



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, September 27, 2011

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. Sengstock, Ald. Barczak, Ald. Roadt and Ald. Weigel
Excused: 0

Others present: Joshua J. Johnson and Attorney Roger Pyzyk, Colleen M. Santner, James E. Adams, Diane D. Plumeri, Larry M. Beilfuss, Pammy Uebelacker, Enicacio Sanchez, Lindsey Anne Guillermo, Patrick R. Kosidowski, Lois McHugh, William P. Savage, Paul Mould, Daniel Bohringer and Attorney Gregg Novack, James A. Foti, Scott Post, City Attorney, Lt. Ed Benish, West Allis Police Dept., Jenna Merten, Assistant City Attorney and Ann Marie Neff, Secretary to the Committee.

D. CLOSED SESSION

At 6:15 p.m., Chair Czaplewski stated it was the intention of the Committee to convene in closed session at said time and in Room 128 to deliberate and confer with the City Attorney on the Summons and Complaint in the matter of the complaint against International Development, LLC, Joshua J. Johnson, Agent, for the premises located at 9105 W. Lincoln Ave., d/b/a Hero's Sports Pub & Grill (2011-2012 Class B Tavern License no. 1705, Dance Hall License no. 1728 and Instrumental Music License no. 1727).

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.

A motion was made by Ald. Barczak, seconded by Ald. Sengstock, to convene in closed session at 6:20 p.m. The motion carried by the following vote:

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

Others present: Ald. Lajsic and City Attorney Scott Post.

Upon conclusion of the closed session at 6:50 p.m., the License and Health Committee reconvened in open session at said time and in the Common Council Chambers 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.

1. [2011-0568](#) Summons and Complaint in the matter of the complaint against International Development, LLC, Joshua J. Johnson, Agent, for the premises located at 9105 W. Lincoln Ave., d/b/a Hero's Sports Pub & Grill (2011-2012 Class B Tavern License no. 1705, Dance Hall License no. 1728 and Instrumental Music License no. 1727).
Appearance by Joshua J. Johnson and Attorney Roger Pyzyk. Discussion ensued regarding the Complaint and the stipulation. After a Closed Session was held, the License & Health Committee, Attorney Pyzyk and Joshua J. Johnson agreed upon and signed the stipulation.
A motion was made by Ald. Sengstock, seconded by Ald. Barczak, that this matter be Recommendation to be Placed on File to the License & Health Committee. The motion carried by the following vote:
Votes: Aye: 5 - Ald. Czaplewski, Ald. Sengstock, Ald. Barczak, Ald. Roadt and Ald. Weigel
No: 0
2. [2011-0514](#) Police Department Reports involving Hero's Sports Pub & Grill, 9105 W. Lincoln Ave. (2011-2012 Class B Tavern License no. 1705, Dance Hall License no. 1728 and Instrumental Music License no. 1727 of International Development, LLC, Joshua J. Johnson, Agent, Incident Dates: July 8, 2011, July 10, 2011, two (2) on July 24, 2011 and August 14, 2011).
See legislative file no. 2011-0568.
This Matter was Recommended to be Placed on File on a Block Vote.
3. [2011-0550](#) Police Department Reports involving Hero's Sports Pub & Grill, 9105 W. Lincoln Ave. (2011-2012 Class B Tavern License no. 1705, Dance Hall License no. 1728 and Instrumental Music License no. 1727 of International Development, LLC, Joshua J. Johnson, Agent, Incident Dates: July 16, July 20, July 24, July 30, July 31, August 6, August 7, August 27, and August 28, 2011).
See legislative file no. 2011-0568.
This Matter was Recommended to be Placed on File on a Block Vote.

Passed The Block Vote

A motion was made by Ald. Sengstock, seconded by Ald. Weigel, including all the preceding items marked as having been adopted on a Block Vote. The motion carried by the following vote:

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

C. APPROVAL OF MINUTES

A motion was made by Ald. Sengstock, seconded by Ald. Barczak, to approve the minutes of the regular meeting of July 26, 2011, and recess meetings of August 2, 2011, September 6, 2011 and September 20, 2011. The motion carried unanimously.

D. NEW AND PREVIOUS MATTERS

All in attendance were informed to be helpful and cooperative with the police and the importance of calling 911 for any signs of trouble.

They were informed of the City's Compliance Check Programs and to check identification.

