

MINUTES
COMMITTEE ON LAW & LICENSING

May 15, 2012 - 2:00 p.m.
Common Council Chambers, City Hall

Members Present: Chairperson Ald. Jodi VanderWeele, Vice Chairperson Kevin Matichek, Ald. Julie Kath, Ald. Susan Lessard, Ald. Scott Lewandoske
Others in Attendance: Assistant City Attorney Charles Adams, Lt. Douglas Teunissen, Licensing Clerk Cinda Langhoff, Holly M. Pospichal, Ashley L. Pirwitz, Jesse L. Lider, David A. Repinski, Jr., William Gottsacker, Pam Gottsacker

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 26, 2012 was made by Ald. Lessard and seconded by Ald. Lewandoske. **All ayes; motion approved.**

R.O. No. 410-11-12 (4-4-12) – Various License Applications: Taxicab Op. Lic. App. No. 9520 (Holly M. Pospichal)

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

Holly M. Pospichal was not present when R.O. 410-11-12 was initially discussed. Ald. Kath moved, seconded by Ald. Lessard, to deny the license application based upon Ms. Pospichal'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.** However, Ms. Pospichal appeared before the committee later during the meeting to discuss her application. Ald. Lewandoske moved, seconded by Ald. Kath, to rescind the prior motion. **All ayes; motion approved.** After discussion of her record and her failure to include violations on her application, Ald. Kath moved, seconded by Ald. Lessard, to deny the license application based upon Ms. Pospichal's failure to accurately reveal all relevant convictions on her application and her record of violations related to the licensed activity. **Three ayes and two nays (Ald. VanderWeele and Ald. Matichek); motion approved.**

R.O. No. 430-11-12 (4-16-12) – Various License Applications: Bev. Op. Lic. App. No. 9535 (Ashley L. Pirwitz); Taxicab Op. Lic. App. No. 9537 (Jesse L. Lider)

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

Ashley L. Pirwitz 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.**

Jesse L. Lider appeared before the committee to discuss his application. After discussion of his record and his failure to include violations on his application, Ald. Matichek 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.**

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 explained the bar’s over-serving policy to the committee and indicated that this patron is now banned from the bar in the future, along with other patrons who have caused disturbances in the past. Ald. Lessard moved, seconded by Ald. Kath, to issue a warning to Dave’s Who’s Inn regarding the over-serving incident on March 31, 2012, with the condition that all employees receive re-training with regard to over-serving and how to recognize overly intoxicated individuals. Before action was taken thereon, a friendly amendment by Ald. Matichek was made to the motion and approved as follows: Issue a warning to Dave’s Who’s Inn regarding the over-serving incident on March 31, 2012, with the condition that all employees receive structured re-training through the Tavern Safety Coalition with regard to over-serving and how to recognize overly intoxicated individuals. **All ayes; motion, as amended, approved.**

Possible action regarding Alc. Bev. Lic. No. 1252–Petek’s Tavern (Stanley J. Petek, Agent)

Stanley J. Petek failed to appear, but had contacted ACA Adams at approximately 1:15 p.m. and indicated that he was unable to find someone to bartend at Petek’s Tavern so that he could come to the meeting. Ald. Matichek moved, seconded by Ald. Kath, to hold this matter until the May 29th meeting. **All ayes; motion approved.**

Hearing to review the committee’s decision not to renew Alc. Bev. Lic. No. 1067–Citystreets Riverside (William A. Gottsacker, Agent)

William A. Gottsacker appeared before the committee for an informal hearing to explain why he feels he should not be non-renewed. Mr. Gottsacker explained that the National Vollrath Sales Convention was going to be held at the restaurant at 5:00 p.m. this afternoon. Food for that event is being catered in because the kitchen presently doesn’t have a fire suppression system. He further indicated that Gottsacker Enterprises, Inc. d/b/a Citystreets Riverside has five more events booked before June 30th and another six booked for after June 30th. Alcohol will be served at all of these events by licensed bartenders. Mr. Gottsacker stated that the restaurant had been closed for extensive remodeling and that at the appropriate time he will be transferring the license to LTC for the Lakeshore Culinary Institute. Ald. Matichek moved, seconded by Ald. Lessard, to allow the license to be renewed. **All ayes; motion approved.**

Quasi-Judicial hearing to determine whether Bev. Op. Lic. No. 8447 (Peter R. Vreeke) shall be suspended or revoked

ACA Adams informed the committee that Peter R. Vreeke voluntarily surrendered his license on May 15th at the City Clerk’s office.

Hearing on the appeal of Holly Phalin finding her dog to be a vicious animal, pursuant to Sec. 18-47(i)(2), Sheboygan Municipal Code

ACA Adams informed the committee that Ms. Phalin's attorney, George Limbeck, requested that the hearing be rescheduled because he was not available on May 15. The hearing will be rescheduled.

R.O. No. 24-12-13 (5-7-12) – Various License Applications

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

Ald. Kath moved, seconded by Ald. Matichek, to grant the change of premise application of Alc. Bev. Lic. No. 2742 (8th Street Ale Haus) conditionally based upon the license holder obtaining a street festival permit and getting common council permission to use the street for alcohol sales. **All ayes; motion approved.**

Ald. Lessard moved, seconded by Ald. Kath, to grant a license to "Class B" Liquor Lic. App. No. 1799 (George Michaels I). **All ayes; motion approved.**

Ald. Matichek 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. 1199 (Lakeshore Lanes). **All ayes; motion approved.**

Ald. Matichek moved, seconded by Ald. Kath, to grant licenses to Taxicab Business Lic. App. Nos. 2525 (All Star Taxi I) and 2847 (VIP Taxi LLC), contingent upon the applicants providing the required insurance information and vehicle inspections. **All ayes; motion approved.**

Ald. Matichek moved, seconded by Ald. Lewandoske, to grant a license with a warning, contingent upon the application being corrected, to Bev. Op. Lic. App. No. 9546 (Erika L. Torrison). **Three ayes and two nays (Ald. Kath and Ald. Lessard); 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

ACA Adams and Lt. Teunissen indicated that they had no such violations to report at this time.

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

There being no further business to come before the committee, the meeting was adjourned at 2:54 p.m.

The next committee meeting is scheduled to be held on Tuesday, May 29, 2012 at 2:00 p.m. in the Common Council Chambers located at City Hall, 828 Center Avenue.