



ALCOHOL BEVERAGE LICENSE CONTROL COMMITTEE

Beloit City Hall –The Forum

100 State Street, Beloit, WI

December 8, 2015 – 4:00 p.m.

Present: Betty Barnett (Arrived at 4:03 p.m.), Dennis Baskin (Arrived at 4:03 p.m.), Ralph Berkley, Malissa Cronin, John Metter, Ron Tilley, Joseph Vickerman

Absent: Councilor Ana Kelly

Advisory: Captain Dan Risse, Attorney Elizabeth Krueger

1. The meeting was called to order at 4:00 p.m. by Chairman Berkley with a quorum present.
2. Consideration of the minutes of the regular meeting of November 10, 2015. Mr. Vickerman made a motion to approve the minutes, second by Mr. Metter.
3. Consideration of a Change of Agent at Pilot Travel Center #289, 3001 Milwaukee Road, from David Hauck to Brenda K. Boss. Proposed Agent Brenda Boss appeared.

Captain Risse stated municipal and state records were checked and the Police Department has no objection to the appointment of this Agent.

Attorney Krueger asked Ms. Boss if she understood that as Agent she would be ultimately responsible for the compliance of alcohol laws whether she is physically present at the business or not. Ms. Boss responded that she understood.

Mr. Metter made a motion to recommend to the City Council, approval of the Change of Agent at Pilot Travel Center #289, 2001 Milwaukee Road, to Brenda K. Boss, second by Ms. Cronin. Motion carried.

4. Consideration of violations for underage sales of alcohol to underage persons related to compliance checks on November 4, 2015 and November 30, 2015. The following businesses were brought before the committee to respond to their respective violations.
 - a. **Clark Gas Station, 903 Broad Street** – Agent Jay Gravitt and owner Rajeshkumar Patel appeared. Captain Risse reported the clerk asked the operative for identification and after viewing the ID sold alcohol to the minor. Mr. Gravitt stated their policy is to check two forms of ID if person appears under the age of 40. Mr. Patel stated the clerk incorrectly entered the year of the operative's birthdate into the register which allowed the sale to go through. Attorney Krueger advised that Wisconsin Law states a first offense for this type of violation within a twelve month period is not subject to sanction by this committee, however, historically a second violation within twelve months has resulted in a citation for a loss of license for ten to thirty days. Mr. Vickerman commented he does not see how a clerk could make an error of this

kind when the driver's license of an underage person is printed vertically and if over twenty-one would be printed horizontally. Mr. Gravitt agreed. Mr. Metter stated the only reason this type of mistake could be made was the clerk was not properly trained or they were careless and didn't take the time to do the check correctly. Ms. Cronin asked if the employee was still employed and Mr. Gravitt stated he was given a letter of warning.

- b. **Speedway #4293, 2781 Milwaukee Road** – Speaking on behalf of Speedway was Attorney David Carr, Milwaukee, WI and the Speedway District Manager Jessica Wagner, Monona, WI. Captain Risse stated the clerk asked for ID and typed in the date of birth and the register gave a negative response. The clerk again asked the operative for her date of birth and she retyped it into the machine and then sold the alcohol to this underage person. Ms. Wagner was told by the employee that she entered the birthdate wrong. Ms. Wagner explained the new policies established for the Beloit Speedway stores and the steps taken to prevent this from happening again: They will be carding everyone no matter their age and this policy will stay in place and will be checked on to make certain it is being done; all identification will be scanned in and not entered manually; all employees have attended a required 1 ½ hour in-depth meeting which Sgt. Andre Sayles of the Beloit Police Department assisted with; and all employees went through retraining on the policies of Speedway. Ms. Wagner stated the employee was terminated. Attorney Krueger explained the Wisconsin law regarding underage sales and the repercussions if there is a second sale within twelve months.
- c. **Speedway #4087, 148 Liberty Avenue** – Speaking on behalf of Speedway #4087 was Attorney David Carr and District Manager Jessica Wagner. Captain Risse said the operative was asked for ID from the clerk and the sale still proceeded. Ms. Wagner explained that their employee scanned in the ID, the register came up that the customer was underage, the employee voided it off and sold anyway – the employee was terminated.
- d. **Badger Spirits, 2621 Prairie Avenue** – Owner/Agent, Alice Blue, appeared. Captain Risse explained that the employee of this business did not ask for identification and proceeded to sell to the minor. Ms. Blue stated this employee has 27 years working in the business and made a bad judgement call that day and was devastated with the mistake. Ms. Blue talked with all employees and all will be carding customers more fervently as she does not want her store to have the reputation of selling to minors. Attorney Krueger reminded Ms. Blue that if there is a second violation within twelve months, it likely would result in sanctions.
- e. **CVS Pharmacy #5600, 2149 Prairie Avenue**
CVS Pharmacy #8534, 1063 Fourth Street
Chairman Berkley stated he received a phone call from the District Manager for CVS and he wanted to attend this meeting, however, was not able to attend in December and asked that he be on the Agenda for the January 2016 meeting. Dr.

Baskin made a motion to have the two CVS stores put on the January 12th agenda, second by Mr. Metter. Motion carried.

- f. **Casey's General Store #3316, 2350 Cranston Road** – Jeffrey Kimberly, Janesville, WI appeared representing Casey's General Store #3316. Captain Risse stated the operative was able to purchase alcohol without showing identification. Mr. Kimberly said the store policy is to scan ID into the register, not manually enter birthdate, for all customers looking under 40 years old. Mr. Kimberly said the employee was terminated for not following corporate policy. Mr. Kimberly explained that all employees are going through a complete retraining and that the termination of the employee was an example for the whole staff. Attorney Krueger reminded Mr. Kimberly that if there is a second violation within twelve months it would likely result in sanctions.
5. Citizens Comments: None
6. Committee Comments: Chairman Berkley thanked Captain Risse for the eleven month comprehensive report of police calls in the City.
7. Police Department Comments: Captain Risse explained that he will have a thirty day report for this committee listing the police calls for service. Chairman Berkley asked how many calls are considered excessive and Captain Risse stated each report is evaluated on its own merits. Chairman Berkley asked about the public parking lots that are used by businesses and who is responsible for the cleanup. Captain Risse stated the owners check the parking lots themselves and conduct a cleanup.
8. At 4:30 p.m. Dr. Baskin made a motion to adjourn, second by Mr. Tilley. Motion carried.

Judith A. Elson
Deputy City Clerk