

MINUTES
COMMITTEE ON LAW & LICENSING

June 11, 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. Scott Mittelstadt, Licensing Clerk Cinda Langhoff, Ald. Joe Heidemann, Wa Lee, Tammy L. Ringel, Kaylin L. Negrón, Mariano Olaiz, Joseph E. Jantz

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 May 28, 2013 was made by Ald. Matichek and seconded by Ald. Lessard. **All ayes; motion approved.**

Presentations by potential applicants for available “Class A” alcohol beverage licenses

There is presently one “Class A” alcohol beverage license available. Wa Lee spoke again regarding the liquor store he and his wife want to open in the TCL Foto building on North 13th Street. He indicated that he spoke with the Planning office and has applied for a conditional use permit. ACA Adams indicated that the committee will have a recommendation from Steve Sokolowski before the next Law & Licensing meeting.

Discussion and action regarding granting opportunity to apply for available “Class A” alcohol beverage licenses

A motion was made by Ald. Lessard, seconded by Ald. Matichek, to hold the Wa Lee matter until the June 25th meeting. **All ayes; motion approved.**

R.O. No. 11-13-14 (5-6-13) – Various License Applications: Taxicab Op. Lic. App. Nos. 9946 (Brian Cha), 9044 (Tammy L. Ringel)

Submitting various license applications for the period ending June 30, 2014 and June 30, 2015.

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

Tammy L. Ringel appeared before the committee to discuss her application. After discussion of her record and her failure to include a violation on her application, Ald. Matichek moved, seconded by Ald. Thiel, 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. 27-13-14 (5-20-13) – Various License Applications: Bev. Op. Lic. App. Nos. 9957 (Michael G. Kunschke), 9959 (Kaylin L. Negron); Taxicab Op. Lic. App. Nos. 9217 (Frederick E. Bence), 9953 (Robert M. Nielson)

Submitting various license applications for the period ending June 30, 2014 and June 30, 2015.

Michael G. Kunschke failed to appear before the committee, but the City Clerk's Office indicates that Mr. Kunschke has verbally withdrawn his application. Ald. Lessard moved, seconded by Ald. Matichek, to accept the withdrawal and file the application. **All ayes; motion approved.**

Kaylin L. Negron 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. Matichek, 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.**

Frederick E. Bence failed to appear before the committee. Ald. Matichek moved, seconded by Ald. Lessard, to request via certified mailing Mr. Bence's appearance before the committee at its June 25th meeting. **All ayes; motion approved.**

Robert M. Nielson failed to appear before the committee. Ald. Matichek moved, seconded by Ald. Lessard, to request via certified mailing Mr. Nielson's appearance before the committee at its June 25th meeting. **All ayes; motion approved.**

Possible action regarding Taxicab Op. Lic. No. 8177 (David J. McKenzie)

David J. McKenzie failed to appear before the committee to discuss the citation issued on May 12, 2013. Ald. Lessard moved, seconded by Ald. Matichek, to request that Mr. McKenzie voluntarily surrender his taxicab operator's license permanently within 10 days. **Four ayes and one nay (Ald. VanderWeele); motion approved.**

Possible action regarding Taxicab Op. Lic. No. 8673 (Mariano Olaiz)

Mariano Olaiz appeared before the committee. Mr. Olaiz indicated that his boss had instructed him to drive the taxi on May 24th and his boss had received a citation. Ald. Lessard moved, seconded by Ald. Matichek, to issue a warning to Mariano Olaiz regarding the May 24, 2013 incident. **All ayes; motion approved.**

Update regarding voluntary surrender of Alc. Bev. Lic. and Cigarette/Tobacco Lic. No. 1406-Tidy Car of Sheboygan (Joseph E. Jantz, Agent)

