



City of Madison

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

Meeting Minutes - Approved 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.

Wednesday, October 21, 2009

5:30 PM

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

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 November 3, 2009

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; Ronda Statz; Marsh Shapiro; Carl Gloede; Steve Brist; Thomas A. Landgraf; David A. Hart; Chet Gerlach; Pamela Bean; Dawn B. Crim; Katherine Plominski and Mark D. Woulf

Excused: 2 -

Michael E. Verveer and Thomas J. Farley

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. [16176](#) Change of Agent
Ultra Mart Foods LLC • dba Copps Food Center #8131• 6655 McKee Rd
New Agent: Mark Elliott
Class A Beer, Class A Liquor
Aldermanic District 07 (Alder King) • Police Sector 119

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

2. [16177](#) Change of Agent
Ultra Mart Foods • dba Copps Food Center #8178 • 2502 Shopko Dr
New Agent: Timothy Smith
Class A Beer, Class A Liquor
Aldermanic District 15 (Alder Palm) • Police Sector 513
- A motion was made by Ald. Schumacher, seconded by Gerlach, to RECOMMEND TO COUNCIL TO GRANT - REPORT OF OFFICER. The motion passed by voice vote/other.**

3. [16219](#) Change of Agent
Old Market Bistro LLC • dba Las Cazuelas • 15 N Butler St
New Agent: Roberto Ubach
Class B Combination Liquor & Beer • 15% alcohol, 85% food
Aldermanic District 02 (Alder Maniaci) • Police Sector 406
- A motion was made by Ald. Schumacher, seconded by Gerlach, to RECOMMEND TO COUNCIL TO GRANT - REPORT OF OFFICER. The motion passed by voice vote/other.**

Changes of Corporate Control

4. [16218](#) Change of Corporate Control -- 1 new officer(s)
Old Market Bistro LLC • dba Las Cazuelas • 15% alcohol, 85% food
15 N Butler St • Agent: Roberto Ubach
Class B Combination Liquor & Beer
Aldermanic District 02 (Alder Maniaci) • Police Sector 406
- A motion was made by Ald. Schumacher, seconded by Gerlach, to RECOMMEND TO COUNCIL TO GRANT - REPORT OF OFFICER. The motion passed by voice vote/other.**

Change of Licensed Premise

5. [16199](#) Change of Licensed Premise
Marsh Shapiro's Nitty Gritty LLC • dba Marsh Shapiro's Nitty Gritty
capacity of 375
223 N Frances St • Agent: Marsh Shapiro
Class B Combination Liquor & Beer • 48% Alcohol, 52% food
Aldermanic District 04 (Alder Verveer) • Police Sector 404
Request to increase capacity as a result of code changes.
- A motion was made by Ald. Schumacher, seconded by Gerlach, to RECOMMEND TO COUNCIL TO GRANT - REPORT OF OFFICER. The motion passed by voice vote/other.**

Registrant(s): Marsh Shapiro

6. [16217](#) Change of Licensed Premise
Roaring Fork LLC • dba Qdoba Mexican Grill • capacity of 150
2741 University Ave • Agent: Ron Stokes
Class B Combination Liquor & Beer • 1% Alcohol, 99% food
Aldermanic District 05 (Alder Bidar-Sielaff) • Police Sector 301
Request to expand dining area into 650 sq. ft. of adjacent vacant space. Also remodeling the existing dining area which includes a longer queuing line to help direct customers during peak usage.

A motion was made by Ald. Schumacher, seconded by Bean, to Refer to the ALCOHOL LICENSE REVIEW COMMITTEE, due back on 11/18/2009. The motion passed by voice vote/other.

18+ Performing Arts License

7. [16254](#) 18+ Center for Visual & Performing Arts License
New Cardinal LLC • dba The Cardinal • Capacity: 196
418 E Wilson St • Agent: Ricardo Gonzalez
Class B Combination Liquor & Beer • 75% alcohol, 5% food, 20% Other
Aldermanic District 06 (Alder Rummel) • Police Sector 406

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

21+ Entertainment License

8. [14656](#) 21+ Entertainment License
LSI Group LLC • dba Europa • Capacity: 720
6676 Odana Rd • Agent: Kami Eshraghi
Class B Combination Liquor & Beer • 89% alcohol, 10% food, 1% Other
Aldermanic District 19 (Alder Clear) • Police Sector 113

A motion was made by Ald. Schumacher, seconded by Gerlach, to RECOMMEND TO COUNCIL TO PLACE ON FILE WITHOUT PREJUDICE -REPORT OF OFFICER at the request of the applicant. The motion passed by voice vote/other.

