

MINUTES
COMMITTEE ON LAW & LICENSING

August 28, 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, Ald. Scott Lewandoske
Others in Attendance: Assistant City Attorney Charles C. Adams, Lt. Douglas Teunissen, Roxana M. Ramirez, Nicole M. Morgan, Charles Blindauer, Paula M. Clements, Jenny V. Gamez, Kathy Jackson, Jena M. Olderman, Jenna L. Teal, Araceli Vargas, Luis A. Castro-Sanchez, Ramona E. Garcia, Sean N. Lloyd, Hamilton W. Watt, Thomas Lloyd, Joseph E. Jantz, Buddi Sagar Subedi, Zachary A. Glaubig, Kristin A. Renzelmann, Phyllis H. Hendrikse, Keith Fischer, Rufino C. Martinez, Jr., Cathy Martinez, Amanda K. Martinez

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 August 14, 2012 was made by Ald. Matichek and seconded by Ald. Lessard. **All ayes; motion approved.**

R.C. No. 142-12-13 (8-20-12) – Taxicab Op. Lic. App. No. 9411 (Roxana M. Ramirez)

Roxana M. Ramirez appeared before the committee to discuss her renewal application. After discussion of her record and her failure to include violations on her application, Ald. Matichek 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. **All ayes; motion approved.**

R.O. No. 94-12-13 (7-16-12) – Various License Applications: Bev. Op. Lic. App. No. 9637 (Nicole M. Morgan); Taxicab Op. Lic. App. No. 9633 (Verlin C. Wicker)

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

Nicole M. Morgan appeared before the committee to discuss her application. After discussion of her record, Ald. Kath moved, seconded by Ald. Lessard, to deny the license application based upon her record of violations related to the licensed activity. **Three ayes and two nays (Ald. Matichek and Ald. VanderWeele); motion approved.**

Verlin C. Wicker failed to appear before the committee. Ald. Matichek moved, seconded by Ald. Lessard, to deny the license application based upon Mr. Wicker'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.**

R.O. No. 107-12-13 (8-6-12) – Various License Applications: Bev. Op. Lic. App. Nos. 9650 (Charles Blindauer), 6833 (Paula M. Clements), 8132 (Jenny V. Gamez), 9653 (Kathy Jackson), 9666 (Jena M. Olderman), 9661 (Haleigh C. Schelk), 9651 (Jenna L. Teal), 9662 (Araceli

Vargas); Taxicab Op. Lic. App. Nos. 9659 (Luis A. Castro-Sanchez), 9657 (Ramona E. Garcia), 9654 (Scott Ramone Goines, Jr.), 9496 (Brian K. Hahn), 9656 (Monroe C. Irving), 9660 (Charleen M. Johnson), 9664 (Sean N. Lloyd), 9645 (Rachel S. Sizonen), 9649 (Nancy A. Valentine), 9663 (Katherine M. Walcott)

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

Charles Blindauer appeared before the committee to discuss his application. After discussion of his record and his failure to include a violation on his 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. **All ayes; motion approved.**

Paula M. Clements appeared before the committee to discuss her application. After discussion of her record and her failure to include a violation 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. **All ayes; motion approved.**

Jenny V. Gamez appeared before the committee to discuss her application. After discussion of her record and her failure to include a violation on her application, Ald. Kath moved, seconded by Ald. Lewandoske, to deny the license application based upon Ms. Gamez's failure to accurately reveal all relevant convictions on her application and her record of violations related to the licensed activity. **Two ayes and three nays (Ald. Lessard, Ald. Matichek and Ald. VanderWeele); motion failed.** Ald. Matichek 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. **Three ayes and two nays (Ald. Kath and Ald. Lewandoske); motion approved.**

Kathy Jackson 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. Lessard, 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.**

Jena M. Olderman 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. **All ayes; motion approved.**

Haleigh C. Schelk failed to appear, but had contacted the City Attorney's Office to indicate that she was unable to appear. Ms. Schelk was instructed to appear at the September 11th meeting. Ald. Matichek moved, seconded by Ald. Lessard, to hold the application until the September 11th meeting and to call in Ms. Schelk by regular mail. **All ayes; motion approved.**

Jenna L. Teal appeared before the committee to discuss her application. After discussion of her record, Ald. Kath moved, seconded by Ald. Lessard, to grant the license. **All ayes; motion approved.**

Araceli Vargas 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.

