

MINUTES - COMMITTEE ON LAW AND LICENSING (Tuesday, May 26, 2015, 2: 00 P.M.)
Generated by Kathy Hoffman on Friday, May 29, 2015

Members Present:

Chairperson Ald. Jodi VanderWeele, Vice Chairperson Ald. Susan Lessard, Ald.
Mark Hermann Excused:

Ald. Eldon Burg, Ald. David Van Akkeren Others in Attendance:

City Attorney Charles C. Adams, Lt. William Adams, Licensing Clerk Cinda
Langhoff, Chief Chris Domagalski, Officer Paul Graening, Officer Steven
Schnabel, Officer Sarah Blodgett, Jason Smathers, Brian Zaversnik, Ben T.
Klinzing, Steven J. Widucki, Michele Schillingowski, Dalys Tveten

1. OPENING OF MEETING

1.1

Call meeting to order Chairperson VanderWeele called the meeting to order at
2: 00 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 May 12, 2015 meeting A motion to approve the
minutes of the previous meeting held May 12, 2015 was made by Ald. Lessard and
seconded by Ald. Hermann.

All ayes; motion approved.

2. ITEMS FOR DISCUSSION AND POSSIBLE ACTION

2.1

R.O. No. 10 - 15 - 16 (5 - 4 - 15) Submitting various license applications for
the period ending December 31, 2015 and June 30, 2016 and June 30, 2017. Various
License Applications: "Class B" Liquor Lic. [NEW] App. No. 3126 -Brian's Down

Under Music Bar (Brian Zaversnik, Agent); Taxicab Driver Lic. [NEW] App. No. 6868 (Ben T. Klinzing) Brian Zaversnik appeared before the committee to discuss his application.

After discussion of his record and his failure to include violations on his application, Ald. Lessard moved, seconded by Ald. 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 approved. Ben T. Klinzing appeared before the committee to discuss his application.

After discussion of his record and his failure to include violations on his application, Ald. Hermann moved, seconded by Ald. Lessard, to deny the license application based upon Mr. Klinzing s failure to accurately reveal all relevant convictions on his taxicab driver s license application, his record of violations related to the licensed activity, and his record as a repeat law violator.

All ayes; motion approved.
2.2

Hearing on the appeal of Steven J. Widucki finding his dog to be a vicious animal, pursuant to Sec. 18 - 47 (i)(2), Sheboygan Municipal Code Ald. VanderWeele called the hearing to order at 2: 11 p.m. with appearances by CA Adams to advise the committee in their function as finder of law and fact, Police Chief Chris Domagalski on behalf of the Sheboygan Police Department, and Steven J. Widucki appearing in person.

Chief Domagalski presented his case and provided the committee with details regarding the various incidents involving the dog named Sophie and his initial determination that the dog is a vicious animal.

Officer Paul Graening and Officer Sarah Blodgett were present as witnesses on behalf of the Sheboygan Police Department and were sworn in and questioned by Chief Domagalski.

Documents and photos were marked as police department s Exhibits 1, 1 A through 1 C, and 2 and offered as evidence.

Copies were provided to Mr. Widucki.

Mr. Widucki also questioned Officer Graening.

Steven J. Widucki presented his case and informed the committee that he was appealing the determination because he does not believe that his dog Sophie is vicious.

Mr. Widucki was sworn in and presented his narrative of the various incidents involving Sophie.

CA Adams allowed Chief Domagalski to ask Mr. Widucki questions.

Chief Domagalski requested that Mr. Widucki read aloud his written statement dated March 29, 2015 which was then marked as police department s Exhibit 4 B.

Michele Schillingowski was sworn in and questioned by Mr. Widucki.

Ms. Schillingowski presented photos of Sophie which were marked as defendant s Exhibits 1 through 9.

Chief Domagalski cross-examined Ms. Schillingowski and offered as evidence dog bite photos marked as police department s Exhibits 4 A and 5 A.

Dalys Tveten was sworn in and questioned by Mr. Widucki.

Chief Domagalski recalled Officer Blodgett and she answered questions regarding police reports which were marked as police department s Exhibits 2 and 5.

Chief Domagalski called Officer Steven Schnabel as a witness and he was sworn in and answered questions regarding police reports which were marked as police department s Exhibits 3 and 4.

There were no objections to the following exhibits being made part of the record:

Police department s exhibits 1, 1 A, 1 B, 1 C, 2, 3, 4, 4 A, 4 B, 5, 5 A; defendant s exhibits 1 - 9.

CA Adams indicated that the Vicious Dog Notice dated April 8, 2015 and also the letter from Mr. Widucki dated May 7, 2015 appealing the vicious dog finding were also being made a part of the record.

Closing statements were made by Chief Domagalski and Steven J. Widucki.

3. CLOSED SESSION

3.1

MOTION TO CONVENE IN CLOSED SESSION under the exemption provided in Sec.

