



City of West Allis

7525 W. Greenfield Ave.
West Allis, WI 53214

Meeting Minutes

License & Health Committee

Aldersperson Michael J. Czaplewski, Chair

Aldersperson James W. Sengstock, Vice-Chair

Alderspersons: Gary T. Barczak, Daniel J. Roadt, Martin J. Weigel

Tuesday, December 2, 2008

6:15 PM

West Allis City Hall Room 128

SPECIAL MEETING

A. CALL TO ORDER

The meeting was called to order by Chair Czaplewski at 6:15 p.m.

B. ROLL CALL

Present: 5 - Ald. Czaplewski, Ald. Sengstock, Ald. Barczak, Ald. Roadt and Ald. Weigel
Excused: 0

Others present: Susan M. Domena, Leonard E. Malan, Perry G. Balacuit, Jason J. Dakins, Nicole M. Filbrandt, Dorene J. Monty, Danny Wayne, Harry J. Strahlendorf, Ackasone Virasith, Robert Heike, Lt. Terry Morrissey, West Allis Police Dept., and Ann Marie Neff, Secretary to the Committee.

C. APPROVAL OF MINUTES

A motion was made by Ald. Sengstock, seconded by Ald. Weigel, to approve the minutes of the special meeting of November 18, 2008 and recess meeting of November 18, 2008. The motion carried unanimously.

D. NEW AND PREVIOUS MATTERS

39. [2008-0712](#)

Police Department Report involving Top Gun Saloon, 1100 S. 60 St. (2008-2009 Class B Tavern License no. 1424, Dance Hall License no. 1425 and Instrumental Music License no. 1426, Susan M. Domena, Agent, Incident Date: October 1, 2008).

Appearance of Susan M. Domena. Ms. Domena told the Committee she is using Mr. Robinson approximately 15 hours a week to do maintenance, clean, cook and to help her learn the business. She has a full time job, is going to school and needs someone who has knowledge of the business. Ald. Weigel questioned how Ms. Domena can truly be running the business if she is involved elsewhere for that amount of time. Ald. Barczak stated he thought the Committee made it clear Mr. Robinson should not be involved in the business. He would like to ask City Attorney Scott Post if this would be considered a continuation of the business, if the same people are employed and the name of the establishment has not been changed. He commented that it appears there have been no changes made to the business. Ald. Czaplewski asked Ms. Domena directly if Mr. Robinson was related to her. She replied he was not. Ald. Sengstock informed Ms. Domena he has been informed by a reliable source that Mr. Robinson does serve and tend bar. He recommended Ms. Domena disassociate from him. He suggested if she does not have the time to learn and operate her business, she might consider selling. Ms. Domena told the Committee she thought she told them she was keeping Mr. Robinson on to show her the operation. She wants to change the name and signage but does not have the finances at the moment to do so.

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

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

38. [2008-0715](#) Police Department Report involving Lenny's, 6309 W. National Ave., (2008-2009 Class B Tavern License no. 458, Dance Hall License no. 506 and Cigarette License no. 1357 of Lenny's, Inc., Leonard E. Malan, Agent, Incident Date: October 18, 2008).
- Appearance by Leonard E. Malan. Ald. Czaplewski commented to Mr. Malan that he is appearing more often. He noticed a younger crowd and suggested he look into making some changes to keep things under control. Ald. Weigel asked Mr. Malan what type of music he plays and informed him that certain types can be blocked from the internet jukebox. Mr. Malan told the Committee that the night of incident there was a younger group on a pub crawl in costumes. They had face make up which made it difficult to verify identification. The group tried to carry in their drinks from the bus and that is where the underage intoxicated people came from. Lt. Morrissey told Mr. Malan that gang members have been known to frequent his establishment and he has the right to turn them away. Ald. Weigel asked Mr. Malan if he had video surveillance cameras. He informed him that they are very affordable and it is a good preventative measure.*
- A motion was made by Ald. Sengstock, seconded by Ald. Barczak, that this matter be Recommended to be Placed on File. The motion carried by the following vote:**
- Votes:** Aye: 5 - Ald. Czaplewski, Ald. Sengstock, Ald. Barczak, Ald. Roadt and Ald. Weigel
No: 0
31. [2008-0732](#) 2008-2009 Tavern Operator License application no. 9-605 of Perry G. Balacuit.
- Appearance by Perry G. Balacuit. Ald. Sengstock thanked Mr. Balacuit for being candid on his application. Ald. Weigel told Mr. Balacuit that a bartender needs to have a good relationship with the police. He commented on his fleeing police in the past. Ald. Sengstock informed Mr. Balacuit about the West Allis Police compliance checks program, reminded him to check identification and to call 911.*
- A motion was made by Ald. Sengstock, seconded by Ald. Barczak, that this matter be Recommended For Approval. The motion carried by the following vote:**
- Votes:** Aye: 5 - Ald. Czaplewski, Ald. Sengstock, Ald. Barczak, Ald. Roadt and Ald. Weigel
No: 0
32. [2008-0733](#) 2008-2009 Tavern Operator License application no. 9-606 of Jason J. Dakins.
- Appearance by Jason J. Dakins. Ald. Barczak questioned why Mr. Dakins did not list the felony on his application. Mr. Dakins told the Committee he forgot about it because it was a few years ago and explained the circumstances. He works seasonal for a tree service and would be tending bar at Bugsy's to help out the owner. Ald. Czaplewski commented that the incident was a few years ago and that being a bartender is not just handing out drinks. Among other things, a bartender has the responsibility to tell people no, to be watchful of signs of trouble and to call the police when necessary.*
- A motion was made by Ald. Sengstock, seconded by Ald. Weigel, that this matter be Recommended For Approval. The motion carried by the following vote:**
- Votes:** Aye: 5 - Ald. Czaplewski, Ald. Sengstock, Ald. Barczak, Ald. Roadt and Ald. Weigel
No: 0

