



City of Racine

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

Meeting Minutes - Final Public Safety and Licensing Committee

Chairman Aron Wisneski, Alderman David Maack, Alderman Jim Kaplan, Alderman Robert Mozol, Alderman Terry McCarthy,

Monday, August 10, 2009

5:00 PM

City Hall, Room 205

Call To Order

PRESENT: 3 - Alderman Wisneski, Terry McCarthy and Jim Kaplan

EXCUSED: 2 - Robert Mozol and David L. Maack

Approval of Minutes for the July 27, 2009 Meeting.

Minutes of the July 27, 2009 meeting were approved as printed on the motion of Alderman McCarthy.

PUBLIC HEARING

Chairman Wisneski opened the public hearing for Consideration of Caroline and James Chun petitioning to exceed the Class "A" quota limit and allow said applicant an opportunity to apply for such a license to be used at: 420 Sixth Street, Racine, WI.

The following people spoke: Kimberly Fennigkoth, Mark Biese, Alan Bagg, Fritz Cape, Jeff Shawhan, Elizabeth Jones, Denis Navratil, Kate Remington, Cherri Cape, Brad Jaeck, Wayne Clingman, Ken Brown, Jody Harding, Richard Harding, Eun Kyung Youn, Sam Mullen, Keith Fair, Michael Choi, Jeff Coe.

An email was read from Carolyn Hanson, and also a petition was received.

Four calls were received in the Clerks office, two of them were present to speak, the other two were against.

Chairman Wisneski closed the hearing at 6:50 pm.

[09-3962](#)

Subject: (Direct Referral): Final payment for engineering services for Washington Golf Course Bridge Repairs by Strass-Maguire & Associates, Inc.

Recommendation of the Public Safety and Licensing Committee

on 8-10-09: That final payment for engineering services for Washington Golf Course Bridge Repairs by Strass-Maguire & Associates, Inc. be approved.

Fiscal Note: \$7,700 funds available in account 107.000.5750.

Alderman Kaplan made a motion that final payment for engineering services for Washington Golf Course Bridge Repairs by Strass-Maguire & Associates, Inc. be approved. Motion carried.

Recommended For Approval

[09-3952](#)

Subject: Communication from the Director of Parks, Recreation & Cultural Services requesting to present the bids for Contract 54-09 (K9-055) Replace Softball Lights - Island Park South.

Recommendation of the Public Safety and Licensing Committee on 8-10-09: That the bid for replacement lights (Contract 54-09 (K9-055) be approved if the Finance and Personnel committee can find the additional funding.

Further recommends that the request for additional funding be referred to the Finance & Personnel Committee.

Fiscal Note: Bid is \$38,000 excess of budget, \$126,108 total. (Contract 54-09).

Alderman Kaplan made a motion that the request for additional funding be referred to the Finance & Personnel Committee. Motion carried.

Recommended For Further Consideration

[09-3970](#)

Subject: Application of Tango Bar LLC., O. Keith Fair, for a 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 and Licensing Committee on 8-10-09: That the application of Tango Bar LLC., O. Keith Fair, for a Change of Agent for a "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License for 509 Sixth Street be approved.

Fiscal Note: N/A

Keith Fair spoke on the application. Alderman McCarthy made a motion to approve the application of Tango Bar LLC, O. Keith Fair, for a Change of Agent for a "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License for 509 Sixth Street. Motion carried.

Recommended For Approval

[09-3877](#)

Subject: (New) Application of Rosa Vargas, Agent (La Kermes) for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for 522 Sixth Street. (1st District)

Recommendation of the Public Safety and Licensing Committee on 7-27-09: That the application of Rosa Vargas, Agent (La Kermes) for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for 522 Sixth Street be deferred.

Recommendation of the Public Safety and Licensing Committee

on 8-10-09: That the application be deferred until the August 24th, 2009 meeting to give the committee time to review the updated information submitted by Rosa Vargas (La Kermes) for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for 522 Sixth Street.

