



City of Madison

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

Meeting Minutes - Approved ALCOHOL LICENSE REVIEW COMMITTEE

This meeting may be viewed LIVE on Charter Spectrum Channel 994, AT&T U-Verse Channel 99 or at www.madisoncitychannel.tv.

Thursday, May 31, 2018

5:30 PM

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

Special Separated Renewals Meeting

Applications will go to the Common Council Meeting of June 5, 2018

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.

Notified Absences: Alder Paul Skidmore and Kathryn Hill

Call to Order/Roll Call

at 5:33 p.m.

Present: 7 - Michael E. Verveer; Fernando Cano Ospina; Thomas A. Landgraf; Michael S. Donnelly; Patrick J. Grady; Shiva Bidar-Sielaff and Stefan J. Fletcher

Excused: 2 - Paul E. Skidmore and Kathryn D. Hill

Non Voting: 7 - Jim Verbick; James Boxrud; Jason Freedman; Roger Allen; Leslie G. Orrantia; Gloria Reyes and Alexander J. Toy

Public Comment

None heard.

Disclosures and Recusals

None heard.

Temporary Class B Concurrent with Street Use

1. [51741](#) Temporary Class B Retailer License
Concurrent with Street Use Permit
Madison Parks Foundation
Event Location: John Nolen Drive (S Broom to S Blair)

Event Date: June 23, 2018
Aldermanic District 4 (Ald. Verveer)
Police District: 306
Event: Shake the Lake

A motion was made by Bidar-Sielaff, seconded by Cano Ospina, to RECOMMEND TO COUNCIL TO GRANT - REPORT OF OFFICER. The motion passed by voice vote/other.

Items Referred

2. [51462](#) Request to extend license issuance beyond the 90 day limit under MGO 38.05
Dominique Johnson • dba Faded Kitchen
1738 Fordem Ave • Estimated Capacity: 180
Class B Combination Liquor & Beer • 15% alcohol, 75% food, 10% other
Aldermanic District 2 (Alder Zellers) • Police Sector 409
- A motion was made by Donnelly, seconded by Grady, to RECOMMEND TO COUNCIL WITH THE FOLLOWING RECOMMENDATIONS - REPORT OF OFFICER to extend license issuance beyond the 90 day limit under MGO 38.05. The motion passed by voice vote/other.**

21+ Entertainment License

3. [49899](#) 21+ Entertainment License
Diego Enterprises • dba Cuco's Restaurant • Capacity: 80
4426 Buckeye Rd • Agent: Carlos Quiroga
Class B Combination Liquor & Beer • 20% alcohol, 80% food
Aldermanic District 16 (Alder DeMarb) • Police Sector 614
- A motion was made by Bidar-Sielaff, seconded by Cano Ospina, to RECOMMEND TO COUNCIL TO GRANT WITH CONDITIONS - REPORT OF OFFICER. and to clarify the capacity is 74 persons. The motion passed by the following vote:**
- The conditions are:
1. Shall maintain an accurate capacity count by using a physical counter that allows for "clicking" patrons in and out of the establishment. Capacity number of the establishment includes all staff. Best practice would be one counter for patrons entering and one counter for patrons exiting.
 2. Establishment staff shall actively monitor parking lot beginning at 10:00 p.m. on Fridays and Saturdays or any other evening establishment is open after 10:00 p.m.
 3. On Fridays and Saturdays, establishment shall make last call for alcohol at midnight and shall stop karaoke and entertainment license activities at midnight. This restriction will be for a period of ninety (90) days. The Alcohol License Review Committee ("ALRC") shall review this condition at its August 15, 2018 meeting. If there have been no significant problems or issues associated with establishment's karaoke nights/entertainment license activities during this ninety (90) day period, the East Police District and the District Alder will recommend extending the last call for alcohol and cessation of karaoke and entertainment license activities to 1:00 a.m. for an additional ninety (90) day period. The ALRC shall review the second ninety (90) day period at its

November 21, 2018 meeting.

a. If there are problems or issues reported at the time of the first ninety (90) day review by the ALRC, the midnight cessation of alcohol and karaoke/entertainment license activities shall be continued.

b. If the end time for alcohol service and karaoke/entertainment license activities is extended to 1:00 a.m. after the initial ninety (90) day review period, and the District Alder and/or East District Police have received reports of, or have observed significant problems or issues at establishment during the second ninety (90) day review period, the District Alder and/or the East District Police will recommended to the ALRC that the establishment revert back to ending alcohol sales and karaoke/entertainment license activities at midnight.

