



License Committee

Regular Meeting

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

Agenda

Tuesday, December 5, 2017

6:45 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 **December 5, 2017** at **6:45 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 November 21, 2017 License Committee Meeting.
3. Public Comment Period and other Announcements.
4. Operator License Applications.*
5. Application for a Temporary Premise Description Change for St. Norbert College.*
6. Request of the Chief of Police to conduct a pre-hearing on the Class "A" Fermented Malt Beverage License issued to Dolgencorp, LLC (DBA Dollar General), 805 Main Av.*
7. Request of the Chief of Police to conduct a pre-hearing on the "Class B" Combination Liquor License issued to The Cover LLC (DBA The Longbranch), 334 Main Av.*
8. Request of the Chief of Police to conduct a pre-hearing on the Operator's License issued to Jack M. Van Dyke, De Pere.*
9. Adjournment.

Respectfully Submitted,

Shana Ledvina, Clerk - Treasurer

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

Mayor
Alderspersons
Department Heads
TV, Newspapers & Radio Stations
Kress Family Library
De Pere Chamber of Commerce
Donna L. Upthgrove
Shelby L. Alwardt
Reilly A. Chard
Luke J. Ewert
Nora G. Huebner
Collin M. Kempfert
Paul S. Kudirko
Brianna M. McGuire

Ashley M. Prichard
Jennifer E. Sage
Anthony Hawks
Paul W. Huss
Jack M. Van Dyke

City of De Pere, Wisconsin



Request For License Committee Action

MEETING DATE: December 5, 2017

DEPARTMENT: City Clerk-Treasurer

FROM: Shana Ledvina

SUBJECT: Approval of the Minutes of the November 21, 2017 License Committee Meeting.

ATTACHMENTS:

- 11-21-17 License Committee Minutes (DOC)



License Committee

Regular Meeting

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

Draft Minutes

Tuesday, November 21, 2017

6:30 PM

De Pere City Hall Riverview Room

1. Call to Order

The meeting was called to order at 6:30 PM by Alderperson Boyd. Present were Alderpersons Boyd, Carpenter and Hansen, City Attorney Judy Schmidt-Lehman, and Clerk-Treasurer Shana Ledvina.

2. Approval of the Minutes of the November 7, 2017 License Committee Meeting.

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

3. Public Comment Period and other Announcements. None.

4. Operator License Applications.*

CITY OF DE PERE	
License Committee - November 21, 2017	
Previously Tabled Operator License Applications	
1	BIELSKI, ASHLEY M.
2	UPTHEGROVE, DONNA L.
New Operator License Applications	
1	BEINING, DANIELLE M.
2	DAL SANTO, NICOLE S.
3	VAUGHAN, WAYNE A.

Previously Tabled Operator License Application #1 for Ashley M. Bielski was presented. Alderperson Carpenter moved, seconded by Alderperson Hansen to deny the application. Upon vote, motion carried unanimously.

Previously Tabled Operator License Application #2 for Donna L. Upthegrove was presented. Alderperson Carpenter moved, seconded by Alderperson Hansen to table the application. Upon vote, motion carried unanimously.

Alderperson Carpenter moved, seconded by Alderperson Boyd to approve Operator License Applications #1-3. Upon vote, motion carried unanimously.

5. Application for Change of Agent submitted by Dolgencorp, LLC.*

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

6. Application for a Change in Corporate Entity from Virgola, LLC to Jonny Olives, LLC.*

Attachment: 11-21-17 License Committee Minutes (6464 : Approval of the Minutes of the November 21, 2017 License Committee Meeting.)

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

7. Application for a Class "B" Fermented Malt Beverage & "Class B" Intoxicating Liquor License for Baffidilucio, LLC, 109-113 N. Broadway. Submitted by Baffidilucio, LLC, Agent: Andrew T. Krans, De Pere, WI.*

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

8. Adjournment.

Alderperson Boyd moved, seconded by Alderperson Hansen to adjourn the meeting at 6:35 p.m. Upon vote, motion carried unanimously.

Respectfully submitted,

Shana Ledvina, Clerk-Treasurer

City of De Pere, Wisconsin**Request For License Committee Action**

MEETING DATE: December 5, 2017
DEPARTMENT: City Clerk-Treasurer
FROM: Shana Ledvina
SUBJECT: Operator License Applications.*

ATTACHMENTS:

- 12-5-17 (PDF)

CITY OF DE PERE
License Committee - December 5, 2017

Previously Tabled Operator License Applications	
1	UPTHEGROVE, DONNA L.

