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

<u>Title:</u> Approval of Meeting Minutes - June 29, 2017

Subject:

Initiator:

Location:

Recommendation:

ATTACHMENTS:

File Name Description

Minutes_2017_6_29_Meeting(353).pdf

ALCOHOL LICENSE COMMITTEE MEETING MINUTES CITY OF FOND DU LAC, WISCONSIN

Meeting Room A & B 160 S Macy Street

June 29, 2017 5:00 PM

ROLL CALL

Attendance

Present

Shawn Anhalt Karen Merkel Kerry Ann Strupp Mark Otterstatter

Absent

Peter Doll Jacob Lehman Travis Vandynhoven

Administrative Staff

Ali Klimko, Asst City Attorney Aaron Goldstein, Police Captain

Declaration Quorum Present

Chairperson, Shawn Anhalt, declared a quorum present.

CONSENT AGENDA

Approval of Meeting Minutes - May 22, 2017

A Motion was made by Karyn Merkel to approve minutes of May 22, 2017 and seconded by Mark Otterstatter, and the motion was **Passed**.

Ayes: Anhalt, Merkel, Otterstatter, Strupp

Absent: Doll, Lehman, 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 Gilmore's Liquor Mart/The Dog

House at 232 N Main Street

Dawn Smet, 167 E 13th Street, Fond du Lac

ACTIONS

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

Limited Liability Co: Hoekstra Enterprises, LLC

Agent Name: Dawn Smet

Agent Address: 167 E 13th Street, Fond du Lac d/b/a: Gilmores Liquor Mart/The Dog House

Location of Premises: 232 N Main Street, 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 Gilmore's Liquor Mart/The Dog House at 232 North Main Street and seconded by Kerry Strupp, and the motion was **Passed**.

Ayes: Anhalt, Merkel, Otterstatter, Strupp

Absent: Doll, Lehman, VanDynHoven

ADJOURN

A Motion was made by Kerry Strupp to adjourn at 5:05 PM and seconded by Mark Otterstatter, and the motion was **Passed**.

Ayes: Anhalt, Merkel, Otterstatter, Strupp

Absent: Doll, Lehman, VanDynHoven

ALCOHOL LICENSE COMMITTEE CITY OF FOND DU LAC, WISCONSIN

<u>Title:</u> Audience Comments

<u>Subject:</u> Presiding officer shall limit comments to items noticed only on the agenda.

Initiator:
Location:

Recommendation:

ALCOHOL LICENSE COMMITTEE CITY OF FOND DU LAC, WISCONSIN

<u>Title:</u> Class "B" Fermented Malt & "Class B" Intoxicating Liquor License

<u>Subject:</u> 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

Initiator:

Location:

Recommendation:

ATTACHMENTS:

	File Name	Description
ם	ALC_Memo_0647.pdf	Memo
ם	<pre>Pump_N_Pantry_ApplicationRedacted.pdf</pre>	Application
D D	Agent Form 0648 Redacted.pdf	Agent Form

Fond du Lac City Police Department



Memo

To: City Manager Moore

From: Chief Lamb

Date: 07-27-17

Re: Change of License from Class A Combination to Class B Combination License for

Pump and Pantry, 329 W Pioneer Rd.

The applicant, Robert LeMense has requested a change of license from a Class A Combination to a Class B Combination. Mr. LeMense currently operates Pump and Pantry as a convenience store with a restaurant inside the business. The restaurant has in store seating and dining, along with catering.

The proposed license change would allow those dining customers who chose to, to consume alcoholic drinks with their meal in the restaurant area. The applicant stated he does not anticipate any changes to the hours of operation for the business.

The applicant was advised that the City is exploring changing our City Ordinance to prohibit the carry out sale of fermented malt beverages or intoxicating liquors between the hours of 9 p.m. and 8 a.m. for Class B combination license holders. This would be in line with the current ordinance closing hours for Class A license holders.

