



City of Madison
Meeting Minutes - Final
ALCOHOL LICENSE REVIEW
COMMITTEE

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

*David Hart; Ken Kamp; Ald. Judy Olson; Ald. Mike Verveer;
Stephanie A. Rearick; Jose M. Sentmanat; Janice C. Wheaton;
LaMarr Q. Billups; Captain Jay Lengfeld; Marsh Shapiro; Jennifer Zilavy; Maribeth Witzel-
Behl*

Wednesday, March 16, 2005

5:30 PM

215 MLKJ BLVD RM 300 (MMB)

CALL TO ORDER

ROLL CALL

Present: Hart, Kenneth R. Kamp, Olson, Onken, Rearick, LaMarr Q. Billups, Jay Lengfeld, Marsh Shapiro, Jennifer Zilavy and Maribeth Witzel-Behl
Excused: Sentmanat and Wheaton

APPROVAL OF MINUTES

A motion was made by Onken, seconded by Hart, to Approve the Minutes. The motion passed by acclamation.

CHANGE OF AGENT

1. [00592](#) Change of Agent
Firefly, LLC (dba Firefly; capacity of 96)
2701 University Avenue, Suite D
Old Agent: Joseph Tachorsky
New Agent: Bari Deprey
Class B Combination Liquor & Beer (20% alcohol, 80% food)
A motion was made by Onken, seconded by Hart, to RECOMMEND TO COUNCIL TO GRANT - REPORT OF OFFICER -- Registered and available to answer questions: Bari Deprey. -- The motion passed by acclamation.

2. [00593](#) Change of Agent
LaPepe, Inc. (dba Luna Cafe)
2009 Atwood Avenue
Old Agent: Melissa Hogg
New Agent: Joseph Tachorsky
Class B Combination Liquor & Beer (30% alcohol, 70% food)
A motion was made by Onken, seconded by Hart, to RECOMMEND TO COUNCIL TO GRANT - REPORT OF OFFICER -- Registered and available to answer questions: Joseph Tachovsky. -- The motion passed by acclamation.

3. [00661](#) Change of Agent
Badger Ribs, Inc. (dba Damon's; capacity of 300)
4325 Lien Road
Old Agent: Patrick Dunn
New Agent: Michelle J. Preiss
Class B Combination Liquor & Beer (20% alcohol, 80% food)
A motion was made by Onken, seconded by Hart, to RECOMMEND TO COUNCIL TO GRANT - REPORT OF OFFICER -- Registered and available to answer questions: Michelle Preiss. -- The motion passed by acclamation.
4. [00557](#) Application for Change of Agent
Vertigo Ventures, LLC (dba Opus Lounge; capacity of 99)
116 King Street
Old Agent: Vicky D'Orazio
New Agent: Susan J. Kirton
Class B Combination Liquor & Beer (10% alcohol, 90% food)
A motion was made by Onken, seconded by Hart, to RECOMMEND TO COUNCIL TO GRANT - REPORT OF OFFICER -- Registered and available to answer questions: Susan Kirton. -- The motion passed by acclamation.

CHANGE OF CORPORATE CONTROL

5. [00558](#) Application for Change of Corporate Control
Vertigo Ventures, LLC (dba Opus Lounge, capacity of 99)
116 King Street
Agent: Susan J. Kirton
Class B Combination Liquor & Beer (90% alcohol, 10% food)
A motion was made by Onken, seconded by Rearick, to RECOMMEND TO COUNCIL TO GRANT - REPORT OF OFFICER -- Appearances: Susan Kirton. -- The motion passed by acclamation.

CHANGE OF LICENSED PREMISE

6. [00556](#) Application for Change of Licensed Premise
National Hospitality Service, LLC (dba Radisson Hotel)
517 Grand Canyon Drive
Agent: William Plummer
Class B Combination Liquor & Beer (30% alcohol, 70% food)
Request to expand licensed premise to include existing conference and banquet facilities.
A motion was made by Ald. Olson, seconded by Rearick, to RECOMMEND TO COUNCIL TO GRANT - REPORT OF OFFICER -- Appearance: William Plummer. -- The motion passed by acclamation.

