



# 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, August 3, 2010

5:45 PM

City Hall Room 128

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### SPECIAL MEETING

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#### A. CALL TO ORDER

*The meeting was called to order by Chair Czaplewski at 5:45 p.m.*

#### B. ROLL CALL

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

*Others present: Loretta A. Matovich, Leonard E. Malan, Nicole L. George, Lana M. Ostrowski, Ashley M. Altmeyer, Jennifer L. Breitbach, Jesse W. Rofritz, John C. Urban, Steven D. McIntosh, John A. Cissa, Joseph V. Biwer, Nicole K. O' Connor, Bhavesh V. Patel, Kulwinder S. Dhaliwal, Joshua J. Johnson, John J. Biwer, Dorene J. Monty & Attorney Dennis P. Coffey, Kamal H. Issa, David P. Bickler, Sr., Ted Atkinson, Director of Building Inspections and Neighborhood Services, Terry Brandenburg, Health Commissioner, 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 special meeting of July 6, 2010 and recess meeting of July 6, 2010. The motion carried unanimously.**

#### D. CLOSED SESSION

*A closed session was not held.*

#### 79. [2010-0425](#)

Summons and Complaint in the matter of the complaint against LAM Enterprises, LLC, Loretta A. Matovich, Agent, for the premises located at 1101 S. 60 St., d/b/a Shawna's Pub & Grub (2009-2010 Class B Tavern License no. 1579).

*Appearance by Loretta A. Matovich. Chair Czaplewski asked Ms. Matovich if she read the Summons and Complaint and if she understood it.*

*Ms. Matovich replied she had read it and then questioned why the City is holding money she could use for making repairs to the property. Attorney Merten brought to the attention of the Committee that Ms. Matovich has been asked several times by the Health Department to get a dumpster.*

*Ted Atkinson, Director of Building Inspections and Neighborhood Services, explained that the money is a Security Bond to make sure the work gets finished. The money gets refunded when the work is satisfactorily completed. Chair Czaplewski advised Ms. Matovich to meet with Mr. Atkinson regarding those concerns. Ald. Sengstock stated the purpose of this meeting was to discuss the Summons and Complaint. Attorney Merten asked Ms. Matovich if she admitted or denied the allegations.*

*After some hesitation Ms. Matovich said she denied the allegations. Chair Czaplewski requested that Attorney Merten set a date and proceed with the Hearing process. Ms. Matovich was informed she has delinquent Personal Property Tax and a Building Code Judgement. She was advised to meet with Attorney Merten to discuss those matters. Ald. Sengstock suggested Ms. Matovich get legal counsel to represent her best interest for the hearing.*

**Held**

80. [2010-0365](#) 2010-2011 Class B Tavern License renewal application no. 1579, Instrumental Music License application no. 1675, and Dance Hall License renewal application no. 1580 of LAM Enterprises, LLC, Loretta A. Matovich, Agent, d/b/a Shawna's Pub & Grub for premises located at 1101 S. 60 St.

*See legislative file no. 2010-0425.*

**Held**

#### **E. NEW AND PREVIOUS MATTERS**

83. [2010-0389](#) Police Department Report involving Lenny's, 6309 W. National Ave. (2009-2010 Class B Tavern License no. 458 and Dance Hall License no. 506 of Lenny's, Inc., Leonard E. Malan, Agent, Incident Date: April 22, 2010).

*Appearance by Leonard E. Malan. Ald. Weigel questioned why Mr. Malan asked everyone to leave and closed the bar early the evening of the incident but didn't call 911. Mr. Malan said he didn't call the police because he knew they would be contacting him. Ald. Barczak advised Mr. Malan to make calling 911 a priority. Ald. Barczak said Mr. Malan wouldn't have been required to appear for this incident if he would have called 911.*

**A motion was made by Ald. Sengstock, seconded by Ald. Roadt, 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

64. [2010-0499](#) 2010-2011 Tavern Operator License application no. 11-532 of Nicole L. George.

