



City of Madison

Meeting Minutes - Final

ALCOHOL LICENSE REVIEW COMMITTEE

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

Wednesday, August 15, 2007

5:30 PM

210 Martin Luther King, Jr. Blvd.
Room GR-27 (City-County Building)

Roll Call

Jamie Staffaroni was present to represent the Attorney's Office. Frank Furillo was present as the City Clerk Designee.

Present: Schumacher, Verveer, Marsh Shapiro, Carl Gloede, McNamara, Benford, Hart, Sentmanat, Rearick, Dawn Crim and Joel Plant

Excused: Maribeth Witzel-Behl and Steve Brist

Approval of Minutes

A motion was made by Hart, seconded by Sentmanat, to Approve the Minutes of July 18, 2007. The motion passed by acclamation.

Public Comment

There was no public comment.

Changes of Agent

1. [07208](#) Change of Agent
LaPepe, Inc. • dba Tex Tubb's Taco Palace • 2009 Atwood Avenue
Old Agent: Travis Hill • New Agent: Diana Velasquez
Class B Combination Liquor & Beer • 25% alcohol, 75% food
Aldermanic District 6 (Ald. Rummel) • Police Sector 410

A motion was made by Hart, seconded by Sentmanat, to RECOMMEND TO COUNCIL TO GRANT - REPORT OF OFFICER. The motion passed by acclamation.
2. [07209](#) Change of Agent
Delmonico's of Madison LLC • Johnny Delmonico's • 130 S. Pinckney Street
Old Agent: Matthew Algeier • New Agent: Craig Madigan
Class B Combination Liquor & Beer • 34% alcohol, 66% food
Aldermanic District 4 (Ald. Verveer) • Police Sector 405

Appearances: Jamie McCarville.

A motion was made by Hart, seconded by Sentmanat, to RECOMMEND TO COUNCIL TO GRANT - REPORT OF OFFICER. The motion passed by acclamation.

Changes of License Premise

3. [06890](#) Application for Change of Licensed Premise
Samba LLC • dba Samba Brazilian Grill • capacity 339
240 W Gilman Street • Agent: Jongyeon Lee
Class B Combination Liquor & Beer • 40% alcohol, 60% food
Aldermanic District 8 (Ald. Judge) • Police Sector 403
Request to add outdoor dining area to licensed premise.
Appearances: Jongyeon Lee (applicant), Ron Trachtenberg.

A motion was made by Benford, seconded by McNamara, to RECOMMEND TO COUNCIL WITH THE FOLLOWING RECOMMENDATIONS - REPORT OF OFFICER Grant with the following conditions: 1) No amplified music. 2) Outdoor seating will close at 10 p.m. in 2007, midnight in 2008. The motion failed by the following vote:

Aye: McNamara, Benford and Rearick

No: Schumacher, Verveer, Hart and Sentmanat
4. [06891](#) Application for Change of Licensed Premise
Azzalino's Bar & Grill LLC • dba Azzalino's Bar & Grill • capacity of 80
416 S Park Street • Agent: Gerald Canon
Class B Combination Liquor & Beer • 50% alcohol, 50% food
Aldermanic District 13 (Ald. Kerr) • Police Sector 305
Request to add beer garden to licensed premise.
Appearances: Gerald D. Canon (applicant), Lt. Jane Stoklasa, Captain James Wheeler, Amy Roundtree, Constantine G. Choles, Doug Haynes, Kate MacCrimmon.

