



AGENDA OF THE PROTECTION AND POLICY COMMITTEE

**MONDAY, NOVEMBER 25, 2019, 5:30 PM
CITY HALL, ROOM 207**

A. Roll Call.

B. Approval of the Agenda.

- I. Approval of the agenda for the November 25, 2019 Protection & Policy Committee meeting.

C. Approval of Minutes.

- I. Approval of the minutes of the November 11, 2019 Protection & Policy meeting.

D. Regular Business.

- I. Consideration with possible action on an application for a "Class B" Combination license by MCR Green Bay Tenant, LLC at 1011 Tony Canadeo Run with a licensed premises description as "patio, hotel lobby, bar, guest rooms, back storage room." (Currently licensed as LVP SHS Green Bay Holding Corp).
2. Consideration with possible action on an application for a "Class B" Combination license by Wisconsin Apple, LLC at 2420 E. Mason St. with a licensed premises description as "restaurant and free standing bar." (Currently licensed as Apple Hospitality Group, LLC).
3. Consideration with possible action on an application for an available "Class B" Combination license by Rebel One, LLC at 1301 S. Broadway with a licensed premises description as "main floor restaurant/bar area. Liquor stored on main floor, back liquor room, beer stored in restaurant, basement, walk-in cooler, patio area."
4. Consideration with possible action on an appeal by Greg Oettinger at 1457 Grignon St. regarding his re-inspection fee.

E. Informational.

- I. The Liquor Violation Report for November 25, 2019.

F. Adjournment.

- 1) THIS MEETING IS RECORDED: THE VIDEO OF THIS MEETING AND MINUTES ARE AVAILABLE ONLINE AT www.greenbaywi.gov
- 2) ACCESSIBILITY: Any person wishing to attend who requires special accommodation because of a disability, should contact the City Safety Manager at 920-448-3125 at least 48 hours before the scheduled meeting time so that arrangements can be made.
- 3) QUORUM: Please take notice that a majority or quorum of the Common Council will attend this Protection and Policy committee meeting and will constitute a meeting of the Common Council for purposes of discussion and information gathering relative to this agenda.
- 4) REPRESENTATION: The party requesting the communication, or their representative, should be present at this meeting.
- 5) FOR ALL LICENSING ISSUES, the Committee may potentially convene in closed session pursuant to §19.85 (1)(b) and/or §19.85 (1)(f) Wisconsin Statutes, for the purpose of considering information with respect to licensing for a person. The applicant has the right to demand that the meeting be held in open session. The applicant may also request that the meeting be held in closed session. The Committee may, thereafter, reconvene in open session pursuant to §19.85(2) Wisconsin Statutes to report any actions taken during the closed session and to consider all other matters on the agenda. If there are any questions regarding the agenda, please call Jaime, City Clerk's Office, at 448-3011.



Report to the
Protection and Policy Committee
of the City of Green Bay

MEETING DATE

November 25, 2019

PREPARED BY

AGENDA ITEM # D.I.

Consideration with possible action on an application for a "Class B" Combination license by MCR Green Bay Tenant, LLC at 1011 Tony Canadeo Run with a licensed premises description as "patio, hotel lobby, bar, guest rooms, back storage room." (Currently licensed as LVP SHS Green Bay Holding Corp).

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. patio pic
2. sharpscans@greenbaywi.gov_20191028_121122



Report to the
Protection and Policy Committee
of the City of Green Bay

MEETING DATE

November 25, 2019

PREPARED BY

AGENDA ITEM # D.2.

Consideration with possible action on an application for a "Class B" Combination license by Wisconsin Apple, LLC at 2420 E. Mason St. with a licensed premises description as "restaurant and free standing bar." (Currently licensed as Apple Hospitality Group, LLC).

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. SECURITY PLAN & LICENSE STIPULATION.ROBINSOND.558
2. application-2420emason



Report to the
Protection and Policy Committee
of the City of Green Bay

MEETING DATE

November 25, 2019

PREPARED BY

AGENDA ITEM # D.3.

Consideration with possible action on an application for an available "Class B" Combination license by Rebel One, LLC at 1301 S. Broadway with a licensed premises description as "main floor restaurant/bar area. Liquor stored on main floor, back liquor room, beer stored in restaurant, basement, walk-in cooler, patio area."

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. license stipulation_1301 S Broadway
2. patio
3. Broadway Moratorium 9-16-97
4. APPLICATION_REBEL ONE LLC 1301 S BROADWAY

RESOLUTION LIMITING THE NUMBER OF
LICENSED ESTABLISHMENTS IN THE BROADWAY AREA

Green Bay, Wisconsin
September 16, 1997

BY THE COMMON COUNCIL OF THE CITY OF GREEN BAY:

WHEREAS, the Common Council of the City of Green Bay is concerned with the redevelopment of the Broadway area and the present high concentration of licensed establishments in the Broadway area. The high concentration of these establishments in this area has impaired the public peace, safety, welfare, and order; and

WHEREAS, there are currently 34 establishments which hold a Class "B" Fermented Malt Beverage or Class "B" Combination Liquor License. The names and addresses of said establishments are:

