



License Committee

Regular Meeting

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

Agenda

Tuesday, April 16, 2019

7:00 PM

De Pere City Hall Riverview Room

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 16, 2019** at **7:00 PM** in the **De Pere City Hall Riverview Room, 335 S. Broadway, De Pere, WI 54115**.

Call to Order

1. Roll Call
2. Approval of the minutes of the April 3, 2019 License Committee meeting.
3. Public Comment Period and other Announcements.
4. Operator License Applications.*
5. Application for a Class "A" Fermented Malt Beverage/"Class A" Intoxicating Liquor License for Kwik Trip, Inc. (DBA Kwik Trip #1060), 1620 Lawrence Dr. Submitted by Kwik Trip, Inc., Agent: Daniel J. Schmidt, Wrightstown, WI.*
6. Review of Ordinance #18-18, Regarding Online Ordering and Curbside Pick-up of Alcohol Beverages.
7. Adjournment.

Respectfully Submitted,

Carey Danen, Clerk

***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
Ryan R. Barr
Lee C. Davis
David E. Gibson
Brian W. Olsen
Debra G. Olsen
Debra A. Pastorski
Robert J. Tease
Wade E. Armstrong
Cristy A. Castelic
Leslie L. Christofferson
Zachary A. Crueger

Emily R. Gibson
Gary S. Hansen II
Tyler A. Jeske
Alissa K. Koehnke
Dean F. Milkie
Logan J. Simkowski
Jane A. Yells
Daniel J. Schmidt
Kwik Trip, Inc.



City of De Pere, Wisconsin

Request For License Committee Action

MEETING DATE: April 16, 2019

DEPARTMENT: City Clerk-Treasurer

FROM: Carey Danen

SUBJECT: Approval of the minutes of the April 3, 2019 License Committee meeting.

ATTACHMENTS:

- 4-3-19 License Committee Minutes_Draft (PDF)



License Committee

Regular Meeting

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

Draft Minutes

Wednesday, April 3, 2019

7:15 PM

De Pere City Hall Riverview Room

1. Call to Order. The meeting was called to order at 7:15 PM by Alderperson James Boyd.

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

2. Approval of the Minutes of the March 19, 2019 License Committee Meeting.

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

3. Public Comment Period and other Announcements. None.

4. Operator License Applications.*

Alderperson Boyd moved, seconded by Alderperson Hansen to open the meeting. Upon vote, motion carried unanimously. Previously Tabled Operator License Application #1 for Jon P. Ehlinger was presented. The applicant answered the Committee members' questions. Alderperson Boyd moved, seconded by Alderperson Hansen to close the meeting. Upon vote, motion carried unanimously.

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

Alderperson Hansen moved, seconded by Alderperson Boyd to deny Previously Tabled Application #2 due to alcohol related convictions and non-appearance at two previously scheduled meetings after attendance was requested. Upon vote, motion carried unanimously.

Alderperson Boyd moved, seconded by Alderperson Hansen to approve Temporary Operator Applications #1-4. Upon vote, motion carried unanimously.

Alderperson Hansen moved, seconded by Alderperson Boyd to table New Operator Application #2. Upon vote, motion carried unanimously.

Alderperson Hansen moved, seconded by Alderperson Boyd to approve New Operator Applications #1 and #3-11. Upon vote, motion carried unanimously.

5. Adjournment.

Alderperson Boyd moved, seconded by Alderperson Hansen to adjourn the meeting at 7:23 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 16, 2019
DEPARTMENT: City Clerk-Treasurer
FROM: Carey Danen
SUBJECT: Operator License Applications.*

ATTACHMENTS:

- 4-16-19 (PDF)

CITY OF DE PERE
License Committee - April 16, 2019

Previously Tabled Operator License Applications	
1	BARR, RYAN R.

Temporary Operator License Applications	
1	DAVIS, LEE C.
2	GIBSON, DAVID E.
3	OLSEN, BRIAN W.
4	OLSEN, DEBRA G.
5	PASTERSKI, DEBRA A.
6	TEASE, ROBERT J.

New Operator License Applications	
1	ARMSTRONG, WADE E.
2	CASTELIC, CRISTY A.
3	CHRISTOFFERSON, LESLIE L.
4	CRUEGER, ZACHARY A.
5	GIBSON, EMILY R.
6	HANSEN II, GARY S.
7	JESKE, TYLER A.
8	KOEHNKE, ALISSA K.
9	MILKIE, DEAN F.
10	SIMKOWSKI, LOGAN J.
11	YELLS, JANE A.

