



City of Racine

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

Meeting Minutes - Draft

Public Safety and Licensing Committee

*Chairman Jeff Coe
Alder Steve Smetana
Alder Sandy Weidner
Alder Carrie Glenn
Alder Maurice Horton*

Tuesday, March 12, 2019

5:30 PM

City Hall, Room 307

Call To Order

PRESENT: 4 - Chairman Coe, Alder Smetana, Alder Glenn and Alder Horton

EXCUSED: 1 - Alder Weidner

Approval of Minutes for the February 26, 2019 Meeting.

Minutes of the previous meeting were approved as printed on a motion of Alder Smetana, seconded by Alder Horton.

to Approve the Minutes

[0215-19](#)

Subject: (Direct Referral) Communication from Alder Perez proposing an amendment to the City of Racine ordinances prohibiting the purchase or possession of electronic smoking or vaping devices or materials by persons seventeen years of age or younger.

Recommendation of the Public Safety and Licensing Committee

on 02-26-19: That the communication from Alder Perez proposing an amendment to the City of Racine ordinances prohibiting the purchase or possession of electronic smoking or vaping devices or materials by persons seventeen years of age or younger be deferred for two weeks and for the attorney's office to draft legislation.

Recommendation of the Public Safety and Licensing Committee

on 03-12-19: That the communication from Alder Perez proposing an amendment to the City of Racine ordinances prohibiting the purchase or possession of electronic smoking or vaping devices or materials by persons seventeen years of age or younger be approved.

Fiscal Note: N/A

Alder Perez appeared before the committee. He spoke on behalf of his communication, stating that he would like to prohibit minors from purchasing or using all vaping devices.

Deputy City Attorney Arn provided the committee with an agenda briefing memorandum on whether municipalities have the legal right to ban minors of vaping products and reviewed three options that the committee could choose to take action on. After discussion, the committee chose to approve the creation of an ordinance that specifically prohibits minors from possessing e-cigarettes (including e-cigarettes that are nicotine-free) and bans the sale of such products to minors.

Alder Smetana made a motion to approve, seconded by Alder Glenn.

Recommended For Approval

[0239-19](#)

Subject: Communication from the Director of City Development requesting that an ordinance be created to regulate the licensing of mobile food establishments within the City of Racine.

Recommendation of the Public Safety and Licensing Committee on 03-12-19: That the communication from the Director of City Development requesting that an ordinance be created to regulate the licensing of mobile food establishments within the City of Racine be approved and for the attorney's office to draft an ordinance.

Fiscal Note: N/A

Jeff Towne, Economic Development Specialist for the City of Racine, appeared before the committee on behalf of City Development. Mr. Towne presented the committee with a power point, explaining the plan for the new ordinance that will be regulating the licensing of mobile food establishments within the City of Racine. The report explained the proposed standards, the required licenses that will be needed, and general operating rules that will be detailed in the ordinance. The committee members questioned what the fees would be and Mr. Towne explained that City Development is working with the appropriate departments to determine accurate and sufficient fees for mobile food establishment licenses.

Alder Smetana made a motion to approve, seconded by Alder Horton.

Recommended For Approval

[0231-19](#)

Subject: (New) Application for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for Marci's on Main 236 LLC, DBA: Marci's on Main, located at 236 Main Street, Marci L. Bruley, Agent. (1st District).

Recommendation of the Public Safety and Licensing Committee on 03-12-19: That the application for a "Class B" Fermented Malt Beverage and Intoxicating Liquor License for Marci's on Main 236 LLC, DBA: Marci's on Main, located at 236 Main Street, Marci L. Bruley, Agent be approved.

Fiscal Note: N/A

Marci Bruley appeared before the committee. She stated that she plans on remodeling and opening a country themed bar by April 19th, 2019 with hours of operation from 2:00pm to bar close on Monday through Friday, and 11:00am to bar close on Saturday and Sunday. She is requesting 6:00am open time for downtown events and holidays. Ms. Bruley spoke on her years of experience working in a bar and explained to the committee that for the past ten years she has been working at Joey's on Taylor. The City Clerk asked for the premises description and the applicant agreed to amend it to include the entire first floor.

Alder Smetana made a motion to approve, seconded by Alder Glenn.

Recommended For Approval

[0144-19](#)

Subject: (Direct Referral) Request of the Committee for the appearance of Logan C. Tyler, applicant for an Operator's License.

Recommendation from the Public Safety and Licensing Committee on 02-12-19: That the operator license application for Logan C. Tyler be deferred for two weeks so that the applicant can provide the committee with a letter of rehabilitation from employer.

Recommendation of the Public Safety and Licensing Committee on 02-26-19: That the operator license application for Logan C. Tyler be deferred for two weeks.

Recommendation of the Public Safety and Licensing Committee on 03-12-19: That the operator license application for Logan C. Tyler be approved.

Fiscal Note: N/A

Logan C. Tyler appeared before the committee and presented the committee with a letter from his employer as proof of rehabilitation in the work place.

Alder Smetana made a motion to approve based on sufficient evidence of rehabilitation, seconded by Alder Horton.

Approved

[0212-19](#)

Subject: (Direct Referral) Request of the Committee for the appearance of Robert Lafond, applicant for an Operator's License.

Recommendation of the Public Safety and Licensing Committee on 02-26-19: That the operator's license application for Robert Lafond be deferred for two weeks.

Recommendation of the Public Safety and Licensing Committee on 03-12-19: That the operator's license application for Robert Lafond be approved.

