

CITY OF ELKHORN
Legislative and Regulatory Committee Minutes
First Floor Conference Room, 9 S. Broad Street, Elkhorn, Wisconsin

July 21, 2016

Legislative and Regulatory Committee was called to order at 5:30 p.m. by Alderman Rehberg followed by Roll Call.

Roll Call

Present: Aldermen Hoss Rehberg, Bruce Lechner, Cathy Bensaid

Also present: Alderman Tom Myrin, Administrator Tapson, City Attorney Ward Phillips, City Clerk Cairie Virrueta, Police Chief Joel Christensen, Library Director Lisa Selje, John and Kelly Odling (Friends on the Square), LeAnn Cali (Plaid LLC)

“Class B”/Class “B” Alcohol License Application from Plaid Restaurant

City Clerk Virrueta said the P.D., Fire Chief and Building Inspector all approved the application and inspected the property. **Motion (Lechner/Rehberg) to recommend approval of the “Class B”/Class “B” alcohol license application for Plaid Restaurant. Voice vote; Alderman Bensaid abstained; motion carried.** Alderman Bensaid abstained as her son is employed by Plaid Restaurant.

Request from Friends on the Square for a “Class B”/Class “B” Alcohol License

Administrator Tapson said the Class B combination license denotes an bar or tavern which requires a Conditional Use Permit in the downtown. This license also allows for the sale of packaged goods, with some restrictions. Kelly Odling said the only part of the premise to be licensed will be the room upstairs which will be used for private parties and she does not intend to sell packaged goods. **Motion (Lechner/Bensaid) to recommend approval of the “Class B”/Class “B” Alcohol License for Friends on the Square.** When the new license is issued, the Class C Wine License currently issued to the property will be surrendered. **Voice vote; all approved; motion carried.**

Review Final Changes to City Ordinances Regarding Alcohol Licensing

The City Attorney and City Clerk worked on the final changes to the City’s alcohol ordinances. The changes to require an update to definitions in the zoning code. **Motion (Lechner/Bensaid) to recommend approval of the final changes regarding alcohol licensing. Voice vote; all approved; motion carried.**

Review Changes to Ordinance 9.05 Regarding Noise Prohibition

City Attorney Phillips said the City currently has an ordinance but it is vague and unenforceable. He said an enforceable ordinance includes includes decibel levels which requires a sound decibel meter to enforce and if noise isn’t measureable it is a judgment decision. Alderman Rehberg said that the committee previously asked that it be written up to restrict the timeframe for construction activity and to work outside of those timeframes would require permission from the City. He said a decibel meter shouldn’t be needed. Alderman Bensaid asked if there were other noise problems; Police Chief Christensen said it is mainly construction and sometimes music. Alderman Rehberg asked the City Clerk to go with the time frame the committee originally decided upon when it was first discussed. (City Clerk follow-up, from the L&R meeting of 8/28/14: *Alderman Payson amended his motion to change ordinance for 7 a.m. to 9 p.m. for Monday through Saturday and for Sunday 7 a.m. to 7 p.m. Alderman Huss seconded. Motion carries.*)

Adjournment

Motion (Lechner/Rehberg) to adjourn at 5:17 p.m.

Cairie L. Virrueta
City Clerk