



License Committee

Regular Meeting

335 South Broadway
De Pere, WI 54115
<http://www.de-pere.org>

Agenda

Tuesday, May 5, 2020

7:00 PM

Pursuant to Wisconsin Statutes 19.84, Notice is hereby given to the public that a meeting of the **License Committee** of the City of De Pere will be held on **May 5, 2020** at **7:00 PM**.

Due to the current public health emergency, the meeting will be held electronically and the public may attend this meeting electronically or telephonically by accessing either:

Computer/smart phone accessing <https://www.gotomeet.me/DePere>
OR

You can also dial in using your phone.

United States (Toll Free): [1 866 899 4679](tel:18668994679)

United States: [+1 \(312\) 757-3117](tel:+13127573117)

Access Code: 154-883-285

THIS MEETING WILL NOT BE HELD IN PERSON.

Call to Order

1. Roll Call
2. Approval of the minutes of the April 21, 2020 License Committee meeting.
3. Election of the Chair.
4. Election of the Vice Chair.
5. Operator license applications.*
6. Consideration and Possible Action on Requests of Alderpersons Carpenter and Raasch Concerning Extension of Liquor Licenses, Extension of Deadline for Liquor License Fees and Reduction of Operator's License Fees.*
7. Future agenda items.
8. Adjournment.

Respectfully Submitted,

Carey Danen, Clerk

Any person wishing to attend this meeting who, because of disability, requires special accommodations should contact the Clerk's office at 339-4050 by Noon, the previous day so that arrangements can be made.

***Items with an asterisk require City Council approval.**

Agenda Sent To:

Alderspersons
City Administrator
Mayor
Department Heads
TV, Newspapers & Radio Stations
Kress Family Library
De Pere Chamber of Commerce
Patricia Ashford
Robin Augustin
Breanne Brunette
Wade Conard
Tamara Conway-Marshall
Demitria Cowperthwait
Daniel Darschewski
Joseph DeGreet
Elizabeth Diekvoss
Deborah Eickmeyer
Aisling Jelinski
Casey Jelinski
Dylan Kelly
Laura Maus
Aidan Merck
Anthony Novara
Carol Popke
Cheryl Ratelle
Daniel Ritchie
Diane Sieckert
Gregg Schumacher
Orrin Sebold
Jewlie Shaw
Whitney Stanek
Allison Steiner
Brittany Tolmie
Tanner Ehnerd
Casey Ellerman
Erica Owens
Zach Herrick



City of De Pere, Wisconsin

Request For License Committee Action

MEETING DATE: May 5, 2020

DEPARTMENT: City Clerk

FROM: Ann Ledvina

SUBJECT: Approval of the minutes of the April 21, 2020 License Committee meeting.

ATTACHMENTS:

- 4-21-20 License Committee Minutes_Draft (DOC)



License Committee

Regular Meeting

335 South Broadway
De Pere, WI 54115
<http://www.de-pere.org>

Draft Minutes

Tuesday, April 21, 2020

7:00 PM

1. Call to Order. The meeting was called to order at 7:00 PM by Alderperson Dan Carpenter.

Attendee Name	Title	Status	Arrived
Jonathon Hansen	Alderperson	Present	
Dan Carpenter	Alderperson	Present	

Also present: City Attorney Judy Schmidt-Lehman and City Clerk Carey Danen.

2. Approval of the minutes of the April 8, 2020 License Committee meeting.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jonathon Hansen, Alderperson
SECONDER:	Dan Carpenter, Alderperson
AYES:	Jonathon Hansen, Dan Carpenter

3. Operator License Applications.*

Alderperson Carpenter moved, seconded by Alderperson Hansen to open the meeting. Upon vote, motion carried unanimously. Previously Tabled application #1 for Andrew Ebbole was presented. The applicant answered Committee members' questions.

Alderperson Carpenter moved, seconded by Alderperson Hansen to close the meeting. Upon vote, motion carried unanimously.

Alderperson Hansen moved, seconded by Alderperson Carpenter to approve Previously Tabled application #1. Upon vote, motion carried unanimously.

Alderperson Carpenter moved, seconded by Alderperson Hansen to deny Previously Tabled application #2 for failure to complete the application properly and non-appearance before the Committee when requested. Upon vote, motion carried unanimously.

Alderperson Carpenter moved, seconded by Alderperson Hansen to approve New Operator application #1. Upon vote, motion carried unanimously.

