

**\*\*\*ATTACHMENTS\*\*\***

**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

**1. OPENING OF MEETING**

1.1 Call meeting to order

Chair Alderperson Holzschuh called the meeting to order at 2:32 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 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**

2.1 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 27th 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 27th 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 27th 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 27th 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.

2.2 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.

### 2.3 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).

### 2.4 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.

2.5 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**

3.1 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.

3.2 Motion to adjourn

Motion by Alderperson Trester, seconded by Alderperson Draughon, to adjourn at 3:44 p.m. Motion carried 4-0.

II

Other matters

7.1

R. O. No. 95 - 16 - 17. By CITY CLERK. August 15, 2016.

Submitting various license applications for the period ending December 31, 2016, June 30, 2017 and June 30, 2018.

*Law & Lic*

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City Clerk

CHANGE OF PREMISE

<u>No.</u>	<u>Name</u>	<u>Address</u>
2742	8 <sup>th</sup> Street Ale Haus	1132 N. 8 <sup>th</sup> St. - two-day event to be Held 9/16/17 & 9/17/16 to include parking lot/alley between 8 <sup>th</sup> and 9 <sup>th</sup> St., Erie & St. Claire Ave.
1040	Brennan's on Michigan	1101 Michigan Ave. - two-day event to be held 9/24 -9/25, 2016 to include current premise and the west & south parking lots.

"CLASS B" LIQUOR LICENSE (June 30, 2017)

<u>No.</u>	<u>Name</u>	<u>Address</u>
3218	Lakeview Wine Bar	802 Blue Harbor Dr.
3217	Parker Johns BBQ & Pizza	705 Riverfront Dr.

"CLASS B" FERMENTED MALT BEVERAGE (June 30, 2017)

<u>No.</u>	<u>Name</u>	<u>Address</u>
3216	Cruisers	3740 S. Taylor Dr.

"CLASS C" WINE (June 30, 2017)

<u>No.</u>	<u>Name</u>	<u>Address</u>
3216	Cruisers	3740 S. Taylor Dr.

BEVERAGE OPERATOR'S LICENSE (June 30, 2018)

<u>No.</u>	<u>Name</u>	<u>Address</u>
1428	Allard, Kyle P.	1415 N. 7 <sup>th</sup> St.
1384	Aschenbach, Marc R.	817 Z Ct.
8611	Basler, Katlin R.	261 Osthoff Ave., Elkhart Lake
1332	Beardsley, Amber L.	4543 S. 16 <sup>th</sup> St.
6455	Behnke, Barbara J.	1006 N. 16 <sup>th</sup> St.
9830	Butcher, Brandi A.	163 Rochester Dr., Sheb. Falls
1343	Doyle, Margaret E.	N2035 Pine Beach Rd. S, Oostburg
1351	Ferguson, Steve L.	1834 N. 27 <sup>th</sup> St.
1392	Fricke, Stephanie Ania	910 New York Ave.
1391	Hanson, Savannah June	930 Pershing Ave.
1388	Her, Mai C.	1607 Illinois Ave.
1356	Johannsen, Danielle F.	3924 Country Place, #D
0603	Kohr, Tina J.	1308 S. 9 <sup>th</sup> St.
1377	Krump, Cheryl A.	2133 Bollmann Dr., #2C
4094	Kummer, Lynn M.	W2931 Pine Tree Circle, Sheb. Falls
1411	Lohse, Joshua J.	2106 S. 14 <sup>th</sup> St.
1765	Loiselle, Timothy L.	2025 Folger Ct.
1406	Miler, Tara A.	1415 N. 7 <sup>th</sup> St.
1906	Murray, Troy J.	515 S. 15 <sup>th</sup> St.
1387	Negrete, Vanessa M.	927 Dillingham Ave.
5690	Schaefer, Tammy L.	1519 Fieldstone Ln., Howards Grove
0414	Schwinn, Samantha L.	1627 Saemann Ave.
1371	Stumpy, Brianna R.	3516A S. 12 <sup>th</sup> St., #21
1407	Wollin, Devin P.	1610A Maryland Ave.

TAXICAB DRIVER'S LICENSE (December 31, 2016)

<u>No.</u>	<u>Name</u>	<u>Address</u>
1439	McKinney, Michael	1927 N. 7 <sup>th</sup> St.
1682	Morton, Patricia A.	3114 N. 9 <sup>th</sup> St.

II

Other Matters

8.2

R. O. No. 104 - 16 - 17. By CITY CLERK. September 6, 2016.

Submitting various license applications for the period ending December 31, 2016, June 30, 2017 and June 30, 2018.

*Law & Lic*

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City Clerk

CHANGE OF PREMISE

<u>No.</u>	<u>Name</u>	<u>Address</u>
3183	Sprecher's Restaurant	820 Indiana Ave. - one-day event to be Held 10/8/16 to include current premise and the private parking lot on the Northeast corner of property.
2943	Superior Bar & Grill	2607 Superior Ave. - one-day event to be held 9/24/16 to include current premise and the North and West side of the building.
2566	That Place on 8 <sup>th</sup>	1432 S. 8 <sup>th</sup> St. - one-day event to be held 10/8/16 to include current premise and the parking lot east of building.

"CLASS A" LIQUOR LICENSE (June 30, 2017)

<u>No.</u>	<u>Name</u>	<u>Address</u>
3220	J Mart Liquor	2206 N. 15 <sup>th</sup> St.

BEVERAGE OPERATOR'S LICENSE (June 30, 2018)

<u>No.</u>	<u>Name</u>	<u>Address</u>
1445	Barber, Robert T.	1444 S. 24 <sup>th</sup> St., #2
8496	Bilgrien, Danielle M.	1732 Knollcrest Dr.
8933	Brunette, Dylan D.	1018 Los Angeles Ave.
8441	Capetillo-Alvarez, Hector R.	2834 S. 12 <sup>th</sup> St.
1469	Clark, Jacqueline M.	1025 Willow Ave., #101
1461	Collins, Nicole L.	2040 Folger Ct.
6675	Ford, Stacy A.	715 Alabama Ave.
1474	Huber, Max G.	1818 N. 8 <sup>th</sup> St.

1460 Klima, Joangela N.	1524 Washington Ave.
1454 Klockow, Derek A.	5119 Hidden Creek Dr.
1463 Lee, Chee Dra	1303 N. 47 <sup>th</sup> St.
1465 Owensby, Roy Robert	725 Kentucky Ave., #A
2871 Perronne, Daniel L.	W2799 Cty Rd. N, Sheb. Falls
2771 Priem, Ramona K.	W2252 North St., Sheb. Falls
0673 Reichardt, Jamie L.	2031 Cooper Ave.
1447 Schmidt, Nicholas M.	4819 S. 13 <sup>th</sup> St.
6448 Schmidt, Timothy J.	2416 N. 34 <sup>th</sup> St.
1471 Vanengen, Jacob P.	533 S. 26 <sup>th</sup> St.
8824 Wagner, Hollie S.	1205 Mead Ave.
9866 Wargo, Mandy J.	3627 N. 20 <sup>th</sup> St.
1470 Weimann, Darren J.	302 Wahgouly Rd.
1462 Winscher, Erin L.	W5208 Cty Rd. O., Plymouth

TAXICAB DRIVER'S LICENSE (December 31, 2016)

<u>No.</u>	<u>Name</u>	<u>Address</u>
1456	Lewis, Bobby R.	611 N. Water St., #406

