



# City of Madison

City of Madison  
Madison, WI 53703  
www.cityofmadison.com

## Meeting Minutes - Draft ALCOHOL LICENSE REVIEW COMMITTEE

*This meeting can be viewed LIVE on Madison City Channel, cable channel 98, digital channel 994, or at [www.madisoncitychannel.tv](http://www.madisoncitychannel.tv).*

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Wednesday, November 19, 2008

5:30 PM

210 Martin Luther King, Jr. Blvd.  
Room 201 (City-County Building)

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Contact the Office of the City Clerk at (608) 266-4601, or TDD (608) 266-6573.

Applications will go to the Common Council Meeting of December 2, 2008.

This meeting is governed by Robert's Rules of order. All speakers wishing to address the committee regarding an agenda item must first complete a registration form and submit it to the City Clerk designee.

Speakers may speak to the committee only after they are called by the Chair. Each speaker will be limited to three minutes.

After speaking to the committee, please take your seat in the gallery. The public is not allowed to address or respond to speakers or committee members unless they have been recognized by the Chair of the committee.

### Call to Order/Roll Call

**Present:** 12 -

Michael Schumacher; Michael E. Verveer; Ronda Statz; Marsh Shapiro; Carl Gloede; Steve Brist; John A. McNamara; Tom A. Landgraf; David A. Hart; Chet Gerlach; Pamela Bean and Dawn Crim

**Excused:** 1 -

Katherine Plominski

### Approval of Minutes

**A motion was made by Ald. Schumacher, seconded by Bean, to Approve the Minutes. The motion passed by voice vote/other.**

### Public Comment

### Changes of Agent

1. [12160](#) Change of Agent  
M&M Madison Concessions LLC • dba Howard Johnson  
3841 E Washington Ave  
New Agent: Terrance E Gray  
Class B Combination Liquor & Beer • 20% alcohol, 80% food  
Aldermanic District 17 (Alder Clausius) • Police Sector 605  
  
**A motion was made by Ald. Schumacher, seconded by Bean, to RECOMMEND TO COUNCIL TO GRANT - REPORT OF OFFICER. The motion passed by voice vote/other.**
  
2. [12170](#) Change of Agent  
117 MLK LLC • dba Ocean Grill • 117 Martin Luther King Jr Blvd  
New Agent: Holly Mucci  
Class B Combination Liquor & Beer • 27% alcohol, 73% food  
Aldermanic District 04 (Alder Verveer) • Police Sector 405  
  
**A motion was made by Ald. Schumacher, seconded by Bean, to RECOMMEND TO COUNCIL TO GRANT - REPORT OF OFFICER. The motion passed by voice vote/other.**
  
3. [12542](#) Change of Agent  
WHG Real Estate South • dba Applebees Neighborhood Grill & Bar  
4710 East Towne Blvd  
New Agent: Tom Higgins  
Class B Combination Liquor & Beer • 11% alcohol, 89% food  
Aldermanic District 17 (Alder Clausius) • Police Sector 517  
  
**A motion was made by Ald. Schumacher, seconded by Bean, to RECOMMEND TO COUNCIL TO GRANT - REPORT OF OFFICER. The motion passed by voice vote/other.**

### Changes of Corporate Control

4. [12159](#) Change of Corporate Control -- 1 new officer  
CEC Entertainment Inc • dba Chuck E Cheese's • 3% alcohol, 97% food  
438 Grand Canyon Dr • Agent: Donald Olbrys  
Class B Beer, Class C Wine  
Aldermanic District 19 (Alder Clear) • Police Sector 113  
  
**A motion was made by Ald. Schumacher, seconded by Bean, to RECOMMEND TO COUNCIL TO GRANT - REPORT OF OFFICER. The motion passed by voice vote/other.**

### Change of Licensed Premise

5. [09919](#) Change of Licensed Premise  
Applicant: K Street, LLC • dba: Madison's Downtown • Capacity of 216  
Address: 119 King Street • Agent: Andy Haker  
Class B Combination Liquor & Beer • 40% Alcohol, 60% food  
Aldermanic District 4 (Alder Verveer) • Police Sector 405  
Request to increase capacity to 340.
- A motion was made by Ald. Verveer, seconded by McNamara, to RECOMMEND TO COUNCIL TO PLACE ON FILE WITHOUT PREJUDICE -REPORT OF OFFICER. The motion passed by voice vote/other.**
- Registrant(s): John Scherpetz; Bob Holloway**
6. [12552](#) Change of Licensed Premise  
GD 3 LLC • dba Great Dane Pub • capacity of 236  
357 Price Pl • Agent: Ted Peterson  
Class B Combination Liquor & Beer • 45% Alcohol, 55% food  
Aldermanic District 11 (Alder Gruber) • Police Sector 108  
Request to create a pool hall & lounge and add a 16' x 19' second floor mezzanine.
- A motion was made by Ald. Schumacher, seconded by Bean, to RECOMMEND TO COUNCIL TO GRANT - REPORT OF OFFICER. The motion passed by voice vote/other.**
- Registrant(s): Ted Peterson; Robert LoBreglio**

