

City of Sheboygan
2016-09-13

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CITY OF SHEBOYGAN

COMMITTEE ON LAW AND LICENSING MINUTES

SEPTEMBER 13, 2016

MEMBERS PRESENT:

Chair Alderperson Susan Holzschuh, Vice Chair Alderperson Roman Draughon,
Alderperson Job Hou-Seye, Alderperson Rosemarie Trester

MEMBERS EXCUSED:

Alderperson Mark Hermann

STAFF/OFFICIALS PRESENT:

City Attorney Charles C. Adams, Lt. William Adams, Licensing Clerk Cinda
Langhoff, City Administrator Darrell Hofland, Finance Director Nancy Buss, Kathy
Hoffman

OTHERS PRESENT: Avdil Luma, Steve L. Ferguson, Danielle F. Johannsen, Joshua
J. Lohse, Kristin Guske

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 August 23, 2016 meeting

Motion by Alderperson Draughon, seconded by Alderperson Trester, to approve the minutes of the previous meeting held August 23, 2016. Motion carried 4 - 0.

2. 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: Class B Fermented Malt Beverage and Class C Wine Lic. App. No. 3216 -Cruisers (Avdil Luma, Agent); Bev. Op. Lic. App. Nos. 1351 (Steve L. Ferguson), 1356 (Danielle F. Johannsen), 0603 (Tina J. Kohr), 1411 (Joshua J. Lohse), 1906 (Troy J. Murray), 1407 (Devin P. Wollin); Taxicab Driver Lic. App. Nos. 1439 (Michael McKinney), 1682 (Patricia A. Morton)

Chair Alderperson Holzschuh recused herself from any discussions regarding Cruisers and Avdil Luma and indicated that she would abstain from voting on this matter. Vice Chair Alderperson Draughon chaired the meeting beginning at 2: 35 p.m.

Avdil Luma 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 Trester, seconded by Alderperson Hou-Seye, 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 - 0 - 1 (Alderperson Holzschuh abstain).

Alderperson Holzschuh resumed chairing the meeting at 2: 42 p.m.

Steve L. Ferguson appeared before the committee to discuss his application. The committee discussed his record.

Motion by Alderperson Draughon, seconded by Alderperson Trester, to grant the license. Motion carried 4 - 0.

Danielle F. Johannsen 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 Hou-Seye, 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 3 - 1 (Alderperson Draughon nay).

Tina J. Kohr failed to appear before the committee.

Motion by Alderperson Draughon, seconded by Alderperson Trester, to request via certified mailing Ms. Kohr s appearance before the committee at its September 27 th meeting. Motion carried 4 - 0.

Joshua J. Lohse 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 Holzschuh, 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.

Troy J. Murray failed to appear before the committee.

Motion by Alderperson Draughon, seconded by Alderperson Trester, to request via certified mailing Mr. Murray s appearance before the committee at its September 27 th meeting. Motion carried 4 - 0.

Devin P. Wollin failed to appear before the committee.

Motion by Alderperson Draughon, seconded by Alderperson Trester, to request via certified mailing Mr. Wollin s appearance before the committee at its September 27 th meeting. Motion carried 4 - 0.

Michael McKinney failed to appear before the committee.

Motion by Alderperson Draughon, seconded by Alderperson Hou-Seye, to request via certified mailing Mr. McKinney s appearance before the committee at its September 27 th meeting. Motion carried 4 - 0.

Patricia A. Morton failed to appear before the committee and had telephoned the City Attorney s Office to indicate that she would not be appearing today and had no intention of appearing before the committee.

Motion by Alderperson Holzschuh, seconded by Alderperson Trester, to deny the license application based upon Ms. Morton s failure to accurately reveal all relevant convictions on her taxicab driver s license application, her record of violations related to the licensed activity, and her failure to cooperate with

the committee. Motion carried 4 - 0.

R.O. No. 103 - 16 - 17 (9 - 6 - 16) Submitting the attached summary of the 2017 Executive Budget for the General Fund, Special Revenue Funds, Debt Services Funds, Capital Projects Funds, Internal Service Funds, Enterprise Funds and Fiduciary Funds. The 2016 estimated, 2016 amended, 2015 actual and 2014 actual amounts are included for comparison.

