



CITY OF WAUWATOSA

LEGISLATION, LICENSING & COMMUNICATIONS COMMITTEE

MINUTES • FEBRUARY 25, 2014

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	7:26 PM
John Dubinski	Alderman	Present	
Gregory Walz-Chojnacki	Alderman	Present	7:20 PM
Joel Tilleson	Alderman	Present	
Brian Ewerdt	Alderman	Present	
Donald Birschel	Alderman	Present	
Alan Kesner	City Attorney	Present	
Barry Weber	Police Chief	Present	
James Archambo	City Administrator	Present	
Anthony Brown	Asst. to Administrator	Present	
Paulette Enders	Development Director	Present	

1. Operator License application by Brett A. Butolph, 2545 N. Stowell Avenue, Milwaukee, for the period ending June 30, 2014

Mr. Butolph was present.

Ald. Ewerdt noted that Mr. Butolph disclosed everything except the first listed offense on the police background check. Mr. Butolph claimed that it was not him that committed that offense.

Chief Weber had the report and shared the details of the disposition. Mr. Butolph recalled the incident and gave the background leading up to the outcome.

There was discussion among the committee members, but they agreed that Mr. Butolph was forthright on his application and has made lifestyle changes that are commendable.

Moved by Ald. Birschel, seconded by Ald. Tilleson to approve the operator license - 5

RESULT:	APPROVED [UNANIMOUS]
AYES:	Dubinski, Walz-Chojnacki, Tilleson, Ewerdt, Birschel
EXCUSED:	Donegan

2. Memo from the Development Director concerning economic development grants associated with Reserve "Class B" Liquor licenses

Mr. Archambo gave a brief summary of the types of grants the city has and then turned the topic over to Ms. Enders.

Ms. Enders submitted a memorandum addressing the issue, the background and the considerations of the (EDG) Economic Development Grant for Reserve "Class B" liquor licenses. The question was posed, should the City

of Wauwatosa reduce or eliminate the amount of money it rebates back to those businesses that receive an EDG after receiving a Reserve "Class B" liquor license?

Mr. Kesner explained to the committee the background of the EDG and the Tavern League.

Research has shown that several cities do not provide EDG's. In addition, there are a variety of factors other cities have considered when returning all or some of the \$10,000 fee, including:

- * Holding the \$10,000 in escrow until a regular license opens up, or the law changes. If a person goes out of business, leases to a new person, etc., the \$10,000 is not returned.
- * An applicant is eligible for the EDG if they provide documentation along with a signed statement from a CPA that more than fifty percent (50%) of the gross sales are from the sale of food and the applicant is in fact a restaurant.
- * After granting of any new Reserve "Class B" liquor license for a premise upon which a restaurant will be operated, the licensee may file an application with the City Clerk for an EDG of up to \$9,000 within twelve (12) months following the date of issuance of the initial Reserve "Class B" liquor license. The licensee shall attach complete, legible copies of paid invoices or receipts evidencing or documenting payment for improvements made to the licensed premises in an amount equal or greater than the amount requested in the application of the EDG. In order to be eligible, the improvements shall be started within six (6) months of the date of issuance and completed within twelve (12) months of the date of issuance of the initial Reserve "Class B" liquor license and the premise so licensed must be a restaurant as defined in Wis. Stats. Section 125.02(18).
- * Administration of the grants through a Redevelopment Authority or Community Development Authority with consideration given to: job creation, property tax base increase, benefits to tourism, enhancements to the economic and cultural climate, etc.

Currently, there is a bill being proposed that would allow a community that has no liquor licenses available under its quota to issue a license to a full-service restaurant. A full-service restaurant is one where 50% of less of its gross receipts comes from the sale of alcohol beverages.

After much discussion between the committee members, Ms. Enders, Mr. Kesner and Mr. Archambo regarding the options, the committee agreed to hold this item and requested the staff to create a few scenarios and present them to the LLC committee for consideration at the next scheduled meeting.

Mr. Kesner agreed to research this matter and present options to the committee.

Moved by Ald. Tilleson, seconded by Ald. Donegan to hold until the next meeting when options for the EDG rebates will be presented for consideration - Ayes 5; Noes 1 (Ewerdt)

RESULT:	HELD [5 TO 1]	Next: 3/11/2014 12:00 AM
TO:	Legislation, Licensing & Communications Committee	
MOVER:	Joel Tilleson, Alderman	
SECONDER:	Peter Donegan, Alderman	
AYES:	Donegan, Dubinski, Walz-Chojnacki, Tilleson, Birschel	
NAYS:	Ewerdt	

3. Review the 2014 Spring Newsletter

Anthony Brown, assistant to the Administrator, presented the 2014 Spring newsletter.

The committee reviewed the newsletter and forwarded their comments and suggestions to Mr. Brown for editing.

4. Forward for review: Six month review of Zachary Iller's operator license renewal

Mr. Iller was granted a temporary operator license in October 2013 and monitored by the police department until the court case was resolved at which time the applicant would appear before the LLC again.

Chief Weber presented the findings of Mr. Iller's court case to the committee.

It was the consensus of the LLC committee to request Mr. Iller appear for review at the next scheduled meeting.

RESULT:	HELD [UNANIMOUS]
AYES:	Donegan, Dubinski, Walz-Chojnacki, Tilleson, Ewerdt, Birschel

Carla A. Ledesma, CMC, City Clerk