



# 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: Gary T. Barczak, Kevin Haass, Martin J. Weigel*

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Tuesday, August 26, 2014

6:02 PM

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 6:02 p.m.*

#### B. ROLL CALL

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

*Others present: Lisa M. Branson & Jessie L. Ivy, Tiffany M. Stevens & Jeff Fields, Allen E. Kohal, Truong M. Ly, Mary Anne & Bernard Schettle, Rachel L. Wesenberg, Ronald L. Mellantine, Kristen R. Bruss, Chad C. Clausing, Vince & Sue Scardina, Chuck Armstrong, Steve Caulfield, Karl Hattman & Todd Phelps, Dorene J. & John Monty, Aldersperson Cathleen Probst, Brianna Olson, Sergeant Rodney Nelson, 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. Roadt, seconded by Ald. Weigel, to approve the minutes of the special meetings of August 5, 2014 & August 18, 2014 and recess meeting of August 5, 2014. The motion carried unanimously.**

#### D. NEW AND PREVIOUS MATTERS

##### 1. 2014-0522

Police Department Report involving The New 6500 Bar, 6500 W. Greenfield Ave. (2014-2015 Class B Tavern License no. 2065, Dance Hall License no. 2067 and Instrumental Music License no. 2066) of My Place, LLC, Lisa M. Branson, Agent, Incident Date: July 28, 2014.

*Appearance by Lisa M. Branson & Jessie L. Ivy. Discussion ensued regarding the police report and Ms. Branson's prior appearance. Ms. Branson was informed that there are still noise complaints and was reminded to keep doors and windows closed. Ald. Weigel questioned the rope he saw tied to the door and directed Ms. Branson to remove it to prevent the door from being tied open. Ms. Branson was told it is against the law to serve anyone intoxicated. Chair Czaplewski cautioned Ms. Branson that if the police reports continue he will ask for revocation of the license.*

**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. Roadt, Ald. Barczak and Ald. Weigel  
No: 0

2.     **2014-0521**             Police Department Report involving Heart Breakers, 9440 W. National Ave. (2014-2015 Class B Tavern License no. 2010, Dance Hall License no. 2098 and Tavern Entertainment-Special License no. 2099) of Milwaukee Entertainment, LLC, Tiffany M. Stevens, Agent, Incident Date: July 7, 2014.
- Appearance by Tiffany M. Stevens and Jeffrey Fields. Discussion ensued regarding the police report and that the report references the employees knowing the person involved was a drug user. Mr. Fields told the Committee that the business has a zero tolerance for drugs and that the dancers are independent contractors and not employees of the establishment. Mr. Fields replied to Chair Czaplewski inquiry about the cameras being in working order and that the video of the incident was turned over to the police.*
- 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. Roadt, Ald. Barczak and Ald. Weigel  
No: 0
3.     **2014-0533**             Police Department Report involving Abigail R. Sindelar, 2014-2016 Operator's License (bartender/sales clerk) no. 16-181, Incident Date: June 27, 2014.
- Nonappearance by Abigail R. Sindelar. Ms. Sindelair did not contact the Clerk's Office. The Committee requested she appear at the next regular License & Health meeting.*
- Held**
4.     **2014-0447**             Police Department Report involving O'Reilly's, 1101 S. 60 St. (2013-2014 Class B Tavern License no. 2013) of AKO Holdings, LLC, Allen E. Kohal, Agent, Incident Date: June 25, 2014.
- Appearance of Allen E. Kohal. Discussion ensued regarding the police report and the importance that the bartender or an employee of the establishment is the one to call 911. Chair Czaplewski mentioned to Mr. Kohal about taking care of the weeds on the property.*
- 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. Roadt, Ald. Barczak and Ald. Weigel  
No: 0
5.     **2014-0518**             2014-2015 Class B Beer License application no. 2117 of Pho King, Inc., Truong M. Ly, Agent, d/b/a Pho King Vietnamese Restaurant, for premises located at 11112 W. National Ave. (new-nonexisting location).
- Appearance by Truong M. Ly. Discussion ensued regarding the City being over quota on Class B Liquor Licenses and the process required if Mr. Ly should request one in the future. Mr. Ly was told to speak with the Planning Commission regarding the outdoor area the former restaurant had used.*
- This Matter was Recommended for Approval subject to the necessary requirement(s) on a Block Vote.**
6.     **2014-0519**             2014-2015 Class C Wine License application no. 2118 of Pho King, Inc., Truong M. Ly, Agent, d/b/a Pho King Vietnamese Restaurant, for premises located at 11112 W. National Ave. (new-nonexisting location).
- See legislative file no. 2014-0518.*
- This Matter was Recommended for Approval subject to the necessary requirement(s) on a Block Vote.**

## Passed The Block Vote

**A motion was made by Ald. Roadt, 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. Roadt, Ald. Barczak and Ald. Weigel  
No: 0

7. **2014-0527** 2014-2015 Class B Tavern License application no. 2126 of Butch's Co., Inc., Mary Anne Schettle, Agent, d/b/a Butch's Pub & Eatery for premises located at 9140 W. National Ave. (new-existing location).

