

MINUTES
COMMITTEE ON LAW & LICENSING

July 24, 2012 - 2:00 p.m.
Common Council Chambers, City Hall

Members Present: Chairperson Ald. Jodi VanderWeele, Vice Chairperson Ald. Kevin Matichek, Ald. Julie Kath, Ald. Scott Lewandoske

Excused: Ald. Susan Lessard

Others in Attendance: City Attorney Stephen G. McLean, Sgt. Scott Reineke, Licensing Clerk Cinda Langhoff, Efren Martinez, David A. Brandt, Johnathan J. Dergantz, Henry Capetillo, Hollie Erdmann, Marc Ehler, Robert Cronen, Laura Berchem, Ryan Lehmann

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 July 10, 2012 was made by Ald. Kath and seconded by Ald. Lewandoske. **Three ayes; motion approved.**

R.O. No. 66-12-13 (6-18-12) – Various License Applications: Taxicab Op. Lic. App. No. 5635 (Efren Martinez)

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

Efren Martinez was not present when R.O. 66-12-13 was initially discussed. Ald. Kath moved, seconded by Ald. Lewandoske, to send a non-renewal letter to Mr. Martinez. **Three ayes; motion approved.** However, Mr. Martinez appeared before the committee later during the meeting to discuss his application. Ald. Kath moved, seconded by Ald. Lewandoske, to rescind the prior motion. **All ayes; motion approved.** After discussion of Mr. Martinez' record and his failure to include violations on his application, Ald. Matichek 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.**

R.O. No. 82-12-13 (7-2-12) – Various License Applications: Bev. Op. Lic. App. No. 6399 (David A. Brandt); Taxicab Op. Lic. App. Nos. 8936 (Shelly L. King), 9625 (Noah Yang), 9386 (Ryan M. Hermann), 6977 (Edwin R. Lehmann), 9411 (Roxanna M. Ramirez)

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

David A. Brandt was not present when R.O. 82-12-13 was initially discussed. Ald. Kath moved, seconded by Ald. Lewandoske, to request via certified mailing Mr. Brandt's appearance before the committee at its August 14th meeting. **Three ayes; motion approved.** However, Mr. Brandt appeared before the committee later during the meeting to discuss his application. Ald. Kath moved, seconded by Ald. Lewandoske, to rescind the prior motion. **All ayes; motion approved.** After discussion of Mr. Brandt's record and his failure to include violations on his application, Ald. Kath 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.**

Shelly L. King failed to appear before the committee. Ald. Kath moved, seconded by Ald. Lewandoske, to request via certified mailing Ms. King's appearance before the committee at its August 14th meeting. **Three ayes; motion approved.**

Noah Yang failed to appear before the committee. Ald. Kath moved, seconded by Ald. Lewandoske, to request via certified mailing Mr. Yang's appearance before the committee at its August 14th meeting. **Three ayes; motion approved.**

Ryan M. Hermann failed to appear before the committee. Ald. Kath moved, seconded by Ald. Lewandoske, to request via certified mailing Mr. Hermann's appearance before the committee at its August 14th meeting. **Three ayes; motion approved.**

Edwin R. Lehmann failed to appear before the committee. Ald. Kath moved, seconded by Ald. Lewandoske, to request via certified mailing Mr. Lehmann's appearance before the committee at its August 14th meeting. **Three ayes; motion approved.**

Roxanna M. Ramirez failed to appear before the committee. Ald. Kath moved, seconded by Ald. Lewandoske, to request via certified mailing Ms. Ramirez' appearance before the committee at its August 14th meeting. **Three ayes; motion approved.**

Vice Chairperson Ald. Kevin Matichek joined the meeting at 2:12 p.m.

Possible action regarding Alc. Bev. Lic. No. 4517 (Kimberly A. Schueller)

Kimberly A. Schueller failed to appear before the committee, but had contacted the City Attorney's office to indicate that she wanted to give up her license. The City Clerk's office confirmed that Ms. Schueller has surrendered her license. Ald. Kath moved, seconded by Ald. Matichek, to take no further action. **All ayes; motion approved.**

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

There are presently three "Class B" alcohol beverage licenses available. Hollie Erdmann and Laura Berchem appeared before the committee to present their cases regarding pre-applications for the available licenses.

Hollie Erdmann spoke on behalf of the restaurant BoMallies. BoMallies was previously located in Crystal Lake. Projected open date would be late Fall 2012 at 2427 Calumet Drive (leasing space in the Salon Shibui building). BoMallies will serve tapas, salads, sandwiches and entrees.

Laura Berchem spoke on behalf of The Walkabout, 2401 Calumet Drive. They have been in business for seven months with a \$10,000 reserve license. She indicated that they desire a full "Class B" liquor license to ensure their continued success and pointed out that there have been no reportable incidents at The Walkabout since they opened.

