



## ALCOHOL BEVERAGE LICENSE CONTROL COMMITTEE

Beloit City Hall - The Forum  
100 State Street, Beloit, WI  
February 12, 2013 - 4:00 p.m.

Present: Ralph Berkley, Malissa Cronin, Tina Goecks, John Metter, Ron Tilley, Joseph Vickerman,  
Councilor Kevin Leavy (Non-Voting)  
Absent: None (1 Vacancy)  
Advisory: Captain Vince Sciamme, 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 January 8, 2013. Motion to approve by Mr. Metter, second by Mr. Vickerman. Motion carried.
3. Consideration of a Change of Agent on a Class "A" Beer License for Speedway #4293, 2781 Milwaukee Road. Proposed Agent Sheryl LaTronico 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 to this appointment.

Attorney Krueger asked Ms. LaTronico to affirm she understood she is responsible for all violations that may occur on the premise whether she is present or not, Ms. LaTronico replied she understood. Ms. LaTronico will complete the Supplemental Agent Questionnaire and submit it to the City Clerk before the City Council meeting February 18, 2013.

Mr. Metter moved to recommend approval to the City Council of this Change of Agent, second by Mr. Tilley. Motion carried 6-0.

4. Consideration of an incident on December 12, 2012, Police Report 12-9761 at CVS Pharmacy #8534, 1063 Fourth Street, for a sale to an underage person during an alcohol compliance check. Agent, Judy Thomas appeared.

Captain Sciamme stated members of the Beloit Police Department conducted alcohol compliance checks in the City on December 12, 2012, and an underage operative was able to purchase beer at CVS Pharmacy #8534, 1063 Fourth Street. Captain Sciamme informed Ms. Thomas that this is the store's first violation and warned her that a second violation within a twelve month period could result in sanctions being taken against the store.

Ms. Thomas stated she is the only person licensed to sell alcohol in this store and that she has told management that there must be a licensed person there when she is not working. She said that the Manager Brad Eyster, does not make other employees get an Operators License. Captain Sciamme said he

would be sending officers out to check the store, and Attorney Krueger said she will send a letter to Mr. Eyster. Ms. Thomas suggested the Police Department also check the other CVS store in Beloit.

5. Consideration of the status of the Class "B" Beer and "Class B" Liquor License for Draeving Companies, LLC, d/b/a Thirsty Badger Bar & Grill, 2683 Prairie Avenue. Agent Michael Draeving, Sr. appeared.

Mr. Draeving stated he did not know he had six months to open his business after being granted a liquor license and was shocked when the City Clerk called him about this. Mr. Draeving stated that the project is a total renovation and that he has been meeting with city inspectors regarding the water damage and the electrical service had to be replaced. Mr. Draeving further explained that the work is lined up and that he is meeting Drew Pennington on February 14<sup>th</sup> regarding architectural review and permits. Mr. Draeving stated that the roof has to be repaired, roof units had to be replaced and then windows, doors, and siding can be installed. Mr. Draeving said he met with his contractor and they are projecting that the business will open in June 2013.

Attorney Krueger asked if there were interior renovations to be done yet. Mr. Draeving stated they had to demolish the inside because of the damage, and that they have been doing the work themselves but would have hired contractors to complete the work if he had known about the time limit. Councilor Leavy said the Council members are receiving calls about this valuable license not being used, and if he says he will be open by June, he should make certain this work is done by then.

Chairman Berkley asked Mr. Draeving for the written explanation and timeline that was requested in the letter he received from the City Clerk. Mr. Draeving stated he did not have a written statement but would get one to the City Clerk right away.

Mr. Metter moved that Mr. Draeving submit a detailed report of the demolition and renovation in writing with timelines of completion and submit it to the City Clerk by March 6<sup>th</sup> for the March 12<sup>th</sup> ABLCC meeting, second by Mr. Vickerman. Motion carried.

6. Consideration of incidents at End Zone Bar & Grill, 616 Fourth Street, follow-up from the December and January meetings of ABLCC. Owner/Agent Sandra Brown appeared.

Captain Sciame stated he reviewed police calls for service at 616 Fourth Street from July 1, 2011 through December 30, 2012 and after conferring with Deputy City Attorney Krueger, found there was not enough activity to warrant a sanction on this license. Captain Sciame said activity increases as the weather improves and asked Ms. Brown to work with the Police Department to reduce problems. Captain Sciame further requested that Ms. Brown send two bouncers to the parking lot across the street with cell phones and when there are issues they should call the Police Department. Ms. Brown stated she had two employees volunteer to check the parking lot.

Attorney Krueger told Ms. Brown she has not been given a clean slate, and if there were sanction hearings at any point in the future, the events on the call for service listing can be brought forward as evidence for sanctions. Ms. Brown indicated that she understood.

Ms. Brown stated she had called her insurance agent and he told her that her insurance will not cover her employees if they are off her property. Attorney Krueger indicated she was skeptical that this information was accurate as Workman's Compensation will generally cover employees during the course of their duties regardless if they are in her building or across the street. Attorney Krueger informed Ms. Brown that she must work with the vendor of her video surveillance equipment to instruct Ms. Brown how to retrieve videos and to provide them to the Police Department when requested.

Councilor Leavy stated he wanted to be certain that Ms. Brown has complied with everything the Police Department suggested she do. Ms. Brown responded that she has done everything they asked her to do. Councilor Leavy wanted it on the record that he is not comfortable with not issuing sanctions because there are so many concerns with this business. Attorney Krueger stated that the area officer will be keeping tabs on the business and can report back to this committee.

7. Citizen Comments – James Faragher appeared in support of Sandra Brown and her business. He stated that he has seen improvement in this establishment and he feels safe in this bar.
8. Committee Comments – Mr. Metter asked what the threshold for sanctions would be for any business. Attorney Krueger said in order to prosecute a licensed premises as a disorderly house it would require a sufficient amount of evidence and at this time it was the Police Department's recommendation that there was not a sufficient amount of evidence on the End Zone.

Chairman Berkley asked for a moment of silence in remembrance of a member of this committee, Frank Marsden, who passed away January 29<sup>th</sup>. He offered condolences to his wife and family from the committee.

9. Police Department – None
10. Attorney Comments – Attorney Krueger stated there will be a hearing by the City Council this evening on the Speedway #4293 violation of selling alcohol to a minor.
11. At 4:40 p.m. Mr. Vickerman moved to adjourn, second by Mr. Tilley. Motion carried.

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Judith A. Elson  
Deputy City Clerk