



City of Racine

Meeting Minutes

License and Welfare Committee

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

Monday, May 8, 2006

5:00 PM

Room 205, City Hall

Call To Order

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

EXCUSED: Tim Hermes

Approval of Minutes for the April 24, 2006 Meeting.

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

1. [06-1821](#) **Subject:** Communication from the Purchasing Agent requesting to discuss bid received for Official Notice #5, Performance Audit of the Health Department.

Recommendation: That Official Notice #5, Performance Audit of the Health Department be awarded to Virchow-Krause at their bid price of \$36,775.00, they being the only responsible bidder.

Fiscal Note: Funds are available in account 101.111.5620, Professional Studies.

Jannelle Grammer appeared and informed the Committee they were pleased in this Company's past performance audits of other departments.

Recommended For Acceptance

2. [06-1846](#) **Subject:** Communication from the Interim Fire Chief requesting permission to apply for the Office of Justice Assistance/2005 Homeland Security Equipment Grant (Grant Control No. 2006-025) for Radio Communications Interoperability.

(Also refer to License & Welfare Committee)

Recommendation: That the Interim Fire Chief granted permission to apply for the Office of Justice Assistance/2005 Homeland Security Equipment Grant (Grant Control No. 2006-025) in the amount of \$100,000 to be utilized for Radio Communications Interoperability.

Recommendation of License & Welfare Committee of 5/8/06: That

the Interim Fire Chief be granted permission to apply for the Office of Justice Assistance/2005 Homeland Security Equipment Grant (Grant Control No. 2006-025) in the amount of \$100,000 to be utilized for Radio Communications Interoperability.

Fiscal Note: 25% hard match will be required on part of the City.

Interim Fire Chief Hansen appeared and informed the Committee they would be replacing the radio equipment that was outdated and reprogramming the ones that can still be used. He also stated that there would be a 75% grant and a 25% City hard match.

Recommended For Acceptance

3. [06-1865](#) **Subject:** Direct Referral, Contract 47-05 K5-054), Roof Replacement at Mound Cemetery by Carlson Racine Roofing, Racine WI.

Recommendation of the License & Welfare Committee 5/8/06: That the work of Carlson Racine Roofing, be accepted and authorization for final payment be approved for a total contract amount of \$50,969.00.

Fiscal Note: This contract was approved by Resolution 6655 of September 6, 2005.

Donnie Snow appeared and informed the Committee the work has been completed and recommends the contract be approved and final payment in the amount of \$50,969.00 be made.

Recommended For Approval

4. [06-1709](#) **Subject:** Communication from the Director of Parks & Recreation and Cultural Services requesting to discuss the Cemetery Commission's recommendation of the fees and charges for 2006.

Recommendation of the Cemetery Commission: Approve the fees & charges recommendations.

Recommendation of the License & Welfare Committee of 5/8/06: That the item be deferred until one of the June, 2006 License and Welfare Committee meetings.

Deferred

5. [06-1843](#) **Subject:** Communication from Preservation Racine requesting the use of

the Mound Cemetery Chapel for a special membership meeting on July 10, 2006.

Recommendation of License & Welfare Committee of 5/8/06: That the item be deferred until the 5/22/06 License and Welfare Committee meeting.

Deferred

6. [06-1860](#) **Subject:** Direct Referral. Bids for Contract 28-06 (K6-029) New Grandstand Bleachers at Horlick Athletic Field.

Recommendation of License & Welfare Committee of 5/8/06: That the item be received and filed.

Fiscal Note: N/A

Donnie Snow appeared and informed the Committee this company did not meet the qualifications required by the City.

Recommended to be Received and Filed

7. [06-1884](#) **Subject:** Direct Referral. Communication from the Commissioner of Public Works submitting bid results on Contract 14-06 (K6-015), Island Park Streambank Stabilization.

Recommendation of the License & Welfare Committee of 5/8/06: That this item be received and filed.

