

Municipal Code of the City of Stoughton

Sec. 14-40. Operation by licensee under Class A or B license; additional city regulations.

(k) *Miscellaneous rules.*

(6) Permits for outdoor consumption at Class B premises.

- a. Required for outdoor consumption. No licensee shall permit the consumption of alcohol beverages on any part of the licensed premises not enclosed within the building, except under permit granted by the city council. Such permits are issued by the council as provided in this article after review by the licensing committee. The permits are a privilege in which no rights vest and, therefore, may be revoked by the council at its pleasure at any time or shall otherwise expire on June 30 of each year. No person shall consume or have in his possession alcohol beverages on any unenclosed part of a licensed premises which is not described in a valid permit. The VFW shall be allowed to permit the consumption of alcohol beverages outside their building in the picnic area as an exception to the requirements of this section.
- b. Limitations on issuance of outdoor permits. No permit shall be issued if any part of the outdoor area is within 50 feet of a structure used for residential purposes, except residential uses located in the same structure as the licensed premises. No permit shall be issued for an outdoor area if the area is greater than 50 percent of the gross floor area of the adjoining licensed premises. Each application for an outdoor permit shall accurately describe the area intended for use and shall indicate the nature of fencing or other measures intended to provide control over the operation. Amplified sound or music shall not be permitted within the outdoor area of the licensed premises. Outdoor areas permitted pursuant to this section shall be not be open later than 11 p.m. on Fridays and Saturdays, and later than 10 p.m. on all other nights. The council may impose additional restrictions on a case-by-case basis which shall be incorporated into any outdoor consumption permit including, but not limited to, conditions relating to fencing, screening and noise abatement.

Maria Hougan

regarding Cully's

From: Luann Alme
Sent: Tuesday, May 25, 2010 11:59 AM
To: 'mary.condon@finaid.wisc.edu'
Cc: Barnes, Pam; hathaway@edgewood.edu; Steve Barnes; lunachaynes@sbcglobal.net; bjmbjm@sbcglobal.net; Pat Conlin; Maria Hougan; 'Ross@ScovottiCentral.com'; Larry Weiss; Tim Carter; Ron Christianson
Subject: RE: liquor license

Hi Mary ~

There is a Public Safety Committee tomorrow night that will address the liquor license renewals and the outdoor area permits. I am copying Acting Chief Pat Conlin, the Public Safety Committee members and Pili Hougan (who replaced Cindi Sturm) who will be in attendance at the Public Safety Committee meeting tomorrow night.

Pat Culligan no longer holds the license for the establishment. Robert Viets is the license holder. My thought is that the rules still apply for the outdoor permit (hours, etc.) and will ask that the Public Safety Committee consider your concerns when acting on the renewals tomorrow night.

Thank you.

Luann

Luann J. Alme
City Clerk/Personnel Director
City of Stoughton

From: Mary Condon [mailto:mary.condon@finaid.wisc.edu]
Sent: Tuesday, May 25, 2010 11:13 AM
To: Luann Alme
Cc: Barnes, Pam; hathaway@edgewood.edu; Steve Barnes; lunachaynes@sbcglobal.net; bjmbjm@sbcglobal.net
Subject: liquor license

Hi Luanne,

It has been a couple years since you've heard from me regarding liquor license and noise issues. I wish I didn't have to contact you regarding this issue (as that would mean everything is still peachy in our neighborhood!)

I wasn't sure who I should contact regarding this. I think I worked with Cindi Sturm on a lot of this before. Please let me know who I should contact if you are not the person to work with on this.

Several of us in our neighborhood are hearing (LOUD!) noise coming from Cully's Cocktail Lounge (formerly Stella's). It looks like Pat Culligan sold the building and possibly the business and liquor license. I read in the Hub that there is a public safety hearing tomorrow night (5/26) regarding the renewal of liquor licenses and Cully's is applying for one.

