

CITY OF ELKHORN
Legislative and Regulatory Committee Minutes
Common Council Chambers, 9 S. Broad Street, Elkhorn, Wisconsin

December 17, 2014

Legislative and Regulatory Committee was called to order at 5:00 p.m. by Alderman Rehberg followed by Roll Call.

ROLL CALL

Present: Aldermen Hoss Rehberg, Bruce Lechner, Gregory Huss

Also present: Administrator Sam Tapson, Police Chief Joel Christensen, City Clerk Cairie Virrueta, other interested persons

Continued Discussion Regarding Sales of Fermented Malt Beverages at Gas Stations, Stores and Drive-up Food or Beverage Establishments

Stephanie Lueptow spoke in opposition to allowing fermented malt beverages. Ken Meinel said at the time the ordinance was created it was the intent to not allow any alcohol beverages at these establishments and it may have been a mistake in the way the ordinance was written that it doesn't prohibit beer also. Alderman Rehberg explained the difference between a "Class A" and Class "A" license to clarify confusion when reading the ordinance. Alderman Huss was concerned that alcohol rules would not be followed at gas stations and is leaning towards putting an ordinance in place prohibiting it. Alderman Lechner said there were advantages to allowing the sales but would like to keep the sales under control. Police Chief Christensen said the more restrictive the ordinance the easier control is. Alderman Rehberg was concerned with how a currently licensed establishment would be effected by the ordinance change. Administrator Tapson said when an ordinance changed disenfranchises a business it takes away the ability to generate revenue and the City Attorney should be consulted. He said the density could be controlled by restricting numbers of licenses. Alderman Rehberg instructed the City Clerk to contact the City Attorney regarding restricting beer and how it will affect currently licensed businesses.

Continued Discussion Regarding Keeping of Honeybees in the City

Alderman Rehberg said he looked at the samples sent by the City Clerk and felt the City of Wauwatosa wording was good with some adjustments. Alderman Lechner asked if it included procedures if a neighbor ended up being allergic to bees; Alderman Rehberg said the bees would need to be removed upon documentation from a doctor being presented. Administrator Tapson asked what the "neighborhood" was; Alderman Rehberg said it is the adjoining and diagonal properties. Alderman Rehberg will work with the City Clerk and bring back a suggested ordinance on beekeeping.

Review Ordinance No. 16-01 Regarding Changes to Chapter 12, Direct Sellers (Requiring Farms Stands on City Property to Provide Insurance)

Alderman Rehberg said this is to make sure all Direct Sellers provide insurance. Administrator Tapson said this protects the City when sales take place on the public right-of-way and requires this of Farm Stands as they were exempt in the past. **Motion (Huss/Lechner) to recommend approval of Ordinance No. 16-01. Voice vote; motion carried.**

ADJOURNMENT

Motion (Huss/Lechner) to adjourn at 5:27 p.m.

Cairie L. Virrueta
City Clerk