



AGENDA OF THE PROTECTION AND POLICY COMMITTEE

MONDAY, APRIL 25, 2022, 5:30 PM
Virtual Meeting. Public may join via Zoom.

A. Zoom Meeting Information.

- I. This item contains information and instructions for the Zoom virtual meeting. This also contains a comment form.

B. Roll Call.

C. Election of Chair

D. Election of Vice Chair

E. Approval of the Agenda.

F. Approval of Minutes.

G. Presentation.

- I. Presentation by Deputy Clerk Fuge on liquor licensing

H. Regular Business.

- I. Consideration, with possible action, on the appeal of Marlene Grant to the denial of her operator's license.
2. Consideration with possible action on a change of agent at Wal-Mart Stores East, LP at 2440 W. Mason St.
3. Consideration with possible action on a change of agent for Pablo's Mexican Grill House, LLC at 850 Kepler Dr. Suite C.
4. Consideration with possible action on a change of agent for Kroll's East, Inc. at 1658 Main St.

5. Consideration with possible action on a change of agent for Wisconsin CVS Pharmacy, LLC at 930 Main St.
6. Consideration with possible action on a change of agent for Oneida Tribe of Indians of WI at 2370 W. Mason St.
7. Consideration with possible action on a change of agent for Oneida Tribe of Indians of WI at 2597 W. Mason St.
8. Consideration with possible action on a change of agent for Oneida Tribe of Indians of WI at 501 Packerland.
9. Consideration with possible action on a request by Tux 2, LLC (Blue Collar Bar & Grill) at 1313 S. Broadway St. to temporarily extend their license premises to the parking lot on May 22, 2022 (1 p.m. to 4 p.m.) for the band reunion of Big Mouth & The Power Tool Horns.
10. Consideration with possible action on a request by Pearly Gates Bar & Grill to temporarily extend their license premises to their east parking lot on Saturday, July 9, 2022 for the 17th annual Outdoor Pearly Gates Veterans Charity Benefit.
11. Consideration, with possible action, on a request to extend the licensed premises to the parking lot at 1351 Cedar Street, Napalese Lounge, on Saturday, July 9, 2022, for the purpose of a special event.
12. Consideration with possible action on a request by Barnys LLC (Black Saddle Tavern & Oasis) at 201 N. Washington St. to permanently change their license premises to include side b on the first floor of the building. New license description: 2850 Sq Feet Selling Space (first Floor, 220 sq ft storage space in back).
13. Consideration with possible action on a request by Duel Sports Bar LLC at 1114 Main St. to change their license premises to outdoor patio, restroom, green space.
14. Consideration with possible action on an application for a "Class A" Liquor and Class "A" Beer license for Loco Wisco, LLC at 112 N. Washington St. with a licensed premises description as "1247SQ FT ROOM, BATHROOM, STORAGE BEHIND CURTAIN."
15. Consideration with possible action on an application for a "Class A" Liquor and Class "A" Beer License by Chicago Fuzzys LLC at 1016 Lime Kiln Rd. with a license premises description as "BEHIND COUNTERTOP CHECKOUT AREA, COOLERS."
16. Consideration with possible action on an application for a "Class A" Liquor and Class "A" Beer license by Neo Beverages LLC at 2030 University Ave. with a license premises description as "behind the counter, shelves, back office" (Currently licensed as Pit Row, Inc).
17. Consideration with possible action on an application for an available "Class B" Combination license by Cole J Ductan at 126 S. Broadway Ave. with a license premises description as "1700 SQ FT RESTAURANT & BAR, PREP ROOM, 2 BATHROOMS, AND MOP/ELECTRICAL STORAGE ROOM."

18. Consideration with possible action on the release of the the 2021-2022 "Class B" Combination license for LCS LLC at 1583 Main St. to the pool of available licenses due to a voluntary surrender.
19. Report on modems and City of Green Bay Election Tabulators (DS200 and DS450).
20. Staff report on parameter for accepting outside/grant money for elections and for the possibility of an ordinance to be created (referred from the March 15, 2022 Council Meeting).

I. Informational.

- I. Liquor Violation and Police Reports

J. 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 convene in closed session pursuant to §19.85 (1)(b) and/or §19.85 (1)(f) Wis. Stats., for the purpose of considering information with respect to licensing for a person, including financial, social, or personal information. The Committee will thereafter reconvene in open session pursuant to Section 19.85(2), Wis. Stats., to take action on items discussed in closed session, if appropriate, and to consider the remainder of the agenda.

Virtual Meeting Instructions



Protection and Policy, April 25, 2022

Zoom Meeting Information

Topic: 4/25/2022 Protection and Policy Meeting
Time: Apr 25, 2022 05:30 PM Central Time (US and Canada)

Join Zoom Meeting
<https://us02web.zoom.us/j/84104209160>

Meeting ID: 841 0420 9160
Passcode: 492021
One tap mobile
+13126266799,,84104209160#,,,,*492021# US (Chicago)
+19292056099,,84104209160#,,,,*492021# US (New York)

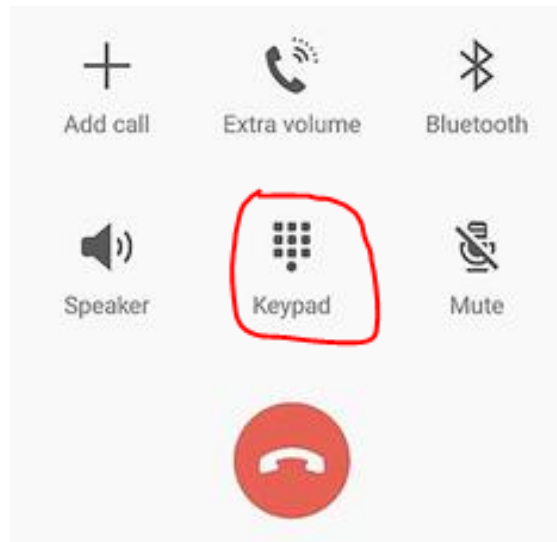
Dial by your location
+1 312 626 6799 US (Chicago)
+1 929 205 6099 US (New York)
+1 301 715 8592 US (Washington DC)
+1 346 248 7799 US (Houston)
+1 669 900 6833 US (San Jose)
+1 253 215 8782 US (Tacoma)
Meeting ID: 841 0420 9160
Passcode: 492021
Find your local number: <https://us02web.zoom.us/j/84104209160>