A motion was made by McNamara, seconded by Hart, to RECOMMEND TO COUNCIL TO GRANT - REPORT OF OFFICER with the following conditions: 1) No amplified music. 2) Beer garden will not open until four hours before kick-off, and will close by 8 p.m. 3) Establishment will hire at least one Dane County Deputy for Badger home games. The motion passed by acclamation.
5. [06892](#) Application for Change of Licensed Premise
Hoops of Dane County Inc • dba Beck's Bar & Grill • capacity of 99
1970 Atwood Avenue • Agent: Dale Beck
Class B Combination Liquor & Beer • 60% alcohol, 40% food
Aldermanic District 6 (Ald. Rummel) • Police Sector 410
Request to add sidewalk cafe to licensed premise.
Appearances: Dale Beck (applicant), Ron Trachtenberg, Judy Olson, Peter Iaquinta, D. Scott Nelson, Donna Peckett, Curtis Martin, Tom Garver, Jamie McCarville, John Gray.

A motion was made by McNamara, seconded by Verveer, to RECOMMEND TO COUNCIL TO DENY - REPORT OF OFFICER. The motion passed by acclamation.

6. [07211](#) Application for Change of Licensed Premise
Wild Iris, Inc • dba Greenbush Bar • capacity of 65
914 Regent Street • Agent: Anna Alberici
Class B Combination Liquor & Beer • 50% alcohol, 50% food
Aldermanic District 8 (Ald. Judge) • Police Sector 402
Request to serve alcohol and food in the Italian Workmen's Club space on
Football Saturday's.

 Appearances: Anna Alberici (applicant).

 **A motion was made by Benford, seconded by Hart, to RECOMMEND TO
COUNCIL TO GRANT - REPORT OF OFFICER. The motion passed by
acclamation.**
7. [07212](#) Application for Change of Licensed Premise
Joseph Vale • dba Mad City Crab House • capacity of 70
122 State Street
Class B Combination Liquor & Beer • 30% alcohol, 70% food
Aldermanic District 4 (Ald. Verveer) • Police Sector 406
Request to add outdoor cafe to the licensed premise.

 Appearance: Joseph Vale (applicant).

 **A motion was made by Hart, seconded by Verveer, to RECOMMEND TO
COUNCIL TO GRANT - REPORT OF OFFICER. The motion passed by
acclamation.**
8. [07213](#) Application for Change of Licensed Premise
Firefly LLC • dba Tex Tubb's Taco Palace 2 • capacity of 86
2701 University Avenue • Agent: Sylvia Grace Johns
Class B Combination Liquor & Beer • 25% alcohol, 75% food
Aldermanic District 5 (Ald. Webber) • Police Sector 301
Request to include outdoor parking lot of mall in licensed premise for Grand
Opening Party on Sunday, September 9, 2007, from 2 p.m. to 7 p.m.

 **A motion was made by Hart, seconded by Schumacher, to RECOMMEND TO
COUNCIL TO GRANT - REPORT OF OFFICER. The motion passed by
acclamation.**
9. [07224](#) Application for Change of Licensed Premise
Ale Asylum LLC • dba Ale Asylum • capacity of 99
3698 Kinsman Boulevard • Agent: Otto Dilba
Class B Combination Liquor & Beer • 70% alcohol, 30% food
Aldermanic District 17 (Ald. Clausius) • Police Sector 514
Request to expand outdoor dining area from 13' x 36' to 26' x 36'.

 Appearances: Otto Dilba (applicant).

 **A motion was made by Verveer, seconded by Schumacher, to RECOMMEND TO
COUNCIL TO GRANT - REPORT OF OFFICER. The motion passed by
acclamation.**

New License - Recessed Public Hearing

10. [06646](#) Public Hearing - New License
Hoops of Dane County Inc. • Becks Bar & Grill • 20% alcohol, 70% food, 10% other
1970 Atwood Ave. • Agent: Dale Beck
Class B Combination Liquor & Beer
Aldermanic District 6 (Alder Rummel) • Police Sector 410
- Appearances:** Dale Beck (applicant), Ron Trachtenberg, Judy Olson, Peter Iaquinta, D. Scott Nelson, Donna Peckett, Curtis Martin, Tom Garver, Jamie McCarville, John Gray.
- A motion was made by McNamara, seconded by Verveer, to RECOMMEND TO COUNCIL TO DENY - RECESSED PUBLIC HEARING because granting license would be contrary to the health, safety, and welfare of the community. The motion passed by the following vote:**
- Aye:** Schumacher, Verveer, McNamara, Hart and Sentmanat
- No:** Benford

