



MINUTES OF A REGULAR MEETING OF THE **LEGISLATIVE & LICENSING COMMITTEE** HELD ON TUESDAY, **FEBRUARY 5, 2019 AT 7:15 P.M.** IN THE SELIGENSTADT (MAIN) CONFERENCE ROOM, 2000 NORTH CALHOUN ROAD, BROOKFIELD, WISCONSIN

ALDERMAN GARY MAHKORN PRESIDING

MEMBERS PRESENT: Alderman Gary Mahkorn (Chair), Alderman Brad Blumer, Alderman Bill Carnell, Alderman Buck Jurken, Alderman Jeff McCarthy

OTHERS PRESENT: City Attorney Jenna Merten, City Clerk Kelly Michaels, Alderman Christopher Blackburn, Director of Community Development Dan Ertl, Roundy's Asst. Realty Manager Brianna Cotton

1. Chairman Mahkorn noted a quorum was present and called the Legislative & Licensing Committee to order at 7:20 p.m.
2. Announcements/Reports:
 - a. The next regularly scheduled meeting will be held on Tuesday, February 19, 2019.
 - b. Due to time constraints and the event was approved by council in previous years, City Clerk Kelly Michaels issued a Temporary Class B Beer/Wine License to St. Luke's Congregation, 18000 W. Greenfield Avenue for an Annual Auction held on January 26, 2019 from 5:00 p.m. to 11:00 p.m., which is allowed under Municipal Code section 5.24.040C.
3. Minutes
 - a. Minutes of the January 15, 2019 meeting.

Motion by Alderman Jurken, second by Alderman McCarthy to approve the January 15, 2019 meeting minutes as presented. Motion carried 5-0.

4. New Business
 - a. Legislative Referral: Ordinance amending Subsections 2.08.040B and 2.08010C5 of the Brookfield Municipal Code regarding the duties of the Plan Commission and the Legislative & Licensing Committee.

Alderman Mahkorn stated the reason this item is before the committee is because the city's ordinances are too vague and need to incorporate what Wisconsin law says.

Attorney Merten agreed, however she stated since the agenda was issued Clerk Michaels pointed out that historically ordinances come through various committees, as generally the committees are the subject matter experts in the ordinance under consideration. She explained that ordinances have not been reviewed by Legislative and Licensing Committee prior to consideration at Council. Attorney Merten noted that while the code does currently indicate all new or revisions to existing ordinances come through the Legislative & Licensing Committee for review, the long-standing practice does not appear to follow the code. She summarized that we need to take a broader look at our processes as it relates to other committees and their expertise to put forth ordinances; and she suggested the committee postpone the item to the next meeting to give her time to take a closer look. Alderman Mahkorn agreed and stated this ordinance is a maintenance issue that can wait until a future meeting.

Motion by Alderman McCarthy, second by Alderman Jurken to postpone an Ordinance amending Subsections 2.08.040B and 2.08010C5 of the Brookfield Municipal Code regarding the duties of the Plan Commission and the Legislative & Licensing Committee to the next Legislative & Licensing Committee meeting on February 19, 2019. Motion carried 5-0.

- b. Legislative Referral: Ordinance amending Section 12.24.010 and Subsection 12.24.050F of the Brookfield Municipal Code regarding the definition of drones and the regulation of drones and similar aircraft in parks.

Alderman Mahkorn explained that once again, the city needs to bring its code into compliance with state statutes as since our ordinance was adopted, new statutes were adopted that have made ours unenforceable.

Motion by Alderman McCarthy, second by Alderman Blumer to approve an Ordinance amending Section 12.24.010 and Subsection 12.24.050F of the Brookfield Municipal Code regarding the definition of drones and the regulation of drones and similar aircraft in parks. Motion carried 5-0.

- c. Resolution regarding premise description changes for Class A Beer/Liquor licensed premises with online ordering of alcohol beverages for curbside/parking lot pickup (Roundy's Supermarkets Inc.).

Motion by Alderman McCarthy, second by Alderman Jurken to approve a Resolution regarding premise description changes for five, Class A Beer/Liquor licensed premises with online ordering of alcohol beverages for curbside/parking lot pickup (Roundy's Supermarkets Inc.). Motion carried 5-0.

Items 4d thru 4g were taken together.

- d. Resolution regarding applicants for Original and Temporary Operator's (Bartender) licenses.

Original

Baldwin, Michael N.	Cook, Robert T.	Michael, Maria K.
Bartman, Eilana L.	Fernando, Aisha M.	Rodriguez, Varela, Jason A.
Benitez, Denice	Gifford, Kaeley J.	Smith, Jennifer A.
Bloom III, Charles J.	Goedde, Kristen M.	Smith, Jessica M.
Carter, Breonte D.	Lohr, Natalie K.	Vanek, Daniel D.

Temporary

Giersch, Jennifer L.

- e. Resolution regarding a Temporary Class B Beer/Wine License.

Immanuel Lutheran Church
13445 Hampton Road
Annual Auction
March 2, 2019 – 5:00 p.m. to 10:00 p.m.
Bartender: Jennifer L. Giersch

- f. Resolution regarding a Temporary Class B Beer License.

St. Dominic Congregation
18255 W. Capitol Drive
Parish Fish Fry
March 15, 2019 – 4:00 p.m. to 10:00 p.m.
Bartender: Michael Ricci

- g. Resolution regarding a Temporary Class B Beer License.

St. Dominic Congregation
18255 W. Capitol Drive
Parish Fish Fry
March 15, 2019 – 4:00 p.m. to 10:00 p.m.
Bartender: Michael Ricci

Motion by Alderman McCarthy, second by Alderman Blumer to approve Original and Temporary Bartender Licenses, a Temporary Beer/Wine License and Temporary Beer Licenses for the above applicants, respectively. Motion carried 5-0.

Motion by Alderman McCarthy, second by Alderman Carnell to adjourn the Legislative & Licensing Committee meeting. Motion carried 5-0. Meeting adjourned at 7:30 pm.

Minutes respectfully submitted by Kelly Michaels, City Clerk