



License Committee

Regular Meeting

335 South Broadway
De Pere, WI 54115
<https://www.deperewi.gov/>

Agenda

Tuesday, October 19, 2021

7:00 PM

Council Chambers and Virtual

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 **October 19, 2021** at **7:00 PM** in the **COUNCIL CHAMBERS, 2ND FLOOR CITY HALL, 335 S. BROADWAY STREET, DE PERE.**

The public may attend the meeting either in person in the Council Chambers or electronically/telephonically. Electronic or telephonic access to the meeting is provided below:

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

Call to Order

1. Roll Call
2. Approval of the minutes of the Sept. 7, 2021 License Committee meeting.
3. Public Comment Period on matters not on the agenda.
4. Application for Class "B" Fermented Malt Beverage License for De Pere Deacons Hockey Team, Inc. (DBA De Pere Deacons Hockey), 450 Ft. Howard Av. Submitted by De Pere Deacons Hockey Team, Inc.; Agent David Lepp, De Pere, WI.*
5. Application for Class "B" Fermented Malt Beverage License and "Class B" Intoxicating Liquor License for Little Mexico of East De Pere, LLC, (DBA Little Mexico of East De Pere, LLC) 310 N. Wisconsin St. Submitted by Little Mexico of East De Pere, LLC; Agent Anakaren Garcia, Sturgeon Bay, WI.*
6. Consideration and Possible Action on Amending Section 7-2, De Pere Municipal Code Regarding Licenses and Fees (Material Falsification on Liquor License Application).*
7. Future discussion 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

Anakaren Garcia

David Lepp



City of De Pere, Wisconsin

Request For License Committee Action

MEETING DATE: October 19, 2021

DEPARTMENT: City Clerk

FROM: Carey Danen

SUBJECT: Approval of the minutes of the Sept. 7, 2021 License Committee meeting.

ATTACHMENTS:

- 9-7-21 License Committee Minutes_Draft_10.19.21 (PDF)



License Committee

Regular Meeting

335 South Broadway
De Pere, WI 54115
<https://www.deperewi.gov/>

Draft Minutes

Tuesday, September 7, 2021

7:00 PM

Council Chambers and Virtual

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

Attendee Name	Title	Status	Arrived
Dan Carpenter	Alderperson	Present	
Mike Eserkaln	Alderperson	Present	
Kelly Ruh	Alderperson	Excused	

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

2. Approval of the Minutes of the August 17, 2021 License Committee meeting.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dan Carpenter, Alderperson
SECONDER:	Mike Eserkaln, Alderperson
AYES:	Dan Carpenter, Mike Eserkaln
EXCUSED:	Kelly Ruh

3. Public Comment Period.

None.

4. Application for Class "B" Fermented Malt Beverage and "Class B" Intoxicating Liquor License for Gallaghers Acquisition, LLC, (DBA Gallaghers Pizza) 330 Reid St.
Submitted by Gallaghers Acquisition, LLC, Agent: Vanessa Miller, Green Bay, WI.*

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dan Carpenter, Alderperson
SECONDER:	Mike Eserkaln, Alderperson
AYES:	Dan Carpenter, Mike Eserkaln
EXCUSED:	Kelly Ruh

5. Application for a temporary premises description change submitted by St. Norbert College, Inc., (DBA St. Norbert College), 100 Grant St.*

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dan Carpenter, Alderperson
SECONDER:	Mike Eserkaln, Alderperson
AYES:	Dan Carpenter, Mike Eserkaln
EXCUSED:	Kelly Ruh

6. Future agenda items.
None.

7. Adjournment.

Aldersperson Carpenter moved, seconded by Aldersperson Eserkaln to adjourn the meeting at 7:03 PM. Upon vote, motion carried unanimously.

Respectfully submitted,
Carey Danen, City Clerk



City of De Pere, Wisconsin

Request For License Committee Action

MEETING DATE: October 19, 2021

DEPARTMENT: City Clerk

FROM: Carey Danen

SUBJECT: Application for Class "B" Fermented Malt Beverage License for De Pere Deacons Hockey Team, Inc. (DBA De Pere Deacons Hockey), 450 Ft. Howard Av. Submitted by De Pere Deacons Hockey Team, Inc.; Agent David Lepp, De Pere, WI.*

ATTACHMENTS:

- Class B Fermented Malt Beverage Application De Pere Deacons_10.19.21 (PDF)

Renewal Alcohol Beverage License Application

(Submit to municipal clerk. Read instructions on page 3.)

