

CITY OF WAUWATOSA
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LEGISLATION, LICENSING & COMMUNICATIONS COMMITTEE

Tuesday, May 14, 2002

Committee Room #2

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

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

Ald. Treis as Chair called the meeting to order at 7:04 p.m.

Request by William Poull of The Club Tap, 8828 W. North Avenue, for license extensions to include the parking lot on June 1 & 2, 2002 for the annual corn roast and on June 13, 2002 for a Chamber of Commerce event

Mr. Poull told the committee that his request for the corn roast on June 1st and 2nd is the same as previous years. The event is planned to be held from 12:00 to 8:00 p.m. with live music from 1:00 to 5:00 p.m. He was requested by the Chamber of Commerce to hold the event on June 13th. The planned hours are from 4:00 to 8:00 p.m. with no live music. The purpose of the event is a gathering for prospective new members. The Chamber expects approximately 50 people to attend. Since the The Club Tap can't accommodate 50 people, Mr. Poull is requesting the license extension.

Capt. Bozicevich told the committee that Mr. Poull has been generally cooperative with the police regarding trash and music concerns.

Mr. Robert Meier, 2334 N. 89th Street, spoke to the committee. Among his general concerns were inappropriate conduct by bar patrons, a recent car accident by a patron and that The Club Tap was recently cited by the police for serving to an underage person. His specific concerns about the corn roast included the loud music and that in the past the event hasn't ended when it was supposed to. Last year Mr. Meier's Alderman, Mr. Herzog, came to his house during the event to observe the noise level for himself. Mr. Meier asked the committee to recommend denial of the license extension.

Ald. Herzog told the committee that he was surprised at how loud that music was last year. He explained that there is an area in the alley where the band is placed and the party spills out to. There is no "buffer zone" between the alley and the neighbors. Ald Herzog suggested that the band's speakers be faced in a different direction, the hours of the corn roast be limited, that Mr. Poull be given Mr. Meier's pager number and that Mr. Meier be given a contact at the police to be used if there are any problems.

Mr. Poull said that last year he did give Mr. Meier his cell phone number but that Mr. Meier didn't call him. He admitted that the music is loud but stated that the event did end at the specified time. He also noted that it may not be his patrons who are involved with any inappropriate conduct or car accidents in the neighborhood.

Ald. Sullivan told Mr. Poull that while The Club Tap is a good citizen he is sympathetic to Mr. Meier's concerns. Ald. Sullivan's concern was to find an equitable solution for both parties.

Moved by Ald. Sullivan, seconded by Ald. Ecks to recommend approval of the license extensions with the condition that refuse clean-up occur and that the June 1 & 2, 2002 event end at 7:00 p.m. and the volume of the music be kept to a minimum - -

Ald. Bruderle-Baran pointed out that the committee has put limitations on The Club Tap events in the past and Mr. Poull has always complied. There was general discussion about limitations placed on Mr. Poull's events. Capt. Bozicevich indicated that the police have historically had very few complaints from The Club Tap events.

Vote on the motion was, Ayes: 5, Noes: 1 (Subotich)

Application for an operator license by Patrick Reid, 915 N. 15th Street, #102, Milwaukee

Mr. Reid told the committee that he is a 23 year old Cardinal Stritch University student who supports himself by working at Leff's Lucky Town. He is currently employed as a cook and wants his operator license so that he can become a bartender.

Capt. Bozicevich indicated that Mr. Reid does have an old underage violation that was not noted on his application.

Mr. Reid explained that since he was a minor at the time of the violation he didn't think he was required to note it on his application. He has completed classes relating to the violation.

Moved by Ald. Bruderle-Baran, seconded by Ald. Ecks to recommend approval with an administrative review in six months – 6

Application for an operator license by Raymond Nickel, 4556 N. 70th Street, Milwaukee

Mr. Nickel told the committee that he hasn't been able to obtain the records from the classes he was required to attend as a result of his past violations.

Ald. Treis confirmed with Atty. Kesner that Mr. Nickel is able to work as a bartender without an operator license as long as he is under the direct supervision of a licensed operator.

Ald. Treis told Mr. Nickel that his application will be kept in file until Mr. Nickel is able to obtain the records from the classes he attended.

Application for an operator license by Jay Effenberger, 3168 N. 87th Street, Milwaukee

Capt. Bozicevich told the committee that Mr. Effenberger has 3 alcohol related violations which he did list on his application. He also has 2 old violations in Wauwatosa and Greenfield which were also noted on his application.

Ald. Bruderle-Baran indicated that Mr. Effenberger had quite a few violations but there have been none since 1998. She noted that it appears Mr. Effenberger had a significant problem but seems to have worked hard to overcome it.

Moved by Ald. Bruderle-Baran, seconded by Ald. Grimm to recommend approval - -

Ald. Sullivan noted that there are a number of violations but they all occurred in one year. He asked Mr. Effenberger if he still had a problem. Mr. Effenberger said no and told the committee that his position at AMF Bowlero is part time. He is employed full time as a construction worker.

Vote on the motion was, Ayes: 6

Application for an operator license by Caleb Rozina, 2131 N. Summit Avenue, #209, Milwaukee

Mr. Rozina told the committee that like Mr. Reid he is a student who supports himself by working as a cook at Leff's Lucky Town. He regrets the poor decisions he made when he was younger and he has taken the classes related to his violation.

Capt. Bozicevich told the committee that Mr. Rozina does have several violations that were not listed on his application.

Mr. Rozina indicated that he didn't list them on his application because he thought he was only required to list felonies. There was discussion with Mr. Rozina as to why he didn't read the questions carefully before he completed them; as a result, he failed to disclose violations.

Ald. Sullivan expressed his concern that Mr. Rozina failed to disclose his violations but noted that they were between 3 and 4 years old.

Moved by Ald. Sullivan, seconded by Ald. Bruderle-Baran to recommend approval with an administrative review in six months - -

The committee again discussed Mr. Rozina's failure to disclose the violations on his application. Ald. Bruderle-Baran noted this failure was most problematic. Ald. Grimm questioned Mr. Rozina's judgment. Ald. Subotich told Mr. Rozina that if the violations were more recent he would be inclined to vote to recommend denial.

Vote on the motion was, Ayes: 4, Noes: 2 (Ecks, Grimm)

Application for an operator license by Teron Bowen, 3615 N. 18th Street, Milwaukee

Mr. Bowen was not present. Ald. Treis noted that this was the second time Mr. Bowen had been invited to appear before the committee and had not been present.

Moved by Ald. Bruderle-Baran, seconded by Ald. Ecks to recommend denial – 6

Application for an operator license by Cheryl Kubinek, 1653 Kettle Cove Court, Hartland

The committee reviewed Ms Kubinek's application and record check.

Moved by Ald. Sullivan, seconded by Ald. Ecks to invite Ms Kubinek to appear before the committee – 6

The meeting adjourned at 8:03 p.m.

Carla A. Ledesma, CMC
City Clerk

dmh