



City of Racine Meeting Minutes

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

Public Safety and Licensing Committee

Monday, February 12, 2007

5:00 PM

City Hall, Room 205

Call To Order

Alderman Maack called the meeting to order at 5:05 P.M.

PRESENT: 3 - David L. Maack, Gregory Holding and Jim Kaplan

EXCUSED: 2 - Q.A. Shakoor II and Tim Hermes

Public Comment

There were no public comments.

Approval of Minutes for the January 22, 2007 Meeting.

Minutes of the previous meeting were approved as printed on motion of Alderman Holding.

1. [07-0136](#) **Subject:** Communication from the Purchasing Agent submitting bid results received for RFP #4, EMS Billing for the Racine Fire Department.

Recommendation of the Public Safety & Licensing Committee of

02-12-07: That the bid received for RFP #4, EMS Billing for the Racine Fire Department, be approved.

Fiscal Note: N/A

Sam Aiello appeared and informed the Committee the bid was awarded to ADP. Mr. Aiello stated this would be approximately a \$25,000.00 increase, but the company met the requirements. Chief Hansen appeared and informed the Committee he had spoken with the Chief Financial Officer and is pleased with this company's track record.

Recommended For Approval

2. [07-0140](#) **Subject: (Direct Referral)** Change Order #1 and Final Payment on Contract 15-06 (K6-016), Fence Replacement at Mound Cemetery by Statewide Fencing, Inc. of Franksville, WI.

Recommendation of the Public Safety & Licensing Committee of

02-12-07: That Change Order #1 and Final Payment on Contract 15-06 (K6-016), Fence Replacement at Mound Cemetery by Statewide Fencing, Inc. of Franksville, WI., be approved.

Fiscal Note: \$18,700.00 be appropriated from account 207.000.5750 Cemetery Fencing.

Donnie Snow appeared and informed the Committee he is requesting that Change Order #1 be approved and final payment be made.
Recommended For Approval

3. [07-0141](#) **Subject: (Direct Referral)** Change Order #1 and Reducing Retainage on Contract 35-06 (K6-037), Bridge Rehabilitation at Johnson Park Golf Course by Bane Nelson, Inc., of Kenosha.

Recommendation of the Public Safety & Licensing Committee of 02-12-07: That Change Order #1 and Reducing Retainage on Contract 35-06 (K6-037), Bridge Rehabilitation at Johnson Park Golf Course by Bane Nelson, Inc., of Kenosha, be approved.

Fiscal Note: \$\$30,089.00 be appropriated from account 107.000.5750 Golf, Replace 18th Hole Bridge.

Donnie Snow appeared and informed the Committee he is requesting Change Order #1 be approved for an increase of \$30,089.00 and the retainage amount be reduced to \$3,000.00. The retainage project will be completed in the Spring, 2007.
Recommended For Approval

4. [07-0074](#) **Subject:** Application of Magic Dollar Plus LLC., Hussein Asad, Agent, for a Class "A" Retail Fermented Malt Beverage License for 1007 Washington Avenue. (1st District)

Recommendation of the Public Safety & Licensing Committee of 02-12-07: That the item be deferred until the February 26, 2007 meeting.

Fiscal Note: N/A

Alderman Maack informed Hussein Asad who appeared before the Committee, they would like to defer the application until the February 26, 2007 meeting, to give them an opportunity to review the Business Plan that was submitted late Friday afternoon. Mr. Asad and the 1st District Alderman, had no objections.
Deferred

5. [07-0064](#) **Subject: (Change of Agent)** Application of Tango, Incorporated, Alejandro D. Harbatenko, Agent for Change of Agent for a "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License for 509 Sixth Street. (1st District)

Recommendation of the Public Safety & Licensing Committee of 02-12-07: That the item be deferred until the February 26, 2007 meeting.

Fiscal Note: N/A

Alejandro D. Harbatenko did not appear.
Deferred

6. [07-0082](#) **Subject:** Application of Taqueria Aranda's Restaurant, Juan M. Leon, Agent for a "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License for 1501 Prospect Street.

Recommendation of the Public Safety & Licensing Committee of

02-12-07: That the license be granted.

Fiscal Note: N/A

The City Clerk informed the Committee city watch had been noticed and one call had been received opposing the issuance of the license.

Juan M. Leon appeared with Rubin Martinez, who interpreted for him, and informed the Committee the business would primarily be a restaurant atmosphere. He informed the Committee Mr. Leon 's brother Salvador, is the Agent and would be assisting him in operating the business. He stated Mr. Leon applied for the same type of licenses that were previously held at the establishment. He will be hiring a Security Guard to work on the premises.