Motion by Alderperson Draughon, seconded by Alderperson Hou-Seye, to recommend the Common Council approve R.O. 103 - 16 - 17 by the City Administrator regarding the City Attorney 2017 budget as presented. Motion carried 4 - 0.

Discussion and possible action regarding revised Policy Statement on Issuance of Original "Class A" Intoxicating Liquor Licenses

Motion by Alderperson Trester, seconded by Alderperson Holzschuh, to approve the committee's revised Policy Statement on Issuance of Original Class A Intoxicating Liquor Licenses which removes the provision which allows convenience stores/mini-marts also selling gasoline or other motor fuels to be issued Class A liquor licenses. Motion carried 3 - 1 (Alderperson Hou-Seye nay).

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

Motion by Alderperson Holzschuh, seconded by Alderperson Trester, to call in Class A Liquor Lic. App. No. 3220 -J Mart Liquor (Basudev Adhikari, Agent) to discuss his application with the committee. Motion carried 4 - 0.

Motion by Alderperson Trester, seconded by Alderperson Draughon, to grant a license with a warning, contingent upon the application being corrected, to Bev. Op. Lic. App. No. 1445 (Robert T. Barber). Motion carried 4 - 0.

Motion by Alderperson Draughon, seconded by Alderperson Holzschuh, to grant a license to Bev. Op. Lic. App. No. 8933 (Dylan D. Brunette). Motion carried 4 - 0.

Motion by Alderperson Trester, seconded by Alderperson Draughon, to call in Bev. Op. Lic. App. No. 8441 (Hector R. Capetillo-Alvarez) to discuss his application with the committee. Motion carried 4 - 0.

Motion by Alderperson Hou-Seye, seconded by Alderperson Holzschuh, to grant a license with a warning, contingent upon the application being corrected, to Bev. Op. Lic. App. No. 6675 (Stacy A. Ford). Motion carried 4 - 0.

Motion by Alderperson Draughon, seconded by Alderperson Trester, to grant a license to Bev. Op. Lic. App. No. 2771 (Ramona K. Priem). Motion carried 4 - 0.

Motion by Alderperson Trester to call in App. No. 1447. Motion died for lack of a second. Motion by Alderperson Holzschuh, seconded by Alderperson Draughon, to grant a license to Bev. Op. Lic. App. No. 1447 (Nicholas M. Schmidt). Motion carried 3 - 1 (Alderperson Trester nay).

Motion by Alderperson Draughon, seconded by Alderperson Hou-Seye, to grant a license with a warning, contingent upon the application being corrected, to Bev. Op. Lic. App. No. 6448 (Timothy J. Schmidt). Motion carried 4 - 0.

Motion by Alderperson Hou-Seye, seconded by Alderperson Draughon, to grant a license with a warning, contingent upon the application being corrected, to Bev. Op. Lic. App. No. 1471 (Jacob P. Van Engen). Motion carried 4 - 0.

Motion by Alderperson Trester, seconded by Alderperson Hou-Seye, to grant a license to Bev. Op. Lic. App. No. 8824 (Hollie S. Wagner). Motion carried 4 - 0.

Motion by Alderperson Hou-Seye to call in App. No. 9866. Motion died for lack of a second. Motion by Alderperson Holzschuh, seconded by Alderperson Draughon, to grant a license with a warning, contingent upon the application being corrected, to Bev. Op. Lic. App. No. 9866 (Mandy J. Wargo). Motion carried 4 - 0.

Motion by Alderperson Draughon, seconded by Alderperson Hou-Seye, to grant a license with a warning, contingent upon the application being corrected, to Bev. Op. Lic. App. No. 1470 (Darren J. Weimann). Motion carried 4 - 0.

Motion by Alderperson Draughon, seconded by Alderperson Trester, to call in Bev. Op. Lic. App. No. 1462 (Erin L. Winscher) to discuss her application with the committee. Motion carried 4 - 0.

Motion by Alderperson Draughon, seconded by Alderperson Hou-Seye, 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.

3. CLOSING OF MEETING

Set time, date and place of next meeting

The next committee meeting is scheduled to be held on September 27, 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 3:44 p.m. Motion carried 4 - 0.