



# 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, April 28, 2009

6:00 PM

West Allis 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 6:00 p.m.*

#### B. ROLL CALL

Present: 3 - Ald. Czaplewski, Ald. Roadt and Ald. Weigel  
Excused: 2 - Ald. Sengstock and Ald. Barczak

*Others present: Andrew A. Heard, Katie R. Desrocher, Kuldeep Oberoi, Ram S. Joseph, Lee R. Sattler, Mario P. Morgese, Larry M. Beilfuss, Ted Atkinson, Director of Building Inspections & Neighborhood Services, Shawna M. Fischer, Susan C. Jesion, Susan M. Domena, Attorney Roger Pyzyk, Andrew M. Lomax, 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. Roadt, seconded by Ald. Weigel, to approve the minutes of the regular meeting of March 24, 2009, closed session - recess meeting of April 7, 2009, and recess meetings of April 7, 2009 and April 21, 2009. The motion carried unanimously.**

#### D. CLOSED SESSION

*A closed session was not held.*

#### E. NEW AND PREVIOUS MATTERS

5. [2009-0199](#) 2008-2009 Tavern Operator License application no. 09-647 of Andrew A. Heard.  
*Appearance by Andrew A. Heard. Ald. Weigel questioned Mr. Heard about the charges on the police report and what he listed on his application. Mr. Heard told the Committee the police report was incorrect. Ald. Czaplewski asked Lt. Morrissey to verify the information and report back to the Committee by the May 5, 2009 meeting. Mr. Heard was told he is not required to appear at that meeting.*  
**Held**
6. [2009-0200](#) 2008-2010 Tavern Operator License application no. 10-313 of Sherry A. Rom.  
*Nonappearance by Sherry A. Rom. Ms. Rom's appearance was rescheduled.*  
**Held**
7. [2009-0204](#) 2008-2010 Tavern Operator License application no. 10-317 of Katherine L. Van Dorf.  
*Nonappearance by Katherine L. Van Dorf. Ms. Van Dorf's appearance was rescheduled.*  
**Held**

8. [2009-0213](#) 2008-2009 Tavern Operator License application no. 09-652 of Katie R. Desrocher.
- Appearance by Katie R. Desrocher. Ald. Roadt asked Ms. Desrocher if Buggy's allowed their bartenders to drink on duty. He noted that the incidents on the police report, occurring in January and February, were alcohol related. Ms. Desrocher replied she no longer drinks. Ald. Weigel informed Ms. Desrocher to call the police for any problems and to fully cooperate with officers. He reminded her that drinking while bartending could cloud her judgment, and reminded her to always 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. Czaplewski, Ald. Roadt and Ald. Weigel  
No: 0
9. [2009-0229](#) 2008-2009 Class B Tavern Special Event Permit application no. 10 of DNA of Sheboygan Falls, Inc., Demetri Itsines, Agent, d/b/a Koozy's Bar & Grille, 1657 S. 108 St. (2008-2009 Class B Tavern License no. 1421, Dance Hall License no. 1422; Instrumental Music License no. 1489; and Cigarette and Tobacco License no. 1423) for a Make A Wish Fundraiser/Bike Contest to be held May 30, 2009 from 8:00 a.m. - 8:00 p.m. (Tents in front of building.).
- Nonappearance by Demetri Itsines. Ald. Weigel commented Koozy's Bar & Grille was no longer operating.*
- 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: 3 - Ald. Czaplewski, Ald. Roadt and Ald. Weigel  
No: 0
10. [2009-0148](#) 2008-2009 Class A Beer License application no. 1501 of JSO Enterprises, LLC, Kuldeep Oberoi, Agent, d/b/a Bobby Food & Liquor Mart for premises located at 2079 S. 69 St. (new-existing location).
- Appearance by Kuldeep Oberoi. Ald. Weigel asked if Mr. Oberoi and Mr. Joseph were related. They replied they were not. It was a mutual business agreement.*
- This Matter was Recommended for Approval subject to the necessary requirement(s) on a Block Vote.**
11. [2009-0149](#) 2008-2009 Combination Class A Liquor License application no. 1502 of Bryan SRA, LLC, Ram S. Joseph, Agent, d/b/a Kwik Pantry, for premises at 6716 W. Lincoln Ave. (new-nonexisting location).
- Appearance by Ram S. Joseph. Ald. Weigel asked if Mr. Oberoi and Mr. Joseph were related. They replied they were not. It was a mutual business agreement.*
- 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: 3 - Ald. Czaplewski, Ald. Roadt and Ald. Weigel  
No: 0

