

**LICENSE REVIEW COMMITTEE
TUESDAY – AUGUST 7, 2012
MONONA CITY HALL
LARGE CONFERENCE ROOM
4:00 P.M.**

1. Call To Order
2. Roll Call
3. Approval of Minutes of July 30, 2012
4. Appearances
5. Unfinished Business
6. New Business
 - A. Consideration Of 2012/2013 Operator's License Application For Robert M. Klinzing, 4711 Midmoor Road, Monona, Wisconsin 53716.
 - B. Consideration Of 2012/2013 Operator's License Application For Christopher A. Hayes, 3229 Forest Run Court, Madison, Wisconsin 53704.
 - C. Consideration Of 2012/2013 Operator's License Application For Kyle J. Mooney, 14 Dinauer Court, Madison, Wisconsin 53716.
 - D. Consideration Of 2012/2013 Operator's License Application For Brad A. Nesbit, 300 Nichols Road, Monona, Wisconsin 53716.
 - E. Consideration Of 2012/2013 Class "A" Fermented Malt Beverage Application For La Rosita of Wisconsin, Inc. d/b/a La Rosita Latina, 6005 Monona Drive, Monona, Wisconsin, 53716, Agent Juan Perez, 1120 Moorland Road, Apartment 209, Madison, Wisconsin, 53713.
7. Miscellaneous Business
 - A. Discussion of Bourbon Street Grille warning for non-compliance.
 - B. Discussion of Officer Premise Exam results.
 - C. Discussion of Alcohol Compliance Check results.
8. Adjournment

NOTE: Upon reasonable notice, the City of Monona will accommodate the needs of disabled individuals through auxiliary aids or services. For additional information or to request this service, contact Joan Andrusz at (608) 222-2525 (not a TDD telephone number), FAX: (608) 222-9225, or through the City Police Department TDD telephone number 441-0399.

The public is notified that any final action taken at a previous meeting may be reconsidered pursuant to the City of Monona ordinances. A suspension of the rules may allow for final action to be taken on an item of New Business.

It is possible that members of and a possible quorum of members of other governmental bodies of the municipality may be in attendance at the above stated meeting to gather information or speak about a subject, over which they have decision-making responsibility. Any governmental body at the above stated meeting will take no action other than the governmental body specifically referred to above in this notice.

LICENSE REVIEW COMMITTEE MINUTES
SPECIAL MEETING
July 30, 2012

The special meeting of the License Review Committee for the City of Monona was called to order by Chairman Wood at 4:00 p.m.

Present: Chairman Doug Wood, Jim Pflasterer, Wayne Kimmell, Scott Warner, and John Klinzing

Also Present: Police Chief Walter Ostrenga, Laurie Schill, Vice President of the Marketing Division of the National MS Society – Wisconsin Chapter, and City Administrator Patrick Marsh

ROLL CALL

APPROVAL OF MINUTES

A motion by Mr. Pflasterer, seconded by Mr. Kimmell to approve the minutes of July 10, 2012, was carried.

APPEARANCES

There were no Appearances.

UNFINISHED BUSINESS

There was no Unfinished Business.

NEW BUSINESS

Ms. Schill provided information on the MS Bike Ride scheduled for noon to 6:00 p.m. on August 5.
After discussion:

A motion by Mr. Kimmell, seconded by Mr. Pflasterer to approve the 2012 Temporary Class "B" Fermented Malt Beverage Retailer's License Application For National MS Society – Wisconsin Chapter, President Colleen G. Kalt, N61 W29576 South Woodfield Road, Hartland, Wisconsin 53029, For The Period Of August 5, 2012, was carried.

City Administrator Marsh reported a PDF file of the licenses will be sent to Ms. Shill upon City Clerk Andrusz's return from vacation on Tuesday.

MISCELLANEOUS BUSINESS

There was no Miscellaneous Business.

ADJOURNMENT

A motion by Mr. Warner, seconded by Mr. Kimmell to adjourn, was carried. (4:06 p.m.)

