

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

**April 23, 2013 - 2:00 p.m.**  
**Common Council Chambers, City Hall**

**Members Present:** Chairperson Ald. Jodi VanderWeele, Vice Chairperson Ald. Kevin Matichek, Ald. Susan Lessard, Ald. Scott Lewandoske, Ald. Bill Thiel

**Others in Attendance:** Assistant City Attorney Charles C. Adams, Lt. Douglas Teunissen, City Clerk Susan Richards, Donald G. Riemer, Eric S. Schroeter, Brian E. Kairys, Trevor M. Gohr, Thomas E. Laiken, Theresa L. Nitze, Todd R. Haas, Gerald W. Doebert, Tina H. Mann, Candace L. Teetzen, Dennis Teetzen, Timothy Streets, Evelyn R. Hungerford, Jetmir Ameti, Richard L. Hiers, Courtney M. Lilge, Jose Razo

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 April 9, 2013 was made by Ald. Matichek and seconded by Ald. Lessard. **All ayes; motion approved.**

**Presentations to the Committee by City Attorney's Office and City Clerk's Office**

ACA Adams discussed the various types of licenses the committee will be dealing with, and also other issues the committee will handle, including ordinance changes, quasi-judicial hearings on the suspension/revocation of licenses, and matters referred to the City's ethics board.

City Clerk Susan Richards discussed the licensing process in the City of Sheboygan and discussed the various licenses handled by the City Clerk's office.

**Adoption of the policies and procedures of the Law & Licensing Committee**

Copies of the following policies/procedures of the committee were distributed and discussed briefly:

- Guidelines To Be Used For Granting & Denial of Liquor Licenses
- Policy Statement on Issuance of Original "Class A" Intoxicating Liquor Licenses
- Chart of historic averages regarding treatment of licenses
- Information regarding license suspension/revocation hearings

A motion to adopt the policies and guidelines of the Law & Licensing Committee was made by Ald. Matichek and seconded by Ald. Lessard. **All ayes; motion approved.**

**R.C. No. 479-12-13 (4-15-13) [see also R.O. No. 303-12-13 (3-18-13)] – Various License Applications: Bev. Op. Lic. App. No. 5729 (Michelle Passmore); Taxicab Op. Lic. App. No. 9900 (Amanda L. Wilterdink)**

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

Michelle Passmore failed to appear before the committee. Ald. Matichek moved, seconded by Ald. Lessard, to deny the license application based upon Ms. Passmore's failure to accurately reveal all relevant convictions on her application, her record of violations related to the licensed activity, and her failure to cooperate with the committee. **All ayes; motion approved.**

Amanda L. Wilterdink failed to appear before the committee. Ald. Matichek moved, seconded by Ald. Lessard, to deny the license application based upon Ms. Wilterdink's failure to accurately reveal all relevant convictions on her application, her record of violations related to the licensed activity, and her failure to cooperate with the committee. **All ayes; motion approved.**

**R.C. No. 478-12-13 (4-15-13) [see also R.O. No. 314-12-13 (4-3-13)] – Various License Applications: “Class B” Liquor Lic. App. No. 2976-My Place Bar & Grill (Sandra A. Osoa, Agent); Bev. Op. Lic. App. Nos. 9915 (Donald G. Riemer), 7934 (Eric S. Schroeter), 9912 (Jacob R. Thompson); Taxicab Op. Lic. App. No. 9910 (Brian E. Kairys)**

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

Sandra A. Osoa did not appear, but her attorney, Josh McKinley, had contacted the City Attorney's Office to request that the matter be held until the May 14th meeting. Ald. Matichek moved, seconded by Ald. Lessard, to hold the application until the May 14th meeting. **All ayes; motion approved.**

Donald G. Riemer appeared before the committee to discuss his application. After discussion of his record and his failure to include a violation on his application, Ald. Matichek 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.**

Eric S. Schroeter appeared before the committee to discuss his application. After discussion of his record, Ald. Matichek moved, seconded by Ald. Lessard, to grant the license with instructions to correct the application. **All ayes; motion approved.**

Jacob R. Thompson did not appear, but had contacted the City Attorney's Office to indicate that he was unable to appear. Mr. Thompson was instructed to appear at the May 14th meeting. Ald. Matichek moved, seconded by Ald. Lessard, to hold the application until the May 14th meeting and to call in Mr. Thompson by regular mail. **All ayes; motion approved.**