9. [15930](#) 21+ Entertainment License
The Pub Inc • dba The Pub • Capacity: 248
552 State St • Agent: David Schwoegler
Class B Combination Liquor & Beer • 100% alcohol
Aldermanic District 08 (Alder Eagon) • Police Sector 403

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): James Noack

New License - Public Hearing

10. [14580](#) Public Hearing - New License
LSI Group, LLC • dba Europa • 89% alcohol, 10% food, 1% other
6676 Odana Rd. • Agent: Kami Eshraghi • Estimated Capacity: 420 (main floor), 300 (banquet)
Class B Combination Liquor & Beer
Aldermanic District 19 (Alder Clear) • Police Sector 113

A motion was made by Ald. Schumacher, seconded by Gerlach, to RECOMMEND TO COUNCIL TO PLACE ON FILE WITHOUT PREJUDICE -PUBLIC HEARING at the request of the applicant. The motion passed by voice vote/other.
11. [15727](#) Public Hearing - New License
Signature Deli Inc • dba Signature Deli Inc
515 Junction Rd Suite F • Agent: Frantseska Kois
Class A Beer, Class A Liquor
Aldermanic District 09 (Alder Skidmore) • Police Sector 128

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

Registrant(s): Frantseska Kois
12. [16080](#) Public Hearing - New License
MBC Group LLC • dba El Pollo Inka • 10% alcohol, 90% food
745 N High Point Rd • Agent: Sivily Maritza Paz • Estimated Capacity: 50
Class B Beer, Class C Wine
Aldermanic District 09 (Alder Skidmore) • Police Sector 126

A motion was made by Ald. Schumacher, seconded by Bean, to RECOMMEND TO COUNCIL TO GRANT - PUBLIC HEARING with the condition that the application be completed fully. The motion passed by voice vote/other.

13. [16081](#)

Public Hearing - New License
Maurer's Foods LLC • dba Fresh Madison Market
703 University Ave • Agent: Jeffrey Maurer
Class A Beer, Class A Liquor
Aldermanic District 08 (Alder Eagon) • Police Sector 402

A motion was made by Ald. Schumacher, seconded by Gerlach, to RECOMMEND TO COUNCIL TO GRANT - PUBLIC HEARING with the following conditions: 1. Liquor sales limited to wine/wine coolers only; 2. No kegs; 3. No delivery of alcohol; 4. Standard class "A" restrictions of other establishments in the 4th & 8th district (1. Shall not sell, dispense or give away fermented malt beverages in the original container in amounts less than the amount contained in a six pack of bottles or cans; 2. Malt based flavored coolers may not be sold, dispensed or given away in the original container in amounts less than a four pack of bottles or cans; 3. Shall not sell, dispense or give away intoxicating liquor in the original container in amounts of two hundred (200) milliliters or less in volume. "Intoxicating liquor" shall not include wine in the original container with an alcohol content of 15% or less by volume; 4. Shall not sell, dispense or give away wine in the original container with an alcohol content of more than 15% alcohol by volume, where spirits have been added to the wine that have not been produced from the same fruit as the wine, for consumption off the licensed premises. This prohibition shall not apply to vermouth, port, sherry, and wine sealed with a cork and aged two years or more, and wine with 15% or less alcohol by volume where the alcohol is produced by natural fermentation).; 5. Beer/wine displayed in approved areas only. The motion passed by the following vote:

Registrant(s): In support Attorney Petri; Jeff Maurer. In opposition Andrew Beaulieu; Patrick Ducey; Rosemary Lee

Excused: 2 -

Michael E. Verveer and Thomas J. Farley

Ayes: 4 -

Michael Schumacher; Thomas A. Landgraf; Chet Gerlach and Pamela Bean

Abstentions: 1 -

David A. Hart

Non Voting: 1 -

Ronda Statz; Marsh Shapiro; Carl Gloede; Steve Brist; Dawn B. Crim; Katherine Plominski and Mark D. Woulf

