



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, October 26, 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: 3 - Ald. Czaplewski, Ald. Sengstock and Ald. Weigel
Excused: 2 - Ald. Barczak and Ald. Roadt

Others present: Cory R. Fitzpatrick, Jessica L. LaRocque, Letitia M. Kujawa, Timothy E. Wergin, Jeanene M. Harrell, Carlos Santos, Greg M. Hansuld & Attorney E. Joseph Kershek, Joseph A. Jeffords & Peter Grubor, Brian L. Blocher, Kristine M. Budiac & Paul J. Budiac, Thomas J. Beckmann, Mario P. Morgese, 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. Sengstock, seconded by Ald. Weigel, to approve the minutes of the regular meeting of September 28, 2010 and recess meetings of October 5, 2010 & October 19, 2010. The motion carried unanimously.

D. NEW AND PREVIOUS MATTERS

1. [2010-0584](#) 2010-2011 Tavern Operator License application no. 11-552 of Cory R. Fitzpatrick.

Appearance by Cory R. Fitzpatrick. Ald. Weigel informed Mr. Fitzpatrick and all in attendance of the City's compliance check program, to call 911, to work as partners with the police, and not to over serve customers.

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: 0

2. [2010-0612](#) 2010-2011 Tavern Operator License application no. 11-560 of Jessica L. LaRocque.

Appearance by Jessica L. LaRocque. Ald. Weigel expressed concern of Ms. LaRocque's ability as a bartender to make the decision when a patron has had enough to drink if she cannot judge her own alcohol consumption. He stated it is against the law to serve someone that is intoxicated, even if they are not driving. Chair Czaplewski cautioned Ms. LaRocque that if she should appear before this License & Health Committee with an additional OWI he would vote to revoke her bartender's license. Ald. Sengstock said he agreed with Chair Czaplewski's statement and thanked Ms. LaRocque for being honest on her application.

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: 3 - Ald. Czaplewski, Ald. Sengstock and Ald. Weigel
No: 0

3. [2010-0613](#) 2010-2011 Tavern Operator License application no. 11-559 of Lettitia M. Kujawa.
- Appearance by Lettitia M. Kujawa. Ald. Sengstock asked Ms. Kujawa if she forgot to list any violations on her application for question number 4. Ms. Kujawa replied she had forgotten one because it was 12 years ago. Ald. Sengstock reminded Ms. Kujawa and all in attendance to be thorough and honest when filling out any type of application.*
- 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: 0
4. [2010-0615](#) 2010-2012 Tavern Operator License application no. 12-245 of Timothy E. Wergin.
- Appearance by Timothy E. Wergin. Ald. Sengstock stated that Mr. Wergin was candid on his application. Chair Czaplewski commented that the establishment Mr. Wergin said he would be working at has no problems and asked Mr. Wergin to help the owner by keeping it that way.*
- 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: 0
5. [2010-0562](#) 2010-2012 Package Goods Operator License application no. 1718 of Jeanene M. Harrell.
- Appearance by Jeanene M. Harrell. Ald. Sengstock cautioned Ms. Harrell of the consequences if she would receive a third OWI. Chair Czaplewski reminded Ms. Harrell to check everyone's identification.*
- 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: 0
6. [2010-0524](#) 2010-2011 Adult-Oriented Establishment Operator Permit application no. 1710 of Carlos Santos.
- Appearance by Carlos Santos. Ald. Weigel reminded Mr. Santos to follow the law regarding underage clientele and checking identification. Ald. Sengstock inquired if Mr. Santos's employer was aware of his background. Mr. Santos replied he was going through a difficult period in his life and has been given a chance to turn it around by this employer. Ald. Sengstock said he would reluctantly second the motion to approve this operator's permit.*
- 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: 3 - Ald. Czaplewski, Ald. Sengstock and Ald. Weigel
No: 0

7. [2010-0608](#) 2010-2011 Class B Tavern License application no. 1722 of Madington, LLC, Greg M. Hansuld, Agent, d/b/a Bulldog 60, located at 1101 S. 60 Street. (new-existing premises).

Appearance by Greg M. Hansuld & Attorney E. Joseph Kershek. Chair Czaplewski informed the Committee that Mr. Hansuld contacted him. Chair Czaplewski said he described the menu and type of establishment he plans on operating. Mr. Hansuld is aware of the history of this location, its past violations, and the construction of S. 60th Street. Mr. Hansuld told the Committee that he or the manager would live in the rental space upstairs. Ald. Sengstock informed Mr. Hansuld to comply with the City's Ordinances, to check identification, call 911, and be mindful of any problems in the area. The Committee asked Mr. Hansuld to keep in touch with Chair Czaplewski regarding the progress being made on the building and the anticipated opening date.

A motion was made by Ald. Sengstock, seconded by Ald. Weigel, 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. Sengstock and Ald. Weigel
No: 0

8. [2010-0486](#) Communication from Assistant City Attorney regarding Smokin' Joe's failure to complete the landscaping and screening plan for the property at 6139 W. Beloit Rd.

Appearance by Joseph A. Jeffords. Attorney Merten advised the Committee to hold this file until January.

Held

9. [2010-0619](#) Police Department Report involving Smokin' Joe's Pub, 6139 W. Beloit Rd., (2010-2011 Class B Tavern License no. 1427, Dance Hall License no. 1428 and Instrumental Music License no. 1430 of Smokin' Joe's Pub, LLC, Joseph A. Jeffords, Agent, Incident Date: August 21, 2010).

