

City of Sheboygan
2016-09-27

ADTTY473810D

CITY OF SHEBOYGAN

COMMITTEE ON LAW AND LICENSING

MINUTES

SEPTEMBER 27, 2016

MEMBERS PRESENT: Chair Alderperson Susan Holzschuh, Alderperson Mark Hermann, Alderperson Job Hou-Seye, Alderperson Rosemarie Trester

MEMBERS UNEXCUSED: Vice Chair Alderperson Roman Draughon

STAFF/OFFICIALS PRESENT: City Attorney Charles C. Adams, Lt. William Adams, City Clerk Susan Richards, Licensing Clerk Cinda Langhoff, Mayor Michael Vandersteen, Kathy Hoffman

OTHERS PRESENT: Tina J. Kohr, Troy J. Murray, Hector R. Capetillo-Alvarez, Annette Capetillo, Erin L. Winscher, Scott Matula, Dave Repinski

OPENING OF MEETING

Call meeting to order

Chair Alderperson Holzschuh called the meeting to order at 2: 32 p.m.

Pledge of Allegiance

The Pledge of Allegiance was recited.

Introduction of Committee members, staff and guests

Approval of the minutes of the September 13, 2016 meeting

Motion by Alderperson Trester, seconded by Alderperson Hou-Seye, to approve the minutes of the previous meeting held September 13, 2016. Motion carried 4 - 0.

ITEMS FOR DISCUSSION AND POSSIBLE ACTION

R.O. No. 95 - 16 - 17 (8 - 15 - 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. Nos. 0603 (Tina J. Kohr), 1906 (Troy J. Murray), 1407 (Devin P. Wollin); Taxicab Driver Lic. App. No. 1439 (Michael McKinney)

Tina J. Kohr appeared before the committee to discuss her application. The committee discussed her record.

Motion by Alderperson Hou-Seye, seconded by Alderperson Hermann, to grant the license. Motion carried 4 - 0.

Troy J. Murray appeared before the committee to discuss his application. Mr. Murray indicated that he does not believe that his manufacture of THC conviction makes him ineligible for the license.

Motion by Alderperson Hou-Seye, seconded by Alderperson Hermann, to hold this matter to give Alderperson Hou-Seye the opportunity to read the statute which makes him ineligible. The statute was provided with the educational materials given to all committee members in April. Motion carried 3 - 1 (Alderperson Trester nay).

Devin P. Wollin failed to appear before the committee.

Motion by Alderperson Trester, seconded by Alderperson Hou-Seye, to deny the license application based upon Mr. Wollin s failure to accurately reveal all relevant convictions on his beverage operator s license application, his record of violations related to the licensed activity, his record as a repeat law violator, and his failure to cooperate with the committee. Motion carried 4 - 0.

Michael McKinney failed to appear before the committee.

Motion by Alderperson Trester, seconded by Alderperson Hermann, to deny the license application based upon Mr. McKinney s record of violations related to the licensed activity, his record as a repeat law violator, and his failure to cooperate with the committee. Motion carried 4 - 0.

R.O. No. 104 - 16 - 17 (9 - 6 - 16) Submitting various license applications for the period ending December 31, 2016, June 30, 2017 and June 30, 2018. Various License Applications: "Class A" Liquor Lic. App. No. 3220 -J Mart Liquor (Basudev Adhikari, Agent); Bev. Op. Lic. App. Nos. 8441 (Hector R. Capetillo-Alvarez), 1462 (Erin L. Winscher)

Basudev Adhikari failed to appear before the committee to discuss his application for a Class A liquor license for the proposed J Mart Liquor to be located at 2206 North 15 th Street. Discussion regarding the fact that the committee had voted 3 - 1 at its September 13 th meeting to revise its policy and remove the language which allows convenience stores/mini-marts also selling gasoline or other motor fuels to be issued Class A liquor licenses.

Motion by Alderperson Hou-Seye, seconded by Alderperson Hermann, to approve this license subject to Mr. Adhikari submitting plans that are acceptable. Alderperson Holzschuh and Alderperson Trester both indicated that they will not vote in favor of this license as their constituents and the Sheboygan Police Department do not want more liquor sold in this neighborhood. Motion failed 2 - 2. (Alderperson Holzschuh and Alderperson Trester nay).

Motion by Alderperson Hou-Seye, seconded by Alderperson Hermann, to refer this license application to the Common Council with no recommendation. Motion carried 3 - 1 (Alderperson Trester nay).

Hector R. Capetillo-Alvarez 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 Hou-Seye, seconded by Alderperson Hermann, to grant the license contingent upon the application being corrected, and with a warning to include all relevant information on future applications. Motion carried 3 - 1 (Alderperson Trester nay).

Erin L. Winscher appeared before the committee to discuss her application. The committee discussed her record and her failure to include violations on her application.

Motion by Alderperson Holzschuh, seconded by Alderperson Hermann, to grant the license contingent upon the application being corrected, and with a warning to include all relevant information on future applications. Motion carried 3 - 1 (Alderperson Hou-Seye nay).

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

Motion by Alderperson Trester, seconded by Alderperson Hermann, to grant a

license with a warning, contingent upon the application being corrected, to Bev. Op. Lic. App. No. 1482 (Donovan D. Burt). Motion carried 4 - 0.

Motion by Alderperson Hou-Seye, seconded by Alderperson Hermann, to grant a license to Bev. Op. Lic. App. No. 9277 (Nicholas R. Kamada). Motion carried 4 - 0.

Motion by Alderperson Hou-Seye, seconded by Alderperson Trester, to grant a license with a warning, contingent upon the application being corrected, to Bev. Op. Lic. App. No. 6164 (Katherine L. Penkwitz). Motion carried 4 - 0.

Motion by Alderperson Trester, seconded by Alderperson Hermann, to grant a license with a warning, contingent upon the application being corrected, to Bev. Op. Lic. App. No. 1479 (Michelle L. Smith). Motion carried 4 - 0.

Motion by Alderperson Trester, seconded by Alderperson Hou-Seye, to grant a license with a warning, contingent upon the application being corrected, to Bev. Op. (Club) Lic. App. No. 1485 (Todd EJ Wendland). Motion carried 4 - 0.

Motion by Alderperson Trester, seconded by Alderperson Hou-Seye, to amend R.O. 116 16 - 17 to add Taxicab Driver Lic. App. No. 1477 (David C. Shaffer) and to grant a license with a warning, contingent upon the application being corrected, to Mr. Shaffer. Motion carried 4 - 0.

Motion by Alderperson Hou-Seye, seconded by Alderperson Trester, to call in Taxicab Driver Lic. App. No. 1486 (Lashelle T. Tatum) to discuss her application with the committee. Motion carried 4 - 0.

Motion by Alderperson Hou-Seye, 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 Lt. Adams 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 October 11, 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 Hermann, to adjourn at 3: 40 p.m. Motion carried 4 - 0.