4. The establishment shall provide the Elvehjem Neighborhood Association president with a direct phone number for on-site management that can be distributed to interested neighbors for purposes of immediately communicating issues related to noise to the establishment.

5. Establishment must meet the definition of a restaurant under section 39.02 MGO at all times.

6. Food must be available at all times.

Three registrants in support.

Ayes: 4 - Michael E. Verveer; Fernando Cano Ospina; Patrick J. Grady and Shiva Bidar-Sielaff

Noes: 2 - Michael S. Donnelly and Stefan J. Fletcher

Abstentions: 1 - Thomas A. Landgraf

Excused: 2 - Paul E. Skidmore and Kathryn D. Hill

Non Voting: 6 - Jim Verbick; James Boxrud; Jason Freedman; Roger Allen; Leslie G. Orrantia; Gloria Reyes and Alexander J. Toy

License Renewals - Entertainment

4. [51806](#) Separated 18+ Entertainment License Renewal
Hoops of Dane County Inc • dba North of the Bayou • Capacity: 480
802 Atlas Ave • Agent: Dale Beck
Class B Combination Liquor & Beer • 50% alcohol, 50% food
Aldermanic District 3 (Alder Hall) • Police Sector 611
Separation requested by the Office of the City Attorney

A motion was made by Grady, seconded by Cano Ospina, to RECOMMEND TO COUNCIL TO NON-RENEW - PUBLIC HEARING. The motion passed by voice vote/other.

5. [51807](#) Separated 21+ Entertainment License Renewal
Divine Orders Catering LLC • dba M. LaVerne Buchanan • Capacity: 75
2122 Luann Ln • Agent: Sebrina Smith
Class B Combination Liquor & Beer • 45% alcohol, 50% food, 5% other
Aldermanic District 14 (Alder Carter) • Police Sector 308
Separation requested by the Office of the City Attorney

A motion was made by Donnelly, seconded by Cano Ospina, to RECOMMEND TO COUNCIL TO GRANT WITH CONDITIONS - PUBLIC HEARING. The motion

passed by voice vote/other.

All existing conditions remain, except conditions 10 and 12. The conditions are:

The conditions are:

1. Divine Orders Catering, 2122 Luann Lane licensed premises, will operate from 6:00 am to 11:00 pm;
2. Diving Orders Catering, 2122 Luann Lane, may hold up to six events per month where alcohol is served and up to four of these same six events may have entertainment;
3. No more than four of the six events held each month at Divine Orders Catering, licensed premises located at 2122 Luann Lane, may have entertainment;
4. Divine Orders Catering will end all events at by 11:00 pm, will end alcohol sales and entertainment by 10:00 pm. This establishment must be closed by 11:00 pm, and all attendees and staff shall clear the building and the parking lot by 11:00 pm. Staff actively engaging in cleaning are allowed on the premise pursuant to Statute;
5. Divine Orders Catering shall provide State of Wisconsin licensed security personnel for all Divine Orders Catering events held at 2122 Luann Lane licensed premises. Security personnel shall wear clothing that makes them readily identifiable as security staff;
6. Capacity for Divine Orders Catering licensed premises at 2122 Luann Lane shall not exceed 75 people, including staff. If Building Inspection or Fire Inspection has altered the capacity number due to building conditions, that number shall be the legal capacity number until Divine Order Catering is notified by Building Inspection or Fire Inspection that the building conditions have been corrected and the original capacity is in effect;
7. Divine Orders Catering shall notify the Madison Police Department when events are scheduled at 2122 Luann Lane licensed premises, and will share contact information, within 48 hours of the event being booked; including events host's full name, valid telephone number and name of event, with the Madison Police Department South District;
8. Patrons of Divine Orders Catering at 2122 Luann Lane licensed premises shall not use neighboring buildings' parking lots;
9. Patrons of Divine Orders Catering shall provide security at all of their special events held at 2122 Luann Lane licensed premises;
10. Establishment will meet the definition of a restaurant as defined by Madison General Ordinance 38.02.