Mr. LeMense has held a liquor license in the City of Fond du Lac for many years with no significant concerns noted by law enforcement.

Background checks performed on the applicant, both in-house and NCIC/CIB, indicate no criminal history that would preclude him from obtaining the requested license. The Police Department has no objections to the approval of the proposed license request.

ORIGINAL ALCOHOL BEVERAGE RETAIL LIC Submit to municipal clerk.		Applicant's Wi Seller's Permit No.: FEIN 154-0000 470636-03	39-1704401
For the license period beginning 5-11 ending 06-30	20 <u>2017;</u> 20 <u>2017</u>	TYPE Class A beer	FEE \$
TO THE GOVERNING BODY of the: ☐ Village of ☐ City of		Class B beer Class C wine Class A liquor	\$ 84 \$
County of Fond Dy 14C Aldermanic Dist. No.	(if required by ordinance)	Class B liquor Reserve Class B liquor Class B (wine only) winery	\$
The named ☐ INDIVIDUAL ☐ PARTNERSHIP ☐ ☐ CORPORATION/NONPROFIT ORGANIZATIO hereby makes application for the alcohol beverage license(s) cher		Publication fee TOTAL FEE	\$ 55
Name (individual/partners give last name, first, middle; corporation		gistered name): Pump	N Pantry, I
Secretary/Member Scc. CIS Jan Treasurer/Member Treasu	oration or nonprofit organization, each person. Name	and by each member/manager ar	
Agent Kebirt Lee Le Mense Directors/Managers 3. Trade Name Pump n Pantry 4. Address of Premises 329 W. Pioner		s Phone Number 920 92 ice & Zip Code FDL	6-0021
 Is individual, partners or agent of corporation/limited liability comp training course for this license period? Is the applicant an employe or agent of, or acting on behalf of any Does any other alcohol beverage retail licensee or wholesale perion (a) Corporate/limited liability company applicants only: Insection (b) Is applicant corporation/limited liability company a subsidiary (c) Does the corporation, or any officer, director, stockholder or a agent hold any interest in any other alcohol beverage license (NOTE: All applicants explain fully on reverse side of this form ever 	nany subject to completion of the resonance except the named applicant? mittee have any interest in or control ent state and do fany other corporation or limited liagent or limited liability company, or a or permit in Wisconsin?	I of this business? ate n2-25-1991 of registration.ability company? any member/manager or	
 9. Premises description: Describe building or buildings where alcohoral rooms including living quarters, if used, for the sales, service, or may be sold and stored only on the premises described.) C 5 -1 10. Legal description (omit if street address is given above): (a) Was this premises licensed for the sale of liquor or beer durin (b) If yes, under what name was license issued? 1 -	representation and/or storage of alcological to the storage of alc	hot beverages and records. (Alcoho	Yes □ No .□ Yes □ No .□ Yes □ No
READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the addge of the signers. Signers agree to operate this business according to law another. (Individual applicants and each member of a partnership applicant meacess to any portion of a licensed premises during inspection will be deemed.)	applicant states that each of the above of and that the rights and responsibilities ust sign; corporate officer(s), members/r	questions has been truthfully answered conferred by the license(s), if granted managers of Limited Liability Companie	to the best of the knowl , will not be assigned to s must sign.) Any lack of
SUBSCRIBED AND SWORN TO BEFORE ME this THO day of MANCH , 20	17 Robert h	- Le Mense.	
Welleger (Clerk/Notary Public)		ration/Member/Manager of Limited Liability	
My commission expires 4.37-3-019	(Additional Part	ner(s)/Member/Manager of Limited Liabilit	ty Company if Any)
TO BE COMPLETED BY CLERK Date received and filed with municipal clerk 3.37.17 Date license granted Date license issued	Date provisional license issued License number issued	Signature of Clerk / Deputy Clerk	
AT-106 (R. 6-14)		Wiscon	sin Department of Revenue

AT-106 (R. 6-14)

Control#: 399 OL

SCHEDULE FOR APPOINTMENT OF AGENT BY CORPORATION/NONPROFIT ORGANIZATION OR LIMITED LIABILITY COMPANY

Submit to municipal clerk.

