



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, August 25, 2015

6:00 PM

City Hall Common Council Chambers

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. Barczak, Ald. Haass, and Ald. Weigel

Others present: Matthew J. Herman, Mark S. Timber, Gary D. Johnson., Isabel M. Castillo, Kristina L. Martin, Natalie A. Bienenbender, Jon Robert Cervantes, Patrick R. Kosidowski, Gregory L. Tans, Robert J. Mold, Martha Garcia, Jill M. Lisowski, Michelle A. Felton, Theodore M. Galaszewski, Attorney Daniel Meylink, Daniel M. McGuire, Lt. Jessica Johnson, West Allis Police Dept., Jenna Merten, Assistant City Attorney, Sally Nusslock, West Allis Health Commissioner and Ann Marie Neff, Secretary to the Committee.

C. APPROVAL OF MINUTES

1. [2015-0623](#) Minutes (draft) of the License & Health special meeting of August 4, 2015 and recess meeting of August 4, 2015.

Attachments: [080415 LH special Minutes \(draft\)](#)
[080415 LH recess Minutes \(draft\)](#)

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

It was explained to all in attendance that the recommended actions of the Committee would be voted on by the Common Council on September 1, 2015. Any licenses approved could be picked up at the Clerk's Office between the hours of 10:00 a.m. and 3:00 p.m. After 3:00 p.m. they would be mailed out.

They were informed of the Cities Compliance Check Program, reminded to check identification, to call the police and to be cooperative when they arrive.

They were reminded to be courteous and respectful of the neighbors especially if their establishment was in a residential neighborhood.

D. NEW AND PREVIOUS MATTERS

- 2. [2015-0610](#) 2015-2016 Class B Tavern License application no. 2240, of T&M Sports Bar & Grill, LLC, Matthew J. Herman, Agent, d/b/a T&M Sports Bar, for premises located at 1022 S. 60 St. (new-existing location).

Appearance by Matthew J. Herman. Discussion ensued regarding Mr. Herman's experience with running a tavern and of the close proximity of residential homes. Mr. Herman's Public Entertainment Form was reviewed and he verified his answers.

A motion was made by Ald. Roadt, seconded by Ald. Weigel, 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

- 3. [2015-0616](#) 2015-2016 Class B Tavern License application no. 2244, of Lo N Slo, LLC, Mark S. Timber, Agent, d/b/a Lo N Slo, LLC, for premises located at 7420 W. Greenfield Ave. (new-existing location).

Appearance by Mark S. Timber. Discussion ensued regarding Mr. Timber's current experience.

A motion was made by Ald. Weigel, 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

- 4. [2015-0551](#) 2015-2016 Class B Tavern License application no. 2238 of WA Cheese & Sausage Shoppe, Inc., Mark S. Lutz, Agent, d/b/a Ka-Bob's Restaurant, 6801 & 6807 W. Becher Street (new-nonexisting location).

Attachments: [FIRE communication 9-1-15](#)

No appearance was required. Chair Czaplewski stated that the property at 9141 W. National Ave. was purchased by FIRE, and FIRE has agreed to transfer the Class B Tavern License to 6801 & 6807 W. Becher St.

A motion was made by Ald. Barczak, seconded by Ald. Weigel, 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

5. [2015-0615](#) 2015-2016 Adult-Oriented Establishment Operator Permit application no. 2241 of Jonekka E. Glenn.

Nonappearance of Jonekka E. Glenn. Ms. Glenn did not contact the Clerk's Office. The Committee requested she be ordered to appear at the next regular scheduled License & Health Meeting.

This matter was Held.

6. [2015-0381](#) 2015-2017 Operator's License (bartender/sales clerk) renewal application no. 17-158 for Gary D. Johnson.

Appearance by Gary D. Johnson. Mr. Johnson informed the Committee that his pending court date will be going to jury trial on November 4th. The Committee directed Mr. Johnson to inform the Clerk's Office of the decision when it is made. The License & Health Committee would then vote on his renewal application. Mr. Johnson was told he would not need to appear in September.

This matter was Held.

7. [2015-0558](#) 2015-2017 Operator's License (bartender/sales clerk) renewal application no. 17-316 for Isabel M. Castillo.

Appearance by Isabel M. Castillo. Discussion ensued regarding Ms. Castillo's nonappearance and her satisfying the payment regarding the warrant.

