

**MINUTES OF MEETING OF JUDICIARY & LAW ENFORCEMENT COMMITTEE**  
**February 11, 2004**  
**KCAB 2<sup>ND</sup> FLOOR COUNTY BOARD COMMITTEE ROOM**

**Members Present:** Jim Huff, Brenda Carey-Mielke, Anita Faraone, Joe Montemurro, Terry Rose

**Others Present:** Sheriff David Beth, Chief Deputy Charles Smith, Nancy Otis, Robert Piper

**Meeting Called to Order:** 7:00 p.m. by Chairman Jim Huff.

**Citizen Comments:** None

**Supervisor Comments:** None

**Chairman Comments:** None

**Minutes Read:** November 26, 2003 and January 14, 2004

**Motion by:** Faraone

**Seconded by:** Carey-Mielke

**Approved:** unanimously

**Resolutions from the Kenosha County Sheriff's Department:**

1) Probationary Cabaret License – Rob's River Edge

**Motion by:** Faraone

**Seconded by:** Carey-Mielke

**Approved:** unanimously

Sheriff Beth reported that Robert Piper requested this cabaret license, he was present at the meeting. Inspection found the premises to be in conformity with the Cabaret Ordinance. Only two calls have been made to the business: one for the inspection on 7/7/03 and the other an anonymous call about a fight outside that was not found when deputies arrived. On 1/13/04 the initial building inspection was done, however, a signature and government stamp were missing. This was taken care of on 1/22/04. The premise passed inspection by the Town of Salem. Supr. Huff asked why it took from the July application date until January to have an inspection done. Robert Piper responded that the Town of Salem required several improvements/modifications, no delay was due to Kenosha Co. Huff asked if Piper ever had a cabaret license before and what type of entertainment he would have. Piper responded that he never had one before and plans to have live music and karaoke.

2) Cabaret License – El Fracazo, Inc.

**Motion by:** Montemurro

**Seconded by:** Faraone

**Approved:** unanimously

This resolution is for a conversion from a probationary cabaret license to a regular cabaret license. This conversion was denied in July 2003 due to incidents that indicated a lack of "general good order." The probationary period was extended for six months at that time to monitor activity for corrective action and improvement. KSD is now recommending approval of a regular license because substantial improvement has been made in the operation and management of the establishment minimizing violent incidents and underage drinking at the establishment during the extended probationary period. Sheriff reported that the only calls were for a burglary at night, a car theft, and car damage. Supr. Huff asked if the manager in attendance at the extension meeting

contacted the Sheriff's Dept. as she said she would. Chief Deputy said that she did speak with Sgt. Hallisy. Supr. Carey-Mielke asked if there was any follow-up to the report of a fight involving the owner that the manager denied. Chief Deputy said that he does not know if this was specifically discussed in the manager's contacts with Sgt. Hallisy.

3) Cabaret License – Nytro's

**Motion by:** Faraone      **Seconded by:** Montemurro      **Approved:** unanimously

This resolution is for a conversion from a probationary cabaret license to a regular cabaret license. This conversion was denied in July 2003 due to incidents that indicated a lack of "general good order." The probationary period was extended for six months at that time to monitor activity for corrective action and improvement. KSD is now recommending approval of a regular license because substantial improvement has been made in the operation and management of the establishment minimizing violent incidents and underage drinking at the establishment during the extended probationary period. Sheriff reported that there were only three calls during the extension period: in September for a tavern check with no violations, January 1 for a tavern check and found one underage patron, and January 7 a delayed report of a fight on New Year's Eve. Sheriff said that he believes the business is for sale. Much of the clientele seems to be from Illinois. The establishment has a sophisticated camera system and several security personnel. There have been reports of some incidents near the interstate involving people going to and coming from Nytro's. Carey-Mielke commented that she believes that Kenosha Co. has made their point by extending the probationary period and that the proprietors know that Kenosha Co. will not hesitate to pull the license if violations occur.

4) Request for Waiver of Competitive Bid Process for Data Radio MDC Hardware Purchase  
Chief Deputy pulled this item from the agenda.

5) Modification of State OJA Funding for Jail Literacy Project

**Motion by:** Carey-Mielke      **Seconded by:** Faraone      **Approved:** unanimously

Nancy Otis reported that this is to accept an additional \$5,000 award for the Jail Literacy Project already approved by the County Board 1/20/04. The original \$25,000 was a verbal amount.

6) Kenosha County PreTrial Intensive Supervision Program VII

**Motion by:** Faraone      **Seconded by:** Carey-Mielke      **Approved:** unanimously

This resolution is to accept \$70,749 for the period of 1/1/04 through 12/31/04. These funds have been made available for its seventh year through the State of WI, Dept. of Transportation, Bureau of Transportation Safety in their effort to improve traffic safety in Wisconsin. The project will be facilitated by the Wisconsin Correctional Service (WCS) in conjunction with their Pre-Trial Release Program. Repeat DWI offenders will be screened to receive intensive counseling treatment and supervision in lieu of incarceration and to effectively deter repeat offenses. The total operation budget for the Intensive Sanctions program is funded by four sources: State DOT grant award, Client Fees collected by WCS from participants totaling \$35,980, Sheriff's Dept. soft match of \$24,771, and Sheriff's Dept. hard match of \$10,000. The hard match has been anticipated and is budgeted within the Sheriff 2004 budget. Huff asked how many people participate in the program. Otis responded that they average between 130 and 150 active clients. She believes that 251 went through the program last year and 75% succeeded. Supr. Rose asked if this is referral to outside agencies for Chapter 85 reduction of sentencing. Otis responded yes. Rose commented that the

length of this program results in requests to delay sentencing and feels that Judges should be made aware of this timespan. Huff asked about the County contributions of \$10,000 cash and \$24,000 in-kind. Otis responded that the cash is budgeted for in Other Professional Services, and the in-kind portion is met with personnel costs. Huff asked what the \$11,403 Occupancy/Parking in-kind amount is about. Otis responded that Occupancy is the space used in their building, and parking is not applicable.

7) Methamphetamine/Ecstasy Training Equipment Grant

**Motion by:** Montemurro      **Seconded by:** Rose

**Approved:** unanimously

This resolution is to accept a \$5,553 award for drug task force equipment purchases related to Methamphetamine/Ecstasy training. Fund will be used to purchase a laptop, projector, software and printer for use in public/department/community groups' education sessions. No local match is required. Rose commented that he only recalls one significant methamphetamine case in the past year and asked if there were more. Otis said that this is money the "Feds" offered due to Kenosha's high traffic location between Milwaukee and Chicago, they hope to head-off problems.

**Any Other Business Allowed by Law:**      None

**Meeting Adjourned:**      7:25 p.m. on motion by Montemurro, seconded by Carey-Mielke.

Respectfully submitted,

Donna L. DeBree