



ALCOHOL BEVERAGE LICENSE CONTROL COMMITTEE

Beloit City Hall - The Forum
100 State Street, Beloit, WI
October 9, 2012 - 4:00 p.m.

Present: Ralph Berkley, Malissa Cronin, Tina Goecks, Frank Marsden, John Metter, Ron Tilley,
Joseph Vickerman, Councilor Kevin Leavy (Non-Voting)
Absent: None
Advisory: Captain Vince Sciamé, Deputy City Attorney Elizabeth Krueger

1. The meeting was called to order at 4:00 p.m. by Vice Chairman Ralph Berkley with a quorum present.
2. Consideration of the minutes of the regular meeting of September 11, 2012. Motion to approve by Marsden, second by Metter. Motion carried.
3. Consideration of application of Rollette Oil Co., Inc. to add "Class A" Liquor to an existing Class "A" Beer License at 1451 Madison Road, Paul R. Simon, Agent. Kimberly Dunaway, head cashier, was present and Paul Simon participated by Ms. Dunaway's cell phone.

Captain Sciamé stated this matter was tabled at the September meeting so that an Impact Report could be circulated and he reported 5 of 6 persons questioned had no opposition to this business adding alcohol. Captain Sciamé stated he checked municipal and state criminal records and to the best of his knowledge with the available information, the character record and reputation of the Agent are satisfactory and the Police Department has no objection to this Agent.

Attorney Krueger asked Mr. Simon to reaffirm he understood he is responsible for all violations that may occur on the premise whether he is present or not, and Ms. Dunaway repeated the question to Mr. Simon by phone and Mr. Simon stated he understood.

Tilley asked if one shot bottles of liquor would be sold and Mr. Simon replied that 200 ml. and up would be sold. Metter commented that the Madison Road area is being saturated with alcohol from Liberty Avenue to Woodman's Grocery and was concerned with this trend.

Marsden moved approval of the addition of "Class A" Liquor to existing Class "A" Beer license at 1451 Madison Road, second by Goecks. Motion carried with Tilley, Metter and Vickerman voting no.

4. Consideration of application by Samra & Singh Inc., d/b/a Beloit Mobil, to add "Class A" Liquor to an existing Class "A" Beer License at 1902 Shopiere Road. Harjinder Samra, Agent/ Owner, appeared with his attorney, Jeffrey Livingston.

Captain Sciamé stated he checked municipal and state criminal records and to the best of his knowledge with the available information, the character record and reputation of the Agent are satisfactory and the Police Department has no objection.

Attorney Krueger stated she had discussed Mr. Samra's answer to Question #2 on his Auxiliary Questionnaire, Form AT-103, with Attorney Livingston. Mr. Samra agreed to amend his form to state he was charged for an alcohol sale to a minor in May 2007. Mr. Samra mistakenly thought that after four years he did not have to list that violation. Attorney Krueger asked Mr. Samra to reaffirm he understood he is responsible for all violations that occur on the premise whether he is present or not, and Mr. Samra stated he understood.

Tilley asked if Mr. Samra owned any other businesses in the City of Beloit and Mr. Samra stated he owned Riverside Mobil in the Town of Beloit and is in the process of buying 1407 Liberty.

Berkley moved approval of the "Class A" Liquor License, second by Goecks. Motion failed with Tilley, Metter, Marsden and Vickerman voting no. Vice Chairman Berkley stated he realized that Attorney Livingston had not had a chance to speak on behalf of Mr. Samra and asked if anyone on the prevailing side would like to vote to reconsider their motion. Tilley moved to reconsider the previous motion, second by Goecks, motion carried 7-0. Tilley asked Mr. Samra if he was going to sell single shot bottles of liquor and Mr. Samra stated he would only sell half pints and larger.

Councilor Leavy asked what Attorney Livingston meant by his statement that there will be a change in the demographics in this business area and Attorney Livingston explained that a new Piggly Wiggly and possibly six or seven new stores will be coming to the former K-Mart building and they could possibly apply to sell liquor besides the current liquor license currently at Walgreens. Attorney Leavy stated a decision shouldn't be made on situations that haven't occurred yet. Captain Sciame commented that an Impact Statement was conducted by the Police Department which showed four in favor and four opposed, however two of those opposing were businesses that would be in competition with Beloit Mobil.

Berkley moved approval of the "Class A" Liquor License, second by Goecks. Motion carried with Metter, Marsden and Vickerman voting no.