4. [2011-0576](#) Summons and Complaint in the matter of the complaint against Susan M. Morgese 2011-2013 Tavern Operator License renewal application no. 13-160.
The Summons & Complaint were not served. The Committee requested she be Summoned to appear at the next scheduled License & Health meeting.
Held
5. [2011-0325](#) 2011-2013 Tavern Operator License renewal application no. 13-160 of Susan M. Morgese.
See legislative file no. 2011-0576.
Held
6. [2011-0544](#) 2011-2012 Tavern Operator License application no. 12-328 of Colleen M. Santner.
Appearance by Colleen M. Santner. Discussion ensued regarding Ms. Santner's police background check and her current situation. Ald. Czaplewski stated he would vote no based on the drug related charges.
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. Sengstock, Ald. Barczak, Ald. Roadt and Ald. Weigel
No: 1 - Ald. Czaplewski
7. [2011-0545](#) 2011-2012 Tavern Operator License application no. 12-329 of Sarah R. Powless.
Nonappearance of Sarah R. Powless. Ms. Powless did not contact the Clerk's Office. The Committee requested she be ordered to appear at the next scheduled License & Health meeting.
Held
8. [2011-0546](#) 2011-2013 Tavern Operator License application no. 13-384 of Dustin J. Daley.
Nonappearance of Dustin J. Daley. Mr. Daley contacted the Clerk's Office to withdraw his application.
A motion was made by Ald. Weigel, 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
9. [2011-0547](#) 2011-2013 Tavern Operator License application no. 13-388 of James E. Adams.
Appearance by James E. Adams.
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

10. [2011-0507](#) Police Department Report involving Walk-Her-Inn, 900 S. 74 St. (2011-2012 Class B Tavern License no. 1538 and Dance Hall License no. 1540, Diane D. Plumeri, Incident Date: July 9, 2011).
- Appearance by Diane D. Plumeri. Discussion ensued regarding the incident of July 9, 2011 and the police report referencing the person as being highly intoxicated.*
- A motion was made by Ald. Weigel, 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
11. [2011-0508](#) Police Department Report involving Flappers, 7527 W. Becher St. (2011-2012 Class B Tavern License no. 797 of Rodeo Grill, LLC, Mark S. Silber, Agent, Incident Date: July 2, 2011).
- Nonappearance of Mark S. Silber. Mr. Silber contacted Chair Czaplewski.*
- 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
12. [2011-0509](#) Police Department Report involving Larry Michael's Club & Cafe, 8900 W. Greenfield Ave. (2011-2012 Class B Tavern License no. 472, Dance Hall License no. 1040 and Instrumental Music License no. 1039, Larry M. Beilfuss, Incident Date: July 1, 2011).
- Appearance by Larry M. Beilfuss. Discussion ensued regarding the incident of July 1, 2011.*
- A motion was made by Ald. Barczak, seconded by Ald. Sengstock, 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
13. [2011-0510](#) Police Department Report involving Ubie's Double Vision, 5501 W. Burnham St. (2011-2012 Class B Tavern License no. 853, Dance Hall License no. 854 and Instrumental Music License no. 855 of Ubie's Double Vision, LLC, Robert A. Uebelacker, Agent, Incident Date: July 9, 2011).
- Appearance by Pammy Uebelacker. Discussion ensued regarding the incident of July 9, 2011.*
- A motion was made by Ald. Barczak, seconded by Ald. Roadt, 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
14. [2011-0513](#) Police Department Report involving Taqueria Buenavista, 6000 W. Burnham St., (2011-2012 Class B Beer License no. 1590, Enicacio Sanchez, Incident Date: June 14, 2011).
- Appearance by Enicacio Sanchez. Mr. Sanchez's niece translated for him. Mr. Sanchez told the Committee he was not aware of the drug activity. Mr. Sanchez said the cook was not a family member or personal friend. He said the cook was an employee for about one and a half years, was very reliable and a hard worker.*
- 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

15. [2011-0551](#) Police Department Report involving The Drunken Duck, 5906 W. Burnham Ave., (2011-2012 Class B Tavern License no. 1743 and Instrumental Music License no. 1788 of Beer Garden Entertainment, LLC, Lindsey Anne Guillermo, Agent, Incident Date: August 11, 2011).
- Appearance by Lindsey Anne Guillermo. Discussion ensued regarding the incident on August 11, 2011 and checking identification cards. Ald. Barczak told Ms. Guillermo that she has the right to hold onto an ID card in question and return it at the end of the evening, in case there are any problems, or call the Police Department to verify if a card is legitimate. He suggested a card scanner for the establishment so that the information would be retained and accessible if there were any questions.*
- A motion was made by Ald. Barczak, 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
16. [2011-0552](#) Police Department Report involving The Alibi Tavern, 6540 W. Grant St. (2011-2012 Class B Tavern License no. 1663 of Alibi Taverns, LLC, Patrick R. Kosidowski, Agent, Incident Date: August 13, 2011).
- Appearance by Patrick R. Kosidowski. Discussion ensued regarding the incident on August 13, 2011.*
- A motion was made by Ald. Weigel, seconded by Ald. Sengstock, 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
17. [2011-0557](#) Police Department Report involving Lois's Derby, 1430 S. 81 St. (2011-2012 Class B Tavern License no. 682 and Dance Hall License no. 684, Lois McHugh, Incident Date: August 15, 2011).
- Appearance by Lois McHugh. Discussion ensued regarding the incident on August 15, 2011.*
- 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
18. [2011-0562](#) Police Department Reports involving Wild Bill's Saloon, 1454 S. 92 St. (2011-2012 Class B Tavern License no. 789 of Wild Bill's Saloon, LLC, William P. Savage, Agent, Incident Dates: August 28, and August 31, 2011).
- Appearance by William P. Savage. Mr. Savage apologized if he was disrespectful to the officers the evening of the noise complaint. A discussion ensued regarding the incidents, noise complaints and the neighbors.*
- 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