AT-104 (R. 4-09)

All corporations/organizations or limited liability companies applying for a license to sell refinented 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
To the governing body of: Village of Ford D4 /4C County of Ford D4 /4C City County of County of
The undersigned duly authorized officer(s)/members/managers of Pump n Pant True (registered name of corporation/organization of limited liability company)
a corporation/organization or limited liability company making application for an alcohol beverage license for a premises known as
Pump n Puntry (trade name)
located at 329 W. Lichcik Rul town by 14c , WI S 9935
appoints Robert Lcc Lc Minsc (name of appointed agent) W8055 Pollin; Hills Die. For puller (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?
Place of residence last year N8055 Rolling Hills Dr. FDL WI 54535
By: Robort L. L. Wense Of Ticer (signature of Officer/Member/Manager)
By: Robort L. L. Wense 077icer
(signature of Officer/Member/Manager) And: Lois J. L. M. V.P. Officer (signature of Officer/Member/Manager)
ACCEPTANCE BY AGENT
I,, hereby accept this appointment as agent for the, hereby accept this appointment as agent for the
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.
Robert L. la Mars e 3/27/2017 Agent's age (signature of agent)
N8055 Rolling Hills Dr. FowD Date Lac W, 54937 Date of birth
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 (signature of proper local official) (town chair, village president, police chief)

Wisconsin Department of Revenue

AUXILIARY QUESTIONNAIRE ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk.

Submit to municipal cierk.				
Individual's Full Name (please print) (last name)	(first nan	ne)	(middle na	nme)
LEMENSI	2015	3	Jean	
Home Address (street/route)	Post Office	City FDL	State	Zip Code
N8055 Rolling Hills DR	FDL	/ _	WI	54937
Home Phone Number	Age	I Date of Birth	Place of B	irth
The above named individual provides the following	owing information as a ne	rson who is <i>(check one</i>)•	
Applying for an alcohol beverage license		TOOM WITHOUT (CITEON OTIC	,.	
△ A member of a partnership which is male		ahal havaraga licanca		
		-		
OFFICER (Officer/Director/Member/Manager/Agent)	- Jun p	Name of Corporation, Limited L	iability Company or Nonprofi	Organization)
which is making application for an alcoho	I beverage license.			
The above named individual provides the following				
 How long have you continuously resided i Have you ever been convicted of any offe 	n Wisconsin prior to this d	late? 58	/RS	
violation of any federal laws, any Wiscons or municipality?	ın ıaws, any ıaws of any o		ces of any county	Yes No
If yes, give law or ordinance violated, trial			te. description and	les A 140
status of charges pending. (If more room is			,	
****				_
3. Are charges for any offenses presently pe				
for violation of any federal laws, any Wiscomunicipality?				Yes No
If yes, describe status of charges pending				les Aino
Do you hold, are you making application for		rector or agent of a co	rporation/nonprofit	
organization or member/manager/agent o		_		
beverage license or permit?	2			Yes No
If yes, identify.	Jantry 329 W	Pronter R1	FDL WI	CLASS A
5. Do you hold and/or are you an officer, dire	,			
member/manager/agent of a limited liabilit	_		•	
brewery/winery permit or wholesale liquor			•	Yes No
If yes, identify.				<u> </u>
	ale Licensee or Permittee)		(Address By City and	County)
6. Named individual must list in chronologica				
Employer's Name Employer's Name	oyer's Address		mployed From	flisint
Employer's Name Employer's Name Employer's Name	29 W Pionera 1 oyer's Address 09 W. Edgen	11 FDL	788	То
Carrow Oil 5	04 W. Ed.	A.l.	npioyed i rom	1987
	_			1101
The undersigned, being first duly sworn on o				
the applicant has read and made a complete undersigned further understands that any lic				
penalty of state law, the applicant may be pro				
Subscribed and sworn to before me				
this 27th day of MARCH	. 20 \			1 1
Harle about				
(Clerk/Notary Public)			(Signature of Named In	dividual)
My commission expires 9.29.77				
· · · · · · · · · · · · · · · · · · ·				Printed on Recycled Paper

AUXILIARY QUESTIONNAIRE ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk.

