

CITY OF SPARTA
COMMON COUNCIL AGENDA
February 16, 2022

CITY HALL

6:00 P.M.

**CALL MEETING TO ORDER
ROLL CALL
PLEDGE BY ALDERMAN ANTHONY BOLTIK
APPROVAL OF AGENDA**

CONSENT AGENDA: Minutes of the last regular meeting of January 12, 2022,

Other Business

**Consideration of “Class B”/Class “B” Liquor License for Sadie Brooks and
Georgianna Rehfuss, BBG Enterprises, LLC dba The Greens located at 1210 E.
Montgomery Street**

**Consideration of Second Hand Article License for Phyllis Frisk dba Second Season
located at 128 N. Water Street**

**Consideration of agent change for Best Western Plus to Cassie Gaethke, located at
4445 Theater Rd.**

CITY ADMINISTRATOR REPORT

ITEMS FOR FUTURE CONSIDERATION

ADJOURN

**CITY OF SPARTA
COMMON COUNCIL MINUTES
January 12, 2022**

PRESENT: Mayor Gust, Kevin Brueggeman, Kevin Riley, Matthew Hoffland, Bruce Humphrey, Ed Lukasek, Jim Church, Anthony Boltik

ABSENT: Josh Lydon

ALSO PRESENT: Mark Sund, Todd Fahning, Dan Hellman, Bob Lydon, Michelle Tryggestad, citizens

Mayor Gust called the meeting to order at 6:00 p.m.

Roll Call was done by the City Clerk.

The Pledge of Allegiance was led by Alderman Humphrey

A motion was made by Ed Lukasek and seconded by Matthew Hoffland to approve this agenda. Motion carried 7-0.

A motion was made by Ed Lukasek and seconded by Matthew Hoffland to approve the consent agenda consisting of the minutes of the last regular meeting of December 15, 2021, and monthly bills. Motion carried 7-0.

RESOLUTIONS

**RESOLUTION AUTHORIZING MAYOR AND CITY CLERK TO EXECUTE DEED
(George Glanzer)**

Kevin Riley read the Resolution the first and second time. Jim Church moved to read the Resolution third time by title only, rules be suspended and placed before the Council for immediate action, seconded by Kevin Brueggeman. Motion carried 7-0. Mayor Gust read the Resolution third time by title only and the Resolution was approved on a roll call vote 7-0.

**RESOLUTION AUTHORIZING MAYOR AND CITY CLERK TO EXECUTE COVENANT AND
AGREEMENT TO REPURCHASE
(George Glanzer)**

Kevin Riley read the Resolution the first and second time. Jim Church moved to read the Resolution third time by title only, rules be suspended and placed before the Council for immediate action, seconded by Kevin Brueggeman. Motion carried 7-0. Mayor Gust read the Resolution third time by title only and the Resolution was approved on a roll call vote 7-0.

**RESOLUTION APPROVING CSM
(Sparta Area School District)**

Kevin Riley read the Resolution the first and second time. Jim Church moved to read the Resolution third time by title only, rules be suspended and placed before the Council for immediate action, seconded by Kevin Brueggeman. Motion carried 7-0. Mayor Gust read the Resolution third time by title only and the Resolution was approved on a roll call vote 7-0.

**RESOLUTION AUTHORIZING MAYOR AND CITY CLERK TO EXECUTE DEED
(Sparta Area School District)**

Kevin Riley read the Resolution the first and second time. Matthew Hoffland moved to read the Resolution third time by title only, rules be suspended and placed before the Council for immediate action, seconded by Kevin Brueggeman. Motion carried 7-0. Mayor Gust read the Resolution third time by title only and the Resolution was approved on a roll call vote 7-0.

**RESOLUTION APPROVING CSM
(Dale & Mary Bahr Revocable Trust)**

Kevin Riley read the Resolution the first and second time. Matthew Hoffland moved to read the Resolution third time by title only, rules be suspended and placed before the Council for immediate action, seconded by Kevin Brueggeman. Motion carried 7-0. Mayor Gust read the Resolution third time by title only and the Resolution was approved on a roll call vote 7-0.

