



**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; John McNamara; Janice C. Wheaton;  
LaMarr Q. Billups; Captain Jay Lengfeld; Marsh Shapiro; Jennifer Zilavy; Maribeth Witzel-  
Behl*

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Wednesday, February 15, 2006

5:30 PM

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

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### Call to Order

### Roll Call

**Barb Mercer was present as the Tavern League designee.**

**Present:** Olson, Verveer, Maribeth Witzel-Behl, Jay Lengfeld, Jennifer Zilavy, McNamara, Hart, Kenneth R. Kamp, Rearick and Joel Plant

**Absent:** Wheaton

**Excused:** Marsh Shapiro and LaMarr Q. Billups

### Approval of Minutes

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

### Change of Agent

1. [02905](#) Change of Agent  
BGM Capital, LLC • dba Brocach • capacity of 291  
7 W. Main Street • Old Agent: Brad Bailey • New Agent: Cliff McDonald  
Class B Combination Liquor & Beer • 60% alcohol, 40% food  
**A motion was made by Rearick, seconded by Hart, to RECOMMEND TO COUNCIL TO GRANT - REPORT OF OFFICER**  
The motion passed by acclamation.

### Change of Corporate Control

2. [02808](#) Change of Corporate Control - new Board of Directors  
ShopKo Stores, Inc. • dba ShopKo #29  
7401 Mineral Point Road • Agent: James Voigt • Class A Beer, Class A Liquor  
**A motion was made by Rearick, seconded by Hart, to RECOMMEND TO COUNCIL TO GRANT - REPORT OF OFFICER**  
The motion passed by acclamation.

3. [02906](#) Change of Corporate Control - loss of one member  
BGM Capital, LLC • dba Brocach • capacity of 291  
7 W. Main Street • Old Agent: Brad Bailey • New Agent: Cliff McDonald  
Class B Combination Liquor & Beer • 60% alcohol, 40% food  
**A motion was made by Rearick, seconded by Hart, to RECOMMEND TO COUNCIL TO GRANT - REPORT OF OFFICER**  
The motion passed by acclamation.

### Change of License Conditions

4. [02904](#) Change of License Conditions  
Tamara, Inc. • dba Mr. Robert's Bar & Grill • capacity of 210  
2116 Atwood Avenue • Agent: Robert Hanson  
Class B Combination Liquor & Beer • 80% alcohol, 20% food  
Change conditions on liquor license to reflect the nightclub license condition that the back door will be used as an entrance until 9 p.m., at which time door will be locked and used as an emergency exit only.

**Appearances: Robert Hanson, Adam Zierten.**

**A motion was made by Ald. Olson, seconded by Ald. Verveer, to RECOMMEND TO COUNCIL WITH THE FOLLOWING RECOMMENDATIONS - REPORT OF OFFICER**  
**Add the following condition to Mr. Robert's liquor license: Back door will be used as an entrance until 9 p.m., at which time door will be locked and used as an emergency exit only. The motion passed by acclamation.**

- 4a. [02956](#) Application for Change of Licensed Premise  
The Copps Corporation • dba Copps Food Center #8178 • 2502 Shopko Drive  
Agent: Wilbur Buchanan • Class A Liquor, Class A Beer  
Request to remodel liquor department.

**Appearance: Gary Brugman (applicant).**

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

**Absent:** Wheaton

**Aye:** Olson, Verveer, McNamara, Kamp and Rearick

**Abstain:** Hart

- 4b. [02955](#) Application for Change of Licensed Premise  
The Copps Corporation • dba Copps Food Center #8114 • 620 S. Whitney Way  
Agent: Mark E. Elliott • Class A Liquor, Class A Beer  
Request to remodel liquor department.

**Appearance: Gary Brugman (applicant).**

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

### Capacity Review

5. [02648](#) Capacity Review  
Neek, Inc. • dba Kimia Lounge • Capacity increase from 100 to 160  
14 W. Mifflin Street • Agent: Kami Eshraghi  
Class B Combination Liquor & Beer • 89% alcohol, 11% food
- Appearances: Kami Eshraghi, Ledell Zellers, Randy Page, Jamie McCarville, Dan Jardine, Gene Devit, Peggy Burke, Fred Mohs, Julia Sherman. Registrants not wishing to speak: Matt Lundgren, Chris Sutton, Jilliah Mizzen, Elliott Lloyd-Mead, Guillermo Vivanco.**
- A motion was made by Rearick, seconded by Hart, to RECOMMEND TO COUNCIL TO GRANT - REPORT OF OFFICER with the condition that hand-held counters be used always. The motion failed by the following vote:**
- Aye:** Hart and Rearick
- No:** Olson, Verveer, McNamara and Kamp
- A motion was made by Hart, seconded by Ald. Verveer, to RECOMMEND TO COUNCIL TO PLACE ON FILE - REPORT OF OFFICER. The motion passed by acclamation.**