11. [06853](#) Public Hearing - New License
Graciela Diaz • dba El Cabrito • 5% alcohol, 95% food
811 S. Gammon Rd.
Class B Beer
Aldermanic District 1 (Alder Sanborn) • Police Sector 114
- A motion was made by Verveer, seconded by Benford, to RECOMMEND TO COUNCIL TO PLACE ON FILE WITHOUT PREJUDICE -RECESSED PUBLIC HEARING. The motion passed by acclamation.**

New License - Public Hearing

12. [07144](#) Public Hearing - New License
Romzy Restaurants, LLC • dba The Icon • 40% alcohol, 60% food
206 State Street • Agent: Mohamed Barketallah
Class B Combination Liquor & Beer
Aldermanic District 4 (Alder Verveer) • Police Sector 406
- Appearances:** Mohamed Barketolleh (applicant), Ron Trachtenberg, Jamie McCarville.
- A motion was made by Hart, seconded by Sentmanat, to RECOMMEND TO COUNCIL TO GRANT - PUBLIC HEARING with the following conditions: 1) Must meet the definition of a restaurant. 2) Establishment will close Sunday through Wednesday at 11 p.m. if there is no evening event at the Overture Center. 3) Establishment will close at 1:30 a.m. Thursday through Saturday. The motion passed by acclamation.**

13. [07145](#) Public Hearing - New License
La Raza Grocery LLC • dba La Raza Grocery Store
2608 E. Washington Avenue • Agent: Maria Del Carmen Lopez
Class A Liquor, Class A Beer
Aldermanic District 15 (Alder Palm) • Police Sector 502
Appearances: Maria del Carmen Lopez (applicant).

A motion was made by Benford, seconded by McNamara, to RECOMMEND TO COUNCIL TO GRANT - PUBLIC HEARING with the following conditions: 1) Liquor will be kept behind the counter. 2) No sale of single bottles or single cans of beer or fermented malt beverages. 3) No sale of 40 ounce bottles of fermented malt beverages. 4) Display of beer and wine will be limited to one 15-square-foot section of cooler. 5) Establishment will primarily be a grocery store. The motion passed by acclamation.
14. [07146](#) Public Hearing - New License
Marrakech, LLC • dba Casbah Restaurant & Lounge • 20% alcohol, 80% food
119 E. Main Street • Agent: Mourad Rguig
Class B Combination Liquor & Beer
Aldermanic District 4 (Alder Verveer) • Police Sector 406
Appearances: Mourad Rguig (applicant), Stefanie Moritz, Jamie McCarville.

A motion was made by Verveer, seconded by Schumacher, to RECOMMEND TO COUNCIL TO GRANT - PUBLIC HEARING. The motion passed by acclamation.
15. [07147](#) Public Hearing - New License
Hartjes Ventures, LLC • dba WineStyles • 97% alcohol, 3% food
554 N. Midvale Boulevard • Agent: Val Hartjes
Class B Combination Liquor & Beer
Aldermanic District 11 (Alder Gruber) • Police Sector 108
Appearances: Val Hartjes (applicant), Scott McLamore, Alderperson Tim Gruber.

A motion was made by Verveer, seconded by McNamara, to RECOMMEND TO COUNCIL TO GRANT - PUBLIC HEARING. The motion passed by acclamation.
16. [07148](#) Public Hearing - New License
La Mestiza Mexican Cuisine, LLC • dba La Mestiza Mexican Cuisine
30% alcohol, 70% food
6644 Odana Road • Agent: Antonio Estrada
Class B Combination Liquor & Beer
Aldermanic District 19 (Alder Clear) • Police Sector 113
Appearance: Antonia Estrada (applicant).