Joan Andrusz
City Clerk



5211 SCHLUTER ROAD ■ MONONA, WI 53716-2598
CITY HALL (608) 222-2525
FAX (608) 222-9225
<http://www.mymonona.com>

July 12, 2012

Mr. Robert Klinzing
4711 Midmoor Road
Monona, Wisconsin 53716

*Will appear
per call
8-3-12
JA*

Dear Mr. Klinzing:

This letter is to inform you that following review by the Monona Police Department your application for an Operator's license for 2012/2013 is being denied. This denial is based on two Underage Drinking violations within the last five (5) years.

If you so desire, you may request reconsideration of your Operator's license application by the License Review Committee at its next regularly scheduled meeting on Tuesday, August 7, 2012, at 4:00 p.m. in the City Hall Large Conference Room, 5211 Schluter Road, Monona, Wisconsin. At such a reconsideration hearing, you may present evidence and testimony as to why your license should be granted.

You may wish to have your employer attend the review hearing with you. Employer input gives the License Review Committee important information to assist in their decision-making process.

If you wish to appear before the License Review Committee, please contact me at (608) 222-2525 by July 20, 2012.

Sincerely,

Joan Andrusz
City Clerk

Cc: License Review Committee
Walter Ostrenga, Police Chief
Licali's Market & Spirits

CITY OF MONONA - OPERATOR LICENSE APPLICATION

Pursuant to Section 23.01(8), subject to limitations imposed by as 125.17 and 125.68(2)

FEES ARE NON-REFUNDABLE

Operator's - Regular - \$40.00

Operator's - Provisional - \$15.00

Operator's - Two Year - \$65.00

Operator's - Temporary - \$10.00

New License Renewal License

This license expires on June 30, 20 13

Full Name of Applicant: <u>Robert M. Klinzing</u>	Sex: <input checked="" type="radio"/> Male <input type="radio"/> Female
Street Address: <u>4711 Midway Road</u>	
City: <u>MONONA</u> State: <u>WISCONSIN</u> Zip Code: <u>53716</u>	
Date of Birth: <u>[REDACTED]</u> Telephone Number: <u>[REDACTED]</u>	
Drivers License Number and State: <u>[REDACTED]</u>	

How long have you continuously resided in Wisconsin? 24 years -> Present

Place of employment as an Operator: Liceli's Markets Telephone: 608-204-2887

Have you registered for the Alcohol Awareness Program? (Circle One) Yes / No Date of Class: N/A
Have you completed the Alcohol Awareness Program? (Circle One) Yes / No Date Completed: 9-11

Have you ever been convicted of a misdemeanor or felony in the past 5 years? (Circle One) Yes / No
If yes, please explain: _____

Are there any pending criminal charges against you? (Circle One) Yes / No
If yes, please explain: _____

Are there any pending drug/alcohol related offenses against you? (Circle One) Yes / No
If yes, please explain: _____

Have you been convicted of drug/alcohol related offenses in the last 5 years? (Circle One) Yes / No
If yes, please explain: underage drinking
7-23-08

ANY FALSE OR MISSING INFORMATION ON THIS APPLICATION WILL RESULT IN DENIAL OF YOUR OPERATOR'S LICENSE. The undersigned affirms that he/she made complete and true answers to each question, and understands his/her past record will become a part of this application. I understand that I am subject to a driver's license check, a local police records check, and a criminal history background check by the City of Monona Police Department. I give permission to make my juvenile records available for this application.

Subscribed and sworn before me
this 5th day of July, 20 12

Sean Andrusz
Notary Public
My Commission expires: 9-20-15

Signature of Applicant: Bob Klinzing

Police Department Review: Recommend Approval Recommend Denial Review

Reason for denial, if not recommended: 2 underage alcohol violations within

Signature of Police Chief: Cathy J. [Signature] Date: 7/11/12
Approval of City Clerk: _____ Date: _____

License No. Issued: Provisional # _____ Operator # _____ Date Issued: Provisional _____ Operator _____



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<http://www.mymonona.com>

July 31, 2012

*Will appear
per mgr.
7-31-12*

Christopher A. Hayes
3229 Forest Run Court
Madison, Wisconsin 53704

Dear Mr. Hayes:

This letter is to inform you that following review by the Monona Police Department your application for an Operator's license for 2012/2013 is being denied. This denial is based on a Possession of Narcotics conviction within the last five (5) years.