12. [2009-0170](#) Police Department Report regarding February 15, 2009 Tobacco Compliance Check involving twenty-four (24) West Allis businesses, resulting with one (1) selling tobacco to an underage person without requesting identification (2008-2009 Cigarette License no. 480 of Speedway Superamerica, LLC, Lee R. Sattler, Agent, d/b/a Speedway #4152 at 5712 W. Burnham St.).

*Appearance by Lee R. Sattler. Ald. Weigel asked Mr. Sattler what his position with the company was and what type of training program they had. Mr. Sattler replied he has been a manager for 27 years and they have a video training program. He said the employee is responsible for the fine, and was terminated for not following procedures.*

**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: 3 - Ald. Czaplewski, Ald. Roadt and Ald. Weigel  
No: 0

13. [2008-0505](#) Police Department Report involving Mario's, 1900 S. 60 St. (2007-2008 Class B Tavern License no. 1091, Dance Hall License no. 1092 and Instrumental Music License no. 1093 of M & W Hospitality, Inc., Mario P. Morgese, Agent, Incident Date: May 20, 2008).

*Appearance by Mario P. Morgese. Mr. Morgese told the Committee he is still fighting the charges of this incident.*

**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: 3 - Ald. Czaplewski, Ald. Roadt and Ald. Weigel  
No: 0

14. [2009-0216](#) Police Department Report involving Mario's, 1900 S. 60 St. (2008-2009 Class B Tavern License no. 1091, Dance Hall License no. 1092 and Instrumental Music License no. 1093 of M & W Hospitality, Inc., Mario P. Morgese, Agent, Incident Date: March 7, 2009).

*Appearance by Mario P. Morgese. Mr. Morgese told the Committee he did not receive a ticket until two weeks after the incident happened. Ald. Weigel commented there is a stack of police reports for Mario's over the years. Ald. Weigel reminded Mr. Morgese this is a different License & Health Committee. Ald. Czaplewski stated that there have been calls to the police generated from Mario's, which is the right thing to do. Mr. Morgese told the Committee his clientele is a younger crowd and that the corner he is located on has a high volume of traffic, especially now with the restaurant across the street being open until 4:00 a.m.*

**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: 3 - Ald. Czaplewski, Ald. Roadt and Ald. Weigel  
No: 0

15. [2009-0218](#) Police Department Report involving Larry Michael's Club & Cafe, 8900 W. Greenfield Ave. (2008-2009 Class B Tavern License no. 472, Dance Hall License no. 1040, Instrumental Music License no. 1039 and Cigarette License no. 475, Larry M. Beilfuss, Agent, Incident Date: March 14, 2009).

*Appearance by Larry M. Beilfuss. Mr. Beilfuss informed the Committee that the doorman witnessed the incident outside his establishment on the security camera and told the bartender to call the police. Ald. Weigel told Mr. Beilfuss his employees did the right thing. Ald. Czaplewski commented that if that information was noted in the police report Mr. Beilfuss would not have been asked to appear.*

**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: 3 - Ald. Czaplewski, Ald. Roadt and Ald. Weigel  
No: 0

16. [2008-0306](#) 2008-2009 Class B Tavern License application no. 1389 of Jacqueline A. George, d/b/a Gyro Grill & Pub for premises located at 10722 W. Oklahoma Ave. (new-nonexisting).

*Ald. Weigel stated he spoke with Ms. George and that the restaurant was out of business.*

**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: 3 - Ald. Czaplewski, Ald. Roadt and Ald. Weigel  
No: 0

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

17. [2009-0244](#) Discussion regarding the Business Occupancy Permit and 2008-2009 Class B Tavern License no. 1334, Dance Hall License no. 1335, Instrumental Music License no. 1392 and Cigarette License no. 1336 of Wheatco Enterprises, LLC, Shawna M. Fischer, Agent, d/b/a Shawna's Pub & Grub for premises located at 1101 S. 60 St.