Recommended For Approval

7. [07-0093](#) **Subject: (New)** Application of Pig n' Out, LLC., Arthur T. Slaughter, Agent, for a "Class C" and Class "B" Retail Fermented Malt Beverage License for 2920 Taylor Avenue (11th District)

Recommendation of the Public Safety & Licensing Committee of

02-12-07: That the item be deferred until the February 26, 2007 meeting.

Fiscal Note: N/A

Arthur Slaughter and Russell Cera appeared and informed the Committee they plan to have the same type of establishment that was previously there, but would like to make the business a success. They will offer carry-out and a limited area for customers to dine in .

The Committee members informed Mr. Slaughter and Mr. Cera they were looking for a more indepth business plan. They requested they submit a new business plan to the City Clerk's Office within one week.

Alderman Hermes appeared at 5:30 P.M. and took his seat.

A motion was made by Alderman Kaplan, to defer the license until the February 26, 2007 meeting.

The motion passed by the following vote:

Ayes: Hermes, Kaplan

Noes: Holding

Non-Voting: Maack

Deferred

8. [06-3038](#) **Subject:** Request of the Committee for the appearance of X-Press Food

Mart, Narendra Shah, Agent, 2418 Douglas Avenue, who had a clerk that sold tobacco to an underage volunteer, on November 18 and 19, 2006.

Recommendation of the Public Safety & Licensing Committee of

01-08-07: That the item be deferred until the February 12, 2007 meeting.

Recommendation of the Public Safety & Licensing Committee of

02-12-07: That the item be deferred until the February 26, 2007 meeting.

Fiscal Note: N/A

Narendra Shah didn't appear.

Deferred

9. [07-0097](#)

Subject: Request of the Committee for the appearance of TBG's, Chad E. Londre, Agent, 1814 Taylor Avenue, for an incident that appeared on the December, 2006 Tavern Compliance Checks Report.

Recommendation of the Public Safety & Licensing Committee of

02-12-07: That the item be received and filed.

Fiscal Note: N/A

Capt. Pavalonis gave a brief synopsis of the incidents that occurred on December 17 & 26, 2006. Chad E. Londre appeared and informed the Committee these were two isolated incidents and normally they don't have any problems.

Received and Filed

10. [07-0098](#)

Subject: Request of the Committee for the appearance of The Blue Rock Lounge & Eatery, Mark R. Thomas, Agent, 306 Sixth Street, for an incident that appeared on the December, 2006 Tavern Compliance Checks Report.

Recommendation of the Public Safety & Licensing Committee of

02-12-07: That the item be deferred until the February 26, 2007 meeting.

Fiscal Note: N/A

Mark R. Thomas did not appear.

Deferred

11. [07-0099](#)

Subject: Request of the Committee for the appearance of Vintage Rock Cafe', Anthony J. Marino, Agent, 3701 Durand Avenue, for an incident that appeared on the December, 2006 Tavern Compliance Checks Report.

Recommendation of the Public Safety & Licensing Committee of

02-12-07: That the item be received and filed.

Fiscal Note: N/A

Capt. Pavalonis gave a brief synopsis of the incidents that occurred on December 26 & 31, 2006. James Marino appeared and informed the Committee they are trying to keep troublesome patrons out of their establishment. He informed Committee members this had been investigated, but unfounded for the incident on December 31, 2006.
Received and Filed

12. [07-0100](#) **Subject:** Request of the Committee for the appearance of The Drink, Michael Misna, Agent, 961 Dr. M. L. King Jr. Drive, for an incident that appeared on the December, 2006 Tavern Compliance Checks Report.

Recommendation of the Public Safety & Licensing Committee of 02-12-07: That the item be referred to the City Attorney's Office for possible resolution.

Fiscal Note: N/A

Capt. Pavalonis gave a brief synopsis of the incident that occurred on December 31, 2007. Michael Misna appeared and informed the Committee his bartender will be contesting the citation.
Deferred

13. [07-0101](#) **Subject:** Request of the Committee for the appearance of Joey's on Sixth, Joseph G. Legath, Agent, who had a clerk that sold alcohol to an underage volunteer on December 18, 2006.

Recommendation of the Public Safety & Licensing Committee of 02-12-07: That the item be received and filed.

Fiscal Note: N/A

Joseph G. Legath appeared and informed the Committee his bartender will be contesting the citation. He stated he has a 100% policy for not selling/serving to underage patrons.
Received and Filed

14. [07-0103](#) **Subject:** Request of the Committee for the appearance of Andy's Now Yer Talkin, Marion Wawiorka, Agent, for 1415 Washington Avenue, who had a clerk that sold alcohol to an underage volunteer on December 18, 2006.

Recommendation of the Public Safety & Licensing Committee of 02-12-07: That the item be received and filed.

