

City of Sheboygan
2016-08-09

ACFQXN6B5526

CITY OF SHEBOYGAN

COMMITTEE ON LAW AND LICENSING MINUTES

AUGUST 9, 2016

MEMBERS PRESENT:

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

MEMBERS EXCUSED:

Alderperson Job Hou-Seye

STAFF/OFFICIALS PRESENT:

Assistant City Attorney Rose Simon-Silva, Lt. William Adams, City Clerk Susan Richards, Mayor Mike Vandersteen, City Administrator Darrell Hofland, Director of Planning & Development Chad Pelishek, Alderperson Mary Lynne Donohue, Alderperson Scott Lewandoske

OTHERS PRESENT:

Jeremy J. Dekker, Michelle L. Passmore, Leon Velez, Juan D. Coronado, Daniel H. Mitchell, Tracy Wallner, Cynthia D. Christman, Joshua J. Malson, Eric S. Schroeter, Rebecca L. Urbina, Basudev Adhikari, Dave Repinski, Leah Ulatowski

OPENING OF MEETING

Call meeting to order

Chairperson Lessard 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 July 26, 2016 meeting

Motion by Alderperson Draughon, seconded by Alderperson Trester, to approve the minutes of the previous meeting held July 26, 2016. All ayes; motion carried.

ITEMS FOR DISCUSSION AND POSSIBLE ACTION

R.O. No. 69 - 16 - 17 (7 - 5 - 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. [NEW] App. Nos. 5314 (Victoria M. Beaumont), 1099 (Irenita M. Cosey), 8459 (Jeremy J. Dekker), 0302 (Jonathan M. Meins), 5729 (Michelle L. Passmore), 9880 (Leon A. Velez); Bev. Op. Lic. [RENEW] App. Nos. 7570 (Juan D. Coronado), 0664 (Nathaniel D. Gottsacker); Taxicab Driver Lic. [NEW] App. No. 1132 (Daniel H. Mitchell)

Victoria M. Beaumont failed to appear before the committee. Motion by Alderperson Draughon, seconded by Alderperson Trester, to deny the license application based upon Ms. Beaumont's failure to accurately reveal all relevant convictions on her beverage operator'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. All ayes; motion carried.

Irenita M. Cosey failed to appear before the committee. Motion by Alderperson Draughon, seconded by Alderperson Trester, to deny the license application based upon Ms. Cosey's failure to accurately reveal all relevant convictions on her beverage operator's license application, her record of violations related to the licensed activity, and her failure to cooperate with the committee. All ayes; motion carried.

Jeremy J. Dekker appeared before the committee to discuss his application. After discussion of his record, motion by Alderperson Draughon, seconded by Alderperson Trester, to grant the license. All ayes; motion carried.

Jonathan M. Meins failed to appear before the committee. Motion by Alderperson Draughon, seconded by Alderperson Trester, to deny the license application based upon Mr. Meins' ineligibility for a beverage operator's license, his record of

violations related to the licensed activity, his record as a repeat law violator, and his failure to cooperate with the committee. All ayes; motion carried.

Michelle L. Passmore appeared before the committee to discuss her application. After discussion of her record and her failure to include violations on her application, motion by Alderperson Draughon, 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. All ayes; motion carried.

Leon Velez appeared before the committee to discuss his application. After discussion of his record, motion by Alderperson Draughon, seconded by Alderperson Trester, to grant the license. All ayes; motion carried.

Juan D. Coronado appeared before the committee to discuss his application. After discussion of his record, motion by Alderperson Draughon, seconded by Alderperson Trester, to grant the license.

Motion carried 3 - 0 - 1 (Alderperson Hermann abstain).

Nathaniel D. Gottsacker failed to appear before the committee. Motion by Alderperson Trester, seconded by Alderperson Hermann, to deny the license renewal application based upon Mr. Gottsacker s failure to accurately reveal all relevant convictions on his beverage operator s application, his record of four recent convictions in 2016 related to the licensed activity, his record as a repeat law violator, and his failure to cooperate with the committee. All ayes; motion carried.

Daniel H. Mitchell appeared before the committee to discuss his application. After discussion of his record and his failure to include a violation on his application, motion by Alderperson Hermann, seconded by Alderperson Draughon, to grant the license contingent upon the application being corrected, and with a warning to include all relevant information on future applications. All ayes; motion carried.

R.O. No. 75 - 16 - 17 (7 - 18 - 16) Submitting various license applications for the period ending December 31, 2016, June 30, 2017 and June 30, 2018. Various License Applications: Massage Establishment Lic. App. No. 3210 -Tranquil Remedies LLC (Tracy Wallner, Agent); Bev. Op. Lic. App. Nos. 1183 (Tosha M. Barr), 9410 (Cynthia D. Christman), 1226 (Antobeli A. Garcia), 8607 (Joshua J. Malson), 7934 (Eric S. Schroeter), 0629 (Rebecca L. Urbina)

Tracy Wallner appeared before the committee to discuss her application. After discussion of her record and her failure to include violations on her 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. All ayes; motion carried.