Public Hearing

License Renewals - Public Hearing

6. [51779](#) Separated Liquor License Renewal
Hoops of Dane County Inc • dba North of the Bayou • Capacity: 480
802 Atlas Ave • Agent: Dale Beck
Class B Combination Liquor & Beer • 50% alcohol, 50% food
Aldermanic District 3 (Alder Hall) • Police Sector 611
Separation requested by the Office of the City Attorney

A motion was made by Verveer, seconded by Fletcher, to RECOMMEND TO COUNCIL TO NON-RENEW - PUBLIC HEARING. The motion passed by voice

vote/other.

7. [51780](#)

Separated Liquor License Renewal
Diego Enterprises Inc • dba Cuco's Mexican Restaurant • Capacity: 80
4426 E Buckeye Rd • Agent: Oscar Zaragoza
Class B Combination Liquor & Beer • 20% alcohol, 80% food
Aldermanic District 16 (Alder DeMarb) • Police Sector 614
Separation requested by the Office of the City Attorney

A motion was made by Bidar-Sielaff, seconded by Cano Ospina, to RECOMMEND TO COUNCIL TO GRANT WITH CONDITIONS - PUBLIC HEARING and to clarify the capacity is 74 persons. The motion passed by voice vote/other.

Remove existing condition 3 and continue existing conditions 1 and 2. The conditions are:

1. Shall maintain an accurate capacity count by using a physical counter that allows for "clicking" patrons in and out of the establishment. Capacity number of the establishment includes all staff. Best practice would be one counter for patrons entering and one counter for patrons exiting.
2. Establishment staff shall actively monitor parking lot beginning at 10:00 p.m. on Fridays and Saturdays or any other evening establishment is open after 10:00 p.m.
3. On Fridays and Saturdays, establishment shall make last call for alcohol at midnight and shall stop karaoke and entertainment license activities at midnight. This restriction will be for a period of ninety (90) days. The Alcohol License Review Committee ("ALRC") shall review this condition at its August 15, 2018 meeting. If there have been no significant problems or issues associated with establishment's karaoke nights/entertainment license activities during this ninety (90) day period, the East Police District and the District Alder will recommend extending the last call for alcohol and cessation of karaoke and entertainment license activities to 1:00 a.m. for an additional ninety (90) day period. The ALRC shall review the second ninety (90) day period at its November 21, 2018 meeting.
 - a. If there are problems or issues reported at the time of the first ninety (90) day review by the ALRC, the midnight cessation of alcohol and karaoke/entertainment license activities shall be continued.
 - b. If the end time for alcohol service and karaoke/entertainment license activities is extended to 1:00 a.m. after the initial ninety (90) day review period, and the District Alder and/or East District Police have received reports of, or have observed significant problems or issues at establishment during the second ninety (90) day review period, the District Alder and/or the East District Police will recommended to the ALRC that the establishment revert back to ending alcohol sales and karaoke/entertainment license activities at midnight.
4. The establishment shall provide the Elvehjem Neighborhood Association president with a direct phone number for on-site management that can be distributed to interested neighbors for purposes of immediately communicating issues related to noise to the establishment.
5. Establishment must meet the definition of a restaurant under section 39.02 MGO at all times.
6. Food must be available at all times.

Three registrants in support.

8. [51784](#)

Separated Liquor License Renewal
BKM Group LLC • dba Olbrich Biergarten • Capacity: 240
3527 Atwood Ave • Agent: Matthew Gest
Class B Beer • 74% alcohol, 26% food
Aldermanic District 15 (Alder Ahrens) • Police Sector 610
Separation requested by ALRC at the time of granting

A motion was made by Donnelly, seconded by Cano Ospina, to RECOMMEND TO COUNCIL TO GRANT WITH CONDITIONS - PUBLIC HEARING.

