



City of Racine

City Hall
730 Washington Ave.
Racine, WI 53403
www.cityofracine.org

Meeting Minutes - Final

Public Safety and Licensing Committee

Chairman Jeff Coe
Vice Chairman Raymond DeHahn
Alderman Sandy Weidner
Alderman Steve Smetana
Alderman Tracey Larrin

Tuesday, November 22, 2016

5:30 PM

City Hall, Room 307

Call To Order

PRESENT: 4 - Jeff Coe, Sandy Weidner, Steve Smetana and Tracey Larrin

EXCUSED: 1 - Raymond DeHahn

Investigator Bialkowski represented the Police Department in the absence of Sgt. Rivers

Approval of Minutes for the October 25, 2016 Meeting.

to Approve the Minutes

[0970-16](#)

Subject: New Application for a Class "A" Fermented Malt Beverage and Intoxicating Liquor License for Quick Market LLC dba Quick Market, 4303 16th Street, Taiseer Mohammad, Agent. (14th District).

Recommendation of the Public Safety and Licensing Committee on 11-22-16: That the New Application for a Class "A" Fermented Malt Beverage and Intoxicating Liquor License for Quick Market LLC dba Quick Market, 4303 16th Street, Taiseer Mohammad, Agent be denied on the following basis:

- 1) The establishment does not meet the 3,000 square footage requirement;
- 2) Calls placed from constituents from the City Watch;
- 3) Calls to the Alderman of the District as well as the Alderman not being in support

Fiscal Note: N/A

Taiseer Mohammad appeared before the committee. He stated he has owned this business for 7 years and wanted to increase his business opportunity for the people in the neighborhood. He stated he has owned other the stores in the past and has not had any problems. He stated he did not communicate this with the neighbors as he did not think there would be an issue.

Alderman Coe stated that the intent of the ordinance which was created January 1,

2005 was to not have the basement included in the square footage of the premise.

Arlene Yasko - 4211 16th Street spoke against the beer license.

Alderman Meekma who represents that district informed the committee that he had received about 7-10 emails and calls from his constituents who were not in favor of a beer license being granted at this location. Alderman Meekma stated he did not support the granting of a license.

City Clerk informed members that there were three calls received from the City Watch and they were all against the issuance of the license.

Inv. Bialkowski asked if there were cameras and good lighting. The applicant stated he has a well lit establishment and he has 16 cameras inside, outside, in the basement and all around the building.

Alderman Weidner made a motion to approve the granting of the license. The motion failed for lack of a second.

Alderman Smetana made a motion seconded by Alderman Larrin to deny on the following bases:

- 1) The establishment does not include the 3,000 square footage;
- 2) Calls placed from constituents from the City Watch;
- 3) Calls to the Alderman of the District as well as the Alderman not being in support

Recommended For Denial

[0912-16](#)

Subject: Application of Dynasty Co. Inc., Norberto Rapeta, Agent, for a **Change of Agent** for a "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License for 2427 Lathrop Ave. (11th District).

Recommendation of the Public Safety and Licensing Committee on 11-22-16: That the Application of Dynasty Co. Inc., Norberto Rapeta, Agent, for a **Change of Agent** for a "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License for 2427 Lathrop Ave. be approved.

Fiscal Note: N/A

Abigail and Norberto Rapeta appeared. They stated they were not going to be making any changes. Abigail stated that Norberto does not speak english well. She stated he has taken the responsible beverage course and currently holds a current Operator's (bartenders) license through the City of Racine. She stated they would be on the premises all the time.

Motion made by Alderman Weidner seconded by Alderman Smetana to approve the Change of Agent to Norberto Rapeta.

Recommended For Approval

[0971-16](#)

Subject: Application of PH Hospitality Group, LLC (Pizza Hut), CHANGE OF AGENT, Kyle Andrew Poppelman - Agent, 5000 Washington Avenue, Class "B", 11/10/16, (12th District).

Recommendation of the Public Safety and Licensing Committee on 11-22-16: That the Application of PH Hospitality Group, LLC (Pizza Hut), CHANGE OF AGENT, Kyle Andrew Poppelman, 5000 Washington Avenue, Class "B", be approved.

Fiscal Note: N/A

Kyle Andrew Poppelman appeared and informed the Committee members he was the new General Manager since July 2016. He stated he has taken the responsible beverage course and currently holds a current Operator's (bartenders) license through the City of Racine.

Motion made by Alderman Smetana seconded by Alderman Larrin to approve the Change of Agent to Kyle Andrew Poppelman.

