



License Committee

Regular Meeting

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

Agenda

Tuesday, January 15, 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 **January 15, 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 January 2, 2019 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. Application for a Class "A" Fermented Malt Beverage & "Class A" Intoxicating Liquor License for Poppy Avenue Boutique LLC (DBA Poppy Avenue Boutique), 117 N Broadway, De Pere. Submitted by Poppy Avenue Boutique LLC, Agent: Audra Balof, De Pere, WI.*
7. Application for a Class "B" Fermented Malt Beverage & "Class B" Intoxicating Liquor License for Poppy Avenue Clean Beauty Bar (DBA Poppy Avenue Clean Beauty Bar), 115 N Broadway, De Pere. Submitted by Poppy Avenue Clean Beauty Bar, Agent: Audra Balof, De Pere, WI.*
8. 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.

***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
Chelsie G. Brakke
Bobbie M. Sharkey

Alicia M. Stiles
Terrie DuBois, St. Norbert College
Audra Balof, Poppy Avenue



City of De Pere, Wisconsin

Request For License Committee Action

MEETING DATE: January 15, 2019

DEPARTMENT: City Clerk-Treasurer

FROM: Shana Ledvina

SUBJECT: Approval of the Minutes of the January 2, 2019 License Committee Meeting.

ATTACHMENTS:

- 1-02-19 License Committee Minutes (DOC)



License Committee

Regular Meeting

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

Draft Minutes

Wednesday, January 2, 2019

3:45 PM

De Pere City Hall Riverview Room

1. Call to Order: The meeting was called to order at 3:45 PM by Alderperson Boyd.

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

2. Approval of the Minutes of the December 18, 2018 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.

4. Operator License Applications.*

Alderperson Carpenter moved, seconded by Alderperson Hansen to deny Previously Tabled Operator License Application #1 due to the circumstances of the applicant's conviction record that is substantially related to the licensed activity and that the applicant has not appeared at the License Committee Meetings despite two requests. Upon vote, motion carried unanimously. Alderperson Carpenter moved, seconded by Alderperson Hansen to table Operator License Applications #2 and 3. Upon vote, motion carried unanimously. Alderperson Carpenter moved, seconded by Alderperson Hansen to table Operator License Application #1. Upon vote, motion carried unanimously. Alderperson Carpenter moved, seconded by Alderperson Hansen to approve Operator License Applications #2-6. Upon vote, motion carried unanimously.

5. Adjournment. Alderperson Boyd moved, seconded by Alderperson Hansen to adjourn the meeting at 3:52 p.m. Upon vote, motion carried unanimously.

Respectfully submitted,

Shana Ledvina, Clerk-Treasurer

Attachment: 1-02-19 License Committee Minutes (7772 : Approval of the Minutes of the January 2, 2019 License Committee Meeting.)



City of De Pere, Wisconsin

Request For License Committee Action

MEETING DATE: January 15, 2019
DEPARTMENT: City Clerk-Treasurer
FROM: Shana Ledvina
SUBJECT: Operator License Applications.*

ATTACHMENTS:

- 1-15-19 (PDF)

CITY OF DE PERE
License Committee - January 15, 2019

Previously Tabled Operator License Applications	
1	BRAKKE, CHELSIE G.
2	SHARKEY, BOBBIE M.
3	STILES, ALICIA M.



City of De Pere, Wisconsin

Request For License Committee Action

MEETING DATE: January 15, 2019

DEPARTMENT: City Clerk-Treasurer

FROM: Shana Ledvina

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

ATTACHMENTS:

- SNC_Premises Description Change_1-15-19 (PDF)

Premise Description Change

Original Alcohol Beverage Retail License Application

Submit to municipal clerk.

For the license period beginning JULY 1 20 18 ;
ending JUNE 30 20 19 ;

TO THE GOVERNING BODY of the: ☐ Town of }
☐ Village of } DE PERE
☒ 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 (Last, First, M.I.)	Home Address	Post Office & Zip Code
President/Member	<u>PRESIDENT BRIAN BRUESS</u>		
Vice President/Member			
Secretary/Member	<u>SECRETARY AMY SORENSON</u>		
Treasurer/Member	<u>TRUASURER EILEEN JAHNKE</u>		
Agent	<u>TERRIE DUBOIS</u>		
Directors/Managers			

3. Trade Name: ST NORBERT COLLEGE, INC. Business Phone Number 9204031352
4. Address of Premises: SEE ATTACHED 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 _____ 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
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 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? [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 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.

