

CITY OF PRESCOTT

**MEETING NOTICE
LICENSE COMMITTEE
WEDNESDAY, FEBRUARY 12, 2020
6:30 P.M.
PRESCOTT MUNICIPAL BUILDING
800 BORNER ST.**

1. Call to Order
2. Roll Call
3. Approve minutes for June 18, 2019
4. Request For Class "B" Liquor License And Class "B" Beer License For Two River LLC Dba Two Rivers Bar & Grill
5. Discuss quotas which have been set for Class "A" liquor and Class "A" beer licenses
6. Other Business
7. Adjourn

NOTICE

ACCESS TO THE MUNICIPAL BUILDING FOR THE DISABLED IS AVAILABLE THROUGH THE REAR PARKING LOT ENTRANCE. ALL THOSE WITH SPECIAL NEEDS SHOULD CALL CITY HALL OFFICES (715-262-5544) IF ASSISTANCE IS REQUIRED.

**CITY OF PRESCOTT, WISCONSIN
JUNE 18, 2019 LICENSE COMMITTEE MINUTES**

Pursuant to due call and notice thereof, a meeting of the license committee was held Tuesday, June 4, 2018 at the Municipal Building 800 Borner St. Prescott, WI 54021

Call to order/Roll call: Alderperson Seipel called to order at 6:30 p.m. Members present were Galen Seipel Dar Hintz and Joshua Gergen. City Administrator Jayne Brand represented staff.

Bill Hiniker from Point St. Croix Marina was present to discuss their request for a Class "B" liquor license. Point St. Croix has been in business for the past 20 years. They can't physically expand their business but could expand the business by having a liquor license. They have had no incidents regarding their liquor licenses. They support the community by purchasing locally and giving back to the community. They are residents of the City of Prescott. Their business is a 6 month business from May to October. They currently have seating for 40 inside and 30 outside on the deck.

Maeli of Prescott Road was present to discuss their request for a Class "B" liquor license. They have been in business for 2 years in the downtown area. They need to have a liquor license to stay competitive with the other downtown restaurants. They would like to expand their deck toward the river. Their business is open 7 days a week year round. They currently can sit 38 inside and 12 on the deck. Maeli stated they enjoy being in Prescott and have had good experiences with the city.

Larry Johnson from St. Croix was present to discuss his request for a Class "B" liquor license. Larry explained he would like to open a restaurant and also have a small liquor store. Larry presented the committee with a concept drawing of the proposed project. He would have approximately 6,900 square feet. Would be open year round and would look at acquiring the tattoo shop for additional space. Alderperson Seipel asked Larry if he would open the restaurant if he didn't get the liquor license and Larry said he would not open the restaurant.

City Administrator Jayne Brand also reminded the committee the city is looking at doing a redevelopment in the downtown area. Preliminary discussions indicate that if the city would like to have a hotel there would be a need for a liquor license. The cost of the license is \$500 so it will not affect the budget if the license is held. The Council can issue the license at any time. The city can also see if the adjoining towns of Oak Grove and Clifton would be willing to sell the city one of their licenses.

The Committee directed city staff to check with Oak Grove and Clifton to see if they would be willing to sell a license. No other decision was made on the Class "B" license at this time but it will be included on the Council agenda for Monday, June 24th.

Discussion was held on Borner Farm Class "B" beer and Class "C" wine license. They were directed to keep the number for the Friday night Pizza nights to 100. Indications are Borner Farm has exceeded the 100 people attending which creates parking issues and complaints from neighbors. There was also discussion on other issues pertaining to the Special Use permit. Bailey Ruona spoke in favor of Borner Farm and stated they plan to meet with the Fire and Police Chief. Bailey stated there should be a mediated meeting with the neighbors and Webster's regarding their issues. Alderperson Seipel did not take any more comments and closed the discussion.

The committee reviewed three operator licenses with incorrect information on their application. City staff has been directed to send a letter to the applicants to redo their applications with the correct information.

Gergen/Hintz motion to adjourn passed without a negative voice vote.

Respectfully Submitted,

Jayne M. Brand
City Administrator

Original Alcohol Beverage Retail License Application

(Submit to municipal clerk.)

For the license period beginning: _____ ending: _____
(mm dd yyyy) (mm dd yyyy)

To the Governing Body of the: Town of } Prescott
 Village of }
 City of }

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

Check one: Individual Limited Liability Company
 Partnership Corporation/Nonprofit Organization

Prescott Break Bar & Grill LLC Two Rivers LLC

Name (individual / partners give last name, first, middle; corporations / limited liability companies give registered name)

Applicant's Wisconsin Seller's Permit Number	
FEIN Number	
TYPE OF LICENSE REQUESTED	FEE
<input type="checkbox"/> Class A beer	\$
<input checked="" type="checkbox"/> Class B beer	\$
<input type="checkbox"/> Class C wine	\$
<input type="checkbox"/> Class A liquor	\$
<input type="checkbox"/> Class A liquor (cider only)	\$ N/A
<input checked="" type="checkbox"/> Class B liquor	\$
<input type="checkbox"/> Reserve Class B liquor	\$
<input type="checkbox"/> Class B (wine only) winery	\$
Publication fee	\$
TOTAL FEE	\$

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 full name and place of residence of each person.

President / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
<u>Graun</u>	<u>David</u>	<u>Thomas</u>	<u>W9420 640th Ave, Ellsworth, WI, 54011</u>
Vice President / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
<u>Tomaro</u>	<u>Thomas</u>	<u>Joseph</u>	<u>2921 Marine Circle, Stillwater, MN, 55082</u>
Secretary / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
<u>Tupa</u>	<u>Michael</u>	<u>Joseph</u>	<u>13625 4th St N, Stillwater, MN, 55082</u>
Treasurer / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
<u>Hoerning</u>	<u>Matthew</u>	<u>Douglas</u>	<u>914 9th St, Hudson, WI, 54016</u>
Agent Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
<u>Graun</u>	<u>David</u>	<u>Thomas</u>	<u>W9420 640th Ave, Ellsworth, WI, 54011</u>
Directors / Managers Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)

1. Trade Name Two Rivers Bar & Grill Business Phone Number 715-262-3221
 2. Address of Premises 117 Broad St. Post Office & Zip Code Prescott, 54021

3. 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, consumption, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.)
Open Floor Concept. 30 Ft. Rectangle Bar. Dance/Band Area on South side of premise. Small Walkout Deck on West side of Building. Adding a Kitchen upstairs for full service menu. Pool table, darts, and gaming area. Two ADA Compliant Restrooms for Men & women. Alcohol stored in basement of Building. Keg room of basement.

4. Legal description (omit if street address is given above): _____
 5. (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? Pilot House

Auxiliary Questionnaire Alcohol Beverage License Application

Submit to municipal clerk.

Individual's Full Name (please print) (last name) <u>Grav</u>		(first name) <u>David</u>	(middle name) <u>Thomas</u>	
Home Address (street/route) <u>W9420 640th Ave</u>		Post Office	City <u>Ellsworth</u>	State <u>WI</u> Zip Code <u>54011</u>
Home Phone Number <u>651-231-4692</u>		Age <u>33</u>	Date of Birth <u>11-06-1986</u>	Place of Birth <u>St. Paul, MN</u>

The above named individual provides the following information as a person who is (check one):

- Applying for an alcohol beverage license as an individual.
- A member of a partnership which is making application for an alcohol beverage license.
- Manager of Two Rivers LLC
(Officer / Director / Member / Manager / Agent) (Name of Corporation, Limited Liability Company or Nonprofit Organization)

which is making application for an alcohol beverage license.

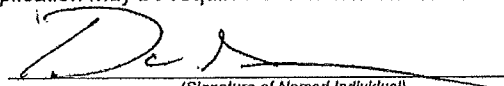
The above named individual provides the following information to the licensing authority:

- How long have you continuously resided in Wisconsin prior to this date? 6 months
- Have you ever been convicted of any offenses (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of any other states or ordinances of any county or municipality? Yes No
 If yes, give law or ordinance violated, trial court, trial date and penalty imposed, and/or date, description and status of charges pending. (If more room is needed, continue on reverse side of this form.)
DUI, St. Paul, MN. One time date of 8/10/2009. No pending
- Are charges for any offenses presently pending against you (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of other states or ordinances of any county or municipality? Yes No
 If yes, describe status of charges pending.
- Do you hold, are you making application for or are you an officer, director or agent of a corporation/nonprofit organization or member/manager/agent of a limited liability company holding or applying for any other alcohol beverage license or permit? Yes No
 If yes, identify. Wisconsin Grill, Hudson WI, Class B Liquor License
(Name, Location and Type of License/Permit)
- Do you hold and/or are you an officer, director, stockholder, agent or employe of any person or corporation or member/manager/agent of a limited liability company holding or applying for a wholesale beer permit, brewery/winery permit or wholesale liquor, manufacturer or rectifier permit in the State of Wisconsin? Yes No
 If yes, identify. _____
(Name of Wholesale Licensee or Permittee) (Address By City and County)

6. Named individual must list in chronological order last two employers.

Employer's Name <u>Self Employed</u>	Employer's Address <u>1015 Marshall Ave, St. Paul, MN</u>	Employed From <u>11/1/2014</u>	To <u>1/1/2014</u>
Employer's Name <u>Smiling Moose</u>	Employer's Address <u>Hudson, WI</u>	Employed From <u>1/1/2014</u>	To <u>9/1/2016</u>

READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the undersigned states that each of the above questions has been truthfully answered to the best of the knowledge of the signer. The signer agrees that he/she is the person named in the foregoing application; that the applicant has read and made a complete answer to each question, and that the answers in each instance are true and correct. The undersigned further understands that any license issued contrary to Chapter 125 of the Wisconsin Statutes shall be void, and under penalty of state law, the applicant may be prosecuted for submitting false statements and affidavits in connection with this application. Any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000.