For the license period beginning: 12.01.21 ending: 05.01.22
(mm dd yyyy) (mm dd yyyy)

To the Governing Body of the: ☐ Town of ☐ Village of ☒ City of DePue

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

Check one: ☐ Individual ☐ Limited Liability Company
☐ Partnership ☒ Corporation/Nonprofit Organization

Complete A or B. All must complete C.

A. Individual or Partnership:

Full Name (Last) <u>LEPP</u>	(First) <u>DAVID</u>	(Middle Name) <u>EDWARD</u>	Home Address (Street, City or Post Office, & Zip Code)
Full Name (Last)	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Full Name (Last)	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)

B. LLC or Corporation (and Agent):

Full Legal Name of Corporation / Nonprofit Organization / Limited Liability Company <u>DEPUER DRACONS HOCKEY TEAM, INC.</u>	Address of Corporation / Limited Liability Company (if different from licensed premises)
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All corporations/organizations or limited liability companies applying for a license to sell fermented malt beverages and/or intoxicating liquor must appoint an agent.

Agent Last Name <u>LEPP</u>	(First) <u>DAVID</u>	(Middle Name) <u>EDWARD</u>	Home Address (Street, City or Post Office, & Zip Code)
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All Officer(s) Director(s) of Corporation and Members / Managers of Limited Liability Company:

President / Member Last Name <u>LEPP</u>	(First) <u>DAVID</u>	(Middle Name) <u>EDWARD</u>	Home Address (Street, City or Post Office, & Zip Code)
Vice President / Member Last Name <u>NUTALLS</u>	(First) <u>GREG</u>	(Middle Name) <u>FRANCIS</u>	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)
Directors / Managers 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)

C. Business Information

- Trade Name DEPUER DRACONS HOCKEY TEAM, INC. Business Phone Number 920.660.0933
- Address of Premises 1450 FT. HOWARD AVE Post Office & Zip Code DEPUER, WI 54145
- Does the applicant understand that they must purchase alcohol beverages only from Wisconsin wholesalers, breweries and brewpubs? Yes ☒ No ☐
- 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.) 1ST AND SECOND FLOORS at DePue ICE ARENA

Applicant's Wisconsin Seller's Permit Number <u>EXEMPT</u>	
FEIN Number <u>460893404</u>	
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	\$
TOTAL FEE	\$ 30.00

Ref # 145531

5. Legal description (omit if street address is given on previous page): _____
6. a. Since filing of the last application, has the named licensee, any member of a partnership licensee, or any member, officer, director, manager or agent for either a limited liability company licensee, or nonprofit organization licensee been **convicted of any offenses** (excluding traffic offenses not related to alcohol) for violation of any federal laws, any Wisconsin laws, any laws of other states, or ordinances of any county or municipality? **If yes, complete page 3** ☐ Yes ☒ No
- b. Are **charges for any offenses** presently **pending** (excluding traffic offenses not related to alcohol) against the named licensee or any other persons affiliated with this license? **If yes, explain fully on page 3.** ☐ Yes ☒ No
7. Except for questions 6a and 6b, have there been any changes in the answers to the questions as submitted by you on your last application for this license? **If yes, explain** ☐ Yes ☒ No
- _____
- _____
- _____
8. Was the profit or loss from the sale of alcohol beverages for the previous year reported on the Wisconsin Income or Franchise Tax return of the licensee? **If not, explain** ☒ Yes ☐ No
- _____
- _____
- _____
9. Does the applicant understand they must hold a Wisconsin Seller's Permit? **EXEMPT PER CARRIE** ☐ Yes ☐ No
[phone (608) 266-2776]
10. Does the applicant understand that alcohol beverage invoices must be kept at the licensed premises for 2 years from the date of invoice and made available for inspection by law enforcement? ☒ Yes ☐ No
11. Is the applicant indebted to any wholesaler beyond 15 days for beer or 30 days for liquor? ☐ Yes ☒ No
12. Does the applicant owe municipal property taxes, assessments, or other fees? ☐ Yes ☒ No
(Note: Renewal of licenses may be denied pursuant to a local ordinance, if the licensee owes municipal taxes, assessments or other fees).

READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the undersigned states that each of the above questions has been truthfully answered to the best of the knowledge of the signer. The signer agrees that he/she is the person named in the foregoing application; that the applicant has read and made a complete answer to each question, and that the answers in each instance are true and correct. The undersigned further understands that any license issued contrary to Chapter 125 of the Wisconsin Statutes shall be void, and under penalty of state law, the applicant may be prosecuted for submitting false statements and affidavits in connection with this application. Any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000.

