

MINUTES
COMMITTEE ON LAW & LICENSING

September 25, 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. Susan Lessard

Excused: Ald. Scott Lewandoske

Others in Attendance: Assistant City Attorney Charles C. Adams, Lt. Douglas Teunissen, Licensing Clerk Cinda Langhoff, Ald. Joseph Heidemann, Charleen M. Johnson, Hanna J. Gustafson, Majestica L. Lorenz, Brent Allen Barron, Lisa M. Rountree, Erin M. Vreeke, Paul Vreeke, Kathleen J. Fields, Kris A. Schlenther, Joseph E. Jantz, Christos Balassi

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 September 11, 2012 was made by Ald. Matichek and seconded by Ald. Lessard. **All ayes; motion approved.**

Discussion regarding quasi-judicial hearing with regard to the suspension/revocation of Cigarette/Tobacco Lic. No. 1406-Tidy Car of Sheboygan (Joseph E. Jantz, Agent)

On September 17, 2012, the Common Council voted against authorizing the City Attorney to engage the services of outside legal counsel for the Tidy Car quasi-judicial hearing. Discussion regarding whether or not to proceed with the hearing without counsel. Ald. Kath stated that she would support a five-day suspension instead of ten days. Ald. Heidemann stated that he feels Mr. Jantz should only have received a warning. This matter will be placed on the October 9th Law & Licensing agenda for action by the committee.

R.C. No. 189-12-13 (9-17-12) – Taxicab Op. Lic. App. No. 9660 (Charleen M. Johnson)

Charleen M. Johnson appeared before the committee to discuss her application. After discussion of her record and her failure to include violations on her 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. **Three ayes and one nay (Ald. Lessard); motion approved.**

R.O. No. 117-12-13 (8-20-12) – Various License Applications: Bev. Op. Lic. App. Nos. 9676 (Hanna J. Gustafson), 9680 (Majestica L. Lorenz), 9671 (Tina H. Mann); Taxicab Op. Lic. App. Nos. 9684 (Brent Allen Barron), 9674 (Nicholas W. Daily), 9681 (Matthew D. Fogle), 9675 (Eugenia M. Garrison), 9672 (Rachel A. Leist), 9678 (Kia Vang)

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

Hanna J. Gustafson appeared before the committee to discuss her application. Ald. Kath moved, seconded by Ald. Lessard, to deny the license application based upon Ms. Gustafson's record of violations related to the licensed activity. **Three ayes and one nay (Ald. Matichek); motion approved.**

Majestica L. Lorenz appeared before the committee to discuss her application. After discussion of her record and her failure to include violations 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. **Two ayes and two nays (Ald. Kath and Ald. VanderWeele); motion failed.** Ald. Matichek moved, seconded by Ald. VanderWeele, to refer Ms. Lorenz's beverage operator's license application to the Common Council with no recommendation. **Two ayes and two nays (Ald. Kath and Ald. VanderWeele); motion failed.** Ald. Kath moved, seconded by Ald. Lessard, to hold this application until a future meeting when five committee members will be present. **All ayes; motion approved.**

Tina H. Mann failed to appear before the committee. Ald. Matichek moved, seconded by Ald. Lessard, to deny the license application based upon Ms. Mann'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.**

Brent Allen Barron appeared before the committee to discuss his application. After discussion of his 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.**

Nicholas W. Daily failed to appear before the committee. Ald. Matichek moved, seconded by Ald. Lessard, to deny the license application based upon Mr. Daily'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.**

Matthew D. Fogle failed to appear before the committee. Ald. Matichek moved, seconded by Ald. Lessard, to deny the license application based upon Mr. Fogle'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.**

Eugenia M. Garrison failed to appear before the committee. Ald. Matichek moved, seconded by Ald. Lessard, to deny the license application based upon Ms. Garrison'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.**

Rachel A. Leist failed to appear before the committee. Ald. Matichek moved, seconded by Ald. Lessard, to deny the license application based upon Ms. Leist'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.**

Kia Vang failed to appear before the committee. Ald. Matichek moved, seconded by Ald. Lessard, to deny the license application based upon Ms. Vang'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.**

R.O. No. 132-12-13 (9-4-12) – Various License Applications: Bev. Op. Lic. App. Nos. 8997 (Lori M. Barnes), 5062 (Lisa M. Rountree), 8945 (Erin M. Vreeke); Taxicab Op. Lic. App. Nos. 9691 (Kathleen J. Fields), 9690 (Kris A. Schlenther), 9687 (Roxella Cassandra Trevino)

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

Lori M. Barnes failed to appear, but had contacted the City Attorney's Office to indicate that she was unable to appear. Ms. Barnes was instructed to appear at the October 9th meeting. Ald. Kath moved, seconded by Ald. Matichek, to hold the application until the October 9th meeting and to call in Ms. Barnes by regular mail. **All ayes; motion approved.**

