

CITY OF WAUWATOSA
7725 WEST NORTH AVENUE
WAUWATOSA, WI 53213
Telephone: (414) 479-8917
Fax: (414) 479-8989

LEGISLATION, LICENSING & COMMUNICATIONS COMMITTEE

Tuesday, January 14, 2003
Committee Room #2

PRESENT: Alds. Treis; Sullivan; Bruderle-Baran; Ecks; Grimm; Subotich – 6

ALSO PRESENT: A. Kesner, City Attorney; Capt. Bozicevich, Police

Ald. Treis as chair called the meeting to order at 7:32 p.m.

Application for a “Class A” Beer & Liquor license by Metcalfe Foods– Waunakee, LLC, d/b/a Sentry Foods #560, 6700 W. State Street, Jeff Greenheck, agent

Jeff Greenheck spoke on behalf of Metcalfe Foods. He brought the committee’s attention to a handout outlining Metcalfe’s policies and procedures on liquor sales. The handout described the controls put into place to ensure no liquor will be sold after 9:00 p.m. or to underage patrons. He told the committee that Metcalfe Foods is requesting the ability to sell beer, wine and liquor from the existing liquor department that is caged and locked nightly at 9:00 p.m. They are also requesting 250 square feet of “Displays or Merchandising at Large” where they intend to display wine and beer throughout the store. Mr. Greenheck said wine is now considered part of the meal and so Metcalfe Foods would like to merchandize it with certain food products as a convenience to patrons. He also told the committee that beer and wine is displayed in this manner at their Sentry Store in Madison and there has never been a problem. He then showed and explained a photo taken in the Madison store showing a display of wine in the seafood department.

Ald. Sullivan asked about the size of the displays. Mr. Greenheck said the displays would be limited, tasteful and there would be no end caps.

Ald. Bruderle-Baran said that she was familiar with Metcalfe Foods’ Madison store. She asked if the Wauwatosa store would be similar. She also asked about security arrangements. Mr. Greenheck said the Wauwatosa store would be similar and that there will be uniformed security personnel each night from midnight until 6:00 a.m.

Ald. Ecks verified with Atty. Kesner that if Metcalfe Foods sold the store in the future the new owners would be required to apply for a new “Class A” license. The ability to display alcohol outside of the liquor department would not automatically be extended to the new owners. Ald. Ecks also expressed concern about the marketing of certain beverages. He noted that certain alcoholic beverages are marketed specifically to underage drinkers. He was concerned that these types of alcoholic beverages would be displayed and merchandized outside of the liquor department. Mr. Greenheck said it’s not Metcalfe Foods’ intention to display alcoholic beverages marketed to youth outside of the liquor department. The intention is to display and merchandize wine and some beer to adults as part of the meal.

Atty. Kesner told the committee that there is no particular state law or ordinance that prohibits displaying alcohol outside of the liquor department. He also told the committee that he had spoken with both the Madison City Attorney and Police Chief. Neither one has had any problems with Metcalfe Foods’ Sentry store in Madison.

Capt. Bozicevich told the committee that the police are satisfied with the safeguards Metcalfe Foods plans to implement in regard to liquor sales. He is unaware of any other store in Wauwatosa that has these same safeguards. He also told the committee that Metcalf Foods has had no violation at their Sentry store in Madison.

Ald. Subotich asked Mr. Greenheck if there are alcoholic beverages marketed to underage drinkers displayed outside of the liquor department at the Madison Sentry. Mr. Greenheck responded no.

Moved by Ald. Sullivan, seconded by Ald. Grimm to recommend approval - -

Ald. Ecks commented that he was pleased Mr. Greenheck had gone on the record in regard to marketing alcohol to underage drinkers. Because of this he will go along with the recommendation.

Vote on the motion was: Ayes: 6

Application for an Operator License by Anthony Gonzalez, N71 W23795 Lorraine Court, Sussex

Capt. Bozicevich told the committee Mr. Gonzalez has a 4 year old underage violation that wasn't noted on his application.

Mr. Gonzalez told the committee that his failure to declare the violation was a mistake. It was not his intention to keep information from the committee.

In response to Ald. Bruderle-Baran's questions, Mr. Gonzalez told the committee that he currently has a driver's license, his fine was paid and he was not required to attend any classes.

Moved by Ald. Bruderle-Baran, seconded by Ald. Sullivan to recommend approval – 6

Application for an Operator License by Patrick Magee, 2329 N. 89th Street, Wauwatosa

Mr. Magee was not present.

Moved by Ald. Ecks, seconded by Ald. Bruderle-Baran to hold the matter until the committee meeting of February 25, 2003 – 6

License applications forwarded by the City Clerk for review

There were no license applications forwarded for review.

The meeting adjourned at 7:56 p.m.

Carla A. Ledesma, CMC
City Clerk