19. [2011-0455](#) Police Department Report regarding June 27, 2011 Tobacco Compliance Check involving fourteen (14) West Allis businesses, resulting with one (1) selling tobacco to an underage person without requesting identification. (2010-2011 Cigarette License no. 497 of Walgreens Co., Paul Mould, Agent, d/b/a Walgreens #4774, at 8333 W. Greenfield Ave.)

Appearance by Paul Mould. Discussion ensued regarding Walgreens policy and procedures for verifying identification when selling cigarettes.

A motion was made by Ald. Barczak, 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

20. [2011-0565](#) Police Department Report regarding August 29, 2011 Alcohol Compliance Check involving ten (10) West Allis businesses, resulting with one (1) selling alcohol to an underage person without requesting identification (2011-2012 Combination Class A Liquor License no. 1080 of Dilneet Corporation, Rupinder K. Randhawa, Agent, d/b/a West Allis Liquor & Tobacco, 7218 W. Greenfield Ave.).

Nonappearance of Rupinder K. Randhawa. Ms. Randhawa did not contact the Clerk's Office. The Committee requested she be ordered to appear at the next scheduled License & Health meeting.

Held

E. OTHER MATTERS TO COME BEFORE THE COMMITTEE FOR DISCUSSION/ACTION

21. [2011-0566](#) Discussion relative to Municipal Judgments on Sammy's Taste of Chicago, Inc., Daniel Bohringer, Agent, d/b/a Sammy's Taste of Chicago premises located at 10534 W. Greenfield Ave.

Appearance by Daniel Bohringer and Attorney Gregg Novack. Discussion ensued regarding Mr. Bohringer's connection with the business. Attorney Novack requested he receive all mailings for Mr. Bohringer. The Committee requested this item be held until November 1, 2011 to allow Mr. Bohringer and Attorney Novack an opportunity to clarify what is being required of Mr. Bohringer regarding his establishment and the Municipal Judgments.

Held

22. [2011-0468](#) Discussion relative to delinquent taxes for various license and permit applicants.

*Children's Creative Corner, Inc., Toni Hamelin, 7330 W. Lincoln Ave.,
Personal Property Taxes*

Nonappearance of Toni Hamelin. Ms. Hamelin did not contact the Clerk's Office. Referred for Summons & Complaint to the City Attorney's office.

*Fratelli Restaurant Group, LLC, Timothy Sanchez, 6202 W. Lincoln Ave.,
Personal Property Taxes*

Nonappearance of Timothy Sanchez. Mr. Sanchez did not contact the Clerk's Office. Assistant City Attorney Merten told the Committee she would contact Mr. Sanchez regarding the unpaid penalties and interest balance left on the personal property taxes.

*Connoisseur House of Chocolate, Scott Repinski, 1942 S. 76 St.,
Real Estate Taxes*

Nonappearance of Scott Repinski. Assistant City Attorney Merten informed the Committee that Mr. Repinski signed a payment agreement with the City Attorney's Office.

*Golden Chicken, James A. Foti, 8901 W. Greenfield Ave.,
Real Estate Taxes*

Appearance by James A. Foti. The Committee directed Mr. Foti to make arrangements to meet with Assistant City Attorney Merten regarding a payment agreement for the unpaid real estate taxes.

*Scardina Bakery & Delicatessen, Fred Scardina, 5921 W. Beloit Rd.,
Personal Property Taxes and Real Estate Taxes*

Nonappearance of Fred and Sue Scardina. Assistant City Attorney Merten informed the Committee that Ms. Scardina contacted the City Attorney's Office. The Committee requested Mr. & Ms. Scardina appear before the License & Health Committee on October 18, 2011 if no payment or agreement is received by that time.

*Dilneet Corp., dba West Allis Liquor & Tobacco, Rupinder K. Randhawa,
7218 W. Greenfield Ave.,*

Personal Property Taxes, Real Estate Taxes and NSF fees

Nonappearance of Rupinder K. Randhawa. Ms. Randhawa did not contact the Clerk's Office. Assistant City Attorney Merten informed the Committee that Ms. Randhawa had agreed to sign a payment agreement at the meeting tonight, but has failed to appear. The Committee requested she be ordered to appear at the next scheduled License & Health meeting.

Discussed and Consensus Given

F. ADJOURNMENT

A motion was made by Ald. Barczak, seconded by Ald. Sengstock, to adjourn at 7:50 p.m. The motion carried unanimously.

Respectfully submitted,

*Ann Marie Neff
Secretary to the Committee*