



License Committee

Regular Meeting

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

Revised Agenda

Wednesday, February 19, 2020

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 **February 19, 2020** 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 February 4, 2020 License Committee meeting.
3. Public Comment Period and other Announcements.
4. Operator License Applications.*
5. Update on status of request for premises description changes submitted by JPG, Inc. (DBA Swan Club) and on request of Class "B"/"Class B" Liquor License by Seikos Sushi, LLC (DBA Island Sushi Bar & Grill).
6. Application for Class "B" Fermented Malt Beverage and "Class B" Intoxicating Liquor License for Juan A. Aviles, On the Rocks 2, 413 Main Ave. Submitted by Juan A. Aviles, Pulaski, WI.*
7. 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
Scott Baeten
Brynna Gruetzmacher
Karissa Voskamp
Karl Wachholz

William Wright
Lee Davis
Garron Gibson
Greg & Ann De Cleene
Alison & Jason Porter
Juan A. Aviles



City of De Pere, Wisconsin

Request For License Committee Action

MEETING DATE: February 19, 2020

DEPARTMENT: City Clerk

FROM: Ann Ledvina

SUBJECT: Approval of the Minutes of the February 4, 2020 License Committee meeting.

ATTACHMENTS:

- 2-4-20 License Committee Minutes_Draft (DOC)



License Committee

Regular Meeting

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

Draft Minutes

Tuesday, February 4, 2020

7:00 PM

De Pere City Hall Riverview Room

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, Assistant City Attorney Kristen Johnson, Police Chief Derek Beiderwieden, and City Clerk Carey Danen.

2. Approval of the minutes of the January 21, 2020 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.*

Alderperson Boyd moved, seconded by Alderperson Hansen to open the meeting. Upon vote, motion carried unanimously. New Operator application #10 for Alexannendra Jackson was presented. The applicant answered Committee members' questions. Alderperson Boyd moved, seconded by Alderperson Carpenter to close the meeting. Upon vote, motion carried unanimously. Alderperson Hansen moved, seconded by Alderperson Carpenter to approve New Operator applications #1-10. Upon vote, motion carried unanimously.

5. Application for Class "B" Fermented Malt Beverage and "Class B" Intoxicating Liquor License for Seikos Sushi LLC (DBA Island Sushi Bar & Grill), 875 Heritage Road. Submitted by Seikos Sushi LLC, Agent: Alison Porter, Appleton, WI.*

Assistant City Attorney Kristen Johnson explained that this license application, as well as the premises description change application for the Swan Club, are for the same building. The Legal department has some concerns about how the two premises would be split, and reached out to the City's contact at the Department of Revenue for guidance. She explained that there are concerns about overlapping descriptions, the DOR requirement that there be two separate entrances, as well as challenges to enforcement from the Police Department's perspective. Therefore, staff is requesting that both agenda items be referred back to staff in order to collect more information.

Alderperson Boyd moved, seconded by Alderperson Hansen to open the meeting. Upon vote, motion carried unanimously. Island Sushi owner Alison Porter explained that they put together some proposed solutions, which she distributed at the meeting. A copy of the materials is attached to these minutes as Exhibit A. She reported that they plan to place signage at the main door directing patrons that alcohol cannot be carried past that

point into the hallway, and that employees are always at the host station near that doorway to monitor. She also stated that alcohol can be stored upstairs instead of in the basement.

Ms. Porter then inquired if it was possible to conduct business under one liquor license for the entire building. City Attorney Judy Schmidt-Lehman explained that in that scenario, someone would have to be responsible for both entities; she proposed scheduling a meeting with the owners of both establishments and City staff to resolve questions about both alternatives.

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

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

6. Application for premises description change submitted by JPG, Inc. (DBA Swan Club).*

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

7. Adjournment.

Alderson Boyd moved, seconded by Alderson Carpenter to adjourn the meeting at 7:16 PM. Upon vote, motion carried unanimously.

Respectfully submitted,
Carey Danen, City Clerk



City of De Pere, Wisconsin

Request For License Committee Action

MEETING DATE: February 19, 2020

DEPARTMENT: City Clerk

FROM: Ann Ledvina

SUBJECT: Operator License Applications.*

ATTACHMENTS:

- Operator License List 2.19.20 (PDF)

CITY OF DE PERE
License Committee - February 19, 2020

New Operator License Applications	
1	BAETEN, SCOTT
2	GRUETZMACHER, BRYNNA
3	VOSKAMP, KARISSA
4	WACHHOLZ, KARL
5	WRIGHT, WILLIAM

Temporary Operator License Applications	
1	DAVIS, LEE
2	GIBSON, GARRON



City of De Pere, Wisconsin

Request For License Committee Action

MEETING DATE: February 19, 2020

DEPARTMENT: City Clerk

FROM: Ann Ledvina

SUBJECT: Update on status of request for premises description changes submitted by JPG, Inc. (DBA Swan Club) and on request of Class "B"/"Class B" Liquor License by Seikos Sushi, LLC (DBA Island Sushi Bar & Grill).



City of De Pere, Wisconsin

Request For License Committee Action

MEETING DATE: February 19, 2020

DEPARTMENT: City Clerk

FROM: Ann Ledvina

SUBJECT: Application for Class "B" Fermented Malt Beverage and "Class B" Intoxicating Liquor License for Juan A. Aviles, On the Rocks 2, 413 Main Ave. Submitted by Juan A. Aviles, Pulaski, WI.*

ATTACHMENTS:

- On the Rocks Application 2.19.20 (PDF)

Original Alcohol Beverage Retail License Application

(Submit to municipal clerk.)

