

MINUTES
COMMITTEE ON LAW & LICENSING

March 8, 2012 - 5:00 p.m.
Common Council Chambers, City Hall

Members Present: Chairperson Ald. Jodi VanderWeele, Vice Chairperson Ald. Julie Kath, Ald. Fred Boeldt, Ald. Joel Hammen

Absent: Ald. Scott Versey

Others in Attendance: Assistant City Attorney Charles Adams, Lt. Douglas Teunissen, Vanessa C. Molina, Michael C. Brickey Jr., Kevin J. McCabe, Shawn D. Lehmann, Catherine Kraus, Patrick J. Martin, Dean D. Dayton, Annette C. Capetillo, Attorney Richard Hahn, Douglas C. Altmeyer, Dave Altmeyer, Andy Manning, Barry Drews, Jill Drews

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 February 23, 2012 was made by Ald. Kath and seconded by Ald. Boeldt. **All ayes; motion approved.**

R.O. No. 362-11-12 (2-6-12) – Various License Applications: Bev. Op. Lic. App. Nos. 7301 (Jennifer A. Minnard), 8089 (Jennifer M. Weber); Taxicab Op. Lic. App. No. 9003 (Vanessa C. Molina)

Submitting various license applications for the period ending June 30, 2012 and June 30, 2013.

Jennifer A. Minnard failed to appear before the committee. Ald. Kath moved, seconded by Ald. Hammen, to deny the license application based upon Ms. Minnard's failure to accurately reveal all relevant convictions on her application and her failure to cooperate with the committee. **All ayes; motion approved.**

Jennifer M. Weber failed to appear before the committee. Ald. Boeldt moved, seconded by Ald. Hammen, to deny the license application based upon Ms. Weber's failure to accurately reveal all relevant convictions on her application and her failure to cooperate with the committee. **All ayes; motion approved.**

Vanessa C. Molina was not present when R.O. 362-11-12 was initially discussed. Ald. Kath moved, seconded by Ald. Hammen, to deny the license application based upon Ms. Molina's failure to accurately reveal all relevant convictions on her application and her failure to cooperate with the committee. **All ayes; motion approved.** However, Ms. Molina appeared before the committee later during the meeting to discuss her application. Ald. Boeldt moved, seconded by Ald. Hammen, to rescind the prior motion. **All ayes; motion approved.** After discussion of her record and her failure to include violations on her application, Ald. Boeldt moved, seconded by Ald. Hammen, to deny the license application based upon her failure to accurately reveal all relevant convictions on her application and her record of violations related to the licensed activity. **Three ayes and one nay (Ald. VanderWeele); motion approved.**

R.O. No. 368-11-12 (2-20-12) – Various License Applications: Bev. Op. Lic. App. Nos. 9485 (Michael C. Brickey Jr.), 9476 (Faith C. Danbrova), 7464 (Kevin J. McCabe), 9487 (Heidi A. Winkel); Taxicab Op. Lic. App. Nos. 9482 (Shawn D. Lehmann), 7760 (Brenda J. Villarreal)
Submitting various license applications for the period ending June 30, 2012 and June 30, 2013.

Michael C. Brickey Jr. appeared before the committee to discuss his application. After discussion of his record and his failure to include a violation on his application, Ald. Boeldt moved, seconded by Ald. Hammen, 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.**

Faith C. Danbrova failed to appear before the committee, but the City Clerk's Office indicates that Ms. Danbrova has withdrawn her application. Ald. Hammen moved, seconded by Ald. Boeldt, to accept the withdrawal and file the application. **All ayes; motion approved.**

Kevin J. McCabe appeared before the committee to discuss his application. After discussion of his record and his failure to include violations on his application, Ald. Hammen moved, seconded by Ald. Boeldt, 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.**

Heidi A. Winkel failed to appear before the committee. Ald. Hammen moved, seconded by Ald. Boeldt, to request via certified mailing Ms. Winkel's appearance before the committee at its March 22nd meeting. **All ayes; motion approved.**

