



# City of West Allis

## Meeting Minutes

### License & Health Committee

*Aldersperson Michael J. Czaplewski, Chair*

*Aldersperson Daniel J. Roadt, Vice-Chair*

*Alderspersons: Kevin Haass, Michael P. May, Martin J. Weigel*

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Tuesday, August 6, 2019

6:00 PM

City Hall, Room 128  
7525 W. Greenfield Ave.

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#### SPECIAL MEETING

#### A. CALL TO ORDER

*The meeting was called to order by Chair Czaplewski at 6:00 p.m.*

#### B. ROLL CALL

**Present** 5 - Ald. Czaplewski, Ald. Roadt, Ald. Haass, Ald. May, and Ald. Weigel

*Others present: Yong F. Lai, Lawrence J. Robe, Jr., Satwinder Singh & Ajit S. Walia, Ricci G. Mane, Jennifer L. Schroeder, Ryan R. Giesen, Sharon & Joseph Butterfield, Steven P. Miick, Melissa & Glenn Schrubbe, Christina I. Lopez, Kail Decker, City Attorney, Nicholas Cerwin, Assistant City Attorney, Steven A. Braatz, City Clerk and Ann Marie Neff, Secretary to the Committee.*

#### C. APPROVAL OF MINUTES

[2019-0554](#)

Minutes (draft) of the License & Health regular meeting of June 25, 2019, recess meetings of July 16, 2019.

Attachments: [062519 LH Minutes \(draft\)](#)  
[071619 LH recess Minutes \(draft\)](#)

A motion was made by Ald. Roadt, seconded by Ald. May, that this matter be Approved. The motion carried unanimously.

#### D. NEW AND PREVIOUS MATTERS

60. [2019-0511](#)

2019-2020 Class B Beer License and Class C Wine License applications of Fortune Restaurant Corporation, Yong F. Lai, Agent, d/b/a Fortune Restaurant for the premises located at 2945 S. 108 St. (new-existing location).

Attachments: [AFFIDAVIT OF PUBLICATION - Alcohol.Fortune and Kwik Trip](#)

*Appearance by Yong F. Lai. Mr. Lai informed the Committee he was changing the entity name but was remaining as the owner and agent.*

A motion was made by Ald. Weigel, seconded by Ald. Haass, that this matter was Recommended for Approval subject to the necessary requirement(s). The motion carried by the following vote:

**Aye:** 5 - Ald. Czaplewski, Ald. Roadt, Ald. Haass, Ald. May, and Ald. Weigel

**No:** 0

61. [2019-0512](#) 2019-2020 Combination Class B License application of Lawrence J. Robe, Jr., d/b/a Capt'n Nicks for the premises located at 1503 S. 81 St. (new-existing location).

**Attachments:** [AFFIDAVIT OF PUBLICATION - Alcohol.Capt n Nicks.New Asian Supermarket](#)

*Appearance by Lawrence J. Robe, Jr. Discussion ensued regarding Mr. Robe's experience.*

**A motion was made by Ald. Weigel, seconded by Ald. Haass, that this matter was Recommended for Approval subject to the necessary requirement(s). The motion carried by the following vote:**

**Aye:** 5 - Ald. Czaplewski, Ald. Roadt, Ald. Haass, Ald. May, and Ald. Weigel

**No:** 0

62. [2019-0324](#) 2019-2020 Combination Class A Liquor application, of Spring West, LLC, Satwinder Singh, Agent , d/b/a Pantry 41 105, for the premises located at 10537 W. Greenfield Ave. (new-nonexisting location).

**Attachments:** [20190625 Memo re Pantry 41 Exceeding Quota](#)

*Appearance by Satwinder Singh and Ajit S. Walia. Discussion ensued regarding the new floor plan and letter of withdrawal submitted by Mr. Singh for the Class A Liquor portion of the application.*

**A motion was made by Ald. Haass, seconded by Ald. Weigel, that this matter was Recommended for Approval as amended and subject to the necessary requirement(s). The motion carried by the following vote:**

**Aye:** 4 - Ald. Czaplewski, Ald. Roadt, Ald. Haass, and Ald. Weigel

**No:** 1 - Ald. May

73. [O-2019-0031](#) Ordinance to create Subsection 9.02(13)(c) of the Municipal Code of the City of West Allis pertaining to Class "A" and "Class A" retail licenses on premises where gasoline or diesel fuel is sold.

**Sponsors:** Alderperson Stefanski

**Attachments:** [O-2019-0031 signed](#)  
[AFFIDAVIT OF PUBLICATION - O-2019-0031](#)

Discussion ensued regarding the amendments submitted by City Attorney Kail Decker to the ordinance that the restriction does not apply to cider and that there is a secondary doorway that is not the primary entrance to the Class A premises.

