

MINUTES
COMMITTEE ON LAW & LICENSING

July 7, 2011 - 5:00 p.m.
Common Council Chambers, City Hall

Members Present: Acting Chairperson Ald. Jodi VanderWeele, Ald. Julie Kath, Ald. Eric Rindfleisch

Excused: Ald. Scott Versey

Others in Attendance: Assistant City Attorney Charles Adams, Lt. Scott Mittelstadt, Det. Kurt Zempel, Licensing Clerk Cinda Langhoff, Jamie L. Schad, Abraham Loya, Paul D. Pantel, Efren Martinez, Eric R. Kriete, Esteban Loya, Kevin Fetterer, Kylene A. Gritzmacher, Eric S. Schroeter, Tanya J. Anderson, Troy W. Apuzzo, Krisandra Guell, Barry Cohen, Randy Schwoerer, Paul Roberts, Russell Gahagan, Dennis Altmeyer, Ryan Lehman, Laura Berchem, Megan Berchem, Jason Neels, Brian Zerger

Acting Chairperson VanderWeele called the meeting to order at 5:02 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 June 23, 2011 was made by Ald. Kath and seconded by Ald. Rindfleisch. **All ayes; motion approved.**

Discussion and possible action regarding amendment to the City's pawn shop ordinance

Detective Kurt Zempel was present to discuss some potential changes to the City's pawn shop ordinance related to recordkeeping requirements. Det. Zempel indicated that the preferred recordkeeping system would be NEWPRS which is currently used in Green Bay and is made available to other municipalities free of charge. There was also discussion regarding a requirement to take digital photos of any item that does not have a serial number on it. Ald. Rindfleisch moved, seconded by Ald. Kath, to have ACA Adams make the proposed changes to the pawn shop ordinance and refer the ordinance back to this committee for further discussion. **All ayes; motion approved.**

R.O. No. 57-11-12 (5-55) – Various License Applications: Bev. Op. Lic. App. Nos. 9120 (Maria D. Jimenez), 9097 (Darrick C. Magee), 7052 (Jamie L. Schad), Taxicab Op. Lic. App. Nos. 9127 (Abraham Loya), 8522 (Paul D. Pantel)

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

Maria D. Jimenez failed to appear before the committee. Ald. Rindfleisch moved, seconded by Ald. Kath, to deny the license application based upon Ms. Jimenez'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.**

Darrick C. Magee failed to appear before the committee, but had phoned the City Attorney's office to indicate he was unable to appear on July 7th because he would be out of town. Mr. Magee was

instructed to appear at the July 27th meeting. Ald. Kath moved, seconded by Ald. Rindfleisch, to hold the application until the July 27th meeting and to call in Mr. Magee by regular mail. **All ayes, motion approved.**

Jamie L. Schad 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. Rindfleisch, 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.**

Abraham Loya appeared before the committee to discuss his application. After discussion of his record and his failure to include violations on his application, Ald. Rindfleisch 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.**

Paul D. Pantel appeared before the committee to discuss his application. After discussion of his record, Ald. Rindfleisch moved, seconded by Ald. VanderWeele, to deny the license application based upon Mr. Pantel's record of violations related to the licensed activity. **Two ayes and one nay (Ald. Kath); motion approved.**

R.O. No. 58-11-12 (5-56) – Various License Applications: “Class B” Liquor Lic. App. Nos. 2831-Waters Edge Villas (Taylor R. Martin, Agent), 2704-El Gallo Giro (Efren Martinez, Agent), 2207-The Silver Fern (Eric R. Kriete, Agent); Taxicab Business Lic. App. No. 2829-American Taxi

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

Taylor R. Martin failed to appear before the committee. ACA Adams informed the committee that the application of Waters Edge Villas expired as of June 30th and should be filed. Ald. Kath moved, seconded by Ald. Rindfleisch, to file the application. **All ayes; motion approved.**

Efren Martinez appeared before the committee to discuss his application. After discussion of his record, Ald. Rindfleisch moved, seconded by Ald. Kath, to grant the license. **All ayes; motion approved.**

