

MINUTES
COMMITTEE ON LAW & LICENSING

March 22, 2012 - 5:00 p.m.
Common Council Chambers, City Hall

Members Present: Chairperson Ald. Jodi VanderWeele, Vice Chairperson Ald. Julie Kath, Ald. Joel Hammen
Excused: Ald. Scott Versey
Others in Attendance: Assistant City Attorney Charles Adams, Lt. Douglas Teunissen, Sgt. Kurt Zempel, Mayor Terry Van Akkeren, William A. Harpold, Marcello A. Segovia, Brian K. Hahn, Scott R. Landgraf, Rafael Ponce, Scott R. Khail, Jennifer L. Hartman, Aaron M. Rider, Hamilton W. Watt, Thomas Lloyd, Robert Scheibl, Mark L. Tietz, Penny A. Hinz, Curt Hinz, Rufino C. Martinez, Jr., Kathy Martinez, Amanda Martinez, Max Dickmann, Scott Lewandoske

Chairperson VanderWeele called the meeting to order at 5:00 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 March 8, 2012 was made by Ald. Hammen and seconded by Ald. Kath. **All ayes; motion approved.**

R.O. No. 362-11-12 (2-6-12) – Various License Applications: Bev. Op. Lic. App. No. 9464 (Cynthia N. Parfait)

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

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

R.O. No. 368-11-12 (2-20-12) – Various License Applications: Bev. Op. Lic. App. No. 9487 (Heidi A. Winkel); Taxicab Op. Lic. App. No. 7760 (Brenda J. Villarreal)

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

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

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

R.O. No. 384-11-12 (3-5-12) – Various License Applications: Bev. Op. Lic. App. Nos. 6181 (William A. Harpold), 9320 (Marcello A. Segovia); Taxicab Op. Lic. App. Nos. 9496 (Brian K. Hahn), 9498 (Jack M. Key, Jr.) 9489 (Scott R. Landgraf), 7786 (Rafael Ponce), 9491 (Regina R. Ramirez); Secondhand Article/Jewelry Lic. App. No. 2882-S & T's Retail (Scott R. Khail, Agent)

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

William A. Harpold was not present when R.O. 384-11-12 was initially discussed. Ald. Kath moved, seconded by Ald. Hammen, to request via certified mailing Mr. Harpold's appearance before the committee at its April 5th meeting. **All ayes; motion approved.** However, Mr. Harpold appeared before the committee later during the meeting to discuss his application. Ald. Kath moved, seconded by Ald. Hammen, to rescind the prior motion. **All ayes; motion approved.** After discussion of his record and his failure to include violations on his application, Ald. Hammen 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.**

Marcello A. Segovia appeared before the committee to discuss his application. After discussion of his record, Ald. Hammen moved, seconded by Ald. Kath, to grant the license. **All ayes; motion approved.**

Brian K. Hahn appeared before the committee to discuss his application. After discussion of his record and his failure to include violations on his application, Ald. Kath 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.**

Jack M. Key, Jr. failed to appear before the committee. Ald. Hammen moved, seconded by Ald. Kath, to request via certified mailing Mr. Key's appearance before the committee at its April 5th meeting. **All ayes; motion approved.**

Scott R. Landgraf appeared before the committee to discuss his application. Mr. Landgraf explained that the 2009 violation was actually his father's ticket. After discussion of his record, Ald. Kath moved, seconded by Ald. Hammen, to grant the license. **All ayes; motion approved.**

Rafael Ponce appeared before the committee to discuss his application. Rufino C. Martinez, Jr. served as Mr. Ponce's interpreter. After discussion of his record and his failure to include violations on his application, Ald. Hammen moved, seconded by Ald. Kath, to deny the license application based upon Mr. Ponce's failure to accurately reveal all relevant convictions on his application and his ineligibility for the license due to the fact that his driver's license is suspended at the present time. **All ayes; motion approved.**

Regina R. Ramirez failed to appear before the committee. Ald. Hammen moved, seconded by Ald. Kath, to request via certified mailing Ms. Ramirez's appearance before the committee at its April 5th meeting. **All ayes; motion approved.**

Scott R. Khail appeared before the committee to discuss his application. He indicated that the merchandise for his business will come from storage units and estate sales. Sgt. Kurt Zempel from the Sheboygan Police Department was also present and spoke. Ald. Kath moved, seconded by Ald. Hammen, to deny the license application based upon concerns regarding issues of public safety and protection and a negative recommendation from the Sheboygan Police Department. **All ayes; motion approved.**

Possible action regarding Bev. Op. Lic. No. 5760 (Jennifer L. Hartman)

Jennifer L. Hartman appeared before the committee. Ald. Kath moved, seconded by Ald. Hammen, to issue a warning to Ms. Hartman regarding the sale of alcohol to underage persons at The End Zone on February 11, 2012. **All ayes; motion approved.**

Possible action regarding Bev. Op. Lic. No. 5584 (Aaron M. Rider)