Appearance by Joseph A. Jeffords & Peter Grubor. A discussion ensued regarding the circumstances of the police reports. Ald. Sengstock made a motion to issue a Summons & Complaint for revocation of this Class B Tavern License. Attorney Merten informed the Committee she had enough information to draft a Summons & Complaint. Ald. Weigel stated he was not prepared to second that motion. Ald. Sengstock said Mr. Jeffords has appeared in front of the License & Health Committee numerous times. Mr. Grubor said there is just a handful of people that do not listen but the rest of the clientele is good. Mr. Jeffords said they do call the police just as they did for these last two reports. Ald. Sengstock withdrew his motion to issue a Summons And Complaint. Ald. Weigel agreed with Ald. Sengstock about the number of appearances being excessive and said one more negative police report and he would be in favor of a Summons & Complaint for suspension or revocation.

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

10. [2010-0620](#) Police Department Report involving Smokin' Joe's Pub, 6139 W. Beloit Rd., (2010-2011 Class B Tavern License no. 1427, Dance Hall License no. 1428 and Instrumental Music License no. 1430 of Smokin' Joe's Pub, LLC, Joseph A. Jeffords, Agent, Incident Date: September 4, 2010).

See legislative file no. 2010-0619.

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

Passed The Block Vote

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

Votes: Aye: 3 - Ald. Czaplewski, Ald. Sengstock and Ald. Weigel
No: 0

11. [2010-0622](#) Police Department Report involving Havana Lounge & Cigar, 9505 W. Greenfield Ave. (2010-2011 Class B Tavern License no. 1210 and Instrumental Music License no. 1508 of Havana Lounge LLC, Brian L. Blocher, Agent, Incident Date: September 11, 2010).

Appearance by Brian L. Blocher. The Committee informed Mr. Blocher that when the bartender involved in this incident had appeared before the Committee she seemed to be making excuses for what happened that evening and not taking the violations seriously. Mr. Blocher replied the bartender realized she made a mistake and now has a valid bartender's license.

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: 3 - Ald. Czaplewski, Ald. Sengstock and Ald. Weigel
No: 0

12. [2010-0618](#) Police Department Report involving Paulie's Pub & Eatery, LLC, 8031 W. Greenfield Ave. (2010-2011 Class B Tavern License no. 1403, Dance Hall License no. 1405 and Instrumental Music License no. 1406 of Paulie's Pub & Eatery, LLC, Kristine M. Budiac, Agent, Incident Date: August 20, 2010).

Appearance by Kristine M. Budiac & Paul J. Budiac. Ald. Weigel said the police report stated the staff saw the incident occur and did not call 911. Mr. Budiac replied the incident happened very quickly. Mr. Budiac said that the person involved in this altercation did not want medical attention and did not want the police called. Mr. Budiac told the Committee his employees call the police all the time. Mr. Budiac wanted it noted that the time stamp for the DVD referenced in the police report was incorrect. It should read 12:35.

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: 3 - Ald. Czaplewski, Ald. Sengstock and Ald. Weigel
No: 0

13. [2010-0625](#) Police Department Report involving Magoo's Sports Pub & Grill, 8911 W. National Ave. (2010-2011 Class B Tavern License no. 637 and Instrumental Music License no. 644 of Magoo's of West Allis, Ltd., Thomas J. Beckmann, Agent, Incident Date: September 26, 2010).

Appearance by Thomas J. Beckmann. Mr. Beckmann told the Committee the police report did not reflect his bartender making the 911 call because the bartender used his personal cell phone. Mr. Beckmann said he has informed his employees to use the establishment's telephone and to always identify themselves as an employee of the bar.

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: 3 - Ald. Czaplewski, Ald. Sengstock and Ald. Weigel
No: 0

14. [2010-0549](#) Police Department Report involving Mario's, 1900 S. 60 St. (2010-2011 Class B Tavern License no. 1091, Dance Hall License no. 1092 and Instrumental Music License no. 1093 of M & W Hospitality, Inc., Mario P. Morgese, Agent, Incident Date: August 1, 2010).

Appearance by Mario P. Morgese. A discussion ensued regarding the incident reports, the history of this establishment's police reports and the amount of law enforcement resources used at this location. Lt. Morrissey suggested Mr. Morgese position staff outside to make sure the exiting patrons go to their vehicles and leave. Mr. Morgese told the Committee he has a new manager living upstairs and has plans of leasing the business in the future. Mr. Morgese was informed that he would be receiving a Summons and Complaint to appear before the License & Health Committee on November 3, 2010.

Held

15. [2010-0624](#) Police Department Report involving Mario's, 1900 S. 60 St. (2010-2011 Class B Tavern License no. 1091, Dance Hall License no. 1092 and Instrumental Music License no. 1093 of M & W Hospitality, Inc., Mario P. Morgese, Agent, Incident Date: September 24, 2010).

See legislative file no. 2010-0549.

Held

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

None.

F. ADJOURNMENT

A motion was made by Ald. Sengstock, seconded by Ald. Weigel, to adjourn at 6:47 p.m. The motion carried unanimously.

Respectfully submitted,

*Ann Marie Neff
Secretary to the Committee*