



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

Tuesday, August 4, 2009

6:05 PM

West Allis City Hall Room 128

SPECIAL MEETING

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

Others present: Loretta Matovich and Chuck Harris, Kris K. McKillop and Jon Robert Cervantes, Nicole M. Gadzialinski, Frank L. Winston, Samuel Scott, Margaret L. Finley, Jason R. Myers, Kathryn Haupt, Tracy M. Krueger, Gregory J. Kaiser, Brad Mark Roessger, Jason J. Dakins, Zarko Zigich, Toni Hamelin, Vincent Scardina and Susan Scardina, Ted Atkinson, Director of Building Inspections & Neighborhood Services, 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 7, 2009 and recess meeting of July 7, 2009. The motion carried unanimously.

D. CLOSED SESSION

A closed session was not held.

59. [2009-0517](#)

Summons and Complaint in the matter of the complaint against Samatha Martin, 2009-2011 Tavern Operator License renewal application no. 11-029.

Nonappearance of Samantha J. Martin. Ms. Martin submitted a letter withdrawing her Tavern Operator License application.

This Matter was Recommended to be Placed on File on a Block Vote.

60. [2009-0263](#)

2009-2011 Tavern Operator License renewal application no. 11-029 of Samantha J. Martin.

See legislative file no. 2009-0517.

This Matter was Recommended to be Placed on File on a Block Vote.

Passed The Block Vote

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

61. [2009-0518](#) Summons and Complaint in the matter of the complaint against Jeffrey Farrington, 2009-2011 Tavern Operator License renewal application no. 11-313.
The Summons & Complaint were not served. The Committee requested service for the next License & Health meeting.
Held
62. [2009-0441](#) 2009-2011 Tavern Operator License renewal application no. 11-313 of Jeffrey T. Farrington.
See legislative file no. 2009-0518.
Held
63. [2009-0519](#) Summons and Complaint in the matter of the complaint against Tammy Wetzel, 2008-2010 Tavern Operator License no. 10-246.
The Summons & Complaint were not served. The Committee requested service for the next License & Health meeting.
Held
64. [2009-0464](#) Police Department Report involving Wild Bill's Saloon, 1454 S. 92 St. (Tammy M. Wetzel, 2008-2010 Tavern Operator License no. 10-246, Incident Date: May 3, 2009).
See legislative file no. 2009-0519.
Held

E. NEW AND PREVIOUS MATTERS

65. [2009-0493](#) 2009-2011 Tavern Operator License application no. 11-345 of Kris K. McKillop.
Appearance by Kris K. McKillop and Jon Robert Cervantes, license holder of Jonny Hammers. Ald. Weigel noted that Mr. McKillop replied yes to question no. 4 on the application and attached a list of his violations, but the list was not complete. Ald. Czaplewski commented that the 3 OWI's were spread out during a period of years, but he wondered if Mr. McKillop was not driving under the influence during that time or just was lucky enough to not get caught. Mr. McKillop stated he has almost 20 years experience tending bar with a licensed bartender on duty. Mr. Cervantes spoke on behalf of Mr. McKillop. Ald. Weigel informed Mr. Cervantes that once a bartender's license is issued, Mr. McKillop could tend bar at any West Allis licensed establishment. He said a bartender needs to be responsible for monitoring others consumption of alcohol and would question Mr. McKillop's ability, if he cannot monitor his own consumption. Ald. Sengstock stated the License & Health Committees in the past have approved applicants with 3 OWI's. However, an applicant needs to be candid on question no. 4 and Mr. McKillop's list was not complete. He would support the motion to deny. Recommended denial based on the police report.

