

Catfish & More
C/O Vanessa Boutwell
1644 Washington Ave
Racine, Wisconsin 53403
262-308-9635

July 12, 2019

City of Racine
Department of City Development
Attn: Planning Commission

Greetings Planning Commission

I am submitting this letter as instructed by Matthew Sadowski, regarding my revocation. I am an African American divorced woman with 4 kids and 5 grandchildren, I am the owner of Catfish & More.

After speaking with Mr. Sadowski on 7/11/2019. Prior to opening my business, I was in communication with the Health Department and submitted all my paperwork to them, including my hours of operation. Prior to our grand opening, it was shared with me, that due to the fact that the prior restaurant occupants had just undergone an inspection with permit, someone from Dept of City Development waved my inspection and I could enter under Mr. Bostick's conditional use permit. I did not realize that my business was operating under his business hours. I didn't fail to report hours of operation, because I had submitted my hours to the Health Department and honestly thought that there was a partnership between the two department and that my hours were shared. This was an honest mistake that should have been explained to me at the time of decision regarding Mr. Bostick permit.

Mr. Sadowski gave me a copy of a letter that was supposed to be mailed in April. I never receive a copy and in fact as I reviewed the letter yesterday, I now understand why I didn't get it. Someone errored in the numeric address and sent the 1st letter to 1642 and there are there are two rear apartments there. My address is 1644 Washington Ave. If I would have gotten the 1st letter mailed I would had addressed this issue and my restaurant use would not have be revoked. Due to the error made not on my behalf it has cause a slight hardship for this week not being able to open.

I would never have jeopardized my establishment, because this is my livelihood. I have invested every dime that I have into Catfish & More, long hours, sweat and tears to make my dream and active vision. I am a certified Renal Dialysis Technician and I was fulltime, I cut my hours down to barely nothing to operate my establishment. I cannot monetarily take care of my family on pennies and cannot afford my restaurant being closed.

Prior to receiving this notice, taped on the restaurant front door, I had already talk to my staff about the hour being changed and the business no longer serving the bar crowd because it's just was to much havoc and was causing problems with my staff and I beginning to not feel safe. I have included documents showing the address used and the application that was place with the police department.

I did reach out to the Racine Police Dept and completed and application for an off-duty officer in May of 2018. No one took up the offer. On Saturday when the altercation was taking place in the lobby, not one police came in to defuse the fight, not until one of my staff and myself open the front door and begin to make people leave then then an officer came in.

I have no problem whatsoever in changing my hours to be in compliance with the Department of City Development.

I would like to thank you in advance for your consideration and taking the time to address this with me, so we all can be on the same page.

I would really like the chance to reprove myself, I sincerely apologize for the honest mistake on my behalf, but I would really like to know from your perspective who entered my address to my business wrong because in all fairness this is why the restaurant is closed at this moment. I would of certainly addressed this is in April upon receiving the letter.

I look forward to hearing from your office, thanks and make it a spectacular day.

CC: Matthew G. Sadowski

Brian F. O'Connell

Kenneth D. Plaski

Deputy City Attorney

Appreciatively,

Ms. Vanessa Boutwell



misanndennis@yahoo.com 779-772-6149

Owner/Operator of

Catfish and More

Racine Police Department (RAPD)

Incident Report

IMAGE
WILL
APPEAR
AFTER
APPROVAL

Incident:

Informational Report Only

Incident Report Number:

19-030696

Between: Date - Time

And/At: Date-Time

7/7/19

02:45

Incident Location:

1644 Washington Av, Racine, WI, 53403

CFS Code-1:

9031

CFS Code-2:

CFS Code-3:

CFS Code-4:

CFS Code-5:

CFS Code-6:

CFS Code-7:

CFS Code-8:

Name (Last, First, Middle)

DOB:

Race/Sex

Address: (Address, City, State, Zip)

Home Phone Number

Employer

Work Phone Number

Employer Address

Cell Phone Number

Name (Last, First, Middle)

DOB:

Race/Sex

Address: (Address, City, State, Zip)

Home Phone Number

Employer

Work Phone Number

Employer Address

Cell Phone Number

SUMMARY

Fourteen officers had to respond to 1644 Washington Ave (Catfish and More) due to fights, unreasonable disturbance violations, loud music, vehicles speeding down the street, and patrons crowding all lanes of traffic. It took fourteen officers approximately 25 minutes to clear the crowd and close the business. I spoke to the owner Vanessa Boutwell.