Lenny's Tap	431 North Broadway
333 Bar	333 North Broadway
Blazing Saddles	331 North Broadway
The Cannery	319 North Broadway
King's X	313 North Broadway
Titletown Brewing	200 Dousman Street
Carol's Ritz Lounge	119 Dousman Street
Nom's Thai Orchid	240 North Broadway
Central Bar	231 North Broadway
Broadway Cafe	128 North Broadway
Rev's Brass Rail	109 North Broadway
West Pitcher Show	100 South Broadway
Maria's Mexican Family Restaurant	106 South Broadway
Ginny's Heart of Broadway	112 South Broadway
Connie's	128 South Broadway
Country Club Bar & Grill	201 South Broadway
Kar's Place	226 South Broadway
Alamo	301 South Broadway
Nepalese Lounge	515 South Broadway
Blue Side	709 South Broadway
Shnicker's	813 South Broadway
Bourbon Street	821 South Broadway
Sass	840 South Broadway
The Lion's Den	1100 South Broadway
Carol's 9 th Street Tap	316 Ninth Street
The Camelot	1301 South Broadway
Manci's Tuxedo Lounge	1313 South Broadway
Good Times	1332 South Broadway
The Packer Stadium Lounge	1342 South Broadway
Terminal Bar	1423 South Broadway

RESOLUTION LIMITING THE NUMBER OF
LICENSED ESTABLISHMENTS IN THE BROADWAY AREA
Page 2

Hammer Inn
Thirsty's
Loch's Bar
Cropsey's Bar

1208 State Street
1234 State Street
1238 State Street
1336 State Street

WHEREAS, pursuant to the powers reserved under Ch. 125, Wis. Stats., the Common Council wishes to decrease the number of Class "B" Fermented Malt Beverage and Class "B" Combination Liquor Licenses issued to establishments in the Broadway area; and

WHEREAS, it is the intent of this resolution to allow the present Class "B" Fermented Malt Beverage and Class "B" Combination Liquor Licenses to maintain and renew their establishments in accordance with Ch. 125, Wis. Stats.; and

WHEREAS, it is the intent of this Resolution to effectuate a decrease in the number of Class "B" Fermented Malt Beverage and Class "B" Combination Liquor licensed establishments in the limitation area whenever an establishment goes out of business and does not renew its license;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. Limitation Area. The area to which the terms and conditions of this section apply is that area on Broadway or business fronting either side of Broadway and those areas east of Broadway to the Fox River, within the city of Green Bay, Brown County, Wisconsin.
2. Prohibition. The Common Council shall not authorize the issuance of any new or transfer of any existing Class "B" Fermented Malt Beverage or Class "B" Combination Liquor Licenses within the limitation area, except restaurants as defined in paragraph 4 hereof.
3. Exceptions.
 - a. This subsection shall not prohibit the renewal of a Class "B" Fermented Malt Beverage or Class "B" Combination Liquor License for an existing premises in the limitation area.

RESOLUTION LIMITING THE NUMBER OF
LICENSED ESTABLISHMENTS IN THE BROADWAY AREA
Page 3

- b. This subsection shall not prohibit the issuance of a Class "B" Fermented Malt Beverage or Class "B" Combination Liquor License for a previously licensed premises provided that such application is made within 60 days of any of the following:
 - i. Surrender by the prior licensee of the license issued for that premises; or
 - ii. Sale of the premises by the prior licensee; or
 - iii. Termination of the prior licensee's lease for the premises; or
 - iv. Revocation of the prior license, for cause.

If application under this subsection is sought after 60 days, the owner of the previously licensed premises may apply to the Protection and Welfare Committee for an extension of the application time on the basis that application of the moratorium would have a substantial adverse effect on the owner's ability to use or enjoy the property. The party requesting the extension must demonstrate this effect by clear, satisfactory and convincing evidence.

- c. All applications and renewals shall be subject to review as provided by Ch. 125, Wis. Stats.

4. Prohibition Not to Apply to Restaurants.

- a. This resolution shall not prohibit the issuance of a Class "B" Fermented Malt Beverage or Class "B" Combination Liquor License to the operator of a restaurant, where the principal business conducted is that of a restaurant, as defined in Ch. 125, Wis. Stats. If the premises are operated under a Class "B" Fermented Malt Beverage or Class "B" Combination Liquor License, the principal business conducted is presumed to be the sale of alcohol beverages, but the presumption may be rebutted by competent evidence.

RESOLUTION LIMITING THE NUMBER OF
LICENSED ESTABLISHMENTS IN THE BROADWAY AREA
Page 4

- b. A restaurant licensee operating within the limitation area which fails to maintain a principal business of operating a restaurant at any time later than 60 days after the granting of a Class "B" Fermented Malt Beverage or Class "B" Combination Liquor License shall be in violation of this subsection and its Class "B" Fermented Malt Beverage or Class "B" Combination Liquor License shall be subject to revocation.
- c. "Principal business" means the primary activity as determined by analyzing the amount of capital, labor, time, attention and floor space devoted to each business activity, and by analyzing the sources of net income and gross income. The name, appearance and advertisement of the entity may also be taken into consideration in determining "principal business."

Adopted 9/14/97

Approved 9/17/97

13/ David H. August
Mayor

13/ David H. August
Clerk

LMS:bc



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MEETING DATE

November 25, 2019

PREPARED BY

AGENDA ITEM # D.4.

Consideration with possible action on an appeal by Greg Oettinger at 1457 Grignon St. regarding his re-inspection fee.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. appeal_1457 Grignon



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AGENDA ITEM # E.I.

The Liquor Violation Report for November 25, 2019.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. Report November 25 2019
2. 19LiqVio