

CITY OF SPARTA
COMMON COUNCIL AGENDA
July 12, 2023

CITY HALL

6:00 P.M.

CALL MEETING TO ORDER

ROLL CALL

PLEDGE BY ALDERMAN MATTHEW HOFFLAND

APPROVAL OF AGENDA

CONSENT AGENDA: Minutes of the regular meeting on June 14, 2023 and monthly bills for June.

Service Award to Ed Hansen for 15 Years of Service to the Parks & Recreation Department and Waste Water Treatment Plant

Service Award to Caleb Diercks for 5 Years of Service to the Streets Department

OTHER BUSINESS

Consideration of “Class B” Liquor / Class “B” Beer License for Mitchell Koel, Cork & Barrel, LLC dba Cork & Barrel located at 124 N Water Street for the 2023-2024 term

Consideration of Extension of “Class B” Liquor / Class “B” Liquor License to Include an Outdoor Patio for La Herradura Restaurant located at 701 Industrial Drive

Consideration of Mobile Food Vendor Permits for the 2023-2024 term:

Lauren Dunn dba The Loaded Bun

Frederick Green dba Sparta Ice Cream Company, LLC

CITY ADMINISTRATOR REPORT

ITEMS FOR FUTURE CONSIDERATION

ADJOURN

CITY OF SPARTA
COMMON COUNCIL MINUTES
June 14, 2023

PRESENT: Kevin Brueggeman, Troy Harris, Bruce Humphrey, Matthew Hoffland, Josh Lydon, Robert Arnold, David Kuderer, Mayor Riley

ABSENT: Jim Church

ALSO PRESENT: Mark Sund, Mark Van Wormer, Dan Hellman, Lt Corey Johnson

Mayor Riley 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 Troy Harris.

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

A motion was made by Josh Lydon and seconded by Matthew Hoffland to approve the consent agenda consisting of the minutes of the last regular meeting of May 10, 2023 and monthly bills for May. Motion carried 7-0.

RESOLUTIONS

**RESOLUTION APPROVING
COMPLIANCE MAINTENANCE ANNUAL REPORT (CMAR)**

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

**RESOLUTION AUTHORIZING CITY OF SPARTA TO DIRECT CHARGE
PUBLIC FIRE PROTECTION**

Josh Lydon read the Resolution the first and second time. Josh Lydon 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 Riley read the Resolution third time by title only and the Resolution was approved on a roll call vote 5-2, with Kevin Brueggeman and Matthew Hoffland voting no.

**RESOLUTION AUTHORIZING MAYOR AND
CITY CLERK TO EXECUTE PURCHASE AGREEMENT, DEVELOPMENT
AGREEMENT, AND WARRANTY DEED
(Indianhead Oil Co., LLC)**

Josh Lydon 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 Riley read the Resolution third time by title only and the Resolution was approved on a roll call vote 7-0.

A motion was made by Josh Lydon and seconded by Matthew Hoffland upon proper payment of fees, to approve the Temporary Class “B” Beer License for Sparta Rotary Club for the Sparta Summer Concerts in the Park on July 19th, 2023 located in the Evans-Bosshard park Shelter. Motion carried 7-0.

A motion was made by Matthew Hoffland and seconded by Josh Lydon upon proper payment of fees, to approve the “Class B” / Class “B” Liquor License for Adrian Jewell, Schewell Enterprises, LLC dba Kazoku Bistro located at 140 N Water Street for the 2023-2024 term. Motion carried 7-0.

A motion was made by Josh Lydon and seconded by Matthew Hoffland upon proper payment of fees, to approve the “Class B” / Class “B” Liquor License for Marcos Lugo, El Caporal, LLC dba El Caporal located at 223 N Black River Street for the 2023-2024 term. Motion carried 7-0.

A motion was made by Josh Lydon and seconded by Matthew Hoffland upon proper payment of fees, to approve the following “Class A” Retail Liquor Licenses for the 2023-2024 term. Motion carried 7-0.

Hansen’s IGA, Inc. dba Hansen’s IGA located at 834 W Wisconsin Street
Plaza Mexicana, LLC dba Plaza Mexicana located at 620 Industrial Drive, Suite 7B

A motion was made by Josh Lydon and seconded by Matthew Hoffland upon proper payment of fees, to approve the following Class “A” Retail Beer and “Class A” Retail Cider Licenses for the 2023-2024 term. Motion carried 7-0.

