



City of Racine

Meeting Minutes - Final

Public Safety and Licensing Committee

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

*Chairman Q.A. Shakoor, II, Vice Chair Gregory Holding
Alderman David L. Maack, Alderman Jim Kaplan, Alderman Robert Mozol*

Monday, November 12, 2007

5:00 PM

City Hall, Room 205

Call To Order

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

Approval of Minutes for the October 22, 2007 Meeting.

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

to Approve the Minutes

Public Comment

*Mary Esther Schuaubelt
Seth Kuranz
Joey Legath
Mike Frontier
Wayne Clingman*

07-1387

Subject: Communication from the Purchasing agent requesting to discuss the recommendation for the Leasing/Management of the City Golf Courses.

Recommendation of the Public Safety & Licensing Committee on

11-12-07: That the item be deferred to the next Public Safety & Licensing meeting November 26, 2007.

Fiscal Note: N/A

Sam Aiello and Jack Schumann appeared and informed the committee two bids were being considered for managing the golf courses. Mr. Schumann stated the revenue the city makes from the golf courses generally goes toward the repairs.

Alderman Shakoor II requested formal documentation be submitted detailing more costs, the pros and cons and any other pertinent information.

Alderman Mozol made a motion to defer the item until formal documents are submitted to committee members stating the costs and other pertinent information.

Deferred

07-1391

Subject: Direct Referral, Final payment for engineering services for preparing plans and specifications for Window and Door Replacement at Dr. Bryant Community Center by Industrial Roofing Services Inc.

Recommendation of the Public Safety & Licensing Committee on

11-12-07: That permission be granted for the final payment for engineering services for preparing plans and specifications for Window and Door Replacement at Dr. John Bryant Community Center by Industrial Roofing Services Inc.

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

Director Snow appeared seeking permission to make the final payment of \$9,800 for engineering services for preparing plans and specifications for window and door replacement at the Dr. John Bryant Community Center by Industrial Roofing Services Inc.

Recommended For Approval

[07-1390](#)

Subject: Direct Referral. Change order #1 and Final Payment on Contract 41-07 (K7-049), Door and Window Replacement at Dr. John Bryant Community Center by Lueck's Inc.

Recommendation of the Public Safety & Licensing Committee on

11-12-07: That change order #1 in the increased amount of \$2,267.65 be accepted and that final payment for the total contract amount of \$120,224.65 be granted for Contract 41-07 (K7-049), Door and Window Replacement at Dr. John Bryant Community Center by Lueck's Inc.

Fiscal Note: \$120,224.65 be appropriated from account 987.680.5010, Bryant Windows.

Director Snow appeared seeking permission from the committee to accept change order #1 for an increase of \$2,267.65 and that final payment be made for replacement of windows and doors by Lueck's Inc. at the Dr. John Bryant Community Center.

Recommended For Approval

[07-1267](#)

Subject: (Direct Referral) Request of the Committee for the appearance of the Agent (Mike Kurhajec) for Coasters 1301 N. Main Street due to the numerous incidents that were on the history report.

Recommendation of the Public Safety & Licensing Committee on

10-22-07: That the item be deferred to the next Public Safety & Licensing Committee Meeting November 12, 2007.

Recommendation of the Public Safety & Licensing Committee on

11-12-07: That the item be received and filed.

Fiscal Note: N/A

Sgt. Payne appeared and informed committee members the police department received numerous calls for problems at Coasters.

Mike Kurhajec (agent) appeared and informed committee members he is currently taking

proactive measures to try to resolve issues in the bar. He has hired two additional bouncers, enforced a dress code, and uses a video camera to record identification cards.

Alderman Kaplan stated he has received calls from neighbors complaining about the fights that are occurring when the bar closes.

Alderman Kaplan made the motion to have the item received and filed.

Received and Filed

07-1222

Subject: Report from the Police Department regarding an incident with a baseball bat at Warning Track, 1301 Washington Avenue on 9-1-07.

Recommendation of the Public Safety & Licensing Committee on

10-08-07: That the item be deferred to the next Public Safety & Licensing Committee Meeting October 22, 2007 and the agent be sent a certified letter to appear.

