



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, James W. Sengstock, Martin J. Weigel

Tuesday, September 25, 2012

5:30 PM

City Hall, Common Council Chambers

REGULAR MEETING

A. CALL TO ORDER

The meeting was called to order by Chair Czaplewski at 5:30 p.m.

B. ROLL CALL

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

Excused: 1 - Ald. Barczak

Others present: Daniel R. Seiy & Attorney Vincent Bobit, Jamal J. Rahman, Reymundo J. Ramos, Jr. & Reymundo J. Ramos, Sr., Muhammad Shahzad & Sandeep Verma, Ronald K. Harstvedt & John J. Biber, Theodore M. Galaszewski, Brett J. Farnham, Brenda M. Ledbetter, Aaron L. Bitzan, Jason M. Steel, Gerald J. Sewalish, Yvonne R. Morrison, Nikkia D. Johnson, Jessica L. Lesniewski, Christopher J. Hause, Alma N. Estrada, Tammy L. Dopp, Scott Post, City Attorney, Ted Atkinson, Director of Building Inspections and Neighborhood Services, Lt. Ed Benish, 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. Sengstock, seconded by Ald. Roadt, to approve the minutes of the regular meeting of August 28, 2012 and recess meetings of September 4, 2012 & September 18, 2012. The motion carried unanimously.

E. NEW AND PREVIOUS MATTERS

1. [2012-0502](#)

Summons and Complaint in the matter of the complaint against Danny's Entertainment, Inc., Daniel R. Seiy, Agent, for the premises located at 1902 S. 60 Street, d/b/a Danny's Lounge (2012-2013 Class B Tavern License no. 1738, Dance Hall License no. 1740 and Instrumental Music License no. 1739).

Appearance by Daniel R. Seiy & Attorney Vincent Bobot. Atty. Bobot acknowledged receipt of the Complaint and told the Committee they deny the allegations. All parties present and involved agreed on a hearing date of Monday, October 29, 2012, 8:00 a.m., in Room 128.

Held

2. [2012-0453](#)

Police Department Report involving Danny's Lounge, 1900 S. 60 St. (2012-2013 Class B Tavern License no. 1738, Dance Hall License no. 1740 and Instrumental Music License no. 1739 of Danny's Entertainment, Inc, Daniel R. Seiy, Agent, Incident Dates: July 1, 2012, July 14, 2012, August 18, 2012 & August 22, 2012).

See legislative file no. 2012-0502.

Held

3. [2012-0512](#) Director of Building Inspections and Neighborhood Services communication regarding the 2011-2012 and 2012-2013 Mobile Home Park License, D&G Investments, Thaddeus J. Derynda and Bernie Gallas (Partners), d/b/a Mobile Estates of West Allis at 10401 W. Greenfield Ave.
- Nonappearance of Thaddeus J. Derynda & Bernie Gallas. Mr. Derynda contacted the Clerk's office. Ted Atkinson updated the Committee on the outstanding matters regarding this licensed location. The Committee agreed to hold this matter until the October meeting to give Mr. Derynda time to comply.*
- Held**
4. [2012-0511](#) 2012-2013 Secondhand Article Dealer License application no. 1890 of Compcell, LLC, Jamal J. Rahman, Agent, d/b/a Compcell, for premises located at 5701 W. National Ave.
- Appearance by Jamal J. Rahman. Ted Atkinson spoke to the Committee regarding the departments involved and lengthy process for having an area rezoned. Discussion ensued regarding Mr. Rahman's options. The Committee recommended to Place on File and asked the Clerk's Office to refund the license fees.*
- 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: 4 - Ald. Czaplewski, Ald. Roadt, Ald. Sengstock and Ald. Weigel
No: 0
5. [2012-0405](#) 2012-2013 Secondhand Jewelry Dealer License application no. 1892 of Rey Jewelry, LLC, Reymundo J. Ramos, Jr., Agent, d/b/a Rey Jewelry, for premises located at 5835 W. National Ave.
- Appearance by Reymundo J. Ramos, Jr. & Reymundo J. Ramos, Sr. Discussion ensued regarding the occupancy permit, the name of the business and when Mr. Ramos will occupy the premises. Mr. Ramos told the Committee that he has new signs ordered and October 1st the old signs will come down. The Committee recommended the reconsideration of this license application to be placed on file.*
- 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: 4 - Ald. Czaplewski, Ald. Roadt, Ald. Sengstock and Ald. Weigel
No: 0
6. [2012-0470](#) 2012-2013 Combination Class A License application no. 1898, of Shahzad Enterprise, LLC, Muhammad Shahzad, Agent, d/b/a Aryan's Liquor Store for premises located at 1568 S. 81 St. (new-existing).
- Appearance by Muhammad Shahzad & Sandeep Verma. Discussion ensued regarding Mr. Sandeep's decision to not surrender the Combination Class A License, which is currently issued in his name. The Committee cautioned Mr. Shahzad and Mr. Verma that a business cannot operate under another business's license. The Committee denied this new application based on Mr. Sandeep's decision not to surrender the license.*
- A motion was made by Ald. Sengstock, seconded by Ald. Weigel, that this matter be Recommended for Denial. The motion carried by the following vote:**
- Votes:** Aye: 4 - Ald. Czaplewski, Ald. Roadt, Ald. Sengstock and Ald. Weigel
No: 0