Hansen’s IGA, Inc. dba Hansen’s IGA located at 834 W Wisconsin Street
Plaza Mexicana, LLC dba Plaza Mexicana located at 620 Industrial Drive, Suite 7B

A motion was made by Josh Lydon and seconded by Matthew Hoffland upon proper payment of fees, to approve the following “Class B” Liquor / Class “B” Beer Licenses for the 2023-2024 term. Motion carried 7-0.

Sheila Volden dba Amber Inn located at 112 E Oak Street
Dub’s Pub & Catering, LLC dba Dub’s Pub & Catering located at 1215 Angelo Road
Matsumoto Ramen House, LLC dba Matsumoto Ramen House located at 106 N Water Street
P & S Properties dba Shane & Penney’s Slice of Chicago located at 507 W Wisconsin Street
Rally Point Pub, LLC dba Rally Point Pub located at 213 S Water Street

A motion was made by Josh Lydon and seconded by Matthew Hoffland upon proper payment of fees, to approve the following Second Hand Article or Second Hand Jewelry Licenses for the 2023-2024 term. Motion carried 7-0.

Big Rooster Manufacturing, LLC dba Big Rooster Firearms located at 105 N Water Street (Article)
Bryon Crawford dba Crawford's New & Used located at 604 E Wisconsin Street (Article/Jewelry)
Rebecca Erickson dba Three Gals Variety located at 701 Walrath Street (Article/Jewelry)

A motion was made by Josh Lydon and seconded by Matthew Hoffland upon proper payment of fees, to approve the following Mobile Home Licenses for the 2023-2024 term. Motion carried 7-0.

Woodside Village, LLC dba Woodside Village located at 1200 Sugarberry Blvd

A motion was made by Josh Lydon and seconded by Matthew Hoffland upon proper payment of fees, to approve the following Miscellaneous Licenses for the 2023-2024 term. Motion carried 7-0.

Hansen's IGA, Inc. dba Hansen's IGA located at 834 W Wisconsin Street (Cigarette)
Plaza Mexicana, LLC dba Plaza Mexicana located at 620 Industrial Drive, Suite 7B (Cigarettes)
Jeffrey Klein dba Sparta Cabs located at 414 E Oak Street (Taxicab)

A motion was made by Matthew Hoffland and seconded by Robert Arnold upon proper payment of fees, to approve the following Mobile Vendor Permits for the 2023-2024 term. Motion carried 7-0.

Coulee Region Enterprises, LLC dba Schindoggies Catering & Food Truck
Dave DeLovely dba DeLovely's Delicious Mini Donuts
Overtime Entertainment/Fathead Steve's LLC dba Fathead Steve's
Coulee Concessions, LLC dba Chili Revolution

Mark Sund went over the City Administrator Report. In addition, he stated Starbucks is now open. Regarding the Library expansion project, Xcel Energy will be moving the power poles at no cost to the city. This should happen within the next three to four weeks.

It was asked about the status of LMI Properties court case. Dan Hellman stated the injunction was granted in Circuit Court, so no city fines can be assessed. Even though their business meets the Salvage Yard ordinance and would need an annual license, the city still may not impose any fines. He also stated he has had productive discussions with their attorney.

Mark Sund stated he was not sure of the exact status of Aldi's and their construction schedule, but he did feel they would be starting very soon.

A motion was made by Bruce Humphrey and seconded by Josh Lydon to adjourn at 6:19 p.m. Motion carried 7-0.

Respectfully submitted,
Jennifer Lydon
City Clerk

City Administration Report July 2023

City Projects & Information

- New bridge in golf course construction almost complete. The ribbon cutting will be August 22.
- Phase 3 for South Pointe in planning stages. Currently reviewing preliminary plans.
- Working with Chamber of Commerce for new storage facility.
- Continuing to work with County and DNR for contaminated water resolution regarding Sand Creek Landfill. We have ordered new filters cost sharing 50/50 with the County.
- Library should re-start construction very soon. All utility issues have been worked out and hopefully Xcel Energy will begin moving the power lines shortly.
- The July 4th fireworks incident is still under an active investigation by the Fire Department. A statement was released on our website.

Budget

2023 budget mill rate \$5.19.

Financial

- Financial report attached for June.

Economic Development

- Multi-tenant building off HWY 71 completed
- Starbucks open
- Max Building Solutions open
- Working on next step for Avon Rd. apartment development. Should be ready for approvals in summer
- Sparta Soda Company completed.
- Aldi starting soon

Economic Development activity continues to be active. We will have some significant development reviews in the coming months. Some very exciting stuff!

