



CITY OF WAUWATOSA
7725 WEST NORTH AVENUE
WAUWATOSA, WISCONSIN 53213
Telephone: (414) 479-8917
Fax: (414) 479-8989
Web Site: www.wauwatosa.net

LEGISLATION, LICENSING & COMMUNICATIONS COMMITTEE

Meeting – Tuesday, January 10, 2012

Committee Room #2 – 7:30 PM

PRESENT: Alds. Birschel, Causier, Hanson, Nikcevich (6:39 p.m.), Roznowski, Wilson – 6

ALSO PRESENT: Alds. Berdan, Donegan, Jay, McBride, Pantuso, Wilke; J. Archambo, City Admin.; A. Kesner, City Atty.; Police Chief B. Weber; E. Miller-Carter, Asst. City Atty.; J. Beix, Epidemiologist

Ald. Birschel as Chair called the meeting to order at 6:31 p.m.

Transfer of the liquor license from JoJo's Pizza and Pub, 11302 West Blue Mound Road to Blue Ribbon Pub, LLC

Mark Zierath, 723 S. 92nd Street, Milwaukee, commented that the restaurant will be the same as the previous one, but with a new name. He added that he also holds a liquor license for his downtown restaurant. He would like to do outdoor dining in the future.

In response to a committee member asking about adding the outdoor dining for this business, Mr. Kesner noted that the outdoor dining is approved through the Conditional Use process. It can be listed with the motion to approve if the committee wishes.

Mr. Zierath mentioned the hours of operation saying that they will probably be open later than the previous business because they will be open for lunch.

Moved by Ald. Hanson, seconded by Ald. Wilson to recommend approval of the liquor license transfer. Outdoor dining will be contingent upon approval through the Conditional Use process – 6

Proposed ordinance amending Chapters 6.36 and 6.56 of the city code to transfer certain food establishment licensing and regulation responsibilities from the City Clerk to the Health Department

Ms. Miller-Carter noted that moving licensing to the health department will be more resident friendly. Mr. Beix added that the health department's new software will be able to generate reports and record keeping.

Ald. Pantuso expressed support citing that it will be good to get rid of some redundancy in the licensing procedure.

Moved by Ald. Roznowski, seconded by Ald. Nikcevich to recommend the creation of an ordinance amending Chapters 6.36 and 6.56 of the city code transferring certain food establishment licensing and regulation responsibilities from the City Clerk to the Health Department – 6

Advisory referendum regarding a charter ordinance amending Chapter 20.07 of the city code changing the Common Council structure from two alderpersons per district to one alderperson per district to be placed on the April 3rd ballot

Ald. Birschel reported that this item had a tie vote of three to three at the last meeting due to the question of whether the referendum should be binding or advisory.

Mr. Kesner commented that the first option, the original request for a binding referendum would make the reduction effective and through the election process the change will be fully in place in four years. He added that he has prepared a resolution detailing the history and what an advisory referendum would look like.

Ald. McBride noted that he hesitated to move on a binding referendum. The real purpose of the referendum is to take the temperature of the residents. An advisory referendum would be more flexible. He noted that an example of efficiency is the reduction in the Design Review Boards. When there are so many boards and committees there are less people willing to serve on them. The two newspapers Wauwatosa NOW and Wauwatosa Patch did an unscientific survey and found that about 85% of the respondents wanted a reduced Council. McBride noted changing some of the wording in the draft for clarification.

Ald. Pantuso had no strong feelings either way. He heard from two constituents. One said the Council should be reduced; however, he said he knew Pantuso more than his other representative in the district and cutting down on the number of aldermen would also cut down on the representative's availability. The other constituent was concerned about consolidation of power. Ald. Pantuso felt that this isn't just reducing the size of government, it is also a reduction in representation. He will be following this discussion closely.

Ald. Berdan thought an advisory referendum was a good idea. She wondered if having such large committees was an efficient way to do the public's business.

Ald. Donegan was in support of the advisory referendum adding that he would like to hear from the public on this.

Ald. Wilke was concerned about gaps in representation. He didn't think that decreasing the size of the Council was a good thing; however, he would support an advisory referendum.