Lisa M. Rountree 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. 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.**

Erin M. Vreeke appeared before the committee to discuss her application. Paul Vreeke also spoke on his daughter's behalf and indicated she would be working at Hop's Haven where he is manager. After discussion of her record, Ald. Matichek moved to grant the license. **Motion died for lack of a second.** When questioned about the police department's recommendation, Lt. Teunissen indicated that the Sheboygan Police Department has a negative recommendation. Ald. Kath moved, seconded by Ald. Lessard, to deny the license application based upon Ms. Vreeke's record of violations related to the licensed activity and a negative recommendation from the police department. **Two ayes and two nays (Ald. Matichek and Ald. VanderWeele); motion failed.** Ald. Lessard moved, seconded by Ald. Kath, to hold this application until a future meeting when five committee members will be present. **Two ayes and two nays (Ald. Matichek and Ald. VanderWeele); motion failed.** Ald. Matichek moved, seconded by Ald. VanderWeele, to refer Ms. Vreeke's beverage operator's license application to the Common Council with no recommendation. **Three ayes and one nay (Ald. Lessard); motion approved.**

Kris A. Schlenther appeared before the committee to discuss her application. After discussion of her record, Ald. Matichek moved, seconded by Ald. Lessard, to grant the license. **All ayes; motion approved.**

Kathleen J. Fields appeared before the committee to discuss her application. After discussion of her record and her failure to include violations on her application, Ald. Matichek moved, seconded by Ald. Kath, to deny the license application based upon Ms. Fields' failure to accurately reveal all relevant convictions on her application and her record of violations related to the licensed activity. **All ayes; motion approved.**

Roxella Cassandra Trevino failed to appear before the committee. Ald. Matichek moved, seconded by Ald. Kath, to request via certified mailing Ms. Trevino's appearance before the committee at its October 9th meeting. **All ayes; motion approved.**

Gen. Ord. No. 23-12-13 (9-17-12)

An ordinance amending Section 130-59 of the City of Sheboygan Municipal Code so as to create additional regulations related to taxicabs in the city.

Discussion regarding the zone vs. meter issue and proposed language regarding zones. Christos Balassi spoke against the zone system. Ald. Lessard stated that the zone idea complicates the ordinance and cab fares. Ald. Lessard moved, seconded by Ald. Matichek, to present the draft ordinance to the cab companies at the next meeting, leaving out the zone system provisions, but including the provision allowing a fee agreed to in writing by both the cabbie and the rider. **All ayes; motion approved.**

R.O. No. 141-12-13 (9-17-12) – Various License Applications

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

Ald. Lessard moved, seconded by Ald. Kath, to call in Bev. Op. Lic. App. No. 8948 (Sunday L. Boettcher) to discuss her application with the committee. **All ayes; motion approved.**

Ald. Matichek moved, seconded by Ald. Kath, to grant a license to Bev. Op. Lic. App. No. 9720 (Amanda L. Campbell). **All ayes; motion approved.**

Ald. Lessard moved, seconded by Ald. Kath, to call in Bev. Op. Lic. App. No. 5996 (Jennifer L. VanEngen) to discuss her application with the committee. **All ayes; motion approved.**

Ald. Matichek moved, seconded by Ald. Kath, to call in Taxicab Op. Lic. App. No. 9717 (Reyna M. Flores) to discuss her application with the committee. **All ayes; motion approved.**

Ald. Matichek moved, seconded by Ald. Kath, to call in Taxicab Op. Lic. App. No. 9719 (Marcus A. Newton) to discuss his application with the committee. **All ayes; motion approved.**

Ald. Lessard moved, seconded by Ald. Kath, to call in Taxicab Op. Lic. App. No. 9049 (Justin E. Quade) to discuss his application with the committee. **All ayes; motion approved.**

Ald. Kath moved, seconded by Ald. Lessard, to call in Taxicab Op. Lic. App. No. 9491 (Regina R. Ramirez) to discuss her application with the committee. **All ayes; motion approved.**

Ald. Matichek moved, seconded by Ald. Lessard, to call in Taxicab Op. Lic. App. No. 9707 (Paul M. Thill) to discuss his application with the committee. **All ayes; motion approved.**

Ald. Kath moved, seconded by Ald. Lessard, 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.

Discussion regarding a taxi that was seen operating on Michigan Avenue on September 22, 2012 with an unlicensed driver. Lt. Teunissen will check into the matter.

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 3:50 p.m.

The next committee meeting is scheduled to be held on Tuesday, October 9, 2012 at 2:00 p.m. in the Common Council Chambers located at City Hall, 828 Center Avenue.