



City of Racine

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

Meeting Minutes - Final Public Safety and Licensing Committee

Chairman Q.A. Shakoor, II, Vice Chair Aron Wisneski, Alderman Jim Kaplan, Alderman Robert Mozol, Alderman Terry McCarthy

Monday, June 23, 2008

5:00 PM

City Hall, Room 205

Call To Order

PRESENT: 5 - Q.A. Shakoor, II, Aron Wisneski, Terry McCarthy, Jim Kaplan and Robert Mozol

Approval of Minutes for the June 9, 2008 Meeting.

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

to Approve the Minutes

PUBLIC COMMENT

Frank Tingle

Miscellaneous Business

Alderman Shakoor went over the general guidelines for conducting the meeting, renewal of licenses, changing agents, calling in of license holders, reviewing of police reports, making motions, and deadline for receiving agenda items.

08-2282

Subject: Communication from the Chief of Police, requesting to apply for the 2008 Bureau of Justice Assistance Edward Byrne Justice Assistance Grant (JAG), grant control #2008-020.

Recommendation of the Finance & Personnel Committee on

06-23-08: Permission granted for the Chief of Police to apply for the 2008 Bureau of Justice Assistance Edward Byrne Justice Assistance Grant (JAG). (Grant Control No. 2008-020)

Recommendation of the Public Safety & Licensing Committee on

06-23-08: That permission be granted for the Chief of Police to apply for the 2008 Bureau of Justice Assistance Edward Byrne Justice Assistance Grant (JAG). (Grant Control No. 2008-020)

Fiscal Note: The City's portion will be \$12,977.50, with no City match required.

Chief Wahlen appeared and informed the committee that this is a Mobile Vision digital system applied for every year. The grant amount is a lot less than previous years.

Recommended For Approval

[08-2311](#)

Subject: Communication from the Chief of Police, requesting to apply for the U.S. Department of Justice COPS Secure Our Schools (SOS) 2008 grant program, grant control # 2008-021.

Staff Recommendation to the Finance & Personnel Committee on 06-23-08: Permission be granted for the Chief of Police to apply for the U.S. Department of Justice COPS Secure Our Schools (SOS) 2008 grant program. (Grant Control No. 2008-021)

Recommendation of the Public Safety & Licensing Committee on 06-23-08: That permission be granted for the Chief of Police to apply for the U.S. Department of Justice COPS Secure Our Schools (SOS) 2008 grant program. (Grant Control No. 2008-021)

Fiscal Note: Total project amount is \$789,538 with Racine Unified providing the match in the amount of \$398,570. There is no cost to the City of Racine. This is a pass-through grant.

Chief Wahlen appeared and informed the committee this is the second year applying for the grant because Unified is no longer able. This is for cameras in schools.

Recommended For Approval

[08-2318](#)

Subject: Direct Referral, Change Order #5 Contract 52-07 (K7-061), Remodel Racine Zoological Gardens, Phase III, by Seater Construction Co., Inc.

Recommendation of the Public Safety & Licensing Committee on 06-23-08: That Change Order #5 Contract 52-07 (K7-061), Remodel Racine Zoological Gardens, Phase III, by Seater Construction Co., Inc. would be an increased by \$22,175.00 for a total amount of \$1,753,692.42 be approved.

Fiscal Note: Funds are available as herein delineated.

Director Snow appeared and informed the committee that this change order is funded by the zoo.

Recommended For Approval

[08-2347](#)

Subject: (Direct Referral) (Amendment) Application of Salute Italian Restaurant, Gemma De Bartolo-Wells, Agent for "Class B" Fermented Malt Beverage and Intoxicating Liquor License for 314 Main Street **to include a Sidewalk Cafe with Alcohol Permit.**

Recommendation of the Public Safety & Licensing Committee on 06-23-08: The new application for a Sidewalk Cafe Permit **with alcohol** for Salute Italian Restaurant, at 314 Main Street be approved.

Fiscal Note: N/A

The City Clerk informed the committee this had been approved two weeks ago without alcohol and City Development has now approved the plans for the sidewalk cafe with alcohol as originally applied for.

Recommended For Approval

08-2120

Subject: (New) Application of Time in Time Out, Inc., David Martinez, Agent for "Class B" Fermented Malt Beverage and Intoxicating Liquor License for 1632 Douglas Avenue. (4th District)

Recommendation of the Public Safety & Licensing Committee on

06-09-08: The item be deferred for two weeks.

Recommendation of the Public Safety & Licensing Committee on

06-23-08: That the new application for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for 1632 Douglas Avenue be approved.

Fiscal Note: N/A

Applicant David Martinez appeared and informed the committee this establishment is intended to be a family oriented place of business with increased security.