Eric R. Kriete appeared before the committee to discuss his application. After discussion of his record and his failure to include a violation on his application, Ald. Kath moved, seconded by Ald. Rindfleisch, to grant the license contingent upon the application being corrected, with a warning to include all relevant information on future applications, and with a warning being issued regarding the April 19, 2011 incident at The Silver Fern. **All ayes; motion approved.**

Abraham Loya appeared before the committee to discuss his application regarding American Taxi. Mr. Loya confirmed that he is withdrawing this application. Ald. Rindfleisch moved, seconded by Ald. Kath, to file the application. **All ayes; motion approved.**

R.O. No. 86-11-12 (6-43) – Various License Applications: “Class B” Liquor Lic. App. Nos. 2840-4th Street Tap (Kevin Fetterer, Agent), 2774-Union Ave. Tap (Kevin Fetterer, Agent); Bev. Op. Lic. App. Nos. 6116 (Kylene A. Gritzmacher), 9148 (Christina M. Hephner), 9157 (Martinez L. Jackson), 9156 (Robert L. Schroeder), 9158 (Eric S. Schroeter); Taxicab Business Lic. App. No. 2839-VIP Taxi LLC; Taxicab Op. Lic. App. Nos. 5787 (Tanya J. Anderson), 9141 (Troy W. Apuzzo), 9165 (Jeffrey E. Klein), 9157 (Martinez L. Jackson), 9163 (Noemy Loya); Pawnbroker Lic. App. No. 2832-Patriot Pawn & Loan (Krisandra Guell, Agent)

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

Kevin Fetterer appeared before the committee to discuss his applications regarding 4th Street Tap and Union Ave. Tap. Ald. Rindfleisch moved, seconded by Ald. Kath, to grant both licenses. **All ayes; motion approved.**

Kylene A. Gritzmacher appeared before the committee to discuss her application. After discussion of her record and her failure to include violations on her application, Ald. Rindfleisch 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.**

Christina M. Hephner failed to appear before the committee, but had phoned the City Attorney's office to indicate she was unable to appear on July 7th because she had no transportation. Ms. Hephner was instructed to appear at the July 27th meeting. Ald. Kath moved, seconded by Ald. Rindfleisch, to hold the application until the July 27th meeting and to call in Ms. Hephner by regular mail. **All ayes, motion approved.**

Martinez L. Jackson failed to appear before the committee. Ald. Rindfleisch moved, seconded by Ald. Kath, to request via certified mailing Mr. Jackson's appearance before the committee at its July 27th meeting. **All ayes; motion approved.**

Robert L. Schroeder failed to appear before the committee. Ald. Kath moved, seconded by Ald. Rindfleisch, to request via certified mailing Mr. Schroeder's appearance before the committee at its July 27th meeting. **All ayes; motion approved.**

Eric S. Schroeter appeared before the committee to discuss his application. After discussion of his record and his failure to include violations on his application, Ald. Rindfleisch moved, seconded by Ald. Kath, to deny the license application based upon Mr. Schroeter's failure to accurately reveal all relevant convictions on his application and his record of violations related to the licensed activity. **All ayes; motion approved.**

Esteban Loya appeared before the committee to discuss his application regarding VIP Taxi, LLC. Mr. Loya confirmed that he is withdrawing this application. He indicated that his brother, Abraham Loya, will be reapplying for the license for VIP Taxi, LLC. Ald. Kath moved, seconded by Ald. Rindfleisch, to file the application. **All ayes; motion approved.**

Tanya J. Anderson appeared before the committee to discuss her application. After discussion of her record and her failure to include violations on her application, Ald. Rindfleisch 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.**

Troy W. Apuzzo appeared before the committee to discuss his application. After discussion of his record and his failure to include violations on his application, Ald. Rindfleisch moved, seconded by Ald. Kath, to deny the license application based upon Mr. Apuzzo's failure to accurately reveal all relevant convictions on his application and his record of violations related to the licensed activity. **All ayes; motion approved.**

