

MINUTES OF MEETING OF JUDICIARY & LAW ENFORCEMENT COMMITTEE
August 10, 2011
KCAB 2ND COUNTY BOARD COMMITTEE ROOM

Members Present: William Michel II, Bob Haas, Ronald L. Johnson, David Singer, Ronald J. Frederick, Robert Zergan, John Grulich, Cole Andrekus (YIG), Abbey McDonald (YIG)

Others Present: Chief Deputy Charles Smith, Lydia Glowacki, Stanley Glowacki, Brian Passino, Joe Potente, Larry Harding, Richard Drezden, M.P. Ress, Loren Wollerman, Janet Meizis, Christine Anderson, Elsie Jerstad, Peter Ress, Danielle Palmer

Meeting Called to Order: 6:30 p.m. by Chairman William Michel II

Citizen Comments: 6:30 p.m.: Peter Ress, 558 11th Pl., Somers WI passed out a statement and copies of photos. He requested that the Probationary Caberet License for Climax Tavern be denied for the safety, health and well-being of the general population. He claimed that the tavern is not in compliance with section F of the state statutes regarding parking. He states that posted capacity is 93 people but the parking lot will only hold about 20 cars and 2 to 3 will belong to staff. He claims there are no lights in the parking lot; entrance or exit signs; or a name on the club. He believes the resolution should be denied based on statute language. He stated that he would withdraw his complaints if the capacity would be changed to what the parking would allow and if lights and signage were added. The traffic is a public safety issue. He believes that an increase in traffic would result in an increase of accidents. Advertisements suggest adult-themed entertainment. They continue to violate the law by advertising dancing. He also said that the check used to purchase the liquor license bounced.

Janet Meizis, 1073 Sheridan Rd., commented that she believes the tavern will compromise the aesthetic value of the area. She stated that she did research and found no Kenosha Comprehensive Plan regarding coastal areas of Kenosha. She expressed concerns about safety due to a slight incline to Sheridan Rd. causing difficulty seeing cars coming. She stated that a pedestrian was hit due to cars blocking the view.

Larry Harding, 445 8th Pl., Town of Somers Supervisor 2, stated that the Somers Board was promised a neighborhood friendly, upscale place. He stated that instead the business is creating noise and vulgarity. He states that the business advertised a lingerie party; pulled the event at the last minute; then denied advertising. He says they advertise "Have you had your climax today." They have pornographic drink names. He stated that they betrayed the spirit under which the license was granted. Parking must be adequate and there is barely enough for a neighborhood bar. He doesn't know if it is legal to rent space across the street for parking. Sufficient lighting is required. He stated that some people may have presented racial aspects. He asked the committee to judge the case on merits; racism has no part. He believes that if the cabaret license is approved things will get worse. He stated that he does not trust them. Supr. Michel asked Harding as a Somers Supervisor, what was going on with the liquor license. Is it under review and/or possible revocation? Harding responded not at this time. It is under scrutiny but no action has been taken. Supr. Frederick asked why the Town of Somers issued a license if they knew that parking was inadequate. Harding responded that they did know but expected an upscale establishment. He stated that he is beginning to regret his aye vote. They should have investigated first but now must

deal with the situation as is. Frederick commented that with current regulations they are allowed one special event license per month. What is the difference between this and granting them a license? Capt. Falduto replied that it is up to the discretion of the Sheriff's Dept. Parking regulations do not apply to special event licenses.

Danielle Palmer, 6016 33rd Ave., bartender for Climax, stated that she believes that citizen concerns are based on race. There should be equal opportunity. She stated that the two owners are trying to create a calm and relaxing environment. She stated that on the weekends someone from the apartments stands in the parking lot with a flashlight. The owners should have the benefit of the doubt and the chance to try. She stated that the parking issue was taken care of. She said that the owners are easy to talk to and neighbors should talk to them. She stated that she herself would be glad to speak with neighbors. She is there seven days a week. If the parking lot comments are true, she questions why a license was given to begin with. She stated that she has been a bartender for years and there are sexual names for drinks everywhere. She said that customers are supporting them; that it is all about equal opportunity.

Supervisor Comments: 6:53 p.m.: Supr. Haas stated that he called the Somers Town Chair and asked him to return his call with any issues. Haas did not receive a return phone call. Frederick stated that he went by the tavern about 11 p.m. on a Saturday. There were about six cars and the lot was well lit.

Chairman Comments: 6:54 p.m.: Michel reported that times must be reported in the minutes for each agenda item beginning with this meeting. This was passed by the Executive Committee and will be going to the full County Board.

