

**LEGISLATION, LICENSING & COMMUNICATIONS COMMITTEE**

Tuesday April 29, 2003  
Committee Room 1

PRESENT: Alds. Treis, Sullivan (6:41 p.m.), Bruderle -Baran, Ecks, Grimm, Subotich – 6

ALSO PRESENT: A. Kesner, City Atty.; Chief Weber, Police; W. Tarman-Ramcheck, Public Works; P. Coffaro, Assistant to the City Administrator

Ald. Treis as chair called the meeting to order at 6:30 p.m.

**Application for an operator license by Jolene Henne, 3306 S. 20<sup>th</sup> Street, Milwaukee**

Chief Weber reviewed Ms Henne's violation with the committee.

Ms Henne told the committee that the violation occurred when she was a juvenile and that she will not make the same mistake again. In response to Ald. Bruderle -Baran's questions, Ms Henne said that at the time of the violation she did not have a driver's license, was not required to take any classes and that she currently holds a valid driver's license.

Moved by Ald. Bruderle -Baran, seconded by Ald. Grimm to  
recommend approval – 5

**Application for an operator license by Erin Harnisch, 2244 N. Prospect Avenue #20, Milwaukee**

Ms Harnisch told the committee that her violation was a mistake she made when she was twenty years old.

Chief Weber reviewed her record with the committee.

Ms Harnisch explained that as a retail manager she has been asked by her employer, Marshall Field's & Co., to obtain an operator license. While she doesn't work in the restaurant area, her employer has asked all managers to obtain the license.

Moved by Ald. Bruderle -Baran, seconded by Ald. Ecks to  
recommend approval – 5

**Request by William Poull of The Club Tap, 8828 W. North Avenue for a liquor license extension**

Chief Weber told the committee that the police have no comments or objections to granting the extension.

Mr. Poull told the committee that he is requesting the extension for his annual corn roast to be held on Saturday, May 31<sup>st</sup> and Sunday, June 1, 2003 from noon until 8:00 p.m. He would also like to have live music from 1:00 p.m. until 6:00 p.m. Mr. Poull said, as in previous years, he will make sure the surrounding neighborhood is cleaned up and that the music will end by 6:00 p.m.

Ald. Subotich told Mr. Poull that he has received a phone call from one of the neighbors requesting the music end by 6:00 p.m. Mr. Poull assured the committee that it would.

Moved by Ald. Ecks, seconded by Ald. Subotich to  
recommend approval - 5

## Review of licenses held by AMC Entertainment, Inc., Premium Theater of Mayfair, Inc. or their subsidiaries

Ald. Treis read a letter from Philip M. Singleton, President & COO, American Multi-Cinema, Inc., dated April 28, 2003 into the record.

Ald. Sullivan arrived (6:41 p.m.) – 6

Ald. Treis told the committee that he has met with the Wauwatosa police, Mayfair Mall and Mayfair theater representatives. He has also reviewed the tape of the public listening session of April 10, 2003. Ald. Treis commented that some of the comments made at the public listening session were not clear thinking based on fact. He said that there were problems at other Milwaukee area theaters as well as at the Mayfair theater. Ald. Treis gave as an example an incident that occurred at a Menomonee Falls theater. He discussed crime in the Milwaukee area and said that he sees what is going on in Milwaukee and we all have the right to be scared and vigilant. We also have the responsibility of banding together and teaching our young people what to do. As an example Ald. Treis spoke about fights in the local high schools. He asked should we close the high schools because there are fights. He said it's not right to sit back and point fingers and blame others, we must become active and participate. Ald. Treis recommended reviewing the licenses in 6 months.

Ald. Subotich said that he had concerns about the posted loitering policy. He said that recently he was at Mayfair Mall on a weekend night. There was a group congregating around an escalator. A security guard was nearby but didn't tell the group to move on. Ald. Subotich asked for comment from the theater representatives.

Philip Pennington, senior vice president, AMC Entertainment, Inc. said that a person becomes a guest of the theater once they have purchased a ticket. During busy times, guests are normally directed into a queue to enter the movie but some guests may choose to go out into the mall area. Mr. Pennington said the theater can't control what goes on in the mall.

Ald. Subotich also asked for comment on the number of ushers used and disruption inside the auditoriums.

Mr. Pennington described AMC's national "Silence is Golden Program" designed to cut down on disruption during movies. He also said that AMC monitors complaints on various issues at their theaters throughout the country. Disruption during movies is one of their biggest problems. He also said that stopping the disruptions generates a large number of complaints.

Mr. Nick Philippi, Manager, Mayfair Boston Store, told the committee that he has been with Boston Store for 30 years including managing the Northridge Boston Store from 1985 until 1990. This experience gives him a good understanding of what may happen at a mall when issues aren't addressed. He said he doesn't believe the theaters are a positive influence and asked the committee to consider what is best for Wauwatosa and Mayfair in the coming years. Working at Northridge he has experienced what perception can do to a mall. The perception of Mayfair Mall is that the theaters are not a positive influence. There have been incidents that have been reported in the press. Mr. Philippi said if the committee looks at the long run value of having the theaters in the mall they will question if it's good for the mall and Wauwatosa. The theaters are at the mall to bring in additional traffic. He doesn't believe the theaters are generating positive traffic. They are attracting clientele that doesn't normally shop at the mall and this is making the normal customers uncomfortable.