Do you know who currently holds the liquor license for Cully's Cocktail Lounge? I read in the paper that Purple Ocean LLC, Robert Viets agent dba Cully's Cocktail Lounge is the person requesting the license. Does Pat Culligan still hold the license?

5/25/2010

Do you know if all the rules we came up with when it was Stella's Speakeasy still apply? Will we have to go through the process again?

Thank you for all your help on this.

Mary Condon
214 W Washington
Stoughton, WI
873-4569

Maria Hougan

From: Steve Barnes [stevebarnes@tds.net]
Sent: Tuesday, May 25, 2010 2:19 PM
To: 'Condon Mary (YRGC)'; 'Barnes, Pam'; hathaway@edgewood.edu; lunachaynes@sbcglobal.net; bjmbjm@sbcglobal.net; Pat Conlin; Maria Hougan; Ross@ScovottiCentral.com; Larry Weiss; Tim Carter; Ron Christianson; Luann Alme
Subject: FW: Cully's Cocktails

Hello All.

Sorry to be meeting on this same issue again. This will be the third time that we have had to defend our neighborhood from this establishment.

See below what Cindi emailed me almost 3 years ago.

Steve Barnes

From: Cindi Sturm [mailto:csturm@ci.stoughton.wi.us]
Sent: Monday, July 09, 2007 8:02 AM
To: Steve Barnes
Subject: RE: Cully's Cocktails

Steve--

The restrictions as they read from the license are as follows:

Outdoor hours: until 11 p.m. Friday & Saturday; 10 pm all other days and no one permitted on the deck after that time.

Plus their cabaret license is restricted to non-amplified instruments and only music inside the building.

Thanks,

Cindi Sturm
Deputy Clerk/Confidential Secretary
City of Stoughton, WI
608.646.0423
2006 Population Estimate: 12,755

From: Steve Barnes [mailto:stevebarnes@tds.net]
Sent: Sunday, July 08, 2007 4:19 PM
To: Cindi Sturm
Subject: Cully's Cocktails

Hi Cindi,

This past Saturday night I was surprised to hear a fair amount of noise coming from the deck at Cully's Cocktails. I could not find them in the phone book to call, and I didn't want to call the police until I have had a chance to talk to Pat Culligan.

I have been unable to find a copy of the agreement Pat made with the Public Safety Committee when they recommended renewal of the Cabaret and outside permits for his establishment. Can you possibly send me

5/25/2010

one? (I believe that the meeting was held in February or March, 2006.)

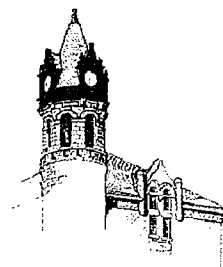
Thanks very much.

Steve

Steve Barnes
216 W Washington
873-4993

New Permit
 X Renew Permit

City of Stoughton
381 E Main St
Stoughton WI 53589 608.873.6677



Application for Outdoor Alcohol Consumption Permit Section 14-40(k)(6)

Alcohol License holder: James P. Culligan

Doing Business as: Cully's Cocktail Lounge

Street Address, City, State & Zip: 210 S. Water Street, Stoughton WI 53589

Contact Name: Same Phone #: 877-6364

Mailing Address: 210 S. Water Street, Stoughton WI 53589

Type of Beverage License currently at this location: Class "B" Beer & Liquor

Square footage of indoor area: 850

Proposed Outdoor Area (Description): Attached deck

Square footage of outdoor area: 550

Number of seats in outdoor area: 30

Describe fencing: Wooden privacy fence, 6 feet high

How many feet to the closest structure used residentially? 55 ft.

Hours of Outdoor Operation: Sun. – Thur.: Until 10 pm Fri. & Sat.: Until 10 pm

Other restrictions proposed by applicant: No one allowed out on the deck past 10 pm

DECK TO BE OPEN ON Fri
& SAT night only until 12:00

I declare under penalty provided by law, that the forgoing is true and correct to the best of my knowledge, and that I will comply with all City Codes and Regulations in the conduct of my business.

