



# City of Madison

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

## Meeting Agenda - Final

### ALCOHOL LICENSE REVIEW COMMITTEE

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

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Wednesday, April 19, 2006

5:30 PM

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

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If you need an interpreter or require other accommodations, contact the office of the City Clerk at (608) 266-4601, or TDD (608) 266-6573, at least 48 hours in advance.

Applications will go to the Common Council Meeting of May 16, 2006.

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.

Members of the public speaking out of order may be asked to leave the meeting. The ALRC appreciates your cooperation.

#### **Call to Order**

#### **Roll Call**

#### **Approval of Minutes**

#### **Election of Chair and Vice Chair**

1. [03236](#) Election of Committee Chair for 2006-2007.
2. [03237](#) Election of Committee Vice Chair for 2006-2007.

#### **Presentation and Discussion**

3. [02070](#) Discrimination complaints against license holders and applicants

**Change of Agent applications**

4.     **03174**           Change of Agent  
Copps Corporation • dbaCopps Food Center  
620 S. Whitney Way • Old Agent: Mark E. Elliott • New Agent: Corey Stillman  
Class A Liquor, Class A Beer
  
5.     **03187**           Change of Agent  
Nattspiel, Inc. • dba Nattspiel • capacity of 50  
211 King Street • Old Agent: Christopher Berge • New Agent: Prentice Berge  
Class B Combination Liquor & Beer • 68% alcohol, 32% food
  
6.     **03213**           Change of Agent  
Biaggi's Ristorante Italiano, LLC • dba Biaggi's Ristorante Italiano  
601 Junction Road • Old Agent: Steve Hable • New Agent: Jeff Sassorossi  
Class B Combination Liquor & Beer • 22% alcohol, 78% food
  
7.     **03339**           Change of Agent  
Weary Traveler, Inc. • dba Weary Traveler Free House • capacity of 99  
1201 Williamson St • Old Agent: Christopher Berge • New Agent: Bowe Berge  
Class B Combination Liquor & Beer • 52% alcohol, 48% food
  
8.     **03346**           Change of Agent  
Open Pantry Food Marts of Wisconsin, Inc. • dba Open Pantry Food Mart #705  
1401 Regent Street • Old Agent: Ron James • New Agent: Mark Clark  
Class A Beer
  
9.     **03347**           Change of Agent  
Open Pantry Food Marts of Wisconsin Inc • dba Open Pantry Food Mart #1200  
2703 W. Beltline Highway • Old Agent: Ron James • New Agent: Mark Clark  
Class A Beer, Class A Liquor
  
10.    **03348**           Change of Agent  
Open Pantry Food Marts of Wisconsin Inc • dba Open Pantry Food Mart #1215  
1412 Pflaum Road • Old Agent: Ron James • New Agent: Mark Clark  
Class A Beer
  
11.    **03349**           Change of Agent  
Open Pantry Food Marts of Wisconsin Inc • dba Open Pantry Food Mart #1245  
2201 S. Park Street • Old Agent: Ron James • New Agent: Mark Clark  
Class A Beer, Class A Liquor
  
12.    **03350**           Change of Agent  
Open Pantry Food Marts of Wisconsin Inc • dba Open Pantry Food Mart #1335  
2216 University Avenue • Old Agent: Ron James • New Agent: Mark Clark  
Class A Beer
  
13.    **03375**           Change of Agent  
Creative Host Services, Inc. • dba Creative Croissants • capacity unknown  
4000 International Ln • Old Agent: Matthew Misna • New Agent: Patricia Brand  
Class B Combination Liquor & Beer • 23% alcohol, 77% food

**Change of Agent & Corporate Control application**

14.    **03149**           Change of Agent & Corporate Control - one additional member  
Takara Inc • dba Takara Japanese Restaurant • capacity of 50  
315 State Street • Old Agent: Ming Kong Chan • New Agent: Xiu Mei Ni  
Class B Combination Liquor & Beer • 5% alcohol, 95% food
15.    **03282**           Change of Agent & Corporate Control - new director  
R I Heritage Inn of Madison, Inc. • dba Madison Residence Inn  
4862 Hayes Road • Old Agent: Angela Steinhauer • New Agent: Randy Rudd  
Class B Combination Liquor & Beer • 100% alcohol