Aaron M. Rider appeared before the committee. Ald. Hammen moved, seconded by Ald. Kath, to issue a warning to Mr. Rider regarding the sale of alcohol to underage persons at The Blue Lite on February 12, 2012. **All ayes; motion approved.**

Possible action regarding Alc. Bev. Lic. No. 1083-Vibez (Hamilton W. Watt, Agent)

Hamilton W. Watt and Thomas Lloyd appeared before the committee to discuss the after-hours billiards tournament on January 15, 2012. Mr. Lloyd acknowledged that he had allowed people to remain on premises after bar close, although no alcohol was consumed after bar close. Ald. Hammen moved, seconded by Ald. Kath, to request that Mr. Watt voluntarily surrender the "Class B" alcohol beverage licenses for a period of four (4) consecutive business days within 14 days. **All ayes; motion approved.**

Possible action regarding Alc. Bev. Lic. No. 2717-SheVegas (Robert Scheibl, Agent)

Robert Scheibl appeared before the committee. Lt. Teunissen informed the committee that Mr. Scheibl did have a chronic nuisance meeting with officers, has presented an abatement plan to the police department, and is making most changes recommended by the police department. There was a lengthy discussion regarding SheVegas's all-you-can-drink specials which Mr. Scheibl is reluctant to discontinue. Their ID scanner is still broken. Ald. Hammen moved, seconded by Ald. Kath, to issue a warning to Mr. Scheibl regarding the disturbances at SheVegas on March 4 and March 10, 2012. **All ayes; motion approved.**

Possible action regarding Alc. Bev. Lic. No. 2702-Tietz's Piggly Wiggly (Mark L. Tietz, Agent)

Mark L. Tietz appeared before the committee. Ald. Hammen moved, seconded by Ald. Kath, to issue a warning to Tietz's Piggly Wiggly regarding the sale of alcohol to an underage person at Tietz's Piggly Wiggly on January 17, 2012. **All ayes; motion approved.**

Possible action regarding Alc. Bev. Lic. No. 2850-N Z's Bar & Grill (Jason J. Neels, Agent)

Jason J. Neels failed to appear before the committee. Ald. Hammen moved, seconded by Ald. Kath, to request via certified mailing Mr. Neels' appearance before the committee at its April 5th meeting. **All ayes; motion approved.**

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

Penny A. Hinz and Curt Hinz appeared before the committee. Ald. Kath moved, seconded by Ald. Hammen, to issue a warning to Bourbon Street Pub & Grill regarding serving customers with no licensed person on the premises on February 16, 2012. **All ayes; motion approved.**

Possible action regarding Alc. Bev. Lic. No. 2720-Rehab Bar & Grill (Rufino C. Martinez, Jr., Agent)

Rufino C. Martinez, Jr. and Amanda Martinez appeared before the committee. Ald. Kath moved, seconded by Ald. Hammen, to issue a warning to Rufino C. Martinez, Jr. regarding the sale of alcohol to underage persons at Rehab Bar & Grill on February 23, 2012 and to also issue a warning for allowing an unlicensed person to serve alcohol on February 23, 2012. **All ayes; motion approved.**

Possible action regarding Alc. Bev. Lic. No. 2825-Pick N Save #6433 (Daniel Edward Duncan, Agent)

Max Dickmann appeared on behalf of Pick N Save to discuss the liquor department set-up. The committee again reviewed the floor plan of the liquor department and also reviewed their policy. No action is necessary.

R.O. No. 402-11-12 (3-19-12) – Various License Applications

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

Ald. Kath moved, seconded by Ald. Hammen to call in Bev. Op. Lic. App. No. 9515 (Miranda L. Avina) to discuss her application with the committee. **All ayes; motion approved.**

Ald. Kath moved, seconded by Ald. Hammen to call in Bev. Op. Lic. App. No. 9499 (Chad M. Cizek) to discuss his application with the committee. **All ayes; motion approved.**

Ald. Hammen moved, seconded by Ald. VanderWeele, to grant a license with a warning, contingent upon the application being corrected, to Bev. Op. Lic. App. No. 9504 (Daniel Garcia). **Two ayes and one nay (Ald. Kath); motion approved.**

Ald. Hammen moved, seconded by Ald. Kath to call in Bev. Op. Lic. App. No. 9505 (Kayla M. Golding) to discuss her application with the committee. **All ayes; motion approved.**

Ald. Hammen moved, seconded by Ald. Kath to call in Bev. Op. Lic. App. No. 9502 (Leah M. Mason) to discuss her 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. 9518 (Carrie J. Schwalbe). **All ayes; motion approved.**

Ald. Kath moved, seconded by Ald. Hammen to call in Taxicab Op. Lic. App. No. 9503 (Simon M. Rodriguez) to discuss his application with the committee. **All ayes; motion approved.**

Ald. Hammen moved, seconded by Ald. Kath, 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

ACA Adams distributed a copy of the City of Minneapolis food truck ordinance and Ald. Kath distributed a copy of the City of Buffalo mobile food vehicle vendor ordinance for the committee's review. Comments regarding the provisions in those ordinances should be e-mailed to ACA Adams.

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. Hammen 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 7:06 p.m.

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