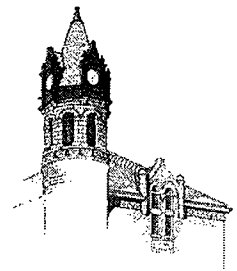
James P Culligan 4-10-08
Applicant's Signature Date

Received in the City Clerks Office:

Pie Horgan 4-10-08
Staff Signature Date

☐ New Permit
☒ Renew Permit

City of Stoughton
381 E Main St
Stoughton WI 53589 608.873.6677



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Square footage of indoor area: 850

Proposed Outdoor Area (Description): Attached deck

Square footage of outdoor area: 550

Number of seats in outdoor area: 30

Describe fencing: Wooden privacy fence, 6 feet high

How many feet to the closest structure used residentially? 55 ft.

Hours of Outdoor Operation: Sun. – Thur.: Until 10 pm Fri. & Sat.: Until 11 pm

Other restrictions proposed by applicant: No one allowed out on the deck past 10 pm that time

I REQUEST TO HAVE DECK OPEN
on Fri. & Sat night only until
12:00 pm

I declare under penalty provided by law, that the forgoing is true and correct to the best of my knowledge, and that I will comply with all City Codes and Regulations in the conduct of my business.

James P. Culligan
Applicant's Signature

4-18-07
Date

Received in the City Clerks Office:

Q. Stern
Staff Signature

4/18/07
Date

Moved by Griffin, seconded by Lawrence, to recommend Council approve Outdoor Alcohol Consumption Permit for James P. Culligan, The Creamery Cocktail Lounge, 210 S. Water Street, with operation limited to the hours of until 11 p.m. on Friday and Saturday nights and until 10 p.m. on all other nights as required by ordinance. Carried unanimously.

Alderperson Griffin left the meeting at this time so the following actions were taken without a quorum.

Cabaret License restriction: Cully's Cocktail Lounge, 210 S. Water Street: Moved by Lawrence, seconded by Weiss, to continue the restriction on the Cabaret License for Cully's Cocktail Lounge to not allow any amplified musical instruments at that location. Carried unanimously.

Request for traffic control measures in the Estate Lane/West Main Street area: Moved by Lawrence, seconded by Weiss to deny the request for additional traffic control measures in the Estate Lane/West Main Street area. Carried unanimously.

Request for a stop sign on Pine Street where it intersects with Schefelker Lane: Moved by Lawrence, seconded by Griffin, to direct the Deputy Clerk to draft ordinances to replace the Yield signs with Stop signs on the northwest and southeast corners of Pine Street where it intersects with Schefelker Lane and forward to City Attorney for review and on to Council for a first reading.

Identify future agenda items:

Referred for further action previously:

Review of Section 78-464 "Sexually Oriented Land Uses"

Resolution in Support of Smoke Free Worksites

Referred for further action this month:

Point review for liquor license violations.

New items:

Request to review fines imposed for underage consumption violations. (Alderperson Swangstu)

Meeting Adjourned: Moved by Lawrence, seconded by Weiss, to adjourn the meeting. Carried unanimously. Meeting adjourned at 6:52 p.m. by Vice-Chair Weiss.

Respectfully Submitted,
Cindi Sturm
Deputy Clerk/Confidential Secretary

:cms

renewal application on April 19, 2005)

Class "A" Beer:

Bharya Sapinder Singh dba Citgo Humraj, 603 W. Main Street (Received renewal application on April 19, 2005.)

"Class B" Beer & Liquor:

Nel-Car Corporation, Carter J. Smith, Agent dba Cheap Shots Bar & Grill, 321 Division Street (Received renewal application on April 19, 2005)

Motion carried unanimously.

Operator's License Renewals for the period of July 1, 2005 through June 30,

2006: Moved by Swangstu, seconded by McKichan to recommend council approve an Operator's License renewal for Dan D. Batker. Motion carried unanimously.

Renewal of Outdoor Alcohol Consumption Permit: Stella's Speakeasy, 210 S.