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

TO BE COMPLETED BY CLERK

Date received and filed with municipal clerk <u>12-20-18</u>	Date reported to council / board	Date provisional license issued	Signature of Clerk / Deputy Clerk
Date license granted	Date license issued	License number issued	

AT-106 (R, 7-18)

Wisconsin Department of Revenue

Attachment: SNC_Premises Description Change_1-15-19 (7782 : Application for a Temporary Premise Description Change for SNC*)

Extension of Premise for:

Cassandra Voss Center: 311 Grant Street, Main floor conference room

January 21, 2019; 5-7:30pm

February 18th, 2019; 5-7:30pm

March 18th, 2019; 5-7:30pm

April 15th, 2019; 5-7:30pm

Bush Art Center: 403 Third Street, Gallery lobby

February 15th, 2019; 5-7pm

February 28th, 2019; 5-7pm

April 12th, 2019; 5-7pm



City of De Pere, Wisconsin

Request For License Committee Action

MEETING DATE: January 15, 2019

DEPARTMENT: City Clerk-Treasurer

FROM: Shana Ledvina

SUBJECT: Application for a Class "A" Fermented Malt Beverage & "Class A" Intoxicating Liquor License for Poppy Avenue Boutique LLC (DBA Poppy Avenue Boutique), 117 N Broadway, De Pere. Submitted by Poppy Avenue Boutique LLC, Agent: Audra Balof, De Pere, WI.*

ATTACHMENTS:

- Alder Boyd-License Committee-Retail Application-No Retail Sales (PDF)
- Poppy Av_Class A_Application (PDF)

MEMORANDUM

TO: Alderperson James Boyd, Chair
License Committee Members

FROM: Judith Schmidt-Lehman, City Attorney *Judy*

DATE: January 15, 2019 (meeting date)

RE: Application of Poppy Avenue Boutique, LLC for Class A Beer and Liquor Retail License

This agenda item pertains to the application by Poppy Avenue Boutique, LLC, for both a Class "A" fermented malt beverage ("Beer") and Class "A" intoxicating liquor ("liquor") license for their boutique at 117 N. Broadway Street. In the application materials, the applicant indicates the "main" reason they are requesting the license is to be able to provide wine samples to their customers as they shop. A review of the application shows secondary reasons of customer satisfaction and desire to conform to alcohol beverage laws.

Under state law, someone holding a Class "A" beer license is allowed to sell beer for consumption off the premises where sold and in original packages, containers, and bottles. They are also authorized under state law to provide, free of charge, to customers and visitors fermented malt beverages taste samples.¹

¹ Wis. Stats. §125.25(1) provides in pertinent part:

... A Class "A" license authorizes retail sales of fermented malt beverages for consumption off the premises where sold and in original packages, containers, and bottles. A Class "A" license also authorizes the licensee to provide, free of charge, to customers and visitors who have attained the legal drinking age fermented malt beverages taste samples that are not in original packages, containers, or bottles and that do not exceed 3 fluid ounces each, for consumption on the Class "A" premises. No Class "A" licensee may provide more than 2 taste samples per day to any one person. Taste samples may be provided under this subsection only between the hours of 11 a.m. and 7 p.m. Any other provision of this chapter applicable to retail sales of fermented malt beverages by a Class "A" licensee also applies to the provision of taste samples, free of charge, of fermented malt beverages by a Class "A" licensee.

Someone holding a Class "A" liquor license is allowed to sell liquor for consumption off the premises where sold and in original packages and containers and provide free of charge, to customers and visitors, intoxicating liquor² and wine³ samples.

Under these state laws, places with Class "A" beer and liquor licenses may offer samples of the beer and liquor they are selling to 'customers and visitors' of the retail beer/liquor store. A necessary predicate to providing "samples" of an alcohol beverage is to have the alcohol beverage (in original package) ready for sale.

The application materials do not indicate this applicant intends to sell, by retail, any fermented malt beverage or intoxicating liquor from the licensed premises. Rather, the only reason for the application is to be able to provide samples of wine to their customers, to sip and shop at the boutique.

Without the sale of beer or liquor in the original package from the proposed licensed premises, the application does not meet the requirements of the statute for licensing, and the application must be denied.