Brian E. Kairys appeared before the committee to discuss his application. During the discussion of his record, Mr. Kairys informed the committee that he wished to withdraw his application at this time and apply again at a later date. Ald. Matichek moved, seconded by Ald. Lessard, to accept the withdrawal and file the application. **All ayes; motion approved.**

**Possible action regarding Taxicab Op. Lic. No. 8112 (Trevor M. Gohr)**

Trevor M. Gohr appeared before the committee to discuss a March 29, 2013 violation of the taxicab regulation ordinance. Mr. Gohr indicated that he didn't know what to do when the customer passed

out in his taxi. Lt. Teunissen explained that taxi drivers should contact the police immediately if they are unsure how to handle a situation. Ald. Lessard moved, seconded by Ald. Lewandoske, to request that Mr. Gohr voluntarily surrender his taxicab operator's license for a period of 15 consecutive days within 7 days. **All ayes; motion approved.**

**Possible action regarding Taxicab Op. Lic. No. 6913 (Ricardo Rios)**

Ricardo Rios failed to appear before the committee. Ald. Matichek moved, seconded by Ald. Lessard, to request via certified mailing Mr. Rios' appearance before the committee at its May 14th meeting. **All ayes; motion approved.**

**Possible action regarding Alc. Bev. Lic. No. 2899-Zodiak (Thomas E. Laiken, Agent) and Bev. Op. Lic. No. 7853 (Theresa L. Nitze)**

Thomas E. Laiken and Theresa L. Nitze appeared before the committee. Mr. Laiken indicated that Zodiak opened in June of 2012. He is now in the process of getting a scanner and retraining the employees on how to read ID's. Ald. Matichek moved, seconded by Ald. Lessard, to issue warnings to both Zodiak and Theresa L. Nitze regarding the sale of alcohol to underage persons at Zodiak on March 28, 2013. **All ayes; motion approved.**

**Possible action regarding Alc. Bev. Lic. No. 1267-Poor Richards (Richard C. Lambrecht, Agent)**

Richard C. Lambrecht did not appear, but Elizabeth Lambrecht had contacted the City Attorney's Office to request that the matter be held until the May 14th meeting. Ald. Matichek moved, seconded by Ald. Lessard, to hold the matter until the May 14th meeting and to call in Mr. Lambrecht by regular mail. **All ayes; motion approved.**

**Possible action regarding Alc. Bev. Lic. No. 2914-T & L's Northstar LLC (Todd R. Haas, Agent) and Bev. Op. Lic. No. 9705 (Gerald W. Doebert)**

Todd R. Haas and Gerald W. Doebert appeared before the committee. Mr. Haas indicated that Mr. Doebert doesn't normally bartend and was just filling in that night. Mr. Haas stated that he has talked to a police officer about reading ID's and learned some valuable information. Ald. Lessard moved, seconded by Ald. Matichek, to issue warnings to both T & L's Northstar LLC and Gerald W. Doebert regarding the sale of alcohol to underage persons at T & L's Northstar LLC on March 28, 2013. **All ayes; motion approved.**

**Possible action regarding Alc. Bev. Lic. No. 2758-Mike's Wilson Ave. Bar & Grill (Michael R. Dietz, Agent) and Bev. Op. Lic. No. 8786 (Kyrstin A. Dietz)**

Michael R. Dietz failed to appear before the committee. Ald. Matichek moved, seconded by Ald. Lessard, to request via certified mailing Mr. Dietz's appearance before the committee at its May 14th meeting. **All ayes; motion approved.**

Kyrstin A. Dietz did not appear, but had contacted the City Attorney's Office to indicate that she was unable to appear. Ms. Dietz was instructed to appear at the May 14th meeting. Ald. Matichek moved, seconded by Ald. Lessard, to hold Kyrstin A. Dietz's matter until the May 14th meeting and to call in Ms. Dietz by regular mail. **All ayes; motion approved.**

**Possible action regarding Alc. Bev. Lic. No. 1083-Vibez (Hamilton W. Watt, Agent) and Bev. Op. Lic. No. 9671 (Tina H. Mann)**

Hamilton W. Watt did not appear, but had contacted the City Attorney's Office to indicate that he was unable to appear. Mr. Watt was instructed to appear at the May 14th meeting. Ald. Matichek moved, seconded by Ald. Lessard, to hold Hamilton W. Watt's matter until the May 14th meeting and to call in Mr. Watt by regular mail. **All ayes; motion approved.**

Tina H. Mann appeared before the committee. Ms. Mann indicated that she normally uses an ID scanner, but didn't that night because she was busy cooking and she was the only bartender on duty even though there were approximately 40 people there playing pool. Ald. Matichek moved, seconded by Ald. Lessard, to issue a warning to Tina H. Mann regarding the sale of alcohol to underage persons at Vibez on March 28, 2013. **All ayes; motion approved.**

