



CITY OF WAWATOSA

LEGISLATION, LICENSING & COMMUNICATIONS COMMITTEE

MINUTES • JANUARY 14, 2014

Regular Meeting

Committee Room #2

7:30 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	
Barry Weber	Police Chief	Present	
Anthony Brown	Asst. to Administrator	Present	
James Archambo	City Administrator	Present	

1. Reserve "Class B" Liquor license and Class "B" Beer license application by WB WI II, LLC, d/b/a World of Beer, 418 N. Mayfair Road, Brian C. Randall, agent, for the period ending June 30, 2014; Application for economic development grant

Mr. Randall was present. He shared the history of World of Beer with the committee.

Mr. Kesner and Chief Weber had no objections or concerns regarding this license.

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

RESULT:	RECOMMENDED FOR APPROVAL [UNANIMOUS]	Next: 1/21/2014 7:30 PM
TO:	Common Council	
MOVER:	Joel Tilleson, Alderman	
SECONDER:	Gregory Walz-Chojnacki, Alderman	
AYES:	Donegan, Dubinski, Walz-Chojnacki, Tilleson, Ewerdt, Birschel	

2. Operator License application by Jasmine J. Barth, 731 N. Glenview Ave. Wauwatosa, for the period ending June 30, 2014

Ms. Barth was not present.

The committee agreed to hold this item and contact the applicant to appear at the next scheduled LLC meeting.

RESULT:	HELD	Next: 1/28/2014 7:15 PM
TO:	Legislation, Licensing & Communications Committee	

3. Updates on current legislative proposals: Bow hunting, property assessment, and PILOT payments

Mr. Brown, assistant to the administrator, gave a brief summary of each current legislative proposal.

2013 Wisconsin Act 71 - Bow Hunting regulation

The new law prohibits local governing bodies from banning hunting with a bow and arrow or crossbow within a municipality. However, a community may place the following restrictions on hunting with a bow and arrow or crossbow:

- * Municipalities may prohibit bow and arrow or crossbow hunting on municipally owned land and within 100 yards of any occupied buildings without the owner's consent.
- * Municipalities may require that bow and arrow or crossbow hunters discharge their weapon toward the ground, i.e. from a tree stand.

In addition, Act 71 has made crossbows available to all hunters. Crossbows had only been available to those over 65 or with physical disabilities before this legislation passed.

Currently, City of Wauwatosa Code of Ordinances, Chapter 7 regulates this type of activity; the following is prohibited:

- * Discharging a bow and arrow
- * Possession of a weapon within a City park except permitted by state law
- * Hunting with a bow and arrow in a County park or parkway unless written permission is given by the parks commission

Senate Bill (SB) 414 - Property Tax Assessment Bill

SB 414 would make a number of changes to rules guiding a property owner's objection to a property tax assessment.

- * An assessor is required to provide a written notice of changed assessment if the property assessment changes from the previous year. This bill modifies the notice of changed assessment requirement from at least 15 days prior to a Board of Review (BOR) meeting to at least 60 days. The extended notification period would delay BOR meetings, assuming the Assessor does not move up the assessment schedule. It would also likely result in the Assessor submitting estimates rather than final numbers for the Municipal Assessment Report and Tax Incremental District Report to the Department of Revenue.
- * Currently, a property owner, or their representative, is required to appear at the BOR hearing and testify under oath if they are appealing their property tax assessment. This bill allows a property owner, or their representative, to submit a written statement, under oath, and does not require them to appear before BOR.
- * BOR is required to presume that an assessor's assessment is correct. A property owner may only object to the presumption if they can sufficiently show that the assessment is incorrect. This bill would change the presumption threshold for property owners. They would have to show a preponderance of evidence that the assessment is incorrect.

* A property owner may file a claim of excessive assessment with the taxing district their property is located in. The taxing district has the ability to not allow the claim. Then, a property owner can file an action in circuit court to recover the amount of the claim. This bill states that if your assessment is over \$1,000,000, a property owner can file an action with the tax appeals commission instead of the circuit court.

Assembly Bill (AB) 522 - PILOT Bill

Due to property tax exemptions created at the state-level voluntary agreements, payments in lieu of taxes (PILOTs), are entered into between certain entities that are exempt from property taxes and a taxing jurisdiction to assist with the cost of public services to the exempt entity. This relieves non-exempt properties of the tax shift that occurs when a property is declared tax exempt.

Representatives introduced a piece of legislation that would require cities, villages, towns and counties to share future PILOTs from certain tax-exempt entities - educational, religious, woman's clubs, historical societies, fraternities, libraries, benevolent low-income housing and benevolent retirement homes - with overlying taxing jurisdictions. AB 522 is not retroactive, it only applies to new agreements. In other words, the City would only be entitled to the same proportional amount of future PILOTs if the property is taxable.

While mostly municipalities have utilized this law, school districts and counties have largely chose not to even though they are able to under the current State statutes. Basically, municipalities would be negotiating future PILOT payments for other taxing jurisdictions.

An associated issue with this is that it's an additional variable, or dilution of one, to the complexity of tax incremental financing. Commonly, tax exempt properties in a tax incremental district (TID) agree to make a PILOT to the TID. If the payment is disbursed to other taxing jurisdictions that would mean less revenue to pay off the TID related debt, potentially extending the life of the TID, or creating additional budgetary pressure on municipalities to cover the debt. Also, it creates an inconsistency where the property tax payments within the TID are not shared with overlapping jurisdictions and the PILOTs are.

There are no actions recommended for these items at this time.

The committee expressed their appreciation to administration for bringing these issues to their attention. They also requested that any and all contacts be given to the committee members in the future. The committee members feel that knowing the names of people and organizations that are also in opposition to these proposals would be helpful.

Ald. Wilson expressed to the committee that these items should be followed up on as they progress in legislation. They could have a significant effect on Wauwatosa.

RESULT:	INFORMATION ONLY
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Carla A. Ledesma, CMC, City Clerk