A motion was made by Benford, seconded by Sentmanat, to RECOMMEND TO COUNCIL TO GRANT - PUBLIC HEARING. The motion passed by acclamation.

17. [07149](#) Public Hearing - New License
Pasta Passion, Inc. • dba Tutto Pasta Trattoria • 30% alcohol, 70% food
305 State Street • Agent: Pamela S. McCord
Class B Combination Liquor & Beer
Aldermanic District 4 (Alder Verveer) • Police Sector 403
Appearances: Pamela S. McCord (applicant), Jamie McCarville.

A motion was made by Benford, seconded by Sentmanat, to RECOMMEND TO COUNCIL TO GRANT - PUBLIC HEARING with the following condition: 1) Must meet the definition of a restaurant pursuant to Madison General Ordinance, section 38.02. The motion passed by acclamation.
18. [07150](#) Public Hearing - New License
Target Corporation • dba Target Stores
201 Junction Road • Agent: Justin Franze
Class A Liquor, Class A Beer
Aldermanic District 9 (Alder Skidmore) • Police Sector 128
Appearance: Justin Franz (applicant).

A motion was made by McNamara, seconded by Schumacher, to RECOMMEND TO COUNCIL TO GRANT - PUBLIC HEARING. The motion passed by acclamation.
19. [07151](#) Public Hearing - New License
Chern & Hansen, LLC • dba Jo's Tazzina Cafe & Confectionary
5% alcohol, 83% food, 12% other
45 S. Bassett Street • Agent: Anne Hansen
Class B Beer, Class C Wine
Aldermanic District 4 (Alder Verveer) • Police Sector 404
Appearances: Jo Chern (applicant), Dale Richardson, Stefanie Moritz, Jamie McCarville.

A motion was made by Hart, seconded by Schumacher, to RECOMMEND TO COUNCIL TO GRANT - PUBLIC HEARING. The motion passed by acclamation.
20. [07152](#) Public Hearing - New License
Gus 2007, LLC • dba Northside Family Restaurant • 5% alcohol, 95% food
1201 N. Sherman Avenue • Agent: Etem Selimi
Class B Combination Liquor & Beer
Aldermanic District 12 (Alder Rhodes-Conway) • Police Sector 503
Appearances: Etem Selimi (applicant), Gzim Selimi (applicant).

A motion was made by Benford, seconded by McNamara, to RECOMMEND TO COUNCIL TO GRANT - PUBLIC HEARING. The motion passed by the following vote:

 Aye: Schumacher, Verveer, McNamara, Benford, Sentmanat and Rearick

 Abstain: Hart

21+ Entertainment License

21. [07214](#) 21+ Entertainment License
Whiskey River, LLC • dba Rev. Jim's Roadhouse
6402 Millpond Road • Agent: Kevin Weaver
Class B Combination Liquor & Beer • 75% alcohol, 20% food, 5% other
Aldermanic District 16 (Ald. Compton) • Police Sector 621

Appearances: Kevin Weaver (applicant).

A motion was made by Verveer, seconded by Benford, to Refer to the ALCOHOL
LICENSE REVIEW COMMITTEE September 19 meeting. The motion passed by
acclamation.

Operator License - Appearance Requested

22. [06336](#) Operator License Application
Nicholas Zander - Establishment where employed: Mahen's Liquor

A motion was made by McNamara, seconded by Verveer, to RECOMMEND TO
COUNCIL TO PLACE ON FILE WITHOUT PREJUDICE -REPORT OF OFFICER. The
motion passed by acclamation.
23. [06897](#) Operator License Application
Jason Storlie - Establishment where employed: Olive Garden East

Appearance: Jason Storlie (applicant).

