



City of West Allis

7525 W. Greenfield Ave.
West Allis, WI 53214

Meeting Minutes

License & Health Committee

Aldersperson Michael J. Czaplewski, Chair

Aldersperson Daniel J. Roadt, Vice-Chair

Alderspersons: Kevin Haass, Michael P. May, Martin J. Weigel

Tuesday, June 28, 2016

6:00 PM

City Hall Room 128

REGULAR MEETING

A. CALL TO ORDER

The meeting was called to order by Chair Czaplewski at 6:00 p.m.

B. ROLL CALL

Present 5 - Ald. Czaplewski, Ald. Roadt, Ald. Haass, Ald. May, and Ald. Weigel

Others present: Neal A. Steffek, David Ainsworth, Angela J. Hernandez, Donna K. Jenkins, Elizabeth A. Stanczyk, Jordann M. Fricker, Jaget Jeet Randhawa, Ald. Rosalie Reinke, Ald. Vincent Vitale, Ald. Cathleen Probst, Bart Griepentrog, Planner I, Lt. Jessica Johnson, West Allis Police Dept., Nicholas Cerwin, Assistant City Attorney and Ann Marie Neff, Secretary to the Committee.

C. APPROVAL OF MINUTES

1. [2016-0385](#) Minutes (draft) of the License & Health Special meeting of June 7, 2016, recess meetings of June 7, 2016 and June 21, 2016.

Attachments: [060716 LH special Minutes \(draft\)](#)
[060716 LH recess Minutes \(draft\)](#)
[062116 LH recess Minutes \(draft\)](#)

A motion was made by Ald. Roadt, seconded by Ald. May, that this matter be Approved. The motion carried unanimously.

D. NEW AND PREVIOUS MATTERS

2. [2016-0438](#) 2016-2017 Class B Tavern license renewal application no. 2080, and Dance Hall license renewal application no. 2081 of Steffek LLC, Neal A. Steffek, Agent, d/b/a The Drunk Uncle, for premises located at 1902 S. 68 St.

Appearance by Neal A. Steffek. Discussion ensued regarding Mr. Steffek's police report.

A motion was made by Ald. Weigel, seconded by Ald. Haass, that this matter was Recommended for Approval subject to the necessary requirement(s). The motion carried by the following vote:

Aye: 5 - Ald. Czaplewski, Ald. Roadt, Ald. Haass, Ald. May, and Ald. Weigel

No: 0

3. [2016-0421](#) 2016-2017 Used Vehicle Dealer License application no. 2300 of Trailblazing Auto Sales, LLC, David Ainsworth, Agent, d/b/a Trailblazing Auto Sales, for the premises located at 5730 W. Lincoln Avenue.
- Appearance by David Ainsworth. Discussion ensued regarding Mr. Ainsworth's police report.*
- A motion was made by Ald. Haass, seconded by Ald. May, that this matter was Recommended for Approval subject to the necessary requirement(s). The motion carried by the following vote:**
- Aye:** 5 - Ald. Czaplewski, Ald. Roadt, Ald. Haass, Ald. May, and Ald. Weigel
- No:** 0
4. [2016-0429](#) 2016-2017 Food Peddler Permit no. 2332 of Joseph Brown.
- Nonappearance of Joseph Brown. Mr. Brown did not contact the Clerk's Office. The Committee requested he be ordered to appear at the next scheduled License & Health meeting.*
- This matter was Held.**
5. [2016-0439](#) 2016-2018 Operator's License (bartender/sales clerk) application no. 18-151 of Cynthia L. Tice.
- Nonappearance of Cynthia L. Tice. Ms. Tice did not contact the Clerk's Office. The Committee requested she be ordered to appear at the next scheduled License & Health meeting.*
- This matter was Held.**
6. [2016-0405](#) 2016-2017 Operator's License (bartender/sales clerk) application no. 17-472 of Angela J. Hernandez.
- Appearance by Angela J. Hernandez. Discussion ensued regarding Ms. Hernandez's experience and police report. Ms. Hernandez was reminded to check identification, call the Police for any signs of trouble, be cooperative with the Police when they arrive, and of the City's Compliance Check Program.*
- A motion was made by Ald. Haass, seconded by Ald. Weigel, that this matter was Recommended For Approval. The motion carried by the following vote:**
- Aye:** 5 - Ald. Czaplewski, Ald. Roadt, Ald. Haass, Ald. May, and Ald. Weigel
- No:** 0

7. [2016-0406](#) 2016-2017 Operator's License (bartender/sales clerk) application no. 17-479 of Donna K. Jenkins.