*Appearance by Nicole L. George. Ald. Sengstock informed Ms. George of the City's compliance check program. She was informed to check identification and call 911 without hesitation. Ald. Weigel said all bartenders need to be partners with the police, give useful information, and not cover up incidents.*

**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

65. [2010-0489](#) 2010-2012 Tavern Operator License application no. 12-225 of Lana M. Ostrowski.
- Appearance by Lana M. Ostrowski. Ms. Ostrowski told the Committee that she thought she only needed to list the violations since she last appeared. Ald. Weigel reminded Ms. Ostrowski she needs to fill out question no. 4 completely every time she fills out the bartender license application. Ald. Sengstock advised Ms. Ostrowski and those in attendance that they need to answer the question asked of them completely on an application. Ald. Sengstock said that not answering thoroughly could result in denial of a license.*
- 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
66. [2010-0442](#) 2010-2011 Tavern Operator License application no. 11-517 of Ashley M. Altmeyer.
- Appearance by Ashley M. Altmeyer. Ald. Weigel addressed question no. 4 not being filled out completely. Ms. Altmeyer replied she thought she was a minor when the incident occurred and explained the circumstances. Lt. Morrissey informed Ms. Altmeyer she was charged as an adult. Chair Czaplewski commented on Ms. Altmeyer's police background check and stated he has reservations when a person does not follow the rules and regulations associated with a driver's license. Chair Czaplewski questions if she will follow the rules and responsibilities that go with possessing a bartender's license. Ms. Altmeyer was reminded to obey all rules and call 911 for any problems.*
- 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
67. [2010-0443](#) 2010-2011 Tavern Operator License application no. 11-512 of Jennifer L. Breitbach.
- Appearance by Jennifer L. Breitbach. Ald. Sengstock commented that Ms. Breitbach was candid on her application and question no. 4. Chair Czaplewski stated that Ms. Breitbach was right on the edge of his voting to deny. Chair Czaplewski cautioned Ms. Breitbach that if she should appear in front of the Committee again, her license could be revoked.*
- 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
68. [2010-0450](#) 2010-2012 Tavern Operator License renewal application no. 12-216 of Jesse W. Rofritz.
- Appearance by Jesse W. Rofritz. Ald. Barczak commented on the length of time since Mr. Rofritz's first OWI. Ald. Sengstock cautioned Mr. Rofritz regarding his decision to operate a vehicle while under the influence.*
- 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

69. [2010-0452](#) 2010-2012 Tavern Operator License application no. 12-217 of John C. Urban.
- Appearance by John C. Urban. Chair Czaplewski commented on Mr. Urban's background report. Chair Czaplewski informed Mr. Urban to call the police and cooperate with them. Ald. Sengstock said Mr. Urban's background check shows a lack of responsibility and a lack of respect for society. Ald. Roadt stated it is very important that our bartenders have a strong partnership with the police. Chair Czaplewski cautioned Mr. Urban if he has any further violation he may be called back for revocation of his license.*
- 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
70. [2010-0453](#) 2010-2011 Tavern Operator License application no. 11-522 of Steven D. McIntosh.
- Appearance by Steven D. McIntosh. Ald. Sengstock commented that Mr. McIntosh was relatively candid on his application and question no. 4. Ald. Weigel asked Mr. McIntosh to explain the drug charges. Mr. McIntosh said he was pulled over for expired plates and admitted the drugs were in the car. Chair Czaplewski stated he would be voting to deny based on the possession charges.*
- A motion was made by Ald. Roadt, seconded by Ald. Barczak, that this matter be Recommended For Approval. The motion carried by the following vote:**
- Votes:** Aye: 4 - Ald. Sengstock, Ald. Barczak, Ald. Roadt and Ald. Weigel  
No: 1 - Ald. Czaplewski
71. [2010-0454](#) 2010-2011 Tavern Operator License application no. 11-521 of John A. Cissa.
- Appearance by John A. Cissa. Ald. Barczak said Mr. Cissa was the exception to the rule of having a license denied due to three (3) OWI violations. Mr. Cissa has not had an OWI in over 12 years. Ald. Barczak stated this shows how a person can change their life around. Chair Czaplewski informed Mr. Cissa and all in attendance to remind smokers going outside to be considerate to the neighbors. Ald. Weigel stated that if they step outside to have a smoke they are still considered your customer and the establishment is responsible for their actions. Ald. Barczak reminded everyone that no drinks are allowed outside.*
- 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
72. [2010-0487](#) 2010-2011 Tavern Operator License application no. 11-531 of Joseph V. Biber.
- Appearance by Joseph V. Biber. Chair Czaplewski commented on Mr. Biber's two (2) OWI convictions. Ald. Czaplewski cautioned Mr. Biber of revocation of his bartender's license if he should receive a third OWI.*
- 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: 5 - Ald. Czaplewski, Ald. Sengstock, Ald. Barczak, Ald. Roadt and Ald. Weigel  
No: 0

