

**MINUTES**  
**COMMITTEE ON LAW & LICENSING**

**November 27, 2012 - 2:00 p.m.**  
**Common Council Chambers, City Hall**

**Members Present:** Chairperson Ald. Jodi VanderWeele, Ald. Julie Kath, Ald. Susan Lessard, Ald. Scott Lewandoske  
**Absent:** Vice Chairperson Ald. Kevin Matichek  
**Others in Attendance:** Assistant City Attorney Charles C. Adams, Lt. Douglas Teunissen, Licensing Clerk Cinda Langhoff, Attorney John Hawley, Joseph E. Jantz, Brad M. Bunge, Thomas R. Beninghaus, Heather A. Ehn, Jessica N. Lyons, Lee A. Miller, Danette F. Orr, David A. Repinski, Jr., Amanda L. Bedore, Martin L. Corson, Toby D. Corson, Paul Roberts, Anthony P. Bray, Jennifer Bray, Amie Lee-Tomasoski

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 November 13, 2012 was made by Ald. Lessard and seconded by Ald. Kath. **All ayes; motion approved.**

**Quasi-Judicial hearing to determine whether Cigarette/Tobacco Lic. No. 1406-Tidy Car of Sheboygan (Joseph E. Jantz, Agent) shall be suspended or revoked**

ACA Adams was present on behalf of the City of Sheboygan and Joseph E. Jantz appeared in person and by Attorney John Hawley. ACA Adams informed the committee that a settlement had been proposed by Attorney Hawley and he discussed the terms of the stipulation with the committee. Ald. Lessard moved, seconded by Ald. Kath, to accept the stipulation. **All ayes; motion approved.** A copy of the stipulation is on file with the City Clerk's Office.

**R.O. No. 171-12-13 (10-15-12) – Various License Applications: Bev. Op. Lic. App. No. 9752 (Brad M. Bunge)**

Submitting various license applications for the period ending June 30, 2013 and June 30, 2014.

**Possible action regarding Bev. Op. Lic. No. 9752 (Brad M. Bunge)**

Brad M. Bunge was not present when R.O. 171-12-13 was initially discussed. Ald. Lessard moved, seconded by Ald. Kath, to deny the license application based upon Mr. Bunge's failure to cooperate with the committee and his record of violations related to the licensed activity. **All ayes; motion approved.** However, Mr. Bunge appeared before the committee later during the meeting to discuss his application. Ald. Kath moved, seconded by Ald. Lessard, to rescind the prior motion. **All ayes; motion approved.** With regard to the October 12, 2012 serving to underage charge, Mr. Bunge indicated that he thought the bouncer had checked the ID's at the door. After discussion of Mr. Bunge's record, Ald. Lessard moved, seconded by Ald. Lewandoske, to grant the license contingent upon the application being corrected. **Two ayes and two nays (Ald. Kath and Ald. Lewandoske); motion failed.** After further discussion, Ald. Kath moved to reconsider her vote, seconded by Ald. Lessard. **All ayes; motion approved.** Ald. Kath then moved, seconded by Ald. Lessard, 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.**

**R.O. No. 184-12-13 (11-5-12) – Various License Applications: “Class B” Liquor Lic. App. No. 2942 (Lakeview Bar); Bev. Op. Lic. App. Nos. 9776 (Thomas R. Beninghaus), 9786 (Heather A. Ehn), 9676 (Hanna J. Gustafson), 9781 (Jessica N. Lyons), 7934 (Eric S. Schroeter), 9780 (April M. Schwinn); Taxicab Op. Lic. App. Nos. 9789 (Chantel C. Bergin), 7788 (Shawn DeGroat), 3490 (Lee A. Miller), 9766 (Danette F. Orr), 9491 (Regina R. Ramirez), 9779 (Kara L. Reseburg), 9774 (Angel Noe Rodriguez Correa), 7760 (Brenda J. Villarreal)**

Submitting various license applications for the period ending June 30, 2013 and June 30, 2014.

Amie Lee-Tomasoski Lee appeared before the committee to discuss her application regarding Porthole LLC (Lakeview Bar). After discussion regarding transfer of the Poseidon’s license and the underage alcohol violation at Poseidon’s on October 12, 2012, Ald. Kath moved, seconded by Ald. Lessard, to grant the license. **All ayes; motion approved.**

Thomas R. Beninghaus 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. Kath, 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.**

Heather A. Ehn appeared before the committee to discuss her application. After discussion of her record, Ald. Kath moved, seconded by Ald. Lessard, to grant the license. **All ayes; motion approved.**

Hanna J. Gustafson failed to appear before the committee. Ald. Lessard moved, seconded by Ald. Kath, to request via certified mailing Ms. Gustafson’s appearance before the committee at its December 11th meeting. **All ayes; motion approved.**