Appearance by Donna K. Jenkins. Discussion ensued regarding Ms. Jenkins' police report. Ms. Jenkins was cautioned that a third OWI conviction could result in revocation of her Operator's License (bartender/sales clerk).

A motion was made by Ald. Haass, seconded by Ald. Roadt, that this matter was Recommended For Approval. The motion carried by the following vote:

Aye: 5 - Ald. Czaplewski, Ald. Roadt, Ald. Haass, Ald. May, and Ald. Weigel

No: 0

8. [2016-0407](#) 2016-2018 Operator's License (bartender/sales clerk) application no. 18-142 of Elizabeth A. Stanczyk.

Appearance by Elizabeth A. Stanczyk. Discussion ensued regarding Ms. Stanczyk's police report.

A motion was made by Ald. Haass, seconded by Ald. May, that this matter was Recommended For Approval. The motion carried by the following vote:

Aye: 5 - Ald. Czaplewski, Ald. Roadt, Ald. Haass, Ald. May, and Ald. Weigel

No: 0

9. [2016-0274](#) 2016-2017 Operator's License (bartender/sales clerk) application no. 17-452 of Jordann M. Fricker.

Appearance by Jordann M. Fricker. Discussion ensued regarding Ms. Fricker's police report.

A motion was made by Ald. Roadt, seconded by Ald. Weigel, that this matter was Recommended For Approval. The motion carried by the following vote:

Aye: 5 - Ald. Czaplewski, Ald. Roadt, Ald. Haass, Ald. May, and Ald. Weigel

No: 0

10. [2016-0350](#) 2015-2017 Operator's License (bartender/sales clerk) application no. 17-464 of Sean A. Hurab.

Nonappearance by Sean A. Hurab. Mr. Hurab contacted the Clerk's Office and stated he no longer needed this license.

A motion was made by Ald. May, seconded by Ald. Roadt, that this matter was Recommended to be Placed on File. The motion carried by the following vote:

Aye: 5 - Ald. Czaplewski, Ald. Roadt, Ald. Haass, Ald. May, and Ald. Weigel

No: 0

11. [2016-0355](#) 2016-2018 Operator's License (bartender/sales clerk) application no. 18-120 of Renata Serceki.

Second nonappearance of Renata Serceki. Ms. Serceki did not contact the Clerk's Office. Recommended denial based on two (2) nonappearances.

A motion was made by Ald. Weigel, seconded by Ald. May, that this matter was Recommended for Denial based on two (2) nonappearances. The motion carried by the following vote:

Aye: 5 - Ald. Czaplewski, Ald. Roadt, Ald. Haass, Ald. May, and Ald. Weigel

No: 0

12. [2016-0356](#) 2016-2018 Operator's License (bartender/sales clerk) application no. 18-121 of Jaget Jeet Randhawa.

Appearance by Jaget Jeet Randhawa. Discussion ensued regarding Mr. Randhawa's police report.

A motion was made by Ald. Weigel, seconded by Ald. Haass, that this matter was Recommended for Denial based on an incomplete application and the police report. The motion carried by the following vote:

Aye: 5 - Ald. Czaplewski, Ald. Roadt, Ald. Haass, Ald. May, and Ald. Weigel

No: 0

13. [2016-0351](#) 2016-2017 Operator's License (bartender/sales clerk) application no. 17-466 of Connor J. Hutchinson.

Nonappearance of Connor J. Hutchinson. Chair Czaplewski stated that Mr. Hutchinson contacted him regarding the circumstances for his nonappearance and discussed Mr. Hutchinson's police report.