ACA Adams informed the committee that Joseph E. Jantz had not yet responded to the request to surrender his licenses for the five-day period. Mr. Jantz appeared before the committee to further discuss the April 18, 2013 incident of serving alcohol to an underage person. Ald. Matichek moved, seconded by Ald. Lewandoske, to rescind the motion made on May 28, 2013, which requested that Tidy Car of Sheboygan voluntarily surrender the alcohol beverage license and cigarette/tobacco license for a period of 5 consecutive days within 14 days. **All ayes; motion approved.** Mr. Jantz spoke regarding his business management practices and indicated that he will be installing additional

software on the cash register within 30 days. Ald. Lessard moved, seconded by Ald. Thiel, to issue a warning to Tidy Car of Sheboygan regarding the sale of alcohol to an underage person at Tidy Car on April 18, 2013, and also recommended that Mr. Jantz join the Tavern Safety Coalition and install the cash register software within 30 days. **Three ayes and two nays (Ald. Matichek and Ald. Lewandoske); motion approved.**

Possible action regarding Bev. Op. Lic. No. 9694 (John D. Schneider)

Lt. Mittelstadt did not have any information regarding whether or not John D. Schneider is a military recruiter. Ald. Lessard moved, seconded by Ald. Matichek, to request that Mr. Schneider voluntarily surrender his beverage operator's license for a period of five consecutive days within 10 days. **All ayes; motion approved.**

R.C. No. 40-13-14 (6-3-13) – Communication from Shane Hall

Submitting a communication from Shane Hall stating that he wishes to report a noise disturbance from Rehab Bar & Grill located at 1450 S. 8th St.

Shane Hall was not present although he had been notified by telephone that this matter would be discussed at the meeting. Ald. Matichek moved, seconded by Ald. Lessard, to file the communication. **All ayes; motion approved.**

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

ACA Adams informed the committee that Attorney Sczygelski had again requested that the hearing be adjourned. The hearing will be on the June 25th agenda. Discussion regarding sending out notices of non-renewal to the licensees. Ald. Lessard moved, seconded by Ald. Matichek, to issue notices of non-renewal. **All ayes; motion approved.**

R.O. No. 44-13-14 (6-3-13) – Various License Applications [businesses]

Submitting various license applications for the period ending June 30, 2014 and June 30, 2015.

Ald. Lessard moved, seconded by Ald. Matichek, to grant the two change of premise applications of Alc. Bev. Lic. No. 1809 (The Wharf) contingent upon them obtaining a street festival permit and permission from council to use city property/right-of-way for the sale/consumption of alcohol. **All ayes; motion approved.**

Ald. Lessard moved, seconded by Ald. Lewandoske, to grant a license with a warning, contingent upon the application being corrected, to Alc. Bev. Lic. App. No. 2487 (Frankie's Pub & Grill). **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 Alc. Bev. Lic. App. No. 2584 (Guadalajara Mexican Restaurant). **All ayes; motion approved.**

Ald. Lessard moved, seconded by Ald. Matichek, to grant a license with a warning, contingent upon the application being corrected, to Alc. Bev. Lic. App. No. 2716 (Happy Valley). **All ayes; motion approved.**

Ald. Lessard moved, seconded by Ald. Matichek, to grant a license with a warning, contingent upon the application being corrected, to Alc. Bev. Lic. App. No. 1252 (Petek's Tavern). **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 Alc. Bev. Lic. App. No. 2245 (Thai Café Restaurant). **All ayes; motion approved.**

Ald. Lessard moved, seconded by Ald. Matichek, to grant the remainder of the license applications for businesses listed on the above-referenced R.O. **All ayes; motion approved.**

R.O. No. 45-13-14 (6-3-13) – Various License Applications [taxicab operators & new bev. ops.]

Submitting various license applications for the period ending June 30, 2014 and June 30, 2015.

