

City of Sheboygan  
2016-11-15

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CITY OF SHEBOYGAN

COMMITTEE ON LAW AND LICENSING MINUTES

NOVEMBER 15, 2016

MEMBERS PRESENT:

Chair Alderperson Susan Holzschuh, Vice Chair Alderperson Roman Draughon,  
Alderperson Mark Hermann, Alderperson Rosemarie Trester

MEMBERS EXCUSED:

Alderperson Job Hou-Seye

STAFF/OFFICIALS PRESENT:

City Attorney Charles C. Adams, Lt. William Adams, City Clerk Susan Richards,  
Mayor Michael Vandersteen, Alderperson Mary Lynne Donohue, Kathy Hoffman

OTHERS PRESENT:

Alexandra Hernandez, Antonio Neuaone, Chad R. Moan, Dane Schaefer

OPENING OF MEETING

Call meeting to order

Chair Alderperson Holzschuh called the meeting to order at 2: 31 p.m.

Pledge of Allegiance

The Pledge of Allegiance was recited.

Introduction of Committee members, staff and guests

Approval of the minutes of the October 25, 2016 meeting

Motion by Alderperson Trester, seconded by Alderperson Hermann, to approve the minutes of the previous meeting held October 25, 2016. Motion carried 4 - 0.

#### ITEMS FOR DISCUSSION AND POSSIBLE ACTION

R.O. No. 116 - 16 - 17 (9 - 19 - 16) Submitting various license applications for the period ending December 31, 2016, June 30, 2017 and June 30, 2018. Various License Applications: Taxicab Driver Lic. App. No. 1486 (Lashelle T. Tatum)

Lashelle T. Tatum failed to appear before the committee.

Motion by Alderperson Trester, seconded by Alderperson Hermann, to deny the license application based upon Ms. Tatum's failure to accurately reveal all relevant convictions on her taxicab driver's license application, her record of violations related to the licensed activity, her record as a repeat law violator, and her failure to cooperate with the committee. Motion carried 4 - 0.

2.2 R.O. No. 140 - 16 - 17 (10 - 17 - 16) Submitting various license applications for the period ending December 31, 2016, June 30, 2017 and June 30, 2018. Various License Applications: Fermented Malt Bev. and Class "C" Wine Lic. App. No. 3225 -Saap Lai (Alexandra Hernandez, Agent, and Antonio Neuaone, Member); Bev. Op. Lic. App. Nos. 1525 (Shantae N. Harris), 1528 (Chad R. Moan)

Alexandra Hernandez (Agent) and Antonio Neuaone (member of the LLC) appeared before the committee to discuss the Saap Lai application. The committee discussed both of their records and also Mr. Neuaone's failure to include violations on the application.

Motion by Alderperson Trester to hold this application until Mr. Neuaone's pending felonies are resolved. That motion was withdrawn by Alderperson Trester.

Motion by Alderperson Hermann to approve the license application. Motion died for lack of a second.

Motion by Alderperson Holzschuh, seconded by Alderperson Draughon, to deny the

license application based upon Ms. Hernandez record of a violation related to the licensed activity and also probation rules which prohibit her from buying, selling, possessing, consuming, or being in the presence of alcohol beverages, and also based upon Mr. Neuaone s failure to accurately reveal all relevant convictions on the license application, his record of violations related to the licensed activity, and his record as a repeat law violator. Motion carried 3 - 1 (Aldersperson Hermann nay).

Shantae N. Harris failed to appear before the committee.

Motion by Aldersperson Draughon, seconded by Aldersperson Trester, to request via certified mailing Ms. Harris appearance before the committee at its November 29 th meeting. Motion carried 4 - 0.

Chad R. Moan appeared before the committee to discuss his application. The committee discussed his record.

Motion by Aldersperson Draughon, seconded by Aldersperson Trester, to grant the license with instructions to correct the application. Motion carried 4 - 0.

R.C. No. 235 - 16 - 17 (11 - 7 - 16) [see also Gen. Ord. No. 24 - 16 - 17 (10 - 17 - 16)] An ordinance repealing and recreating Article IV of Chapter 30 of the Municipal Code relating to Sales of Drug Paraphernalia, and repealing and recreating Section 70 - 8 of the Municipal Code entitled "Adoption of State Law Regarding Controlled Substances"

ACA Adams again explained to the committee that this proposed ordinance does not change anything. The ordinance simply collects and consolidates language from state statutes that already exist and have already been adopted by the City, and puts the language in a single location so that citizens who wish to understand what the law allows and doesn t allow only have to look in a single place. He pointed out that the ordinance is not a word-for-word repeat of the statute, and that the committee could approve the ordinance or stick with the current language to the same effect.

