



ALCOHOL BEVERAGE LICENSE CONTROL COMMITTEE

Beloit City Hall - The Forum

100 State Street, Beloit, WI

December 11, 2012 - 4:00 p.m.

Present: Ralph Berkley, Malissa Cronin, Tina Goecks, Frank Marsden, John Metter, Ron Tilley, Joseph Vickerman
Absent: Councilor Kevin Leavy (Non-Voting)
Advisory: Captain Vince Sciamè, 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 November 13, 2012. Motion to approve by Mr. Marsden, second by Mr. Metter. Motion carried.
3. Consideration of a Change of Agent on a Class "B" Beer License for Beloit College Coughy Haus, 708 Clary Street. Proposed Agent Steven Oliveri appeared.

Captain Sciamè 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 appointment.

Attorney Krueger asked Mr. Oliveri to affirm he understood he is responsible for all violations that may occur on the premise whether he is present or not, Mr. Oliveri replied he understands his personal responsibility and that he is replacing the former Agent John Winkelmann III.

Mr. Metter moved to recommend approval to the City Council of this Change of Agent, second by Mr. Tilley. Motion carried 7-0.

4. Consideration of an incident on November 13, 2012, Police Report 12-9008, at Speedway #4293, 2781 Milwaukee Road for a sale to an underage person during an alcohol compliance check. Agent Nancy A. Bryant appeared.

Captain Sciamè explained that the Police Department conducted an alcohol compliance check on November 13th and the underage operative was able to purchase a twelve pack of beer. Captain Sciamè stated the clerk did ask for identification; however, she still sold the beer to the underage operative. Captain Sciamè explained to Ms. Bryant that because this is their first violation in a twelve month period, they are being warned at this time but a second violation within twelve months could result in sanctions. He asked if Ms. Bryant understood, and she replied that she did.

Ms. Bryant stated Speedway takes this matter very seriously and all employees take a computer based training program twice a year called TAM – Tobacco/Alcohol/Management. She said they also take Alcohol

additional training to be able to obtain the City's Operators License. Ms. Bryant further explained they have a third party company check them for underage sales on a regular basis and that this employee was terminated.

5. Consideration of an incident on November 13, 2012, Police Report 12-9011, at Star Quick Mart, 2158 Prairie Avenue for a sale to an underage person during a Police Department alcohol compliance check. Agent Akbir Kang appeared.

Captain Sciamé explained that the Police Department conducted an alcohol compliance check on November 13th and the underage operative was able to purchase a twelve pack of beer. Captain Sciamé stated the clerk did ask for identification; however, he still sold the beer to the underage operative. Captain Sciamé explained to Ms. Kang that because this is their first violation in a twelve month period, they are being warned at this time but that a second violation within twelve months could result in sanctions.

Ms. Kang explained that they have frequent training for employees and they have employees sign that they understand the regulations. Ms. Kang said this employee entered his own birthdate into the register instead of the customer's and that this employee had been terminated.

6. Consideration of an incident on November 13, 2012, Police Report 12-9011 at Star Quick Mart, 2158 Prairie Avenue for a sale to an underage person during an alcohol compliance check. Agent/Owner Pradip Patel appeared.

Captain Sciamé stated the Police Department conducted an alcohol compliance check on November 13th and the underage operative was able to purchase a twelve pack of beer. Captain Sciamé stated the clerk did not ask for identification. Captain Sciamé explained to Mr. Patel that because this is his first violation in a twelve month period, he is being warned at this time but that a second violation within twelve months could result in sanctions.

Mr. Patel stated he personally trained this employee for three months, that the employee was 40+ years old and previously employed at a Speedway for two years, and that Mr. Patel felt he was dependable employee. Mr. Patel said the employee was terminated.

7. Consideration of an incident November 13, 2012, Police Report 12- 9012 at Speedway 4087, 148 Liberty Avenue for a sale to an underage person during an alcohol compliance check. Agent Catherine Winford appeared.

Captain Sciamé stated the Police Department conducted an alcohol compliance check on November 13th and the underage operative was able to purchase a twelve pack of beer. Captain Sciamé stated the clerk did not ask for identification. Captain Sciamé explained to Ms. Winford that because this is their first violation in a twelve month period, they are being warned at this time but that a second violation within twelve months could result in sanctions. Ms. Winford commented that she understood.

Ms. Winford stated the employee was terminated and that all their employees are told it is a Speedway policy that they will never get into trouble for asking for identification.

8. Consideration of an incident at 925 Fourth Street on November 11, 2012, Police Report 12-8935. Captain Sciamme stated the Agent/owner of The End Zone, Sandra Manning Brown, was called before this committee because of the concern of the committee members at the November meeting regarding the serious incidents and loitering outside her business and in the City's parking lot.