A motion was made by Donnelly, seconded by Grady, to Amend the existing conditions and remove Condition 3 regarding hours of sales. The motion failed by the following vote:

Ayes: 2 - Michael S. Donnelly and Patrick J. Grady

Noes: 4 - Michael E. Verveer; Fernando Cano Ospina; Shiva Bidar-Sielaff and Stefan J. Fletcher

Abstentions: 1 - Thomas A. Landgraf

Excused: 2 - Kathryn D. Hill and Paul E. Skidmore

Non Voting: 6 - Jim Verbick; James Boxrud; Jason Freedman; Roger Allen; Leslie G. Orrantia; Gloria Reyes and Alexander J. Toy

The original motion passed by the following vote:

Premises shall read: Exterior service bar at the Madison Parks Olbrich Beach House. Alcohol stored in central storage room and adjacent prep area. Two outdoor seating areas. Total capacity not to exceed 240.

The conditions are:

- 1. Amplified sound is limited to PA1 Level (75 dB measured at 150 feet).**
- 2. Amplified sound is only permitted Fridays and Saturdays between 4:00 p.m. and 8:00 p.m.**
- 3. No sales of beer before 4:00 p.m. Monday through Thursday, 3:00 p.m. Friday, and noon Saturday, Sunday, and federal holidays.**
- 4. No sales of beer after 9:30 p.m.**
- 5. Beer will be served in containers no larger than 20 oz.**
- 6. No more than two servings may be purchased at one time per person of legal drinking age present at the point of sale.**
- 7. Food and non-alcoholic beverages will be available at all times alcohol is served.**
- 8. All servers must be at least 21 years old and complete responsible beverage server training. Licensee is responsible for retaining certificates for all employees.**
- 9. The license holder will use an effective system for carding such as an ID scanner.**
- 10. No underage person may consume beer even if accompanied by a parent, guardian, or spouse of legal drinking age.**
- 11. The establishment will have and use video surveillance equipment that complies with Madison General Ordinance 38.05(13) in order to curtail overconsumption and underage drinking due to the open nature of the premises.**

12. There will be a visible barrier around the licensed premises consisting of fixed objects such as planters, barrels, or benches with gaps no wider than six feet between them with each of those items connected by rope to form a contiguous barrier except for designated points of ingress and egress.

Three registrants in support.

Ayes: 6 - Fernando Cano Ospina; Michael S. Donnelly; Patrick J. Grady; Shiva Bidar-Sielaff; Stefan J. Fletcher and Michael E. Verveer

Abstentions: 1 - Thomas A. Landgraf

Excused: 2 - Kathryn D. Hill and Paul E. Skidmore

Non Voting: 6 - Jim Verbick; James Boxrud; Jason Freedman; Roger Allen; Leslie G. Orrantia; Gloria Reyes and Alexander J. Toy

9. [51781](#)

Separated Liquor License Renewal
La Hacienda Inc • dba La Hacienda Restaurant • Capacity: 180
515 S Park St • Agent: David Herrera
Class B Combination Liquor & Beer • 10% alcohol, 90% food
Aldermanic District 13 (Alder Eskrich) • Police Sector 305
Separation requested by the Office of the City Attorney

A motion was made by Donnelly, seconded by Cano Ospina, to RECOMMEND TO COUNCIL TO GRANT WITH CONDITIONS - PUBLIC HEARING. The motion passed by voice vote/other.

Amend premise description to strike "outside veranda."

Strike all existing conditions and replace with the following conditions:

1. Food will be available at all times the establishment is open.
2. The establishment will close no later than 2:00 a.m.
3. Security staff will monitor the interior and exterior of the restaurant between midnight and 2:00 a.m.
4. The establishment will install and maintain security cameras inside and outside the restaurant and make footage available to the Madison Police Department upon request.
5. Employees will pick up trash in the restaurant's parking lot and immediately on adjacent streets each night after closing.
6. The applicant will meet with the Madison Police Department and the District Alder on or before October 2018 to review conditions and hours of operation.