Shawn D. Lehmann appeared before the committee to discuss his application. After discussion of his record and his failure to include violations on his application, Ald. Boeldt moved, seconded by Ald. Hammen, to deny the license application based upon his failure to accurately reveal all relevant convictions on his application and his record of violations related to the licensed activity. **Three ayes and one nay (Ald. VanderWeele); motion approved.**

Brenda J. Villarreal failed to appear before the committee. Ald. Hammen moved, seconded by Ald. Boeldt, to request via certified mailing Ms. Villarreal's appearance before the committee at its March 22nd meeting. **All ayes; motion approved.**

Possible action regarding Alc. Bev. Lic. No. 1680-Scenic Bar LLC (Catherine Kraus, Agent)

Catherine Kraus appeared before the committee. Ald. Kath moved, seconded by Ald. Hammen, to issue a warning to Ms. Kraus regarding the sale of alcohol to an underage person at Scenic Bar LLC on February 8, 2012. **All ayes; motion approved.**

Possible action regarding Alc. Bev. Lic. No. 1752-The End Zone (Patrick J. Martin, Agent)

Patrick J. Martin appeared before the committee. Ald. Kath moved, seconded by Ald. Boeldt, to issue a warning to Mr. Martin regarding the sale of alcohol to underage persons at The End Zone on February 11, 2012, and to call in the bartender, Jennifer L. Hartman (Bev. Op. Lic. No. 5760), to discuss the matter with the committee. **All ayes; motion approved.**

Possible action regarding Alc. Bev. Lic. No. 1035-The Blue Lite (Dean D. Dayton, Agent)

Dean D. Dayton appeared before the committee. Ald. Boeldt moved, seconded by Ald. Hammen, to issue a warning to Mr. Dayton regarding the sale of alcohol to underage persons at The Blue Lite on February 12, 2012, and to call in the bartender, Aaron M. Rider (Bev. Op. Lic. No. 5584), to discuss the matter with the committee. **All ayes; motion approved.**

Possible action regarding Alc. Bev. Lic. No. 1412-Trattoria Stefano (Stefano C. Viglietti, Agent)

Stefano C. Viglietti failed to appear, but had contacted the City Attorney's Office to indicate that he was unable to appear until the April 5th meeting. Ald. Hammen moved, seconded by Ald. Kath, to hold this matter until the April 5th meeting. **All ayes; motion approved.**

Possible action regarding Alc. Bev. Lic. No. 2556-The Spot Bar & Grill (Annette C. Capetillo, Agent)

Annette C. Capetillo appeared before the committee. She indicated that the State seller's license issue has been resolved and the business is open again. She apologized for Alex Alvarez's failure to cooperate with the police on February 12, 2012 when the police thought the bar was open that night. Ald. Hammen moved, seconded by Ald. Boeldt, to issue a warning to The Spot Bar & Grill regarding the February 12th incident. **All ayes; motion approved.**

Possible action regarding Alc. Bev. Lic. No. 2772-Club Michigan I (Douglas C. Altmeyer, Agent)

Attorney Richard Hahn and Douglas C. Altmeyer appeared before the committee. Attorney Hahn explained to the committee that the former bar manager, Peter Vreeke, had been terminated by Club Michigan on February 5, 2012 and the bar was then shut down until a new bar manager could be hired. When Attorney Hahn appeared before the committee on February 9th with Mr. Altmeyer, a new bar manager had not yet been hired. However, on February 10th, Michael Wagner, who was employed at a different Altmeyer establishment, accepted their offer of employment and Club Michigan then opened for business on Friday, February 10th. Mr. Altmeyer informed the committee that he is now more involved with the operation of the bar. Ald. Hammen moved, seconded by Ald. Boeldt, to reiterate the warning given to Mr. Altmeyer on February 9, 2012 with regard to the sale of alcohol to underage persons at Club Michigan I on June 9, 2011. **All ayes; motion approved.**

Quasi-Judicial hearing to determine whether Alc. Bev. Lic. No. 2275-M.T. Wine Glass (The Grotto) (Mary H. Jacobson, Agent) shall be suspended or revoked

ACA Adams informed the committee that it could not proceed with the hearing today because we have been unable to locate Mary Jacobson in order to serve the Summons and Complaint. The police department is assisting us in locating Ms. Jacobson.