Water Street: Moved by McKichan, seconded by Swangstu to recommend Council approve an Outdoor Alcohol Consumption Permit renewal for Stella's Speakeasy, 210 S. Water Street, as presented. Motion carried unanimously.

Moved by Swangstu, seconded by Olsen to set up meetings with a representative from the Public Safety Committee (Gary Locke), Alderperson Kelly, Jan Bruder and Pat Culligan from Stella's Speakeasy, area neighbors and Police Chief O'Connor to pursue ideas to resolve the noise issues from Stella's Speakeasy and report back to the committee. Motion carried unanimously.

Parking on the 1200-1500 blocks of Jackson Street and Devonshire Road: Moved by McKichan, seconded by Swangstu to direct the Police Department to increase monitoring in the area, have the Street Department paint on both sides of the driveways and check on the signage (speed etc.) and direct the Police Chief to contact the school district about requiring the buses to park in the school lots and report back to the committee. Motion carried unanimously.

Policy Deletions: Vehicle Replacement Policy & Regulation of Truck Traffic:

Moved by McKichan, seconded by Olsen, to recommend Council approve deletion of both of these policies. Carried unanimously.

Policy Update: EMS Department Uniform Allowance Policy: Moved by McKichan, seconded by Swangstu to recommend Council approved the policy changes as presented. Carried unanimously.

Procedure for reporting to the committee for the EMS and Fire Departments: The committee directed each department to submit an activity report quarterly.

Future Agenda Items:

February 28, 2006 (Continued)

stalls in front of Cinema Café for the times the movie theatre is open to the public, as presented. The sign shall state "no parking, patron drop off/pickup 12:30 p.m. to 9:00 p.m. when the theatre is open". Motion carried 8-3 on roll call with Alderpersons Griffin, Kelly and Lawrence voting no.

O-10-06
AN ORDINANCE TO AMEND SECTION 70-134
OF THE STOUGHTON MUNICIPAL CODE

The Common Council of the City of Stoughton, Dane County, Wisconsin, do ordain as follows:


1. Section 70-134 of the Stoughton Municipal Code is hereby created to read as follows:

70-134. Loading Zone.

- (e) A no parking patron drop off/pick up zone is designated on the first two parking stalls on the northwest corner of West Main Street, where it intersects with South Division Street, from 12:30 pm. to 9:00 p.m. when the theatre is open.
2. The Street Department shall install the signs as described above.
3. This ordinance shall take effect upon its passage and publication.

Adopted on roll call at a regular meeting of the Common Council of the City of Stoughton held on the 28th day of February, 2006.

Moved by Duranczyk, seconded by Schneider, to adopt a Policy for Payment in lieu of Parkland, as presented. Motion carried unanimously on roll call.

 Mayor Johnson closed the regular meeting and opened a public hearing to consider revocation, suspension or modification of the cabaret license held by Jan Bruder d/b/a Stella's Speakeasy and to consider revocation, suspension or modification of the ~~outdoor alcohol consumption permit~~ held by James P. Culligan d/b/a Stella's Speakeasy located at 210 S. Water Street in the City of Stoughton.


The following persons spoke at the public hearing: Jan Bruder, 516 Hamilton Street; James P. Culligan, 210 W. Water Street; Steve Barnes, 216 W. Washington Street; Mary Condon, 214 W. Washington Street.

The following person registered but did not speak: Pam Barnes, 216 W. Washington Street.

There being no other announcements, Mayor Johnson closed the public

 February 28, 2006 (Continued)

Moved by Griffin, seconded by Kelly, to refer any cabaret license application for the business located at 210 S. Water Street to the Public Safety Committee for review and recommendation. Motion carried unanimously on roll call.

 Moved by McKichan, seconded by Schneider, to modify the closing time on the ~~outdoor alcohol consumption permit~~ for the business located at 210 S. Water Street to 10:00 p.m. every night and that no-one is to be allowed on the deck after that hour. Motion carried unanimously on roll call.

