



City of Racine Meeting Minutes

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

Public Safety and Licensing Committee

Monday, January 8, 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

Approval of Minutes for the December 11, 2006 Meeting.

Minutes of the previous meeting and the December 14, 2006 Special meeting, were approved as printed on motion of Alderman Holding.
to Approve the Minutes

Public Comments

Mary Esther Schaumbelt

1. [06-3024](#) **Subject:** Communication from the Chief of Police asking that the police department be allowed to carry over \$35,000 from account 101.311.5770 (Machinery & Equipment) from the 2006 budget to the 2007 budget and that the money be allocated to buy transcribing equipment and that formal bidding be waived.

Recommendation of the Finance and Personnel Committee on

01-08-07: Permission granted to carry forward \$35,000 from the 2006 account 101.311.5770 (Machinery & Equipment) to the 2007 budget for the same account. Money will be allocated to purchase transcribing equipment. Further recommend that, in the best interest of the City, formal bidding be waived.

Recommendation of the Public Safety & Licensing Committee of

01-08-07: That permission be granted to carry forward \$35,000 from the 2006 account 101.311.5770 (Machinery & Equipment) to the 2007 budget for the same account. Money will be allocated to purchase transcribing equipment. Further recommend that, in the best interest of the City, formal bidding be waived.

Fiscal Note: There are sufficient funds available for the transfer.

Dan DeMatthew appeared and informed the Committee they have been working with dictaphone equipment for the past 20 years and are looking to upgrade the equipment.
Recommended For Approval

2. [06-2779](#) **Subject:** Request of the Director of Parks, Recreation & Cultural Services to meet with the Public Safety and Licensing Committee to discuss the request of Paul and Shannon Curtin to exercise their option for a five year extension to their contract for concession operation at the North Beach Oasis.

Recommendation of the Board of Parks, Recreation & Cultural Services 11-14-06: That the communication be deferred to the next meeting.

Recommendation of the Board of Parks, Recreation & Cultural Services 12-13-06: That the request be approved.

Recommendation of the Public Safety & Licensing of 01-08-07: That the request be approved.

Fiscal note: 15% of gross receipts to City.

Donnie Snow appeared and informed the committee the Board of Parks, Recreation, and Cultural Services have approved several amendments to this item.

Recommended For Approval

3. [06-2935](#) **Subject:** Request to rescind Resolution #6748 regarding Change Order #2 to Contract 27-05 (K5-034) of October 11, 2005 Monument Square Landscape.

Staff recommendation: Approve request to rescind Resolution #6748

Recommendation of the Public Safety & Licensing Committee of 01-08-07: That the request to rescind Resolution #6748 regarding Change Order #2 to Contract 27-05 (K5-034) of October 11, 2005 Monument Square Landscape, be approved.

Fiscal Note: N/A

Donnie Snow appeared and informed the Committee there are two #2 change orders and the purpose of this item to to clean up the files.

Recommended For Approval

4. [06-2996](#) **Subject:** Direct Referral: Final payment for engineering services for preparing plans and specifications for boiler replacement at Lakeview Center and Festival Hall by Southport Consulting.

Staff recommendation: Accept work and authorize final payment for a total contract of \$4,500.00.

Recommendation of the Public Safety & Licensing Committee of

01-08-07: That the item be approved.

Fiscal Note: N/A

Donnie Snow appeared and informed the Committee this item is for paying the final bill.

Recommended For Approval

5. [06-2976](#)

Subject: (Direct Referral) Recommendation from the Special Public Safety & Licensing Committee Meeting, to discuss the settlement proposal regarding Shocker's due process proceedings.

Recommendation of the Special Public Safety & Licensing

Committee of 12-14-06: To approve the settlement agreement regarding Shocker's due process proceedings.

Recommendation of the Public Safety & Licensing Committee of of

01-08-07: That the item be approved.

Fiscal note: N/A

Sponsors: David L. Maack

Recommended For Approval

6. [Res.06-7388](#)

Accept Proposed Settlement Agreement for Shocker's

Resolved, that the proposed settlement agreement arising from the due process proceeding held on December 14, 2006 for Shocker's be approved and that the City Attorney be authorized and directed to execute all necessary documents.

Recommendation of the Public Safety & Licensing Committee of 01-08-07:

That the item be approved.