Lewandoske, to deny the license application based upon Ms. Vargas' failure to accurately reveal all relevant convictions on her application and her record of violations related to the licensed activity. **Three ayes and two nays (Ald. Lessard and Ald. Matichek); motion approved.**

Luis A. Castro-Sanchez 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. **Three ayes and two nays (Ald. Lessard and Ald. Lewandoske); motion approved.**

Ramona E. Garcia 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 to grant the license contingent upon the application being corrected, and with a warning to include all relevant information on future applications. **Motion died for lack of a second.** Ald. Kath moved, seconded by Ald. Lewandoske, to deny the license application based upon Ms. Garcia's failure to accurately reveal all relevant convictions on her application, her record of violations related to the licensed activity, and a negative recommendation from the Sheboygan Police Department. **Three ayes, one nay (Ald. Matichek) and one abstention (Ald. Lessard); motion approved.**

Scott Ramone Goines, Jr. failed to appear before the committee. Ald. Matichek moved, seconded by Ald. Kath, to request via certified mailing Mr. Goines' appearance before the committee at its September 11th meeting. **All ayes; motion approved.**

Brian K. Hahn failed to appear before the committee. Ald. Matichek moved, seconded by Ald. Kath, to request via certified mailing Mr. Hahn's appearance before the committee at its September 11th meeting. **All ayes; motion approved.**

Monroe C. Irving failed to appear before the committee, but the City Clerk's Office indicates that Mr. Irving has withdrawn his application. Ald. Matichek moved, seconded by Ald. Lessard, to accept the withdrawal and file the application. **All ayes; motion approved.**

Charleen M. Johnson failed to appear before the committee. Ald. Matichek moved, seconded by Ald. Lessard, to request via certified mailing Ms. Johnson's appearance before the committee at its September 11th meeting. **All ayes; motion approved.**

Sean N. Lloyd appeared before the committee to discuss his application. After discussion of his record and his failure to include violations on his application, Ald. Lessard moved, seconded by Ald. Kath, to deny the license application based upon Mr. Lloyd's failure to accurately reveal all relevant convictions on his application, his record of violations related to the licensed activity, and a negative recommendation from the Sheboygan Police Department. **Four ayes and one nay (Ald. Matichek); motion approved.**

Rachel S. Sizonen failed to appear before the committee. Ald. Matichek moved, seconded by Ald. Kath, to request via certified mailing Ms. Sizonen's appearance before the committee at its September 11th meeting. **All ayes; motion approved.**

Nancy A. Valentine failed to appear before the committee. Ald. Matichek moved, seconded by Ald. Lessard, to request via certified mailing Ms. Valentine's appearance before the committee at its September 11th meeting. **All ayes; motion approved.**

Katherine M. Walcott failed to appear before the committee. Ald. Kath moved, seconded by Ald. Matichek, to request via certified mailing Ms. Walcott's appearance before the committee at its September 11th meeting. **All ayes; motion approved.**

The committee took a break from 3:22 p.m. until 3:26 p.m.

Possible action regarding Alc. Bev. Lic. No. 1083-Vibez (Hamilton W. Watt, Agent)

Hamilton W. Watt and Thomas Lloyd appeared before the committee to discuss the April 27, 2012 loud noise incident. Mr. Lloyd informed the committee that he was surprised that the neighbor had called the police as she normally will just send him a text if she feels the music needs to be turned down. ACA Adams informed the committee that Mr. Watt had not been called in for a previous noise incident which occurred on September 4, 2011 and was similar in nature. Ald. Kath moved, seconded by Ald. Lewandoske, to issue a warning to Hamilton W. Watt regarding the April 27, 2012 loud noise incident. **Three ayes and two nays (Ald. Lessard and Ald. Matichek); motion approved.**

Ald. Kath was excused from the meeting at 3:49 p.m.

Possible action regarding Alc. Bev. Lic. No. 1406-Tidy Car of Sheboygan (Joseph E. Jantz, Agent) and Bev. Op. Lic. No. 4518 (Stacey A. Stoltzman)

Joseph E. Jantz appeared before the committee to discuss the sale of tobacco to a minor from the Wisconsin WINS program on July 20, 2012.