### RECESSED PUBLIC HEARING

6. [01250](#) Public Hearing - New License  
RIBO Development, LLC • dba Riegert Bar & Grill • estimated capacity of 240  
1518 N. Stoughton Road • Agent: Jeffrey Riegert  
Class B Combination Liquor & Beer • 40% alcohol, 60% food
- A motion was made by Ald. Verveer, seconded by Hart, to RECOMMEND TO COUNCIL TO PLACE ON FILE - PUBLIC HEARING. The motion passed by acclamation.**

### New License - Public Hearing

7. [02700](#) Public Hearing - New License  
Aparsons, Inc. • dba India Darbar Restaurant • capacity 80  
6119 Odana Rd • Agent: Rattan Ghotra  
Class B Beer, Class C Wine • 10% alcohol, 90% food
- Appearance: Rattan Ghotra (applicant).**
- A motion was made by Rearick, seconded by Ald. Olson, to RECOMMEND TO COUNCIL TO GRANT - PUBLIC HEARING. The motion passed by acclamation.**

8. [02726](#) Public Hearing - New License  
The Silly Yak Bakery & Bread Barn, Inc. • dba The Silly Yak Bakery  
7866 Mineral Point Road • Agent: Holly B. Beach • Class A Beer  
**Appearance: Holly Beach (applicant).**  
**A motion was made by Rearick, seconded by Ald. Olson, to RECOMMEND TO COUNCIL TO GRANT - PUBLIC HEARING. The motion passed by acclamation.**
9. [02727](#) Public Hearing - New License  
JSR Ventures, LLC • dba JSR Ventures • estimated capacity 190  
7449 East Pass • Agent: Jeffrey S. Rosenberg  
Class B Beer, Class C Wine • 20% alcohol, 80% food  
**A motion was made by Hart, seconded by Rearick, to RECOMMEND TO COUNCIL TO PLACE ON FILE - PUBLIC HEARING. The motion passed by acclamation.**
10. [02735](#) Public Hearing - New License  
Shish Cafe of Madison, Inc. • dba The Shish Cafe • estimated capacity 114  
5510 University Avenue • Agent: Rabeh Bnyat  
Class B Beer, Class C Wine • 15% alcohol, 85% food  
**Appearances: Rabeh Bnyat (applicant) and Attorney Charles Giesen.**  
**A motion was made by Rearick, seconded by Ald. Verveer, to RECOMMEND TO COUNCIL TO REREFER - PUBLIC HEARING to the ALCOHOL LICENSE REVIEW COMMITTEE March 15 meeting. The motion passed by acclamation.**

#### **Operator License request to change license conditions**

11. [02617](#) Operator License Application: Richard Remington, 114 N. Brearly Street.  
Request to remove condition that applicant provide letter from employer.  
**A motion was made by Rearick, seconded by Hart, to RECOMMEND TO COUNCIL TO PLACE ON FILE - REPORT OF OFFICER. The motion passed by acclamation.**

#### **Referred Operator License - Appearance Requested by Madison Police**

12. [02620](#) Operator License Application  
Jorge Osuna, 8530 Greenway Boulevard #112, Middleton  
**A motion was made by Ald. Verveer, seconded by Rearick, to RECOMMEND TO COUNCIL TO PLACE ON FILE - REPORT OF OFFICER. The motion passed by acclamation.**

### Operator License - Appearance Requested by Madison Police Department

13. [02777](#) Operator License Application  
Brooks J. Jewell, 309 Memphis  
**Appearance: Brooks Jewell (applicant).**
- A motion was made by Ald. Olson, seconded by Ald. Verveer, to Refer to the ALCOHOL LICENSE REVIEW COMMITTEE March 15 meeting, before which the applicant will resubmit a complete application form. The motion passed by acclamation.

### Discussion

14. [02898](#) Review of Chapter 38 of the Madison General Ordinances.
- Captain Lengfeld distributed copies of Chapter 38 of the Madison General Ordinances with portions highlighted so committee members could review the sections regarding applicant qualifications, Operator licenses, Chief Security Plans, and point assessments. He told committee members that he would be referring to these sections at future ALRC meetings.
- Captain Lengfeld also told the committee that the Madison Police Department will be referring more underage, over capacity, and over serving violations to the City Attorney's Office for point assessments.