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

A motion was made by Ald. Matichek, seconded by Ald. Lewandoske, to invite BoMallies and The Walkabout to each apply for one of the available “Class B” alcohol beverage licenses. Following further discussion, a motion was made by Ald. Matichek, seconded by Ald. Lewandoske, to amend his previous motion and invite BoMallies to apply for one of the available “Class B” alcohol beverage licenses within 14 days. **All ayes; motion approved.**

Following further discussion regarding The Walkabout and reserve licenses, a motion was made by Ald. Kath, seconded by Ald. Lewandoske, to invite The Walkabout to apply for one of the available “Class B” alcohol beverage licenses within 14 days. **All. ayes; motion approved.**

Update regarding Taxicab Business Lic. No. 2847–VIP Taxi LLC (Abraham Loya, Agent) and Taxicab Business Lic. No. 2525-All Star Taxi I (Jose A. Razo, Agent)

VIP Taxi LLC voluntarily surrendered their license on Monday, July 9, 2012 and picked up the license on Sunday, July 15th. All Star Taxi I shut down on Monday, July 9, 2012 and reopened on Saturday, July 14th.

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

N Z’s Bar & Grill voluntarily surrendered their license on Sunday, July 22, 2012 and picked up the license on Friday, July 27th.

Gen. Ord. 20-12-13 (7-16-12)

An ordinance amending Section 130-59 of the Municipal Code entitled “Regulations” so as to add a new subsection (d) thereof relating to required vehicle markings for taxicabs.

Ald. Matichek moved, seconded by Ald. Kath, to hold this matter under the August 14th meeting for a comprehensive discussion of the taxicab regulations. **All ayes; motion approved.**

Com. No. 4-12-13 (7-16-12) – Communication from Christos Balassi [TO BE HELD UNTIL 8/14/12 L&L MEETING]

Submitting a communication from Christos Balassi, owner of Greco Cab Co., requesting that a meter system be implemented for all taxi cabs.

Ald. Matichek moved, seconded by Ald. Kath, to hold this matter under the August 14th meeting for a comprehensive discussion of the taxicab regulations. **All ayes; motion approved.**

R.O. No. 94-12-13 (7-16-12) – Various License Applications

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

Ald. Matichek moved, seconded by Ald. Lewandoske, to grant a license to Bev. Op. Lic. App. No. 9639 (Steven L. Dumovich) with instructions to correct the application. **Three ayes and one nay (Ald. Kath); motion approved.**

Ald. Kath moved, seconded by Ald. Matichek, to grant a license with a warning, contingent upon the application being corrected, to Bev. Op. Lic. App. No. 9643 (Mirella Illarramendi). **All ayes; motion approved.**

Ald. Matichek moved, seconded by Ald. Lewandoske, to call in Bev. Op. Lic. App. No. 3336 (Tracy J. Konz) to discuss her application with the committee. **All ayes; motion approved.**

Ald. Matichek moved, seconded by Ald. Lewandoske, to call in Bev. Op. Lic. App. No. 9637 (Nicole M. Morgan) to discuss her application with the committee. **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 Bev. Op. Lic. App. No. 9642 (Tiffany J. Perronne). **All ayes; motion approved.**

Ald. Matichek moved, seconded by Ald. Kath, to call in Bev. Op. Lic. App. No. 9631 (Aaron R. Schiefelbein) to discuss his application with the committee. **All ayes; motion approved.**

Ald. Matichek moved, seconded by Ald. Kath, to call in Bev. Op. Lic. App. No. 8891 (Lekhanath Timilsaina) to discuss his application with the committee. **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 Taxicab Business Lic. App. No. 2912-Independent Cab (Robert Phippen, Agent). **All ayes; motion approved.**

Ald. Matichek moved, seconded by Ald. Kath, to call in Taxicab Op. Lic. App. No. 5356 (Christos G. Balassi) to discuss his application with the committee. **All ayes; motion approved.**

Taxicab Op. Lic. App. No. 9326 (Johnathan J. Dergantz) was present at the meeting and appeared before the committee to discuss his application. Ald. Matichek moved, seconded by Ald. Kath, to invite Mr. Dergantz to the August 14th meeting to further discuss his application with the committee. **All ayes; motion approved.**

Ald. Kath moved, seconded by Ald. Matichek, to amend R.O. 94-12-13 to add Taxicab Op. Lic. [new] App. No. 8429 (Panfilo Escobar). **All ayes; motion approved.** Ald. Matichek moved, seconded by Ald. Kath, to call in App. No. 8429 to discuss his application with the committee. **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 Taxicab Op. Lic. App. No. 9632 (Robert D. Phippen). **All ayes; motion approved.**

Ald. Matichek moved, seconded by Ald. Kath, to call in Taxicab Op. Lic. App. No. 9633 (Verlin C. Wicker) to discuss his application with the committee. **All ayes; motion approved.**

Ald. Matichek moved, seconded by Ald. Lewandoske, to call in Taxicab Op. Lic. App. No. 9351 (Javier F. Yera) to discuss his application with the committee. **All ayes; motion approved.**

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

Discussion of Blue Harbor Resort temporary extension of premises

Discussion regarding Blue Harbor Resort's extension of premises request for a wedding on August 10th. The committee's preference is to have the request placed on the normal R.O. for the August 6th council meeting, but have council suspend the rules to approve the extension of premises.

Discussion and possible action regarding law violations that may require future action by the Committee

Sgt. Reineke indicated that he had no such violations to report at this time.

Ald. Kath 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 3:07 p.m.

The next committee meeting is scheduled to be held on Tuesday, August 14, 2012 at 2:00 p.m. in the Common Council Chambers located at City Hall, 828 Center Avenue.