

MINUTES - COMMITTEE ON LAW AND LICENSING (Tuesday, October 27, 2015, 2: 00 P.M.) Generated by Kathy Hoffman on Thursday, October 29, 2015

Members Present:

Chairperson Ald. Jodi VanderWeele, Vice Chairperson Ald. Susan Lessard, Ald. Roman Draughon, Ald. Mark Hermann, Ald. Todd Wolf Others in Attendance:

City Attorney Charles C. Adams, Lt. William Adams, Licensing Clerk Cinda Langhoff, Mayor Michael Vandersteen, Jesicca N. Nemeth, Devonte L. Thomas, Scott Wachowski, Brian Zerger, Marc Ehler, Shawn Schoen, Scott Versey, Frank Lubotsky, Janet Sly, David Sly, Dave Repinski, Judith Meyer, Jan Ziegler, Tommy Lloyd, Joe Brost, Victor Guenther, David Nennig, Paul Roberts, Ignacio Mendiola, Penny MacLaughlin, Patrick Martin, Anthony Ranieri, John Ranieri, Barry Drews, Michelle McDaniel, Jason Violetta, Renee Kramer, Ronda Udovich, Susie McMahan, Terry Lawrence, Sue Lawrence, Vanessa Oelhafen, Brandon Jovanovich, Jerald Bales, Matt Schloss, Jason Neels, Ozgur Acar, Ryan Lehmann, Tommy Phalin, James Passmore, Kevin Beck, Jena Beninghaus, Tom Beninghaus, Doug Gilman, Jacob Hinz, Curt Hinz, Peggy Brennan, John Stange, Wayne Emmer, Scott Grunert

OPENING OF MEETING

1.1

Call meeting to order Chairperson VanderWeele called the meeting to order at 2: 02 p.m.

1.2

Pledge of Allegiance The Pledge of Allegiance was recited.

1.3

Introduction of Committee members, staff and guests

1.4

Approval of the minutes of the October 13, 2015 meeting A motion to approve the minutes of the previous meeting held October 13, 2015 was made by Ald. Lessard and seconded by Ald. Wolf.

All ayes; motion approved.

2.

ITEMS FOR DISCUSSION AND POSSIBLE ACTION

2.1

R.O. No. 157 - 15 - 16 (9 - 21 - 15) Submitting various license applications for the period ending December 31, 2015 and June 30, 2017. Various License Applications: Taxicab Driver Lic. App. No. 0910 (Steven A. Lemieux) Steven A. Lemieux failed to appear before the committee.

Ald. Lessard moved, seconded by Ald. Hermann, to deny the license application based upon Mr. Lemieux'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.

2.2

R.O. No. 168 - 15 - 16 (10 - 5 - 15) Submitting various license applications for the period ending December 31, 2015 and June 30, 2017. Various License Applications: Bev. Op. Lic. App. Nos. 0925 (Juwane Bonner), 9781 (Jesicca N. Nemeth), 0919 (Megan D. Smith); Taxicab Driver Lic. App. No. 0923 (Devonte L. Thomas) Juwane Bonner failed to appear before the committee.

Ald. Lessard moved, seconded by Ald. Draughon, to request via certified mailing Mr. Bonner's appearance before the committee at its November 10th meeting.

All ayes; motion approved.

Jesicca N. Nemeth appeared before the committee to discuss her application.

After discussion of her record, Ald. Draughon moved, seconded by Ald. Lessard, to grant the license.

All ayes; motion approved.

Megan D. Smith failed to appear before the committee.

Ald. Lessard moved, seconded by Ald. Wolf, to request via certified mailing Ms. Smith's appearance before the committee at its November 10th meeting.

All ayes; motion approved.

Devonte L. Thomas appeared before the committee to discuss his

application.

After discussion of his record, Ald. Hermann moved, seconded by Ald. VanderWeele, to grant the license.

All ayes; motion approved.
2.3

R.O. No. 182 - 15 - 16 (10 - 19 - 15) Submitting various license applications for the period ending December 31, 2015 and June 30, 2017 Ald. Lessard moved, seconded by Ald. Wolf, to grant a license with a warning, contingent upon the application being corrected, to Class B Liquor Lic. App. No. 3159 -Big Mike s Sports Bar & Grill. All ayes; motion approved.

Ald. Hermann moved, seconded by Ald. Wolf, to grant a license to Fermented Malt Bev. and Class C Wine Lic. App. No. 3022 -Paradigm.

All ayes; motion approved.

Ald. Lessard moved, seconded by Ald. Wolf, to grant a license to Bev. Op. Lic. App. No. 0929 (Cherilyn A. Mayr).

