

SPECIAL AGENDA

**LICENSING/PERMIT COMMITTEE
Kenosha Municipal Office Building – Room 202
Monday, March 23, 2015
5:30 p.m.**

PLEASE NOTE TIME CHANGE

**Chairman: Curt Wilson
Vice-Chair: Patrick Juliana**

**Aldersperson: David Bogdala
Aldersperson: G. John Ruffolo
Aldersperson: Kurt Wicklund**

**CALL TO ORDER
ROLL CALL**

NOTE: All licenses and permits are subject to withholding of issuance by the City Clerk as specified in Section 1.045 of the Code of General Ordinances.

Regarding items 1 and 2, the Licensing/Permit Committee may go into Closed Session regarding these items, pursuant to §§19.85(1)(a) and (b), Wisconsin Statutes to deliberate about disciplinary cases which were subjects of quasi-judicial hearings before the Committee. The Licensing/Permit Committee may or may not reconvene into open session.

1. Complaint by the City Clerk seeking revocation of the Class "A" Beer/ "Class A" Liquor License of Piggly Wiggly Midwest, LLC, d/b/a Piggly Wiggly Supermarket #4, Stephen Brodsko, Agent, 2801 14th Place. (4th District)
2. Complaint by the City Clerk seeking revocation of the Class "B" Beer/ "Class B" Liquor License and the Cabaret License of HAPA, LLC, d/b/a Pub 22, Edward Habel, Agent, 2200 60th Street. (2nd District)

**CITIZENS COMMENTS/BUSINESS AS AUTHORIZED BY LAW
ALDERMEN COMMENTS
STAFF COMMENTS**

NOTICE IS HEREBY GIVEN THAT A MAJORITY OF THE MEMBERS OF THE COMMON COUNCIL MAY BE PRESENT AT THE MEETING, AND ALTHOUGH THIS MAY CONSTITUTE A QUORUM OF THE COMMON COUNCIL, THE COUNCIL WILL NOT TAKE ANY ACTION AT THIS MEETING.

IF YOU ARE DISABLED AND IN NEED OF ASSISTANCE, PLEASE CALL 653-4020 BEFORE THIS MEETING

COMMON COUNCIL
CITY OF KENOSHA, WISCONSIN

In The Matter Of:

The Class "A" Beer/ "Class A" Liquor License of
PIGGLY WIGGLY MIDWEST, LLC
d/b/a PIGGLY WIGGLY SUPERMARKET #4
Stephen Brodsko, Agent
2801 - 14th Place
Kenosha, WI 53140

SUMMONS
ORDER TO APPEAR
AND SHOW CAUSE

TO: Stephen Brodsko, Agent
Piggly Wiggly Supermarket #4
2801 - 14th Place
Kenosha, WI 53140

YOU ARE HEREBY ORDERED TO APPEAR AND SHOW CAUSE, on Monday, the 23rd day of March, 2015, at 5:30 o'Clock in the P.M. in Room 202 of the Municipal Office Building, 625 52nd Street, Kenosha, Wisconsin, before the Committee on Licenses/Permits of the Common Council of the City of Kenosha, Wisconsin, AND SHOW CAUSE why the Class "A" Beer/ "Class A" Liquor License should not be suspended for the reasons specified in the attached Complaint.

YOUR FAILURE TO APPEAR WILL RESULT IN THE
NON RENEWAL AND REVOCATION OF SAID LICENSE

Dated at Kenosha, Wisconsin, this 16th day of March, 2015.

CITY OF KENOSHA, WISCONSIN

By: Karen J. Argust
KAREN J. ARGUST
Deputy City Clerk/Treasurer

Drafted by:
MATTHEW A. KNIGHT
Deputy City Attorney

COMMON COUNCIL
CITY OF KENOSHA, WISCONSIN

In The Matter Of:

The Class "A" Beer/ "Class A" Liquor License of
PIGGLY WIGGLY MIDWEST, LLC
d/b/a PIGGLY WIGGLY SUPERMARKET #4
Stephen Brodsko, Agent
2801 – 14th Place
Kenosha, WI 53140

COMPLAINT

NOW COMES KAREN J. ARGUST, Deputy City Clerk/Treasurer for the City of Kenosha, Wisconsin, and hereby states and complains as follows:

1. Karen J. Argust is an adult resident of the State of Wisconsin, and is the Deputy City Clerk/Treasurer for the City of Kenosha, Wisconsin;
2. Piggly Wiggly Midwest, LLC, d/b/a Piggly Wiggly Supermarket #4, a Wisconsin Limited Liability Corporation duly organized under the laws of the State of Wisconsin, hereinafter "Licensee", operates its local store at 2801 – 14th Place, Kenosha, Wisconsin, 53140;
3. Licensee was initially granted a Class "A" Beer/ "Class A" Liquor License, hereinafter "License", by the Common Council for the City of Kenosha, Wisconsin, hereinafter referred to as "Council", on January 21, 2009, pursuant to Chapter 10 of the Code of General Ordinances of the City of Kenosha, Wisconsin;
4. On June 2, 2014, the Council granted renewal of said License pursuant to Section 10.063 C. of the Code of General Ordinances, Kenosha, Wisconsin, for the licensing period beginning on July 1, 2014, and concluding on June 30, 2015.
5. That Licensee was assessed twenty-five (25) demerit points based upon a conviction of Licensee's employee, Alyssa Hill, and one companion citation issued to Stephen Brodsko, the Licensee's agent on the date of the violation, for Sale of Alcohol to an Underage Person, contrary to Wisconsin Statute Section 125.07(1)(a), pursuant to Sections 10.063 E.1. and 10.063 E.7., of the Code of General Ordinances, said violation having occurred on April 2, 2014, and resulting in a conviction in the

Municipal Court for the City of Kenosha on April 23, 2014.