Additional Information

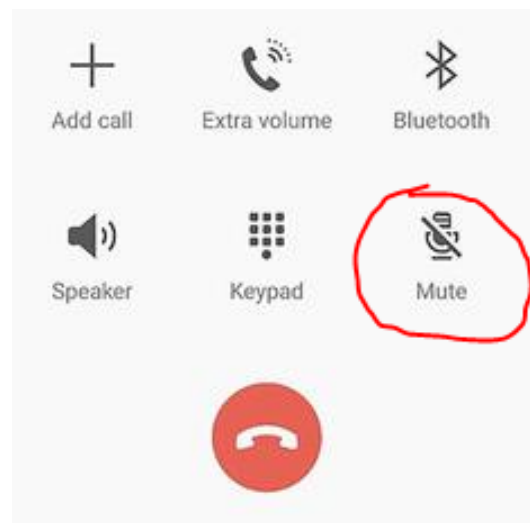
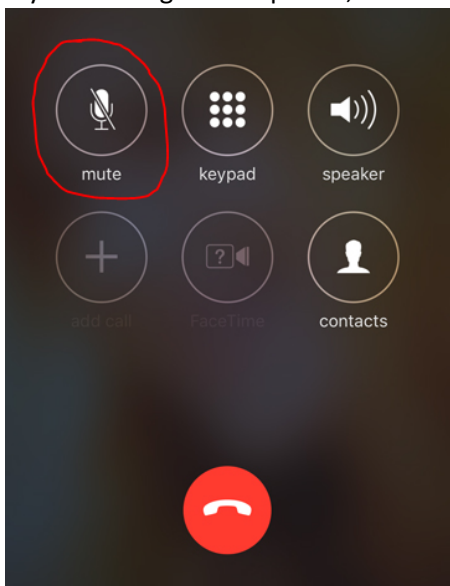
1. Wisconsin Open Meetings Law still applies
 - a. Persons interested in speaking to an item must give their name and address
 - b. Committee/Commission/Board members will still follow *Roberts Rules of Order*
2. All zoom meetings will have a password in the instructions. Please enter when prompted.
3. Please log into the Zoom meeting 10 minutes before the meeting starts to ensure proper technology is working.
 - a. If you are a Board Member, please log into [CivicClerk](#) with a computer, laptop, or tablet device.
4. Once you are in the meeting please mute yourselves.
 - a. You may unmute yourself when you are called upon to speak.
5. Waiting room
 - a. When you call in, all callers/participants will be placed in a “waiting room.”
 - b. Persons on the agenda will be admitted to the meeting, and then once the item is concluded, the host will permanently mute you from the meeting (you can still hear the meeting).
6. Using Zoom with a tablet or computer
 - a. Tablet—you will be asked to sign in. Download the app either with the Apple Store or the Play Store
 - b. Computer—you will be asked to sign in. You may download the app or click on the link to open Zoom in your browser.
7. Registering
 - a. The host may ask you to register for the meeting. A registration link will be sent to you along with the invite. You’ll receive another email confirming that you’re registered for the meeting.
 - b. If you’re using a phone, your registration will still be tied to an email.
8. Raising your hand
 - a. Committee members—you can either use CivicClerk and request to speak or you can “raise your hand” in the zoom meeting (you’d need to use a computer or tablet) to let the host know you’d like to speak. You can also un-mute yourselves and start speaking.
 - b. Persons on the agenda—you can “raise your hand” but you’d need to use a computer. You will be allowed to speak, per Wisconsin Open Meetings Rules, once the committee has “opened the floor for interested parties to speak.” Once the committee is finished with your agenda item, the host will mute you permanently, unless the committee opens the floor again.
9. What devices should I use?
 - a. Smart phone (please see more detailed instructions on page 3)
 - b. Land line
 - c. Tablet—well in advance of the meeting, please download the Zoom Meeting app before you join a meeting by using either the Apple Store or the Play Store. You will be asked to input your name, thus identifying you for the meeting. You’ll also be asked to verify your email.
 - d. Computer—well in advance of the meeting, please download the Zoom Meeting app, but you can also click on a link to open the Zoom Meeting in your browser. You will be asked to input your name, thus identifying you for the meeting.
 - e. For tablet and computer users—if you download the app you will be asked to verify your email.
10. Zoom etiquette
 - a. Muting yourselves when you’re not talking will prevent your background noise from interfering with others’ ability to listen to and participate in the meeting.
 - b. If you’re using a telephone, please identify yourself with your phone number and name before you speak. Zoom meeting hosts can see only your telephone number and will ask you to identify yourselves.
11. Closed session
 - a. Persons in the Zoom meeting will be put into a waiting room while the committee meets in Closed Session. Participants will be admitted back into the Zoom meeting once the committee reconvenes in Open Session.
 - b. Persons watching live on YouTube will see a gray screen with the City logo during closed session.
12. Persons interested in attending anonymously or listening to the meeting may call in by dialing *67 followed by the phone number above.

