

MINUTES
COMMITTEE ON LAW & LICENSING

November 9, 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, Rodrigo Lopez, Tom Olshansky, Eric Daun, Kevin Fetterer, Brittany McDonald, Richard Olson, David McKenzie, Rufino C. Martinez, Jr., Amanda Martinez

Chairperson Rindfleisch called the meeting to order at 5:03 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 October 26, 2010 was made by Ald. VanderWeele and seconded by Ald. Kath. **All ayes; motion approved.**

R.O. No. 253-10-11 (14-49) – Various License Applications: “Class B” Liquor Lic. App. No. 2774-Union Ave Tap (Kevin Fetterer, Agent); Bev. Op. Lic. App. Nos. 8878 (Brittany J. McDonald), 8873 (Richard D. Olson); Taxicab Op. Lic. App. Nos. 8177 (David J. McKenzie), 8884 (Stacy M. Peltier)

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

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

Brittany J. McDonald appeared before the committee to discuss her application. After discussion of her record, Ald. Bowers moved, seconded by Ald. VanderWeele, to grant the license with a warning to avoid all future law violations. **Three ayes and two nays (Ald. Kath and Rindfleisch); motion approved.**

Richard D. Olson 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. Kath, to deny the license application. **Two ayes (Ald. Wangemann and Kath) and three nays; motion failed.** Ald. Bowers moved, seconded by Ald. VanderWeele, to grant the license with a warning to include all relevant information on future applications. **Three ayes and two nays (Ald. Kath and Wangemann); motion approved.**

David J. McKenzie appeared before the committee to discuss his application. After discussion of his record and his failure to include violations 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. **Three ayes and two nays (Ald. Wangemann and Rindfleisch); motion approved.**

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

Com. No. 40-10-11 (12-21) – Communication from Brent Miller

Submitting a communication from Brent Miller stating that there are concerns regarding the loud and disturbing noise coming from the bar REHAB on S. 8th Street.

Ald. VanderWeele moved, seconded by Ald. Kath, to file the communication. **All ayes; motion approved.**

Possible action regarding Alc. Bev. Lic. No. 2720–Rehab (Rufino C. Martinez, Jr., Agent)

Rufino C. Martinez, Jr. and Amanda Martinez appeared before the committee to discuss the changes they have made at Rehab since meeting with representatives of the police department on October 3, 2010. Mr. Martinez indicated that they have added more bouncers and are closing 10 minutes earlier in an attempt to get the patrons off the street more quickly. They will eventually add a fence on the north side of the building in 2011 as soon as he has the money to do that. Lt. Mittelstadt cautioned Mr. Martinez about over-serving customers. A motion was made by Ald. VanderWeele, seconded by Ald. Kath, to issue a warning to Rehab with regard to past disturbances at the tavern. **All ayes; motion approved.**

Discussion and possible action regarding Alc. Bev. Lic. No. 1189-Knights of Columbus Center's status of their liquor license and possible presentation.

ACA Adams informed the committee that the Knights of Columbus failed to apply for a new license and have now indicated that they do not wish to apply at this time. Therefore, the license that was held by the Knights of Columbus is available.

Discussion and action regarding granting opportunity to apply for available "Class B" alcohol beverage license

Eric Daun and Rodrigo Lopez were present at the meeting with regard to their pre-applications for the available "Class B" liquor licenses.

Eric Daun informed the committee that an offer to purchase regarding 1212 Pennsylvania Avenue (former Smokehouse Grill) will be done this week and financing has been approved.

Ald. VanderWeele moved, seconded by Ald. Kath, to invite Rodrigo Lopez and Eric Daun to apply for the two available liquor licenses. **All ayes; motion approved.**

R.O. No. 274-10-11 (15-48) – Various License Applications

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

Ald. VanderWeele moved, seconded by Ald. Wangemann, to grant license (with instructions to correct the application) to “Class B” Liquor Lic. App. No. 2775-Shipwrecked (Nick Kartes, Agent). **Four ayes and one abstention (Ald. Rindfleisch); motion approved.**

Ald. VanderWeele moved, seconded by Ald. Bowers, to grant license to Bev. Op. Lic. App. No. 2391 (Michelle L. Lawrence). **Four ayes and one nay (Ald. Kath); motion approved.**

Ald. VanderWeele moved, seconded by Ald. Kath, to call in Bev. Op. Lic. App. No. 6738 (Eric J. Pirrung) 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 Taxicab Op. Lic. App. No. 8889 (John R. Sterk). **Four ayes and one nay (Ald. Rindfleisch); motion approved.**

Ald. VanderWeele moved, seconded by Ald. Wangemann, 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

ACA Adams and Lt. Mittelstadt indicated that they had no such violations to report.

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 6:05 p.m.

The next committee meeting is scheduled to be held on November 23, 2010 at 5:00 p.m. in the Common Council Chambers located at City Hall, 828 Center Avenue.