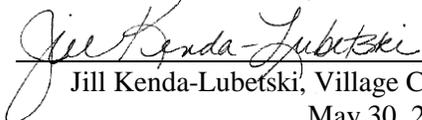


VILLAGE BOARD MEETING
Monday, June 3, 2013
Earl McGovern Board Room, 6:30 P.M.



PLEASE TAKE NOTICE that a meeting of the Brown Deer Village Board will be held at the Village Hall of the Village of Brown Deer, 4800 West Green Brook Drive, Brown Deer, Wisconsin at the above noted time and date, at which the following items of business will be discussed and possibly acted upon:

- I. Roll Call
- II. Pledge of Allegiance
- III. Persons Desiring to be Heard
- IV. Consideration of Minutes: May 20, 2013 – Regular Meeting
- V. Unfinished Business
- VI. New Business
 - A) Liquor License Application for Shop on Sherman, 7979 North Sherman Boulevard, Suite 220
 - B) Liquor License Applications for 2013-2014
 - C) Waiving of 4th of July Concession Vendor Peddler and Food License Fees
 - D) Consideration of 4th of July License and Permit Applications and Waiving of Village of Brown Deer License and Permit Fees
 - E) Temporary Class “B” Retailer’s License for Brown Deer Granville Chamber Event – June 19, 2013
 - F) Temporary Class “B” Retailer’s License for Brown Deer Granville Chamber Event – July 17, 2013
 - G) Temporary Class “B” Retailer’s License for Brown Deer Granville Chamber Event – August 21, 2013
 - H) Junior Baseball Team – Waive Permit Fee and Extend License Period
 - I) Presentation of NR216 Report
- VII. Committee Appointment
- VIII. Village President’s Report
- IX. Village Manager’s Report
- X. Recess into Closed Session pursuant to §19.85(1) (g) Wisconsin Statutes for the following reasons:
 - (g) Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved.
 - 1. To discuss strategy regarding pending litigation with United Apostolic Church
- XI. Reconvene into Open Session for Possible Action on Closed Session Deliberations
- XII. Adjournment


Jill Kenda-Lubetski, Village Clerk
May 30, 2013

PERSONS REQUIRING SPECIAL ACCOMMODATIONS FOR ATTENDANCE AT THE MEETING SHOULD CONTACT THE VILLAGE CLERK AT LEAST ONE BUSINESS DAY PRIOR TO THE MEETING.

**BROWN DEER VILLAGE BOARD
MAY 20, 2013 MEETING MINUTES
HELD AT THE BROWN DEER VILLAGE HALL
4800 WEST GREEN BROOK DRIVE**

The meeting was called to order by President Krueger at 6:33 P.M.

I. Roll Call

Present: Village President Krueger; Trustees: Baker, Boschert, Oates, Schilz, Springman, Weddle-Henning

Also Present: Michael Hall, Village Manager; Steven Rinzel, Chief of Police; John Fuchs, Village Attorney; Matt Janecke, Assistant Village Manager; Larry Neitzel, Operations Superintendent; Nate Piotrowski, Community Development Director

II. Pledge of Allegiance

III. Persons Desiring to be Heard

President Krueger announced there will be time for comment on the Presentation by Wal-Mart immediately following the presentation.

IV. Consideration of Minutes: May 6, 2013 – Regular Meeting

It was moved by Trustee Boschert and seconded by Trustee Oates to approve the minutes for the May 6, 2013 - Regular Meeting. The motion carried unanimously.

V. New Business

A) Consideration of a Termination of TID Redevelopment Agreement with Lowe's

Attorney Alan Marcuvitz, Community Development Authority Legal Counsel, reviewed his report to the Board regarding the financial arrangements of the agreement. In 2005, the Village created a Tax Incremental District (TID) to encourage and enable development by providing \$2.4 million of financial support to Lowe's. Even though Lowe's closed in 2011, they have met every obligation. Wal-Mart is proposing to guarantee a value moving forward of \$11,000,000. Lowe's is proposing to make an upfront payment of \$1,250,000 to cover the outstanding obligations for the TID assumed by Lowe's. Instead of a possible value of \$2.5 million in 2019, the Village would have a guaranteed value of \$11,000,000 from Wal-Mart. The guaranteed value is significant to the health of the TID and tax base.

Attorney Fuchs recommended the Village Board take action on the termination agreement but to have it contingent on the approval of the Wal-Mart redevelopment agreement.

It was moved by President Krueger and seconded by Trustee Oates to approve the Termination of TID Redevelopment Agreement with Lowe's contingent upon action by the Village for all approvals and entry into all development agreements as necessary to effectuate the Wal-Mart redevelopment project. The motion passed 6-1, with Trustee Weddle-Henning voting in opposition.

B) Presentation by Wal-Mart

Debbie Tomczyk, Lisa Nelson, and other Wal-Mart representatives gave a presentation of the plans for the Wal-Mart store. In her presentation, Ms. Tomczyk mentioned the Brown Deer store is intended to serve the North Shore communities and northern suburban communities. The Servite Drive store in Milwaukee was closed because of the size restriction and replaced by a store on Silver Spring Drive in Timmerman Plaza. This is a great opportunity to bring life back to the vacant Lowe's. Ms. Tomczyk continued to explain the merchandise that will be stocked in the store and a general site plan. Additional

neighborhood meetings can be planned to address neighborhood issues. She recognized the number of formal approvals that still have to happen with the Plan Commission, Building Board, and Beautification Committee before the project is officially approved. What is being presented and considered at this meeting are the financials of the agreement. Ms. Nelson continued with the presentation and gave a more detailed explanation of some of the things Ms. Tomczyk touched on but her main focus was on the locally produced products, sustainability practices, and community giving. Ms. Tomczyk added at the end of the presentation, Wal-Mart will not be asking for additional funds to support the development. Ms. Tomczyk then announced she is willing to entertain questions about the development.

Trustee Weddle-Henning inquired into the length of time the Wal-Mart previously located on Servite Drive was open and how will it differ in comparison to a store in Brown Deer, with the location only being a mile away. She further alluded to the crime and reasons for closing. Ms. Tomczyk responded that the location did not support a full grocer, and the Timmerman Plaza store serves the customers who previously shopped at the Servite Drive store. Ms. Nelson then further explained how they tracked customer purchases.

Trustee Baker inquired about merchandising and the average dollar sale at a potential store in Brown Deer. He mentioned he spoke with a representative at the open house and he explained there would be an average price difference for merchandise of \$30 between the store at Servite Drive and a location in Brown Deer. Ms. Nelson addressed the question and said she was not exactly sure how merchandise average was calculated but that she will find out for Trustee Baker.

Trustee Oates inquired about the percentage of total sales that will be food and project profit based on the sales. Ms. Nelson responded that none of the representatives present are prepared to answer that question. Those statistics are determined by someone internally. A brief conversation took place regarding the market of the North Shore communities.

Trustee Weddle-Henning asked how is it determined where a neighborhood and a full Wal-Mart store will be located. Ms. Nelson explained the size of the Lowe's building determined that a supercenter will be located there. Neighborhood markets are an emerging business model in the area.

Trustee Schilz opined about the management problems at the Servite Drive Wal-Mart and continued to ask what the support is for Veterans returning from service. Ms. Nelson responded that their team is well aware of the problems at the Servite Drive location, but that changes will be made to serve the customer better. She continued to address Trustee Schilz's second question by stating, Wal-Mart has made a commitment to hire every veteran, so long as they pass a drug test. A brief conversation ensued between Trustee Schilz and Ms. Nelson on how the management style will change with this store compared to the Servite Drive Wal-Mart. President Krueger then gave the audience an opportunity to speak.

Kevin Wisth, 5625 W. Brown Deer Road #117, commented on the site plan and management of the store at Servite Drive. He further stated his biggest concerns are that after four to five years after the store is in business it will no longer be cleaned or managed well.

Thomas Hartman, 4889 W. Terry Avenue, commented on the quality of Wal-Mart stores in the southern states.

Bonnie Terranova, 4021 W. Parkland Avenue, inquired into the crime statistics at the former Lowe's store and at the Wal-Mart previously on Servite Drive. Chief Rinzel addressed Ms. Terranova's inquiry.

Betty Bennett, 6209 W. Plaza Circle, commented on the site operations when Lowe's occupied the site and continued to state that she is concerned with the perception that Wal-Mart will bring to Brown Deer.

Viola Bergman, 4174 W. Calumet Road, inquired into the reduction of lighting that was mentioned

during the presentation. Ms. Tomczyk stated that this will take place inside the store to save energy.

Nia Roberts, 4427 W. Fountain Avenue, inquired into whether or not Wal-Mart plans to sell guns and alcohol. Ms. Tomczyk responded that typically Wal-Mart does sell liquor and guns but that is for discussion with Village officials.

Nora Repins, 5187 W. Dean Road, commented that there were a number of causes that lead to the mismanagement at the Wal-Mart in Milwaukee, and asked that representatives identify all the causes before opening a store in Brown Deer. President Krueger addressed the comment by replying that site and operational plans will be addressed at a later date, and that tonight is strictly to consider the financial agreement. Ms. Bennett commented that by passing the financial agreement will essentially approve the development of Wal-Mart at the former Lowe's site.

Lynn Delahan, 6731 N. 60th Street, stated that she made a number of phone calls to other municipalities to see what could be done to stop Wal-Mart from occupying the location. She is not in favor of the development and has a number of concerns related to safety.

C) Presentation by Staff on Lowe's Termination Agreement and Wal-Mart Redevelopment Agreement

Mr. Hall gave a brief presentation of the approvals that are still to come and listed off the number of sub-committee meetings Wal-Mart will have to gain approval from, before going to the Village Board for final approval. He went on to explain the financials more in-depth. Mr. Piotrowski noted the dates of the sub-committees and the time frame regarding final approval.

President Krueger briefly touched on items that will be included in the operational agreement that will prevent the store in Brown Deer from having the same issues as the Servite Drive location.

D) Consideration of a TID Redevelopment Agreement with Wal-Mart at 6300 West Brown Deer Road

Trustee Schilz brought to the attention of the Village Board a number of items included on the redevelopment agreement that should be included in the operational agreement only. Attorney Fuchs stated the zoning in place considers the uses mentioned, however, the operational agreement approves all the uses in detail. A brief discussion ensued on how the zoning regulates vacancy and other operational items. Attorney Marcuvitz suggested the Village Board grant approval based on the following motion that the Village grant approval to Wal-Mart to redevelop the property into an approximately 150,000 square foot Wal-Mart store and improvements under an acceptable operational agreement and to terminate the Lowe's agreement under the following conditions.

It was moved by President Krueger and seconded by Trustee Springman to approve as the conceptual Redevelopment Agreement, as amended, for redevelopment of the property into an approximately 150,000 square foot Wal-Mart store subject to an acceptable redevelopment between the Village and Wal-Mart. The motion passed 6-1, with Trustee Weddle-Henning voting in opposition.

E) Res. No. 13-, "Public Hearing for Special Assessment for Driveways on the 2013 Ditching Project"

Mr. Neitzel presented the resolution and explained the meeting will be held at the Village Board meeting on June 17th. Trustee Oates clarified the purpose for holding a public hearing. Mr. Neitzel responded that statutes state a preliminary resolution must be adopted for the public hearing and a final resolution needs to be adopted to accept the special assessment.

It was moved by Trustee Springman and seconded by Trustee Weddle-Henning to adopt Res. No. 13-, “Public Hearing for Special Assessment for Driveways on the 2013 Ditching Project”. The motion carried unanimously.

F) Establish the Date for the Public Review of the Yearly NR 216 Storm Water Report

Mr. Neitzel reviewed his report and indicated a date must be established by the Village Board per the Department of Natural Resources for a review of the NR 216 Storm Water Report. He proposed a date during the Village Board meeting on June 3rd.

It was moved by Trustee Weddle-Henning and seconded by Trustee Boschert to establish a date for the Public Review of the Yearly NR 216 Storm Water Report on June 3rd during the regularly scheduled Village Board meeting. The motion carried unanimously.

VI. Committee Report

A) Building Board – Trustee Weddle-Henning

Trustee Weddle-Henning reported on the approval of three signs at Modus Design, Burlington Coat Factory, and Iron Plat Café and the approval of two home additions and extensions.

B) Beautification Committee – Trustee Oates

Trustee Oates reported the committee discussed preparations for the Arbor Day event where approximately 40 people attended. He continued to report on the Emerald Ash Borer treatment that will be applied to the trees on Pierner Place. Trustee Baker inquired into the removal of the trees with orange marking on them. Mr. Neitzel said the trees will be removed once crews are available.

C) Park and Recreation Committee – Trustee Springman

Trustee Springman reported that Noah Frohler, who is pursuing his Eagle Scout Badge, will be constructing three new lifeguard platforms for the pond. Also discussed were the baseball and softball programs in Brown Deer.

D) 4th of July Committee – Village President Krueger

President Krueger announced that beer pricing and entertainment has been finalized, and that bingo will not take place at the 4th of July event this year. Trustee Schilz gave a background to the process for obtaining permissions to hold bingo.

E) Traffic and Public Safety – Trustee Boschert

1) Resolution No. 13-, “Resolution Amending the Village Parking Prohibition Table Under Section 62-51 (c) of the Village Code Pertaining to West Green Brook Drive and North 51st Street”

Trustee Boschert reported that the committee discussed the parking at the Dance Academy and announced violations have occurred since signage has been in place and the committee would like to make the signage permanent. A brief discussion took place regarding the intentions of building a parking lot on the property. Chief Rinzel announced his department has received the most parking complaints regarding this parking issue.

It was moved by Trustee Boschert and seconded by Trustee Oates to adopt Resolution No. 13-, "Resolution Amending the Village Parking Prohibition Table Under Section 62-51(c) of the Village Code to West Green Brook Drive and North 51st Street". The motion carried unanimously.

F) Library Board – Trustee Baker

Trustee Baker announced Brian Williams-Van Klooster as the new Library Director and will be starting on May 28th. Other discussions took place regarding the building of a tower to be used for an internet and telephone connection with service coming from Village Hall.

G) Community Development Authority – Village President Krueger

1) Consideration of an Amendment to the Deerwood Crossing Phase II TID Redevelopment Agreement

President Krueger reported that the amendment includes the changes of payment date to the Village of \$99,500 from June 1st to July 15th, the commencement for construction from June 1st to July 15, and the time to occupy from January 1, 2014 to June 1, 2014. In accordance to the previous changes, General Capital is asking the re-conveyance date upon failure to pay purchase price from June 30, 2013 to July 31, 2013 and the re-conveyance date upon failure to commence construction from June 30, 2013 to July 31, 2013. There is a positive recommendation from the Community Development Authority.

It was moved by President Krueger and seconded by Trustee Schilz to approve the Amendment to the Deerwood Crossing Phase II TID Redevelopment Agreement. The motion carried unanimously.

H) Plan Commission – Village President Krueger

No meeting.

I) Finance and Public Works – Trustee Oates

1) Purchase of DPW Patrol Truck

Mr. Neitzel noted this is a typical purchase of a Patrol Truck and equipment listed in the Capital Improvement Plan.