Jeffrey E. Klein failed to appear before the committee. Ald. Rindfleisch moved, seconded by Ald. Kath, to request via certified mailing Mr. Klein's appearance before the committee at its July 27th meeting. **All ayes; motion approved.**

Martinez L. Jackson failed to appear before the committee. Ald. Kath moved, seconded by Ald. Rindfleisch, to request via certified mailing Mr. Jackson's appearance before the committee at its July 27th meeting. **All ayes; motion approved.**

Noemy Loya's application had been held due to invalid information. Ald. Rindfleisch moved, seconded by Ald. Kath, to request via certified mailing Ms. Loya's appearance before the committee at its July 27th meeting. **All ayes; motion approved.**

Krisandra Guell appeared before the committee to discuss her application. Ms. Guell indicated that she will meet with Det. Kurt Zempel to discuss the City's pawn shop ordinance. Ald. Rindfleisch moved, seconded by Ald. Kath, to hold this pawnbroker license application until the July 27th meeting. **All ayes; motion approved.**

Presentations by potential applicants for available "Class B" alcohol beverage licenses

There are presently two "Class B" alcohol beverage licenses available. Paul Roberts and Russell Gahagan, Dennis Altmeyer, Ryan Lehman, Jason Neels and Brian Zerger all appeared before the committee to present their cases regarding pre-applications for the two available licenses.

Paul Roberts and Russell Gahagan spoke on behalf of Anglers Avenue which is family owned and operated. Anglers Avenue (South Pier side of the river) wants to expand and add a bar and grill in an adjacent space. Projected open date is October 1, 2011. Randy Schwoerer spoke on behalf of the Harbor Centre Business Improvement District in favor of this expansion.

Dennis Altmeyer spoke regarding the Hops Haven property. Mr. Altmeyer and his four siblings would manage the business behind the scenes and Paul Vreeke would be the manager. The Bread & Bean restaurant would provide the sandwiches and other food. A brewmaster would eventually lease space in the building. They will be improving the building by putting on a new roof and repaving the parking lot. Grand opening would be August 5th.

Ryan Lehman of RTML LLC spoke regarding their purchase of the former Blue Phoenix property at 2401 Calumet Drive. Their new tavern at that location would serve food. Renovations and upgrades will be made to the building. They plan to be open within three months.

Jason Neels and Brian Zerger spoke regarding the property at 1022 Michigan Avenue. They will have a lease agreement with Don Cvetan for three years with intent to purchase. The location has an existing kitchen. They plan to remodel the bar and will eventually serve homemade wraps, soup, fish fry, etc. They plan to open by September 1st.

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

Following a lengthy discussion, a motion was made by Ald. Kath, seconded by Ald. Rindfleisch, to invite Anglers Avenue and Dennis Altmeyer (Hops Haven property) to each apply for one of the available “Class B” alcohol beverage licenses within seven (7) days. **One aye and two nays (Ald. Rindfleisch and Ald. VanderWeele); motion failed.**

A motion was made by Ald. Rindfleisch, seconded by Ald. Kath, to hold a special meeting of the committee on July 14, 2011 at 5:00 p.m. and invite the four applicants back to that meeting at which time the committee will make a decision regarding the opportunity to apply. **All ayes; motion approved.**

R.O. No. 98-11-12 (7-40) – Various License Applications

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

Ald. VanderWeele moved, seconded by Ald. Kath, to call in “Class A” Fermented Malt Bev. Lic. App. No. 2522-TCL Foto (Tou Lee, Agent) to discuss the application with the committee. **All ayes; motion approved.**

Ald. Rindfleisch moved, seconded by Ald. Kath, to grant a license with a warning, contingent upon the application being corrected, to Bev. Op. Lic. App. No. 7500 (Thomas J. Antonie). **All ayes; motion approved.**

Ald. VanderWeele moved, seconded by Ald. Kath, to call in Bev. Op. Lic. App. No. 9199 (Alfredo Avina) to discuss his application with the committee. **All ayes; motion approved.**

Ald. Rindfleisch moved, seconded by Ald. Kath, to call in Bev. Op. Lic. App. No. 9181 (Claudette K. Barutha) to discuss her application with the committee. **All ayes; motion approved.**