Sgt Spaulding and Sgt Villalobos responded to the scene. Boutwell ID'd verbally, verified DOT. Dashcam footage and body cam footage exists.

Vehicle Information: (Year, Make, Model, Style, Color)

License Number:

State:

Expiration Year:

Vin:

Insurance Company:

Other Vehicle Information:

NCIC#

Reporting Officer(s):

Aukland, Jacob L.

Payroll Number :

2779

Report Date:

07/07/2019

Time Received:

02:45:51

Time Cleared:

03:44:45

Unit(s) Assigned:

3041, 3051, 3061, 3081, 3101,

Pages:

1 Of 3

Reviewed by:

Smith, Michael E.

Payroll Number :

1982

Copy To

Date: 07/07/2019
CFS Code-1: 9031
Incident Report Number: 19-030696



DEPARTMENT OF CITY DEVELOPMENT • BUILDING DIVISION • 730 WASHINGTON AVE • ROOM 304 •
RACINE WI 53403
PHONE 262 636 9464 • FAX 262 636 9329 • www.cityofracine.org

July 9, 2019

Vanessa Boutwell
1642 Washington Avenue
Racine, WI 53403

RE: Revocation of Conditional Use Permit for 1642 Washington Avenue

Ms. Boutwell;

We have received information that you and your establishment continue to violate condition (f) of your conditional use permit dated May 20, 2015. Your conditional use permit allows your restaurant to be open on Friday and Saturday from 11:00 a.m. – 12:00 a.m. and on Sunday from 11:00 a.m. to 8:00 p.m. On July 7, 2019, at approximately 2:45 a.m. the Racine Police Department was dispatched to Catfish and More located at 1642 Washington Avenue for complaints of large crowds and vehicles blocking the roadway. See attached.



You are being notified that your Conditional Use Permit is hereby revoked. This revocation is effective immediately, and you cannot operate your restaurant from this location after the date on this letter. You are hereby ordered to vacate the premises immediately. Failure to comply with this order may result in citations and forfeitures of up to \$1000.00 plus court costs a day for each and every day of the violation, along with 30 days imprisonment for each violation in the case of a default. Additionally, this matter will be referred to the City Attorney's Office for further disciplinary actions, should you continue to operate despite the lack of an occupancy permit.

Any person aggrieved by a revocation order issued by the zoning administrator may appeal that order to the city plan commission. Appeals of revocations of conditional use permits shall be filed with the secretary of the plan commission in care of the city clerk within thirty (30) days of the mailing date of the order of revocation.

Respectfully,

Kenneth D. Plaski
Chief Building Inspector
Zoning Administrator

Cc. Matthew Sadowski, Planning Manager; Nhu Arn, Deputy City Attorney; Robin Zbikowski, Assistant City Attorney

Enc:



7/11/19
COPY

DEPARTMENT OF CITY DEVELOPMENT • BUILDING DIVISION • 730 WASHINGTON AVE • ROOM 304 •
RACINE WI 53403

PHONE 262 636 9464 • FAX 262 636 9329 • www.cityofracine.org

April 25, 2019

Vanessa Boutwell
1642 Washington Avenue
Racine, WI 53403

RE: Exceeding permitted hours of Conditional Use Permit at 1642 Washington Avenue

Ms. Boutwell;

We have received information that you and your establishment have violated condition (f) of your conditional use permit dated May 20, 2015. Your conditional use permit allows your restaurant to be open on Friday and Saturday from 11:00 a.m. – 12:00 a.m. On April 6th and April 13th, 2019, at approximately 3:05 a.m. and 2:37 a. m. respectively, the Racine Police Department was dispatched to Catfish and More located at 1642 Washington Avenue for complaints of disorderly crowds, loud music and parking violations.

You are being formally notified that any future violations of the conditional use permit at the above premises may result in **revocation of your condition use permit**, which would require you to vacate the property at 1642 Washington Avenue. Please direct any questions you may have to the Building Division at (262) 636-9464 or to the Planning Division at (262) 636-9151.