### 18+ Performing Arts License

7. [12474](#) 18+ Center for Visual & Performing Arts License  
Out Nightclub Inc • dba XO2 • Capacity:386  
1262 John Q Hammons Dr • Agent: Bruce DeWall  
Class B Combination Liquor & Beer • 44% alcohol, 55% food, 1% Other  
Aldermanic District 09 (Alder Skidmore) • Police Sector 127
- A motion was made by Ald. Schumacher, seconded by Landgraf, to RECOMMEND TO COUNCIL TO GRANT - REPORT OF OFFICER with the following conditions: Establishment continues to meet the definition of a restaurant; Use of an ID scanner; Security at a 50 to 1 ratio; Capacity set at 200 patrons; Nighclub performances limited to 3 nights per week. The motion passed by voice vote/other.**
- Registrant(s): Bruce DeWall; Kristy Mortensen; Capt. Jay Lengfeld; Alder Paul Skidmore**

8. [11388](#) Public Hearing - New License  
Puav Pheej LLC • dba Taste of Asia • .1% alcohol, 99.9% food  
2817 E Washington Ave • Agent: Peng Her • Estimated Capacity: 130  
Class B Beer, Class C Wine  
Aldermanic District 15 (Alder Palm ) • Police Sector 603

**A motion was made by Ald. Schumacher, seconded by Bean, to RECOMMEND TO COUNCIL TO PLACE ON FILE WITHOUT PREJUDICE -PUBLIC HEARING. The motion passed by voice vote/other.**

**New License - Public Hearing**

9. [11863](#) Public Hearing - New License  
Brickhouse BBQ LLC • dba Brickhouse BBQ LLC • 25% alcohol, 75% food  
408 W Gorham St • Agent:Jong Yean Lee • Estimated Capacity: 180-200  
Class B Combination Liquor & Beer  
Aldermanic District 04 (Alder Verveer) • Police Sector 403 • Density Area

**A motion was made by Ald. Verveer, seconded by Ald. Schumacher, to RECOMMEND TO COUNCIL TO GRANT - PUBLIC HEARING with the following conditions: Establishment will close 30 minutes before bar time; Capacity of 180 persons; Establishment must meet the definition of a restaurant; No exterior amplification of music; Food must be available at all times. The motion passed by voice vote/other.**

**Registrant(s): In support - Jong Yean Lee (owner); Bob Holloway; John Scherpelz; Joseph Tachovsky; Patrick Ducey; Melissa Destree; In opposition - Rosemary Lee**

10. [12158](#) Public Hearing - New License  
Leziz LLC • dba Oliva • 15% alcohol, 85% food  
745 N High Point Rd • Agent: Mehmet Dayi • Estimated Capacity: 40  
Class B Beer, Class C Wine  
Aldermanic District 09 (Alder Skidmore) • Police Sector 126

**A motion was made by McNamara, seconded by Bean, to RECOMMEND TO COUNCIL TO GRANT - PUBLIC HEARING. The motion passed by voice vote/other.**

**Registrant(s): Mehmet Dayi (owner); Alder Paul Skidmore**

11. [12161](#) Public Hearing - New License  
Appetize Inc. • dba HuHot Mongolian Grill • 6% alcohol, 94% food  
610 Junction Rd • Agent: David Lindenstruth • Estimated Capacity: 250-300  
Class B Combination Liquor & Beer  
Aldermanic District 09 (Alder Skidmore) • Police Sector 128

**A motion was made by Ald. Schumacher, seconded by Gerlach, to RECOMMEND TO COUNCIL TO GRANT - PUBLIC HEARING with the following condition: Capacity to be set at 250 persons. The motion passed by voice vote/other.**

**Registrant(s): David Lindenstruth (owner); Alder Paul Skidmore**

12. [12164](#) Public Hearing - New License  
RNF LLC • dba 24 Hour Pump  
2801 University Ave • Agent: Sid Kabir  
Class A Beer, Class A Liquor  
Aldermanic District 11 (Alder Gruber) • Police Sector 101