If you so desire, you may request reconsideration of your Operator's license application by the License Review Committee at its next regularly scheduled meeting on Tuesday, August 7, 2012, at 4:00 p.m. in the City Hall Large Conference Room, 5211 Schluter Road, Monona, Wisconsin. At such a reconsideration hearing, you may present evidence and testimony as to why your license should be granted.

You may wish to have your employer attend the review hearing with you. Employer input gives the License Review Committee important information to assist in their decision-making process.

If you wish to appear before the License Review Committee, please contact me at (608) 222-2525 by August 2, 2012. Due to the time constraint, I will contact your manager by telephone.

Sincerely,

Joan Andrusz
City Clerk

Cc: License Review Committee
Walter Ostrenga, Police Chief
Speedway – Royal Avenue

CITY OF MONONA - OPERATOR LICENSE APPLICATION

Pursuant to Wisconsin Statutes Section 23.01(8), subject to limitations imposed by as 125.17 and 125.68(2)

FEES ARE NON-REFUNDABLE

- Operator's - Regular - \$40.00 Operator's - Provisional - \$15.00
 Operator's - Two Year - \$65.00 Operator's - Temporary - \$10.00
- New License _____ Renewal License This license expires on June 30, 20 13

Full Name of Applicant: <u>Christopher Allan Hayes</u>	Sex: <input checked="" type="radio"/> Male <input type="radio"/> Female	
Street Address: <u>3229 Forest Run Ct.</u>		
City: <u>Madison</u>	State: <u>WI</u>	Zip Code: <u>53704</u>
Date of Birth: <u>[REDACTED]</u>	Telephone Number: <u>[REDACTED]</u>	
Drivers License Number and State: <u>[REDACTED]</u>		

How long have you continuously resided in Wisconsin? 20 years

Place of employment as an Operator: Speedway LLC - Royal Telephone: 221-0328

Have you registered for the Alcohol Awareness Program? (Circle One) Yes / No Date of Class: _____

Have you completed the Alcohol Awareness Program? (Circle One) Yes / No Date Completed: 5/20/12

Have you ever been convicted of a misdemeanor or felony in the past 5 years? (Circle One) Yes / No
If yes, please explain: Possession of narcotics

Are there any pending criminal charges against you? (Circle One) Yes / No
If yes, please explain: _____

Are there any pending drug/alcohol related offenses against you? (Circle One) Yes / No
If yes, please explain: _____

Have you been convicted of drug/alcohol related offenses in the last 5 years? (Circle One) Yes / No
If yes, please explain: Possession marijuana

ANY FALSE OR MISSING INFORMATION ON THIS APPLICATION WILL RESULT IN DENIAL OF YOUR OPERATOR'S LICENSE. The undersigned affirms that he/she made complete and true answers to each question, and understands his/her past record will become a part of this application. I understand that I am subject to a driver's license check, a local police records check, and a criminal history background check by the City of Monona Police Department. I give permission to make my juvenile records available for this application.

Subscribed and sworn before me this 13th day of July, 2012

Joan Anderson Signature of Applicant: [Signature]
Notary Public

My Commission expires: 9-20-15

Police Department Review: _____ Recommend Approval Recommend Denial _____ Review

Reason for denial, if not recommended: BASED ON POSSESSION OF NARCOTICS WITHIN 5 YR

Signature of Police Chief: [Signature] Date: 7/23/12
Approval of City Clerk: _____ Date: _____

License No. Issued: Provisional # 5 Operator # _____ Date Issued: Provisional 7-13-12 Operator _____



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July 31, 2012

Kyle J. Mooney
14 Dinauer Court
Madison, Wisconsin 53716

*Will appear
per mgr.
7-31-12*

Dear Mr. Mooney:

This letter is to inform you that following review by the Monona Police Department your application for an Operator's license for 2012/2013 is being denied. This denial is based on multiple Underage Alcohol violations within the last five (5) years.

If you so desire, you may request reconsideration of your Operator's license application by the License Review Committee at its next regularly scheduled meeting on Tuesday, August 7, 2012, at 4:00 p.m. in the City Hall Large Conference Room, 5211 Schluter Road, Monona, Wisconsin. At such a reconsideration hearing, you may present evidence and testimony as to why your license should be granted.

