



# City of Racine Meeting Minutes

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

## Public Safety and Licensing Committee

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

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Monday, December 11, 2006

5:00 PM

City Hall, Room 205

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### Call To Order

*Alderman Maack called the meeting to order at 5:00 P.M.*

**PRESENT:** 5 - David L. Maack, Q.A. Shakoor II, Gregory Holding, Tim Hermes and Jim Kaplan

### Approval of Minutes for the November 27, 2006 Meeting.

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

### Public Comment

*Rashid Khan*

1. [06-2872](#) **Subject:** Communication from the Fire Chief requesting permission to accept a donation of \$1,500.00 from the Racine Fire Fighters Charities' to the Racine Fire Department's Fire Safety and Public Education Fund.

Also refer to Finance and Personnel Committee.

#### **Recommendation of the Finance & Personnel Committee on**

**12-11-06:** Permission granted for the Fire Chief to accept the \$1,500 donation from the Racine Fire Fighter's Charities to be utilized for the Fire Safety and Public Education Fund and an appropriate letter of thanks be sent.

#### **Recommendation of the Public Safety & Licensing Committee on**

**12-11-06:** Permission granted for the Fire Chief to accept the \$1,500 donation from the Racine Fire Fighter's Charities to be utilized for the Fire Safety and Public Education Fund.

**Fiscal Note:** \$1,500 will be placed in account 711.000.7970, Fire Department Gifts.

*Fire Chief Hansen appeared and informed the Committee this donation is ongoing for fire safety.*

**Recommended For Approval**

2. [06-2892](#) **Subject:** Communication from Police Chief Whalen requesting to add a

position of sergeant beginning in the fiscal year 2007, which will subsequently reduce the number of patrol officers by one position.

**Recommendation of the Finance & Personnel Committee on**

**12-11-06:** Permission be granted for the Police Chief to eliminate one patrol officer's position and create one sergeant's position.

**Recommendation of the Public Safety & Licensing Committee of**

**12-11-06:** That permission be granted for the Police Chief to eliminate one patrol officer's position and the creation of one Sergeant's position.

**Fiscal Note:** There are sufficient funds available in the salaries budget to account for the increase in salary.

*Police Chief Whalen appeared and informed the Committee that the position of Sergeant would be assigned to a Community Policing House.*

**Recommended For Approval**

3. [06-2870](#)

**Subject:** Communication from Deputy Chief of Police Hurley requesting to appear before the appropriate committee to discuss an annual exemption to use City vehicles.

**Recommendation of the Finance & Personnel Committee on**

**12-11-06:** Permission granted for the Explorer Scouts, Emergency Government and off-duty police officers to utilize City of Racine vehicle's during police related events with a signed hold-harmless agreement, driver licenses check and vehicle insurance.

**Recommendation of the Public Safety & Licensing Committee of**

**12-11-06:** That permission be granted for the Explorer Scouts, Emergency Government and off-duty police officers to utilize City of Racine vehicle's during police related events with a signed hold-harmless agreement in place.

**Fiscal Note:** N/A

*Police Chief Whalen appeared and informed the Committee Police using city vehicles for public events is a routine matter.*

**Recommended For Approval**

4. [06-2944](#)

**Subject: (Direct Referral)** Communication from the Racine Police Department regarding compliance checks conducted at sixteen (16) various establishments on November 18-19, 2006, in which eight (8) establishments had clerks that sold tobacco to the underage volunteer.

**Recommendation of the Public Safety & Licensing Committee of**

**12-11-06:** That the item be received and filed.



**Recommendation of the Public Safety & Licensing Committee of**

**11-27-06:** That the item be received and filed.

**Recommendation of the Public Safety & Licensing Committee of**

**12-11-06:** That the matter of Total 24, Nagra Pump and Pantry, and Open Pantry be deferred to the January 8, 2006 meeting. The matter Central Foods be referred to a due process hearing and the matter of remaining establishments be received and filed.

