

ALCOHOL LICENSE COMMITTEE AGENDA

August 28, 2017

4:00 PM

Meeting Room A & B

City-County Government Center

160 S Macy Street

Fond du Lac, Wisconsin

I. ROLL CALL

A. Attendance

B. Declaration Quorum Present

II. CONSENT AGENDA

A. Approval of Meeting Minutes - July 31st, 2017

III. INPUT

A. Audience Comments

Presiding officer shall limit comments to items noticed only on the agenda.

IV. ACTIONS

A. Class "B" Fermented Malt & "Class B" Intoxicating Liquor License

Limited Liability Co: Ale House, LLC

Agent Name: Ron Boda

Agent Address: 440 Satterlee St, Fond du Lac

d/b/a: 2.0 Ale House

Location of Premises: 65 N Main St, Fond du Lac

V. ADJOURN

**ALCOHOL LICENSE COMMITTEE
CITY OF FOND DU LAC, WISCONSIN**

Title: Approval of Meeting Minutes - July 31st, 2017

Subject:

Initiator:

Location:

Recommendation:

ATTACHMENTS:

	File Name	Description
📎	07-31-17_ALC_Minutes.pdf	Meeting Minutes

**ALCOHOL LICENSE COMMITTEE
MEETING MINUTES
CITY OF FOND DU LAC, WISCONSIN
Meeting Room A & B
160 S Macy Street**

July 31, 2017
4:00 PM

ROLL CALL

Attendance

Present

Shawn Anhalt
Peter Doll
Karen Merkel
Mark Otterstatter

Absent

Jacob Lehman
Kerry Ann Strupp
Travis VanDynHoven

Administrative Staff

Steve Klein, Asst Police Chief

Declaration Quorum Present

Chairperson Anhalt declared a quorum present.

CONSENT AGENDA

Approval of Meeting Minutes - June 29, 2017

A Motion was made by Mark Otterstatter to approve minutes of June 29, 2017 and seconded by Karyn Merkel, and the motion was **Passed**.

Ayes: Anhalt, Doll, Merkel, Otterstatter

Absent: Lehman, Strupp, VanDynHoven

INPUT

Audience Comments

Presiding officer shall limit comments to items noticed only on the agenda.

Spoke in support of a "Class B" Intoxicating Liquor and Class "B" Fermented Malt Beverage license for Pump N Pantry at 329 W Pioneer Road

Robert and Lois LeMense, N8055 Rolling Hills Drive, Fond du Lac

ACTIONS

Class "B" Fermented Malt & "Class B" Intoxicating Liquor License

Limited Liability Co: Pump N Pantry, Inc.

Agent Name: Robert LeMense

Agent Address: N8055 Rolling Hills Dr, Fond du Lac

d/b/a: Pump N Pantry

Location of Premises: 329 W Pioneer Rd, Fond du Lac

A Motion was made by Karyn Merkel to approve a "Class B" Intoxicating Liquor and Class "B" Fermented Malt Beverage license for Pump N Pantry at 329 W Pioneer Road and seconded by Peter Doll, and the motion was **Passed**.

Ayes: Anhalt, Doll, Merkel, Otterstatter

Absent: Lehman, Strupp, VanDynHoven

ADJOURN

A Motion was made by Peter Doll to adjourn at 4:17 PM and seconded by Karyn Merkel, and the motion was **Passed**.

Ayes: Anhalt, Doll, Merkel, Otterstatter

Absent: Lehman, Strupp, VanDynHoven

**ALCOHOL LICENSE COMMITTEE
CITY OF FOND DU LAC, WISCONSIN**

Title: Audience Comments

Subject: Presiding officer shall limit comments to items
noticed only on the agenda.

Initiator:

Location:

Recommendation:

**ALCOHOL LICENSE COMMITTEE
CITY OF FOND DU LAC, WISCONSIN**

Title: Class "B" Fermented Malt & "Class B" Intoxicating
Liquor License

Subject: **Limited Liability Co:** Ale House, LLC
Agent Name: Ron Boda
Agent Address: 440 Satterlee St, Fond du Lac
d/b/a: 2.0 Ale House
Location of Premises: 65 N Main St, Fond du Lac

Initiator:

Location:

Recommendation:

ATTACHMENTS:

	File Name	Description
📎	PD_Memo_-_2.0_All_House.pdf	Memo
📎	2.0_Ale_House_Application_Redacted.pdf	Application



Memo

To: City Manager Moore

From: Chief Lamb

Date: 08-21-17

Re: Change of Entity/ Owner for 2.0 Ale House, 65 N. Main Street

The City has received a request for a change of entity/owner of 2.0 Ale House located at 65 N. Main St. Ron Boda is purchasing the business from Brian Perl. Mr. Boda has shared his plans for this location with City staff.

