

CITY OF WAUWATOSA

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Legislation, Licensing & Communications Committee

Tuesday, June 28, 2005
Committee Room #2

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

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

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

Letter to Governor Doyle in support of funding for the Zoo freeway

Mr. Wontorek stated that the letter's purpose is to request Governor Doyle's support of proposed funding that provides \$38,000,000 for the preliminary engineering design for the I-94 Zoo Interchange at USH 45. This interchange is necessary to facilitate the current high levels of traffic and expected increases in traffic resulting from local commercial developments.

Motion by Ald. Sullivan, seconded by Ald. Krill
to recommend approval - 6

Referred from Common Council the matter of State fiscal controls on property tax increases

Mr. Wontorek advised the Committee that the packet includes a letter he drafted for their review. Ald. Sullivan wished to hold the item so that he may review the letter and present revisions or an alternative draft at the next meeting.

Motion by Ald. Sullivan, seconded by Ald. Grimm
to hold the item until the next meeting.

Ordinance amending Wauwatosa code section 6.08.390B regarding the sale of wine (for adoption)

Mr. Kesner advised the Committee that the amendment would create conformity of Wauwatosa code to State law. State law allows wine to be sold for off-premise consumption in any quantity.

Motion by Ald. Krill, seconded by Ald. Birschel
to recommend adoption - 6

Operator license application by Peter J. Armstrong, 2524 N. Lake Drive, Milwaukee, for the period ending June 30, 2006

Chief Weber informed the Committee that Mr. Armstrong had two alcohol related convictions and that he only disclosed one on the application. Mr. Armstrong stated that the operators license is vital to his career and that he needs his job because he has a child. He went on to say that he was a young kid when he got the citations, and as a result has changed his behavior. He added that he didn't disclose the second conviction because he forgot about it. Mr. Armstrong said that he that he would not risk his job by serving alcohol to underage customers.

Ald. Sullivan asked the applicant how long he has been working at his job. Mr. Armstrong replied that he has been there since January. Ald. Sullivan stated that he believes the applicant had the intention to report his convictions because he did disclose one. Ald. Birschel added that Mr. Armstrong has not had any convictions for the last three years.

Motion by Ald. Sullivan, seconded by Ald. Birschel
to recommend approval - 6

Operator license renewal application by Renee Arter, N25 W24037 River Park Drive, Pewaukee, for the period ending June 30, 2006

Chief Weber stated that the applicant had one conviction in 2003. Ms. Arter stated that she completed counseling for the conviction, and that she previously appeared before the Committee about the same violation.

Motion by Ald. Krill, seconded by Ald. Grimm
to recommend approval - 6

Operator license application by Stephanie A. Bennett, 2545 N. Frederick, Milwaukee, for the period ending June 30, 2006

Chief Weber advised the Committee that Ms. Bennett had two alcohol related convictions. Ms. Bennett stated that she was cited while out with friends and that she paid the fine. Ald. Sullivan pointed out that she disclosed one conviction on the police application, but not on the operator license application. . Ald. Sullivan went on to say that he believes underage alcohol related convictions are insignificant and are not dangerous.

Motion by Ald. Sullivan, seconded by Ald. Grimm
to recommend approval - 6

Operator license application by Timothy D. Cole, 2858 N. 20th Street, Milwaukee, for the period ending June 30, 2006

Chief Weber stated that the applicant had nine convictions on his record. Mr. Cole stated that he made really bad decisions at that time, and that he is clean and sober and in school. He stated that

he has held two jobs for the last two years, one of which is a business he owns. He stated that he has learned the importance of doing the right thing for himself and for others.

Ald. Krill stated that this is a significant record, but he is satisfied that it was disclosed. He also said that it has been 4 years since Mr. Cole has had a conviction, that he appears to have made a change in his life, and that one of the worst thing society can do is deny employment to someone in that position.

Motion by Ald. Krill, seconded by Ald. Sullivan
to recommend approval with a review in six months –

Ald. Sullivan stated that he agrees with Ald. Krill. He believes that the convictions on his record are issues between the applicant and the employer, and that they do not reflect his ability to serve alcohol responsibly. Ald. Subotich stated that honesty on the application is important to him.

Vote on the motion was- Ayes: 6

Operator license renewal application by Sarah M. Smith, 2555 N. 75th Street, Wauwatosa, for the period ending June 30, 2006

Chief Weber reported that the applicant had one conviction in June 2004. Ms. Smith stated that she has completed classes relating to her convictions, and that her employer requires the operator's license for serving alcohol to customers. Ald. Birschel stated that because the violation was 11 months ago and this is a license renewal he is inclined to approve.

Ald. Subotich asked Ms. Smith why she didn't disclose the violation. She apologized and said she didn't realized she didn't disclose it, and that she must have been rushing to fill out the form because she had her children with her. Ald. Sullivan advised the applicant that the Committee can deny an application for failure to disclose information.

Motion by Ald. Sullivan, seconded by Ald. Krill
to recommend approval – Ayes: 5; Noes: 1 (Subotich)

Operator license application by Kipp Lee Van Dorf, 122 Evergreen Street, Dousman, for the period ending June 30, 2006

Chief Weber advised the Committee that the applicant had one felony conviction in 1994. Mr. Van Dorf stated that he made a poor choice, he knows right from wrong, and he did his due diligence. Ald. Krill stated that because the applicant only has one conviction from 11 years ago he is inclined to approve the license application.

Motion by Ald. Krill, seconded by Ald. Birschel
to recommend approval - 6

Operator license renewal application by Michael J. Williquette, 220 N. 50th Street, Milwaukee, for the period ending June 30, 2006

Chief Weber stated that the applicant had one conviction in 2004. Mr. Williquette said that it was a bad mistake and that he is grateful that no one was harmed in the incident He also said he takes his service to the community very seriously.

Motion by Ald. Grimm, seconded by Ald. Krill
to recommend approval - 6

Operator license renewal application by Herman K. Hadley, 8429 N. 84th Street, Milwaukee, for the period ending June 30, 2006

The applicant did not appear. Chief Weber stated that the applicant had convictions in 2003 and that he doesn't have any charges pending.

Motion by Ald. Krill, seconded by Ald. Birschel
to hold the item until the next meeting - 6

The meeting adjourned at 7:35 p.m.

Carla A. Ledesma, City Clerk
City of Wauwatosa

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