

Town Board Meeting November 19, 2008

James Parent called a special Town Board meeting to order at 6:30PM in the meeting room at the Town Hall. Present were James Parent, Robert Schultz, Barbara Anschutz, Peter Jacobs, Dale Williams, Douglas Smith and 5 visitors.

Clerk verified posting. Motion made/second Dale/Barb to accept the agenda. Carried.

Discuss/decide replacement of well pump at waste water treatment plant – Well pump went out about a week ago. It was an emergency situation, so the parts and everything were ordered, but Jim just wanted to get a formal approval of it. It's somewhere in the range of about \$10,000. The cost will be coming out of the replacement fund. Motion made/second Dale/Bob to replace the well pump at the waste water treatment plant. Carried.

Discuss/decide possible revisions to liquor license ordinance for review by Town attorney – Jim would like to get the discussion to try to see how to tighten up requirements to better define any potential exception licenses as well as addressing requirements of current license holders in regard to facilities and license use. There are two issues. One is address the current liquor licenses. We have a quota of 11 and that will not change, so we just need to look at the 11 and make sure they're being used in the correct ways. The other issue is any possible exceptions. There is really only one and that is the special 300 seat license.

Regarding the current licenses out there, we had tried to take a license away earlier in the year and were told by our attorney we couldn't because our ordinance was too loose. One idea would be to list what their business is in the ordinance. Another would be to make a requirement that if the Board suspects a business is not using a license properly, the Board has the right to review sales numbers and set some criteria for what the numbers should be. We need to create some guidelines that will apply to everybody and if they don't meet them when it comes time for renewal, then they will no longer have their license. We're not looking to create an ordinance to take anyone's license away, we're creating an ordinance that everyone will have to follow in order to keep their license. Everything will have to be carefully worded. For this part of the ordinance, Jim will talk to Randy Nesbitt about everything. If we do end up getting a license back, we are not obligated to give it out. What needs to be figured out is what the definition of a Class B liquor license holder should be. The general consensus seems to be that the principle business has to be selling liquor and/or food and we need to define the type of business. Jim will talk to Randy to find out the proper way to work everything.

300 seat exception – This is currently the only way to get a license above the quota. If someone is going to apply for this, we need to figure out what kind of criteria they need to meet. We got some information from the licensing manual, as well as an example from the Village of Sister Bay. One of the items in the Sister Bay example is in regards to seating. They also have to be open 4 hours on each of 150 days of each license year. Ours currently is 65 days during any 90 day period. That allows just about anybody who is a seasonal business to get by. Jim would like to see an exception for this if a someone is trying to sell a business. Sister Bay requires 2/3 of the seating be indoors and that the business provide written evidence from the State Building Inspector that they meet all state codes. Jim feels they would need to meeting zoning, health, parking and sanitation requirements. Jim would like to create the guidelines that define the ordinance, but have the ordinance point to the guidelines. That way we wouldn't have to change the ordinance every time, just change the guidelines. Runoff would be another requirement. In Liberty Grove, buildings of a certain size require sprinkler systems for fires. All this information would need to provided at the time of the application. All of this should

actually apply to any new licenses, not just the 300 seat exception. There should also be some kind of criteria for ranking applicants. If we do end up getting one back, there may be three or four people who want it. We need some sort of criteria to decide who gets it. Jim would like to have another meeting about this soon. Jim will get something written up for everyone to review. He'd like to get something on paper to pick apart. Jim will call Randy and talk to Bob Kufrin and get some ideas. Doug called a few other local governments and Sister Bay was really the only one that specifically addressed the 300 seat issue. Bill Hanusa asked if the criteria would count outdoor seating towards the 300 seat license requirements. Jim said it will most likely be part of the equations. We'll meet again at 6:00PM on December 8, before the regular meeting.

Motion made/second Bob/Barb to adjourn at 7:36PM. Carried.

These minutes are subject to correction at the next regular monthly Town Board meeting.

Douglas Smith  
Town Clerk