

**Item: 24-0420 Class "B" Beer and Reserve "Class B" Liquor License application for Delaires LLC d/b/a Delaire's, David Boulanger, Agent, located at 823 W. College Ave**  
**Common Council**

Wed, Feb 19, 2025 7:00PM

**Mayor Jake Woodford 24:06**

All right. With that, we'll move on to public participation. The Council reserves 30 minutes per meeting for public participation. We ask that anybody speaking keep their comments concise and to a limit of five minutes and only on items that appear on the agenda. We have one member of the public who signed up to speak, and that is David Boulanger. David, welcome. And your name and address for the record, please.

**David Boulanger (Owner - Delaire's) 24:38**

Yes, good evening. My name is David Boulanger, [XXXXXX] West Bend, Wisconsin, 53090. I want to start by thanking the Council for allowing me to speak tonight. I spent months working through this process, answering every question, providing every document, and making it clear that I will follow the rules, but despite that, my application for a liquor license is being denied not because I've done anything wrong but because of speculation about what might happen. I'm here to ask for fairness, not special treatment.

**David Boulanger (Owner - Delaire's) 25:09**

One of the main concerns raised is whether I'll have illegal gaming or gambling machines. Let me be absolutely clear, I have agreed in writing and on the record that I will not have any illegal gambling machines. If the council wants to include that as a condition on my license, I have no problem with that. Yet despite this, I'm still being denied. While I personally identified 15 other businesses within a half a mile of this city hall that currently have gambling machines and are operating without issue, and several more exist in the city. I've been clear that I won't operate illegal gambling machines or be violating any of your laws.

**David Boulanger (Owner - Delaire's) 25:48**

I also understand that two people testified against my business saying that they don't want me here, but let's be honest about who they are. They both work at a beauty salon next to me in the same building as my business is supposed to be, and they testified to unfounded fears about what hypothetical gambling clients may or may not do, and the fact that they will be using the same restroom.

**David Boulanger (Owner - Delaire's) 26:10**

I have committed, on several occasions, to not having any illegal gambling machines and to abiding by all city regulations. I know where this is going. I know that no matter what I say tonight, some of you have already made up your minds. This process has been dragged on for months. My name has been dragged through the mud and by the media and by even some alders here. A simple liquor license application has turned into a public spectacle, and I have to ask why. If I had done something wrong, fine; deny my license. But if the only reason is that I'm being denied is because of what people assume I might do, that's not how fairness works.

**David Boulanger (Owner - Delaire's) 26:48**

I came into this process in good faith. I answered every question, I provided every document, I agreed to every condition. This is absolutely not fair. Thank you.

**Mayor Jake Woodford 27:02**

All right. Is there anyone else who wishes to speak on an item that appears on the agenda? All right, hearing none, we'll close public participation.

[Cut]

**Mayor Jake Woodford 29:43**

From safety and licensing, this is item 24-0420 Class B, beer, and reserve Class B liquor license application for Delaire's, LLC at 823 West College Avenue. As a reminder, this is coming with a recommendation for denial from committee. We have a motion and a second to approve the denial. Alder Croatt.

**Aldersperson Chris Croatt (District 14) 30:16**

Thank you, Mayor. I'll start, but I expect we're going to have a pretty robust discussion about this. As you can see, the legislative history is long on this. It was first on our committee agenda on October 9. You'll also see that the committee has been reviewing this over the course of a number of meetings, with a couple of recommendations to approve it along the way, and ultimately a recommendation to deny it based on all of the information that was presented and considered, which, in my opinion, shows that the committee you know, really tried to understand all the factors in this case and took into account the factual information that was presented. So, I know it's coming before the Council as a recommendation for denial. A couple of the reasons why it was so long--the process was so long--was not only a refer back, but also at least one or two times the applicant asked it to be held. So, if we could make the vote notwithstanding, I would appreciate that. Thank you.

**Mayor Jake Woodford 31:25**

Okay, this will be a notwithstanding vote. Is there any further discussion on the item? All right, as a reminder, this is a notwithstanding vote, meaning an aye vote would approve the license a nay vote would deny the license. Alder Croatt.

**Aldersperson Chris Croatt (District 14) 31:43**

Thank you, Mayor. I was surprised. I thought some other people might want to say something on this. I do want to, I do want to say that the applicant has stated at committee meetings what he stated tonight, as far as his intent with his business, and his comments on the gaming machines, or gambling machines, is consistent with what we heard at committee since they changed their business plan.

**Mayor Jake Woodford 32:07**

Thank you. Alder van Zeeland.

**Aldersperson Katie Van Zeeland (District 5) 32:11**

I just want to add that the applicant did provide a model business that advertises gambling on their Facebook page, and that, for me, is the biggest reason why I'll vote against this. Thank you.

**Mayor Jake Woodford 32:21**

Further discussion? All right, this is again a notwithstanding vote. Aye vote approves the license. Nay vote denies. Please cast your votes.

**Mayor Jake Woodford 32:38**

Thank you, Alder Alfheim; got you.

**Mayor Jake Woodford** 32:48

Okay, we'll note it here.

**Mayor Jake Woodford** 33:10

Alder, Doran, how do you vote?

**Mayor Jake Woodford** 33:20

Everybody's clear on notwithstanding? Again, aye vote would vote to approve this license, granting it to the business. A nay vote would deny this license.

**Mayor Jake Woodford** 33:41

All right, we'll lock it in. All right, the motion fails two to 13, meaning the license has been denied.