Fiscal Note: N/A

Marion Wawiorka appeared and informed the Committee her employees are aware they should be asking for identification. The bartender that sold to the underage volunteer will be contesting the citation.
Received and Filed

15. [07-0104](#) **Subject:** Request of the Committee for the appearance of Bucket's Pub,

Charles F. Brandt, Agent, 2031 Lathrop Avenue, who had a clerk that sold alcohol to an underage volunteer on December 18, 2006.

Recommendation of the Public Safety & Licensing Committee of

02-12-07: That the item be received and filed.

Fiscal Note: N/A

Charles F. Brandt appeared and informed the Committee he would like to work with the Police Department to find a resolution to the problem. He stated his employees are aware of the no sale to minors policy and the employee who sold to the underage volunteer will be contesting the citation.

Received and Filed

16. [07-0105](#)

Subject: Request of the Committee for the appearance of The Dug Out, Timothy Vite, Agent, 2054 Lathrop Avenue, who had a clerk that sold alcohol to an underage volunteer on December 18, 2006.

Recommendation of the Public Safety & Licensing Committee of

02-12-07: That the item be received and filed.

Fiscal Note: N/A

Timothy Vite appeared and informed the Committee all his employees are aware of what the policy is on selling to minors. He talks to his employees daily regarding not selling to minors. It will not be tolerated and the employee that sold to the underage volunteer has been terminated.

Received and Filed

17. [07-0164](#)

Subject: Request of the Committee for the appearance of The Boiler Room, Coy Peterson, Agent, 5200 Washington Avenue, who had a clerk that sold alcohol to an underage volunteer on December 18, 2006.

Recommendation of the Public Safety & Licensing Committee of

02-12-07: That the item be received and filed.

Fiscal Note: N/A

Coy Peterson appeared and informed the Committee he has a small establishment and has a zero tolerance for selling to minors. Mr. Peterson stated he would like to see a mandatory card reading system required. The Chairman informed Mr. Peterson we will put this on the next agenda for discussion. The employee that sold to the underage volunteer will pay all citations associated with the sell. The employee will also be contesting the citation.

Received and Filed

18. [07-0165](#)

Subject: Request of the Committee for the appearance of Teezer's, Erin E. Anstett, Agent, 1936 Lathrop Avenue, who had a clerk that sold alcohol to an underage volunteer on December 18, 2006.

Recommendation of the Public Safety & Licensing Committee of

02-12-07: That the item be received and filed.

Fiscal Note: N/A

Erin E. Anstett appeared and informed the Committee she has been in business for 30 years and have had no problems. She has a zero tolerance for selling to minors and has talked with all her employees regarding this. The employee that sold to the underage volunteer will be contesting the citation.

Received and Filed

Alderman Maack left at 6:40 P.M.

Alderman Holding chaired the remainder of the meeting.

19. [06-3040](#) **Subject: (New) (Direct Referral)** Application of Steven Jacobson for a Public Passenger Driver's License.

Recommendation of the Public Safety & Licensing Committee of

01-08-07: That the license be deferred until the January 22, 2007 meeting (haven't received records check).

Recommendation of the Public Safety & Licensing Committee of

01-22-07: That the item be deferred until the February 12, 2007 meeting.

Recommendation of the Public Safety & Licensing Committee of

02-12-07: That the license be granted.

Fiscal Note: N/A

Granted

20. [07-0106](#) **Subject:** Request of the Committee for the appearance of Michael R. Wagner, regarding his application for an Operator's (Bartender's) License.

Recommendation of the Public Safety & Licensing Committee of

02-12-07: That the item be deferred until the February 26, 2007 meeting.

Fiscal Note: N/A

Michael Wagner didn't appear.

Deferred

21. [06-2992](#) **Subject:** Request of the Committee for the appearance of the following License holder - Central Foods, (formerly Lakeside Supermarket) 1003 Center Street, for an incident that appeared on the October, 2006 Licensed Premise Report.

Recommendation of the Public Safety & Licensing Committee of

12-11-06: That the matter of Central Foods, (formerly Lakeside Supermarket) 1003 Center Street, be referred to a due process hearing to determine whether the license should be revoked or suspended.

Recommendation of the Public Safety & Licensing Committee of

01-08-07: That the matter of Central Foods, (formerly Lakeside Supermarket) 1003 Center Street, be referred to the City Attorney to come up with an agreement and report back to the Committee with his findings.

Recommendation of the Public Safety & Licensing Committee of

01-22-07: That the matter be deferred until the February 12, 2007 meeting.

Recommendation of the Public Safety & Licensing Committee of

02-12-07: That the settlement be approved, and the item be received and filed.

Fiscal Note: N/A

Attorney Weber informed the Committee the license holder complied with the agreement.

