

CITY OF WAUWATOSA
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LEGISLATION, LICENSING & COMMUNICATIONS COMMITTEE
Meeting - Tuesday, June 12, 2007
Committee Room #2

PRESENT: Alds. Becker, Birschel, Didier, Ewerdt, Hanson, Krol – 6

ALSO PRESENT: J. Archambo, City Admin.; E. Miller-Carter, Asst. City Atty.; Dr. N. Kreuser, Health Off.;

Ald. Krol as Chair called the meeting to order at 7:15 p.m.

Hardship exemption to smoking ban ordinance by Open Hearth Restaurant, 2930 N. 117th Street

Ald. Krol noted that at the last meeting the committee had requested that Mr. Vogel submit additional financial information from 2004, 05, and 06.

Gary Vogel, Owner/Agent for Open Hearth Restaurant, 2930 N. 117th Street, noted that he had submitted the sales reports and they also reflect the thousands of dollars in advertising he has spent trying to get non-smokers to come into the bar. Most of his smoking customers went to Brookfield. He would love to keep the place non-smoking, but it is hurting his income.

Ald. Krol noted that the smoking exemption would expire in July, 2008. At that time some changes would have to be made to separate smoking and non-smoking areas and install ventilation. Mr. Vogel said that ventilation is not a problem, but separating the areas would be very difficult. He has looked into it, but it would be very hard to do.

Dr. Kreuser reported that the Finance Director reviewed the financial records and determined that they would meet the requirements for exemption. The earlier years show a trend towards loss in revenue.

Ald. Becker noted that the State of Wisconsin is working on uniform no smoking regulations. This would put all restaurants on a level playing field.

Moved by Ald. Becker, seconded by Ald. Birschel to recommend approval for a hardship exemption to the smoking ban ordinance for one year for Open Hearth restaurant --

Ald. Birschel observed that core customers are very important to many businesses and he hopes the state comes through in 2008 with requirements that level the playing field.

Vote on the motion was Ayes: 6

Application for Class B Beer/Liquor License by Mayfair Wine & Liquor Shop, Inc., d/b/a Macy's, 2500 N. Mayfair Road

Kitty Kollmeyer, Mayfair Wine and Liquor Shop, Inc., 2500 N. Mayfair Road, told the committee that they had originally intended to apply for a Class B license in order to serve beer and wine at promotional events. The events would be advertised and held in designated areas of the store that would be cordoned off. The participants drinking alcohol would be given wristbands. They have had to postpone the Class B request based on the advice of their attorney because their attorney would like to look more closely at the details.

Mr. Archambo said that Macy's currently has a Class A license and the Class B will be pursued in the future. Ald. Krol suggested that the request be placed in file until the applicants are ready to submit it again.

Moved by Ald. Didier, seconded by Ald. Hanson to recommend that the request for a Class B license for Mayfair Wine and Liquor shop be placed in file – 6

License applications forwarded for review

There were no applications forwarded for review.

The meeting adjourned at 7:34 p.m.

Carla A. Ledesma, City Clerk
Wauwatosa, Wisconsin

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