Motion by Aldersperson Trester, seconded by Aldersperson Draughon, to approve the proposed ordinance and submit it to the common council with a favorable recommendation. Motion carried 3 - 1 (Aldersperson Hermann nay).

R.O. No. 156 - 16 - 17 (11 - 7 - 16) Submitting various license applications for the period ending December 31, 2016, December 31, 2017, June 30, 2017 and June 30, 2018

Motion by Aldersperson Draughon, seconded by Aldersperson Trester, to approve the Change of Agent application of SheVegas Nightclub contingent upon the Agent, Roger Ugarte, paying the outstanding forfeiture he owes to the Municipal Court. Motion carried 4

0.

Motion by Alderperson Draughon, seconded by Alderperson Trester, to hold Bev. Op. Lic. App. Nos. 6398 (Michael RA Beringer), 9868 (Derric D. Eisold), and 1230 (Laura J. Fritsch) until their applications are fully completed. Motion carried 4 - 0.

Motion by Alderperson Trester, seconded by Alderperson Hermann, to call in Bev. Op. Lic. App. No. 1281 (Jacob L. Henry) to discuss his application with the committee. Motion carried 4 - 0.

Motion by Alderperson Draughon, seconded by Alderperson Trester, to call in Bev. Op. Lic. App. No. 1107 (Matthew L. Key) to discuss his application with the committee. Motion carried 4 - 0.

Motion by Alderperson Draughon, seconded by Alderperson Trester, to grant a license with a warning, contingent upon the application being corrected, to Bev. Op. Lic. App. No. 0525 (Robert D. Kratz). Motion carried 4 - 0.

Motion by Alderperson Draughon, seconded by Alderperson Trester, to call in Bev. Op. Lic. App. No. 1551 (Justin J. Molitor) to discuss his application with the committee. Motion carried 4 - 0.

Motion by Alderperson Draughon, seconded by Alderperson Trester, to grant a license with a warning, contingent upon the application being corrected, to Bev. Op. Lic. App. No. 1555 (Darrick V. Palmer). Motion carried 4 - 0.

Motion by Alderperson Trester, seconded by Alderperson Draughon, to call in Bev. Op. Lic. App. No. 1297 (Miranda R. Schmidt) to discuss her application with the committee. Motion carried 4 - 0.

Motion by Alderperson Draughon, seconded by Alderperson Trester, to hold Taxicab Driver s Lic. [RENEW] App. Nos. 1252 (Daniel Peter Beyer), 0093 (James D. Butler, Jr.), 8112 (Trevor M. Gohr), 4978 (Denise L. Hunt), 6948 (Gordon J. Schneider), 1149 (Harvey L. Stewart) until their applications are fully completed. Motion carried 4 - 0.

Motion by Alderperson Holzschuh, seconded by Alderperson Trester, to call in Taxicab Driver s Lic. [RENEW] App. No. 0836 (Amalio Calderon Rivera) to discuss his application with the committee. Motion carried 4 - 0.

Motion by Alderperson Holzschuh, seconded by Alderperson Trester, to call in Taxicab Driver s Lic. [RENEW] App. No. 0690 (Francis W. Kohlmann, Jr.) to discuss his application with the committee. Motion carried 4 - 0.

Motion by Alderperson Draughon, seconded by Alderperson Trester, to call in Taxicab Driver s Lic. [RENEW] App. No. 0256 (Mark A. Krueger) to discuss his

application with the committee. Motion carried 4 - 0.

Motion by Alderperson Draughon, seconded by Alderperson Trester, to grant the remainder of the license applications for individuals and entities listed on the above-referenced R.O. Motion carried 4 - 0.

Discussion and possible action regarding law violations that may require future action by the Committee

Lt. Adams reported that Blondies Bar & Grill was cited for being open after hours on November 6, 2016.

Motion by Alderperson Trester, seconded by Alderperson Draughon, to call in Alc. Bev. Lic. No. 3044 -Blondies Bar & Grill (Michael L. Kramer, Agent) and Bev. Op. Lic. No. 8875 (Renee A. Kramer) to discuss the matter with the committee. Motion carried 4 - 0.

#### CLOSING OF MEETING

Set time, date and place of next meeting

The next committee meeting is scheduled to be held on November 29, 2016 at 2:30 p.m. in the Common Council Chambers located at City Hall, 828 Center Avenue.

Motion to adjourn

Motion by Alderperson Trester, seconded by Alderperson Draughon, to adjourn at 3:21 p.m. Motion carried 4 - 0.