



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, January 6, 2015

6:00 PM

City Hall Room 128

SPECIAL MEETING-Draft

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: Patricia Ann Pickering, Tammy L. Dopp, Kim M. Caze, Tiffany M. Stevens, Edward A. Brown, Jr., Mary Jo Burback, Sarah M. Reimer, Attorney Patrick Hessling, Dawn M. Clark, Sally Nusslock, West Allis Health Commissioner and Laura Temke, West Allis Health Department, Scott Post, City Attorney, Lt. Jessica Johnson, West Allis Police Dept., Jenna Merten, Assistant City Attorney, Ald. May, Ald. Vitale, and Ann Marie Neff, Secretary to the Committee.

C. APPROVAL OF MINUTES

2015-0003 Minutes (Draft) of the License & Health special and recess meeting of December 16, 2014.

Attachments: [12-16-14 LH Special Minutes-Draft](#)
[12-16-14 LH Recess Minutes-Draft](#)

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

Ald. Weigel informed all in attendance to the importance of calling 911 for any signs trouble, and to be helpful and cooperative with the police when they arrive. They were reminded it is illegal to over serve or serve intoxicated patrons.

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

D. NEW AND PREVIOUS MATTERS

- 51. 2015-0001** 2014-2016 Operator's License (bartender/sales clerk) application no. 16-253 for Patricia Ann Pickering.

Appearance by Patricia Ann Pickering. Discussion ensued regarding Ms. Pickering's police report.

A motion was made by Ald. Barczak, seconded by Ald. Haass, that this matter was Recommended For Approval. The motion carried by the following vote:

Aye: 4 - Ald. Czaplewski, Ald. Roadt, Ald. Barczak, and Ald. Haass

No: 1 - Ald. Weigel

- 52. 2015-0002** 2014-2015 Operator's License (bartender/sales clerk) application no. 15-542 for Toni D. Donaldson.

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

This matter was Held.

- 53. 2014-0769** 2014-2015 Operator's License (bartender/sales clerk) application no. 15-531 for Desiree Mariah Henningfield.

Second nonappearance of Desiree Mariah Henningfield. Ms. Henningfield did not contact the Clerk's Office. The Committee held this item for the recess meeting during the Common Council Meeting on January 6, 2015.

This matter was Held.

- 54. 2014-0770** 2014-2015 Operator's License (bartender/sales clerk) application no. 15-532 for Durell L. Miller.

Nonappearance of Durell L. Miller. Mr. Miller did not contact the Clerk's Office. The Committee held this item for the recess meeting during the Common Council Meeting on January 6, 2015.

This matter was Held.

- 55. 2014-0785** Police Department Report involving Dopp's Bar & Grill, 1753 S. 68 St. (2014-2015 Class B Tavern License application no. 1490, Dance Hall License application no. 1492 and Instrumental Music License application no. 1491 of Doppelgangers, Inc., Tammy L. Dopp, Agent, Incident Date: October 28, 2014).

Appearance by Tammy L. Dopp. Discussion ensued regarding the police reports and not serving patrons that are intoxicated. Ald. Barczak commended Ms. Dopp and her bartender for calling 911 for this incident.

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

- 56. 2014-0786** Police Department Report involving Dopp's Bar & Grill, 1753 S. 68 St. (2014-2015 Class B Tavern License application no. 1490, Dance Hall License application no. 1492 and Instrumental Music License application no. 1491 of Doppelgangers, Inc., Tammy L. Dopp, Agent, Incident Date: November 2, 2014).

Appearance by Tammy L. Dopp. Discussion ensued regarding the police reports and not serving patrons that are intoxicated.

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. 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. Barczak, Ald. Haass, and Ald. Weigel

No: 0

- 57. 2014-0796** Police Department Report involving Happy Tap, 6801 W. Beloit Rd. (2014-2015 Class B Tavern License no. 1907 of Rock Investments of WI LLC, Kim M. Caze, Agent, Incident Date: November 11, 2014).

Appearance by Kim M. Caze. Discussion ensued regarding the police report. Ms. Caze told the Committee she has a new policy that every bartender must have an operator's license to work for her.