CABARET LICENSE APPLICATION

7. [00559](#) Application for a Cabaret License
Tres Amigos, Inc. (dba Tres Amigos; capacity of 288)
6722 Odana Road
Agent: Leticia Hernandez
Class B Combination Liquor & Beer (40% alcohol, 60% food)
A motion was made by Onken, seconded by Ald. Olson, to RECOMMEND TO COUNCIL TO GRANT - REPORT OF OFFICER -- Appearances: Leticia Hernandez, Maria Garcia, and Attorney Rick Petri (representing Tres Amigos). -- The motion passed by acclamation.

ITEMS REFERRED

8. [00223](#) Public Hearing - New License
Ho-Chunk Nation
Agent: Karen Martin
DBA: Ho-Chunk Nation DeJope Bingo (Capacity is 2,508)
4002 Evan Acres Road
Reserve Class B Combination Liquor & Beer (1% alcohol, 3% food)
Rerefer to Alcohol License Review Committee.
A motion was made by Rearick, seconded by Hart, to RECOMMEND TO COUNCIL TO REREFER - RECESSED PUBLIC HEARING to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by acclamation.

NEW LICENSE - PUBLIC HEARING

9. [00549](#) New License - Public Hearing
Lando Holdings, LLC (Trade Name to be Determined)
1601 Rowland Avenue
Agent: Chancellor Crowther
Class A Liquor, Class A Beer
Rerefer to Alcohol License Review Committee.
A motion was made by Onken, seconded by Ald. Olson, to RECOMMEND TO COUNCIL TO REREFER - RECESSED PUBLIC HEARING to the ALCOHOL LICENSE REVIEW COMMITTEE -- Appearance: Chancellor Crowther. Registered in support of referral: S. Michael Shivers. -- Ms. Rearick voted No. The motion passed by acclamation.

10. [00550](#) New License - Public Hearing
Lao Laan Xang II, Inc. (dba Lao Laan Xang)
2098 Atwood Avenue
Agent: Christine Inthachith
Class B Beer, Class C Wine (20% alcohol, 80% food)
Non-Smoking Establishment
A motion was made by Rearick, seconded by Ald. Olson, to RECOMMEND TO COUNCIL TO GRANT - PUBLIC HEARING -- Appearance: Christine Inthachith. -- The motion passed by acclamation.
11. [00551](#) New License - Public Hearing
MadCity Restaurant Group, Inc.
(dba Quinton's Bar & Dei; capacity of 104 inside and 40 on deck)
319 W. Gorham Street
Agent: Dick Glesner
Class B Combination Liquor & Beer (48% alcohol, 52% food)
Non-Smoking Establishment
A motion was made by Onken, seconded by Ald. Olson, to Table. The motion passed by acclamation.
14. [00554](#) New License - Public Hearing
Sammy Aziz, LLC (dba Zuzu Cafe; capacity of 52)
1336 Drake Street
Agent: Robert Shapiro
Class B Combination Liquor & Beer (25% alcohol, 70% food)
Non-Smoking Establishment
with conditions
A motion was made by Ald. Olson, seconded by Onken, to RECOMMEND TO COUNCIL TO GRANT - PUBLIC HEARING with the following conditions: 1) No sale of single cans or single bottles of beer or fermented malt beverages. 2) No sale of fortified wines. 3) No consumption of alcohol at sidewalk cafe after 9:00 p.m. (Item was taken out of order on a motion made by Ald. Olson and seconded by Ms. Rearick. The above motion was made by Rearick, seconded by Hart, and was withdrawn)

with the following conditions: 1) No sale of liquor other than wine (voluntary condition). 2) No sale of single cans or single bottles of beer or fermented malt beverages. 3) No sale of fortified wines. 4) Display of beer and wine will be limited to four doors of current cooler. 5) No consumption of alcohol at sidewalk cafe after 9:00 p.m. -- Appearances: Robert Shapiro, Katherine Zirbel, and Fraser Gurd (representing Vilas Neighborhood Association Zoning Committee). Registered in support: Julia Kerr (representing Vilas Neighborhood Association). -- Mr. Hart voted No. The motion passed by acclamation.