Tosha M. Barr failed to appear before the committee. Motion by Alderperson Draughon, seconded by Alderperson Trester, to request via certified mailing Ms. Barr s appearance before the committee at its August 23 rd meeting. All ayes; motion carried.

Cynthia D. Christman appeared before the committee to discuss her application. The Sheboygan Police Department had a negative recommendation. After discussion of her record and her failure to include violations on her application, motion by Alderperson Trester, seconded by Alderperson Draughon, to deny the license application based upon Ms. Christman s failure to accurately reveal all relevant convictions on her beverage operator s license application, her record of violations related to the licensed activity, and her record as a repeat law violator. Motion carried 3 - 1 (Alderperson Hermann nay).

Antobeli A. Garcia failed to appear before the committee. Motion by Alderperson Draughon, seconded by Alderperson Trester, to request via certified mailing Mr. Garcia s appearance before the committee at its August 23 rd meeting. All ayes; motion carried.

Joshua J. Malson appeared before the committee to discuss his application. After discussion of his record, motion by Alderperson Draughon, seconded by Alderperson Trester, to grant the license. All ayes; motion carried.

Eric S. Schroeter appeared before the committee to discuss his application. After discussion of his record, motion by Alderperson Draughon, seconded by Alderperson Trester, to grant the license. All ayes; motion carried.

Rebecca L. Urbina appeared before the committee to discuss her application. After discussion of her record, motion by Alderperson Draughon, seconded by Alderperson Trester, to grant the license. All ayes; motion carried.

Possible action regarding "Class A" Liquor Lic. No. 3007 -Tidy Store of Sheboygan (Basudev Adhikari, Agent)

Basudev Adhikari appeared before the committee and apologized for revising the liquor store plans and not following the conditions set by the committee on April 26, 2016 when the license was approved. He indicated that no actual construction work has taken place yet, but he does plan to start very soon. He assured the committee that he will comply with the conditions set forth on April 26, 2016. Motion by Alderperson Draughon, seconded by Alderperson Trester, to hold this matter to give Mr. Adhikari time to contact the building inspection department to obtain approval of the final plans, at which time the Law & Licensing committee will need to approve the final plans prior to construction work commencing. All ayes; motion carried.

Charter Ord. No. 1 - 16 - 17 (8 - 1 - 16) An ordinance (being subject to the

home rule provisions of sec. 66.0101 of the Wisconsin Statutes) to maintain the number of alderpersons in the City of Sheboygan at 16

ACA Simon-Silva informed the committee that there is a major time problem with this ordinance because charter ordinances do not go into effect immediately, rather there is a 60 -day period after publication during which the public has an opportunity to object to the change. If this charter ordinance was approved by a supermajority at the next council meeting, it would not go into effect until late October. If an objection were properly filed via a petition, there would be a conflict regarding the eight aldermanic positions up for election in the Spring. The legal opinion of the City Attorney s office is that this charter ordinance is untimely and should not be passed. Motion by Alderperson Trester, seconded by Alderperson Draughon, to recommend to the Common Council that this charter ordinance be referred to the Committee of the Whole. All ayes; motion carried.

R.O. No. 86 - 16 - 17 (8 - 1 - 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 Hermann, to call in Bev. Op. Lic. App. No. 7460 (Stephanie M. Garcia) to discuss her application with the committee. All ayes; motion carried.

Motion by Alderperson Hermann to call in App. No. 6708. Motion died for lack of a second. 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. 6708 (Larschelby E. Kidd). All ayes; motion carried.

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. 1291 (Janny Vue). All ayes; motion carried.

Motion by Alderperson Hermann, seconded by Alderperson Draughon, to call in Taxicab Driver Lic. App. No. 9846 (Celia M. Waraich) to discuss her application with the committee. All ayes; motion carried.

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. All ayes; motion carried.

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

ACA Simon-Silva and Lt. Adams indicated that they had no such violations to report at this time.

Brief discussion regarding the possibility of having instruction sheets for those individuals who are carding, issuing wristbands, and serving at festivals. Lt. Adams indicated that the Police Department will discuss this.

CLOSING OF MEETING

Set time, date and place of next meeting

The next committee meeting is scheduled to be held on August 23, 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. All ayes; motion carried.

There being no further business to come before the committee, the meeting was adjourned at 4: 09 p.m.

Generated by Kathy Hoffman on Friday, August 12, 2016