

CITY OF SHEBOYGAN

COMMITTEE ON LAW AND LICENSING MINUTES

AUGUST 29, 2017

MEMBERS PRESENT:

Chair Alderperson Susan Holzschuh, Vice Chair Alderperson Mary Lynne Donohue, Alderperson Scott Lewandoske, Alderperson Ron Rindfleisch, Alderperson Rosemarie Trester

STAFF/OFFICIALS PRESENT:

City Attorney Charles C. Adams, Sgt. Ryan Schmitt, City Clerk Susan Richards, Licensing Clerk Melissa Clevenger, Legal Assistant Kathy Hoffman

OTHERS PRESENT:

Eugene A. Osbahr

OPENING OF MEETING

Roll Call

Call to Order

Chair Alderperson Susan Holzschuh called the meeting to order at 2: 30 p.m.

Pledge of Allegiance

The Pledge of Allegiance was recited.

Introduction of Committee members, staff and guests

MINUTES

Approval of Minutes - August 15, 2017

Motion by Alderperson Rindfleisch, seconded by Alderperson Donohue, to approve the minutes of the previous meeting held August 15, 2017. Motion carried 5 - 0.

ITEMS FOR DISCUSSION AND POSSIBLE ACTION

R.O. No. 104 - 17 - 18 (7 - 17 - 17) Submitting various license applications for the period ending December 31, 2017, June 30, 2018 and June 30, 2019. Bev. Op. Lic. App. No. 1751 (Gewell R. James Sr.)

Gewell R. James, Sr. failed to appear before the committee for a hearing on possible denial of his license application.

Motion by Alderperson Lewandoske, seconded by Alderperson Donohue, to deny the license application based upon Mr. James record of violations related to the licensed activity, his history as a habitual law offender, and his failure to cooperate with the committee. Motion carried 5 - 0.

R.O. No. 128 - 17 - 18 (8 - 7 - 17) Submitting various license applications for the period ending December 31, 2017, June 30, 2018 and June 30, 2019. Bev. Op. Lic. App. Nos. 1806 (Chynna L. Botzau), 0977 (Eugene A. Osbahr); Taxicab Driver Lic. App. No. 1780 (Frederick C. McFate)

Chynna L. Botzau failed to appear before the committee for a hearing on possible denial of her license application.

Motion by Alderperson Donohue, seconded by Alderperson Lewandoske, to deny the license application based upon Ms. Botzau s record of violations related to the licensed activity, her history as a habitual law offender, and her failure to cooperate with the committee. Motion carried 5 - 0.

Eugene A. Osbahr appeared before the committee for a hearing on possible denial of his license application. The committee heard from Mr. Osbahr and the City s witness Sgt. Schmitt.

Motion by Alderperson Donohue, seconded by Alderperson Rindfleisch, to hold Mr. Osbahr s license application until the September 12 th Law & Licensing Committee and to request that Mr. Osbahr have his probation agent either provide the City Attorney s Office with a letter by September 8, 2017 stating his opinion with regard to Mr. Osbahr applying for a license or appear personally before the Committee. Motion carried 4 - 1 (Alderperson Trester Nay).

Frederick C. McFate failed to appear before the committee for a hearing on possible denial of his license application.

Motion by Alderperson Trester, seconded by Alderperson Lewandoske, to deny the license application based upon Mr. McFate s record of violations related to the licensed activity, his history as a habitual law offender, and his failure to cooperate with the committee. Motion carried 5 - 0.

Quarterly Performance Report for City Attorney's Office (discussion only)

City Attorney Adams reviewed the City Attorney s Office quarterly performance report for the second quarter of 2017.

R.O. No. 140 - 17 - 18 (8 - 21 - 17) Submitting various license applications for the period ending December 31, 2017, June 30, 2018 and June 30, 2019

Motion by Alderperson Lewandoske, seconded by Alderperson Donohue, to call in the following license applicants for hearings on possible denial of their license applications: Bev. Op. Lic. App. No. 5247 (Brandy J. Thomas) and Taxicab Driver Lic. App. No. 1819 (Thomas M. Hombs). Motion carried 5 - 0.

Motion by Alderperson Trester, seconded by Alderperson Rindfleisch, to grant the remainder of the license applications for individuals and entities listed on the above-referenced R.O. Motion carried 5 - 0.

NEXT MEETING DATE

Next meeting date will be September 12, 2017

The next committee meeting is scheduled to be held on September 12, 2017 at 2:30 p.m. in the Common Council Chambers located at City Hall, 828 Center Avenue.

ADJOURN

Motion to adjourn

Motion by Alderperson Donohue, seconded by Alderperson Trester, to adjourn at 3: 05 p.m. Motion carried 5 - 0.