



## CITY OF WAUWATOSA

MEMORIAL CIVIC CENTER  
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### LEGISLATION, LICENSING & COMMUNICATIONS COMMITTEE

Meeting - Tuesday, July 14, 2009

Committee Room #2 – 7:00 PM

PRESENT: Alds. Birschel, Dennik, Hanson, Herzog, Nikceвич – 5

EXCUSED: Ald. Organ

ALSO PRESENT: A. Kesner, City Attorney; C. Ledesma, City Clerk; D. Weiss, Police Capt.  
Ald. McBride; Ald. Jay

Ald. Birschel as chair called the meeting to order at 7:10 PM

**Operator License application by Marco A. Tapia, 1610 S. 92<sup>nd</sup> Street, West Allis, for the period ending June 30, 2010**

The applicant was not present. The committee agreed to hold this item until the next LLC meeting.

**Operator License application by Edward H. Buth, 20179 W. Good Hope Road, Lot 503 H9, Lannon, for the period ending June 30, 2010**

Mr. Buth was present. Mr. Kesner showed the applicant the police report to verify that it was him. Ald. Nikceвич spoke to Mr. Buth regarding the seriousness of these offenses. Ald. Herzog questioned Mr. Buth about why he didn't disclose information on the application. Mr. Buth did not have any reasonable answers.

Moved by Ald. Hanson, seconded by Ald. Dennik to recommend denial of the  
Operator License -5

**Operator License application by April L. Barber, 12195 W. Black Oak Drive, Greenfield, for the period ending June 30, 2010**

Ms. Barber was present. Mr. Kesner and Capt. Weiss had no concerns regarding the issuance of the operator license. Ald. Herzog questioned Ms. Barber about the police report which she did disclose. She answered Ald. Herzog's questions satisfactorily.

Moved by Ald. Herzog, seconded by Ald. Nikceвич to recommend approval of the  
Operator License -5

**Operator License application by Katrianna D. Bockhorn, 2964 N. Maryland Avenue, Milwaukee, for the period ending June 30, 2010**

The applicant was not present. The committee agreed to hold this item until the next LLC meeting.

**Class “A” Beer / “Class A Liquor” License application by Kwik Trip, Inc. d/b/a Tobacco Outlet Plus #523, 11712 W. North Avenue, for the period ending June 30, 2010, Yvonne M. McCaffery, agent**

No representatives from Kwik Trip were present. The committee discussed that the new location of Tobacco Outlet Plus was more suitable for the sale of alcohol than the previous location. Ald. Birschel stated that there have not been any problems with the business practices in the past.

Mr. Kesner reminded the committee that their licensing decision should be based on the business practices of this company and that the zoning issues should be left up to the Plan Commission.

Moved by Ald. Herzog, seconded by Ald. Dennik to recommend approval  
of the Class “A” Beer / “Class A Liquor” license -5

**No License Applications forwarded for review**

**Request by Ald. Jay for a non-binding advisory referendum question on a 2010 ballot encouraging the State of Wisconsin to require persons wishing to vote to show proof of citizenship by official state identification**

Ald. Jay provided the committee with a copy of the referendum wording and then proceeded to review her request using other states’ voting results as examples. She stated that two of the states which have proof of citizenship had a larger voter turnout in the last election. Ald. Jay believes that these results are due to the voters feeling more confident in the accuracy and integrity of the voting system.

Mr. Kesner stated that the language would need to be edited. The introduction should be changed slightly to communicate to the State of Wisconsin to consider making this a requirement. Ald. Birschel read an email from Tom Gaertner, 6829 Terrace Court, into the record in which he is opposed to the referendum.

Richard Eannelli, 2326 N. 118<sup>th</sup> Street, was present and in favor of the referendum.

Chris McLaughlin, 12040 W. Potter Road, spoke in opposition to the referendum, stating that the Council has more important issues to focus on that directly affect the residence of Wauwatosa.

Trent Jay, 11624 W. Mount Vernon Avenue, was present and in favor of the referendum. Mr. Jay stated that as an election worker, he feels that this requirement would improve the integrity of the voting system and create a better sense of security against voter fraud.

Jason Kohout, 9995 W. North Avenue is in favor of the referendum. He stated that this referendum would reveal to voters that the State views their votes as important and is determined to have our laws work.