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

No: 0

8. [2015-0604](#) 2015-2017 Operator's License (bartender/sales clerk) application no. 17-328 for Kristina L. Martin.

Appearance by Kristina L. Martin. Discussion ensued regarding Ms. Martin's police report. She was told to be a partner with the police, not to be afraid of them, and to not lie to them.

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. Barczak, Ald. Haass, and Ald. Weigel

No: 0

9. [2015-0605](#) 2015-2017 Operator's License (bartender/sales clerk) application no. 17-329 for Natalie A. Biendenbender.

Appearance by Natalie A. Biendenbender. Ms. Biendenbender told the Committee that she mailed her renewal application but that the post office failed to deliver it. She was out of town and did not realize her license was not renewed.

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

No: 0

10. [2015-0606](#) 2015-2016 Operator's License (bartender/sales clerk) application no. 16-339 for Jennifer D. Nelson.

Nonappearance of Jennifer D. Nelson. Ms. Nelson did not contact the Clerk's Office. The Committee requested she be ordered to appear at the next regular scheduled License & Health Meeting.

This matter was Held.

13. [2015-0596](#) Police Department Report involving Jonny Hammers, 6300 W. Lincoln Ave., Jonny Hammers, LLC, Jon Robert Cervantes, Agent, Incident Date: July 30, 2015.

Appearance by Jon Robert Cervantes. See legislative file no. 2015-0605.

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

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

No: 0

11. [2015-0590](#) Police Department Reports involving The Alibi Tavern, 6540 W. Grant St., Alibi Taverns, LLC, Patrick R. Kosidowski, Agent, Incident Dates: July 5, 2015 & July 21, 2015.

Appearance by Patrick R. Kosidowski. Discussion ensued regarding the police report and the employment status of the employee in the report.

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

No: 0

12. [2015-0591](#) Police Department Report involving Sir Gregory's Pub, 7534 W. Beloit Rd., Sir Gregory's Pub, LLC, Gregory L. Tans, Agent, Incident Date: July 12, 2015.

Appearance by Gregory L. Tans. Discussion ensued regarding the police report and that the patron was described as highly intoxicated. Mr. Tans was told by the Committee that the employee named in the report had three (3) opportunities where he should have called the police. Mr. Tans told the Committee he agreed and that this employee was warned. Mr. Tans stated he has no problem calling the police and he tells his employees to do the same.

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

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

No: 0

14. [2015-0538](#) Police Department Report regarding June 28, 2015 Tobacco Compliance Check involving fourteen (14) West Allis businesses, resulting with four (4) selling tobacco to an underage person without requesting identification (Speedway, LLC, Robert J. Mold, Agent, d/b/a Speedway #4229, premises located at 9111 W. National Ave.).

Attachments: [Tobacco Compliance Check June 2015](#)

Appearance by Robert J. Mold. Discussion ensued regarding the police report and Speedway's policy for this type of violation. Mr. Mold told the Committee that the register has a pop up to remind the cashier to check for identification and employees are shown a training video.

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

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

No: 0

15. [2015-0588](#) Police Department Report involving Las Fajitas Mexican Restaurant, 10114 W. Greenfield Ave., Martha Garcia, Incident Date: July 1, 2015.

Appearance by Martha Garcia. Ms. Garcia told the Committee it was unintentional that they sold alcohol on that date. Ald. Barczak commented on the cleanliness of their restaurant.

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

No: 0

16. [2015-0597](#) Police Department Report regarding July 9, 2015 Alcohol Compliance Check involving ten (10) West Allis businesses, resulting with seven (7) selling alcohol to an underage person without requesting identification (J. Beans Pub, LLC, Jill M. Lisowski, Agent, d/b/a J. Beans Pub, premises located at 9033 W. National Ave.).

Appearance by Jill M. Lisowski. Discussion ensued regarding the compliance check and the procedure used by the Police Department. Ms. Lisowski stated her employee still works for her and that the employee paid both tickets. Ms. Lisowski commented on the police reports and said it didn't matter that the establishment wasn't told immediately they failed a compliance check. It all comes down to the fact that her employee and the others didn't pass because they failed to check for identification.

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

17. [2015-0598](#) Police Department Report regarding July 9, 2015 Alcohol Compliance Check involving ten (10) West Allis businesses, resulting with seven (7) selling alcohol to an underage person without requesting identification (5 WILS, LLC, Jason M. Wilson, Agent, d/b/a Magoo's Sports Pub, premises located at 8911 W. National Ave.).