Fiscal Note: N/A

Received and Filed

8. [06-1867](#) **Subject:** (Direct Referral) Final payment for engineering services for plans and specifications for replacing the roof at Mound Cemetery Maintenance Building by Industrial Roofing Services, Inc.

Recommendation of the License & Welfare Committee of 5/8/06: That the engineering services for plans and specifications of Industrial Services, Inc. for replacing the roof at Mound Cemetery Maintenance Building, be accepted and final payment in the amount of \$7,000.00 be paid.

Fiscal Note: This contract was approved by Resolution 6366 of February

1, 2005.

Recommended For Approval

9. [06-1852](#) **Subject:** Communication from the Racine Zoological society requesting permission to sell malted beverages at the Zoo's concession stand on a daily basis.

Recommendation of the License & Welfare Committee: That the item be deferred until the 05/22/06 License & Welfare Committee meeting.

Jay Christie of 210 Goold St. appeared and informed the Committee they had been checking into several options of ways to bring in more revenue for the Zoological Society. He stated they would only be serving beer and wine coolers.

Dan Wright informed the Committee the present contract with the Zoological Society only allows them restricted times for serving fermented malt beverages and their contract would need to be amended to accomodate this request.

Alderman Holding expressed his concerns to the Committee with the Zoo selling beer. He feels they should look into other options such as, charging an admission fee, to bring in more revenue.

Alderman Kaplan expressed his concerns to the Committee stating the Zoo is basically used for family outings where children are present and he is strongly against this request.

Alderman Shakoor made a motion to defer this item until the 6/12/06 License & Welfare Committee meeting.

Alderman Shakoor withdrew this motion.

Alderman Shakoor made a motion to defer until the 5/22/06 License & Welfare Committee meeting.

Deferred

10. [06-1614](#) **Subject:** Communication from Lakefront Beverage Consultants requesting the City of Racine to renew the beverage contract for an additional two years and waive the 180 -day notification clause.

Recommendation of License & Welfare on 3-13-06: The item be deferred until the Civic Centre Commission meets to discuss the item.

Recommendation of Civic Centre Commission on 4-26-06: That the item be denied.

Ayes: Alderman James Spangenberg, Lydia Vela, Kate Scheller, Andy

Kindsvater, Jeff Coe,
Ray Mathews

Noes: None

Abstain: None

Recommendation of the License & Welfare Committee on 5/8/06:

That the item be received and filed.

Fiscal Note: N/A

Recommended to be Received and Filed

11. [06-1889](#) **Subject:** (Direct Referral) Communication from the Executive Director of Festival Hall requesting to discuss the Civic Centre Commission's recommendation that Takerian-Lucarelli, Inc., dba Lakefront Beverage Consultants contract extension be denied due to untimeliness of their request and the operating agreement with Compass of Racine, LLC, be amended to authorize Compass to provide alcohol services for the Civic Centre for a period of one year under terms and conditions to be negotiated; and further recommends that the item be referred to License and Welfare and Finance and Personnel Committee.

(Also referred to License and Welfare Committee)

Recommendation of the Finance & Personnel Committee 05-08-06:

That the operating agreement with Compass of Racine, LLC, be amended to authorize Compass to provide alcohol services for the Civic Centre for a period of one year under terms and conditions to be negotiated and the purchase of equipment and cooler from the previous vendor be taken from the existing capital budget and that the Class "B" Public Facility, Soda/Water Beverage, Non-intoxicating Licenses and the Liquid Liability Insurance be handled through the operating budget.

Fiscal Note: Purchase of the cooler and equipment from previous owner be handled through existing CIP and the Class "B" Public Facility, Soda/Water Beverage, and Non-intoxicating License and the Liquid Liability Insurance be handled through the operating budget.

Recommendation of the License & Welfare Committee: That the item be received and filed.

Recommended to be Received and Filed

12. [06-1826](#) **Subject:** Application of Rum Point, Inc., Patrick J. O'Neil, Agent, for a "Class B" Retail Fermented Malt Beverage and intoxicating Liquor License for 2 Christopher Columbus Drive.