Recommendation of the Public Safety & Licensing Committee on

10-22-07: That the item be deferred to the next Public Safety & Licensing Committee Meeting November 12, 2007 at the request of the owner.

Recommendation of the Public Safety & Licensing Committee on

11-12-07: That the item be received and filed.

Fiscal Note: N/A

Sgt. Payne appeared and informed committee members on September 1, 2007 two customers were assaulted in the Warning Track. Since the incident, two individuals have been arrested and are currently being prosecuted for the assaults.

Scott Hansen (owner) appeared and informed committee members individuals involved in the fight were kicked out of the bar and the fight actually occurred outside of the bar. The incident stemmed from a disagreement that occurred between two softball teams who played each other earlier that day. The Warning Track sponsored one of the teams. Mr. Hansen stated he shut down the bar after kicking out the parties involved and called the police. He stated he will continue working with the police department and staff to keep things in order at the establishment.

Alderman Maack made the motion to have the item received and filed.

Received and Filed

07-1268

Subject: (New) Application of Simone Enterprises, LLC., Harinder Kaur, Agent, for a Class "A" Retail Fermented Malt Beverage license for 1229 Eleventh Street. (1st District)

Recommendation of the Public Safety and Licensing Committee on

10-22-07: That the item be deferred to the next Public Safety & Licensing Committee Meeting November 12, 2007 per request of the applicant.

Recommendation of the Public Safety & Licensing Committee on

11-12-07: That the license be granted with the stipulation that there will be no individual/single container sales of beer.

Fiscal Note: N/A

Harinder Kaur (agent) appeared and informed the committee she will manage the store with the assistance of her husband. The stores hours will be Monday-Saturday 9a.m. - 10p.m. and Sundays 9a.m. - 7p.m. She stated her husband will repair the video camera which will be used for security.

Alderman Maack asked the applicant would she agree that there will be no individual/single container sales of beer and she agreed. He also requested that an agreement be drafted with the City Attorney's Office regarding no individual/single container sales of beer.

Recommended For Approval

[07-1359](#)

Subject: (New) Application of Super Mercado Jimenez, Ricardo Jimenez (Agent) for a Class "A" Retail Fermented Malt Beverage license for 2210 Sixteenth Street. (3rd District)

Recommendation of the Public Safety & Licensing Committee on

11-12-07: That the item be deferred to the next Public Safety & Licensing Meeting November 26, 2007.

Fiscal Note: N/A

Alderman Holding made the motion that the item be deferred to the next Public Safety & Licensing Meeting November 26, 2007 due to committee members not receiving all required information in a timely manner to review before the meeting.

Deferred

[07-1329](#)

Subject: (New) Application of Aranda Mario Alonzo, Sr., for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for 1240 Washington Avenue. (3rd District)

Recommendation of the Public Safety & Licensing Committee on

11-12-07: That the license be granted.

Fiscal Note: N/A

Aranda M. Alonzo Sr. (agent) and Guadalupe Villareal appeared and informed committee members Aranda will lease the building and work with his three sons in running the establishment. Mr. Alonzo stated he doesn't have experience as a bar manager, but has worked in a bar setting for 3yrs. The establishment will use a D.J. and have live entertainment. There will also be cameras on the premises and bouncers used for security.

Mr. Alonzo was questioned as to his hours of operation, and he stated it should be

6:00p.m. instead of 5:00p.m. as listed in his business plan.

Alderman Holding made the motion to recommend for approval.

Recommended For Approval

07-0948

Subject: (Direct Referral) Request of the Committee for the appearance of James Gregory, Agent for Racine Produce, 3701 Durand Avenue, for an incident that appeared on the June 2007 Licensed Premise Report.

Recommendation of the Public Safety & Licensing Committee on

7-23-07: That the item be deferred and the agent be required to appear.

Recommendation of the Public Safety & Licensing Committee on

8-13-07: That the item be deferred until the August 27, 2007 meeting.

Recommendation of the Public Safety & Licensing Committee on

08-27-07: That the item be deferred until the September 10, 2007 meeting.

Recommendation of the Public Safety & Licensing Committee on

10-22-07: That the item be deferred and a subpoena issued from the City Attorney's Office ordering James Gregory to appear in front of the Public Safety & Licensing Committee.