Ald. Herzog questioned whether we have a problem in the voter identification system, but did also say that presenting identification is always a better way to eliminate any doubt.

Ald. Hanson asked whether there would be any additional cost to having this on the ballot.

Ms. Ledesma explained that if it were on a regular election ballot there would only be a minimal cost to the city if any at all.

Moved by Ald. Hanson, seconded by Ald. Dennik to recommend approval -Ayes: 4  
Noes: 1 (Nikevich)

Ald. Nikevich spoke in support of fairness and transparency in government, but questioned why this issue needed to be sent to referendum to make voters’ feelings known. Ald. Herzog said that a referendum puts the matter into the people’s vote, which carries more weight.

## **Proposal to reduce the size of the Council**

Ald. McBride was present. He addressed the committee with his proposal of reducing the size of the Council from sixteen to eight members, one per district. The terms would be staggered, as they are now, so one half of the current members would run for two year terms in 2010 and the entire Council would stand for election to four year terms in 2012, but with only eight positions available. Instead of having eight members per committee, we would have four. Ald. McBride feels that there is merit to this proposal because it continues to come up for consideration.

Ald. McBride stated some of the reasons for a smaller Council: Having two aldermen per district confuses citizens; Wauwatosa's population is declining; a smaller Council will reduce the workload somewhat for the City Clerk's office. Ald. McBride gave statistics on those areas that have reduced their councils to achieve a more efficient and streamlined city government. Committee meetings will be more efficient. Smaller councils would be more responsive to city matters. This reduction would not require any changes in districts and voting wards.

Ald. Walsh expressed opposition to this proposal. He stated that Wauwatosa is on a different level than those other communities mentioned by Ald. McBride. The sliding population could simply be due to people having smaller families. A reduced Council may create problems within the committees. Ald. Walsh also felt that it is an insult to the citizens of Wauwatosa to think that they are confused by having two aldermen for their district.

Mr. Kesner stated that if this proposal is recommended for approval, the charter ordinance dealing with aldermanic terms of office will need to be amended to create the two-year terms for those aldermanic positions up for election in 2010.

Bernard Grimm, 7325 Blanchard Street, former 4<sup>th</sup> District alderman, stated that cutting the Council in half will not cut the work load in half. The required committee involvement will be an overload for the Council members. Inevitably they will ask for more money because they will have an added work load. The amount of money saved will not be significant enough to warrant the change.

Trent Jay, 11624 W. Mount Vernon Avenue, commented that the other cities mentioned have full time positions and the Wauwatosa aldermen are not doing this full time. There would be less representation on boards and committees. How does that help the citizens of Wauwatosa? Changing the election cycle would or could cause problems especially if the alderman isn't doing a good job. The ward lines would have to be changed and poll workers are already dealing with large ward populations on election day.

Ald. McBride addressed these issues; his primary concern isn't about money. It is to streamline government and make it more efficient. A four year cycle would be staggered as it is now. This proposal would not change the number of districts, or the number of wards.

Mr. Grimm asked what happens when the district only has one alderman and he or she gets sick or goes on vacation? Who represents the people then?

Ald. Nikceovich noted that council size was an issue when she was campaigning. When analyzing the situation, she asked for job descriptions for both the positions of mayor and alderperson. Both primarily consist of broad statutory language. Council members must balance community commitments with families, jobs and their responsibilities as alderpersons. Perhaps a smaller council with a concrete job description and, possibly, better pay for carrying out those responsibilities is worth consideration.

Moved by Ald. Nikceovich to recommend introduction of a charter ordinance amending the terms of office to two years for those seats expiring in April 2010.

Motion failed for lack of a second.

Ald. Birschel commented that if Ald. Treis had been the only alderman when he passed away, the 8<sup>th</sup> district would have been without representation for 8 months.

Moved by Ald. Herzog, seconded Ald. Dennik to recommend reducing the council size to ten members and to further recommend introduction of a charter ordinance amending the terms of office to two years for those seats expiring in April 2010 Ayes:3 Noes: 2 (Hanson, Birschel)

Ald. Hanson stated that he agrees with Ald. Walsh and Mr. Grimm that this proposal would be a detriment to the city and the money thought to be saved would not be significant enough to reduce the representation of the people by half.

The meeting adjourned at 8:17 PM

jp

Carla A. Ledesma, City Clerk  
Wauwatosa, Wisconsin