You may wish to have your employer attend the review hearing with you. Employer input gives the License Review Committee important information to assist in their decision-making process.

If you wish to appear before the License Review Committee, please contact me at (608) 222-2525 by August 2, 2012. Due to the time constraint, I will contact your manager by telephone.

Sincerely,

Joan Andrusz
City Clerk

Cc: License Review Committee
Walter Ostrenga, Police Chief
Fraboni's Italian Specialties



CITY OF MONONA - OPERATOR LICENSE APPLICATION

Pursuant to Section 23.01(8), subject to limitations imposed by as 125.17 and 125.68(2)

FEES ARE NON-REFUNDABLE

() Operator's - Regular - \$40.00 () Operator's - Provisional - \$15.00
() Operator's - Two Year - \$65.00 () Operator's - Temporary - \$10.00
X New License Renewal License This license expires on June 30, 20 13

Full Name of Applicant: Kyle John Mooney Sex: () Male () Female
Street Address: 14 Dinauer Ct.
City: Madison State: WI Zip Code: 53716
Date of Birth: [REDACTED] Telephone Number: [REDACTED]
Drivers License Number and State: [REDACTED]

How long have you continuously resided in Wisconsin? 23 yrs
Place of employment as an Operator: Frabonis Telephone: 222-6632

Have you registered for the Alcohol Awareness Program? (Circle One) Yes / No Date of Class: _____
Have you completed the Alcohol Awareness Program? (Circle One) Yes / No Date Completed: _____

Have you ever been convicted of a misdemeanor or felony in the past 5 years? (Circle One) Yes / () No
If yes, please explain: _____

Are there any pending criminal charges against you? (Circle One) Yes / () No
If yes, please explain: _____

Are there any pending drug/alcohol related offenses against you? (Circle One) Yes / () No
If yes, please explain: _____

Have you been convicted of drug/alcohol related offenses in the last 5 years? (Circle One) () Yes / No
If yes, please explain: Possession THC, Possession Paraphernalia

ANY FALSE OR MISSING INFORMATION ON THIS APPLICATION WILL RESULT IN DENIAL OF YOUR OPERATOR'S LICENSE. The undersigned affirms that he/she made complete and true answers to each question, and understands his/her past record will become a part of this application. I understand that I am subject to a driver's license check, a local police records check, and a criminal history background check by the City of Monona Police Department. I give permission to make my juvenile records available for this application.

Subscribed and sworn before me
this 24th day of 10, 2012
Jean Anderson
Notary Public
My Commission expires: 9-20-12

Signature of Applicant: [Signature]

Police Department Review: _____ Recommend Approval Recommend Denial _____ Review _____

Reason for denial, if not recommended: MULTIPLE UNDERAGE ALCOHOL VIOLATIONS WITHIN 5 YEARS

Signature of Police Chief: [Signature] Date: 7/23/12
Approval of City Clerk: _____ Date: _____

License No. Issued: Provisional # _____ Operator # _____ Date Issued: Provisional _____ Operator _____



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<http://www.mymonona.com>

July 31, 2012

*Will appear
per mgr.*

Brad A. Nesbit
300 Nichols Road
Monona, Wisconsin 53716

7-31-12

Dear Mr. Nesbit:

This letter is to inform you that following review by the Monona Police Department your application for an Operator's license for 2012/2013 is being denied. This denial is based on a recent conviction for Serving Alcohol Without a License.

If you so desire, you may request reconsideration of your Operator's license application by the License Review Committee at its next regularly scheduled meeting on Tuesday, August 7, 2012, at 4:00 p.m. in the City Hall Large Conference Room, 5211 Schluter Road, Monona, Wisconsin. At such a reconsideration hearing, you may present evidence and testimony as to why your license should be granted.

You may wish to have your employer attend the review hearing with you. Employer input gives the License Review Committee important information to assist in their decision-making process.

If you wish to appear before the License Review Committee, please contact me at (608) 222-2525 by August 2, 2012. Due to the time constraint, I will contact your manager by telephone.