Nonappearance of Jason M. Wilson. Mr. Wilson did not contact the Clerk's Office. The Committee requested he be ordered to appear at the next regular scheduled License & Health Meeting.

This matter was Held.

18. [2015-0599](#) Police Department Report regarding July 9, 2015 Alcohol Compliance Check involving ten (10) West Allis businesses, resulting with seven (7) selling alcohol to an underage person without requesting identification (Tomken's, Inc., Michelle A. Felton, Agent, d/b/a Tomken's, premises located at 8001 W. Greenfield Ave.).

Appearance by Michelle A. Felton. Discussion ensued regarding the compliance check and the procedure used by the Police Department. Ms. Felton told the Committee that the Police called her several times to notify her of the violation, but that she does not answer the telephone when she doesn't recognize the number.

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

19. [2015-0600](#) Police Department Report regarding July 9, 2015 Alcohol Compliance Check involving ten (10) West Allis businesses, resulting with seven (7) selling alcohol to an underage person without requesting identification (DDT Bobblehedz, Inc., David P. Bickler, Jr., Agent, d/b/a Bobblehedz, premises located at 5630 W. Lincoln Ave.).

Nonappearance of David P. Bickler, Jr. Theodore M. Galaszewski appeared. He told the Committee that he was the one that violated the compliance check. He stated he was distracted because he thought they were trying to pass counterfeit money which had happened once before. He said he could tell something was not right. Discussion ensued regarding the compliance check and the procedure used by the Police Department.

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

20. [2015-0601](#) Police Department Report regarding July 9, 2015 Alcohol Compliance Check involving ten (10) West Allis businesses, resulting with seven (7) selling alcohol to an underage person without requesting identification (ARH Enterprises, LLC, Hugo J. Juarz, Agent, d/b/a Las Palmas, premises located at 6007 W. Burnham St.).

Appearance by Attorney Daniel Meylink. Nonappearance of Hugo J. Juarez. Attorney Daniel Meylink told the Committee that he was representing his client, Hugo J. Juarez, who was unable to attend.

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

21. [2015-0602](#) Police Department Report regarding July 9, 2015 Alcohol Compliance Check involving ten (10) West Allis businesses, resulting with seven (7) selling alcohol to an underage person without requesting identification (McGuire's Bar, Inc., Daniel M. McGuire, Agent, d/b/a McGuire's Bar, premises located at 6235 W. National Ave.).

Appearance by Daniel M. McGuire. Mr. McGuire commented that he was notified of the compliance check violation several days after it happened and that several more days passed before he received a letter to appear before the License & Health Committee. He wanted to be notified as soon as it happened. Discussion ensued regarding the compliance check and the procedure used by the Police Department.

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. 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

22. [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](#)

A motion was made by Ald. Barczak and seconded by Ald. Weigel that this matter was Recommended to be Placed on File on a Block Vote.

Ald. Barczak rescinded his motion and Ald. Weigel rescinded his second on item #22. Nonappearance of Jeffrey K. Lau. Mr. Lau did not contact the Clerk's Office. The Committee requested he be ordered to appear at the next regular scheduled License & Health Meeting if his payments are not caught up.

This matter was Held.

23. [2015-0497](#) Petition to Amend Section 7.12 to allow Pet Pot-Bellied Pigs in West Allis or to Create a new section in Chapter 7 Health and Sanitation to allow for Pet Pot-Bellied Pigs.

Attachments: [Petition pigs as pets](#)

[Colgrove Extension Request](#)

[Colgrove Extension to JA](#)

[#2 Petition pigs as pets 7-7-15](#)

[Atty Meyers, Florida, pot-bellied pigs comm. 8-4-15](#)

Appearance by Sally Nusslock, West Allis Health Commissioner. Discussion ensued regarding requiring vaccinations, the size of a pet pot-bellied pig and whether it could be determined how big it would get when you purchase it. The Committee agreed that this is a responsible family. However, other families may not be as responsible with their pet pot-bellied pig. The Committee agreed that the ordinance should not be amended to allow pet pot-bellied pigs.

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

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

No: 0

E. ADJOURNMENT

A motion was made by Ald. Haass, seconded by Ald. Weigel, to adjourn at 6:50 p.m. The motion carried unanimously.

Respectfully submitted,

*Ann Marie Neff
Secretary to the Committee*