Minutes Read: 6:55 p.m.: July 13, 2011 Meeting
Motion by: Haas

Seconded by: Johnson

Approved: unanimously

Resolutions from the Kenosha County Sheriff's Department:

1) Probationary Cabaret License – Hob Nob Restaurant

Motion by: Frederick

Seconded by: Johnson

Approved: unanimously

6:56 p.m.: Chief Deputy Charles Smith presented the resolution. Hob Nob owners Stanley and Lydia Glowacki attended the meeting. The Hob Nob has a Racine address, however, is in Kenosha. Inspections were made of the premises and the premises were found to be in conformity with the Cabaret Ordinance. Fees have been paid and they have a Class B liquor license. There are no violations and there is no reason not to grant the probationary cabaret. Lydia Glowacki stated that they will be having entertainment such as jazz music on Friday and Saturday nights. Supr. Zerban asked if there is a dance floor and if they have ever received complaints from neighbors. Mrs. Glowacki replied that there is only a dance floor downstairs for events such as weddings. They have never received any complaints from neighbors.

2) Activity Control License – Shadow Hill Ranch

Motion by: Haas

Seconded by: Johnson

Approved: unanimously

6:59 p.m.: Chief Deputy Smith explained that the location for this event is the same as Country Thunder. All along there has been intent to bring more activities to this location. This event is called Warrior Dash and will be held on September 17 and 18. There will be no camping. Shadow Hill already has cabaret and liquor licenses. Eight sheriff deputies have been assigned.

There will be several bands. The event is of a triathlon nature. A conditional use permit was granted by Building and Grounds. Supr. Johnson asked if the Sheriff's Dept. gets reimbursed for costs. Chief Deputy replied yes. KSD will be used primarily for traffic control.

3) Probationary Cabaret License – Climax Tavern

Motion by: Grulich

Seconded by: Frederick

Approved: 6 Aye, 1 Nay
Nay: Zerban

7:03 p.m.: A probationary license is for six months. This can be brought back to the Committee at any time and be revoked. Michel stated that with this organization, nothing relates to race; they only look at criteria. If criteria are met, a license is granted. Discrimination never has nor ever will be accepted. Michel said that Capt. Apker went out based on the claims of a lingerie party and found no such thing. Apker told him that lighting and parking are in compliance. Michel stated that this committee relies on Sheriff's Dept. reports. As the Chairman, he requested that all supervisors listen to the Sheriff's Dept. There could be liability issues if criteria are met and the license is not granted. Citizens can sometimes have a stake in the matter; KSD is unbiased. Chief Deputy explained that based on what has been said, they are bringing the resolution forward. In reference to Section F; this is only if KSD deems additional is needed. This was not determined. Parking is adequate for capacity. There can be many people in a vehicle. No violations have been found to justify not granting the resolution. If there are problems within the six months they can bring these issues to the Committee. A probationary extension can be asked for.

Haas stated that the KSD did an excellent job and he will follow their recommendation. Michel asked if signage or renting parking space is an issue. Chief Deputy said that signage and allowing the rental of parking spaces are Town of Somers' issues. When a complaint came in about parking, deputies did not find violations. Noise complaints were unfounded or minimal and people were told to quiet down. They were not significant complaints. Michel mentioned controlled substance comments made and asked if KSD had any information to justify this. Chief Deputy replied no. Supr. Singer asked if the fire department was consulted as Haas suggested. Chief Deputy replied no but space was not found to be inadequate. Smith believes that the fire department determines capacity.

Supr. Zerban stated that he is inclined to not support because he empathizes with neighbors. He believes it is a poor choice of the Town of Somers to allow these types of businesses near residences. He also stated that there is probably no choice but to approve. The Town of Somers should review ordinances so this does not happen in the future.

Michel stated that both sides have rights but he clearly does not think this Board has the authority not to grant. The Sheriff's Dept. will work with neighbors and the business as well as monitor activities/incidences.

After Action Report for Country Thunder:

7:18 p.m.: Chief Deputy Smith reported that the event was successful from law enforcement standpoint. He was also out there. Everything is being done appropriately. The biggest night brought in about 25,000 people. Singer asked if there is any follow-up done regarding revenue from citations. Smith replied not by KSD. Circuit Court may have the information. Michel stated that Illinois law suspends licenses even if the offense is in Wisconsin. There have been big changes in the number of arrests and incidents at Country Thunder; a big decrease.

Zerban asked if there is enough time for grounds to recover if damaged by rain. Should something be put in place if the area is to be used more often? Smith explained that the grounds are

always kept up and there is enough time between events. To asphalt would be too expensive. Michel asked if the land is farmed between events. Harry Luge, the owner of the property, replied yes.

Motion to accept the report was made by Singer, seconded by Zerban, approved unanimously.

Any Other Business Allowed by Law: 7:27 p.m.: None

Meeting Adjourned: 7:28 p.m. on motion by Johnson, seconded by Grulich.

Respectfully Submitted,

Donna L. DeBree