Calling into the Zoom meeting using a smartphone

1. Dial the phone number listed at the beginning of this document.
2. When prompted, enter the Meeting ID number followed by #
 - a. If you're using a smartphone, you can access the keypad by clicking "Keypad" on your screen



3. Once you are in the meeting, notify the meeting host that you are in and state your name.
4. If you do not need to talk, please make sure your phone is on **Mute**
 - a. If you're using a smartphone, look at your screen and click the Mute button



- b. If you're using a computer, you should see a Mute button in the Zoom application





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

MEETING DATE

April 25, 2022

PREPARED BY

AGENDA ITEM # G.I

Presentation by Deputy Clerk Fuge on liquor licensing

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. 2022-04-25 JMF Liquor Presentation
2. RESOLUTION AMENDING THE PROCEDURE FOR ACCEPTING AND APPROVING CLASS B LIQUOR LICENSE
3. Broadway Moratorium 9-16-97
4. Downtown Moratorium 2-16-98
5. MORATORIUM-FORTHOWARD 3-15-05
6. olde main moratorium 10-23-07

Liquor License Overview

4/25/2022

Jaime Fuge, Deputy City Clerk

Type of Licenses Class A for Off-Premises Consumption:

Class A Liquor License: Retail sale of fermented malt beverages (beer) for consumption off the premises.

Class "A" fermented malt beverage licenses allow retail sale of fermented malt beverages (beer) for consumption off the premises. Examples: grocery or convenience stores. (Sec. 125.25, Wis. Stats.)

"Class A" liquor licenses allow retail sale of intoxicating liquor (including wine) for consumption off the premises. Examples: liquor stores or grocery stores with full liquor sales sections. (Sec. 125.51(2), Wis. Stats.)

"Class A" (cider only) licenses allow retail sale of cider (any alcohol beverage made from the fermentation of the juice of apples or pears and that contains not less than 0.5% alcohol by volume and not more than 7% alcohol by volume) for consumption off the premises. Class "A" licensees applying for a "Class A" (cider only) license shall be issued the "Class A" (cider only) license. The municipality may not charge an initial issuance fee or annual fee for the "Class A" (cider only) license, but may charge a fee for newspaper publication of the alcohol beverage license application. (Sec. 125.51(2)(e), Wis. Stats.)

Class B Liquor Licenses For On Premises Consumption

Class "B" fermented malt beverage licenses allow retail sale of fermented malt beverages (beer) for consumption on or off the premises. Examples: restaurants, "beer bars." (Sec. 125.26, Wis. Stats.)

"Class B" liquor licenses allow retail sale of intoxicating liquor (including wine) for consumption on the premises, and wine in original sealed containers for consumption off the premises. If the municipality elects to, it may also permit sale of intoxicating liquor in any quantity, in the original sealed container, for consumption off the premises. Check local ordinances for the allowance. State law also allows carryout of a single, opened (resealed) bottle of wine if sold with a meal at either a "Class B" or "Class C" licensed premises. Examples: taverns and restaurants with alcohol beverage service. (Secs. 125.51(3), 125.51(3r), Wis. Stats.)

Other Business Limitations!

We are a Class 2 City—this means we have certain requirements for businesses that may operate alongside a liquor license.

Available VS. Reserve “Class B” Liquor Licenses

A quota regarding the number of liquor licenses a municipality was issued went into effect in the late 1990s. Quotas are based on population and the number of licenses in effect in the municipality as of December 1, 1997. (Sec. 125.51(4), Wis. Stats.)

The City of Green Bay may issue a maximum of 172 available liquor licenses and 23 reserve licenses. The available licenses are reviewed, granted and issued on a first-come first-served basis. The City of Green Bay adopted a resolution in 2019 to ensure uniformity in the processing and accepting of liquor licenses (See attachment: **“Resolution Amending the Procedure for Accepting and Approving “Class B” Liquor Licenses”**).

Class B Reserve Licenses have limitations: there is a one-time issuance fee of \$10,000, they can’t be surrendered to another legal entity; and the licensee can’t move the license to another location.

Class C Liquor Licenses

"Class C" wine licenses allow the sale of wine for consumption only on the premises and allow the carryout of a single opened (resealed) bottle if sold with a meal. Sale of additional bottles of wine for consumption off the premises is not allowed. (Sec. 125.51(3m), Wis. Stats.)

New Liquor License Checklist:

Website: <https://greenbaywi.gov/264/Liquor-Sales---New-Establishments>

The clerk's office created the checklist to ensure applicants submit the required state forms and city-created documents to ensure compliance with our municipal code.

Municipal Requirements:

[Statement of Intent \(PDF\)](#) : A document that informs the applicant that it is the expectation of the City that they
open their establishment within 60 days of the license being granted.

An applicant may go before the Committee/Council to request an extension of additional time.

•[Security Plan \(Word Doc\)](#) : A document that is reviewed by the Police Department during a meeting between PD and the applicant to ensure compliancy.

Outdoor premises: The City requests pictures of all outdoor areas to have a visual of the delineation between license and unlicensed areas for Committee/Council to review. City Ordinance requires a 6' impervious fence for outdoor areas. This can be waived by 2/3 Common Council.

Application is Filed:

Once the Clerk's Office receives a completed application, we notify:

Assessor's Office

Brown County Health Department

Inspections Department (Inspections must approve prior to the issuance of the license)

The Police Department (must meet with applicant prior to going to committee).

Everyone! We publish a three day notice in the Green Bay Press Gazette.

