

CITY OF STURGEON BAY
COMMUNITY PROTECTION & SERVICES COMMITTEE
Thursday, June 9, 2016
4:00 p.m.
Council Chambers, City Hall – 421 Michigan Street

1. Roll call.
2. Adoption of agenda.
3. Consideration of: Liquor License Renewals for 2016-2017 License Year
4. Adjourn

NOTE: DEVIATION FROM THE AGENDA ORDER SHOWN MAY OCCUR

Notice is hereby given that a majority of the Common Council may be present at this meeting to gather information about a subject over which they have decision-making responsibility. If a quorum of the Common Council does attend, this may constitute a meeting of the Common Council and is noticed as such, although the Common Council will not take any formal action at this meeting.

Posted:
Date: 6/6/16
Time: 12:00 p.m.
By: SSO

Community Protection & Service Committee Members:
Richard Wiesner, Chr.
Ed Ireland, Vice Chr.
Kelly Catarozoli

EXECUTIVE SUMMARY

TITLE: Liquor license renewals for 2016-2017 license year.

BACKGROUND: At the time that the liquor license renewal packets were sent out by the City Clerk's Office, it was requested that the five known establishments, that may not meet the newly implemented liquor license ordinance guidelines, that they submit proof of compliance with the new liquor license ordinances (passed by the Common Council in December 2014.)

The new ordinance reads as follows:

Cessation of business/non-use of license. If any party holding a class B liquor license shall suspend or cease doing business selling alcohol beverages for a period of 90 consecutive days or more, such licensee shall be in violation of this section and subject to non-renewal by the common council. Any class B liquor license holder who does not have documented liquor sales for at least 180 days per license year shall be in violation of this section and subject to non-renewal of such license.

The five establishments that were requested to submit further documentation were:

Benny D'z – letter attached by Michael Hall of The Olde Opera House, LLC.
Sturgeon Bay Jaycees – letter attached
IMBN, Inc (White Birch Inn) – letter attached
Shipyard Partners LLC (CenterPointe Marina) – letter attached
Nautical Inn - no application or letter received

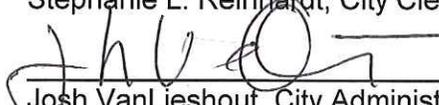
Attached is the information submitted by four of the five establishments for your review.

- OPTIONS:**
- 1) Recommend to the Common Council approval or denial of the licenses based on the City ordinance and supporting information provided by the licensed establishments.

PREPARED BY:


Stephanie L. Reinhardt, City Clerk/Human Resources Director

REVIEWED BY:


Josh VanLieshout, City Administrator

DATE:

6/1/2016

To whomever it may concern,

In the last year, the property at 23 w oak street known as Benny D's was randomly open and closed. Personally I do not know their hours of operation, or what days they were open. I believe they were open for the majority of the year, but that is speculation. Forclosures measures were started in July 30th of 2015, and filed February 4th 2016. The foreclosure was finished May 10th 2016, and that was the first day I was able to enter the building since the foreclosure.

Currently the property is for sale, which I plan to purchase, and reopen the bar while repairing and maintaining the building. My future plans for the building and business are simply to restore the living space, and open the kitchen once again.

I request that the liquor license be issued to The Olde Opera House LLC, so I may re-establish business operations, and provide a future for my family. I plan to open The Olde Opera House on or before July 1st of 2016. Thank you for your time.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Hall", written in a cursive style.

Michael Hall

Sturgeon Bay Jaycees
P.O. Box 284
Sturgeon Bay, WI 54235

May 6, 2015

RE: Sturgeon Bay Jaycees Liquor License

Dear City Counsel;

I have been told that you were requiring some information on how our club uses our Liquor license.

The Jaycees understand that we do not use our license, as much as a bar that has regularly hours.

Although it does allow the Jaycees (being the leadership organization that we are) the opportunity to help develop leadership skills between the organizing and operation of our clubhouse, and the liquor license enhances those opportunities.

We do use the liquor license throug out the year during many different venue's. We sponsor and host a Dart Ball team and as the teams travel to all hosting teams home's we do have the bar open to the public during those matches. The Jaycees along with other organizations use the clubhouse for fundraising events during these events we do open the bar and serve those patrons to help enhance the fundraisers, not just for the Jaycees but for other community based clubs as well. We also do serve weddings, funerals and other group gatherings. Having the bar serve available to help make those life events everything they have dreamed of, and to offer them a private affordable place to celebrate. We have also used the clubhouse and our liquor license by helping with benefits for people in need and the Jaycees help out a group hoping to make a difference in someone's life that has been touched by tragedy.

We do feel the liquor license is an asset and has made our club proud by allowing us to touch the people of our community in special way. Along with giving our members, a chance to grow and learn throug running events. We are proud we have it since we bought the building from the Elk's Lodge many years ago and have tried to live up to the goal and dreams they had for it along with creating our own.

