



City of West Allis

7525 W. Greenfield Ave.
West Allis, WI 53214

Meeting Agenda

License & Health Committee

Aldersperson Michael J. Czaplewski, Chair

Aldersperson Daniel J. Roadt, Vice-Chair

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

Tuesday, February 23, 2016

6:00 PM

City Hall Room 128

REGULAR MEETING

A. CALL TO ORDER

B. ROLL CALL

C. APPROVAL OF MINUTES

1. [2016-0122](#) Minutes (draft) of the License & Health meeting of January 26, 2016, and recess meeting of February 2, 2016.

Attachments: [012616 LH Minutes \(draft\)](#)
[020216 LH recess Minutes \(draft\)](#)

D. PRESENTATION

Sue Marten, BSW, LSW, Coalition Coordinator, Tobacco-Free Suburban Milwaukee & Ozaukee Counties, WI Tobacco Prevention and Control Program.

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

Sponsors: Ald. Reinke

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](#)

3. [O-2016-0011](#) An 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](#)

E. NEW AND PREVIOUS MATTERS

4. [O-2016-0008](#) An Ordinance to Repeal and Recreate Section 9.21 of the West Allis Revised Municipal Code Relating to Manufactured and Mobile Home Community Licenses.
- Sponsors:*** License & Health Committee
5. [2016-0105](#) Police Department Report involving Papa's Pub, 1101 S. 60 St., of Papa's Pub, LLC, Dale J. Kristbaum, Agent, Incident Date: December 15, 2015.
6. [2016-0106](#) Police Department Report involving Capt'n Nicks, 1503 S. 81 St., of Cygent Enterprises, Ltd., Scott A. Giesegeh, Agent, Incident Date: January 26, 2016.
7. [2016-0108](#) Police Department Report regarding December 30, 2015 Alcohol Compliance Check involving twelve (12) West Allis businesses, resulting with four (4) selling alcohol to an underage person without requesting identification (Jeffrey J. Krueger, Agent, of R&D Krueger Enterprise, Inc., d/b/a Dickens Grille & Spirits, premises located at 9646 W. Greenfield Avenue).

8. [2016-0110](#) Police Department Report regarding December 30, 2015 Alcohol Compliance Check involving twelve (12) West Allis businesses, resulting with four (4) selling alcohol to an underage person without requesting identification (Antonio Escobedo, Agent, of Senor Sol, LLC, d/b/a Senor Sol Mexican Restaurant, premises located at 8129 W. Greenfield Avenue).
9. [2016-0047](#) Police Department Report regarding December 17, 2015 Alcohol Compliance Check involving eight (8) West Allis businesses, resulting with six (6) selling alcohol to an underage person without requesting identification (Sukhdeep K. Randhawa, Agent, of Dilmil, Inc., d/b/a West Allis Liquor & Tobacco, premises located at 7218 W. Greenfield Avenue).
10. [2016-0100](#) 2015-2017 Operator's License (bartender/sales clerk) application no. 17-412 of Wendy L. Castro.
11. [2016-0102](#) 2015-2017 Operator's License (bartender/sales clerk) application no. 17-413 of Richard R. Comp, II.
12. [2016-0104](#) 2015-2017 Operator's License (bartender/sales clerk) application no. 17-416 of Kimberly S. Beach.
13. [2016-0107](#) 2015-2016 Operator's License (bartender/sales clerk) application no. 16-380 of Melissa K. Rumsey.
14. [2016-0055](#) 2015-2017 Operator's License (bartender/sales clerk) application no. 17-405 of Tammela Jo Maddox.
15. [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](#)
16. [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](#)
17. [2016-0119](#) Summons and Complaint in the matter of the complaint against Wisconsin Beverage and Entertainment Partners, LLC, Ana Brown, registered agent, Edward A. Brown, Jr., Agent, for the premises located at 7211 W. Greenfield Ave., d/b/a 7-West Bistro & Ultra Lounge (2015-2016 Class B Tavern License no. 2139, Dance Hall License no. 2140, Tavern Entertainment (Other) License no. 2198 and Restaurant License).

