

MINUTES
COMMITTEE ON LAW & LICENSING

November 23, 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: City Attorney Stephen McLean, Assistant City Attorney Charles Adams, Economic Development Manager Chad Pelishek, Building Inspector Pat Eirich, Eric J. Pirrung

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 November 9, 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: Taxicab Op. Lic. App. No. 8884 (Stacy M. Peltier)

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

Stacy M. Peltier failed to appear before the committee. Ald. Wangemann moved, seconded by Ald. VanderWeele, to deny the license application based upon Ms. Peltier's failure to accurately reveal all relevant convictions on her application, her lengthy record of convictions, and her failure to cooperate with the committee. **All ayes; motion approved.**

R.O. No. 274-10-11 (15-48) – Various License Applications: Bev. Op. Lic. App. No. 6738 (Eric J. Pirrung)

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

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

R.O. No. 301-10-11 (16-28) – Communication from City Attorney McLean

Submitting a communication from City Attorney Stephen G. McLean to the Building Inspection Department regarding "Aspects of Local Dwelling Contractor Licensing Ordinances Preempted by State Law."

R.O. 301-10-11 was discussed at the same time as R.O. 299-10-11 below.

R.O. No. 299-10-11 (16-37) – Communication from Sheboygan County Home Builders Association

Submitting a communication from the Sheboygan County Home Builders Association regarding a recent formal opinion that was issued by the Wisconsin Attorney General and asks that the City of Sheboygan repeal and/or modify its ordinances consistent with that opinion.

City Attorney Stephen McLean was present to discuss the City's one and two family dwelling contractor licensing ordinances. CA McLean explained that any local licensing provisions that impose additional financial responsibility requirements or educational requirements beyond those required by state law under the Uniform Dwelling Code are preempted by state law. Chad Pelishek spoke regarding HUD requirements. Pat Eirich indicated that he feels the City needs to continue licensing one and two family dwelling contractors in order to maintain some type of licensing control.. The committee agreed that the ordinances should be revised.

Ald. Wangemann moved, seconded by Ald. VanderWeele, to refer both R.O. 299-10-11 and R.O. 301-10-11 to the Board of Examiners for Building Contractors. **All ayes; motion approved.**

R.O. No. 302-10-11 (16-65) – Various License Applications

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

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. 8894 (Joshua S. Dawson). **All ayes; motion approved.**

Ald. VanderWeele moved, seconded by Ald. Kath, to call in Bev. Op. Lic. App. No. 8903 (Leah S. Knepfel) to discuss her application with the committee. **All ayes; motion approved.**

Ald. Kath moved, seconded by Ald. Bowers, to call in Bev. Op. Lic. App. No. 8892 (Elizabeth W. Luedke) to discuss her application with the committee. **Four ayes and one nay (Ald. VanderWeele); motion approved.**

Ald. VanderWeele moved, seconded by Ald. Kath, to call in Bev. Op. Lic. App. No. 8169 (Andrew P. Marks) to discuss his application with the committee. **All ayes; motion approved.**

Ald. VanderWeele moved, seconded by Ald. Kath, to call in Bev. Op. Lic. App. No. 8898 (MaryJane Mendez) 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. 8895 (Peggy J. Ruppel). **Four ayes and one nay (Ald. Kath); motion approved.**

Ald. Bowers moved, seconded by Ald. Wangemann, to call in Bev. Op. Lic. App. No. 2223 (Deana L. Teetzen) 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. 8899 (Theodore T. Sanstadt) and Taxicab Business Lic. App. No. 2778-Custom Express Courier (Theodore T. Sanstadt, Owner) to discuss the applications 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. 8438 (Salvador G. Castillo). **All ayes; motion approved.**

Ald. Bowers moved, seconded by Ald. Wangemann, to call in Taxicab Op. Lic. App. No. 8904 (Joshua N. Hunter) 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 Taxicab Op. Lic. App. No. 7889 (Shirley A. Rios). **Four ayes and one nay (Ald. Kath); motion approved.**

Ald. VanderWeele moved, seconded by Ald. Bowers, 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 stabbing incident at Coco Fish on November 21st, Ald. Wangemann made a motion, seconded by Ald. Bowers, to call in the following license holder to discuss the matter with the committee:

- Alc. Bev. Lic. No. 2698-Coco Fish (Salvador R. Meza, President)

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 5:50 p.m.

The next committee meeting is scheduled to be held on December 14, 2010 at 5:00 p.m. in the Common Council Chambers located at City Hall, 828 Center Avenue.