



CITY OF WAUWATOSA  
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**LEGISLATION, LICENSING & COMMUNICATIONS COMMITTEE MEETING**  
**Tuesday, November 27, 2007**

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

ALSO

PRESENT: A. Kesner, City Atty.; Capt. D. Weiss, Police; J. Archambo, City Admin.

Ald. Krol n the Chair called the meeting to order at 7:30 p.m.

**Operator License – Adam Podkomorski**

The committee reviewed an operator license application by Adam Podkomorski, 9050 S. York Court, Oak Creek, for the period ending June 30, 2007. Mr. Kesner reported that when Mr. Podkomorski originally applied for a license earlier this year and was sent two letters asking him to appear before this committee. When he failed to appear on two scheduled dates, the license was denied by the Common Council. Mr. Podkomorski later inquired about his license and stated that he never received any letters. Since we have no specific proof of delivery, Mr. Kesner advised him to reapply and appear before this committee. Upon request, Mr.. Kesner later reviewed the criteria for approval or denial of a license.

The committee discussed violations disclosed by Mr. Podomorski on his application and/or found on the police report. Mr. Podkomorski explained the resolution of the listed charges and said the omission of one from his application was unintentional. He has worked at P.F. Chang's in various capacities for over two years and has recently been working behind the bar under the supervision of licensed operator. He confirmed that he completed a new license application for the current license year and paid another yearly fee.

Moved by Ald. Hanson, seconded by Ald. Ewerdt to recommend to  
Council approval of the license contingent upon a six-month review. -6

**Big Ten and NFL Networks on Cable TV**

Ald. Ewerdt reported on a inquiry from a constituent, Brian Stepp, who is upset that the Big 10 and NFL networks are not part of the standard Time Warner cable TV package. Although Time Warner is franchised by the city to use public right-of-way, he conceded that the city has little or no control over this situation. He suggested, however, that a letter to Time Warner stating the position of Wauwatosa residents might be appropriate.

Mr. Kesner reported that this is a nationwide issue that involves fees and is also something of a turf war. The Big 10 and NFL networks would like to be part of basic cable packages, but the biggest cable companies, Charter and Time Warner, prefer to place them in premium or digital packages with extra

charges. In the meantime while this is being resolved, fans are unable to view certain games that appear on those networks. The city's franchise agreement with Time Warner was not renewed four years ago but has been operating under unspecified extensions because of anticipated changes in state law. Federal law and the franchise agreement allow the city to require broad categories of programming but do not provide the ability to specifically regulate channel lineups. Some of that ability will be lost under new state legislation that may be passed in December.

Other committee members reported also receiving comments from concerned constituents. Upon further discussion, Mr. Kesner indicated that he could draft a letter to Time Warner expressing the committee's concerns.

Moved by Ald. Ewerdt, seconded by Ald. Birschel to direct the City Attorney to send correspondence to Time Warner, with copies to the Common Council and Mr. Stepp, expressing the concerns as discussed. - 6

The meeting adjourned at 8:00 p.m.

Carla A. Ledesma, City Clerk  
Wauwatosa, Wisconsin

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