

MINUTES
COMMITTEE ON LAW & LICENSING

November 13, 2012 - 2:00 p.m.
Common Council Chambers, City Hall

Members Present: Chairperson Ald. Jodi VanderWeele, Vice Chairperson Ald. Kevin Matichek (joined meeting at 2:37 p.m.), Ald. Julie Kath, Ald. Susan Lessard, Ald. Scott Lewandoske

Others in Attendance: Assistant City Attorney Charles C. Adams, Lt. Douglas Teunissen, Licensing Clerk Cinda Langhoff, Christopher Casey, Samantha J. Cleveland, Sarah A. Bell, Rebecca M. Schuchardt, John E. Wenzel, Larry J. Schaefer, Kristi C. Maki, Samantha J. Cleveland, Thomas E. Laiken, Martin L. Corson, Veronica M. Cantrall, Justine M. Kaker

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 October 23, 2012 was made by Ald. Kath and seconded by Ald. Lessard. **Four ayes; motion approved.**

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

There are presently two “Class B” alcohol beverage licenses available. Christopher Casey appeared before the committee to present his case regarding pre-applications for the available licenses.

Christopher Casey spoke on behalf of The Upper Crust restaurant (will be leasing space in the Econo Lodge on 8th Street). The Upper Crust will be a pizza restaurant and Mr. Casey has 22 years of experience in the restaurant field.

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

A motion was made by Ald. Kath, seconded by Ald. Lessard, to invite Christopher Casey to apply for one of the available “Class B” alcohol beverage licenses. **Four ayes; motion approved.**

R.O. No. 151-12-13 (10-1-12) – Various License Applications: Bev. Op. Lic. App. No. 4074 (Jesse F. Krueger); Taxicab Op. Lic. App. Nos. 9744 (Andrea S. Mullens), 7390 (Salvador Olivas), 9733 (Johnathan P. Schuld)

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

Jesse F. Krueger failed to appear before the committee. Ald. Lessard moved, seconded by Ald. Kath, to deny the license application based upon Mr. Krueger’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. **Four ayes; motion approved.**

Andrea S. Mullens failed to appear before the committee. Ald. Lessard moved, seconded by Ald. Kath, to deny the license application based upon Ms. Mullens' 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. **Four ayes; motion approved.**

Salvador Olivas failed to appear before the committee. Ald. Lessard moved, seconded by Ald. Kath, to deny the license application based upon Mr. Olivas' record of violations related to the licensed activity and his failure to cooperate with the committee. **Four ayes; motion approved.**

Johnathan P. Schuld failed to appear before the committee. Ald. Lessard moved, seconded by Ald. Kath, to deny the license application based upon Mr. Schuld'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. **Four ayes; motion approved.**

R.O. No. 171-12-13 (10-15-12) – Various License Applications: Bev. Op. Lic. App. Nos. 9755 (Sarah A. Bell), 9752 (Brad M. Bunge), 9762 (Rebecca M. Schuchardt), 9763 (John E. Wenzel)
Submitting various license applications for the period ending June 30, 2013 and June 30, 2014.

Sarah A. Bell 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. Kath, to grant the license contingent upon the application being corrected, and with a warning to include all relevant information on future applications. **Four ayes; motion approved.**

Brad M. Bunge failed to appear, but had contacted the City Attorney's Office to indicate that he was unable to appear. Mr. Bunge was instructed to appear at the November 27th meeting. Ald. Kath moved, seconded by Ald. Lessard, to hold the application until the November 27th meeting and to call in Mr. Bunge by regular mail. **Four ayes; motion approved.**

Rebecca M. Schuchardt 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. Lessard, to grant the license contingent upon the application being corrected, and with a warning to include all relevant information on future applications. **Four ayes; motion approved.**

John E. Wenzel 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. Lessard, to grant the license contingent upon the application being corrected, and with a warning to include all relevant information on future applications. **Four ayes; motion approved.**

Update regarding Alc. Bev. Lic. No. 1083—Vibez (Hamilton W. Watt, Agent)

Vibez voluntarily surrendered their license on Sunday, November 4, 2012 and picked up the license on Friday, November 9th.

