



CITY OF WAUWATOSA
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LEGISLATION, LICENSING & COMMUNICATIONS COMMITTEE MEETING
Tuesday, June 8, 2010

PRESENT: Aids. Birschel, Causier, Hanson, Nikceвич, Wilson -5

EXCUSED: Ald. Herzog

ALSO

PRESENT: A. Kesner, City Atty.; Capt. D. Weiss, Police Dept.

Ald. Birschel in the Chair called the meeting to order at 7:30 p.m.

Operator License – Alex F. Neve

Alex F. Neve, 2811 N. University Avenue, Waukesha, failed to appear for review of his application for an Operator License for the period ending June 30, 2010. Mr. Neve also did not appear at the previous meeting.

Moved by Ald. Nikceвич, seconded by Ald. Hanson to recommend to Council denial of the license. Ayes: 5

Operator License – Zachary P. Iller

The committee reviewed an application by Zachary P. Iller, 14465 Lindsay Drive, Brookfield, for the period ending June 30, 2011. Although several violations were reported by the Police Department, Mr. Iller disclosed only one on his application. Mr. Iller explained that the omissions were due to uncertainty about exact dates and his understanding that an underage offense would not appear on the record. He also explained the circumstances of the offenses and said he has had no issues since that time. He answered affirmatively when asked if he would be comfortable denying service of alcohol to someone.

Moved by Ald. Nikceвич, seconded by Ald. Hanson to recommend to Council approval of the license contingent upon a six-month review. Ayes: 5

Operator License – Benjamin D. Vandenberg

The committee reviewed an application by Benjamin D. Vandenberg, 168 E. Henry Clay, Whitefish Bay, for the period ending June 30, 2011. Mr. Vandenberg disclosed past, dismissed, and pending charges on his application. He explained the circumstances of each incident and discussed the pending charge for which he was ticketed. Ald. Hanson thanked him for being forthcoming.

Moved by Ald. Hanson, seconded by Ald. Causier to recommend to Council approval of the license. Ayes: 5

Operator License – Paul S. Guttenberg

Paul S. Guttenberg, N39 W27369 Hillside Grove, Pewaukee, was not present for review of his application for an Operator License for the period ending June 30, 2011. The Chair directed that he be requested to appear at the next meeting.

Class “A” Beer/”Class A” Liquor License – Tosa Wine & Spirits, 11747 W. North Avenue

The committee reviewed an application by ASG Wine Merchants, Inc., d/b/a Tosa Wine & Spirits, 11747 W. North Avenue, for a Class “A” Beer/”Class A” Liquor License for the period ending June 30, 2011. The agent, Amandip Singh, was present.

Ald. Nikceovich reported that she endorsed this business earlier during the Conditional Use approval process. Referring to neighborhood concerns about the operation, she emphasized the need to run a quality, clean establishment that the community can be proud of. She noted that she has backed liquor stores over general merchandise outlets that want to also sell liquor.

Moved by Ald. Nikceovich, seconded by Ald. Wilson to recommend to Council approval of the license –

Asked by Ald. Causier about staffing, Mr. Singh said that he will be by himself at the beginning but will hire additional help in the future. At his Greenfield location, all clerks take a beverage certification course. Mr. Kesner confirmed that persons 18 of age and older can sell liquor if they are licensed or under the direct supervision of someone who is licensed.

Ald. Hanson noted the pending liquor license application by the Tobacco Outlet across the street and asked if Mr. Singh plans to sell tobacco. Mr. Singh said that he may sell some cigars, but his business will mainly sell wine with some spirits and beer.

City Attorney Kesner noted that the Common Council has some continuing jurisdiction over the business operation through the Conditional Use process but cannot regulate what is sold under the liquor license. Separate approval is not needed to add tobacco products when it is not a major line of business. In answer to questions, Mr. Kesner explained that a limited amount of wine tasting is allowed under a Class A license, which is different from the license held by Vino 100 or Ray’s separately licensed second floor.

Ald. Wilson spoke in favor of the motion, noting the need to focus on just this license.

Vote on the motion, Ayes: 4; Noes: 1 (Hanson)

Applications Forwarded for Review

The following license applications were referred for review:

- Original Operator License – DeAngelo J. Lawson, 6614 N. 43rd Street, Milwaukee
- Renewal Operator License – Sara J. Beam, 7522 W. Sheridan Avenue, Milwaukee

- Renewal Operator License – Modesto A. Melendez, 19280 Emerald Drive, Brookfield

City Attorney Kesner explained that higher standard for denying renewal of an existing license. Upon discussion, it was the committee's consensus that all three applicants should attend the next meeting.

Moved by Ald. Nikcevich, seconded by Ald. Causier to direct the City Clerk's office to request the applicants to appear at the next meeting. Ayes: 5

The meeting adjourned at 8:08 p.m.

Carla A. Ledesma, City Clerk
Wauwatosa, Wisconsin

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