**RESOLUTION AUTHORIZING MAYOR AND CITY CLERK TO EXECUTE DEED
(Dale & Mary Bahr Revocable Trust)**

Kevin Riley read the Resolution the first and second time. Matthew Hoffland moved to read the Resolution third time by title only, rules be suspended and placed before the Council for immediate action, seconded by Ed Lukasek. Motion carried 7-0. Mayor Gust read the Resolution third time by title only and the Resolution was approved on a roll call vote 7-0.

**RESOLUTION AUTHORIZING MAYOR AND CITY CLERK TO EXECUTE COVENANT AND
AGREEMENT TO REPURCHASE
(Dale & Mary Bahr Revocable Trust)**

Kevin Riley read the Resolution the first and second time. Jim Church moved to read the Resolution third time by title only, rules be suspended and placed before the Council for immediate action, seconded by Kevin Brueggeman. Motion carried 7-0. Mayor Gust read the Resolution third time by title only and the Resolution was approved on a roll call vote 7-0.

**RESOLUTION APPROVING CSM
(Jared & Rebecca Oswald)**

Kevin Riley read the Resolution the first and second time. Jim Church moved to read the Resolution third time by title only, rules be suspended and placed before the Council for immediate action, seconded by Kevin Brueggeman. Motion carried 7-0. Mayor Gust read the Resolution third time by title only and the Resolution was approved on a roll call vote 7-0.

**RESOLUTION APPROVING CSM
(M & S MCP, LLC)**

Kevin Riley read the Resolution the first and second time. Jim Church moved to read the Resolution third time by title only, rules be suspended and placed before the Council for immediate action, seconded by Kevin Brueggeman. Motion carried 7-0. Mayor Gust read the Resolution third time by title only and the Resolution was approved on a roll call vote 6-0-1 with Matthew Hoffland abstaining.

**RESOLUTION RELINQUISHING RIGHT OF FIRST REFUSAL
(Island Express, Inc.)**

Kevin Riley read the Resolution the first and second time. Matthew Hoffland moved to read the Resolution third time by title only, rules be suspended and placed before the Council for immediate action, seconded by Kevin Brueggeman. Motion carried 7-0. Mayor Gust read the Resolution third time by title only and the Resolution was approved on a roll call vote 7-0.

**AGREEMENT OF PAYMENT OF FEH ASSOCIATES CONTRACT FOR
ENGINEERING SERVICES ON LIBRARY EXPANSION**

This agreement was not discussed or signed as there were incorrect names on it. The agreement will be changed and the Friends of the Sparta Free Library will sign and return to the City to be executed.

**RESOLUTION AUTHORIZING AGREEMENT WITH FRIENDS OF SPARTA FREE LIBRARY
FOR PAYMENT OF ENGINEERS
(Sparta Free Library Expansion & Construction Project)**

Kevin Riley read the Resolution the first and second time. Jim Church moved to read the Resolution third time by title only, rules be suspended and placed before the Council for immediate action, seconded by Kevin Brueggeman. Motion carried 7-0. Mayor Gust read the Resolution third time by title only and the Resolution was approved on a roll call vote 7-0.

**RESOLUTION AUTHORIZING CONTRACT FOR ENGINEERS FOR SPARTA FREE
LIBRARY EXPANSION & CONSTRUCTION PROJECT**

Kevin Riley read the Resolution the first and second time. Jim Church moved to read the Resolution third time by title only, rules be suspended and placed before the Council for immediate action, seconded by Kevin Brueggeman. Motion carried 7-0. Mayor Gust read the Resolution third time by title only and the Resolution was approved on a roll call vote 7-0.

