in.

Ald. Lessard made a motion to adjourn. Ald. Matichek seconded the motion. **All ayes; motion approved.**

There being no further business to come before the committee, the meeting was adjourned at 3:30 p.m.

The next committee meeting is scheduled to be held on October 15, 2013 at 2:00 p.m. in the Common Council Chambers located at City Hall, 828 Center Avenue.