Recommended to be Received and Filed

22. [06-2993](#)

Subject: Request of the Committee for the appearance of High Cone, Inc. (Open Pantry), Usha A. Shah, Agent, 704 High Street, who had a clerk that sold tobacco to an underage volunteer, on October 7, 2006.

Recommendation of the Public Safety & Licensing Committee of

01-08-07: That the item be referred to the City Attorney for consideration and he report back to the Committee with his findings.

Recommendation of the Public Safety & Licensing Committee of

01-22-07: That the item be deferred until the February 12, 2007 meeting.

Recommendation of the Public Safety & Licensing Committee of

02-12-07: That the item be deferred until the February 26, 2007 meeting.

Fiscal Note: N/A

Attorney Weber informed the Committee he has been negotiating with the owner and was expecting a counter offer today, but didn't receive it.

Deferred

23. [06-2943](#)

Subject: (Direct Referral) Communication from the Alderman of the 11th District to discuss the licensing policy, in light of the new ordinance requiring a business plan.

Recommendation of the Public Safety & Licensing Committee of 12-11-06: That the item be deferred to the January 8, 2007 meeting.

Recommendation of the Public Safety & Licensing Committee of 01-08-07: That the item be deferred until the January 22, 2007 meeting.

Recommendation of the Public Safety & Licensing Committee of 01-22-07: That the item be deferred until the February 12, 2007 meeting to give Committee members an opportunity to look over the procedures that have been drafted.

Recommendation of the Public Safety & Licensing Committee of 02-12-07: That the item be deferred until the February 26, 2006 meeting.

Fiscal Note: N/A
Deferred

24. [06-2625](#)

Subject: (Direct Referral) Incident relating to City Haul Lounge on 10-4-06.

Recommendation of the Public Safety & Licensing Committee of 10/09/06: That the owner of the City Haul Lounge, 835 Washington Avenue, be requested to appear at the October 23, 2006.

Recommendation of the Public Safety & Licensing Committee of 10/23/06: That the item be deferred until the November 13, 2006 meeting and City Attorney Weber along with Mr. Hand and his counsel, meet to come up with an agreed upon agreement.

Recommendation of the Public Safety & Licensing Committee of 11-13-06: That the matter of the City Haul Lounge be referred to a due process hearing to determine whether the license should be revoked or suspended.

Recommendation of the Public Safety & Licensing Committee of 02-12-07: That the settlement agreement be approved.

Fiscal Note: The approximate cost will be \$3,500.00.

Attorney Weber informed the Committee that an agreement had been drafted and executed and his recommendation is to approve.

Recommended For Approval

25. [07-0095](#)

Subject: Ordinance No. 1-07

To repeal and recreate Article XXV. Pawnbrokers and Secondhand Dealers, to create Secs. 22-900 - 22-919, Pawnbroker Licenses, and amend Sec. 114-468, Conditional Uses, of the Municipal Code of the City of Racine, Wisconsin.

Recommendation of the Public Safety & Licensing Committee of 01-22-07:

That Ordinance No. 1-07 be adopted.

Recommendation of City Plan Commission on January 31, 2007:

That Parts 1, 2, and 4 of Ord. 01-07 be adopted. (07-0125)

Further that Part 3 be deleted from Ord. 01-07.

Recommendation of the Public Safety & Licensing Committee of 02-12-07:

That the ordinance be deferred until the February 26, 2007 meeting.

Fiscal Note: N/A

Deferred

26. [07-0113](#) **Subject:** Communication from the City Clerk wishing to amend Sec. 6-132 of the Municipal Code relating to Provisional operators licenses.

Recommendation of the Public Safety & Licensing Committee of 02-12-07:

That the item be deferred until the February 26, 2007 meeting.

Fiscal Note: N/A

Deferred

27. [07-0129](#) **Subject: (Direct Referral)** Communicaton from the Purchasing Agent submitting the monthly report for the sale of Abandoned Vehicles, January 29, 2007.

Recommendation of the Public Safety & Licensing Committee of 02-12-07:

That the item be received and filed.

Fiscal Note: This will generate \$3,401.01 in revenues.

Recommended to be Received and Filed

28. [07-0143](#) **Subject: (Direct Referral)** Applications for Operator's (Bartender's) Licenses.

Recommendation of the Public Safety & Licensing Committee of 02-12-07:

That the licenses be granted, pending records check.

Fiscal Note: N/A

Granted

Miscellaneous Business

Capt. Pavalonis informed the Committee he will not be at the next meeting. He stated there will be a representative from the Police Department available.

Adjournment

The meeting was adjourned at 7:00 P.M. by Alderman Holding. The next scheduled meeting of the Public Safety & Licensing Committee is February 26, 2007.