

MINUTES
COMMITTEE ON LAW & LICENSING

October 12, 2010 - 5:00 p.m.
Common Council Chambers, City Hall

Members Present: Vice Chairperson Ald. Jodi VanderWeele, Ald. Tom Bowers Ald. Julie Kath, Ald. William Wangemann

Excused: Chairperson Ald. Eric Rindfleisch

Others in Attendance: Assistant City Attorney Charles Adams, Sgt. Scott Reineke, Licensing Clerk Cinda Langhoff, Panfilo Escobar, Paul S. Marks, Richard L. Hiers, Courtney M. Lilge, Joseph E. Jantz, Rebecca J. Nevins, Steven J. Magestro, Peter Carey, Bow Lee, Penny A. Hinz, Curt Hinz

Vice Chairperson VanderWeele called the meeting to order at 5:01 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 28, 2010 was made by Ald. Wangemann and seconded by Ald. Bowers. **All ayes; motion approved.**

R.O. No. 222-10-11 (12-49) – Various License Applications: Taxicab Op. Lic. App. Nos. 8429 (Panfilo Escobar), 8830 (Paul S. Marks)

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

Panfilo Escobar 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 all future law violations. **Three ayes and one nay (Ald. Kath); motion approved.**

Paul S. Marks 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. Wangemann, 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. 2404-Dicks Northeast Standard I (Richard L. Hiers, Agent) and Bev. Op. Lic. No. 8190 (Courtney M. Lilge)

Richard L. Hiers and Courtney M. Lilge appeared before the committee. Courtney M. Lilge informed the committee that she had failed to check ID's, contrary to her training when hired. A motion was made by Ald. Bowers, seconded by Ald. Wangemann, to issue a warning to Dicks Northeast Standard I and Courtney M. Lilge with regard to the sale of tobacco products to an underage person on July 12, 2010. **All ayes; motion approved.**

Possible action regarding Alc. Bev. Lic. No. 1406-Tidy Car of Sheboygan (Joseph E. Jantz, Agent) and Bev. Op. Lic. No. 7838 (Rebecca L. Nevins)

Joseph E. Jantz and Rebecca L. Nevins appeared before the committee. Rebecca L. Nevins informed the committee that she had failed to check ID's because she was distracted. A motion was made by Ald. Bowers, seconded by Ald. Wangemann, to issue a warning to Tidy Car of Sheboygan and

Rebecca L. Nevins with regard to the sale of tobacco products to an underage person on July 12, 2010. **All ayes; motion approved.**

Possible action regarding Alc. Bev. Lic. No. 2503-Mad Max Convenience Stores (Steven J. Magestro, Agent) and Bev. Op. Lic. No. 8102 (Bow Lee)

Steven J. Magestro and Bow Lee appeared before the committee. Mr. Magestro informed the committee that Mad Max Convenience Stores has a zero tolerance policy regarding clerks failing to check ID's and that Bow Lee's employment has been terminated because of that policy. A motion was made by Ald. Bowers, seconded by Ald. Kath, to issue a warning to Mad Max Convenience Stores and Bow Lee with regard to the sale of tobacco products to an underage person on July 12, 2010. **All ayes; motion approved.**

Possible action regarding Alc. Bev. Lic. No. 2381-Bourbon Street Pub & Grill (Penny A. Hinz, Agent)

Penny A. Hinz appeared before the committee. Ms. Hinz informed the committee that the cigarette vending machine has been removed from the establishment. A motion was made by Ald. Bowers, seconded by Ald. Wangemann, to issue a warning to Bourbon Street Pub & Grill with regard to the sale of cigarettes to an underage person on July 12, 2010. **All ayes; motion approved.**

R.O. No. 235-10-11 (13-52) – Various License Applications

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

Ald. Wangemann moved, seconded by Ald. Kath, to grant license with warning letter (to include all violations on future applications) to Bev. Op. Lic. App. No. 8010 (Sebastian J. Alvarez). **All ayes; motion approved.**

Ald. Kath moved, seconded by Ald. Bowers, to call in Bev. Op. Lic. App. No. 8853 (Kellie L. Dufresne) to discuss her application with the committee. **All ayes; motion approved.**

Ald. Kath moved, seconded by Ald. Wangemann, to grant license to Taxicab Op. Lic. App. No. 8861 (Hector Perez) contingent on his providing a Wisconsin driver's license to the City Clerk's Office, and 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. No. 31-10-11 (13-50)

An ordinance repealing and recreating Section 2-412 of the Sheboygan Municipal Code, entitled "Contempt of Court" so as to bring the City's municipal court procedure in alignment with § 800.12(2), Wis. Stats., effective January 1, 2011.

ACA Adams explained to the committee that this proposed ordinance will align our ordinance with changes being made to state law effective January 1, 2011. A motion was made by Ald. Wangemann, 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 and possible action regarding law violations that may require future action by the Committee

After hearing a brief report from ACA Adams regarding an incident in September involving Alpine Taxi and taxicab operator Charles Burns, Ald. Wangemann made a motion, seconded by Ald. Kath, to call in the following license holders to discuss the matter with the committee:

- Taxicab Business Lic. No. 2746-Alpine Taxi I (Mario A. Galicia, Agent);
- Taxicab Op. Lic. No. 6959 (Charles M. Burns);

All ayes; motion approved.

(NOTE: After the meeting, it was determined that Charles M. Burns does not have a taxicab operator's license at this time. Therefore, Mr. Burns will not be called in.)

ACA Adams informed the committee that there is one available "Class B" alcohol beverage license and someone is interested in that license at this time. Ald. Wangemann made a motion, seconded by Ald. Kath, to invite all interested parties to make presentations to the committee at the October 26th meeting. **All ayes; motion approved.**

Committee review and recommendation regarding 2011 budget for City Attorney's Office

The budget of the City Attorney's Office as contained in the Mayor's executive budget for 2011 was discussed briefly. A motion was made by Ald. Wangemann and seconded by Ald. Kath to approve the City Attorney's budget for 2011 as presented. Ald. Bowers had questions regarding budgeting for payment of outside legal services. **Three ayes and one nay (Ald. Bowers); motion approved.**

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

There being no further business to come before the committee, the meeting was adjourned at 5:47 p.m.

The next committee meeting is scheduled to be held on October 26, 2010 at 5:00 p.m. in the Common Council Chambers located at City Hall, 828 Center Avenue.