



City of Racine Meeting Minutes

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

Public Safety and Licensing Committee

Monday, February 26, 2007

5:00 PM

City Hall, Room 205

Call To Order

Alderman Maack called the meeting to order at 5:02 P.M.

PRESENT: 5 - David L. Maack, Q.A. Shakoor II, Gregory Holding, Tim Hermes and Jim Kaplan

Approval of Minutes for the February 12, 2007 Meeting.

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

Public Comments

There were no public comments.

1. [07-0192](#) **Subject: (Direct Referral)** Change Order #1 Contract 28-06 (K6-029), New Grandstand Bleachers at Horlick Athletic Field by Carroll Seating Co.

Recommendation of the Public Safety & Licensing Committee of

02-26-07: That Change Order #1 Contract 28-06 (K6-029), New Grandstand Bleachers at Horlick Athletic Field, be approved.

Fiscal Note: \$4,328.00 be appropriated from account 985.710.5070, Horlick Football Bleachers.

Donnie Snow appeared and informed the Committee he's requesting to have Change Order #1 Contract 28-06 (K6-029), New Grandstand Bleachers at Horlick Athletic Field, on the east side, approved with an increased amount of \$4,328.00.

Recommended For Approval

2. [07-0193](#) **Subject:** Request of the Director of Parks, Recreation & Cultural Services to meet with the Public Safety and Licensing Committee for permission to enter in an agreement with Industrial Roofing Services, Inc. to prepare plans and specifications and project administration for window and door replacement at Dr. Bryant Community Center.

Recommendation of the Public Safety & Licensing Committee of

02-26-07: That the Director of Parks, Recreation & Cultural Services be granted permission to enter in an agreement with Industrial Roofing Services, Inc. to prepare plans, specifications, and project administration for window and door replacement at Dr. John Bryant Community Center.

Fiscal Note: \$9,800.00 be appropriated from account 987.680.5010,

Bryant Windows.

Donnie Snow appeared and informed the Committee he's requesting permission to enter into an agreement with Industrial Roofing Services, Inc. for work needed to be performed at the Dr. John Bryant Community Center.

Recommended For Approval

3. [07-0200](#)

Subject: Mound Cemetery new Crypt Design and Fountain Restoration.

Recommendation of the Public Safety & Licensing Committee of

02-26-07: That the Mound Cemetery new Crypt Design and Fountain Restoration project be approved with the increased amount of \$10,000.00.

Fiscal Note: \$10,000.00 be appropriated from the Cemetery Maintenance Fund.

Donnie Snow appeared and informed the Committee the cost for the Mound Cemetery new Crypt Design and Fountain Restoration would be increased by \$10,000, that wasn't included in the 2007 budget. He stated the Cemetery Commission met Monday, February 26, 2007 at 4:30 P.M. and approved the additional amount, and it will be appropriated from the Cemetery Maintenance Fund.

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.

Recommendation of the Public Safety & Licensing Committee of

02-26-07: That the license be granted.

Fiscal Note: N/A

Hussein Asad appeared and informed the Committee his application to sell beer to his customers is an addition to the other items he sells in his grocery store, and he already holds a cigarette license. Mr. Asad stated he has instructed his employees to ask for identification from customers to make sure they are not selling to minors.

Alderman Fair appeared and spoke in support of granting the license, stating he had talked to Neighborhood Watch, who also supports the granting of the license. He stated the building was vacant for years and the grocery store has improved the quality of life in the neighborhood, and feels if the license is granted, it would not be abused.

Recommended For Approval

AYES: 3 - Gregory Holding, Tim Hermes and Jim Kaplan

NOES: 1 - Q.A. Shakoor II

NON VOTING: 1 - David L. Maack

5. [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.

Recommendation of the Public Safety & Licensing Committee of

02-26-07: That the license be granted.

Fiscal Note: N/A

Arthur T. Slaughter and Russell V. Cera appeared before the Committee. Alderman Holding stated he had spoken to the applicants and he believes their intention is to sell beer with food and he supports the granting of the license. Alderman Kaplan indicated all his questions had been answered and he is in support of granting the license.