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

**Aye:** 5 - Ald. Czaplewski, Ald. Roadt, Ald. Haass, Ald. May, and Ald. Weigel

**No:** 0

A roll call was taken to reflect Ald. May excused at this time.

63. [2019-0441](#) 2019-2020 Class B Beer License application no. 2709 of JRK Enterprises, Ricci G. Mane, Agent, d/b/a Pepi's Pizza for premises located at 1329 S. 70 St. (new-nonexisting location).

*Appearance by Ricci G. Mane. A Public Hearing to exceed the quota was not needed.*

**A motion was made by Ald. Haass, seconded by Ald. Weigel, that this matter was Recommended for Approval subject to the necessary requirement(s). The motion carried by the following vote:**

**Aye:** 4 - Ald. Czaplewski, Ald. Roadt, Ald. Haass, and Ald. Weigel

**No:** 0

64. [2019-0435](#) 2019-2021 Operator's License (bartender/sales clerk) application no. 8462 of Jennifer L. Schroeder.

*Appearance by Jennifer L. Schroeder. Discussion ensued regarding Ms. Schroeder's background report.*

**A motion was made by Ald. Haass, seconded by Ald. Weigel, that this matter was Recommended For Approval. The motion carried by the following vote:**

**Aye:** 4 - Ald. Czaplewski, Ald. Roadt, Ald. Haass, and Ald. Weigel

**No:** 0

65. [2019-0514](#) Petition to exceed the alcohol license quota submitted by Donald Zietlow, for a 2019-2020 Combination Class A Liquor License for Kwik Trip, Inc., d/b/a Kwik Trip #1047, located at 10923 W. Lapham St.

**Attachments:** [KWIK TRIP Petition to Exceed Quota](#)

*Appearance by Ryan R. Giesen. Discussion ensued regarding allowing liquor and beer sales and what percentage of Kwik Trips had a full liquor selection in their stores. Mr. Giesen replied that there is a small percentage that have only beer. The Committee voted to recommend approval to hold a Public Hearing to exceed the Class A Beer License quota and deny the Public Hearing and application for a Class A Liquor License.*

**A motion was made by Ald. Weigel, seconded by Ald. Haass, that this matter was Recommended for Approval as Amended to hold a Public Hearing to exceed the Class A Beer License quota and deny the Public Hearing and application for a Class A Liquor License. The motion carried by the following vote:**

**A motion was made by Ald. Weigel, seconded by Ald. Haass, that this matter was Recommended for Approval as Amended to hold a Public Hearing to exceed the Class A Beer License quota on and deny the Public Hearing and application for a Class A Liquor License. The motion carried by the following vote:**

**Aye:** 4 - Ald. Czaplewski, Ald. Roadt, Ald. Haass, and Ald. Weigel

**No:** 0

66. [2019-0515](#) 2019-2020 Class A Beer & Cider License application, of Kwik Trip, Inc, Ryan R. Giesen, Agent, d/b/a Kwik Trip #1047, for the premises located at 10923 W. Lapham St. (new-nonexisting location) in regard to exceeding the quota

**Attachments:** [AFFIDAVIT OF PUBLICATION - Alcohol.Fortune and Kwik Trip](#)

*See legislative file no. 2019-0514.*

**This matter was Held**

67. [2019-0473](#) Police Department Report involving Rockstars Saloon, 5826 W. Burnham St., of Sharon L. Butterfield, Incident Date: June 22, 2019.

*Appearance by Sharon and Joseph Butterfield. Discussion ensued regarding the police report. Ms. Butterfield stated she understood the concerns of the Committee.*

**A motion was made by Ald. Haass, seconded by Ald. Weigel, that this matter was Recommended to be Placed on File. The motion carried by the following vote:**

**Aye:** 4 - Ald. Czaplewski, Ald. Roadt, Ald. Haass, and Ald. Weigel

**No:** 0

*A roll call was taken to reflect Ald. May present for the remainder of the agenda items.*

**Present** 5 - Ald. Czaplewski, Ald. Roadt, Ald. Haass, Ald. May, and Ald. Weigel

68. [2019-0471](#) Police Department Report involving Dingers, 6139 W. Beloit Rd., of Victory Hospitality Group, Steven P. Miick, Agent, Incident Date: June 15, 2019 at 0211 hrs (case #19-022555)

*Appearance by Steven P. Miick. Discussion ensued regarding the police reports and the history of violations at the licensed premise from previous owners. Mr. Miick commented he did not receive the reports because he had recently moved. The committee alerted Mr. Miick that he needs to keep on eye on the outside of his establishment also.*

