

**Minutes of the Liquor Licensing Review Subcommittee
of the Public Services & Safety Committee
Tuesday, June 11, 2019 – 1:00 p.m.
Council Chambers**

MEMBERS PRESENT: Police Chief Olson, Assistant Fire Chief Green, City Attorney Godlewski, Director of Community Development & Assessment Haese, City Clerk Sturn and Ald. Bates and Stevenson.

ALSO PRESENT: Mayor Kaufert.

Chairman Bates called the meeting to order at 1:04 p.m.

APPEARANCES: None.

MINUTES: MSC Haese/Godlewski to approve the minutes of August 28, 2018 and June 11, 2019, all voting aye.

NEW BUSINESS:

Potential Amendments to Policy 2018-01: City Atty. Godlewski reviewed the amendments to Policy 2018-01 adding Section C with the following language: Code Sec. 4-100(6) *Abandonment of premises*. Any licensee holding a license to sell alcohol beverages under this article that abandons such business shall forfeit any right or preference the licensee may have to the holding of or renewal of such license. Abandonment shall be sufficient grounds for revocation or nonrenewal of any alcohol beverage license. In this section "abandon" and "abandonment" shall mean a continuing refusal or failure of the licensee to use the license for the purpose or purposes for which the Common Council granted the license for a period of six months and Code Sec. 4-97 (a) *As to ownership*, In the event the "Class B" quota has been met and an existing "Class B" licensee goes out of business or relocates out of the City of Neenah, the new owner or tenant holds the right to that regular "Class B" license provided the new owner applies for that license within 60 days. If a new owner or tenant has not applied for said license within 60 days, that license will be added back into the quota for regular "Class B" licenses. City Atty. Godlewski explained that this is not adding new requirement, it just adds these sections of the code to this policy.

MSC Godlewski/Olson to recommend the Public Services & Safety Committee approve amending Policy 2018-01 to include Section C wording as follows: Code Sec. 4-100(6) *Abandonment of premises*. Any licensee holding a license to sell alcohol beverages under this article that abandons such business shall forfeit any right or preference the licensee may have to the holding of or renewal of such license. Abandonment shall be sufficient grounds for revocation or nonrenewal of any alcohol beverage license. In this section "abandon" and "abandonment" shall mean a continuing refusal or failure of the licensee to use the license for the purpose or purposes for which the Common Council granted the license for a period of six months and Code Sec. 4-97 (a) *As to ownership*, In the event the "Class B" quota has been met and an existing "Class B" licensee goes out of business or relocates out of the City of Neenah, the new owner or tenant holds the right to that regular "Class B" license provided the new owner applies for that license within 60 days. If a new owner or tenant has not applied for said license within 60 days, that license will be added back into the quota for regular "Class B" licenses, all voting aye.

REPORT

Original Alcohol Beverage Retail License Application for Pappa's Cafe: The Committee reviewed the Original Alcohol Beverage Retail License Application by David J. Pyszora, Individual, d/b/a Pappa's Café, 1360 S. Commercial Street. Clerk Sturn advised that there is one "Class B" license remaining in the City's (38) quota for licenses plus ten Reserve licenses. She explained that increased populations can add more Reserve licenses to our quota. The \$10,000 fee is no longer refundable through an economic development grant. The City will never have more than 38 regular licenses they currently have. She advised that all inspectors have signed off on the license with the exception of Asst. Fire Chief Green. Two violations would need to be corrected prior to issuance of the license. There is also a delinquent water bill in the amount of \$2,463.60 that would need to be paid. Dir. Haese indicated he would like a more detailed drawing showing the number of tables/chairs etc. Clerk Sturn apologized indicating she told the applicant it did not need to be an architectural drawing but a simple drawing would suffice. She will have the applicant provide a more detailed drawing including dimensions as required on the application.


Police Chief Olson left the meeting at 1:25 p.m.

The Committee asked if Reserve licenses can be issued before all Regular licenses are issued. They asked the possibility of issuing the applicant a Reserve license. City Atty. Godlewski indicated he will check if that is possible and let the Committee know.

MSC Haese/Godlewski to recommend the Public Services & Safety Committee deny the regular liquor license application for David J. Pyszora, Individual, d/b/a Pappa's Café, 1360 S. Commercial Street due to the lack of economic impact and parking, with the condition that the applicant may apply for a Reserve License, if found to be allowed by the City Attorney, upon submitting a completed application that meets all the requirements for consideration by the Committee/Council, all voting aye.

MSC Haese/Green to adjourn at 1:35 p.m., all voting aye.

Respectfully Submitted,


Patricia A. Sturn, WCPC, MMC
City Clerk

REPORT