



CITY OF WAUWATOSA

LEGISLATION, LICENSING & COMMUNICATIONS COMMITTEE

MINUTES • OCTOBER 29, 2013

Regular Meeting

Committee Room #2

7:15 PM

7725 West North Avenue, Wauwatosa, WI 53213

LLC COMMITTEE ITEMS

Attendee Name	Title	Status	Arrived
Peter Donegan	Alderman	Present	
John Dubinski	Alderman	Present	
Gregory Walz-Chojnacki	Alderman	Present	
Joel Tilleson	Alderman	Present	
Brian Ewerdt	Alderman	Present	
Donald Birschel	Alderman	Present	
Alan Kesner	City Attorney	Present	
Anthony Brown	Asst. to Administrator	Present	
Kathleen Ehley	Mayor	Present	
Jeff Sutter	Cpt.	Present	

- Operator License renewal by Zachary P. Iller, 14465 Lindsay Drive, Brookfield for the period ending June 30, 2014

Mr. Iller was present. He was accompanied by Mr. Craig Setzer, the agent and manager of Buffalo Wild Wings, 2635 N. Mayfair Road.

Ald. Donegan asked Ald. Dubinski to question the applicant about his renewal application in which he did not disclose the recent pending violations. Ald. Dubinski read the findings from the police background check and asked the applicant to explain the details of those findings.

Mr. Iller explained the happenings of his violation, and told the committee that his attorney recommended that he not disclose anything while the case is pending.

Mr. Kesner felt that there may have been some miscommunication or misunderstanding between Mr. Iller and his attorney, but advised the committee that the allegations were just that, and there has not been a judgment made.

Mr. Setzer spoke very highly of Mr. Iller's dependability to check identification before serving a customer as well as knowing when to stop serving a customer that has consumed enough alcohol. He stated to the committee that Mr. Iller is a model employee.

Capt. Sutter was asked for his recommendation regarding the renewal of the license and, after stating his concerns, said that he would recommend denial of the renewal based on inconsistencies in Mr. Iller's explanation and the findings on the background check.

The committee discussed the matter in detail and questioned Mr. Kesner about the options for taking action.

Moved by Ald. Ewerdt, seconded by Ald. Donegan to recommend approval with a six month review.

Ald. Tilleson expressed that he didn't feel Mr. Iller was being completely honest about the circumstances of the violation and gave him opportunity to explain again.

The committee discussed Mr. Iller's explanation and came to another conclusion which supersedes the previous motion.

Moved by Ald. Tilleson, seconded by Ald. Birschel to issue a temporary renewal, which will be monitored by the police department, until the court case is resolved. The applicant will appear before LLC again at that time. -6

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Joel Tilleson, Alderman
SECONDER:	Donald Birschel, Alderman
AYES:	Donegan, Dubinski, Walz-Chojnacki, Tilleson, Ewerdt, Birschel

2. Reserve "Class B" Liquor License; Class "B" Beer License applications by Lowlands 6 LLC, d/b/a Cafe Bavaria, 7700 Harwood Avenue, Wauwatosa, Michael J. Eitel, agent for the period ending June 30, 2014; Economic development grant application for the Reserve "Class B"

There was no one from Lowlands 6 LLC in attendance.

Mr. Kesner informed the committee of the plans and progress of the renovation in the former Rowbottom Building.

Cafe Bavaria is planning to open for business in mid-December 2013.

There was no further discussion or comments.

Moved by Ald. Walz-Chojnacki, seconded by Ald. Ewerdt to recommend approval of the Reserve "Class B" Liquor, Class "B" Beer licenses and the economic development grant - 6

RESULT:	RECOMMENDED FOR APPROVAL [UNANIMOUS]	Next: 11/5/2013 7:00 PM
TO:	Common Council	
MOVER:	Gregory Walz-Chojnacki, Alderman	
SECONDER:	Brian Ewerdt, Alderman	
AYES:	Donegan, Dubinski, Walz-Chojnacki, Tilleson, Ewerdt, Birschel	

3. Memo from the City Administrator concerning proposed changes to the room tax collection law

Mr. Brown represented the City Administrator with the information from the hearing before the Assembly Tourism Committee, testifying against AB 385.

Mayor Ehley represented Wauwatosa at the hearing and she shared with the committee the background and items of concern that were topics of discussion. The municipalities that attended the hearing last week testified against Assembly Bill 385, which would make changes to the room tax laws sought by the Wisconsin Hotel and Lodging Association and the Wisconsin Association of Visitors and Convention Bureaus. The bill removes municipal discretion on spending room tax revenue for tourism promotion and development. It also eliminates the grandfather clause that allows municipalities with room tax ordinances in place prior to 1994 to continue to use room tax dollars as they see fit.

Mr. Brown shared the amount of room tax revenue the city could lose over a six year span beginning in January 2015. The committee discussed their concerns for the city and municipalities of our size and with similar needs for tourism.

It was the concensus of the committee to support the opposition of AB 385.

Moved by Ald. Walz-Chojnacki, seconded by Ald. Tilleson to recommend approval of a resolution opposing the changes to the room tax bill - 6

RESULT:	RECOMMENDED FOR APPROVAL [UNANIMOUS]	Next: 11/5/2013 7:00 PM
TO:	Common Council	
MOVER:	Gregory Walz-Chojnacki, Alderman	
SECONDER:	Joel Tilleson, Alderman	
AYES:	Donegan, Dubinski, Walz-Chojnacki, Tilleson, Ewerdt, Birschel	

Carla A. Ledesma, CMC, City Clerk