



City of La Crosse, Wisconsin

City Hall
400 La Crosse Street
La Crosse, WI 54601

Meeting Agenda - Final

Judiciary & Administration Committee

Thursday, December 21, 2023

3:30 PM

Council Chambers
City Hall, First Floor

Special Meeting per Sec. 2-34 La Crosse Municipal Code

This meeting is open for in-person attendance and will also be available through video conferencing. The meeting can be viewed (no participation) by visiting the Legislative Information Center Meetings calendar (<https://cityoflacrosse.legistar.com/Calendar.aspx>) - find the scheduled meeting and click on the "In Progress" video link to the far right in the meeting list.

Call To Order

Roll Call

Chris Kahlow, Tamra Dickinson, Jenasea Hameister, Mac Kiel, Mackenzie Mindel, Chris Woodard, Jennifer Trost

Agenda Items:

NEW BUSINESS

[23-1463](#)

Application of 5D Insight LLC dba Schmidty's for a Combination "Class B" Beer and Liquor license at 3119 State Road for the remainder of the 2023-2024 license period.

Adjournment

Notice is further given that members of other governmental bodies may be present at the above scheduled meeting to gather information about a subject over which they have decision-making responsibility.

NOTICE TO PERSONS WITH A DISABILITY

Requests from persons with a disability who need assistance to participate in this meeting should call the City Clerk's office at (608) 789-7510 or send an email to ADAcityclerk@cityoflacrosse.org, with as much advance notice as possible.



City of La Crosse, Wisconsin

City Hall
400 La Crosse Street
La Crosse, WI 54601

Text File

File Number: 23-1463

Agenda Date: 12/21/2023

Version: 1

Status: New Business

In Control: Judiciary & Administration Committee

File Type: Application

Agenda Number:

to begin and tab throughout. Use mouse to check appropriate boxes, spacebar or enter.

Save

Print

Clear

Original Alcohol Beverage Retail License Application

(Submit to municipal clerk.)

For the license period beginning: 01/02/2024 ending: 06/30/2024
(mm dd yyyy) (mm dd yyyy)

To the Governing Body of the: Town of } La Crosse
 Village of }
 City of }

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

Check one: Individual Limited Liability Company
 Partnership Corporation/Nonprofit Organization

Applicant's Wisconsin Seller's Permit Number <u>456-1029667197-02</u>	
FEIN Number <u>81-4459902</u>	
TYPE OF LICENSE REQUESTED	FEE
<input type="checkbox"/> Class A beer	\$
<input checked="" type="checkbox"/> Class B beer	\$ <u>50.04</u>
<input type="checkbox"/> Class C wine	\$ <u>250.02</u>
<input type="checkbox"/> Class A liquor	\$
<input type="checkbox"/> Class A liquor (cider only)	\$ N/A
<input checked="" type="checkbox"/> Class B liquor	\$
<input type="checkbox"/> Reserve Class B liquor	\$
<input type="checkbox"/> Class B (wine only) winery	\$
Publication fee	\$ <u>20.00</u>
TOTAL FEE	\$ <u>320.06</u>

Name (individual / partners give last name, first, middle; corporations / limited liability companies give registered name)
5d Insight LLC

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 full name and place of residence of each person.

President / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
<u>Hesse</u>	<u>Timothy</u>	<u>Sean</u>	<u>N2740 Garbers Rd, La Crosse, WI 54601</u>
Vice President / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Secretary / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Treasurer / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Agent Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
<u>Hesse</u>	<u>Tim</u>	<u>Sean</u>	
Directors / Managers Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)

1. Trade Name Schmidty's Business Phone Number 608-317-4204

2. Address of Premises 3119 State Rd, La Crosse, WI Post Office & Zip Code 54601

3. 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, consumption, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.)
Restaurant and bar with a dining room, full bar, and a side party room.
There is an outdoor patio area in the back
Beisde storage during service at the bar. There is a basement cage for
alcohol and beer cooler for tap beer
See next page

4. Legal description (omit if street address is given above): _____

5. (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? Schmidty's

Sales and Service Area: Entire first floor of two-story frame building.

Storage Area: Behind bar and in basement cage for alcohol and beer cooler for tap beer.

6. Is individual, partners or agent of corporation/limited liability company subject to completion of the responsible beverage server training course for this license period? If yes, explain Yes No

7. Is the applicant an employe or agent of, or acting on behalf of anyone except the named applicant? Yes No
If yes, explain.

5d Insight is the parent company for Digger's Sting, Who's on Third, and Eagles Nest

8. Does any other alcohol beverage retail licensee or wholesale permittee have any interest in or control of this business? If yes, explain Yes No

9. (a) Corporate/limited liability company applicants only: Insert state WI and date _____ of registration.

(b) Is applicant corporation/limited liability company a subsidiary of any other corporation or limited liability company? If yes, explain Yes No

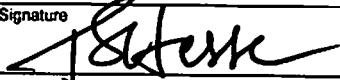
(c) Does the corporation, or any officer, director, stockholder or agent or limited liability company, or any member/manager or agent hold any interest in any other alcohol beverage license or permit in Wisconsin? If yes, explain. Yes No

10. Does the applicant understand they must register as a Retail Beverage Alcohol Dealer with the federal government, Alcohol and Tobacco Tax and Trade Bureau (TTB) by filing (TTB form 5630.5d) before beginning business? [phone 1-877-882-3277] Yes No

11. Does the applicant understand they must hold a Wisconsin Seller's Permit? [phone (608) 266-2776] Yes No

12. Does the applicant understand that they must purchase alcohol beverages only from Wisconsin wholesalers, breweries and brewpubs? 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 signer. Any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000. Signer agrees 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, or one member of a partnership applicant must sign; one corporate officer, one member/manager 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.