Fiscal Note: N/A

Robert Lafond appeared before the committee and presented the committee with a letter from his employer as proof of rehabilitation in the work place. Mr. Lafond explained that he has been employed by Infusinos off and on for 14 years and would like to have his Operators License for future employment opportunities.

Alder Smetana made a motion to approve based on sufficient evidence of rehabilitation, seconded by Alder Horton.

Approved

[0222-19](#)

Subject: (Direct Referral) Request of the Committee for the appearance of Ricardo RA Rodriguez, applicant for an Operator's License.

Recommendation of the Public Safety and Licensing Committee on 03-12-19: That the operator license application for Ricardo RA Rodriguez be deferred for two weeks so that the applicant can provide the committee with a letter of rehabilitation from employer.

Fiscal Note: N/A

Applicant Ricardo RA Rodriguez appeared before the committee. Mr. Rodriguez explained that after being released from corrections he participated in alcohol treatment plans, AA classes and has had steady employment. The committee questioned why he had stated on his application that he did not have any felony convictions and if his employer at Teezers knew of his convictions. Mr. Rodriguez stated that he was confused by the question and that is why he marked no and that his employer at Teezers did know of his convictions. The committee asked Mr. Rodriguez to come back with a formal letter of reference from his employer.

Alder Smetana made a motion to defer for two weeks, seconded by Alder Glenn, until Mr. Rodriguez can bring in a letter from his employer as proof of rehabilitation.

Deferred

[0275-19](#)

Subject: (Direct Referral) Request the appearance of Jarnail Singh, Agent for Liquor Depot, located at 1401 Washington Ave, for a formal expression of concern to discuss recent incidents occurring at this location.

Recommendation of the Public Safety and Licensing Committee on 03-12-19: The Committee request that the communication be Received and Filed.

Fiscal Note: N/A

Jarnail Singh appeared before the committee on behalf of his business Liquor Depot, located at 1401 Washington Ave. Alder Coe informed the licensee as to why he was being called in. Sergeant Webb read the recent list of incidents occurring on the

licensed premise report for Liquor Depot, highlighting incidents on January 24th, 2019 and February 13th, 2019. On both dates, the licensed premises was serving alcohol without anyone on the premises with an operator's license and without the licensee present. Mr. Singh stated that an employee quit and he needed to find a replacement, but he now has an employee who does have their operator's license and explained that they now close at 9:00pm. Alder Glenn expressed concern about only having one employee on the premises with an operator's license.

Alder Coe warned the owner that if the Liquor Depot was called in for another Formal Expression of Concern within the next six months, they could face possible suspension or revocation of their license.

Alder Smetana made a motion to receive and file, seconded by Alder Horton.

Received and Filed

[0257-19](#)

Subject: (Direct Referral) (Renewal) Application of Wisconsin Discount, Abdel Karim Yasin Agent, for a Secondhand Article and Jewelry Dealer License for 2724 16th St. (9th District).

Recommendation of the Public Safety and Licensing Committee

on 03-12-19: That the application of Wisconsin Discount, Abdel Karim Yasin Agent, for a Secondhand Article and Jewelry Dealer License for 2724 16th St. (9th District), be approved.

Fiscal Note: N/A

Approved

[0283-19](#)

Subject: Ordinance 0003-19 - Sec. 66-261 Possession of Marijuana Forfeitures

Recommendation of the Public Safety and Licensing Committee

on 02-26-19: That Ordinance 0003-19 - Sec. 66-261 Possession of Marijuana Forfeitures be deferred for two weeks.

Recommendation of the Public Safety and Licensing Committee

on 03-12-19: That Ordinance 0003-19 - Sec. 66-261 Possession of Marijuana Forfeitures be approved with the following change:

Changing the proposed Ordinance to set the forfeiture to \$75 and not a sliding range of \$1 to \$75

Fiscal Note: N/A

Attorney Letteney appeared before the committee to briefly explain the proposed Ordinance to modify the forfeiture and bond amount. He stated that the council has

already voted to amend the forfeiture and that this was just the necessary follow-up for that directive. The committee debated the forfeiture amount.

Alder Smetana made a motion to approve the Ordinance with the proposed change of modifying the forfeiture to \$75 rather than having a range, seconded by Alder Glenn.

Recommended For Approval

AYES: 3 - Chairman Coe, Alder Smetana and Alder Glenn

NOES: 1 - Alder Horton

EXCUSED: 1 - Alder Weidner

[0284-19](#)

Subject: Ordinance 0005-19 - Glass Containers Prohibited

Recommendation of the Public Safety and Licensing Committee on 03-12-19: That Ordinance 0005-19 - Glass Containers Prohibited be approved.

Fiscal Note: N/A

Attorney Letteney appeared before the committee to briefly explain the proposed ordinance.

Alder Smetana made a motion to approve the Ordinance, seconded by Alder Horton.

Recommended For Approval

[0250-19](#)

Subject: (Direct Referral) Licensed Premise Report for March 12, 2019.

Recommendation of the Public Safety and Licensing Committee on 03-12-19: That the licensed premise report for March 12, 2019 be received and filed.

Fiscal Note: N/A

Sgt. Webb highlighted the compliance checks conducted by the Racine Police Department Investigative Division. Tobacco/ alcohol compliance checks were conducted throughout the City of Racine to determine whether licensed establishments would sell products, including tobacco and alcohol, to minors. The report indicated that at least six different licensed premises violated the law by selling to minors. Sgt. Webb indicated that he will have detailed reports for the committee at the next meeting on who sold what.

Alder Smetana made a motion to receive and file, seconded by Alder Glenn.

Received and Filed

Public Comments

No one appeared to speak for public comment.

Adjournment

The meeting was adjourned at 6:47pm.