² Wis. Stats. §125.51(2) provides:

- (a) A Class "A" license authorizes retail sales of fermented malt beverages for consumption off the premises where sold and in original packages, containers, and bottles.
- (am) A Class "A" license also authorizes the licensee to provide, free of charge, to customers and visitors who have attained the legal drinking age fermented malt beverages taste samples that are not in original packages, containers, or bottles and that do not exceed 3 fluid ounces each, for consumption on the Class "A" premises. No Class "A" licensee may provide more than 2 taste samples per day to any one person. Taste samples may be provided under this subsection only between the hours of 11 a.m. and 7 p.m. Any other provision of this chapter applicable to retail sales of fermented malt beverages by a Class "A" licensee also applies to the provision of taste samples, free of charge, of fermented malt beverages by a Class "A" licensee.

³ Wis. Stats. § 125.06(13) provides:

WINE SAMPLING ON "CLASS A" PREMISES.

- (a) The provision of wine taste samples of not more than 3 fluid ounces each, free of charge, by a "Class A" licensee to customers and visitors for consumption on the premises. No "Class A" licensee may provide more than 2 taste samples per day to any one person. This subsection applies only between the hours of 11 a.m. and 7 p.m. Notwithstanding s. 125.07 (1) (a) 1., no "Class A" licensee may provide taste samples under this subsection to any underage person. No "Class A" licensee may provide as taste samples under this subsection wine that the "Class A" licensee did not purchase from a wholesaler.

Original Alcohol Beverage Retail License Application

Submit to municipal clerk.

For the license period beginning July 1 20 18 ;
ending June 30 20 19TO THE GOVERNING BODY of the: ☐ Town of
☐ Village of } De Pere
☒ City ofCounty of Brown Aldermanic Dist. No. _____ (if required by ordinance)

Applicant's WI Seller's Permit No.: FEIN Number:

450-10283323-02 81-3345082

LICENSE REQUESTED

TYPE	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>30.00</u>
TOTAL FEE	\$ <u>138.00</u>

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): Poppy Avenue Boutique, LLC

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	<u>owner</u>	<u>Balof, Audra, C</u>	
Vice President/Member	<u>owner</u>	<u>Brewer, Christian</u>	
Secretary/Member			
Treasurer/Member			
Agent	<u>Audra Balof</u>		
Directors/Managers			

3. Trade Name Poppy Avenue Boutique Business Phone Number 920-585-4500
4. Address of Premises 117 W Broadway 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 WI 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.) 1800 sq ft retail space + storage room in back
10. Legal description (omit if street address is given above): back
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? _____
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? [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 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.

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

TO BE COMPLETED BY CLERK

Date received and filed with municipal clerk <u>12-27-18</u>	Date reported to council / board	Date provisional license issued	Signature of Clerk / Deputy Clerk
Date license granted	Date license issued	License number issued	



117 N Broadway
De Pere, WI 54115

January 9, 2019
Shana Ledvina
City of De Pere
335 S Broadway
De Pere, WI 54115

Dear Shana,

Thank you for all your help and guidance in obtaining a class A license for our business, Poppy Avenue Boutique, located at 117 N Broadway in De Pere. Below is information regarding our request.

Our Story:

Poppy Avenue Boutique is a business built on grace and coffee...alot of coffee! The mother daughter duo Audra and Christian founded the idea of Poppy Avenue Boutique after experiencing some big life changes and moving cross country from Texas to Wisconsin in 2016. We prayed for guidance on what our next steps in life should look like and over the next nine months Poppy Avenue Boutique turned into not only a dream, but a reality.

We are requesting a class A license for Poppy Avenue Boutique for the following reasons:

1. Our number one reason for requesting a class A license for Poppy Avenue Boutique is to add a more unique experience to our monthly store events and our monthly GNO classes and events. We strive to create a unique shopping experience for each customer who walks in our doors and we would be honored to legally offer 3oz samples of wine during our events while customers sip and shop local.

2. By adding this small gesture it allows the customer to instantly unwind and relax. Adding a sample of wine to a shopping experience can keep the customer coming back. Additionally, by adding wine samples to our events we are creating a community where friends, mother daughter duos, and couples can gather and create shopping traditions. With this being said, during our community events with Definitely De Pere last year that allowed us to offer wine samples to the public we experience double growth in our revenue sales in these shopping days alone. By offering wine samples to our customers during monthly events not only boosts our gross revenue and allow us to be successful, but will help all our neighboring businesses for a healthy economic growth.
3. Many boutiques and salons offer a small glass of wine gesture to their clientele daily and many do it illegally. After learning serving samples of wine is illegal without a proper license or without an approved community event we refuse to jeopardize our business without going about it the right way.