14. [16082](#)

Public Hearing - New License
Veg Table LLC • dba The Green Owl • 20% alcohol, 80% food
1970 Atwood Ave • Agent: Jennie Capellaro • Estimated Capacity: 50
Class B Combination Liquor & Beer
Aldermanic District 06 (Alder Rummel) • Police Sector 410

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): Jennie Capellaro

15. [16088](#) Public Hearing - New License
Daisy Cafe & Cupcakery LLC • dba Daisy Cafe & Cupcakery • 5% alcohol, 94% food,
1% Other
2827 Atwood Ave • Agent: Daryl Sisson • Estimated Capacity: 80
Class B Beer, Class C Wine
Aldermanic District 06 (Alder Rummel) • Police Sector 602

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

Registrant(s): Daryl Sisson

16. [16141](#) Public Hearing - New License
Flat Out Crazy LLC • dba Flat Top Grill • 10% alcohol, 90% food
538 N Midvale Blvd • Agent: Julie Prather • Estimated Capacity: 105
Class B Combination Liquor & Beer
Aldermanic District 11 (Alder Schmidt) • Police Sector 108

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

Registrant(s): Julie Prather

17. [16144](#) Public Hearing - New License
Okinawa Sushi LLC • dba Sushi Hut • 10% alcohol, 90% food
404 State St • Agent: Mang Mun Pau • Estimated Capacity: 35
Class B Beer, Class C Wine
Aldermanic District 04 (Alder Verveer) • Police Sector 403 • Density Area

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): Mang Pau

18. [16146](#) Public Hearing - New License
Fiesta Cancun Authentic Mexican Restaurant of Madison Inc
dba Fiesta Cancun Authentic Mexican Restaurant • 15% alcohol, 85% food
7854 Mineral Point Rd • Agent: Jose Pacheco • Estimated Capacity: 120
Class B Combination Liquor & Beer
Aldermanic District 09 (Alder Skidmore) • Police Sector 125

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

Registrant(s): Kent Yan

19. [16151](#) Public Hearing - New License
Bernie & Tony's Back Door LLC • dba Bernie & Tony's Back Door
30% alcohol, 65% food, 5% Other
4265 W Beltline Hwy • Agent: Thomas Caputo • Estimated Capacity: 100
Class B Combination Liquor & Beer
Aldermanic District 10 (Alder Solomon) • Police Sector 104
- A motion was made by Ald. Schumacher, seconded by Bean, to Refer to the ALCOHOL LICENSE REVIEW COMMITTEE, due back on 11/18/2009. The motion passed by voice vote/other.**

Registrant(s) in opposition: James Danielsen, John Bach

20. [16153](#) Public Hearing - New License
Thao Real Estate LLC • dba Brothers Wok • 3% alcohol, 90% food, 7% Other
2817 E Washington Ave • Agent: Nao Nhia Thao • Estimated Capacity: 99
Class B Beer
Aldermanic District 15 (Alder Palm) • Police Sector 603
- A motion was made by Bean, seconded by Ald. Schumacher, to RECOMMEND TO COUNCIL TO GRANT - PUBLIC HEARING. The motion passed by voice vote/other.**

Registrant(s): Mr. Thao

21. [16157](#) Public Hearing - New License
Wisconsin Ventures Inc • dba Segredo Madison
62% alcohol, 25% food, 13% Other
624 University Ave • Agent: Jon Okonek • Estimated Capacity: 605
Class B Combination Liquor & Beer
Aldermanic District 08 (Alder Eagon) • Police Sector 403 • Density Area
- A motion was made by Gerlach, seconded by Ald. Schumacher, to RECOMMEND TO COUNCIL TO GRANT - PUBLIC HEARING. The motion passed by voice vote/other.**

Registrant(s): Jon Okonek; Atty Petri; Michael Hierl; Ryan Dionne; Andrew Beauliu; Susan Schmitz; Erik Paulson; Rosemary Lee

License Transfer - Public Hearing

22. [16166](#) Public Hearing - License Transfer
Leziz LLC • dba Oliva • 15% alcohol, 85% food
Transfer from 745 N High Point Rd to 751 N High Point Rd • Agent: Mehmet Dai
Estimated Capacity: 90
Class B Beer, Class C Wine
Aldermanic District 09 (Ald. Skidmore) • Police Sector 126
- A motion was made by Gerlach, seconded by Ald. Schumacher, to RECOMMEND TO COUNCIL TO GRANT - PUBLIC HEARING. The motion passed by voice vote/other.**

