



City of Waukesha

City Hall,
201 Delafield Street
Waukesha, WI 53188

Meeting Minutes Ordinance & License Committee

Monday, August 24, 2015

6:00 PM

Council Chambers, City Hall
Use lower level glass door.

1. Call to Order

Rollcall

Present 4 - Perry, Manion, Skinner, and Johnson

Absent 1 - Patton

2. Approval of Minutes

A. ID#15-3140 Minutes for July 23, 2015

Attachments: O&L Minutes 7-23-15

A motion was made by Ald. Manion, seconded by Chairperson Johnson, to approve the minutes of July 23, 2015. The motion carried by the following vote:

Aye: 4 - Perry, Manion, Skinner and Johnson

Absent: 1 - Patton

3. Licenses

A. ID#15-3090 INVITED Bartenders

Attachments: Bartenders 08 24 15

Brian Adam appeared with his agent from Walgreens, James Girmsheid. Adam has an underage drinking from March 2014. Girmsheid was not aware of this. Adam is now 21 years old. Girmsheid said Adam is a good employee and is supportive of his application.

A motion was made by Ald. Perry and seconded by Ald. Skinner to approve this bartender application. The motion carried by the following vote:

Aye: 4 - Perry, Manion, Skinner and Johnson

Absent: 1 - Patton

Daniel Galindo-Corral appeared with his agent from Chancery, Amy Miller. Galindo has an OWI from earlier this year. Miller was aware of this. Galindo has worked for Chancery

since 2009; he has done every position at the restaurant. This is a renewal. Miller said he is a good employee.

Ald. Skinner made a motion to approve this bartender application; motion seconded by Ald. Perry. Motion carried by the following vote:

Aye: 4 - Perry, Manion, Skinner and Johnson

Absent: 1 - Patton

Karla LaRock appeared with Dino from Spring City Restaurant/Rox Bar & Grille. LaRock has an OWI 1st and an OWI 2nd from earlier this year. The OWI 1st has been settled, the OWI 2nd is still pending. Skinner suggested that this item be put on hold until there is an outcome in the case. Her next court date is 8/26/15. Perry and Johnson agreed with Skinner's suggestion. LaRock said that she has been in treatment for 9 weeks. No action was taken on this application - it will be brought back upon completion of the OWI 2nd matter.

Brett Lopas will be re-invited.

Brianna Pacetti will be re-invited.

B. ID#15-3091 Bartender Applications

Attachments: Bartenders 08 24 15

A motion was made by Ald. Skinner and seconded by Ald. Perry to approve the remaining bartender applications. The motion passed by the following vote:

Aye: 4 - Perry, Manion, Skinner and Johnson

Absent: 1 - Patton

C. ID#15-3092 INVITED Other Applications for licenses considered by Ordinance & License Committee on August 24, 2015.

Attachments: Other Licenses 8 10 15

There were no applicants invited to the meeting for this item

D. ID#15-3093 Other Applications for licenses considered by Ordinance & License Committee on August 24, 2015.

Attachments: Other Licenses 8 24 15

A motion was made by Ald. Johnson and seconded by Ald. Manion to approve the applications for other licenses. The motion passed by the following vote:

Aye: 4 - Perry, Manion, Skinner and Johnson

Absent: 1 - Patton

4. Discussion and Recommendation

A. ID#15-2763 Consider "an appeals process" which would create a "Board of Appeals"

and process within the "New Garbage Ordinance" for those citizens and property owners who had previously received garbage pick up to appeal.

Attachments: Garbage Ordinance Appeal Process

Ald. Cummings brought this referral to the Committee a few months ago; she said it was determined then that it was premature until an ordinance was passed related to this item. Cummings feels that the citizens that have had garbage collection for 30 years should have a voice as to it stopping. This would only apply to a small number of residents that have had garbage collection in the past. The criteria would be that they also would have to own the property for 15 years or have a non-conforming lot or that dumpster placement and screening is not possible on the lot. They would need to meet the first criteria along with one of the other four. This would be available to a finite amount of citizens and the appeals process would have to be complete by the end of 2015. City Administrator Lehner suggested that the committee vote on a motion to refer this item to the City Attorney's Office. Ald. Pieper had budgetary concerns with this. The affected properties do receive recycling collection.

*A female that owns a property in the City spoke in favor of an appeals process. Cummings said she was told to wait with her idea when the ordinance was pending; now she is told it is too late.
Item failed for lack of a motion.*

- B. ID#15-3149 Consider amendment of Municipal Code sec. 9.11(16), concerning sales of intoxicating liquors at gas stations, to comply with recent changes in state law allowing sales of cider; make recommendation to Common Council.

Attachments: 9.11(16) Cider Memo

Ald. Skinner struggles with this even though it is to come into compliance with state law, however, he will support it this evening. He feels there is no shortage of locations to purchase alcohol from. Ald. Perry agrees with this statement.

Ald. Johnson made a motion to approve the amendment to sec. 9.11(16); motion seconded by Ald. Manion. The motion passed by the following vote:

Aye: 4 - Perry, Manion, Skinner and Johnson

Absent: 1 - Patton

- C. ID#15-3207 Consider the creation of an ordinance that would limit, restrict, or deny the use of porta potties in a residential area within the City of Waukesha.

Ald. Pieper said that he made this referral with Ald. Payne, who was unable to appear this evening. Ald. Johnson suggested to put this item on hold and recommended a memo be sent to the Committee and the Attorney's Office so that the Committee has something to review. Ald. Pieper suggested the Committee address the ordinance process and inform the Council of the process. A representative from Waukesha Memorial Hospital appeared, Saul Juarez Aguilar. He said WMH runs a program with non-profit organizations in an effort to educate the public in nutrition and gardening. They have a portable toilet at this location. They are mindful to keep it from being an eyesore and have fenced it and planted flowers around it. They have some neighbors that continue to be unhappy with its appearance, although he has met with others that have changed their opinion about it. No action was taken on this item.

- D. ID#15-3208 Consider adding to Ordinance 7.04:
"Residents must make all reasonable attempts to park in private driveways and parkways before parking on city streets for overnight parking".

Ald. Jankowski asked that this language be added to the parking ordinance. Ald. Johnson suggested that the PD issue overnight parking citations if permits have not been purchased. Ald. Skinner said he would not be in favor of this; it would be difficult to enforce. The police sergeant in attendance commented that this would be a difficult ordinance to enforce. Ald. Manion agreed with Skinner and the police department; the term "reasonable" is subjective; he is not in support of this change. Ald. Johnson recommended that the referring aldermen do research on their ideas prior to making a referral. No action was taken on this item. Jankowski will speak with the Attorney's Office and bring this item back to the Committee.

5. Communications

Ald. Johnson will contact the City Attorney and work with the City Administrator in regard to referrals.

6. Adjournment

Hearing no objection, the meeting was adjourned

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.