



# 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, January 27, 2009

6:05 PM

West Allis City Hall  
Common Council Chambers

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### REGULAR MEETING

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#### A. CALL TO ORDER

*The meeting was called to order by Chair Czaplewski at 6:05 p.m.*

#### B. ROLL CALL

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

*Others present: Leonard E. Malan, Jessica A. Charris, Jasmen Abdel, Meghan E. Silas, Brooke A. Neumann, Heather R. Walker, Jeanne Kovacich, Suraj Ozman, Rajesh G. Patel, Lori L. Szuslik, Demetri S. Itsines, Joseph A. Jeffords, Ronald L. Thelen, Rocco A. Landgraff, Gregory J. Steffek, Lt. Terry Morrissey, West Allis Police Dept., Terry Brandenburg, Health Commissioner, Jenna Merten, Assistant City Attorney and Ann Marie Neff, Secretary to the Committee.*

#### C. APPROVAL OF MINUTES

**A motion was made by Ald. Weigel, seconded by Ald. Barczak, to approve the minutes of the special meeting of December 2, 2008 and recess meetings of December 2, 2008, December 16, 2008 and January 20, 2009. The motion carried unanimously.**

#### E. NEW AND PREVIOUS MATTERS

##### 15. [2009-0026](#)

Police Department Report involving Lenny's, 6309 W. National Ave. (2008-2009 Class B Tavern License no. 458, Dance Hall License no. 506 and Cigarette License no. 1357 of Lenny's, Inc., Leonard E. Malan, Agent, Incident Date: December 12, 2008).

*Appearance by Leonard E. Malan. Ald. Barczak commented on Mr. Malan appearing before the License & Health Committee numerous times since last April 2008. Ald. Roadt said he read in the police report that Mr. Malan did not call the police. Ald. Czaplewski recommended closing for a few days. Mr. Malan told the Committee he thought that the patrons just had a misunderstanding and resolved the conflict themselves. Ald. Weigel stated that Mr. Malan is not new to owning a tavern and felt he should know the procedure for calling the police.*

**A motion was made by Ald. Weigel, seconded by Ald. Barczak, that this matter be Referred for Summons and Complaint to the City Attorney. The motion carried by the following vote:**

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

4. [2009-0021](#) 2008-2009 Tavern Operator License application no. 09-621 of Jessica A. Charris.

*Appearance by Jessica A. Charris. Ald. Czaplewski stated that a possession charge, in his opinion, always raises a red flag. Ald. Barczak informed all in attendance about the Police compliance check program and reminded them to check identification.*

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

**Votes:** Aye: 3 - Ald. Barczak, Ald. Roadt and Ald. Weigel  
No: 1 - Ald. Czaplewski

#### D. PUBLIC COMMENT

*On an Ordinance to Repeal Subsections 7.121(3), (4) and (5), Repeal and Recreate Section 7.16 and Create Section 7.126 of the Revised Municipal Code Relating to Dangerous Dogs.*

*Ald. Weigel questioned if the amended Ordinance would reference specific breeds.*

*Ald. Czaplewski informed the Committee that MADACC sent in suggestions for revisions of the Ordinance, and that the City Attorney's office would review them.*

*Jasmen Abdel spoke on concerns with the definition of a dangerous animal. In some instances it would seem to be more of a nuisance animal as opposed to being dangerous.*

*Terry Brandenburg, Health Commissioner stated that originally certain items did appear as a Public Nuisance under Chapter 18 in the Revised Municipal Code. He said they would take another look at them.*

*Ald. Czaplewski advised Assistant City Attorney Merten to review the suggestions from MADACC and to look into separating nuisance actions and dangerous actions for the amended Ordinance.*

#### E. NEW AND PREVIOUS MATTERS

1. [O-2008-0054](#) An Ordinance to Repeal Subsections 7.121(3), (4) and (5), Repeal and Recreate Section 7.16 and Create Section 7.126 of the Revised Municipal Code Relating to Dangerous Dogs.

**Sponsor(s):** Michael J. Czaplewski

**Held**

2. [2009-0051](#) 2008-2010 Tavern Operator License application no. 10-295 of Meghan E. Silas.

