



City of Waukesha

City Hall,
201 Delafield Street
Waukesha, WI 53188

Meeting Minutes

Ordinance & License Committee

Monday, May 9, 2016

6:00 PM

Council Chambers, City Hall
Use lower level glass door.

1. Call to Order

Present 5 - Perry, Manion, Skinner, Johnson, and Helgestad

2. Public Comment

There were no comments from the public.

3. Approval of Minutes

[ID#16-0710](#) Minutes - April 11, 2016

A motion was made by Helgestad, seconded by Manion, to approve the Minutes for April 11, 2016. The motion carried by the following vote:

Aye: 4 - Manion, Skinner, Johnson and Helgestad

Absent: 1 - Perry

[ID#16-0770](#) Minutes - April 25, 2016

A motion was made by Manion, seconded by Helgestad, to approve the Minutes for April 25, 2016. The motion carried by the following vote:

Aye: 4 - Manion, Skinner, Johnson and Helgestad

Absent: 1 - Perry

4. Licenses

A. [ID#16-0782](#) INVITED Bartender Applications May 9, 2016

Angela Medina failed to appear. She will be invited to the next meeting.

Ald. Perry arrived at 6:04 p.m.

Zachary Connor appeared with Jim Taylor, agent for Taylor's People's Park. Connor has an OWI from 2015. Connor said he has completed an AODA assessment and has learned from the experience. Taylor became aware of the OWI about a month ago; he has randomly given Connor 3 breathalyzer tests, he passed all 3. Taylor does not allow his bartenders to drink while working. Taylor said Connor has been a model employee that pays child support and health insurance out of his paychecks. Taylor is willing to monitor Connor, who has worked for him for 2 years.

A motion was made by Chairperson Johnson, seconded by Helgestad, to approve the bartender application for Zachary Connor. The motion carried by the following vote:

Aye: 5 - Perry, Manion, Skinner, Johnson and Helgestad

Heather Koerbel appeared with her agent from Billy D's, Bill Dietrick. Koerbel has an OWI from several years ago and a couple recent disorderly conduct citations. The second DC is still pending; the first one was with her OWI. She has worked for Billy D's for two years. Dietrick stands behind her application.

A motion was made by Perry, seconded by Helgestad, to approve the bartender application for Heather Koerbel. The motion carried by the following vote:

Aye: 5 - Perry, Manion, Skinner, Johnson and Helgestad

Angela Krueger appeared before the Committee. She was cited in 2015 for being open after hours while working for Hannon's. She said an employee was in the bar with friends after close. She was cited at 2:07 am. She has learned from this. The agent was unable to appear due to a staffing emergency. Krueger and her agent will be invited to the next meeting.

A motion was made by Skinner, seconded by Helgestad, to hold the license application for Angela Krueger. The motion carried by the following vote:

Aye: 5 - Perry, Manion, Skinner, Johnson and Helgestad

A motion was made by Chairperson Johnson, seconded by Perry, to approve the bartender application for Matthew E. Morris. The motion carried by the following vote:

Aye: 5 - Perry, Manion, Skinner, Johnson and Helgestad

B. [ID#16-0783](#) Bartender Applications May 9, 2016

A motion was made by Manion, seconded by Helgestad, to approve the remaining bartender licenses. The motion carried by the following vote:

Aye: 5 - Perry, Manion, Skinner, Johnson and Helgestad

C. [ID#16-0784](#) INVITED Other Applications for licenses considered by Ordinance & License Committee on May 9, 2016

Vandeanaben Patel appeared before the Committee for DT Bottle Stop. They were cited for not having an operator at the establishment in 2013 and 2015; an employee also sold to a minor two times in 2015; they sold to an underage person in 2012 and 2013 as well. Mrs. Patel said that she is at the store most of the time now. She is now the agent due to her husband moving to Boston; he was the agent at the time of the previous citations. The employee with the most recent violations is no longer working for them. The Attorney's Office is working on this matter as a referral from the Police Department.

A motion was made by Perry, seconded by Helgestad, to approve the license application for D-T Bottle Stop. The motion carried by the following vote:

Aye: 3 - Perry, Johnson and Helgestad

Nay: 2 - Manion and Skinner

Julio Alvarez appeared before the Committee for DC's Tap. He is currently working with

the Fire Dept. to come into compliance; the Fire Dept. is in favor of approval.

A motion was made by Chairperson Johnson, seconded by Manion, to approve the license application for DC's Tap. The motion carried by the following vote:

Aye: 5 - Perry, Manion, Skinner, Johnson and Helgestad

Lori Lester appeared from Divino Gelato. She was instructed to provide a garbage receptacle to accommodate their patrons. She advised the Committee that they do have a garbage can in front of their business.

A motion was made by Helgestad, seconded by Skinner, to approve the Sidewalk Cafe application for Divino Gelato. The motion carried by the following vote:

Aye: 5 - Perry, Manion, Skinner, Johnson and Helgestad

Phillip Santiago was invited to appear before the Committee for the beer/liquor applications for Fuzzy's Southside, Fuzzy's Sports Bar & Grill and Lucky Rabbit. He was cited in 2015 for operating without a licensed bartender on premise and sale to an underage person; both of these occurred at Lucky Rabbit.

