

**City of Portage
Legislative & Regulatory Committee Meeting
Tuesday, May 28, 2013, 6:00 p.m.
City Municipal Building, 115 West Pleasant Street
Conference Room One
Minutes**

Members: Michael G. Oszman, Chairperson; Carolyn Hamre, Frank Miller

Excused: Kenneth A. Ebnetter, Martin Havlovic

Also present: Officer Pete Bartaczewicz, Nate Casarez, Michael Ganz from The Ball Room, Police Chief Manthey, City Clerk Moe, Deputy Clerk Ness, Craig Sauer from Portage Daily Register, Tammy Schlapman, Micheala Sebastiani, Chelsie Seideman, City Attorney Spankowski, Becky Wachendorf, and Bill Welsh from Cable TV

1. Roll call

The meeting was called to order at 6:00 pm by Chairperson Oszman.

2. Approval of minutes from previous meeting

Motion by Miller, second by Hamre to approve the minutes from the committee meeting of May 16, 2013. Passed 3-0 on call of roll.

Oszman asked if anyone had a problem moving number 4 up so Mike Ganz could leave when finished. No problems were mentioned.

4. Discussion and possible recommendation on Reserve Class B Combination License for The Ball Room LLC, Mike Ganz, Agent, 112 East Cook Street, Portage, WI 53901

Mike Ganz explained the purchase of the property is contingent on the liquor license. Motion by Miller, second by Hamre to recommend approval of Reserve Class B Combination License for The Ball Room LLC, Mike Ganz, Agent, 112 East Cook Street, Portage, WI 53901 contingent on approval from the Building Inspector and Fire Department. Passed 3-0 on call of roll.

3. Discussion and possible action on appeal from Becki Wachendorf on dangerous dog declaration

Police report was reviewed. Becki Wachendorf stated her dog was not dangerous. Chelsie Seideman commented the scratch on the girl was only a single scratch vs. when she's playing with the dog and gets scratched it's 2 scratches from the nails. Tammy Schlapman stated the dog plays with children every day, she was there on the day in question and the girl, when asked for the second time if the dog shown to her was the dog that scratched her responded no. Oszman asked if the dog was licensed and up to date on shots and Officer Bartaczewicz responded at the time of the incident the dog was not licensed nor was there proof the dog was up to date on shots which meant the girl had to complete the rabies treatment. Motion by Oszman to uphold dangerous dog

declaration. Miller and Hamre stated they could not support the motion as with the police report it was unclear if the dog that scratched the girl was in fact the dog in question and if the dog was provoked. Chief Manthey supplied pictures taken at the scene to the members of the committee. Motion died for lack of second. Motion by Miller to overturn declaration of dangerous dog. Hamre second, passed 2-1 on call of roll with Oszman voting no.

5. Discussion and possible recommendation on alcohol license applications (Class B Combination Licenses, Class B Fermented Malt Beverage Licenses, Class C Wine Licenses, Class A Combination Licenses, Class A Fermented Malt Beverage Licenses)

Class B Combination Licenses

205 Vino LLC, 205 DeWitt Street, Tricia Mumm, Agent (205 Vino)

4 R Future Inc., 322 West Wisconsin Street, Jeremy S Rusch, Agent (Portage Theatres)

Angulo, Reynaldo G., 1505 New Pinery Road, (El Caballo Bayo Mexican Restaurant)

Bellmore & Associates LLC, 301 DeWitt Street, Mark A. Bellmore, Agent (The Corner Pocket Sports Bar & Grill)

Billie's Place, LLC, 220 West Cook Street, Lacey Thomas, Agent (Billie's Place)

B.P.O. Elks Lodge #675, 201 West Conant Street, Myron T Shannon Jr, Agent (Benevolent & Protective Order of Elks #675)

Cactus Club Bar & Grill, LLC, 102 East Cook Street, Dean Jeffery Audiss, Agent (Cactus Club)

Cleary Krech Post 1707 of Veterans of Foreign Wars of the United States, 215 West Collins Street, Jeremy Duffy, Agent (Cleary Krech VFW Post 1707)

Cottonwood Bar & Grill Inc, 312 DeWitt Street, Randal Leigh Heinzl, Agent (Cottonwood Bar & Grill Inc.)

Douglas' Big Dog Saloon LLC, 218 West Cook Street, Bradley John Douglas, Agent (Douglas' Big Dog Saloon)

Good Stuff LLC, 2520 West Wisconsin Street, Catherine C. Mael, Agent (Good Stuff)

Green Enterprises LLC, 316 DeWitt Street, Timothy A. Green, Agent (Shamrock Bar and Grill)

House of Booze LLC, 220 West Wisconsin Street, Kevin Michael Malone, Agent (Blarney Stone)

Knights of Columbus, 918 Silver Lake Drive, Ken Graves, Agent (Knights of Columbus)

La Tolteca Fuentes, Inc., 2653 New Pinery Rd, Reyes Aranda, Agent (La Tolteca)

Lane's Full Throttle LLC, 1101 DeWitt Street, Robert J. Lane, Agent (Lane's Full Throttle)