It was moved by Trustee Oates and seconded by Trustee Boschert to approve the purchase on one 2014 International 7400SFA Truck from Lakeside International at a price not to exceed \$82,000 and the purchase/installation of one dump body/plow/wing/spreader and hydraulic controls to Burke Truck and Equipment at a price not to exceed \$72,000. Total the truck complete is \$154,000. The motion carried unanimously.

2) 2013 Street Rehab Contract Award

It was moved by Trustee Oates and seconded by Trustee Weddle-Henning to award the 2013 Street Rehab Contract to Payne & Dolan per their bid on April 30, 2013. The estimated contact cost is \$288,839.40 with the addition of Beech Court. The motion carried unanimously.

3) Engineering Contract Award - N. 60th Street from W. Fairy Chasm Road to W. County Line Road

Mr. Piotrowski explained a Request for Qualifications were sent and 14 responses were received with

Crispell Snyder being the most favorable bid. In order to comply with the Urban Improvement grant requirements, Staff had to make the request for firms other than the Village's contacted firm, Ayres Associates. A discussion ensued about the additional requirements of the grant.

It was moved by Trustee Springman and seconded by Trustee Weddle-Henning to approve and award the engineering contract for North 60th Street to Crispell Snyder in the amount of \$84,000 contingent upon all parties' execution of the required three party contract. The motion carried unanimously.

4) Consideration of Vouchers

It was moved by Trustee Oates and seconded by Trustee Boschert to approve the vouchers from March 29, 2013 through April 26, 2013 in the amount of \$732,027.03. The motion carried unanimously.

J) Personnel Committee – Trustee Baker

No meeting.

VII. Unfinished Business

None.

VIII. Committee Appointment

It was moved by Village President Krueger and seconded by Trustee Springman to appoint Jeff Jaroczynski to the Plan Commission. The motion carried unanimously.

IX. Village President's Report

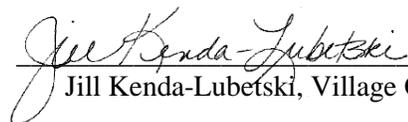
Village President Krueger reported on the following:
North Shore Fire Department with Rob Hanke
Meeting with Department of Transportation
Meeting with TAPCO

X. Village Manager's Report

Mr. Hall reported on the following:
Reported on the interviews for Public Works Director
Meeting with the Department of Transportation concerning the Hwy 100 and 57 interchange

XI. Adjournment

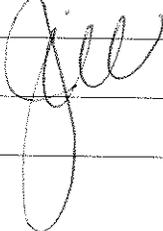
It was moved by Trustee Springman and seconded by Trustee Weddle-Henning to adjourn at 9:05 p.m. The motion carried unanimously.



Jill Kenda-Lubetski, Village Clerk



REQUEST FOR CONSIDERATION

COMMITTEE CONSIDERATION: Village Board
ITEM DESCRIPTION: Application for a Class "A" Beer License and Class "C" Wine License to Joenette Diana Kelly-Kidd, d/b/a Shop on Sherman located at 7979 North Sherman Boulevard, Suite 220
PREPARED BY: Jill Kenda-Lubetski, Village Clerk 
REPORT DATE: May 17, 2013
MANAGER'S REVIEW/COMMENTS: <ul style="list-style-type: none"><input type="checkbox"/> No additional comments to this report.<input type="checkbox"/> See additional comments attached.
RECOMMENDATION: To consider the application for a Class "A" Beer License and Class "C" Wine License to Joenette Diana Kelly-Kidd, d/b/a Shop on Sherman located at 7979 North Sherman Boulevard, Suite 220.
EXPLANATION: Joenette Diana Kelly-Kidd has filed an application for a Class "A" Beer and Class "C" Wine license d/b/a Shop on Sherman located at 7979 North Sherman Boulevard, Suite 220. All individuals, corporations and limited liability companies applying for an alcohol beverage license must appoint an agent, which must be approved by the municipality. Ms. Kelly-Kidd is applying to be the appointed agent for the liquor license. It will be necessary for Ms. Kelly-Kidd to provide documentation that she has completed a Responsible Beverage Server's Course. A background check of Joenette Diana Kelly-Kidd was completed by the Police Department, with the recommendation that Ms. Kelly-Kidd be considered as Agent. A notice of this pending liquor license application was published in the legal section of the May 30, 2013 edition of <i>The North Shore Now</i> . The publication fee of \$15 has been paid. The required fees for a Class "A" Beer and Class "C" Wine license to operate for the 2013-2014 license period have not been paid to the Village, pending Village Board approval. Pursuant to State Statutes and the Village Code, all intoxicating liquor license applications must be presented for consideration and approved by the Village Board. The Village Board has the option to not take any action on the license application today and may request that a public hearing be scheduled on the matter. As a reminder, I would like to point out that Ms. Kelly-Kidd made the same application to the Village in January of 2012. A public hearing was held on February 6, 2012. The liquor license application was denied by the Village Board. A copy of the minutes from that meeting are attached for your reference.

Trustee Weddle-Henning asked if staff has worked with other engineering firms. Mr. Piotrowski said they have, and civil engineering firms specialize in different areas and Ayres is good at identifying projects that lack knowledge and Ayres has been good at recommending other firms that have expertise on the project. Trustee Weddle-Henning commented that she would like other firms to have better consideration for the contract.

It was moved by Trustee Boschert and seconded by Trustee Springman to approve entering into an "Amendment of Agreement" with Ayres Associates, Inc. to continue serving as the Village's Civil Engineering Consultant for calendar years 2012 and 2013. The motion carried 6-1, with Trustee Weddle-Henning voting in opposition.

3) Village Hall Technology and Network Upgrade

Trustee Boschert provided the background for the network upgrade. Due to age, lack of storage space and the lack of ability to accept the new accounting software the server needs replacing. Staff has received proposals and Digicorp has the second lowest bid, CC&N submitted the lowest proposal but having an incomplete proposal staff could not recommend them to the board. Digicorp comes highly recommended from the school district and has performed work at the village in the past.

Trustee Weddle-Henning asked what part of the budget is this project being funded from. Mr. Janecke responded that this project is part of a larger Capital Improvement Plan project of \$25,000 that includes purchasing a device to view paperless packets. Digicorp's proposal of \$17,209 was slightly higher than the \$17,000 budgeted for the project.

It was moved by Trustee Boschert and seconded by Trustee Oates to approve the purchase of a Server for Village Hall from Digicorp at a not to exceed amount of \$17,209. The motion carried unanimously.

4) Consideration of Vouchers

It was moved by Trustee Boschert and seconded by Trustee Oates to approve the vouchers from November 23, 2011 to December 22, 2011 in the amount of \$720,682.85. The motion carried unanimously.

J) Personnel Committee

Mr. Van Gompel informed the Board of some of the recent retirements and some of the discussion at the last meeting. He continued to report on the Subsidy Program brought forth by the Milwaukee Metropolitan YMCA. The program is being considered by the Wellness Team and they have asked employees to provide their input as to whether or not they will be interested in taking advantage of the program if offered.

VI. Unfinished Business

VII. New Business

A) Liquor License Application for Shop on Sherman, 7979 North Sherman Boulevard, Suite 220

Mr. Van Gompel gave a description of the store and the kind of alcohol the liquor license allows for, and noting the purchase of alcohol will be for off premise consumption only. Ms. Kelly-Kid added to Mr. Van Gompel's description by highlighting her professional career as a City of Milwaukee Police Officer and vowing not to sell to underage buyers.

Trustee Baker asked how much of the total sales of merchandise at the store will come from alcohol. Ms. Kelly-Kid's approximation was 10%. Trustee Schilz asked that a public hearing be held before the liquor license approved, the Village Board agreed.

It was moved by Trustee Schilz and seconded by Trustee Boschert directing staff to hold a public hearing concerning the approval of a Liquor License Application for Shop on Sherman, 7979 North Sherman Boulevard, Suite 220. The motion carried unanimously.

B) Draw Candidate's Names for Ballot Placement for Spring Election on April 3, 2012

Village President Krueger drew candidates' names for ballot placement for the spring election on April 3rd; Trustee Schilz will be first on the ballot, followed by Trustee Oates.

C) Resolution No. 12-, "A Resolution for an Advisory Referenda concerning Public Support for, or the opposition to, Reduction in the Size and Compensation of the Milwaukee County Board of Supervisors on the Election Ballot for the Tuesday, April 3, 2012 Election"

Mr. Van Gompel updated the board on the resolution and that since the December 5, 2011 Village Board meeting, there has been some request from the Village Board to have this agenda item be placed back on the agenda. The proposed resolution pertains to the size and compensation of the County Board. Some Milwaukee County communities have approved the resolution.

Former District #1 County Supervisor Joe Rice gave a brief description of the resolution and its purpose.

Don Uebelacker, Mike Christopulos and Augie Zanowski all expressed their concern over having the referenda resolution placed on the April 3, 2012 Milwaukee County Election Ballot.

A conversation ensued about the relativity of the resolution being placed on the April 3, 2012 Election Ballot.

It was moved by Trustee Boschert and seconded by President Krueger to adopt Resolution No. 12, "A Resolution for an Advisory Referenda Concerning Public Support for, or the opposition to, Reduction in the Size and Compensation of the Milwaukee County Board of Supervisors on the Election Ballot for Tuesday, April 3, 2012 Election". The motion carried unanimously.

D) Transfer of "Class B" Liquor License issued to Wigley Enterprises to Celebrations, LLC, 4740 West Bradley Road.

Mr. Van Gompel informed the Village Board an operating plan was received from Barry and Kathleen Mimis to open and operate Celebrations at 4740 West Bradley Road. The Village received notification that the current lessee and liquor license holder for 4740 West Bradley Road (Theresa L. Wigley, Terri Lynn's on Bradley) will cease operations at this location on March 5, 2012. Barry Mimis is being recommended as the appointed agent for Celebrations and has completed all the necessary steps to obtain a liquor license. Mr. and Mrs. Mimis' stated that their intent is to have a banquet hall and lounge and are present at the board meeting to answer questions. A brief conversation ensued about some of the past property maintenance issues.

It was moved by President Krueger and seconded by Trustee Weddle-Henning to approve the Transfer of "Class B" Intoxicating Liquor and Intoxicating Beer License held by Wigley Enterprises (Terri Lynn's on Bradley) to Celebration, LLC to operate Celebrations located at 4740 West Bradley Road. The motion carried unanimously.

**BROWN DEER VILLAGE BOARD
FEBRUARY 6, 2012 MEETING MINUTES
HELD AT THE BROWN DEER VILLAGE HALL
4800 WEST GREEN BROOK DRIVE**

The meeting was called to order by President Krueger at 6:30 P.M.

I. Roll Call

Present: Village President Krueger; Trustees: Baker, Boschert, Oates, Schilz, Springman, Weddle-Henning

Also Present: Russell Van Gompel, Village Manager; Matt Janecke, Assistant Village Manager; Chief Steven Rinzel, Brown Deer Police Department; Bridget Souffrant, Treasurer/Comptroller; John Fuchs, Village Attorney; Nate Piotrowski, Community Development Director, Larry Neitzel, Operations Superintendent

II. Pledge of Allegiance

III. Public Hearing

- A) **In the Matter of the Application for a Class "A" Fermented Malt Beverages License and a Class "C" Wine License by Joenette Diana Kelly-Kid d/b/a Shop on Sherman, 7979 North Sherman Boulevard, Suite 220, to Allow for the Sale of Fermented Malt Beverages and Wine on the Site.**

A notice of this pending liquor license application was published on January 5, 2012 and a notice of the public hearing was published on February 2, 2012 in the *North Shore Now*. In addition to the notice of the public hearing in the newspaper, notification was mailed to property owners within 1000 feet of the store.

Bill Tobin, 8085 North 44th Street, commented on the legality of the liquor license and the business which it applies to. A conversation ensued between Mr. Tobin and Attorney Fuchs.

Diana Wright, 6585 West Piernor Place, asked questions pertaining to the operations of the store "Shop on Sherman"; what are the hours of operation for the store, the items being sold at the store, and why does Ms. Kelly-Kid feel the need to have a liquor license. Ms. Kelly-Kid addressed Ms. Wright's questions by stating the "Shop on Sherman" is a variety store and will sell a wide range of items; the sale of alcohol will account for at most 10% of the sales and the intent for the liquor license is merely to provide one-stop shopping for customers; and the hours of operation will be from 6:00 a.m. to 9:00 p.m.

IV. Persons Desiring to be Heard

V. Consideration of Minutes: January 23, 2012 -- Regular Meeting

It was moved by Trustee Boschert and seconded by Trustee Schilz to approve the minutes of the January 23, 2012 regular meeting. The motion carried unanimously.

VI. Unfinished Business

A) Liquor License Application for Shop on Sherman, 7979 North Sherman Boulevard, Suite

Attorney Fuchs informed the board of their options for the Class "C" liquor license, noting they have the option of putting parameters around the license. Chief Rinzel noted the ordinance for package sales allows alcoholic beverages to be sold between the hours of 8:00 a.m. and 9:00 p.m.

Trustee Baker mentioned his concern with having another liquor license in the Village and recommends denying Ms. Kelly-Kid a Class "A" Fermented Malt Beverage License and a Class "C" Wine License to

Ms. Kelly-Kidd.

It was moved by Trustee Baker and seconded by Trustee Schilz to deny the application for a Class "A" Beer License and Class "C" Wine License to Joenette Diana Kelly-Kidd, d/b/a Shop on Sherman located at 7979 North Sherman Boulevard, Suite 220. The motion carried unanimously

VII. New Business

A) Discuss Pedestrian and Vehicle Traffic on North 60th Street Between West Bradley Road and West Dean Road

Mr. Van Gompel introduced the agenda item and informed the board that after the last accident at the intersection on Tuesday, January 24th, Trustee Oates asked if the item be placed on the agenda. Prior to the meeting, staff has worked with school district officials and TAPCO representatives to come up with alternatives to handle the safety issues at the crossings noted.

Trustee Oates noted he had numerous occasions when crossing North 60th Street, those paired with the recent incidents is the reason why Trustee Oates wanted the discussion as an agenda item. Andrew Bergholz from TAPCO is present at the meeting to provide potential solutions to enhance the cross walk.

A conversation ensued between School District Superintendent Deb Kerr, Andrew Bergholz, and the Village Board about how a study should be conducted on the safety at the intersection and what alternatives would work to enhance the cross walk.

No action was taken.

B) Liquor License Agent Change for Pick 'N Save, 9200 North Green Bay Road

It was moved by Trustee Springman and seconded by Trustee Boschert to approve the appointment of Benjamin Nathaniel Goodness as Agent for the Class "A" Intoxicating Liquor License and Class "B" Beer License held by Mega Marts, Inc., d/b/a Pick 'N Save sore #6867. The motion carried unanimously.

C) Resolution No. 12-,"A Resolution Amending Resolution No. 12-03, Eliminating the Private Property I/I Charge from the Fee Schedule

Mr. Janecke informed the Village Board the initial adoption of the fee schedule listed a charge approving the quarterly fee for the Private Property I/I Program. This was simply an error on staff's behalf, and prepared is a resolution amending Resolution No. 12-03 by removing the charge from the schedule of fees.