Quasi-Judicial hearing to determine whether Alc. Bev. Lic. No. 2740-Mannings Irish Pub I (Thomas A. Manning, Agent) shall be suspended or revoked

ACA Adams informed the committee that the agent was not officially served, so the committee could not proceed with the hearing today. However, the agent, Thomas A. (“Andy”) Manning, did contact ACA Adams indicating they would voluntarily appear before the committee to discuss the matter of alcohol being served to an underage person at Manning’s on March 29, 2011. Andy Manning was present and the incident was discussed. Ald. Hammen moved, seconded by Ald. Boeldt, to issue a warning to Mr. Manning regarding the sale of alcohol to an underage person at Mannings Irish Pub I on March 29, 2011, and to end the quasi-judicial process. **All ayes; motion approved.**

Quasi-Judicial hearing to determine whether Alc. Bev. Lic. No. 1411-Tommys Bar (Diana Jill Drews, Agent) shall be suspended or revoked

ACA Adams informed the committee that the agent had been served, but had contacted ACA Adams indicating they would voluntarily appear before the committee to discuss the matter of alcohol being served to an underage person at Tommy’s Bar on March 29, 2011. Jill Drews and Barry Drews were present and the incident was discussed. Ald. Kath moved, seconded by Ald. Hammen, to issue a warning to Ms. Drews regarding the sale of alcohol to an underage person at Tommy’s Bar on March 29, 2011, and to end the quasi-judicial process. **All ayes; motion approved.**

R.O. No. 384-11-12 (3-5-12) – Various License Applications

Submitting various license applications for the period ending June 30, 2012 and June 30, 2013.

Ald. Hammen moved, seconded by Ald. Boeldt, to grant the change of premise for Alc. Bev. Lic. No. 2726 (John Michael Kohler Arts Center), contingent upon the Clerk’s Office reviewing the application with them and modifying the application to just the beer serving area. **All ayes; motion approved.**

Ald. Hammen moved, seconded by Ald. Kath, to grant a license to Bev. Op. Lic. App. No. 9494 (Arturo R. Contreras) with instructions to correct the application. **All ayes; motion approved.**

Ald. Hammen moved, seconded by Ald. Boeldt, to grant a license to Bev. Op. Lic. App. No. 1450 (Richard W. Halverson, Jr.). **All ayes; motion approved.**

Ald. Hammen moved, seconded by Ald. Kath to call in Bev. Op. Lic. App. No. 6181 (William A. Harpold) to discuss his application with the committee. **All ayes; motion approved.**

Ald. Hammen moved, seconded by Ald. Kath, to grant a license with a warning, contingent upon the application being corrected, to Bev. Op. Lic. App. No. 9490 (Doreen D. Schanen). **All ayes; motion approved.**

Ald. Kath moved, seconded by Ald. Boeldt to call in Bev. Op. Lic. App. No. 9320 (Marcello A. Segovia) to discuss his application with the committee. **All ayes; motion approved.**

Ald. Boeldt moved, seconded by Ald. Kath to call in Taxicab Op. Lic. App. No. 9496 (Brian K. Hahn) to discuss his application with the committee. **All ayes; motion approved.**

Ald. Hammen moved, seconded by Ald. Boeldt to call in Taxicab Op. Lic. App. No. 9498 (Jack M. Key, Jr.) to discuss his application with the committee. **All ayes; motion approved.**

Ald. Kath moved, seconded by Ald. Boeldt to call in Taxicab Op. Lic. App. No. 9489 (Scott R. Landgraf) to discuss his application with the committee. **All ayes; motion approved.**