Recommended For Approval

6. [07-0142](#) **Subject: (New)** Application of Douglas Petro, LLC., Surinder Singh, Agent, for a Class "A" Retail Fermented Malt Beverage License, Gasoline Station Owner's and Manager's License for 3357 Douglas Avenue. (7th District)

Recommendation of the Public Safety & Licensing Committee of

02-26-07: That the Gasoline Station Owner's and Manager's License be granted, and the Class "A" Retail Fermented Malt Beverage License application be deferred until the March 12, 2007 meeting.

Fiscal Note: N/A

Surinder Singh appeared and informed the Committee he is purchasing the building and has worked for Citgo for two years. He plans on hiring three employees.

Alderman Holding supported approving the Gas Station Owner and Manager's License.

Alderman Shakoor suggested deferring the application of the Class "A" License until the applicant submits more information regarding his business plan.

Deferred

7. [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.

Recommendation of the Public Safety & Licensing Committee of

02-26-07: That the Change of Agent be approved.

Fiscal Note: N/A

Alejandro D. Horbatenko appeared and informed the Committee he worked at his parents restaurant in Chicago, and would be on site at this establishment approximately 90% of the time.

Recommended For Approval

8. [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.

Recommendation of the Public Safety & Licensing Committee of

02-26-07: That the City Attorney be authorized and directed to draft a final agreement with the license holder and the item be received and filed.

Fiscal Note: N/A

Attorney Weber handed out copies of the letter of proposal, the counter-offer, and the follow-up letter to the Committee.

Attorney Weber stated the agreement could either be a voluntary cessation of cigarette sales for 5 days, or an increase of the donation to "Focus On Community".

The Committee requires the license holder to make a \$500.00 donation to "Focus On Community" within 30 days.

Received and Filed

9. [07-0186](#)

Subject: Request of the Committee for the appearance of Cera's Tequila Bar, Cerafin Davalos, Agent, for 607 Sixth Street for an incident that appeared on the November, 2006 Tavern Compliance Checks Report.

Recommendation of the Public Safety & Licensing Committee of

02-26-07: That the item be received and filed.

Fiscal Note: N/A

Cerafin Davalos appeared and informed the Committee he took his family out to lunch the day his employee sold alcohol to the underage volunteer. He stated he has talked to his employees and informed them to ask for identification from customers before selling alcohol or cigarettes to them. If they don't provide identification, they will be asked to leave the premises.

Received and Filed

10. [07-0187](#)

Subject: Request of the Committee for the appearance of WLS, Wild Bill, Inc. (Chief's), William Sorenson, Agent, for 1641 Douglas Avenue, who had a clerk that sold alcohol to an underage volunteer on November 19, 2006.

Recommendation of the Public Safety & Licensing Committee of

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

Fiscal Note: N/A

William Sorenson appeared and informed the Committee he is contesting the citation that was issued.

Deferred

11. [07-0188](#)

Subject: Request of the Committee for the appearance of Nine, Inc. (Benny's On Sixth), Benjamin Nelson, Agent, for 1213 Sixth Street, who had a clerk that sold alcohol to an underage volunteer on December 23, 2006.

Recommendation of the Public Safety & Licensing Committee of

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

Fiscal Note: N/A

Benjamin Nelson did not appear. He called the City Clerk's Office on Monday, February 26, 2007 and informed them he would try to make the meeting, but he was in Milwaukee.

Deferred

12. [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.

Recommendation of the Public Safety & Licensing Committee of

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

Fiscal Note: N/A

Mark R. Thomas appeared and informed the Committee he is contesting the citation issued. He stated he and his employees were cleaning up after closing and he gives a couple of employees a ride home. They were shooting darts and playing pool, while they were waiting for him. He also stated his mom and step father own the building and were

on the premises. He has been in business for 10 years.
Deferred

13. [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.

Recommendation of the Public Safety & Licensing Committee of 02-26-07: That the Operator's (Bartender's) License be denied.

Fiscal Note: N/A

Michael R. Wagner did not appear.
Recommended For Denial

14. [07-0209](#) **Subject:** Request of the Committee for the appearance of David B. Meyer, regarding his application for an Operator's (Bartender's) License.