**A motion was made by Ald. Schumacher, seconded by Bean, to RECOMMEND TO COUNCIL TO GRANT - PUBLIC HEARING with the following conditions: No sale of single bottles or cans of beer or fermented malt beverages; No sale of 40 ounce bottles of fermented malt beverages; No sale of fortified wines; Liquor sales limited to wine and wine coolers only. The motion passed by voice vote/other.**

**Registrant(s): Jeanette Reeve**

13. [12166](#) Public Hearing - New License  
Cellar Enterprises LLC • dba State Street Gallery • 30% alcohol, 70% other  
109 State St • Agent: Christina Fenner • Estimated Capacity: 200  
Class B Combination Liquor & Beer  
Aldermanic District 04 (Alder Verveer) • Police Sector 405 • Density Area

**A motion was made by Ald. Verveer, seconded by Landgraf, to Refer to the ALCOHOL LICENSE REVIEW COMMITTEE, due back on 12/17/2008. Application shall be changed from a Class B Beer to a Class B Combination license. The motion passed by voice vote/other.**

**Registrant(s): Christina Fenner**

14. [12167](#) Public Hearing - New License  
Madison Ice Inc. • dba Madison Ice, Inc • 5% Alcohol, 20% Food, 75% Other  
1834 Commercial Ave • Agent: Andrea Chaffee • Estimated Capacity: 500  
Class B Beer  
Aldermanic District 12 (Alder Rhodes-Conway) • Police Sector 503

**A motion was made by Ald. Schumacher, seconded by Bean, to RECOMMEND TO COUNCIL TO GRANT - PUBLIC HEARING. The motion passed by voice vote/other.**

**Registrant(s): Andrea Chaffee**

15. [12481](#) Public Hearing - New License  
Roaring Fork LLC • dba Qdoba Mexican Grill • 2% alcohol, 98% food  
4718 East Towne Blvd • Agent: Ron Stokes • Estimated Capacity:100  
Class B Combination Liquor & Beer  
Aldermanic District 17 (Alder Clausius) • Police Sector 517

**A motion was made by Ald. Schumacher, seconded by Bean, to RECOMMEND TO COUNCIL TO GRANT - PUBLIC HEARING. The motion passed by voice vote/other.**

**Registrant(s): Ron Stokes (agent)**

16. [12476](#) Public Hearing - New License  
Vandewalle, Brian E • dba Washington Hotel Coffee Room LLC  
10% alcohol, 80% food, 10% Other  
402 W Lakeside St • Agent: Miranda Hofmann • Estimated Capacity: 50  
Class B Combination Liquor & Beer  
Aldermanic District 13 (Alder Kerr ) • Police Sector 306
- A motion was made by Ald. Schumacher, seconded by Gerlach, to RECOMMEND TO COUNCIL TO GRANT - PUBLIC HEARING. The motion passed by voice vote/other.**

**Registrant(s): Miranda Hofmann**

17. [12472](#) Public Hearing - New License  
Out Nightclub Inc • dba XO2• 44% alcohol, 55% food, 1% Other  
1262 John Q Hammons Dr • Agent: Bruce M DeWall • Estimated Capacity: 386  
Class B Combination Liquor & Beer  
Aldermanic District 09 (Alder Skidmore ) • Police Sector 127
- A motion was made by Ald. Schumacher, seconded by Bean, to RECOMMEND TO COUNCIL TO GRANT - PUBLIC HEARING with the following conditions: Establishment continues to meet the definition of a restaurant; Use of an ID scanner; Security at a 50 to 1 ratio; Capacity set at 200 patrons; Nighclub performances limited to 3 nights per week. The motion passed by voice vote/other.**

**Registrant(s): Bruce DeWall; Kristy Mortensen; Capt. Jay Lengfeld; Alder Paul Skidmore**

18. [12479](#) Public Hearing - New License  
David Blake • dba David's Jamaican Cuisine • 20% alcohol, 80% food  
1616 Beld St • Agent: David Blake • Estimated Capacity: 42  
Class B Beer, Class C Wine  
Aldermanic District 13 (Alder Kerr ) • Police Sector 306
- A motion was made by Ald. Schumacher, seconded by Bean, to RECOMMEND TO COUNCIL TO GRANT - PUBLIC HEARING. The motion passed by voice vote/other.**

**Registrant(s): David Blake (owner)**

### Operator's License Applications

19. [11905](#) Operator License Application  
Chad Rowin - Establishment where employed: Qdoba
- A motion was made by Ald. Schumacher, seconded by McNamara, to RECOMMEND TO COUNCIL TO PLACE ON FILE WITHOUT PREJUDICE -REPORT OF OFFICER. The motion passed by voice vote/other.**