11. [00551](#) New License - Public Hearing
MadCity Restaurant Group, Inc.
(dba Quinton's Bar & Dei; capacity of 104 inside and 40 on deck)
319 W. Gorham Street
Agent: Dick Glesner
Class B Combination Liquor & Beer (48% alcohol, 52% food)
Non-Smoking Establishment
- A motion was made by Onken, seconded by Ald. Olson, to Take Off The Table.
The motion passed by acclamation.
*with conditions***
- A motion was made by Onken, seconded by Ald. Olson, to RECOMMEND TO
COUNCIL TO GRANT - PUBLIC HEARING with the following voluntary conditions:
1) Establishment will meet the definition of a restaurant as defined in Madison
General Ordinances Section 38.02. 2) Food will be available all hours of operation
. 3) Establishment will close one hour before bar time. -- Appearances: Richard
Glesner, Michael Powers, Alderperson Verveer, and Brandon King (representing
Urban Land Interests) -- The motion passed by acclamation.**
12. [00552](#) New License - Public Hearing
Perfecto Restaurant Group, Inc. (dba Tutto Pasta Cucina Italiana)
107 King Street
Agent: Jessica Escamilla
Class B Combination Liquor & Beer (33% alcohol, 67% food)
Non-Smoking Establishment
with condition
- A motion was made by Ald. Olson, seconded by Rearick, to RECOMMEND TO
COUNCIL TO GRANT - PUBLIC HEARING with the following voluntary condition:
Establishment will close one hour before bar time. -- Appearances: Jessica
Escamilla, Alderperson Verveer. -- The motion passed by acclamation.**
13. [00553](#) New License - Public Hearing
Jeffrey C. Price (dba House of Wisconsin Cheese)
107 State Street
Class A Liquor, Class A Beer
- A motion was made by Onken, seconded by Hart, to RECOMMEND TO COUNCIL
TO GRANT - PUBLIC HEARING -- Appearances: Jeffrey Price, Alderperson
Verveer. -- The motion passed by acclamation.**

15. [00555](#) New License - Public Hearing
Takara II, LLC (dba Takara Sushi & Steak House 2)
696 S. Whitney Way
Agent: Xiu Mei Ni
Class B Combination Liquor & Beer (10% alcohol, 90% food)
Non-Smoking Establishment
- A motion was made by Onken, seconded by Rearick, to RECOMMEND TO COUNCIL TO GRANT - PUBLIC HEARING -- Appearance: Xiu Mei Ni. -- The motion passed by acclamation.**

REFERRED OPERATOR'S LICENSE APPLICATIONS

16. [00486](#) Operator License Application
Natasha S. Ellis, 887 Hughes Place #1, Madison
- A motion was made by Onken, seconded by Ald. Olson, to RECOMMEND TO COUNCIL TO DENY - REPORT OF OFFICER for the following reason: the applicant failed to appear before the committee. The motion passed by acclamation.**
17. [00487](#) Operator License Application
Kris D. Fluckiger, 4001 Claire Street, Madison
- A motion was made by Onken, seconded by Ald. Olson, to RECOMMEND TO COUNCIL TO DENY - REPORT OF OFFICER for the following reason: the applicant failed to appear before the committee. The motion passed by acclamation.**
18. [00490](#) Operator License Application
William G. Patton, 1975 E. Washington Avenue, Madison
- A motion was made by Onken, seconded by Ald. Olson, to RECOMMEND TO COUNCIL TO DENY - REPORT OF OFFICER for the following reason: the applicant failed to appear before the committee. The motion passed by acclamation.**

OPERATOR'S LICENSE APPLICATIONS

19. [00594](#) Operator License Application
Ubaldo Venegas Flores, 1002 Middleton Street, Madison
- A motion was made by Rearick, seconded by Onken, to Refer to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by acclamation.**
20. [00657](#) Operator License Application
Phillip C. Bonney, 50 Schroeder Court, Madison
- A motion was made by Rearick, seconded by Onken, to Refer to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by acclamation.**

21. [00659](#) Operator License Application
Richard A. Marvin, 1766 Fordem Avenue, Apt. 201, Madison
A motion was made by Rearick, seconded by Onken, to Refer to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by acclamation.
22. [00660](#) Operator License Application
Timothy M. Vogel, 5701 Dorsett Drive, Madison
A motion was made by Rearick, seconded by Onken, to Refer to the ALCOHOL LICENSE REVIEW COMMITTEE. The motion passed by acclamation.