Sample Email to Applicants

Sample email to applicants:

Good Morning,

Your liquor license has been accepted and filed with the Green Bay City Clerk's Office. Here are the next steps:

- 1. Contact the Inspections Department at 448-3300 to setup a building, plumbing, HVAC and Electrical Inspections when the location is ready to be inspected. All licenses granted are contingent upon the approval of this department.*
 - 2. Call the Brown County Health Department at 448-6400 to see if any licensing is required through their office.*
 - 3. Be prepared to meet and review the business security plan with the Green Bay Police Department. They will reach out to schedule this appointment.*
 - 4. Attend the Protection & Policy Committee Meeting. Notice will be sent via e-mail to attend this meeting, which typically occurs 2nd and 4th Monday of the month. A liquor license is placed on the agenda upon the applicant meeting with the Police Department and the Police Department background checks. The Protection & Policy Committee reviews the application and recommends approval/denial.*
 - 5. The application is then reviewed by Common Council (which traditionally meets the 1st and 3rd Tuesday of the month). The Common Council will be the final approving authority.*
 - 6. Come to the Clerk's Office to pay and pick up the liquor license upon license being granted by Council and approved by the Inspections Department (all unpicked up license after 60 days are subject to revocation).*
 - 7. Need your license sooner? You may be able to apply for a provisional license. Please reach out to the Clerk's Office for more information.*
- If you have any questions, please reach out to our office.*

License Premises:

A license premises describes 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.) It is always placed within the agenda item to stick out.

Must be continuous (meaning that the areas must be next to each other, adjacent)

Cannot be a street address.

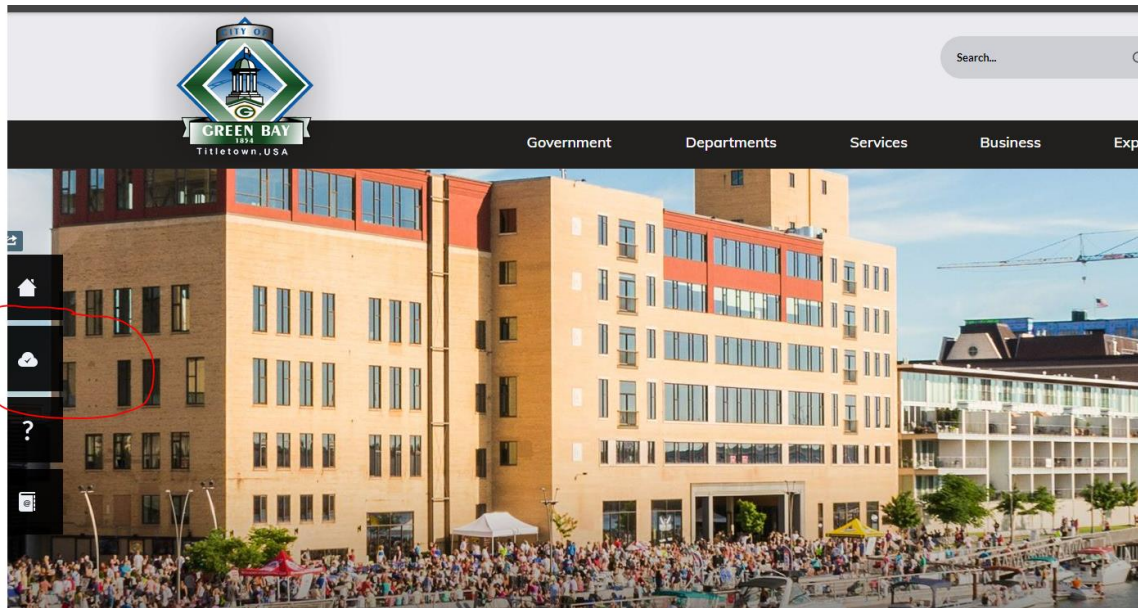
Once we grant, we cannot take away.

A premises that includes outdoor areas; must include photos for a better reference for Council.

We always review during renewal season to ensure no one adds to or changes their description.

Moratoriums

To verify if a location is in the moratorium area, use “open data” on the city’s website. Under Zoning/Districts it states if in a liquor moratorium area.



City Of GreenBay > Parcel Data

Find a Parcel
Current Parcel: 12-152

100 S JEFFERSON ST
(100-120 S JEFFERSON ST, 100M S JEFFERSON ST, 102 S JEFFERSON ST)
BROWN COUNTY ADMIN COURT HOUSE
BROWN COUNTY ATTN TREASURER PO BOX 23600 GREEN BAY WI 54305-3600

[Assessment Records](#) [Zoning and Districts](#) [Brown County Parcel Data](#) [Inspection Records](#) [Special Assessments](#) [Requests For Service](#) [Police Calls](#)

Zoning and Districts

Opportunity Zone: N/A	Business Improvement District: Downtown Green Bay, Inc.	Community Development Block Grant Area: CDBG
Zoning: PI (Public Property / Institutional)	Wellhead Zoning: N/A	Archeological: N/A
Conditional Use Zoning: N/A	Central Business District: CBD	Historic District: National Register of Historic Places
Planned Unit Development Zoning: PUD	Development Districts: N/A	Liquor Moratorium Area: N/A
Industrial: N/A	Tax Increment Finance District: 5	Neighborhood Association: N/A

Flood

FIRM Panel: 55009C0169F	Floodway: N/A	Static Base Flood Elevation: N/A
Floodplain: N/A	LOMA: N/A	

Voting

	2021	2011
Ward	33	26
Aldersperson	9	7
County Supervisor		4

City Service Districts

Forest District: E1	Residential Snow Route: 3A	Fire District: GN1A
Assessment District: 150	Police District: C1	Inspection Area: 3
Sanitation Route: 501 (Friday)		

Schools

Elementary School: Howe
Middle School: Washington
High School: East

Census

Green Bay, WI Census Data

Moratorium—Fort Howard Charter Ordinance

Fort Howard Moratorium: Established in 1895 by Charter Ordinance. Prevent Class B liquor licenses on the West side of Green Bay in the old location known as Fort Howard.

On April 5, 2004 a referendum vote was made to allow the prohibition area west of Broadway be amended and to allow for hotels and restaurants in Business Districts and Industrial Districts only to hold a liquor license.

Moratoriums—by resolution

We accept applications for a business located in any of these areas, but encourage the applicant to contact their alder.

Broadway Moratorium

Downtown Moratorium

Olde Main Moratorium

Existing Establishments

Liquor Licenses renewals are due April 15 to Clerk's Office. They are reviewed by Committee/Council first meeting in May.