It was moved by Trustee Schilz and seconded by Trustee Boschert to approve Resolution No. 12-,"Resolution Amending Resolution No. 12-03, Eliminating the Private Property I/I Charge from the Fee Schedule". The motion carried unanimously.

D) Ordinance No. 12-,"Creating Section 42-76 of the Brown Deer Village Code Pertaining to County Parks and Bus Violations

Chief Rinzel introduced the topic and noted the ordinance will assist the Police Department in adequately enforcing the rules and ordinances that exist for the parks in the Milwaukee County Parks System and certain violation that may occur in or on Milwaukee County Transit vehicles or structures. This would apply to both Hansen and Algonquin Parks, Milwaukee County buses and bus stops. Currently as it stands, Brown Deer Police Officers have to wait for a Milwaukee County Sheriff's Department squad to respond in order to issue a citation for the violations. This can cause the Brown Deer Police Officer to be



REQUEST FOR CONSIDERATION

COMMITTEE CONSIDERATION: Village Board
ITEM DESCRIPTION: Liquor License Applications for 2013-2014
PREPARED BY: Jill Kenda-Lubetski, Village Clerk 
REPORT DATE: May 30, 2013
MANAGER'S REVIEW/COMMENTS: <input type="checkbox"/> No additional comments to this report. <input type="checkbox"/> See additional comments attached.
RECOMMENDATION: Review and approve the list of applications who have applied to obtain a license for intoxicating liquor and fermented malt beverages.
EXPLANATION: Attached for your review is a listing of the businesses in the Village of Brown Deer who have made application to obtain a license to sell Intoxicating Liquor and Fermented Malt Beverages for the 2013-2014 license period. It should be noted that all of the establishments who have filed an application have paid the required fee(s) associated for obtaining such license. A mandatory background check was conducted by the Police Department of the Agent of each business who filed an application to sell Intoxicating Liquor and Fermented Malt Beverages. The agent for each establishment was approved satisfactorily by the Police Department and the Chief of Police signed off on each agent. The attached listing of liquor applications appeared in the May 30, 2013 edition of the NorthShoreNow , which is mandatory before a license can be issued. The Police Chief has attached a separate report that pertains to Park View Pub. A 50 demerit point was assessed against Park View Pub in October of 2012, as a result of a disorderly conduct incident. Park View Pub has not had any other violations since the aforementioned incident. The Police Chief has signed off on the liquor license renewal submitted by Park View Pub for the 2013-2014 period. Pursuant to State Statutes and the Village Code, all intoxicating liquor license applications must be presented for consideration and approved by the Village Board.

Notice is hereby given that the following persons, with locations of proposed premises, have made application to the Village of Brown Deer for licenses to sell intoxicating liquor and fermented malt beverages in the Village of Brown Deer, the granting of which is now pending:

<u>Name of Applicant</u>	<u>Trade Name</u>	<u>License Type</u>	<u>Address</u>	<u>Agent</u>	<u>Agent Address</u>
Apple Hospitality Group, LLC	Applebee's Neighborhood Grill & Bar	BLB	9080 N. Green Bay Road	Richard Kim	1826 North 19th Street
BDL, Inc.	Brown Deer Lanes	BLB	4715 W. Bradley Road	Starz-Nicholas	9235 North 60th Street
Celebrations, LLC	Celebrations Banquet Hall and Lounge	BLB	4740 W. Bradley Road	Mimis	3760 North 53rd Street
Pillar Hotels & Resorts, LP	Courtyard by Marriott	BLB	5200 W. Brown Deer Road	Gregory J. Louis	W204 N8123 Lamson Road
GFTI, Inc.	Family Table Restaurant	BLB	6598 W. Brown Deer Road	Gail	N114 W15148 Vicksburg Avenue
Metavante Corporation	FIS	BLB	4900 W. Brown Deer Road	Jessica	8334 North 52nd Street
Habanero's, Inc.	Habanero's Mexican Kitchen	BLB	3900 W. Brown Deer Road	Alf	7849 Summerfield Drive
BDM Hotel, Inc.	Holiday Inn Express	BLB	4443 W. Schroeder Drive	Steven L. David G.	8003 West Knightsbridge Drive
Larry's Brown Deer Market, Inc.	Larry's Brown Deer Market	BLB	8737 N. Deenwood Drive	Ehlers	N80 W5704 Woodland Road
Toto's, Inc.	Otto's Wine Cask	ALB	4600 W. Brown Deer Road	Luebke	9732 Huntington Drive
Sons of Bob, LLC	Park View Pub	BLB	7651 N. Teutonia Avenue	McNutt	7651 North Teutonia Avenue
Mega Marts, LLC	Pick 'n Save #6867	ALB	9200 N. Green Bay Road	Lee	3278 North Buffum Street
Jacob Dean Enterprises, LLC	Poco Loco Cantina	BLB	4134 W. River Lane	Kessler	4073 West Rivers Edge Circle, #15
Prime Time Sports Bar & Eatery, LLC	Prime Time Sports Bar & Eatery	BLB	8777 N. Deenwood Drive	Kassens	305 Vista View Drive
River Lane Inn, Inc.	River Lane Inn	BLB	4313 W. River Lane	Marks	8310 North Poplar Drive
Rolie's Inc.	Rolie's Tavern	BLB	7751 N. Teutonia Avenue	Andryauskas	7741 North Teutonia Avenue
Zefram Assoc., Inc.	Four Points Sheraton Milwaukee North	BLB	8900 N. Klidder Court	Zetley	1421 West Winding Hollow Lane, 2A
Tripoli Country Club	Tripoli Country Club	BLB	7401 N. 43rd Street	Coffey	10331 West Port Circle

Dated this 21st day of May, 2013.
Jill Kenda-Lubetski, Village Clerk

MEMO: COP 2013-032

21 May 2013

INDEX AS: ADM 8
Reporting

TO: Jill Kenda-Lubetski, Village Clerk

FROM: Steven C. Rinzel, Chief of Police 

SUBJECT: Parkview Pub Class B Premise Renewal

As part of the annual renewal process Jill McNutt has applied for her Class B Premise Renewal at Parkview Pub. If you will recall I did generate a report in October, 2012 reference a 50 demerit point assessment against Parkview Pub as a result of a Disorderly Conduct incident on June 3, 2012. Consistent with Ordinance 14-63 (4) the establishment was assessed 50 demerit points for that one incident.

During the next eleven months Parkview Pub has not had any other violations and therefore I have signed off on her Class B Premise Renewal. As part of this renewal I have attached the original memo reference that incident for your review and that of the Village Board.

If you would have any questions, feel free to contact me at your convenience.

Steven C. Rinzel
Chief of Police

SCR:ndh

Attachments

cc: Michael Hall, Village Manager

REQUEST FOR BACKGROUND CHECK

TO: Steven C. Rinzel, Chief of Police

DATE: 5/20/13

FROM: Jill

RE: Park View Pub

The above named employee of the Village of Brown Deer requests the Police Department to conduct a limited background check of, as may be required by local ordinance, the following individual for the following reason(s):

Bartender

Class "A" Premise Renewal

Class "B" Premise Renewal

Food Handler

Wholesaler Liquor License

Peddler/Solicitor/Canvasser

Other

NAME: McNUTT, Jill Virginia

DOB: 1-22-62

LAST, FIRST, MIDDLE (PRINT)

ADDRESS: 7651 NORTH TOLONIA Avenue, Brown Deer

STREET and/or P.O. BOX, CITY STATE ZIP

PHONE: 414-460-6682

SEX: F

RACE: CAUCASIAN

EMAIL: _____

DRIVERS LICENSE NO. M253-4386-2522-07

STATE: WI

EXPIRATION: 1/22/15

SOCIAL SECURITY NO.: 578-88-4966

MUNICIPALITIES OF RESIDENCE IN LAST TEN (10) YEARS: Brown Deer, WKE

The Brown Deer Police Department conducted the requested record check and finds the individual to have:

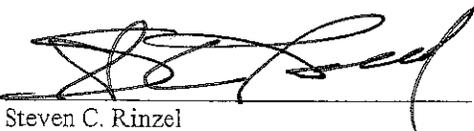
No Record

Record

The Brown Deer Police Department conducted a check of the State of Wisconsin D.O.T. file, CIB files, local files and NCIC files on the above individual. After review of the available information it is the opinion of the undersigned that the individual:

Should be considered

Should not be considered


Steven C. Rinzel
Chief of Police

5-21-13
Date



REQUEST FOR CONSIDERATION

COMMITTEE: Village President and Board of Trustees
ITEM DESCRIPTION: Waiving of 4th of July Concession Vendor Peddler and Food License Fees
PREPARED BY: Chad Hoier, Park and Recreation Director
REPORT DATE: May 15, 2013
MANAGER'S REVIEW/COMMENTS: <input type="checkbox"/> No additional comments to this report. <input type="checkbox"/> See additional comments attached. msh
RECOMMENDATION: To approve the waiving of Peddler Fees with any Concession Vendor the 4th of July Committee would choose to enter in a agreement with for the 2013 4th of July Celebration.
EXPLANATION: <p>Attached for your review is a copy of the <u>letter agreement</u> the 4th of July Committee will use when entering into an agreement with Concession Vendors.</p> <p>The 4th of July Committee strongly recommends the waiving of the vendor permits for all concession vendors that work with the Committee. The Committee receives a percentage of the vendor's sales for the day.</p>

PARK AND RECREATION DEPARTMENT
4800 West Green Brook Drive
Brown Deer, Wisconsin 53223

May 21, 2013

Mr. Glen D. Bojar
Olde Country Style Almonds
S74 W24575 Windsor Court
Waukesha, WI 53189

Dear Glen:

This letter shall confirm the arrangements for you to provide *one vending truck* for the annual Brown Deer 4th of July Celebration to be held in the Village Park, 4920 W. Green Brook Drive, on **Thursday, July 4**. We look forward to discussing the celebration and concession requirements.

The 4th of July Committee will receive 20% of your gross sales, not including tax. This agreement will provide authorization to you for concession sales on the Village Park grounds, adjacent parking lot, W. Green Brook Drive, and N. Arbon Drive, on Thursday, July 4.

Both a peddler license and temporary food license forms are enclosed for you to fill out again this year and return as soon as possible. It was approved by the Village Board of Trustees to waive the fee for peddler license at its scheduled meeting on Monday, May 20. Prior to Friday, June 14, 2013, please provide copies of your menu, price list, and insurance cover sheet. Also prior to Friday, June 14 please provide a copy of your State of Wisconsin Department of Agriculture inspection certificate or suitable substitute certificate.

Please acknowledge receipt and acceptance of these terms by signing the confirmation below and forwarding one copy to me in the enclosed envelope along with the Application for a Brown Deer Temporary Food License, Peddler License Application and Request for Background Check must be completed for all workers working the event.

The 2013 4th of July Official Program and two parking passes to be used in the F.I.S. parking lot will be mailed to you at a later date. Should you have any questions, please contact me. We look forward to working with you this year. If you have any question please do not hesitate to contact me at **(414) 371-3070**.

Sincerely,

Chad Hoier
Park and Recreation Director

ACKNOWLEDGED: _____ DATE: _____
Glen D. Bojar

cc: Michael Hall, Village Manager



REQUEST FOR CONSIDERATION

COMMITTEE: Village President and Board of Trustees
ITEM DESCRIPTION: Consideration of 4th of July License and Permit Applications and Waiving of Village of Brown Deer License and Permit Fees
PREPARED BY: Chad Hoier, Park and Recreation Director
REPORT DATE: May 15, 2013
MANAGER'S REVIEW/COMMENTS: <ul style="list-style-type: none"><input type="checkbox"/> No additional comments to this report.<input type="checkbox"/> See additional comments attached.
RECOMMENDATION: To approve the License and Permit Applications for the 2013 4th of July Celebration and to waive the Temporary Class "B" Retailer's License, Soda Water Beverage License, Parade or Public Assembly, and Transient and Temporary Outdoor Entertainment fees.
EXPLANATION: <p>Attached are applications for the Temporary Class "B" Retailer's License, Soda Water Beverage License, Parade and Public Assembly, and Transient and Temporary Outdoor Entertainments for the 2013 4th of July Celebration.</p> <p>It is recommended that each of the license and permit applications be approved and that the respective Village of Brown Deer license and permit fees be waived.</p> <p>Should you have any questions, please contact the Park and Recreation Department at (414) 371-3070.</p>

(See Additional Information on Reverse Side)

Fee Paid	_____
Receipt#	_____
Date Issued	_____
Permit#	_____
(FOR VILLAGE HALL USE ONLY)	

STATE OF WISCONSIN

Milwaukee County)
) ss.
Village of Brown Deer)

APPLICATION FOR SODA WATER BEVERAGE LICENSE

The undersigned, hereby applies to the VILLAGE OF BROWN DEER, for a license to sell Soda Water Beverages to be consumed on or off the premises, during the license year ending June 30, _____, subject to the limitations imposed by Section 66.053 (2) of the Wisconsin Statutes and acts amendatory hereof and supplementary thereto, and hereby agree to comply with all laws, resolutions, ordinances and regulations affecting the sale of such beverages if a license be granted. Said business is to be conducted on the following described premises within said Village, to wit:

Business Name of Applicant: <i>Brown Deer 4th of July Committee</i>	Trade Name (if different from business name):
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Applicant's Mailing Address: <i>4800 W. Green Brook Dr.</i>	City, State, Zip Code: <i>Brown Deer, WI 53223</i>
--	---

Applicant is (check one): Individual Partnership Corporation L.L.C. Other _____

Name of Establishment to be Licensed:
Brown Deer 4th of July Committee

Address of Licensed Premises (If applicant is not sole occupant of building, also give room number and building name):
4920 W. Green Brook Dr. Brown Deer WI 53223

Name of Applicant (please print): <i>Chad A. Hoier</i> <i>Park and Rec Director</i>	Telephone Number: <i>(414) 371-3070</i>
---	--

Signature of Applicant: <i>Chad Hoier</i>	Date: <i>5/8/12</i>
--	------------------------

ADDITIONAL INFORMATION

No person, firm, or corporation shall, in any manner, directly or indirectly, upon any premises, or by any device, sell, exchange, barter, dispose of, or give away, or keep for sale, any soda water beverages, or any substitute therefore, without first obtaining a license:

Application:

Submit to: Village Manager
Village of Brown Deer
4800 West Green Brook Drive
Brown Deer, WI 53223
414/371-3050

Print or type in ink.

Provide a complete answer for each question.

FEE:

\$15.00 Annual Fee

DURATION:

License shall have a term of one (1) year commencing on July 1 and expiring on June 30 of each year. If granted subsequent to July 1 in any given year, license shall expire on June 30 after issuance.

APPLICATION FOR TEMPORARY CLASS "B"/"CLASS B" RETAILER'S LICENSE

See Additional Information on reverse side. Contact the municipal clerk if you have questions.

FEE \$ _____

Application Date: May 8, 2012

Town Village City of Brown Deer County of Milwaukee

The named organization applies for: (check appropriate box(es).)