Ald. Birschel suggested holding a public hearing. Ald. Roznowski noted that he would support an advisory referendum and holding public hearings. An advisory referendum would allow for a longer period of reflection. He spoke with about ten people and all but one was for the reduction. This question is being debated throughout the county. He thought an advisory referendum was appropriate.

Ald. Causier was more in favor of an advisory referendum saying that it gives time for Council members to think about the repercussions for the residents. She asked how representation would be provided.

Ald. Nikceovich agreed saying that an advisory referendum would give feedback which would provide the impetus. She reiterated earlier comments regarding a reduction including it would give people more chance to run. She noted that the most important work the Council does is on the budget.

Mr. Kesner suggested holding a public forum for the residents rather than a formal public hearing.

There was continued discussion how the referendum would be worded. Mr. Kesner noted that he could add a sentence about the current size and structure of the Council.

Moved by Ald. Wilson, seconded by Ald. Nikceovich to approve an advisory referendum with changes in the wording and an added sentence about the current Council size and the control of aldermen compensation --

Other language that was also mentioned was the Common Council will commit to work to implement such a change and they will be working diligently to consider possible changes to the Charter Ordinance.

Ald. Hanson commented that he was not in favor of reducing the Council size, but at least this is an advisory referendum.

Mr. Archambo emphasized that one of the representative functions is that aldermen are eyes on the street; the other is legislation. The first part is served by having more members and the second by having less. He stressed that with both functions it is a trade-off.

Ald. Hanson asked if Council pay could be controlled. Mr. Kesner responded that it could be put in the final wording.

Moved by Ald. Hanson, seconded by Ald. Wilson to add language limiting how much aldermen are paid --

Ald. Wilke asked if wording could be put in regarding representation. Mr. Kesner agreed. Ald. Wilson noted that he would accept that addition to the original motion. He and Ald. Nikceovich agreed.

Vote on the amendment was Ayes: 5, Noes: 1 (Nikceovich)

Vote on the motion as amended was Ayes: 6

Advisory referendum concerning reduction in the size and compensation of the Milwaukee County Board of Supervisors be placed on the April 3, 2012 ballot

County Supervisor, Joe Rice, commented that they started with the idea of having an advisory referendum concerning reducing the size and compensation of the County Board. The Intergovernmental Cooperation Council of Milwaukee County (ICC) took up the matter. It reached a committee, but the board rejected the idea so individual cities have decided to consider this issue themselves. His intention was to get input from the public. He noted that there has been a good deal of attention paid to the issue. The resolution authorizes those questions to be put before the voters. The board has opted for the larger size in the past. The original intent was for supervisors to supervise and that has changed. A reduction in members would focus board members on policy making instead of other things. He believed that this referendum could have a positive impact on the voters. It could have been done county-wide, but now it is being done piecemeal.

County Supervisor, Jim Schmitt, felt that the advisory referendum should be considered. In their tenure on the board they have reduced all over the place. If the board is cut to nine, will Wauwatosa have representation or will the city be paired with West Allis? They would need to have full-time members to cover the bases. The County Grounds alone is part time. He described the many projects the board has worked on with Wauwatosa. He stressed that he would run on full-time representation for Wauwatosa. He sees bigger issues coming in the future. He thought the referendum was flawed and acknowledged that it was not worded very well.

County Supervisor Rice noted that there was no mention of salary in the resolution.

Ald. Meaux commented that there wasn't any huge consensus on this issue by the Mayors. There are many services and programs that the county is involved in that are intermingled with the cities. He acknowledged their shared progress.

Ald. McBride commented that the focus shouldn't be on the merits of the referendum. He noted that the city had a referendum on the Iraq war, and voter ID. These are state referendums. He stressed that if the city is going to have an advisory referendum regarding the Common Council the committee might as well not vote on the county referendum. He was in opposition.

Alds. Pantuso, Berdan, Wilson, Roznowski, and Causier also spoke against the referendum citing questions about the purview of the city, and the possible need to restructure the board.

Moved by Ald. Hanson, seconded by Ald. Wilson to recommend to the Council that the matter of an advisory referendum on the size and compensation of the County Board be placed on file – 6

The meeting adjourned at 8:30 p.m.

Carla A. Ledesma, City Clerk
City of Wauwatosa

svh