*Appearance by Mary Anne & Bernard Schettle. Discussion ensued regarding the Plan of Operation form about the hours of operation and identification searches. Mr. Schettle was told he could revise the Plan of Operation at the Clerk's Office.*

**A motion was made by Ald. Weigel, seconded by Ald. Roadt, that this matter be Recommended for Approval subject to the necessary requirement(s) with amendments to Plan of Operation form The motion carried by the following vote:**

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

8. **2014-0539** 2014-2015 Class B Tavern License application no. 2135 of Stallis Palace, LLC, Rachel L. Wesenberg, Agent, d/b/a Stallis Palace, for premises located at 9427 W. Greenfield Ave. (new-existing location).

*Appearance by Rachel L. Wesenberg. Discussion ensued regarding the plans for the current Stallis Palace. Ms. Wesenberg stated they are buying the building at 9427 W. Greenfield Ave. and are considering leasing the other location. Ald. Barczak cautioned Ms. Wesenberg that this location is in a residential area and she should be mindful and courteous of the residents by monitoring noise levels and keeping the doors and windows closed. She was told to make sure that they check for trash not only on their premise but also any neighbors that could have been from their patrons. Ald. Barczak complimented Ms. Wesenberg on the other location not having any problems or complaints.*

**A motion was made by Ald. Barczak, 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: 4 - Ald. Czaplewski, Ald. Roadt, Ald. Barczak and Ald. Weigel  
No: 0

9. **2014-0461** 2014-2015 Class B Tavern License application no. 2102 of Top Dog Enterprises LLC, Ronald L. Mellantine, Agent, d/b/a The Choice Eatery & Entertainment for premises located at 9638 W. National Ave. (new-nonexisting location).

*Appearance by Ronald L. Mellantine. Discussion ensued regarding Mr. Mellantine's updated Plan of Operation and floor plan. Mr. Mellantine was informed he needs to apply for a special use permit for the outdoor area drawn on his floor plan. He was told to update his Plan of Operation for item nos. 5, 17 and 20 as he gets them completed.*

**A motion was made by Ald. Barczak, seconded by Ald. Weigel, that this matter be Recommended for Approval subject to the necessary requirement(s) with amendments to Plan of Operation form The motion carried by the following vote:**

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

10. 2014-0517 2014-2015 Operator's License (bartender/sales clerk) application no. 15-483 for Kristen R. Bruss.
- Appearance by Kristen R. Bruss. Discussion ensued regarding Ms. Bruss' police report.*
- 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. Czaplewski, Ald. Roadt, Ald. Barczak and Ald. Weigel  
No: 0
11. 2014-0472 2014-2015 Operator's License (bartender/sales clerk) application no. 15-462 for Krista M. Mulholland.
- Second nonappearance of Krista M. Mulholland. Ms. Mulholland did not contact the Clerk's Office. Recommended denial based on two (2) nonappearances.*
- A motion was made by Ald. Weigel, seconded by Ald. Barczak, that this matter be Recommended for Denial. The motion carried by the following vote:**
- Votes:** Aye: 4 - Ald. Czaplewski, Ald. Roadt, Ald. Barczak and Ald. Weigel  
No: 0
12. 2014-0490 2014-2015 Operator's License (bartender/sales clerk) application no. 15-477 for Chad C. Clausing.
- Appearance by Chad C. Clausing. Discussion ensued regarding Mr. Clausing's police report. He was cautioned about possible revocation of his license if he receives another DUI.*
- A motion was made by Ald. Barczak, seconded by Ald. Roadt, that this matter be Recommended For Approval. The motion carried by the following vote:**
- Votes:** Aye: 4 - Ald. Czaplewski, Ald. Roadt, Ald. Barczak and Ald. Weigel  
No: 0
13. 2014-0077 Amended Findings and Recommendations in the Matter of the Complaint Against Scardina Bakery & Delicatessen, Inc., d/b/a Scardina Bakery & Delicatessen, for premises located at 5901 W. Beloit Rd. (2013-2014 Food Permit renewal application).
- Appearance by Vince & Sue Scardina. Discussion ensued regarding delinquent real estate taxes due to Milwaukee County and their payment plan. Mr. Scardina stated they are paying a large portion of their debt Friday, August 29, 2014 and the County would agree on a payment plan. The Committee told Mr. Scardina he would not need to reappear if he provides proof to the City Attorney's Office of the payment.*
- Held**
14. 2014-0394 2014-2015 Secondhand Jewelry Dealer License renewal application no. 1882 of Pawn America Wisconsin, LLC, Bradley K. Rixmann, Agent d/b/a Pawn America for premises at 7530 W. Lincoln Ave.
- Appearance by Chuck Armstrong, Steve Caulfield, Karl Hattman, Todd Phelps, Ald. Probst & Brianna Olson. Discussion ensued regarding the good faith negotiations and steps Pawn America has agreed to and acted on at the request of the City on behalf of the neighborhood, and Pawn America's reasons for opposing issuing a check for a payment of \$25.00 or more. Ald. Probst and Brianna Olson spoke about their concerns with cash payments regarding secondary transactions in the neighborhood and the safety of not only the citizens, but also the customers of Pawn America. Ms. Olson commented on videos posted of activity by Pawn America customers in the area. She asked that Pawn America abide by the City's requests which may restore their neighborhood to the peaceful, safe place it was before the business arrived. Ms. Olson commented on the Committee telling tavern owners that the residents were there first and the tavern needed to be a good business owner and respectful of the neighbors.*