33. [2008-0740](#) 2008-2009 Tavern Operator License application no. 9-607 of Nicole M. Filbrandt.
- Appearance by Nicole M. Filbrandt. Ald. Barczak made a motion to deny. Ald. Sengstock stated he agreed but not on the basis of the traffic violations, even though they were numerous. He said his decision was based on the other incidents. Ald. Barczak told Ms. Filbrandt the Committee has a responsibility to the community, but she could still tend bar with a licensed bartender supervising her. Recommended denial based on the police report.*
- A motion was made by Ald. Barczak, seconded by Ald. Weigel, that this matter be Recommended for Denial. The motion carried by the following vote:**
- Votes:** Aye: 5 - Ald. Czaplewski, Ald. Sengstock, Ald. Barczak, Ald. Roadt and Ald. Weigel
No: 0
34. [2008-0707](#) 2008-2009 Tavern Operator License application no. 9-602 of Ryan E. Higgins.
- Second nonappearance of Ryan E. Higgins. Mr. Higgins did not contact the Clerk's Office. Recommended denial based on two (2) nonappearances.*
- A motion was made by Ald. Sengstock, seconded by Ald. Barczak, that this matter be Recommended for Denial. The motion carried by the following vote:**
- Votes:** Aye: 5 - Ald. Czaplewski, Ald. Sengstock, Ald. Barczak, Ald. Roadt and Ald. Weigel
No: 0
35. [2008-0703](#) 2008-2009 Tavern Operator License application no. 9-594 of Dorene J. Monty.
- Appearance by Dorene J. Monty. Ald. Barczak stated he would not be in favor of this license due to Ms. Monty's prior involvement with the business. Ald. Sengstock questioned if this was another case of a continuation of the business. Ms. Monty informed the Committee she was the agent in prior years, but due to her separation with Mr. John Monty, she was not the agent in 2008 when the incident took place. John Monty lives upstairs but has nothing to do with the business since it was sold.*
- A motion was made by Ald. Sengstock, seconded by Ald. Weigel, that this matter be Recommended For Approval. The motion carried by the following vote:**
- Votes:** Aye: 3 - Ald. Czaplewski, Ald. Sengstock and Ald. Weigel
No: 2 - Ald. Barczak and Ald. Roadt
36. [2008-0741](#) 2008 Direct Sellers/Solicitors Permit application no. 29 of Danny Wayne.
- Appearance by Danny Wayne. Mr. Wayne apologized to the Committee because he knew a police background check was going to be run so he just listed the most severe charge and figured the rest would show up. Ald. Sengstock told Mr. Wayne that in the future he needs to list everything. Ald. Barczak stated that even though it was an old incident he had some concerns. Mr. Wayne told the Committee his employer is aware of his past.*
- A motion was made by Ald. Sengstock, seconded by Ald. Weigel, that this matter be Recommended For Approval. The motion carried by the following vote:**
- Votes:** Aye: 4 - Ald. Czaplewski, Ald. Sengstock, Ald. Roadt and Ald. Weigel
No: 1 - Ald. Barczak

37. [2008-0714](#) Police Department Report involving Harry O's 2nd Base, 6743 W. Lincoln Ave. (2008-2009 Class B Tavern License no. 827, Dance Hall License no. 829, and Instrumental Music License no. 830 of Harry O's, Inc., Harry J. Strahlendorf, Agent, Incident Date: October 3, 2008).
- Appearance by Harry J. Strahlendorf. Mr. Strahlendorf explained to the Committee about the incident and did acknowledge that no one from the bar had called the police that evening.*
- A motion was made by Ald. Sengstock, seconded by Ald. Weigel, that this matter be Recommended to be Placed on File. The motion carried by the following vote:**
- Votes:** Aye: 5 - Ald. Czaplewski, Ald. Sengstock, Ald. Barczak, Ald. Roadt and Ald. Weigel
No: 0
40. [2008-0716](#) 2008-2009 Class B Tavern License application no. 1469, Dance Hall License application 1471, Instrumental Music License application no. 1471 and Cigarette License application no. 1470 of The Flaming Grill Holding, LLC, Ackasone Virasith, Agent, d/b/a Flaming Grill premises located at 6215 W. National Ave. (new-nonexisting).
- Appearance by Ackasone Virasith and Robert Heike. Mr. Virasith informed the Committee he plans on closing on the property at the end of December. He currently has restaurants in Kenosha and Delafield and plans to personally run this establishment. The menu will include steak and seafood, and there are plans for a banquet hall. The estimated opening date is in 6 months.*
- A motion was made by Ald. Sengstock, seconded by Ald. Barczak, that this matter be Recommended for Approval subject to the necessary requirement(s). The motion carried by the following vote:**
- Votes:** Aye: 5 - Ald. Czaplewski, Ald. Sengstock, Ald. Barczak, Ald. Roadt and Ald. Weigel
No: 0
41. [2008-0306](#) 2008-2009 Class B Tavern License application no. 1389 of Jacqueline A. George, d/b/a Gyro Grill & Pub for premises located at 10722 W. Oklahoma Ave. (new-nonexisting).
- Held**

E. ADJOURNMENT

A motion was made by Ald. Sengstock, seconded by Ald. Weigel, to adjourned at 7:11 p.m. The motion carried unanimously.

Respectfully submitted,

*Ann Marie Neff
Secretary to the Committee*