73. [2010-0488](#) 2010-2012 Tavern Operator License application no. 12-226 of Nicole K. O'Connor.
- Appearance by Nicole K. O'Connor. Ald. Weigel asked Ms. O'Connor to explain the circumstances on her background check. Ms. O'Connor admitted to the OWI charges but stated the drugs found in the car were not hers. She told the Committee she no longer drinks. Chair Czaplewski stated he would not be in favor of granting this license based on the drug charges.*
- 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: 4 - Ald. Sengstock, Ald. Barczak, Ald. Roadt and Ald. Weigel  
No: 1 - Ald. Czaplewski
74. [2010-0445](#) 2010-2011 Class A Beer License application no. 1703 of Swami Shree, LLC d/b/a VJ's Food Mart, Bhavesh V. Patel, Agent, for premises located at 9206 W. Schlinger Ave. (new-existing location).
- Appearance by Bhavesh V. Patel. Mr. Patel told the Committee he is familiar with the business. Ald. Barczak informed Mr. Patel of the City's compliance check program.*
- 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: 5 - Ald. Czaplewski, Ald. Sengstock, Ald. Barczak, Ald. Roadt and Ald. Weigel  
No: 0
75. [2010-0447](#) 2010-2011 Combination Class A Liquor License appl. no. 1694 of Pooja, LLC, d/b/a Walsh's Beer & Liquor, Kulwinder S. Dhaliwal, Agent, for premises located at 10910 W. Greenfield Ave. (new-existing location).
- Appearance by Kulwinder S. Dhaliwal. Ald. Barczak informed Mr. Dhaliwal of the City's compliance check program. He suggested Mr. Dhaliwal card everyone and informed him that the previous owners failed several compliance checks.*
- 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: 5 - Ald. Czaplewski, Ald. Sengstock, Ald. Barczak, Ald. Roadt and Ald. Weigel  
No: 0
76. [2010-0477](#) 2010-2011 Class B Tavern License application no. 1705 of International Development LLC, Joshua J. Johnson, Agent, d/b/a (to be determined) located at 9105 W. Lincoln Ave. (new-existing premises).
- Appearance by Joshua J. Johnson. Mr. Johnson informed the Committee of his business plans for this location and that he has has four (4) years of experience working at a family owned and operated restaurant. Ald. Roadt said he has objections due to the shortage of available parking spaces. Ald. Weigel stated he has concerns with the lack of parking in the residential area. Ald. Barczak suggested this matter be held until recess to see what the response is for the Public Hearing on the Special Use Permit.*
- Held**

