



Office of the City Clerk

To: Mayor Welch, City of Milton Common Council
From: Leanne Schroeder, City Clerk
Date: July 21, 2020
Subject: Discussion and Possible Action on Hay-Adams LLC's application for a Class "B" Retail License – Fermented Malt Beverage and a "Class B" Retail License – Intoxicating Liquor

Summary

Jodie Hay and Susan Adams, of Hay-Adams LLC, have applied for a Class "B" Retail License – Fermented Malt Beverage and a "Class B" Retail License – Intoxicating Liquor for the premise of 229 N. Janesville Street (the former location of Bunkers Bar & Grill). On June 5, 2020, Doug and Kim Krause sold 229-233 N. Janesville Street to John J. Biwer. Larscheidt Kirchner, LLC ended their lease agreement on June 30 and Mr. Biwer signed a new lease with Hay-Adams LLC commencing July 1, 2020 and ending June 30, 2025. Hay-Adams, LLC provided a copy of the lease agreement which indicates the lease is made subject to Hay-Adams, LLC's ability to obtain all required permits and licenses to operate a tavern and restaurant on the premises. The city has obtained a copy of the lease agreement to confirm the premise for the license application.

Scott Kirchner, of Larscheidt Kirchner LLC, hired Jodie Hay and Susan Adams earlier this year to manage Bunkers Bar & Grill. Jodie and Susan took over most of the day to day operations of the bar and changed the name to Suzy Q's Sportz Bar & Grill. As new owners of the business, Jodie and Susan do not plan to make changes to the business or premise.

Staff has completed background checks on Susan Adams, as owner and agent, and Jodie Hay, owner. All background checks were satisfactory and approved by Chief Marquardt. Staff can confirm Hay-Adams LLC meets the qualifications for licenses and permits as contained in Wis. Stats. Sec. 125.04(5).

In accordance with Section 14-400 of the City of Milton Code of Ordinances, the Common Council will use the following standards (as applicable) for making a determination on this application:

Section 14-400 Standards for Issuance of Licenses and Permits.

- The qualifications for licenses and permits as contained in Wis. Stats. Sec. 125.04(5).
- History of convictions for alcohol-related offenses.
- History of convictions for controlled substance-related offenses.
- Experience of the applicant and proposed manager in operating licensed establishments.
- The design, type and size of the proposed licensed establishment.
- Proximity to other licensed establishments.
- Compatibility of proposed use with neighborhood.
- Compatibility of proposed use with other properties in the immediate area.



- Zoning and land use considerations including consistency with the comprehensive plan of the city.
- Demonstrable positive economic impact for the city.
- Adequacy of safeguards to prevent theft of alcoholic beverages.
- Adequacy of safeguards to prevent sales of alcoholic beverages to minors.
- The physical condition of proposed licensed premises.
- Adequacy of parking.
- Adequacy of exterior lighting to insure proper security.
- Limitation of licenses or permits imposed by statute.
- Other relevant factors.

In addition to the above factors, the Common Council will also apply Section 14-392(d) of the City of Milton Code of Ordinances when considering the applicant's responsible alcohol sales and service policy:

Section 14-392(d) Adoption of Policy. No license will be issued unless the applicant has adopted a policy relating to responsible alcohol sales and service that includes the following elements:

- Restricts employees from consuming alcohol while working.
- Requires at least one licensed operator on the premises whenever alcohol is sold or served.
- Requires that service be refused to any customer who cannot produce a valid ID.
- Requires checking the ID of everyone who attempts to purchase or sample alcohol who appears to be under 30 years of age.
- Requires that when a customer has been refused service by a server, the server must inform all other servers.
- Requires that servers be trained on the signs of intoxication and encourages termination of sales to anyone who exhibits those signs.
- Requires training employees to look for inappropriate behavior. Does not permit loud, unpleasant or obnoxious behavior or illicit drug sales.
- Encourages employees to maintain a close, cooperative and working relationship with police department.
- Requires training employees to properly read IDs.
- Requires signage stating that purchasing of alcoholic beverages by persons under age 21 is against state law.

Jodie and Susan were provided copies of the applicable ordinances and Jodie plans to attend the Common Council meeting to address any Council questions or concerns.

Staff has not received any comments or concerns regarding this license application. Notice of this application was published in the Milton Courier on July 9, 2020.

Recommendation

Staff does not offer a recommendation on this license application.