



Office of the City Clerk

To: Mayor Welch, City of Milton Common Council
From: Leanne Schroeder, City Clerk
Date: September 15, 2020
Subject: Discussion and Possible Action Regarding an Application for a “Class A” Retailer’s License - Intoxicating Liquor For Consumption Away From The Premises Where Sold from Casey’s Marketing Company, Casey’s General Store #1992, located at 464 S. John Paul Road

Summary

On August 24, 2020, Casey’s Marketing Company submitted an application for a “Class A” Retailer’s License - Intoxicating Liquor For Consumption Away From The Premises Where Sold for the Casey’s General Store #1992, located at 464 S. John Paul Road. If approved, this license would allow Casey’s General Store #1992 to sell intoxicating liquor (“hard” liquor) and wine for consumption off premise.

Casey’s General Store #1992 currently holds a Class “A” Retailer’s License for Fermented Malt Beverages which was approved on July 18, 2017. The common council approved Casey’s Class “A” Retailer’s License for Fermented Malt Beverages with the condition that no alcohol related signage be attached to the exterior of the premises or the front windows of the premises and with a recommendation for the installation of outdoor surveillance cameras. Casey’s has complied with the council’s conditions and holds their current license in good standing.

Staff has completed background checks on all Casey’s Marketing Company officers, and the appointed agent for Casey’s General Store #1992, Anthony Hawks. The background checks were satisfactory and approved by Chief Marquardt. Staff can confirm Casey’s Marketing Company meets the qualifications for licenses and permits as contained in Wis. Stats. Sec. 125.04(5).

Every alcohol beverage license application requires the applicant to provide a “premises description”. The premises description indicates the location on the property where alcohol beverages are to be sold and stored (including the storage of alcohol records). Alcohol beverages may be sold and stored only on the premises described. Casey’s Marketing Company’s application indicates the premise will be Casey’s General Store #1992, located at 464 S. John Paul Road, and is described as “1 story prestructured steel building and parking lot”. It should be noted that this premises description differs from the premises description for Casey’s Class “A” Retailer’s License for Fermented Malt Beverages. Casey’s Class “A” license premise description is listed as “1 story prestructured steel building” it does not include the parking lot.

Staff requested a copy of Casey’s Marketing Company’s alcohol sales policy, but a policy had not yet been received at the time this memo was drafted. Casey’s did provide a list of all Wisconsin Casey’s General Stores that hold alcohol licenses, and that list is attached for your review.

Staff has not received any comments or concerns regarding this license application. Notice of the application was published in the Milton Courier on September 3, 2020.



In accordance with Section 14-400 of the City of Milton Code of Ordinances, the common council will use the following standards (as applicable) for making a determination on this application:

Section 14-400 Standards for Issuance of Licenses and Permits.

- The qualifications for licenses and permits as contained in Wis. Stats. Sec. 125.04(5).
- History of convictions for alcohol-related offenses.
- History of convictions for controlled substance-related offenses.
- Experience of the applicant and proposed manager in operating licensed establishments.
- The design, type and size of the proposed licensed establishment.
- Proximity to other licensed establishments.
- Compatibility of proposed use with neighborhood.
- Compatibility of proposed use with other properties in the immediate area.
- Zoning and land use considerations including consistency with the comprehensive plan of the city.
- Demonstrable positive economic impact for the city.
- Adequacy of safeguards to prevent theft of alcoholic beverages.
- Adequacy of safeguards to prevent sales of alcoholic beverages to minors.
- The physical condition of proposed licensed premises.
- Adequacy of parking.
- Adequacy of exterior lighting to insure proper security.
- Limitation of licenses or permits imposed by statute.
- Other relevant factors.

In addition to the above factors, the common council will also apply Section 14-392(d) of the City of Milton Code of Ordinances when considering the applicant's responsible alcohol sales and service policy:

Section 14-392(d) Adoption of Policy. No license will be issued unless the applicant has adopted a policy relating to responsible alcohol sales and service that includes the following elements:

- Restricts employees from consuming alcohol while working.
- Requires at least one licensed operator on the premises whenever alcohol is sold or served.
- Requires that service be refused to any customer who cannot produce a valid ID.
- Requires checking the ID of everyone who attempts to purchase or sample alcohol who appears to be under 30 years of age.
- Requires that when a customer has been refused service by a server, the server must inform all other servers.
- Requires that servers be trained on the signs of intoxication and encourages termination of sales to anyone who exhibits those signs.
- Requires training employees to look for inappropriate behavior. Does not permit loud, unpleasant or obnoxious behavior or illicit drug sales.
- Encourages employees to maintain a close, cooperative and working relationship with police department.



- Requires training employees to properly read IDs.
- Requires signage stating that purchasing of alcoholic beverages by persons under age 21 is against state law.

Recommendation

Staff does not offer a recommendation on this license application.