(1st District) (**Alderman of the 1st District included in reference**) (The agent has been requested to appear)

Recommendation of the License & Welfare Committee on 5/8/06:

That the application of Rum Point Inc., Patrick J. O'Neil, Agent, for a "Class B" Retail Fermented Malt Beverage and intoxicating Liquor License for 2 Christopher Columbus Drive be approved.

Fiscal Note: N/A

Patrick O'Neil appeared and informed the Committee he will be remodeling extensively, but they were not planning on making any changes as for as hours of operation, and did not plan on having entertainment.

Recommended For Approval

13. [06-1882](#) **Subject:** The request of the Committee for the appearance of the following license holder for an incident that appeared on the February - March 2006 Licensed Premises Report.

(a) City Haul Lounge
835 Washington Avenue

Recommendation of the License & Welfare Committee 5/8/06: That the item be received and filed.

Captain Pavilonis informed the Committee that after officers did further investigation into this matter, it was learned some troubled patrons had entered the establishment and were escorted out by the bartender. He stated they later heard gun shots outside and they contacted police. He stated police did apprehend one of the patrons involved, but no weapon was found. He stated the bartenders had done everything they could in this incident to prevent any problems, and all the trouble occurred outside in the parking lot.

Recommended to be Received and Filed

14. [06-1873](#) **Subject:** The Application of MPDT, Partnership, for a "Class B" Retail Fermented Malt Beverage and intoxicating Liquor License for 303 Dodge Street.

Recommendation of the License & Welfare Committee 5/8/06: That the application of MPDT, Partnership, for a "Class B" Retail Fermented Malt Beverage and intoxicating Liquor License for 303 Dodge Street, be approved.

Fiscal Note: N/A

Dan Takerian appeared and informed the Committee he has about 22 years of experience in this type of business. He stated they are currently doing extensive remodeling, and are hoping to be open in the middle of June. He stated there would be no entertainment and they will probably employ about 30-40 people.

Recommended For Approval

15. [06-1765](#) **Subject:** Request of the Committee for the appearance of Benjamin Bengston, regarding his application for an Operator's License.

Recommendation of the License & Welfare Committee 5/8/06: That the item be deferred to the 5/22/06 License & Welfare Committee meeting.

Fiscal Note: N/A

Deferred

16. [06-1836](#) **Subject:** (Direct Referral) The application for James L. Preston for a Public Passenger Vehicle Driver's License. (Renewal)

Recommendation of the License & Welfare Committee 5/8/06: That the application for James L. Preston for a Public Passenger Vehicle Driver's License (Renewal), be approved.

Fiscal Note: N/A

Recommended For Approval

17. [06-1847](#) **Subject:** (Direct Referral) The application of Anything Goes Limousine, for a Public Passenger Vehicle Provider's License.

Recommendation of the License & Welfare Committee 5/8/06: That the application of Anything Goes Limousine, for a Public Passenger Vehicle Provider's License, be approved.

Fiscal Note: N/A

Recommended For Approval

18. [06-1918](#) **Subject:** CHARTER ORDINANCE TO AMEND SEC. 5-3 OF THE CHARTER ORDINANCES RELATING TO GASOLINE SERVICE STATIONS - LICENSE APPLICATION.

To amend Charter ordinance sec. 5-3 of the Municipal Code of the City of Racine, Wisconsin relating to Gasoline service stations - License application.

Recommendation of the License & Welfare Committee 5/8/06: That Charter Ordinance #0001-06 be adopted.

19. [06-1919](#) **Subject:** ORDINANCE NO. 15-06 TO REPEAL AND RECREATE SEC. 22-476 OF THE MUNICIPAL CODE RELATING TO GASOLINE SERVICE STATIONS - APPLICATION FOR OWNER'S LICENSE; INVESTIGATION.

To repeal and recreate Sec. 22-476 of the Municipal Code of the City of Racine, Wisconsin relating to Gasoline service stations - application for owner's license.