5. Consideration of a new application for Class "A" Beer by S & S Express Mart, Inc., 1407 Liberty Avenue. Agent Harjinder Samra appeared with his attorney Jeffrey Livingston.

Captain Sciame stated he checked municipal and state criminal records and to the best of his knowledge with the available information, the character record and reputation of the Agent are satisfactory and the Police Department has no objection to this business and Agent.

Attorney Krueger stated that Mr. Samra would make the same amendment to his Auxiliary Questionnaire regarding the underage sale in 2007. Attorney Krueger asked Mr. Samra to confirm the he is buying this property from the current property owner and if the license is not granted, he would not purchase the station and Mr. Samra confirmed he would not purchase the business without the beer license. Mr. Samra further stated he would be investing \$200,000 into the business with new pumps, signage, outdoor lighting and indoor renovation. Metter asked Mr. Samra if he would be splitting his time among all his businesses and Mr. Samra replied that he will spend most of his time at Beloit Mobil, however he had his brother and another employee managing the stations.

Metter moved approval of the Class "A" Beer License, second by Marsden. Motion carried 7-0.

6. Consideration of a Class "B" Beer License for Mexico Dominicana LLC for 854 Henry Avenue. Agent Juan Carlos Taveras and his interpreter Tamra Wofford appeared.

Captain Sciame asked what type of business was located at 854 Henry Avenue and Ms. Wofford replied that it was a grocery store and restaurant combined. Captain Sciame stated he checked municipal and state criminal records and to the best of his knowledge with the available information, the character record and reputation of the Agent are satisfactory and the Police Department has no objection to this business and Agent.

Attorney Krueger asked Mr. Taveras to reaffirm he understood he is responsible for all violations that occur on the premise whether he is present or not, and Ms. Wofford explained the question to Mr. Taveras and he said he understood.

Captain Sciame stated the Police Department conducted an Impact Report for this application and there were seven area residents that approved and four were opposed. Captain Sciame explained that the owner also conducted a survey; however, they were customers who signed the survey which was on the counter and were not all area residents. Vice Chairman Berkley asked if this business location was part of the Merrill Neighborhood Community as there was a group led by Hugo Henry and Rory Owens who fought very hard to keep alcohol out of the this area.

Vice Chairman Berkley asked the seating capacity and Ms. Wofford stated there were three tables with capacity of twelve. Attorney Krueger explained that a Class "B" Beer License would allow on-premise consumption and allowed for takeout beer sales in any quantity. Ms. Wofford stated they would be selling canned and bottled beer, no tap beer, and would sell takeout beer.

Attorney Leavy suggested the Police Department do an Impact Comment Report that would include all of the Merrill Neighborhood Community. Metter moved that the Police Department conduct an Impact Report within a half mile of this business and bring this application and report to the November ABLCC meeting, second by Marsden. Motion carried 7-0.

7. Consideration of a Change of Agent at Holiday Inn Express, 2790 Milwaukee Road from Brenda Gould to Kelsey Szudy. Proposed Agent Kelsey Szudy appeared.

Captain Sciame stated he checked municipal and state criminal records and to the best of his knowledge with the available information, the character record and reputation of the Agent are satisfactory and the Police Department has no objection to this Agent.

Attorney Krueger asked Ms. Szudy to reaffirm she understood she is responsible for all violations that occur on the premise whether she is present or not, and Ms. Szudy stated she understood her responsibility.

Metter moved approval of this Change of Agent, second by Marsden. Motion carried 7-0.

Alcohol Beverage License Control Committee

October 9, 2012

Page Four

8. Discussion of an election of a Chairman as the term of the previous chairman ended. Marsden nominated Ralph Berkley as Chairman of this committee, second by Goecks. Motion carried 7-0. Vickerman nominated Metter to be Vice Chairman of this committee, second by Marsden. Motion carried 7-0.
9. Citizens Comments – None
10. Committee Comments – Chairman Berkley welcomed the new member of the committee, Malissa Cronin. Tilley asked if the City of Beloit could regulate the selling of one shot bottles of liquor for carryout. Attorney Krueger stated she will research the issue to see if the City could be more stringent in the regulation of one shot bottles of liquor.
11. Police Department Comments – None
12. Attorney Comments – None
13. At 5:00 p.m. Tilley moved to adjourn, second by Goecks. Motion carried.

Judith A. Elson
Deputy City Clerk