*Assistant City Attorney Merten advised the Committee an ordinance could be drafted for all Pawn Dealers to be required to issue checks for over \$25.00. The Committee asked that it would include secondhand dealers.*

*Chair Czaplewski asked that these matters be addressed as a discussion item on September 2, 2014.*

**Held**

15. 2014-0395 2014-2015 Pawn Dealer License renewal application no. 1860 of Pawn America Wisconsin, LLC, Bradley K. Rixmann, Agent d/b/a Pawn America for premises at 7530 W. Lincoln Ave.

*See legislative file no. 2014-0394.*

**Held**

16. 2014-0396 2014-2015 Secondhand Article Dealer License renewal application no. 1888 of Pawn America Wisconsin, LLC, Bradley K. Rixmann, Agent d/b/a Pawn America for premises at 7530 W. Lincoln Ave.

*See legislative file no. 2014-0394.*

**Held**

17. 2014-0520 Summons and Complaint in the matter of the complaint against PM Pub & Grub, Inc., Dorene J. Monty, Agent, for the premises located at 6533 W. Mitchell St., d/b/a PM Pub & Grub (2014-2015 Class B Tavern License renewal application no. 1447).

*Appearance by Dorene J. Monty. Discussion ensued regarding the payment plan for the prior year's delinquent real estate taxes owed to Milwaukee County and the 2013 taxes still due. Mr. Monty stated he would pay the delinquent personal property taxes the next day to the City. He said their payment plan with the County is good thru December 2014. Mr. Monty commented that the business is closed and for sale but he may reopen it. He wants to retain the license for resale value of the property.*

*Assistant City Attorney Merten said that if all delinquent real estate taxes through 2014 were not paid in full by July 31, 2015 the license could be revoked.*

*Chair Czaplewski asked that this item be returned at the next regular License & Health Meeting.*

**Held**

18. 2013-0652 Summons and Complaint in the matter of the complaint against PM Pub & Grub, Inc., Dorene J. Monty, Agent, for the premises located at 6533 W. Mitchell St., d/b/a PM Pub & Grub (2013-2014 Class B Tavern License renewal application no. 1447, Dance Hall License renewal application no. 1449, amusement devices renewal, phonograph license renewal and Food-Related renewal Permit).

*See legislative file no. 2014-0520.*

**Held**

19. 2014-0429 2014-2015 Class B Tavern License renewal application no. 1447 and Dance Hall License renewal application no. 1449, PM Pub & Grub, Inc., Dorene J. Monty, Agent, d/b/a PM Pub & Grub for premises located at 6533 W. Mitchell St.

*See legislative file no. 2014-0520.*

**Held**

## **E. ADJOURNMENT**

A motion was made by Ald. Roadt, seconded by Ald. Weigel, to adjourn at 7:38 p.m. The motion carried unanimously.

*Respectfully submitted,*

*Ann Marie Neff  
Secretary to the Committee*