A license may be granted, but cannot be issued if the license holder did not pass Inspections or license holders is delinquent on wholesaler, property taxes, or monies to the City.

Existing Establishments may also request:

Change of Agent (Administratively reviewed by PD and the Law Department prior to approval)

Change of License Premises (also requires approval from Inspections)

Sidewalk Café and Parklets (also requires DPW approval)

Temporary Expansion of a Licenses Premises for a one-time special event.

Thank you!

**RESOLUTION AMENDING THE PROCEDURE FOR
ACCEPTING AND APPROVING
"CLASS B" LIQUOR LICENSES**

FEBRUARY 18, 2019

BY THE COMMON COUNCIL OF THE CITY OF GREEN BAY:

WHEREAS, the State of Wisconsin has enacted legislation limiting the number of "Class B" Liquor Licenses which the City may issue; and

WHEREAS, the legislation is silent as to the process by which to review multiple applications when the City has a limited number of "Class B" Liquor Licenses available;

WHEREAS, the City desires to adopt a procedure for the acceptance and review of multiple applications when the City has a limited number of "Class B" Liquor Licenses available to ensure a fair and efficient process;

WHEREAS, the City desires to increase the tax base of the City through the development and growth of business.

NOW, THEREFORE, BE IT RESOLVED that the following procedure be observed in accepting and reviewing applications for "Class B" liquor licenses as defined in Section 33.01 Green Bay Municipal Code:

1. Consideration shall only be given to fully completed applications, which include all requirements established by state and local laws, rules and ordinances.
2. All applications shall include a business plan defining all aspects of the business to be operated in conjunction with the liquor license.
3. In reviewing the business plan, the Council shall give consideration to following criteria:
 - a. The applicant's and manager's experience and capabilities in operating a licensed establishment;
 - b. The design, type and size of the proposed establishment, including such operation details as security in and outside the establishment; noise, crowd and parking lot control methods;
 - c. Availability of parking;

- d. Proximity to other licensed establishments, residential areas, schools or other licensed activities within the City;
 - e. Ability or inability of the police to provide law enforcement services to the new establishment and the impact of the new establishment on the ability of the police to provide law enforcement services to the balance of the community at all times;
 - f. Impact on surrounding neighbors and businesses due to, among other things, increased traffic, noise and litter;
4. Each application for a "Class B" license shall be evaluated based upon the criteria listed above and where multiple applications are competing for available licenses, licenses may be granted to the applicant that most favorably meets the criteria listed. If multiple applicants are equally favorable then preference will be given to the license which applied first in time.
5. This resolution shall supersede prior resolutions regarding the procedure for the acceptance and approval of liquor licenses.
6. The above considerations shall not apply to transfer applications wherein the current licensee submits documents of the intent to surrender its licenses upon approval of the transfer applicant.

Adopted February 18, 2019

Approved February 19, 2019

Kris A. Teske
Clerk



Mayor

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	1208 State Street
Thirsty's	1234 State Street
Loch's Bar	1238 State Street
Cropsey's Bar	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

RESOLUTION LIMITING THE NUMBER OF
LICENSED ESTABLISHMENTS IN AND AROUND
THE 200 BLOCK OF NORTH WASHINGTON STREET

Green Bay, Wisconsin
February 16, 1998

BY THE COMMON COUNCIL OF THE CITY OF GREEN BAY:

WHEREAS, the Common Council of the City of Green Bay is concerned with the present high concentration of licensed establishments in and around the area of the 200 block of North Washington Street. The high concentration of these establishments in this area has impaired the public peace, safety, welfare, and order; and

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

Candlestick Lounge	119 North Adams St.
C Street	312 Cherry St.
Confetti's Club	217 East Walnut St.
Oasis	201 North Washington St.
Brewbaker's Pub	209 North Washington St.
Sowerby's Public House	217 North Washington St.
Maloney's Pub	219-221-223-225 North Washington St.

WHEREAS, pursuant to the powers reserved under Ch. 125 Wis. Stats., the Common Council wishes to limit the number of Class "B" Fermented Malt Beverage and Class "B" Combination Liquor Licenses, issued to establishments in and around the area of the 200 block of North Washington Street; and

WHEREAS, it is the intent of this resolution to allow present Class "B" Fermented Malt Beverage and Class "B" Combination Liquor Licenses to sell, maintain, renew or transfer their licenses within such area.

NOW, THEREFORE, BE IT RESOLVED:

1. Limitation Area. Any property within the following-described area:
 - a. North Boundary: The center line of Pine Street;
 - b. East Boundary: The center line of Monroe Avenue;
 - c. South Boundary. The center line of East Walnut Street.
 - d. West Boundary: The east shore of the Fox River.

RESOLUTION LIMITING THE NUMBER OF
LICENSED ESTABLISHMENTS IN AND AROUND
THE 200 BLOCK OF NORTH WASHINGTON STREET

Page 2

2. Prohibition. The Common Council shall not authorize the issuance of any new or transfer Class "B" Fermented Malt Beverage or Class "B" Combination Liquor License 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 License for an existing premises in the limitation area.
- 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. Termination of the prior licensee's lease for the premises; or
 - iii. 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.

19a

RESOLUTION LIMITING THE NUMBER OF
LICENSED ESTABLISHMENTS IN AND AROUND
THE 200 BLOCK OF NORTH WASHINGTON STREET
Page 3

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.
- 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 _____

Approved _____

Mayor

Clerk

LMS:bc

196.