Attachment: 4-16-19 (8123 : Operator License Applications.*)



City of De Pere, Wisconsin

Request For License Committee Action

MEETING DATE: April 16, 2019

DEPARTMENT: City Clerk-Treasurer

FROM: Carey Danen

SUBJECT: Application for a Class "A" Fermented Malt Beverage/"Class A" Intoxicating Liquor License for Kwik Trip, Inc. (DBA Kwik Trip #1060), 1620 Lawrence Dr. Submitted by Kwik Trip, Inc., Agent: Daniel J. Schmidt, Wrightstown, WI.*

ATTACHMENTS:

- Kwik Trip_4-16-19 (PDF)

Original Alcohol Beverage Retail License Application

Submit to municipal clerk.

For the license period beginning JUNE 10 20 19 ;
ending JUNE 30 20 19

TO THE GOVERNING BODY of the: ☐ Town of }
☐ Village of } DEPERE
☒ City of }

County of BROWN Aldermanic Dist. No. _____ (if required by ordinance)

1. The named ☐ Individual ☐ Partnership ☐ Limited Liability Company
☒ Corporation / Nonprofit Organization

hereby makes application for the alcohol beverage license(s) checked above.

2. Name (individual/partners give last name, first, middle; corporations/limited liability companies give registered name): KWIK TRIP, INC.

1626 OAK ST, PO BOX 2107, LA CROSSE, WI 54602

An "Auxiliary Questionnaire," Form AT-103, must be completed and attached to this application by each individual applicant, by each member of a partnership, and by each officer, director and agent of a corporation or nonprofit organization, and by each member/manager and agent of a limited liability company. List the name, title, and place of residence of each person.

Title	Name (Last, First, M.I.)	Home Address	Post Office & Zip Code
President/Member	PRESIDENT ZIETLOW, DONALD P		
Vice President/Member			
Secretary/Member			
Treasurer/Member	TREASURER WROBEL, JEFFREY J		
Agent	AGENT SCHMIDT, DANIEL J		
Directors/Managers	DONALD P. ZIETLOW		

3. Trade Name KWIK TRIP #1060 Business Phone Number Not available yet
4. Address of Premises 1620 LAWRENCE DR Post Office & Zip Code DEPERE 54115

5. Is individual, partners or agent of corporation/limited liability company subject to completion of the responsible beverage server training course for this license period? ☐ Yes ☒ No
6. Is the applicant an employee or agent of, or acting on behalf of anyone except the named applicant? ☐ Yes ☒ No
7. Does any other alcohol beverage retail licensee or wholesale permittee have any interest in or control of this business? ☐ Yes ☒ No
8. (a) **Corporate/limited liability company applicants only:** Insert state WISCONSIN and date 10/07/64 of registration.
(b) Is applicant corporation/limited liability company a subsidiary of any other corporation or limited liability company? ☐ Yes ☒ No
(c) Does the corporation, or any officer, director, stockholder or agent or limited liability company, or any member/manager or agent hold any interest in any other alcohol beverage license or permit in Wisconsin? PLEASE SEE ENCLOSED LIST ☒ Yes ☐ No

(NOTE: All applicants explain fully on reverse side of this form every YES answer in sections 5, 6, 7 and 8 above.)

