



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*

Monday, September 11, 2006

5:00 PM

City Hall, Room 205

Call To Order

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

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

Approval of Minutes for the August 28, 2006 Meeting.

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

1. [06-2373](#)

Subject: Communication from the Fire Chief requesting to enter into a professional service agreement for one year with J.H. Meyer and Associates for consulting services.

Recommendation of the Finance & Personnel Committee 09-11-06:

The Mayor and City Clerk be authorized and directed to sign a professional services agreement with J.H. Meyer and Associates to enable the City to receive consulting services related to the Wisconsin Regional Hazardous Materials Response Team.

Recommendation of the Public Safety & Licensing Committee of

09-11-06: That the Mayor and City Clerk be authorized and directed to sign a professional services agreement with J.H. Meyer and Associates, to enable the City to receive consulting services related to the Wisconsin Regional Hazardous Materials Response Team.

Fiscal Note: The cost of the one-year extension is \$6,000 in Account 268.000.5610 State Haz Mat Consulting Fees.

Chief Hansen appeared and informed the Committee that he supports entering into a professional services agreement with J.H. Meyer and Associates.

Recommended For Approval

2. [06-2376](#)

Subject: The Fire Chief requests to accept a donation from S.C. Johnson & Son, Inc. in the amount of \$1,000 to be utilized for the Public Education Fund.

Recommendation of the Finance & Personnel Committee 09-11-06:

Permission granted to accept \$1,000 from S.C. Johnson, Inc. to be utilized

for the Racine Fire Department's Public Education fund and that an appropriate letter of thanks be sent.

Recommendation of the Public Safety & Licensing Committee of

09-11-06: That permission be granted to accept \$1,000 from S.C. Johnson, Inc., to be utilized for the Racine Fire Department's Public Education fund.

Fiscal Note: \$1,000 donation to be utilized for the Fire Department's Public Education fund.

Chief Hansen appeared and informed the Committee that he is in support of receiving the \$1,000 donation for the Public Education fund.

Recommended For Approval

3. [06-2465](#)

Subject: Communication from Fire Chief Hansen to request permission to appear before the License and Welfare Committee to request that formal bidding be waived and that the Purchasing Agent be authorized and directed to negotiate with Jefferson Fire and Safety for the procurement of a Bauer Breathing Air Compressor. Funds for this purchase are available in account 101.300.5770, Machinery and Equipment, Fire.

Recommendation of the Finance & Personnel Committee 09-11-06:

The formal bidding procedures be waived and that the Purchasing Agent be authorized and directed to purchase a Bauer Breathing Air Compressor from Jefferson Fire and Safety.

Recommendation of the Public Safety & Licensing Committee of

09-11-06: That formal bidding procedures be waived and that the Purchasing Agent be authorized and directed to purchase a Bauer Breathing Air Compressor from Jefferson Fire and Safety.

Fiscal Note: Funds are available in Account 101.300.5770, Machinery and Equipment, Fire.

Chief Hansen appeared and informed the Committee that the compressor was approximately 16-18 years old and needs to be replaced.

Recommended For Acceptance

4. [06-2442](#)

Subject: Communication from Fire Chief Hansen to request permission to accept the Homeland Security/Mutual Aid Interoperability OJA Grant HS-05-IC-0399 dated August 18, 2006. Also requesting permission for the Mayor and City Clerk to be authorized to sign on behalf of the City for the grant. This grant will provide funding to reprogram radios in the police and fire department with SIEC interoperability frequencies, and to purchase new radio equipment replacing outdated equipment. Total for the grant is \$97, 290 after applying the local match. Grant Control #2006-25.

Recommendation of the Finance & Personnel Committee 09-11-06:

The Mayor and City Clerk be authorized and directed to enter into a \$97,290 agreement with the Office of Justice Assistance, Homeland Security/Mutual Aid Interoperability Grant (Grant Control No. 2006-025) to be utilized to reprogram and purchase radios for the Racine Fire and Police Departments.