Registrant(s): Mehme Dayi

Operator's License Applications

23. [15960](#) Operator License Application
Katherine Camacho - Establishment where employed: Applebees
A motion was made by Ald. Schumacher, seconded by Gerlach, to RECOMMEND TO COUNCIL TO PLACE ON FILE WITHOUT PREJUDICE -REPORT OF OFFICER. The motion passed by voice vote/other.
24. [15961](#) Operator License Application
Matthew Beilharz - Establishment where employed: Brennan's
A motion was made by Ald. Schumacher, seconded by Gerlach, to RECOMMEND TO COUNCIL TO PLACE ON FILE WITHOUT PREJUDICE -REPORT OF OFFICER. The motion passed by voice vote/other.
25. [15963](#) Operator License Application
Kathryn Finn - Establishment where employed: Citgo
A motion was made by Ald. Schumacher, seconded by Gerlach, to RECOMMEND TO COUNCIL TO PLACE ON FILE WITHOUT PREJUDICE -REPORT OF OFFICER. The motion passed by voice vote/other.
26. [15964](#) Operator License Application
Jesse Coburn - Establishment where employed: Mr. Robert's
A motion was made by Ald. Schumacher, seconded by Gerlach, to RECOMMEND TO COUNCIL TO PLACE ON FILE WITHOUT PREJUDICE -REPORT OF OFFICER. The motion passed by voice vote/other.
27. [15965](#) Operator License Application
Britney Zilz - Establishment where employed: Lowell Center
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): Britney Zilz
28. [15966](#) Operator License Application
Norman Anderson - Establishment where employed: NOLA
A motion was made by Landgraf, seconded by Ald. Schumacher, to RECOMMEND TO COUNCIL TO GRANT - REPORT OF OFFICER with the condition that the applicant bring documentation of his stroke from a doctor. The motion passed by voice vote/other.

Registrant(s): Norman Anderson
29. [15971](#) Operator License Application
Amy Koscinski - Establishment where employed: Come Back Inn
A motion was made by Ald. Schumacher, seconded by Gerlach, to RECOMMEND TO COUNCIL TO PLACE ON FILE WITHOUT PREJUDICE -REPORT OF OFFICER. The motion passed by voice vote/other.

Registrant(s): Amy Koscinski

30. [15973](#) Operator License Application
Corey Jarvis - Establishment where employed: Buffalo Wild Wings
A motion was made by Ald. Schumacher, seconded by Gerlach, to Refer to the ALCOHOL LICENSE REVIEW COMMITTEE, due back on 11/18/2009. The motion passed by voice vote/other.

31. [16178](#) Operator License Application
Roberto Abundee - Establishment where employed:Laredos
A motion was made by Ald. Schumacher, seconded by Bean, to Refer to the ALCOHOL LICENSE REVIEW COMMITTEE, due back on 11/18/2009. The motion passed by voice vote/other.

32. [16179](#) Operator License Application
Joan Hamilton - Establishment where employed: PDQ
A motion was made by Ald. Schumacher, seconded by Bean, to RECOMMEND TO COUNCIL TO DENY - REPORT OF OFFICER denied because of health, safety, and welfare of the community. The motion passed by voice vote/other.
Registrant(s): Joan Hamilton

33. [16314](#) Operator License Application
Kenneth Smith - Establishment where employed: Rodeway Inn
A motion was made by Ald. Schumacher, seconded by Bean, to RECOMMEND TO COUNCIL TO DENY - REPORT OF OFFICER denied because of health, safety, and welfare of the community. The motion passed by the following vote:

Registrant(s): Kenneth Smith

Excused: 2 -
Michael E. Verveer and Thomas J. Farley

Ayes: 3 -
Chet Gerlach; Pamela Bean and Michael Schumacher

Noes: 1 -
Thomas A. Landgraf

Abstentions: 1 -
David A. Hart

Non Voting: 1 -
Ronda Statz; Marsh Shapiro; Carl Gloede; Steve Brist; Dawn B. Crim;
Katherine Plominski and Mark D. Woulf

34. [16315](#) Operator License Application
Meghan Murphy - Establishment where employed: Horseshoe Bar
A motion was made by Ald. Schumacher, seconded by Bean, to Refer to the ALCOHOL LICENSE REVIEW COMMITTEE, due back on 11/18/2009. The motion passed by voice vote/other.

