

CITY OF WAUWATOSA  
7725 WEST NORTH AVENUE  
WAUWATOSA, WI 53213  
Telephone: (414) 479-8917  
Fax: (414) 479-8989

**LEGISLATION, LICENSING & COMMUNICATIONS COMMITTEE**

Tuesday, December 10, 2002

Committee Room #2

PRESENT: Alds. Treis; Sullivan; Bruderle-Baran; Ecks; Grimm; Subotich - 6

ALSO PRESENT: A. Kesner, City Attorney; Capt. Bozicevich, Police; Ald. Kopischke

Ald. Treis as chair called the meeting to order at 7:00 p.m.

**Application for a "Class A" Beer License by Open Pantry Food Marts of Wisconsin, Inc., d/b/a Open Pantry Food Mart #608, 12324 W. North Avenue, Kelly Mindiola, agent**

Jason Krzewinski, Vice President Sales and Operations, spoke on behalf of Open Pantry Food Marts of Wisconsin, Inc. Mr. Krzewinski told the committee that his company currently owns and operates the Open Pantry store on 115<sup>th</sup> Street and North Avenue. They are currently purchasing the gas station and convenience store on 124<sup>th</sup> Street and North Avenue from the Amoco Corporation. Open Pantry would like to sell beer at this location. He pointed out that Open Pantry currently sells beer at the 115<sup>th</sup> Street location and has had no problems.

Capt. Bozicevich told the committee that the police have had no problems with Open Pantry on 115<sup>th</sup> Street but have concerns about issuing a liquor license to the operation on 124<sup>th</sup> Street. Capt. Bozicevich pointed out that in addition to the Open Pantry on 115<sup>th</sup> Street, the Kohls Food Store on 124<sup>th</sup> Street and North Avenue in Brookfield sells beer. There would be three retail beer outlets within six blocks if the license was granted. He also pointed out that the Wauwatosa Common Council has traditionally not granted liquor licenses to gas stations.

In response to Ald. Sullivan's question Mr. Krzewinski told the committee that Open Pantry has already changed the hours of operation. They are closed between midnight and 4:00 a.m. instead of being open 24 hours.

Ald. Grimm commented that he has concerns about granting a liquor license to a gas station. He also noted that there is a Mc Donald's restaurant directly adjacent to the Open Pantry. Ald. Grimm didn't believe granting the liquor license would be in the community's best interest.

Ald. Bruderle-Baran pointed out that for public policy reasons the Common Council has never granted a liquor license to a gas station. She indicated that while the Open Pantry is a well run store, granting the liquor license wouldn't serve the public good. She also had concerns about setting a precedent by granting a liquor license to a gas station.

Moved by Ald. Bruderle-Baran, seconded by Ald. Ecks to recommend denial as it has not been a policy of the Common Council to grant liquor licenses to gas stations and would not serve the public's good - 6

## **Proposed reconstruction of the freeway system in the Wauwatosa area**

Rosemary Wehnes, 7922 Jackson Park Blvd., was present to discuss her communication in opposition of the current plans to reconstruct the freeway system. She told the committee that the current reconstruction plans are not in the best interests of Wauwatosa. She pointed out that it does not address problems such as sprawl, air pollution and the need to preserve Wauwatosa neighborhoods. She believes that the Southeastern Wisconsin Regional Planning Commission (SEWRPC) should include options in the study other than vehicle travel on highways. One such alternative would be commuter rail. Ms Wehnes also said she believes that the current plan would benefit the outlying communities but not Wauwatosa. She then distributed a recent article entitled "Concentration and Size Distribution of Ultrafine Particles Near a Major Highway".

Richard Bachman, 2229 N. 115<sup>th</sup> Street, spoke in opposition to the plan. He told the committee that when the expressway was first constructed the residents had no choice. Now that there are plans to widen it the city should get involved. He mentioned problems such as noise, on-ramp congestion, and most importantly the amount of land the reconstruction would take away from neighborhoods. The current plan, in his opinion, destroys Wauwatosa property and health to make travel more convenient for Brookfield residents. He also said that the meetings concerning this matter should be publicized to Wauwatosa residents.

Kenneth Yunker, Assistant Director, Southeastern Wisconsin Regional Planning Commission (SEWRPC), spoke on behalf of the commission. He told the committee that the commission had been working on the study for 13 months. The commission looked at many alternatives and the plan decisions were not made lightly. Mr. Yunker noted that the expressway is in disrepair and needs to be rebuilt at a cost of \$6.2 billion. By spending an additional \$2 billion, design and safety issues could be addressed. He discussed right of way and noted that some Wauwatosa homes would be purchased. He also noted that if the freeways became too crowded the traffic would find its way onto neighborhood streets. He told the committee he would answer any questions they had and that the commission is available to make a presentation.

Ald. Kopischke told the committee that he has a number of concerns about the reconstruction study. His concerns include the study's assumptions, methodology and the effects the planned reconstruction will have on Wauwatosa, Milwaukee and the entire state. He said that the plan needs to be looked at carefully and that the Common Council needs specific information from the commission.

Bob Trainor, 439 N. Pinecrest Street, Milwaukee, told the committee that he represents Citizens Allied for Safe Highways (CASH), a coalition of neighborhood, faith-based and business organizations. He agreed with Mr. Bachman and Ald. Kopischke's views. He also wanted to state clearly that he believes this plan is a detriment to the cities of Wauwatosa and West Allis and provides a minor convenience to people who don't live in either city. He also noted that the cost of the project was almost twice the amount of the entire tax roll of Wauwatosa.

Gretchen Schultz, 315 Pinecrest Street, Milwaukee (also of CASH) said that she grew up in Wauwatosa and is currently a resident of the Story Hill neighborhood in Milwaukee. She showed and discussed a PowerPoint presentation entitled "The Freeway Plan: What SEWRPC Didn't Tell You". She mentioned some of her concerns with the project included double deck lanes over Wood National Cemetery, the closeness of the freeway to Wauwatosa schools and homes, relocation of the transmission towers at the zoo and no Spanish language explanation of the plan.

The committee discussed the need for more specific information regarding the commission's study and plan. They also discussed the need for the entire Common Council to evaluate the issues.

Moved by Ald. Bruderle-Baran, seconded by Ald. Grimm to invite representatives in opposition to the project to make a presentation to the Committee of the Whole at a meeting to be held on Tuesday, December 17, 2002 at 6:15 p.m. and to invite Mr. Yunker and representatives from SEWRPC to make a presentation to the Committee of the Whole at a meeting to be held on Tuesday, January 21, 2003 – 6

**License applications forwarded by the City Clerk for review**

There were no license applications forwarded for review.

The meeting adjourned at 8:03 p.m.

Carla A. Ledesma, CMC  
City Clerk

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