Recommendation of the Public Safety & Licensing Committee of 02-26-07: That the Operator's (Bartender's) License be denied.

Fiscal Note: N/A

David B. Meyer appeared and informed the Committee he wasn't aware of the open intoxicants in the car. He stated he was trying to get a job at Applebee's and no longer has that opportunity, because he missed the responsible beverage class and it was taking too long.
Recommended For Denial

15. [07-0189](#) **Subject:** Discussion regarding concerns of the Racine Tavern League on policies for violators.

Recommendation of the Public Safety & Licensing Committee of 02-26-07: That the item be received and filed.

Fiscal Note: N/A

Alderman Maack informed the Committee he did some investigating on the equipment that would detect false identification cards. The magnetic scanning equipment that could be used by establishments, would cost anywhere between \$1,195.00 to \$2,000.00.
Received and Filed

16. [07-0175](#) **Subject:** (Direct Referral) Application of Cruz Castro for a Public Passenger Driver's License.

Recommendation of the Public Safety & Licensing Committee of 02-26-07: That the Public Passenger Driver's License be denied.

Fiscal Note: N/A

Attorney Weber informed the Committee Cruz Castro came to see him regarding his Public Passenger Driver's License. He has a 5 year probation for OVWI, but hasn't had any convictions within the last few years. The protection order that he had against him was lifted on Monday, February 26, 2007.

Recommended For Denial

17. [07-0176](#) **Subject: (Direct Referral)** Application of Eugene E. Bradle II for a Public Passenger Driver's License.

Recommendation of the Public Safety & Licensing Committee of 02-26-07: That the Public Passenger Driver's License be granted.

Fiscal Note: N/A
Granted

18. [07-0206](#) **Subject: (Direct Referral)** Licensed Premise Report for February, 2007.

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

Fiscal Note: N/A

The Committee requested the appearance of the following license holders to the March 12, 2007 meeting: Benny's - 213 Sixth Street, Rosie's - 1333 Douglas Avenue, American Legion - 1234 Douglas Avenue, Blue Rock Lounge - 306 Sixth Street.
Deferred

19. [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.

Recommendation of the Public Safety & Licensing Committee of

02-26-07: That the item be received and filed.

Fiscal Note: N/A

Alderman Holding discussed the new forms being used for licensing procedure. He requested adopting them as guidelines and procedures to be used by Committee members.

One change should be made to the Questionnaire, #4 add a line for Beer.

One change should be made to the Business Plan Outline Requirements, under Operations 5th item, should read Provide a detailed site plan/building layout.

Received and Filed

20. [07-0113](#)

Subject: Communication from the City Clerk wishing to amend Sec. 6-132 of the Municipal Code relating to Provisional Operator's Licenses.

Recommendation of the Public Safety & Licensing Committee of

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

Recommendation of the Public Safety & Licensing Committee of

02-26-07: That the City Attorney's Office amend Sec. 6-132 of the Municipal Code to include Provisional Operator's Licenses, and an Ordinance be created.

Fiscal Note: N/A

The City Clerk informed the Committee members when the new Ordinance was created relating to a fee increase, somehow Provisional Licenses was deleted. State Statue requires a Provisional License be issued. A \$25.00 fee would be charged.

Recommended For Approval

21. [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.

Recommendation of the Public Safety & Licensing Committee of

02-26-07: That Ordinance No. 1-07 be adopted with amendments.

Fiscal Note: N/A

Alderman Holding informed the Committee all Pawnbrokers and Secondhand Dealers be requested to use the electronic recording system for reporting goods. He also stated a \$1.00 fee per transaction would be charged, and the cost passed on to the customer. Alderman Hermes stated there should only be a charge for items worth over a certain value.

Recommended For Approval

22. [07-0226](#)

Subject: (Direct Referral) Applications for Operator's (Bartender's) Licenses.

Recommendation of the Public Safety & Licensing Committee of

02-26-07: That the Operator's (Bartender's) Licenses be granted.

Fiscal Note: N/A

Granted

Miscellaneous Business

Adjournment

The meeting was adjourned at 6:40 P.M. by Alderman Shakoor. The next scheduled meeting of the Public Safety & Licensing Committee is March 12, 2007.