



## **ALCOHOL BEVERAGE LICENSE CONTROL COMMITTEE**

Beloit City Hall – The Forum

100 State Street, Beloit, WI

Tuesday, June 12, 2012 - 4:00 p.m.

Present: Ralph Berkley, Tina Goecks, Ron Tilley, John Metter, Joseph Vickerman, Kevin Leavy  
(non-voting; arrived at 4:20 p.m.)  
Absent: Tara Tinder, Frank Marsden  
Advisory: Deputy Police Chief Tom Dunkin, Deputy City Attorney Elizabeth Krueger

1. The meeting was called to order at 4:00 p.m. by Vice-Chairman Berkley with a quorum present.
2. Consideration of the minutes from the regular meeting of May 8, 2012. Vickerman moved to approve the minutes, and Metter seconded. The motion carried.
3. Consideration of an application for a new Class "B" Beer and Reserve "Class B" Liquor License for The Cheese People of Beloit, LLC, 431 East Grand Avenue, Lloyd Smith, Agent. Attorney William Cunningham appeared on behalf of the business owner and agent.

Attorney Krueger explained that she had spoken with the owners' attorney. The applicant has requested that their application be laid over to the July meeting so that the owners can complete the proper paperwork to form one corporation and submit a new application, if necessary.

Metter moved to lay the item over to the July 10, 2012 ABLCC agenda, and Tilley seconded. The motion carried.

4. Consideration of an application for a new Class "B" Beer and "Class C" Wine License for Little Mexico, LLC, 2787 Milwaukee Road, Fernando Garcia Camarena, Agent, appeared. Mr. Garcia stated that he goes by the name Fernando Garcia, and Attorney Krueger requested that the application be updated to reflect the applicant's preferred name.

Deputy Chief Dunkin 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. Garcia to reaffirm he understood that he is responsible for all violations that occur on the business premise whether he is present or not, and Mr. Garcia stated that he understood. Attorney Krueger also reminded Mr. Garcia that he is the only employee licensed and he has to be on the premises supervising each sale of alcohol.

Metter moved to recommend approval of the license, and Tilley seconded. The motion carried.

5. Consideration of an incident April 26, 2012 involving possession and consumption of alcohol on an unlicensed premise at 409 Pleasant Street and the involvement of Suds O'Hanahan's, Thomas L. Hankins, Agent, appeared.

Deputy Chief Dunkin presented Captain Vince Sciamé's investigative report regarding the incident. Attorney Krueger said that, as a Downtown Beloit Association Board Member and an alcohol license holder, Mr. Hankins should have known better than to bring alcohol from his establishment and illegally serve at the DBA event on April 26, 2012. She indicated that the Clerk's office made it clear to the Interim Executive Director of the DBA and the President of the DBA that alcohol could not be served at the event, and asked Mr. Hankins why he decided to serve alcohol anyway.

Mr. Hankins indicated that he was aware of the fact that the Clerk's office said that alcohol could not be served without a license. He said that he incorrectly thought that they could serve alcohol because the event was private. Attorney Krueger pointed out that the event was advertised on Facebook and the DBA website and it was not a private event. Mr. Hankins apologized to the ABLCC and the Clerk's office.

Berkley asked Mr. Hankins how the DBA Board will ensure that alcohol is not illegally served at future events, and Mr. Hankins indicated that the Board will better communicate with each other and the City to ensure this does not happen again. Metter said that this is a warning from the City that citations will be issued in the future.

Councilor Leavy indicated that he is disappointed in the DBA Board and their part in this incident. He said that the City should consistently enforce the laws for all businesses and non-profit organizations and hold violators accountable for their actions, and he wants to make sure that the City is not showing favoritism to the DBA because of their relationship. Attorney Krueger indicated that the City is pro-active in following up on advertised events and works closely with organizations who wish to obtain temporary alcohol licenses.

6. Consideration of an application for renewal of a Class "A" Beer License for Pro Fuel Seven, Inc., d/b/a Beloit Citgo, 1888 Shopiere Road, Change of Agent to Akbir Kang, who appeared.

Deputy Chief Dunkin 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. Kang to reaffirm she understood that she is responsible for all violations that occur on the business premise whether she is present or not, and Ms. Kang stated that she understood. Attorney Krueger noted that Sections A and B on the application are completed, and she requested that Section A be removed to reflect the fact that the Corporation, Pro Fuel Seven, Inc., will hold the license.

Tilley moved to recommend approval of the license, and Goecks seconded. The motion carried.

7. Citizen Comments – None
8. Committee Comments – Berkley noted that Attorney Krueger provided the Committee with an updated *Wisconsin Alcohol Beverage and Tobacco Laws for Retailers* document and informed the committee that they could replace the old version of this document in their handbooks.
9. Police Department Comments – None
10. Attorney Comments - None
11. At 4:36 p.m. Metter moved to adjourn, and Vickerman seconded. The motion carried.

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Rebecca S. Houseman  
City Clerk