Chairman Berkley read the problems observed at the End Zone by police officers and listed in Incident Report 12-8527: (1) Large crowds gathering in the parking lot during and after business hours, with crowds allowed to go back and forth into the bar; (2) Open alcohol containers are left in the parking lot and the containers are not from the bar but brought by patrons who go back and forth to and from their vehicles to avoid paying bar prices; (3) Large crowds are waiting to enter the bar blocking the entire sidewalk from public use; (4) Weapons in the bar as reported by bartender Nicole Howard and made evident by the use of OC on staff; (5) Large crowds leaving the bar in one large mass at closing; (6) Patrons are impeding the flow of traffic as they cross Fourth Street; (7) Calls for disturbances or loitering in the Municipal Lot, most generated from staff at the bar. The committee commended Officer Christopher Eberhardt for his excellent report and suggestions to eliminate the problems.

Agent/owner Sandra Manning Brown explained this problem happened at her bar because there was a disturbance at the Eagles Club and their crowd came to the End Zone so they locked their doors and wouldn't let them in. When the door was opened, they did flood into the bar and her bouncer was sprayed with pepper spray. Ms. Brown further explained that the people loitering in the City's lot are people coming from Rockford who are not 21 and when staff does not allow them to enter they stay in the parking lot. Ms. Brown says her staff calls the non-emergency police number to prevent the loitering and they have made it their policy that customers must be 26 years old to enter her bar.

Mr. Marsden asked why they did not cooperate with the police and provide the video the police requested. Ms. Brown replied that she does not know how to make copies of the video; however, the police can look at her tapes in a private room at the bar. Mr. Metter told Ms. Brown that she has a control problem and she must be proactive and get these problems under control. Mr. Metter asked if Ms. Brown had read this report with Officer Eberhardt's suggestions on handling the problems and she replied she had not. She was given a copy of the report by Officer Sciamme. Mr. Tilley asked what time all these problems begin and Ms. Brown stated it begins on weekends after midnight when people go from one bar to another and after 12:30 a.m. when 12-14 cars come from Rockford and they loiter in the parking lot when her staff does not let them in.

Chairman Berkley moved that Ms. Brown be allowed to review PD Report 12-8527, in particular the concerns of Officer Eberhardt and his suggestions to alleviate them, and that Ms. Brown be prepared to address all of the concerns and what she is going to do to rectify them. Second by Mr. Metter. Motion carried 7-0.

9. Consideration of an incident on November 11, 2012, Police Report 12-8935 and for the increase in the number of service calls to the Alarm Box, 925 Fourth Street. Agent/owner Kathleen A. Davis appeared. Captain Sciamme stated on November 11th the Alarm Box had 120-140 people in the bar which has a capacity of 80 people. Other police reports note that large crowds are drinking in their cars in the parking lot and there is also possible drug dealing.

Ms. Davis admitted to having too many people in the bar November 11th and will get counters for her security and bartenders. In regard to the parking lot, Ms. Davis said she discussed this problem with PD previously and they said to put up no loitering signs and then the police could arrest people for loitering and drinking in their cars. Ms. Davis stated that they need the Police Department's help and that her bouncers cannot handle the problem. Attorney Krueger stated that resources are scarce and Beloit PD cannot be her security and Ms. Davis must take responsibility for her business. Captain Sciamme stated that Officer Kevin Witte from third shift has been observing the problem and will work with Ms. Davis at finding a solution. He told Ms. Davis to set up a meeting with Officer Witte. Mr. Metter suggested surveillance cameras be installed and Ms. Davis stated her landlord has cameras on her building. Ms. Goecks said Ms. Davis must take responsibility to clear up these problems and should continue to call the police, be strong and consistent, and take back her bar. Captain Sciamme told Ms. Davis this is her business and her responsibility to clear up the problems. He said that if the issues continue without her working to alleviate them, she could be brought before this committee again and possible sanctions recommended.

10. Citizen Comments – None

11. Committee Comments – Mr. Tilley asked if the DOT is giving 8 ½ x 11" paper drivers licenses until the official one is mailed. Captain Sciamme stated they have started doing this and it takes 7-10 days to get the actual license in the mail.

Chairman Berkley welcomed eight students from Beloit Memorial Democracy class.

12. Police Department Comments – Captain Sciamme stated that during the compliance check, 22 businesses were visited and there was 86% positive compliance with 18 who did not sell to the minor. Debbie Fisher from Youth to Youth is going to each business that did not sell and present an award. Chairman Berkley suggested the Beloit Daily News be given a listing of those who did not sell.

13. Attorney Comments – None

14. At 4:50 p.m. Mr. Metter moved to adjourn, second by Mr. Tilley. Motion carried.

Judith A. Elson
Deputy City Clerk