Individual's Full Name (please print) (last no		name)	(middle nam	e)
LEMENSE	- Robert		Lcc	
Home Address (street/route) N 8055 Rolling Hill	S DA FDL	FOND DY 146	State Z	54937
Home Phone Number	Age	Date of Birth	Place of Birt	n
The above named individual provides	the following information as a	person who is (check one):		
Applying for an alcohol beverage				
A member of a partnership which		Icohol beverage license.		
Deficer Officer (Officer/Director/Member/Manager	of Pump	n Pantr T	n C ,	rganization)
which is making application for a		(10.00 0.00,000,000,000,000,000,000,000,00		. 30.1120.019
The above named individual provides	the following information to the	e licensing authority:		
 How long have you continuously r 			Rars	
2. Have you ever been convicted of				
violation of any federal laws, any h			of any county	Myos FINO
or municipality?			lescription and	ies [140
etatus of charges pending. (If mor	a room is needed continue on reve	ree side of this form \	A TTENZI A) , C.
DUI 04-2006	licinse Supens	stren 6 months -	c/ass 'a+	MORGINE PERK +Me
Are charges for any offenses pres for violation of any federal laws, a	entiy pending against you (other	er than traffic unrelated to aid	onoi beverages)	
municipality?				Yes No
If yes, describe status of charges	pending.			7
4. Do you hold, are you making appl				
organization or member/manager/agent of a limited liability company holding or applying for any other alcohol				
beverage license or permit? If yes, identify, Pumpa Pan 1/	T. 27411 P.	- 18 / FDI 11/15 5 1163	5 Clas	A) Book +/160
THE TAMENT	(Name, Lo	cation and Type of License/Permit)	2 5 1 1 2	S (MINUT)
5. Do you hold and/or are you an off				
member/manager/agent of a limite brewery/winery permit or wholesa				Dyon No
If yes, identify.	ie liquor, manufacturer or rectif	er permit in the state of wist	consin?	I ies A No
	of Wholesale Licensee or Permittee)		(Address By City and Co	ounty)
6. Named individual must list in chro	nological order last two employ	rers.		
Linpleyors realing	Employer's Address	A. W / Employ	ed From	
PDQ	310 UNIVERSITY	Aut Madisonwi 1	1 1	1985
Employer's Name GARROW Oil	504 W. Edginoon	Da, Apple by WI 1	985	1987
The undersigned, being first duly sw	orn on oath, deposes and sav:	s that he/she is the person n	amed in the fored	oing application: that
the applicant has read and made a c	omplete answer to each questi	on, and that the answers in e	each instance are	true and correct. The
undersigned further understands that penalty of state law, the applicant ma				
penalty of state law, the applicant ma	ly be prosecuted for submitting	iaise statements and amus	vita ili collilectioni	with this application.
Subscribed and sworn to before me				
	, 20 1 7	Di A	1 200	
Mache We (Clerk/Notary Public)		Robert 2	- h Iller	
		. ,	(Signature of Named Ind	ivraual)
My commission expires Q-57-	2017			
				Printed on Recycled Paper

Business Plan Proposal Pump N Pantry

We are applying for a Class B license to serve on premise. We have had a class A license for 20 years since May 1997 at our location 329 W. Pioneer Rd. in Fond du lac.

Our restaurant has been the strongest part of our business. We have a seating area for 65 people. Home cooking for breakfast, lunch and dinner. Our fish fry and chicken have been our strongest items.

With all the road constructions, economy and new competition that we have endured we find our gas sales have declined and customer counts are declining. Our restaurant sales seem constant, this seems to be the only area where we might grow our business.