Possible action regarding Alc. Bev. Lic. No. 2085—Legend Larry’s Wings & Things (Larry J. Schaefer, Agent) and Bev. Op. Lic. No. 7669 (Kristi C. Maki)

Larry J. Schaefer and Kristi C. Maki appeared before the committee. Ms. Maki indicated that she neglected to check the ID’s. Ald. Kath moved, seconded by Ald. Lessard, to issue warnings to both Legend Larry’s Wings & Things and Kristi C. Maki regarding the sale of alcohol to underage persons at Legend Larry’s Wings & Things on October 12, 2012. **Four ayes; motion approved.**

Possible action regarding Alc. Bev. Lic. No. 1089—Dave’s Who’s Inn (David A. Repinski, Jr., Agent) and Bev. Op. Lic. No. 9735 (Samantha J. Cleveland)

David A. Repinski, Jr. failed to appear before the committee. Samantha J. Cleveland appeared before the committee. Ms. Cleveland indicated that she had failed to check the ID’s because she had seen the bouncer check the ID’s at the door and the owner has gotten angry in the past if she checked ID’s again because that meant she didn’t trust the bouncers. Ald. Lessard moved, seconded by Ald. Kath, to request via certified mailing Mr. Repinski’s appearance before the committee at its November 27th meeting and to issue a warning to Samantha J. Cleveland regarding the sale of alcohol to underage persons at Dave’s Who’s Inn on October 12, 2012. **Four ayes; motion approved.**

At 2:37 p.m. Ald. Matichek joined the meeting.

Possible action regarding Alc. Bev. Lic. No. 2789—Poseidons (Cory L. Kramer, Agent) and Bev. Op. Lic. No. 9427 (Amanda L. Bedore)

Cory L. Kramer failed to appear before the committee. Cinda Langhoff informed the committee that Mr. Kramer intends to release his license to Lakeview Bar. Amanda L. Bedore failed to appear before the committee, but had contacted the City Attorney’s Office to indicate that she was unable to appear. Ms. Bedore was instructed to appear at the November 27th meeting. Ald. Lessard moved, seconded by Ald. Kath, to request via certified mailing Mr. Kramer’s appearance before the committee at its November 27th meeting and to call in Ms. Bedore by regular mail. **All ayes; motion approved.**

Possible action regarding Alc. Bev. Lic. No. 2341—Ashley’s Bar & Grill (Martin L. Corson, Agent) and Bev. Op. Lic. No. 9665 (Veronica M. Cantrall)

Martin L. Corson and Veronica M. Cantrall appeared before the committee. Ms. Cantrall informed the committee that she had glanced at the ID’s briefly but misread them and stated that she was fired from Ashley’s because of this incident. Ald. Lessard moved, seconded by Ald. Matichek, to issue a warning to Veronica M. Cantrall regarding the sale of alcohol to underage persons at Ashley’s Bar & Grill on October 12, 2012. **All ayes; motion approved.**

Discussion regarding another incident at Ashley’s Bar & Grill on October 28, 2012 at which time an unlicensed person was tending bar. Martin Corson informed the committee that his son, Toby Corson, is the bar manager and that Toby knew Jessica Lyons did not have a bartender’s license.

Ald. Kath moved, seconded by Ald. Matichek, to hold both law violations and to call in Toby Corson and Martin Corson to the November 27th meeting to discuss both matters. **All ayes; motion approved.**

Possible action regarding Alc. Bev. Lic. No. 2866–Night Moves (Thomas E. Laiken, Agent) and Bev. Op. Lic. No. 9752 (Brad M. Bunge)

Thomas E. Laiken appeared before the committee. Brad M. Bunge failed to appear before the committee but had called to indicate he was unable to appear and he is already being called in to the November 27th meeting to discuss his license application.

Mr. Laiken explained to the committee that their ID scanner at the door was not working properly that night because the memory was full, but they now know that they need to clear the memory more often. Ald. Lessard moved, seconded by Ald. Kath, to issue a warning to Night Moves regarding the sale of alcohol to an underage person at Night Moves on October 12, 2012. **All ayes; motion approved.**

Possible action regarding Alc. Bev. Lic. No. 2880-Anglers Avenue Pub & Grill (Paul Roberts, Jr., Agent) and Bev. Op. Lic. No. 5716 (Justine M. Kaker)

Paul Roberts failed to appear before the committee. Ald. Lessard moved, seconded by Ald. Matichek, to request via certified mailing Mr. Roberts' appearance before the committee at its November 27th meeting. **All ayes; motion approved.** Justine M. Kaker appeared before the committee. Ms. Kaker indicated that she is not employed at Angler's Avenue but her husband is and that she was helping out and had failed to check the ID's. She requested information regarding the Sheboygan Police Department's training program for bartenders. Ald. Lessard moved, seconded by Ald. Kath, to issue a warning to Justine M. Kaker regarding the sale of alcohol to underage persons at Anglers Avenue Pub & Grill on October 18, 2012. **All ayes; motion approved.**

