



## **ALCOHOL BEVERAGE LICENSE CONTROL COMMITTEE**

Beloit City Hall - The Forum

100 State Street, Beloit, WI

May 13, 2014 - 4:00 p.m.

Present: Betty Barnett, Ralph Berkley, Malissa Cronin, John Metter, Ron Tilley  
Councilor Kincaid (arrived at 4:10 p.m.)  
Absent: Tina Goecks, Joseph Vickerman  
Advisory: Captain Dan Risse, Deputy City Attorney Elizabeth Krueger

1. The meeting was called to order at 4:03 p.m. by Chairman Ralph Berkley with a quorum present.
2. Consideration of the minutes of the regular meeting of April 8, 2014. Motion to approve by Mr. Metter, second by Ms. Barnett Motion carried.
3. Application for a Change of Agent for VFW Club, Mead-Allen Post #2306, 2711 Afton Road. Proposed Agent, Ronald J. Becker, appeared.

Captain Risse 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.

Deputy City Attorney Krueger asked Mr. Becker to reaffirm that he understood that as Agent he is personally responsible for all alcohol violations that may occur on the premises whether he is present or not. Mr. Becker confirmed that he understood his responsibilities as Agent.

Mr. Metter moved approval of the Change of Agent at VFW Club to Ronald J. Becker, second by Ms. Cronin. Motion carried 5-0.

4. Application for a Change of Agent for CVS Pharmacy #5600, 2149 Prairie Avenue, to Andrew Moyer. Greg Davis, Manager, appeared and stated they are withdrawing this application and would be submitting an application for another Agent in June.
5. Application for a Change of Agent for Speedway #4087, 148 Liberty Avenue. Proposed Agent, Susan Keough, appeared.

Captain Risse 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. Keough if she understood that she would be held accountable for all alcohol violations that may occur on the premises whether she is present or not. Ms. Keough replied that she understood her responsibilities as Agent.

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Mr. Metter moved approval of the Change of Agent to Susan Keough for Speedway #4087, second by Mr. Tilley. Motion carried 5-0.

6. Application for a Change of Agent for Holiday Inn Express, 2790 Milwaukee Road. Proposed Agent, Liza Carrasco, was unable to attend the meeting and sent Cristina Tabeira, the front desk manager, to represent her and present a letter explaining she had to attend a mandatory training event in Chicago. Chairman Berkley announced that this appointment will be moved to the June 10, 2014 ABLCC meeting when Ms. Carrasco can attend.
7. Consideration of renewal applications and Change of Agents for license period 7/1/14 - 6/30/15. Chairman Berkley stated a vote would be taken separately on Tilley's Pizza House, Inc., d/b/a Club Ballyhoo, 900 Fourth Street with Mr. Tilley abstaining on the vote. Mr. Metter moved to recommend approval to the City Council of the renewal license of Club Ballyhoo, second by Ms. Cronin. Motion carried 4-0-1.

Mr. Metter moved approval of the alcohol renewals and new Agents on the attached listing, excluding Club Ballyhoo, for the period 7/1/14 – 6/30/15, second by Ms. Cronin. Motion carried 5-0.

8. Consideration of a new Class "B" Beer and "Class C" Wine License of Royal Enterprizes LLC d/b/a Mama Lou's Shrimp & BBQ Smokehouse, 315 State Street. Owner/Agent, James H. Bennett, Jr., appeared.

Captain Risse 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 Owner/Agent.

Deputy City Attorney Krueger asked Mr. Bennett to reaffirm that he understood that as Agent he is personally responsible for all alcohol violations that may occur on the premises whether he is present or not. Mr. Becker confirmed that he understood his responsibilities as Agent.

Mr. Metter moved to recommend approval to the City Council of the license of Mama Lou's Shrimp & BBQ Smokehouse, second by Mr. Tilley. Motion carried 5-0.

9. Citizen Comments: None
10. Committee Comments: None
11. Police Department Comments: Captain Risse reported that the Police Drug and Gang Unit, in partnership with Youth to Youth, conducted alcohol compliance checks where operatives under the age of 21 are sent into businesses to purchase alcohol. On April 10, 2014 the Police Department conducted checks on 23 alcohol licensed businesses and reported two locations sold to the minor and one other location did not have a licensed employee on duty.

Captain Risse stated a compliance check was conducted at CVS Pharmacy #5600, 2149 Prairie Avenue, and the employee sold to the underage operative of the Police Department but because of a procedural problem did not receive an arrest. Police Officers found that there was no one licensed to sell alcohol in

the store and they will be cited for that violation. Greg Davis, Manager at CVS #5600, explained that the alcohol was supposed to be locked up because they did not have a licensed person on duty. Mr. Davis also said the Clerk on duty, Andrew Moyer, had applied for an alcohol license; however, he had not received it to date.

Captain Risse reported a compliance check was made at Liberty Mobil at 1407 Liberty Avenue, where an employee sold alcohol to the underage operative and a citation was issued to the cashier. Liberty Mobil Owner/Agent, Harjinder Samra, and employee, Melissa Washington, appeared. Ms. Washington stated the video tape showed the employee was having difficulty entering the date of birth of the operative into the cash register and tried entering three times and then bypassed the security and sold to the minor. Ms. Washington said the employee was given a ten day suspension and was given training again and reiterated the severity of selling to a minor. Ms. Washington stated she also reviewed the training with all the cashiers of Liberty Mobil. Attorney Krueger advised Mr. Samra and Ms. Washington that the law prevents the City of Beloit from taking the alcohol license for a first violation; however, if there is a second violation within twelve months, historically a license suspension is issued.

Captain Risse reported a compliance check was made at Cornellier's Superstore, 2909 Ford Street where the clerk sold alcohol to the underage operative and a citation was issued to the cashier. Brad Lawver, Agent of Cornellier's Superstore, appeared and stated this violation was not taken lightly and he placed the employee on ninety day probation. Mr. Lawver said the corporation purchased new cash registers after this violation, where the cashiers must enter the date of birth of the purchaser before the sale of alcohol or cigarettes. Mr. Lawver further stated a meeting will be held with all employees to reiterate the importance of being vigilant in checking identification for alcohol and cigarette sales. Captain Risse explained how the compliance checks are conducted, at the request of Mr. Lawver, and explained that the purpose of the checks were not to deceive but to get 100% compliance with no sales made to the underage operative. Captain Risse instructed Mr. Lawver that a second violation could result in sanctions by the City Council. Attorney Krueger told Mr. Lawver to instruct his employees that underage identifications are printed vertically and are a clear indication of an underage person. Attorney Krueger also stated that because the cashier pleaded not guilty she would see him at pre-trial and she would have the license for him to see.

12. Attorney Comments: None

13. Mr. Metter moved to adjourn at 4:35 p.m., second by Ms. Cronin. Motion Carried.

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Judith A. Elson  
Deputy City Clerk