Mr. David Schreiber gave a presentation on the Linnerud neighborhood planning process and establishment of committee.

Moved by Duranczyk, seconded by Locke, to approve the original make up of the Linnerud neighborhood planning committee which includes the Mayor, four alderpersons (one from each district not on planning commission), two adjacent neighbors, two neighbors at large within the city and one downtown business owner. Motion carried unanimously on roll call.

Moved by Duranczyk, seconded by Schneider, to approve the Linnerud neighborhood planning process, as presented. Motion carried unanimously by acclamation.

Moved by Locke, seconded by Swangstu, to grant a Class "C" Wine License to Vincenzo's Drinks, LLC, Patricia L. Collins, Agent d/b/a Vincenzo's at 180 E. Main Street, contingent upon no fines or fees due to the City. Motion carried unanimously by acclamation.

Moved by Locke, seconded by Swangstu, to grant a Class "A" Beer License to Diamond Jubilee, Inc., Zia Hakimi, Agent d/b/a Food Pantry at 981 N. Page Street, contingent upon no fines or fees due to the City. Motion carried unanimously by acclamation.

Moved by Locke, seconded by Swangstu, to grant a Class "B" Beer and Reserve "Class B" Liquor License for Janis E. Bruder d/b/a Stella's Speakeasy at 515 E. Main Street, contingent upon no fines or fees due to the City and contingent upon being granted a conditional use permit for this premises. Motion carried by acclamation with Alderperson Schneider voting no.

Moved by Locke, seconded by Olsen, to deny a Temporary Class "B" Beer Retailer's License for the Stoughton Fair Association for 400 Mandt Parkway (Mandt Park) on May 20, 2006 from 11 a.m. to 11 p.m. for the



Council approve Outdoor Alcohol Consumption Permits with the restriction of no music on the deck for the following:

The Broux House, Inc, The Broux House, 800 Nygaard St.

James P. Culligan, The Creamery Cocktail Lounge, 210 S. Water Street,

Jan Bruder, Stella's Speakeasy, 515 E. Main St.

Carried unanimously.

Request for a no parking zone on the west side of Veterans Road from USH 51 south to the first driveway: Moved by Lawrence, seconded by Olsen, to direct the Deputy Clerk to draft an ordinance to amend Section 70-176 to add no parking at any time to the west side of Veterans Road from the intersection with USH 51 south for 500 feet (to the first driveway) and forward to the City Attorney for review and on to Council for a first reading. Staff is also directed to paint the curb yellow in this area. Carried unanimously.

CIP Update: replacement of the SCBA equipment for the Fire Department: Moved by Lawrence, seconded by Swangstu, to recommend Council approve the Fire Department's CIP update to include \$177,200 to replace the Fire Department's SCBA equipment in 2012. Carried unanimously.

Speed Enforcement: Discussion with Police Chief O'Connor occurred regarding the improvement of speed enforcement efforts within the city.

Identify future agenda items:

Referred for further review next month:

Creamery Cocktail Lounge list of activity

New Business:

"Watch for Children" Signage on Moline Street (Aldersonperson Christianson)

Parking in front of mailboxes (Aldersonperson Olsen)

Meeting Adjourned: Moved by Olsen, seconded by Swangstu, to adjourn the meeting. Carried unanimously. Meeting adjourned at 6:58 p.m. by Chair Locke.

Respectfully Submitted,
Luann Alme
City Clerk/Personnel Director

LJA:cms

New Liquor license applications for the period through June 30, 2009: Wal-Mart Stores East, Judy Casper Agent dba Wal-Mart Stores #1176 located at 1800 HWY 51 West, applied for a "Class A" Beer & Liquor: Wal Mart store manager Judy Casper was under the impression the type of license Wal-Mart applied for was a Class "A" Beer. Moved by Christianson, seconded by Griffin to table for the next Public Safety meeting to give Wal-Mart time to clarify what type of liquor license they are applying for. Carried unanimously.