Respectfully,

Kenneth D. Plaski
Chief Building Inspector
Zoning Administrator

Cc. Matthew Sadowski
Planning Manager

Nhu Arn
Deputy City Attorney



REQUEST FOR OFFICER(S)

(for Part-Time Outside Employment)

COPY

PLEASE NOTE:

REQUESTS WILL BE ADMINISTRATIVELY DENIED if any of the following conditions are not met:

- Requests must be submitted a minimum of two weeks prior to the date of employment being requested.
- Requests must include a minimum offer of \$30/hour per officer.
- Request forms must be completed in full.

~ Initial pages 1 and 2.

~ Sign the Indemnity and Hold Harmless Agreement (page 3) - the signature must be notarized.

EMPLOYER

Contact Person: Vanessa Boutwell Primary Phone: 779-772-6149
 Business Name: Catfish & More Alternate Phone: 262 583-1738
 Business Address: 1644 Washington Ave
 City: Racine State: WI Zip Code: 53403
 Email: CATFISH.MORE1644@YAHOO.COM

VENUE - Location where the requested services will be performed.

Description/Name: Catfish & More
 Street Address: 1644 Washington Ave
 City: Racine State: WI Zip Code: 53403

SERVICES REQUESTED - Description and details of the type of service(s)/duty requested.

Date(s) & Time(s): Friday + Sat. 1-130AM - 330^{AM}-4 (4hrs)

Type of event or venue, description of duties, number of officer(s) required, how and when payment will be made:

Just maintain lobby, make sure no fighting
 Smoking of any kind.
 1 officer needed
 payments can be made same day of
 service or 2nd day of service ^{Sat}
 IN CASH _{Night}
 Will also receive free meal.

Rate/hr.: 30.00

Initial: UB

City of Racine Municipal Ordinance
Section 2-408: Part-Time Outside Employment

COPY

Members of the department may engage in gainful part-time employment subject to the following rules and regulations:

Prior to accepting or undertaking any employment, a member shall furnish to the chief of police, upon forms prepared for that purpose, a statement setting forth name of employer or self-employed, hours of employment and type of work, and an acknowledgment that the member is familiar with and will abide by department policies and procedures regarding part-time outside employment. If not self-employed, the member shall also furnish a statement from his or her employer verifying the statement of the employee and agreeing to all of the terms and conditions of such part-time employment and provisions of this section.

(2) In the event any member suffers a major injury while engaged in part-time employment disqualifying him or her temporarily for work on the police department, he or she shall submit to a physical examination prior to being re-employed by the police department. In the event of disability or inability to work on the police department by reason of injury or illness occurring because of part-time employment, substitution by other members of the police department for such injured policeman or policewoman shall not be permitted.

(3) No member may engage in any part-time employment which will interfere with his or her efficiency or availability for duty, create a conflict of interest with the member's duties as a Racine police officer, or violate department policies and procedures.

(4) No member shall engage in any part-time employment, when such employment requires the securing of a license from the city, or shall any member engage in part-time employment for a private investigating agency licensed by the state and performing private investigating work in Wisconsin.

(5) In the event the chief of police has reasonable grounds to believe that any part-time employment is interfering with a member's efficiency or availability for duty, creating a conflict of interest, or violating department policies and procedures, the chief may order the member to terminate his or her employment, or reduce the number of hours engaged in his or her part-time employment. The member, upon receipt of such order, shall promptly terminate his or her employment, or reduce the number of hours as directed by the chief of police.

(Code 1973, § 4.04.020; Ord. No. 20-94, pt. 1, 10-18-94)

City of Racine Police Department

Policy & Procedure 113: Part-Time Outside Employment (Selected Excerpts)

The Chief of Police will typically grant authority to engage in law enforcement related employment under the following conditions:

- Off-duty, law enforcement related employment is performed in police uniform only (unless the Chief of Police specifically authorizes plainclothes dress for the law enforcement related employment).
- Uniformed, off-duty, law enforcement related employment is intended to promote good order in schools and other settings open to the public. Uniformed presence for private functions, or in those settings, as deemed by the Chief of Police, that create the appearance of governmental authorities as enforcers of private enterprise, is a conflict of interest.
- All rules and procedures that would normally apply to an on-duty officer shall apply in off-duty, law enforcement related employment.
- Off-duty, law enforcement related employed officers shall immediately report any injuries occurring in conjunction with the off-duty, law enforcement related employment to the outside, off-duty employer. Off-duty, law enforcement related employed officers understand that the liability for workers compensation claims while employed in an off-duty, law enforcement related employment capacity will not automatically involve the City of Racine, unless it is otherwise determined by law.
- As determined by the Chief of Police, officers will not engage in any off-duty, law enforcement related employment that is a **conflict of interest**.
- Officers will comply with all provisions of the City of Racine Ordinance Section 2-408.