20. [11126](#)

Operator License Application  
Tim Harris - Establishment where employed: Holiday Inn East

**A motion was made by Schumacher, seconded by Bean, to RECOMMEND TO THE COUNCIL TO PLACE ON FILE WITHOUT PREJUDICE - REPORT OF OFFICER. The motion passed by voice vote/other.**

**The applicant arrived at the meeting after the previous motion, therefore a motion was made by McNamara, seconded by Gerlach, to RECONSIDER. The motion passed by the following vote:**

**Ayes: 7 -**

Michael Schumacher; Michael E. Verveer; John A. McNamara; Tom A. Landgraf; David A. Hart; Chet Gerlach and Pamela Bean

**A motion was made by Ald. Schumacher, seconded by Bean, to RECOMMEND TO COUNCIL TO DENY - REPORT OF OFFICER. The motion passed by voice vote/other.**

21. [12260](#)

Operator License Application  
Daniella Lopez - Establishment where employed: Blue Velvet Lounge

**A motion was made by Ald. Schumacher, seconded by Bean, to Refer to the ALCOHOL LICENSE REVIEW COMMITTEE, due back on 12/17/2008. The motion passed by voice vote/other.**

22. [12543](#)

Operator License Application  
Joshua Bissen - Establishment where employed: Paradise Lounge

**A motion was made by Ald. Schumacher, seconded by Bean, to RECOMMEND TO COUNCIL TO DENY - REPORT OF OFFICER. The motion passed by voice vote/other.**

**Registrant(s): Joshua Bissen**

23. [12544](#)

Operator License Application  
Matthew Breunig - Establishment where employed: Azzalinos

**A motion was made by Ald. Schumacher, seconded by Bean, to Refer to the ALCOHOL LICENSE REVIEW COMMITTEE, due back on 12/17/2008. The motion passed by voice vote/other.**

24. [12545](#) Operator License Application  
John Faulkner - Establishment where employed: Club 5

**Registrant(s): John Faulkner**

**A motion was made by Schumacher, with NO second, to RECOMMEND TO COUNCIL TO DENY - REPORT OF OFFICER. The motion failed.**

**A motion was made by Landgraf, seconded by Bean, to RECOMMEND TO COUNCIL TO GRANT - REPORT OF OFFICER. The motion passed by the following vote:**

**Absent:** 1 -

Michael E. Verveer

**Ayes:** 4 -

John A. McNamara; Tom A. Landgraf; Chet Gerlach and Pamela Bean

**Noes:** 2 -

David A. Hart and Michael Schumacher

25. [12550](#) Operator License Application  
Reggie Huber - Establishment where employed: Stop and Go

**A motion was made by Ald. Schumacher, seconded by Bean, to Refer to the ALCOHOL LICENSE REVIEW COMMITTEE, due back on 12/17/2008. The motion passed by voice vote/other.**

26. [12551](#) Operator License Application  
Kamchand Mathura - Establishment where employed: Wal-Mart

**A motion was made by Ald. Schumacher, seconded by Bean, to Refer to the ALCOHOL LICENSE REVIEW COMMITTEE, due back on 12/17/2008. The motion passed by voice vote/other.**

#### **Disciplinary Action**

27. [12263](#) Disciplinary matter ALRC, proposed settlement Good Times/LWS Investments.

**The parties presented a written stipulation to the Committee setting forth a proposed suspension and conditions for the license. The parties made 2 corrections to their stipulation, changing the dates of the suspension and changing the reference to East Distric Captain to "Chief of Police or designee".**

**A motion was made by Ald. Schumacher, seconded by Bean, to CONVENE INTO CLOSED SESSION under Wis. Stat. ss. 19.85(1)(a), (1)(b) and (1)(g), for the reasons specified on the agenda and as announced by Assistant Attorney Lara Mainella, on behalf of Chairperson Hart. The motion passed by the following vote:**

**Ayes:** 7 -

John A. McNamara; Tom A. Landgraf; David A. Hart; Chet Gerlach; Pamela Bean; Michael E. Verveer and Michael Schumacher

The Committee Convened in Closed Session.



Reconvene into Open Session

**Present:** 12 -

Michael Schumacher; Michael E. Verveer; Ronda Statz; Marsh Shapiro;  
Carl Gloede; Steve Brist; John A. McNamara; Tom A. Landgraf; David A.  
Hart; Chet Gerlach; Pamela Bean and Dawn Crim

**Excused:** 1 -

Katherine Plominski

12263

Disciplinary matter ALRC, proposed settlement Good Times/LWS Investments.