**RESOLUTION AUTHORIZING USE OF FUNDS FROM THE AMERICAN RESCUE PLAN OF
2021 ACT**

Kevin Riley read the Resolution the first and second time. Jim Church moved to read the Resolution third time by title only, rules be suspended and placed before the Council for immediate action, seconded by Kevin Brueggeman. Motion carried 7-0. Mayor Gust read the Resolution third time by title only and the Resolution did not pass per roll call vote. Votes were 3 yes and 4 no. **Bruce Humphrey made motion to amend the Resolution seconded by Ed Lukasek and discussion on the items and amounts started.**

Mark Sund had passed out a spreadsheet with the recommendations from the Finance Committee showing the amounts to go to non-profits, bars, restaurants, and hotels. The spreadsheet included amounts lost from the businesses from their applications and requested, and then amounts granted from the City funds. The total amount recommended from Finance Committee to spend was \$167,700.00. Some of the council men wanted the disbursements changed. The list showed the following: Non-profits: Morrow Home, Sparta Gridiron Boosters, Deke Slayton Museum and Sparta Area Cancer Support all getting \$20,000 and Friends of the Sparta Free Library getting \$2,700.

Tavern/Bars: Harris' Crossing, Club 16, The Hangout, Wayside Tavern, VFW and Lynda Lou's all getting \$7,500.

Restaurants: Sparta Steak House, Dorine's Family Restaurant, Foxhole Pub and Slice of Chicago getting \$7,500.

Best Western Motel would be getting \$10,000.

That total would be \$167,700.00.

Bob Lydon from the Sparta Gridiron explained the project for the new football field. There will be new bleachers, walking track and the football field will also be used for soccer games. He was asking for \$84,436.38 and the amount under granted funds from the City was \$20,000.00. He mentioned that the Gridiron had taken out a loan in the amount of \$250,000 and whatever they would be granted would be put towards the loan.

Tom Schauer from the VFW is asking for \$40,000 and the amount under granted funds from the City was \$7,500.00. He explained that the VFW is more than just a bar/restaurant as they do volunteer activities from the VFW and is asking more than the \$7,500.00 if possible.

Michelle Tryggestad is asking for \$7,163.00 as that represents the amount loss in fines.

Mark Sund mentioned that the amount of \$347,150.00 in City department losses would be covered from these funds.

Bruce Humphrey made a motion to amend the Resolution with the Sparta Gridiron to receive \$84,000, the VFW to receive \$40,000 and to leave the others the same as listed. Ed Lukasek seconded the motion. Motion not carried and there was more discussion.

Ed Lukasek then wanted the amount changed to the Sparta Gridiron to \$50,000.00.

Jim Church mentioned that he did some research on what some of the businesses had already received in grants from other resources and disclosed some of those amounts. **Jim Church made motion to amend the previous amendment to the Resolution to show the Sparta Gridiron getting \$82,700; Museum - \$10,000; Friends of the Library - \$5,000; Sparta Area Cancer Support - \$10,000; Taverns - \$5,000; VFW - \$10,000 and restaurants- \$5,000. That would total \$167,700. This motion was seconded by Kevin Brueggeman. Roll call vote was taken: Jim Church – yes;**

Kevin Brueggeman – yes; Bruce Humphrey – yes; Anthony Boltik – no; Matthew Hoffland – no; Ed Lukasek – yes; Kevin Riley – no. Votes were 4-3.

Mark read the amounts again to clarify. **Anthony Boltik made a motion to amend the previous amendment to some of the above items: the Gridiron to get \$32,700; Museum - \$26,350 and VFW - \$26,350. This motion died for lack of a second.**

A motion was made by Jim Church to amend previous amendment with the following items: Gridiron - \$82,700; Museum - \$20,000; Friends of Library - \$5,000; SACS - \$10,000; VFW - \$20,000 the rest of the taverns, restaurants and the hotel - \$5,000 which totals \$187,700. This was seconded by Ed Lukasek. Roll call vote was taken:

Jim Church – yes; Kevin Brueggeman – yes; Bruce Humphrey – yes; Anthony Boltik – no; Matthew Hoffland – no; Ed Lukasek – yes; Kevin Riley – yes. Votes were 5-2 and carried.