Sincerely,

Joan Andrusz
City Clerk

Cc: License Review Committee
Walter Ostrenga, Police Chief
Silver Eagle Bar & Grill

CITY OF MONONA - OPERATOR LICENSE APPLICATION

Pursuant to Wisconsin Statutes Section 23.01(8), subject to limitations imposed by as 125.17 and 125.68(2)

FEES ARE NON-REFUNDABLE

Operator's - Regular - \$40.00

Operator's - Provisional - \$15.00

Operator's - Two Year - \$65.00

Operator's - Temporary - \$10.00

New License Renewal License

This license expires on June 30, 20 13

Full Name of Applicant: <u>Brend Nesbit</u>	Sex: <u>Male</u> Female
Street Address: <u>300 Nichols Rd</u>	
City: <u>MONONA</u>	State: <u>WI</u> Zip Code: <u>53716</u>
Date of Birth: <u>[REDACTED]</u>	Telephone Number: <u>[REDACTED]</u>
Drivers License Number and State: <u>[REDACTED]</u>	

How long have you continuously resided in Wisconsin? all

Place of employment as an Operator: Silver Eagle Telephone: 222-2843

Have you registered for the Alcohol Awareness Program? (Circle One) Yes / No Date of Class: 7/10/12
Have you completed the Alcohol Awareness Program? (Circle One) Yes / No Date Completed: 7/10/12

Have you ever been convicted of a misdemeanor or felony in the past 5 years? (Circle One) Yes / No

If yes, please explain:

Are there any pending criminal charges against you? (Circle One) Yes / No

If yes, please explain:

Are there any pending drug/alcohol related offenses against you? (Circle One) Yes / No

If yes, please explain:

Have you been convicted of drug/alcohol related offenses in the last 5 years? (Circle One) Yes / No

If yes, please explain:

ANY FALSE OR MISSING INFORMATION ON THIS APPLICATION WILL RESULT IN DENIAL OF YOUR OPERATOR'S LICENSE. The undersigned affirms that he/she made complete and true answers to each question, and understands his/her past record will become a part of this application. I understand that I am subject to a driver's license check, a local police records check, and a criminal history background check by the City of Monona Police Department. I give permission to make my juvenile records available for this application.

Subscribed and sworn before me
this 19 day of July, 2012

[Signature] Signature of Applicant: Brend Nesbit

Notary Public
My Commission expires: 9-20-15

Police Department Review: Recommend Approval Recommend Denial Review

Reason for denial, if not recommended: cited on 7/11/12 for working at Silver Eagle without a license.

Signature of Police Chief: [Signature]
Approval of City Clerk: [Signature]

Date: 7/23/12
Date:

License No. Issued: Provisional # _____ Operator # _____ Date Issued: Provisional _____ Operator _____



5211 SCHLUTER ROAD ■ MONONA, WI 53716-2598
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<http://www.mymonona.com>

July 12, 2012

Ms. Karina Garcia
1120 Moorland Road Apartment 209
Madison, Wisconsin 53713

Dear Ms. Garcia:

This letter is to inform you that following review by the Monona Police Department your application for an Alcohol Beverage Retail License for 2012/2013 is being denied. This denial is based on the need to provide information on your status as a full-time Wisconsin resident.

In addition, your Agent, Mr. Juan Perez also needs to provide information on his status as a full-time Wisconsin resident.

If you so desire, you may request reconsideration of your license application by the License Review Committee at its next regularly scheduled meeting on Tuesday, August 7, 2012, at 4:00 p.m. in the City Hall Large Conference Room, 5211 Schluter Road, Monona, Wisconsin. At such a reconsideration hearing, you may present evidence and testimony as to why your license should be granted.

If you wish to appear before the License Review Committee, please contact me at (608) 222-2525 by July 20, 2012.

I'd also like to remind you that I have not received a copy of your Seller's Permit.

*rec'd
7-20-12
JA*

Sincerely,

Joan Andrusz
City Clerk

Cc: License Review Committee
Walter Ostrenga, Police Chief
La Rosita Latina

Memo

To: Joan Andrusz, City Clerk
From: Walter J. Ostrenga, Chief of Police
CC: Doug Wood, Alderman
Date: July 11, 2012
Re: Alcohol Beverage License Application – La Rosita Latina

I recently reviewed the Alcohol License Application submitted by Juan Perez, Manager and Karina Garcia, Officer for La Rosita Latina, 6005 Monona Drive, Monona, WI 53716.