Ald. Lessard moved, seconded by Ald. Matichek, to grant a license with a warning, contingent upon the application being corrected, to Bev. Op. Lic. App. No. 9983 (Deven Z. Corgard). **All ayes; motion approved.**

Ald. Lessard moved, seconded by Ald. Matichek, to call in Bev. Op. Lic. App. No. 9993 (Kathy J. Gerharz) to discuss her application with the committee. **All ayes; motion approved.**

Ald. Matichek moved, seconded by Ald. Lessard, to grant a license to Bev. Op. Lic. App. No. 9985 (Teresa M. Greyn). **All ayes; motion approved.**

Ald. Matichek moved, seconded by Ald. Lessard, to call in Bev. Op. Lic. App. No. 8216 (Brooks F. Haas) to discuss his application with the committee. **All ayes; motion approved.**

Ald. Lessard moved, seconded by Ald. Matichek, to grant a license with a warning, contingent upon the application being corrected, to Bev. Op. Lic. App. No. 6927 (Stephanie J. McGillis). **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. 8543 (Tonya L. Mikalowsky). **All ayes; motion approved.**

Ald. Lessard moved, seconded by Ald. Matichek, to grant a license with a warning, contingent upon the application being corrected, to Bev. Op. Lic. App. No. 4384 (Shannon M. Reese). **All ayes; motion approved.**

Ald. Matichek moved, seconded by Ald. Lessard to call in Bev. Op. Lic. App. No. 9984 (Jessica E. Steinke) to discuss her application with the committee. **All ayes; motion approved.**

Ald. Lessard moved, seconded by Ald. Matichek, to grant a license with a warning, contingent upon the application being corrected, to Bev. Op. Lic. App. No. 9976 (Rachel M. Tupper). **All ayes; motion approved.**

Ald. Lessard moved, seconded by Ald. Matichek, to call in Taxicab Op. Lic. App. No. 6914 (Adam M. Bayer) to discuss his application with the committee. **All ayes; motion approved.**

Ald. Matichek moved, seconded by Ald. Lessard, to call in Taxicab Op. Lic. App. No. 8913 (Heather M. Rhoads) to discuss her application with the committee. **All ayes; motion approved.**

Ald. Lessard moved, seconded by Ald. Matichek, to grant a license with a warning, contingent upon the application being corrected, to Taxicab Op. Lic. [renewal] App. No. 9658 (Elizabeth Gaud). **All ayes; motion approved.**

Ald. Lessard moved, seconded by Ald. Matichek, to grant a license to Taxicab Op. Lic. [renewal] App. No. 8112 (Trevor M. Gohr). **All ayes; motion approved.**

Ald. Lessard moved, seconded by Ald. Matichek, to call in Taxicab Op. Lic. [renewal] App. No. 6703 (Lynn M. Kropuenske) to discuss her application with the committee. **All ayes; motion approved.**

Ald. Matichek moved, seconded by Ald. Lessard, to grant a license to Taxicab Op. Lic. [renewal] App. No. 9507 (April O A Lohse). **All ayes; motion approved.**

Ald. Matichek moved, seconded by Ald. Lessard, to call in Taxicab Op. Lic. [renewal] App. No. 4193 (Brenda K. Lorenz) to discuss her application with the committee. **All ayes; motion approved.**

Ald. Lessard moved, seconded by Ald. Lewandoske, to call in Taxicab Op. Lic. [renewal] App. No. 5842 (Theodore T. Sanstadt) to discuss his application with the committee. **Four ayes and one nay (Ald. VanderWeele); motion approved.**

Ald. Matichek moved, seconded by Ald. Lessard, to call in Taxicab Op. Lic. [renewal] App. No. 7731 (Reynel Santana) to discuss his application with the committee. **All ayes; motion approved.**

Ald. Matichek moved, seconded by Ald. Lessard, to grant the remainder of the license applications for individuals listed on the above-referenced R.O. **All ayes; motion approved.**

R.O. No. 46-13-14 (6-3-13) – Various License Applications [bev. op. renewals]

Submitting various license applications for the period ending June 30, 2014 and June 30, 2015.