R.O. No. 184-12-13 (11-5-12) – Various License Applications

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

Ald. Matichek moved, seconded by Ald. Lessard, to call in Bev. Op. Lic. App. No. 9776 (Thomas R. Beninghaus) 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. App. No. 9775 (Megan N. Burkart). **Four ayes and one nay (Ald. Kath); motion approved.**

Ald. Matichek moved to call in App. No. 9773 to discuss her application with the committee. **Motion died for lack of a second.** Ald. Lessard moved, seconded by Ald. Kath, to grant a license to Bev. Op. Lic. App. No. 9773 (Tasha M. Ditter). **Four ayes and one nay (Ald. Matichek); motion approved.**

Ald. Kath moved, seconded by Ald. Matichek, to call in Bev. Op. Lic. App. No. 9786 (Heather A. Ehn) to discuss her application with the committee. **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 Bev. Op. Lic. App. No. 9767 (Rachel M. Gahagan). **All ayes; motion approved.**

Ald. Lessard moved, seconded by Ald. Kath, to grant a license with a warning, contingent upon the application being corrected, to Bev. Op. Lic. App. No. 9772 (Lori L. Griego). **All ayes; motion approved.**

Ald. Lessard moved, seconded by Ald. Matichek, to call in Bev. Op. Lic. App. No. 9676 (Hanna J. Gustafson) to discuss her application with the committee. **All ayes; motion approved.**

Ald. Matichek moved, seconded by Ald. Lessard, to call in Bev. Op. Lic. App. No. 9781 (Jesicca N. Lyons) to discuss her application with the committee. **All ayes; motion approved.**

Ald. Matichek moved, seconded by Ald. Kath, to call in Bev. Op. Lic. App. No. 7934 (Eric S. Schroeter) to discuss his application with the committee. **All ayes; motion approved.**

Ald. Lessard moved, seconded by Ald. Kath, to call in Bev. Op. Lic. App. No. 9780 (April M. Schwinn) 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. 9789 (Chantel C. Bargin) 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 Taxicab Op. Lic. App. No. 9777 (Robert J. Cronen). **All ayes; motion approved.**

Ald. Kath moved, seconded by Ald. Lessard, to call in Taxicab Op. Lic. App. No. 7788 (Shawn DeGroat) to discuss his application with the committee. **Three ayes and two nays (Ald. Matichek and Ald. VanderWeele); motion approved.**

Ald. Kath moved, seconded by Ald. Matichek, to call in Taxicab Op. Lic. App. No. 3490 (Lee A. Miller) to discuss his application with the committee. **All ayes; motion approved.**

Ald. Lessard moved, seconded by Ald. Matichek, to call in Taxicab Op. Lic. App. No. 9766 (Danette F. Orr) 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. 9491 (Regina R. Ramirez) 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. 9779 (Kara L. Reseburg) to discuss her application with the committee. **All ayes; motion approved.**

Ald. Lessard moved, seconded by Ald. Matichek, to call in Taxicab Op. Lic. App. No. 9774 (Angel Noe Rodriguez Correa) to discuss his application with the committee. **All ayes; motion approved.**

Ald. Matichek moved, seconded by Ald. Kath, to call in Taxicab Op. Lic. App. No. 7760 (Brenda J. Villarreal) to discuss her 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

There was a brief discussion regarding the status of the Tidy Car quasi-judicial hearing and a settlement offer proposed by Tidy Car's attorney.

After hearing a brief report from ACA Adams regarding two businesses recently investigated by the State Department of Revenue regarding the illegal purchase of alcohol, Ald. Matichek made a motion, seconded by Ald. Kath, to call in the following license holders to discuss the matter with the committee:

- Alc. Bev. Lic. No. 2502–Nine 21 Bar & Grill LLC (Anthony P. Bray, Agent)
- Alc. Bev. Lic. No. 2758–Mike's Wilson Ave. Bar & Grill (Michael R. Dietz, Agent)

All ayes; motion approved.

After hearing a brief report from Lt. Teunissen regarding Victory Games on Union Avenue possibly selling stolen games and not having the recordkeeping system that secondhand stores are required to have, Ald. Lessard made a motion, seconded by Ald. Matichek, to call in Victory Games to discuss the matter with the committee. **All ayes; motion approved.** Following the meeting, it was determined that Victory Games does not have a secondhand article/jewelry license. They will not be called in to a meeting, but the police department will do some further follow-up on this matter.

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 3:25 p.m.

The next committee meeting is scheduled to be held on Tuesday, November 27, 2012 at 2:00 p.m. in the Common Council Chambers located at City Hall, 828 Center Avenue.