Stacey A. Stoltzman failed to appear before the committee. Ald. Lessard moved, seconded by Ald. Matichek, to request via certified mailing Ms. Stoltzman's appearance before the committee at its September 11th meeting. **Four ayes; motion approved.**

Mr. Jantz indicated that Ms. Stoltzman is a good employee and simply read the ID wrong. He expressed his displeasure regarding the WINS program. Ald. Lessard moved, seconded by Ald. Matichek for purposes of further discussion, to issue a warning to Mr. Jantz and require that he provide more ID training to his employees. Following further discussion, **Ald. Lessard withdrew her motion.** Ald. Matichek moved to request that Mr. Jantz voluntarily surrender the alcohol beverage license for a period of five consecutive business days within 14 days. **Motion died for lack of a second.** Ald. Lessard moved, seconded by Ald. VanderWeele, to issue a warning to Mr. Jantz. **Two ayes and two nays (Ald. Lewandoske and Ald. Matichek); motion failed.** Ald. Lewandoske moved, seconded by Ald. Matichek, to request that Mr. Jantz voluntarily surrender the tobacco license for a period of 15 consecutive business days within 14 days. Before action was taken thereon, a friendly amendment by Ald. Matichek was made to the motion and approved as follows: Request that Mr. Jantz voluntarily surrender the tobacco license for a period of ten (10) consecutive

business days within 14 days. **Three ayes and one nay (Ald. Lessard); motion, as amended, approved.**

Possible action regarding Alc. Bev. Lic. No. 2581-South Side Clark [Indiana Avenue] (Buddi Sagar Subedi, Agent) and Bev. Op. Lic. No. 9679 (Zachary A. Glaubig)

Buddi Sagar Subedi and Zachary A. Glaubig appeared before the committee to discuss the sale of tobacco to a minor from the Wisconsin WINS program on July 24, 2012. Mr. Glaubig indicated that he has a provisional license which was issued by the Clerk's Office and stated that he misread the ID. Ald. Matichek moved, seconded by Ald. Lewandoske, to issue a warning to both Buddi Sagar Subedi and Zachary A. Glaubig regarding the sale of tobacco to a minor on July 24, 2012. **Four ayes; motion approved.**

Possible action regarding Alc. Bev. Lic. No. 1254-Petro Center #4 [S. Business Drive] (Kristin A. Renzelmann, Agent) and Bev. Op. Lic. No. 4228 (Phyllis H. Hendrikse)

Kristin A. Renzelmann and Phyllis H. Hendrikse appeared before the committee to discuss the sale of tobacco to a minor from the Wisconsin WINS program on July 24, 2012. Ms. Hendrikse informed the committee that she has worked there 18 years and simply misread the ID. Ms. Renzelmann indicated that their cash register software now requests that a valid date of birth be entered in order to complete a sale. Ald. Lessard moved, seconded by Ald. Lewandoske, to issue a warning to both Kristin A. Renzelmann and Phyllis H. Hendrikse regarding the sale of tobacco to a minor on July 24, 2012. **Four ayes; motion approved.**

Possible action regarding Alc. Bev. Lic. No. 2532-Fischer's Food & Liquor (Keith Fischer, Agent) and Bev. Op. Lic. No. 7812 (Diane K. Knaus)

Keith Fischer appeared before the committee to discuss the sale of tobacco to a minor from the Wisconsin WINS program on July 24, 2012. ACA Adams informed the committee that the same clerk (Diana K. Knaus) also sold tobacco to a minor at Fischer's in October of 2011, but the police department had not reported the October incident to the committee. Ms. Knaus is no longer employed at Fischer's and has surrendered her license to the City Clerk's office. Ald. Matichek moved, seconded by Ald. Lessard, to accept the surrender of Ms. Knaus' license. **Four ayes; motion approved.** The committee suggested to Mr. Fischer that he look into purchasing cash register software that requires that a valid date of birth be entered in order to complete a sale. Due to the fact that Ms. Knaus has terminated her employment at Fischer's Food & Liquor, Ald. Lessard moved, seconded by Ald. Matichek, to issue a warning to Mr. Fischer regarding the sale of tobacco to a minor on July 24, 2012. **Three ayes and one nay (Ald. VanderWeele); motion approved.**

Possible action regarding Alc. Bev. Lic. No. 2720-Rehab Bar & Grill (Rufino C. Martinez, Jr., Agent) and Bev. Op. Lic. No. 5551 (Amanda K. Martinez)

Rufino C. Martinez, Jr. and Amanda K. Martinez appeared before the committee to discuss the August 5, 2012 disturbance at Rehab Bar & Grill. Lt. Teunissen provided the committee with details regarding the police investigation into the disturbance.

