

**CITY OF WAUWATOSA**

7725 WEST NORTH AVENUE  
Wauwatosa, WI 53213  
Telephone: (414) 479-8917  
Fax: (414) 479-8989

**Legislation, Licensing & Communications Committee**

Tuesday, June 14, 2005  
Committee Room #2

PRESENT: Alds. Birschel, Grimm, Krill (7:07 p.m.), Subotich, Treis - 5

EXCUSED: Ald. Sullivan

ALSO PRESENT: T. Wontorek, City Admin.; Chief B. Weber, Police; Chief D. Redman, Fire;  
A. Kesner, City Atty.; M. Mulroy, Library Director; B. Jacobsen, Admin. Intern

Ald. Treis as Chair called the meeting to order at 7:00 p.m.

**Letter regarding funding for Milwaukee County Federated Library System (MCFLS)**

Ms. Mulroy advised the Committee that the purpose of the letter is to encourage Governor Doyle and the State Superintendent of Public Instruction, Elizabeth Burmaster, to continue to pursue increased library funding, and to express thanks for the support already given. Ms. Mulroy also thanked the Committee for their support. The previous letter was instrumental in achieving the 14-1 vote in favor of increased library funding by the Joint Finance Committee. Mr. Wontorek stated that the letter encourages the State to assist reform efforts of Milwaukee County Federated Library System (MCFLS) and to consider the needs of lending communities such as Wauwatosa.

Moved by Ald. Birschel, seconded by Ald. Grimm  
to recommend approval - 4

**Hearing to consider non-renewal of Class B beer and liquor, restaurant, and soda water licenses held by Shiraz Persian Cuisine LLC, d/b/a Shiraz Persian Cuisine 6030 W. North Avenue, Mehran Edalatpour, agent**

The applicant did not appear. Mr. Kesner requested that the Committee to hold the item for two weeks.

The Chair ordered this item held until the next meeting.

**Request by the Civic Celebration Commission to sell beer at Hart Park on July 4<sup>th</sup>, 2005**

Chief Redman stated that the Commission will sell beer from noon to around 9:30 p.m., or until the beer is gone. Chief Weber stated that the police have no concerns about issuing this license.

Moved by Ald. Grimm, seconded by Ald. Birschel  
to recommend approval- 5

**Liquor license application by Perfecto Restaurant Group 2 Inc., d/b/a Habanero's Mexican Kitchen 869 N. Mayfair Road, Jessica A. Escamilla, agent**

Jessica Escamilla, agent for Habanero's Mexican Kitchen, was present. Ms. Escamilla stated that food sales are expected to comprise about 80% and liquor sales 20% of their revenue. She also said that they're primarily a restaurant but they would like to offer drinks like margaritas. Chief Weber stated that the Police Department has no objections.

Moved by Ald. Krill, seconded by Ald. Birschel  
to recommend approval- 5

**Liquor license application by Arbed Tosa 100 LLC, d/b/a Mo's Irish Pub 10842 W. Blue Mound Road, John A. Vassallo, agent**

John Vassallo, agent of Mo's Irish Pub, was present. Mr. Vassallo stated that Mo's Irish Pub hopes to become an asset to the community. Chief Weber stated that the police have no objections to issuance of the license. Ald. Birschel stated that the Plan Commission recommended approval unanimously. He also stated that they are replacing the Ground Round Restaurant.

Moved by Ald. Birschel, seconded by Ald. Krill  
to recommend approval--

Ald. Grimm asked about the bar location, and Mr. Vassallo stated that they are hoping to have bars on the upper and lower levels, and that the Irish theme includes separate rooms with bars in them.

Vote on the motion was- Ayes: 5

**Operator license application by Karthus Johnson, 8726 N. 68<sup>th</sup> St., Brown Deer, for the period ending June 30, 2005 (second request to appear)**

The Chair announced that the license application was withdrawn.

**Operator license application by Douglas Rimmel, 232 S. 2<sup>nd</sup> St., Milwaukee, for the period ending June 30, 2005 (second request to appear)**

The applicant did not appear. Chief Weber stated that the applicant had several convictions and an outstanding warrant. Ald. Krill stated he would recommend denial based on the Mr. Rimmel's failure to appear.