7. [2012-0488](#) 2012-2013 Class B Tavern License application no. 1902 of Tap 58, LLC, Ronald K. Harstvedt, Agent, d/b/a Tap 58, premises located at 5732 W. Mitchell St. (new-existing location).
- Appearance by Ronald K. Harstvedt. Discussion ensued regarding Mr. Harstvedt's police report, his experience in running a bar and the type of establishment he plans on running. Mr. Harstvedt told the Committee he is leasing the property and that Mr. Biwer and Mr. Holbert are offering him guidance and support. Ald. Roadt stated he feels Mr. Harstvedt is being honest and commented that he hopes Mr. Harstvedt does not disappoint the Committee. Chair Czaplewski asked Lt. Benish to offer his opinion. Lt. Benish replied he believes the applicant is being sincere and that he has had no incidents on his background for several years. Mr. Harstvedt was informed about the City's compliance check program, to check identification, to call 911 for any trouble and that he has the right to refuse service.*
- A motion was made by Ald. Sengstock, seconded by Ald. Roadt, that this matter be Recommended for Approval subject to the necessary requirement(s). The motion carried by the following vote:**
- Votes:** Aye: 3 - Ald. Czaplewski, Ald. Roadt and Ald. Sengstock
No: 1 - Ald. Weigel
8. [2012-0504](#) Communication from Assistant City Attorney regarding non-payment of 2011 real estate taxes for 5630 W. Lincoln Ave., DDT Bobblehedz, Inc.
- Appearance by Theodore M. Galaszewski. Discussion ensued regarding the payment process for the agreement. Mr. Galaszewski is waiting for the County to send him a receipt. Atty. Merten informed the Committee the payment in question did post to the County website September 24th.*
- 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: 4 - Ald. Czaplewski, Ald. Roadt, Ald. Sengstock and Ald. Weigel
No: 0
9. [2012-0480](#) 2012-2013 Tavern Operator License application no. 13-528 of Brett J. Farnham.
- Appearance by Brett J. Farnham. Discussion ensued regarding Mr. Farnham's police report. Mr. Farnham was reminded to be 100% cooperative with the police, to call 911 for any problems and to not take the law into his own hands.*
- 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. Roadt, Ald. Sengstock and Ald. Weigel
No: 0
10. [2012-0481](#) 2012-2013 Tavern Operator License application no. 13-534 of Brenda M. Ledbetter.
- Appearance by Brenda M. Ledbetter. Discussion ensued regarding Ms. Ledbetter's police report.*
- 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. Roadt, Ald. Sengstock and Ald. Weigel
No: 0
- A second roll call was taken to reflect Ald. Barczak present at this time.*
- Present: 5 - Ald. Czaplewski, Ald. Roadt, Ald. Barczak, Ald. Sengstock and Ald. Weigel
Excused: 0

