



CITY OF WAUWATOSA

MEMORIAL CIVIC CENTER
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LEGISLATION, LICENSING & COMMUNICATIONS COMMITTEE

Meeting - Tuesday, July 28, 2009

Committee Room #2 – 7:00 PM

PRESENT: Aids. Birschel, Dennik, Hanson (7:22 p.m.), Herzog, Nikcevich, Organ – 5

ALSO PRESENT: A. Kesner, City Attorney; B. Weber, Chief of Police; C. Ledesma, City Clerk;
J. Archambo, City Administrator;

Ald. Birschel as chair called the meeting to order at 7:00 PM

Held from previous meeting, Operator License application by Marco A. Tapia, 1610 S. 92nd Street, West Allis, for the period ending June 30, 2010

Applicant was not present.

Moved by Ald. Dennik, seconded by Ald. Nikcevich to recommend
denial of Operator license -5

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

Applicant was not present.

Moved by Ald. Dennik to recommend denial of Operator license –
Motion failed for lack of a second

Motion by Ald. Organ, seconded by Ald. Nikcevich to grant the operator
a third opportunity to appear --

Ald. Herzog said that the applicant has had ample opportunity to appear and has made no attempt to contact the City Clerk's office regarding her two scheduled appointments; therefore Ms. Bockhorn's Operator License application should be recommended for denial

With consent of the second, Ald. Organ withdrew the motion.

Moved by Ald. Dennik, seconded by Ald. Herzog to recommend
denial of Operator License – Ayes: 4, Present: 1(Nikcevich)

Class "A" Beer / "Class A" Liquor License application by Mega Marts, LLC, d/b/a Pick 'N Save #6414, 1717 N. Mayfair Road, Wauwatosa, for the period ending June 30, 2010, Rebecca Herrera, agent

Diana Roberson, W294 S2894 Wills Barry Drive, Waukesha, was present and representing Mega Marts. Chief Weber had no concerns regarding the issuance of this license.

Moved by Ald. Organ, seconded by Ald. Herzog to recommend approval
of the Class "A" Beer / "Class A" Liquor License -5

Request for extension of Class “B” Beer / “Class B” Liquor License by Hector’s – A Mexican Restaurant, 7118 W. State Street, Robert Messinger, agent , on September 17, 2009 from 5:00 pm to 10:00 pm for annual HectorFest to be held in the parking lot

Elizabeth Causier, 7822 W. North Avenue, Wauwatosa was present on Mr. Messinger’s behalf. Ms. Causier was asked what direction the band shell would face and she replied that it would face State Street. There were no objections or concerns regarding the extension for this event.

Moved by Ald. Dennik, seconded by Ald. Organ to recommend approval
of an extension of the Class “B” Beer / “Class B” Liquor license -5

Proposed ordinance to create Section 20.05

The committee reviewed a proposed ordinance creating Section 20.05 of the City Code for the purpose of creating ten aldermanic districts with one member per district.

Ms. Ledesma referenced her July 21, 2009 memo to the committee and added that redistricting to 10 districts and 20 wards would result in a savings in the elections budget of about \$2,100 in poll worker salaries for every election at current rates of pay.

Richard Bachman, 2229 N. 115th Street, Wauwatosa, served as an alderman for 24 years and continues to serve as a poll worker. He stated that the reduction of the council and redistricting would change the voting boundaries and create great confusion and frustration for voters who will have to change their polling place. Mr. Bachman has dealt with irate voters in the past and has seen the results of these types of changes. He also mentioned the additional cost to the city for mailings that are necessary to inform the citizens of the changes. These costs involve purchasing postcards, printing and postage, not to mention the staff time involved in preparing the mailing. Mr. Bachman stated that the City Clerk’s office will be bombarded with complaints regarding the unwanted changes to the citizens.

Mr. Bachman went on to share that for many decades this 16 member council has worked well to serve the people of Wauwatosa, therefore why would we consider reducing it? Having two alderpersons for each district gives the people better representation and a greater opportunity to be heard. He also mentioned that it would be harder to achieve a quorum and it should be out of the question to cancel a committee meeting because of the lack of a quorum. Mr. Bachman shared many issues that affected councils from the past and strongly stated that having two alderpersons per district encourages working together. He asked that the council size be left as it is.

Ralph McCarthy, 1665 N. 117th Street, served as an alderman for 21 years. Mr. McCarthy addressed the committee with a primary question: what is the motivation for changing the size of the council from sixteen to ten? He went on to say that having dual aldermanic positions in each district has always worked. It doesn’t mean that aldermen will always agree, but they should always work together for the good of their constituents and the city. He closed by saying that this committee needs to convince individuals and the city as a whole that this is the right thing to do.

Bernard Grimm, 7325 Blanchard Street, opened his comments with the statement “Don’t mess with a system that works.” He feels that reducing the council is ridiculous; it’s a bargain having two aldermen. If people don’t like one of their alderpersons, they have a choice, an alternative. Mr. Grimm also stated that the cost of reducing the district representation from two to one is minimal. His final statement, “don’t change it!”

Joseph Ptaszek, 7814 Livingston Avenue, stated that this is very important and shouldn’t be taken lightly. This is our government belonging to the people of Wauwatosa. The citizens should be the ones that make these changes. Mr. Ptaszek questioned why this item isn’t going to a Committee of the Whole and open to the public. It should be a binding referendum; it is changing the way the people are represented. It should be the Wauwatosa citizens’ decision. Mr. Ptaszek strongly stated that changing the size of the common

council requires much discussion and debate, quoting Thomas Jefferson regarding making changes. Ultimately it should be the people that make them.