A CHARTER ORDINANCE
AMENDING SECTION 11 OF THE ORIGINAL
CONSOLIDATION OR ANNEXATION ORDINANCE
DATED MARCH 9 AND 11, 1895, BETWEEN
THE CITY OF FORT HOWARD AND
THE CITY OF GREEN BAY AND
THE SUBORDINANCE ADOPTED IN 1905

WHEREAS, in 1895 Section 11 of the original consolidation or annexation ordinance between the City of Fort Howard and the City of Green Bay prohibited "saloons" in the City of Fort Howard, except for a certain area from the Fox River to Broadway. The vote passed and, thereafter, the two cities consolidated into what is now known as the City of Green Bay. In 1905 the original ordinance was amended but retained the essential prohibition of no "saloons"; and

WHEREAS, on December 7, 2004, the Common Council voted unanimously to pose a referendum that would amend the liquor prohibition in the west side area (formerly the City of Fort Howard) as follows:

Shall that area west of Broadway, formerly known as the City of Fort Howard prior to its consolidation with the City of Green Bay, allow alcoholic beverage licenses for hotels and restaurants in Business Districts and Industrial Districts only?

and

WHEREAS, a referendum vote will be held on April 5, 2004, in that area formerly known as the City of Fort Howard.

NOW, THEREFORE, THE MAYOR AND THE COMMON COUNCIL OF THE CITY OF GREEN BAY DO ORDAIN AS FOLLOWS:

SECTION 1. Upon passage of the referendum, the original liquor prohibition area west of Broadway is amended to allow alcoholic beverage licenses for hotels and restaurants in Business Districts and Industrial Districts only.

SECTION 2. All other ordinances not in conformity with this ordinance are hereby repealed.

SECTION 3. This ordinance shall not take effect until 60 days after its passage and publication as provided by §66.0101(5), Wis. Stats.

Dated at Green Bay, Wisconsin, this 15th day of March, 2005.

APPROVED:

Mayor

ATTEST:

Clerk

bc

02/15/05

RESOLUTION LIMITING THE NUMBER
OF LICENSED ESTABLISHMENTS IN THE
OLDE MAIN STREET BUSINESS IMPROVEMENT DISTRICT

October 23, 2007

BY THE COMMON COUNCIL OF THE CITY OF GREEN BAY:

WHEREAS, the Common Council is concerned with the present high concentration of Class "B" liquor license establishments in the Olde Main Street Business Improvement District, which can impair the public peace, safety, welfare, and order in this area; and

WHEREAS, pursuant to the powers reserved under Ch. 125 Wis. Stats., the Common Council wishes to limit the number of Class "B" Beer and Class "B" Combination Liquor Licenses, issued to establishments in and around the area of the Olde Main Street Business Improvement District; and

WHEREAS, it is the intent of this resolution to allow present Class "B" liquor license establishments to sell, maintain, renew or transfer their licenses within such area.

NOW, THEREFORE, BE IT RESOLVED:

1. Limitation Area. Any property within the following-described area:

All of Lots 154 through 162, Lots 169 through 191, Lots 193 through 231, Lots 262 through 294, Lots 301 through 322, Lot 402, Lots 420 through 422, Lots 435 through 438, Plat of Navarino. Also, all of the Certified Survey Map recorded in Volume 7, Page 287, being part of Lot 205, Plat of Navarino. Also, all of the Certified Survey Map recorded in Volume 12, Page 197, Brown County Records, being part of Lot 180, Plat of Navarino. Also, all of the Certified Survey Map recorded in Volume 25, Page 180, Brown County Records, being part of Lots 169 and 170, Plat of Navarino. Also, all of Lots 1 through 5, Subdivision of Lots 192, 434, and the north 2 feet of Plat of Navarino. Also, all of Lots 68 through 152 and the tract of land described in Volume 145, Page 405, Brown County Records, Whitney's Addition to Navarino. Also, all of Lots 1 through 8, Lots 99 through 105, Lots 108 through 114, Lots 143 through 150, Plat of Oak Grove. Also, that part of Private Claim 2, east side of Fox River, lying within the area formerly known as Lots 295 through 300, Plat of Navarino. Also, that part of the Plat of Navarino, Whitney's Addition to the Plat of Navarino and the Plat of Oak Grove as described in Jacket 4589, Image 26, being part of the former Chicago, Milwaukee, St. Paul and Pacific Railroad Company so called alley track and Cedar Street Spur. Also, that part of any vacated street or alley right-of-way

adjacent to the lands described above located in said Plat of Navarino, Subdivision of Lots 192, 434, and the north 2 feet of Plat of Navarino, Whitney's Addition to Navarino, and Private Claim 2, east side of Fox River. All located in the City of Green Bay, Brown County, Wisconsin. Excepting the south 130 feet of said Lot 402, Plat of Navarino. Also, excepting the south 125 feet of the east 46 feet of said Lot 422, Plat of Navarino (see attached map).

2. Prohibition. The Common Council shall not authorize the issuance of any new or transfer Class "B" Beer License or Class "B" Combination Liquor License 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" Beer or Class "B" Combination Liquor License for an existing premises in the limitation area.

- b. This subsection shall not prohibit the issuance of a Class "B" Beer 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. Termination of the prior licensee's lease for the premises; or
- iii. 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" Beer 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" Beer 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.
- 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" Beer or Class "B" Combination Liquor License shall be in violation of this subsection and its Class "B" Beer 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 10/23/07

Approved 10/24/07

Mayor

Clerk

bc

Attachment - Map



Old Main Street Business Improvement District



BID Boundary



Map produced by the
Green Bay/Brown County Planning Department
Printed: November 17, 1998



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

MEETING DATE

April 25, 2022

PREPARED BY

AGENDA ITEM # H.2

Consideration with possible action on a change of agent at Wal-Mart Stores East, LP at 2440 W. Mason St.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. sharpscans@greenbaywi.gov_20220407_132006
2. image2022-04-04-123130
3. #3268 - Liquor License - Valid 07-01-2021 to 06-30-2022



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

MEETING DATE

April 25, 2022

PREPARED BY

AGENDA ITEM # H.3

Consideration with possible action on a change of agent for Pablo's Mexican Grill House, LLC at 850 Kepler Dr. Suite C.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. 850 KEPLER DR COA