Contact Person's Name (Last, First, M.I.) LEPP, DAVID E.	Title / Member MEMBER	Date 9.21.21
Signature <i>David E. Lepp</i>	Phone Number 920.660.0933	Email Address dlepp@new.mn.com

TO BE COMPLETED BY CLERK

Date received and filed with municipal clerk 9/23/2021	Date reported to council / board	Date license granted
License number issued	Date license issued	Signature of Clerk / Deputy Clerk

Instructions for Renewal Alcohol Beverage License Application

THIS RENEWAL FORM CANNOT BE USED IF:

1. There is a change in business entity (i.e., individual has changed to partnership or corporation/limited liability company; partnership changed to individual or corporation/limited liability company; corporation changed to individual, partnership or limited liability company) and if limited liability company has been dissolved.
2. Partners are added or dropped.
3. Application is made in a different municipality.

PARTNERSHIPS:

Indicate full name and home address of each partner. One partner must sign application. **Reminder:** If partners have been added or dropped since your last application, you must use Form AT-106 (Original Beverage License Application).

CORPORATIONS:

One officer must sign application. Be sure to answer Question No. 7 by indicating any change of officers, directors, and/or changes in home address. If there are any changes in officers and/or directors each must complete Form AT-103 (Auxiliary Questionnaire). If there has been a change in agent since your last approved agent, he/she must complete Forms AT-104 (Schedule for Appointment of Agent) AND AT-103 (Auxiliary Questionnaire) in addition to this (AT-115) form.

LIMITED LIABILITY COMPANY:

One member/manager must sign application. Follow procedure under Corporations for any change of members or agent.

NOTE: Use ink or typewriter when filling in applications. Be sure to answer all questions fully and accurately. 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.

DISCRIMINATION CLAUSE – (City of Milwaukee only)

The applicant shall not willfully refuse to provide those services offered under this license or refuse to employ or discharge any person otherwise qualified because of race, color, creed, sex, national origin or ancestry, the applicant shall not seek information as a condition of employment, or penalize any employee or discriminate in the selection of personnel for training or promotion solely on the basis of such information. The applicant also shall not discriminate against any member of the military service dressed in uniform by willfully refusing services offered under this license.

Complete, sign and return this form to the clerk.

If answer to Questions No. 6a and/or 6b on page 2 are "YES," outline details below:

CONVICTIONS

1. NAME NONE STATUTE NO./LOCAL ORDINANCE _____
 CHARGE _____ WHERE CONVICTED _____
 DATE _____ PENALTY _____ ☐ MISDEMEANOR ☐ FELONY
2. NAME _____ STATUTE NO./LOCAL ORDINANCE _____
 CHARGE _____ WHERE CONVICTED _____
 DATE _____ PENALTY _____ ☐ MISDEMEANOR ☐ FELONY
3. NAME _____ STATUTE NO./LOCAL ORDINANCE _____
 CHARGE _____ WHERE CONVICTED _____
 DATE _____ PENALTY _____ ☐ MISDEMEANOR ☐ FELONY

PENDING CHARGE

1. NAME _____ STATUTE NO./LOCAL ORDINANCE _____
 PENDING CHARGE _____ DATE _____



City of De Pere, Wisconsin

Request For License Committee Action

MEETING DATE: October 19, 2021

DEPARTMENT: City Clerk

FROM: Carey Danen

SUBJECT: Application for Class "B" Fermented Malt Beverage License and "Class B" Intoxicating Liquor License for Little Mexico of East De Pere, LLC, (DBA Little Mexico of East De Pere, LLC) 310 N. Wisconsin St. Submitted by Little Mexico of East De Pere, LLC; Agent Anakaren Garcia, Sturgeon Bay, WI.*

ATTACHMENTS:

- Little Mexico Class B Beer and Class B Liquor Application_10.19.21 (PDF)
- Little Mexico Statement_10.19.21 (PDF)

Original Alcohol Beverage Retail License Application

(Submit to municipal clerk.)

For the license period beginning: 11/01/2021 ending: 6/30/2022
(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 <u>456-1030807676-04</u>	
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>30.00</u>
TOTAL FEE	\$

Pd Pct
165571
9/24/22

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

Little Mexico of East DE PERE, 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 full name and place of residence of each person.

