



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, Martin J. Weigel

Tuesday, February 25, 2014

6:00 PM

City Hall Common Council Chambers

REGULAR MEETING

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: 1 - Ald. Barczak

Others present: Kerry Barkley, Pullum Tairi, Andrea J. Buhler, Jacob T. Peterson, Angelica M. Rodriguez, Roxanne Wagner, Carrie L. Starich, Andrew P. Janocik, Hugo J. Juarez & Cayetano A. Rivera, Rupinder K. Randhawa & Attorney David Bangert, Sally Nusslock, Health Commissioner; Ted Atkinson, Director of Building Inspections & Neighborhood Services; Lt. Jessica Johnson, West Allis Police Dept.; Scott Post, City Attorney; 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 meeting of January 21, 2014, and recess meetings of January 21, 2014, February 4, 2014 and February 18, 2014. The motion carried unanimously.

Ald. Weigel informed all in attendance to not over serve, or serve anyone already intoxicated, not to serve minors, and to remember to check identification. He commented on the city's compliance check programs. He spoke about the importance of calling 911 for any signs of trouble or potential problems, and when the police arrive to be helpful and cooperative.

D. NEW AND PREVIOUS MATTERS

1. [2014-0093](#)

Kerry Barkley request for a variance to Section 7.123(1) of the Revised Municipal Code, Animal Fancier Permit, relative to the maximum number of dogs allowed per dwelling.

Appearance by Kerry Barkley and Sally Nusslock, Health Commissioner. Discussion ensued regarding an appeal process for the Animal Fancier Permit to allow for more than the four (4) dog maximum. Attorney Merten informed the Committee that the Municipal Code for an Animal Fancier Permit does not allow for an appeal to exceed the four (4) dog maximum. Ald. Weigel told Ms. Barkley that such a revision to the code could take several weeks or months.

A motion was made by Ald. Roadt, seconded by Ald. Czaplewski, that this matter be Recommended to Deny and Place on File. The motion carried by the following vote:

Votes: Aye: 2 - Ald. Czaplewski and Ald. Roadt
No: 1 - Ald. Weigel

2. [2014-0094](#) 2013-2014 Class B Tavern License application no. 2027 of Urban Joe Cafe, Inc., Pullum Tairi, Agent, d/b/a Urban Joe Cafe, Inc., for premises located at 7028 W. Greenfield Ave. (new-nonexisting location).
- Appearance by Pullum Tairi. Discussion ensued regarding already exceeding the municipal quota by four (4) Class B Tavern Licenses. Mr. Tairi was informed that there is a Class B Beer License available and that there is not a quota on the Class C Wine License. Mr. Tairi asked if the fees he paid for the Class B Tavern License application could be transferred if he applied for the other licenses. The Committee advised him to write a letter with his request.*
- 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: 3 - Ald. Czaplewski, Ald. Roadt and Ald. Weigel
No: 0
3. [2014-0066](#) 2013-2014 Adult-Oriented Establishment Operator Permit application no. 2025 of Andrea J. Buhler.
- Appearance by Andrea J. Buhler. Discussion ensued regarding Ms. Buhler's police report.*
- 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
4. [2014-0057](#) 2013-2014 Operator's License (bartender/sales clerk) application no. 14-356 for Jacob T. Peterson.
- Appearance by Jacob T. Peterson. Discussion ensued regarding Mr. Peterson's police report.*
- A motion was made by Ald. Roadt, seconded by Ald. Weigel, that this matter be Recommended For Approval. The motion carried by the following vote:**
- Votes:** Aye: 2 - Ald. Roadt and Ald. Weigel
No: 1 - Ald. Czaplewski
5. [2014-0058](#) 2013-2014 Operator's License (bartender/sales clerk) application no. 14-360 for Angelica M. Rodriguez.
- Appearance by Angelica M. Rodriguez. Discussion ensued regarding Ms. Rodriguez's police report and prior bartending experience.*
- 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
7. [2014-0064](#) 2013-2014 Operator's License (bartender/sales clerk) application no. 14-361 for Carrie L. Starich.
- Appearance by Carrie L. Starich. Discussion ensued regarding Ms. Starich's police report and prior bartending experience.*
- A motion was made by Ald. Roadt, seconded by Ald. Weigel, 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

8. [2014-0065](#) 2013-2014 Operator's License (bartender/sales clerk) application no. 14-358 for Ariel D. Pfeifer.

Nonappearance of Ariel D. Pfeifer. Ms. Pfeifer did not contact the Clerk's Office. The Committee requested she be ordered to appear at the next scheduled License & Health meeting.

Held

9. [2014-0085](#) Police Department Report involving The Walleye Saloon, 8824 W. Becher St. (2013-2014 Class B Tavern License no. 1970 of Janocik and Janocik, LLC, Andrew P. Janocik, Agent, Incident Date: January 15, 2014).

Appearance by Andrew P. Janocik. Discussion ensued regarding the police report and Mr. Janocik's policy on not allowing employees to drink while working.

A motion was made by Ald. Roadt, seconded by Ald. Weigel, 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. [2013-0694](#) Police Department Reports involving Las Palmas, 6007 W. Burnham St. (2013-2014 Class B Tavern License no. 1541, Dance Hall License no. 1543 and Instrumental Music License no. 1544 of ARH Enterprises, LLC, Hugo J. Juarez, Agent, two (2) Incident Dates: August 26, 2013 and November 17, 2013).

