



Meeting: Village Board
Meeting Date: 8/22/11
Agenda Item: 5e

Mission Statement

Delivering quality services in a courteous, cost-effective and efficient manner.

VILLAGE BOARD MEETING STAFF REPORT

REPORT TO: Burt R. McIntyre, President
Village Board of Trustees

REPORT FROM: Chris Haltom, Executive Director of Administrative Services

CONSET AGENDA ITEM: Approve the Combination Class B Beer and Liquor License Application for Vandervest Harley-Davidson

POLICY ISSUE

Does the Village Board desire to issue a liquor license to Vandervest's Harley-Davidson to be located at the current Black Forest Restaurant location on Velp Avenue?

BACKGROUND INFORMATION

Village board has received updates of this project in previous closed sessions. The Vandervest Harley-Davidson dealership has the rights to locate a new Harley-Davidson shop in the Green Bay area. They have been working for months to purchase the Black Forest Restaurant property from the current owners and finally closed on the property this past week.

They desire to maintain the existing liquor license for the location as they plan to have a restaurant and bar area with their establishment. Village staff recommends approval of the license as part of the consent agenda contingent upon the Black Forest Restaurant returning the existing license for the same location.

PRIOR ACTION/REVIEW

The village board has discussed this issue in previous closed sessions. Because the item has been previously discussed with no dissension from the board, it is being included on the consent agenda.

RECOMMENDED ACTION

Village staff recommends the Village Board approve the liquor license. If the board decides to approve the license as part of the consent agenda, the following condition will be added to the approval in the minutes:

Approval of the Vandervest liquor license application contingent upon return of the liquor license from the Black Forest Restaurant.

POLICY ALTERNATIVE(S)

Not approve the license application.

ATTACHMENTS

Vandervest Liquor License Application

ORIGINAL ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk.

For the license period beginning July 1 20 11 ;
ending June 30 20 11

TO THE GOVERNING BODY of the: Town of } Howard
 Village of }
 City of }

County of Brown Aldermanic Dist. No. _____ (if required by ordinance)

1. The named INDIVIDUAL PARTNERSHIP LIMITED LIABILITY COMPANY
 CORPORATION/NONPROFIT ORGANIZATION

hereby makes application for the alcohol beverage license(s) checked above.

2. Name (individual/partners give last name, first, middle; corporations/limited liability companies give registered name): VANDERVEEST HARLEY - DAVIDSON INC.

An "Auxiliary Questionnaire," Form AT-103, must be completed and attached to this application by each individual applicant, by each member of a partnership, and by each officer, director and agent of a corporation or nonprofit organization, and by each member/manager and agent of a limited liability company. List the name, title, and place of residence of each person.

Title	Name	Home Address	Post Office & Zip Code
President/Member	<u>RICK VANDERVEEST</u>	<u>5881 MARYS RD NEWFRANKEN WI</u>	<u>54229</u>
Vice President/Member	<u>ERIK VANDERVEEST</u>	<u>W327 ERLIND ST PEQUIN WI</u>	<u>54157</u>
Secretary/Member	<u>LYNN VANDERVEEST</u>	<u>5881 MARYS RD NEWFRANKEN WI</u>	<u>54229</u>
Treasurer/Member	<u>DIXIE KINARD</u>	<u>5288 Bay Meadow Trl, Luxemburg, WI</u>	<u>54217</u>

Directors/Managers

3. Trade Name VANDERVEEST HARLEY - DAVIDSON Business Phone Number 920-621-7798
4. Address of Premises 1966 Velp Ave Green Bay Post Office & Zip Code WI 54313

5. Is individual, partners or agent of corporation/limited liability company subject to completion of the responsible beverage server training course for this license period? Yes No
6. Is the applicant an employe or agent of, or acting on behalf of anyone except the named applicant? Yes No
7. Does any other alcohol beverage retail licensee or wholesale permittee have any interest in or control of this business? Yes No
8. (a) Corporate/limited liability company applicants only: Insert state _____ and date _____ of registration.
(b) Is applicant corporation/limited liability company a subsidiary of any other corporation or limited liability company? Yes No
(c) Does the corporation, or any officer, director, stockholder or agent or limited liability company, or any member/manager or agent hold any interest in any other alcohol beverage license or permit in Wisconsin? Yes No

(NOTE: All applicants explain fully on reverse side of this form every YES answer in sections 5, 6, 7 and 8 above.)

9. Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include all rooms including living quarters, if used, for the sales, service, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.) Main Building Banquet Hall & First Floor Dining Area
10. Legal description (omit if street address is given above):
11. (a) Was this premises licensed for the sale of liquor or beer during the past license year? Yes No
(b) If yes, under what name was license issued? BLACK FOREST / PAUL KACZROWSKI
12. Does the applicant understand they must file a Special Occupational Tax return (TTB form 5630.5) before beginning business? [phone 1-800-937-8864] Yes No
13. Does the applicant understand a Wisconsin Seller's Permit must be applied for and issued in the same name as that shown in Section 2, above? [phone (608) 266-2776] Yes No
14. Is the applicant indebted to any wholesaler beyond 15 days for beer or 30 days for liquor? Yes No

READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the applicant states that each of the above questions has been truthfully answered to the best of the knowledge of the signers. Signers agree to operate this business according to law and that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another. (Individual applicants and each member of a partnership applicant must sign; corporate officer(s), members/managers of Limited Liability Companies must sign.) Any lack of access to any portion of a licensed premises during inspection will be deemed a refusal to permit inspection. Such refusal is a misdemeanor and grounds for revocation of this license.

SUBSCRIBED AND SWORN TO BEFORE ME

this 15th day of July 20 11

Dixie Kinard David
(Clerk/Notary Public)

My commission expires 10/21/2015

Rick Vanderveest
(Officer of Corporation/Member/Manager of Limited Liability Company/Partner/Individual)

(Officer of Corporation/Member/Manager of Limited Liability Company/Partner)

(Additional Partner(s)/Member/Manager of Limited Liability Company If Any)

TO BE COMPLETED BY CLERK

Date received and filed <u>JUL 18 2011</u>	Date reported to council/board	Date provisional license issued	Signature of Clerk / Deputy Clerk
Date license granted	Date license issued	License number issued	

AUXILIARY QUESTIONNAIRE ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk.

INDIVIDUAL'S FULL NAME (Please Print) (Last Name)		(First Name)	(Middle Name)	SOCIAL SECURITY NUMBER	
VANDERVEST		RICK	ELMER	[REDACTED]	
HOME ADDRESS (Street/Route)		POST OFFICE		STATE	ZIP CODE
5881 Marijs RD New Franken		New Franken		WI	54229
HOME PHONE NUMBER	AGE	DATE OF BIRTH		PLACE OF BIRTH	
920-866-9641	[REDACTED]	[REDACTED]		[REDACTED]	

The above named individual provides the following information as a person who is (check one):

Applying for an alcohol beverage license as an individual.

A member of a partnership which is making application for an alcohol beverage license.

Rick Vanderwest of Vanderwest Harley-Davidson Inc.
(Officer/Director/Member/Manager/Agent) (NAME OF CORPORATION, LIMITED LIABILITY COMPANY OR NONPROFIT ORGANIZATION)
 which is making application for an alcohol beverage license.

The above named individual provides the following information to the licensing authority:

1. How long have you continuously resided in Wisconsin prior to this date? 57 years

2. Have you ever been convicted of any offenses (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of any other states or ordinances of any municipality? . Yes No
 (If yes, give law or ordinance violated, trial court, trial date and penalty imposed, and/or date, description and status of charges pending.) (If more room is needed, continue on reverse side of this form.)

3. Are charges for any offenses presently pending against you (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of other states or ordinances of any municipality? Yes No
 (If yes, describe status of charges pending.)

4. Do you hold, are you making application for or are you an officer, director or agent of a corporation/nonprofit organization or member/manager/agent of a limited liability company holding or applying for any other alcohol beverage license or permit? Yes No
 (If yes, identify.) _____
(NAME, LOCATION AND TYPE OF LICENSE/PERMIT)

5. Do you hold and/or are you an officer, director, stockholder, agent or employe of any person or corporation or member/manager/agent of a limited liability company holding or applying for a wholesale beer license, brewery permit or wholesale liquor permit in the State of Wisconsin? Yes No
 (If yes, identify.) _____
(NAME OF WHOLESALE LICENSEE OR PERMITTEE) (ADDRESS BY CITY AND COUNTY)

6. Named individual must list in chronological order last two employers.

Employer's Name	Employer's Address	Employed From	To
<u>Schnider Transport</u>	<u>Broadway Green Bay, WI</u>	<u>1973</u>	<u>1998</u>

The undersigned, being first duly sworn on oath, deposes and says that he/she is the person named in the foregoing application; that the applicant has read and made a complete answer to each question, and that the answers in each instance are true and correct. The undersigned further understands that any license issued contrary to Chapter 125 of the Wisconsin Statutes shall be void, and under penalty of state law, the applicant may be prosecuted for submitting false statements and affidavits in connection with this application.

Subscribed and sworn to before me

this 15th day of July, 2011
Dixie Kinnard
(CLERK/NOTARY PUBLIC)

Rick Vanderwest
(SIGNATURE OF NAMED INDIVIDUAL)

My commission expires 6/21/15

SCHEDULE FOR APPOINTMENT OF AGENT BY CORPORATION/NONPROFIT ORGANIZATION OR LIMITED LIABILITY COMPANY

Submit to municipal clerk.