A motion was made by Ald. Haass, seconded by Ald. May, that this matter was Recommended For Approval. The motion carried by the following vote:

Aye: 5 - Ald. Czaplewski, Ald. Roadt, Ald. Haass, Ald. May, and Ald. Weigel

No: 0

14. [2016-0272](#) Summons and Complaint in the matter of the complaint against J.K. Lau Investments, LLC, Jeffrey K. Lau, Agent, for the premises located at 5632 W. Burnham St., d/b/a 57 Bar (2015-2016 Class B Tavern License no. 2071 and Food Related Permit). (Dated: 5-16-16).

Findings & Recommendations were approved at the Common Council meeting on June 21, 2016.

This matter was Recommended For Approval and to be Placed on File on a Block Vote.

15. [2016-0156](#) Summons and Complaint in the matter of the complaint against J.K. Lau Investments, LLC, Jeffrey K. Lau, Agent, for the premises located at 5632 W. Burnham St., d/b/a 57 Bar (2015-2016 Class B Tavern License no. 2071, and Food Related Permit). (Dated: 3-14-16).

Attachments: [Summons 57 Bar 3-22-16](#)
[Complaint 57 Bar 3-22-16](#)

See legislative file no. 2016-0272.

This matter was Recommended to be Placed on File on a Block Vote.

Passed The Block Vote

A motion was made by Ald. May, seconded by Ald. Weigel, to approve all the actions on the preceding items on a Block Vote. The motion carried by the following vote:

Aye: 5 - Ald. Czaplewski, Ald. Roadt, Ald. Haass, Ald. May, and Ald. Weigel

No: 0

16. [2016-0011](#) Communication from Assistant City Attorney regarding failure to follow the terms of the payment agreement for delinquent 2014 personal property taxes signed on February 24, 2015, for 5632 W. Burnham St., 57 Bar, Jeffrey K. Lau, Agent, dated December 14, 2015.

Attachments: [Atty. comm. re:delq ppt](#)

See legislative file no. 2016-0272.

This matter was Recommended to be Placed on File on a Block Vote.

17. [2015-0622](#) Communication from Assistant City Attorney regarding failure to follow the terms of the payment agreement for delinquent 2014 personal property taxes signed on February 24, 2015, for 5632 W. Burnham St., 57 Bar, Jeffrey K. Lau, Agent, dated August 14, 2015.

Attachments: [Atty. comm. 57 Bar nonpayment of PPTs](#)

See legislative file no. 2016-0272.

This matter was Recommended to be Placed on File on a Block Vote.

Passed The Block Vote

A motion was made by Ald. Roadt, seconded by Ald. Haass, to approve all the actions on the preceding items on a Block Vote. The motion carried by the following vote:

Aye: 5 - Ald. Czaplewski, Ald. Roadt, Ald. Haass, Ald. May, and Ald. Weigel

No: 0

18. [O-2016-0002](#) Ordinance to Create Subsections 7.032(1)(f)-(j), (3)(b)-(c), (4)(f), (5)(b) and (11) of the West Allis Revised Municipal Code Relating to Smoking Prohibition in Certain Areas.

Sponsors: Ald. Reinke and Ald. Vitale

Attachments: [Assoc Mortality Long-Term Exposures Fine & Ultrafine Particles. Species & Sources](#)
[California EPA Chemicals Known Cause Cancer-Reproductive Toxicity E-Cigarettes & Smoke-free Laws](#)
[E-Cigarettes Threaten Public Health Advances-Article](#)
[E-Cigarettes-An Overview](#)
[E-Cigs Damage DNA in Lab Study-Article](#)
[Flavoring Chemicals in E-Cigarettes](#)
[Harmful Chemicals Electronic Cigarettes](#)
[State Health Officer's Report on E-Cigarettes](#)
[WMA Statement E-Cigarettes & Other Electronic Nicotine Delivery Systems](#)
[Use E-Cigarettes Impairs Indoor Air Quality \(A\)](#)
[Nicotine in E-Cigarettes. Tobacco Linked to Heart Disease \(A\)](#)
[E-Cigarettes in the Indoor Environment \(A\)](#)
[E-Cigarette Factsheet_ A Growing Concern](#)
[Vaporizers E-Cig & ENDS](#)
[Retailer Overview of FDA](#)
[ATTO-Create SubSec 7.032\(1\)\(f\)-\(j\) \(3\)\(b\)-\(c\) \(11\) SmokeProhibAreas Update 6-7-16 Mark Up](#)
[ATTO-Create SubSec 7.032\(1\)\(f\)-\(j\) \(3\)\(b\)-\(c\) \(11\) SmokeProhibAreas Update July 5-Marked](#)