In the sixteen years that Mr. Ptaszek served as an alderman, only a handful of times did he disagree with a colleague, but overall found it convenient to rely on another person and able to share information. It was a convenient and practical way to serve the people of Wauwatosa.

In regard to the statistics from other communities, Mr. Ptaszek commented that he doesn't care about the size of councils in other communities. There should be no score card regarding what the other municipalities have. He stated firmly that sixteen works for Wauwatosa and that should be the important factor. Mr. Ptaszek addressed the committee to say "you are serving because you wanted to serve." You should make decisions based on what is best for Wauwatosa. He strongly recommended that the city hold a Committee of the Whole in September or October; that the council take the time and not rush this item through. He closed his comments by saying "You are changing my representation".

Ald. Meaux asked Mr. Kesner about the redistricting that would take place following the 2010 census. He went on to say that this may not be the best time to make these changes. Ald. Meaux shared his concerns regarding bad choices, decisions and/or policies being made during an economically unstable time.

Ald. Wilke stated that having two alderpersons per district allows a broader view of the people. He shared his concerns that many may not have representation on all committees if we reduce the council size. He would like to hear why this reduction is being considered.

Ald. Birshel gave a brief summary of some costs involved with this reduction from the City Clerk's memo.

Mr. Bachman shared some history regarding the development of the sixteen member council for the benefit of the current council.

Mr. McCarthy reiterated that the city has always had financial burdens and has had to consider saving money but it should not be at the cost of properly serving the people. He encouraged the committee to meet the challenges as they come up in this position. Mr. McCarthy agreed with Mr. Ptaszek that a Committee of the Whole meeting should be mandatory.

Ald. Herzog thanked the four former aldermen for coming and sharing their thoughts. He then went on to say that he thinks ten aldermanic members would be better than sixteen. It isn't that sixteen doesn't work, but ten could be a leaner machine. A council of ten could save time at meetings, and would result in some monetary savings as well. Because of the declining population, looking at ways to address this situation now may be better than waiting for a better time. Ald. Herzog felt that the committee is not rushing into this decision, as the matter has been discussed for a long time. Reducing the council's size to ten rather than eight is better because it would create two major committees of five with a greater chance of the required quorum of three.

Ald. Organ is not opposed to a smaller council, but feels that eight or ten is too small. She had considered a council of twelve would be adequate without any significant redistricting; however, after listening to the thoughts of the four former aldermen, she feels that two alderpersons per district does provide the citizens of Wauwatosa with very good representation. Ald. Organ also stated that she appreciates the larger committees because of the broader level of discussion. She feels that Mr. Ptaszek's statement that reducing the council would be cheating the people of their representation should be an issue for this committee and that the council should hear the voice of the people.

Ald. Nikcevich thanked the former aldermen for sharing their wisdom and experience with the committee. She continued to talk about how the face of the council and the face of the community has changed over the last forty years. "Tosa was a big small city for a long time, and now in relationship to other surrounding cities, we are a small big city." Dynamics change and this is the beginning of the process. Strategies are different than they once were.

Ald. Nikcevich agreed that this discussion should be publically addressed and should proceed slowly and with much consideration. She also feels that the structure of the committees needs more discussion along with the roles and responsibilities of the council.

Moved by Ald. Nikcevich, seconded by Ald. Herzog to recommend a public hearing in a Committee of the Whole - 6

Discussion regarding requests for reconsideration of license denials

Mr. Kesner explained to the committee that it has become a pattern for applicants who have been denied an operator license to submit letters for reconsideration recently. Ald. Dennik asked Mr. Kesner for any suggestions. It is suggested that the committee create a policy for denials and the criteria in which an applicant can reapply.

Moved by Ald. Dennik, seconded by Ald. Hanson to recommend an ordinance for introduction to the common council that there be a one year waiting period for re-application of denied operator licenses

Ald. Herzog felt that one year for an operator to have to wait to reapply is too long. He suggested that the waiting period be six months.

Mover and second accepted a friendly amendment by Ald. Herzog to allow a denied applicant to reapply for an operator license after six months. -5

Review of other cities' operator license application forms

To be held for next committee meeting of on September 8, 2009

Review of Fall 2009 Newsletter

The committee reviewed the 2009 Fall Newsletter and had no suggestions or revisions

License Applications forwarded for review

The committee reviewed the applications and requested that the following applicants appear at the next scheduled meeting.

Operator License application by Amanda L. Prochniak, 4032 W. Mill Road, Milwaukee
Operator License application by Natalie C. Sosic, 3252 S. 108th Street #6, West Allis
Operator License application by Michael P. McDonald, 2318 S. 29th Street, Milwaukee
Operator License application by Rachel L. Huberty, N8414 Pleasant Lake Road, East Troy
Operator License application by Nicholas P. Renz, 116 N. Main Street Apt. 3, Burlington
Operator License application by Brent J. Dziondziak, 2167 N. 69th Street, Wauwatosa
Operator License application by Christopher D. Nelson, 1600 N. 116th Street #1, Wauwatosa
Operator License application by Sarah T. Graham, 4034 S. 77th Street, Milwaukee

The meeting adjourned at 8:24 PM

jp

Carla A. Ledesma, City Clerk
Wauwatosa, Wisconsin