11. [2012-0482](#) 2012-2013 Tavern Operator License application no. 13-535 of Aaron L. Bitzan.
Appearance by Aaron L. Bitzan. Discussion ensued regarding Mr. Bitzan's police report.
A motion was made by Ald. Roadt, seconded by Ald. Sengstock, that this matter be Recommended For Approval. The motion carried by the following vote:
Votes: Aye: 3 - Ald. Sengstock, Ald. Barczak and Ald. Roadt
No: 2 - Ald. Czaplewski and Ald. Weigel
12. [2012-0483](#) 2012-2014 Tavern Operator License application no. 14-204 of Jason M. Steel.
Appearance by Jason M. Steel. Discussion ensued regarding Mr. Steel's police report.
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
13. [2012-0484](#) 2012-2014 Tavern Operator License application no. 14-209 of Gerald J. Sewalish.
Appearance by Gerald J. Sewalish. Discussion ensued regarding Mr. Sewalish's police report.
A motion was made by Ald. Weigel, seconded by Ald. Sengstock, 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
14. [2012-0485](#) 2012-2013 Tavern Operator License application no. 13-538 of Yvonne R. Morrison.
Appearance by Yvonne R. Morrison. Discussion ensued regarding Ms. Morrison's police report.
A motion was made by Ald. Barczak, seconded by Ald. Sengstock, 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
15. [2012-0486](#) 2012-2013 Tavern Operator License application no. 13-539 of Nikkia D. Johnson.
Appearance by Nikkia D. Johnson. Discussion ensued regarding Mr. Johnson's police report. Mr. Johnson was reminded to call 911 and to listen to and cooperate with the police.
A motion was made by Ald. Barczak, seconded by Ald. Sengstock, 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
16. [2012-0491](#) 2012-2013 Tavern Operator License application no. 13-541 of John M. Bolle.
Nonappearance of John M. Bolle. Mr. Bolle did not contact the Clerk's Office. The Committee requested he be ordered to appear at the next scheduled License & Health meeting.
Held

17. [2012-0492](#) 2012-2013 Tavern Operator License application no. 13-543 of Jessica L. Lesniewski.

Appearance by Jessica L. Lesniewski. Discussion ensued regarding Ms. Lesniewski's police report. Ms. Lesniewski was asked if she drove to the meeting because her driver's license is currently revoked. She replied she walked.

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. Barczak and Ald. Weigel
No: 1 - Ald. Roadt

18. [2012-0493](#) 2012-2013 Tavern Operator License application no. 13-544 of Christopher J. Hause.

Appearance by Christopher J. Hause. Discussion ensued regarding Mr. Hause's police report.

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

19. [2012-0517](#) 2012-2013 Tavern Operator License application no. 13-545 of Alma N. Estrada.

Appearance by Alma N. Estrada. Discussion ensued regarding Ms. Estrada's police report and her expired driver's license.

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

Votes: Aye: 4 - Ald. Czaplewski, Ald. Sengstock, Ald. Barczak and Ald. Roadt
No: 1 - Ald. Weigel

20. [2012-0518](#) 2012-2014 Tavern Operator License application no. 14-212 of John R. Starr.

Nonappearance of John R. Starr. Mr. Starr did not contact the Clerk's Office. The Committee requested he be ordered to appear at the next scheduled License & Health meeting.

Held

21. [2012-0461](#) 2012-2013 Class B Tavern Special Event Permit application no. 8 of Doppelganger's, Inc., Tammy L. Dopp, Agent, d/b/a Dopp's Bar & Grill, 1753 S. 68 St. (2012-2013 Class B Tavern License no. 1490, Instrumental Music License no. 1491 and Dance Hall License no. 1492) for End of Summer Cookout, to be held Saturday, October 13, 2012, from Noon to 11:00 p.m. (Fenced in parking lot behind Dopp's).

Appearance by Tammy L. Dopp. Discussion ensued regarding Ms. Dopp's past special events and the type of music for this current event applied for.

A motion was made by Ald. Barczak, 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

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

22. [2012-0494](#) Discussion regarding number of Permits for Temporary Extension of Class B Tavern Licensed Premises for Special Events issued during a license year (July 1 thru June 30).

Discussion ensued regarding the number of Permits for Temporary Extension of Class B Tavern Licensed Premises for Special Events issued during a license year (July 1 thru June 30). The Committee asked Atty. Merten to draft an Ordinance limiting the number to three (3), with the Committee's option to approve additional ones for a location depending on the circumstances.

A motion was made by Ald. Sengstock, seconded by Ald. Barczak, that this matter be Discussed and Consensus Given. The motion carried by the following vote:

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

D. CLOSED SESSION

At 7:00 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 on the Summons and Complaint regarding Danny's Entertainment, Inc., Daniel R. Seiy, Agent, for the premises located at 1902 S. 60 Street, d/b/a Danny's Lounge (2012-2013 Class B Tavern License no. 1738, Dance Hall License no. 1740 and Instrumental Music License no. 1739).

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. Sengstock, seconded by Ald. Weigel, to convene in Closed Session at 7:02 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: Ann Marie Neff, Secretary to the Committee.

Upon conclusion of the closed session at 7:06 p.m., the License and Health Committee reconvened in open session in Room 128.

G. ADJOURNMENT

A motion was made by Ald. Barczak, seconded by Ald. Sengstock, to adjourn at 7:06 p.m. The motion carried unanimously.

Respectfully submitted,

*Ann Marie Neff
Secretary to the Committee*