Recommendation of the Public Safety & Licensing Committee of

09-11-06: That the Mayor and City Clerk be authorized and directed to enter into a \$97, 290 agreement with the Office of Justice Assistance, Homeland Security/Mutual Aid Interoperability Grant to be utilized to reprogram and purchase radios for the Racine Fire and Police Departments.

Fiscal Note: 10% match required on \$20,000 and 25% match required on \$77,290 on the part of the City.

Chief Hansen appeared and is in support of accepting the grant to provide funding to reprogram radios in the Police and Fire Departments with SIEC interoperability frequencies, and to purchase new radio equipment to replace outdated equipment.

Recommended For Acceptance

5. [06-2441](#)

Subject: Communication from Fire Chief Hansen requesting permission to accept \$122,500 from the State of Wisconsin - Wisconsin Emergency Management for services to be rendered as part of the State of Wisconsin Level A Regional Hazardous Materials Team. Funds are to be deposited into the State Revenue Funds account 268.000.6810.

Recommendation of the Finance & Personnel Committee 09-11-06:

The City apply for and accept \$122,500 grant from the State of Wisconsin, Wisconsin Emergency Management (Grant Control No. 2006-040) for services to be rendered as part of the State of Wisconsin Level A Regional Hazardous Materials Team.

Recommendation of the Public Safety & Licensing Committee

09-11-06: That the City apply for and accept \$122,500 grant from the State of Wisconsin - Wisconsin Emergency Management, for services to be rendered as part of the State of Wisconsin Level A Regional Hazardous Materials Team.

Fiscal Note: No match required on the part of the City.

Chief Hansen appeared and is in support of accepting the grant from the State of Wisconsin - Wisconsin Emergency Management for services to be rendered as part of the State of Wisconsin Level A Regional Hazardous Materials Team.

Recommended For Acceptance

6. [06-2489](#)

Subject: (Direct Referral) Final payment for Professional Services for the

redesign of Monument Square by MSA.

Recommendation of the Public Safety & Licensing Committee of

09-11-06: That final payment for Professional Services for the redesign of Monument Square by MSA be made.

Fiscal Note: N/A

Jack Schumann appeared and informed the Committee that all the work has been completed.

Recommended For Approval

7. [06-2424](#)

Subject: (Direct Referral) Change Order #2 on contract 27-05 (K5-034), Monument Square Site and Landscape Improvement.

Recommendation of the Public Safety & Licensing Committee of

09-11-06: That Change Order #2, be amended to Change Order #3, on contract 27-05 (K5-034), Monument Square Site and Landscape Improvement, and the Change Order would be an increase of \$9,320.

Fiscal Note: N/A

Jack Schumann appeared and informed the Committee that Change Order #2, should be amended to Change Order #3.

Recommended For Approval

8. [06-2452](#)

Subject: (New) Application for a Class "B" Retail Fermented Malt Beverage License for Phoenix Tap, Michael A. Draves, Agent, for 1600 Douglas Avenue. (4th District)

Recommendation of the Public Safety & Licensing Committee of

09-11-06: That the license be denied, due to the adverse affect it would have to the neighborhood and parking issues.

Fiscal Note: N/A

Michael A. Graves appeared and informed the Committee his intensions are to bring a different atmosphere to the neighborhood, and he intends on taking a pro-active approach to running the business. He plans on selling pre-packaged foods.

Recommended For Denial

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

NON VOTING: 1 - David L. Maack

9. [06-2455](#)

Subject: (New) Application for a "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License for DeRose Bar & Restaurant, LLC, Sandra Barz, Agent, at 1444 Blake Avenue. (8th District)

Recommendation of the Public Safety & Licensing Committee of

09-11-06: That the license be granted and issued after completing the Responsible Beverage Servers Course.

Fiscal Note: N/A

Sandra Barz appeared and informed the Committee she is currently employed as a Chef for the establishment and will be the Agent. She is not aware of any changes being made to the business.

Recommended For Approval

10. [06-2393](#)

Subject: (New) Application for a "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License, for Cera's Tequila Bar, Cerafin Davalos, Agent, at 607 Sixth Street. (1st District)

Recommendation of the Public Safety & Licensing Committee of

09-11-06: That the license be granted.

