



ALCOHOL BEVERAGE LICENSE CONTROL COMMITTEE

Beloit City Hall - The Forum

100 State Street, Beloit, WI

November 13, 2012 - 4:00 p.m.

Present: Ralph Berkley, Malissa Cronin, Frank Marsden, John Metter, Ron Tilley,
Joseph Vickerman, Councilor Kevin Leavy (Non-Voting)

Absent: Tina Goecks

Advisory: Captain Vince Sciame, Deputy City Attorney Elizabeth Krueger

1. The meeting was called to order at 4:00 p.m. by Chairman Ralph Berkley with a quorum present.
2. Consideration of the minutes of the regular meeting of October 9, 2012. Motion to approve by Tilley, second by Marsden. Motion carried.
3. Consideration of application of Mexico Dominicana, LLC for a Class "B" Beer License for 854 Henry Avenue. Agent Juan Carlos Taveras appeared with an interpreter, and Angel Rodriguez and Tamara Wofford, also appeared on his behalf.

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. Captain Sciame stated the police Impact Report showed contact with 220 residents in the area of 854 Henry Avenue regarding the sale of alcohol this location; 129 were in favor and 91 opposed.

Attorney Krueger asked Mr. Taveras through his interpreter to reaffirm he understood he is responsible for all violations that may occur on the premise whether he is present or not, and the interpreter stated Mr. Taveras replied he understands his personal responsibility and has six years experience selling at his brother's liquor store. Tilley asked the seating capacity for the business and Mr. Taveras replied he had seating for twelve.

Rory Owens, 1681 Wisconsin Avenue, appeared on behalf of the Merrill Revitalization Group asking for denial of this license. Mr. Owens stated this group has worked very hard to rid the neighborhood of the effects of alcohol sales such as violence, loitering, soliciting, sales to minors and that all the work they have done for the last decade to improve the quality of life would be set back. Tilley concurred with Mr. Owens that the Merrill Neighborhood has improved with the removal of alcohol sales and that granting this license would be detrimental to this area.

Tamra Wofford stated that violence is still taking place in this area regardless of not having alcohol sales and that there is still loitering and crime. She stated that Mr. Taveras is adamant that there will not be loitering or underage sales at his business.

Councilor Levy asked the owner's intention regarding carry-out sales.. Mr. Taveras stated, through his interpreter that ideally he would like to do both sales at the restaurant and for takeout. Berkley asked how frequently his restaurant is occupied and how this business would be affected if the license was denied since they have been a success without alcohol sales. Mr. Taveras replied, through his interpreter, that they have \$300 to \$400 sales daily and that his customers are asking for the alcohol. Leavy stated he failed to see how there would be an adverse economic impact on this business if the license was denied since they have been successful with only twelve seats and no alcohol sales in the past.

Cronin commented that on the Agent Questionnaire, Mr. Taveras answered question #2 stating he did not have previous experience in retail alcohol sales and today he said he had six years experience. Ms. Wofford replied she filled out the form for Mr. Taveras and he does have experience with alcohol sales. The form was corrected to reflect this change.

Tilley moved to recommend denial to the City Council of this Class "B" Beer License, second by Vickerman. Motion carried 6-0.

4. Consideration of an application by BMC Property Management, LLC, d/b/a Rivals Bar & Grill, for a Class "B" Beer and Reserve "Class B" Liquor License at 443 East Grand Avenue. Agent Michael Jero and owner Brad McCaslin appeared.

Captain Sciamme 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. Captain Sciamme noted the Impact Report contacted eight neighbors of this business and all were in favor of the issuance of the alcohol license.

Attorney Krueger asked Mr. Jero to reaffirm he understood he is responsible for all violations that occur on the premise whether he is present or not, and he replied he understood his responsibility.

Members complimented the owner on the rehabilitation of the building and asked when he would be opening. Mr. McCaslin replied he hoped to open in mid-December.

Metter moved to recommend approval of the Class "B" Beer and Reserve "Class B" Liquor License, second by Marsden. Motion carried 6-0.

5. Citizens Comments – None

6. Committee Comments – Berkley inquired how long the Thirsty Badger has to open their business. Attorney Krueger stated they have six months and can ask Council for an extension, however a due process hearing must be held by the City Council. Berkley commended the Police Department for the Impact Report they did for 854 Henry Avenue area and stated the committee must consider the cost incurred before asking for such an extensive report again.

Berkley commented on his concern about the Police Incident Report for The End Zone on November 5, 2012 and that the police officer was giving the bartender, Nicole Howard, good advice on controlling the drinking and loitering in the parking lot but she was not willing to even hear the advice.

The committee requested that both The End Zone and the Alarm Box be called before the committee on December 11, 2012.

7. Police Department Comments – None
8. Attorney Comments – Attorney Krueger distributed the information the committee requested regarding the regulations about recorking wine to take home. Attorney Krueger stated the law on whether the City could regulate the sale of single serve liquor at convenience stores is unclear. If the committee wanted to go forward with an ordinance recommendation to Council, Attorney Krueger recommended the committee gather evidence that would support the position that such sales would have a detrimental effect on the community as this kind of evidence would strengthen the basis for an ordinance.
9. At 4:50 p.m. Metter moved to adjourn, second by Tilley. Motion carried.

Judith A. Elson
Deputy City Clerk