

MINUTES
COMMITTEE ON LAW & LICENSING

July 27, 2011 - 4:30 p.m.
Common Council Chambers, City Hall

Members Present: Acting Chairperson Ald. Jodi VanderWeele, Ald. Julie Kath, Ald. Eric Rindfleisch
Unexcused: Ald. Scott Versey
Others in Attendance: Assistant City Attorney Charles Adams, Lt. Scott Mittelstadt, Det. Kurt Zempel, Darrick C. Magee, Jeffrey E. Klein, Noemy Loya, Krisandra Guell, Tou Lee, Alfredo Avina, Buck N. Schulz, Donna R. Kunstman, Joanne H. Lavake, Samantha S. Nack

Acting Chairperson VanderWeele called the meeting to order at 4:58 p.m.

The Pledge of Allegiance was recited.

Introduction of committee members, staff and guests.

A motion to approve the minutes of the previous meetings held July 7, 2011 and July 14, 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

ACA Adams indicated that he will be drafting an ordinance and presenting it to the committee at the August 4, 2011 meeting.

R.O. No. 57-11-12 (5-55) – Various License Applications: Bev. Op. Lic. App. No. 9097 (Darrick C. Magee)

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

Darrick C. Magee 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.**

R.O. No. 86-11-12 (6-43) – Various License Applications: Bev. Op. Lic. App. Nos. 9148 (Christina M. Hephner), 9157 (Martinez L. Jackson), 9156 (Robert L. Schroeder); Taxicab Op. Lic. App. Nos. 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.

Christina M. Hephner failed to appear before the committee, but the City Clerk's Office indicates that Ms. Hephner has withdrawn her application. Ald. Kath moved, seconded by Ald. Rindfleisch, to file the application. **All ayes; motion approved.**

Martinez L. Jackson failed to appear before the committee. Ald. Kath moved, seconded by Ald. Rindfleisch, to deny the beverage operator's license application based upon Mr. Jackson's criminal record which makes him ineligible to hold the license, as well as his 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.**

Robert L. Schroeder failed to appear before the committee. Ald. Kath moved, seconded by Ald. Rindfleisch, to deny the license application based upon Mr. Schroeder'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.**

Jeffrey E. Klein appeared before the committee to discuss his application. After it was confirmed that Mr. Klein holds a valid Wisconsin driver's license, Ald. Rindfleisch moved, seconded by Ald. Kath, to grant the license. **All ayes; motion approved.**

Martinez L. Jackson failed to appear before the committee. Ald. Kath moved, seconded by Ald. Rindfleisch, to deny the taxicab operator's license application based upon Mr. Jackson'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.**

Noemy Loya appeared before the committee to discuss her application. Ald. Rindfleisch moved, seconded by Ald. Kath, to hold this license application until Ms. Loya presents a valid social security number to the City Clerk's Office. **All ayes; motion approved.**

Krisandra Guell appeared before the committee to discuss her application. Det. Kurt Zempel presented information to the committee regarding the Sheboygan Police Department's findings and concerns about Ms. Guell's two business partners, Steven E. Sommerfeld and William C. Skirvin. Ald. Rindfleisch moved, seconded by Ald. Kath, to deny the license application based upon concerns regarding issues of public safety and protection and the criminal background of Krisandra Guell's business partners. **All ayes; motion approved.**

R.O. No. 98-11-12 (7-40) – Various License Applications: “Class A” Fermented Malt Bev. Lic. App. No. 2522-TCL Foto (Tou Lee, Agent); Bev. Op. Lic. App. Nos. 9199 (Alfredo Avina), 9181 (Claudette K. Barutha), 9177 (Miguel A. Montalvo), 9194 (Buck N. Schulz), 3743 (Toby D. Corson), 7630 (Donna R. Kunstman), 5568 (Joanne H. Lavake), 8403 (Samantha S. Nack); Taxicab Op. Lic. App. No. 8544 (Abraham Castillo)

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

Tou Lee appeared before the committee to discuss his application. After discussion of his record, Ald. Rindfleisch moved, seconded by Ald. Kath, to grant the license contingent upon passing an inspection by the building inspection department. Following further discussion, Ald. Kath withdrew her second. **Motion died for lack of a second.** Ald. Kath moved, seconded by Ald. Rindfleisch, to deny the license application based upon Mr. Lee's failure to accurately reveal all relevant convictions on his application and the committee's standards for issuing licenses. **All ayes; motion approved.**

Alfredo Avina appeared before the committee to discuss his application. After discussion of his record, Ald. Rindfleisch moved, seconded by Ald. Kath, to deny the license application based upon Mr. Avina'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.**

Claudette K. Barutha failed to appear before the committee. Ald. Rindfleisch moved, seconded by Ald. Kath, to request via certified mailing Ms. Barutha's appearance before the committee at its August 4th meeting. **All ayes; motion approved.**