Fiscal Note: N/A

Cerafin Davalos appeared and informed the Committee he has 2 years experience as a bartender for the previous owner. He would like to start by just running a tavern, and maybe in the future add food to the business.

Recommended For Approval

11. [06-2423](#)

Subject: Communication from Veterans Club Inc., Steven R. Heather, Agent, requesting to amend the premises description at 820 Main Street.

Recommendation of the Public Safety & Licensing Committee of

09-11-06: That the amended premises description for 820 Main Street, be approved.

Fiscal Note: N/A

Steven R. Heather appeared and informed the Committee they are planning to serve lunch and refreshments on the porch, during the Spring and Summer months, between the hours of 11:00 A.M. - 2:00 P.M., when weather permits.

Recommended For Approval

12. [06-2433](#)

Subject: Communication from MPDT Partnership, Mario Passarelli, Agent, requesting to amend the premises description at 303 Dodge Street.

Recommendation of the Public Safety & Licensing Committee of

09-11-06: That the request to amend the premises description for 303 Dodge Street, be deferred until the September 25, 2006 meeting, and the Owner/Agent bring in a visual and detailed description of what part of the parking lot they plan on utilizing.

Fiscal Note: N/A

Deferred

13. [06-2348](#) **Subject:** Application of PH Green Bay, LLC., Michael Marcinkus, for a Change of Agent for a Class "B" Retail Fermented Malt Beverage License for 5000 Washington Avenue. (12th District)

Recommendation of the License & Welfare Committee of 08/28/06:

That the item be deferred until the September 11, 2006 meeting.

Recommendation of the Public Safety & Licensing Committee of

09-11-06: That the Change of Agent be granted.

Fiscal Note: N/A

Michael Marcinkus appeared and informed the Committee he has been employed by Pizza Hut for one year.

Recommended For Approval

14. [06-2395](#) **Subject:** The application of Lone Star Steakhouse & Saloon, David P. Buckett, for a Change of Agent for a "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License for 5880 Durand Avenue. (14th District)

Recommendation of the Public Safety & Licensing Committee of

09-11-06: That the application for a Change of Agent be granted.

Fiscal Note: N/A

David Buckett appeared and informed the Committee he has 17 years experience as a restaurant manager.

Recommended For Approval

15. [06-2319](#) **Subject: (Direct Referral) (New)** Application a Class "A" Retail Fermented Malt Beverage License for Mead Street Food, Patricia A. Morones, for 1801 Mead Street. (2nd District)

Recommendation of the License & Welfare Committee of 08/28/06:

That the license be deferred to the September 11, 2006 meeting.

Recommendation of the Public Safety & Licensing: That the license be denied.

Fiscal Note: N/A

Patricia Morones appeared with Knorris Malone. Mr. Malone submitted a signed petition of what he stated were 150 area residents, supporting the business acquiring a Class "A" Beer Store License. After reviewing the list, several committee members noticed there were residents from other areas who had signed the petition.

The committee made a motion to deny the license and Mr. Knorris requested that the petition be returned to him. The petition was returned to Mr. Knorris.

Recommended For Denial

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

NON VOTING: 1 - David L. Maack

16. [06-2462](#) **Subject: (Direct Referral)** Licensed Premise Report July, 2006. Request of the Committee for the appearance of the following license holders regarding an incident that appeared on the July, 2006 Licensed Premise Report.

The Blue Rock Lounge & Eatery 306 Sixth Street
Mark R. Thomas, Agent

Nine, Inc. (Benny's on Sixth) 213 Sixth Street
Benjamin Nelson, Agent

Recommendation of the Public Safety & Licensing Committee of

09-11-06: That the matter of The Blue Rock Lounge & Eatery be received and filed and the matter of Nine, Inc. (Benny's on Sixth) be deferred until the September 25, 2006.

Fiscal Note: N/A

Mark Thomas appeared and informed the Committee he had applied for a Sidewalk Cafe' permit last year and was denied. He stated he had been told not to worry about it, but didn't receive a refund.

Alderman Maack informed Committee Members Benjamin Nelson could not appear, and had requested the matter be deferred until the September 25, 2006 meeting.