All corporations/organizations or limited liability companies applying for a license to sell fermented malt beverages and/or intoxicating liquor must appoint an agent. The following questions must be answered by the agent. The appointment must be signed by the officer(s) of the corporation/organization or members/managers of a limited liability company and the recommendation made by the proper local official.

To the governing body of: Town/Village/City of Howard County of Brown

The undersigned duly authorized officer(s)/members/managers of Vanderwest Harley-Davidson Inc.
(registered name of corporation/organization or limited liability company)

a corporation/organization or limited liability company making application for an alcohol beverage license for a premises known as

located at 1966 Velp Ave Green Bay WI 54313
(trade name)

appoints Rick Vanderwest
(name of appointed agent)

5881 Mary's Rd New Franken, WI 54229
(home address of appointed agent)

to act for the corporation/organization/limited liability company with full authority and control of the premises and of all business relative to alcohol beverages conducted therein. Is applicant agent presently acting in that capacity or requesting approval for any corporation/organization/limited liability company having or applying for a beer and/or liquor license for any other location in Wisconsin?
 Yes No If so, indicate the corporate name(s)/limited liability company(ies) and municipality(ies).

Is applicant agent subject to completion of the responsible beverage server training course? Yes No
How long immediately prior to making this application has the applicant agent resided continuously in Wisconsin? 57 years

Place of residence last year 5881 Mary's Rd New Franken WI 54229

For: _____
(name of corporation/organization/limited liability company)

By: _____
(signature of Officer/Member/Manager)

And: _____
(signature of Officer/Member/Manager)

ACCEPTANCE BY AGENT

I, Rick Vanderwest hereby accept this appointment as agent for the
(print/type agent's name)

corporation/organization/limited liability company and assume full responsibility for the conduct of all business relative to alcohol beverages conducted on the premises for the corporation/organization/limited liability company.

Rick Vanderwest 07/15/11
(signature of agent) (date)

Agent's age

5881 Mary's Rd New Franken WI 54229
(home address of agent)

Date of birth

**APPROVAL OF AGENT BY MUNICIPAL AUTHORITY
(Clerk cannot sign on behalf of Municipal Official)**

I hereby certify that I have checked municipal and state criminal records. To the best of my knowledge, with the available information, the character, record and reputation are satisfactory and I have no objection to the agent appointed.

Approved on _____ by _____ Title _____
(date) (signature of proper local official) (town chair, village president, police chief)



[Home](#) · [Vehicle Search](#) · [Person Search](#) · [Property Search](#) · [Previous Results](#)
[Help](#) · [Contact](#) · [Logoff](#)
[Return to Summary](#)



Driver Record



[Certified Driver Status](#)

[Save XML File](#)

RICKY E. VANDERVEST

Record Details

Drivers License or ID Card # [REDACTED]

VAL RGLR Regular License Valid Class A, Valid Class B, Valid Class C, Valid Class D, Valid Class M

Expiration: 03/11/2015
Issue Date: 03/09/2007

Photo Available: Yes
Real ID Indicator: No
Product Description: Regular License
Application Type: Renewal
Federal Medical: Y

PERSON DATA:

Male White 03/11/1954
6'00" 200 Lbs Blue Eyes Brown Hair Organ Donor: Y
5881 Marys Rd
New Franken, WI 54229 USA County: Brown
Address Updated: 11/07/1997

RECORD DETAILS:

Notation: 07/28/1996 Grandfathered For Fed Med Purposes

03/28/2011	06/01/2011	Violation Guilty S(Speeding (1 - 10 Over) 10 Over In A 45mph 346.57(5)) Points:3 Court:Brown County Circuit Court Class:D UTC Citation #:O565390-0 Court Case #:2011TR001524
11/30/2009	01/20/2010	Violation Guilty SI(Speeding Intermediate (11-19 Over) 15 Over In A 45mph 346.57(5)) Points:4 Court:Suamico Village Municipal Court County:Brown Class:D UTC Citation #:V057716-1
02/17/2008	03/24/2008	Violation Guilty SI(Speeding Intermediate (11-19 Over) 12 Over In A 55mph 346.57(4)(H)) Points:4 Court:Vilas County Circuit Court Class:D UTC Citation #:M116552-2 Court Case #:2008TR000283

YOUR REQUEST:

User ID:	Jankees	Interface Identifier:	5000
Agency Information:	WI0690500	Initiator Identifier:	160388910
EBC Message Identifier:	6683153	Response Identifier:	194314883
Date & Time:	08/16/2011 16:50:35	Birth Date:	[REDACTED]
Primary Name:	Vandervest, Ricky E.		
Sex:	Male		