### Report of Alcohol Licensed Establishment Response Team

15. [02063](#) Report regarding King Street Neighborhood Security Plan.
- Attorney Zilavy reported that there was standing room only at the February 13 ALERT meeting, and about 30 people testified. She said several Club Majestic employees and patrons told the ALERT team that Club Majestic is doing a good job with security, and that wandering patrons makes it a safer club.
- Attorney Zilavy said the issue of police presence came up frequently at the meeting, with suggestions that parking a squad on King Street or having officers patrol the street would diffuse violence.
- She said Traffic Engineering has changed the traffic signals on the outer ring of the Capitol Square from flashing to cycling beginning at midnight to avoid a back-up of cars on King Street. The traffic signals on the Capitol Square may undergo the same change.
- Captain Lengfeld said he had talked to Captain Schauf about the suggestion that a Chief Security Plan be placed on the Club Majestic liquor license. He said the Police Department would like to see conditions put on the license through the ALRC first, rather than have the applicant appeal to the ALRC on conditions imposed by the Police Chief. He said the Chief Security Plan is more of an emergency measure.
- Mr. Kamp said individuals need to take responsibility for their own behavior

instead of blaming the Madison Police Department, the establishment, or the flow of traffic.

Attorney Zilavy said things got worse on King Street when Club Majestic terminated its armed security in October after security officers became over-aggressive. She said the establishment is working with the Dane County Sheriff to get off-duty officers.

Mr. Plant said a sense of community developed at the meeting on Monday, and that everybody recognized their stake in the situation.

### Report of Subcommittee on Process

16. [02755](#) Capacity establishment and capacity review for Liquor License holders.
- Aldersperson Olson reported that the Fire Department can only enforce the capacity established by Building Inspection, and that the Police Department enforces the capacity listed on liquor licenses. She said the subcommittee recommended basing capacity considerations on the neighborhood, density, parking, transportation, and the building code.
- Captain Lengfeld said there's a difference between the safety level of what a building can hold and the number of people that can be managed with a liquor license.
- Mr. Hart said once capacity is set every other capacity is irrelevant and the number of people a building can hold no longer matters.
- Aldersperson Olson said it is essential to create a process that business people can rely on and understand.
- Ms. Rearick said it was her understanding that tonight the committee had made a decision to not expand capacity downtown.
- Mr. Plant said he is developing density plan models that he will bring before the committee in the near future.
17. [02757](#) Inclusion of Tavern Safety Training information in Liquor License Renewal Packets.
- Aldersperson Olson reported that the subcommittee decided to include Tavern Safety Training information in the liquor license renewal packets that will be sent to establishments on March 1.
18. [02758](#) Subcommittee discussion regarding Liquor License Renewals.
- Aldersperson Olson said the subcommittee determined that the intent of separating renewal applications is to talk to license holders about problems. She said neighborhood associations have been contacted about the separation of licenses.

### Report of Alcohol Policy Coordinator

19. [02899](#) Suggested revisions for Operator License Application form.
- Mr. Plant gave committee members an outline of proposed changes to the Operator license application form. He suggested separating and rewording the criminal history questions and adding a notice about false answers/omissions to the beginning of the application.
- Mr. Hart said the proposed changes would make it very clear that the committee should reject applications with omissions.
20. [02900](#) January 26 Captiol Neighborhoods Association meeting.
- Mr. Plant told the committee that he, Sue Crowley of PACE, and Captain Schauf gave presentations at the January 26 Capitol Neighborhoods meeting. He said he told the neighborhood association members, alderpersons, and business people at the meeting that the ALRC is looking for reasonableness and balance. An expanded neighborhood association meeting will be held on February 20.

### Report of City Clerk's Office

21. [01705](#) Summary of Licenses Issued
- The following summary was provided for the current license year:
- Class A Beer (Liquor Store): 53 issued
  - Class A Beer (Grocery): 63 issued
  - Class A Liquor: 53 issued
  - Class B Beer: 68 issued
  - Class B Liquor & Beer: 339 issued
  - Class C Wine: 42 issued
  - Wholesale Beer: 5 issued
  - Visual & Performing Arts: 9 issued
  - Nightclub: 56 issued
  - Adult Entertainment Tavern: 3 issued
  - Operator: 2,172 issued
  - Provisional Operator: 373 issued
  - Food & Drink (\$1 to \$10,000): 146 issued
  - Food & Drink (\$10,001 to \$100,000): 301 issued
  - Food & Drink (\$100,001 to \$250,000): 214 issued
  - Food & Drink (\$250,001 to \$1,000,000): 282 issued
  - Food & Drink (\$1,000,001 to \$5,000,000): 95 issued
  - Food & Drink (Greater than \$5,000,000): 18 issued
  - Sidewalk Cafe: 54 issued
  - Picnic Beer License: 42 issued
- \* Madison has a quota of 396 Class B Combination Liquor & Beer licenses under state law. 59 of 71 Reserve licenses have been granted. 281 of 325 Grandfathered licenses have been granted. 56 Class B Combination licenses are currently available in the city of Madison.

### **Adjournment**

A motion was made by Rearick, seconded by McNamara, to Adjourn at 8:35 p.m.  
The motion passed by acclamation.