**Change of Corporate Control applications**

16.    **03180**           Change of Corporate Control - New Vice President  
Chili's of Wisconsin, Inc. • dba Chili's Grill & Bar #188 • capacity of 217  
7301 Mineral Point Road • Agent: Terence Miller  
Class B Combination Liquor & Beer • 20% alcohol, 80% food
17.    **03181**           Change of Corporate Control - New Vice President  
Chili's of Wisconsin, Inc. • dba Chili's Grill & Bar #327 • capacity of 215  
4344 East Towne Boulevard • Agent: Karen Marquis  
Class B Combination Liquor & Beer • 20% alcohol, 80% food
18.    **03261**           Change of Corporate Control - 2 new Officers  
Nakoma Golf Club, Inc. • dba Nakoma Golf Club  
4145 Country Club Road • Agent: Lawrence J. Avery  
Class B Combination Liquor & Beer • 70% alcohol, 30% food
19.    **03283**           Change of Corporate Control - 1 new Officer  
Stop-N-Go of Dane County, Inc. • dba Stop-N-Go #255  
2002 Winnebago Street • Agent: John N. Becker  
Class A Beer • 11% alcohol, 22% food, 67% other
20.    **03285**           Change of Corporate Control - 1 new Officer  
Stop-N-Go of Dane County, Inc. • dba Stop-N-Go #284  
6202 Schroeder Road • Agent: Mark Kiley  
Class A Beer • 4% alcohol, 4% food, 92% other
21.    **03286**           Change of Corporate Control - 1 new Officer  
Stop-N-Go of University Avenue, Inc. • dba Stop-N-Go #253  
5545 University Avenue • Agent: Perry A. Ward  
Class A Beer • 3% alcohol, 5% food, 92% other
22.    **03336**           Change of Corporate Control - 2 new Officers  
Zor Shriners AAONMS • dba Zor Temple AAONMS • capacity of 250  
575 Zor Shrine Place • Agent: Kent Englund  
Class B Combination Liquor & Beer • 35% alcohol, 65% food

23.      **03356**           Change of Corporate Control - 2 new Officers  
Outback/Chicago I Ltd Partnership • dba Outback Steakhouse • capacity 236  
279 Junction Road • Agent: Kane Drugg  
Class B Combination Liquor & Beer • 14% alcohol, 86% food
24.      **03357**           Change of Corporate Control - 2 new Officers  
Outback/Midwest II Ltd Partnership • dba Outback Steakhouse • capacity 236  
4520 East Towne Boulevard • Agent: Kane Drugg  
Class B Combination Liquor & Beer • 16% alcohol, 84% food
25.      **03358**           Change of Corporate Control - 1 new Officer  
Sam's East, Inc. • dba Sam's Club #8255  
7050 Watts Road • Agent: David Heaton  
Class A Liquor, Class A Beer

**Change of License Conditions application**

26.      **03277**           Change of License Conditions Application  
Raymond Sze • dba Nam's Noodle • capacity of 67  
1336 Regent Street  
Class B Combination Liquor & Beer • 5% alcohol, 95% food  
Request to remove the following license conditions:  
1) No live music or dj events are permitted.  
3) Specifically with regard to the advertising, sale or service of alcohol  
beverages, licensee shall:  
    a. Not increase the volume contained in a serving without increasing  
    proportionately the price charged for such serving.  
    b. Not give away any drink or sell at a price that is different from the  
    usual price for the drink for any period of time less than one full  
    week.  
    c. Not give away any drink or reduce the price of any drink conditioned  
    upon the purchase of any drink or number of drinks.  
    d. Not sell or give away an unlimited number of drinks during a set period  
    of time for a fixed price.  
    e. Not advertise in any manner the availability, pricing or dispensing of  
    drinks or alcohol in a manner to lead a reasonable prudent person to  
    conclude that alcohol is available contrary to paragraphs a.- d. above.  
6) Full food service shall be provided whenever open.  
8) No alcohol service shall be provided to patrons without food service  
9) Alcohol service shall cease one hour before bar-time.
- License granted 10-01-02 with the above conditions in addition to the following:*  
2) *Meet the definition of a restaurant as defined in Sec 38.02, MGO.*  
4) *Familiarize all staff with the provisions of Sec. 38.06(10), MGO, the  
Unruly Patron Ordinance and when a patron acts in a manner that is violent,  
abusive, indecent, profane, boisterous or otherwise disorderly, immediately  
contact the police and request the police to invoke the provisions of the  
ordinance.*  
5) *Licensee, its agents and employees may not sell, dispense or give away  
alcohol to any person who is under the influence of alcohol beverages as  
that term is defined in Sec. 38.02, MGO, nor shall such person be  
permitted to be on the premises.*  
7) *No bar nor bar stools are permitted.*