35. [16316](#) Operator License Application
Jared McDonald - Establishment where employed: Adlers
- A motion was made by Bean, seconded by Gerlach, to RECOMMEND TO COUNCIL TO DENY - REPORT OF OFFICER denied because of health, safety, and welfare of the community. The motion passed by voice vote/other.**
- Registrant(s): Jared McDonald**

36. [16329](#) Operator License Application
Kurt Petersen - Establishment where employed: n/a
- A motion was made by Ald. Schumacher, seconded by Bean, to RECOMMEND TO COUNCIL TO DENY - REPORT OF OFFICER denied because of health, safety, and welfare of the community. The motion passed by voice vote/other.**
- Registrant(s): Kurt Petersen**

Action Items

37. [14940](#) THIRD SUBSTITUTE - Amending Section 33.02 of the Madison General Ordinances to modify the composition of the Alcohol License Review Committee.
- A motion was made by Gerlach, seconded by Bean, to RECOMMEND TO COUNCIL WITH THE FOLLOWING RECOMMENDATIONS the ALRC is not in support of this item - REPORT OF OFFICER . The motion passed by voice vote/other.**
38. [15441](#) SUBSTITUTE - Creating Section 38.07(15) of the Madison General Ordinances to prevent the sale of liquor at establishments that sell motor fuels.
- A motion was made by Ald. Schumacher, seconded by Bean, to RECOMMEND TO COUNCIL WITH THE FOLLOWING RECOMMENDATIONS sending back the original amendment to Common Council with the recommendation of introducing the substitute amendment - REPORT OF OFFICER. The motion passed by voice vote/other.**
- Registrant(s): In opposition- Bill White; Jennifer Badeau. In support - Rosemary Lee**
39. [15239](#) Amending Section 38.08(4) of the Madison General Ordinances to increase the late fees for alcohol beverage licenses from 15% of the license fee to 50% of the license fee.
- A motion was made by Ald. Schumacher, seconded by Bean, to Refer to the ALCOHOL LICENSE REVIEW COMMITTEE, due back on 11/18/2009. The motion passed by voice vote/other.**
40. [15937](#) Amending Section 38.05(9)(o)4.c.i. of the Madison General Ordinances to modify the Alcohol Beverage License Density Plan.
- A motion was made by Ald. Schumacher, seconded by Bean, to Refer to the ALCOHOL LICENSE REVIEW COMMITTEE, due back on 11/18/2009. The motion passed by voice vote/other.**

Discussion Items

41. [15978](#) Correspondence regarding Plan B, 924 Williamson St

No action needed.

Report of the Alcohol Policy Coordinator

42. [16295](#) Report of the Alcohol Policy Coordinator
- the Subcommittee meeting scheduled for 10/29
 - Brief discussion on the walk-along
 - ALERT updates: R Place on Park, Lucky 7

Report of the City Attorney

43. [08455](#) Summary of Recent Office Enforcement Actions.

Report of Madison Police Department

44. [16233](#) Report of Recent Enforcement Actions

Report of City Clerk's Office

45. [16294](#) Summary of Licenses Issued

ADDENDUM

46. [16335](#) 18+ Entertainment License
Wisconsin Ventures Inc • dba Segredo Madison • Capacity: 605
624 University Ave • Agent: Jon Okonek
Class B Combination Liquor & Beer • 62% alcohol, 25% food, 13% Other
Aldermanic District 08 (Alder Eagon) • Police Sector 403
- A motion was made by Gerlach, seconded by Ald. Schumacher, to RECOMMEND TO COUNCIL TO GRANT - REPORT OF OFFICER. The motion passed by voice vote/other.**

Registrant(s): Jon Okonek; Atty Petri; Michael Hierl; Ryan Dionne; Andrew Beauliu; Susan Schmitz; Erik Paulson; Rosemary Lee

Adjournment

A motion was made by Ald. Schumacher, seconded by Bean, to Adjourn. The motion passed by voice vote/other.