Fiscal Note: N/A

Sponsors: David L. Maack

Recommended For Approval

7. [06-2901](#)

Subject: (New) Application of Grid Iron, LLC, Deborah DeLao, Agent, for a "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License for 1632 Douglas Avenue. (4th District)

Recommendation of the Public Safety & Licensing Committee of

12-11-06: That the license be granted, contingent upon the outcome of the Special Public Safety & Licensing Committee meeting on December 14,

2006 and current license holder surrendering their license. Also, pending city department approvals, and Common Council final approval.

Recommendation of the Public Safety & Licensing Committee of

01-08-07: That the item be granted.

Fiscal Note: N/A

Recommended For Approval

8. [06-2942](#)

Subject: (Change of Agent) Application of The Warning Track, LLC, Kelly G. Hansen, Agent for a Change of Agent for a "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License for 1301 Washington Avenue.

Recommendation of the Public Safety & Licensing Committee of

01-08-07: That the Change of Agent be approved.

Fiscal Note: N/A

Kelly Hansen appeared and informed the Committee no major changes are going to be made. He agreed to be the Agent, due to conflict with the previous one.

Recommended For Approval

9. [06-2621](#)

Subject: (Direct Referral) September, 2006, Licensed Premise Report .

DeMark's Bar Sharon A. Burman, Agent
1600 Albert Street

Recommendation of the Public Safety & Licensing Committee of

10-09-06: That the owner of DeMark's Bar, 1600 Albert Street be requested to appear at the October 23, 2006 meeting.

Recommendation of the Public Safety & Licensing Committee of

10-23-06: That the item be deferred until the first meeting in January, 2007.

Recommendation of the Public Safety & Licensing Committee of

01-08-07: That the item be received and filed.

Fiscal Note: N/A

Received and Filed

Alderman Hermes arrived at 5:25 P.M. and took his seat

10. [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.

Fiscal Note: N/A

Attorney Saldona appeared representing Usha Shah, who was also present. He stated he had sent a letter to the City Attorney informing him of Mr. Shah's court date of January 11, 2006, disputing the citation he received.

Referred

11. [06-3035](#)

Subject: Request of the Committee for the appearance of Nagra Pump & Pantry, LLC, Sukhwkndar S. Nagra, Agent, 1826 Douglas Avenue, who had a clerk that sold alcohol and/or tobacco to an underage volunteer, on October 7, November 18 & 19, and December 2, 2006.

Recommendation of the Public Safety & Licensing Committee of

01-08-07: That the item be received and filed.

Fiscal Note: N/A

Sukhwkndar S. Nagra appeared with his counsel, Attorney Swanson and informed the Committee he has implemented a new system to verify customer's date of birth. He will also be upgrading to a newer system that will require the identification card to be scanned before the transaction can be completed.

Alderman Fair appeared and stated the license holders are judged as guilty until they prove their innocence. He stated this is not fair and we need to review the way compliance checks are handled.

Received and Filed

12. [06-3023](#)

Subject: Request of the Committee for the appearance of Jalil Mian, MJ Petroleum, 1100 Sixth Street, had a clerk who sold tobacco products to an underage volunteer, on November 18, 2006.

Recommendation of the Public Safety & Licensing Committee of

01-08-07: That the item be received and filed.

Fiscal Note: N/A

Saed Mian appeared and informed the Committee his brother Jalil Mian is out of the Country and he is in the establishment running the day to day operations.

Received and Filed

13. [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.

Fiscal Note: N/A
Deferred

14. [06-3036](#)

Subject: Request of the Committee for the appearance of M & M Citgo, Mitchell Wemmert, Manager, 2101 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 received and filed.

Fiscal Note: N/A

Mitchell Wemmert appeared and informed the Committee he would like for the Police Department, the Committee and business owners work together to address the issues of alcohol and tobacco products being sold to minors.

Received and Filed

15. [06-3045](#)

Subject: Request of the Committee for the appearance of Open Pantry Food Marts of Wisconsin, Inc., James L. Schatz, Agent, 3441 Spring Street, who had a clerk that sold alcohol to an underage volunteer, on December 2, 2006.

Recommendation of the Public Safety & Licensing Committee of

01-08-07: That the item be deferred until the January 22, 2007 meeting.

Fiscal Note: N/A

James L. Schatz did not appear.