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

MEETING DATE

April 25, 2022

PREPARED BY

AGENDA ITEM # H.4

Consideration with possible action on a change of agent for Kroll's East, Inc. at 1658 Main St.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. sharpsscans@greenbaywi.gov_20220411_122623



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

MEETING DATE

April 25, 2022

PREPARED BY

AGENDA ITEM # H.5

Consideration with possible action on a change of agent for Wisconsin CVS Pharmacy, LLC at 930 Main St.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. sharpsscans@greenbaywi.gov_20220325_112734



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

MEETING DATE

April 25, 2022

PREPARED BY

AGENDA ITEM # H.7

Consideration with possible action on a change of agent for Oneida Tribe of Indians of WI at 2597 W. Mason St.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. 501 PACKERLAND COA



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

MEETING DATE

April 25, 2022

PREPARED BY

AGENDA ITEM # H.8

Consideration with possible action on a change of agent for Oneida Tribe of Indians of WI at 501 Packerland.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. 501 PACKERLAND COA



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

MEETING DATE

April 25, 2022

PREPARED BY

AGENDA ITEM # H.9

Consideration with possible action on a request by Tux 2, LLC (Blue Collar Bar & Grill) at 1313 S. Broadway St. to temporarily extend their license premises to the parking lot on May 22, 2022 (1 p.m. to 4 p.m.) for the band reunion of Big Mouth & The Power Tool Horns.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. sharpsscans@greenbaywi.gov_20220314_154521



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

MEETING DATE

April 25, 2022

PREPARED BY

AGENDA ITEM # H.10

Consideration with possible action on a request by Pearly Gates Bar & Grill to temporarily extend their license premises to their east parking lot on Saturday, July 9, 2022 for the 17th annual Outdoor Pearly Gates Veterans Charity Benefit.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. sharpescans@greenbaywi.gov_20220316_152647



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

MEETING DATE

April 25, 2022

PREPARED BY

AGENDA ITEM # H.I I

Consideration, with possible action, on a request to extend the licensed premises to the parking lot at 1351 Cedar Street, Napalese Lounge, on Saturday, July 9, 2022, for the purpose of a special event.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. 2022-04-25 Napalese Layout Sp Event
2. 2022-04-25 Napalese Narrative Sp Event



Celestine,

We are planning a 40th Anniversary Celebration for the Napalese Lounge scheduled for Saturday July 9, 2022. As per previous emails here is a recap.

Highlights for the planned celebration

- permission is being asked to be able to set up a bar on the back parking area of the Napalese Lounge that would serve adult patrons beverages including malt beverages/beer, soda, water.
- As per the attached map - the parking area of the Napalese Lounge would be fenced off with 4 ft high fences (see green markings on map) so as to allow access to the parking areas for those who are 21 years of age. Fencing will be on Napalese Property and not on the sidewalk or back alley. Consumption of alcoholic beverages would be limited to the fenced off Napalese Lounge property only.
- There will be entrances through the front door of the Napalese Lounge and the walkway along the side of the building. At both these entrances there will be bouncers/guards who will be checking ID's before allowing people access.
- We will be renting tents (see brown areas noted) and under the tents you will see a stage (yellow area) for entertainment and the bar (orange area) We will also be renting round tables and chairs for patrons to sit at to enjoy the entertainment.
- Entertainment will begin at 1:00 and includes a dunk tank that will be located in the open parking lot area and on stage under the tent for live music, DJ and drag show. Outdoor entertainment will conclude by no later than 9:00PM to comply with City of Green Bay noise policies.
- Additional portable bathrooms and a hand washing station will be located on property owned by the Napalese Lounge in front of the house (which is owned by the Napalese Lounge) located to the west of the Napalese Lounge near Cedar St. within the fenced area.
- Anticipated attendance guesstimate is 150-200 people.

I think that is all the information that you and your staff may need to secure the City of Green Bay permission to be able to sell malt beverages/beer in the enclosed parking area of the Napalese Lounge in the afternoon and evening of July 9, 2022. Should you or your staff need any additional information or have any questions, feel free to contact me via this email address or call me on my personal cell phone number at 920-366-3988. Thank you for your assistance in this matter.

Justis Tenpenny
40th Anniversary volunteer



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

MEETING DATE

April 25, 2022

PREPARED BY

AGENDA ITEM # H.12

Consideration with possible action on a request by Barnys LLC (Black Saddle Tavern & Oasis) at 201 N. Washington St. to permanently change their license premises to include side b on the first floor of the building. New license description: 2850 Sq Feet Selling Space (first Floor, 220 sq ft storage space in back).

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. CHANGE IN LIQUOR LICENSE DESCRIPTION-201 n washington
2. CHANGE IN LIQUOR LICENSE DESCRIPTION-201 n washington
3. 201 n washington statement
4. 201 N WASHINGTON PICS



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

MEETING DATE

April 25, 2022

PREPARED BY

AGENDA ITEM # H.13

Consideration with possible action on a request by Duel Sports Bar LLC at 1114 Main St. to change their license premises to outdoor patio, restroom, green space.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. sharpsscans@greenbaywi.gov_20220321_100944



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

MEETING DATE

April 25, 2022

PREPARED BY

AGENDA ITEM # H.14

Consideration with possible action on an application for a "Class A" Liquor and Class "A" Beer license for Loco Wisco, LLC at 112 N. Washington St. with a licensed premises description as "1247SQ FT ROOM, BATHROOM, STORAGE BEHIND CURTAIN."

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. LICENSE STIPULATION - CLASS A.STROJNYM.378
2. 112 N WASHINGTON ORG APP



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

MEETING DATE

April 25, 2022

PREPARED BY

AGENDA ITEM # H.15

Consideration with possible action on an application for a "Class A" Liquor and Class "A" Beer License by Chicago Fuzzys LLC at 1016 Lime Kiln Rd. with a license premises description as "BEHIND COUNTERTOP CHECKOUT AREA, COOLERS."

