

Item 24-0237: Class "B" Beer and "Class B" Liquor License Premise Amendment application for NAC LLC d/b/a OB's Brau Haus

Safety and Licensing Committee

Wed, Apr 24, 2024 5:30PM

Alderson Alex Schultz (District 9) 27:54

All right, where is my agenda? Moving on to the next item on the agenda. We have 24-0237 which is the class B beer and Class B liquor license premise amendment application for NAC LLC doing business as OB's Brau Haus. Do I have a motion? Do not have a motion.

[Alderson William Siebers (District 1) says something off microphone.]

Alderson Alex Schultz (District 9) 28:23

I would just like to remind committee, because we're in a new sort of committee shape here that this was referred back by staff with some questions about the establishment. I was hoping OB's would be here to ask some questions. At this point, maybe I could ask staff to weigh on this. Whoever wants to field that. District five. Thank you.

Assistant Chief Todd Freeman (Police) 28:51

Yes, thanks, chair. Chief and I had discussion along with a district commander. Really a situation we found ourselves in before with a business that almost has two sides, a restaurant side and the nightlife side. It's the nightlife side right now that that the police department's very concerned about and working actively to instill some accountability. We see this more related to the restaurant side, and we've had this in other establishments. Typically peer pressure, but because there are expectations there are business peer pressure, there are a separate set of ordinances governing amenities strip use for the request for the picnic tables. And we're simply just not overly concerned about it as it relates to our overall bigger picture concerns. This is not an issue that we'd strenuously object to.

Alderson Alex Schultz (District 9) 29:46

Okay, can you give us a little insight on how this works with businesses as you just stated that are running an operation during the day and then they have sort of a nightlife where they're serving alcohol. They've got outside areas where those people are coming out to consume. Is that correct?

Assistant Chief Todd Freeman (Police) 30:03

This would be—I'd have to polish up on my amenities trip ordinance, but yes, this would be—there are I do believe requirements on presence of operators, of bartenders, of staff monitoring. I—again, I'd have to brush up on that chapter, but I believe there's discussion about 9:30pm with the amenity strip tables chairs being cleared. So, we'd have to make sure that we're holding the establishment accountable to that.

Alderson Alex Schultz (District 9) 30:36

So, we have a we have a number of establishments on College Avenue who have this same setup. I can think of half a dozen probably, if I think about it, and they're all under the sense of the same guidelines. Essentially, at a certain point night, they have to clear those tables and they shut them down. Everything moves inside.

Assistant Chief Todd Freeman (Police) 30:52

Yes.

Aldersperson Alex Schultz (District 9) 30:52

Right. Have there been any issues with that setup with any of the other establishments that you guys have, you know, repeated? Any offenses or any concerns about the other establish—I'm trying to gauge how this works and if it's if it's an issue with anybody else?

Assistant Chief Todd Freeman (Police) 31:07

No.

Aldersperson Alex Schultz (District 9) 31:07

Okay. Thank you. I'll take it to Alder Croatt first.

Aldersperson Chris Croatt (District 14) 31:14

Yeah, thank you, Chair Schultz. This was held at committee because of some of the concerns that were there with police department. And based on the comments that I just heard, I would make a motion to approve.

Aldersperson Denise Fenton (District 6) 31:28

Second.

Aldersperson Alex Schultz (District 9) 31:29

Have a motion to approve and a second. Is there any further discussion on committee? Alder Fenton.

Aldersperson Denise Fenton (District 6) 31:35

Thank you. And if I can ask your indulgence as the new member on the committee. Can I ask the police department has—we know that the this establishment was issued some pretty big demerit points last year. Have there been any—do they have any demerits additional after that?

Assistant Chief Todd Freeman (Police) 32:01

I'm gonna pause and look at the attorney. I know that there—I do believe that there is a pending—well, we have our—go ahead, Zak.

Zak Buruin (Assistant City Attorney) 32:14

I don't know what the demerit point status is with respect to this establishment at this point. I believe—I don't have a recollection of any other more recent offenses. Not that that's dispositive. I know there have been a number of incidents but not necessarily that are subject to demerit points at this point.

Aldersperson Denise Fenton (District 6) 32:34

Okay. Thank you. I think Alder Hartzheim had a—

Aldersperson Alex Schultz (District 9) 32:38

Alder Hartzheim, did you want to chime in?

Aldersperson Sheri Hartzheim (District 13) 32:40

I just wanted— [Her words were not picked up by the microphone.]

Alderson Alex Schultz (District 9) 32:42

Okay. I know this committee has had some discussions in the past about issues with massing. Obviously, this is only until 10pm so I don't know that that's an issue, but I just want to mention it. Is there any further discussion? Hearing none, let's take a vote on this. All those in favor say aye.

Aldersons Denise Fenton, Alex Schultz, and Chris Croatt 33:03

Aye.

Alderson Alex Schultz (District 9) 33:04

Opposed?

Alderson William Siebers (District 1) 33:05

Nay.

Alderson Alex Schultz (District 9) 33:06

I have three eyes and one nay, so vote—motion carries. It'll go to Council next week. Thank you.