- A Temporary Class "B" license to sell fermented malt beverages at picnics or similar gatherings under s. 125.26(6), Wis. Stats.
 A Temporary "Class B" license to sell wine at picnics or similar gatherings under s. 125.51(10), Wis. Stats.

at the premises described below during a special event beginning July 4 and ending July 5 and agrees to comply with all laws, resolutions, ordinances and regulations (state, federal or local) affecting the sale of fermented malt beverages and/or wine if the license is granted.

1. ORGANIZATION (check appropriate box) Bona fide Club Church Lodge/Society Veteran's Club Fair Association

(a) Name Brown Deer 4th of July Committee

(b) Address 4800 W. Green Brook Drive, Brown Deer, WI 53223
(Street)

(c) Date organized 08/07/1974 Town Village City

(d) If corporation, give date of incorporation _____

(e) If the named organization is not required to hold a Wisconsin seller's permit pursuant to s. 77.54 (7m), Wis. Stats., check this box:

(f) Names and addresses of all officers:

~~President~~ Chairperson Ann Griffin, 8159 N. 38th St, Brown Deer, WI 53209

~~Vice President~~ Park and Rec. Director, Chad Hoier

Secretary 748 Juniper Ct.

Treasurer West Bend, WI 53095

(g) Name and address of manager or person in charge of affair: Same as above.

2. LOCATION OF PREMISES WHERE BEER AND/OR WINE WILL BE SOLD:

(a) Street number 4920 W. Green Brook Dr, Brown Deer, WI 53223

(b) Lot _____ Block _____

(c) Do premises occupy all or part of building? _____

(d) If part of building, describe fully all premises covered under this application, which floor or floors, or room or rooms, license is to cover: _____

3. NAME OF EVENT

(a) List name of the event _____

(b) Dates of event _____

DECLARATION

The Officer(s) of the organization, individually and together, declare under penalties of law that the information provided in this application is true and correct to the best of their knowledge and belief.

Brown Deer 4th of July
(Name of Organization)

Officer _____
(Signature/date)

Officer _____
(Signature/date)

Officer _____
(Signature/date)

Officer _____
(Signature/date)

Date Filed with Clerk _____

Date Reported to Council or Board _____

Date Granted by Council _____

License No. _____

ADDITIONAL INFORMATION

May be Granted and Issued only to:

- (1) Bona fide clubs that have been in existence for at least 6 months prior to the date of application.
- (2) State, county, or local fair associations, or agricultural societies.
- (3) Church, lodge, or society that has been in existence for at least 6 months prior to the date of application.
- (4) Posts now or hereafter established of ex-servicemen's organizations.

Application:

- (1) Filing: In writing, for each event, on Form AT-315.
- (2) The local licensing authority may act on application or authorize an official or body of the municipality to issue the license. (ss. 125.26(1) and 125.51(1)(a), Wis. Stats.)
- (3) The written application shall be filed with the clerk of the municipality in which premises are located:

Class "B" (Beer):

- a. The governing body shall establish any waiting period before granting of a license for events lasting less than 4 days (s. 125.04(3)(f), Wis. Stats.)
- b. At least 15 days prior to the granting of the license for events lasting 4 or more days.

"Class B" (Wine):

The application shall be filed with the clerk of the local municipality in which the event will be held at least 15 days prior to the granting of the license.

- (4) Seller's Permit: Sec. 77.54 (7m), Wis. Stats., provides an exemption from Wisconsin sales and use taxes relating to certain sales by a nonprofit organization. Check the box if your organization qualifies for the exemption and therefore is not required to hold a seller's permit.
- (5) Publication: Not required.

Fee: Not to exceed \$10. (Exception: No additional fee may be charged if organization is applying for both a Temporary Class "B" and a Temporary "Class B" license for the same event.)

Duration: The day, or consecutive days, that the specified event is in progress.

Restrictions:

- (1) License may not be issued to individuals.
- (2) Licenses to organizations, other than ex-servicemen's organizations, can be issued only for a picnic or similar gathering. They may not be issued for business or social meetings of the organization.
- (3) Licenses for club or organization meetings may be issued only to ex-servicemen's posts.
- (4) License may cover either a specified area or the entire picnic grounds.
- (5) License issued to a county or district fair must cover the entire fairground (ss. 125.26(6) and 125.51(10), Wis. Stats.)
- (6) No license to clubs having any indebtedness to any wholesaler for more than 15 days for beer (s. 125.33(7), Wis. Stats.) and 30 days for wine (s. 125.69(4)(b), Wis. Stats.)
- (7) Licensed operator(s) must be present at all times (ss. 125.26(6), 125.32(2) - Beer; 125.51(10), 125.68(2) - Wine; 125.17)
- (8) The licensed club, club members, or any other persons are not permitted to possess intoxicating liquor on licensed premises on the Temporary Class "B"/Class B licensed picnic area. (s. 125.32(6), Wis. Stats.)
- (9) Not more than 2 wine licenses may be issued to any club, county or local fair association, agricultural association, church, lodge, society or veterans' post in any 12 month period.
- (10) Licensed organizations must purchase their product from a licensed wholesaler.

NOTE: Most coolers presently on the market have a fermented malt beverage base allowing sale under a beer license, e.g. Bartles and James, Seagrams, etc.

APPLICATION

PARADE OR PUBLIC ASSEMBLY

Name of Applicant: <i>Brown Deer 4th of July Committee</i>		Organization Name: <i>Village of Brown Deer</i>	
Applicant's Mailing Address: <i>4800 W. Green Brook Dr.</i>		City, State, Zip Code: <i>Brown Deer, WI 53223</i>	
Phone/Home: <i>(262) 306-3571</i>		Phone/Business: <i>(414) 305-8076</i>	
Name of Event Coordinator: <i>Chad A. Hoier</i>		Telephone Number: <i>(414) 371-3070</i>	Cellular Phone Number: <i>(414) 305-8076</i>
Applicant is (check one): <input type="checkbox"/> Individual <input type="checkbox"/> Partnership <input type="checkbox"/> Corporation <input type="checkbox"/> L.L.C. <input checked="" type="checkbox"/> Other _____			
Date of Event: <i>Thursday, July 4, 2013</i>			
Assembly Area: <i>Brown Deer Middle School 5757 W. Dean Rd. Dean School 8355 N. 55th St.</i>		<i>N. 52nd Street and W. Dean Road</i>	
Assembly Starting Time: <i>12:00 Noon</i>		Ending Time: <i>3:00 p.m.</i>	
Area/Route (include starting and termination points): <i>Parade begins at Brown Deer Middle School and travels to the Village Park via 51st Street. Kiddie Parade begins at N. 52nd Street and travels to the Village Park via N. 51st Street.</i>			
Number of Participants: <i>75 Units</i>		Estimated number of spectators: <i>2,000</i>	
Parade Starting Time: <i>1:30 p.m.</i>		Parade Ending Time: <i>3:00 p.m.</i>	
Will the event traverse on all or part of the Village streets?: <i>W. Dean Rd., N. 51st St. and W. Beaver Creek Parkway</i>			
Interval of space between units:			
If public assembly, description of activities planned (i.e., alcohol served; band/music; amusement rides and/or activities): <i>Village Park Activities, 12:00 Noon to 11:30 p.m. Including Beer Tent.</i>			
Designation of any public facilities or equipment to be utilized: <i>Barricades and Signs</i>			
Traffic/Police Assistance Required: <i>Traffic Control for Parade, Supervision of dogs along parade route.</i>			

ADDITIONAL INFORMATION

Application:

Submit to: Chief of Police
Brown Deer Police Department
4800 West Green Brook Drive
Brown Deer, WI 53223
414-371-2900
414-371-2929 (fax)

Print or type in ink.

Provide a complete answer for each question.

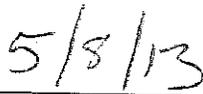
FEE:

\$25.00 Fee

DURATION:

If granted, application shall have a term of one (1) day commencing on date and time approved. In the event of cancellation, an application must be re-submitted for approval.

Regulations regarding parades and Public assembly regulations are covered under Section 5-18.01 of Volume I, Chapter V, Article 18, Parades and Public Assembly Regulations of the Village of Brown Deer Village Code. Applicant is required to review this section.

Signature of Applicant: 	Date of Application: 
Police Chief:	Date of Approval:

APPLICATION

TRANSIENT AND TEMPORARY OUTDOOR ENTERTAINMENTS		
Name of Applicant: <i>Brown Deer 4th of July Committee</i>	Organization Name: <i>Village of Brown Deer</i>	
Applicant's Mailing Address: <i>4800 W. Green Brook Dr.</i>	City, State, Zip Code: <i>Brown Deer, WI 53223</i>	
Phone/Home:	Phone/Business:	
Name of On-Scene Event Coordinator: <i>Chad A. Hoier</i>	Telephone Number: <i>(414) 371-3070</i>	Cellular Phone Number: <i>(414) 305-8676</i>
Applicant is (check one): <input type="checkbox"/> Individual <input type="checkbox"/> Partnership <input type="checkbox"/> Corporation <input type="checkbox"/> L.L.C. <input checked="" type="checkbox"/> Other _____		
Date of Event: <i>Thursday, July 4, 2013</i>		
Location Address: <i>4920 W. Green Brook Dr. Brown Deer, WI 53223</i>		
Location Description (please be specific, i.e., parking lot, backyard, etc.): <i>Village Park</i>		
Starting Time: <i>12:00 Noon</i>	Ending Time: <i>11:30 p.m.</i>	
Number of People Attending (Estimated) <i>5,000</i>	Adults:	Juveniles:
Description of Entertainment/Activity to be Provided (please be specific): <i>Annual 4th of July Celebration.</i>		
Traffic/Police Assistance Required: <i>Traffic control for Parade, supervision of dogs along Parade route, supervision of Village Park and bicycle trail, park supervision after fireworks.</i>		
Name of Private Security Company: <i>Original R.T.M.</i>	Contact Person: <i>Dave Davenport</i>	
Business Address: <i>P.O. Box 659 Milwaukee, WI 53201</i>	Business Telephone Number: <i>(414) 645-2060</i>	

ADDITIONAL INFORMATION

Application:

Submit to: Village Manager
Village of Brown Deer
4800 West Green Brook Drive
Brown Deer, WI 53223
414/371-3050

Print or type in ink.

Provide a complete answer for each question.

FEE:

\$25.00 Fee

DURATION:

If granted, application shall have a term of one (1) day commencing on date and time approved. In the event of cancellation, an application must be re-submitted for approval.

Regulations regarding processions, parades, etc. are covered under Section 5-17.01 of Volume I, Chapter V, Article 17, Transient and Temporary Outdoor Entertainments of the Village of Brown Deer Village Code. Applicant is required to review this section.

Signature of Applicant: 	Date of Application: 5/8/13
Village Clerk:	Date of Approval:

**TRANSIENT AND TEMPORARY OUTDOOR PERMIT
SUPPLEMENTAL INFORMATION**

GENERAL INFORMATION :

Is this event associated with an existing business? YES NO

Is any part of the event taking place on the grounds or premises of the business? YES NO

Is the business a licensed premise? YES No

Identify the licenses held by the involved business: _____

Is there any anticipated promotional efforts associated with this event? YES NO

Describe promotional plans for the event and attach any fliers, advertisements, and/or scripts that will be used in the promotion of the event.

Copy of 4th of July Official Program attached from 2012.

LIVE MUSIC INFORMATION:

Band Name(s): Andrea and the Mods

Promotional Representative: _____

If no Promotional Representative, state last locations band has played at:

Instrument(s): _____
(No. & Type) _____

Instrument Amplification: YES NO

CROWD CONTROL INFORMATION :

Anticipated maximum number of persons on site at one time? 2,000

If event is indoors, occupancy limit of the facility being used? N/A

No. of Bathroom Facilities available? : 11 Portable Restrooms, 1 Handicap
2 Permanent Restrooms located
in Park.

No. and size (in gallons) of Garbage Receptacles available? : 40 Yard Dumpster

Parking Locations Available : FIS 4900 W. Brown Deer Rd.
Village Hall, 4800 W. Green Brook Dr.
Street Parking

(Use of private business parking lots is not permitted without consent of owner. Indicate any consent obtained from owners of private lots by identifying them and providing their phone numbers.)

Will any Security personnel be on site? YES NO

Number of Security personnel to be on site? 1-2 Depending on time of day.

If Security personnel are used, identify the professional organization they will be obtained from: Original R.T.M. Event Services

Contact Person's Name: Dave Davenport Phone Number: (414) 645-2060

Insurance Coverage for Event Obtained? YES NO

Identify Insurance Company and Policy Number : Special Event Coverage

Are there any concerns and/or issues that should be noted that may result from this event?

Do you have plans to address any identified issues and/or concerns?

FOOD SALES OR PROVISION INFORMATION :

(Businesses holding a restaurant license need not respond unless food preparation and sales are off premise and/or outside the normal scope of the business operation)

Food sales? : YES NO

Food provided without sales? : YES NO

If "yes", identify type of food that will be available: Brats, Hot Dogs, Hamburgers,
Nachos, Corn on the Cob, Relishes
Soda and Water

Food Preparation Outdoors? YES NO

Manner of preparation : Charcoal Grills

Amount of food to be prepared : Approx. 1000 sandwiches

BEVERAGE SALES AND/OR PROVISIONS :

(Businesses holding a liquor license need not respond unless any sales, provision, or consumption of alcohol occurs off premise and/or outside the normal scope of the business operation)

Alcoholic beverage sales? YES NO

Licensed servers at location? YES NO

Alcohol not sold but available? YES NO

Anticipated quantity and types of Alcohol to be provided? :

