

MINUTES
COMMITTEE ON LAW & LICENSING

May 29, 2012 - 2:00 p.m.
Common Council Chambers, City Hall

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

Others in Attendance: Assistant City Attorney Charles Adams, Lt. Douglas Teunissen, Licensing Clerk Cinda Langhoff, Stanley J. Petek, Harold Biebel

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 May 15, 2012 was made by Ald. Lessard and seconded by Ald. Lewandoske. **All ayes; motion approved.**

Possible action regarding Alc. Bev. Lic. No. 1252–Petek’s Tavern (Stanley J. Petek, Agent)

Stanley J. Petek appeared before the committee. Mr. Petek informed the committee that Petek’s Tavern no longer allows its bartenders, including himself and his wife, to drink while bartending. Ald. Kath moved, seconded by Ald. Matichek, to issue a warning to Petek’s Tavern regarding the over-serving incident on April 8, 2012. Before action was taken thereon, a friendly amendment by Ald. Lessard was made to the motion and approved as follows: Issue a warning to Petek’s Tavern regarding the over-serving incident on April 8, 2012, with the condition that the employees take a beverage operator’s training class. **All ayes; motion, as amended, approved.**

Com. No. 3-12-13 (5-21-12) – Communication from Harold Biebel

Submitting a communication from Harold Biebel requesting an amended agreement between Pop’s Corn, LLC and the City of Sheboygan stating that he should be considered a permanent merchant and not a transient merchant.

Harold Biebl appeared before the committee. ACA Adams discussed the definition of “permanent merchant” contained in Sec. 78-26 of the ordinances and explained why the Pop’s Corn wagon is not considered “permanent.” Ald. Lessard moved, seconded by Ald. Kath, to file the communication. **All ayes; motion approved.**

R.O. No. 38-12-13 (5-21-12) – Various License Applications (individuals)

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

Ald. Kath moved, seconded by Ald. Matichek to call in Bev. Op. Lic. App. No. 9557 (Robert M. Bauknecht) 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 Bev. Op. Lic. App. No. 7258 (Cristina A. Earls). **All ayes; motion approved.**

Ald. Matichek moved, seconded by Ald. Lewandoske to call in Bev. Op. Lic. App. No. 7363 (Mark H. Beckmann) to discuss his application with the committee. **Four ayes and one abstention (Ald. Lessard); motion approved.**

Ald. Matichek moved, seconded by Ald. Lessard to call in Bev. Op. Lic. App. No. 6412 (Lucas R. Dulmes) to discuss his application with the committee. **Three ayes and two nays (Ald. Kath and Ald. VanderWeele); motion approved.**

Ald. Lessard moved, seconded by Ald. Kath to call in Bev. Op. Lic. App. No. 7459 (Matthew M. Lemerond) to discuss his application with the committee. **All ayes; motion approved.**

Ald. Kath moved, seconded by Ald. Matichek, to grant a license to Bev. Op. Lic. App. No. 7941 (Dale L. Maurer) with instructions to correct the application. **All ayes; motion approved.**

Ald. Lessard moved, seconded by Ald. Lewandoske to call in Bev. Op. Lic. App. No. 8028 (Robert J. Ziegelbauer) 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. 9554 (Joseph P. Champeau) to discuss his application with the committee. **Four ayes and one nay (Ald. VanderWeele); motion approved.**

Ald. Lessard moved, seconded by Ald. Matichek to call in Taxicab Op. Lic. App. No. 7666 (James K. Parisek, Jr.) 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 listed on the above-referenced R.O. **All ayes; motion approved.**

R.O. No. 39-12-13 (5-21-12) – Various License Applications (businesses)

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

Ald. Lessard moved, seconded by Ald. Matichek, to grant the change of premise application of Alc. Bev. Lic. No. 1353 (Sheboygan Yacht Club) conditionally based upon the license holder obtaining a street festival permit and getting common council permission to use the public street and rights of way for alcohol sales. **All ayes; motion approved.** In addition, the Clerk's Office will contact the Sheboygan Yacht Club to confirm their intent regarding the premise area.

Ald. Matichek moved, seconded by Ald. Kath, to grant a license to "Class A" Liquor Lic. App. No. 2702 (Tietz's Piggly Wiggly). **Four ayes and one abstention (Ald. Lessard); motion approved.**

Ald. Matichek moved, seconded by Ald. Lessard, to grant a license to "Class B" Liquor Lic. (new) App. No. 2899 (Zodiak). **All ayes; motion approved.**

Ald. Matichek moved to call in App. No. 2840 to discuss the application with the committee. **Motion died for lack of a second.** Ald. Lessard moved, seconded by Ald. Kath, to grant a license with a warning, contingent upon the application being corrected, to "Class B" Liquor Lic. App. No. 2840-4th Street Tap (Kevin Fetterer, Agent). **Four ayes and one nay (Ald. Matichek); motion approved.**

Ald. Kath moved, seconded by Ald. Lessard, to grant a license with a warning, contingent upon the application being corrected, to “Class B” Liquor Lic. App. No. 2693-Beans on 12th (James Butzen, Agent). **All ayes; motion approved.**

Ald. Lewandoske moved, seconded by Ald. Kath, to grant a license with a warning, contingent upon the application being corrected, to “Class B” Liquor Lic. App. No. 1260-The Cove (Candace Teetzen, Agent). **All ayes; motion approved.**

Ald. Kath moved, seconded by Ald. Lewandoske, to grant a license with a warning, contingent upon the application being corrected, to “Class B” Liquor Lic. App. No. 2774-Union Ave. Tap (Kevin Fetterer, Agent). **All ayes; motion approved.**

Ald. Lewandoske moved, seconded by Ald. Matichek, to grant a license to “Class B” Liquor Lic. (renew) App. No. 2899 (Zodiak). **All ayes; motion approved.**

Ald. Matichek moved, seconded by Ald. Lessard, to grant a license to Class “B” Fermented Malt Bev. Lic. App. No. 1809 (The Wharf). **All ayes; motion approved.**

Ald. Matichek moved, seconded by Ald. Lessard, to grant a license to Class “A” Fermented Malt Bev. Lic. (new) App. No. 2898 (Sheboygan Mart). **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 Class “A” Fermented Malt Bev. Lic. App. No. 2816-Marathon Harbor Petro (Pritesh Patel, Agent). **All ayes; motion approved.**

Ald. Matichek moved, seconded by Ald. Lessard, to grant a license to Class “A” Fermented Malt Bev. Lic. App. No. 1683 (Q Mart #221). **All ayes; motion approved.**

Ald. Matichek moved, seconded by Ald. Lessard, to grant a license to Class “A” Fermented Malt Bev. Lic. (renew) App. No. 2898 (Sheboygan Mart). **All ayes; motion approved.**

Ald. Lessard moved, seconded by Ald. Kath, to grant the remainder of the license applications for 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

After hearing a brief report from Lt. Teunissen with regard to a hit and run accident on May 5, 2012 involving a VIP taxi and a taxi driver who did not have a driver’s license nor a taxicab driver’s license, Ald. Lessard made a motion, seconded by Ald. Matichek, to call in Taxicab Business Lic. No. 2847-VIP Taxi LLC (Abraham Loya, Agent) to discuss the matter with the committee. **All ayes; motion approved.**

Ald. Lessard 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 2:54 p.m.

The next committee meeting is scheduled to be held on Tuesday, June 12, 2012 at 2:00 p.m. in the Common Council Chambers located at City Hall, 828 Center Avenue.