Recommendation of the Public Safety & Licensing Committee on

11-12-07: That the item be received and filed.

Fiscal Note: N/A

James Gregory (agent) appeared and informed committee members he has spoken to the clerk who sold to the underage person on June 11, 2007 and informed her of the importance of checking identification. The clerk has been employed at Racine Produce over 5 years. Mr. Gregory stated he has a large number of employees and sometimes it is difficult to make sure they are all following the rules. He stated he will do his best to instruct his staff to make sure this doesn't happen again.

Alderman Shakoor requested Mr. Gregory to contact Sgt. Payne and work with him on resolving the issues.

Alderman Shields appeared and stated he was concerned there may be a language barrier with Mr. Gregory and he volunteered to work with him to help resolve any issues.

Received and Filed

07-1343

Subject: (Direct Referral) Communication from Alderman of the 4th District requesting to discuss complaint, incidents at the "Winner's Circle"

Tavern located at 1403 Superior Street.

Recommendation of the Public Safety & Licensing Committee on

11-12-07: Mr. Mike Williams (owner) of Winners Circle, 1403 Superior Street be requested to appear at the next Public Safety & Licensing meeting November 26, 2007 to address these concerns. The Police Department will provide committee with a 12 month history of calls at this establishment and the item be deferred until that time.

Fiscal Note: N/A

Alderman Kaplan stated he has observed undesirable activity occurring at Winner's Circle and the Police Department has spent a lot of time on calls to the establishment. He requested Winner's Circle be called in to appear in front of the committee. He also requested to get a report from the Police Department with all calls to the establishment within the last year.

Deferred

[Ord.19-07](#)

Ordinance No. 19-07

To amend Article 1, Chapter 6 of the Municipal Code of the City of Racine, Wisconsin relating to Alcoholic Beverages.

The Common Council of the City of Racine do ordain as follows:

Part 1:

Article 1. Chapter 6 of the Municipal Code of the City of Racine is hereby amended by adding the following at the end of Article 1:

“Sec. 6-20. Purpose.

The identification of purchasers/providers of keg fermented malt beverages (beer) for consumption by underage persons is a major law enforcement concern in the City of Racine. When keg fermented malt beverages are found where underage persons are present it is necessary to readily identify those responsible. The investigation of offenses involving the furnishing of alcohol to minors and related offenses involving keg fermented malt beverages is inhibited by the inability to identify who purchased the keg alcohol.

Registration/identification information must be available on all keg fermented malt beverages in the City. Individual identification number, purchaser and retail seller identity information will better enable law enforcement to identify providers of keg fermented malt beverages to underage persons. Therefore, it is in the public interest to place reasonable keg registration/identification rules as hereafter set forth. This ordinance provides for the registration and documentation of retail sales of keg fermented malt beverage.

Sec. 6-21. Registration and Return Procedure.

All retail sales/purchases of fermented malt beverages by keg container of a

two gallon volume or more in the City for off site (at a location which does not hold a liquor or fermented malt beverage license) consumption must comply with the following registration, documentation and labeling requirements and restrictions imposed by this ordinance:

(a) Purchasers shall provide a current government issued photo identification with the purchaser's name, address and individual identification number to the seller who shall then record and document that information in a log. The log shall also contain the individual keg identification assigned to the keg by the seller, and include the date of sale and indicate that the photo identification that was produced was matched to the purchaser. The log shall also contain some identifier of each person, owner/employee who sold to each purchaser. This information shall be kept by the seller for a minimum period of six months from the date of sale.

(b) Sellers shall assign, record and attach to each retail keg sold for off site consumption an individual keg identification number/tamper-proof tag, at or before the time of sale to the purchaser, and the tamper-proof tag shall also include a prominent warning thereon that it is illegal to alter, damage or remove the tamper-proof tag from the keg, and that it is illegal to sell or distribute, or to permit the sale or distribution of fermented malt beverages from the keg to underage persons.