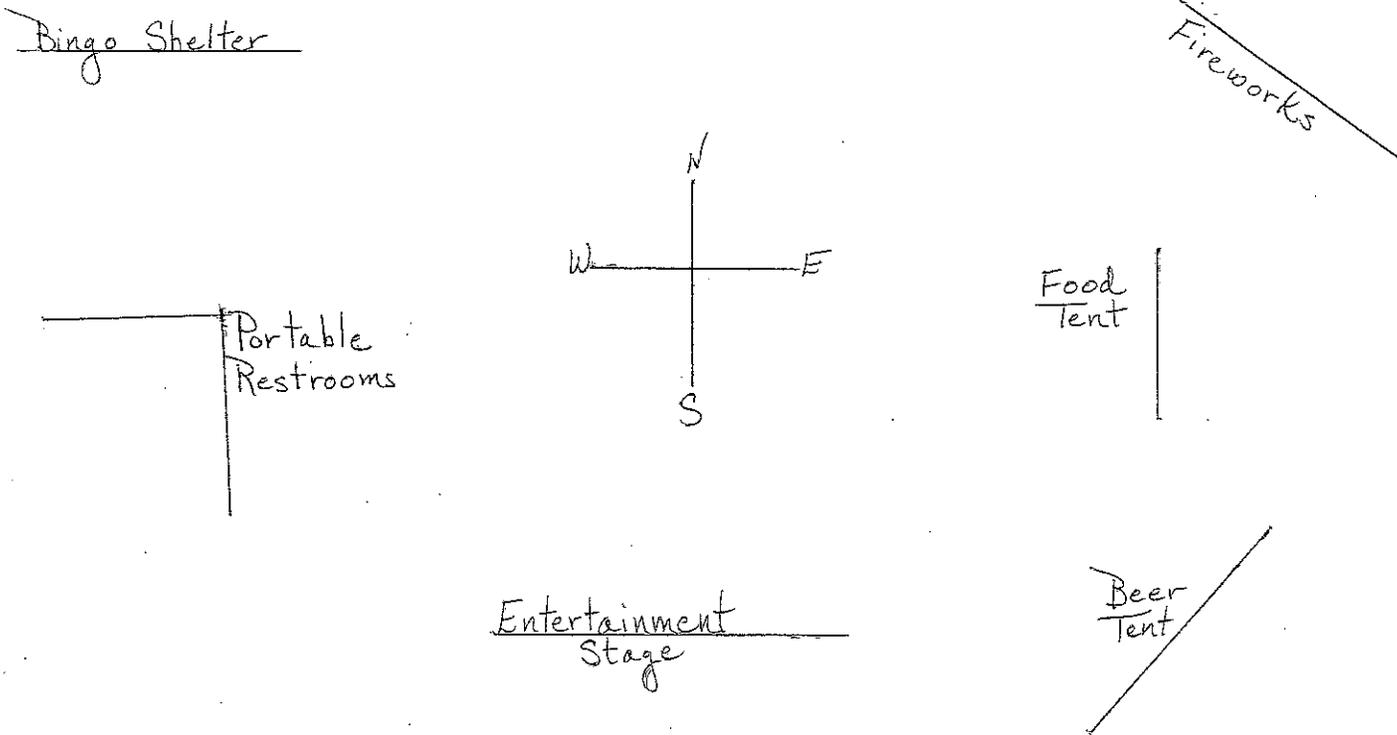
25 half barrels Beer
5-8 cases Mike's Hard Lemonade
on consignment

Alcohol to be "Served" or "Openly Accessible"? SERVED OPEN ACCESS

Soft Drink Sales? YES NO

EVENT PLAN :

Please provide a diagram of your anticipated layout of your site. Identify any tents or other structures at the location. Indicate specifically areas where food is served, alcohol is served or accessible, music is played and the direction the sound will be projected, as well as garbage receptacles and bathroom facilities locations:



Submitted By: _____ Date: ____/____/____ Contact Number(s): () _____ - _____

An Ordinance Creating
Volume I, Chapter V, Article 18
"Parades and Public Assembly Regulations"
of the Village of Brown Deer Village Code

ORDINANCE NO. 99-10

WHEREAS, the Village of Brown Deer Traffic and Public Safety Committee considered options and samples as they relate to Parades and Public Assembly ordinances and has recommended creation of such an ordinance.

NOW, THEREFORE, THE VILLAGE BOARD OF THE VILLAGE OF BROWN DEER DOES HEREBY ORDAIN AS FOLLOWS:

SECTION I. That Article 18, Chapter V, Volume I of the Village of Brown Deer Village Code be created to read as follows:

Article 18, Parades and Public Assembly Regulations

SECTION 5-18.01 Purpose: Definitions.

- (a) **Purpose.** The Village of Brown Deer recognizes that Village streets and highways are primarily for the use of vehicular travel. It further recognizes a need to use these public streets and highways for processions, parades, runs, walks, bicycle races, marathons, etc., which do not substantially interfere with the public's right to travel on such streets and highways. This Chapter is intended to regulate and control non-vehicular use of the streets and highways and for protecting the general welfare and safety of the persons using the streets and highways within the Village. Said authority to regulate is contained in Section 349.185, Wisconsin Statutes, and related sections.
- (b) **Definitions.** As used in this Chapter:
- (1) **PARADE** means any march, demonstration, procession or motorcade consisting of persons, animals, or vehicles or a combination thereof upon the streets, parks or other public grounds within the Village with an intent of attracting public attention that interferes with the normal flow or regulation of traffic upon the streets, parks or other public grounds.
 - (2) **PARADE OR PUBLIC ASSEMBLY PERMIT** means a permit as required by this Ordinance.
 - (3) **PERSON** means any person, firm, partnership, association, corporation, company or organization of any kind.

- (4) PUBLIC ASSEMBLY means any meeting, demonstration, picket line, rally or gathering of more than twenty-five (25) persons for a common purpose as a result of prior planning that interferes with the normal flow or regulation of pedestrian or vehicular traffic or occupies any public area in a place open to the general public.
- (5) SIDEWALK is any area or way set aside or open to the general public for purposes of pedestrian traffic, whether or not it is paved.
- (6) STREET is any place or way set aside or open to the general public for purposes of vehicular traffic, including any berm or shoulder parkway, right-of-way, or median strip thereof.

SECTION 5-18.02 Permit Requirements.

- (a) **Permit required.** No person shall engage in or conduct any parade or public assembly unless a permit has been obtained in advance as provided in this Chapter.
- (b) **Exemptions from permit requirement.** A permit is not required for assembling or movement of a funeral procession or military convoy. Any parade, etc., sponsored by any agency of the federal or state government, acting in its governmental capacity within the scope of its authority, shall be required to obtain a permit, however, shall be exempt from the parade permit fee and insurance requirements contained herein.
- (c) **When application must be made.** A person seeking a parade or public assembly permit shall file an application with the Chief of Police on a form provided by the Village no less than thirty (30) days prior to the usage.
- (d) **Information required in application.** The application for a parade or public assembly permit shall set forth the following information:
 - (1) The name, address and telephone number of the applicant.
 - (2) The names, addresses and telephone number of the headquarters of the organization the usage is proposed to be conducted for, if any, and the authorized and responsible heads of such organization.
 - (3) The requested date when the usage is to be conducted.
 - (4) The route to be traveled, including the starting point and the termination point.
 - (5) The approximate number of persons who, and animals and vehicles which will constitute such parade or public assembly and the type of animals and description of the vehicles.
 - (6) The hours when such usage will start and terminate.
 - (7) A statement as to whether the parade or public assembly will occupy all or only a portion of the width of the streets proposed to be traversed.
 - (8) The location by street of any assembly areas for such parade or public assembly.
 - (9) The time at which units of the parade or public assembly will begin to assemble at any such area.

- (10) The intervals of space to be maintained between units of such parade or public assembly.
- (11) If the parade or public assembly is designed to be held by, or on behalf of, any person other than the applicant, the applicant for such permit shall file a letter from that person with the Chief of Police authorizing the applicant to apply for the permit on his behalf.
- (12) The type of public assembly, including a description of activities planned during the event.
- (13) A description of any recording equipment, sound amplification equipment, banners, signs, or other attention-getting devices to be used in connection with the parade or public assembly.
- (14) The approximate number of participants (spectators are not defined as participants).
- (15) The approximate number of spectators.
- (16) A designation of any public facilities or equipment to be utilized.
- (17) Any additional information that the Chief of Police finds reasonably necessary to a fair determination as to whether a permit should be issued.

(e) **Standards for Issuance.** The Chief of Police shall issue a permit as provided herein when, from a consideration of the application and from such other information as may be obtained, he finds that:

- (1) The conduct of the parade or public assembly will not substantially interrupt the safe and orderly movement of other traffic contiguous to its route or location.
- (2) The conduct of the parade or public assembly will not substantially interrupt the safe and orderly movement of other pedestrian or vehicular traffic contiguous to its route or location.
- (3) The concentration of persons, animals, and vehicles at public assembly points of the parade or public assembly will not unduly interfere with proper fire and police protection of, or ambulance service to, areas contiguous to such public assembly areas.
- (4) The conduct of the parade or public assembly is not reasonably likely to cause injury to persons or property.
- (5) The parade or public assembly is scheduled to move from its point of origin to its point of termination expeditiously and without unreasonable delays en route.
- (6) Adequate sanitation and other required health facilities are or will be made available in or adjacent to any public assembly areas.
- (7) There are sufficient parking places near the site of the parade or public assembly to accommodate the number of vehicles reasonably expected.
- (8) The applicant has secured the police protection, if any, required under Section 5-18.02(j).
- (9) Such parade or public assembly is not for the primary purpose of advertising any product, goods or event that is primarily for private profit, and the parade itself is not primarily for profit. The prohibition against advertising any product, goods or event shall not apply to signs identifying organizations or sponsors furnishing or sponsoring exhibits or structures used in the parade.

- (10) No parade or public assembly permit application for the same time and location is already granted or has been received and will be granted.
- (11) No parade or public assembly permit application for the same time and location is already granted or has been received and will be granted, and the police resources required for that prior parade or public assembly are so great that in combination with the subsequent proposed application, the resulting deployment of police services would have any immediate and adverse effect upon the welfare and safety of persons and property.
- (12) No event is scheduled elsewhere in the City where the police resources required for that event are so great that the deployment of police services for the proposed parade or public assembly would have an immediate and adverse effect upon the welfare and safety of persons and property.

(f) **Notice of denial of application.**

The Chief of Police shall act upon the application for a parade permit within ten working days after the filing thereof. If the application is not approved, the Chief of Police shall mail to the applicant, within five days after the date upon which the application was filed, a notice of the action, stating the reasons for the denial of the permit.

(g) **Appeal Procedure.**

Any person aggrieved shall have the right to appeal the denial of a parade permit to the Village Manager. The appeal shall be taken within 10 days after notice. The Village Manager shall act upon the appeal within a reasonable time thereafter.

(h) **Alternative Permit.**

- (1) The Chief of Police, in denying an application for a parade or public assembly permit, may authorize the conduct of the parade or public assembly at a date, time, location, or route different from that named by the applicant. An applicant desiring to accept an alternate permit shall, within five (5) days after notice of the action of the Chief of Police, file a written notice of acceptance with the Chief of Police.
- (2) An alternate parade or public assembly permit shall conform to the requirements or, and shall have the effect of, a parade or public assembly permit issued under this Ordinance.

(i) **Fee.** There shall be no fees for permits/applications under this Chapter.

(10) **Charge for increased costs.**

- (1) The Chief of Police shall determine whether and to what extent additional police protection is reasonably necessary for the parade or public assembly for traffic control and public safety. The Superintendent of Public Works shall determine if municipal services are necessary for the parade or public assembly. Both, the Chief of Police and the Superintendent of Public Works shall base their decisions on the

size, location, duration, time and date of the event, the expected sale or service of alcoholic beverages, the number of streets and intersections blocked, and the need to detour or preempt citizen travel and use of the streets and sidewalks. The speech content of the event shall not be a factor in determining the amount of police protection necessary. If possible, without disruption of ordinary police services or compromise of public safety, regularly scheduled on-duty personnel will police the event. If additional municipal services for the public assembly are deemed necessary by either the Chief of Police or the Superintendent of Public Works, they shall so inform the applicant for the permit. The applicant then shall have the duty to secure the police protection and/or municipal services at the sole expense of the applicant.

- (2) Persons engaging in parades or public assemblies conducted for the sole purpose of public issue speech protected under the First Amendment are not required to pay for any police protection provided by the Village.

- (11) **Emergency revocation.** The Village President, Village Manager, or Chief of Police may revoke a permit already issued if the official deems that such action is justified by actual or potential emergency due to weather, fire, riot, other catastrophe or likelihood of a breach of the peace, or by a major change in the conditions forming the basis of the standards of issuance. In lieu of revoking a permit, an above-named official may require the permittee to file evidence of good and sufficient sureties, insurance in force or other evidence of adequate financial responsibility, running to the Village of Brown Deer and such third parties as may be injured or damaged, in an amount depending upon the likelihood of injury or damage as a direct and proximate result of the holding of the usage sufficient to indemnify the municipality and such third parties as may be injured or damaged thereby, caused by the permittee, its agents or participants.

- (12) **Contents of Permit.**

Each parade permit shall state the following information:

 - (1) Starting time.
 - (2) Speed of travel.
 - (3) Maximum interval of space to be maintained between units of parade.
 - (4) The portions of the streets to be traversed that may be occupied by the parade.
 - (5) The maximum length of the parade.
 - (6) Such other information as the Chief of Police shall find necessary to the enforcement of this ordinance.

- (13) **Notice of Issued Permit.** Immediately upon the issuance of a usage permit, the Chief of Police shall send a copy thereof to the following:
 - (1) Each public transportation utility whose regular service will be affected by the usage.
 - (2) Village Manager, Superintendent of Public Works, and Village President.

- (14) **Public Conduct During Parades.**

- (1) Interference. No person shall unreasonably hamper, obstruct, or impede, or interfere with any parade or parade assembly, or with any person or vehicle participating or used in a parade.
- (2) Driving through parades. No driver or a vehicle shall drive between the vehicles or persons comprising a parade when such vehicles or persons are in motion and are conspicuously designated as a parade.
- (3) Parking on parade route. The Chief of Police shall have the authority when reasonably necessary, to prohibit or restrict the parking of vehicles along a highway or part thereof constituting a part of the route of a parade. Signs shall be posted to such effect, and it shall be unlawful for any person to park or leave unattended any vehicle in violation thereof. No person shall be liable for parking on a street unposted in violation of this ordinance.

SECTION 5-18.03 Penalties.

Any person violating any of the provisions of this section shall, upon conviction thereof, forfeit not less than twenty-five (\$25.00) dollars, nor more than one thousand-five hundred (\$1500.00) dollars, or in default of payment, be imprisoned in the County Jail or House of Correction of Milwaukee County for not more than ninety (90) days. Each violation of any provisions of this Ordinance shall constitute a separate offense, and every day a violation continues shall constitute a separate offense.

SECTION II. EFFECTIVE DATE.

This Ordinance shall be in full force and effective after its passage and publication according to law.

PASSED and **ADOPTED** by the Village Board of the Village of Brown Deer this
_____ day of September, 1999.