A motion was made by Kevin Riley and seconded by Matthew Hoffland to appoint Ed Hansen as the Sanitation Superintendent. Motion carried 7-0.

A motion was made by Matthew Hoffland and seconded by Ed Lukasek that upon proper payment of funds that the “Class B”/Class “B” liquor license and video game license for Divyesh Patel/DVG Hospitality, LLC dba Best Western Plus located at 4445 Theater Road be approved. Motion carried 7-0.

Todd mentioned the following promotions in his City Administrator report:

Ed Hansen promoted to new Sanitation Supervisor.

Eric Jones promoted to Parks Maintenance Supervisor.

Chris Martin promoted to the Parks Mechanic position.

Ryan Pawlisch, our Parks and Rec Superintendent has taken a new position for the City of Sheboygan in the same capacity.

So, there will openings in a couple of departments to be filled.

Items mentioned for future consideration were:

Special Council meeting to be held on February 9, 2022 at 7:00 with the Friends of the Library in closed session.

A motion was made by Ed Lukasek and seconded by Kevin Brueggeman to adjourn at 7:25 p.m. Motion carried 7-0.

Respectfully submitted, Julie Hanson, City Clerk

Original Alcohol Beverage Retail License Application

(Submit to municipal clerk.)

For the license period beginning: _____ ending: _____
(mm dd yyyy) (mm dd yyyy)

To the Governing Body of the: Town of } Sparta
 Village of }
 City of }

County of Monroe Aldermanic Dist. No. _____
(if required by ordinance)

Check one: Individual Limited Liability Company
 Partnership Corporation/Nonprofit Organization

Applicant's Wisconsin Seller's Permit Number <u>456-1030860694-04</u>	
FEIN Number <u>87-4437712</u>	
TYPE OF LICENSE REQUESTED	FEE
<input type="checkbox"/> Class A beer	\$
<input type="checkbox"/> Class B beer	\$
<input type="checkbox"/> Class C wine	\$
<input type="checkbox"/> Class A liquor	\$
<input type="checkbox"/> Class A liquor (cider only)	\$ N/A
<input type="checkbox"/> Class B liquor	\$
<input type="checkbox"/> Reserve Class B liquor	\$
<input type="checkbox"/> Class B (wine only) winery	\$
Publication fee	\$
TOTAL FEE	\$

Name (individual / partners give last name, first, middle; corporations / limited liability companies give registered name)
BBA Enterprises LLC

An "Auxiliary Questionnaire," Form AT-103, must be completed and attached to this application by each individual applicant, by each member of a partnership, and by each officer, director and agent of a corporation or nonprofit organization, and by each member/manager and agent of a limited liability company. List the full name and place of residence of each person.

President / Member Last Name <u>Brooks</u>	(First) <u>Sadie</u>	(Middle Name) <u>Marie</u>	Home Address (Street, City or Post Office, & Zip Code) <u>2427 LOOMIS ST LACROSSE WI 54603</u>
Vice President / Member Last Name <u>Rehfluss</u>	(First) <u>Georgianna</u>	(Middle Name) <u>Rose</u>	Home Address (Street, City or Post Office, & Zip Code) <u>635 S. K. ST #201 SPARTA, WI 54656</u>
Secretary / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Treasurer / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Agent Last Name <u>Rehfluss</u>	(First) <u>Georgianna</u>	(Middle Name) <u>Rose</u>	Home Address (Street, City or Post Office, & Zip Code) <u>635 S. K. ST #201 SPARTA, WI 54656</u>
Directors / Managers Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)

1. Trade Name The Greens Business Phone Number 1008-2109-7004
 2. Address of Premises 1210 E MONTGOMERY ST Post Office & Zip Code SPARTA WI 54656

3. Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include all rooms including living quarters, if used, for the sales, service, consumption, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.)