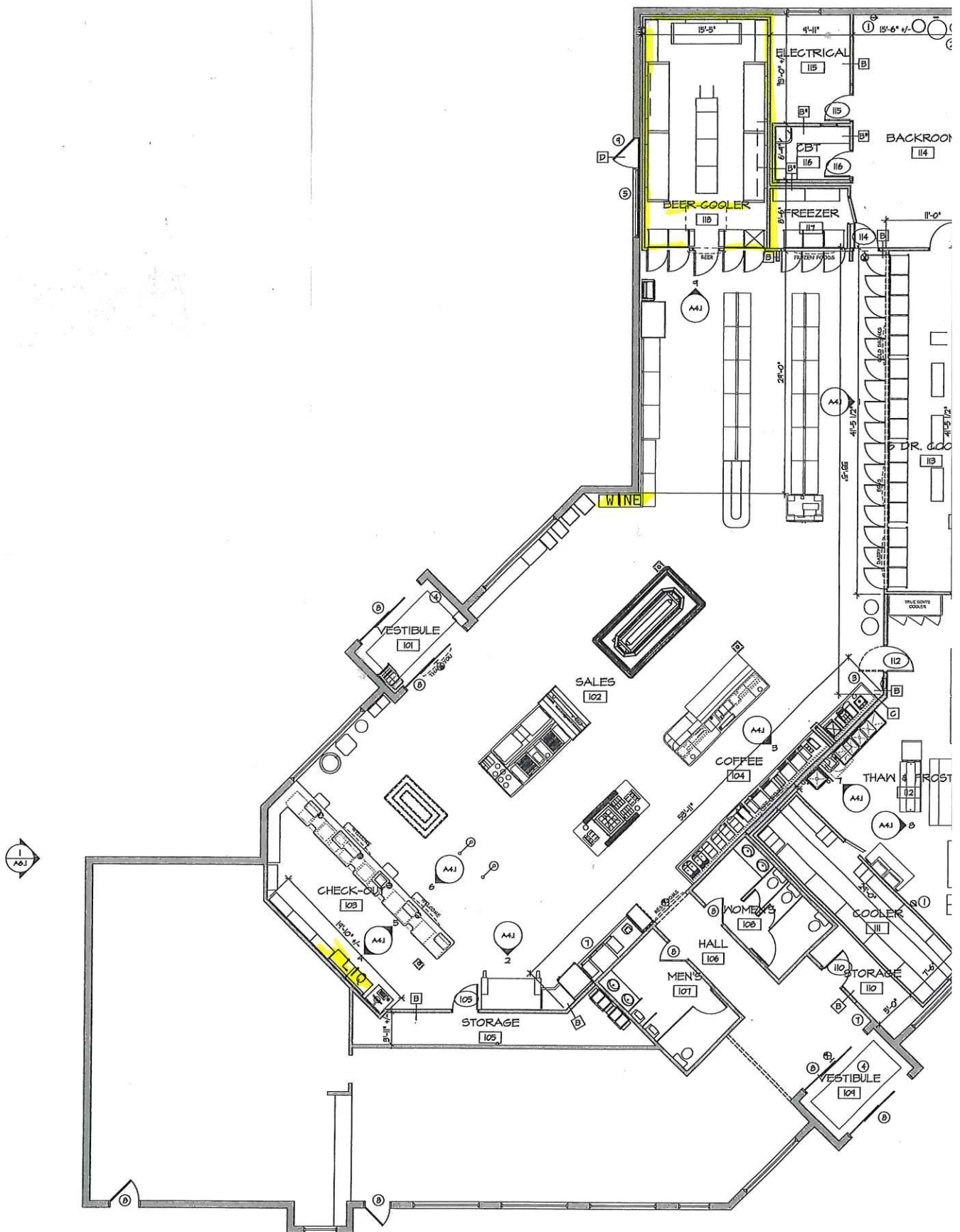
9. Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include all rooms including living quarters, if used, for the sales, service, consumption, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.) ONE-STORY FRAME CONSTRUCTION WITH STORAGE IN LOCKABLE
10. Legal description (omit if street address is given above): WALK-IN COOLER, CABINETRY ON SALES FLOOR, BEHIND SALES COUN
11. (a) Was this premises licensed for the sale of liquor or beer during the past license year? ☒ Yes ☐ No
(b) If yes, under what name was license issued? SCHEURING ROAD MOBIL MART
12. Does the applicant understand they must register as a Retail Beverage Alcohol Dealer with the federal government, Alcohol and Tobacco Tax and Trade Bureau (TTB) by filing (TTB form 5630.5d) before beginning business? [phone 1-877-882-3277]. ☒ Yes ☐ No
13. Does the applicant understand they must hold a Wisconsin Seller's Permit? ☒ Yes ☐ No
[phone (608) 266-2776].
14. Does the applicant understand that they must purchase alcohol beverages only from Wisconsin wholesalers, breweries and brewpubs? ☒ Yes ☐ No

READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the applicant states that each of the above questions has been truthfully answered to the best of the knowledge of the signer. Any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000. Signer agrees to operate this business according to law and that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another. (Individual applicants, or one member of a partnership applicant must sign; one corporate officer, one member/manager of Limited Liability Companies must sign.) Any lack of access to any portion of a licensed premises during inspection will be deemed a refusal to permit inspection. Such refusal is a misdemeanor and grounds for revocation of this license.

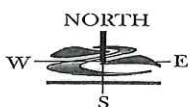
Donald P. Zietlow
(Officer of Corporation / Member / Manager of Limited Liability Company / Partner / Individual)

TO BE COMPLETED BY CLERK

Date received and filed with municipal clerk <u>3-11-19</u>	Date reported to council / board	Date provisional license issued	Signature of Clerk / Deputy Clerk
Date license granted	Date license issued	License number issued	



Attachment: Kwik Trip 4-16-19 (8124 : Class A combo license Kwik Trip*)



1 FLOOR PLAN
A2.1 1/8" = 1'-0"





City of De Pere, Wisconsin

Request For License Committee Action

MEETING DATE: April 16, 2019

DEPARTMENT: City Clerk-Treasurer

FROM: Carey Danen

SUBJECT: Review of Ordinance #18-18, Regarding Online Ordering and Curbside Pick-up of Alcohol Beverages.