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

- 58. 2014-0799** Police Department Report involving Heart Breakers, 9440 W. National Ave. (2014-2015 Class B Tavern License no. 2100, Dance Hall License no. 2098 and Tavern Entertainment-Special License no. 2099 of Milwaukee Entertainment, LLC, Tiffany M. Stevens, Agent, Incident Date: November 23, 2014).

Appearance by Tiffany M. Stevens. Discussion ensued regarding the police report. The Committee suggested Ms. Stevens has security monitors outside during business hours and at closing to stop public nuisance issues, noise and trash complaints in the neighborhood. Ms. Stevens was asked if the security cameras were working. Ms. Stevens replied she hired a General Manager and he would address those issues. She believed the cameras were in working order but did not know what the loop cycle was.

A motion was made 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

- 59. 2014-0802** Police Department Report involving 1022 Pub & Grub, 1022 S. 60 St. (2014-2015 Class B Tavern License no. 1992 and Instrumental Music License no. 1993 of Vicente T. Lozano, Sr., Incident Date: November 29, 2014).
- Nonappearance of Vicente T. Lozano, Sr. Mr. Lozano contacted the Clerk's Office. The Committee requested he be ordered to appear at the next scheduled License & Health meeting.*

This matter was Held.

- 60. 2014-0803** Police Department Report involving Fiddlers Green, Inc., 6108 W. Burnham St. (2014-2015 Class B Tavern License no. 680 and Dance Hall License no. 1101 of Fiddler's Green, Inc., Sandra J. Piotrowski, Agent, Incident Date: November 30, 2014).

Nonappearance of Sandra J. Piotrowski.

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

No: 0

E. DISCUSSION ITEM

- 60a. 2015-0013** Discussion relative to WISC. Beverage & Entertainment Partners, LLC, d/b/a 7-West Bistro & Ultra Lounge, Edward A. Brown, Jr., Agent, premises located at 7211 W. Greenfield Ave.
- Appearance by Edward A. Brown, Jr. Discussion ensued regarding the kitchen installation, the dumpster, outside trash left by patrons, the plan of operation, bottle service and the license checks by the police department. Ald. Weigel commented on the plan of operation stating Mr. Brown's food business would be 40%. Mr. Brown informed the Committee the kitchen should be done by early February and the dumpster issue has been solved. He would have his employee's monitor the outside area for trash. City Attorney Merten informed Mr. Brown that bottle service is not allowed. All drinks must be served and sold by the glass.*

This matter was Discussed and Consensus Given.

F. CLOSED SESSION

- 61. 2015-0014** Summons and Complaint in the matter of the complaint against Morgan Murphy Enterprises, LLC, Mary Jo Burback, for the premises located at 5732 W. Mitchell St., d/b/a Tap 58 (2014-2015 Class B Tavern License no. 2004, Dance Hall License no. 2005, Instrumental Music License no. 2083 and Food-Related Permit/License).

Attachments: [Morgan Murphy Enterprises Summons](#)
[Morgan Murphy Enterprises Complaint](#)
[Morgan Murphy Enterprises, LLC Affidavit of Service](#)

Appearance by Mary Jo Burback, Sarah M. Reimer, Sally Nusslock, West Allis Health Commissioner and Laura Temke, West Allis Health Department. Discussion ensued regarding the dumpster, the Summons and Complaint and the food license/permit. Ms. Burback agreed that the Summons & Complaint was true and correct. Ms. Nusslock recommended a thirty (30) day suspension of the food license/permit which would result in closure of the establishment.

This matter was Held.

- 62. 2014-0804** Police Department Report involving Tap 58, 5732 W. Mitchell St. (2014-2015 Class B Tavern License no. 2004, Dance Hall License no. 2005 and Instrumental Music License no. 2083 of Morgan Murphy Enterprises, LLC, Sarah M. Reimer, Agent, Incident Date: November 9, 2014).

Appearance by Mary Jo Burback and Sarah M. Reimer. The Committee reminded them to call the police when there are problems and that they are responsible for what happens on the outside of the establishment.

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

- 63. 2015-0015** Summons and Complaint in the matter of the complaint against Hector E. Guillermo, 2013-2015 Operator's License (bartender/sales clerk) no. 15-156.