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

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

66. [2009-0497](#) 2009-2011 Tavern Operator License application no. 11-327 of Stephen R. Karwowski.
- Nonappearance by Stephen R. Karwowski. Mr. Karwowski contacted the Clerk's office and submitted a letter to withdraw his application.*
- A motion was made by Ald. Sengstock, 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. Sengstock, Ald. Roadt and Ald. Weigel
No: 0
67. [2009-0506](#) 2009-2011 Tavern Operator License application no. 11-354 of Nicole M. Gadzalinski.
- Appearance by Nicole M. Gadzalinski. Ms. Gadzalinski addressed the Greenfield violation on her police report. She stated the person lived above the bar and she had the owners approval to have her in the bar after hours for security reasons. Ald. Sengstock informed all in attendance of the City's compliance check program. Ald. Czaplewski reminded Ms. Gadzalinski to cooperate with the police and to call 911 for any signs of trouble.*
- A motion was made by Ald. Sengstock, seconded by Ald. Roadt, that this matter be Recommended For Approval. The motion carried by the following vote:**
- Votes:** Aye: 5 - Ald. Barczak, Ald. Czaplewski, Ald. Weigel, Ald. Sengstock and Ald. Roadt
No: 0
68. [2009-0507](#) 2009-2010 Tavern Operator License application no. 10-367 of Frank L. Winston.
- Appearance by Frank L. Winston. Ald. Sengstock told Mr. Winston he appreciated his honesty on his application. Mr. Winston explained the incidents on the police report and mentioned being a felon. He stated he has over 20 years experience as a bartender. Ald. Czaplewski reminded Mr. Winston to keep his eyes open for drugs in the bar and to call the police for any suspicious activity. Ald. Weigel stated it is his personal practice to not grant a bartender's license to a felon.*
- A motion was made by Ald. Sengstock, seconded by Ald. Roadt, that this matter be Recommended For Approval. The motion carried by the following vote:**
- Votes:** Aye: 3 - Ald. Czaplewski, Ald. Sengstock and Ald. Roadt
No: 1 - Ald. Weigel
69. [2009-0514](#) 2009-2010 Tavern Operator License application no. 10-371 of Samuel Scott.
- Appearance by Samuel Scott. Ald. Sengstock stated question no. 4 was missing an alcohol offense. Mr. Scott replied he had forgotten about it. Ald. Sengstock reminded Mr. Scott that liquor store clerks are also subject to the City's compliance check program*
- 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: 4 - Ald. Czaplewski, Ald. Sengstock, Ald. Roadt and Ald. Weigel
No: 0
70. [2009-0535](#) 2009-2011 Tavern Operator License application no. 11-362 of Margaret L. Finley.
- Appearance by Margaret L. Finley. Ald. Sengstock stated that Ms. Finley had missed a violation on question no. 4 on her application. She stated it was purely by accident. She was not trying to hide it.*
- 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. Czaplewski, Ald. Sengstock, Ald. Roadt and Ald. Weigel
No: 0

71. [2009-0515](#) 2009-2010 Adult-Oriented Establishment Operator Permit application no. 1584 of Jason R. Myers.
- Appearance by Jason R. Myers. Mr. Myers explained to the Committee that the possession charge was when he was driving another person's work truck and got stopped for expired license plates. The drugs were not his and he did not know they were in the truck. Ald. Roadt commented that Mr. Myers was the most honest applicant so far this evening. Ald. Czaplewski said if this was a bartender's application he would vote no, but he would approve it being an operator at Super Video.*
- A motion was made by Ald. Sengstock, seconded by Ald. Roadt, that this matter be Recommended For Approval. The motion carried by the following vote:**
- Votes:** Aye: 4 - Ald. Czaplewski, Ald. Sengstock, Ald. Roadt and Ald. Weigel
No: 0
72. [2009-0444](#) 2009-2010 Class B Tavern License application no. 1579 and Dance Hall License application no. 1580 of LAM Enterprises, LLC, Loretta Matovich, Agent, d/b/a Shawna's Pub & Grub for premises located at 1101 S. 60 St. (new-existing location).
- Appearance by Loretta Matovich and Chuck Harris. Ted Atkinson, Director of Building Inspections & Neighborhood Services, stated that all the exterior building improvements, parking lot paving and site improvements that Shawna Fischer was working on with him, still needed to be accomplished by the new license holders. Chuck Harris commented he has an agreement with Mr. Atkinson. He said that they intend to have the parking lot completed by September. Mr. Atkinson replied he is willing to work with them and grant a conditional occupancy permit. He warned that if they fail to follow through with the requested improvements he would ask that the License & Health Committee proceed to revoke the license.*
- 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: 4 - Ald. Czaplewski, Ald. Sengstock, Ald. Roadt and Ald. Weigel
No: 0
73. [2009-0459](#) 2009-2010 Class B Tavern License application no. 1581 of Kathryn Haupt, d/b/a Thirsty's Saloon Eatery for premises located at 6833 W. National Ave. (new-existing location).
- Appearance by Kathryn Haupt. Ald. Sengstock asked Ms. Haupt what the plans were and how close they were to opening. Ms. Haupt replied they were leasing the location, had run an establishment in Pewaukee for 20 plus years, were still cleaning up and hoped to open in a little over 10 days. Ald. Weigel reminded Ms. Haupt about 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: 4 - Ald. Czaplewski, Ald. Sengstock, Ald. Roadt and Ald. Weigel
No: 0
74. [2009-0461](#) 2009-2010 Class B Tavern License renewal application no. 887 of Doyle Foodservices, Inc., Thomas C. Doyle, Agent, d/b/a Tommasino Italia for premises located at 7335 W. Greenfield Ave.
- Nonappearance of Thomas C. Doyle. Mr. Doyle did not contact the Clerk's Office. The Committee requested he be ordered to appear at the next scheduled License & Health meeting.*
- Held**