*Appearance by Meghan E. Silas. Ald. Weigel questioned the items on the police report. Ald. Czaplewski stated the Committee is committed to putting responsible people in the position of tending bars. Ald. Barczak informed Ms. Silas that if there would be future incidents, and she was granted a license by this Committee, the Committee could be held accountable. Recommended for denial based on the police report.*

**A motion was made by Ald. Barczak, seconded by Ald. Roadt, 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: 0

3. [2009-0052](#) 2008-2010 Tavern Operator License application no. 10-296 of Brooke A. Neumann.
- Appearance by Brooke A. Neumann. Ald. Barczak informed Ms. Neumann that if there would be future incidents, and she was granted a license by this Committee, the Committee could be held accountable. Recommended for 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: 0
5. [2008-0750](#) Police Department Report regarding November 12, 2008 Tobacco Compliance Check involving twelve (12) West Allis businesses, resulting with one (1) selling tobacco to an underage person without requesting identification (2008-2009 Cigarette License no. 477 of Speedway Superamerica, LLC, Heather R. Walker, Agent, d/b/a Speedway #2090 at 9130 W. Oklahoma Ave.).
- Appearance by Heather R. Walker. Ald. Barczak noted this was the second appearance of Ms. Walker as agent. He explained to her the Police compliance check program and suggested they have a policy of checking everyone's identification.*
- 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
6. [2009-0032](#) Police Department Report regarding December 23, 2008 Alcohol Compliance Check involving fifteen (15) West Allis businesses, resulting with three (3) selling alcohol to an underage person without requesting identification (2008-2009 Combination Class A Liquor License no. 936 and Cigarette License no. 1077 of Town Beer & Liquor, Inc., Joseph A. Kovacich, Agent, d/b/a Town Beer & Liquor, 903 S. 84 St.).
- Appearance by Jeanne Kovacich. Ald. Barczak stated that Pick 'n Save's policy of checking everyone's identification is the best he has seen. Ald. Czaplewski commented that because they failed a compliance check, there is an excellent chance they will be checked again.*
- This Matter was Recommended to be Placed on File on a Block Vote.**
7. [2009-0033](#) Police Department Report regarding December 23, 2008 Alcohol Compliance Check involving fifteen (15) West Allis businesses, resulting with three (3) selling alcohol to an underage person without requesting identification (2008-2009 Class A Beer License no. 907 and Cigarette License no. 1013 of INXS Beverages, LLC, Suraj Ozman, Agent, d/b/a Walsh's Beer & Liquor, 10910 W. Greenfield Ave.).
- Appearance by Suraj Ozman. Ald. Barczak stated that Pick 'n Save's policy of checking everyone's identification is the best he has seen. Ald. Czaplewski commented that because they failed a compliance check, there is an excellent chance they will be checked again.*
- This Matter was Recommended to be Placed on File on a Block Vote.**

8. [2009-0034](#) Police Department Report regarding December 23, 2008 Alcohol Compliance Check involving fifteen (15) West Allis businesses, resulting with three (3) selling alcohol to an underage person without requesting identification (2008-2009 Combination Class A Liquor License no. 1398 and Cigarette License no. 1399 of Swami & Sai, LLC, Rajesh G. Patel, Agent, d/b/a VJ's Food Mart, 9206 W. Schlinger Ave.).
- Appearance by Rajesh G. Patel. Ald. Barczak stated that Pick 'n Save's policy of checking everyone's identification is the best he has seen. Ald. Czaplewski commented that because they failed a compliance check, there is an excellent chance they will be checked again.*
- 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. Weigel, 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

9. [2009-0029](#) Police Department Report involving Thirsty's Saloon & Eatery, 6833 W. National Ave. (2008-2009 Class B Tavern License no. 1096, Dance Hall License no. 1098, Instrumental Music License no. 1247 and Cigarette License no. 1097 of FB Beverages, LLC, Lori L. Szuslik, Member, Incident Date: December 18, 2008).
- Appearance by Lori L. Szuslik. Ms. Szuslik informed the Committee of the death of her husband and that they are in the process of filling out the paperwork to continue operating the business.*
- A motion was made by Ald. Barczak, 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

10. [2009-0031](#) Police Department Report involving Jock Stop Sports Bar, 7930 W. National Ave. (2008-2009 Class B Tavern License no. 880 and Dance Hall License no. 882 of JOCII Enterprises, LLC, Christopher J. Bitz, Agent, Incident Date: December 27, 2008).
- Nonappearance by Christopher J. Bitz. Mr. Bitz contacted the Clerk's Office. The Committee requested he be ordered to appear at the next scheduled License & Health meeting.*
- Held**