I am **not** approving this application, for an Alcohol License as I am unable to verify that Juan Perez and Karina Garcia are current residents in the state of Wisconsin.

ORIGINAL ALCOHOL BEVERAGE RETAIL LICENSE APPLICATION

Submit to municipal clerk.

For the license period beginning August 21 20 12 ;
ending June 30 20 13

TO THE GOVERNING BODY of the: Town of }
 Village of } Monona
 City of }

County of Dane Aldermanic Dist. No. _____ (if required by ordinance)

1. The named INDIVIDUAL PARTNERSHIP LIMITED LIABILITY COMPANY
 CORPORATION/NONPROFIT ORGANIZATION

hereby makes application for the alcohol beverage license(s) checked above.

2. Name (individual/partners give last name, first, middle; corporations/limited liability companies give registered name): La Rosita of Wisconsin Inc.

An "Auxiliary Questionnaire," Form AT-103, must be completed and attached to this application by each individual applicant, by each member of a partnership, and by each officer, director and agent of a corporation or nonprofit organization, and by each member/manager and agent of a limited liability company. List the name, title, and place of residence of each person.

	Title	Name	Home Address	Post Office & Zip Code
President/Member	<u>President</u>	<u>Karina Garcia</u>	<u>1100 Moorland Rd Apt 209</u>	<u>Madison 53713</u>
Vice President/Member				
Secretary/Member				
Treasurer/Member				
Agent				

Directors/Managers: Juan Perez

3. Trade Name La Rosita latina Business Phone Number 608-221-2203
4. Address of Premises 6005 Monona Drive Post Office & Zip Code 53716

5. Is individual, partners or agent of corporation/limited liability company subject to completion of the responsible beverage server training course for this license period? Yes No
6. Is the applicant an employe or agent of, or acting on behalf of anyone except the named applicant? Yes No
7. Does any other alcohol beverage retail licensee or wholesale permittee have any interest in or control of this business? Yes No
8. (a) Corporate/limited liability company applicants only: Insert state WI and date 7/27/11 of registration.
(b) Is applicant corporation/limited liability company a subsidiary of any other corporation or limited liability company? Yes No
(c) Does the corporation, or any officer, director, stockholder or agent or limited liability company, or any member/manager or agent hold any interest in any other alcohol beverage license or permit in Wisconsin? Yes No

(NOTE: All applicants explain fully on reverse side of this form every YES answer in sections 5, 6, 7 and 8 above.)

9. Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include all rooms including living quarters, if used, for the sales, service, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.) Grocery store, Beer will be at the back in cooler on the wall

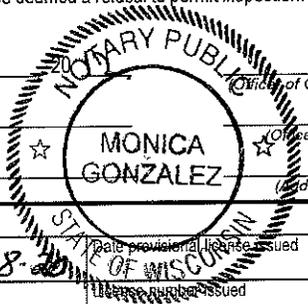
10. Legal description (omit if street address is given above): _____
11. (a) Was this premises licensed for the sale of liquor or beer during the past license year? Yes No
(b) If yes, under what name was license issued? Same as above, La Rosita of Wisconsin Inc.

12. Does the applicant understand they must file a Special Occupational Tax return (TTB form 5630.5) before beginning business? [phone 1-800-937-8864] Yes No
13. Does the applicant understand a Wisconsin Seller's Permit must be applied for and issued in the same name as that shown in Section 2, above? [phone (608) 266-2776] Yes No
14. Does the applicant understand that they must purchase alcohol beverages only from Wisconsin wholesalers, breweries and brewpubs? Yes No

READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the applicant states that each of the above questions has been truthfully answered to the best of the knowledge of the signers. Signers agree to operate this business according to law and that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another. (Individual applicants and each member of a partnership applicant must sign; corporate officer(s), members/managers of Limited Liability Companies must sign.) Any lack of access to any portion of a licensed premises during inspection will be deemed a refusal to permit inspection. Such refusal is a misdemeanor and grounds for revocation of this license.