95. [O-2009-0020](#) An Ordinance to Repeal and Recreate Section 9.15 of the West Allis Revised Municipal Code Relating to Pawn Shops, Secondhand Stores, Secondhand Jewelry Dealers.
- Sponsor(s):** Michael J. Czaplewski
- Jenna Merten, Assistance City Attorney gave an explanation of the Ordinance.*
- A motion was made by Ald. Sengstock, seconded by Ald. Roadt, that this matter be Recommended For Passage. The motion carried by the following vote:**
- Votes:** Aye: 4 - Ald. Czaplewski, Ald. Sengstock, Ald. Roadt and Ald. Weigel
No: 0
96. [2009-0442](#) 2009-2011 Tavern Operator License renewal application no. 11-307 of Tracy M. Krueger.
- Appearance by Tracy M. Krueger. Ms. Krueger explained the circumstances of her recent OWI.*
- 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: 4 - Ald. Czaplewski, Ald. Sengstock, Ald. Roadt and Ald. Weigel
No: 0
97. [2009-0435](#) 2009 Direct Sellers/Solicitors Permit application no. 72 of Robert K. Maher.
- Second nonappearance of Robert K. Maher. Mr. Maher did not contact the Clerk's Office. Recommended to be placed on file based on two (2) nonappearances.*
- A motion was made by Ald. Sengstock, 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. Sengstock, Ald. Roadt and Ald. Weigel
No: 0
98. [2009-0436](#) 2009 Direct Sellers/Solicitors Permit application no. 73 of Shane K. Butts.
- Second nonappearance of Shane K. Butts. Mr. Butts did not contact the Clerk's Office. Recommended to be placed on file based on two (2) nonappearances.*
- A motion was made by Ald. Sengstock, 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. Sengstock, Ald. Roadt and Ald. Weigel
No: 0
99. [2009-0393](#) Police Department Report involving Wild Bill's Saloon, 1454 S. 92 St. (2008-2009 Class B Tavern License no. 789 and Cigarette License no. 790 of Wild Bill's Saloon, LLC, William P. Savage, Agent, Incident Date: May 3, 2009).
- Second nonappearance of William P. Savage. Mr. Savage did not contact the Clerk's Office. The Committee requested he be ordered to appear at the next scheduled License & Health meeting.*
- Held**

100. [2009-0402](#) Police Department Report regarding May 21, 2009 Tobacco Compliance Check involving nine (9) West Allis businesses, resulting with two (2) selling tobacco to an underage person without requesting identification (2008-2009 Cigarette License no. 1222 of H.K. Petroleums, LLC, Zubair Arshad, Agent, d/b/a H.K. Petroleums, LLC at 5926 W. Beloit Rd.).

Second nonappearance of Zubair Arshad. Mr. Arshad did not contact the Clerk's Office. Recommended to be referred to the City Attorney's office for Summons & Complaint.

A motion was made by Ald. Sengstock, seconded by Ald. Roadt, 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. Sengstock, Ald. Roadt and Ald. Weigel
No: 0

101. [2009-0350](#) 2009-2010 Class B Tavern License renewal application no. 1402 of SPDB, LLC., Douglas P. Brown, Agent, d/b/a Night Court for premises located at 7127 W. National Avenue.

Nonappearance of Douglas P. Brown. See legislative file no. 2009-0255.

Held

102. [2009-0255](#) 2009-2010 Class B Tavern License application no. 1509 of Night Court Inc., Gregory J. Kaiser, Agent, d/b/a Night Court premises located at 7127 W. National Ave. (new-existing location).

Appearance by Gregory J. Kaiser. Mr. Kaiser informed the Committee that he and Mr. Brown had come to an agreement. He stated Mr. Brown agreed to surrender and withdraw his renewal application on August 25, 2009. Mr. Kaiser stated he would be in to pick up his Class B Tavern License on August 26, 2009.

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: 4 - Ald. Czaplewski, Ald. Sengstock, Ald. Roadt and Ald. Weigel
No: 0

103. [2009-0457](#) 2009-2010 Class B Tavern License renewal application no. 1283 of MJJB, LLC, Brad Mark Roessger, Agent, d/b/a Bugsy's for premises located at 6851 W. Beloit Rd.

Appearance by Brad Mark Roessger. Mr. Roessger informed the Committee he is working with the owner of the property, Scott Hintz, to resolve the license dispute, and addressed his finances being tied up and being unable to pay the personal property taxes at this time. He commented he holds nothing against Mr. Jason Dakins and wishes Mr. Dakins would have talked to him instead of getting caught in the middle.

Held

104. [2009-0389](#) 2009-2010 Class B Tavern License application no. 1546 of Jason J. Dakins, d/b/a Bugsys, premises located at 6851 W. Beloit Rd. (new-existing location).

Appearance by Jason J. Dakins. See legislative file no. 2009-0457.