ACA Adams was excused from the meeting at 4:40 p.m.

Ald. Kath re-joined the meeting at 4:45 p.m.

Lt. Teunissen indicated that the police department feels that Ms. Martinez downplayed the very serious disturbance, not even mentioning to the police the fact that a shot had been fired into the air.

Ald. Lessard moved, seconded by Ald. Lewandoske, to request that Mr. Martinez voluntarily surrender his alcohol beverage license and Ms. Martinez voluntarily surrender her beverage operator's license, both for a period of 15 consecutive business days within 14 days. Before action was taken thereon, a friendly amendment by Ald. Matichek was made to the motion and approved as follows: Request that Mr. Martinez voluntarily surrender his alcohol beverage license and Ms. Martinez voluntarily surrender her beverage operator's license, both for a period of ten (10) consecutive business days within 14 days. **Three ayes and two nays (Ald. Kath and Ald. VanderWeele); motion, as amended, approved.**

Discussion and possible action regarding taxicab regulations

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.

Com. No. 4-12-13 (7-16-12) – Communication from Christos Balassi

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

Because ACA Adams was not present to discuss the three (3) taxicab regulation items, Ald. Matichek moved, seconded by Ald. Lessard, to hold those three items until the September 11th meeting. **All ayes, motion approved.**

Discussion regarding available "Class B" alcohol beverage licenses

Nobody from the City Clerk's office was in attendance at the meeting. Ald. Matichek moved, seconded by Ald. Lessard, to hold this matter until the September 11th meeting. **All ayes; motion approved.**

R.O. No. 117-12-13 (8-20-12) – Various License Applications

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

Ald. Kath moved, seconded by Ald. Matichek, to grant a license to "Class B" Liquor Lic. App. No. 2919-Bomallies (Marc Ehler, Agent). **All ayes; motion approved.**

Ald. Lessard moved, seconded by Ald. Matichek, to grant a license with a warning, contingent upon the application being corrected, to Bev. Op. Lic. App. No. 9669 (Rachael E. Cook). **All ayes; motion approved.**

Ald. Lessard moved, seconded by Ald. Matichek, to grant a license with a warning, contingent upon the application being corrected, to Bev. Op. Lic. App. No. 6916 (Rebecca M. Gruenke). **All ayes; motion approved.**

Ald. Lessard moved, seconded by Ald. Lewandoske, 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. 9680 (Majestica L. Lorenz) to discuss her application with the committee. **All ayes; motion approved.**

Ald. Lessard moved, seconded by Ald. Kath, to call in Bev. Op. Lic. App. No. 9671 (Tina H. Mann) to discuss her application with the committee. **All ayes; motion approved.**

Ald. Kath moved, seconded by Ald. Lewandoske, to call in Bev. Op. Lic. App. No. 9668 (Eric P. Turner) to discuss his application with the committee. **Four ayes and one nay (Ald. VanderWeele); motion approved.**

Ald. Matichek moved, seconded by Ald. Lewandoske, to call in Taxicab Op. Lic. App. No. 9684 (Brent Allen Barron) to discuss his application with the committee. **Three ayes and two nays (Ald. Lessard and Ald. VanderWeele); motion approved.**

Ald. Lessard moved, seconded by Ald. Matichek, to call in Taxicab Op. Lic. App. No. 9674 (Nicholas W. Daily) 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. 9681 (Matthew D. Fogle) 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. 9675 (Eugenia M. Garrison) to discuss her application with the committee. **All ayes; motion approved.**

Ald. Kath moved, seconded by Ald. Lewandoske, to call in Taxicab Op. Lic. App. No. 9672 (Rachel A. Leist) to discuss her application with the committee. **All ayes; motion approved.**

Ald. Kath moved, seconded by Ald. Lewandoske, to call in Taxicab Op. Lic. App. No. 5811 (Thomas E. Miller) 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. 9678 (Kia Vang) 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. 9670 (Steven A. Wagner) to discuss his application with the committee. **All ayes; motion approved.**

Ald. Kath moved, seconded by Ald. Matichek, 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

Lt. Teunissen indicated that he had no such violations to report at this time.

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 5:11 p.m.

The next committee meeting is scheduled to be held on Tuesday, September 11, 2012 at 2:00 p.m. in the Common Council Chambers located at City Hall, 828 Center Avenue.