



ALCOHOL BEVERAGE LICENSE CONTROL COMMITTEE

Beloit City Hall –The Forum
100 State Street, Beloit, WI
September 8, 2015 – 4:00 p.m.

Present: Dennis Baskin, Malissa Cronin, John Metter, Ron Tilley, Joseph Vickerman
Absent: Betty Barnett, Ralph Berkley, Councilor Ana Kelly
Advisory: Captain Dan Risse, Attorney Krueger

1. The meeting was called to order at 4:00 p.m. by Vice Chair Metter with a quorum present.
2. In consideration of the minutes of the regular meeting of August 11, 2015, committee members Vickerman and Cronin moved approval of minutes as presented. Motion carried, voice vote.
3. The committee considered the approval for a Change of Agent on a Class “A” Beer and “Class A” liquor license for Walgreens #06096, located at 1901 Prairie Avenue, from Jacqueline Shaffer to Julie Punzel. Proposed Agent, Julie Punzel 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. Punzel if she understood that as Agent she would be ultimately responsible for the compliance of alcohol laws whether she is at the business or not. Ms. Punzel responded that she understood.

Committee members Tilley and Vickerman moved the approval of change of agent. Motion carried, voice vote. Vice President Metter reminded Ms. Punzel to appear before the council on September 21st at 7pm when this goes to them for approval.

4. Consideration of a new Class “A” Beer License for Mexico Dominicana, Inc., located at 854 Henry Avenue, Angel Rodriguez, Agent. Mr. Rodriguez appeared with Nora Navarro, 1119 Dewey Ave, Beloit, who is present to assist with translating between English and Spanish.

Captain Risse reviewed the Alcoholic Beverage Neighborhood Impact Committee Report with the committee. He explained that there were 96 responses and of those, 31 had no objection, 17 objected and 48 either had no opinion on the matter or didn’t answer the door. He also referenced an email from John Ramstad, Director of Community Programs. Mr. Ramstad explained in the email that the Merrill Revitalization Group has not met for some time, and that the Porter Avenue Watch Group only covers the small area on the south side of the neighborhood. The president of the PAWG was consulted and stated that they did not object to a license to sell beer for consumption off premise, but would object to a license to serve beer on premise.

Captain Risse also certified and checked municipal and state criminal records on Mr. Rodriguez as an individual, and to the best of his knowledge, with the information available, found his character, record and reputation to be satisfactory and therefore, to the agent itself, the Police Department offers no objection.

Attorney Krueger asked how long Mr. Rodriguez has owned the business. He stated that he has had the

property on a land contract since May of 2012 and that this May of 2015, he purchased the property. The property has been in his name for more than three years. Attorney Krueger expressed that she personally observed was an unfriendly atmosphere towards law enforcement when she was with a Beloit Police Officer as he attempted to recover some video from the ~~business and~~ business and is concerned if this is still the atmosphere. Mr. Rodriguez was surprised by these statements. Attorney Krueger stated that she remembers the officer speaking to Mr. Rodriguez directly on that evening and had told law enforcement that they did not know how to recover the video from the equipment and his son was not available to come and assist. Mr. Rodriguez explained that he does not know how to operate the equipment but his wife does.

Captain Risse confirmed Attorney Krueger's concerns and added that this has actually occurred on more than one occasion and law enforcement is unsure if it is a lack of cooperation or a lack of ability from staff to know how to operate the equipment. Mr. Rodriguez said that he believes he has tried to cooperate with everyone, including the police. As of this year, he holds five other liquor licenses in Wisconsin and he invited them to check his record and assured them that they'd find his other businesses to report that he complies and gets along with everyone as much as possible.

Attorney Krueger referred to the supplemental questionnaire he completed with his application, (question #9) and asked Angel Rodriguez if he understood that he could be held ultimately responsible for any violations that occur on the property. Mr. Rodriguez responded that he understood that and knows it is his business and his responsibility.

Committee member Baskin asked Captain Risse and Attorney Krueger to differentiate the difference between being uncooperative with law enforcement and having technical difficulties in knowing how to use the equipment. Captain Risse explained that law enforcement often seeks video on location at a time of day when a person with this responsibility may not be present to assist. They ~~have~~ have've had occasions where once they identify the staff member with the technical skills to assist in the video recovery, they still experience barriers to accessing the material they need to continue their investigation and it shouldn't be that way. Attorney Krueger explained that she could only speak from her personal experience on the premises on the evening where there was a battery committed by an employee and a patron was the victim. Upon trying to recover the video, there was little cooperation to try to accommodate that request and when officers were trying to obtain witness statements and conduct their investigation, there was a lack of focus as they went about tidying up the store and were generally cool and non-responsive. When committee member Baskin asked if this was a language barrier issue, Attorney Krueger explained there was someone on-site who spoke English and that the following day, the department had a Spanish speaking officer follow up and they had a similar outcome.

Vice Chair Metter asked if this is a common problem for law enforcement or if this incident was more of an isolated one. Captain Risse believes there has been a change of attitude overall in cooperation and he doesn't know why. He said it could be a result of fear of revocation from this committee or City Council, or if it a fear that the video will implicate the business in some sort of wrongdoing and therefore, they delay in turning it over, or maybe another reason. Either way, he expressed the necessity for these businesses to cooperate with law enforcement. He confirmed to the committee that the police department does not view this business as a troubled business. Mr. Baskin said he would prefer to render the benefit of the doubt in this situation, and in trying to be a proponent of enterprise, would like to give this business an opportunity to prove itself.

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Committee members Baskin and Cronin moved the approval for Class "A" Beer License. Motion carried on a

voice vote with Committee Member Tilley opposing (4-1-~~2~~). Vice Chairman Tilley reminded Mr. Rodriguez to appear before the council on September 21st at 7pm when this goes to them for approval.

5. Citizen Comments – None
6. Committee Comments – Committee member Tilley asked Captain Risse asked what percent of businesses have qualified staff on hand at the time of an incident to assist with recovering video on the spot. Captain Risse said that it was probably 90% of the time where they would have to wait until a store manager, owner or IT person was available. They've never experienced doctored video or erased video but they have encountered malfunctioning equipment and are unable to retrieve because of other technical difficulties. Captain Risse explained that he will be bringing forward a business on ~~4th~~Fourth Street that has varying levels of cooperation levels as well as a business on the east side where it is possible that the equipment is too technical for the staff to manage. He explained that in order to investigate a recent incident, the Police Department had to bring in one of their IT personnel to aid in recovering video from that establishment's equipment. Captain Risse understands that reasonable accommodations need to be made.

Committee member Vickerman asked whether the recent shooting at Turtle Tap involved the bar. Captain Risse explained that it is an open investigation but he can say that the disturbance began inside the bar, the bar closed and the disturbance moved outside where it got worse.

Vice Chair Metter welcomed the students in the observation area who were from Beloit Memorial High School, completing an assignment for the American Democracy Government class.

7. Police Department Comments – Captain Risse advised that an audit was performed at Adiktion by the Department of Revenue, Agent Lee, this past weekend and the Police Department and City Attorney is awaiting the results of that report.
8. Attorney Comments – Attorney Krueger explained that the hearing for Adiktion has been delayed by two weeks because she is waiting to receive the findings of the Department of Revenue's investigation. She expects to file the complaint at the September 21st City Council meeting and the hearing will take place no sooner than 3 days but no longer than 10 days from then.
9. Committee members Tilley and Vickerman made a motion to adjourn at 4:22 p.m. Motion carried, voice vote.

Lorena Rae Stottler
City Clerk