

MINUTES - COMMITTEE ON LAW AND LICENSING

(Tuesday, April 26, 2016, 2: 30 P.M.)Generated by Kathy Hoffman on Wednesday,
April 27, 2016

Members Present:

Chairperson Ald. Susan Lessard, Vice Chairperson Ald. Roman Draughon, Ald.
Mark Hermann, Ald. Job Hou-Seye, Ald. Rosemarie TresterOthers in Attendance:

City Attorney Charles C. Adams, City Clerk Susan Richards, Lt. William Adams,
City Administrator Darrell Hofland, Attorney Peter Mayer, Julie Selby, Benjamin
F. Heyman, Basudev Adhikari, David Repinski

OPENING OF MEETING

Call meeting to order

Chairperson Lessard 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 April 12, 2016 meeting

A motion to approve the minutes of the previous meeting held April 12, 2016 was
made by Ald. Trester and seconded by Ald. Hermann.

All ayes; motion approved.

Presentations to the Committee by City Attorney's Office and City Clerk's Office

ACA Adams discussed the various types of licenses the committee will be dealing with, and also other issues the committee will handle, including ordinance changes, quasi-judicial hearings on the suspension/revocation of licenses, and matters referred to the City's ethics board.

City Clerk Susan Richards discussed the licensing process in the City of Sheboygan and discussed the various licenses handled by the City Clerk's office.

ITEMS FOR DISCUSSION AND POSSIBLE ACTION

Adoption of the policies and procedures of the Law & Licensing Committee

Copies of the following policies/procedures of the committee were distributed and discussed briefly:

Guidelines To Be Used For Granting & Denial of Liquor Licenses

Policy Statement on Issuance of Original Class A Intoxicating Liquor Licenses

A motion to adopt the policies and guidelines of the Law & Licensing Committee was made by Ald. Trester and seconded by Ald. Draughon.

All ayes; motion approved.

2.2 R.C. No. 375 - 15 - 16 (4 - 18 - 16) [see also R.O. No. 311 - 15 - 16 (3 - 21 - 16)] Submitting various license applications for the period ending December 31, 2016 and June 30, 2017. Various License Applications: Fermented Malt Bev. Lic. App. No. 3184 -Board & Brush Creative Studio (Julie Selby, Agent); Bev. Op. Lic. App. No. 1058 (Tayna J. Housey); Taxicab Driver Lic. App. Nos. 0465 (Curtis W. Dewitt), 1032 (Fernando Gomez), 7782 (Benjamin F. Heyman)

Julie Selby appeared before the committee to discuss her application.

Following a lengthy discussion regarding the various rules for licensed premises, Ms. Selby indicated that she will be certain that anyone serving alcohol at Board & Brush has a beverage operator s license.

She will also indicate on the website that no alcohol will be served to adults who are present at children s parties.

Ald. Hermann moved, seconded by Ald. Hou-Seye, to grant the license.

All ayes; motion approved.

Tayna J. Housey failed to appear before the committee.

Ald. Trester moved, seconded by Ald. Hermann, to deny the license application based upon Ms. Housey 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. Four ayes and one nay (Ald. Hou-Seye); motion approved.

Curtis W. Dewitt failed to appear before the committee.

Ald. Trester moved, seconded by Ald. Hermann, to deny the license application based upon Mr. Dewitt s failure to accurately reveal all relevant convictions on his taxicab driver 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. All ayes; motion approved.

Fernando Gomez failed to appear before the committee.

Ald. Hermann moved, seconded by Ald. Trester, to deny the license application based upon Mr. Gomez s failure to accurately reveal all relevant convictions on his taxicab driver 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. All ayes; motion approved.

Benjamin F. Heyman appeared before the committee to discuss his application.

After discussion of his record and his failure to include violations on his application, Ald. Trester moved, seconded by Ald. 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 approved.

R.C. No. 376 - 15 - 16 (4 - 18 - 16) [see also R.O. No. 323 - 15 - 16 (4 - 6 - 16)] Submitting various license applications for the period ending December 31, 2016 and June 30, 2017. Various License Applications: "Class A" Liquor Lic. App. No. 3187 -Sheboygan Liquor Depot (Basudev Adhikari, Agent)

Basudev Adhikari appeared before the committee to discuss his application.