By offering Drinks on premise mainly beer and wine and possibly a Bloody Mary Bar on sun mornings. We feel this would give us the opportunity to grow our restaurant sales.

We have had a Class B at the Forest Mall from 2006-2009 when we had our mall restaurant. We served glasses of beer from bottles and cans and individual small wines from bottles.

At our Pioneer Store, we would do the same for the Bloody Mary Bar we would use the small individual serving bottle of alcohol.

As of now our operators license holders are at the front registers, convenience side of store.

In the restaurant, currently no tobacco, lottery or alcohol sales are rung up on the restaurant registers.

We currently have high school students cashiering in the restaurant, and also have responsible adults working for us with up to 11 years' experience. I have shared the idea of on-site consumption and was met with enthusiasm. Often customers have stated it would be nice to have a beer with their fish-fry, pizza or sandwich. We have had 2 employees with combined 17 yrs. working at Pump N Pantry that have gone on to become police officers Kevin Post Sheboygan Police Dept. and Keywon Brown FDL Police Dept.

We plan on improving our menu for dine in experience, and catering opportunities as customers have really appreciated what we are doing.

We realize with a convenience store the concerns, customers would not be allowed to bring alcohol from the convenience side to the sit-down restaurant side.

We currently close at 9:30 pm but in the past, we were open till 10: pm. We have No interest in staying open until midnight.

If our business increases due to restaurant sales expansion, and as our gas equipment needs replacing due to age, our plan would be to move more to a restaurant with bar.

Thank You for your consideration,

Sincerely,

Bob & Lois LeMense

Pump N Pantry, Inc 329 W. Pioneer Rd. Fond du lac 920 926-0021 pumpnpantry@aol.com



WISCONSIN DEPARTMENT OF REVENUE PO BOX 8902 MADISON, WI 53708-8902

PUMP N PANTRY, INC.

FOND DU LAC WI 54935-5614

329 W PIONEER RD

Contact Information:

2135 RIMROCK RD PO BOX 8902 MADISON, WI 53708-8902 ph: 608-266-2776 fax: 608-264-6884 email: DORBusinessTax@revenue.wi.gov website: revenue.wi.gov

Letter ID . L2036339296

Wisconsin Business Tax Registration Certificate

Expiration date:

August 31, 2017

Legal/real name:

PUMP N PANTRY, INC.

- This certificate confirms that you are registered with the Wisconsin Department of Revenue for the tax types shown below.
- This registration certificate is not a seller's permit, and should not be used as proof that you hold a seller's permit.
- You may not transfer this certificate to any other individual or business.

Táx Type	Account Type	Number
Sales & Use Tax	Sales & Use Tax	456-0000470636-03
Withholding Tax	Withholding Tax	036-0000470636-04

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) local official.
☐ Town To the governing body of: ☐ Village of For Dy 14c County of For Dy 14c
The undersigned duly authorized officer(s)/members/managers of Pump A Punty Tac (registered name of corporation/organization of limited liability company)
a corporation/organization or limited liability company making application for an alcohol beverage license for a premises known as
located at Day W. Lichtik Rul Fund Du /4c 11/T 54935
appoints Rubert Lee Le Minse (name of appointed agent)
(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 X 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? Place of residence last year N8055 Relling Hills DR FDL WI 54535 For: Pump n Pan try Inc (lame of corporation/longanization/limited liability company) By: Accord La Wense C7 icer (signature of Officer/Member/Manager) And: Laid Manager)
ACCEPTANCE BY AGENT ROBERT L LE MENSE hereby accept this appointment on accept for the
(pnnt/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.
Signature of agent) Agent's age
N8055 Rolling Hills Uf. FOND NCLAR, W. 54937 Date of birth
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 07/27/17 by Signature of proper local official) Title ASSISTANT POLICE CHIC (town chair, village president, police chief)
AT-104 (R. 4-09)

Wisconsin Department of Revenue