President / Member Last Name <u>Martinez Juarez</u>	(First) <u>Gustavo</u>	(Middle Name) <u>-</u>	Home Address (Street, City or Post Office, & Zip Code)
Vice President / Member Last Name <u>Carranza Valencia</u>	(First) <u>Marco</u>	(Middle Name) <u>Antonio</u>	Home Address (Street, City or Post Office, & Zip Code)
Secretary / Member Last Name <u>Carranza Valencia</u>	(First) <u>Aristeo</u>	(Middle Name) <u>-</u>	Home Address (Street, City or Post Office, & Zip Code)
Treasurer / Member Last Name <u>Garcia</u>	(First) <u>Alexander</u>	(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 Little Mexico of East De Pere, LLC Business Phone Number 608-446-9480
2. Address of Premises 310 N. Wisconsin St. DE PERE WI Post Office & Zip Code 54115
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.)

There will be a bar in the back of the restaurant where beverages will be sold. The bar will have small refrigerators where beer will be stored. Additional alcohol will be stored in the walking cooler in the kitchen. The bar will be used as the place to get all alcohol beverages. The business will be a Mexican restaurant.

4. Legal description (omit if street address is given above): _____
5. (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? _____

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
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 WI and date 08/12/2021 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? ☒ Yes ☐ No
If yes, explain.
Marco Carranza Valencia has a alcohol Beverage license for old Mexico located at 11884 Velp Avenue, Suamico, WI 54313.
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>Carranza Valencia, Marco Antonio</u>	Title/Member <u>Member</u>	Date <u>09/10/2021</u>
Signature <u>MARCO A CV</u>	Phone Number <u>(608) 446 9480</u>	Email Address <u>litttemexicoofdepere@gmail.com</u>

TO BE COMPLETED BY CLERK

Date received and filed with municipal clerk <u>9/24/21</u>	Date reported to council / board	Date provisional license issued	Signature of Clerk / Deputy Clerk
Date license granted	Date license issued	License number issued	

Good Evening, Council Members,

Thank you for considering our application for a liquor license. I want to take this opportunity to introduce ourselves and share our vision for the business. Little Mexico of East De Pere, LLC will be a family-owned Mexican restaurant located downtown De Pere. The owners have over ten years combined experience managing a Mexican restaurant. Our goal is to share authentic Mexican food and drinks with the community of De Pere and surrounding neighbors. We aim to create a family-friendly environment.

We plan to make De Pere our home in the near future and give back to the community. Aristeo and Marco currently manage the Old Mexico restaurants located in Sturgeon Bay and Suamico, respectively. If you look at those restaurants' social media comments, you will find an overwhelmingly positive response due to their hard work and talents. Because of their extensive experience in the restaurant business, they are now ready to use their abilities to manage their restaurant. After a long search, the owners have decided that De Pere will be an excellent fit for their vision, given the thriving community that De Pere has to offer. The restaurant will be open Monday through Saturday from 11 am to 9 pm.

We would appreciate the opportunity to conduct business in De Pere. Should you have questions, please don't hesitate to reach out to us.

Sincerely,

Little Mexico of East De Pere, LLC

Marco Carranza Valencia, Member
Aristeo Carranza Valencia, Member
Gustavo Martinez Juarez, Member



City of De Pere, Wisconsin

Request For License Committee Action

MEETING DATE: October 19, 2021

DEPARTMENT: City Attorney

FROM: Angela Zills

SUBJECT: Consideration and Possible Action on Amending Section 7-2, De Pere Municipal Code Regarding Licenses and Fees (Material Falsification on Liquor License Application).*

The Alcohol Beverage Licenses Enforcement Policy Guidelines were approved by Council and went into effect in March 2020. Guideline 7 states that any person who materially falsifies an application will not be eligible to re-apply for a license for a period of twelve (12) months. This ordinance amendment reflects the policy which is currently in effect.

ATTACHMENTS:

- Ord21-XX Amending 7-2 Material Falsification on Liquor License Application (PDF)

Sec. 7-2(i) *Material falsification.* Any person who materially falsifies an application for an alcohol beverage license under this section will not be eligible to re-apply for an alcohol beverage license for a period of twelve (12) months from the date of denial of such application. For purposes of this section, a material falsification occurs when the applicant intentionally includes false information or knowingly excludes relevant information that would be likely to have an impact on the decision of the License Committee or the Common Council.



City of De Pere, Wisconsin

Request For License Committee Action

MEETING DATE: October 19, 2021

DEPARTMENT: City Clerk

FROM: Carey Danen

SUBJECT: Future discussion items.
