

**CITY OF WAUWATOSA**

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**LEGISLATION, LICENSING & COMMUNICATIONS COMMITTEE**  
**Meeting - Tuesday, November 14, 2006**  
**Committee Room #2**

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

ALSO PRESENT: A. Kesner, City Atty.; J. Archambo, City Admin.;  
Dr. N. Kreuser, Health Officer; S. Cunitz, Health Dept.;  
Eileen Miller Carter, Asst. City Atty.; Police Lt. G. Jochem

Ald. Krol as chair called the meeting to order at 7:30 PM.

**Bigg's Roadhouse, request for hardship exemption from smoking ban**

Atty. Eileen Miller-Carter addressed the Committee and stated that this is the first exemption request. She suggested to the Committee that Bigg's Roadhouse produce financials showing another 90 day period from this year. Atty. Miller Carter mentioned that there are monthly fluctuations in sales throughout the year of 2005 and 2006 and that she is not convinced that the drop in sales is solely due to the smoking ban. The additional financial reports could rule out market trends and economic sluggishness as the cause of the loss of sales and business.

Dr. Kreuser read an email from a Wauwatosa resident that is opposed to the exemption of the smoking ban at Bigg's Roadhouse.

Ald. Birschel requested that Bigg's Roadhouse produce financial reports from January to July of 2005 and 2006. Recommendations were made from the health department staff and the Committee to give another 90 days to compare the financials from one year to the next and to compare the items that may contribute to the downward spiral in sales.

Mr. Elias Pagoudis, agent of Bigg's Roadhouse arrived at 7:38 PM. Ald. Krol gave Mr. Pagoudis the opportunity to ask the Committee what they were looking for regarding the exemption.

Atty. Miller Carter suggested that Bigg's Roadhouse submit a breakdown of the alcohol sales separate from the food sales for 2005 and 2006 in order to show that the hardship is due to the smoking ban.

Mr. Pagoudis stated that the sales were consistently increasing until the smoking ban went into effect. Ald. Ewerdt requested that Bigg's Roadhouse produce their financial reports from 2004, 2005 and 2006 to compare and to bring their accountant the next time this item is brought before the Committee in January 2007.

Moved by Ald. Birschel, seconded by Ald. Ewerdt to recommend that Bigg's provide financial reports from 2004, 2005 and 2006 to the Committee in January 2007. -6

**Operator License application by Crystal L. Perry, 2567 N. 61<sup>st</sup> St., Milwaukee**

Ms. Perry was present. The committee commended Ms. Perry for her honesty in disclosing all information on her application. Lt. Jochem sees no problem issuing a license to Ms. Perry.

Moved by Ald. Ewerdt, seconded by Ald. Becker to recommend approval of the operator license. -6

**License applications forwarded for review**

The Committee reviewed the operator license applications by Robert J. Riley and David A. Erdmann. The Committee requested the applicant's presence at the next meeting.

The meeting adjourned at 8:12 p.m.

Carla A. Ledesma, City Clerk  
Wauwatosa, Wisconsin

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