Mr. Adhikari indicated that the former Tidy Car on 14 th Street is going to be two separate businesses (gas station/mini mart and liquor store) with two separate entrances and separate cash registers.

The two premises do have one common wall with a door that separates the two businesses.

That door will not be used by customers.

Ald. Hermann moved, seconded by Ald. Hou-Seye, to grant the license.

Ald. Trester amended the motion, seconded by Ald. Hou-Seye, to grant the license contingent upon having keyed locks on both sides of the inner door adjoining the two separate businesses, with only the owner and/or employees having access to the key to said inner door.

All ayes; motion approved.

R.O. No. 341 - 15 - 16 (4 - 18 - 16) Submitting various license applications for the period ending December 31, 2016 and June 30, 2017

Due to objections raised by the condominium association regarding common areas, Ald. Draughon moved, seconded by Ald. Trester, to call in Alc. Bev. Lic. No. 2880 -Anglers Avenue Pub & Grill (Paul Roberts, Agent) to discuss the change of premise application with the committee.

All ayes; motion approved.

Ald. Draughon moved, seconded by Ald. Hou-Seye, to grant a license with a warning, contingent upon the application being corrected, to Bev. Op. Lic. App. No. 1163 (Sarah M. Albert).

All ayes; motion approved.

Ald. Hermann moved, seconded by Ald. Draughon, to call in Bev. Op. Lic. App. No. 1126 (Tyler C. Brunnbauer) to discuss his application with the committee.

All ayes; motion approved.

Ald. Hou-Seye moved, seconded by Ald. Trester, to grant a license with a warning, contingent upon the application being corrected, to Bev. Op. Lic. App. No. 1339 (Jonny Aurora Ibanez).

All ayes; motion approved.

Ald. Draughon moved, seconded by Ald. Trester, to grant a license to Bev. Op. Lic. App. No. 1184 (Louis E. Rowden).

All ayes; motion approved.

Ald. Hou-Seye moved to grant a license with a warning, contingent upon the application being corrected, to App. No. 1339.

Motion died for lack of a second.

Ald. Trester moved, seconded by Ald. Hermann, to call in Taxicab Driver Lic. App. No. 1339 (Jonny Aurora Ibanez) to discuss his application with the committee.

All ayes; motion approved.

Ald. Hou-Seye moved, seconded by Ald. Draughon, to call in Taxicab Driver Lic. App. No. 1344 (Scott D. Schubr) to discuss his application with the committee.

All ayes; motion approved.

Ald. Draughon moved, seconded by Ald. Trester, to call in Taxicab Driver Lic. App. No. 9065 (Derek L. Rejholec) to discuss his application with the committee, and also to grant the remainder of the license applications for individuals and entities listed on the above-referenced R.O.

All ayes; motion approved.

R.C. No. 374 - 15 - 16 (4 - 18 - 16) [see also R.O. No. 324 - 15 - 16 (4 - 6 - 16)] Communication from Paul and Lisa Roberts. Submitting a communication from Paul and Lisa Roberts, owners of Anglers Avenue Pub and Grill, 518 S. Pier Dr., to propose an expansion of operations on a seasonal basis to include a vacant (.1 acre) lot adjacent to Anglers Avenue

ACA Adams informed the committee that this communication shouldn't have been referred to this committee.

Also, Mr. & Mrs. Roberts are now handling the issues surrounding building the walkway in a different manner and, therefore, this document can be filed.

Ald. Draughon moved, seconded by Ald. Lessard, to file the communication.

All ayes; motion approved.

Discussion and possible action regarding bringing eligibility standards for liquor licenses in line with State guidelines

ACA Adams presented the committee with a draft amendment to our ordinance regarding Class B (fermented malt beverages) premises to bring our ordinance up-to-date with recent changes in State statutes, in order to allow movie theaters and painting studios to obtain such a license.

Ald. Draughon moved, seconded by Ald. Trester, to approve the ordinance and submit it to the common council with a favorable recommendation.

All ayes; motion approved.

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 May 10, 2016 at 2: 30 p.m. in the Common Council Chambers located at City Hall, 828 Center Avenue.

Motion to adjourn

Ald. Draughon made a motion to adjourn.

Ald. Trester seconded the motion.

All ayes; motion approved.

There being no further business to come before the committee, the meeting was adjourned at 3: 40 p.m.