Alderman Shakoor took over and chaired the meeting starting at 6:45 P.M., as Alderman Maack had to leave for a previous engagement.

Recommended to be Received and Filed

17. [06-2466](#) **Subject: (New)** The application of Terry L. Jackson for a Secondhand Article Dealer's License for 949 Washington Avenue. (1st District)

Recommendation of the Public Safety & Licensing Committee of

09-11-06: That the Secondhand Article Dealer's License be deferred until the September 25, 2006 meeting.

Fiscal Note: N/A

Terry L. Jackson appeared along with Alderman Fair and informed the Committee he was interested in opening a Pawnbroker, Secondhand Jewelry and Secondhand Article Dealer Business.

Deferred

18. [06-2467](#) **Subject: (New) (Direct Referral)** Application of Jennafer Jackson for a

Amusement Center License, at 2501 Douglas Avenue. (5th District)

Recommendation of the Public Safety & Licensing Committee of

09-11-06: That the item be deferred until the September 25, 2006 meeting and the Alderman of the district be consulted as well as more information gathered.

Fiscal Note: N/A

Jennafer Jackson appeared and informed the Committee she has applied for a conditional use permit for the teen business and they're currently having minor problems with signage, as well as a few other issues, but are working on them. Mrs. Jackson stated the Amusement Center is structured for students and will only be allowed to enter with a school identification card. They have parents volunteering to work, so the students will have a safe and fun place to go.

Deferred

19. [06-2341](#)

Subject: (New) Application for a Sidewalk Cafe' Permit for Lush Life, Inc. (Henry & Wanda's), 501 Sixth Street. (1st District)

Recommendation of the License & Welfare Committee of 08/28/06:

That the item be deferred.

Recommendation of the Public Safety & Licensing Committee of

09-11-06: That the application for a Sidewalk Cafe' Permit be denied, due to insufficient insurance coverage and City Plan only approving the permit for the consumption of food without alcohol.

Fiscal Note: N/A

Deputy City Attorney Scott Letteney informed the Committee there is insufficient insurance coverage and he has contacted the owner indicating what was needed and has not heard back from them. He also stated City Plan had approved only for the consumption of food without alcohol on the permit.

Recommended For Denial

20. [06-2484](#)

Subject: (Direct Referral) Application of Beverly J. Holmes for a Public Passenger Driver's License.

Recommendation of the Public Safety & Licensing Committee of

09-11-06: That the license be granted.

Fiscal Note: N/A

Recommended For Approval

21. [06-2485](#)

Subject: Communication from Alderman Holding wishing to discuss a moratorium on pawnbrokers in the City of Racine.

Recommendation of the Public Safety & Licensing Committee of

09-11-06: That the City Attorney's Office draft a resolution for the 90 day moratorium.

Fiscal Note: N/A
Recommended For Approval

22. [06-2477](#) **Subject: (Direct Referral)** Discussion of "New" and "Change of Agent" Questionnaire Forms.

Recommendation of the Public Safety & Licensing Committee of

09-11-06: That the item be deferred and the Committee schedule a special meeting to discuss the Questionnaire forms, policies & procedures for granting liquor licenses, and guidelines for disciplinary actions, due to incidents that happen at establishments, that hold liquor licenses.

Fiscal Note: N/A

A special meeting was scheduled for Thursday, September 28, 2006 at 5:30 P.M. to discuss changes to the Questionnaire Forms, policies & procedures for granting of liquor licenses, and guidelines for disciplinary actions for liquor license holders.

Deferred

23. [06-2479](#) **Subject: (Direct Referral)** Licensed Premise Report August, 2006.

Shockers 1632 Douglas Avenue
Amer Assad, Agent

Recommendation of the Public Safety & Licensing Committee of

09-11-06: That the matter be referred to a due process hearing for determination on whether the license should be revoked or suspended.

Fiscal Note: The approximate cost of the due process hearing is \$4,000.00.

Captain Pavalonis informed the Committee about an incident that happened on August 31, 2006 which resulted in the issuance of 28 citations to numerous patrons, the bartender, and owner of Shockers were issued.