Jessica N. Lyons appeared before the committee to discuss her application. After discussion of her record and her failure to include a violation on her application, Ald. Lessard moved, seconded by Ald. Kath, to deny the license application based upon her failure to accurately reveal all relevant violations on her application and her record of violations related to the licensed activity. **Three ayes and one nay (Ald. VanderWeele); motion approved.**

Eric S. Schroeter failed to appear, but had contacted the City Attorney’s Office to indicate that he was unable to appear. Mr. Schroeter was instructed to appear at the December 11th meeting. Ald. Lessard moved, seconded by Ald. Kath, to hold the application until the December 11th meeting and to call in Mr. Schroeter by regular mail. **All ayes; motion approved.**

April M. Schwinn failed to appear before the committee. Ald. Lessard moved, seconded by Ald. Kath, to request via certified mailing Ms. Schwinn’s appearance before the committee at its December 11th meeting. **All ayes; motion approved.**

Chantel C. Bergin failed to appear before the committee. Ald. Lessard moved, seconded by Ald. Kath, to request via certified mailing Ms. Bergin's appearance before the committee at its December 11th meeting. **All ayes; motion approved.**

Shawn DeGroat failed to appear before the committee. Ald. Lessard moved, seconded by Ald. Kath, to request via certified mailing Mr. DeGroat's appearance before the committee at its December 11th meeting. **All ayes; motion approved.**

Lee A. Miller 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. Kath, 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.**

Danette F. Orr appeared before the committee to discuss her application. After discussion of her record and her failure to include a violation on her application, Ald. Kath moved, seconded by Ald. Lewandoske, 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.**

Regina R. Ramirez failed to appear before the committee. Ald. Kath moved, seconded by Ald. Lessard, to request via certified mailing Ms. Ramirez' appearance before the committee at its December 11th meeting. **All ayes; motion approved.**

Kara L. Reseburg failed to appear before the committee. Ald. Lessard moved, seconded by Ald. Kath, to request via certified mailing Ms. Reseburg's appearance before the committee at its December 11th meeting. **All ayes; motion approved.**

Angel Noe Rodriguez Correa failed to appear before the committee. Ald. Kath moved, seconded by Ald. Lessard, to request via certified mailing Mr. Rodriguez Correa's appearance before the committee at its December 11th meeting. **All ayes; motion approved.**

Brenda J. Villarreal failed to appear before the committee. Ald. Kath moved, seconded by Ald. Lewandoske, to request via certified mailing Ms. Villarreal's appearance before the committee at its December 11th meeting. **All ayes; motion approved.**

**Possible action regarding Alc. Bev. Lic. No. 1089–Dave's Who's Inn (David A. Repinski, Jr., Agent)**

David A. Repinski, Jr. appeared before the committee. Mr. Repinski indicated that the scanner used at the door by the bouncer apparently read the ID incorrectly because it was a new style of ID. Ald. Lessard moved, seconded by Ald. Lewandoske, to issue a warning to Dave's Who's Inn regarding the sale of alcohol to underage persons at Dave's Who's Inn on October 12, 2012. **All ayes; motion approved.**

**Possible action regarding Alc. Bev. Lic. No. 2789—Poseidons (Cory L. Kramer, Agent) and Bev. Op. Lic. No. 9427 (Amanda L. Bedore)**

Cory L. Kramer failed to appear before the committee. No further action will be taken against Poseidons since that alcohol beverage license is being transferred to Porthole LLC (Lakeview Bar). Amanda L. Bedore appeared before the committee. She indicated that she forgot to check the IDs. Ald. Kath moved, seconded by Ald. Lessard, to issue a warning to Amanda L. Bedore regarding the sale of alcohol to underage persons at Poseidons on October 12, 2012. **All ayes; motion approved.**

**Possible action regarding Alc. Bev. Lic. No. 2341—Ashley’s Bar & Grill (Martin L. Corson, Agent) and Bev. Op. Lic. No. 3743 (Toby D. Corson)**

Martin L. Corson and Toby D. Corson appeared before the committee to discuss the October 12th sale of alcohol to underage persons and the October 28th permitting an unlicensed person to tend bar incidents. Toby Corson, bar manager, indicated that he misunderstood and thought that someone who had passed a server’s course could tend bar even if they didn’t have their license yet. Martin Corson indicated that he is in the process of getting rid of both Ashley’s and Zieggy’s. Ald. Kath moved, seconded by Ald. Lewandoske, to issue a warning to Ashley’s Bar & Grill regarding the sale of alcohol to underage persons at Ashley’s Bar & Grill on October 12, 2012 and permitting an unlicensed person to tend bar on October 28, 2012. **All ayes; motion approved.** Ald. Kath moved, seconded by Ald. Lewandoske, to request that Toby Corson voluntarily surrender his beverage operator’s license for a period of ten (10) consecutive business days within seven (7) days. **All ayes; motion approved.**