Contact Person's Name (Last, First, M.I.) Hesse, Tim, S	Title/Member Owner	Date 12/05/20
Signature 	Phone Number 608-317-4204	Email Address tim@eaglesnestlacrosse.com

TO BE COMPLETED BY CLERK

Date received and filed with municipal clerk	Date reported to council / board	Date provisional license issued	Signature of Clerk / Deputy Clerk
Date license granted	Date license issued	License number issued	

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 an officer of the corporation/organization or one member/manager of a limited liability company and the recommendation made by the proper local official.

To the governing body of: Town
 Village of La Crosse County of La Crosse
 City

The undersigned duly authorized officer/member/manager of 5d Insight LLC
(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 Schmidty's
(Trade Name)

located at 3119 State Rd, La Crosse, WI 54601

appoints Timothy Hesse
(Name of Appointed Agent)
N2740 Garbers Rd, La Crosse, WI 54601
(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).
same 5d Insight LLC dba Digger's Sting dba Eagles Nest dba Who's on Third

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? 52 years

Place of residence last year N2740 Garbers Rd La Crosse WI 54601

For: 5D Insight
(Name of Corporation / Organization / Limited Liability Company)

By: [Signature]
(Signature of Officer / Member / Manager)

Any person who knowingly provides materially false information in an application for a license may be required to forfeit not more than \$1,000.

ACCEPTANCE BY AGENT

I, TIM HESSE
(Print / Type Agent's Name), hereby accept this appointment as agent for the

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.

[Signature] 12/5/23 Agent's age 52
(Signature of Agent) (Date)
N2740 GARBERS Rd Date of birth [Redacted]
(Home Address of Agent)

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)

SURRENDER OF LICENSE

Part II

12-5-2023

Date

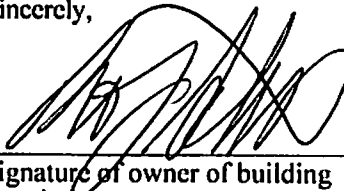
City Clerk
400 La Crosse St.
La Crosse, WI 54601

This is to notify you that I am the owner of the building located at
3119 State Rd., La Crosse, Wisconsin.

~~I have entered into a lease for the above property effective _____ with _____.~~
~~(Strike sentence if not applicable.)~~

Further, this letter is to document that said owner or tenant has control of the premises, and may apply for the necessary beer and/or liquor licenses for said location.

Sincerely,

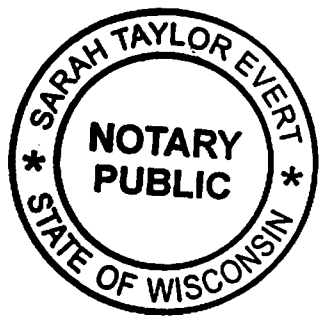

Signature of owner of building

Carol G. Schmidt

Printed name of owner: Carol Schmidt
Robert Schmidt

Home address of owner: N2232 Willow Way LaCrosse, WI 54601

Daytime phone number of owner: 608-769-0670



12/5/23
La Crosse County
Exp. 10/22/27
For Robert and
Carol Schmidt



CITY CLERK'S OFFICE

400 La Crosse Street
La Crosse, Wisconsin 54601
(608) 789-7510
cityclerk@cityoflacrosse.org
www.cityoflacrosse.org

December 8, 2023

TIM HESSE
5D INSIGHT LLC
N2740 GARBERS RD
LA CROSSE WI 54601

Dear Tim,

Our office is in receipt of your application for a Combination "Class B" Beer & Liquor license at 3119 State Road for the 2023-2024 license period.

Said application will be considered at the following meetings:

Judiciary & Administration Committee

**Thursday, December 21, 2023 at 3:30 p.m.
Council Chambers of City Hall, 400 La Crosse St.**

Common Council

**Thursday, December 21, 2023 at 3:35 p.m.
Council Chambers of City Hall, 400 La Crosse St.**

We recommend someone attend the J&A meetings where public hearing is allowed; there may be questions or comments from a committee or council member or another citizen. Public hearing is not allowed at the Council meeting; although, you are welcome to attend.

Attendance is allowed either in person or virtually. I emailed you the agendas and the link to participate. If you have any questions, comments, or concerns; do not hesitate to contact me.

Sincerely,

Sondra Craig
Deputy Clerk
craigs@cityoflacrosse.org
608-789-7549

Craig, Sondra

From: Craig, Sondra
Sent: Friday, December 8, 2023 12:43 PM
To: tim@eaglesnestlacrosse.com
Subject: FW: Special meetings 12/21/23 - J&A and Council re alcohol license transfer for Schmidty's

Special Meetings re alcohol license transfer for Schmidty's Restaurant

Thursday, December 21, 2023

Council Chambers – City Hall, 400 La Crosse Street

Judiciary & Administration Committee – 3:30p

Agenda: <https://cityoflacrosse.legistar.com/View.ashx?M=A&ID=1145709&GUID=3CD5EBC4-422D-43C0-BAA6-32EB4241D958>

Common Council – 3:35p

Agenda: <https://cityoflacrosse.legistar.com/View.ashx?M=A&ID=1145710&GUID=A2E5C906-8CB9-466A-9056-DB5B3419222E>

Remote Participation Link

<https://us06web.zoom.us/j/86705032706?pwd=RFVWMjE2VINVZHozN0duM2g2dE02Zz09>

Passcode: CC2023

Call In (audio only): +13126266799, Meeting ID: 86705032706

Sondra Craig (she/her)

Deputy Clerk - City of La Crosse

400 La Crosse Street

La Crosse WI 54601

608-789-7549

craigs@cityoflacrosse.org

Elected Officials and Members of Official Committees:

In order to comply with open meeting requirements, please limit any reply to only the sender of this electronic communication.