REPORTS

ALERT (Alcohol License Establishment Response Team)

23. Meeting with Ho-Chunk Nation
Attorney Zilavy reported that the Ho-Chunk meeting with ALERT has yet to take place. The Ho-Chunk Council met Thursday, March 10, to authorize the meeting. The City Attorney's office will attempt to reschedule the meeting.
24. Meeting with Club Majestic LLC
Attorney Zilavy reported that she, Mr. Kamp, Mr. Shapiro, and a representative of the Police Department had met with the owner of Club Majestic and his attorney. She said the meeting addressed problems with drugs and shootings in the parking lot at the corner of King and Webster streets. The owner of the parking lot lives in Appleton and has signed the standard letter allowing the police department to ticket people trespassing in the lot. The parking lot owner is sending the police department a copy of the sticker used to identify vehicles that are authorized to be in the parking lot.
Captain Lengfeld said the Lieutenant for the district says that Club Majestic has tight security and is cooperative. He said problems stem from dealing with a massive number of people at bar time.
Attorney Zilavy said Club Majestic advertises \$7 and \$16 all-you-can-drink specials on its website. Mr. Shapiro said this did not come up at the ALERT meeting.
Ms. Rearick asked if there would be more police presence in the parking lot. Captain Lengfeld responded that there would be more police presence on Thursday, Friday and Saturday nights.
Ms. Rearick said she was in a cab that was rammed on the night of the shooting. She asked how Club Majestic planned to deal with crowd control outside. She said there is a lot of focus on security inside with wandings and carding, but that she saw no security outside at bar time. She said things were escalating to the point that it was no surprise to hear a gun shot.

Captain Lengfeld said Club Majestic has been asked to move security outside at bar time. He said the police department is looking at closing Main Street at bar time as well.

Mr. Shapiro said Club Majestic has two armed Walworth County Deputies on premises on Thursday nights, and four armed Walworth County Deputies on premises on the weekends.

Mr. Kamp said Attorney Zilavy has requested that Club Majestic apply for an Adult Entertainment Tavern license. Ms. Rearick said she would see the granting of an Adult Entertainment Tavern license as a detriment. Attorney Zilavy said the establishment meets the definition of needing an Adult Entertainment Tavern license because of the simulation of sex acts at burlesque shows. Alderperson Olson said it would be a good idea to avoid the Adult Entertainment Tavern license.

Alderperson Onken said he is concerned that the all-you-can-drink specials could be explosive in a situation like this.

A motion was made by Ms. Rearick, seconded by Alderperson Olson, that Club Majestic, LLC, appear before the committee regarding its drink specials. The motion was carried by acclamation. Attorney Zilavy said this would have to take place in conjunction with the renewal of Club Majestic's license.

Alderperson Onken said Club Majestic should be notified that it will be asked to appear before the committee. Mr. Kamp said he would notify the licensee.

City Attorney

25. Online Beverage Server Training Courses

Attorney Zilavy reported that online beverage server training courses that have been approved by the Wisconsin Department of Revenue are listed on the Department of Revenue website.

Susan Crowley, Director of the PACE high risk drinking project at the University of Wisconsin - Madison, appeared before the committee. She said the PACE project has developed a set of core criteria for beverage server training courses. She encouraged committee members to look at the online course developed by the state of Nebraska. She said the beverage server training courses that are accepted in Wisconsin definitely need to be revised and updated.

Ms. Crowley said the PACE project encourages and supports the Alcohol License Review Committee in its efforts to look at density in dealing with excessive drinking.

26. Density Policies in Other Communities

Attorney Zilavy said she has been looking at ordinances adopted by other cities dealing with alcohol density issues, and that she will have a memo for committee members at the next committee meeting.

Attorney Zilavy said the ordinances she has come across do the following: 1) Limit alcohol licenses in areas where the crime rate exceeds the city average by more than 20 percent. 2) Limit the number of licensed establishments in a given area to the ratio of population in the census tract. 3) Establish specific criteria for areas that are zoned residential. 4) Restrict the issuance of licenses within 1,000 feet of another licensed premise to cases where there is a finding of public convenience or necessity.

Attorney Zilavy said these criteria generally look at the health, safety and welfare of the community. She said it would be helpful to have a map of establishments and residences to get a general feel of the density in any given area of the city.

