



City of Waukesha

City Hall,
201 Delafield Street
Waukesha, WI 53188

Meeting Minutes

Ordinance & License Committee

Monday, March 11, 2019

6:00 PM

Council Chambers, City Hall
Use lower level glass door.

1. Call to Order

Present 3 - Manion, Rodriguez, and Johnson

Absent 2 - Perry, and Lemke

2. Public Comment

None

3. Approval of Minutes

[ID#19-0319](#) O&L Minutes - February 25, 2019

Attachments: [O&L Minutes 2-25-19.pdf](#)

A motion was made by Johnson, seconded by Manion, to approve the Minutes for February 25, 2019. The motion carried by the following vote:

Aye: 3 - Manion, Rodriguez and Johnson

Absent: 2 - Perry and Lemke

4. Licenses

[ID#19-0355](#) Bartender Applications - March 11, 2019

Attachments: [Bartenders 2019.03.11](#)

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

Aye: 3 - Manion, Rodriguez and Johnson

Absent: 2 - Perry and Lemke

[ID#19-0356](#) INVITED Other Applications - March 11, 2019

Attachments: [INVITED Other Licenses 2019.03.11](#)

Expansion of Licensed Premise - Albanese's. Atty Robert Moody appeared with Joseph Albanese. They had an Extension of Premise approved last year for the bocce ball area. There was one incident that occurred last year with a patron that went after a pizza delivery person that was just west of the property. The police responded but never came in to speak with Mr. Albanese. The patron came to speak with Mr. Albanese subsequent to the incident and apologized; he was told that he was not able to return to the premise.

The committee recalled that in 2018 an extension was approved rather than an expansion due to the materials and temporary nature of the fencing. If the fencing were permanent and more substantial, it may have considered an expansion.

A motion was made by Johnson, seconded by Manion, to approve an Extension of Premise for May 6 - October 30th, every Monday, Wednesday and Thursday from 6 pm - 9 pm. The motion was approved by the following vote:

Aye: 3 - Manion, Rodriguez and Johnson

Absent: 2 - Perry and Lemke

[ID#19-0357](#) Other Applications - March 11, 2019

Attachments: [Other Licenses 2019.03.11](#)

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

Aye: 3 - Manion, Rodriguez and Johnson

Absent: 2 - Perry and Lemke

5. Discussion and Recommendation

[ID#19-0358](#) Discussion of Liquor License failed compliance checks**Attachments:** [Failed Compliance Checks 2019.03.11](#)

DT - Bottle Stop Jagdish Patel appeared - he said the employee that was cited was there for his first day of work and that is why he didn't have a bartender license. Johnson said no action is being taken tonight against his license. Patel said he tells employees to card. Patel said he has passed 6 other compliance checks done in 2018. Patel said it is his main effort for this to not happen again. Johnson recommended that Patel contact the police department for recommendations.

Discount Liquor - Frank Greguska, one of the owners of Discount Liquor appeared. He said this is a family business. He said they are serious about their livelihood. They had 2 compliance failures in 2018. The first one was by a 15 year employee whose husband had recently been diagnosed with cancer; after this happened she completed a responsible server class; she has passed 2 of their 3 tobacco checks that they had in 2018; she is a good employee. They have more signage at the checkout now; they have more employee meetings - he finds that patrons come to the checkout more often with their ID already out. The employee that failed the second compliance check is no longer with him; he had trouble with her being on her cell phone while working. He is supportive of compliance checks.

Foxx View Lanes - Michael Hoehnen appeared. He said his employee admitted that she should have carded; he said they talk frequently about carding everybody. He supports compliance checks. Manion asked about employee retention - this employee is still with him - Hoehnen said it is a case by case basis - he said the employee is a good asset.

Meadowbrook Corner Pump - Edward McMahon appeared. The employee that made the sale works for him full-time and he was suspended for a day without pay. Since this happened employees can now scan a driver's license to enter the dob - entry was required before, but he was lazy and had just entered any date. McMahon scans sales DL records now for inaccurate dates. He would terminate an employee if they did this a second time.

Mr. Wok Pan Asian - Chee Tan appeared. His part-time server was at the end of her shift and didn't card because she was in a rush. He said they only sell beer and wine and it is a very small part of their business. Tan said they have a sign at the entrance to have an ID ready if ordering beer or wine.

Walgreens - Elizabeth Bush appeared, manger. She said since this occurred there has been a corporate change - every single customer is carded and the DL is scanned. Under the new policy it is immediate termination if sale to a minor is made.

[ID#19-0359](#) Review and discussion of proposed outdoor storage ordinance.

Attachments: [Cover Sheet-Outdoor Storage Ordinance](#)
[New 17.09 Outdoor Storage-With Annotations](#)

Ald. Eric Payne asked that (3)(c)(i) be revised to be less restrictive to recreation vehicles; he said he has never had a complaint in his district related to RV's; people like to bring them home prior to and after a trip to load or clean. He said some people purchased their properties for a large lot to store their vehicles and this would affect them. He said in recent years he has had quick responses by Community Development regarding junk in yards.

Ald. Rodriguez said that under definitions (d) and (e) are interchangeable. She said that if RV's fit in a driveway without encroaching the sidewalk or hang over the driveway, it should be allowed; this could apply to boats as well; if they are in good condition and registered she believes they should be allowed. She has an issue with the landlord storage piece as well - is someone going to question whose stuff it is? She said some tenants have agreements with their landlords and we shouldn't get involved in that. How will we know if materials stored are commercial? We would have to investigate. She has a concern with more than 2 axles not being allowed as well; if it fits in an improved driveway, it should be allowed. She said that if storage in the backyard is allowed with fencing or an evergreen screening, it should be allowed if there isn't screening - people may not be able to afford it.

Christine Land, 2016 Ramona Road spoke, she does not have anything stored in her yard that would be contrary to the proposal. Her neighbor has a 40', 3 axle RV that he stores on his sideyard; he keeps it impeccable. She has between a 1/4 - 1/3 acre yard - he is gone half the year. She said it looks fine where it is and it doesn't bother her. She said when people make an investment such as a trailer and they store it on their property, to say that they can't store it there would be an imposition. She questions the length of the vehicle in the draft as being fair - she said she doesn't live in a gated community or a condo; she understands that some rules need to be in place.

Ald. Skinner said he brought this forward because Community Development has their hands tied in some situations. He said he is ok with removing the RV provision altogether - he agrees - if it fits in your driveway he is ok with it being there.

Johnson asked Jennifer Andrews if they receive alot of complaints for RV's. She said it would be ok to remove RV's but the draft includes any large vehicle - she said they get calls about work vehicles being brought home at night as well. She said she will enforce what the committee thinks is appropriate. Johnson said that he believes that the key is "improved surface".

A motion was made by Rodriguez, seconded by Manion, to approve the ordinance amendment proposed with the following changes: screening should include tarps of natural color (green, tan or brown); change to allow any vehicle that is licensed, registered and street legal (including trailers and boats) that fit in the driveway and do not go into the right of way. The motion carried by the following vote:

Aye: 3 - Manion, Rodriguez and Johnson

Absent: 2 - Perry and Lemke

6. Communications

None

7. Adjournment

Adjourned at 9:08 pm

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.