Recommended For Approval

[0981-16](#)

Subject: (Direct Referral) Communication requesting the appearance of the owner/agent of The Faccia Bella Club, 3422 Douglas Avenue, to give the committee a status update on the date the establishment plans on opening.

Recommendation of the Public Safety and Licensing Committee on 11-22-16: That the matter be deferred until our next meeting in three weeks, but the business must be open. The motion carried by the following voice vote:

AYES: Weidner, Smetana and Coe

NOES: Larrin

EXCUSED: DeHahn

Mr. Todd Anderson appeared and informed the committee he was planning on opening on Saturday, November 26, 2016, but now with the Holiday that might be an issue. He stated that he would for sure be open in two weeks. Mr. Anderson was distributing several pictures on the table of the work he has put into the establishment.

There were concerns brought up by committee members regarding what was holding up the opening of the business. Mr. Anderson said he faced several issues with things, such as plumbing, the sink he ordered did not have the parts to connect it and the parts were no longer available. Mr. Anderson informed committee members that his intent is to hire vets and disabled citizens. This would be his way of giving back. Mr. Anderson also stated that he has not called for any inspections and that's why they have not been out to his establishment. He stated when he has everything completed, he will then have them come out for the inspections.

He was then addressed by Deputy City Attorney who read some e-mails that the City Clerk had provided her which she had received on November 21, 2016 from the Chief Building Inspector and one of the Fire Inspectors. She stated both e-mails basically stated that this business was no where close to being open. She also stated that Mr. Anderson had also applied for a Restaurant license and she held a conversation with Marcia Fernholz of the Health Department and she also stated he was no where close to receiving his restaurant permit.

There was discussion by several aldermen stating their concern that this license was applied for and approved July, 2015 an the business still has not opened and there are people who are on the waiting list. There was discussion as to the signage and the different names located on the establishment.

Alderman Weidner made a motion to defer the matter until our next meeting in three weeks. Motion failed for lack of second.

After further discussion between Mr. Anderson, committee members, and the Dep. City Attorney the committee requested what were their options. Dep. City Attorney informed them there were three options:

- 1) Adjourn to monitor the opening within a certain time frame*
- 2) Revocation of the license*
- 3) Applicant can volunteer to surrender*

Alderman Weidner made a motion seconded by Alderman Smetana to defer the matter until our next meeting in three weeks, but the business must be open. The motion carried by the following voice vote:

AYES: Weidner, Smetana and Coe

NOES: Larrin

EXCUSED: DeHahn

Deferred

[0931-16](#)

Subject: (Direct Referral) Communication from the Purchasing Agent submitting the report on the bids received for the sale of Abandoned Vehicles, October 31, 2016.

Recommendation of the Public Safety and Licensing Committee on 11-22-16: That the item be Received and Filed as the only responsible bidder was Sturtevant Auto Salvage.

Fiscal Note: This will generate \$6,303.00 in revenue for account 13101 48301.

City Clerk informed member that there was only one responsible bidder for 41 vehicles, Sturtevant Auto Salvage and this would generate \$6,303.00 in revenue.

Recommended For Approval

[0980-16](#)

Subject: (Direct Referral) Licensed Premise Report

Recommendation of the Public Safety and Licensing Committee on 11-22-16: That the owner/agent of Cackle Jack's, 3620 Northwestern Avenue be requested to appear due to an incident at the establishment on October 30, 2016 and the balance of the report be received and filed.

Fiscal Note: N/A

Inv. Bialkowski informed members that the only one that he had a concern with was the incident at Cackle Jack's, 3620 Northwestern Avenue.

Alderman Weidner made a motion seconded by Alderman Smetana to request the appearance of the owner/agent of Cackle Jack's for the next meeting.

Received and Filed

There was a motion made by Alderman Weidner and seconded by Alderman Smetana to suspend the rules and allow JJ McCauliffe of the Racine Tavern League to speak. The motion carried.

Mr. McCauliffe informed committee members that the league members have expressed concern over the license premise reports now being published in the Racine Journal Times and he is afraid that members are not going to call the police when needed as they will think it will reflect negative on their establishment. He stated they are trying to reach out to it's membership and inform them that they really need to read into some of the reports because a lot of times it will state "unfounded" or no contact was made with the establishment.

Motion made by Alderman Weidner seconded by Alderman Larrin to call in a representative from the Journal Times at the next meeting to give the committee some explanation as to their reasoning for publishing this. Motion carried by a voice vote.

Committee members then discussed that they would like to have included a Public Comment Segment listed from now on at the end of the agenda.

Adjournment

The meeting was adjourned at 6:45p.m.