New Pinery Enterprises LLC, 1402 West Wisconsin Street, Lyman O. Kaiser, Agent (Sarbacker's Bar)

Noll, William N., 412 East Wisconsin Street, (Tamarack Pizza)

B & B Hitching Post LLC, 2503 West Wisconsin Street, Michael S. Bergman, Agent (B & B Hitching Post)
Rileys Bar LLC, 1314 West Wisconsin Street, Lisa Thompson, Agent (Rileys Bar LLC)
Lord, Robert & Jon Krueger, The Friendly Bar & Grill, 223 Oneida Street, (The Friendly Tavern)
Schehr, Sherry Lee, 1207 Dunn Street, (The Caboose BBQ Co.)
Shutova, LLC, 2900 New Pinery Road, Beadin Mehmedi, Agent (Dino's Restaurant & Bar)
Sombrosos LLC, 235 W. Pleasant Street, Neil Shortreed, Agent (Sombrosos Burrito House)
Stover Enterprises Inc., 2711 Hwy CX, Dana Lee Stover, Agent (Suzy's Steak & Seafood House)
Threadz Fashion LLC, 214 West Wisconsin Street, Jake Stolte, Agent (Liquid)
Tolly's Alleys LLC, 817 East Wisconsin Street, Brian R. Tollison, Agent (Tolly's Alleys)
TRT Corporation, 125 Wauona Trail, Patricia Madani, Agent (Trail's Lounge Restaurant)
Vinayaka, Inc., 2701 South CX, Dawn Schneller, Agent (Best Western Resort Hotel & Conference Center)

Class "B" Beer Licenses

Milz, Norman E., 300 East Cook Street, Norman E Milz, (Norm's Pitstop)
Peng, Huan Qing, 238 West Cook Street, (Cathay Garden)
Pizza Hut of Southern Wisconsin, Inc., 401 East Wisconsin Street, Jon W. Kreklow, Agent (Pizza Hut)
PR Partners LLC, 2905 New Pinery Road, James H. Firari, Agent (Pizza Ranch)

Class "C" Wine Licenses

Milz, Norman E., 300 East Cook Street, Norman E Milz, (Norm's Pitstop)
Peng, Huan Qing, 238 West Cook Street, (Cathay Garden)
Pizza Hut of Southern Wisconsin, Inc., 401 East Wisconsin Street, Jon W. Kreklow, Agent (Pizza Hut)
PR Partners LLC, 2905 New Pinery Road, James H. Firari, Agent (Pizza Ranch)

Class "A" Combination Licenses

Crawford Oil Co. Inc., 1901 East Highway 33, Steven D. Madsen, Agent (Fort BP)
Crawford Oil Co. Inc., 2211 West Wisconsin Street, Steven D. Madsen, Agent (Jim's BP)
Daley, James D., 1623 New Pinery Road, (Daley's Beverage Mart)
Mathieus, Kevin Edward, 211 East Wisconsin Street (Discount Liquor)
Pierce's Supermarket Inc., 2915 New Pinery Road, Angela K Pierce, Agent (Pierce's Marketplace)
Wilz Drug, Inc., 140 East Cook Street, Larry R Wilz, Agent (Wilz Drug & Home Health Care)

Express Laundry, LLC, 2725 New Pinery Road, John D. Bennett, Agent
(Mobil Travel Plaza)

Class “A” Beer Licenses

Kwik Trip, Inc., 1223 East Wisconsin Street, Jeffery Kenneth Pfeiffer, Agent
(Kwik Trip #653)

Kwik Trip, Inc., 2970 New Pinery Road, Nona May Hartman, Agent, (Kwik Trip
#683)

Changes presented by Clerk Moe were VFW change of officers and Elks change of officers. La Tolteca has a premise description change regarding a patio addition.

Motion by Oszman, second by Miller to recommend approval of all licenses as presented except the application from La Tolteca Fuentes, Inc. which is being recommended contingent upon approval of the patio meeting all building permit codes and setbacks. Passed 3-0 on call of roll.

Police Chief Manthey presented a criminal complaint listing regarding Sharam Singh of Pal and Simran LLC, 403 DeWitt Street, Sharam Singh, Agent (Market Basket). Motion by Oszman, second by Hamre to recommend non-renewal of Class “A” Beer License for Pal and Simran LLC, 403 DeWitt Street, Sharam Singh, Agent (Market Basket) on based on the charges outlined in the criminal complaint, specifically of Count 1: Distribute Hazardous Substance, Count 2: Distribute Hazardous Substance, Count 3: Possession with Intent to Deliver Controlled Substances, Count 4: Possession of Synthetic Cannabinoid. Passed 3-0 on call of roll.

6. Discussion and possible recommendation on taxicab license application

Motion by Miller, second by Oszman to recommend approval of the Taxi Cab License for Running, Inc. The license will run from July 1, 2012, until June 30, 2013. Passed 3-0 on call of roll.

7. Adjournment

Motion by Miller, second by Hamre to adjourn at 6:51 pm. Passed 3-0 on call of roll.

Rebecca C. Ness
Deputy Clerk