4. Request to Reduce Class B License Renewal Fees for 2020-2021 License Year.*

City Attorney Judy Schmidt-Lehman reviewed current liquor license fees and explained that the impact of the proposed reduction would be approximately \$28,500. Alderperson Carpenter asked if the loss of funds could be reimbursed through the revolving loan fund program. Judy explained that those funds are restricted to economic development activities by resolution of the Council, and she is not sure if this could be considered an economic development activity. Alderperson Hansen asked if liquor license fees go to the general fund; Judy confirmed this, with the exception of the publication fees. She explained that liquor license fees are intended to cover the cost of inspections by City staff, background checks, as well as clerk's office staff time.

RESULT: APPROVED [UNANIMOUS]
MOVER: Dan Carpenter, Alderperson
SECONDER: Jonathon Hansen, Alderperson
AYES: Jonathon Hansen, Dan Carpenter

5. Discussion and Possible Action on Request to Adopt a Temporary Ordinance to Allow the Sale of Intoxicating Liquor for Off-Premise Consumption by Class B Combination Licensed Establishments.*

City Attorney Judy Schmidt-Lehman reviewed the request from the Brown County Tavern League, and explained that the proposal on the Council agenda sunsets upon the removal of the Governor's order that establishments must be closed.

RESULT: APPROVED [UNANIMOUS]
MOVER: Dan Carpenter, Alderperson
SECONDER: Jonathon Hansen, Alderperson
AYES: Jonathon Hansen, Dan Carpenter

6. Discussion of New State Law Allowing Delegation of Authority to City Clerk to Grant Operators Licenses.*

City Attorney Judy Schmidt-Lehman explained that staff is recommending that if the Committee wishes to pursue this request, that it be made effective after the current renewal period is over. Alderperson Carpenter moved, seconded by Alderperson Hansen to request that staff draft an amendment to the ordinance.

RESULT: REFERRED BACK TO STAFF [UNANIMOUS]
MOVER: Dan Carpenter, Alderperson
SECONDER: Jonathon Hansen, Alderperson
AYES: Jonathon Hansen, Dan Carpenter

7. Future agenda items.

Alderperson Carpenter requested that staff research the possibility of extending the expiration date of operator licenses, due to the circumstances of the current health pandemic and the hardship it is causing to license holders.

8. Adjournment.

Alderperson Carpenter moved, seconded by Alderperson Hansen to adjourn the meeting at 7:19 PM. Upon vote, motion carried unanimously.

Respectfully submitted,
 Carey Danen, City Clerk



City of De Pere, Wisconsin

Request For License Committee Action

MEETING DATE: May 5, 2020

DEPARTMENT: City Clerk

FROM: Ann Ledvina

SUBJECT: Election of the Chair.



City of De Pere, Wisconsin

Request For License Committee Action

MEETING DATE: May 5, 2020

DEPARTMENT: City Clerk

FROM: Ann Ledvina

SUBJECT: Election of the Vice Chair.



City of De Pere, Wisconsin

Request For License Committee Action

MEETING DATE: May 5, 2020
DEPARTMENT: City Clerk
FROM: Ann Ledvina
SUBJECT: Operator license applications.*

ATTACHMENTS:

- Operator List 5.5.20 (PDF)

CITY OF DE PERE
License Committee - May 5, 2020

Renewal Operator License Applications for the 2020 - 2022 Licensing Period	
1	ASHFORD, PATRICIA
2	AUGUSTIN, ROBIN
3	BRUNETTE, BREANNE
4	CONARD, WADE
5	CONWAY-MARSHALL, TAMARA
6	COWPERTHWAIT, DEMITRIA
7	DARSCHEWSKI, DANIEL
8	DEGREET, JOSEPH
9	DIEKVOSS, ELIZABETH
10	EICKMEYER, DEBORAH
11	JELINSKI, AISLING
12	JELINSKI, CASEY
13	KELLY, DYLAN
14	MAUS, LAURA
15	MERCK, AIDAN
16	NOVARA, ANTHONY
17	POPKE, CAROL
18	RATELLE, CHERYL
19	RITCHIE, DANIEL
20	SCHUMACHER, GREGG
21	SEBOLD, ORRIN
22	SHAW, JEWLIE
23	SIECKERT, DIANE
24	STANEK, WHITNEY
25	STEINER, ALLISON
26	TOLMIE, BRITTANY
27	EHNERD, TANNER
28	ELLERMAN, CASEY

New Operator License Applications	
1	HERRICK, ZACH
2	OWENS, ERICA

Attachment: Operator List 5.5.20 (9500 : Operator license applications.)