Appearance by Ald. Reinke, Ald. Vitale, & Ald. Probst. Discussion ensued regarding limiting the places electronic smoking would be allowed, public health and safety, advantages or disadvantages for the City to ban electronic smoking in certain areas, whether to wait until the state puts a ban on electronic cigarettes, and taking rights away from the citizens. Ald. Barczak submitted an email opposing limitations set on electronic smoking areas.

A motion was made by Ald. Haass, seconded by Ald. May that this matter was Recommended for Passage. The motion failed by the following vote:

Aye: 2 - Ald. Haass, & Ald. May

No: 3 - Ald. Czaplewski, Ald. Roadt, & Ald. Weigel

A motion was made by Ald. Weigel, seconded by Ald. Roadt, that this matter was Recommended for Disapproval. The motion carried by the following vote:

Aye: 3 - Ald. Czaplewski, Ald. Roadt, and Ald. Weigel

No: 2 - Ald. Haass, and Ald. May

19. [O-2016-0011](#) Ordinance to Create Section 9.36 of the West Allis Revised Municipal Code Relating to Electronic Smoking Device Sales.

Sponsors: Ald. Reinke

Attachments: [New CDC Study Calls to Poison Centers](#)
[E-Cigarette Use Among Middle & High School Students](#)
[Smokers use E-Cigarettes to get high](#)
[Undercover-Dangerous synthetic drugs sold to teens](#)
[Police Warn New Way to Use Drugs Plain Sight](#)
[Vaping Latest Scourge in Drug Abuse](#)
[E-Cigarettes in the Indoor Environment \(A\)](#)
[Harmful Chemicals Electronic Cigarettes \(A\)](#)
[WMA Statement E-Cigarettes & Other Electronic Nicotine Delivery Systems \(A\)](#)
[E-Cigarettes-An Overview \(A\)](#)
[Flavoring Chemicals in E-Cigarettes \(A\)](#)
[State Health Officer's Report on E-Cigarettes \(A\)](#)
[E-Cigarettes Threaten Public Health Advances-Article \(A\)](#)
[E-Cigs Damage DNA in Lab Study-Article \(A\)](#)
[Summary Results-Lab Analysis E-Cigarettes Conducted by FDA \(A\)](#)
[E-Cigarettes & Smoke-free Laws \(A\)](#)
[Use E-Cigarettes Impairs Indoor Air Quality \(A\)](#)
[Assoc Mortality Long-Term Exposures Fine & Ultrafine Particles. Species & Sources \(A\)](#)
[E-Cigarette Factsheet A Growing Concern](#)
[ATTO-Create Sec 9 36 E Smoke Sales Update 6-7-16 Mark Up](#)
[Vaporizers E-Cig & ENDS](#)
[Retailer Overview of FDA](#)
[ATTO-Create Sec 9 36 E Smoke Sales Update July 5](#)

Discussion ensued regarding this ordinance creating a licensing process for electronic smoking devices, whether existing businesses would be grandfathered in, the number of shops allowed in one area, the distance requirements from other types of shops, schools and public facilities or if that requirement would be through planning, whether these types of businesses would have a negative effect on property values or the City, whether a new license should be created for electronic smoking devices or allowed under the current Cigarette and Tobacco Products Sales License. The Committee directed Assistant City Attorney Cerwin to amend the ordinance.

This matter was Held.

E. ADJOURNMENT

A motion was made by Ald. Haass, seconded by Ald. Roadt, to adjourn at 7:25 p.m. The motion carried unanimously.

Respectfully submitted,

*Ann Marie Neff
Secretary to the Committee*