Miguel A. Montalvo failed to appear before the committee. Ald. Rindfleisch moved, seconded by Ald. Kath, to request via certified mailing Mr. Montalvo's appearance before the committee at its August 4th meeting. **All ayes; motion approved.**

Buck N. Schulz 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.**

Toby D. Corson failed to appear before the committee, but had phoned the City Attorney's office to indicate he was unable to appear on July 27th. Mr. Corson was instructed to appear at the August 4th meeting. Ald. Rindfleisch moved, seconded by Ald. Kath, to hold the application until the August 4th meeting and to call in Mr. Corson by regular mail. **All ayes, motion approved.**

Donna R. Kunstman 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.**

Joanne H. Lavake appeared before the committee to discuss her application. After discussion of her record, Ald. Rindfleisch moved, seconded by Ald. Kath, to grant the license. **All ayes; motion approved.**

Samantha S. Nack appeared before the committee to discuss her application. After discussion of her record and her failure to include violations 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 Castillo failed to appear before the committee. Ald. Rindfleisch moved, seconded by Ald. Kath, to request via certified mailing Mr. Castillo's appearance before the committee at its August 4th meeting. **All ayes; motion approved.**

Possible action regarding Bev. Op. Lic. No. 9130 (Mike Grunow)

Mike Grunow failed to appear before the committee. ACA Adams indicated that Mr. Grunow has not yet picked up his beverage operator's license and is still in jail on felony charges. Ald.

Rindfleisch moved, seconded by Ald. Kath, to schedule a quasi-judicial hearing for the August 18th committee meeting. **All ayes; motion approved.**

R.O. No. 108-11-12 (8-25) – Various License Applications

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

Ald. Rindfleisch moved, seconded by Ald. Kath, to grant the change of premise (permanent) request of App. No. 2720-Rehab Bar & Grill LLC, contingent upon approval from the Planning Department. **All ayes; motion approved.**

Ald. Rindfleisch moved, seconded by Ald. Kath, to grant a license to “Class B” Liquor Lic. App. No. 2849 (Hops Haven). **All ayes; motion approved.**

Ald. Rindfleisch moved, seconded by Ald. Kath, to grant a license to Reserve “Class B” Liquor Lic. App. No. 2848-RTML. **All ayes; motion approved.**

Ald. Kath moved, seconded by Ald. Rindfleisch, to call in Bev. Op. Lic. App. No. 9216 (Tami S. Balzer) 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. 9207 (Gina M. Castillo). **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. 5713 (Lisa M. Cheney). **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. 4866 (David J. D’Angelico). **All ayes; motion approved.**

Ald. Kath moved to call in App. No. 8328 to discuss her application with the committee. **Motion died for lack of a second.** Ald. Rindfleisch moved, seconded by Ald. Kath, to grant a license to Bev. Op. Lic. App. No. 8328 (Yui Keneko). **All ayes; motion approved.**

Ald. Rindfleisch moved, seconded by Ald. Kath, to call in Bev. Op. Lic. App. No. 5338 (Valerie A. Kirsch) 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. 6174 (Matthew D. Schemrich) to discuss his application with the committee. **All ayes; motion approved.**

Ald. Kath moved, seconded by Ald. Rindfleisch, to call in Bev. Op. Lic. App. No. 9204 (Lynneha M. Sherman) 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. 8335 (Spencer E. VerVelde) 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. 8390 (Ashley N. Wiedmeyer) to discuss her application with the committee. **All ayes; motion approved.**

Ald. Rindfleisch moved, seconded by Ald. Kath, to call in Taxicab Business Lic. App. No. 2846-Abby Taxi (previously listed on the R.O. as Alpine Taxi II) (Christine A. Stangel, Agent) to discuss the application with the committee. **All ayes; motion approved.**

Ald. Rindfleisch moved, seconded by Ald. Kath, to grant a license to Taxicab Business Lic. App. No. 2847-VIP Taxi LLC, contingent upon their providing proof of insurance to the City Clerk's Office. **All ayes; motion approved.**

Ald. VanderWeele moved, seconded by Ald. Kath, to grant a license with a warning, contingent upon the application being corrected, to Taxicab Driver Lic. App. No. 8673 (Mariano Olaiz). **All ayes; motion approved.**

Ald. Kath moved, seconded by Ald. Rindfleisch, 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 indicated that he had no such violations to report. Lt. Mittelstadt indicated that he will be obtaining further information regarding a recent incident at Union Avenue Tap.

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

There being no further business to come before the committee, the meeting was adjourned at 6:00 p.m.

The next committee meeting is scheduled to be held on August 4, 2011 at 5:00 p.m. in the Common Council Chambers located at City Hall, 828 Center Avenue.