For the license period beginning: _____ ending: _____
(mm dd yyyy) (mm dd yyyy)To the Governing Body of the: ☐ Town of } De Pere
☐ Village of }
☒ City of }County of BROWN Aldermanic Dist. No. _____
(if required by ordinance)Check one: ☒ Individual ☐ Limited Liability Company
☐ Partnership ☐ Corporation/Nonprofit Organization

Applicant's Wisconsin Seller's Permit Number

FEIN Number

TYPE OF LICENSE REQUESTED	FEE
☐ Class A beer	\$
☒ Class B beer	\$
☐ Class C wine	\$
☒ Class A liquor	\$
☐ Class A liquor (cider only)	\$ N/A
☒ Class B liquor	\$
☐ Reserve Class B liquor	\$
☐ Class B (wine only) winery	\$
Publication fee	\$ <u>3000</u> #14
TOTAL FEE	\$ <u>230</u>

Name (individual / partners give last name, first, middle; corporations / limited liability companies give registered name)

Aviles Juan A

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 full name and place of residence of each person.

President / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
<u>Juan</u>	<u>Aviles</u>	<u>Antonio</u>	
Vice President / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Secretary / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Treasurer / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Agent Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Directors / Managers Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)

1. Trade Name ON The Rock 2 Business Phone Number 920-401-13822. Address of Premises 413 main Ave De Pere Post Office & Zip Code 54117

3. 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.)

ON Premises, cooler, back bar and storage room/area4. Legal description (omit if street address is given above): 413 main Ave De Pere5. (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? RONALD EVANSReptile Rail Entertainment

6. Is individual, partners or agent of corporation/limited liability company subject to completion of the responsible beverage server training course for this license period? **If yes, explain** ☒ Yes ☐ No
yes have it done already
7. Is the applicant an employee or agent of, or acting on behalf of anyone except the named applicant? ☐ Yes ☒ No
If yes, explain.
8. Does any other alcohol beverage retail licensee or wholesale permittee have any interest in or control of this business? **If yes, explain** ☐ Yes ☒ No
9. (a) **Corporate/limited liability company applicants only:** Insert state MA and date _____ of registration.
- (b) Is applicant corporation/limited liability company a subsidiary of any other corporation or limited liability company? **If yes, explain** ☐ 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? **If yes, explain.** ☐ Yes ☒ No
10. 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
11. Does the applicant understand they must hold a Wisconsin Seller's Permit? [phone (608) 266-2776] ☒ Yes ☐ No
12. 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.

Contact Person's Name (Last, First, M.I.) <u>Suan A Aviles</u>	Title/Member <u>owner</u>	Date <u>11/1/2020</u>
Signature	Phone Number <u>920-401-1382</u>	Email Address <u>Suan Aviles 77</u>

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	

SURRENDER OF LICENSE

Part I

Legal/Real Name of Current Licensee:

Premises Address:

Trade Name:

This is to advise that the undersigned is surrendering the following license(s)

Combination "Class B" Beer & Liquor

Class "B" Beer

Class "A" Beer and/or "Class A" Liquor

(circle which apply)

Wholesale Beer

"Class C" Wine

to:

Juan Antonio Aviles / On the Rocks

Insert Legal/Real name of Proposed Licensee and Trade Name)

And understand that said license(s) will be cancelled upon the Common Council's granting of a license to the applicant named herein.

New Applicant

[Signature]
President, Member, Partner, Individual

Current Licensee

[Signature]
President, Member, Partner, Individual

Secretary, Member, Partner

Secretary, Member, Partner

State of Wisconsin)

) ss.

County of Brown

On the 21st day of January, 2020, personally came before me
Ronald A Evans, known to me to be the person(s) who
 executed the foregoing Surrender of License, and known to me to be the **Current Licensee** and
 acknowledged that s/he executed the foregoing document.

[Signature]
Notary Public

Brown County, Wisconsin

My Commission expires: 12/20/2023

State of Wisconsin)

) ss.

County of Brown

On the 30th day of February, 2020, personally came before me
Juan Antonio Aviles, known to be to be the person(s) who
 executed the foregoing Surrender of License, and known to me to be the **Proposed New**
Applicant and acknowledged that s/he executed the foregoing document.

[Signature]
Notary Public

Brown County, Wisconsin

My Commission expires: 06/13/2022

Attachment: On the Rocks Application 2.19.20 (9270 : On the Rocks App)

**SURRENDER OF LICENSE
Part II**

1/27/2020
Date

City of De Pere Clerk
335 S. Broadway St.
De Pere, WI 54115

This is to notify you that I am the owner of the building located at

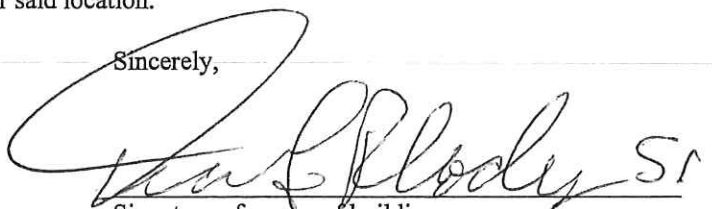
413 MAIN AVE., De Pere, Wisconsin.

54115

I have entered into a lease for the above property effective Feb 1st, 2020 with
JUAN ANTONIO AVILES, (Strike sentence if not applicable).

Further, this letter is to document that said owner or tenant has control of the premises, and may apply for the necessary beer and/or liquor licenses for said location.

Sincerely,


Signature of owner of building

Printed name of owner: DEAN G. RHODES SR.

Home address of owner: 150

Daytime phone number of owner: 920-246-2222

Attachment: On the Rocks Application 2.19.20 (9270 : On the Rocks App)