



City of Waukesha

City Hall,
201 Delafield Street
Waukesha, WI 53188

Meeting Minutes

Ordinance & License Committee

Monday, September 24, 2018

6:00 PM

Council Chambers, City Hall
Use lower level glass door.

1. Call to Order

Present 4 - Manion, Johnson, Rodriguez, and Lemke

Absent 1 - Perry

2. Public Comment

None

3. Approval of Minutes

[ID#18-1373](#) Minutes - September 10, 2018

Attachments: [O&L Minutes 9-10-18.pdf](#)

A motion was made by Chairperson Johnson, seconded by Lemke, to approve the Minutes for September 24, 2018. The motion carried by the following vote:

Aye: 4 - Manion, Johnson, Rodriguez and Lemke

Absent: 1 - Perry

4. Licenses

[ID#18-1301](#) INVITED Bartender Applications - September 24, 2018

Attachments: [Bartenders 2018.09.24](#)

Paula Weeks appeared with her agent from Fuzzy's, Phil Santiago. Weeks said she went through a bad period in her life and turned to alcohol. She successfully completed probation and has a letter from her PO. She is in a better place and making better decisions. Weeks has 2 OWI's, DC, Hit & Run.

She has worked for Santiago for several months; Santiago says she needs this license to go to next step in her employment; she needs the license to avoid her hours getting curbed. He is willing to give her a chance. Santiago said all of his employees are server/bartenders. He said 80% of his business is food.

Weeks has been in the service industry since a teenager and feels comfortable at Fuzzy's.

A motion was made by Rodriguez, seconded by Chairperson Johnson, to approve the bartender license for Paula Weeks. The motion carried by the following vote:

Aye: 3 - Johnson, Rodriguez and Lemke

Nay: 1 - Manion

Absent: 1 - Perry

[ID#18-1455](#) Bartender Applications - September 24, 2018

Attachments: [Bartenders 2018.09.24](#)

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

Aye: 4 - Manion, Johnson, Rodriguez and Lemke

Absent: 1 - Perry

[ID#18-1456](#) INVITED Other Applications - September 24, 2018

Attachments: [Other Licenses 9.24.18](#)
[Other Licenses Attachments 2018.09.24](#)

Kathy Woyahn appeared for Billy D's, expansion of premise application for new deck area that has been approved by Plan Commission. There will be a full view glass door and window; the bar faces the deck.

A motion was made by Rodriguez, seconded by Manion, to approve the expansion of premise for Billy D's. The motion carried by the following vote:

Aye: 4 - Manion, Johnson, Rodriguez and Lemke

Absent: 1 - Perry

[ID#18-1457](#) Other Applications - September 24, 2018

Attachments: [Other Licenses 9.24.18](#)
[Other Licenses Attachments 2018.09.24](#)

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

Aye: 4 - Manion, Johnson, Rodriguez and Lemke

Absent: 1 - Perry

5. Review & Act On

[ID#18-1372](#) Repeal Municipal Code sec. 11.40, the panhandling ordinance.

Attachments: [Cover Sheet-Panhandling.pdf](#)

[Memo-Panhandling.pdf](#)

[Ordinance-Repeal 11.40.pdf](#)

City Attorney Brian Running spoke. Our current ordinance prohibits panhandling near ATM's or in a way that is intimidating; our ordinance is based on the communication between the panhandler and the panhandlee. A recent court decision states that you cannot discriminate against certain communication based on its content; this would discriminate against the free speech of the panhandler. We have to act when court decisions make our ordinances unconstitutional. It is the recommendation of the CA's office to repeal 11.40. Running said we are having an increase in panhandling in our downtown area; so it is unfortunate timing. We may revisit the issue if there is an increase after the repealing of this ordinance. They may be able to address the issue in a content neutral way. Nine citations were issued last year; none were paid. Johnson asked Lt. Habanek if they have seen alot of panhandling. He said they have not seen alot; they deal more with public intoxication, a problem that they have several officers working on. The fine for panhandling is currently \$187.

A motion was made by Chairperson Johnson, seconded by Manion, to repeal sec. 11.40, Panhandling. The motion carried by the following vote:

Aye: 4 - Manion, Johnson, Rodriguez and Lemke

Absent: 1 - Perry

6. Communications

Attorney Running stated revisions are pending for Ch 27 and the outdoor storage ordinance; they are also working on an extension/expansion of premise ordinance. Ald. R. Rodriguez asked about the status of the parking permit issue; she would like to see permits transferrable. Johnson recommended she contact DC Angle.

7. Adjournment

Adj at 6:46 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.