Duane Wolfgram, Village President

Russell Van Gompel, Village Manager



REQUEST FOR CONSIDERATION

COMMITTEE CONSIDERATION: Village Board
ITEM DESCRIPTION: Temporary Class "B" Retailer's License for Brown Deer Granville Chamber Events
PREPARED BY: Jill Kenda-Lubetski, Village Clerk 
REPORT DATE: May 30, 2013
MANAGER'S REVIEW/COMMENTS: <input type="checkbox"/> No additional comments to this report. <input type="checkbox"/> See additional comments attached.
BACKGROUND INFORMATION: <p>The Brown Deer Granville Chamber of Commerce has applied for a Temporary Class "B" Retailer's License for three events called "Community Vibes" to be held this summer. The first event is June 19, 2013, the second event is scheduled for July 17, 2013, and the third event will be held on August 21, 2013. All three events will be held in Village Park.</p> <p>The Chamber is planning on live entertainment with the sale of beer and wine and food at these three events. Under State Statutes, the Village Board has the authority to approve the Temporary Class "B" Retailer's License to sell the beer and wine. The Chamber has applied for the Park Rental and the Outdoor Entertainment license for the events. The Park Rental fee has been waived by Chad Hoier, Director of the Park and Recreation Department.</p> <p>As a reminder, the Chamber hosted two similar events in 2012. Both events were very successful and did not have any reportable incidents.</p>
RECOMMENDATION: <p>To approve the Temporary Class "B" Retailer's License for Brown Deer Granville Chamber events on June 19, July 17 and August 21, 2013, and to waive the Outdoor Entertainment permit fees.</p>

APPLICATION

TRANSIENT AND TEMPORARY OUTDOOR ENTERTAINMENTS		
Name of Applicant: <i>Elizabeth Bickhart</i>	Organization Name: <i>Granville Brown Deer Chamber</i>	
Applicant's Mailing Address: <i>9225 N. 76th Street</i>	City, State, Zip Code: <i>Milwaukee, WI 53223</i>	
Phone/Home: <i>(414) 491-8288</i>	Phone/Business: <i>(414) 354-6000</i>	
Name of On-Scene Event Coordinator: <i>Elizabeth Bickhart</i>	Telephone Number: <i>(414) 354-6000</i>	Cellular Phone Number: <i>(414) 491-8288</i>
Applicant is (check one): <input type="checkbox"/> Individual <input type="checkbox"/> Partnership <input type="checkbox"/> Corporation <input type="checkbox"/> L.L.C. <input type="checkbox"/> Other _____		
Date of Event: <i>June 19th 2013</i>		
Location Address: <i>4800 W. Green Brook Drive</i>		
Location Description (please be specific, i.e., parking lot, backyard, etc.): <i>Brown Deer Village Park</i>		
Starting Time: <i>6:00 PM</i>	Ending Time: <i>8:30 PM</i>	
Number of People Attending (Estimated)	Adults: <i>150</i>	Juveniles: <i>50</i>
Description of Entertainment/Activity to be Provided (please be specific): <i>Streetlife w/ Warren Wiegratz</i>		
Traffic/Police Assistance Required:		
Name of Private Security Company:	Contact Person:	
Business Address:	Business Telephone Number:	

ADDITIONAL INFORMATION

Application:

Submit to: Village Manager
Village of Brown Deer
4800 West Green Brook Drive
Brown Deer, WI 53223
414/371-3050

Print or type in ink.

Provide a complete answer for each question.

FEE:

\$25.00 Fee

DURATION:

If granted, application shall have a term of one (1) day commencing on date and time approved. In the event of cancellation, an application must be re-submitted for approval.

Regulations regarding processions, parades, etc. are covered under Section 5-17.01 of Volume I, Chapter V, Article 17, Transient and Temporary Outdoor Entertainments of the Village of Brown Deer Village Code. Applicant is required to review this section.

Signature of Applicant: 	Date of Application: 05-13-13
Village Clerk:	Date of Approval:

APPLICATION FOR TEMPORARY CLASS "B"/"CLASS B" RETAILER'S LICENSE

See Additional Information on reverse side. Contact the municipal clerk if you have questions.

FEE \$ _____

Application Date: 05-13-13

Town Village City of BROWN DEER County of MILWAUKEE

The named organization applies for: (check appropriate box(es).)

- A Temporary Class "B" license to sell fermented malt beverages at picnics or similar gatherings under s. 125.26(6), Wis. Stats.
 A Temporary "Class B" license to sell wine at picnics or similar gatherings under s. 125.51(10), Wis. Stats.

at the premises described below during a special event beginning 6:00 pm and ending 8:30 pm and agrees to comply with all laws, resolutions, ordinances and regulations (state, federal or local) affecting the sale of fermented malt beverages and/or wine if the license is granted.

1. ORGANIZATION (check appropriate box) Bona fide Club Church Lodge/Society Veteran's Organization Fair Association

(a) Name Granville-Brown Deer Chamber

(b) Address 9225 N. 76th Street Milwaukee WI 53223
(Street) Town Village City

(c) Date organized 05-25-05

(d) If corporation, give date of incorporation 08-29-02

(e) If the named organization is not required to hold a Wisconsin seller's permit pursuant to s. 77.54 (7m), Wis. Stats., check this box:

(f) Names and addresses of all officers:

President Barb Fleming

Vice President Dorothy Snow

Secretary Cheryl Brach

Treasurer Nathaniel Piotrowski

(g) Name and address of manager or person in charge of affair: Elizabeth Dickhaut, 4801 W. Brown Deer Rd. Brown Deer, WI 53223

2. LOCATION OF PREMISES WHERE BEER AND/OR WINE WILL BE SOLD:

(a) Street number 4800 W. Green Brook Drive

(b) Lot _____ Block _____

(c) Do premises occupy all or part of building? _____

(d) If part of building, describe fully all premises covered under this application, which floor or floors, or room or rooms, license is to cover: _____

3. NAME OF EVENT

(a) List name of the event Community Vibes

(b) Dates of event 06-19-13

DECLARATION

The Officer(s) of the organization, individually and together, declare under penalties of law that the information provided in this application is true and correct to the best of their knowledge and belief.

Officer Barbara Fleming 5/13/13
(Signature/date) Officer Nate Piotrowski 5/22/13
(Signature/date)

Officer Dorothy Snow 5/22/13
(Signature/date) Officer _____
(Signature/date)

Date Filed with Clerk 5-22-13 Date Reported to Council or Board _____

Date Granted by Council _____ License No. _____

ADDITIONAL INFORMATION

May be Granted and Issued only to:

- (1) Bona fide clubs that have been in existence for at least 6 months prior to the date of application.
- (2) State, county, or local fair associations, or agricultural societies.
- (3) Church, lodge, or society that has been in existence for at least 6 months prior to the date of application.
- (4) Posts now or hereafter established of ex-servicemen's organizations.

Application:

- (1) Filing: In writing, for each event, on Form AT-315.
- (2) The local licensing authority may act on application or authorize an official or body of the municipality to issue the license. (ss. 125.26(1) and 125.51(1)(a), Wis. Stats.)
- (3) The written application shall be filed with the clerk of the municipality in which premises are located:

Class "B" (Beer):

- a. The governing body shall establish any waiting period before granting of a license for events lasting less than 4 days (s. 125.04(3)(f), Wis. Stats.)
- b. At least 15 days prior to the granting of the license for events lasting 4 or more days.

"Class B" (Wine):

The application shall be filed with the clerk of the local municipality in which the event will be held at least 15 days prior to the granting of the license.

- (4) Seller's Permit: Sec. 77.54 (7m), Wis. Stats., provides an exemption from Wisconsin sales and use taxes relating to certain sales by a nonprofit organization. Check the box if your organization qualifies for the exemption and therefore is not required to hold a seller's permit.
- (5) Publication: Not required.

Fee: Not to exceed \$10. (Exception: No additional fee may be charged if organization is applying for both a Temporary Class "B" and a Temporary "Class B" license for the same event.)

Duration: The day, or consecutive days, that the specified event is in progress.

Restrictions:

- (1) License may not be issued to individuals.
- (2) Licenses to organizations, other than ex-servicemen's organizations, can be issued only for a picnic or similar gathering. They may not be issued for business or social meetings of the organization.
- (3) Licenses for club or organization meetings may be issued only to ex-servicemen's posts.
- (4) License may cover either a specified area or the entire picnic grounds.
- (5) License issued to a county or district fair must cover the entire fairground (ss. 125.26(6) and 125.51(10), Wis. Stats.)
- (6) No license to clubs having any indebtedness to any wholesaler for more than 15 days for beer (s. 125.33(7), Wis. Stats.) and 30 days for wine (s. 125.69(4)(b), Wis. Stats.)
- (7) Licensed operator(s) must be present at all times (ss. 125.26(6), 125.32(2) - Beer; 125.51(10), 125.68(2) - Wine; 125.17)
- (8) The licensed club, club members, or any other persons are not permitted to possess intoxicating liquor on licensed premises on the Temporary Class "B"/"Class B" licensed picnic area. (s. 125.32(6), Wis. Stats.)
- (9) Not more than 2 wine licenses may be issued to any club, county or local fair association, agricultural association, church, lodge, society or veterans' post in any 12 month period.
- (10) Licensed organizations must purchase their product from a licensed wholesaler.

NOTE: Most coolers presently on the market have a fermented malt beverage base allowing sale under a beer license, e.g. Bartles and James, Seagrams, etc.

**TRANSIENT AND TEMPORARY OUTDOOR PERMIT
SUPPLEMENTAL INFORMATION**

GENERAL INFORMATION :

Is this event associated with an existing business? YES NO

Is any part of the event taking place on the grounds or premises of the business? YES NO

Is the business a licensed premise? YES NO

Identify the licenses held by the involved business: none

Is there any anticipated promotional efforts associated with this event? YES NO

Describe promotional plans for the event and attach any fliers, advertisements, and/or scripts that will be used in the promotion of the event. fliers & yard signs

LIVE MUSIC INFORMATION:

Band Name(s): Streetlife with
Warren Wiegratz

Promotional Representative: Toy Begos

If no Promotional Representative, state last locations band has played at:

Instrument(s): vocal guitar
(No. & Type) Sax
drum

Instrument Amplification: YES NO

CROWD CONTROL INFORMATION :

Anticipated maximum number of persons on site at one time? 200

If event is indoors, occupancy limit of the facility being used? n/a

No. of Bathroom Facilities available? : Dark restrooms

No. and size (in gallons) of Garbage Receptacles available? : onsite @ park

Parking Locations Available : park / village parking

(Use of private business parking lots is not permitted without consent of owner. Indicate any consent obtained from owners of private lots by identifying them and providing their phone numbers.)

Will any Security personnel be on site? YES NO

Number of Security personnel to be on site? _____

If Security personnel are used, identify the professional organization they will be obtained from: _____

Contact Person's Name: _____ Phone Number: () _____ - _____

Insurance Coverage for Event Obtained? YES NO

Identify Insurance Company and Policy Number : _____

Are there any concerns and/or issues that should be noted that may result from this event?

Do you have plans to address any identified issues and/or concerns?

FOOD SALES OR PROVISION INFORMATION :

(Businesses holding a restaurant license need not respond unless food preparation and sales are off premise and/or outside the normal scope of the business operation)

Food sales? : YES NO

Food provided without sales? : YES NO

If "yes", identify type of food that will be available: hamburger, hot dog,
chicken breast, pizza

Food Preparation Outdoors? YES NO

Manner of preparation : Grill : offsite

Amount of food to be prepared : _____

BEVERAGE SALES AND/OR PROVISIONS :

(Businesses holding a liquor license need not respond unless any sales, provision, or consumption of alcohol occurs off premise and/or outside the normal scope of the business operation)

Alcoholic beverage sales? YES NO

Licensed servers at location? YES NO

Alcohol not sold but available? YES NO

Anticipated quantity and types of Alcohol to be provided? :

beer & wine

Alcohol to be "Served" or "Openly Accessible"? SERVED OPEN ACCESS

Soft Drink Sales? YES NO

EVENT PLAN :

Please provide a diagram of your anticipated layout of your site. Identify any tents or other structures at the location. Indicate specifically areas where food is served, alcohol is served or accessible, music is played and the direction the sound will be projected, as well as garbage receptacles and bathroom facilities locations:

Rocky's
Food
soda

Larry's
Food
alcohol

Entertainment
shelter # 2

BATHROOMS

Ernie Dick
Submitted By:

05 / 13 / 13
Date

(414) 354 - 6000
Contact Number(s)

(See Additional Information on Reverse Side)

STATE OF WISCONSIN

Milwaukee County |
 | ss.
Village of Brown Deer |

Fee Paid _____
Receipt# _____
Date Issued _____
Permit# _____ (FOR VILLAGE HALL USE ONLY)

APPLICATION FOR SODA WATER BEVERAGE LICENSE

The undersigned, hereby applies to the VILLAGE OF BROWN DEER, for a license to sell Soda Water Beverages to be consumed on or off the premises, during the license year ending June 30, _____, subject to the limitations imposed by Section 66.053 (2) of the Wisconsin Statutes and acts amendatory hereof and supplementary thereto, and hereby agree to comply with all laws, resolutions, ordinances and regulations affecting the sale of such beverages if a license be granted. Said business is to be conducted on the following described premises within said Village, to wit:

Business Name of Applicant: <i>Brown Deer Cranville Chamber</i>	Trade Name (if different from business name):
--	---

Applicant's Mailing Address: <i>9225 N. 76th Street</i>	City, State, Zip Code: <i>Milwaukee, WI 53223</i>
--	--

Applicant is (check one): Individual Partnership Corporation L.L.C. Other _____

Name of Establishment to be Licensed:
Cranville Brown Deer Chamber

Address of Licensed Premises (If applicant is not sole occupant of building, also give room number and building name):
4800 W Green Brook Drive, Brown Deer, WI 53223

Name of Applicant (please print): <i>Elizabeth Bickhart</i>	Telephone Number: <i>(414) 354-6000</i>
--	--

Signature of Applicant: <i>Elizabeth Bickhart</i>	Date: <i>05-13-13</i>
--	--------------------------

ADDITIONAL INFORMATION

No person, firm, or corporation shall, in any manner, directly or indirectly, upon any premises, or by any device, sell, exchange, barter, dispose of, or give away, or keep for sale, any soda water beverages, or any substitute therefore, without first obtaining a license:

Application:

Submit to: Village Manager
Village of Brown Deer
4800 West Green Brook Drive
Brown Deer, WI 53223
414/371-3050

Print or type in ink.

Provide a complete answer for each question.

FEE:

\$15.00 Annual Fee

DURATION:

License shall have a term of one (1) year commencing on July 1 and expiring on June 30 of each year. If granted subsequent to July 1 in any given year, license shall expire on June 30 after issuance.

APPLICATION

TRANSIENT AND TEMPORARY OUTDOOR ENTERTAINMENTS		
Name of Applicant: <i>Elizabeth Bickhart</i>	Organization Name: <i>Granville Brown Deer Chamber</i>	
Applicant's Mailing Address: <i>9225 n. 76th Street</i>	City, State, Zip Code: <i>Milwaukee, WI 53225</i>	
Phone/Home: <i>(414) 491-8288</i>	Phone/Business: <i>(414) 354-6000</i>	
Name of On-Scene Event Coordinator: <i>Elizabeth Bickhart</i>	Telephone Number: <i>(414) 354-6000</i>	Cellular Phone Number: <i>(414) 491-8288</i>
Applicant is (check one): <input type="checkbox"/> Individual <input type="checkbox"/> Partnership <input type="checkbox"/> Corporation <input type="checkbox"/> L.L.C. <input type="checkbox"/> Other _____		
Date of Event: <i>07-17-13</i>		
Location Address: <i>4800 W. Green Brook Drive, Brown Deer WI 53223</i>		
Location Description (please be specific, i.e., parking lot, backyard, etc.): <i>Brown Deer Village Park</i>		
Starting Time: <i>6:00 pm</i>	Ending Time: <i>8:30 pm</i>	
Number of People Attending (Estimated)	Adults: <i>150</i>	Juveniles: <i>50</i>
Description of Entertainment/Activity to be Provided (please be specific):		
<i>Stoneship Eden</i>		
Traffic/Police Assistance Required:		
Name of Private Security Company:	Contact Person:	
Business Address:	Business Telephone Number:	

ADDITIONAL INFORMATION

Application:

Submit to: Village Manager
Village of Brown Deer
4800 West Green Brook Drive
Brown Deer, WI 53223
414/371-3050

Print or type in ink.

Provide a complete answer for each question.

FEE:

\$25.00 Fee

DURATION:

If granted, application shall have a term of one (1) day commencing on date and time approved. In the event of cancellation, an application must be re-submitted for approval.