Attachments: [Hector Guillermo Summons](#)
[Hector Guillermo Complaint](#)
[Hector Guillermo Affidavit of Service](#)

Nonappearance by Hector E. Guillermo. Attorney Merten informed the Committee that Mr. Guillermo's attorney contacted her. The Committee requested Attorney Merten confirm a date with Mr. Guillermo's attorney to schedule a hearing.

This matter was Held.

64. 2014-0766 Police Department Report involving The Drunken Duck, 5906 W. Burnham St., (Hector E. Guillermo, 2013-2015 Operator's License (bartender/sales clerk) no. 15-156, Incident Date: October 13, 2014).

See legislative file no. 2015-0015.

This matter was Held.

65. 2014-0714 Police Report involving The Drunken Duck, 5906 W. Burnham St. (2014-2015 Class B Tavern License no. 1743 and Instrumental Music License no. 1788 of Beer Garden Entertainment LLC, Lindsey Anne Guillermo. Agent, Incident Date: October 5, 2014).

Nonappearance by Lindsey Anne Guillermo. Attorney Patrick Hessling appeared to inform the Committee that Ms. Guillermo has moved out of state.

This matter was Held.

66. 2014-0715 Police Report involving The Drunken Duck, 5906 W. Burnham St. (2014-2015 Class B Tavern License no. 1743 and Instrumental Music License no. 1788 of Beer Garden Entertainment LLC, Lindsey Anne Guillermo. Agent, Incident Date: October 13, 2014).

See legislative file no. 2014-0714.

This matter was Held.

67. 2015-0019 Appointment of new agent, Dawn M. Clark, by Beer Gardens Entertainment, LLC, d/b/a The Drunken Duck, premises located at 5906 W. Burnham St. (2014-2015 Class B Tavern License no. 1743 and Instrumental Music License no. 1788).

Appearance by Dawn M. Clark. Discussion ensued regarding whether Ms. Clark was applying to be the agent or applying for the full Class B Tavern License. Attorney Merten told Ms. Clark the paperwork submitted was only for the appointment of new agent. She was advised to contact the Clerk's Office for clarification if she was applying for the Class B Tavern License at 5906 W. Burnham St. or if she was applying for the appointment of agent for Beer Garden Entertainment LLC (the current license holder).

This matter was Held.

At 7:05 p.m., Chair Czaplewski stated it was the intention of the Committee to convene in closed session at said time and in Room 118 to deliberate and confer with the City Attorney on the Summons and Complaint regarding Morgan Murphy Enterprises, LLC, Mary Jo Burbach, Agent (2014-2015 Class B Tavern License no. 2004, Dance Hall License no. 2005, Instrumental Music License no. 2083 and Food-Related Permit/License, d/b/a Tap 58 for the premises located at 5732 W. Mitchell St.).

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. Haass, to convene in closed session in Room 118 at 7:05 p.m. The motion carried by the following vote:

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

No: 0

Others present: City Attorney Scott Post, Ald. Vitale, Ald. May and Ann Marie Neff.

Upon conclusion of the closed session at 7:21 p.m., the License and Health Committee reconvened in open session at said time 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.

Present 5 - Ald. Czaplewski, Ald. Roadt, Ald. Barczak, Ald. Haass, and Ald. Weigel

2015-0014

Summons and Complaint in the matter of the complaint against Morgan Murphy Enterprises, LLC, Mary Jo Burback, for the premises located at 5732 W. Mitchell St., d/b/a Tap 58 (2014-2015 Class B Tavern License no. 2004, Dance Hall License no. 2005, Instrumental Music License no. 2083 and Food-Related Permit/License).

Attachments: [Morgan Murphy Enterprises Summons](#)
[Morgan Murphy Enterprises Complaint](#)
[Morgan Murphy Enterprises, LLC Affidavit of Service](#)

A motion was made by Ald. Barczak, seconded by Ald. Weigel for suspension of the food permit/license for seven (7) days beginning January 25, 2015 at 6:00 a.m. until January 31, 2015 at midnight. Attorney Merten was directed to prepare the Findings & Recommendations.

G. ADJOURNMENT

A motion was made by Ald. Barczak, seconded by Ald. Weigel, to adjourn at 7:26 p.m. The motion carried unanimously.

Respectfully submitted,

*Ann Marie Neff
Secretary to the Committee*