*Appearance by Shawna M. Fischer. Ted Atkinson, Director of Building Inspections & Neighborhood Services, addressed the Committee and Ms. Fischer regarding incomplete site and building improvements, and the conditional occupancy permit. Ms. Fischer told the Committee the exterior is almost complete. She closed the kitchen temporarily because she did not have a cook. She has a new person hired with a Food Management Certificate and is going to feature German cuisine. She informed the Committee of her plans to contact Patrick Schloss for a grant. She will have the dumpster enclosure done with the parking lot improvements. Due to financial reasons she wants to have a stone base for the parking lot with paving in the future. She contacted Planning to revise her plan from a concrete deck to a wood deck. She said she will have the exterior, doors, windows and siding, done in the next sixty (60) days but asked for a September 30 deadline on the patio. Ald. Weigel suggested Ms. Fischer return before the Committee with a schedule and confirmation with dates for work to be started and completed. Ms. Fischer was told to keep working with Mr. Atkinson and Development and to reappear before the License & Health Committee near the end of June with her plans.*

**Discussed**

18. [2009-0245](#) Discussion regarding the Business Occupancy Permit and 2008-2009 Class B Tavern License application no. 1500 of Susan C. Jesion, d/b/a 6500 Bar & Grill for premises located at 6500 W. Greenfield Ave.

*Appearance by Susan C. Jesion. Ted Atkinson, Director of Building Inspections & Neighborhood Services, addressed the Committee and Ms. Jesion regarding incomplete site and building improvements, the conditional occupancy permit and the new application. Ms. Jesion told the Committee she misunderstood and thought she could not have the license until all the work was complete. She said she would contact Mr. Crivello regarding the surrender of his Class B Tavern License so she could get hers. She told Mr. Atkinson and the Committee the work would be done by June 1.*

**Discussed and Consensus Given**

## G. NEW AND PREVIOUS MATTERS

1. [2009-0185](#) Summons and Complaint in the matter of the complaint against Susan M. Domena, for the premises located at 1100 S. 60 St., d/b/a Top Gun Saloon (2008-2009 Class B Tavern License no. 1424, Dance Hall License no. 1425 and Instrumental Music License no. 1426).

*Appearance by Susan M. Domena, Andrew Lomax and Attorney Roger Pyzyk. Atty. Pyzyk told the Committee that Ms. Domena is willing to surrender the Class B Tavern License. He said Mr. Lomax wants to buy the business and personal property from Ms. Domena. Mr. Lomax will lease the building from the current owner and told the Committee he will rename the tavern to Double Barrel.*

**Held**

2. [2009-0168](#) Police Department Report involving Top Gun Saloon, 1100 S. 60 St. (2008-2009 Class B Tavern License no. 1424, Dance Hall License no. 1425 and Instrumental Music License no. 1426, Susan M. Domena, Agent, Incident Date: January 16, 2009).

*See legislative file no. 2009-0185.*

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

3. [2009-0169](#) Police Department Report involving Top Gun Saloon, 1100 S. 60 St. (2008-2009 Class B Tavern License no. 1424, Dance Hall License no. 1425 and Instrumental Music License no. 1426, Susan M. Domena, Agent, Incident Date: February 17, 2009).

*See legislative file no. 2009-0185.*

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

Passed The Block Vote

**A motion was made by Ald. Weigel, seconded by Ald. Roadt, including all the preceding items marked as having been adopted on a Block Vote. The motion carried by the following vote:**

**Votes:** Aye: 3 - Ald. Czaplewski, Ald. Roadt and Ald. Weigel  
No: 0

4. [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

*Ald. Weigel commented on a six (6) foot leash not being long enough. He suggested amending it to ten (10) feet.*

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

**Votes:** Aye: 3 - Ald. Czaplewski, Ald. Roadt and Ald. Weigel  
No: 0

19. [2009-0238](#) Discussion relative to licensing of amusement devices pursuant to section 9.08 of the Revised Municipal Code.

*Discussion ensued.*

**Discussed and Consensus Given**

## H. ADJOURNMENT

**A motion was made by Ald. Weigel, seconded by Ald. Roadt, to adjourn at 7:35 p.m. The motion carried unanimously.**

*Respectfully submitted,*

*Ann Marie Neff  
Secretary to the Committee*