Regulations regarding processions, parades, etc. are covered under Section 5-17.01 of Volume I, Chapter V, Article 17, Transient and Temporary Outdoor Entertainments of the Village of Brown Deer Village Code. Applicant is required to review this section.

Signature of Applicant: 	Date of Application: 05-18-13
Village Clerk:	Date of Approval:

APPLICATION FOR TEMPORARY CLASS "B"/"CLASS B" RETAILER'S LICENSE

See Additional Information on reverse side. Contact the municipal clerk if you have questions.

FEE \$ _____

Application Date: 05.13.13

Town Village City of BROWN DEER County of MILWAUKEE

The named organization applies for: (check appropriate box(es).)

A Temporary Class "B" license to sell fermented malt beverages at picnics or similar gatherings under s. 125.26(6), Wis. Stats.

A Temporary "Class B" license to sell wine at picnics or similar gatherings under s. 125.51(10), Wis. Stats.

at the premises described below during a special event beginning 6:00 am and ending 8:30 pm and agrees to comply with all laws, resolutions, ordinances and regulations (state, federal or local) affecting the sale of fermented malt beverages and/or wine if the license is granted.

1. ORGANIZATION (check appropriate box) Bona fide Club Church Lodge/Society Veteran's Organization Fair Association

(a) Name Granville Brown Deer Chamber

(b) Address 9225 n. 76th Street Milwaukee WI 53223
(Street) Town Village City

(c) Date organized 05.25.05

(d) If corporation, give date of incorporation 08.29.02

(e) If the named organization is not required to hold a Wisconsin seller's permit pursuant to s. 77.54 (7m), Wis. Stats., check this box:

(f) Names and addresses of all officers:

President Barb Fleming

Vice President Dorothy Snow

Secretary Cheryl Brah

Treasurer Nathaniel Piotrowski

(g) Name and address of manager or person in charge of affair: Elizabeth Dickert
4301 W. Brown Deer Road, Brown Deer WI 53223

2. LOCATION OF PREMISES WHERE BEER AND/OR WINE WILL BE SOLD:

(a) Street number 4800 W. Green Brook Drive

(b) Lot _____ Block _____

(c) Do premises occupy all or part of building? _____

(d) If part of building, describe fully all premises covered under this application, which floor or floors, or room or rooms, license is to cover.

3. NAME OF EVENT

(a) List name of the event Community Vibes

(b) Dates of event 07-17-13

DECLARATION

The Officer(s) of the organization, individually and together, declare under penalties of law that the information provided in this application is true and correct to the best of their knowledge and belief.

Officer Barbara Fleming 5/13/13
(Signature/date)

Officer Dorothy Snow 5/22/13
(Signature/date)

Date Filed with Clerk 5-22-13

Date Granted by Council _____

Granville Brown Deer Chamber
(Name of Organization)

Officer Nate Piotrowski 5/23/13
(Signature/date)

Officer _____
(Signature/date)

Date Reported to Council or Board _____

License No. _____

ADDITIONAL INFORMATION

May be Granted and Issued only to:

- (1) Bona fide clubs that have been in existence for at least 6 months prior to the date of application.
- (2) State, county, or local fair associations, or agricultural societies.
- (3) Church, lodge, or society that has been in existence for at least 6 months prior to the date of application.
- (4) Posts now or hereafter established of ex-servicemen's organizations.

Application:

- (1) Filing: In writing, for each event, on Form AT-315.
- (2) The local licensing authority may act on application or authorize an official or body of the municipality to issue the license. (ss. 125.26(1) and 125.51(1)(a), Wis. Stats.)
- (3) The written application shall be filed with the clerk of the municipality in which premises are located:

Class "B" (Beer):

- a. The governing body shall establish any waiting period before granting of a license for events lasting less than 4 days (s. 125.04(3)(f), Wis. Stats.)
- b. At least 15 days prior to the granting of the license for events lasting 4 or more days.

"Class B" (Wine):

The application shall be filed with the clerk of the local municipality in which the event will be held at least 15 days prior to the granting of the license.

- (4) Seller's Permit: Sec. 77.54 (7m), Wis. Stats., provides an exemption from Wisconsin sales and use taxes relating to certain sales by a nonprofit organization. Check the box if your organization qualifies for the exemption and therefore is not required to hold a seller's permit.
- (5) Publication: Not required.

Fee: Not to exceed \$10. (Exception: No additional fee may be charged if organization is applying for both a Temporary Class "B" and a Temporary "Class B" license for the same event.)

Duration: The day, or consecutive days, that the specified event is in progress.

Restrictions:

- (1) License may not be issued to individuals.
- (2) Licenses to organizations, other than ex-servicemen's organizations, can be issued only for a picnic or similar gathering. They may not be issued for business or social meetings of the organization.
- (3) Licenses for club or organization meetings may be issued only to ex-servicemen's posts.
- (4) License may cover either a specified area or the entire picnic grounds.
- (5) License issued to a county or district fair must cover the entire fairground (ss. 125.26(6) and 125.51(10), Wis. Stats.)
- (6) No license to clubs having any indebtedness to any wholesaler for more than 15 days for beer (s. 125.33(7), Wis. Stats.) and 30 days for wine (s. 125.69(4)(b), Wis. Stats.)
- (7) Licensed operator(s) must be present at all times (ss. 125.26(6), 125.32(2) - Beer; 125.51(10), 125.68(2) - Wine; 125.17)
- (8) The licensed club, club members, or any other persons are not permitted to possess intoxicating liquor on licensed premises on the Temporary Class "B"/Class B licensed picnic area. (s. 125.32(6), Wis. Stats.)
- (9) Not more than 2 wine licenses may be issued to any club, county or local fair association, agricultural association, church, lodge, society or veterans' post in any 12 month period.
- (10) Licensed organizations must purchase their product from a licensed wholesaler.

NOTE: Most coolers presently on the market have a fermented malt beverage base allowing sale under a beer license, e.g. Bartles and James, Seagrams, etc.

**TRANSIENT AND TEMPORARY OUTDOOR PERMIT
SUPPLEMENTAL INFORMATION**

GENERAL INFORMATION :

Is this event associated with an existing business? YES NO

Is any part of the event taking place on the grounds or premises of the business? YES NO

Is the business a licensed premise? YES NO

Identify the licenses held by the involved business: none

Is there any anticipated promotional efforts associated with this event? YES NO

Describe promotional plans for the event and attach any fliers, advertisements, and/or scripts that will be used in the promotion of the event. fliers : yard signs

LIVE MUSIC INFORMATION:

Band Name(s): Stoneship Eden

Promotional Representative: Toy Begas

If no Promotional Representative, state last locations band has played at:

Instrument(s): vocal
(No. & Type) guitar
drum

Instrument Amplification: YES NO

CROWD CONTROL INFORMATION :

Anticipated maximum number of persons on site at one time? 200

If event is indoors, occupancy limit of the facility being used? n/a

No. of Bathroom Facilities available? park restrooms

No. and size (in gallons) of Garbage Receptacles available? : onsite @ park

Parking Locations Available : village / park parking

(Use of private business parking lots is not permitted without consent of owner. Indicate any consent obtained from owners of private lots by identifying them and providing their phone numbers.)

Will any Security personnel be on site? YES NO

Number of Security personnel to be on site? _____

If Security personnel are used, identify the professional organization they will be obtained from: _____

Contact Person's Name: _____ Phone Number: () _____ - _____

Insurance Coverage for Event Obtained? YES NO

Identify Insurance Company and Policy Number : _____

Are there any concerns and/or issues that should be noted that may result from this event?

Do you have plans to address any identified issues and/or concerns?

FOOD SALES OR PROVISION INFORMATION :

(Businesses holding a restaurant license need not respond unless food preparation and sales are off premise and/or outside the normal scope of the business operation)

Food sales? : YES NO

Food provided without sales? : YES NO

If "yes", identify type of food that will be available: hamburgers, hot dogs
chicken breasts, pizza

Food Preparation Outdoors? YES NO

Manner of preparation : grill : offsite

Amount of food to be prepared : _____

BEVERAGE SALES AND/OR PROVISIONS :

(Businesses holding a liquor license need not respond unless any sales, provision, or consumption of alcohol occurs off premise and/or outside the normal scope of the business operation)

Alcoholic beverage sales? YES NO

Licensed servers at location? YES NO

Alcohol not sold but available? YES NO

Anticipated quantity and types of Alcohol to be provided? :

Beer & wine

Alcohol to be "Served" or "Openly Accessible"? SERVED OPEN ACCESS

Soft Drink Sales? YES NO

EVENT PLAN :

Please provide a diagram of your anticipated layout of your site. Identify any tents or other structures at the location. Indicate specifically areas where food is served, alcohol is served or accessible, music is played and the direction the sound will be projected, as well as garbage receptacles and bathroom facilities locations:

*Rocky's
Food
Soda* *Larry's
Food
alcohol*

*Enter Entertainment
Shelter #2*

Restrooms

Ernie Decker
Submitted By:

05/13/13
Date

(414) 354 - 6000
Contact Number(s)

(See Additional Information on Reverse Side)

STATE OF WISCONSIN

Milwaukee County]]
] ss.
Village of Brown Deer]

Fee Paid _____
Receipt# _____
Date Issued _____
Permit# _____ (FOR VILLAGE HALL USE ONLY)

APPLICATION FOR SODA WATER BEVERAGE LICENSE

The undersigned, hereby applies to the VILLAGE OF BROWN DEER, for a license to sell Soda Water Beverages to be consumed on or off the premises, during the license year ending June 30, _____, subject to the limitations imposed by Section 66.053 (2) of the Wisconsin Statutes and acts amendatory hereof and supplementary thereto, and hereby agree to comply with all laws, resolutions, ordinances and regulations affecting the sale of such beverages if a license be granted. Said business is to be conducted on the following described premises within said Village, to wit:

Business Name of Applicant: <i>Granville Brown Deer Chamber</i>	Trade Name (if different from business name):
--	---

Applicant's Mailing Address: <i>9225 N. 76th Street</i>	City, State, Zip Code: <i>Milwaukee, WI 53223</i>
--	--

Applicant is (check one): Individual Partnership Corporation L.L.C. Other _____

Name of Establishment to be Licensed:
Granville Brown Deer Chamber

Address of Licensed Premises (If applicant is not sole occupant of building, also give room number and building name):
4800 W. Green Brook Drive, Brown Deer, WI 53223

Name of Applicant (please print): <i>Elizabeth Bickhart</i>	Telephone Number: <i>(414)354 6000</i>
--	---

Signature of Applicant: <i>Elizabeth Bickhart</i>	Date: <i>05.13.13</i>
--	--------------------------

ADDITIONAL INFORMATION

No person, firm, or corporation shall, in any manner, directly or indirectly, upon any premises, or by any device, sell, exchange, barter, dispose of, or give away, or keep for sale, any soda water beverages, or any substitute therefore, without first obtaining a license:

Application:

Submit to: Village Manager
Village of Brown Deer
4800 West Green Brook Drive
Brown Deer, WI 53223
414/371-3050

Print or type in ink.

Provide a complete answer for each question.

FEE:

\$15.00 Annual Fee

DURATION:

License shall have a term of one (1) year commencing on July 1 and expiring on June 30 of each year. If granted subsequent to July 1 in any given year, license shall expire on June 30 after issuance.

APPLICATION

TRANSIENT AND TEMPORARY OUTDOOR ENTERTAINMENTS

Name of Applicant: <i>Elizabeth Dickhart</i>		Organization Name: <i>Granville Brown Deer Chamber</i>	
Applicant's Mailing Address: <i>9225 n. 76th Street</i>		City, State, Zip Code: <i>Milwaukee, WI 53228</i>	
Phone/Home: <i>(414) 491-8288</i>		Phone/Business: <i>(414) 354-6000</i>	
Name of On-Scene Event Coordinator: <i>Elizabeth Dickhart</i>		Telephone Number: <i>(414) 354-6000</i>	Cellular Phone Number: <i>(414) 491-8288</i>
Applicant is (check one): <input type="checkbox"/> Individual <input type="checkbox"/> Partnership <input type="checkbox"/> Corporation <input type="checkbox"/> L.L.C. <input type="checkbox"/> Other _____			
Date of Event: <i>08-21-13</i>			
Location Address: <i>4800 W Green Brook Drive</i>			
Location Description (please be specific, i.e., parking lot, backyard, etc.): <i>Brown Deer Village Park</i>			
Starting Time: <i>6:00 PM</i>		Ending Time: <i>8:30 PM</i>	
Number of People Attending (Estimated)		Adults: <i>150</i>	Juveniles: <i>50</i>
Description of Entertainment/Activity to be Provided (please be specific): <i>The Rhythm Kings</i>			
Traffic/Police Assistance Required:			
Name of Private Security Company:		Contact Person:	
Business Address:		Business Telephone Number:	

ADDITIONAL INFORMATION

Application:

Submit to: Village Manager
Village of Brown Deer
4800 West Green Brook Drive
Brown Deer, WI 53223
414/371-3050

Print or type in ink.

Provide a complete answer for each question.

FEE:

\$25.00 Fee

DURATION:

If granted, application shall have a term of one (1) day commencing on date and time approved. In the event of cancellation, an application must be re-submitted for approval.

Regulations regarding processions, parades, etc. are covered under Section 5-17.01 of Volume I, Chapter V, Article 17, Transient and Temporary Outdoor Entertainments of the Village of Brown Deer Village Code. Applicant is required to review this section.

Signature of Applicant: 	Date of Application: 05-13-13
Village Clerk:	Date of Approval:

APPLICATION FOR TEMPORARY CLASS "B"/"CLASS B" RETAILER'S LICENSE

See Additional Information on reverse side. Contact the municipal clerk if you have questions.

FEE \$ _____

Application Date: 05-13-13

Town Village City of BROWN DEER County of MILWAUKEE

The named organization applies for: (check appropriate box(es).)

- A Temporary Class "B" license to sell fermented malt beverages at picnics or similar gatherings under s. 125.26(6), Wis. Stats.
 A Temporary "Class B" license to sell wine at picnics or similar gatherings under s. 125.51(10), Wis. Stats.

at the premises described below during a special event beginning 6:00pm and ending 8:30pm and agrees to comply with all laws, resolutions, ordinances and regulations (state, federal or local) affecting the sale of fermented malt beverages and/or wine if the license is granted.

1. ORGANIZATION (check appropriate box) Bona fide Club Church Lodge/Society Veteran's Organization Fair Association

(a) Name Granville Brown Deer Chamber

(b) Address 9225 n. 76th Street Milwaukee WI 53223
(Street) Town Village City

(c) Date organized 05-25-05

(d) If corporation, give date of incorporation 08-29-02

(e) If the named organization is not required to hold a Wisconsin seller's permit pursuant to s. 77.54 (7m), Wis. Stats., check this box:

(f) Names and addresses of all officers:

President Barb Fleming

Vice President Dorothy Snow

Secretary Cheryl Brach

Treasurer Nathaniel Piotrowski

(g) Name and address of manager or person in charge of affair: Elizabeth Bickhart
4801 W. Brown Deer Rd Brown Deer, WI 53223

2. LOCATION OF PREMISES WHERE BEER AND/OR WINE WILL BE SOLD:

(a) Street number 4800 W. Green Brook Drive

(b) Lot _____ Block _____

(c) Do premises occupy all or part of building? _____

(d) If part of building, describe fully all premises covered under this application, which floor or floors, or room or rooms, license is to cover: _____

3. NAME OF EVENT

(a) List name of the event Community Vines

(b) Dates of event 08-21-13

DECLARATION

The Officer(s) of the organization, individually and together, declare under penalties of law that the information provided in this application is true and correct to the best of their knowledge and belief.