Ald. Kath moved, seconded by Ald. Rindfleisch, to grant a license with a warning, contingent upon the application being corrected, to Bev. Op. Lic. App. No. 9183 (Kimberly M. Beniger). **All ayes; motion approved.**

Ald. Rindfleisch moved, seconded by Ald. Kath, to grant a license to Bev. Op. Lic. App. No. 6520 (Brian K. List). **All ayes; motion approved.**

Ald. Kath moved, seconded by Ald. Rindfleisch, to call in Bev. Op. Lic. App. No. 9177 (Miguel A. Montalvo) to discuss his application with the committee. **All ayes; motion approved.**

Ald. Kath moved, seconded by Ald. Rindfleisch, to grant a license with a warning, contingent upon the application being corrected, to Bev. Op. Lic. App. No. 9188 (Joseph R. Moya). **All ayes; motion approved.**

Ald. Kath moved, seconded by Ald. Rindfleisch, to call in Bev. Op. Lic. App. No. 9194 (Buck N. Schulz) to discuss his application with the committee. **All ayes; motion approved.**

Ald. Rindfleisch moved, seconded by Ald. Kath, to grant a license with a warning, contingent upon the application being corrected, to Bev. Op. Lic. App. No. 8345 (Kristen E. Abstetar). **All ayes; motion approved.**

Ald. Kath moved, seconded by Ald. Rindfleisch, to grant a license, contingent upon the application being corrected, to Bev. Op. Lic. App. No. 6263 (Ozгур Acar). **All ayes; motion approved.**

Ald. Kath moved, seconded by Ald. Rindfleisch, to call in Bev. Op. Lic. App. No. 3743 (Toby D. Corson) to discuss his application with the committee. **All ayes; motion approved.**

Ald. Rindfleisch moved, seconded by Ald. Kath, to call in Bev. Op. Lic. App. No. 7630 (Donna R. Kunstman) to discuss her application with the committee. **All ayes; motion approved.**

Ald. Kath moved, seconded by Ald. Rindfleisch, to call in Bev. Op. Lic. App. No. 5568 (Joanne H. Lavake) to discuss her application with the committee. **All ayes; motion approved.**

Ald. Rindfleisch moved, seconded by Ald. Kath, to call in Bev. Op. Lic. App. No. 8403 (Samantha S. Nack) to discuss her application with the committee. **All ayes; motion approved.**

Ald. Kath moved, seconded by Ald. Rindfleisch, to call in Taxicab Op. Lic. App. No. 8544 (Abraham Castillo) to discuss his application with the committee. **All ayes; motion approved.**

Ald. Rindfleisch moved, seconded by Ald. Kath, to grant a license with a warning, contingent upon the application being corrected, to Taxicab Op. Lic. App. No. 9169 (Ann M. Juve). **All ayes; motion approved.**

Ald. Rindfleisch moved, seconded by Ald. Kath, to grant a license with a warning, contingent upon the application being corrected, to Taxicab Op. Lic. App. No. 4943 (Christine A. Stangel). **All ayes; motion approved.**

Ald. Rindfleisch 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 law violations that may require future action by the Committee

ACA Adams informed the committee that Michael Grunow had been arrested on July 4th on a criminal charge. Mr. Grunow's beverage operator's license application had been referred to the Common Council by this committee on June 23rd with no recommendation, and the Common

Council had voted to grant the license at the July 5th Common Council meeting. A motion was made by Ald. Rindfleisch, seconded by Ald. Kath, to call in Mr. Grunow to discuss the matter with the committee.

Ald. Kath made a motion to adjourn. Ald. Rindfleisch seconded the motion. **All ayes; motion approved.**

There being no further business to come before the committee, the meeting was adjourned at 7:37 p.m.

A special meeting is scheduled for July 14, 2011 at 5:00 p.m. The next regular committee meeting is scheduled to be held on Wednesday, July 27, 2011 at 4:30 p.m. in the Common Council Chambers located at City Hall, 828 Center Avenue.