



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: Gary T. Barczak, Kevin Haass, Martin J. Weigel

Tuesday, March 3, 2015

7:40 PM

City Hall Room 128

RECESS MEETING (draft minutes)

A. CALL TO ORDER

The meeting was called to order by Chair Czaplewski at 7:40 p.m.

B. ROLL CALL

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

Others present: Krishnakant M. Patel and Raj Patel, Dawn M. Clark, Melissa M. Martin, Scott Post, City Attorney and Monica Schultz, City Clerk.

C. NEW AND PREVIOUS MATTERS

- 31. **O-2015-0018** Ordinance to Amend Subsection 7.035(11)(b) of the City of West Allis Revised Municipal Code Relating to Hearing on Variance Permit.

Sponsors: Ald. Czaplewski

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

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

No: 0

- 32. **2015-0128** 2015-2016 Used Vehicle Dealer License application(s).

This matter was Recommended for Approval subject to the necessary requirement(s) on a Block Vote.

- 33. **2015-0133** 2014-2015 Secondhand Article Dealer License application(s).

This matter was Recommended for Approval subject to the necessary requirement(s) on a Block Vote.

- 34. **2015-0134** 2015-2016 Mobile Home Park License application(s).

This matter was Recommended for Approval subject to the necessary requirement(s) on a Block Vote.

- 35. 2015-0143** Carnival Permit application no. 1 of the West Allis Police Department for National Night Out to be held at the West Allis Farmer's Market, 6501 W. National Ave., on July 27, 2015.
- This matter was Recommended for Approval subject to the necessary requirement(s) on a Block Vote.**
- 36. 2015-0144** Carnival Permit application no. 2 of Corina Wenzel for Wenzel Amazements at Immaculate Heart of Mary Church grounds, 1121 S. 116 St., from May 22-24, 2015.
- This matter was Recommended for Approval subject to the necessary requirement(s) on a Block Vote.**

Passed The Block Vote

A motion was made by Ald. Roadt, 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. Barczak, Ald. Haass, and Ald. Weigel

No: 0

- 37. 2015-0129** Operator's License (bartender/sales clerk) applications.
- This matter was Recommended For Approval on a Block Vote.**
- 38. 2015-0148** 2014-2015 Operator's License (bartender/sales clerk) application no. 15-568 for Rachel M. Krutsch.
- This matter was Held.**
- 39. 2015-0147** 2014-2016 Operator's License (bartender/sales clerk) application no. 16-268 for Sandra M. Perez.
- This matter was Held.**
- 40. 2015-0145** 2014-2015 Operator's License (bartender/sales clerk) application no. 15-450 for Alaa A. Mahmoud.
- This matter was Held.**
- 41. 2015-0146** 2014-2015 Operator's License (bartender/sales clerk) application no. 15-488 for Sidney T. Landis.
- This matter was Held.**

42. 2015-0142 2014-2015 Special Class B Beer and Wine License application(s).

This matter was Recommended For Approval on a Block Vote.

Passed The Block Vote

A motion was made by Ald. Weigel, seconded by Ald. Roadt, 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. Barczak, Ald. Haass, and Ald. Weigel

No: 0

43. 2015-0135 2014-2015 Special Instrumental Music Permit application no. 5 of Boz's, Inc., Shawn R. Lange, Agent, d/b/a Boz's Sports Bar, 1325 S. 70 St. (2014-2015 Class B Tavern License no. 448, Dance Hall License no. 496) to be held on April 18, 2015 9:00 p.m. to April 19, 2015 1:00 a.m. First (1st) permit application for license year 2014-2015.

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

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

No: 0

44. 2015-0136 2014-2015 Combination Class A Liquor License application no. 2175 of 81st Liquor, LLC, Krishnakant M. Patel, Agent, d/b/a Aryan's Liquor Store, for the premises located at 1568 S. 81 St. (new-existing location).

Appearance by Krishnakant M. Patel and Raj Patel.

A motion was made by Ald. Roadt, seconded by Ald. Barczak, 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. Barczak, Ald. Haass, and Ald. Weigel

No: 0

45. 2015-0130 2014-2015 Class B Tavern License application no. 2172 of DeRosia Enterprises, LLC. Dawn M. Clark, Agent, d/b/a The Drunken Duck, for premises located at 5906 W. Burnham St. (new-existing location).

Appearance by Dawn M. Clark.

A motion was made by Ald. Barczak, seconded by Ald. Roadt, 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. Barczak, Ald. Haass, and Ald. Weigel

No: 0

46. **2015-0019** Appointment of new agent, Dawn M. Clark, by Beer Gardens Entertainment, LLC, d/b/a The Drunken Duck, premises located at 5906 W. Burnham St. (2014-2015 Class B Tavern License no. 1743 and Instrumental Music License no. 1788).

See legislative file no. 2015-0130.