**Fiscal Note:** N/A

*Capt. Pavalonis appeared and gave a synopsis of the Compliance checks done on November 18-19, 2006.*

*Malcom Musetif, Central Foods, 1003 Center Street, appeared and informed the Committee he did give a different name to the Police Department, when he was cited. He was also charged with obstructing an officer.*

*Alderman Fair appeared and stated he knows the clerk by a different name and he is not sure the clerk intended to misrepresent himself. He stated the compliance checks process is flawed.*

*A motion was made by Alderman Holding to refer Central Foods to a due process hearing, to determine whether the license should be revoked or suspended.*

*The motion passed with the following vote:  
Ayes: Shakoor, II, Holding, Hermes, Kaplan  
Non-Voting: Maack*

*Total 24, 930 Washington Avenue - defer*

*Nagra Pump and Pantry, 1826 Douglas Avenue - defer (did not appear)*

*Attorney Saldano appeared representing Open Pantry, 704 High Street and stated the license holder has a retrial scheduled for December 14, 2006, to contest the citations he received.*

*Open Pantry, 704 High Street - defer*

**Deferred**

7. [06-2958](#)

**Subject:** November, 2006 Licensed Premises Report.

**Recommendation of the Public Safety & Licensing Committee of**

**12-11-06:** That the establishments that sold to underage volunteers be requested to appear before the Public Safety & Licensing Committee at the January, 8, 2007 meeting.

**Fiscal Note:** N/A

*The Committee requests the following establishments who sold to the underage volunteer appear at the January 8, 2006 meeting:*

*Grand Morelas, 1540 Prospect Street*

Lieungh's on Lathrop, 1933 Lathrop Avenue  
Mobil Gas Station, 3700 Spring Street  
Moody's, 1711 N. Main Street  
Nagra Pump and Pantry, 1826 Douglas Avenue  
Open Pantry, 3441 Spring Street  
VP Express Station, 3015 Rapids drive  
**Deferred**

8. [06-2937](#) **Subject: (Direct Referral)** Request from the City Attorney to go into closed session after roll call pursuant to sec. 19.85 (1)(g), Wis. Stats., for the purpose of conferring with legal counsel concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. It is also the intent that open session will follow closed session.

**Recommendation of the Public Safety & Licensing Committee of 12-11-06:** That the Request from the City Attorney to go into closed session after roll call pursuant to sec. 19.85 (1)(g), Wis. Stats., for the purpose of conferring with legal counsel concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. It is also the intent that open session will follow closed session, be approved.

**Fiscal Note:** N/A

*The Committee went into closed session at 5:45 P.M.*

*The Committee reconvened at 6:07 P.M.*

*Roll Call:*

*Ayes: Shakoor, II, Holding, Hermes, Kaplan*

*Non-Voting: Maack*

**Recommended For Approval**

**AYES:** 4 - Q.A. Shakoor II, Gregory Holding, Tim Hermes and Jim Kaplan

**NON VOTING:** 1 - David L. Maack

9. [06-2839](#) **Subject: (New)** Application of J & A, LLC, Jason Boesel, Agent, for a "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License for 1300 N. Main Street. (4th District)

**Recommendation of the Public Safety & Licensing of 11-27-06:** That the item be deferred until the December 11, 2006 meeting.

**Recommendation of the Public Safety & Licensing of 12-11-06:** That the license be granted.

**Fiscal Note:** N/A

*Jason Boesel appeared and informed the Committee they are leasing the building and doing some extensive remodeling.*

**Recommended For Approval**

10. [06-2861](#)

**Subject: (New)** Application of Priya Corp., Kavita Khullar, Agent, for a Class "A" Retail Fermented Malt Beverage License and Gasoline Station Owner's for 3818 Durand Avenue. (11th District)

**Recommendation of the Public Safety & Licensing Committee**

**12-11-06:** That the licensed be granted.

**Fiscal Note:** N/A

*Kavita Khullar appeared and informed the Committee they have been the owners since 2004. They use the "WE CARD" program and instruct their employees there will be no sale if no identification is shown.*

**Recommended For Approval**

11. [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.