Ald. Lessard moved, seconded by Ald. Matichek, to call in Bev. Op. Lic. [renewal] App. No. 8345 (Kristen E. Abstetar) to discuss her application with the committee. **All ayes; motion approved.**

Ald. Matichek moved, seconded by Ald. Lessard, to reconsider the prior motion. **All ayes; motion approved.** After further discussion of Ms. Abstetar's record, Ald. Lessard moved, seconded by Ald. Matichek, to grant a license to App. No. 8345. **All ayes; motion approved.**

Ald. Lessard moved, seconded by Matichek, to call in Bev. Op. Lic. [renewal]App. No. 7012 (Alex D. Alvarez) to discuss his application with the committee. **All ayes; motion approved.**

Ald. Lessard moved, seconded by Ald. Matichek, to grant a license to Bev. Op. Lic. [renewal] App. No. 6945 (Jackie R. Benitez). **All ayes; motion approved.**

Ald. Lessard moved, seconded by Lewandoske, to call in Bev. Op. Lic. [renewal]App. No. 9485 (Michael C. Brickey, Jr.) to discuss his application with the committee. **All ayes; motion approved.**

Ald. Matichek moved, seconded by Ald. Lessard, to grant a license to Bev. Op. Lic. [renewal] App. No. 8513 (Brian O. Champeau). **All ayes; motion approved.**

Ald. Lessard moved, seconded by Ald. Matichek, to grant a license to Bev. Op. Lic. [renewal] App. No. 3832 (Bradley F. Cline). **All ayes; motion approved.**

Ald. Lessard moved, seconded by Ald. Matichek, to grant a license with a warning, contingent upon the application being corrected, to Bev. Op. Lic. [renewal] App. No. 6198 (Ashley E. Hagerman). **All ayes; motion approved.**

Ald. Lessard moved, seconded by Ald. Matichek, to grant a license to Bev. Op. Lic. [renewal] App. No. 6181 (William A. Harpold) with instructions to correct the application. **All ayes; motion approved.**

Ald. Lessard moved, seconded by Ald. Matichek, to grant a license to Bev. Op. Lic. [renewal] App. No. 7311 (Nicole A. Hermann) with instructions to correct the application. **All ayes; motion approved.**

Ald. Lessard moved, seconded by Ald. Matichek, to grant a license with a warning, contingent upon the application being corrected, to Bev. Op. Lic. [renewal] App. No. 8466 (Susan M. McMahon). **All ayes; motion approved.**

Ald. Lessard moved, seconded by Ald. Matichek, to grant a license to Bev. Op. Lic. [renewal] App. No. 6084 (Brandon C. Munz) with instructions to correct the application. **All ayes; motion approved.**

Ald. Lessard moved, seconded by Matichek, to call in Bev. Op. Lic. [renewal]App. No. 7853 (Theresa L. Nitze) to discuss her application with the committee. **All ayes; motion approved.**

Ald. Lessard moved, seconded by Ald. Matichek, to grant a license with a warning, contingent upon the application being corrected, to Bev. Op. Lic. [renewal] App. No. 7511 (Daniel J. Pragatz). **All ayes; motion approved.**

Ald. Lessard moved, seconded by Ald. VanderWeele, to call in Bev. Op. Lic. [renewal]App. No. 9517 (Cole A. Prinsen) to discuss his application with the committee. **All ayes; motion approved.**

Ald. Lessard moved, seconded by Ald. Lewandoske, to call in Bev. Op. Lic. [renewal]App. No. 4518 (Stacey A. Stoltzman) to discuss her application with the committee. **Three ayes and two nays (Ald. VanderWeele and Ald. Matichek); motion approved.**

Ald. Lessard moved, seconded by Ald. Matichek, to grant the remainder of the license applications for individuals 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. Mittelstadt indicated that they had no such violations to report at this time.

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 3:42 p.m.

The next committee meeting is scheduled to be held on June 25, 2013 at 2:00 p.m. in the Common Council Chambers located at City Hall, 828 Center Avenue.