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

47. **2014-0714** Police Report involving The Drunken Duck, 5906 W. Burnham St. (2014-2015 Class B Tavern License no. 1743 and Instrumental Music License no. 1788 of Beer Garden Entertainment LLC, Lindsey Anne Guillermo. Agent, Incident Date: October 5, 2014).

See legislative file no. 2015-0130.

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

48. **2014-0715** Police Report involving The Drunken Duck, 5906 W. Burnham St. (2014-2015 Class B Tavern License no. 1743 and Instrumental Music License no. 1788 of Beer Garden Entertainment LLC, Lindsey Anne Guillermo. Agent, Incident Date: October 13, 2014).

See legislative file no. 2015-0130.

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

49. **2015-0065** Communication from Assistant City Attorney regarding the administrative dissolution of Beer Garden Entertainment, LLC., Lindsey Anne Guillermo, Agent, dba The Drunken Duck premises located at 5906 W. Burnham St.

Attachments: [City Atty. comm. Beer Garden Entertainment, LLC.01-15-15](#)

See legislative file no. 2015-0130.

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

50. **2014-0766** Police Department Report involving The Drunken Duck, 5906 W. Burnham St., (Hector E. Guillermo, 2013-2015 Operator's License (bartender/sales clerk) no. 15-156, Incident Date: October 13, 2014).

See legislative file no. 2015-0130.

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

Passed The Block Vote

A motion was made by Ald. Barczak, seconded by Ald. Roadt, 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. Barczak, Ald. Haass, and Ald. Weigel

No: 0

- 51. 2015-0132** Summons and Complaint in the matter of the complaint against 3M Management, LLC, Melissa M. Martin, Agent, for the premises located at 1900 S. 60 St., d/b/a M&M's Sports Bar (2014-2015 Class B Tavern License no. 1931, Dance Hall License no. 2063, Instrumental Music License no. 2064 and Local Food Permit).

Attachments: [M&M's Summons 3-3-15](#)
[M&M's Complaint 3-3-15](#)
[M&M's Affidavit of Service 2-24-15](#)

Appearance by Melissa M. Martin. Ms. Martin admitted to the allegations in the complaint except on item number 13, Ms. Martin said that she was able to produce beer receipts, and on item number 15, Ms. Martin clarified that she refilled liquor bottles brand for brand, did not use off-brands, and said that she did not deny to the police officer that she had refilled liquor bottles.

Ms. Martin said that she would rather not have a trial.

Discussion ensued regarding the admission to the allegations in the Complaint.

A motion was made by Ald. Barczak, seconded by Ald. Weigel, to issue Findings and Recommendation to revoke based on the licensee's answer to the complaint. The motion carried by the following vote:

Aye: 5 - Ald. Czaplewski, Ald. Roadt, Ald. Barczak, Ald. Haass, and Ald. Weigel
No: 0

- 52. 2015-0096** Department of Revenue Field Report from January 23, 2015 regarding 3M Management, LLC, (2014-2015 Class B Tavern License no. 1931, Dance Hall License no. 2063 and Instrumental Music License no. 2064, Melissa M. Martin, Agent, d/b/a M&M's Sports Bar, 1900 S. 60 St.).

Attachments: [DOR Field Report 3M Mngmnt 1-23-15](#)
[DOR 3M Mngmnt photograph 1-23-15](#)
[DOR 3M Mngmnt photographs 1-23-15](#)
[DOR Property Receipts 3M Mngmnt 1-23-15](#)

This matter was Held.

- 53. 2015-0106** Police Department Report involving M & M's Sports Bar, 1900 S. 60 St. (2014-2015 Class B Tavern License no. 1931, Dance Hall License no. 2063, and Instrumental Music License no. 2064) of 3M Management, LLC, Melissa M. Martin, Agent, Incident Date: January 23, 2015).

This matter was Held.

54. 2015-0071 Request from Melissa Martin, to amend the Plan of Operation for M&M's Sports Bar, to allow a Tavern Entertainment License and a DJ and karaoke for the current Instrumental Music License.

This matter was Held.

55. 2015-0126 Police Department Report regarding violation of the Wisconsin Indoor Clean Air Act Smoking Ban (5632 W. Burnham St., Sonya R. Bautista, Bartender License no. 15-204, Incident Date: February 3, 2015).

Attachments: [57 bar smoking ban violation](#)

Second nonappearance of Sonya R. Bautista. Ms. Bautista did not contact the Clerk's Office.

A motion was made by Ald. Haass, seconded by Ald. Barczak, that this matter was Referred for Summons and Complaint to the City Attorney for revocation based on noncompliance of the smoking ban and two (2) nonappearances. The motion carried by the following vote:

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

No: 0

D. ADJOURNMENT

The meeting adjourned at 8:07 p.m.

Respectfully submitted,

*Monica Schultz
City Clerk*