



# City of Waukesha

City Hall,  
201 Delafield Street  
Waukesha, WI 53188

## Meeting Minutes

### Ordinance & License Committee

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Monday, March 8, 2021

6:00 PM

Committee Members: Council Chambers

Public: In Person (Limited Capacity) or Virtual

[https://waukesha-wi.zoom.us/webinar/register/WN\\_nB41F2Vq](https://waukesha-wi.zoom.us/webinar/register/WN_nB41F2Vq)

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Web ID: 914 9451 9412

Passcode: 295835

Phone: 877-853-5247

Register for Public Comment by 4 pm

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#### 1. Call to Order

**Present** 5 - Johnson, Manion, D. Lemke, Rodriguez, and Moltzan

#### 2. Public Comment

*None*

#### 3. Approval of Minutes

##### A. [ID#21-1752](#) O&L Minutes - February 8, 2021

**Attachments:** [O&L Minutes 2-8-21](#)

*Minutes were approved by unanimous consent.*

#### 4. Licenses

**A.**     [ID#21-1898](#)     Other Applications Invited

**Attachments:**   [OTHER LICENSES 3-8-21](#)

*Nick Marking gave a presentation of his business plan for the beer garden at The Shoppes At Fox River. There will not be a tent at this location. Metal fencing was used around the perimeter at the Greenfield location but he didn't care for how it looked; he favors large shipping type rope. Johnson said the area needs to be secured. Marking said he will have a manager present all hours of operation; after an ID is shown the patron will have a wristband issued. He will be present most hours of operation. Ald. Rodriguez asked what occupancy would be; he plans on having 30 picnic tables; also pub height tables, all socially distanced. He anticipates 500 people socially distanced. Rodriguez feels more secure fencing is needed than the proposed shipping rope. Marking will change his plan to metal perimeter fencing. Marking would like to be open May - October with pop up options throughout the year if weather allows. Running said a barrier must be 36" in height and substantial - or not easily hopped over. Running suggested attaching the picture of the area to the license so the premise is well described. Running explained that it will be a licensed premise and underage people should not be on it when it is not operating. Running has no objection to the issuance of the license. Marking said the landlord has approved music on Fridays and Saturdays; he wants to be a good neighbor and books either solo or duo performers. DC Angle said the Police Department is in support; he reached out to the Greenfield Police Dept. and they said there were no problems at their location. Angle likes the amount of staffing Marking has proposed. The food trucks will park at the entrance on the south side. DC Angle said Marking will need to watch for intoxicants leaving the area when people go to get food.*

**A motion was made by Johnson, seconded by Rodriguez, to approve the Class "B" license for The Tap Yard with substantial fencing and a well defined premise. The motion carried by the following vote:**

**Aye:** 5 - Johnson, Manion, D. Lemke, Rodriguez and Moltzan

**B.**     [ID#21-1899](#)     Other Applications

**Attachments:**   [OTHER LICENSES 3-8-21](#)

**A motion was made by Johnson, seconded by Manion, to approve the remaining Other Licenses. The motion carried by the following vote:**

**Aye:** 5 - Johnson, Manion, D. Lemke, Rodriguez and Moltzan

**C.**     [ID#21-1900](#)     Bartender/Operator

**Attachments:**   [OPERATOR LICENSES 3-8-21](#)

**A motion was made by Johnson, seconded by Manion, to approve the bartender applications. The motion carried by the following vote:**

**Aye:** 5 - Johnson, Manion, D. Lemke, Rodriguez and Moltzan

**5. Review & Act On**

- A. [ID#21-1901](#) Amend Municipal Code sec. 9.115 to allow delivery of packaged alcohol beverages to pick-up area in parking lot.

**Attachments:** [Cover Sheet-Amend WMC 9.115.pdf](#)  
[9.115\(2021\) Memo with Ordinance.pdf](#)

*Attorney Running presented an amendment to sec. 9.115 to allow for online orders to be picked up in the parking area at retail locations. This will address the current substantial enclosure requirement for licensed premises.*

**A motion was made by Moltzan, seconded by Manion, to approve the proposed amendment to sec. 9.115 of the Municipal Code. The motion carried by the following vote:**

**Aye:** 5 - Johnson, Manion, D. Lemke, Rodriguez and Moltzan

## 6. Communications

*Chairperson Johnson will not be at the next council meeting; he would like Ald. Manion to recommend that the Council waive the third reading for sec. 9.115. DC Angle informed the Committee that the pick up areas for retail business that have expanded their premise to the parking lot will be included in compliance checks.*

*Meeting adjourned at 6:46 pm.*

## 7. Adjournment

Ald. Steve Johnson, Chairman

"A majority of the Council members may be in attendance"

NOTICE: Any person who has a qualifying disability under the Americans with Disabilities Act that requires that the meeting be accessible or that materials at the meeting be in an accessible format, please contact Fred Abadi, 48 hours prior to the meeting at 524-3600 or by the Wisconsin Telecommunications Relay System so that arrangements may be made to accommodate the request.