A motion was made by Verveer, seconded by Sentmanat, to RECOMMEND TO
COUNCIL TO GRANT - REPORT OF OFFICER with the following condition:
License will be flagged for a background check upon renewal. The motion passed
by the following vote:

Aye: Verveer, McNamara, Benford, Sentmanat and Rearick

No: Schumacher and Hart
24. [07204](#) Operator License Application
Kelsey Smogard-Ayers - Establishment where employed: Come Back In

Appearance: Kelsey Smogard-Ayers (applicant).

A motion was made by Verveer, seconded by Benford, to Refer to the ALCOHOL
LICENSE REVIEW COMMITTEE October 17 meeting, at which applicant will
provide the committee with a letter from her manager and proof of having
completed counseling. The motion passed by the following vote:

Aye: Verveer, McNamara, Benford, Sentmanat and Rearick

No: Schumacher and Hart

25. [07205](#) Operator License Application
Robert Chapman - Establishment where employed: Famous Dave's
A motion was made by McNamara, seconded by Verveer, to Refer to the ALCOHOL LICENSE REVIEW COMMITTEE September 19 meeting. The motion passed by acclamation.
26. [07206](#) Operator License Application
Justin Rehm - Establishment where employed: None
Appearance: Justin Rehm (applicant).
A motion was made by Verveer, seconded by Sentmanat, to Refer to the ALCOHOL LICENSE REVIEW COMMITTEE September 19 meeting. The motion failed by the following vote:
Absent: Benford
Aye: Verveer and Sentmanat
No: Schumacher, McNamara, Hart and Rearick
A motion was made by Schumacher, seconded by Hart, to RECOMMEND TO COUNCIL TO DENY - REPORT OF OFFICER because granting license would be contrary to the health, safety, and welfare of the community. The motion passed by the following vote:
Absent: Benford
Aye: Schumacher, McNamara, Hart and Rearick
No: Verveer and Sentmanat
27. [07207](#) Operator License Application
Anthony Kingswan - Establishment where employed: Rev. Jim's Road House
Appearance: Anthony Kingswan (applicant).
A motion was made by Benford, seconded by Schumacher, to RECOMMEND TO COUNCIL TO GRANT - REPORT OF OFFICER with the condition that the applicant provide the City Clerk's Office with proof that he has completed counseling. The motion passed by acclamation.
28. [06896](#) Operator License Application
Jacalyn Heiman - Establishment where employed: Dave's South Bay Lounge
Appearance: Jacalyn Heiman (applicant).
A motion was made by Verveer, seconded by McNamara, to RECOMMEND TO COUNCIL TO GRANT - REPORT OF OFFICER with the condition that the applicant will provide the City Clerk's Office with verification of the dismissed charges. The motion passed by acclamation.

Ordinances

29. [05739](#) Creating Section 38.05(9)(o) of the Madison General Ordinances to establish an Alcohol Beverage License Density Plan for Police Sectors 403, 404, 405 and 406.
- Appearances: Rosemary Lee, Alderperson Eli Judge, Jamie McCarville, Mary Carbine, Larry Lichte, Stefanie Moritz, Susan Schmitz, Fred Mohs.**
- [05739](#) SUBSTITUTE - Creating Section 38.05(9)(o) of the Madison General Ordinances to establish an Alcohol Beverage License Density Plan for Police Sectors 403, 404, 405 and 406.
- A motion was made by Verveer, seconded by McNamara, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER with the following change: Extend the grace period from 120 to 365 days. The motion passed by acclamation.**
30. [06237](#) SUBSTITUTE - Amending Section 38.02, creating Section 38.031, repealing Section 38.04(1), renumbering Sections 38.04(2) and (3) to Sections 38.04(1) and (2), respectively, amending Renumbered Section 38.04(2)(b), repealing Sections 38.04(4) and (5), renumbering Sections 38.04(6) through (8) to Sections 38.04(3) through (5), respectively, amending Renumbered Sections 38.04(3) and (4), amending Section 38.05(13) to clarify that the penalties listed therein apply only to that subsection, repealing and recreating Section 38.07(2) to adopt and incorporate into the Ordinances the Wisconsin State Statutes relating to regulation of underage persons, creating Section 38.07(14) prohibiting consumption or possession of alcohol on public library property, and amending Section 1.08(3)(a) of the Madison General Ordinances to modify, repeal and recreate bail deposit amounts for various ordinance violations.
- A motion was made by Verveer, seconded by McNamara, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by acclamation.**