Mr. Boda does not anticipate major changes to the current operation and plans on keeping the same name for the business. He is looking at making some improvements to the restaurant operations. In addition, he has already installed enhanced security features including ID-card scanners at the entrance points which help keep those who are underage or having fake ID's from entering the establishment. He has also implemented rules and policies that set the tone that they do not tolerate unruly or disruptive behavior in the establishment.

Mr. Boda has been a resident of Fond du Lac for over 50 years. Mr. Boda owns a number of businesses including a soda fountain distribution business which supplies a number of restaurants and bars. He recently was approved as the licensed agent for this establishment and also for a Class B combination license at Nette's Bar and Grill. Mr. Boda has over 13 years of experience of working within the Hospitality industry.

Background checks on Mr. Boda both in-house and NCIC/CIB, indicate no prior criminal history that would preclude granting this request. The Police Department has no objections to the approval of this request and recommends approval.

ORIGINAL ALCOHOL BEVERAGE RETAIL LICENSE APPLICATION

Submit to municipal clerk.

For the license period beginning July 1 20 17 ;
ending June 30 20 18 ;

TO THE GOVERNING BODY of the: ☐ Town of
☐ Village of } FOND DU LAC
☒ City of

County of FOND DU LAC 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): ALE HOUSE LLC

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>RONALD E BODA</u>	<u>440 SATTERLEE ST.</u>	<u>FOND DU LAC WI 54935</u>
Vice President/Member				
Secretary/Member				
Treasurer/Member				
Agent		<u>RONALD E BODA</u>	<u>"</u>	<u>"</u>
Directors/Managers				

3. Trade Name 2.0 ALE HOUSE Business Phone Number _____
4. Address of Premises 65 N MAIN ST Post Office & Zip Code FOND DU LAC 54935
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 employee 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 WISCONSIN and date 7/13/17 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, consumption, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.) ENTIRE BUILDING
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? 65 MAIN PUB LLC
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 8th day of August, 20 17

[Signature]
(Clerk/Notary Public)

My commission expires _____

[Signature]
(Officer of Corporation/Member/Manager of Limited Liability Company/Partner/Individual)

(Officer of Corporation/Member/Manager of Limited Liability Company/Partner)

(Additional Partner(s)/Member/Manager of Limited Liability Company if Any)

TO BE COMPLETED BY CLERK

Date received and filed with municipal clerk <u>8-8-17</u>	Date reported to council/board <u>09-13-17</u>	Date provisional license issued	Signature of Clerk / Deputy Clerk
Date license granted	Date license issued	License number issued	

Control #: 2674 OL Rec#: 40129

AUXILIARY QUESTIONNAIRE ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk.

Individual's Full Name (please print) (last name)		(first name)		(middle name)	
BODA		RONALD		EDWARD	
Home Address (street/route)		Post Office	City	State	Zip Code
440 SATTERLEE DR.		FOL	FOL	WI	54935
Home Phone Number		Age	Date of Birth	Place of Birth	

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.

☒ MEMBER of ALZ HOUSE 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? 50 YEARS
- 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.)
2004 DUI 1ST
- 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. NETTE'S BAR+GRILL AT 211 S MILITARY RD - FOL
(Name, Location and Type of License/Permit)
- Do you hold and/or are you an officer, director, stockholder, agent or employee 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)
- Named individual must list in chronological order last two employers.

Employer's Name	Employer's Address	Employed From	To
SELF EMPLOYED	SINCE 1988		
Employer's Name	Employer's Address	Employed From	To

The undersigned, being first duly sworn on oath, deposes and says 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.

Subscribed and sworn to before me

this 8th day of August, 2017

[Signature]
(Clerk/Notary Public)

[Signature]
(Signature of Named Individual)

My commission expires _____



Printed on
Recycled Paper

**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 the officer(s) of the corporation/organization or members/managers of a limited liability company and the recommendation made by the proper local official.