Conflicts of Interest include, but are not limited to, the following:

- Where the employment would provide the officer with special advantage by virtue of his/her office
- Where employment would compromise the confidentiality of Department records and/or investigations
- Where the employment would bring discredit to the Department or where the employment would undermine the public's expectation of impartiality
- Where the employment would compromise the officer's ability to enforce the law, exert command authority, or effect discipline
- Where the officer's official position can be used to serve private interests
- Where the employment would assist any principal in a criminal or civil proceeding
- Where the employment would be directly connected to the serving of intoxicating beverages, or by working for any such licensed place of business other than to provide general order maintenance outside the licensed premises.

Initial: UB

COPY

**City of Racine Police Department
Indemnity and Hold Harmless Agreement**



The employing entity, agency, or business of CATFISH AND MORE, is hiring or seeking to hire (an) off-duty City of Racine Police Officer(s), which is outside or secondary employment for the officer and is in no wise employment with or through the City of Racine Police Department. The above named employing entity expressly agrees to defend, protect, indemnify, hold harmless, waive, release, and discharge the City of Racine, its Police Department, its officers, agents, employees, and volunteers free and harmless from and against any and all direct, indirect, or in any way incident to, claims, demands, damages, expenses, losses, or liability of any kind or nature whatsoever which the employing entity or agency, its officers, agents, employees, volunteers, or the City of Racine off-duty police officer(s) may sustain or incur, or which may be imposed upon them for injury to or death of persons or damages to property arising out of or resulting from the negligent acts or negligent omissions of the employer, its officers, agents or employees. The above named employing entity agrees to defend at its own cost, expense, and risk all claims or legal actions that may be instituted against either the employer, the City of Racine, or the City of Racine Police Department, which arise out of the negligent acts or omissions of the employer. The employing entity agrees to pay any settlement entered into and satisfy any judgement that may be rendered against either the employer or the City of Racine and its Police Department as a result of any negligent injuries or damages which have resulted from or are connected with this agreement or the use of the demised premise by the employing entity, or its officers, agents employees or licensees, including reasonable attorney fees.

I certify that I have read the above authorization and release, and I hereby state that I understand the contents, and that I know that in signing it, I am signing away any right of claim for damages sustained and agree to assume all the risk of any kind and that I am solely responsible and answerable in damages for any and all accidents or injuries to persons or property associated under or with my entity or business. I also understand that no employee or agent is authorized to modify this waiver.

I certify that I have read, understand, and agree to comply with City of Racine Ordinance Section 2-408 (Part-Time Outside Employment) and the rules governing Part-Time Outside Employment as set forth by the Policy and Procedure of the Racine Police Department.

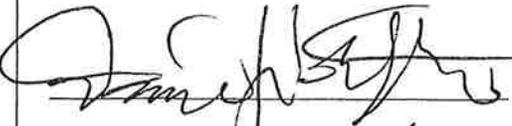
I acknowledge that signing and submitting this request does not in any way guarantee that an officer will accept my offer for employment and that the City of Racine and its Police Department are under no obligation to provide me with an officer(s).

Furthermore, I certify that the information provided in this Request for Officer(s) packet is true and accurate.

State of WI

County of RACINE

Signed or attested before me on this
10 day of MAY, 2018.



My commission expires: 8/21/2018

(To be completed by notary only)

Signature: Vanessa Boutwell
(must be signed in the presence of a Notary Public to be notarized)

Name (print): VANessa Boutwell

Date: 5/10/18

PLEASE MAKE SURE THAT YOU HAVE initialed pages 1 and 2 in the lower right corner. All original pages (1-3) must be submitted together; copies of notarized original are not considered valid legal documents.