Recommended For Approval

AYES: 3 - Q.A. Shakoor, II, Aron Wisneski and Robert Mozol

NOES: 2 - Terry McCarthy and Jim Kaplan

08-2163

Subject:(Direct Referral) Communication from Roundy's Supermarkets, (Mega Marts), 2406 S. Green Bay Road, requesting to appear before the Committee to discuss recent incidents regarding their Change of Agent(s), application for new Change of Agent, and their renewal of their 2008-2009 "Class A" license.

Recommendation of the Public Safety & Licensing Committee on

06-23-08: That the application for a Change of Agent, Patricia Berger, Roundy's Supermarkets, (Mega Marts), 2406 S. Green Bay Road be approved and the renewal application of Roundy's Supermarkets, (Mega Marts), 2406 S. Green Bay Road for "Class A" Retail Fermented Malt Beverage and Intoxicating Liquor Licenses for 2008-2009 be approved.

Fiscal Note: N/A

Director of Operations, John Hein appeared and informed the committee of recent employee turnover and non-receipt of appearance letters by the corporate office. Applicant Patricia Berger appeared and informed the committee of corporate training in place to combat underage sales.

Recommended For Approval

[08-2300](#)

Subject: Application of Speedway SuperAmerica, LLC, Sherie Joy White, Agent, for a Change of Agent for Class "A" license for 2110 S. Green Bay Road.

Recommendation of the Public Safety & Licensing Committee on 06-09-08: That the item be deferred until 06-23-08 at the applicant's request.

Recommendation of the Public Safety & Licensing Committee on 06-23-08: That the application for a Change of Agent, Sherie Joy White, Speedway SuperAmerica, LLC, 2110 S. Green Bay Road, be approved.

Fiscal Note: N/A

Applicant Sherie Joy White appeared and informed the committee of BARS program and corporate self-Sting operations and registrar programs. She also stated she was on premises between 10 to 18 hours per day.

Recommended For Approval

[08-2294](#)

Subject: Request of the Committee for the appearance of Mario Aranda Sr., Agent for The Club, 1240 Washington Avenue, due to recent incidents at your establishment.

Recommendation of the Public Safety & Licensing Committee on 06-23-08: That the renewal application for "Class B" Fermented and Intoxicating Liquor for The Club, 1240 Washington Avenue, be referred to a due process hearing to consider non-renewal or suspension of the license and the current 2007-2008 license be extended.

Fiscal Note: N/A

Agent Mario Aranda appeared and informed the committee he was unaware of the volume of calls received for his establishment. He stated he was working with the police and has taken all the advice they have offered.

Recommended For Approval

[08-2297](#)

Subject: Request of the Committee for the appearance of Wilbur Jones, Agent for Viper's Lounge, 501 High Street, due to recent incidents at your establishment.

Recommendation of the Public Safety & Licensing Committee on 06-23-08:

Agent Jones did not appear. The City Clerk informed the committee she had been in contact with Mr. Jones and he was intending to sell the establishment and he had only paid for the publication fee.

Received and Filed

[08-2299](#)

Subject: Request of the committee for the agent to appear to discuss recent sales to minor and renewal application for "Class A" Retail Fermented Malt Beverage and Intoxicating Liquor License for 2008-2009.

Fresh Brands Distributing, Inc. 4011 Durand Avenue
(Piggly Wiggly)
Joseph M. Ligocki, Agent

Recommendation of the Public Safety & Licensing Committee on

06-23-08: That the matter of Fresh Brands Distributing, Inc., 4011 Durand Avenue, be referred to the City Attorney to come up with an agreement and the renewal application for "Class A" Retail Fermented Malt Beverage and Intoxicating Liquor License for 2008-2009 be approved.

Fiscal Note: N/A

Alderman Holding appeared and asked for punitive punishment. Agent Joe Ligocki appeared and stated he was the new agent and corporate policies have removed anyone selling to minors and they have reenergized their program.

Recommended For Approval

[08-2341](#)

Subject: (Direct Referral) Request of the Committee for the appearance of Jaime D. Utley regarding your application for an Operator's (Bartender) License.

Recommendation of the Public Safety & Licensing Committee on

06-23-08: That the application of Jaime D. Utley for an Operator's (Bartender) License be approved.

Fiscal Note: N/A

Applicant Jaime Utley appeared and stated she had received the citation for underage tobacco sales. She had been suspended and fined. The cigarette machine has been removed. She also stated she had learned a valuable lesson and it would never happen again.

Recommended For Approval

[08-2298](#)

Subject: Request of the Committee for the appearance of Maheshkumar K. Patel regarding the operation of the business and the renewal application for "Class A" Retail Fermented Malt Beverage and Intoxicating Liquor License for 2008-2009.