**A motion was made by Ald. Verveer, seconded by Gerlach, to RECOMMEND TO COUNCIL TO APPROVE THE STIPULATION OF THE PARTIES with the following amendments (as referenced in the attached "Final LWS Stipulation): Dates of Suspension shall be December 25 - 31, 2008 from 2:30 a.m. to 2:00 a.m.; Reference to "East District Captain" in paragraph 3 A & B to be replaced with "Chief of Police or designee"; Recommendation of ALRC to Common Council with respect to various court cases respondent shall plead "no contest" to each of the counts; Total forfeiture \$4,500 plus municipal court costs. The motion FAILED.**

**A motion was made by Ald. Verveer, seconded by Bean, to REFER TO A SPECIAL OR THE NEXT ALRC MEETING. A substitute motion was made by Ald. Verveer, seconded by Ald. Schumacher to TABLE THE AGENDA ITEM to allow the parties to enter into discussion. The motion passed by voice vote/other.**

**A motion was made by Ald. Verveer, seconded by Ald. Schumacher to TAKE THE ITEM OFF THE TABLE. The motion passed by voice vote/other.**

**Assistant City Attorney Brist, Attorney Petri and the Licensee agreed to the ALRC's recommendation for the disposition of the Municipal Court cases.**

**A motion was made by Ald. Verveer, seconded by Ald. Schumacher to move the previous question to RECOMMEND TO COUNCIL TO APPROVE THE STIPULATION OF THE PARTIES with the following amendments (as referenced in the attached "Final LWS Stipulation): Dates of Suspension shall be December 25 - 31, 2008 from 2:30 a.m. to 2:00 a.m.; Reference to "East District Captain" in paragraph 3 A & B to be replaced with "Chief of Police or designee"; Recommendation of ALRC to Common Council with respect to various court cases respondent shall plead "no contest" to each of the counts; Total forfeiture \$4,500 plus municipal court costs. The motion passed by voice vote/other.**

**Discussion Items**

28. 12360 Authorizing the Clerk to issue a Summons to A Place for Friends Bar & Grill, LLC, dba A Place for Friends, Darius Wilson, Registered Agent, to appear before the Alcohol License Review Committee

29. 11436 SUBSTITUTE - Creating new Section 38.05(3)(d) and renumbering current Sec. 38.05(3)(d) through (m) to Sec. 38.05(3)(e) through (n) of the Madison General Ordinances to require the posting of a sign on premises where application has been made for a retail alcohol beverage license.

**A motion was made by Ald. Verveer, seconded by Gerlach, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER under the condition that the Attorney's office draft a substitute, clean version. The motion passed by voice vote/other.**

30. [12163](#) Creating New Sec. 38.10(1)(f), renumbering current Sec. 38.10(1)(f) to (g) and amending Renumbered Sec. 38.10(1)(g) of the Madison General Ordinances relating to nonrenewal of unissued or unused retail alcohol beverage licenses, upon the recommendation of the Alcohol License Review Committee.

**A motion was made by Ald. Verveer, seconded by Gerlach, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by voice vote/other.**

31. [11648](#) Discussion and Appointment of Members to Subcommittees

**Gerlach informed the committee that the ALRC Subcommittee will be meeting at 4:00 p.m. before the December 17, 2008 ALRC meeting.**

32. [12555](#) Subcommittee on Licenses Update

#### **Report of the Alcohol Policy Coordinator**

33. [12279](#) Update on Various Projects

**Ald. Schumacher updated the committee on projects that he and the Alcohol Policy Coordinator have been working on including accounting procedures and creating license conditions.**

#### **Report of the City Attorney**

34. [08455](#) Summary of Recent Office Enforcement Actions.

**Attorney Brist gave an update.**

#### **Report of Madison Police Department**

35. [12554](#) Summary of Liquor License Violations

**Captain Gloede handed out a new format of the Tavern File.**

#### **Report of City Clerk's Office**

36. [12262](#) Summary of Licenses Issued

**Clerk's Office staff informed the committee that, based on Census numbers, the City now had 3 more Class B Reserve licenses.**

**A schedule of the 2009 ALRC meetings and deadlines was also handed out for informational purposes.**

#### **Adjournment**

**A motion was made by Ald. Schumacher, seconded by Bean, to Adjourn. The motion passed by voice vote/other. Meeting adjourned at 11:20 p.m.**