

Item 23-0613: Class "B" Beer License application for Core's Lounge LLC d/b/a Core's Lounge, Kor Xiong, Agent

Safety and Licensing Committee

Wed, Jun 28, 2023, 5:30PM

Aldersperson Chris Croatt (District 14) 05:03

All right. Moving on to our action items. We will take up the—take them in order. 23-0613 is an application for a class B beer license for Core's Lounge LLC doing business as Core's Lounge. Kor Xiong agent located at 1350 West College Avenue Suite D contingent on approval from the Community Development Department, Inspections, and Police Department.

Aldersperson Chris Croatt (District 14) 05:31

This was on our agenda at the last meeting. We held it and brought it back to this committee for two reasons. There was not a memo from the police department and the attorney's office was not able to be present at our last meeting. So, they are both here today. We do have the letter from the Police Department, which is a recommendation to deny the application. Can we please get a motion on the table?

Aldersperson Alex Schultz (District 9) 06:00

Motion to deny.

Aldersperson Nate Wolff (District 12) 06:01

Second.

Aldersperson Chris Croatt (District 14) 06:02

Motion and a second to deny. Okay, is there anyone from Core's Lounge here? I don't see anyone from Core's lounge here. Okay. I know members of the public are here for this particular issue. If you'd like to speak, please approach the microphone and give your name and address for the record. And then I'll bring it to the committee for some additional discussion. Thank you.

Amy A. (Resident) 06:28

My name is [Amy A.] My address is [XXXXXX]. First, I want to say thank you, you know, that we can address you on this. And I really appreciate the attention that has been given this particular topic. We're just here—a few other members of the neighborhood are here with me—and we're just here to express that we would, we would like to see this license re-application or application for—I guess it's a different license—but we'd like to see it denied as well. It just doesn't appear to us that any type of liquor license is a fit for the neighborhood or for that particular business in that situation. We're all really familiar with all the things that transpired, from the multiple kinds of violations, and the results of those things. So, we're just here to—I don't think I need to go over all those details because I think we're all real familiar with them. If—I mean, you're professional people and you're familiar. we're just here to really support the denial.

Aldersperson Chris Croatt (District 14) 07:34

Okay.

Amy A. (Resident) 07:35

Thank you so much.

Aldersonperson Chris Croatt (District 14) 07:36

Thank you. Is there anyone else that would like to say anything?

Nate J. (Resident) 07:44

My name is [Nate J.], and I live at [XXXXX]. I'll just briefly—and basically from the time Core's opened until they lost their liquor license, I mean, they constantly played their music at such a loud level that it was extremely difficult for myself, my neighbors close by to asleep. I mean, I had to utilize earplugs sometimes. Pretty much every night, I had to blast white noise through my speakers, to try often in vain to drown out their bass that would go to bar close. I mean, it basically it was always a kind of inappropriate setup. They were basically like a nightclub in the middle of a residential neighborhood. They wouldn't even get going most nights till 10-11 o'clock at night, including weeknights. And as you can see from the violations, sometimes would go past bar close.

Nate J. (Resident) 08:25

And, you know, so you know, for those reasons—you know, they had so many chances over the last, you know, couple year—or two and a half years they had their license to prove they could comply with noise ordinances. They are to prove they had just, I guess, the smallest amount of respect for our neighborhood's concerns about the noise, but kind of at every turn, they showed that they didn't really care. They even worked with a former alderman of ours where he went into Core's, showed him how loud they could play the music before it would start disrupting the neighborhood. They knew that, and they went right back to basically playing it loud. So, I think all their past behavior shows that if they got their license back, I mean, I'm pretty certain that they would just go right back to basically operating it like a nightclub and kind of disturbing our quiet enjoyment of our neighborhood. So, for those reasons, I would just respectfully ask that you deny their application.

Aldersonperson Chris Croatt (District 14) 09:10

Okay, thank you very much for that. Alder Jones, I will allow you to speak next, but I wanted to make sure—Lieutenant Nagel, did you want to highlight anything in your...? Thank you very much for the detailed memo by the way and the especially the points about, you know, some of the things that have occurred in the past been alo—in themselves a reason why you wouldn't recommend approving a license, but in totality for sure. If you wanted to just summarize and then I'll go to alder Jones. Which microphone do you have? District two should...

