



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, March 23, 2010

6:00 PM

City Hall Room 128

REGULAR MEETING

A. CALL TO ORDER

The meeting was called to order by Chair Czaplewski at 6:00 p.m.

B. ROLL CALL

Present: 4 - Ald. Czaplewski, Ald. Barczak, Ald. Roadt and Ald. Weigel
Excused: 1 - Ald. Sengstock

Others present: Kamal H. Issa and Attorney Othman Atta, Susan and Vincent Scardina, David Glazer, Thaddeus J. Derynda, Shawna Fischer, Mark S. Silber, Talwinder Soos and Attorney Vincent Bobot, Rupinder K. Randhawa, Omer J. and Issam J. Audi, Manjit Singh Dhillon, Sarbjit Singh Sidhu, Ajinder Singh, Sajid Bashir, Joginder Singh, Ted Atkinson, Director of Building Inspections and Neighborhood Services, Lt. Terry Morrissey, West Allis Police Dept., Jenna Merten, Assistant City Attorney and Ann Marie Neff, Secretary to the Committee.

C. APPROVAL OF MINUTES

A motion was made by Ald. Barczak, seconded by Ald. Roadt, to approve the minutes of the regular meeting of January 26, 2010, and recess meetings of February 2, 2010, February 16, 2010, March 2, 2010 and March 16, 2010. The motion carried unanimously.

D. CLOSED SESSION

A closed session was not held.

E. NEW AND PREVIOUS MATTERS

9. [2010-0166](#)

Director of Building Inspections and Neighborhood Services communication regarding G2 Properties, LLC, David Glazer, Agent, Mobile Home Park License, d/b/a Fairview Trailer Park at 1021 S. 84 St.

Appearance by David Glazer. Mr. Atkinson informed the Committee of the code violations and limited progress being made at 1021 S. 84 St. Mr. Atkinson said the area has outlived its usefulness and would like the Committee to revoke this Mobile Home Park License.

Mr. Glazer said he had completed all the items on the previous violation list and that the recent letter he received was a new list of code violations.

Ald. Barczak commented on the condition of the property being a disgrace and agreed with Mr. Atkinson about closing it.

Mr. Glazer told the Committee he purchased the property under the impression that the Development Department was willing to help him redevelop it. He said he has submitted three (3) different proposals and was turned down.

Ald. Weigel inquired if May 17 would be an appropriate time frame to accomplish the repairs.

Mr. Atkinson said he would agree to that deadline and suggested Mr. Glazer call him to set up a meeting.

Ald. Czaplewski and the Committee agreed that Mr. Glazer would have until May 17. The process to revoke the license would proceed if the code violations and repairs were not completed or addressed by then.

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: 4 - Ald. Czaplewski, Ald. Barczak, Ald. Roadt and Ald. Weigel
No: 0

10. [2010-0167](#)

Director of Building Inspections and Neighborhood Services communication regarding D&G Investments, Thaddeus J. Derynda and Bernie Gallas (Partners), Mobile Home Park License, d/b/a Mobile Estates of West Allis at 10401 W. Greenfield Ave.

Appearance by Thaddeus J. Derynda. Mr. Atkinson informed the Committee of the code violations at 10401 W. Greenfield Ave. He said a 2009-2010 Mobile Home Park License was never issued and that currently he will not approve the 2010-2011 license application.

Mr. Derynda stated he was not aware he did not have a current license and that no one contacted him regarding not having a license. He told the Committee that the decks, storage units and other items installed without permits were in place before he purchased the property and felt he should not be penalized for these.

Ald. Weigel said unfortunately the current owner is left with the responsibility and violations when they purchase property that had work done without the proper permits.

Ald. Czaplewski suggested Mr. Derynda get together with Mr. Atkinson and discuss what is expected so he can receive his licenses.

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

Votes: Aye: 4 - Ald. Czaplewski, Ald. Barczak, Ald. Roadt and Ald. Weigel
No: 0

11. [2010-0165](#)

2010-2011 Mobile Home Park License renewal application no. 290 of D&G Investments, Thaddeus J. Derynda and Bernie Gallas (Partners), d/b/a Mobile Estates of West Allis located at 10401 W. Greenfield Ave.

See legislative file no. 2010-0167.

Held

12. [2010-0169](#)

Director of Building Inspections and Neighborhood Services communication regarding violations of the Conditional Business Occupancy Permit of LAM Enterprises, Loretta A. Matovich, Agent, d/b/a Shawna's Pub & Grub for premises located at 1101 S. 60 St.

Appearance by Shawna Fischer. Mr. Atkinson reviewed the requirements of the conditional occupancy permit previously granted and commented that much progress has been made. He addressed that the outside of the building, landscaping and refuse enclosures need to be completed.

Ms. Fischer replied she is concentrating on the outside of the building and will have that work completed. She informed the Committee and Mr. Atkinson that she does not have a tenant upstairs and wanted to get an extension on those needed repairs.

Mr. Atkinson stated he would be willing to talk with Ms. Fischer if she called him to set an appointment.