SUBSCRIBED AND SWORN TO BEFORE ME

this 10th day of July
Monica Gonzalez (Clerk/Notary Public)
Karina Garcia (Officer of Corporation/Member/Manager of Limited Liability Company/Partner/Individual)
My commission expires 3/9/2011
Monica Gonzalez (Additional Partner(s)/Member/Manager of Limited Liability Company if Any)



TO BE COMPLETED BY CLERK			
Date received and filed with municipal clerk	<u>7-10-12</u>	Date reported to council/board	<u>LRC 8-7 CC 8-2011</u>
Date license granted		Date license issued	
		Date provisional license issued	
		License number issued	
			Signature of Clerk / Deputy Clerk

Applicant's Wisconsin Seller's Permit Number: <u>456-1027360909-02</u>	
Federal Employer Identification Number (FEIN): <u>45-2896912</u>	
LICENSE REQUESTED	
TYPE	FEE
<input checked="" type="checkbox"/> Class A beer	\$
<input type="checkbox"/> Class B beer	\$
<input type="checkbox"/> Class C wine	\$
<input type="checkbox"/> Class A liquor	\$
<input type="checkbox"/> Class B liquor	\$
<input type="checkbox"/> Reserve Class B liquor	\$
Publication fee	\$ <u>15.00</u>
TOTAL FEE	\$



MONONA

July 26, 2012

5211 SCHLUTER ROAD ■ MONONA, WI 53716-2598
CITY HALL (608) 222-2525
FAX (608) 222-9225
<http://www.mymonona.com>

Bourbon Street Grille
6312 Metropolitan Lane
Monona, WI 53716
ATTN: Liz DuPlayee

Re: WARNING for non-compliance with Stay of 90-Day Suspension

Dear Liz;

Just to summarize the meeting that Officer Rogers and I had with you this afternoon at Bourbon Street Grille.

I was informed by my officers that last Friday night, Saturday morning 7/21/12 at approximately 12:31 AM, there was a large gathering of approximately 200 people in the bar for a "ladies night". The officers did a premise exam and could not locate any uniform security guards on duty. They also found someone collecting a cover charge of \$5 at the door. It appeared to them that there were 2-3 bartenders working, but the bar was so full they could not get close enough to talk to them. The crowd was well behaved, but later on had to be moved along out of the parking lot after closing time.

My concerns voiced to you at today's meeting are the following:

- The PD was never notified of this event which had over 50 persons attending. I expect future notifications.
- There was not sufficient uniformed security on duty for the estimated crowd. You are supposed to have 1 for up to 67, 2 for 68 to 100, 3 for 100 to 150, and an additional guard for each additional 50 persons. By your own estimates there were 150 people present.
- To my knowledge, you do not have permission to use the EDS/HP parking lot.
- You have yet to provide the required exit plan for crowds of 50 or more persons in the Judges 2009 order and required on your 2011 and 2012 liquor licenses.

Officers will be making a premise exam this Friday and if the same conditions exist I will advise our attorney to take this matter before the court to revoke the Stay of the 90-Day Suspension.

Sincerely,

Walter J. Ostrenga
Chief of Police

cc: City Attorney, William Cole

POLICE DEPARTMENT

5211 Schluter Road
222-0463

COMMUNITY CENTER

1011 Nichols Road
222-4167

MONONA SENIOR CENTER

1011 Nichols Road
222-3415

FIRE DEPARTMENT

5211 Schluter Road
222-2528

Memo

To: Joan Andrusz, City Clerk
From: Walter J. Ostrenga, Chief of Police
CC: Alderman Doug Wood, Commission Chairman
Date: July 31, 2012
Re: Alcohol Beverage Licenses – **Silver Eagle, Bourbon Street Grille and Speedway, Monona Drive.**

After the recent incident with the forged alcohol operator's licenses at Speedway on Royal, I instructed officers to do personal visits to all the establishments to verify that a licensed operator was on duty.

Silver Eagle:

On 7/11/12 at 12:26 AM, officers were doing a premise exam at the Silver Eagle Bar, 5805 Monona Drive. A subject identified as Brad Nesbit was bartending. Nesbit told the officers that he had applied for an operator's license, but had not yet received it. The bar was shut down until a licensed operator arrived on scene. It was later determined that as of the date in question Nesbit had not applied for a license. Nesbit and the owner of the bar, Mitch Marks, were cited for the violations.