All ayes; motion approved.

Ald. Lessard moved, seconded by Ald. Wolf, to grant a license with a warning, contingent upon the application being corrected, to Bev. Op. Lic. App. No. 0934 (Emily A. Rosa).

All ayes; motion approved.

Ald. Hermann moved, seconded by Ald. Lessard, to call in Taxicab Driver Lic. App. No. 9294 (Monica Torres) to discuss her application with the committee.

All ayes; motion approved.

Ald. Lessard moved, seconded by Ald. Wolf, to call in Taxicab Driver Lic. App. No. 0935 (Lola Yang) to discuss her application with the committee.

All ayes; motion approved.

Ald. Lessard moved, seconded by Ald. Wolf, to grant the remainder of the license applications for individuals and entities listed on the above-referenced R.O.

All ayes; motion approved.
2.4

Discussion and possible action regarding Alc. Bev. Lic. 3136 -Frank's Place (Scott A. Wachowski, Agent) Scott Wachowski appeared before the committee and explained that he still plans to renovate the bar and is requesting a 90 day extension.

He indicated that the roof was replaced several months ago and he then provided a copy of the building permit for the roof.

Ald. Lessard moved, seconded by Ald. Wolf, to recommend that the Common Council grant an extension to Frank s Place under the continuation of business ordinance until January 26, 2016, contingent upon Mr. Wachowski voluntarily surrendering the license on January 26, 2016 if the business is not open yet.

All ayes; motion approved.
2.5

Presentations by potential applicants for available "Class B" alcohol beverage licenses There is presently one Class B alcohol beverage license available.

Brian Zerger and Marc Ehler, Scott Versey, and Shawn Schoen all appeared before the committee to present their cases regarding pre-applications for the available license.

Brian Zerger and Marc Ehler spoke on behalf of BoMallies.

BoMallies presently has a popular food truck and wants to open a caf,/restaurant at 2427 Calumet Drive (location of Salon Shibui).

They will be leasing the back two-thirds of the building.

Ready to open by January and would seat 35 - 40.

Scott Versey spoke regarding a wine bar that would be on the rooftop of Cosmic Bounce at 802 Blue Harbor Drive.

Seating capacity of 130.

There would be live music and a gazebo.

Open by the end of April serving wine and beer.

Shawn Schoen spoke regarding the old Down Under bar located in Econo Lodge.

He is working on a lease with the owner of Econo Lodge and could be open in approximately one month.

Mayor Vandersteen indicated that Aaron Sloma of Parker John s BBQ is also still interested in a license for his new shanty/restaurant on the riverfront, but Mr. Sloma was not present at the meeting to make a presentation.

2.6

Discussion and action regarding granting opportunity to apply for available "Class B" alcohol beverage licenses A motion was made by Ald. Lessard, seconded by Ald. Hermann, to invite BoMallies to apply for the available Class B alcohol beverage license within seven (7) days.

All ayes; motion approved.

2.7

Gen. Ord. No. 30 - 15 - 16 (10 - 19 - 15) An ordinance pursuant to sec. 125.10, Wis. Stats., creating section 10 - 47 of the Sheboygan Municipal Code, entitled "Duties of Persons Serving Alcoholic Beverages" so as to regulate the behavior of persons licensed to serve alcohol Ald. Lessard explained that she had introduced this proposed ordinance in order to begin a discussion with the bar owners regarding this topic and to determine whether or not most bar owners have a policy regarding drinking on duty and intoxicated bartenders.

Approximately 10 bar owners addressed the committee with their comments and questions regarding the proposed ordinance.

The majority of those bars do already have a policy in place.

Ald. Lessard indicated that she and Police Chief Domagalski will plan to attend the next meeting of the Tavern Safety Coalition on November 9 th to further discuss this matter with bar owners.

Ald. Lessard moved, seconded by Ald. Hermann, to file Gen. Ord. No. 30 - 15 - 16. 2.8

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.

Lt. Adams informed the committee that, at the request of Ald. Lessard, he had checked into a couple of recent police calls in the vicinity of Dave s Who s Inn and had determined that the tavern was not directly involved.

3.

CLOSING OF MEETING

3.1

Set time, date and place of next meeting The next committee meeting is scheduled to be held on November 10, 2015 at 2: 00 p.m. in the Common Council Chambers located at City Hall, 828 Center Avenue.

3.2

Motion to adjourn Ald. Lessard made a motion to adjourn.

Ald. Wolf seconded the motion.

All ayes; motion approved. There being no further business to come before the committee, the meeting was adjourned at 3: 29 p.m.