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

Votes: Aye: 4 - Ald. Czaplewski, Ald. Barczak, Ald. Roadt and Ald. Weigel
No: 0

1. [2010-0162](#) Summons and Complaint in the matter of the complaint against Mr. Gyros Café & Grill, LLC, James P. Wood, Agent, d/b/a Mr. Gyros relative to Food-Related Permit.
Nonappearance by James P. Wood. Atty. Merten informed the Committee that the Summons and Complaint was not able to be served. The Committee requested he be Summoned for the next scheduled License & Health meeting.
Held
2. [2009-0719](#) Findings and Recommendations in the Matter of the Complaint Against Mr. Gyros Cafe & Grill, LLC, James Wood relative to Food-Related Permit.
See legislative file no. 2010-0162.
Held
3. [2010-0163](#) Summons and Complaint in the matter of the complaint against Children's Creative Corner, Inc., Toni Hamelin, Agent, d/b/a Children's Creative Corner relative to Food-Related Permit.
Nonappearance by Toni Hamelin. Atty. Merten informed the Committee that the Summons and Complaint was not able to be served. The Committee requested she be Summoned for the next scheduled License & Health meeting.
Held
4. [2010-0125](#) Communication from Assistant City Attorney regarding non-payment of personal property taxes, for Children's Creative Corner and Mr. Gyros, and outstanding judgement for Mr. Gyros.
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: 4 - Ald. Czaplewski, Ald. Barczak, Ald. Roadt and Ald. Weigel
No: 0
5. [2010-0164](#) Summons and Complaint in the matter of the complaint against Atlas Tobacco Wholesale Corp., Kamal H. Issa, Agent, d/b/a West Allis Cigarette Depot at 7023 W. Greenfield Ave.(2009-2010 Cigarette License no. 513).
Appearance by Kamal H. Issa and Atty. Othman Atta. Atty. Atta acknowledged receipt of the Summons and Complaint from Atty. Merten.
Ald. Barczak suggested a hearing be scheduled for suspension or revocation of Mr. Issa's Cigarette license. He briefly described to Atty. Atta and Mr. Issa how the proceedings work and how long it could take.
Atty. Atta said the court case has not yet been settled.
Attorney Merten stated that the case does not need to be settled in Milwaukee County Circuit Court for the Committee to proceed with a hearing. She said that the Committee has the right and responsibility to act on the well being of the City.
Atty. Atta replied that Mr. Issa already has a heavy financial burden by hiring an Attorney for himself and his brother with the pending charges and doesn't think he would want to go through the expensive and lengthy process of a hearing. He said he would review the Summons and Complaint and talk it over with Mr. Issa. He wanted to know if an agreement could be reached without having to go through the hearing process.
Ald. Barczak confirmed with Atty. Merten that Atty. Atta could set up a meeting with her to discuss disciplinary action.
Held

6. [2010-0030](#) Police Department Report involving West Allis Cigarette Depot, 7023 W. Greenfield Avenue (2009-2010 Cigarette and Tobacco Products License no. 513 of Atlas Tobacco Wholesale Corporation, Kamal H. Issa, Agent, Incident Date: December 13, 2009).

See legislative file no. 2010-0164.

Held

7. [2010-0168](#) Communication from Assistant City Attorney regarding non-payment of personal property taxes for Scardina Bakery and Delicatessen.
- Appearance by Susan and Vincent Scardina. Ald. Czaplewski suggested Ms. Scardina contact the City Attorney's Office to reevaluate their payment plan. He said the Committee realizes they are working on getting their personal property taxes paid up.*

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: 4 - Ald. Czaplewski, Ald. Barczak, Ald. Roadt and Ald. Weigel
No: 0

8. [2010-0158](#) 2009-2011 Tavern Operator License application no. 11-446 of Chastity M. Fischer.

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

Held

13. [2010-0140](#) Police Department Report involving Flappers, 7527 W. Becher St. (2009-2010 Class B Tavern License no. 797 and Dance Hall License no. 799 of Rodeo Grill, LLC, Mark S. Silber, Agent, Incident Date: February 14, 2010).

Appearance by Mark S. Silber. Mr. Silber told the Committee that the bartender was ready to call 911 when a squad on patrol noticed the disturbance and stopped.

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: 4 - Ald. Czaplewski, Ald. Barczak, Ald. Roadt and Ald. Weigel
No: 0

14. [2010-0142](#) Police Department Report regarding February 20, 2010 Alcohol Compliance Check involving ten (10) West Allis businesses, resulting with five (5) selling alcohol to an underage person without requesting identification (2009-2010 Combination Class A Liquor License no. 938 and Cigarette License no. 1037 of Jas & Sant Corporation, Talwinder Soos, Agent, d/b/a County Beer & Liquor, 979 S. 60 St.).

Appearance by Talwinder Soos and Atty. Vincent Bobot, Rupinder K. Randhawa, Omer J. and Issam J. Audi, Manjit Singh Dhillon and Sarbjit Singh.