New Operator License Applications	
1	ALWARDT, SHELBY L.
2	CHARD, REILLY A.
3	EWERT, LUKE J.
4	HUEBNER, NORA G.
5	KEMPFERT, COLLIN M.
6	KUDIRKO, PAUL S.
7	MC GUIRE, BRIANNA M.
8	PRICHARD, ASHLEY M.
9	SAGE, JENNIFER E.

City of De Pere, Wisconsin**Request For License Committee Action**

MEETING DATE: December 5, 2017

DEPARTMENT: City Clerk-Treasurer

FROM: Shana Ledvina

SUBJECT: Application for a Temporary Premise Description Change for St. Norbert College.*

ATTACHMENTS:

- SNC_Temporary Premise Description Change (PDF)

Premise Description Change

ORIGINAL ALCOHOL BEVERAGE RETAIL LICENSE APPLICATION

Submit to municipal clerk.

For the license period beginning JULY 1 20 17 ;
ending JUNE 30 20 18

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): ST. NORBERT COLLEGE, INC.

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	Home Address	Post Office & Zip Code
President/Member	<u>PRESIDENT BRIAN BRUESS</u>	<u>1527 FOX RIDGE CT</u>	<u>54115</u>
Vice President/Member			
Secretary/Member	<u>SECRETARY AMY SORENSON</u>	<u>1521 BAY HIGHLANDS</u>	<u>54311</u>
Treasurer/Member	<u>TREASURER EILEEN JAHNKE</u>	<u>3435 BAY HIGHLANDS</u>	<u>54311</u>
Agent	<u>CATERING DIRECTOR TERRIE DUBOIS</u>	<u>118 S. WASHINGTON ST B114</u>	<u>54301</u>

- Directors/Managers
3. Trade Name ST NORBERT COLLEGE Business Phone Number 9204031352
4. Address of Premises SEE ATTACHED Post Office & Zip Code 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 _____ and date _____ 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? ☐ 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.) SEE ATTACHED-FOR DATES OF EXTENSION OF PREMISE
10. Legal description (omit if street address is given above): _____
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? ST NORBERT COLLEGE INC
12. Does the applicant understand they must file a Special Occupational Tax return (TYB form 5630.5d) before beginning business? [phone 1-800-937-8864] ☒ Yes ☐ No
13. Does the applicant understand they must hold a Wisconsin Seller's Permit? [phone (608) 266-2776]. ☒ Yes ☐ No
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 signers. Signers agree 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 and each member of a partnership applicant must sign; corporate officer(s), members/managers 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.

SUBSCRIBED AND SWORN TO BEFORE ME

this 15th day of November, 20 17

Patricia A. Wery
(Clerk/Notary Public)

My commission expires 2/14/20

(Officer of Corporation/Member/Manager of Limited Liability Company/Partner/Individual)

Eileen M. Jahnke
(Officer of Corporation/Member/Manager of Limited Liability Company/Partner)

(Additional Partner(s)/Member/Manager of Limited Liability Company if Any)

TO BE COMPLETED BY CLERK

Date received and filed with municipal clerk	Date reported to council/board	Date provisional license issued	Signature of Clerk / Deputy Clerk
Date license granted	Date license issued	License number issued	

Extension of Premise for:

Bush Art Center; First floor area outside the gallery, 403 Third Street(attached to Michels Commons which is licensed)

Thursday, January 25, 2018 4:30-7 pm

Thursday, March 1, 2018 4:30-7 pm

Thursday, April 19, 2018 4:30-7 pm

Cassandra Voss Center; First floor meeting space, 311 Grant Street

Monday, January 15th, 2018 4:30-7pm

City of De Pere, Wisconsin**Request For License Committee Action**

MEETING DATE: December 5, 2017

DEPARTMENT: City Clerk-Treasurer

FROM: Shana Ledvina

SUBJECT: Request of the Chief of Police to conduct a pre-hearing on the Class "A" Fermented Malt Beverage License issued to Dolgencorp, LLC (DBA Dollar General), 805 Main Av.*

ATTACHMENTS:

- Dollar General_memo (PDF)

CITY OF DE PERE
POLICE DEPARTMENT

MEMORANDUM

To: License Committee

From: Derek A. Beiderwieden, Chief of Police

Date: November 21, 2017

Subject: Pre-Hearing Request for Dollar General

I am requesting a pre-hearing for violations observed by De Pere police officers on March 3, 2017, and September 19, 2017 by employees at the Dollar General 805 Main Ave. regarding an underage alcohol sale and no licensed operator on premises. The summaries are as follows:

On March 3, 2017 at 6:59pm police observed through a sting operation a sale of alcohol to an underage person. The seller was cited for furnishing to underage.