**Change of License Premise applications**

27.     **03166**           Change of License Premise Application  
RP Adler's LLC • dba RP Adler's • capacity of 150  
8202 Watts Road • Agent: Randall P. Adler  
Class B Combination Liquor & Beer • 40% alcohol, 60% food  
Request to add outdoor seating.  
*License granted 10-11-05 with no conditions.*
28.     **03293**           Change of License Premise Application  
Larry B's, Inc. • dba Larry B's • capacity of 48  
617 State Street • Agent: Timothy M. Kasmar-Ehlers  
Class B Beer, Class C Wine • 1% alcohol, 99% food  
Request to add 12-seat sidewalk cafe.  
*Licenses granted 2-1-05 with no conditions.*
29.     **03314**           Change of License Premise Application  
Raymond Jacobson • dba Ray's Bar & Grill • capacity of 100  
2526 E. Washington Avenue  
Class B Combination Liquor & Beer • 90% alcohol, 10% food  
Request to add 20x22 fenced-in area at rear entrance.  
*License granted 5-6-03 with no conditions.*
30.     **03340**           Change of License Premise Application  
Mir M. & Sakineh S. Nateghi • dba Caspian Cafe & Catering • capacity of 60  
610 University Avenue  
Class B Beer, Class C Wine • 1% alcohol, 99% food  
Request to add a sidewalk cafe.  
*Beer license transfer from 17 University Square and Class C Wine license granted  
12-13-05 with no conditions.*
31.     **03372**           Change of License Premise Application  
Rafael Escamilla • dba Laredo's • capacity of 99  
4001 Lien Road  
Class B Combination Liquor & Beer • 29% alcohol, 71% food  
Request to add outdoor seating area.  
*License granted 11-30-99 with no conditions.*
32.     **03377**           Change of License Premise Application  
La Pepe, Inc. • dba Tex Tubb's Taco Palace • capacity of 88  
2009 Atwood Avenue • Agent: Travis Hill  
Class B Combination Liquor & Beer • 25% alcohol, 75% food  
Request to use outdoor parking lot on Sunday, June 11, from 2 pm to 6 pm, for live  
music and outdoor beer/food sales.  
*License contains the following condition: Service bar only.*

33. 03376

Change of License Premise Application  
Jongyeon Lee • dba Church Key • capacity of 190  
626 University Avenue  
Class B Combination Liquor & Beer • 90% alcohol, 10% food  
Request to add outdoor seating area.

*License granted 7-2-02 with the following conditions: 1. The Church Key shall maintain the existing video cameras and video camera system and shall save tapes from that system for a minimum of 10 days. Those tapes shall be made available to the Madison Police Department upon request and pursuant to an active investigation. 2. Ms. Lee shall familiarize herself and train all staff regarding the provisions of the Unruly Patron Ordinance, Section 38.06(10), Madison General Ordinances, and when a patron acts in a manner that is violent, abusive, indecent, profane, boisterous or otherwise disorderly, immediately contact the police and request the police to invoke the provisions of the ordinance. 3. Licensee shall produce written training and policy manuals. These documents will include, but not be limited to: liquor laws, use of the Unruly Patron Ordinance, guidance on determining whether a person is under the influence of alcohol as defined in Section 38.02, Madison General Ordinances, and the refusal to serve or allow such person on the premises, guidance on when to call the police, procedures and responsibilities assigned to staff in checking IDs specific training on determining a patron's age, specific training on what constitutes offensive panhandling and specific policies and procedures to be used in allowing a means to verify the training. The written training document and the policy manual shall be completed by the licensee within 45 days of the proposed conditions becoming conditions of the license and be delivered to the Madison Police Department for review and approval. Training verification shall be maintained by licensee and be available to the Madison Police Department upon request. 4. Ms. Lee shall make a concerted effort to educate herself and all employees on issues regarding chronic street alcoholics and shall work, and have all staff work, with the district officers and the neighborhood officer in their efforts to deal with the problems caused by the chronic street alcoholics. The training and police manuals shall reflect this effort. 5. Riley's shall not sell single cans or bottles of fermented malt beverages with the exception of micro brews and speciality imports. 6. The maximum capacity for the first and second floor bar areas will not exceed 190. 7. Hand-held counters shall be used by staff at the entrance after 8:00 p.m. 8. Food service shall be available at all times beginning at 11:00 a.m. 9. Staff will be assigned to encourage patrons to leave and be stationed outside the building at closing time to assist patrons in leaving the area. 10. Staff will remain stationed outside the building until patrons have dispersed. 11. Applicant may come back before the committee for a change of licensed premise six months after completion of renovation. 12. Ordinary, non-emergency entrance and exiting for patrons of the Church Key must use the University Avenue frontage of the property and not the rear alley. 13. Lighting installed to the rear of the Church Key must be directed downward and must be no brighter than recessing for emergency, delivery, maintenance, and similar purposes. 14. Sufficient sound-proofing in order to prevent excessive sound transfer to the property located at 632 University Avenue shall be incorporated into the proposed expansion of the Church Key licensed premise.*

