



CITY OF WAUWATOSA
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LEGISLATION, LICENSING & COMMUNICATIONS COMMITTEE

Meeting – Tuesday July 27, 2010
Back of Council Chambers – 7:30 PM

PRESENT: Alds. Birschel, Causier, Hanson, Herzog, Nikcevich, Wilson – 6

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

Ald. Birschel as Chair called the meeting to order at 7:30 PM

Held from previous meeting, Operator License renewal by Modesto A. Melendez, 19280 Emerald Drive, Brookfield, for the period ending June 30, 2011

Mr. Melendez was not present. Ald. Birschel asked Mr. Kesner what the committee's course of action should be considering that the applicant was not concerned about receiving his renewal. The clerk told the committee that Mr. Melendez stated in a phone conversation that he doesn't serve alcohol at his place of employment, and for that reason no longer needed an operator license. Mr. Kesner explained that the applicant was not contesting the denial; therefore the committee could deny the license renewal based on non-disclosure of violation and his failure to appear as requested.

Moved by Ald. Nikcevich, seconded by Ald. Hanson
to recommend denial of the operator license renewal. Ayes: 6

Class "B" Beer / "Class B" Liquor License extension by Hector's – A Mexican Restaurant, 7118 W. State Street, Robert Messinger, owner, to include the parking lot on September 18, 2010 from 3:00 pm to 10:00 pm for HectorFest 21

Ms. Beth Causier, representing Hector's, was present. Chief Weber and Mr. Kesner had no concerns about the license extension. Ald. Hanson requested that a contact phone number be submitted to the clerk's office. Ms. Causier complied with Ald. Hanson's request.

Moved by Ald. Hanson, seconded by Ald. Nikcevich
to recommend approval of the Class "B" Beer/ "Class B"
Liquor License extension to include parking lot. Ayes: 6

Memo from City Attorney for discussion regarding committee policy for Operator License renewals

Mr. Kesner gave a brief explanation of his memo to the committee. He explained the differing standards which are to be used when reviewing licenses for renewal as opposed to the review of new licenses. He explained how the nonrenewal applicant has the right to request a full due process hearing with a sworn complaint and testimony under oath and be given opportunity to challenge the decision in circuit court.

Mr. Kesner stated that the City staff would like to request that the committee allow those renewals that meet the standard as explained in the memo be renewed, and only those that have violated the standard be considered for nonrenewal.

Ald. Nikceovich asked if there were more renewals this year than previous years and Mr. Kesner stated that the city does not have more licenses but more incidents.

(Ald. Birschel and Ald. Wilson excused 7:40 pm) -4

Ald. Hanson as vice-chair continued for Ald. Birschel who was called into another meeting. Ald. Wilson also left briefly for another meeting.

Review 2010 fall newsletter

The committee reviewed the 2010 Fall Newsletter and made suggestions for revisions. Mr. Kesner will forward the suggestions and revisions to Administration

Licenses forwarded for review

The committee reviewed the following Operator License application and directed that the applicant be requested to appear at the next meeting: Lindsay L. Lonergan, 7456 Brunn Drive, Franklin, for the period ending June 30, 2011

The meeting adjourned at 7:58 PM.

Carla A. Ledesma, City Clerk
City of Wauwatosa

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