Held

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

104a. [2009-0466](#)

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

DDT Bobblehedz, Inc., David P. Bickler, Sr., Agent, d/b/a Bobblehedz, 5630 W. Lincoln Ave., Class B Tavern License & Instrumental Music License - Real Estate Taxes.

Nonappearance by David P. Bickler, Sr. Mr. Bickler contacted Ald. Czaplowski and the City Attorney's Office with a payment agreement.

Zak's Pleasant Valley Inn, LLC, Zarko Zigich, Agent, d/b/a Zak's Pleasant Valley Inn, 9801 W. Dakota St., Class B Tavern License & Instrumental Music License - Real Estate Taxes.

Appearance by Zarko Zigich. Ald. Czaplowski and Attorney Merten asked Mr. Zigich to contact the City Attorney's Office during regular business hours to arrange a payment agreement.

Lucic Ljiljana, d/b/a Lucki Mini Mart, 1480 S. 84 St., Class A Beer License & Cigarette License - Personal Property Taxes.

Nonappearance by Lucic Ljiljana. Ms. Ljiljana did not contact the Clerk's Office. A partial payment was received on August 4, 2009. The Committee requested a Summons & Complaint be issued.

Bally Total Fitness Corp., Ryan Bartek, 901 S. 60 St., Retail Food Permit & 2 Pool Permits - Personal Property Taxes.

Nonappearance by Ryan Bartek. Mr. Bartek did not contact the Clerk's Office. Full payment was received on July 24, 2009.

MJJB, LLC, Brad Mark Roessger, Agent, d/b/a Buggy's, 6851 W. Beloit Rd., Class B Tavern License, Restaurant Permit - Personal Property Taxes and outstanding forfeiture.

Appearance by Brad Mark Roessger earlier in the evening. He stated he would be able to pay as soon as his finances were freed up.

British Petroleum - A & A Petr (Hwy 100 Mobile), Mohammad Chodwry, 3061 S. 108 St., Retail Food Permit & Weights & Measures - Personal Property Taxes.

Second nonappearance by Mohammad Chodwry. Mr. Chodwry did not contact the Clerk's Office. Full payment was received on August 4, 2009.

Children's Creative Corner, Toni Hamelin, 6670 W. Becher Pl., Food Permit - Personal Property Taxes.

Appearance by Toni Hamelin. A partial payment was received on July 31, 2009. Ms. Hamelin told the Committee she plans on paying the balance by September 15.

Connoisseur House of Chocolate, Scott Repinski, 1942 S. 76 St., Retail Food Permit - Personal Property Taxes and Real Estate Taxes.

Second nonappearance by Scott Repinski. Mr. Repinski did not contact the Clerk's Office. The Committee requested a Summons & Complaint be issued.

East Samaria-Tri-Corp Housing, Michael Brever, 6640-67 W. Beloit Rd., Restaurant Permit & Rooming House Permit - Personal Property Taxes and Real Estate Taxes.

Second nonappearance by Michael Brever. Mr. Brever did not contact the Clerk's Office. The Committee requested a Summons & Complaint be issued.

Mr. Gyros, James Wood, 10535 W. Greenfield Ave., Restaurant Permit - Personal Property Taxes.

Second nonappearance by James Wood. Mr. Wood did not contact the Clerk's Office. The Committee requested a Summons & Complaint be issued.

Papa Johns Pizza, Todd W. Hall & Paul Ray, 7520 W. Greenfield Ave., Restaurant Permit - Personal Property Taxes.

Second nonappearance by Todd W. Hall & Paul Ray. Neither Mr. Hall nor Mr. Ray contacted the Clerk's Office. Full payment was received on July 31, 2009.

Papa Johns Pizza, Todd W. Hall & Paul Ray, 2747 S. 108 St., Restaurant Permit - Personal Property Taxes.

Second nonappearance by Todd W. Hall & Paul Ray. Neither Mr. Hall nor Mr. Ray contacted the Clerk's Office. The Committee requested a Summons & Complaint be issued.

Scardina Bakery & Delicatessen, Fred Scardina, 5921 W. Beloit Rd., Restaurant Permit & Weights & Measures - Personal Property Taxes and Real Estate Taxes.

Appearance by Vincent & Susan Scardina. Ald. Czaplewski and Attorney Merten asked Mr. & Mrs. Scardina to contact the City Attorney's Office during regular business hours to arrange a payment agreement.

A motion was made by Ald. Sengstock seconded by Ald. Weigel for the preceding items to be referred to the City Attorney's office for Summons & Complaint, if noted.

The motion carried by the following vote:

Ayes: 4 - Alderpersons Czaplewski, Roadt, Sengstock and Weigel

Noes: 0

Discussed and Consensus Given

G. ADJOURNMENT

A motion was made by Ald. Sengstock, seconded by Ald. Weigel, to adjourn at 6:54 p.m. The motion carried unanimously.

Respectfully submitted,

Ann Marie Neff

Secretary to the Committee