At its August 21, 2018 meeting, the License Committee voted to recommend approval of amending the municipal code to allow for curbside pick-up of alcohol beverages. Committee members requested that the topic be placed on the agenda in six months for review. Festival Foods began offering this service in October of 2018, and Walmart started in January of 2019.

ATTACHMENTS:

- 18-18 (PDF)

ORDINANCE #18-18

CREATING SECTION 7-10(d) DE PERE MUNICIPAL CODE REGARDING ONLINE ORDERING AND CURBSIDE PICK-UP OF ALCOHOL BEVERAGES

THE COMMON COUNCIL OF THE CITY OF DE PERE, WISCONSIN, DO ORDAIN
AS FOLLOWS:

SECTION 1. Section 7-10(d), *Online Ordering and Curbside Pickup of Alcohol Beverages*, is hereby created as follows:

(d) *Online Ordering and Curbside Pickup of Alcohol Beverages.*

(1) No establishment shall allow online purchase of alcohol beverages and curbside delivery of such purchases ("Click and Collect"), without first obtaining an "Extension of Premises" from the De Pere Common Council, upon recommendation of the License Committee (LC) to license that portion of the establishment's parking lot that will allow vehicles to park for purposes of picking up their online order.

a. The licensed establishment shall file a detailed operation plan with their "Extension of Premises" form that clearly details how their "Click and Collect" operation will function. The operation plan shall include the licensee's protocol for assuring that underage persons and intoxicated persons do not pick up alcohol via the "Click and Collect" program.

b. Failure of licensee to provide a detailed operation plan with their "Extension of Premises" application shall result in the City of De Pere Clerk's Office not forwarding the "Extension of Premises" form to the LC for consideration.

(2) No establishment holding an alcohol beverage license shall allow online purchase and pick-up of alcohol beverages unless the sale is consummated on the licensed premises.

a. Payment for the purchase must be completed on premises and may not be completed until the purchaser is at the licensed premises and has presented valid photo identification that has been verified by a licensed operator employed by the premises.

- b. The licensed operator must verify that the person placing the "Click and Collect" order is the same person picking up the order.
 - c. The sale and delivery of "Click and Collect" purchases shall be made only by a licensed operator.
 - d. No alcohol sales are permitted if the purchaser fails to present valid photo identification.
 - e. The "Click and Collect" system must allow the purchase of alcohol to be denied without affecting the remainder of the purchase.
- (3) Each "Click and Collect" transaction must capture and retain an image of the vehicle into which the order is being loaded for thirty (30) days.
- (4) Pick-up of "Click and Collect" orders shall be between the hours of 8:00 a.m. and 8:00 p.m.
- (5) There shall be a minimum four- (4) hour waiting period between order time and pick-up time.
- (6) Orders placed after 2:00 p.m. cannot be picked up until the following day.
- (7) If the "Click and Collect" purchaser is not the driver of the vehicle into which the order is being loaded, the licensed operator must verify that the driver is 21 years of age or older.
- (8) The licensed operator shall report to his or her manager any purchaser who shows signs of alcohol consumption, and in conjunction with the manager, shall assess sobriety for purposes of approving or denying the sale.
- (9) The pick- up area for "Click and Collect" purchases shall be clearly defined with visible markings, signs, and/or barriers and must be within 150 ft. from the pick-up door.
- (10) No events other than the delivery of "Click and Collect" orders shall be allowed on the expanded premises.
- (11) Penalty. Any licensee or person who violates any provision of this subsection shall be subject to forfeiture as determined by resolution of the Common Council.

Ordinance #18-18

Page 3 of 3

SECTION 2: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3: This ordinance shall take effect on and after its publication.

Adopted by the Common Council of the City of De Pere, Wisconsin, this 4th day of September, 2018.

APPROVED:


Michael J. Walsh, Mayor

ATTEST:


Shana D. Ledvina, Clerk-Treasurer

Ayes: 8

Nays: 0

Committee Approval: August 21, 2018

Publication Date: September 11, 2018

Effective Date: September 11, 2018

Attachment: 18-18 (8125 : Review of municipal ordinance regarding curbside pick-up)