Deferred

16. [06-3046](#)

Subject: Request of the Committee for the appearance of Moody's Food, Jamil Muhammad, Agent, 1711 N. Main Street, who had a clerk that sold alcohol to an underage volunteer, on December 2, 2006.

Recommendation of the Public Safety & Licensing Committee of

01-08-07: That the item be received and filed.

Fiscal Note: N/A

Jamil Muhammad appeared and informed the Committee he has worked for three years and has never had a problem with selling to underage customers. He apologizes for the mistake.

Received and Filed

17. [06-3047](#) **Subject:** Request of the Committee for the appearance of S & S Racine Business Enterprises, LLC, Chandra Sekhar R. Pula, Agent, 3700 Spring Street, who had a clerk that sold alcohol to an underage volunteer, on December 2, 2006.

Recommendation of the Public Safety & Licensing Committee of 01-08-07: That the item be received and filed.

Fiscal Note: N/A

Chandra Sekhar appeared and stated he has been in business for the last 3 1/2 years and is trying to operate a clean business.

Received and Filed

18. [06-3048](#) **Subject:** Request of the Committee for the appearance of Lieungh's on Lathrop, LLC, Andrea Lieungh, Agent, 1933 Lathrop Avenue, who had a clerk that sold alcohol to an underage volunteer on December 2, 2006.

Recommendation of the Public Safety & Licensing Committee of 01-08-07: That the item be received and filed.

Fiscal Note: N/A

Andrea Lieungh appeared and informed the Committee their previous policy was to card anyone who appears to be 30 years old or younger. She has since had all employees sign a letter that if they sell alcohol and/or tobacco products to an underage customer, they will be terminated. She has also posted a flyer inside of her establishment. Rebecca Gomez also appeared and stated she normally does card, and this was an honest mistake that will never happen again.

Received and Filed

19. [06-3049](#) **Subject:** Request of the Committee for the appearance of Vincent Esqueda, Super Mercado Gran Morelos, 1105 N. Memorial Drive, who had a clerk that sold alcohol to an underage volunteer on December 2, 2006.

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

Fiscal Note: N/A

Vincent Equeda did not appear.

Deferred

20. [06-3050](#) **Subject:** Request of the Committee for the appearance of Visual Corporation, Prabodh Gala, Agent, 3015 Rapids Drive, who had a clerk that sold alcohol to a minor on December 2, 2006.

Recommendation of the Public Safety & Licensing Committee of

01-08-07: That the item be received and filed.

Fiscal Note: N/A

Prabodh Gala appeared and informed the Committee that this was an honest mistake.

Alderman Maack made a motion to suspend the rules to allow Lance McClure to speak in Mr. Gala defense. Mr McClure stated that he is a good friend of Mr. Gala and he goes to the store every day. He stated he is certain this was an honest mistake.

Received and Filed

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.

Fiscal Note: N/A

Alderman Maack informed the Committee this would be recinding the due process hearing and referring it to the City Attorney to come up with an agreement with this establishment.

Referred

22. [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.

Fiscal Note: N/A

Deferred

23. [06-2998](#)

Subject: Communication from the Alderman of the 6th District along with

the Fourth Fest Committee, requesting to ban the use & sale of silly string on the parade route on the 4th of July, and that pedestrian traffic be limited to parade participants.

Recommendation of the Public Safety & Licensing Committee of

01-08-07: That the item be deferred until the January 22, 2007 meeting.

Alderman Weidner appeared and requested this item be deferred until the January 22, 2007, meeting and Addie Grimal, 1540 Four Mile Road, be sent a letter to appear.

Deferred

24. [06-2932](#)

Subject: (New) Application of Uptown Transfer, LLC for a Secondhand Article Dealer License for 1410 Washington Avenue. (3rd District)

Recommendation of the Public Safety & Licensing Committee of

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

Fiscal Note: N/A
Deferred

25. [06-2990](#)

Subject: (Renewal) Application of Belle City Pawn for a Pawnbroker, Secondhand Jewelry Dealer, and Secondhand Article Dealer's license for 949 Washington Avenue. (1st District)

Recommendation of the Public Safety & Licensing Committee of

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

Fiscal Note: N/A
Deferred

26. [06-2991](#)

Subject: (Renewal) Application of Wisconsin Discount for a Secondhand Jewelry Dealer's license for 2724 16th Street. (9th District)

Recommendation of the Public Safety & Licensing Committee of

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

Fiscal Note: N/A
Deferred

27. [06-3014](#)

Subject: (Renewal) Application of Racine Antique Mall for a Secondhand Article Dealer License for 310 Main Street. (1st District)

Recommendation of the Public Safety & Licensing Committee of

01-08-07: That the license be granted.