A motion was made to refer the matter to a due process hearing to determine whether the license should be revoked or suspended.

Recommended For Further Consideration

AYES: 3 - Gregory Holding, Tim Hermes and Jim Kaplan

EXCUSED: 1 - David L. Maack

NON VOTING: 1 - Q.A. Shakoor II

24. [06-2480](#) **Subject: (Direct Referral)** Special License Premise Report September, 2006.

Sabrina's - 1436 Junction Avenue - "Class B" License

Recommendation of the Public Safety & Licensing Committee of

09-11-06: That the matter be referred to a due process hearing for determination on whether the license should be revoked or suspended.

Fiscal Note: The approximate cost of the due process hearing is \$4,000.

Captain Pavalonis informed the Committee he received information from a confidential informant regarding drugs being sold inside of the bar. He elaborated on an incident that occurred on 09-02-06, which resulted in the arrest of 6 patrons and the issuance of 1 citation.

A motion was made to refer the matter to a due process hearing to determine whether the license should be revoked or suspended.

Alderman Maack returned to chair the meeting at 7:20 P.M.

Recommended For Further Consideration

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

NON VOTING: 1 - David L. Maack

25. [Ord.34-06](#) ORDINANCE NO. 34-06 relating to Operator's Licenses.

To amend Secs. 6-9, 6-131, repeal and recreate Sec. 6-132, repeal Sec. 6-134 and amend Sec. 6-136 of the Municipal Code of the City of Racine, Wisconsin relating to Operator's licenses.

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

Part 1:

Sec. 6-9 of the Municipal Code of the City of Racine is hereby amended by deleting in the first sentence the phrase, "or provisional operator's licenses."

Part 2:

Sec. 6-131 of the Municipal Code of the City of Racine is hereby amended by changing the title to read: "**Operator's license required.**" and by deleting the words "or provisional operator's license" in two places in the paragraph.

Part 3:

Sec. 6-132 of the Municipal Code of the City of Racine is hereby repealed and recreated to read as follows:

"Operator's license. An operator's license shall authorize the holder to serve or purvey those alcohol beverages for which sale is authorized at the premises where the operator is employed. The licenses shall expire on the second June

30 following issuance. The fee for an operator's license will be prorated as follows:

12-24 months	\$75.00
9-12 months	\$40.00
3 months or less	\$75.00 for the next licensing period and the three months would not be charged."

Part 4:

Sec. 6-134 of the Municipal Code of the City of Racine is hereby repealed.

Part 5:

Sec. 6-136 of the Municipal Code of the City of Racine is hereby amended by deleting the words "or provisional operator's license."

Part 6:

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

Recommendation of the Public Safety & Licensing Committee of 09-11-06:

That Ordinance No. 34-06 relating to Operator's Licenses, be adopted.

FISCAL NOTE: N/A

Sponsors: David L. Maack
Recommended For Approval

26. [06-2434](#) **Subject: (Direct Referral)** Communication from the Purchasing Agent submitting the monthly report for the sale of Abandoned Vehicles, August 24, 2006.

Recommendation of the Public Safety & Licensing Committee of 09-11-06: That the item be received and filed.

Fiscal Note: This will generate \$5,908.11 in revenues.
Recommended to be Received and Filed

27. [06-2475](#) **Subject: (Direct Referral)** Communication from the Purchasing Agent submitting the monthly report for the sale of Abandoned Vehicles, September 5, 2006.

Recommendation of the Public Safety & Licensing Committee of 09-11-06: That the item be received and filed.

Fiscal Note: This will generate \$4,712.01 in revenues.
Recommended to be Received and Filed

28. [06-2478](#) **Subject:** Applications for Operator's (Bartender's) Licenses.

**Recommendation of the Public Safety & Licensing Committee of
09-11-06:** That the Operator's (Bartender's) Licenses be granted.

Fiscal Note: N/A
Granted

Miscellaneous Business

Adjournment

The meeting was adjourned at 7:40 P.M. by Alderman Shakoor. The next scheduled meeting of the Public Safety & Licensing Committee is September 25, 2006.