Moved by Ald. Krill, seconded by Ald. Subotich  
to recommend denial- 5

The applicant, Douglas Rimmel, arrived at 7:20 p.m. At that time the Committee agreed to reconsider the application.

Motion by Ald. Krill, second by Ald. Subotich to  
recommend denial were withdrawn

Mr. Rimmel stated that he would like to have the license for serving alcohol in Wauwatosa, and went on to say that he was able to obtain a license in the City of Milwaukee, despite his convictions. Ald. Treis advised Mr. Rimmel that his ability to obtain a license in Milwaukee is irrelevant to obtaining a license in

Wauwatosa. Chief Weber advised the Committee of the applicants pending and past violations. Mr. Remmel stated that his pending violation is related to a traffic citation that he has not had a chance to take care of because of the distance to Ozaukee County. He stated that he doesn't drive and takes public transportation to work.

Ald. Krill asked Mr. Remmel why he didn't disclose all of his convictions on the application. Mr. Remmel replied that while filling out the application he'd forgotten about it. Ald. Krill stated that he would reluctantly move approval of the license. Ald. Krill asked Mr. Kesner if the Committee can place a requirement that the pending citation be taken care of in ten days. Mr. Kesner's response was that the Committee could make a motion to hold the item, to deny it, or to review in 6 months.

Moved by Ald. Krill, seconded by Ald. Birschel  
to recommend approval with a review in six months --

Ald. Subotich advised Mr. Remmel that when information is not disclosed it looks like an attempt to hide something. Mr. Remmel stated that he thought the application was asking for disclosure of more serious convictions. Ald. Subotich reminded the applicant that the application asks for disclosure of federal, state, county, city, village or town law violations. Ald. Grimm advised Mr. Remmel that he also answered no to the question about pending charges.

Vote on the motion was- Ayes: 3; Noes: 2 (Subotich, Treis)

**Appeal of direct sellers permit denial by Aaron Perez, 2011 Division St., East Troy (second request to appear)**

The applicant did not appear. Mr. Kesner, suggested that the Committee recommend denial of the appeal request because Mr. Perez failed to appear on two occasions.

Moved by Ald. Grimm, seconded by Ald. Birschel  
to recommend denial 5

**Amendment to Section 6.08.390 B. of the Wauwatosa Municipal Code regarding Class B wine sales**

Mr. Kesner began by saying that State law allows municipal liquor laws to be more restrictive, and that in 1988 the Common Council chose to omit a section of State statute 125.51(3)(b) that allows businesses with Class B liquor licenses to sell wine in unlimited quantities for consumption off premises. The ordinance currently limits wine sales to four liters at any one time. The requestor, Mr. Schraith, has a business concept that involves sales of wine by the case to connoisseurs.

Chief Weber stated that he had no information to add on this matter. Mr. Kesner advised the Committee that this is not an application for a Class B license; it is a request to consider a change to the current ordinance. Mr. Schraith stated that the business is a wine and gift shop primarily. He also stated that a Class A liquor license allows two four ounce samples per person, however, a more extensive wine tasting could be conducted with a Class B license. Ald. Grimm asked where the wine tastings would be conducted, and Mr. Schraith replied that they would have a small bar. Mr. Schraith stated that they would request a Class B beer and liquor license, because although wine is their primary focus, they will also offer micro brewed malt beverages. He went on to say that with the change Wauwatosa ordinance would be consistent with State law.

Ald. Krill moved approval, seconded by Ald. Subotich  
to recommend approval --

Ald. Subotich asked the City Attorney if the State law had changed. Mr. Kesner replied that State law had not changed and that the provision was in place when the Common Council adopted the ordinance in 1988.

Vote on the motion was- Ayes: 5

**License applications forwarded for review**

The Committee reviewed operator license applications for Renee Arter, Christopher Barber, and Herman Hadley. Ald. Krill stated that he thinks all three applicants should be called in. The Chair ordered that all three applicants be called in for the next meeting.

The meeting adjourned at 7:41 p.m.

Carla A. Ledesma, City Clerk  
City of Wauwatosa

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