Ald. Czaplewski expressed his disappointed that five (5) of the ten (10) businesses checked failed to ask for identification. Mr. Sidhu stated he felt the compliance check was unfair because the test person looked much older and had a sling on his arm. He said he was more concerned for the safety of the customer because he seemed out of balance. The other license holders in attendance agreed with Mr. Sidhu. Atty. Bobot informed the Committee that his client, Mr. Soos, recently purchased an ID checker for his business. Ald. Barczak commented that was a good idea because he will have a record of all the ID's scanned.

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

15. [2010-0143](#) Police Department Report regarding February 20, 2010 Alcohol Compliance Check involving ten (10) West Allis businesses, resulting with five (5) selling alcohol to an underage person without requesting identification (2009-2010 Combination Class A Liquor License no. 1080 and Cigarette License no. 1081 of Dilneet Corporation, Rupinder K. Randhawa, Agent, d/b/a West Allis Liquor & Tobacco, 7218 W. Greenfield Ave.).
See legislative file no. 2010-0142.
This Matter was Recommended to be Placed on File on a Block Vote.
16. [2010-0144](#) Police Department Report regarding February 20, 2010 Alcohol Compliance Check involving ten (10) West Allis businesses, resulting with five (5) selling alcohol to an underage person without requesting identification (2009-2010 Combination Class A Liquor License no. 1494 and Cigarette License no. 1495 of Audi Brothers, LLC, Omer J. Audi, Agent, d/b/a Super Bottle Depot, 1357 S. 76 St.).
See legislative file no. 2010-0142.
This Matter was Recommended to be Placed on File on a Block Vote.
17. [2010-0145](#) Police Department Report regarding February 20, 2010 Alcohol Compliance Check involving ten (10) West Allis businesses, resulting with five (5) selling alcohol to an underage person without requesting identification (2009-2010 Combination Class A Liquor License no. 1598 and Cigarette License no. 1599 of Olympia Liquor & Food, Inc., Manjit Singh Dhillon, Agent, d/b/a Olympia Food & Liquor, 9034 W. Greenfield Ave.).
See legislative file no. 2010-0142.
This Matter was Recommended to be Placed on File on a Block Vote.
18. [2010-0146](#) Police Department Report regarding February 20, 2010 Alcohol Compliance Check involving ten (10) West Allis businesses, resulting with five (5) selling alcohol to an underage person without requesting identification (2009-2010 Combination Class A Liquor License no. 1609 and Cigarette License no. 1617 of Sarbjit Singh Sidhu, Agent, d/b/a Walsh's Beer & Liquor, 10910 W. Greenfield Ave.).
See legislative file no. 2010-0142.
This Matter was Recommended to be Placed on File on a Block Vote.

Passed The Block Vote

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

Votes: Aye: 4 - Ald. Czaplewski, Ald. Barczak, Ald. Roadt and Ald. Weigel
No: 0

19. [2010-0159](#) Police Department Report regarding February 5, 2010 Tobacco Compliance Check involving nine (9) West Allis businesses, resulting with three (3) selling tobacco to an underage person without requesting identification (2009-2010 Cigarette License no. 1358 of Jasleen Enterprises, LLC, Ajinder Singh, Agent, d/b/a Jasleen Citgo at 8323 W. Becher St.).
- Appearance by Ajinder Singh, Sajid Bashir and Joginder Singh. Ajinder Singh said his gas station just had a drive off and the employee was distracted. Sajid Bashir told the Committee his employee's mind was elsewhere because he had a recent death in the family. Joginder Singh informed the Committee he gives his employees one warning and they are responsible for paying the ticket. Ald. Czaplewski commented that these business owners can count on having another compliance check in the near future.*
- This Matter was Recommended to be Placed on File on a Block Vote.**
20. [2010-0160](#) Police Department Report regarding February 5, 2010 Tobacco Compliance Check involving nine (9) West Allis businesses, resulting with three (3) selling tobacco to an underage person without requesting identification (2009-2010 Cigarette License no. 468 of Choudry Oil, Inc., Sajid Bashir, Agent, d/b/a Marathon at 2315 S. 76 St.).
- See legislative file no. 2010-0159.*
- This Matter was Recommended to be Placed on File on a Block Vote.**
21. [2010-0161](#) Police Department Report regarding February 5, 2010 Tobacco Compliance Check involving nine (9) West Allis businesses, resulting with three (3) selling tobacco to an underage person without requesting identification (2009-2010 Cigarette License no. 509 of Jimmy Enterprises, Inc., Joginder Singh, Agent, d/b/a Shell Gas Station at 2310 S. 76 St.).
- See legislative file no. 2010-0159.*
- 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. Roadt, including all the preceding items marked as having been adopted on a Block Vote. The motion carried by the following vote:

Votes: Aye: 4 - Ald. Czaplewski, Ald. Barczak, Ald. Roadt and Ald. Weigel
No: 0

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

None.

G. ADJOURNMENT

A motion was made by Ald. Weigel, seconded by Ald. Barczak, to adjourn at 7:25 p.m. The motion carried unanimously.

Respectfully submitted,

*Ann Marie Neff
Secretary to the Committee*