



CITY OF WAUWATOSA

LEGISLATION, LICENSING & COMMUNICATIONS COMMITTEE

MINUTES • MARCH 11, 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	
John Dubinski	Alderman	Present	
Gregory Walz-Chojnacki	Alderman	Present	
Joel Tilleson	Alderman	Present	
Brian Ewerdt	Alderman	Excused	
Donald Birschel	Alderman	Present	
Alan Kesner	City Attorney	Present	
Barry Weber	Police Chief	Present	

1. Six month review of Operator License renewal by Zachary P. Iller, 14465 Lindsay Drive, Brookfield, for the period ending June 30, 2014

Ald. Donegan reported that the City Clerk's office received a call from Mr. Iller's fiance stating that Mr. Iller is currently in Huber and is unavailable to attend this evening's meeting. In October, 2013, Mr. Iller was granted a temporary operator license pending the results of his court case and was to be monitored by the police department and would appear before the LLC again for review. Mr. Iller is unavailable to return until May 27, 2014.

It was moved by Ald. Tilleson and seconded by Ald. Donegan to hold the six month review of Operator License renewal by Zachary P. Iller, 14465 Lindsay Drive, Brookfield, WI to be scheduled for May 27, 2014
- Ayes 5

RESULT:	HELD [UNANIMOUS]	Next: 5/27/2014 7:00 PM
TO:	Legislation, Licensing & Communications Committee	
MOVER:	John Dubinski, Alderman	
SECONDER:	Peter Donegan, Alderman	
AYES:	Donegan, Dubinski, Walz-Chojnacki, Tilleson, Birschel	
EXCUSED:	Ewerdt	

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

Returning for further discussion is a memorandum submitted by Development Director, Ms. Enders, addressing 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?

The memorandum indicates that 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.

Mr. Kesner explained to the committee the concern of businesses that can be impacted by this fee not being refunded in part or in whole, and are unable to be successful without the refund. Mr. Kesner suggested to the committee to consider criteria for approving or denying the refund such as the possibility of limited square footage of an establishment. Additional criteria to consider could be the number of employees on the day of opening, projected sales after one year, and/or number of business locations.

Ald. Donegan commented that this is a revenue possibility for the City of Wauwatosa and we have an option if we wish to reconsider going forward and have the opportunity to take advantage of this. He stated that the city should have as much discretion as possible for things that will be forgiven and those that are not, and expressed a concern for smaller businesses and businesses that are just beginning.

After much discussion between the committee members and Mr. Kesner regarding the options, the committee agreed to hold this item and requested Mr. Kesner to create an application with suggested criteria and present this to the LLC committee for further discussion at the April 29, 2014 scheduled meeting.

RESULT:	HELD	Next: 4/29/2014 7:00 PM
TO:	Legislation, Licensing & Communications Committee	

Carla A. Ledesma, CMC, City Clerk