Liquor will be sold at bar and dining area
Liquor is stored behind the bar and in
basement storage room.

4. Legal description (omit if street address is given above): _____

5. (a) Was this premises licensed for the sale of liquor or beer during the past license year? Yes No

(b) If yes, under what name was license issued? Golfing Griens

Original Alcohol Beverage Retail License Application

(Submit to municipal clerk.)

For the license period beginning: 1-13-22 ending: 6-30-22
(mm dd yyyy) (mm dd yyyy)

To the Governing Body of the: Town of } Sparta
 Village of }
 City of }

County of Monroe Aldermanic Dist. No. _____
 (if required by ordinance)

Check one: Individual Limited Liability Company
 Partnership Corporation/Nonprofit Organization

Applicant's Wisconsin Seller's Permit Number <u>456-1030850885-04</u>	
FEIN Number <u>87-3801641</u>	
TYPE OF LICENSE REQUESTED	FEE
<input type="checkbox"/> Class A beer	\$
<input checked="" type="checkbox"/> Class B beer	\$ <u>100</u>
<input type="checkbox"/> Class C wine	\$
<input type="checkbox"/> Class A liquor	\$
<input type="checkbox"/> Class A liquor (cider only)	\$ N/A
<input checked="" type="checkbox"/> Class B liquor	\$ <u>500</u>
<input type="checkbox"/> Reserve Class B liquor	\$
<input type="checkbox"/> Class B (wine only) winery	\$
Publication fee	\$ <u>17.00</u>
TOTAL FEE	\$ <u>617.00</u>

Name (individual / partners give last name, first, middle; corporations / limited liability companies give registered name)
PATEL DIVYESH / DVA Hospitality LLC

An "Auxiliary Questionnaire," Form AT-103, must be completed and attached to this application by each individual applicant, by each member of a partnership, and by each officer, director and agent of a corporation or nonprofit organization, and by each member/manager and agent of a limited liability company. List the full name and place of residence of each person.

President / Member Last Name <u>AMIN</u>	(First) <u>Amit</u>	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code) <u>9321 OSCEOLA AVE, Monroeville - IL 60018</u>
Vice President / Member Last Name <u>PATEL</u>	(First) <u>DIVYESH</u>	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code) <u>4355 RUDYARD Kipling RD - Elgin - IL 60124</u>
Secretary / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Treasurer / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Agent Last Name <u>PATEL</u>	(First) <u>DIVYESH</u>	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code) <u>above</u>
Directors / Managers Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)

1. Trade Name Best Western Plus Sparta Business Phone Number 608-269-2664

2. Address of Premises 4445 Theater RD, Sparta Post Office & Zip Code 54656

3. Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include all rooms including living quarters, if used, for the sales, service, consumption, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.)

Brewski's BAR. Next to Breakfast Area
Behind the BAR in Storage Room

4. Legal description (omit if street address is given above): _____

5. (a) Was this premises licensed for the sale of liquor or beer during the past license year? Yes No

(b) If yes, under what name was license issued? AADYA SHAKTI INC

Auxiliary Questionnaire Alcohol Beverage License Application

Submit to municipal clerk.

Individual's Full Name (please print) (last name) <u>Grathke</u>		(first name) <u>Cassie</u>		(middle name) <u>JD</u>	
Home Address (street/route) <u>902 Depot St</u>		Post Office	City <u>Sparta</u>	State <u>WI</u>	Zip Code <u>54681</u>
Home Phone Number <u>(608) 386-0771</u>		Age <u>23</u>	Date of Birth <u>08/07/1998</u>	Place of Birth <u>LaCrosse, WI</u>	

The above named individual provides the following information as a person who is (check one):

- Applying for an alcohol beverage license as an individual.
- A member of a partnership which is making application for an alcohol beverage license.

Manager of DVG Hospitality LLC
(Officer / Director / Member / Manager / Agent) (Name of Corporation, Limited Liability Company or Nonprofit Organization)

which is making application for an alcohol beverage license.

