



# 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*

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Tuesday, October 28, 2008

6:01 PM

West Allis City Hall Room 128

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### REGULAR MEETING

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#### A. CALL TO ORDER

*The meeting was called to order by Chair Czaplewski at 6:01 p.m.*

#### B. ROLL CALL

Present: 5 - Ald. Czaplewski, Ald. Sengstock, Ald. Barczak, Ald. Roadt and Ald. Weigel  
Excused: 0

*Others present: Ricardo R. Santiago, Jenny St. George, Michael D. Solberg, Jeffrey T. Farrington, Jodi B. Miller, Derek R. Miller, Thomas L. Miller, Jigar U. Chaudhari, Carmen D. Lewis Yun, Lt. Terry Morrissey, West Allis Police Dept., Jenna Merten, Assistant City Attorney, Monica Schultz, Assistant City Clerk 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 23, 2008 and recess meetings of October 7, 2008 & October 21, 2008. The motion carried unanimously.**

#### D. NEW AND PREVIOUS MATTERS

1. [2008-0638](#) 2008-2010 Tavern Operator License application no. 10-267 of Ricardo R. Santiago.

*Appearance by Ricardo R. Santiago. Ald. Sengstock informed all in attendance about the Police compliance checks, reminded them to check identification and to call 911. He told everyone that calling 911 is not held against the bartender or the establishment. Ald. Czaplewski reviewed the police background check and reminded Mr. Santiago to check identification and that the Committee looks favorable on establishments whose bartenders call the police. Ald. Czaplewski let everyone in attendance know that the full Council would be voting on the Committee's recommendations on Wednesday, November 5, 2008. Their licenses, if approved, would be ready on November 6.*

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

2. [2008-0639](#) 2008-2010 Tavern Operator License application no. 10-266 of Jenny St. George.
- Appearance by Jenny St. George. Ald. Weigel read out loud question no. 4 on the bartender application and then questioned Ms. St. George about her police report and the missing incidents on question no. 4. Ms. St. George stated she did think the police background check would go back to 1999. Ald. Sengstock said that hiding the past reflects upon a person's character.*
- Ald. Sengstock made a motion to approve the license.*
- There was no seconder.*
- Ald. Barczak read out loud a portion of the police report. He said he questions her ability to handle a conflict in the bar and felt she had a lack of respect for Police Officers. Ald. Czaplewski stated that our Police deserve respect and cooperation when responding to any situation. Recommend denial based on the police report.*
- A motion was made by Ald. Barczak, seconded by Ald. Weigel, that this matter be Recommended for Denial. The motion carried by the following vote:**
- Votes:** Aye: 4 - Ald. Czaplewski, Ald. Barczak, Ald. Roadt and Ald. Weigel  
No: 1 - Ald. Sengstock
3. [2008-0640](#) 2008-2010 Tavern Operator License application no. 10-268 of Michael D. Solberg.
- Appearance by Michael D. Solberg. Ald. Czaplewski gave Mr. Solberg a scenario and asked how he would handle the situation. Mr. Solberg stated he has learned his lesson. He has not had a drink in 7 to 8 years. Ald. Czaplewski asked if Mr. Solberg was aware of PM Pub and Grub's history. Mr. Solberg stated he was.*
- 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
4. [2008-0641](#) 2008-2009 Tavern Operator License application no. 9-580 of Jeffrey T. Farrington.
- Appearance by Jeffrey T. Farrington. Ald. Barczak inquired about a 2005 incident and a July incident. Mr. Farrington replied he completed probation. Ald. Weigel informed Mr. Farrington that if he received his license and a third OWI happened, his license could be revoked.*
- 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
5. [2008-0657](#) 2008-2009 Tavern Operator License application no. 9-587 of Jodi B. Miller.
- Appearance by Jodi B. Miller. Ald. Sengstock asked Ms. Miller if 1999 was her third OWI. Ms. Miller replied she has been clean and sober for eight (8) years. Ald. Weigel inquired about an incident in 2005. Ms. Miller explained that Muskego had charged her with false statement for missing information on an application. Ald. Czaplewski reminded Ms. Miller to watch for drugs in the tavern and to call the police for any suspicious activity. Ald. Weigel stated he would be consistent with his voting to deny when there are three (3) OWI's.*
- 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: 4 - Ald. Czaplewski, Ald. Sengstock, Ald. Barczak and Ald. Roadt  
No: 1 - Ald. Weigel