Port of Call Liquors 918 West Boulevard
Maheshkumar K. Patel, Agent

Recommendation of the Public Safety & Licensing Committee on

Fiscal Note: N/A

Alderman Shields appeared and informed the committee that he would like to be notified anytime an establishment in his district was being called in.

Recommended For Approval

[08-2286](#)

Subject: The following renewal applications for a Class "A" Retail Fermented Malt Beverage license for 2008-2009.

Speedway SuperAmerica LLC 4620 Washington Avenue
(Speedway #2089)
Vicky Huska, Agent

Midtown Market 1229 Eleventh Street
(Midtown Market)
Harinder Kaur, Agent

Syed Mikhail's Inc. 930 Washington Avenue
(Total 24)
Omar Mansoor, Agent

Recommendation of the Public Safety & Licensing Committee on 06-23-08: That the renewal applications for a Class "A" Retail Fermented Malt Beverage license for 2008-2009 be approved.

Fiscal Note: N/A

Recommended For Approval

[08-2287](#)

Subject: The following renewal applications for "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor Licenses for 2008-2009.

Brucker LTD 1921 Dekoven Avenue
(Tommy's)
Justin Coe, Agent

Yong Fa Inc. 2409 S. Green Bay Road
(New Buffet)
Mei H. Li, Agent

The Waterfront Grill LLC 303 Dodge Street
(Sandpiper Waterfront Grill)
Lori Ann Medendorp, Agent

Coasters of Racine, LTD 1301 N. Main Street

(Coasters)

Mike Kurhajec, Agent

Mario Aranda, Sr.
(The Club)

1240 Washinton Avenue

David J. Russell
(The Cornerstone)

600 High Street

Lush Life, LLC.
(Out of the Pan)

550 State Street

Roberta A. Schulz

CHANGE OF AGENT

Dino Dominici
(Dino's)

1816 Sixteenth Street

Lee Allen Gaither
(The Old School Way)

1300 Sixteenth Street

La Condes, LLC
(La Condesa)

1743 State Street

Margarita Vasquez, Agent

PUBLICATION FEE ONLY

Tinita, LLC
(Tinita)

500 Sixth Street

James W. McCann, Agent

Alice F. Warren
(Bucks Lounge)

963 Dr. M.L. King, Jr. Dr.

Kenny's on Main, LLC
(Kenny's on Main)

1300 N. Main Street

Kenneth R. Meyer, Agent

Recommendation of the Public Safety & Licensing Committee on

06-23-08: That the Change of Agent for a "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License application for Lush Life, LLC.,(Out of the Pan), Roberta A. Schulz, 550 State Street be granted upon completion of the Responsible Beverage Servers Course and that the following renewal applications for "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor Licenses for 2008-2009 be approved with the exception of Mario Aranda, Sr., (The Club),1240 Washinton Avenue.

Fiscal Note: N/A

Agent Roberta Schulz appeared and informed the committee that her establishment was good for the quality of life for Racinians because hers was the type that did not need metal detectors. She indicated she would take the Responsible Servers Course as soon as possible.

Recommended For Approval

[08-2288](#)

Subject: The following renewal applications for a "CLASS B" **CLUB** Retail Fermented Malt Beverage and intoxicating Liquor License for 2008-2009.

Fifth Street Yacht Club of Racine, Inc. 761 Marquette Street
(Fifth Street Yacht Club)
James Walters, Agent

Recommendation of the Public Safety & Licensing Committee on 06-23-08: That the following renewal applications for a "CLASS B" **CLUB** Retail Fermented Malt Beverage and intoxicating Liquor License for 2008-2009 be approved.

Fiscal Note: N/A

Recommended For Approval

[08-2296](#)

Subject: The following renewal application for a "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License for 2008-2009.

Rosie H. Carothers 1333 Douglas Avenue
(Rosie's)

Recommendation of the Public Safety & Licensing Committee on 06-23-08: That the 2007-2008 "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License be extended pending the outcome of the Due Process hearing.

Fiscal Note: N/A

Recommended For Approval

[08-2270](#)

Subject: (Direct Referral) The **renewal** application of Sandra Dittmann for a Massage Establishment Permit for 1401 Douglas Avenue. (4th District)

Recommendation of the Public Safety & Licensing Committee on

06-23-08: That the **renewal** application of Sandra Dittmann for a Massage Establishment Permit for 1401 Douglas Avenue be granted.

Fiscal Note: N/A

Granted

08-2292

Subject: (Direct Referral) The application of Beres Towing and Repairs LLC for a 2008-2009 Motor Vehicle Towing License.
(Renewal)

Recommendation of the Public Safety & Licensing Committee on

06-23-08: That the renewal application of Beres Towing and Repairs LLC for a 2008-2009 Motor Vehicle Towing License be granted.