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

69. [2019-0472](#) Police Department Report involving Dingers, 6139 W. Beloit Rd., of Victory Hospitality Group, Steven P. Miick, Agent, Incident Date: June 15, 2019 at 2247 hrs (case #19-022664)

*See legislative file no. 2019-0471.*

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

**Passed The Block Vote**

**A motion was made by Ald. Haass, seconded by Ald. Weigel, to approve all the actions on the preceding items on a Block Vote. The motion carried by the following vote:**

**Aye:** 5 - Ald. Czaplewski, Ald. Roadt, Ald. Haass, Ald. May, and Ald. Weigel

**No:** 0

*City Attorney Cerwin informed the Committee members that service was accepted on all three (3) Summons and Complaints, and the Committee could discuss them in closed session for deliberation after the licensing agents admitted or denied any allegations. Attorney Cerwin stated a nonappearance of the agent could be accepted as an admission of the allegations; the appearing agent could admit or deny to any or all allegations in the complaint; the Committee could deliberate and hand down sentencing in the form of a warning letter, a suspension of 10-90 days, or revocation of the license(s). Attorney Cerwin reminded the Committee that the matters could not be discussed if they were going to hold hearings on the items.*

70. [2019-0528](#) Summons and Complaint in the matter of the complaint against DHV Enterprises LLC., Melissa A. Schrubbe, Agent, for the premises located at 1641 S. 68 St., d/b/a Dog House (2019-2020 Combination Class B Liquor License 2589)

Attachments: [S&C Dog House](#)

*Appearance by Melissa & Glenn Schrubbe. Ms. Schrubbe acknowledged receipt of the Summons & Complaint. She admitted to some allegations in the Complaint. The Committee scheduled a Hearing for August 27, 2019.*

**This matter was Held**

71. [2019-0529](#) Summons and Complaint in the matter of the complaint against ARH Enterprises LLC, Hugo Juarez, Agent, for the premises located at 1900 S. 60 St., d/b/a Las Palmas (2019-2020 Combination Class B Liquor License 1541)

Attachments: [S&C Las Palmas](#)

*Nonappearance by Hugo J. Juarez. Attorney Cerwin stated that Mr. Juarez accepted service of the Summons and Complaint on July 31, 2019. Attorney Cerwin reminded the Committee that by Mr. Juarez not appearing it is an admission of the allegations. The Committee scheduled a Hearing for August 27, 2019.*

**This matter was Held**

72. [2019-0527](#) Summons and Complaint in the matter of the complaint against The 5 Spot LLC, Christina Lopez, Agent, for the premises located at 7535 W. Beloit Rd., d/b/a One More (2019-2020 Combination Class B Liquor License 2358)

Attachments: [S&C One More](#)

*Appearance by Christina Lopez. Ms. Lopez acknowledged receipt of the Summons & Complaint. She admitted to the allegations in the Complaint. The Committee scheduled a Hearing for August 27, 2019.*

**This matter was Held**

## **E. MATTERS FOR DISCUSSION/ACTION**

- [2019-0552](#) Discussion relative to general guidelines for reviewing license application background checks and the steps for approval or appearance

**This matter was Held**

## **F. ADJOURNMENT**

A motion was made by Ald. Weigel, seconded by Ald. Roadt, to adjourn at 7:00 p.m. The motion carried unanimously.

*Respectfully submitted,*

*Ann Marie Neff  
Secretary to the Committee*



All meetings of the {bdName} are public meetings. In order for the general public to make comments at the committee meetings, the individual(s) must be scheduled (as an appearance) with the chair of the committee or the appropriate staff contact; otherwise, the meeting of the committee is a working session for the committee itself, and discussion by those in attendance is limited to committee members, the mayor, other alderpersons, staff and others that may be a party to the matter being discussed.

#### NON-DISCRIMINATION STATEMENT

The City of West Allis does not discriminate against individuals on the basis of race, color, religion, age, marital or veterans' status, sex, national origin, disability or any other legally protected status in the admission or access to, or treatment or employment in, its services, programs or activities.

#### AMERICANS WITH DISABILITIES ACT NOTICE

Upon reasonable notice the City will furnish appropriate auxiliary aids and services when necessary to afford individuals with disabilities an equal opportunity to participate in and to enjoy the benefits of a service, program or activity provided by the City.

#### LIMITED ENGLISH PROFICIENCY STATEMENT

It is the policy of the City of West Allis to provide language access services to populations of persons with Limited English Proficiency (LEP) who are eligible to be served or likely to be directly affected by our programs. Such services will be focused on providing meaningful access to our programs, services and/or benefits.