19.85 (1)(a) of the Wisconsin Statutes for the purpose of deliberation concerning action to be taken regarding the appeal of Steven J. Widucki
MOTION TO CONVENE IN CLOSED SESSION was made by Ald. Lessard and seconded by Ald. Hermann under the exemption provided in
19.85 (1)(a) of the Wisconsin Statutes for the purpose of deliberation concerning action to be taken regarding the appeal of Steven J. Widucki.

All ayes; motion carried.

4. RECONVENE IN OPEN SESSION MOTION TO RECONVENE IN OPEN SESSION was made by Ald. Lessard and seconded by Ald. Hermann.

All ayes; motion carried.

The committee took a two minute recess at 3: 21 p.m.
4.1

Possible action regarding appeal of Steven J. Widucki The committee found that Mr. Widucki s dog Sophie caused a serious injury to a person, and attacked a person in such a manner as to result in an injury to the person when such person was conducting himself peacefully and lawfully on property other than that of the owner of the attacking dog.

Ald. Lessard moved, seconded by Ald. Hermann, to uphold Chief Domagalski s determination that Sophie is deemed vicious.

All ayes; motion approved.
4.2

R.O. No. 27 - 15 - 16 (5 - 18 - 15) Submitting various license applications [businesses] for the period ending June 30, 2016 Ald. Lessard moved, seconded by Ald. Hermann, to call in Class B Liquor Lic. [RENEW] App. No. 1799 -George Michaels I (James T. Passmore, Agent) to discuss his application with the committee. All ayes; motion approved.

Ald. Lessard moved, seconded by Ald. Hermann, to grant the remainder of the license applications for entities listed on the above-referenced R.O. All ayes; motion approved.
4.3

R.O. No. 28 - 15 - 16 (5 - 18 - 15) Submitting various license applications [individuals] for the period ending December 31, 2015 and June 30, 2017

Ald. Lessard moved, seconded by Ald. Hermann, to call in Bev. Op. Lic. [NEW] App. No. 0749 (Brooke A. Adamavich) to discuss her application with the committee.

All ayes; motion approved.

Ald. Lessard moved, seconded by Ald. Hermann, to grant a license with a warning, contingent upon the application being corrected, to Bev. Op. Lic. [NEW] App. No. 0764 (Jeremy L. Augustin).

All ayes; motion approved.

Ald. Lessard moved, seconded by Ald. Hermann, to call in Bev. Op. Lic. [NEW] App. No. 0754 (Amber L. Brousseau) to discuss her application with the committee.

All ayes; motion approved.

Ald. Lessard moved, seconded by Ald. Hermann, to grant a license with a warning, contingent upon the application being corrected, to Bev. Op. Lic. [NEW] App. No. 0761 (Patrick R. Czubkowski).

All ayes; motion approved.

Ald. Lessard moved, seconded by Ald. Hermann, to grant a license to Bev. Op. Lic. [NEW] App. No. 0759 (Katie H. Eickermann).

All ayes; motion approved.

Ald. Lessard moved, seconded by Ald. Hermann, to grant a license to Bev. Op. Lic. [NEW] App. No. 4074 (Jesse F. Krueger).

All ayes; motion approved.

Ald. Lessard moved, seconded by Ald. Hermann, to grant a license to Bev. Op. Lic. [NEW] App. No. 7982 (Amber L. Leonhardt).

All ayes; motion approved.

Ald. Lessard moved, seconded by Ald. Hermann, to grant a license to Bev. Op. Lic. [NEW] App. No. 2677 (Robert E. Meyer).

All ayes; motion approved.

Ald. Lessard moved, seconded by Ald. Hermann, to grant a license with a warning, contingent upon the application being corrected, to Bev. Op. Lic. [NEW] App. No. 0756 (Sadie E. Stiefvater).

All ayes; motion approved.

Ald. Lessard moved, seconded by Ald. Hermann, to call in Bev. Op. Lic. [NEW] App. No. 0742 (Nicholas C. Walker) to discuss his application with the committee.

All ayes; motion approved.

Ald. Lessard moved, seconded by Ald. Hermann, to grant a license with a warning, contingent upon the application being corrected, to Bev. Op. Lic. [NEW] App. No. 0748 (Sydney R. Werner).

All ayes; motion approved.

Ald. Lessard moved, seconded by Ald. Hermann, to call in Bev. Op. Lic. [RENEW] App. No. 8432 (Alexandra K. Wellman) to discuss her application with the committee.

All ayes; motion approved.

Ald. Lessard moved, seconded by Ald. Hermann, to grant the remainder of the license applications for individuals listed on the above-referenced R.O. All ayes; motion approved.
4.4

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.

5. CLOSING OF MEETING

5.1

Set time, date and place of next meeting The next committee meeting is scheduled to be held on June 9, 2015 at 2: 00 p.m. in the Common Council Chambers located at City Hall, 828 Center Avenue.

5.2

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

Ald. Hermann seconded the motion.

All ayes; motion approved.

There being no further business to come before the committee, the meeting was adjourned at 3: 34 p.m.

