

CITY OF WAUWATOSA

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LEGISLATION, LICENSING & COMMUNICATIONS COMMITTEE

Tuesday, October 26, 2004
Committee Room #2

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

ALSO PRESENT: B. Aldana, Asst. City Atty.; Chief B. Weber, Police

Ald. Treis as Chair called the meeting to order at 6:45 p.m.

Operator license application by Christopher Barber, 800 Lincoln Avenue, Waukesha

Capt. Reit said the applicant had a conviction in 2002 and 2004 in the City of Waukesha. He added that the applicant did disclose his record on the application.

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

Operator license application by Kelsey McLenon, 5504 W. Lapham Street, Milwaukee

The applicant failed to appear. The application was held until the next meeting.

Operator license application by Rebecca Klusman, 2435 W. Wisconsin Avenue, Milwaukee

Capt. Reit said the applicant had a conviction in 2001. Ms. Klusman said the conviction happened when she was 17. She is now 21 and has become more responsible.

Ald. Sullivan acknowledged that there is a world of difference between age 17 and 21. He urged all applicants to disclose their records. Mr. Kesner said it is typical for a minor to be told that their conviction will not appear on the record.

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

Operator license application by Tiffany Hill, 3036 N. 70th Street, Milwaukee

Capt. Reit said the applicant had a conviction in 2002 and in 2004. Ms. Hill said her actions were very irresponsible and she regretted them.

Moved by Ald. Sullivan, seconded by Ald. Grimm to recommend approval of the operator license with a six month review – 5

Operator license application by Jennifer Petaschnick, 4464 S. 49th Street, Greenfield

Capt. Reit said the applicant had a conviction in 2000. Ms. Petaschnick said she that she was told the conviction would not appear on her record.

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

Operator license application by Laura Maddison, 1938 Swartz Drive, Waukesha

Capt. Reit said the applicant had four convictions from 2000 to 2002. Ms. Maddison said she attended classes and learned a great deal from her mistakes. She has not done anything illegal since.

Moved by Ald. Sullivan, seconded by Ald. Grimm to recommend approval of the operator license with a six month review – 5

Operator license application by Mark Gernetzke, 511C Lake Bluff Road, Theinsville

The applicant failed to appear. The application was held until the next meeting.

Operator license application by Justin Wichman, N46 W28635 Willow Brook Ct., Hartland

Capt. Reit said the applicant had numerous convictions in 2001 and 2004 in the City of Waukesha. Mr. Wichman said he had made poor decisions and does not associate with the people involved any more. He added that he has attended the required classes.

Moved by Ald. Sullivan, seconded by Ald. Birschel to recommend approval of the operator license with a six month review. Vote on the motion was Ayes: 3, Noes: 2 (Subotich, Treis)

Operator license application by Michael Reichhart, 9019 N. Park Plaza Court, Milwaukee

Capt. Reit said the applicant had one conviction in 2003. Mr. Reichart said the conviction happened over a year ago and he doesn't make those mistakes any more.

Moved by Ald. Sullivan, seconded by Ald. Birschel to recommend approval of the operator license with a six month review – 5

Review of Winter newsletter

Mr. Wontorek said a brief paragraph was added under the snow emergencies information on the last page. This paragraph contains information about tax assistance offered in the library to seniors January 2005.

Ald. Grimm suggested that a holiday greeting should be added. Ald. Treis observed that the newsletter was put together very well.

Moved by Ald. Subotich, seconded by Ald. Grimm to approve with the addition of a holiday greetings section – 5

Proposed amendment to the cable television ordinance

Mr. Kesner said the purpose of the amendment to the cable television ordinance is to add the contract to it and to modernize the language. The previous ordinance was created to address the possibility of another cable television station serving the city. The changes that will be made will make the ordinance consistent with the franchise agreement and this will be presented in early 2005 to Time Warner.

Ald. Sullivan asked if there was a hesitancy to limit the franchise contract to 5 years. Mr. Kesner explained that installing a cable system is a large capital investment. The company building that system wouldn't want to invest in the construction if there is a possibility that the company wouldn't have an agreement to run the franchise for a longer period of time such as 10 years in order to amortize their investment. Ald. Sullivan said he was more concerned about the city having a choice than whether the

cable company's investment is amortized. He noted that it is not clear what the market will be like in ten years. He thought the city should not be dictated to by an outside company as to how long the contract will run.

Mr. Kesner said the city's adhoc cable committee is involved in the negotiations and the length of the contract will be part of the negotiations. He said the base rate charged by the cable company is based on the amortization schedule and that will be something that the committee will consider when making their proposal for a five year agreement. Ald. Sullivan said if the Common Council stipulates a five year limit to the contract then the committee will only be able to offer a five year contract. Mr. Kesner noted that the city is more likely to get a lower cable rate if the contract is for a longer time span and subsequently the city might have to pay a higher cable rate if the length of the contract is limited. The next step in the process will be hiring a legal consultant from Minnesota to help with national standards. They will also hire a consultant to deal with consumer satisfaction surveys and customer service standards. He said lastly, the contract will be submitted to the Common Council with feedback from the aldermanic members of the committee.

Mr. Kesner pointed out that the franchise does not exclude another company from coming into the city and it wouldn't invalidate the franchise with Time Warner. Through the process there will be an ordinance in place and a Request For Proposals (RFP). The agreement will be presented to the cable company. If they don't accept the contract it can be opened up to others. The city would not be liable if another company is allowed to come in.

Ald. Treis asked if there was a way to word the motion to have space to negotiate. Mr. Kesner said the current ordinance language will allow for negotiations for a five year contact. The final contract could end up at that length or go up to ten years with Common Council approval. He was not concerned about negotiations falling through.

Moved by Ald. Sullivan, seconded by Ald. Subotich to recommend sending the ordinance to the Common Council for introduction with the stipulation that the franchise contract be no longer than five years in duration. Vote on the motion was Ayes: 4, Noes: 1 (Treis)

License applications forwarded for review

There were no licenses for review.

Moved by Ald. Subotich, seconded by Ald. Sullivan to invite the applicants that were excused and the applicants that failed to appear before the committee at the next meeting – 5

The meeting adjourned at 8:05 p.m.

Carla A. Ledesma, City Clerk
City of Wauwatosa

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