



# 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*

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Tuesday, October 24, 2017

6:00 PM

City Hall Room 128

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#### REGULAR MEETING (draft minutes)

#### 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: Marcia Thekan, Ricky Sergeant, Melinda F. Rooney & Timothy Wergin, Brandon L. Toicen, Stephanie N. Pergande, Whitney E. Moore, Caitlin M. Brower, Charles Hastings, Anh Vut Nguyen, Ed Lisinski, Director of Building Inspections & Neighborhood Services, Lt. Brian Saftig, West Allis Police Dept., Nicholas Cerwin, Assistant City Attorney and Ann Marie Neff, Secretary to the Committee.*

#### C. APPROVAL OF MINUTES

1. [2017-0508](#) Minutes (draft) of the License & Health regular meeting of September 26, 2017, recess meetings of October 3, 2017, and October 17, 2017.

**Attachments:** [092617 LH Minutes \(draft\)](#)  
[100317 LH recess Minutes \(draft\)](#)  
[101717 LH recess Minutes \(draft\)](#)

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

*Ald. Weigel asked all in attendance applying for a license to keep their eyes open and be aware as to what is happening in the establishment, to call the police for any problems, be helpful and cooperative when the police arrive, give a detailed description of the incident and parties involved, make good choices for the patrons by not over serving, and informed the applicants of the City's Alcohol and Tobacco Compliance Check Programs.*

**D. NEW AND PREVIOUS MATTERS**

2. [2017-0359](#) 2016-2017 Class B Tavern License application no. 2471 of The 6500 Bar LLC, Susan C. Jesion, Agent, d/b/a The 6500 Bar LLC, for premises located at 6500 W. Greenfield Avenue (new-nonexisting location).

*Nonappearance of Susan C. Jesion. Ms. Jesion called the Clerk's Office. The Committee requested she be ordered to appear at the next scheduled License & Health meeting.*

**This matter was Held.**

3. [2017-0360](#) 2017-2018 Class B Tavern License application no. 2472 of The 6500 Bar LLC, Susan C. Jesion, Agent, d/b/a The 6500 Bar LLC, for premises located at 6500 W. Greenfield Avenue (new-nonexisting location).

*See legislative file no. 2017-0359.*

**This matter was Held.**

4. [2017-0632](#) 2017-2018 Class B Tavern License application no. 2507 of LTL PNK HSZ, LLC, Gregory S. Barczak, Agent, d/b/a Painted Parrot, for premises located at 8028 W. National Ave. (new-existing location).

*Nonappearance of Gregory S. Barczak. Mr. Barczak called the Clerk's Office. Ald. Weigel commented that the Administration & Finance Committee was working on a financial package to replace the facade on the building for a potential buyer.*

**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

5. [2017-0665](#) 2017-2018 Class B Tavern License application no. 2510, Instrumental Music License application no. 2511 and Dance Hall License application no. 2512, of Open Tab LLC, Marcia Thekan, Agent, d/b/a Hawley House Restaurant for premises located at 1101 S. 60th Street (new-existing premises).

*Appearance by Marcia Thekan. Discussion ensued regarding Ms. Thekan's plans for the building and the license. Ms. Thekan stated she is looking to lease the building, but that she would open in the meantime for weddings and private parties. Attorney Cerwin informed Ms. Thekan and the Committee that she would need to be open within sixty (60) days (January 6, 2018) from the Council approval date on November 7, 2017.*

**A motion was made by Ald. Haass, 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. Haass, Ald. May, and Ald. Weigel

**No:** 0

6. [2017-0657](#) Police Department Report regarding violation of the Wisconsin Indoor Clean Air Act Smoking Ban (N.S., Inc., Ricky Sergeant, Agent, d/b/a Sarge's Corner, 1979 S. 54 St., Incident Date: September 16, 2017).

Attachments: [17-036690 WI Indoor Clean Air Act.Sarge's Corner](#)

*Appearance by Ricky Sergeant. Discussion ensued regarding the smoking ban violation and this being the second time Sarge's Corner has been cited. Mr. Sergeant stated he is aware of the law and does not allow smoking in the bar.*

**A motion was made by Ald. Weigel, seconded by Ald. Haass, 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

7. [2017-0658](#) Police Department Report involving Uncle Festers, 5732 W. Mitchell St., of Uncle Festers LLC, Melinda F. Rooney, Agent, Incident Date: September 9, 2017.

*Appearance by Melinda F. Rooney and Timothy Wergin. Discussion ensued regarding the incident, the accessibility of the cameras, the camera footage, the police report, the charges against Mr. Wergin, and the conflicts with the neighbors. The Committee asked Attorney Cerwin to report back to the Committee on this matter after Mr. Wergin's Municipal Court date.*

**This matter was Held.**

8. [2017-0635](#) 2017-2018 Operator's License (bartender/sales clerk) application no. 18-296 of Christopher J. Paulos.

*Nonappearance of Christopher J. Paulos. Mr. Paulos did not contact the Clerk's Office. The Committee requested he be ordered to appear at the next scheduled License & Health Committee meeting.*

**This matter was Held.**

9. [2017-0664](#) 2017-2018 Operator's License (bartender/sales clerk) application no. 18-299 of Brandon L. Toicen.