Lieutenant Adam Nagel (Police) 09:54

It's good? All right. Yeah, if you see the violations that I highlighted, we had the most recent violations that actually, after we did revoke—their license was revoked, they continued to serve alcohol within their business I believe actually on two different occasions. It was explained explicitly to the license holder what he could and couldn't do in the bar, and they appeared to disregard that.

Lieutenant Adam Nagel (Police) 10:19

We also have the multitude of incidents there having a shooting on premise or in their parking lot during an underage drinking event. And then again, with the continued noise violations and other ordinance violations in the facility, we definitely recommend the denial for this license.

Aldersonperson Chris Croatt (District 14) 10:40

Okay, thank you for summarizing that. And hopefully everyone had a chance to read the detailed memo. Alder Jones, would you like to comment? Which? Ten. Okay, go ahead.

Aldersperson Vaya Jones (District 10) 10:52

Thank you for the opportunity to speak as I am the Aldersperson for District 10. I represent the neighbors here, but I also do represent Core's Lounge. I do need to state for the record that after the Safety and Licensing meeting previously, they did reach out to myself and Katie Van Zeeland, offering to have us come and talk and get to know them. Katie was unable to. I as well was unable to meet. We both wrote back asking if there was a better day to do so. They did not respond back to us at that time, so we did not meet with them.

Aldersperson Vaya Jones (District 10) 11:25

However, I do have to say that in going over—this clearly started before I took office, but it has not stopped. My concern is that it's the disregard of the other individuals that live in this neighborhood. It's the continued violations and taking time and resources away from other areas of the city that need police work. What also concerns me, and maybe this is unrelated, but looking through these complaints, they still have unpaid court fees from these. So clearly, even these violations have not been taken care of moving forward.

Aldersperson Vaya Jones (District 10) 12:03

My other concern is that on this license application, it says "Have you or any member of your organization ever been convicted of a misdemeanor or ordinance violation?" They marked "No." It also says down here "any person who knowingly provides material false information and an application for a license may be required to forfeit not more than \$1,000." So, my concerns are even more than what we have. So, I am in favor of the denial as well.

Aldersperson Chris Croatt (District 14) 12:29

Okay, thank you for sharing that. There was also referenced in the memo, Lieutenant Nagel, about states, maybe statute language—sorry, I don't have it highlighted here—that would prevent issuance of an application. Did I read that right?

Lieutenant Adam Nagel (Police) 12:49

Did we did we use the habitual offense? Yeah. Do you want to speak to that, Zach, or is that easier for you to speak about—the habitual offender piece? **[Note: he was speaking to another staff member.]**

Lieutenant Adam Nagel (Police) 13:06

I mean, I could speak to this. So yeah, under Wisconsin law, no license related to alcohol beverages may be issued to a habitual law offender where the circumstances of the habitual law offenses substantially relate to the circumstances to the particular license activity, I think every single one of these violations has that substantial relation to the service of alcohol.

Aldersperson Chris Croatt (District 14) 13:29

Okay, thank you. And I completely agree with you. I just wanted to highlight that, as you know, one of the one of the many reasons why I'll be voting to support the denial. Okay. Anyone from committee like to comment? Alder Schultz.

Aldersperson Alex Schultz (District 9) 13:45

Yeah, just briefly, because I've been, you know, part of this process for this particular business for several years and have been following it relatively closely. I don't think there's any question that this should be supported for denial given the litany of violations and also the failure of the business owners to respond to. I think, as a committee, we want to see businesses take responsibility for their actions and show us that they are—just like the previous business was in here—responding to citations and taking appropriate action to better themselves,

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better the business, and better the community that they operate in. But we're not seeing that at all, and there's no indication that we will.

Alderson Alex Schultz (District 9) 14:27

So, you know, it's very telling that the owners aren't even here this evening at this meeting. I mean, I appreciate that they reached out after they were made aware that their application would probably be denied, but they're not here, and so that tells me something.