77. [2010-0451](#) 2010-2011 Class B Tavern License application no. 1701 of Sportz Medicine, LLC, John J. Biwer, Agent, d/b/a Jilly Beans, premises located at 9524 W. Greenfield Ave. (new-existing location).
- Appearance by John J. Biwer. Mr. Biwer informed the Committee he did not have plans to put in a kitchen at this location.*
- A motion was made by Ald. Barczak, seconded by Ald. Sengstock, that this matter be Recommended for Approval subject to the necessary requirement(s). The motion carried by the following vote:**
- Votes:** Aye: 5 - Ald. Czaplewski, Ald. Sengstock, Ald. Barczak, Ald. Roadt and Ald. Weigel  
No: 0
78. [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.
- Nonappearance by Joseph A. Jeffords. Mr. Jeffords sister appeared but was informed she could not represent him. The Committee requested he be ordered to appear at the next scheduled License & Health meeting.*
- Held**
81. [2010-0409](#) 2010-2012 Package Goods Operator License application no. 1690 of Jacob C. Hovie.
- Second nonappearance of Jacob C. Hovie. Mr. Hovie did not contact the Clerk's Office. Recommended 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
82. [2010-0310](#) 2010-2011 Class B Tavern license renewal application no. 1447, PM Pub & Grub, Inc., Dorene Monty, Agent, d/b/a PM Pub & Grub for premises located at 6533 W. Mitchell Street. (new agent).
- Appearance by Dorene J. Monty and Attorney Dennis Coffey. Discussion ensued regarding to what capacity, if any, Mr. John Monty is involved in running the business and allowed in the bar, and if Ms. Monty is just a front person. Attorney Coffey informed the Committee that the State is watching Mr. Monty and his probation does not allow him to tend bar.*
- A motion was made by Ald. Sengstock, seconded by Chair Czaplewski to approve. The motion failed by the following vote:*
- Ayes: 2 - Alderpersons Czaplewski and Sengstock*  
*Noes: 3 - Alderpersons Barczak, Roadt and Weigel*
- 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: 3 - Ald. Barczak, Ald. Roadt and Ald. Weigel  
No: 2 - Ald. Czaplewski and Ald. Sengstock

84. [2010-0428](#) Police Department Report involving West Allis Cigarette Depot, 7023 W. Greenfield Ave. (2010-2011 Cigarette License application no. 513 of Atlas Tobacco & Grocery Wholesale Corp., Kamal H. Issa, Agent, Incident Dates: June 12, 2010 and June 17, 2010).

*Appearance by Kamal H. Issa. Mr. Issa said his lawyer could not make the meeting and apologized for violating the stipulation. Attorney Merten offered Mr. Issa a thirty (30) day complete closure. Mr. Issa said he would not accept those terms. Chair Czaplewski advised Attorney Merten to schedule a Hearing for revocation of Mr. Issa's Cigarette License. Mr. Issa told the Committee he reconsidered and he would accept the thirty (30) day closure. Mr. Issa was advised to contact Attorney Merten to finalize the agreement.*

**Held**

85. [2010-0163](#) Summons and Complaint in the matter of the complaint against Children's Creative Corner, Inc., Toni Hamelin, Agent, d/b/a Children's Creative Corner relative to Food-Related Permit.

*Nonappearance by Toni Hamelin. Ms. Hamelin did not contact the Clerk's Office. Attorney Merten informed the Committee Ms. Hamelin is almost complete in making payments.*

**Held**

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

[2010-0462](#)

Discussion relative to delinquent taxes for various license and permit applicants.

*Appearance by David P. Bickler, Sr. Mr. Bickler was advised to contact Attorney Merten regarding nonpayment of delinquent taxes.*

*Nonappearances by Scott Repinski, Timothy Sanchez, James A. Foti, Laura Cagle, Mohammad Chodwry and Papa Johns. They did not contact the Clerk's Office.*

*The Committee requested they be ordered to appear at the next scheduled License & Health meeting.*

**Held**

**G. ADJOURNMENT**

**A motion was made by Ald. Sengstock, seconded by Ald. Weigel, to adjourn at 7:03 p.m. The motion carried unanimously.**

*Respectfully submitted,*

*Ann Marie Neff  
Secretary to the Committee*