City Clerk

27. Summary of Licenses Issued

The City Clerk's Office provided the following summary for the current license year:

Class A Beer (Liquor Store): 39 issued
Class A Beer (Grocery/Convenience Store): 70 issued, 2 pending
Class A Liquor: 50 issued, 2 pending
Class B Beer: 68 issued, 3 pending
Class B Combination Liquor & Beer: *331 issued, 8 pending
Class C Wine: 41 issued, 2 pending
Wholesale Beer: 5 issued, 0 pending
Adult Entertainment Tavern: 3 issued, 0 pending
Operator: 2,264 issued, 967 pending
Provisional Operator: 401 issued, 0 pending
Cabaret: 46 issued, 1 pending
Food & Drink (\$1 to \$10,000): 134 issued, 8 pending
Food & Drink (\$10,001 to \$100,000): 298 issued, 1 pending
Food & Drink (\$100,001 to \$250,000): 219 issued, 0 pending
Food & Drink (\$250,001 to \$1,000,000): 283 issued, 0 pending
Food & Drink (\$1,000,001 to \$5,000,000): 95 issued, 0 pending
Food & Drink (greater than \$5,000,000): 18 issued, 0 pending
Sidewalk Cafe: 22 issued, 0 pending
Temporary "Class B" Retailer: 46 issued, 3 pending

*Madison has a quota of 389 Class B Combination Liquor & Beer licenses under state law. 63 of 64 Reserve licenses have been granted. 268 of 325 Grandfathered licenses have been granted. 57 Grandfathered licenses and 1 Reserve license are currently available.

Subcommittee on Process

28. Class B Combination Liquor & Beer License Quota

Alderperson Onken suggested that committee members read the Subcommittee minutes for a report of the discussion regarding the Class B Combination Liquor and Beer License quota.

29. Options to guide discussion at a Public Hearing on consideration of license applications

Aldersperson Olson said the best course of action would be to hold a public hearing after the Policy Coordinator is on board. She reported that the subcommittee came up with a list of several ways the committee could handle the distribution of the remaining licenses. People could comment on the these options at the public hearing, but the committee would not take any action that night. Aldersperson Olson said a date for the public hearing would be set as soon as possible, and that a quorum of the Alcohol License Review Committee would need to be present at the hearing.

DISCUSSION

30. Volunteer to represent the ALRC on the Alcohol License Establishment Response Team (ALERT) for April, May and June of 2005.

Mr. Shapiro volunteered to stay on the Alcohol License Establishment Response Team, but said that a voting member of the committee should be at these meetings. Mr. Kamp said he would attend ALERT meetings for the next three months.

31. Public Hearing/Special Meeting on consideration of license applications

There was no further discussion on this issue.

32. Performing Arts Venue License Draft

Attorney Zilavy distributed copies of a Centers for Visual and Performing Arts ordinance to be presented at the March 29, 2005, Common Council meeting. Ms. Rearick said she thought the ordinance would be referred to the Alcohol License Review Committee and the Public Safety Review Board.

Attorney Zilavy pointed out that the ordinance establishes a legal capacity of no less than 200 patrons, defines live entertainment specific to this subsection, and establishes some uniformity as to how patrons ages 21 and older are handled. Revocations and suspensions would be handled in the same way they will be handled for the Nightclub license.

33. Application form for Nightclub License

Ms. Witzel asked committee members whether they wanted an application form other than the general license application form to be used for Nightclub license applications.

Ms. Rearick suggested having applicants use the general application form and attach a security plan. Aldersperson Onken said applicants may have questions about creating a security plan. Mr. Kamp noted that the committee had just approved a Cabaret license, but would have asked a lot more questions, such as the ratio of security to patrons, if it had been an application for a Nightclub license.

Alderson Onken said it would be helpful to have a Google map attached to applications, showing exactly where a premise is located and what establishments are nearby.

Ms. Rearick said she could see how applicants would be confused about security plans. She said the security plans should specify the number of staff per patron, and whether bartenders also serve as security.

Captain Lengfeld said the security plan should not be limited to personnel, but should include whether an establishment has security cameras.

Ms. Rearick suggested providing applicants with a check-list of things they may want to include in their security plan. Captain Lengfeld said he would have Sergeant Quast talk to the Clerk's office about security plans.

Alderson Onken said having security cameras is a good idea, but that someone has to watch the cameras, too. Mr. Shapiro said it was suggested at the ALERT meeting that Club Majestic install cameras and lighting outside, but the owner responded that it would be like moths drawn to light. Captain Lengfeld said everyone on State Street knows they are being filmed on Halloween.

Mr. Kamp said the security system at Majestic includes a scanner with pictures that can tell you anyone who has been there on a given day.

Captain Lengfeld said there clearly is a density problem.

ADJOURNMENT

A motion was made by Ms. Rearick, seconded by Alderson Olson, that the meeting adjourn at 7:40 p.m.