Fiscal Note: N/A

Granted

08-2340

Subject: Communication from James W. McCann, Agent for Tinita, LLC (Tinita), 500 Sixth Street, regarding a change in their business plan.

Recommendation of the Public Safety & Licensing Committee on

06-23-08: That the matter be referred to the City Attorney to come up with an agreement between the agent and the City and the change in business plan be accepted and approved.

Fiscal Note: N/A

Alderman Coe appeared and requested the City enter into a 3 party agreement with the applicant, the City of Racine and the owner of the building. Joanne Zlevor of the Racine Health Department appeared and stated the kitchen and sink areas were not to code. Agent James McCann appeared and informed committee members he has been through numerous obstacles and would like to get the business open and running. The City Attorney stated Mr. McCann has been very accommodating to every request made of him.

Recommended For Approval

08-2281

Subject: (Direct Referral) Communication from the Purchasing Agent submitting the monthly report for the sale of abandoned vehicles for June 9, 2008.

Recommendation of the Public Safety & Licensing Committee on

06-23-08: That the communication from the Purchasing Agent submitting the monthly report for the sale of abandoned vehicles for June 9, 2008 be received and filed.

Fiscal Note: This will generate in \$5859.01 in revenues.

Recommended to be Received and Filed

[08-2348](#)

Subject: (Direct Referral) Communication from the Purchasing Agent submitting bids for Grounds Maintenance and Burial Operations at Graceland and Mound Cemeteries.

Recommendation of the Public Safety & Licensing Committee on 06-23-08: That the Official Notice #11, Grounds Maintenance and Burial Operations at Graceland and Mound Cemeteries be awarded to The Bruce Company of Wisconsin, Inc. at their bid price of \$374,000.00 per year be approved.

Fiscal Note: Funds to defray the cost of this project are available in Account 207.000.561, Professional Services.

Recommended For Approval

[08-2295](#)

Subject: Request of the Committee for the appearance of James O. Oliver, Agent for Mr. Kool's Sports Bar, 1330 Washington Avenue, due to recent incidents at your establishment and renewal application for "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License for 2008-2009.

Recommendation of the Public Safety & Licensing Committee on 06-23-08: That the renewal application for "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License for 2008-2009 be approved.

Fiscal Note: N/A

Agent James Oliver and Attorney Tom Tofte appeared. Atty. Tofte stated there had been no violations or citations on premises as per the agreement with the City. The establishment is closed on Saturdays and the incidents were not the result of his business. The incident with his younger brother occurred on Memorial Drive and he sought refuge at the bar and called police from there. The off duty security hired had assisted in the apprehension of suspects in other unrelated incidents.

Recommended For Approval

[08-2320](#)

Subject: Communication from Robert Morrison, 1100 Florence Avenue requesting the City of Racine take a stand against large, dangerous, illegal fireworks and stop these items from entering the city limits.

Recommendation of the Public Safety & Licensing Committee on 06-23-08: That Mr. Morrison and the City Attorney draft a letter urging the County to enforce compliance of existing fireworks ordinances to be approved by the Common Council at its 07-01-08 meeting.

Fiscal Note: N/A

Robert Morrison, Frank Tingle and Fire Capt. Greene appeared and appealed to the committee to take action against the growing problem of illegal fireworks.

Recommended For Approval

[08-2319](#)

Subject: Compliance Checks for Alcohol/Tobacco Sales

Recommendation of the Public Safety & Licensing Committee on 06-23-08: That the item be deferred until 07-07-08.

Fiscal Note: N/A

Deferred

[08-2336](#)

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

Recommendation of the Public Safety & Licensing Committee on 06-23-08: That the applications for Operator's (Bartender's) Licenses be granted.

Fiscal Note: N/A

Granted

[08-2269](#)

Subject: (Direct Referral) from Alderman of the 9th District wishing to discuss changing the time of the Public Safety and Licensing Committee meeting from 5:00 p.m. to 4:30 p.m.

Recommendation of the Public Safety & Licensing Committee on 06-23-08: That the item be deferred until 07-07-08.

Fiscal Note: N/A

Deferred

Miscellaneous Business

Alderman Mozol requests the Police Department provide 6 months of Incident Calls for the Warning Track, 1301 Washington Avenue, for review by committee members at the 07-07-08 meeting.

Adjournment

The meeting was adjourned at 8:30 p.m. by Alderman Wisneski. The next scheduled meeting of the Council is July 7, 2008.

ATTEST: JANICE M. JOHNSON-MARTIN

CITY CLERK