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. CLASS A LICENSE STIPULATION AGREEMENT SIGNED BY JOHNSON.MERRILLJ.372-1016 LIME KILN
2. 1016 LIME KILN RD org
3. Chicago Fuzzys LLC Rules and Guidelines

Chicago Fuzzys LLC Rules and Guidelines

- **Me and or my staff (team) or anyone who's acting on my behalf must comply with all the rules, regulations, and laws set forth by the city and or the State.**
- **Me and my team or anyone who's acting on my behalf will always card every individual that attempts the purchase of alcohol in this establishment.**
- **Me and my team will not serve alcohol to a patron who appears overly inebriated.**
- **Me or my staff will not serve alcohol to people who are on the no serve list.**
- **Me and my staff will never serve alcohol under the influence or inebriated.**
- **Me and my staff will not serve alcohol to under aged teens.**
- **Me and my staff will always comply with the house rules set forth by the Owner/Managerial team as a collective.**
- **Me and my staff will alert authorities if any situation arises that endanger me or my staff members.**
- **We will always follow, abide by and enforce these rules for they are a guideline to our safety and compliance to the rules and laws set forth by the city and or state.**

These are the guidelines for Chicago Fuzzys LLC.



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

MEETING DATE

April 25, 2022

PREPARED BY

AGENDA ITEM # H.16

Consideration with possible action on an application for a "Class A" Liquor and Class "A" Beer license by Neo Beverages LLC at 2030 University Ave. with a license premises description as "behind the counter, shelves, back office" (Currently licensed as Pit Row, Inc).

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. LICENSE STIPULATION.WALVORTN.557-2030 university
2. 2030 UNIVERISTY AVE



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

MEETING DATE

April 25, 2022

PREPARED BY

AGENDA ITEM # H.17

Consideration with possible action on an application for an available "Class B" Combination license by Cole J Ductan at 126 S. Broadway Ave. with a license premises description as "1700 SQ FT RESTAURANT & BAR, PREP ROOM, 2 BATHROOMS, AND MOP/ELECTRICAL STORAGE ROOM."

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. SIGNED STIPULATIONS FOR CLASS B LICENSE.LENTZA.464-126 S BROADWAY
2. Broadway Moratoruim 9-16-97
3. sharpscans@greenbaywi.gov_20220421_154423

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



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

MEETING DATE

April 25, 2022

PREPARED BY

AGENDA ITEM # H.18

Consideration with possible action on the release of the the 2021-2022 "Class B" Combination license for LCS LLC at 1583 Main St. to the pool of available licenses due to a voluntary surrender.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. sharpsscans@greenbaywi.gov_20220408_145044

2021 LIQUOR VIOLATIONS

Subject's Name	Tavern Name And Address	Date/Type Violation	Status of Case
Jonathon R. Maus 21-211525 W2021-706-018	TNT Sports Bar & Grill 2511 W. Mason St.	3/8/21 Disorderly Conduct	Issued Written Warning
Troy M. Piontek 21-211525 W2021-706-020	TNT Sports Bar & Grill 2511 W. Mason St.	3/8/21 Disorderly Conduct	Issued Written Warning
Conrado (NMI) Lopez-Mendez 2126881555701	Club 920 1583 Main St.	11/6/21 Sale of Alcohol without a License	Court Date: 1/20/22; Pre-trial 2/23/22; 3/30/22; 4/11/22 Dismissed without Prejudice
Conrado (NMI) Lopez-Mendez 2126882155701	Club 920 1583 Main St.	11/27/21 Sale of Alcohol without a License	Court Date: 1/20/22; Pre-trial 2/23/22; 3/30/22; 4/11/22 Dismissed without Prejudice
Dakota A. D. Dickinson 2126643270201	XS Bar 1106 Main St.	11/23/21 Disorderly Conduct	Court Date: 1/11/22; Guilty by Default, \$376
Jacob W. Harrison 2126643252604	XS Bar 1106 Main St.	11/23/21 Disorderly Conduct	Court Date: 1/11/22; Guilty by Default, \$376
Randall J. Karlin, Jr. 2126643252605	XS Bar 1106 Main St.	11/23/21 Disorderly Conduct	Court Date: 1/11/22; Pre-trial 1/19/22; Guilty, \$376
Conrado (NMI) Lopez-Mendez 2126881450301	Club 9Twenty 1583 Main St.	12/6/21 Sale of Alcohol without a License	Court Date: 1/20/22; Pre-trial 2/23/22 3/30/22; Guilty, \$691

CITY OF GREEN BAY POLICE DEPARTMENT

TO: PROTECTION AND POLICY COMMITTEE

FROM: COMMUNITY POLICING

DATE: April 25, 2022

From March 7, 2022, to April 25, 2022, there have been no DA referrals, no ordinance violations, no written warnings and 2 property referrals.

On February 16, 2022, a Property Referral was issued to property owner of 1114 Main Street, Greater Source LLC, as officers were called for a fight in front of Duel Sports Bar where officers had to use force and were involved in fights with intoxicated subjects. Multiple parties were jailed well above 0.200 BAC.

On April 3, 2022, a Property Referral was issued to property owner of 1706 Main Street, OT's Bar and Grill, for a second significant call. The week prior a male had been stabbed with a knife. On this date, a male had been significantly beat up and likely knocked unconscious due to a disturbance. Bouncers claim they ID'd everyone but both victim and another person of interest did not have ID's on them and exited the business. There seems to be patterns of significant disturbances with the clientele and security does not seem to be doing their job appropriately.

Sincerely,

**LT. STEVE MAHONEY & LT. NATE ALLEN
DISTRICT POLICING**

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