Fiscal Note: N/A
Recommended For Approval

28. [06-2949](#) **Subject: (New) (Direct Referral)** Application of Tavares Davis for a Public Passenger Driver's License.

Recommendation of the Public Safety & Licensing Committee of 12-11-06: That the license be granted, pending the records check.

Recommendation of the Public Safety & Licensing Committee of 01-08-07: That the license be granted.

Fiscal Note: N/A
Granted

29. [06-2950](#) **Subject:(Renewal) (Direct Referral)** Application of Tavares Davis for a Public Passenger Driver's License.

Recommendation of the Public Safety & Licensing Committee of 12-11-06: That the license be granted, pending the records check.

Recommendation of the Public Safety & Licensing Committee of 01-08-07: That the license be granted.

Fiscal Note: N/A
Granted

30. [06-3017](#) **Subject: (New) (Direct Referral)** Application of Aquanetta Love for a Public Passenger Driver's License.

Recommendation of the Public Safety & Licensing Committee of 01-08-07: That the license be granted.

Fiscal Note: N/A
Granted

31. [06-3018](#) **Subject:(Renewal) (Direct Referral)** Application of Louis Sliker for a Public Passenger Driver's License.

Recommendation of the Public Safety & Licensing Committee of 01-08-07: That the license be granted.

Fiscal Note: N/A

Granted

32. [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).

Fiscal Note: N/A

Deferred

33. [06-3019](#) **Subject: (Renewal) (Direct Referral)** Application of Allan J. Zwoniarkiewicz for a Public Passenger Driver's License.

Recommendation of the Public Safety & Licensing Committee of

01-08-07: That the license be granted.

Fiscal Note: N/A

Granted

34. [06-3020](#) **Subject: (Renewal) (Direct Referral)** Application of Thomas Kroll for a Public Passenger Driver's License.

Recommendation of the Public Safety & Licensing Committee of

01-08-07: That the license be granted.

Fiscal Note: N/A

Granted

35. [06-3037](#) **Subject: (Renewal) (Direct Referral)** Application of Conaway Johnson Jr. 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).

Fiscal Note: N/A

Deferred

36. [06-3009](#) **Subject: (Direct Referral)** Communicaton from the Purchasing Agent submitting the monthly report for the sale of Abandoned Vehicles, December 19, 2006.

Recommendation of the Public Safety & Licensing Committee of

01-08-07: That the item be received and filed.

Fiscal Note: This will generate \$4,207.01 in revenues.
Recommended to be Received and Filed

37. [06-3031](#)

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

Recommendation of the Public Safety & Licensing Committee of

01-08-07: That the Operator's (Bartender's) Licenses be granted, pending records checks.

Fiscal Note: N/A
Granted

38. [06-2783](#)

Subject: The application of Mike Isaacson & Jason Collum, Jason Collum, Agent, for a "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License for 501 Sixth Street. (1st District)

Staff Recommendation: That the item be received and filed.

Fiscal Note: N/A
Received and Filed

39. [06-2314](#)

Subject: Request of the Committee for the appearance of Karantha L. Porter, Sabrinas, 1436 Junction Avenue, relating to several incidents occurring from January 1-July 11, 2006. (3rd District)

Recommendation of the License & Welfare Committee of 08/31/06:

That the owners report back to Committee in 60 days on changes they have made to improve the incidents at the establishment.

Staff recommendation: That the item be received and filed.

Fiscal Note: N/A
Received and Filed

Miscellaneous Business

Alderman Maack handed out a copy of an article regarding Neighborhood Taverns from the Kenosha News.

Alderman Holding requested a communication be entered to discuss how compliance checks are performed and citations are issued.

Capt. Pavalonis handed out copies of the December, 2006 Licensed Premise Report and

Alcohol and Tavern Compliance Checks.

Adjournment

The meeting was adjourned at 6:50 P.M. by Alderman Maack. The next scheduled meeting of the Public Safety & Licensing Committee is January 22, 2007.