6. That Licensee was assessed fifty (50) demerit points based upon a conviction of Licensee's employee, Brittanie Lovreta, and one companion citation issued to Stephen Brodsko, the Licensee's agent on the date of the violation, for Sale of Alcohol to an Underage Person, contrary to Wisconsin Statute Section 125.07(1)(a), pursuant to Sections 10.063 E.1., 10.063 E.7., and 10.063 E.9. of the Code of General Ordinances, said violation having occurred on October 30, 2014, and resulting in a conviction in the Municipal Court for the City of Kenosha on December 16, 2014.

7. That Licensee, Licensee's agent and employees have violated Wisconsin Statute Chapter 125 two (2) times within three hundred sixty-five (365) consecutive days;

8. Pursuant to Section 10.063 E.1. of the Code of General ordinances, two (2) violations of Wisconsin Statute Chapter 125 within three hundred sixty-five (365) consecutive days subjects Licensee to a mandatory thirty (30) day suspension of said License held by Licensee as determined by Council.

NOW, THEREFORE, Complainant requests the suspension of the License held by Licensee.

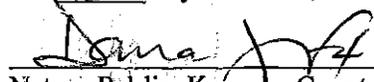
Dated at Kenosha, Wisconsin, this 16th day of March, 2015.

CITY OF KENOSHA, WISCONSIN



KAREN J. ARGUST
Deputy City Clerk/Treasurer

Subscribed and sworn to before me
this 16th day of March, 2015.



Notary Public, Kenosha County, WI
My Commission expires/is: 7-20-18

Drafted by:
MATTHEW A. KNIGHT
Deputy City Attorney

 COPY

COMMON COUNCIL
CITY OF KENOSHA, WISCONSIN

In The Matters Of:

THE CLASS "B" BEER /"CLASS B" LIQUOR COMBINATION LICENSE
of HAPA, LLC d/b/a PUB 22
Edward Habel, Agent
2200 60th Street
Kenosha, WI 53142

and

THE CABARET LICENSE OF
HAPA, LLC d/b/a PUB 22
2200 - 60th Street
Kenosha, WI 53142

SUMMONS
ORDER TO APPEAR
AND SHOW CAUSE

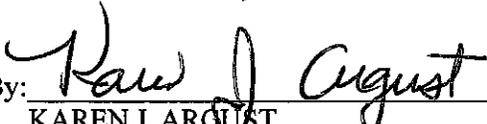
TO: Edward Habel
Pub 22
2200 60th Street
Kenosha, WI 53142

YOU ARE HEREBY ORDERED TO APPEAR AND SHOW CAUSE, on Monday, the 23rd day of March, 2015, at 5:30 o'Clock in the P.M. in Room 202 of the Municipal Office Building, 625 52nd Street, Kenosha, Wisconsin, before the Committee on Licenses/Permits of the Common Council of the City of Kenosha, Wisconsin, AND SHOW CAUSE why the Class "B" Beer and "Class B" Liquor Combination License of HAPA, LLC d/b/a Pub 22 should not be revoked or suspended for the reasons specified in the attached Complaint; and why the Cabaret License of HAPA, LLC d/b/a Pub 22 should not be revoked or suspended for the reasons specified in the attached Complaint.

YOUR FAILURE TO APPEAR WILL RESULT IN THE
NON RENEWAL AND REVOCATION OF SAID LICENSE

Dated at Kenosha, Wisconsin, this 23rd day of March, 2015.

CITY OF KENOSHA, WISCONSIN

By: 
KAREN J. ARGUST
Deputy City Clerk/Treasurer

Drafted by:
MATTHEW A. KNIGHT
Deputy City Attorney

COMMON COUNCIL
CITY OF KENOSHA, WISCONSIN

In The Matters Of:

THE CLASS "B" BEER /"CLASS B" LIQUOR COMBINATION LICENSE
of HAPA, LLC d/b/a PUB 22
Edward Habel, Agent
2200 60th Street
Kenosha, WI 53142

COMPLAINT

and

THE CABARET LICENSE OF
HAPA, LLC d/b/a PUB 22
2200 – 60th Street
Kenosha, WI 53142

NOW COMES KAREN J. ARGUST, Deputy City Clerk/Treasurer for the City of Kenosha, Wisconsin, and hereby states and complains as follows:

