



ALCOHOL BEVERAGE LICENSE CONTROL COMMITTEE

Beloit City Hall - The Forum

100 State Street, Beloit, WI

June 10, 2014 - 4:00 p.m.

Present: Betty Barnett, Ralph Berkley, Malissa Cronin, Tina Goecks, John Metter,
Ron Tilley, Joseph Vickerman
Absent: Councilor Kincaid
Advisory: Captain Dan Risse, 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 May 13, 2014. Motion to approve by Mr. Tilley, second by Mr. Metter. Motion carried.
3. Application for a Change of Agent for Holiday Inn Express, 2790 Milwaukee Road from Kelsey Szudy to Liza Carrasco. Proposed Agent, Liza Carrasco, 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 Ms. Carrasco to reaffirm that she understood that as Agent she is personally responsible for all alcohol violations that may occur on the premises whether she is present or not. Ms. Carrasco confirmed that she understood this responsibility.

Mr. Metter moved approval of the Change of Agent Holiday Inn Express to Liza Carrasco, second by Ms. Barnett. Motion carried 7-0.

4. Application for a Change of Agent for CVS Pharmacy #5600, 2149 Prairie Avenue from Kimberly Kitchens to Debra Gajdosik. Larry Cohen, Attorney for CVS, Gregg Davis, store Manager and Debra Gajdosik proposed new Agent, 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.

Deputy City Attorney Krueger asked Ms. Gajdosik to affirm that she understood that as Agent she is personally responsible for all alcohol violations that may occur on the premises whether she is present or not. Ms. Gajdosik affirmed she understood this responsibility.

Mr. Metter moved approval of the change of Agent for CVS Pharmacy #5600 to Debra Gajdosik, second by Mr. Tilley. Motion carried 7-0.

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5. Application for a Change of Agent for Alibi Bar & Grill, 1180 Madison Road, from Bonnie R. Kunde to Wendy K. Drake. Proposed Agent, Wendy Drake, and owner, Bonnie Kunde, 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. Drake 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. Drake replied that she understood her responsibilities as Agent.

Mr. Metter moved approval of the Change of Agent to Wendy K. Drake, second by Mr. Vickerman. Motion carried 7-0.

6. Attorney Krueger informed the committee they should make a correction in the name of the corporate owner of Rivals Sports Bar & Grill by adding LLC after the name of BMC Property Management as stated on the Agenda and on the application. Mr. Metter moved to correct the corporate name, second by Mr. Vickerman. Motion carried 7-0.

Application for renewal of Class "B" Beer and "Class C" Wine License of Salvador Sanchez, d/b/a Salvador's Restaurant, 907 Bayliss Avenue and renewal of the Class "B" Beer and Reserve "Class B" Liquor for BMC Property Management, LLC, d/b/a Rivals Sports Bar & Grill, 443 East Grand Avenue, Michael D. Jero, Agent.

Metter moved approval of the renewal of Salvador's Restaurant and Rivals Sports Bar & Grill, second by Cronin. Motion carried 7-0.

7. Consideration of an incident on May 13, 2014 at Walgreens #12136, 910 Broad Street, Jennifer Boyle, Agent, for sale to an underage person during an alcohol compliance check. Ms. Boyle appeared.

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 and Walgreens #12136 did sell alcohol to this minor.

Agent, Jennifer Boyle, stated that the employee who sold to the minor was immediately terminated and she retrained her entire staff on checking identification. Ms. Boyle also explained that their cash register has certain steps to take when selling alcohol, by putting in the customer's date of birth from the identification, however, this employee bypassed this step.

Captain Risse stated he was satisfied with what Walgreens has done to make certain this does not happen again. Attorney Krueger explained to Ms. Boyle that the law prevents the City of Beloit from suspending the alcohol license for a first violation; however, if there is a second violation within twelve months, historically a license suspension is recommended to the City Council.

8. Consideration of an incident May 13, 2014 at Piggly Wiggly, 1827 Prairie Avenue, Miguel Guzman, Sr., Agent, for a sale to an underage person during an alcohol compliance check by the Police Department. Agent, Miguel Guzman, Sr. and Miguel Guzman, Jr. appeared.

Risse stated the Police Department operative was able to enter Piggly Wiggly and purchased alcohol and he asked Mr. Guzman what he has done to be certain this does not occur again. Mr. Guzman stated the employee was terminated and the corporate office of Piggly Wiggly sent in a team to train all the employees for a second time.

Attorney Krueger told Mr. Guzman that this is his alcohol license and that he should take responsibility in making certain the employees understand the serious consequences for selling to minors. Attorney Krueger explained that if there is a second violation within twelve months, he will be called before this committee again and historically this committee will recommend a suspension of the license to the City Council.

Mr. Tilley asked how the alcohol is locked up and Mr. Guzman replied that they close at 9:00 p.m. therefore, it is not necessary to lock it up and that his registers automatically lock out any alcohol sales at 9:00 p.m.

9. Consideration of an incident May 13, 2014 at Tobacco Shack, 1212 Cranston Road, Jignesh DeSai, Agent, for a sale to an underage person during an alcohol compliance check. Tom Lindaas, store manager, appeared.

Captain Risse stated the Beloit Police Department's Drug and Gang Unit, together with Youth to Youth, sent an underage operative into Tobacco Shack and the underage operative was able to purchase alcohol. Captain Risse asked Mr. Lovaas what has been done since this incident to assure it will not happen again.

Mr. Lindaas stated the employee that sold to the minor was terminated, which is their policy, and they have all employees sign that they have read and understood the rules and regulations. Mr. Lindaas put up new signage for the benefit of the employees and customers that identification must be shown for the purchase of alcohol. Mr. Lindaas stated he retrained all employees emphasizing the seriousness of selling to minors, that management takes this very seriously, and he reiterates this every day he is in the store.

Attorney Krueger reminded Mr. Lindaas that if there is another violation with twelve months, the Agent will be called before this committee for a recommendation of possible license suspension to the Beloit City Council.

10. Consideration for an application for Transfer of License for Fraternal Order of Eagles #557, 302 State Street to 863 Fifth Street. Officers of the Eagles Club, Brian Hein and Dennis Keeney, stated they are withdrawing the application at this time and will be staying at 302 State Street.
11. Application for Class "B" Beer and "Class B " Liquor License for Amethyst, Inc., Joseph Hansen Agent, for 302 State Street. Mr. Hansen called the City Clerk's Office to state he was withdrawing this application.

12. Citizen Comments: None
13. Committee Comments: None
14. Police Department Comments: None
15. Attorney Comments: None
16. Mr. Metter moved to adjourn at 4:30 p.m., second by Mr. Vickerman. Motion Carried.

Judith A. Elson
Deputy City Clerk