Alderson Alex Schultz (District 9) 14:43

I wish we could give them another chance. But they had so many in the previous iteration of this. It's just unfortunate that after a year off, we're not seeing any kind of action on their part to try and better themselves. So, I'm going to fully support the denial of the, and, you know, maybe next year or two years down the road, they can show that they're interested in being a better community business and working with their neighbors. But for the time being, let's deny this. Thank you.

Alderson Chris Croatt (District 14) 15:12

Okay. Thank you. Alder Wolff, did you want to speak? Okay, Alder Siebers, go ahead.

Alderson William Siebers (District 1) 15:17

Yeah, Alderson Schultz just brought up a concern of mine. This problem in terms of your noise, in terms of the noise in the neighborhood, is not necessarily going to go away forever. At some point in time, somebody can come and apply for a license, somebody who's more responsible. And then it's going to be a little bit more difficult for the committee to say "No." I personally feel—because in my district, I have the same situation as your district. You know, there's just no buffer between the tavern and the residential area neighborhood. I don't know how to resolve that without preventing further license applications. But that's going to be a difficult sell in the future. So, I wish I could say that this is going to go away. But it's gonna go away for now. At some point in time, somebody may show up and be more responsible and you—the problem may exist again. So, I want to vote no, by the way.

Alderson Chris Croatt (District 14) 16:41

Okay. Thank you. Alder Wolff.

Alderson Nate Wolff (District 12) 16:44

Thank you, Chair. So, there are bars in the city that can operate within and near residential areas without their neighbors calling and reporting it all the time, and they aren't in trouble all the time, and they listen to the city and do what they're told to do. I'm going to vote no on this as well because it is clear that they have not shown a pattern of respect for the city, the police department, or the people living nearby, whereas other places have. So yeah.

Alderson Chris Croatt (District 14) 17:25

Okay. Any other comments? Attorney's Office, go ahead.

Unknown City Attorney 17:33

Give the abbreviated version of this just because I don't think the full version of it is necessary. But there were some inquiries that I wanted to make sure were addressed that came from Alder Van Zeeland specifically regarding what information could be considered. And basically, in the light of this being a new application, the committee can consider anything that's relevant to the to the total circumstances, including actions that led to the original revocation or suspension. There's no issue with considering that stuff.

Unknown City Attorney 18:05

With regard to noise complaints that aren't—that don't result in tickets or violations in that way, those can still be considered. The committee can assign to them the weight they deem is appropriate based on all of its other considerations. And then there was an additional request for information regarding options beyond full approval or denial, and I don't know that there is anything or any options before the committee before that.

Unknown City Attorney 18:29

I just want to round out the record with a couple other items to make sure everything is secure here. Lieutenant Nagel talked about the habitual offender situation. That in and of itself, there's—with the information provided, the committee could base its decision on that alone. If that's there the license can't be issued. Health, safety and welfare has been discussed.

Unknown City Attorney 18:55

Alder Jones mentioned the false information on the application. Something that I wanted to bring to the committee's attention as well. That by itself, according to our code, may constitute grounds for denial of the application. It's an admission that they may not be eligible.

Unknown City Attorney 19:10

And then something that was just brought to my attention right before the meeting, frankly, began, is in our code, 9-52 sub 10. If they have—or if the applicant has conviction for selling alcohol beverages without proper retail license within the past 18 months, they cannot be granted a license. So, for any number of reasons, but the direction the committee seems to be going is I think based solidly on the law, and I think even just on that last one, I think it's pretty much a requirement by the code.

Alderman Chris Croatt (District 14) 19:42

Okay, thank you very much for addressing Alder Van Zealand's questions and concerns, and I think we have some very clear direction on which way this needs to go. So, are there any final comments from anyone?

Alderman Chris Croatt (District 14) 19:56

Okay, we have a motion and a second to deny the beer license application for Core's Lounge. All those in favor of the denial signify by saying aye. All opposed? Any abstentions? Four, zero the license application is recommended for denial. So, it will go to the full city Council as a recommendation to deny. Thank you all for coming.