The Jaycees request that you renew our Liquor license and allow us to keep our dream and goals we have for the upcoming year and years to keep growing.

Sincerely

A handwritten signature in cursive script that reads "Jamie Kerscher". The signature is written in black ink and is positioned below the word "Sincerely".

Jamie Kerscher & the Sturgeon Bay Jaycees

White Birch Inn

1009 S. Oxford Ave. • Sturgeon Bay, WI 54235 • 920-743-3295

May 20, 2016

Ms. Stephanie L. Reinhardt
City of Sturgeon Bay
421 Michigan Street
Sturgeon Bay, WI 54235

Dear Stephanie:

This letter is per your request in response to your voice message you left on my cell phone regarding the renewal of the liquor license for the White Birch Inn. You mentioned the copies of the receipts I enclosed were inadequate for the 180 day rule. These were included as documentation for the 90 day test to indicate we did have liquor sales within the 90 day periods of 2015. This is the same type of information that we provided last year and that apparently was adequate last year so I just provided similar information this year.

With regard to the 180 day rule, the inn is open from the beginning of May through mid-November and then for a few groups that come in December, January and February. Due to the over-supply of lodging facilities in Sturgeon Bay, we have closed in recent years for the balance of the winter months. The bar is open during the periods the inn is open which exceeds 220 days per year. However, due to the stricter drinking laws, there are nights that no one purchases alcohol during their stays at the inn. On other nights, people will purchase soda in the bar or come in for coffee, but these obviously are not liquor sales. Our bar is really a dinner bar to support the restaurant and the restaurant has been closed as I have not been able to find anyone I could trust to run the restaurant until this year. This has limited our bar business which has been very frustrating for me. We only track the bar business on a weekly or monthly basis, so in all honesty, I do not have a way to determine if we had liquor sales on 180 days. We have not had need to track the sales on a daily basis so I cannot answer your question with any certainty.

However, I have now hired a local couple – Rick and Abby Hess – to manage the restaurant and bar and our plan is to reopen the restaurant this summer. They have over 40 years of experience and I am excited to have them onboard. We had planned on opening the restaurant for Mother's Day, but I was diagnosed with cancer this past February and just had surgery, so we had to push back the opening date for the restaurant. We now are shooting for July 4th weekend, depending on my recovery. This is still confidential and I appreciate your keeping this confidential. Of course, even though this is confidential, we know there are rumors running around about our reopening of the restaurant and we already have people calling for parties, catering, wedding receptions, class reunions, etc. We are excited about the reopening of the restaurant and I am investing considerable sums of money into remodeling, equipment upgrades, an outdoor patio, employees and redecorating. The reopening of the restaurant will greatly increase the sales of liquor and as the plan is for the restaurant to be open all year long, we should easily have liquor sales for more than 300 days per year. When the restaurant was previously open, we employed around 35 full and part-time people and we are looking forward to once again providing employment opportunities to residents of the area.

Ms. Stephanie L. Reinhardt
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It is imperative for us to have the liquor license renewed as the opening of the restaurant is dependent on it. We have had the liquor license for a long time and this year it becomes more important to us than in any other year I can remember, as I have a lot of faith that Rick and Abby will make the White Birch Inn one of the premier hospitality venues in Door County, as it used to be. Without the liquor license, the restaurant will not survive.

It has only been the past couple of years while the restaurant was closed that we may not have met the second part of the new ordinance. In the other years, as well as for the future, this would not have been an issue and with the reopening of the restaurant will not be an issue in 2016. Therefore, I respectfully request the liquor license be renewed.

Once again, I request you treat the information on the reopening of the restaurant as confidential. Although the rumors are flying around that we will be reopening the restaurant, I appreciate this information not being made public.

Thank you for your time in this matter. If you or the Common Council have any questions or would like to discuss our plans further, please call me at (262) 241-7922.

Thank you.



Scott A. Nyholm

**SHIPYARD PARTNERS LLC
700 SOUTH WATER STREET
MILWAUKEE, WI 53204**

May 13, 2016

City of Sturgeon Bay
421 Michigan Street
Sturgeon Bay, WI 54235

To Whom It May Concern:

Please accept this letter as conformation and documentation that Shipyard Partners LLC, dba CenterPointe Marina, is in compliance with Section 1(e) of Ordinance #1307-1214. We are on track to meet the 180 day liquor sales requirement for the current license year of July 1, 2015 through June 30, 2016.

The attached calendar documents the days on which CenterPointe has recorded liquor sales. We are confident that with the start of the boating season and long awaited warm weather, we will have robust sales to round out the license year.

Sincerely,

A handwritten signature in black ink, appearing to read 'Theodore Balistreri', with a long horizontal line extending to the right.

Theodore Balistreri

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