Attachments: [7-West Bistro Summons 2-23-16](#)
[7-West Bistro Complaint 2-23-16](#)

18. [2016-0038](#) Police Department Report involving 7-West Bistro & Ultra Lounge, 7211 W. Greenfield Avenue, of Wisconsin Beverage & Entertainment Partners, LLC, Edward A. Brown, Jr., Agent, Incident: 2015.

F. MATTERS FOR DISCUSSION/ACTION

19. [2015-0744](#) Discussion regarding 2015-2016 Class B Beer and Class C Wine Licenses not yet issued as of October 2015.

Attachments: [Appear for 11-17-15](#)

20. [2016-0121](#) Discussion relative to Heartbreakers Adult Entertainment Club Security Plan.
21. [2016-0120](#) Discussion relative to bond amounts on underage alcohol violations.

G. CLOSED SESSION

PLEASE TAKE NOTICE That the License & Health Committee of the City of West Allis will meet in open session Tuesday, February 23, 2016 at approximately 6:00 P.M., or as soon thereafter as time permits, in Room 128, West Allis City Hall, 7525 W. Greenfield Ave., West Allis, Wisconsin, to vote on a motion to convene in closed session at said time and in Room 113 to deliberate and confer with the City Attorney on the Summons and Complaint regarding Wisconsin Beverage and Entertainment Partners, LLC, Edward A. Brown, Jr., Agent, for the premises located at 7211 W. Greenfield Ave., d/b/a 7-West Bistro & Ultra Lounge (2015-2016 Class B Tavern License no. 2139, Dance Hall License no. 2140, Tavern Entertainment (Other) License no. 2198 and Restaurant License).

A closed session for the above purpose is authorized pursuant to the provisions of Wis. Stats. Section 19.85(1)(a) and (g), which authorizes a governmental body, upon motion duly made and carried, to meet in closed session to deliberate concerning a case which was the subject of any judicial or quasi-judicial trial or hearing before that governmental body; and to confer with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved.

Upon conclusion of the closed session, the License & Health Committee will reconvene in open session at said time and in Room 128 to consider its public agenda, including motions to recommend approval or rejection of above-listed deliberations or any of the public agenda items that have not been acted upon.

H. ADJOURNMENT

City of West Allis Common Council members may attend the above License & Health Committee meeting for information gathering purposes. Should a quorum of Common Council members appear at this Committee meeting, a regular Common Council meeting may take place for the purposes of gathering information on an item listed on the Committee agenda. Should such a meeting occur, the date, time and location of the Common Council meeting will be that of the License & Health Committee as listed on the License & Health Committee agenda.

All meetings of the License & Health Committee are public meetings. In order for the general public to make comments at the committee meetings, the individual(s) must be scheduled (as an appearance) with the chair of the committee or the appropriate staff contact; otherwise, the meeting of the committee is a working session for the committee itself, and discussion by those in attendance is limited to committee members, the mayor, other alderpersons, staff and others that may be a party to the matter being discussed.

NON-DISCRIMINATION STATEMENT

The City of West Allis does not discriminate against individuals on the basis of race, color, religion, age, marital or veterans' status, sex, national origin, disability or any other legally protected status in the admission or access to, or treatment or employment in, its services, programs or activities.

AMERICANS WITH DISABILITIES ACT NOTICE

Upon reasonable notice the City will furnish appropriate auxiliary aids and services when necessary to afford individuals with disabilities an equal opportunity to participate in and to enjoy the benefits of a service, program or activity provided by the City.

LIMITED ENGLISH PROFICIENCY STATEMENT

It is the policy of the City of West Allis to provide language access services to populations of persons with Limited English Proficiency (LEP) who are eligible to be served or likely to be directly affected by our programs. Such services will be focused on providing meaningful access to our programs, services and/or benefits.