Two registrants in support.

10. [51782](#)

Separated Liquor License Renewal
Divine Orders Catering LLC • dba M. LaVerne Buchanan • Capacity: 75
2122 Luann Ln • Agent: Sebrina Smith
Class B Combination Liquor & Beer • 45% alcohol, 50% food, 5% other
Aldermanic District 14 (Alder Carter) • Police Sector 308
Separation requested by the Office of the City Attorney

A motion was made by Donnelly, seconded by Cano Ospina, to RECOMMEND

TO COUNCIL TO GRANT WITH CONDITIONS - PUBLIC HEARING. The motion passed by voice vote/other.

All existing conditions remain, except conditions 10 and 12.

The conditions are:

1. Divine Orders Catering, 2122 Luann Lane licensed premises, will operate from 6:00 am to 11:00 pm;
2. Diving Orders Catering, 2122 Luann Lane, may hold up to six events per month where alcohol is served and up to four of these same six events may have entertainment;
3. No more than four of the six events held each month at Divine Orders Catering, licensed premises located at 2122 Luann Lane, may have entertainment;
4. Divine Orders Catering will end all events at by 11:00 pm, will end alcohol sales and entertainment by 10:00 pm. This establishment must be closed by 11:00 pm, and all attendees and staff shall clear the building and the parking lot by 11:00 pm. Staff actively engaging in cleaning are allowed on the premise pursuant to Statute;
5. Divine Orders Catering shall provide State of Wisconsin licensed security personnel for all Divine Orders Catering events held at 2122 Luann Lane licensed premises. Security personnel shall wear clothing that makes them readily identifiable as security staff;
6. Capacity for Divine Orders Catering licensed premises at 2122 Luann Lane shall not exceed 75 people, including staff. If Building Inspection or Fire Inspection has altered the capacity number due to building conditions, that number shall be the legal capacity number until Divine Order Catering is notified by Building Inspection or Fire Inspection that the building conditions have been corrected and the original capacity is in effect;
7. Divine Orders Catering shall notify the Madison Police Department when events are scheduled at 2122 Luann Lane licensed premises, and will share contact information, within 48 hours of the event being booked; including events host's full name, valid telephone number and name of event, with the Madison Police Department South District;
8. Patrons of Divine Orders Catering at 2122 Luann Lane licensed premises shall not use neighboring buildings' parking lots;
9. Patrons of Divine Orders Catering shall provide security at all of their special events held at 2122 Luann Lane licensed premises;
10. Establishment will meet the definition of a restaurant as defined by Madison General Ordinance 38.02.

11. [51783](#)

Separated Liquor License Renewal
Divine Orders Catering LLC • dba Divine Orders Catering
1502 Greenway Cross • Agent: M. LaVerne Buchanan
Class A Beer, Class A Liquor
Aldermanic District 14 (Alder Carter) • Police Sector 309
Separation requested by the Office of the City Attorney

A motion was made by Donnelly, seconded by Cano Ospina, to RECOMMEND TO COUNCIL TO GRANT - PUBLIC HEARING. The motion passed by voice vote/other.

12. [51785](#)

Separated Liquor License Renewal
North American Group of Companies Inc • dba Madison Bazaar

1901 S Park St • Agent: Nadeem Syed
Class A Beer, Class A Liquor
Aldermanic District 14 (Alder Carter) • Police Sector 310
Separation requested by the Office of the City Attorney

A motion was made by Fletcher, seconded by Cano Ospina, to RECOMMEND TO COUNCIL TO GRANT WITH EXISTING CONDITIONS - PUBLIC HEARING. The motion passed by voice vote/other, with Grady voting no.

Adjournment

A motion was made by Cano Ospina, seconded by Fletcher, to Adjourn at 7:28 p.m. The motion passed by voice vote/other.