



City of West Allis

7525 W. Greenfield Ave.
West Allis, WI 53214

Meeting Minutes

License & Health Committee

Aldersperson Michael J. Czaplewski, Chair

Aldersperson Daniel J. Roadt, Vice-Chair

Alderspersons: Gary T. Barczak, Kevin Haass, Martin J. Weigel

Tuesday, September 2, 2014

7:55 PM

City Hall Room 128

SPECIAL RECESS MEETING

A. CALL TO ORDER

The meeting was called to order by Chair Czaplewski at 7:55 p.m.

B. ROLL CALL

Present: 5 - Ald. Czaplewski, Ald. Roadt, Ald. Barczak, Ald. Haass and Ald. Weigel

Excused: 0

Others present: Scott Post, City Attorney and Monica Schultz, City Clerk.

C. MATTERS FOR DISCUSSION/ACTION

2014-0562

Discussion relative to an ordinance requiring issuing a check payment instead of cash for items purchased by establishments holding a Second Hand Jewelry Dealer License, Secondhand Article Dealer License and Pawn Dealer License.

Diane Brandt stated that the West Allis West Milwaukee Chamber of Commerce and Legislative Committee are in full support of Pawn America. She stated they're concerned about the requirement of a check payment for transactions over \$25.00. They feel it is unreasonable and that the Committee should take into consideration Pawn America's compromise to issue checks for transactions over \$250.00. She wanted to know the purpose besides the neighbor's perception of drug and prostitution transactions. If limits are placed this could deter customers from conducting business at Pawn America.

Ald. Weigel stated this discussion was not just about Pawn America. He wanted to discuss the bigger picture of all secondhand dealer and pawn licenses. He wanted to work on a written plan of operation. If the business doesn't abide by their submitted plan of operation then the City has the ability to revoke the special use. Ald. Weigel talked about having a fee structure for high volume locations to help with police and administration costs for the NEWPRS system. Ald. Weigel said he felt a dollar limit for issuing checks of \$25.00 was reasonable to cut down on secondary transactions, even though drug transactions may happen at lower dollar amounts. He wanted to discuss this limit to include secondhand article and secondhand jewelry licenses.

Ald. Czaplewski stated this type of limitation could put the city at a disadvantage for attracting new businesses of this type.

Ald. Haass said that to keep the city open for business and business friendly this step could be excessive when applying to other businesses.

Ald. Weigel asked if they could just make this requirement for the pawn license, but that secondhand licenses could fall under this requirement and wanted to know how to differentiate. He doesn't want this to be looked at as anti-business but more as pro-neighborhood.

Ald. Czaplewski said we do not want to destroy the neighborhood but we should not punish a successful business either. It is not the business destroying the neighborhood but the type of people the business draws to it.

Ald. Barczak agreed with Ald. Czaplewski and asked if this would fall under the nuisance ordinance.

City Attorney Post stated that all the comments and complaints heard from citizens and neighbors at this point is hearsay but that is not actual testimony. He said nuisance is not based just on police calls, but on police calls with violations of the law. He asked the Committee to act on the licenses or hold a hearing to allow Pawn America due process with formal charges, witnesses and testimony. Attorney Post told the Committee that any plan of operation for Pawn America's licenses right now is voluntary. There is no requirement in the ordinance at this time. If an ordinance would be approved it would take effect the next license year.

Ald. Weigel asked if video evidence could be used.

Attorney Post replied that the video would need to prove the violation occurred as a result of the person entering or leaving the business.

Ald. Weigel commented about the plan of operation mirroring the liquor license. He expressed concern with issuing a business a license for a particular plan of operation and the business changing their operation, such as a Class B Tavern License being issued to a restaurant and the restaurant becoming a tavern establishment.

Discussed and Consensus Given

D. ADJOURNMENT

The meeting adjourned at 8:19 p.m.

Respectfully submitted,

*Monica Schultz
City Clerk*