Thank you for your time and consideration,

Audra Balof & Christian Brewer
920-585-4500
poppyavenueboutique@gmail.com



City of De Pere, Wisconsin

Request For License Committee Action

MEETING DATE: January 15, 2019

DEPARTMENT: City Clerk-Treasurer

FROM: Shana Ledvina

SUBJECT: Application for a Class "B" Fermented Malt Beverage & "Class B" Intoxicating Liquor License for Poppy Avenue Clean Beauty Bar (DBA Poppy Avenue Clean Beauty Bar), 115 N Broadway, De Pere. Submitted by Poppy Avenue Clean Beauty Bar, Agent: Audra Balof, De Pere, WI.*

ATTACHMENTS:

- Alder Boyd-License Committee -Rec Premises Class B Application (PDF)
- Poppy Av Clean Beauty Bar_Class B_Application (PDF)

MEMORANDUM

TO: Alderperson James Boyd, Chair
License Committee Members

FROM: Judith Schmidt-Lehman, City Attorney *Judy*

DATE: January 15, 2019 (meeting date)

RE: Application of Poppy Avenue Boutique, LLC for Class B Combination License
(on premise consumption)

The premise described in the application for a “Class B” fermented malt beverage (“beer”) and “Class B” intoxicating liquor (“liquor”) license also houses a retail store known as “Poppy Avenue Clean Beauty Bar,” which is described in supplemental materials from the applicant as “...a one stop shop for clean cosmetics and skin care, relaxation, education, and daily beauty activity.”

As you are aware, State law¹ limits the types of businesses that can be operated in conjunction with a Class “B” beer license. A “Class B” Intoxicating Liquor license may only be issued in conjunction with a Class “B” Beer license.²

Exceptions to this rule are:

- hotel;
- restaurant;
- combination grocery store and tavern;
- combination sporting goods store and tavern;
- combination novelty store and tavern;
- bowling alley or recreation premises;
- club, society or lodge;
- movie theater; and
- painting studio

¹ Wis. Stats. §125.32(3m)(i)

² Wis. Stats. §125.51(3)(f)

In August, 2018, the Common Council adopted Ordinance 18-16, which amended city ordinances to define “recreation premises” for purposes of the above exceptions.

Under that ordinance, the following language was added to §7-2 De Pere Municipal Code:

(h) *Recreation premise.* For purposes of Wis. Stats. §125.32(3m)(i), incorporated by reference under Sec. 7-1 of this Chapter, “recreation premises” means:

- (1) a premises in which an organized and regularly conducted recreational activity takes place.
- (2) Recreational activity means an activity primarily offered and undertaken for the purpose of exercise, relaxation, culture or education, including practice or instruction in any such activity.

In order for the application to be considered meeting the qualifications of the city’s ordinance, the applicant must provide sufficient information for the Committee and Council to determine:

1. a “recreational activity” is being offered and undertaken on the premises; and
2. that “recreational activity” is undertaken primarily for the purpose of exercise, relaxation, culture or education; and
3. the “recreational activity” can include practice or instruction in the recreational activity.

After a careful review of the application materials, it is difficult to discern what recreational activity is slated to occur at or in the Beauty Bar. The information provided shows that the location retails beauty products and the experience would be ‘enjoyable’ and perhaps ‘memorable.’ However, the application does not identify activities to occur on the premises which are primarily offered and undertaken for exercise, relaxation, culture or education.

In order to qualify under the “recreational activity” exception to the ban on more than one business to exist on a Class B licensed premises, a showing that a qualifying recreational activity is to be regularly conducted on the premises is required. If that showing is not made, the application does not meet the qualifications of the city’s ordinance and the application cannot be approved.

If you have any questions or concerns prior to the meeting, feel free to call me at 339-4042. Otherwise, I look forward to discussing this with you at the meeting.

Original Alcohol Beverage Retail License Application

Submit to municipal clerk.

For the license period beginning July 1 20 2018;
ending June 30 20 2019TO THE GOVERNING BODY of the: ☐ Town of
☐ Village of
☒ City of De PereCounty 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):
- Poppy Avenue
-
- Clean Beauty Bar

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	<u>member</u>	<u>Balof, Andra, C</u>	
Vice President/Member	<u>member</u>	<u>Brewer, Christian, E</u>	
Secretary/Member			
Treasurer/Member			
Agent	<u>Andra Balof</u>		
Directors/Managers			

3. Trade Name
- Poppy Avenue Clean Beauty Bar
- Business Phone Number
- 920-585-4500

4. Address of Premises
- 115 N Broadway De Pere, WI 54115
- 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.)
- Retail space of 1600 sqft + backroom

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? Saks Holdings, LLC

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? [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 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.