Fiscal Note: N/A

Alderman Kaplan made a motion to defer this item until the August 24, 2009 meeting to give the committee time to review the updated plans submitted by Rosa Vargas. Motion carried.

Deferred

[09-3973](#)

Subject: (New) Application of John's Dock, John Dunk, Agent for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for 303 Dodge Street. (4th District)

Recommendation of the Public Safety and Licensing Committee

on 8-10-09: That the application of John's Dock, John Dunk, Agent for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for 303 Dodge Street be approved.

Fiscal Note: N/A

John Dunk appeared and spoke on the hours of operation, business plan, number of employees and the changes he was making.

Alderman McCarthy made a motion that the application John's Dock, John Durk, Agent for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for 303 Dodge Street be approved pending submission to the Clerk's Office a copy of the menu, a successful record check and completion of the inspections. Motion carried.

Recommended For Approval

[09-3946](#)

Subject: Communication from Caroline and James Chun submitting a petition to exceed the Class A quota limit.

Recommendation of the Public Safety and Licensing Committee

on 8-10-09: That petition from Caroline and James Chun to exceed the Class A quota be denied.

Fiscal Note: N/A

Carolyn and James Chun spoke on the item and presented their business plans. Alderman Kaplan made a motion to deny the request to exceed the quota for Class A license. Motion carried.

Recommended For Denial

[09-3954](#)

Subject: (Direct Referral) Request of the Committee for the appearance of Catherine Kett, Agent for Evelyn's Club Main, 331 Main Street, due to recent incidents at the establishment.

Recommendation of the Public Safety and Licensing Committee

on 8-10-09: That the above item for Catherine Kett, Agent for Evelyn's Club Main, 331 Main Street be received and filed.

Fiscal Note: N/A

Catherine Kett appeared and spoke to the committee regarding recent incidents at her establishment and she explained how she was attempting to remedy the situations.

Alderman McCarthy made a motion to Receive and File. Motion carried.

Received and Filed

[09-3956](#)

Subject: (Direct Referral) Request of the Committee for the appearance of Richard Smetana, Agent for Ricky's, 236 Main Street, due to recent incidents at the establishment.

Recommendation of the Public Safety and Licensing Committee

on 8-10-09: That the item with Richard Smetana, Agent for Ricky's, 236 Main Street be deferred.

Fiscal Note: N/A

No one appeared to speak on the matter. Chairman Wisneski requested a certified letter be mailed for the agent to appear at the August 24th, 2009 meeting. Alderman McCarthy made a motion to Defer. Motion carried.

Deferred

[09-3955](#)

Subject: (Direct Referral) Request of the Committee for the appearance of Pythaphone Khampane, Agent for Sticky Rice/Gingers, 345-347 Main Street, due to recent incidents at the establishment.

Recommendation of the Public Safety and Licensing Committee

on 8-10-09: That Pythaphone Khampane meet with the City Attorney and complete an agreement and in the interim the Metro Police work as the door staff to monitor the capacity and verify ID's. Item deferred until 8-24-09 meeting.

Fiscal Note: N/A

Pythaphone Khampane, Richard Framer, Catherine Kett, Keith Fair and Metro Police spoke on the recent incidents at Sticky Rice/Gingers 345-347 Main Street.

Alderman McCarthy made a motion to defer and have Pythaphone Khampane return in two weeks and in the interim meet with City Attorney Weber for a side agreement and also allow the Metro work as the door staff to monitor capacity and verify ID's. Motion carried.

Deferred

[09-3870](#)

Subject: (New) Application of Tommy's Den, Tommy Daniels, Agent for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for 901 S. Memorial Drive. (3rd District)

Recommendation of the Public Safety and Licensing Committee on 7-27-09: That the application of Tommy's Den, Tommy Daniels, Agent for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for 901 S. Memorial Drive be deferred.

Recommendation of the Public Safety and Licensing Committee on 8-10-09: That the application of Tommy's Den, Tommy Daniels, Agent for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for 901 S. Memorial Drive be deferred until a business plan and legal information be brought in by Tommy Daniels.

