



License Committee

Regular Meeting

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

Agenda

Tuesday, April 21, 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 **April 21, 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 8, 2020 License Committee meeting.
3. Operator License Applications.*
4. Request to Reduce Class B License Renewal Fees for 2020-2021 License Year.*
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.*
6. Discussion of New State Law Allowing Delegation of Authority to City Clerk to Grant Operators Licenses.*
7. Future agenda items.
8. Adjournment.

Respectfully Submitted,

Ann Ledvina, Deputy Clerk Treasurer

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
Amanda Routhieaux
Andrew Ebbole
Lesley Kidder Clark



City of De Pere, Wisconsin

Request For License Committee Action

MEETING DATE: April 21, 2020

DEPARTMENT: City Clerk

FROM: Ann Ledvina

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

ATTACHMENTS:

- 4-8-20 License Committee Minutes_Draft (DOC)



License Committee

Regular Meeting

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

Draft Minutes

Wednesday, April 8, 2020

7:00 PM

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

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

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

2. Approval of the minutes of the March 17, 2020 License Committee meeting.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jonathon Hansen, Alderperson
SECONDER:	Dan Carpenter, Alderperson
AYES:	James Boyd, Dan Carpenter, Jonathon Hansen

3. Public Comment Period and other Announcements.

None.

4. Operator License Applications.*

Alderperson Carpenter moved, seconded by Alderperson Hansen to deny Previously Tabled applications #1-3 and 5 for failure to appear before the License Committee when requested. Upon vote, motion carried unanimously.

Alderperson Carpenter moved, seconded by Alderperson Hansen to table Previously Tabled application #4. Upon vote, motion carried unanimously.

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

Alderperson Boyd moved, seconded by Alderperson Carpenter to approve New Operator applications #2-5. Upon vote, motion carried unanimously.

5. Future agenda items.

City Attorney Judy Schmidt-Lehman explained that a provision was recently added to state statute that would allow municipalities to designate the authority to issue operator licenses to the City Clerk. If Committee members are interested in pursuing this, she will add it to the April 21st agenda.

Alderperson Hansen and the City Attorney's office have both received inquiries from local business owners about the possibility of reducing liquor license renewal fees as a means of relief for businesses that have been hard hit by the pandemic.

Judy also noted that her department has received inquiries about changing City ordinance to allow for the sale of intoxicating liquor for off-site consumption by Class B establishments.

6. Adjournment.

Aldersperson Boyd moved, seconded by Aldersperson Carpenter to adjourn the meeting at 7:09 PM. Upon vote, motion carried unanimously.

Respectfully submitted,
Carey Danen, City Clerk



City of De Pere, Wisconsin

Request For License Committee Action

MEETING DATE: April 21, 2020

DEPARTMENT: City Clerk

FROM: Ann Ledvina

SUBJECT: Operator License Applications.*

ATTACHMENTS:

- Operator List 4.21.20 (PDF)

CITY OF DE PERE
License Committee - April 21, 2020

Previously Tabled Operator License Applications	
1	EBBOLE, ANDREW
2	KIDDER CLARK, LESLEY

New Operator License Applications	
1	ROUTHIEAUX, AMANDA



City of De Pere, Wisconsin

Request For License Committee Action

MEETING DATE: April 21, 2020

DEPARTMENT: City Attorney

FROM: Judith Schmidt-Lehman

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

City officials have received a request for a reduction in Class B license renewal fees for the 2020-2021 license year. The City of Green Bay recently reduced the renewal license fee for a Class B combination license to \$50 and a Class B fermented malt beverage license to \$0. A copy of the request is attached for your information.

ATTACHMENTS:

- License Fee Reduction Request (PDF)
- License Com & CC Class B License Renewal (PDF)
- License Com & CC Class B License Renewal Fee Reduction4-21-20 (PDF)

Good Afternoon, and hope this message finds you well.

I can imagine what the past three weeks have done for you all on a legislative level. Taking care of the citizens of your community is paramount, and from what I hear, you are doing a great job, and listening to the needs of the constituents and small businesses of De Pere.

Which is why I'm asking for help.

There are a lot of small businesses in De Pere, that are suffering during this unprecedented time. From not getting covered on insurance for business loss, product spoilage, and civil authority, to the federal stimulus package offering small grants, with loans needed to keep heads above water, the bar/restaurant industry is desperate to receive any help it can.

We have made great strides on a municipal level in Green Bay. They made a unanimous decision last Wednesday, to drop all beer licensing fees to \$0, and all liquor license fees to \$50 (the state minimum). They still include the \$25 processing fee, and are keeping the same due date. Additionally, they are planning a meeting to discuss adopting Chapter 125.51(3)(b), allowing the sale of original, unopened containers of liquor for off-premise consumption.

I am asking that you please consider doing the same for the license holders in De Pere. Once again, every little bit helps, and these two olive branches would be a great relief for a lot of businesses in a city I am proud to personally live in.

Thank you very much for your time and consideration.