**Possible action regarding Alc. Bev. Lic. No. 2880—Anglers Avenue Pub & Grill (Paul Roberts, Jr., Agent)**

Paul Roberts appeared before the committee. Mr. Roberts provided the committee with a copy of Anglers Avenue Pub’s newly implemented Alcohol Sales & Identification Policy. He indicated that employees are no longer allowed to leave the building if there is not another employee there to cover the bar for them. Ald. Kath moved, seconded by Ald. Lewandoske, to issue a warning to Anglers Avenue Pub & Grill regarding the sale of alcohol to underage persons at Anglers Avenue Pub & Grill on October 18, 2012. **Three ayes and one abstention (Ald. Lessard); motion approved.**

**Possible action regarding Alc. Bev. Lic. No. 2502—Nine 21 Bar & Grill LLC (Anthony P. Bray, Agent)**

Anthony P. Bray and Jennifer Bray appeared before the committee. Mr. Bray indicated that they were aware that they must purchase all of their liquor from a wholesaler, but stated that the cases of liquor are very expensive and they don’t use it up very fast. Ald. Lessard moved, seconded by Ald. Kath, to issue a warning to Nine 21 Bar & Grill LLC with regard to the recent incident of purchasing alcohol from retailers in violation of state law. **All ayes; motion approved.**

**Possible action regarding Alc. Bev. Lic. No. 2758–Mike’s Wilson Ave. Bar & Grill (Michael R. Dietz, Agent)**

Michael R. Dietz failed to appear, but had contacted the City Attorney’s Office to indicate that he was unable to appear. The committee did not feel it was necessary to invite Mr. Dietz to attend the next meeting to discuss the matter. Ald. Lessard moved, seconded by Ald. Lewandoske, to issue a warning to Mike’s Wilson Ave. Bar & Grill with regard to the recent incident of purchasing alcohol from retailers in violation of state law. **All ayes; motion approved.**

**R.O. No. 203-12-13 (11-19-12) – Various License Applications**

Submitting various license applications for the period ending June 30, 2013 and June 30, 2014.

Ald. Kath moved, seconded by Ald. Lewandoske, to grant the change of agent application of Alc. Bev. Lic. No. 2193 (The Kaddysack). **All ayes; motion approved.**

Ald. Lessard moved, seconded by Ald. Kath, to grant a license with a warning, contingent upon the application being corrected, to “Class B” Liquor Lic. App. No. 2943-Superior Bar & Grill LLC (Thomas R. Beninghaus, Agent). **All ayes; motion approved.**

Ald. Lessard moved to call in App. No. 2945, but then withdrew her motion. Ald. Kath moved, seconded by Ald. Lessard, to grant a license to “Class B” Liquor Lic. App. No. 2945-The Upper Crust Pizza Pub. **All ayes; motion approved.**

Ald. Lessard moved to call in App. No. 5809 to discuss her application with the committee. **Motion died for lack of a second.** Ald. Kath moved, seconded by Ald. Lewandoske, to grant a license to Bev. Op. Lic. App. No. 5809 (Jennifer A. Bray). **All ayes; motion approved.**

Ald. Lessard moved, seconded by Ald. Kath, to grant a license to Bev. Op. Lic. App. No. 9795 (Sara M. Baumann-Golden). **All ayes; motion approved.**

Ald. Kath moved, seconded by Ald. Lewandoske, to call in Bev. Op. Lic. App. No. 1172 (Christopher R. Campbell) to discuss his application with the committee. **Three ayes and one abstention (Ald. Lessard); motion approved.**

Ald. Lessard moved, seconded by Ald. Kath, to call in Bev. Op. Lic. App. No. 6744 (Deaven Dodge) to discuss his application with the committee. **All ayes; motion approved.**

Ald. Kath moved, seconded by Ald. Lessard, to grant a license with a warning, contingent upon the application being corrected, to Bev. Op. Lic. App. No. 7978 (Nicholas H. Wychesit). **All ayes; motion approved.**

Ald. Kath moved, seconded by Ald. Lessard, to call in Taxicab Op. Lic. App. No. 9755 (Sarah A. Bell) to discuss her application with the committee. **All ayes; motion approved.**

Ald. Kath moved, seconded by Ald. Lessard, to call in Taxicab Op. Lic. App. No. 9791 (Angel L. Esteves) to discuss his application with the committee. **All ayes; motion approved.**

Ald. Kath moved, seconded by Ald. Lessard, to call in Taxicab Op. Lic. App. No. 9807 (Justin J. Molitor) to discuss his application with the committee. **All ayes; motion approved.**

Ald. Kath moved, seconded by Ald. Lessard, 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. Teunissen indicated that they had no such violations to report at this time.

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

There being no further business to come before the committee, the meeting was adjourned at 3:51 p.m.

The next committee meeting is scheduled to be held on Tuesday, December 11, 2012 at 2:00 p.m. in the Common Council Chambers located at City Hall, 828 Center Avenue.