To the governing body of: ☐ Town ☐ Village ☒ City of FOND DU LAC County of FOND DU LAC

The undersigned duly authorized officer(s)/members/managers of ALE HOUSE 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

2.0 ALE HOUSE
(trade name)

located at 65 W MAIN ST IN FDC. WI 54935

appoints RONALD E BODA
(name of appointed agent)

440 SATTERLEE ST. FDC WI 54935
(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).

211 S MILITARY LLC IN FOND DU LAC

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? 50 YEARS

Place of residence last year 440 SATTERLEE ST. FDC WI 54935

For: ALE HOUSE LLC
(name of corporation/organization/limited liability company)

By: Ronald E Boda / member
(signature of Officer/Member/Manager)

And: _____
(signature of Officer/Member/Manager)

ACCEPTANCE BY AGENT

I, RONALD E BODA, 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.

Ronald E Boda 8/8/17
(signature of agent) (date)
440 SATTERLEE ST. FDC WI 54935
(home address of agent)

Agent's age [REDACTED]

Date of birth [REDACTED]

**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 08/21/17 by Steven J Klei Title ASST. POLICE CHIEF
(date) (signature of proper local official) (town chair, village president, police chief)

Dear City of Fond du Lac,

I am happy to announce that I am purchasing the current establishment know as 2.0 Ale House from Bryan Perl and have actually taken management control as of July 10, 2017. At present we are just keeping with the current menu and hours of operation but that will be changing in the near future. Under my operation it will be a family ran business.

In September the new hours of operation will extend to Sundays with the following times

Monday	Only open for Packer games
Tuesday	CLOSED
Wednesday	3:30pm to 12:00am
Thursday	3:30pm to 12:00am
Friday	3:30pm to 2:30am
Saturday	3:30pm to 2:30am
Sunday	11:00am to 12:00am

We will be changing the menu over time now that the kitchen will be managed my daughter Samantha Boda. Sam for the last nine years has worked for the Applebees' corporation. She started as a hostess at age 16 and when she left to manage the 2.0 Ale House kitchen she was a general manager for the Fond du lac location. Sam brings considerable experience and consistency.

The bar will be managed by my brother Gary Boda, after 35 years in the Army he knows how to get things done. In his younger days he managed multiple clubs around Fond du Lac. Gary has the organizational skills needed to manage the large selection of craft beers. With 52 tap selections and over 375 bottle selection it will be challenge to keep the coolers stocked and organized.

My mother, Bette Boettcher, who has worked in the service industry for a large part of her life will hostess from time to time along with my wife Jeanette. My mother spent many year working for Petri's Restaurant in it's prime days. My wife Jeanette was a waitress going to school to be a nurse when I met her.

On Good Friday this year sadly my Step Father Woody Boettcher past away and I decided that we needed to start a business for sure that would be a place for all our family to have a job if so desired so we can have more time together. When Bryan called me to ask me to take this over for him it seemed like the perfect place for a family ran business.

We look forward to offering Fond du lac a nice place to relax and enjoy a meal in a sports bar environment without costing an arm and leg. We will be maintaining the \$2.00 all day domestic beer prices that people have became to value. Every Friday and

Saturday we will continue to have DJ services for people to come and dance on the best dance floor and light show in town.

People should keep on eye on our facebook page for future updates and soon to come our own website to let people know of the upcoming craft beers to be put on and food specials. Thank you.

CITY OF FOND DU LAC, WISCONSIN

SURRENDER OF ALCOHOL BEVERAGE LICENSE

This is to advise that, as licensee, I (We) hereby surrender a Combination "Class B" Intoxicating Liquor & Fermented Malt Beverage license for the premise located at 65 N MAIN ST, on the condition that it be granted to the applicant (future licensee).

65 MAIN PUB LLC, d/b/a 2.0 ALE HOUSE
(Current licensee) (Current business name)

and Ale House LLC, as applicant, make a
(Future licensee)
concurrent application for that license.

Licensee/Applicant Information

CURRENT LICENSEE

Please print the following information:

Name 65 N MAIN PUB LLC
Home Address 463 CEDAR ST.
City FOND DU LAC, WI 54935
Phone (920) 286-1979
Signature [Signature] Date 8/8/17

NEW APPLICANT FUTURE LICENSEE

Please print the following information:

Name ALE HOUSE LLC
Home Address 440 SHOTWELL ST. #
City FOND DU LAC, WI 54935
Phone (920) 923-3517
Signature [Signature] Date 8/8/17