Bourbon Street Grille:

On 7/26/12, at 2:00 PM, Officer Rogers and I met with Liz DuPlayee at the Bourbon Street Grille. I discussed with her our concerns with the large crowds that have been gathering and reminded her that she needed to notify me of any events of 50 or more people. I also reminded her that the bar had never complied with the 2009 court order to provide an exit plan. Since our visit she has provided the exit plan and has begun notifying me of large events. Apparently they have been doing a "ladies night" on Friday nights that has recently become very popular. It was estimated by the 3rd shift that there were in excess of 200 people in the bar on Friday 7/20/12 with no security visible. On 7/28/12 at the 2:30 AM closing time a large crowd dispersed from the parking lot which generated a noise complaint from one of the neighbors. After consulting with our City Attorney a follow-up letter was sent to DuPlayee documenting the concerns from the meeting.

Speedway, 5450 Monona Drive:

On 7/23 and 7/24/12, Officer Shawn Fogeltanz completed 32 alcohol premise exams using underage agents to verify that the businesses were compliant with the liquor laws. Of the 32 checks only the Speedway North at 5450 Monona Drive sold alcohol to a minor. The licensed operator was cited for this violation.

2012 Alcohol Compliance Checks

Conducted by: Officer Shawn Fogeltanz

Assisted by: [REDACTED]

Dates conducted: 07-23-12 and 07-24-12

On 07-09-12 I sent a letter to the 32 businesses in the City of Monona that hold liquor licenses. The letter stated that within the next few months young adults under the age of 21 would be coming into the business and attempting to buy alcohol.

The first set of ACCs were conducted on 07-23-12 from 6:30 p.m. until 10:30 p.m. The following businesses were checked.

- 1) Speedway (south); 6:43 p.m.; sale was refused (*Royal Ave*)
- 2) Wal Mart; 6:46 p.m.; sale was refused
- 3) Copps; 6:58 p.m.; sale was refused
- 4) Buffalo Wild Wings; 7:05 p.m.; sale was refused
- 5) Noodles and Company; 7:11 p.m.; sale was refused
- 6) Shell/Monona Mart; 7:19 p.m.; sale was refused
- 7) Tower Inn; 7:26 p.m.; sale was refused
- 8) PDQ; 7:32 p.m.; sale was refused
- 9) Tobacco Outlet; 7:35 p.m.; sale was refused
- 10) Licali's Market; 8:30 p.m.; sale was refused
- 11) Speedway (north); 8:36 p.m.; [REDACTED] purchased a six pack of beer and was not asked for ID; store clerk was cited for selling alcohol to underage person; case #12-3482 (*Monona Dr*)
- 12) Snick's Sportsman's Bar; 9:39 p.m.; sale was refused
- 13) Silver Eagle; 9:48 p.m.; sale was refused
- 14) Tully's II; 9:55 p.m.; sale was refused

The second set of ACCs were conducted on 07-24-12 from 6:00 p.m. until 10:00 p.m. The following businesses were checked.

- 1) East Side Club; 6:42 p.m.; sale was refused
- 2) Walgreens; 6:57 p.m.; sale was refused
- 3) Ken's; 7:04 p.m.; sale was refused
- 4) Frabonis; 7:08 p.m.; unable to check/business was closed
- 5) Angelos; 7:12 p.m.; sale was refused
- 6) Village Lanes; 7:23 p.m.; sale was refused
- 7) Bourbon Street Grille; 7:28 p.m.; sale was refused
- 8) World Buffet; 7:42 p.m.; sale was refused
- 9) Monona Garden 7:48 p.m.; sale was refused
- 10) Ruby; 7:53 p.m.; sale was refused
- 11) Red Robin; 8:10 p.m.; sale was refused

- 12) Tasting Room; 8:20 p.m.; unable to check/business was closed
- 13) Fat Jacks; 8:23 p.m.; sale was refused
- 14) Edo Garden; 8:27; p.m.; sale was refused
- 15) Pizza Oven; 8:38 p.m.; sale was refused
- 16) David's Jamaican; 8:44 p.m.; unable to check/business was closed
- 17) Joes Firestation; 8:50 p.m.; sale was refused
- 18) Bridge Lounge; 8:57 p.m.; sale was refused

Report compiled by: Officer Shawn Fogeltanz