**Possible action regarding Alc. Bev. Lic. No. 1260-The Cove (Candace I. Teetzen, Agent)**

Candace L. Teetzen appeared before the committee to discuss the March 28, 2013 incident. Ms. Teetzen indicated that her husband doesn't typically tend bar, but he was doing so on March 28th. She stated that her husband wasn't aware that he could not cut up the volunteers' ID cards since back in 1982 that is what they had been told to do with fake ID's. Dennis Teetzen also spoke to the committee regarding the incident. After hearing from Mr. Teetzen, Ald. Matichek moved, seconded by Ald. Lessard, to request that Candace L. Teetzen voluntarily surrender the alcohol beverage license for a period of 4 consecutive business days within 14 days. **Four ayes and one nay (Ald. Lewandoske); motion approved.**

**Possible action regarding Alc. Bev. Lic. No. 2710-The Pig Stop II (Jennifer A. Waraich, Agent) and Bev. Op. Lic. No. 9878 (Michael JT McAlister)**

Jennifer A. Waraich and Michael JT McAlister did not appear, but had contacted the City Attorney's Office to indicate that they were unable to appear. They were both instructed to appear at the May 14th meeting. Ald. Matichek moved, seconded by Ald. Lewandoske to hold the matter until the May 14th meeting and to call in Ms. Waraich and Mr. McAlister by regular mail. **All ayes; motion approved.**

**Possible action regarding Alc. Bev. Lic. No. 1877-Applebee's Neighborhood Grill (Timothy Streets, Agent) and Bev. Op. Lic. No. 9140 (Evelyn R. Hungerford)**

Timothy Streets and Evelyn R. Hungerford appeared before the committee. Ms. Hungerford indicated that she normally cards people under 30 and misread the ID because she was stressed out. She stated she plans to card everybody from now on. Ald. Lessard moved, seconded by Ald. Matichek, to issue warnings to both Applebee's Neighborhood Grill and Evelyn R. Hungerford

regarding the sale of alcohol to an underage person at Applebee's Neighborhood Grill on April 7, 2013. **All ayes; motion approved.**

**Possible action regarding Alc. Bev. Lic. No. 1525-Fountain Park Lounge (Jetmir Ameti, Agent)**

Jetmir Ameti appeared before the committee. Mr. Ameti indicated that he is usually present at the business, but he was not there when his brother served the underage person. His brother is in the process of obtaining a beverage operator's license. Ald. Lessard moved, seconded by Ald. Matichek, to issue a warning to Fountain Park Lounge regarding the sale of alcohol to an underage person at Fountain Park Lounge on April 7, 2013. **All ayes; motion approved.**

**Possible action regarding Alc. Bev. Lic. No. 2404-Dick's Northeast Standard I (Richard L. Hiers, Agent) and Bev. Op. Lic. No. 8190 (Courtney M. Lilge)**

Richard L. Hiers and Courtney M. Lilge appeared before the committee. Mr. Hiers indicated that his policy is to card everyone. The cash register even asks for the birthdate, but the clerk, Chanda Tichy, apparently overrode that feature. Mr. Hiers stated that Courtney Lilge had turned her back for a moment and was not directly supervising Ms. Tichy. Ald. Lessard moved, seconded by Ald. Matichek, to issue warnings to both Dick's Northeast Standard I and Courtney M. Lilge regarding the sale of alcohol to an underage person at Dick's Northeast Standard I on April 7, 2013, and an additional warning to Courtney M. Lilge regarding her failure to supervise. **All ayes; motion approved.**

**Possible Quasi-Judicial hearing to determine whether Taxicab Business Lic. No. 2525-All Star Taxi I (Jose A. Razo, Agent) shall be suspended or revoked**

ACA Adams informed the committee that Jose Razo has agreed to voluntarily surrender the All Star Taxi I license, with the conditions that he be given 30 days to wind up the business and that he be allowed to speak to the committee today. Jose A. Razo appeared before the committee and spoke. Ald. Matichek moved, seconded by Ald. Lessard, to accept Jose Razo's voluntary surrender and accept the stipulation. **All ayes; motion approved.** As of 12:01 a.m. on May 23, 2013, regardless of whether he physically retains the license, Taxicab Business Lic. No. 2525 shall be null and void.