On September 19, 2017 at 1:15pm during a routine license check of the premises police observed no seller on premises even though alcohol sales were occurring. A citation was issued to the employee in charge.

Please forward this request to the council and recommend a full hearing.

Attachment: Dollar General_memo (6461 : Pre-hearing request Dollar General*)

City of De Pere, Wisconsin**Request For License Committee Action**

MEETING DATE: December 5, 2017

DEPARTMENT: City Clerk-Treasurer

FROM: Shana Ledvina

SUBJECT: Request of the Chief of Police to conduct a pre-hearing on the "Class B" Combination Liquor License issued to The Cover LLC (DBA The Longbranch), 334 Main Av.*

ATTACHMENTS:

- Longbranch_memo (PDF)

CITY OF DE PERE
POLICE DEPARTMENT

MEMORANDUM

To: License Committee

From: Derek A. Beiderwieden, Chief of Police

Date: November 21, 2017

Subject: Pre-Hearing Request for The Cover, LLC dba Longbranch Saloon

I am requesting a pre-hearing for violations observed by De Pere police officers on April 28, 2017, June 10, 2017 and October 10, 2017 at the Longbranch Saloon 334 Main Ave. regarding alcohol sales and consumption. The summaries are as follows:

On April 28, 2017, at 12:39am, police noticed persons outside the bar with beers in their hands. Subjects scattered but were apprehended. Citations were issued to two subjects for underage possession, public consumption and false identification, and a citation was issued to the bar manager for permitting alcohol in a public place.

On June 10, 2017, at 1:38am, police responded to a call for service regarding underage persons in the bar. Officers later observed 12 underage persons in the bar and issued citations to each for presence in place of sale and one for false identification. The bar manager was also issued a citation for presence in place of sale.

On October 10, 2017, at 1:04am, police observed four people on Main at Fourth who were acting suspiciously. Police approached and the people scattered and ran. All were apprehended some distance away. All were intoxicated and all admitted to being in Longbranch Saloon consuming alcohol when asked while separated. Three of the people were underage and one had a false identification. A video of the event was obtained confirming the person's version of the event. Citations were issued for obstructing and underage consumption to the 4 persons. The bartender on-duty was issued a citation for furnishing to an underage person.

A pattern of allowing underage persons to purchase, consume, or being present in a restricted place of alcohol sales has emerged.

Please forward this request to the council and recommend a full hearing.

City of De Pere, Wisconsin**Request For License Committee Action**

MEETING DATE: December 5, 2017

DEPARTMENT: City Clerk-Treasurer

FROM: Shana Ledvina

SUBJECT: Request of the Chief of Police to conduct a pre-hearing on the Operator's License issued to Jack M. Van Dyke, De Pere.*

ATTACHMENTS:

- Van Dyke_memo (PDF)

CITY OF DE PERE
POLICE DEPARTMENT

MEMORANDUM

To: License Committee

From: Derek A. Beiderwieden, Chief of Police

Date: November 21, 2017

Subject: Pre-Hearing Request for Jack Van Dyke

I am requesting a pre-hearing for violations observed by De Pere police officers on April 28, 2017, and June 10, 2017 by Jack Van Dyke, manager at the Longbranch Saloon 334 Main Ave. regarding alcohol sales and consumption. The summaries are as follows:

On April 28, 2017, at 12:39am, police noticed persons outside the bar with beers in their hands. Subjects scattered but were apprehended. Citations were issued to two subjects for underage possession, public consumption and false identification, and a citation was issued to the bar manager Jack Van Dyke for permitting alcohol in a public place.

On June 10, 2017, at 1:38am, police responded to a call for service regarding underage persons in the bar. Officers later observed 12 underage persons in the bar and issued citations to each for presence in place of sale and one for false identification. The bar manager Jack Van Dyke was also issued a citation for presence in place of sale.

A pattern of allowing underage persons to purchase, consume, or being present in a restricted place of alcohol sales is evident.

Please forward this request to the council and recommend a full hearing.

Attachment: Van Dyke_memo (6463 : Prehearing request Jack Van Dyke*)