*Appearance by Brandon L. Toicen. Discussion ensued regarding Mr. Toicen's police report and his incomplete application.*

*A motion was made Ald. Weigel to deny based on an incomplete application.*

*There was no seconder. The Motion failed.*

**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:** 4 - Ald. Czaplewski, Ald. Roadt, Ald. Haass, and Ald. May

**No:** 1 - Ald. Weigel

10. [2017-0667](#) 2017-2018 Operator's License (bartender/sales clerk) application no. 18-297 of Stephanie N. Pergande.
- Appearance by Stephanie N. Pergande. Discussion ensued regarding Ms. Pergande's police report. She was reminded to make good choices for herself and her customers and to not over serve.*
- 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
11. [2017-0668](#) 2017-2019 Operator's License (bartender/sales clerk) application no. 19-348 of Whitney E. Moore.
- Appearance by Whitney E. Moore. Discussion ensued regarding Ms. Moore's police report. Ms. Moore was cautioned that a third OWI could result in revocation of her Operator's (bartender/sales clerk) License.*
- A motion was made by Ald. Weigel, seconded by Ald. Haass, 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
12. [2017-0679](#) 2017-2019 Operator's License (bartender/sales clerk) application no. 19-349 of Caitlin M. Brower.
- Appearance by Caitlin M. Brower. Discussion ensued regarding Ms. Brower's police report. Ms. Brower was cautioned that a third OWI could result in revocation of her Operator's (bartender/sales clerk) License.*
- 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
13. [2017-0550](#) 2017-2019 Operator's License (bartender/sales clerk) application no. 19-324 of Savanna P. Henderson.
- Second nonappearance of Savanna P. Henderson. Ms. Henderson did not contact the Clerk's Office. The Committee Recommended denial based on two (2) nonappearances.*
- A motion was made by Ald. May, seconded by Ald. Weigel, 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

**E. CLOSED SESSION**

*A closed session was not held.*

- 14. [2017-0682](#) Summons and Complaint in the matter of the complaint against BFS WI LLC. Charles Hastings, Agent, for the premises located at 7127 W. National Ave., d/b/a Bottoms Up (2017-2018 Class B Tavern License no. 2312).

Attachments: [S&C Bottoms Up](#)

*Appearance by Charles Hastings. Mr. Hastings informed the Committee that he received the appearance letters after the appearance dates due to his mail being misdirected. He supplied a new mailing address for future mailings. Discussion ensued regarding the police reports. Ald. Weigel reminded Mr. Hastings that in previous police reports the staff at Bottoms Up were not been very helpful when the police were called. Mr. Hastings stated he has since replaced the manager and is hiring new servers. Mr. Hastings said he has many cameras throughout the building, he will install some in the back smoking area, and offered to give the West Allis Police Department remote access to the cameras.*

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

- 15. [2017-0516](#) Police Department Report involving Bottoms Up, 7127 W. National Avenue, of BFS WI LLC, Charles Hastings, Agent, Incident Date: July 1, 2017.  
*See legislative file no. 2017-0682.*

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

- 16. [2017-0621](#) Police Department Report involving Bottoms Up, 7127 W. National Avenue, of BFS WI LLC, Charles Hastings, Agent, Incident Date: August 25, 2017.  
*See legislative file no. 2017-0682.*

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

**Passed The Block Vote**

**A motion was made by Ald. Weigel, 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

## F. MATTERS FOR DISCUSSION/ACTION

17. [2017-0681](#) Discussion regarding 2017-2018 Class B Tavern, Combination Class A Liquor, Class B Beer and Class C Wine Licenses not yet issued (10-19-17).

*Nonappearances by Pauline Meinzer, Roscos, and Hugo Juarez, Las Palmas, due to the requirements being met and the licenses were issued.*

*Appearance by Ricky Sergeant, Sarge's Corner. Mr. Sergeant stated he was still waiting for his Wisconsin Business Tax Registration Certificate from the state and asked to have the phone number to contact them.*

*Appearance by Anh Vut Nguyen, Pho Cali Restaurant. Mr. Nguyen stated the work has been completed and he needs to schedule an inspection.*

*Appearance by Dawn Butler, Sam's Club, stated she was recently hired as the agent and was unaware of the situation until she received the letter. Ms. Butler said the work would be completed and she would schedule an inspection.*

*Nonappearance by Jose Montejano, Classic Realty of West Allis. Mr. Montejano did not contact the Clerk's Office. The Committee requested he be ordered to appear at the next scheduled License & Health Committee meeting.*

*Attorney Cerwin informed the Committee that Class B Liquor Licenses not issued within sixty (60) days of being approved subject to necessary requirements need to appear before the License & Health Committee with a status update per the West Allis Policy and Procedure Manual.*

**A motion was made by Ald. Haass, seconded by Ald. Weigel, that this matter was Discussed and Consensus Given. The motion carried by the following vote:**

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

**No:** 0

18. [2017-0684](#) Communication from the Zoning Inspector regarding outstanding liquor license renewals.

**Attachments:** [Liquor License Renewals Outstanding](#)

*See legislative file no. 2017-0681 for discussion.*

**A motion was made by Ald. May, seconded by Ald. Haass, 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

## G. ADJOURNMENT

**A motion was made by Ald. Haass, seconded by Ald. Weigel, to adjourn at 7:05 p.m. The motion carried unanimously.**

*Respectfully submitted,*

*Ann Marie Neff  
Secretary to the Committee*