7. [2008-0659](#) 2008-2010 Tavern Operator License application no. 10-270 of Jeremiah J. Ulrich.
- Nonappearance by Jeremiah J. Ulrich. Mr. Ulrich did not contact the Clerk's Office. The Committee requested he be ordered to appear at the next scheduled License & Health meeting.*
- Held**
8. [2008-0614](#) 2008-2009 Tavern Operator License application no. 9-568 of Sacha L. Korpela.
- Nonappearance by Sacha L. Korpela. Ms. Korpela did not contact the Clerk's Office. Recommended for denial based on two (2) nonappearances.*
- A motion was made by Ald. Sengstock, seconded by Ald. Barczak, that this matter be Recommended for Denial. The motion carried by the following vote:**
- Votes:** Aye: 5 - Ald. Czaplewski, Ald. Sengstock, Ald. Barczak, Ald. Roadt and Ald. Weigel  
No: 0
9. [2008-0633](#) 2008-2009 Class B Tavern License renewal application no. 662 of William Miller, Inc., Thomas L. Miller, Agent, d/b/a Shakey's Pizza & Buffet premises located at 9638 W. National Ave.
- Appearance by Thomas L. Miller. Ald. Barczak said a license can only be granted to a business that is open or plans on opening. Mr. Miller replied he received a letter from the City Clerk's Office informing him that his option to renew this license would expire. He stated he does not plan to open a business there, but is trying to sell the building and has had some interested parties. An available liquor license would be a great asset.*
- Held**
10. [2008-0664](#) Police Department Report regarding August 26, 2008 Alcohol Compliance Check involving eight (8) West Allis businesses, resulting with one (1) selling alcohol to an underage person without requesting identification (2008-2009 Combination Class A Liquor License no. 1299 and Cigarette License no. 1300 of Jay's Liquor, Inc., Jigar U. Chaudhari, Agent, d/b/a Riverbend Liquor, 7506 W. Oklahoma Ave.).
- Appearance by Jigar U. Chaudhari. Mr. Chaudhari told the Committee that the employee involved has been fired. Ald. Barczak said he feels Pick 'n Save has the best policy of carding everyone. Mr. Chaudhari feels that type of policy would hurt his business. Ald. Weigel informed Mr. Chaudhari he needs to develop some type of policy for carding, or his license could be in jeopardy.*
- 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
6. [2008-0658](#) 2008-2009 Tavern Operator License application no. 9-588 of Derek R. Miller.
- Appearance by Derek R. Miller. Mr. Miller addressed the Committee stating he did not mean to leave any information off his application. He told the Committee he has been working at another club and does summer landscaping work. He is working part time as a bouncer for Paulie's. He informed the Committee he does not drive and has plans to attend college courses in January. Recommend denial based on the police report.*
- 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: 5 - Ald. Czaplewski, Ald. Sengstock, Ald. Barczak, Ald. Roadt and Ald. Weigel  
No: 0
11. [2008-0661](#) Police Department Report involving Larry Michael's Club & Cafe, 8900 W.

Greenfield Ave. (2008-2009 Class B Tavern License no. 472, Dance Hall License no. 1040, Instrumental Music License no. 1039 and Cigarette License no. 475, Larry M. Beilfuss, Agent, Incident Date: September 27, 2008).

*Nonappearance by Larry M. Beilfuss. Mr. Beilfuss did not contact the Clerk's Office. The Committee requested he be ordered to appear at the next scheduled License & Health meeting.*

**Held**

12. [2008-0662](#) Police Department Report involving Las Palmas, 1901 S. 60 St. (2008-2009 Class B Tavern License no. 1345, Dance Hall License no. 1346, Instrumental Music License no. 1347 and Cigarette License no. 1348 of Las Palmas, LLC, Carmen D. Lewis Yun, Agent, Incident Date: September 1, 2008).

*Appearance by Carmen D. Lewis Yun. Ms. Yun told the Committee that the bartenders are still employed. She believes her employees did card the people and did their jobs correctly. Ald. Sengstock said she should trust her employees but she should re-evaluate their procedures. Ald. Weigel read from the police report the statement of the manager that said he allowed the patrons to remain in the establishment without identification. Ald. Czaplewski reminded Ms. Yun that the area is very problematic so the officers are always alert.*

**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

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

13. [2008-0681](#) Discussion regarding the meaning of Habitual Law Offender under Section 125.04(5) (b) Wis. Stats.

*Jenna Merten, Assistant City Attorney, informed the Committee that an offense needs to be related to the license being applied for. Driving after revocation or speeding is not related to a liquor license. Drugs, gambling, a felony or not being honest on question no. 4 on the application are examples for reasons for denial. Ald. Czaplewski stated he still feels if you cannot follow the laws, rules and regulations associated with having a driver's license how can you be expected to follow the laws, rules and regulations for a bartender's license.*

**Discussed**

14. [2008-0682](#) Discussion regarding the procedure for summons and complaint issuance and processing.

*Jenna Merten, Assistant City Attorney, informed the Committee that she and Scott Post, City Attorney, agreed that if the Committee has a split vote then the full Common Council will vote on issuing a Summons and Complaint.*

**Discussed and Consensus Given**

#### **F. ADJOURNMENT**

**A motion was made by Ald. Sengstock, seconded by Ald. Weigel, to adjourned at 6:58 p.m. The motion carried unanimously.**

*Respectfully submitted,*

*Ann Marie Neff  
Secretary to the Committee*