



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: Kevin Haass, Michael P. May, Martin J. Weigel

Tuesday, November 15, 2016

6:00 PM

City Hall Room 128

SPECIAL MEETING

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. Haass, Ald. May, and Ald. Weigel

Others present: Erwin C. Magritz & Angela Mathe, Tonja M. Bassett, Kulwinder S. Dhaliwal, Rajesh G. Patel, Dineshkumar P. Patel, Scott R. Emanuele, Elizabeth K. Weis, Gerald M. Pfeifer, Enrique Gonzales, Lt. Brian Saftig, West Allis Police Dept., Ald. Vincent Vitale, Ald. Rosalie Reinke, and Ann Marie Neff, Secretary to the Committee.

C. APPROVAL OF MINUTES

[2016-0684](#)

Minutes (draft) of the License & Health Regular meeting of September 27, 2016, and recess meetings of October 4, 2016, October 18, 2016 and November 1, 2016.

Attachments: [092716 LH Minutes \(draft\)](#)

[100416 LH recess Minutes \(draft\)](#)

[101816 LH recess Minutes \(draft\)](#)

[110116 LH recess Minutes \(draft\)](#)

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

D. NEW AND PREVIOUS MATTERS

41. [2016-0650](#)

Police Department Report involving Remedy Bar, 1309 S. 60 St., of LeLe's Whiskey Corner, LLC, Erwin C. Magritz, Agent, Incident Date: September 3, 2016.

Appearance by Erwin C. Magritz and Angela Mathe. Discussion ensued regarding the police report, where the incident happened, and that the persons involved were highly intoxicated.

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

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

No: 0

43. [2016-0654](#) Police Department Report involving 6500 Restaurant & Bar, 6500 W. Greenfield Ave., of JM 6500 Investments, LLC, Tonja M. Bassett, Agent, Incident Date: September 30, 2016.
- Appearance by Tonja M. Bassett. Discussion ensued regarding the noise incident on September 30 and what steps Ms. Bassett is taking to prevent further complaints.*
- 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. Haass, Ald. May, and Ald. Weigel
- No:** 0
44. [2016-0660](#) Police Department Report regarding September 20, 2016 Alcohol Compliance Check involving twelve (12) West Allis businesses, resulting with two (2) selling alcohol to an underage person without requesting identification (Pooja, LLC, Kulwinder S. Dhaliwal, Agent, d/b/a Walsh's Beer & Liquor, for premises located at 10910 W. Greenfield Ave.).
- Appearance by Kulwinder S. Dhaliwal. Discussion ensued regarding the compliance check police report and the actions of the employee. Mr. Dhaliwal informed the Committee that the employee no longer works for him.*
- A motion was made by Ald. May, 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. Haass, Ald. May, and Ald. Weigel
- No:** 0
45. [2016-0661](#) Police Department Report regarding September 20, 2016 Alcohol Compliance Check involving twelve (12) West Allis businesses, resulting with two (2) selling alcohol to an underage person without requesting identification (Swami & Sai, LLC, Rajesh G. Patel, Agent, d/b/a VJ's Food Mart, for premises located at 9210 W. Schlinger Ave.).
- Appearance by Rajesh G. Patel. Discussion ensued regarding the compliance check police report.*
- 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. Haass, Ald. May, and Ald. Weigel
- No:** 0

- 46. [2016-0657](#) Police Department Report regarding September 18, 2016 Tobacco Compliance Check involving eleven (11) West Allis businesses, resulting with two (2) selling tobacco to an underage person without requesting identification (Jasleen Enterprises, LLC, Reena Bassi, Agent, d/b/a Jasleen Express, premises located at 8323 W. Becher St.).

Nonappearance of Reena Bassi. Ms. Bassi 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.

- 47. [2016-0659](#) Police Department Report regarding September 18, 2016 Tobacco Compliance Check involving eleven (11) West Allis businesses, resulting with two (2) selling tobacco to an underage person without requesting identification (HND, Inc., Dineshkumar P. Patel, Agent, d/b/a Cigarette Depot, premises located at 1512 S. 84 St.).

Appearance by Dineshkumar P. Patel. Discussion ensued regarding the compliance check police report and that electronic smoking devices can only be sold to a person 18 years of age or older. Mr. Patel commented that the person working was a family member and she had appeared before the License & Health Committee regarding this incident when she applied for her bartender/sales clerk license.

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

No: 0

- 37. [2016-0675](#) 2016-2017 Used Vehicle Dealer License application no. 2365 of Scott's Automotive LLC, Scott R. Emanuele, Agent, d/b/a Scott's Automotive LLC, for the premises located at 2042 S. 114th Street.