Don

--

Don Mjelde

President, Brown County Tavern League

Owner, Richard Craniums

715-323-7790

CITY OF DE PERE MEMO



TO: License Committee Members
Common Council Members

FROM: Judith Schmidt-Lehman, City Attorney

DATE: April 21, 2020 (meeting date)

RE: Request to Reduce Class B License Renewal Fees for the 2020-2021 License Year

Aldersperson Carpenter requested information regarding the fiscal impact of reducing the Class B License renewal fees for the 2020-2021 license year. Below is the information received from the Finance Director/Treasurer:

Carey and I just reviewed the numbers and concluded that this proposal would result in a decrease of revenue of roughly \$28,500 for 2020. It assumes our processing (publication fee) of \$30 for each license instead of the \$25 mentioned in the letter from the President of the Brown County Tavern League.

If you have any questions or concerns in advance of the April 21 2020 meetings, feel free to call me at 339-4042.

JSL

CITY OF DE PERE MEMO



To: License Committee Members
Common Council Members

From: Kristen Johnson, Assistant City Attorney

Date: April 21, 2020 (meeting date)

RE: Reduction of Certain Liquor License Fees

The purpose of this memo is to provide the License Committee with information regarding fees for liquor licenses. Given the current State of Emergency in the City of De Pere, the License Committee has expressed interest in potentially reducing the fees for certain liquor licenses.

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
- "Class B" - \$500
- Temporary Class "B" - \$10
- "Class C" - \$100

*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

The City of Green Bay recently adopted a resolution reducing the fees for liquor license renewals to \$50.00 for a "Class B" renewal and \$0.00 for a Class "B" renewal. This reduction will only apply to renewal fees for the 2020-2021 license year.

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

J:\Law\Memos\2020\License Com&CC Class B License Fee Reduction4-21-20.docx

Attachment: License Com & CC Class B License Renewal Fee Reduction4-21-20 (9421 : Request to Reduce Class B License Renewal Fees for



City of De Pere, Wisconsin

Request For License Committee Action

MEETING DATE: April 21, 2020

DEPARTMENT: City Attorney

FROM: Judith Schmidt-Lehman

SUBJECT: 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.*

ATTACHMENTS:

- Brown County Tavern League Ordinance Request 4-21-20 (PDF)
- Amending § 7-10 DPMC Restrictions on Sales of Intoxicating Beverages-Redlined (DOCX)

Good Morning Everyone-

Due to the decision to extend the Safer-At-Home order to 70 days yesterday, a lot of businesses in De Pere are at risk to close. The federal grant money is gone, with little to help the hospitality industry.

The PPP loan was 'forgiveable' only if 75% went toward payroll. Payroll we cannot have, because businesses were forced to be shut down. Otherwise, it is just a loan, with a very short (2 year) term.

Which is why I am again asking for immediate help.

We are asking local businesses to be reimbursed for the beer/liquor license fee they had to pay, down to the state minimum (\$0/beer, \$50/liquor, standard processing fee).

Additionally, we would like to adopt, albeit temporarily, Chapter 125.51(3)(b), allowing the sale of original, unopened containers of liquor for off-premise consumption. This has passed in Green Bay, Howard, and Ashwaubenon.

And finally, we would like to consider a grant program in place for these businesses.

I understand, at the last council meeting, that this was to be discussed May 5th. I ask you please include it instead into your April 21st Common Council meeting, to which there is currently no agenda posted.

Given you have provided zero-interest loans in De Pere, it is obvious you want to help your businesses stay afloat. Please go one step further, so we can provide relief to business owners during this terrible time.

I have tagged citywide restaurant/bar owners, and we look forward to your response.

Thank you for reading.

Don

--

Don Mjelde
President, Brown County Tavern League
Owner, Richard Craniums
715-323-7790

Sec. 7-10. - Restriction on sales of intoxicating beverages.

(a) *Sale by persons.* All retail sales of intoxicating liquor or fermented malt beverages shall be transacted in its entirety between natural persons. The use of vending machines, self-serve areas, self-serve coolers, or other such schemes or devices is strictly prohibited.

(b) *Sale by drink.* All retail sales of intoxicating liquor or fermented malt beverage to be consumed on the premises shall be by the individual drink or pitcher, and the patron shall be charged by the individual drink or pitcher for such sales. The sale of any intoxicating liquor or fermented malt beverage for consumption on the premises which would permit the patron to consume an unspecified quantity of intoxicating liquor or fermented malt beverage for special price is prohibited.

(c) *Sales to intoxicated persons.* No intoxicating liquor or fermented malt beverage shall be sold, given, or otherwise dispensed to any person who is intoxicated or who exhibits signs or behaviors such that a reasonable person would conclude such person is intoxicated.

(d) *Sale for off premise consumption.* Pursuant to Wis. Stat. 125.51(3)(b), a retail "Class B" license authorizes the sale of intoxicating liquor to be consumed by the glass only on the premises where sold and also authorizes the sale of intoxicating liquor in the original package or container, in any quantity, to be consumed off the premises where sold. This section shall not apply to a winery that has been issued a "Class B" license.



City of De Pere, Wisconsin

Request For License Committee Action

MEETING DATE: April 21, 2020

DEPARTMENT: City Attorney

FROM: Judith Schmidt-Lehman

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



City of De Pere, Wisconsin

Request For License Committee Action

MEETING DATE: April 21, 2020

DEPARTMENT: City Clerk

FROM: Ann Ledvina

SUBJECT: Future agenda items.