Appearance by Hugo J. Juarez and Cayetano A. Rivera. Discussion ensued regarding the police reports and continuous trouble calls with highly intoxicated patrons. Mr. Rivera stated several times he does have control of other people's actions.

Attorney Merten informed the Committee that they could vote on a continuation of the hearing proceedings to revoke, suspend or not renew the licenses based on them not abiding by the stipulation signed September 30, 2013.

*A motion was made by Ald. Czaplewski, seconded by Ald. Weigel to reinstate the hearing proceedings based on noncompliance with the stipulation.
The motion passed unanimously.*

Held

11. [2014-0086](#) Police Department Report involving Las Palmas, 6007 W. Burnham St. (2013-2014 Class B Tavern License no. 1541, Dance Hall License no. 1543 and Instrumental Music License no. 1544 of ARH Enterprises, LLC, Hugo J. Juarez, Agent, Incident Date: January 26, 2014).

See legislative file no. 2013-0694.

Held

6. [2014-0063](#) 2013-2014 Operator's License (bartender/sales clerk) application no. 14-362 for Roxanne Wagner.

Appearance by Roxanne Wagner. Discussion ensued regarding Ms. Wagner's police report and prior bartending experience.

A motion was made by Ald. Roadt, seconded by Ald. Weigel, 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

G. CLOSED SESSION

At 7:00 p.m., Chair Czaplewski stated it was the intention of the Committee to convene in closed session at said time and in Room 113 to deliberate and confer with the City Attorney on the Summons and Complaint regarding Dilneet Corporation, Rupinder K. Randhawa, Agent (2013-2014 Class A Liquor License application no. 1080, Cigarette License application no. 1081 and Food-Related Permits/Licenses, d/b/a West Allis Liquor & Tobacco for premises located at 7218 W. Greenfield Ave.).

A closed session for the above purpose is authorized pursuant to the provisions of Wis. Stats. Section 19.85(1)(a) and (g), which authorizes a governmental body, upon motion duly made and carried, to meet in closed session to deliberate concerning a case which was the subject of any judicial or quasi-judicial trial or hearing before that governmental body; and to confer with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved.

A motion was made by Ald. Weigel, seconded by Ald. Roadt, to convene in closed session at 7:00 p.m. The motion carried by the following vote:

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

Others Present: Scott Post, City Attorney and Ann Marie Neff, Secretary to the Committee.

Upon conclusion of the closed session at 7:10 p.m., the License and Health Committee reconvened in open session at said time and in the Common Council Chambers to consider its public agenda, including motions to recommend approval or rejection of above-listed deliberations or any of the public agenda items that have not been acted upon.

13. [2014-0041](#)

Summons and Complaint in the matter of the complaint against Dilneet Corporation, Rupinder K. Randhawa, Agent, for the premises located at 7218 W. Greenfield Ave., d/b/a West Allis Liquor & Tobacco (2013-2014 Class A Liquor License application no. 1080, Cigarette License application no. 1081 and Food-Related Permits/Licenses).

Appearance by Rupinder K. Randhawa and Attorney David Bangert.

Chair Czaplewski stated that an agreement had been reached. The Committee, Attorney Bangert and Ms. Randhawa agreed upon a voluntary consecutive seven (7) day complete closing of the business beginning Monday, March 3, 2014 thru Monday, March 10, 2014. Attorney Merten would send a new stipulation to Attorney Bangert and Ms. Randhawa for signatures.

Held

14. [2013-0647](#)

Police Department Report involving West Allis Liquor & Tobacco, 7218 W. Greenfield Avenue (2013-2014 Combination Class A Liquor License application no. 1080 of Dilneet Corporation, Rupinder Randhawa, Agent, Incident Date: October 18, 2013).

See legislative file no. 2014-0041.

Held

15. [2013-0561](#) Department of Revenue Field Report regarding Wisconsin State Seller's Permit for Dilneet Corporation (2013-2014 Combination Class A Liquor License application no. 1080, Rupinder K. Randhawa, Agent, d/b/a West Allis Liquor & Tobacco, 7218 W. Greenfield Ave., Incident Date: September 5, 2013).

See legislative file no. 2014-0041.

Held

F. HEARING

A hearing was not held.

E. MATTERS FOR DISCUSSION/ACTION

12. [2014-0111](#) Discussion regarding amending Section 9.105 Shooting Galleries and Gun Ranges of the RMC to include inspections.

Ted Atkinson, Director of Building and Neighborhood Services, spoke to the Committee about shooting range inspections. Upon Building Inspections receiving a complaint, it was discovered that the inspection for a shooting range was not addressed in the City's Municipal Code. Discussion ensued regarding revising the Municipal Code to include who would be responsible for inspections on a shooting range.

Discussed and Consensus Given

H. ADJOURNMENT

A motion was made by Ald. Roadt, seconded by Ald. Weigel, to adjourn at 7:25 p.m. The motion carried unanimously.

Respectfully submitted,

*Ann Marie Neff
Secretary to the Committee*