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

TO BE COMPLETED BY CLERK

Date received and filed with municipal clerk <u>12-31-18</u>	Date reported to council / board	Date provisional license issued	Signature of Clerk / Deputy Clerk
Date license granted	Date license issued	License number issued	



115 N Broadway
De Pere, WI 54115

January 9, 2019

Carey Danen
City of De Pere
335 S Broadway
De Pere, WI 54115

Dear Carey,

Thank you for all your help and guidance in obtaining a class B license for our new business, Poppy Avenue Clean Beauty Bar, located at 115 N Broadway in De Pere. Below is information regarding our request.

Our Story:

Poppy Avenue Boutique is a business built on grace and coffee...alot of coffee! The mother daughter duo Audra and Christian founded the idea of Poppy Avenue Boutique after experiencing some big life changes and moving cross country from Texas to Wisconsin in 2016. We prayed for guidance on what our next steps in life should look like and over the next nine months Poppy Avenue Boutique turned into not only a dream, but a reality. Two years later they1~ stand next door to a new sister store, Poppy Avenue Clean Beauty Bar, Wisconsin's first clean beauty and wine bar.

We are requesting a class B license for Poppy Avenue Clean Beauty Bar for the following reasons:

1. At our core and culture Poppy Avenue Clean Beauty Bar is a one stop shop for clean cosmetics and skin care, relaxation, education, and daily beauty activity.
2. Additionally, we plan to rent out our space for private classes, bridal parties, and special events. We want to to be able to offer a licensed bartender to legally serve and sell beer and wine. Not only would the ability to serve beer and wine greatly increase interest and attendance, it would also allow our business extra supplementary gross revenue to be able to thrive and grow for years to come.

3. Furthermore, if we are able to obtain a license we plan to present a small but delicious menu of wine and beer. By adding a variety of adult beverages it allows not only women to enjoy their experience in the beauty bar, but if their significant other tags along they will have a memorable experience as well. Besides the menu of wine and beer we will add a special weekend mimosa menu to lure shoppers back downtown. The result of offering these additional adult beverages on the weekend is to increase traffic flow not only for our businesses, but for our surrounding neighboring businesses and the entire downtown De Pere community.
4. Lastly, another advantage to acquiring a license is stimulating healthy economic growth by increasing job opportunities and extending staff hours. With this license we will be able to offer our neighborhood and city a vibrant and safe place to work and unwind.

We greatly appreciate your consideration,

Audra and Christian
920-585-4500
poppyavenuecleanbeautybar@gmail.com

SURRENDER OF LICENSE

Part I

Legal/Real Name of Current Licensee: SAKS Holdings LLC
 Premises Address: 115 N Broadway
 Trade Name: SAKS Holdings

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: Poppy Avenue Clean Beauty Bar
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

Audra Balof
 President, Member, Partner, Individual

A. Balof
 Secretary, Member, Partner

Current Licensee

[Signature]
 President, Member, Partner, Individual

[Signature]
 Secretary, Member, Partner

State of Wisconsin)
) ss.

County of Brown

On the 9th day of January, 2019, personally came before me
Andrew Krans, 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.

Carey E. Danen
 Notary Public

Brown County, Wisconsin

My Commission expires: 4-30-21

State of Wisconsin)
) ss.

County of Brown

On the 9th day of January, 2019, personally came before me
Audra Balof, 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.

Carey E. Danen
 Notary Public
 Brown County, Wisconsin

My Commission expires: 4-30-21

**SURRENDER OF LICENSE
Part II**

January 9, 2019
Date

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

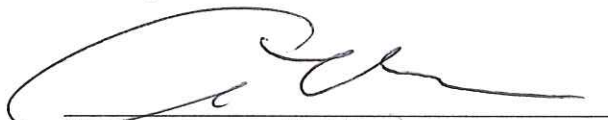
This is to notify you that I am the owner of the building located at

115 N Broadway, De Pere, Wisconsin.

I have entered into a lease for the above property effective January 1st, 2019 with
Poppy Av Clean Beauty Bar, (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: ANDREW T. KRAWS

Home address of owner: 941 LAUREL PLACE, De Pere, WI. 54115

Daytime phone number of owner: 920-371-5032