1. Karen J. Argust is an adult resident of the State of Wisconsin, and is the Deputy City Clerk/Treasurer for the City of Kenosha, Wisconsin;
2. Edward Habel, agent of HAPA, LLC, d/b/a Pub 22, hereinafter "Licensee", at all times mentioned herein, was and is an adult resident of the City of Kenosha, Wisconsin, and as of April 15, 2014, resided at 4237 – 54th Avenue, Kenosha, Wisconsin;
3. Licensee was initially granted a Class "B" Beer/"Class B" Liquor Combination License, hereinafter "License", by the Common Council for the City of Kenosha, Wisconsin, hereinafter referred to as "Council", on May 6, 2013, pursuant to Chapter 10 of the Code of General Ordinances of the City of Kenosha, Wisconsin;
4. The Licensee has filed renewal applications for each successive year with its most recent renewal application for renewal of the Class "B" Beer/ "Class B" Liquor Combination License dated April 15, 2014, for the licensing period beginning on July 1, 2014 and concluding on June 30, 2015.
5. Licensee was granted a Cabaret License for the 2014/2015 licensing term by Council on June 2, 2014.

6. The Licensee had its Class "B" Beer/ "Class B" Liquor Combination License renewed by Council on June 2, 2014, subject to twenty-five (25) demerit points;

7. That Licensee was assessed fifteen (15) demerit points based upon citations issued to Licensee and Licensee's employee, Rebecca McQuillen, for Permitting an Underage Person to Loiter on License Premises, contrary to Wisconsin Statute §125.07(3)(b), pursuant to Sections 10.063 D.1. and 10.063 D.6. of the Code of General Ordinances, said violation having occurred on May 3, 2014, resulting with a conviction of Licensee's employee in the City of Kenosha Municipal Court on June 11, 2014;

8. That Licensee was assessed twenty-five (25) demerit points based upon citations issued to Licensee and Licensee's employee, Rebecca McQuillen, for Sale of Alcohol to an Underage Person, contrary to Wisconsin Statute § 125.07(1)(a), pursuant to Sections 10.063 D.1. and 10.063 D.6., of the Code of General Ordinances, said violation having occurred on May 3, 2014, resulting with a conviction of Licensee's employee in the City of Kenosha Municipal Court on June 11, 2014;

9. That Licensee was assessed thirty (30) demerit points based upon citations issued to Licensee and Licensee's employee, Michael Volakis, for Permitting an Underage Person to Loiter on License Premises, contrary to Wisconsin Statute §125.07(3)(b), pursuant to Sections 10.063 D.1., 10.063 D.6. and 10.063 D.8., of the Code of General Ordinances, said violation having occurred on August 31, 2014, resulting with a conviction of Licensee's employee in the City of Kenosha Municipal Court on November 5, 2014;

10. That Licensee was assessed twenty (20) demerit points based upon a citation issued to Licensee, for Purchasing Fermented Malt Beverages from an Unauthorized Source, contrary to Wisconsin Statute §125.33(9), pursuant to Sections 10.063 D.1. and 10.063 D.6., of the Code of General Ordinances, said violation having occurred on December 5, 2014, with a conviction in the Municipal Court for the City of Kenosha on December 23, 2014;

11. That Licensee was assessed twenty (20) demerit points based upon a citation issued to Licensee, for Purchasing Liquor From an Unauthorized Source, contrary to Wisconsin Statute §125.69(6) (a), pursuant to Sections 10.063 D.1., and 10.063 D.6. of the Code of General Ordinances, said violations

(a), pursuant to Sections 10.063 D.1., and 10.063 D.6. of the Code of General Ordinances, said violations having occurred on December 5, 2014, with a conviction in the Municipal Court for the City of Kenosha on December 23, 2014;

12. That Licensee has accumulated one hundred thirty-five (135) demerit points within seven hundred thirty (730) consecutive days pursuant to Section 10.063 of the General Code of Ordinances;

13. Pursuant to Section 10.063 D.2.a. of the Code of General Ordinances, the accumulation of one hundred (100) demerit within seven hundred thirty (730) consecutive days subjects the Licensee to the non renewal, revocation or suspension of said License held by Licensee, as determined by Council.

14. Pursuant to Section 10.07 H.2., conviction for the violation of any provision of the Wisconsin Statutes Chapter 125 regulating alcoholic beverages or the City of Kenosha General Code is sufficient basis for the revocation or suspension of the Licensee's Cabaret License.

NOW, THEREFORE, Complainant requests the suspension and/or revocation of the Class "B" Beer/ "Class B" Liquor Combination License and/or suspension and/or revocation of the Licensee's Cabaret License.

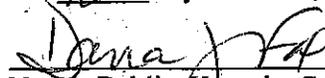
Dated at Kenosha, Wisconsin, this 16th day of March, 2015.

CITY OF KENOSHA, WISCONSIN



KAREN J. ARGUST
Deputy City Clerk/Treasurer

Subscribed and sworn to before me
this 16th day of March, 2015.


Notary Public, Kenosha County, WI
My Commission expires/is: 7-20-18

Drafted by:
MATTHEW A. KNIGHT
Deputy City Attorney