Atty. John Finerty, Freiberg, Finerty & St. John, S.C., representing AMC Entertainment asked Mr. Philippi if he was aware that both Boston Store and the parent company, Carson Pirie Scott, Corp. both approved the original theater plans. Mr. Philippi said he was aware of the approval but that it was given in 1999 when it was believed the theaters would be in the best interest of the mall. The situation has changed in 2003 and the corporation no longer believes the theaters are in the mall's best interest.

Ald. Treis said that it was his understanding that Mayfair Mall has put together a committee to address concerns such as Mr. Philippi's. He suggested Mr. Philippi discuss his concerns with Steve Smith, the Mayfair Mall manager and possibly

join the committee. Mr. Philippi said that Boston Store is represented on the committee by the regional director and that she has voiced the same concerns.

Atty. Kesner clarified that the involvement of the committee and Common Council is a technical one. The issue to be considered is whether there is cause to revoke the theater's licenses under the current conditions.

Ald. Bruderle-Baran agreed with Ald. Treis' suggestion of reviewing the matter in 6 months. This would allow the various groups to come up with some suggestions and enhancements to the current operations. She noted, however, that the theater has already made many enhancements. In response to Mr. Philippi she said that she goes to the theater regularly and also shops at Boston Store.

Moved by Ald. Bruderle-Baran, seconded by Ald. Sullivan to recommend a six month review of the theater and arcade licenses held by AMC Entertainment, Inc., d/b/a Premium Theatre of Mayfair, Inc. - -

Ald. Grimm commended AMC Entertainment for the efforts they have put forward so far but expressed concerns over the types of movies being shown at the theaters. He suggested the theater management consult with the Wauwatosa police when questionable movies are to be shown.

Ald. Sullivan thanked Mr. Philippi for his comments. He said that input from a representative of an anchor store was something the committee cares about a great deal. Ald. Sullivan also said he was pleased with the efforts the theater has made so far but wanted to make clear that this is not the end of the issue. The committee will look at the situation again in 6 months.

Vote on the motion was: Ayes 6

#### **Review and approval of the Summer, 2003 newsletter**

Mr. Coffaro presented the newsletter for approval. He pointed out that it will now be 4 pages instead of 6.

Ald. Ecks asked if the city was incurring any additional costs by including inserts from various groups. Mr. Coffaro said that the groups pay for the printing, delivery and insertion cost. The city doesn't pay additional postage because the weight of the newsletter is held at or below a specific limit.

Moved by Ald. Sullivan, seconded by Ald. Ecks to approve the Summer, 2003 newsletter – 6

#### **Resolution opposing 2003 Assembly Bill 187 relating to a reduction in the recycled content of newsprint used in newspaper**

Mr. Tarman-Ramcheck explained the purpose of the resolution. The Assembly Natural Resources Committee voted 7 to 1 to recommend passage of the bill that would reduce the state requirement for newsprint publishers to use 40% or more recycled newsprint to 33%. One of the negative impacts of this bill is that by reducing the amount of recycled newsprint the revenues to municipalities from the sale of recycled paper will be reduced.

Moved by Ald. Sullivan, seconded by Ald. Ecks to recommend approval – 6

#### **License applications forwarded by the City Clerk for review**

The committee reviewed the operator license application of Laurie Heinen, 2831 N. University Drive, #202, Waukesha.

The committee directed the City Clerk to request Ms Heinen appear at the next meeting.

**Application for an operator license by Maribeth Krieser, 1440 S. 116<sup>th</sup> Street, #12, West Allis**

Ms Krieser was unable to appear.

The chair directed the City Clerk to request Ms Krieser appear at the next meeting.

**Application for an operator license by Leslie Hafner, 155 W. Oak Leaf Drive, #22, Oak Creek**

Ms Hafner was unable to appear.

The chair directed the City Clerk to request Ms Hafner appear at the next meeting.

**Memo from Assistant to the City Administrator regarding policy on newsletter articles and inserts**

Mr. Coffaro told the committee that the city routinely receives requests by various groups to insert flyers into the newsletter. He asked the committee to consider two issues. The first is, what flyers are appropriate to include in the newsletter. Some of the requests come from groups that are good causes but not considered essential city information. What is considered essential city information? The second issue is the appropriate charge for inclusion in the newsletter. Currently the group is responsible for the cost of printing and insertion. Should the city charge for postage?

Atty. Kesner told the committee there are constitutional considerations when deciding on a policy of which groups are allowed to submit inserts. He suggested that when looking at the policy the committee should be consistent with the policy regarding groups that are linked to the city website.

Moved by Ald. Bruderle-Baran, seconded by Ald. Sullivan  
to hold the matter for 2 weeks and request the City Attorney  
provide a copy of the website link policy – 6

The meeting adjourned at 7:47 p.m.

Carla A. Ledesma, CMC  
City Clerk

dmh