Sapinder Singh, Agent, dba Citgo Food Mart, located at 603 Main Street, applied for "Class A" Beer & Liquor License: Sapinder presented a plan for a separate area for the liquor store. Moved by Griffin, seconded by Christianson, to recommend Council grant a "Class A" Beer & Liquor license for 603 Main Street for the period of July 1, 2008 to June 30, 2009. Carried unanimously.



Cabaret License Restriction-Cully's Cocktail Lounge 210 S Water Street: Moved by Griffin, seconded by Christianson to recommend Council approve the outdoor permit with the hours of outdoor operation Sunday-Thursday until 10:00 p.m., and Friday & Saturday until 11:00 p.m. Carried unanimously.

Operator's License Applications: Moved by Christianson, seconded by Weiss to recommend Council grant an operator's license to Shane Spensley contingent upon completion of the beverage server's course and no delinquent fines or fees due to the City. Carried unanimously.

Moved by Griffin, seconded by Weiss to recommend Council grant an operator's license to Johnny Millar contingent upon completion of the beverage server's course and no delinquent fines or fees due to the City. Carried unanimously.

Liquor License Renewals for the period of July 1, 2008 through June 30, 2009:

"Class A" Beer & Liquor:

Marilyn J. Beckman dba All Through the House, 160 E. Main Street

Bottled Pleasure, Inc., Robert D Savaske Jr, Agent, dba Stoughton Spirits, 965 N. Page Street

Mike's Plaza Liquor, LLC, Michael T. Rutlin, Agent, dba Mike's Plaza Liquor, 1056 W. Street

Ultra Mart Foods LLC, David J Wagner, Agent dba Pick 'N Save #6390, 1750 Hwy 51/138

Richard M. Amundson & Richard A. Amundson dba Warehouse Liquors, 311 S. Harrison

Street

Class "A" Beer:

Gurinderdeep Singh Dhillon dba BP Stop-N-Shop, 1009 W. Main Street

Bharya Sapinder Singh dba Citgo Food Mart, 603 W. Main Street

Kwik Trip, Inc., Thomas J. Glass, Agent, dba Kwik Trip #738, 1231 E. Main Street

Kwik Trip, Inc., Jaime K. Stortz, Agent, dba Kwik Trip #739, 517 W. Main Street

PDQ Food Stores, Inc., Donald H. Lang, Agent, dba PDQ Store #132, 2400 Roby Road

by Scovotti, seconded by Olstad to recommend Council approve all the liquor license renewals (see the attached list) for the period of July 1, 2009 through June 30, 2010. Carried unanimously.

Liquor License renewals for the period after July 1, 2009 through June 30, 2010:
July 02, 2009 through June 30, 2010 (application received 4/16/09):
Class" B" Beer & Reserve Class" B" Liquor:

The Heights of Stoughton, LLC, Chadwick Leppien, Agent, dba **The Heights**, located at 2300 US Hwy 51-138

July 05, 2009 through June 30, 2010 (application received 4/20/09):

"Class B" Beer & Liquor:

LAZ Bistro & Bar, LLC, Cary R Lazarro, Agent, dba **Laz Bistro & Bar**, 419 E Main Street

Moved by Scovotti, seconded by McKichan to recommend Council approve the liquor license applications for the period **after** July 1 through June 30, 2010. Carried unanimously.



Outdoor Consumption Permit Renewals for the period of July 1, 2009 through June 30, 2010: Moved by McKichan, seconded by Olstad to recommend Council approve the outdoor consumption permit renewals for ~~Cully's~~ Cocktail Lounge and Stella & Pugsly's Speakeasy. Carried unanimously.

Future agenda items:

Consideration of Badger Tracs grant.

Bella Roma outdoor consumption permit.

Draft Policy – Class "B" Liquor Store / Separate Entrance Guidelines

Adjournment: Moved by McKichan, seconded by Scovotti, to adjourn the meeting at 7:55 p.m. Carried unanimously.

Respectfully Submitted,
Pili Hougan
Deputy Clerk