(c) Sellers of keg fermented malt beverages shall obtain the individual keg identification tamper-proof tag from the City Clerk's office which shall record to whom the consecutively numbered tamper-proof tags are distributed and shall restrict the distribution of the tamper-proof tags to licensed alcoholic beverage retailers. The City Clerk shall keep the record of distribution for one year.

(d) Sellers shall collect a deposit in an amount set by the retailer for each keg. Purchasers shall return kegs to the retail seller where it was purchased with the individual keg identification tamper-proof tag attached, intact and legible on or before sixty (60) days from the date of sale or the deposit shall be forfeited.

(e) Sellers shall record the date on which the keg is returned, who returned the keg and indicate whether the keg identification tamper-proof tag is present or absent by notation on the log.

(f) Sellers shall remove the individual keg identification tamper-proof tags from the kegs when they are returned and shall maintain them with the keg registration records.

(g) Sellers shall produce keg registration logs/records to the Racine police department upon request.

(h) This ordinance does not apply to keg sales to liquor or fermented malt beverage licensees.

Sec. 6-22. Keg possession requirements and restrictions.

No person shall possess a keg container of fermented malt beverages of two gallons or more which was purchased in the City of Racine for consumption, after the effective date of this ordinance, without an intact and legible individual keg identification tamper-proof tag attached (except for retail sellers of keg fermented malt beverages and liquor and fermented malt beverage licensees).

Sec. 6-23. Penalty for violation.

A seller or purchaser or other person who violates any of the above requirements and/or restrictions imposed by sections 6-21 and 6-22 shall be subject to a forfeiture not to exceed \$ 500 and costs. Any unregistered keg found in violation of section 6-22 is subject to seizure by the Racine police department.”

Part 3:

This ordinance shall take effect upon passage and the day after publication.

Passed by the Common Council:

Approved:

Mayor

Attest:

City Clerk

Recommendation of the Public Safety & Licensing Committee on

11-12-07: That the item be deferred to the next Public Safety & Licensing meeting November 26, 2007.

Fiscal Note: N/A

Sponsors: Gregory Holding

Alderman Holding moved that Ordinance 19-07 be adopted.

Committee members discussed concerns where the purchasers may not be willing to return kegs if the tags had been tampered with or removed and what type of penalties/fines would they face if this occurred.

It was suggested that if there were any amendments/changes the committee members wanted, they provide them to the City Attorney and we would discuss those issues at the next meeting.

Alderman Kaplan moved that the Ordinance be deferred until the next Public Safety &

Licensing Committee meeting on November 26, 2007.

Deferred

Alderman Maack was excused at 6:10p.m.

07-1420

Subject: Ordinance 21-07

To amend Section 66-2(a) of the Municipal Code of the City of Racine, Wisconsin relating to Offenses - Acts constituting offenses under chapter; penalties.

Recommendation of the Public Safety & Licensing Committee on

10-22-07: That the item be deferred to the next Public Safety & Licensing Committee Meeting November 12, 2007.

Recommendation of the Public Safety & Licensing Committee on

11-12-07: That ordinance 21-07 be adopted.

Fiscal Note: N/A

Attorney Weber informed committee members this ordinance would allow the licensee to be penalized for sales made by the clerk of tobacco and alcohol to a person under the age of 18.

07-1413

Subject:(Direct Referral) License Premise Report October 2007.

Recommendation of Public Safety & Licensing Committee of

11-12-07: That the Owner/Agent of BP Food Mart, 1975 State Street be requested to appear at the November 26, 2007 meeting and the balance of the report be received and filed.

Fiscal Note: N/A

Alderman Holding requested the committee call in the Agent of BP Food Mart, 1975 State Street to appear at the November 26, 2007 meeting and the balance of the report be received and filed.

Received and Filed

07-1399

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

Recommendation of the Public Safety & Licensing Committee on

11-12-07: That the licenses be granted.

Granted

Miscellaneous Business

Alderman Mozol would like the committee to call in Blue Rock and he would like reports on the establishment from the Police Department for one full year.

Adjournment

The meeting was adjourned at 6:33 p.m. by Alderman Holding. The next scheduled meeting of the Public Safety & Licensing Committee is November 26, 2007.

ATTEST: JANICE M. JOHNSON-MARTIN
CITY CLERK