11. [2009-0027](#) Police Department Report involving Koozy's Bar & Grille, 1657 S. 108 St. (2008-2009 Class B Tavern License no. 1421, Dance Hall License no. 1422 and Cigarette License no. 1423 of DNA of Sheboygan Falls, Inc., Demetri S. Itsines, Agent, Incident Date: December 16, 2008).
- Appearance by Demetri S. Itsines. Mr. Itsines informed the Committee that the employee in question was not on duty that evening and is no longer employed by them. He said they have a no alcohol consumption policy for bartenders and waitresses.*
- 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

12. [2008-0747](#) Police Department Report involving Smokin' Joe's Pub, 6139 W. Beloit Rd., (2008-2009 Class B Tavern License no. 1427, Dance Hall License no. 1428, Instrumental Music License no. 1430 and Cigarette License no. 1429 of Smokin' Joe's Pub, LLC, Joseph A. Jeffords, Agent, Incident Date: November 15, 2008).

*Appearance by Joseph A. Jeffords. Mr. Jeffords explained to the Committee the changes he has been making in his establishment. He stated he feels he is losing business, but is also losing the problems associated with the particular type of crowds he was attracting. Ald. Barczak commented that he hopes Mr. Jeffords' changes will be successful for him and that the Committee will not have to see him for awhile. Ald. Barczak cautioned Mr. Jeffords that he is getting close to being issued a Summons and Complaint.*

**A motion was made by Ald. Barczak, 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

13. [2009-0024](#) Police Department Report involving Brass Monkey, 11904 W. Greenfield Ave. (2008-2009 Class B Tavern License no. 1238 and Instrumental Music License no. 1328 of Ron's Drivein, LLC, Ronald L. Thelen, Agent, Incident Date: December 1, 2008).

*Appearance by Ronald L. Thelen. Ald. Czaplewski told Mr. Thelen the police should have been called immediately. Mr. Thelen said when the patron reported the incident to the bartender she asked that the police not be called. Ald. Barczak stated the bartender should have called the police immediately and not have escorted the man out. Ald. Czaplewski commented that you cannot judge the mental state of someone involved in such an incident especially when alcohol is involved.*

**A motion was made by Ald. Barczak, 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

14. [2009-0025](#) Police Department Report involving Rocco's Bar & Grill, 1309 S. 60 St. (2008-2009 Class B Tavern License no. 1361, Dance Hall License no. 1363 and Cigarette License no. 1362 of Rocco A. Landgraff, Incident Date: December 3, 2008).

*Appearance by Rocco A. Landgraff. Mr. Landgraff told the Committee his bartender and himself could not call the police because they were restraining the man in the incident. Mr. Landgraff stated he yelled out for someone to call the police and one of the patrons made the call. Mr. Landgraff follows the "no alcohol consumption policy while on duty" in his establishment and recommends it highly to other bar owners.*

**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

16. [2009-0030](#) Police Department Report involving Mugshotz, 1902 S. 68 St. (2008-2009 Class B Tavern License no. 1380, Dance Hall License no. 1382, Instrumental Music License no. 1383 and Cigarette License no. 1381 of Mugshotz, Inc., Gregory J. Steffek, Agent, Incident Date: December 24, 2008).

*Appearance by Gregory J. Steffek. Mr. Steffek told the Committee he was not aware that a patron had called the police. Ald. Czaplewski informed Mr. Steffek to instruct all his bartenders to call the police for fights and call immediately when weapons are displayed.*

**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

17. [2009-0028](#) Police Department Report involving Scotty's Pub, 6500 W. Greenfield Ave. (2008-2009 Class B Tavern License no. 1254, Dance Hall License no. 1255 and Cigarette License no. 1256 of Iris Girl, LLC, Peter D. Crivello, Agent, Incident Date: December 18, 2008).

*Nonappearance by Peter D. Crivello. Mr. Crivello contacted the Clerk's Office. The Committee requested he be ordered to appear at the next scheduled License & Health meeting.*

**Held**

## F. ADJOURNMENT

**A motion was made by Ald. Barczak, seconded by Ald. Weigel, to adjourn at 7:12 p.m. The motion carried unanimously.**

*Respectfully submitted,*

*Ann Marie Neff  
Secretary to the Committee*