Ald. Hammen moved, seconded by Ald. Boeldt to call in Taxicab Op. Lic. App. No. 7786 (Rafael Ponce) to discuss his application with the committee. **All ayes; motion approved.**

Ald. Hammen moved, seconded by Ald. Boeldt to call in Taxicab Op. Lic. App. No. 9491 (Regina R. Ramirez) to discuss her application with the committee. **All ayes; motion approved.**

Ald. Boeldt moved, seconded by Ald. Hammen, to grant a license to Taxicab Op. Lic. App. No. 9492 (Trayel J. West). **Three ayes and one nay (Ald. Kath); motion approved.** Ald. Boeldt moved to rescind the prior motion; motion died for lack of a second.

Ald. Hammen moved, seconded by Ald. Kath to call in Secondhand Article/Jewelry Lic. App. No. 2882-S & T's Retail (Scott R. Khail, Agent) to discuss the application with the committee. **All ayes; motion approved.**

Ald. Kath moved, seconded by Ald. Hammen, 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 food trucks and other on-street businesses

Lengthy discussion regarding the creation of a food truck ordinance and regulating other on-street businesses as these types of businesses are becoming more popular and the Clerk's Office has received some inquiries. Ald. Kath moved, seconded by Ald. Hammen, to hold this matter until the next meeting. **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 with regard to an unlicensed person selling alcohol to an underage person at the northside Piggly Wiggly on January 17, 2012, Ald. Hammen made a motion, seconded by Ald. Kath, to call in Alc. Bev. Lic. No. 2702-Tietz's Piggly Wiggly (Mark L. Tietz, Agent) to discuss the matter with the committee. **All ayes; motion approved.**

After hearing a brief report from ACA Adams with regard to the agent for NZ's being cited for serving an intoxicated person on February 11, 2012, Ald. Hammen made a motion, seconded by Ald. Boeldt, to call in Alc. Bev. Lic. No. 2850-N Z's Bar & Grill (Jason J. Neels, Agent) to discuss the matter with the committee. **All ayes; motion approved.**

After hearing a brief report from ACA Adams with regard to Bourbon Street serving customers on February 16, 2012 with no licensed person on the premises, Ald. Hammen made a motion, seconded by Ald. Boeldt, to call in Alc. Bev. Lic. No. 2381-Bourbon Street Pub & Grill (Penny A. Hinz, Agent) to discuss the matter with the committee. **All ayes; motion approved.**

After hearing a brief report from ACA Adams with regard to two underage persons being served alcohol at Rehab on February 23, 2012, Ald. Kath made a motion, seconded by Ald. Boeldt, to call in Alc. Bev. Lic. No. 2720-Rehab Bar & Grill (Rufino C. Martinez, Jr., Agent) and also the bartender, Amanda Martinez, to discuss the matter with the committee. **All ayes; motion approved.** (Note: It was determined after the meeting that Amanda Martinez has not had a beverage operator's license since 2003; therefore, Ms. Martinez will not be called in.)

After hearing a brief report from ACA Adams with regard to the new Pick N Save south store not being in compliance with our policy which requires a separate area for the liquor department, Ald. Boeldt made a motion, seconded by Ald. Hammen, to call in Alc. Bev. Lic. No. 2825-Pick N Save #6433 (Daniel Edward Duncan, Agent) to discuss the matter with the committee. **All ayes; motion approved.**

Lt. Teunissen provided the committee with information regarding a recent incident at SheVegas where a woman was hit over the head with a beer bottle. SheVegas is already scheduled to appear at the next committee meeting on March 22, 2012.

Ald. Hammen made a motion to adjourn. Ald. Boeldt seconded the motion. **All ayes; motion approved.**

There being no further business to come before the committee, the meeting was adjourned at 6:55 p.m.

The next committee meeting is scheduled to be held on March 22, 2012 at 5:00 p.m. in the Common Council Chambers located at City Hall, 828 Center Avenue.