The above named individual provides the following information to the licensing authority:

- How long have you continuously resided in Wisconsin prior to this date? 23 years
- Have you ever been convicted of any offenses (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of any other states or ordinances of any county or municipality? Yes No
 If yes, give law or ordinance violated, trial court, trial date and penalty imposed, and/or date, description and status of charges pending. (If more room is needed, continue on reverse side of this form.)
- Are charges for any offenses presently pending against you (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of other states or ordinances of any county or municipality? Yes No
 If yes, describe status of charges pending.
- Do you hold, are you making application for or are you an officer, director or agent of a corporation/nonprofit organization or member/manager/agent of a limited liability company holding or applying for any other alcohol beverage license or permit? Yes No
 If yes, identify: DVG Hospitality LLC 4445 Theater Rd Sparta WI 54681
(Name, Location and Type of License/Permit) Class B Retail Beer License
- Do you hold and/or are you an officer, director, stockholder, agent or employee of any person or corporation or member/manager/agent of a limited liability company holding or applying for a wholesale beer permit, brewery/winery permit or wholesale liquor, manufacturer or rectifier permit in the State of Wisconsin? Yes No
 If yes, identify: _____
(Name of Wholesale License or Permit) (Address by City and County)

6. Named individual must list in chronological order last two employers.

Employer's Name <u>Lal Patel Agency Shakti</u>	Employer's Address <u>4445 Theater Rd Sparta WI 54681</u>	Employed From <u>March 9, 2019</u>	To <u>Dec 10th, 2021</u>
Employer's Name <u>Badger Crossing</u>	Employer's Address <u>909 Front St Cashon WI 54619</u>	Employed From <u>April 5th, 2013</u>	To <u>Jan 5, 2022</u>

READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the undersigned states that each of the above questions he been truthfully answered to the best of the knowledge of the signer. The signer agrees that he/she is the person named in the foregoing application; that the applicant has read and made a complete answer to each question, and that the answers in each instance are true and correct. The undersigned further understands that any license issued contrary to Chapter 125 of the Wisconsin Statutes shall be void, and under penalty of state law, the applicant may be prosecuted for submitting false statements and affidavits in connection with this application. Any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000.

Cassie Grathke
(Signature of Named Individual)

BK
2-18-22
 LETTICE SEW



SPARTA POLICE DEPARTMENT

Emilee Nottestad
Chief of Police

711 Pine St.
Sparta, WI 54656
Tel. 608-269-3122
Fax. 608-269-2156
www.spartawisconsin.org

February 14, 2022

Cassie Gaethke
902 Depot St.
Sparta, WI 54656

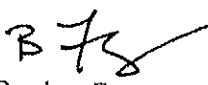
Ms. Gaethke,

You applied for an Alcohol Beverage License with the City of Sparta on or after January 2022. As part of that application process, you indicated you have not been convicted of any felony or misdemeanor.

Upon conducting a criminal history check, our agency found that you were, in fact, convicted of a misdemeanor Possession of THC in 2016.

While none of these convictions would prevent you from obtaining a license from the City, your submission of false information on your application could be grounds for denial in the future.

Please keep this in mind for all future applications you submit.


Booker Ferguson
Deputy Police Chief

Committed to Excellence

City Administration Report February 2022

City Projects & Information

- Library project currently in planning stages.
- Phase 3 for South Pointe in planning stages.
- Bidding for new garbage contract to be sent out soon. Changing to garbage and recycling rolling containers being supplied for automatic collection. Hopefully this will help with garbage and code enforcement complaints.

Budget

2022 budget mill rate \$5.72.

Financial

- Financial report attached for January.

Economic Development

- Brook's Tractor completed
- Ken's Custom Cabinets started construction
- Apartment project at old school on E. Franklin Street (Spartan Lofts) nearing occupancy. There will be an open house in March.
- Arctic Freight starting soon
- Martin Warehousing starting soon
- Apartments off Hwy 16 and Julie started