A motion was made by Perry, seconded by Manion, to approve the license applications for Fuzzy's Southside Pub & Grill, Fuzzy's Sports Bar & Grill and Lucky Rabbit. The motion carried by the following vote:

Aye: 5 - Perry, Manion, Skinner, Johnson and Helgestad

Miranda Cotton appeared before the Committee with her husband. She is agent for JR's Tap. She was cited for sale to an underage person in 2014. No citations have been received since Nov. 2014; they have passed sting operations since that time.

A motion was made by Chairperson Johnson, seconded by Helgestad, to approve the license applications for JR's Tap. The motion carried by the following vote:

Aye: 5 - Perry, Manion, Skinner, Johnson and Helgestad

A motion was made by Manion, seconded by Perry, to approve the Extension of Premise application for JR's Tap. The motion carried by the following vote:

Aye: 5 - Perry, Manion, Skinner, Johnson and Helgestad

Llazar Konda appeared before the Committee for Meli. An employee was cited in June 2015 for sale to an underage person; that employee no longer works for him. He takes full responsibility.

A motion was made by Perry, seconded by Helgestad, to approve the license application for Meli. The motion carried by the following vote:

Aye: 5 - Perry, Manion, Skinner, Johnson and Helgestad

Fermin De La Paz appeared before the Committee for an extension of premise application. This is an annual event. It will take place on June 4, 2016. No concerns from the Police Dept.

A motion was made by Chairperson Johnson, seconded by Helgestad, to approve the Extension of Premise application for Paz Pub. The motion carried by the following vote:

Aye: 5 - Perry, Manion, Skinner, Johnson and Helgestad

Summit BP appeared before the Committee. In December 2015 they were cited for not having a licensed bartender on premise and sale to an underage person. The agent,

Govind Phulara was not on premise when it happened. The agent was informed by the owner that he needs to have a licensed person on premise at all times. The employee that left the premise is no longer employed by them; there is a procedure in place now to prevent this from happening again.

A motion was made by Chairperson Johnson, seconded by Manion, to approve the license applications for Summit BP. The motion carried by the following vote:

Aye: 5 - Perry, Manion, Skinner, Johnson and Helgestad

This license application for Total Events was put on hold to allow the applicants to verify the amounts due for delinquent personal property and real estate taxes.

A motion was made by Manion, seconded by Chairperson Johnson, to put the beer and liquor license application for Total Events on hold. The motion carried by the following vote:

Aye: 5 - Perry, Manion, Skinner, Johnson and Helgestad

D. [ID#16-0786](#) Other Applications for licenses considered by Ordinance & License Committee on May 9, 2016

Chairperson Johnson made a motion to approve the remaining applications with the exception of Hannon's, who will be invited to the May 23, 2016 meeting; motion seconded by Manion. The motion passed with the following vote:

Aye: 5 - Perry, Manion, Skinner, Johnson and Helgestad

5. Discussion and Recommendation

A. [ID#16-489](#) Parade Ordinance

No action was taken on this item. It is anticipated it will be sent to the Common Council at the same time the street closure and special event ordinances are sent.

B. [ID#16-491](#) Street Closure Ordinance

A motion was made by Chairperson Johnson, seconded by Perry, to amend proposed draft of sec. 6.17(5) to 25 days with the Attorney's Office making changes to the related timeline in the ordinance. A draft of these changes will come back to the Committee. The motion carried by the following vote:

Aye: 3 - Perry, Johnson and Helgestad

Nay: 2 - Manion and Skinner

C. [ID#16-493](#) Special Events Ordinance

Meeting went into Recess

Meeting Reconvened

Perry made a motion to approve the draft ordinance as discussed with the timeline changes made to correspond with the street closure ordinance; revised draft ordinance to return to Committee; motion seconded by Chairperson Johnson. Motion failed by the following vote:

Aye: 2 - Perry and Johnson

Nay: 3 - Manion, Skinner and Helgestad

Helgestad made a motion to amend the special event fees in draft sec. 6.18(6)(d) from \$350 to \$150; motion seconded by Perry. The motion passed on the following vote:

Aye: 4 - Perry, Skinner, Johnson and Helgestad

Nay: 1 - Manion

Skinner would like the draft ordinances with amendments made tonight to go to Council, rather than have them return to Committee.

Helgestad made a motion to approve the draft special events ordinance with the discussed changes to the timeline and fees, draft to return to Committee. Motion seconded by Chairperson Johnson. Motion approved by the following vote:

Aye: 3 - Perry, Johnson and Helgestad

Nay: 2 - Manion and Skinner

6. Communications

Johnson thanked Aldermen Skinner and Helgestad for their work on the Committee.

7. Adjournment

Adj. at 9:37 p.m.

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, Fax 524-3898, or the Wisconsin Telecommunications Relay System so that arrangements may be made to accommodate the request.