

**CITY OF WAUWATOSA**

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**LEGISLATION, LICENSING & COMMUNICATIONS COMMITTEE**

Tuesday, October 19, 2004  
Committee Room #2

PRESENT: Alds. Birschel, Grimm, Krill, Subotich, Sullivan, Treis – 6

ALSO PRESENT: A. Kesner, City Atty.; Chief B. Weber, Police

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

**Operator license for Nicolina Tarantino, 12850 W. Greenfield Avenue, Brookfield**

Chief Weber said the applicant had one conviction in 2000. Ald. Subotich said he appreciated the honesty of the applicant in noting the offense on her application.

Moved by Ald. Subotich, seconded by Ald. Sullivan to recommend approval of the operator license --

Ald. Krill noted that the conviction was 4 years old and it was disclosed by the applicant. He expressed support for the motion.

Vote on the motion was Ayes: 6

**Operator license for Tony Herold, 1339 N. 116<sup>th</sup> Street**

Chief Weber said the applicant had a conviction in 2002. Mr. Herold told the committee that he made an error in judgment and regretted his actions.

Moved by Ald. Sullivan, seconded by Ald. Krill to recommend approval of the operator license – 6

**Operator license for Jennifer L. Elger, 2820 Valley Avenue, West Bend**

Chief Weber said the applicant had a conviction from April, 2004. Ms. Elger said she has turned her life around and changed her behavior.

Moved by Ald. Grimm, seconded by Ald. Birschel to recommend approval of the operator license --

Ald. Sullivan said he was concerned about the fact that this is a recent arrest, that there are multiple counts and that it is still pending.

With the consent of the motioner, Ald. Grimm and the second, Ald. Birschel, the motion was withdrawn.

Moved by Ald. Sullivan, seconded by Ald. Krill to hold this application for six months – 6

**Operator license for Tami J. Graham, 4067 S. 35<sup>th</sup> Street, Greenfield**

Chief Weber said the applicant had two convictions. One conviction was in 2000 and one in 2004. Ms. Graham said she had learned from the experience.

Ald. Krill noted that the applicant had serious offenses, but had disclosed them. He was concerned that the latest conviction was within the last year.

Moved by Ald. Krill, seconded by Ald. Birschel to recommend approval of the operator license with a review in six months.  
Vote on the motion was Ayes: 4, Noes: 2 (Subotich, Sullivan)

**Operator license for James E. Purtell, 8421 W. Burleigh Street, Milwaukee**

Chief Weber said the applicant had a 2003 conviction. Mr. Purtell said it was an error in judgment and he has not repeated the offence.

Moved by Ald. Grimm, seconded by Ald. Sullivan to recommend approval of the operator license – 6

**Operator license for Sandra K. Wolfgram, 213 E. Pier St. Port Washington**

Chief Weber said the applicant had three convictions, in 1999, 2002, and 2003. Ms. Wolfgram said she did not disclose some of the information about the convictions because she was a minor in 1999 and thought they would not appear in the police record.

Ald. Krill said the policy of the committee has been somewhat strict regarding disclosure on the operator license application. He said it was very serious not to disclose past offenses.

Moved by Ald. Krill, seconded by Ald. Grimm to recommend denial of the operator license. Vote on the motion was Ayes: 5,  
Noes: 1 (Treis)

**Operator license for Stephanie M. Kosmatka, 3235 S. Landl Lane, Milwaukee**

Chief Weber said the applicant had convictions in Oshkosh and Greenfield dating from 1999 to 2000. Ms. Kosmatka said she has turned her life around.

Ald. Sullivan left at 7:05 p.m. (- 5)

Ald. Krill noted that there was no attempt to disclose anything on the operator license application. Mr. Kesner noted that there are two forms that the applicant is required to fill out according to state statute. One form is for the city clerk's office and one is for the police department. The form going to the police department had disclosure of the convictions.

Ald. Krill said that it appears in this case, there was confusion about the application and no intention to hide information as shown on the police department form.

Moved by Ald. Krill, seconded by Ald. Birschel to recommend approval of the operator license --

Ald. Grimm said he still had concerns and he would oppose the motion. He proposed a motion to require a six month review.

Moved by Ald. Grimm to recommend approval with a six month review.

Motion dies for lack of a second.

Vote on the original motion was Ayes: 4, Noes: 1 (Grimm)

**Operator license for Julianne Rocque, 16701 W. Salentine Drive, New Berlin**

Chief Weber said the applicant had one conviction in 2000. Ms. Rocque said she was under the impression that because she was a minor at the time and the conviction would not be on the record. She paid the fine and did her community service. She has had no other violations

Moved by Ald. Grimm, seconded by Ald. Birschel to recommend approval of the operator license --

Mr. Kesner said it is not unusual for an underage offender to be told that the charge has gone away.

Vote on the motion was Ayes: 3, Noes: 2 (Krill, Subotich)

**Operator license for James Cababa, 1009 N. Jackson Street, Milwaukee**

Chief Weber said the applicant had convictions in 2003 and 2004. Mr. Cababa said he has turned his life around. Ald. Subotich reiterated that the applicant failed to note the information on his application and the application must be filled out in full.

Moved by Ald. Krill, seconded by Ald. Subotich to recommend approval of the operator license – 5

**Operator license for Shyla Burl, 2809 N. Richards Street, Milwaukee**

Chief Weber said the applicant had a conviction in Missouri. Ms. Burl said the conviction was four years ago and she has done better since then.

Moved by Ald. Grimm, seconded by Ald. Birschel to recommend approval of the operator license – 5

**Cable television ordinance**

Mr. Kesner said this is the first opportunity to make this draft ordinance available for review by the committee. The franchise renewal is a three year process. The franchise agreement began in 1991 and will be expiring in 2006. The old franchise agreement is approximately 30 pages long. The changes in the ordinance reflect the results of a review by Attorney Adrian Herbst and his staff at the Baller Herbst Law Group. In preparation for another cable company coming into Wauwatosa in 2000, the Common Council passed a different ordinance and there is a question as to which ordinance applies to Time Warner now. The changes at this time modernize and bring the ordinance up-to-date. They will help the city to provide increased community services and community based programming. The minimum length of a contract is

5 years; however, the city will be looking at a 10 year contract because in most cases, a company like Time Warner would not be interested in purchasing a shorter contract.

Mr. Kesner said there may be changes that will include two-way cabling. They are also looking into making some investments in a local studio for programming in the community instead of having to use studios in Milwaukee.

Jim Kolbeck, Senior Representative, Ad Hoc Cable Committee, 8202 Woodland Avenue, said it has to be noted that when dealing with this issue, the city is dealing with a monopoly. He urged the committee to keep the consumer in mind and to provide as much protection to the consumer as possible.

It was the consensus of the committee to hold this item until the next meeting.

The meeting adjourned at 7:27 p.m.

Carla A. Ledesma, City Clerk  
City of Wauwatosa

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