Report of Subcommittee on Process

31. **07216** Creation of a Subcommittee on Policy.
- Ms. Rearick reported that the Subcommittee on Process recommended the creation of a Subcommittee on Policy.**
32. **07217** Establishment of a regular meeting date.
- Ms. Rearick reported that the Subcommittee on Process has agreed to meet at 10 a.m. in Room 103-A of the City-County Building the first Wednesday of each month.**
33. **07218** Criteria for renewal separations.
- Ms. Rearick reported that the Subcommittee on Process recommended that ALERT meetings be held before any liquor license is separated at renewal. The**

subcommittee also recommended that the City Attorney's Office and the Madison Police Department submit their requests for liquor license renewal separations to the City Clerk's Office by December 1.

34. **07219** Problems with communication from the Police Department.
- Captain Gloede reported that he is working with the Central District on its presentation of information to the ALRC. He said he is looking for an outline of what information the ALRC needs in order to do its job, and in what format.
35. **06704** Timeline and procedures for the review of liquor license renewals.
- Ms. Rearick reported that the Subcommittee on Process decided that it would be more feasible to deal with license revocations than it would be to change the liquor license renewal timeline.
36. **06705** Revision of the alcohol beverage license application to provide committee members with more information.
- Ms. Rearick reported that Mr. Shapiro, Ms. Witzel-Behl, and Mr. Plant are revising the Liquor License Supplemental Application to provide committee members with additional information that could be used to determine whether a proposed establishment would be functioning as a restaurant or a tavern.

Establishment of Subcommittee on Policy

37. **07215** Volunteers to serve on the ALRC Subcommittee on Policy.
- Mr. Hart, Alderperson Schumacher, Ms. Rearick, and Mr. Shapiro volunteered to serve on this subcommittee.

Report of Madison Police Department

38. **03238** Summary of Liquor License Violations
- Captain Gloede distributed the attached report.

Report of City Clerk's Office

39. **01705** Summary of Licenses Issued
- The following summary was distributed for the current license year:
- Class A Beer (Liquor Store): 63 issued
 - Class A Beer (Grocery): 62 issued
 - Class A Liquor: 63 issued
 - Class B Beer: 73 issued
 - Class B Liquor & Beer: 358 issued*
 - Class C Wine: 51 issued
 - Wholesale Beer: 4 issued
 - 21+ Entertainment: 74 issued
 - 18+ Visual & Performing Arts: 8 issued
 - Operator: 2,896 issued

Provisional Operator: 393 issued
Food & Drink (\$1 to \$10,000): 134 issued
Food & Drink (\$10,001 to \$100,000): 275 issued
Food & Drink (\$100,001 to \$250,000): 265 issued
Food & Drink (\$250,001 to \$1,000,000): 292 issued
Food & Drink (\$1,000,001 to \$5,000,000): 107 issued
Food & Drink (Greater than \$5,000,000): 17 issued

Madison has a quota of 399 Class B Combination Liquor & Beer licenses under state law. 51 of 74 Reserve licenses have been granted. 307 of 325 Grandfathered licenses have been granted. Taking into consideration the Class B Combination Liquor & Beer Licenses that were recommended to Council to Grant at tonight's meeting, 36 Class B Combination licenses are currently available in the City of Madison.

Report of Alcohol Licensed Establishment Response Team

40. 07280 Report on ALERT meeting with Good Times.
- The City Attorney's Office provided the attached report, and license holder Larry Schmock submitted the attached letter.

Adjournment