(Signature of Named Individual)

Schedule for Appointment of Agent by Corporation / Nonprofit Organization or Limited Liability Company

Submit to municipal clerk.

All corporations/organizations or limited liability companies applying for a license to sell fermented malt beverages and/or intoxicating liquor must appoint an agent. The following questions must be answered by the agent. The appointment must be signed by an officer of the corporation/organization or one member/manager of a limited liability company and the recommendation made by the proper local official.

To the governing body of: Town Village City of Prescott County of Pierce

The undersigned duly authorized officer/member/manager of Two Rivers LLC
(Registered Name of Corporation / Organization or Limited Liability Company)

a corporation/organization or limited liability company making application for an alcohol beverage license for a premises known as Two Rivers Bar & Grill
(Trade Name)

located at 117 Broad St, Prescott, WI, 54021

appoints David Grau
(Name of Appointed Agent)

W9420 640th Ave, Ellsworth, WI, 54011
(Home Address of Appointed Agent)

to act for the corporation/organization/limited liability company with full authority and control of the premises and of all business relative to alcohol beverages conducted therein. Is applicant agent presently acting in that capacity or requesting approval for any corporation/organization/limited liability company having or applying for a beer and/or liquor license for any other location in Wisconsin?

Yes No If so, indicate the corporate name(s)/limited liability company(ies) and municipality(ies).

Is applicant agent subject to completion of the responsible beverage server training course? Yes No

How long immediately prior to making this application has the applicant agent resided continuously in Wisconsin? 6 months

Place of residence last year 1015 Marshall Ave, St. Paul, MN, 55104

For: Two Rivers LLC
(Name of Corporation / Organization / Limited Liability Company)

By: *David Grau*
(Signature of Officer / Member / Manager)

Any person who knowingly provides materially false information in an application for a license may be required to forfeit not more than \$1,000.

ACCEPTANCE BY AGENT

I, David Grau, hereby accept this appointment as agent for the
(Print / Type Agent's Name)

corporation/organization/limited liability company and assume full responsibility for the conduct of all business relative to alcohol beverages conducted on the premises for the corporation/organization/limited liability company.

David Grau 1/3/2020 Agent's age 33
(Signature of Agent) (Date)

W9420 640th Ave, Ellsworth, WI, 54011 Date of birth 11-06-1986
(Home Address of Agent)

APPROVAL OF AGENT BY MUNICIPAL AUTHORITY (Clerk cannot sign on behalf of Municipal Official)

I hereby certify that I have checked municipal and state criminal records. To the best of my knowledge, with the available information, the character, record and reputation are satisfactory and I have no objection to the agent appointed.

Approved on _____ by _____ Title _____
(Date) (Signature of Proper Local Official) (Town Chair, Village President, Police Chief)

Chapter 356. Intoxicating Liquor and Fermented Malt Beverages

Article I. Licensing

§ 356-6. Application for license.

- A. Contents. Application for a license to sell or deal in intoxicating liquor or fermented malt beverages shall be made in writing on the form prescribed by the Wisconsin Department of Revenue and shall be sworn to by the applicant as provided by §§ 887.01 to 887.03, Wis. Stats., and shall be filed with the City Clerk not less than 15 days prior to the granting of such license. The premises shall be physically described to include every room and storage space to be covered by the license, including all rooms not separated by a solid wall or joined by connecting entrances.
- B. Corporations. Such application shall be filed and sworn to by the applicant if an individual, by the president and secretary, if a corporation.
- C. Publication. The City Clerk shall publish each application for a Class "A," Class "B," "Class A," "Class B" or "Class C" license. There is no publication requirement for temporary Class "B" picnic beer licenses under § 125.26, Wis. Stats., or temporary "Class B" picnic wine licenses under § 125.51(10), Wis. Stats. The application shall be published once in the official City newspaper, and the costs of publication shall be paid by the applicant at the time the application is filed, as determined under § 985.08, Wis. Stats.
- D. Amending application. Whenever anything occurs to change any fact set out in the application of any licensee, such licensee shall file with the issuing authority a notice in writing of such change within 10 days after the occurrence thereof.
- E. License quotas.
[Amended 3-26-2012 by Ord. No. 05-12]
 - (1) "Class B" intoxicating liquor retailer's license intoxicating liquor and fermented malt beverage licenses issued by the Common Council shall be limited in number to the quota prescribed by state law.
 - (2) Class "A" fermented malt beverages retailer's license quota shall be set at six as of January 1, 2012.
 - (3) "Class A" intoxicating liquor retailer's license quota shall be set at five as of January 1, 2012.