

City of Sheboygan
2016-10-25

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CITY OF SHEBOYGAN

COMMITTEE ON LAW AND LICENSING MINUTES

OCTOBER 25, 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, Police Chief Chris Domagalski, Sgt. Mike
Stelter, City Clerk Susan Richards, Mayor Michael Vandersteen, City
Administrator Darrell Hofland, Alderperson John Belanger, Director of Planning
& Development Chad Pelishek, Manager of Planning & Zoning Steve Sokolowski,
Kathy Hoffman

OTHERS PRESENT: Tyler J. Ebbers, Basudev Adhikari, Mark Kelderman, Toby
Watson, Jason Keck, Shawn Hansen, Phillip Bock

OPENING OF MEETING

Call meeting to order

Chair Alderperson 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

Approval of the minutes of the October 11, 2016 meeting

Motion by Alderperson Trester, seconded by Alderperson Draughon, to approve the minutes of the previous meeting held October 11, 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 did not appear, but had contacted the City Attorney's Office to indicate that she was unable to appear because she was sick. Ms. Tatum was instructed to appear at the November 15 th meeting.

Motion by Alderperson Draughon, seconded by Alderperson Trester, to hold the application until the November 15 th meeting and to call in Ms. Tatum by regular mail. Motion carried 4 - 0.

R.O. No. 130 - 16 - 17 (10 - 3 - 16) Submitting various license applications for the period ending December 31, 2016, June 30, 2017 and June 30, 2018. Various License Applications: Bev. Op. Lic. App. No. 1500 (Tyler J. Ebbers)

Tyler J. Ebbers appeared before the committee to discuss his application. The committee discussed his record and his failure to include violations on his application.

Motion by Alderperson Draughon, seconded by Alderperson Trester, to grant the license contingent upon the application being corrected, and with a warning to include all relevant information on future applications. Motion carried 4 - 0.

R.O. No. 139 - 16 - 17 (10 - 17 - 16) Submitting a communication from Basudev Adhikari, Sheboygan Liquor Depot, requesting an extension for the license due to certain delays with construction issues

Basudev Adhikari appeared before the committee and explained that he is not able to open by November 2, 2016. Although most of the construction work is completed, there are a few items that still need to be completed and there is some masonry work in the front that will take another five (5) weeks to complete.

Motion by Alderperson Draughon, seconded by Alderperson Trester, to recommend that the Common Council grant a 90 -day extension (until January 31, 2017) to Sheboygan Liquor Depot under the continuation of business ordinance. Motion carried 4 - 0.

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 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 all of 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. The following people spoke against the proposed ordinance: Mark Kelderman of Decriminalize Oshkosh and Toby Watson who is a landlord and owns 12 storefronts in Sheboygan.

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

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

Motion by Alderperson Draughon, seconded by Alderperson Trester, to call in Fermented Malt Bev. and Class C Wine Lic. App. No. 3225 -Saap Lai (Alexandra Hernandez, Agent, and Antonio Neuaone, Member) to discuss the application with the committee. Motion carried 4 - 0.

Motion by Alderperson Trester, seconded by Alderperson Draughon, to grant a license to Bev. Op. Lic. App. No. 6087 (Barbara J. Benirschke). Motion carried 4 - 0.

Motion by Alderperson Trester, seconded by Alderperson Draughon, to call in Bev. Op. Lic. App. No. 1525 (Shantae N. Harris) to discuss her application with the committee. Motion carried 4 - 0.

Motion by Alderperson Hermann, seconded by Alderperson Trester, to call in Bev.

Op. Lic. App. No. 1528 (Chad R. Moan) to discuss his application with the committee. Motion carried 4 - 0.

Motion by Alderperson Hermann, seconded by Alderperson Draughon, to grant a license with a warning, contingent upon the application being corrected, to Bev. Op. Lic. App. No. 1550 (Brenda J. Outland). 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. 7214 (Daniel L. Semsch). Motion carried 4 - 0.

Motion by Alderperson Draughon, seconded by Alderperson Trester, to grant a license to Bev. Op. Lic. App. No. 5650 (Donna M. Soerens). Motion carried 4 - 0.

Motion by Alderperson Hermann, seconded by Alderperson Draughon, to grant a license with a warning, contingent upon the application being corrected, to Bev. Op. Lic. App. No. 1533 (Brenda L. Vandeberg). 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

CA Adams and Sgt. Stelter indicated that they had no such violations to report at this time.

CLOSING OF MEETING

Set time, date and place of next meeting

The next committee meeting is scheduled to be held on November 15, 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 3:40 p.m. Motion carried 4 - 0.