City of De Pere, Wisconsin

Request For License Committee Action

MEETING DATE: May 5, 2020

DEPARTMENT: City Attorney

FROM: Angela Zills

SUBJECT: Consideration and Possible Action on Requests of Alderpersons Carpenter and Raasch Concerning Extension of Liquor Licenses, Extension of Deadline for Liquor License Fees and Reduction of Operator's License Fees.*

ATTACHMENTS:

- License Committee-Extension of Liquor License-Fee Deadlines5-5-20 (PDF)

CITY OF DE PERE MEMO



To: License Committee Members
 From: Kristen Johnson, Assistant City Attorney
 Date: May 5, 2020 (Meeting Date)
 RE: Extension of Liquor Licenses and Fee Deadlines

The License Committee has expressed interest in potentially extending current liquor licenses and fee deadlines.

Extension of Liquor Licenses

The Wisconsin Statutes and De Pere Municipal Code both provide that retail liquor licenses and operator's licenses expire on June 30.¹ As of the date of this memo, none of the Executive Orders issued by the Governor have amended the statutes relating to the expiration date of liquor licenses or operator's licenses. Additionally, 2019 Wisconsin Act 185 does not amend these sections of the statutes. After consulting with the Department of Revenue, it has been determined that a municipality may not extend current liquor licenses or operator's licenses that are scheduled to expire on June 30, 2020.

Extension of Deadlines for Payment of Fees

Neither the Wisconsin Statutes nor the De Pere Municipal Code establish due dates for fees associated with retail liquor licenses or operator's licenses. However, Wis. Stat. § 125.04(8) states that no license for the sale of alcohol beverages may be delivered to the applicant until the applicant files with the municipal clerk a receipt showing payment of the license fee to the appropriate treasurer. It has been the practice of the City Clerk's Office that the publication fee for retail liquor licenses (\$30.00) is collected when an application is submitted and the remaining license fee is collected when the licensee picks up their approved license. The fee for operator's licenses (\$55.00) is collected when an individual submits their application to the Clerk's Office.

As of the date of this memo, none of the Executive Orders issued by the Governor have amended Wis. Stat. § 125.04(8). Additionally, 2019 Wisconsin Act 185 does not amend this

¹ Wis. Stat. § 125.04(11)(b)(2) and De Pere Municipal Code Section 7-2(b)(2) establish the expiration date for retail liquor licenses. Wis. Stat. § 125.17(3) and De Pere Municipal Code Section 7-2(e)(5) establish the expiration date for operator's licenses.

section of the statutes. Therefore, the municipality may not deliver a license until the associated fee has been paid.

The City retains the right to set the fees for liquor licenses, so long as the fees are within the statutory limits. Recently, the City of De Pere reduced the fees for Class B licenses. The current fees in the City of De Pere and the statutory limits on fees for liquor licenses are listed below.

Current Fees in the City of De Pere:

- Class "A" with Liquor License- \$100
- Class "A" without Liquor License - \$625
- "Class A" - \$250
- Class "B" - \$100 (Reduced to \$0.00 for 2020-2021 renewal year)
- "Class B" - \$500 (Reduced to \$50.00 for 2020-2021 renewal year)
- Temporary Class "B" - \$10
- "Class C" - \$100
- Operator's License - \$55
- Operator's License with Provisional - \$70
- Temporary Operator's License - \$21

*The fees above are the same for initial applications and renewal applications

Statutory Limits on Liquor License Fees:

- Class "A" – no minimum or maximum
- "Class A" – minimum \$50, maximum \$500
- Class "B" – may not exceed \$100 per year
- "Class B" – minimum \$50, maximum \$500
- Temporary Class "B" – may not exceed \$10
- "Class C" – may not exceed \$100 per year
- Operator's License – no minimum or maximum
- Provisional Operator's License – may not exceed \$15
- Temporary Operator's License – no minimum or maximum

If you have any questions on this matter, please feel free to reach out to me directly.

KKJ

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License Committee
Extension of Liquor Licenses and Fee Deadlines
May 5, 2020 (Meeting Date)
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City of De Pere, Wisconsin

Request For License Committee Action

MEETING DATE: May 5, 2020

DEPARTMENT: City Clerk

FROM: Ann Ledvina

SUBJECT: Future agenda items.