### Explanation of Operation - appearance requested

34. 03359

Explanation of Operation  
Pacifco's Mexican Grill Inc • dba Pacifco's Mexican & Caribbean Cuisine  
1617 N. Stoughton Road • Agent: Martha Hernandez • capacity unknown  
Class B Combination Liquor & Beer • 29% alcohol, 71% food  
*Class B Combination Liquor & Beer License granted 8-3-04 with no conditions.  
Nightclub license granted 9-6-05.*

### Center for Visual & Performing Arts applications

35. [02981](#) Center for Visual & Performing Arts Application  
Palace Latin Club, LLC • dba Palace Latin Club • capacity 450  
1401 University Avenue • Agent: Javier Palacios  
Class B Combination Liquor & Beer • 60% alcohol, 10% food  
*Referred from March 15 ALRC meeting. Class B Combination Liquor & Beer License granted 1-3-06 with no conditions. Nightclub License granted 1-3-06.*
36. [03033](#) Center for Visual & Performing Arts Application  
Genna's Cocktail Lounge, Inc. • dba Slipper Club • capacity 99  
121 W. Main Street • Agent: Kristi Genna  
Class B Combination Liquor & Beer • 100% alcohol  
*Referred from March 15 ALRC meeting. Class B Combination Liquor & Beer License granted 7-1-03 with no conditions.*

### Nightclub License application - current license holder

37. [03278](#) Nightclub License Application  
Restaurant Magnus, Inc. • dba Restaurant Magnus • capacity of 110  
120 E. Wilson Street • Agent: Finn Berge  
Class B Combination Liquor & Beer • 40% alcohol, 60% food  
*Liquor license granted 6-6-00 with no conditions.*

### New License - Recessed Public Hearing

38. [02817](#) Public Hearing - New License  
Hot Soup II, LLC • dba Sardine • estimated capacity 190  
617 Williamson Street • Agent: John Gadau  
Class B Combination Liquor & Beer • 33% alcohol, 67% food  
*Referred from March 15 ALRC meeting. Class B Combination license granted to Hot Soup LLC on 5-3-05 with no conditions. A new LLC (Hot Soup II) has been formed to include one more member.*
39. [03010](#) Public Hearing - New License  
Silva Associated, LLC • dba La Raza Grocery Store • Agent: Efrain Diaz  
2608 E. Washington Avenue • Class A Liquor, Class A Beer  
*Conditions recommended by the ALRC at its March 15 meeting: 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.*