**Possible Quasi-Judicial hearing to determine whether Alc. Bev. Lic. No. 2720-Rehab Bar & Grill (Rufino C. Martinez, Jr., Agent) and Bev. Op. Lic. No. 5551 (Amanda K. Martinez) shall be suspended or revoked**

**Possible Quasi-Judicial hearing to determine whether Taxicab Business Lic. No. 2847-VIP Taxi LLC (Abraham Loya, Agent) shall be suspended or revoked**

**Possible Quasi-Judicial hearing to determine whether Taxicab Op. Lic. No. 9748 (Roxanna M. Ramirez) shall be suspended or revoked**

No quasi-judicial hearings were held. ACA Adams informed the committee that he continues to work on the three hearings that are pending.

**R.O. No. 336-12-13 (4-15-13) – Various License Applications**

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

Ald. Matichek moved, seconded by Ald. Lessard, to grant the change of premise application of Alc. Bev. Lic. No. 1005 (Al & Al's) conditioned upon the license holder obtaining a street festival permit and getting common council permission to use the city right-of-way for alcohol sales. **All ayes; motion approved.**

Ald. Matichek moved, seconded by Ald. Lewandoske, to call in Bev. Op. Lic. App. No. 9929 (Alexandria R. Cullen) to discuss her application with the committee. **All ayes; motion approved.**

Ald. Lessard moved, seconded by Ald. Matichek, to grant a license to Bev. Op. Lic. App. No. 9923 (Tyler S. Guild) with instructions to correct the application. **All ayes; motion approved.**

Ald. Matichek moved, seconded by Ald. Lessard, to grant a license with a warning, contingent upon the application being corrected, to Bev. Op. Lic. App. No. 1497 (Gary Heucke). **All ayes; motion approved.**

Ald. Matichek moved, seconded by Ald. Lessard, to call in Bev. Op. Lic. App. No. 8206 (Stacy L. Mertzig) to discuss her application with the committee. **All ayes; motion approved.**

Ald. Matichek moved, seconded by Ald. Lessard, to call in Bev. Op. Lic. App. No. 9873 (Joshua C. Orville) to discuss his application with the committee. **All ayes; motion approved.**

Ald. Lessard moved, seconded by Ald. Matichek, to call in Bev. Op. Lic. App. No. 9927 (Maria I. Ramirez) to discuss her application with the committee. **Four ayes and one nay (Ald. VanderWeele); motion approved.**

Ald. Lessard moved, seconded by Ald. Matichek, to call in Bev. Op. Lic. App. No. 9924 (Joseph W. Rost) to discuss his application with the committee. **All ayes; motion approved.**

Ald. Matichek moved, seconded by Ald. Lessard, to call in Bev. Op. Lic. App. No. 8945 (Erin M. Vreeke) to discuss her application with the committee. **All ayes; motion approved.**

Ald. Matichek moved, seconded by Ald. Lessard, to call in Taxicab Op. Lic. App. No. 9925 (Susan K. Tyler) to discuss her application with the committee. **All ayes; motion approved.**

Ald. Lessard moved, seconded by Ald. Matichek, 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**

Lt. Teunissen informed the committee that as the result of a domestic disturbance on April 13, 2013, That Place on 8th was cited for over-serving. Lt. Teunissen also gave a brief report regarding the results of "Operation 21" checks conducted by the Sheboygan Police Department on April 18, 2013 (17 businesses checked with 4 failures). Ald. Lessard made a motion, seconded by Ald. Matichek, to call in the following license holders to discuss the violations with the committee:

Alc. Bev. Lic. No. 2566-That Place on 8th I (Joseph M. Brost, Agent)  
Alc. Bev. Lic. No. 1406-Tidy Car of Sheboygan (Joseph E. Jantz, Agent)  
Bev. Op. Lic. No. 4518 (Stacey A. Stoltzman)  
Alc. Bev. Lic. No. 2581-South Side Clark (Buddi Sagar Subedi, Agent)  
Bev. Op. Lic. No. 8525 (Sagar Shrestha)  
Alc. Bev. Lic. No. 1778-Q Mart #218 [Washington Ave.] (Lisa M. Jansen, Agent)  
Bev. Op. Lic. No. 9694 (John D. Schneider)  
Alc. Bev. Lic. No. 2245-Thai Café Restaurant (Wongjan Manyvahn, Agent)

**All ayes; motion approved.**

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

There being no further business to come before the committee, the meeting was adjourned at 4:20 p.m.

The next committee meeting is scheduled to be held on May 14, 2013 at 2:00 p.m. in the Common Council Chambers located at City Hall, 828 Center Avenue.