Fiscal Note: N/A

Alderman Wisneski made a motion to defer application of Tommy Daniels agent for Tommys Den for a "Class B" Fermented Malt Beverage and Intoxicating Liquor license for 901 S. Memorial Drive until a business plan is submitted and legal problems have been dealt with. Motion carried.

Deferred

[09-3832](#)

Subject: (Direct Referral) Request of the Committee for the appearance of James McCann, Agent for Park 6th, 500 Sixth Street, due to incidents that appear to be in violation of the current agreement.

Recommendation of the Public Safety and Licensing Committee on 7-13-09: The item be deferred and the licensee work with the police department liaison and City Attorney on an agreement regarding the committee members concerns.

Recommendation of the Public Safety and Licensing Committee on 7-27-09: The item be deferred and the licensee pursue the agreement with the police department and city attorney, and appear before the committee on August 10, 2009.

Recommendation of the Public Safety and Licensing Committee on 8-10-09: James McCann agent has met with the city attorney and an agreement has been reviewed by the committee. The above item regarding James McCann, Agent for Park 6th, 500 Sixth Street, be received and filed.

Fiscal Note: N/A

Attorney Weber and James McCann brought a side agreement to the Committee. The agreement was reviewed and approved as amended by all parties. The

committee requested James McCann appear before the committee again in September regarding the request to modify the closing time. Alderman McCarthy made a motion to receive and file. Motion carried.

Received and Filed

[09-3969](#)

Subject: (Direct Referral) The application of Jensen & Jensen, Inc., for a 2009-2010 Motor Vehicle Towing License. (**Renewal**)

Recommendation of the Public Safety and Licensing on 8-10-09: That the application of Jensen & Jensen, Inc., for a 2009-2010 Motor Vehicle Towing License be granted.

Fiscal Note: N/A

Alderman McCarthy made a motion to grant the application for Jensen & Jensen, Inc for 2009-2010 Motor Vehicle Towing License. Motion carried.

Granted

[09-3989](#)

Subject: (Direct Referral) Communication from the Purchasing Agent submitting the sale of abandoned vehicles for August 5, 2009.

Recommendation of the Public Safety and Licensing Committee on 8-10-09: That the sale of abandoned vehicles be received and filed.

Fiscal Note: This will generate \$3984.01 in revenue.

Alderman McCarthy made a motion to recommend to receive and file the abandoned vehicle report. Motion carried by a voice vote.

Recommended to be Received and Filed

[09-3983](#)

Subject: (Direct Referral) License Premise Report

Recommendation of the Public Safety and Licensing Committee on 8-10-09: That the License Premise Report be received and filed.

Fiscal Note: N/A

Alderman McCarthy requested that letters be sent for the agents of the following businesses to appear: Blind Alligator regarding ongoing incidents and Henry and Wanda's concerning recent incidents, as well as a 6 month report. Alderman McCarthy made a motion to receive and file the License premise report. Motion carried.

Received and Filed

[09-3985](#)

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

Recommendation of the Public Safety and Licensing Committee

on 8-10-09: That the application of Jody Charvallati be deferred until 8-24-09 meeting and the blance of the licenses be granted.

Fiscal Note: N/A

Alderman Wisneski made a motion to grant the operators license excluding Jody Charavalloti. Motion carried.

Granted

[09-3963](#)

Subject: (Direct Referral) Request of Alderman Wisneski to discuss the informational letter which will be sent to all licensed establishments relating to the Smoking Ban effective June 5, 2010.

Recommendation of the Public Safety and Licensing Committee

on 8-10-09: That the item be deferred until the 2nd meeting in October.

Fiscal Note: N/A.

Alderman Kaplan made a motion that the letter be defered until the second week in October when the tavern league would have additional inform to compliment our sources in contacting the current licensee. Motion carried.

Deferred

PUBLIC COMMENT

Joey Legath spoke.

Adjournment

Meeting was adjourned at 8:15 p.m.