**New License - Public Hearing**

40. [03186](#) Public Hearing - New License  
Shopko Stores Operating Co., LLC • dba Shopko #029 • Agent: James Voigt  
7401 Mineral Point Road • Class A Liquor, Class A Beer  
*Class A Liquor and Class A Beer licenses granted to Shopko Stores Inc. at this location 11-09-04 with the following conditons:*  
1) Beer, wine and wine coolers will be limited to 24 feet of cooler space and 24 feet of shelf space.  
2) Store management and loss prevention personnel will take state training for operators licenses.  
3) All store employees will be fully trained on state and local laws.  
4) Point of sale system will automatically prompt age verification of purchaser.  
5) Point of sale system will restrict hours of operation and will not allow an alcohol item to be scanned at the registers outside of allowable hours.  
6) All cashiers will be under immediate supervision of a licensed operator at all times.  
7) Cashiers will have a system profile to identify whether they are old enough to sell alcohol. If not, system will require a manager override.  
8) Alcohol will be merchandised at the front of the store with grocery items.  
9) Alcohol sales area and back-stock will be monitored by closed-circuit television.  
10) In-store loss prevention employees will conduct regular walk-throughs of area containing alcohol.
41. [03239](#) Public Hearing - New License  
Grandview Commons Restaurant Partners LLC • dba Cloud 9 Grille  
876 Jupiter Drive • Agent: Karl Wirag • estimated capacity of 320  
Class B Combination Liquor & Beer • 40% alcohol, 60% food
42. [03255](#) Public Hearing - New License  
Fresco, LLC • dba Fresco • estimated capacity of 2,313  
227 State Street • Agent: Richard Duarte  
Class B Combination Liquor & Beer • 15% alcohol, 85% food  
*License granted to Madison Museum of Contemporary Art on 4-4-06, with the following condition: Establishment will meet the definition of a restaurant.*
43. [03259](#) Public Hearing - New License  
Troy D. Burmesch • dba Warehouse Liquors  
2929 E. Washington Avenue  
Class A Liquor, Class A Beer  
*Class A Liquor and Class A Beer licenses granted to Spirits Unlimited LLC (dba Warehouse Liquor) at this location on 5-4-04, with no conditions.*
44. [03273](#) Public Hearing - New License  
Adrian Bajrami • dba Casa Bianca • estimated capacity of 100  
515 Junction Road, Suite F  
Class B Beer, Class C Wine • 5% alcohol, 95% food  
*Class B Beer and Class C Wine licenses granted to Nafi Elmazi (dba Casa Bianca) at this location on 8-5-03, with the following conditions: 1) Service bar only. 2) Premise will close by 12:00 am (midnight). 3) Must meet the definition of a restaurant as defined by Section 38.02 of the Madison General Ordinances.*



45. [03274](#) Public Hearing - New License  
Papavero, LLC • dba Osteria Papavero • estimated capacity of 50  
128 E. Wilson Street • Agent: Brian Haltinner  
Class B Combination Liquor & Beer • 25% alcohol, 75% food
46. [03292](#) Public Hearing - New License  
Happy Valley Corporation • dba Flat Top Grill • estimated capacity of 101  
702 N. Midvale • Agent: Edgar C. Barker, Jr.  
Class B Combination Liquor & Beer • 20% alcohol, 80% food
47. [03299](#) Public Hearing - New License  
Madison Hospitality Partnership, LLC • dba Radisson Hotel  
517 Grand Canyon Drive • Agent: Judy Zeman  
Class B Combination Liquor & Beer • 35% alcohol, 65% food  
*License granted to National Hospitality Service, LLC, at this location on 12-3-02, with no conditions.*
48. [03300](#) Public Hearing - New License  
The Family Business, LLC • dba Candessence • estimated capacity of 42  
1821 S. Park Street • Agent: Roderick V. Flowers  
Class B Combination Liquor & Beer • 70% alcohol, 30% food

#### Nightclub License Application - new license applicant

49. [03257](#) Nightclub License Application  
Fresco, LLC • dba Fresco • estimated capacity of 2,313  
227 State Street • Agent: Richard Duarte  
Class B Combination Liquor & Beer • 15% alcohol, 85% food

#### Operator License application - appearance requested

50. [02777](#) Operator License Application  
Brooks J. Jewell, 309 Memphis  
*Referred from February 15 ALRC meeting.*
51. [03218](#) Operator License Application  
Nathan Herrmann, 3164 Ridgeway Avenue
52. [03235](#) Operator License Application  
Tim Kennedy, 4713 Cottage Grove Road

#### Discussion

53. [03337](#) Volunteer to serve on the ALRC Subcommittee on Process when Ken Kamp retires from the ALRC (a voting member of the ALRC is needed).
54. [03338](#) Volunteer to serve as a back-up member of the Alcohol Licensed Establishment Response Team (ALERT) when Ken Kamp retires from the ALRC (a voting member of the ALRC is needed).
55. [03352](#) Implementation of evidence-based best practices as license conditions.
56. [03354](#) Preferred procedures for granting and renewing Center for Visual & Performing Arts

Licenses.

57. [03355](#) Data desired by committee members.

**Report of the Alcohol Policy Coordinator**

58. [03353](#) Liquor license applicant presentations before the ALRC.

**Report of the City Attorney**

59. [03369](#) Municipal Court Prosecutions:  
Tailgators - 1 Count selling to underage  
Essen Haus - 1 Count sale to intoxicated person  
Church Key - 5 Counts underage on premise  
Frida's Mexican Grill - 1 Count view from sidewalk obstructed

**Report of the City Clerk's Office**

60. [01705](#) Summary of Licenses Issued
61. [03024](#) Separation of Liquor License Renewal Applications.

**Report of the Madison Police Department**

62. [03238](#) Summary of Liquor License Violations

**Adjournment**