Recommendation of the License & Welfare Committee 5/8/06: That Ordinance #15-06 be adopted.

20. [Ord.17-06](#) Ordinance No. 17-06 to amend Secs. 22-291 and 22-297 of the Municipal Code relating to Cigarette and tobacco products retailers - Statutory provision adopted; Penalty for violation of article.

To amend Secs. 22-291 and 22-297 of the Municipal Code of the City of Racine, Wisconsin relating to Cigarette and tobacco products retailers - Statutory provision adopted; Penalty for violation of article.

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

Part 1:

Sec. 22-291 of the Municipal Code of the City of Racine is hereby amended by adding "(a)" at the beginning of the paragraph, by changing "Stats." to read "Stat." in two places in the paragraph and by adding the following paragraph at the end of the section:

“(b) The provisions of Wis. Stat. § 134.66(2)(a), (am), (cm) and (e) relating to licenses for cigarette and tobacco products are adopted as a portion of this article as far as may be applicable to the city. A violation of any such provisions of Wis. Stat. § 134.66(2)(a), (am), (cm) and (e) shall constitute a violation of this article.”

Part 2:

Sec. 22-297 of the Municipal Code of the City of Racine is hereby amended by adding “(a)” at the beginning of the paragraph, by deleting the phrase “this article” in the second line, by inserting “sec. 22-291(a) or sec. 22-292” in its place, and by adding the following paragraph at the end of the section:

“(b) A person who commits a violation of sec. 22-291(b) is subject to a forfeiture of:

- a. Not more than \$500 if the person has not committed a previous violation within 12 months of the violation; or
 - b. Not less than \$200 nor more than \$500 if the person has committed a previous violation within 12 months of the violation.
3. A court shall suspend any license or permit issued under s. 134.65, 139.34 or 139.79 to a person for:
- a. Not more than 3 days, if the court finds that the person committed a violation within 12 months after committing one pervious violation;
 - b. Not less than 3 days nor more than 10 days, if the court finds that the person committed a violation within 12 months after committing 2 other violations; or
 - c. Not less than 15 days nor more than 30 days, if the court finds that the person committed the violation within 12 months after committing 3 or more other violations.
4. The court shall promptly mail notice of a suspension under subd. 3 to the department of revenue and to the clerk of each municipality which has issued a license or permit to the person.”

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 License & Welfare Committee 5/8/06:
That Ordinance No. 17-06 be adopted.

FISCAL NOTE: N/A

Recommended For Approval

21. [06-1835](#) **Subject:** (Direct Referral) Communication from the Purchasing Agent submitting the report on bids received from the sale of Abandoned Vehicles.

Recommendation of the License & Welfare Committee 5/8/06: That the item be received and filed.

Fiscal Note: \$5,412.02 in revenues.

Recommended to be Received and Filed

22. [06-1888](#) **Subject:** (Direct Referral) License Premise Report for March-April, 2006

Recommendation of the License & Welfare Committee 5/8/06: That the following license holders appear at the 5/22/06 License & Welfare Committee meeting to discuss incidents that appeared on the March-April, 2006 License Premise Report.

Akash Food and Liquor, 3945 Erie St.
Open Pantry Food Mart, 704 High St.
Nagra Pump and Pantry, 1826 Douglas Ave.
Phillips 66 Gas Station, 2418 Northwestern Ave.
Lakeside Supermarket, 1001 Center St.
Citgo Gas Station, 3357 Douglas Ave.

Georgetown Market, 3710 Meachem Rd.
Arbee's Liquor Store, 2062 Lathrop Ave.

Fiscal Note: N/A

Received and Filed

23. [06-1883](#) **Subject:** Operator's License Applications

Recommendation of the License & Welfare Committee 5/8/06: That the Operator's License Applications be approved.

Fiscal Note: N/A

Approved

Adjournment

The meeting was adjourned at 6:55 PM by Alderman Shakoor.