**Fiscal Note:** N/A

*Alderman Holding made a motion to defer this item to the next meeting.*

*Motion failed due to lack of second.*

*Alderman Holding withdrew his motion.*

*Deborah DeLao and Dean Paros appeared and informed the Committee they will be serving food, also provided sample menus for the members. Deborah stated she owns a restaurant in Sturtevant, and plans to change the negativity associated with the old establishment.*

*Deborah also informed the Committee they are leasing the building, with an option to buy.*

**Recommended For Approval**

**AYES:** 3 - David L. Maack, Gregory Holding and Jim Kaplan

**NOES:** 2 - Q.A. Shakoor II and Tim Hermes

12. [06-2923](#)

**Subject: (New) (Direct Referral)** Application of 3EMINEE, LLC., Michael T. McDermott, for a "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License to include a Sidewalk Cafe w/o alcohol for 501

Sixth Street. (1st District)

**Recommendation of the Public Safety & Licensing Committee of**

**12-11-06:** That the license be granted, pending their site plan/building layout.

**Fiscal Note:** N/A

*Michael McDermott appeared and informed the Committee he would be on the premises approximately 90% of the time. He stated he has been a business owner for 25 years and all partners are current business owners.*

*Alderman Fair appeared and informed the Committee he is in support of the license being granted.*

**Recommended For Approval**

13. [06-2925](#)

**Subject: (New)** Application of Evelyn's Club Main, Evelyn Scheibner, Agent, for a "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License for 331 Main Street. (1st District)

**Recommendation of Public Safety & Licensing Committee of**

**12-11-06:** That the license be granted.

**Fiscal Note:** N/A

*Alderman Maack made a motion to take a 5 minute recess at 7:30 P.M.*

*The meeting reconvened at 7:40 P.M.*

**Recommended For Approval**

14. [06-2926](#)

**Subject: (New)** Application of Chef Lory, LLC., Joan L. Stepanski, Agent, for a "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License for 600 Sixth Street. (1st District)

**Recommendation of the Public Safety & Licensing Committee of**

**12-11-06:** That the license be granted, pending their business plan.

**Fiscal Note:** N/A

*Joan Stepanski appeared and informed the Committee the establishment is intended to be a Bistro/Pub with an Old World Style theme. It will have a welcoming, relaxing, and inviting environment.*

**Recommended For Approval**

15. [06-2938](#)

**Subject: (Renewal) (Direct Referral)** Application of Timothy Campeau, Sr., for a Public Passenger Driver's License.

**Recommendation of the Public Safety & Licensing Committee of**

**12-11-06:** That the license be denied.

**Fiscal Note:** N/A  
**Recommended For Denial**

16. [06-2939](#) **Subject: (New) (Direct Referral)** Application of Jack Rudolph for a Public Passenger Driver's License.

**Recommendation of the Public Safety & Licensing Committee of**

**12-11-06:** That the license be granted.

**Fiscal Note:** N/A  
**Recommended For Approval**

17. [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.

**Fiscal Note:** N/A  
**Recommended For Approval**

18. [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.

**Fiscal Note:** N/A  
**Recommended For Approval**

19. [06-2940](#) **Subject: (Direct Referral)** Recommendation from the Special Public Safety & Licensing Committee Meeting held on December 6, 2006 to approve the proposed settlement of the due process proceeding involving the Cruise Inn, and to authorize the City Attorney to execute said settlement agreement.

**Recommendation of the Public Safety & Licensing Committee of**

**12-11-06:** That the item be received and filed.

**Fiscal Note:** N/A  
**Received and Filed**

20. [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 received and filed.

**Fiscal Note:** N/A  
**Received and Filed**

21. [06-2933](#) **Subject: (Direct Referral)** Communication from the Purchasing Agent submitting the monthly report for the sale of Abandoned Vehicles, December 5, 2006.

**Recommendation of the Public Safety & Licensing Committee of 12-11-06:** That the item be received and filed.

**Fiscal Note:** This will generate 6,654.01 in revenues.  
**Recommended to be Received and Filed**

22. [06-2951](#) **Subject:** Applications for Operator (Bartender's) Licenses.

**Recommendation of the Public Safety & Licensing Committee of 12-11-06:** That the Operator (Bartender's) Licensed be granted.

**Fiscal Note:** N/A  
**Granted**

### Miscellaneous Business

*Alderman Maack sated the there will be a Special Public Safety & Licensing Committee meeting on Thursday, December 14, 2006 at 4:50 P.M regarding Lubna Investments, LLC (Shocker's). Following at 5:00 P.M., will be the Special meeting for the due process hearing regarding the 262 Lounge.*

### Adjourn

*The meeting was adjourned at 8:00 P.M. by Alderman Shakoor. The next scheduled meeting of the Public Safety and Licensing Committee is January 8, 2007.*