Officer Barbara Fleming 5/13/13
(Signature/date)

Officer Dorothy Snow 5/22/13
(Signature/date)

Date Filed with Clerk 5-22-13

Date Granted by Council _____

Granville Brown Deer Chamber
(Name of Organization)

Officer Nate Piotrowski 5/22/13
(Signature/date)

Officer _____
(Signature/date)

Date Reported to Council or Board _____

License No. _____

ADDITIONAL INFORMATION

May be Granted and Issued only to:

- (1) Bona fide clubs that have been in existence for at least 6 months prior to the date of application.
- (2) State, county, or local fair associations, or agricultural societies.
- (3) Church, lodge, or society that has been in existence for at least 6 months prior to the date of application.
- (4) Posts now or hereafter established of ex-servicemen's organizations.

Application:

- (1) Filing: In writing, for each event, on Form AT-315.
- (2) The local licensing authority may act on application or authorize an official or body of the municipality to issue the license. (ss. 125.26(1) and 125.51(1)(a), Wis. Stats.)
- (3) The written application shall be filed with the clerk of the municipality in which premises are located:

Class "B" (Beer):

- a. The governing body shall establish any waiting period before granting of a license for events lasting less than 4 days (s. 125.04(3)(f), Wis. Stats.)
- b. At least 15 days prior to the granting of the license for events lasting 4 or more days.

"Class B" (Wine):

The application shall be filed with the clerk of the local municipality in which the event will be held at least 15 days prior to the granting of the license.

- (4) Seller's Permit: Sec. 77.54 (7m), Wis. Stats., provides an exemption from Wisconsin sales and use taxes relating to certain sales by a nonprofit organization. Check the box if your organization qualifies for the exemption and therefore is not required to hold a seller's permit.
- (5) Publication: Not required.

Fee: Not to exceed \$10. (Exception: No additional fee may be charged if organization is applying for both a Temporary Class "B" and a Temporary "Class B" license for the same event.)

Duration: The day, or consecutive days, that the specified event is in progress.

Restrictions:

- (1) License may not be issued to individuals.
- (2) Licenses to organizations, other than ex-servicemen's organizations, can be issued only for a picnic or similar gathering. They may not be issued for business or social meetings of the organization.
- (3) Licenses for club or organization meetings may be issued only to ex-servicemen's posts.
- (4) License may cover either a specified area or the entire picnic grounds.
- (5) License issued to a county or district fair must cover the entire fairground (ss. 125.26(6) and 125.51(10), Wis. Stats.)
- (6) No license to clubs having any indebtedness to any wholesaler for more than 15 days for beer (s. 125.33(7), Wis. Stats.) and 30 days for wine (s. 125.69(4)(b), Wis. Stats.)
- (7) Licensed operator(s) must be present at all times (ss. 125.26(6), 125.32(2) - Beer; 125.51(10), 125.68(2) - Wine; 125.17)
- (8) The licensed club, club members, or any other persons are not permitted to possess intoxicating liquor on licensed premises on the Temporary Class "B"/Class B licensed picnic area. (s. 125.32(6), Wis. Stats.)
- (9) Not more than 2 wine licenses may be issued to any club, county or local fair association, agricultural association, church, lodge, society or veterans' post in any 12 month period.
- (10) Licensed organizations must purchase their product from a licensed wholesaler.

NOTE: Most coolers presently on the market have a fermented malt beverage base allowing sale under a beer license, e.g. Bartles and James, Seagrams, etc.

**TRANSIENT AND TEMPORARY OUTDOOR PERMIT
SUPPLEMENTAL INFORMATION**

GENERAL INFORMATION :

Is this event associated with an existing business? YES NO

Is any part of the event taking place on the grounds or premises of the business? YES NO

Is the business a licensed premise? YES NO

Identify the licenses held by the involved business: NONE

Is there any anticipated promotional efforts associated with this event? YES NO

Describe promotional plans for the event and attach any fliers, advertisements, and/or scripts that will be used in the promotion of the event. fliers & yard signs

LIVE MUSIC INFORMATION:

Band Name(s): The Rhythm Kings

Promotional Representative: Toy Begos

If no Promotional Representative, state last locations band has played at:

Instrument(s): Vocal Keyboard
(No. & Type) Guitar
Drum

Instrument Amplification: YES NO

CROWD CONTROL INFORMATION :

Anticipated maximum number of persons on site at one time? 200

If event is indoors, occupancy limit of the facility being used? n/a

No. of Bathroom Facilities available? park restrooms

No. and size (in gallons) of Garbage Receptacles available? : onsite @ park

Parking Locations Available : Park Village Parking

(Use of private business parking lots is not permitted without consent of owner. Indicate any consent obtained from owners of private lots by identifying them and providing their phone numbers.)

Will any Security personnel be on site? YES NO

Number of Security personnel to be on site? _____

If Security personnel are used, identify the professional organization they will be obtained from: _____

Contact Person's Name: _____ Phone Number: () _____ - _____

Insurance Coverage for Event Obtained? YES NO

Identify Insurance Company and Policy Number : _____

Are there any concerns and/or issues that should be noted that may result from this event?

Do you have plans to address any identified issues and/or concerns?

FOOD SALES OR PROVISION INFORMATION :

(Businesses holding a restaurant license need not respond unless food preparation and sales are off premise and/or outside the normal scope of the business operation)

Food sales? : YES NO

Food provided without sales? : YES NO

If "yes", identify type of food that will be available: hamburgers hot dogs,
chicken breasts pizza

Food Preparation Outdoors? YES NO

Manner of preparation : Grill ? offsite

Amount of food to be prepared : _____

BEVERAGE SALES AND/OR PROVISIONS :

(Businesses holding a liquor license need not respond unless any sales, provision, or consumption of alcohol occurs off premise and/or outside the normal scope of the business operation)

Alcoholic beverage sales? YES NO

Licensed servers at location? YES NO

Alcohol not sold but available? YES NO

Anticipated quantity and types of Alcohol to be provided? :

beer & wine

Alcohol to be "Served" or "Openly Accessible"? SERVED OPEN ACCESS

Soft Drink Sales? YES NO

EVENT PLAN :

Please provide a diagram of your anticipated layout of your site. Identify any tents or other structures at the location. Indicate specifically areas where food is served, alcohol is served or accessible, music is played and the direction the sound will be projected, as well as garbage receptacles and bathroom facilities locations:

Rocky's
food
Soda

Larry's
food
alcohol

Enter tournament
shelter # 2

Restrooms

Ernie Bickel
Submitted By:

05 / 13 / 13
Date

(414) 394 - 6000
Contact Number(s)

(See Additional Information on Reverse Side)

Fee Paid _____

Receipt# _____

Date Issued _____

Permit# _____
(FOR VILLAGE HALL USE ONLY)

STATE OF WISCONSIN

Milwaukee County |
 | ss.
Village of Brown Deer |

APPLICATION FOR SODA WATER BEVERAGE LICENSE

The undersigned, hereby applies to the VILLAGE OF BROWN DEER, for a license to sell Soda Water Beverages to be consumed on or off the premises, during the license year ending June 30, _____, subject to the limitations imposed by Section 66.053 (2) of the Wisconsin Statutes and acts amendatory hereof and supplementary thereto, and hereby agree to comply with all laws, resolutions, ordinances and regulations affecting the sale of such beverages if a license be granted. Said business is to be conducted on the following described premises within said Village, to wit:

Business Name of Applicant: <i>Granville Brown Deer Chamber</i>	Trade Name (if different from business name):
--	---

Applicant's Mailing Address: <i>9225 N. 76th Street</i>	City, State, Zip Code: <i>Milwaukee, WI 53223</i>
--	--

Applicant is (check one): Individual Partnership Corporation L.L.C. Other _____

Name of Establishment to be Licensed:
Granville Brown Deer Chamber

Address of Licensed Premises (If applicant is not sole occupant of building, also give room number and building name):
4800 W. Green Brook Drive

Name of Applicant (please print): <i>Elizabeth Dickert</i>	Telephone Number: <i>(414) 354-6000</i>
---	--

Signature of Applicant: <i>Elizabeth Dickert</i>	Date: <i>05-13-13</i>
---	--------------------------

ADDITIONAL INFORMATION

No person, firm, or corporation shall, in any manner, directly or indirectly, upon any premises, or by any device, sell, exchange, barter, dispose of, or give away, or keep for sale, any soda water beverages, or any substitute therefore, without first obtaining a license:

Application:

Submit to: Village Manager
Village of Brown Deer
4800 West Green Brook Drive
Brown Deer, WI 53223
414/371-3050

Print or type in ink.

Provide a complete answer for each question.

FEE:

\$15.00 Annual Fee

DURATION:

License shall have a term of one (1) year commencing on July 1 and expiring on June 30 of each year. If granted subsequent to July 1 in any given year, license shall expire on June 30 after issuance.



REQUEST FOR CONSIDERATION

COMMITTEE:	Village Board
ITEM DESCRIPTION:	Junior Baseball – Waive Permit Fee
PREPARED BY:	Jill Kenda-Lubetski, Village Clerk
REPORT DATE:	May 21, 2013
MANAGER'S REVIEW/COMMENTS:	<input type="checkbox"/> No additional comments to this report. <input type="checkbox"/> See additional comments attached.
RECOMMENDATION:	To consider waiving the permit fees for Junior Baseball.
EXPLANATION:	<p>The Village received a call from Matthew Patrick, a member of the Junior Baseball Board. Mr. Patrick stated that the junior baseball teams play games at Fairy Chasm Park Monday through Thursday from 5:30 p.m. to 8:00 p.m. The schedule for the league has already started (mid-May) with games played through the first or second week of July.</p> <p>The proposal is to set up a card table and sell bottled water and Gatorade, as well as pre-packaged candy bars, chips, pretzels, granola bars, etc. at each and every game. They have no intentions of setting up a concession stand.</p> <p>Chad Hoier, Director of the Park and Recreation Department, has absolutely no objection to this type of activity happening at the park. Chad actually is very supportive of this effort and stated that he believes some of the funds made by this selling activity will actually be re-invested in the Park.</p> <p>According to the Village Code, Chapter 22.42 (copy attached), the Village Board has the authority to establish fees for permits. The Village Board also has the authority to waive permit fees.</p> <p>Attached is a copy of a license application that was prepared for the Junior Baseball league to sell water, Gatorade and prepackaged snack-type items at Fairy Chasm Park in 2013 for your consideration.</p>

Sec. 22-42. - Fees.

(a)

Established; location. The fees for licenses, inspections, services and activities performed by the department in carrying out its responsibilities under this article shall be as established by the village board and shall be on file and open to the public in the department's office and the office of the village clerk.

(b) *Fees to accompany application.* License fees imposed under this article shall accompany the license application. The department shall issue the applicant a receipt for the license fee.

(c) *No proration.* There will be no proration for license fees.

(d) *Refunds.* No license fee paid shall be refunded, unless a refund is requested prior to a preinspection for a new establishment.

(e) *Fees kept separate.* All fees shall be accounted for separately and applied to the expenses under this article.

(Ord. No. 05-18, § 1(5-9.22), 12-19-2005)

Sec. 22-43. - Expiration dates.

(a) All licenses issued under provisions of this article shall expire, unless otherwise ordered by the department or authorized agent, as follows:

(1) Food/drink: June 30.

(2) Hotel/motel: June 30.

(3) Public swimming pool: June 30.

(4) Boardinghouse/roominghouse: December 31.

(5) Bed and breakfast: June 30.

(6) Recreational and educational camps: June 30.

(7) Campgrounds: June 30.

(8) Tattoo or body piercing establishment: June 30.

(9) Vending machines: June 30.

(b) The licenses shall expire at 12:00 a.m. of the last effective day of the license, unless otherwise provided by this article or applicable provisions of state law.

(Ord. No. 05-18, § 1(5-9.23), 12-19-2005)

Sec. 22-44. - Renewal.

The department, prior to the expiration date, shall furnish renewal notices. It is the responsibility of the owner or operator to complete the application form and pay the appropriate fee before the expiration date of such license.

(Ord. No. 05-18, § 1(5-9.24), 12-19-2005)

Sec. 22-45. - Conflicts.

Whenever conflicts between this article and other village ordinances or state and federal regulations occur, the more stringent rule shall apply.

(Ord. No. 05-18, § 1(5-9.25), 12-19-2005)



LICENSE APPLICATION

Type of License

Peddler _____
Transient/Seasonal _____
Canvasser/Solicitor _____

Fees Paid

License Fee \$200.00
Additional Workers _____
@ \$20.00 each _____

License Period: _____ Total Fees Paid _____

Date Issued: May 1st 2013, To: July 20th 2013

Name of Applicant: Matthew Patrick

Address: 8541 N. 63rd St. Brown Deer WI 53223 Phone: (414) 847-2933

Firm Represented: Brown Deer Junior Baseball Phone: (414) 378-5060

Manager's Name: Shawn Engelke Phone: (414) 378-5060

Purpose of License: Selling of water, gatorade, and snacks during

Other Persons Who Will Help: games

- | Name | Address |
|--|---------|
| 1. <u>Mark Kent (414) 243-2613</u> | _____ |
| 2. <u>Shawn Engelke (414) 378-5060</u> | _____ |
| 3. _____ | _____ |
| 4. _____ | _____ |

Issued in Brown Deer, Wisconsin this _____ day of _____, 20____

(SEAL)

Signature of Clerk/Deputy Clerk

Note: Per Chapter 14, Article VII, Division 2, Section 14-411 entitled "Investigation-Issuance", the Village Manager shall institute a background investigation into each applicant and those working for each applicant, prior to issuance of the license.



Committee/Board/Commission Reappointment Form

Thank you for your involvement with the Village of Brown Deer. To assist in processing your reappointment, please complete the top section of the form and sign. To offer additional comments, feel free to complete any other lines on the form. As you may recall, the Village President recommends all citizen appointments to the Village Board of Trustees for approval. Any information provided may further support your reappointment.

Name: (as you like to be addressed) Elizabeth Smith

Address: 6061 W Donges Ln Phone No.: 414-378-1142

E-Mail: esmith91@wi.rr.com Years as Brown Deer Resident: 15

What Village committee(s) are you currently serving on? Brown Deer Beautification

Would you like to be re-appointed? (circle one) Yes No

Signature: Elizabeth C. Smith Date: 5/23/2013

Applicant information is subject to public release under state law.

Optional additional information:

Why are you interested in serving with this particular group: _____

Qualifications for serving on this group: _____

Other Community Involvement: _____

Occupation / Employer: _____

Family Details: _____

Leisure Activities / Hobbies: _____