Appearance by Scott R. Emanuele. Discussion ensued regarding Mr. Emanuele's usage of the used vehicle dealer license. Mr. Emanuele stated that he needed the license to buy and sell vehicles at auction but would not have vehicles displayed outside for sale on the property. The Committee told Mr. Emanuele to get in touch with the Planning Department regarding a Special Use Permit, that the property is in need of repairs and updates, and reminded Mr. Emanuele he needs an occupancy permit.

A motion was made by Ald. Weigel, seconded by Ald. Haass, that this matter was Recommended for Approval subject to the necessary requirement(s). The motion carried by the following vote:

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

No: 0

- 48. [2016-0613](#) 2016-2018 Operator’s License (bartender/sales clerk) application no. 18-212 of Bryant L. Sukkert.

Nonappearance of Bryant L. Sukkert. Mr. Sukkert contacted the Clerk's Office. The Committee requested he be ordered to appear at the next scheduled License & Health meeting.

This matter was Held.

- 38. [2016-0672](#) 2016-2017 Operator’s License (bartender/sales clerk) application no. 17-519 of Molly M. Bangs.

Nonappearance of Molly M. Bangs. Ms. Bangs 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.

- 39. [2016-0673](#) 2016-2018 Operator’s License (bartender/sales clerk) application no. 18-220 of Elizabeth K. Weis.

Appearance by Elizabeth K. Weis. Discussion ensued regarding Ms. Weis's police report. Ms. Weis was reminded to make good decisions for her customers regarding not to overserve alcohol. The Committee cautioned Ms. Weis that a third OWI could result in revocation of her bartender/sales clerk license.

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

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

No: 0

- 40. [2016-0671](#) 2016-2017 Class B Tavern License application no. 2373 of Open Secret 5 LLC, Gerald M. Pfeifer, Agent, d/b/a Hawley House for premises located at 1101 S. 60th Street (new-nonexisting premises).

Appearance by Gerald M. Pfeifer. Discussion ensued regarding the type of food Mr. Pfeifer will be serving, his experience in owning or operating this type of establishment and when he will be opening.

A motion was made by Ald. Roadt, seconded by Ald. Weigel, that this matter was Recommended for Approval subject to the necessary requirement(s). The motion carried by the following vote:

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

No: 0

41. [2016-0665](#)

2016-2017 Combination Class A Liquor License application no. 2374 of Evisuals, LLC, Enrique Gonzales, Agent, d/b/a In & Out Grocery, for the premises located at 5932 W. Burnham St., (new-nonexisting location).

Appearance by Enrique Gonzales. Discussion ensued regarding purchasing alcohol from a licensed wholesaler, compliance checks, checking identification, and following the hours allowed for alcohol sales.

A motion was made by Ald. Haass, seconded by Ald. Roadt, that this matter was Recommended for Approval subject to the necessary requirement(s). The motion carried by the following vote:

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

No: 0

E. CLOSED SESSION

At 6:44 p.m., Chair Czaplewski stated it was the intention of the Committee to convene in closed session at said time and in Room 113 to deliberate on the Findings and Recommendation regarding Top Dog Enterprises, LLC, Ronald L. Mellantine, Agent, for the premises located at 9638 W. National Ave., d/b/a The Choice Eatery & Entertainment (2016-2017 Class B Tavern License no. 2316).

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. Weigel, seconded by Ald. Roadt, to meet in Room 128 and to go into closed session. The motion carried by the following vote:

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

No: 0

Others present: Ald. Vitale, Ald. Reinke, and Lt. Brian Saftig, West Allis Police Department.

Upon conclusion of the closed session at 6:54 p.m., the License and Health Committee reconvened in open session at said time and place 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.

34. [2016-0676](#) Findings and Recommendation in the Matter of the Complaint Against Top Dog Enterprises, LLC, d/b/a The Choice Eatery and Entertainment, Ronald Mellantine, Agent, for premises located at 9638 W. National Ave. (2016-2017 Class B Tavern License no. 2316).

Attachments: [F&R Top Dog Enterprises, LLC](#)
[F&R letter](#)

Appearance by Ronald Mellantine. Discussion ensued regarding the work Mr. Mellantine has completed, and the work and inspections that still need to be completed.

The Committee approved Mr. Mellantine's request for an extension and requested he appear at the meeting on January 3, 2017.

This matter was Held.

35. [2016-0689](#) Response of Top Dog Enterprises, LLC, to the Findings and Recommendation to revoke of the License & Health Committee and request for an additional three (3) week extension.

Attachments: [Response from Top Dog Enterprises, LLC](#)

See legistar file no. 2016-0676.

This matter was Held.

F. ADJOURNMENT

A motion was made by Ald. Roadt, seconded by Ald. Haass, to adjourn at 6:56 p.m. The motion carried unanimously.

Respectfully submitted,

*Ann Marie Neff
Secretary to the Committee*