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Bicycling Capital of America

City of Sparta – City Clerk
201 W Oak Street | Sparta, WI 54656
(608) 269-4340 Ext 5150

LICENSE APPLICATION FEE SHEET

Business Name: Cork & Barrel, LLC DBA: Cork & Barrel

Address of Business: 124 N Water Street

Contact Name: Mitchell Koel Phone #(s): (608) 377-1165

Mailing Address: 1322 Kilbourn Avenue, Tomah, WI 54660

<input checked="" type="checkbox"/>	Liquor, "Class B" License		\$500.00
<input type="checkbox"/>	Liquor, "Class A" Retail License		\$500.00
<input type="checkbox"/>	Beer, Class "A" Retail License		\$250.00
<input type="checkbox"/>	Liquor, "Class A" Cider		N/C
<input checked="" type="checkbox"/>	Beer, Class "B" License		\$100.00
<input type="checkbox"/>	Wine, Class "C" License		\$100.00
<input checked="" type="checkbox"/>	Publication Fee for Liquor, Beer Licenses and Miscellaneous		\$ 17.00
<input type="checkbox"/>	Operator's (Bartender's) License	\$60.00 Two-Year Term	\$ _____
		\$30.00 2 nd Year After June 30 th	\$ _____
<input type="checkbox"/>	Cigarette		\$100.00
<input type="checkbox"/>	Video Games	Qty: _____ @ \$10.00 each	\$ _____
<input type="checkbox"/>	Secondhand Article License		\$ 27.50
<input type="checkbox"/>	Secondhand Jewelry License		\$ 30.00
<input type="checkbox"/>	Pawn Broker License		\$210.00
<input type="checkbox"/>	Taxicab	\$50.00 1 st Vehicle / \$25.00 Each Additional Vehicle	\$ _____
<input type="checkbox"/>	Mobile Home Park	\$2.00 Per Lot with \$25.00 Minimum for a MH Park	\$ _____
<input type="checkbox"/>	Junk and/or Salvage Yard		\$ 10.00
<input type="checkbox"/>	Mobile Food Vendor License	Resident \$ 50.00; Non-Resident \$100.00	

Dated: 06/15/2023 License # _____

Receipt: _____ Issue Date _____

Handwritten signature

Click mouse in for the license period beginning field to begin and tab throughout. Use mouse to check appropriate boxes, spacebar or enter.

Save Print Clear

Original Alcohol Beverage Retail License Application

(Submit to municipal clerk.)

For the license period beginning: 07/01/2023 ending: 06/30/2024
(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>456-1031437997-04</u>	
FEIN Number <u>93-1641552</u>	
TYPE OF LICENSE REQUESTED	FEE
<input type="checkbox"/> Class A beer	\$
<input checked="" type="checkbox"/> Class B beer	\$ <u>100.00</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>500.00</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)
Cork & Barrel, 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	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
<u>KOEL</u>	<u>MITCHELL</u>	<u>DAVID</u>	<u>1322 KILBOURN AVE TOMAH, WI 54660</u>
Vice President / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
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	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Directors / Managers Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)

1. Trade Name Cork & Barrel Business Phone Number 608-377-1165

2. Address of Premises 124 N. WATER STREET 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.)

Behind Bar in Basement for storage and consumed indoors and outdoors on deck

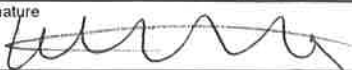
4. Legal description (omit if street address is given above): _____

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? Cork & Barrel

6. Is individual, partners or agent of corporation/limited liability company subject to completion of the responsible beverage server training course for this license period? **If yes, explain** Yes No
7. Is the applicant an employe or agent of, or acting on behalf of anyone except the named applicant? Yes No
If yes, explain.
8. Does any other alcohol beverage retail licensee or wholesale permittee have any interest in or control of this business? **If yes, explain** Yes No
9. (a) **Corporate/limited liability company applicants only:** Insert state WISCONSIN and date _____ of registration.
- (b) Is applicant corporation/limited liability company a subsidiary of any other corporation or limited liability company? **If yes, explain** Yes No
- (c) Does the corporation, or any officer, director, stockholder or agent or limited liability company, or any member/manager or agent hold any interest in any other alcohol beverage license or permit in Wisconsin? **If yes, explain.** Yes No
10. Does the applicant understand they must register as a Retail Beverage Alcohol Dealer with the federal government, Alcohol and Tobacco Tax and Trade Bureau (TTB) by filing (TTB form 5630.5d) before beginning business? [phone 1-877-882-3277] Yes No
11. Does the applicant understand they must hold a Wisconsin Seller's Permit? [phone (608) 266-2776] Yes No
12. Does the applicant understand that they must purchase alcohol beverages only from Wisconsin wholesalers, breweries and brewpubs? Yes No

READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the applicant states that each of the above questions has been truthfully answered to the best of the knowledge of the signer. Any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000. Signer agrees to operate this business according to law and that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another. (Individual applicants, or one member of a partnership applicant must sign; one corporate officer, one member/manager of Limited Liability Companies must sign.) Any lack of access to any portion of a licensed premises during inspection will be deemed a refusal to permit inspection. Such refusal is a misdemeanor and grounds for revocation of this license.

Contact Person's Name (Last, First, M.I.) Koel, Mitchell D	Title/Member Owner	Date 6/15/23
Signature 	Phone Number 608-377-1165	Email Address mkoel102@gmail.com

TO BE COMPLETED BY CLERK

Date received and filed with municipal clerk 6/21/2023	Date reported to council / board	Date provisional license issued	Signature of Clerk / Deputy Clerk 
Date license granted	Date license issued	License number issued	

Auxiliary Questionnaire Alcohol Beverage License Application

Submit to municipal clerk.

Individual's Full Name (please print) (last name) (first name) (middle name)	
KOEHL / Mitchell DAVIO	
Home Address (street/route)	Post Office
1322 Kilburn Ave	
City	State
JOMAN	WI
Zip Code	
	54660
Home Phone Number	Age
608-377-1165	28
Date of Birth	Place of Birth
06/02/95	Lacrosse

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.

Sole Owner of COAK & BARCEL, LLC
(Officer / Director / Member / Manager / Agent) (Name of Corporation, Limited Liability Company or Nonprofit Organization)

which is making application for an alcohol beverage license.

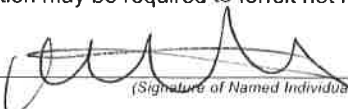
The above named individual provides the following information to the licensing authority:

- How long have you continuously resided in Wisconsin prior to this date? 28
- 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. _____
(Name, Location and Type of License/Permit)
- Do you hold and/or are you an officer, director, stockholder, agent or employe 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 Licensee or Permittee) (Address By City and County)

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

Employer's Name	Employer's Address	Employed From	To
Self Employed			
TASO / SUB BUS Driver	122 W Clifton St JOMAN	9/16	Present

READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the undersigned states that each of the above questions has 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.



(Signature of Named Individual)

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Bicycling Capital of America

Mobile Food Vendor Permit Application

1. A permit is required for the use of a mobile food vendor as outlined in the City of Sparta Food Vendor ordinance section 12-400.
2. The registration permit fee is \$100.00 or \$50.00 for an existing City of Sparta based business.
3. Each mobile food vendor permit is only valid for a specific truck; permits are not transferrable to any other vehicle.
4. Applicants should familiarize themselves with the applicable regulations as required in the City of Sparta Mobile Food Vendor ordinance. Failure to abide by the rules of the mobile food vendor program may result in the revocation of the mobile food vendor permit and possibly a Municipal Citation.

pd \$100
1.145330

Applicant Information	
Applicant Name: <small>Lauren Dunn</small>	Company Business Name: <small>The Loaded Bun</small>
Business Mailing Address: Street: 24031 Flint Ave City: Tomah Zip: 54660	
Applicant Phone Number: <small>608-606-9678</small>	Applicant Email Address: <small>theloadedbun@hotmail.com</small>
Trade Name/Food Truck Name: <small>The Loaded Bun</small>	
Name(s) of Food Truck Operator(s): <small>Lauren Dunn</small>	
Commissary Name: <small>n/a</small>	Commissary Phone Number: 608-606-9678
Commissary Address: Street: City: Zip:	
OFFICE USE ONLY Verified By: <i>Jennifer Gordon</i> Date: 6/05/2023	
Food Truck Information	
Food Truck Year, Make, and Model: <small>1988 Trailer</small> <i>See attached</i>	
License Plate Number: <i>Q</i>	VIN Number:
Menu: <i>Please attach a typed copy of the menu the operator will be using.</i>	
Other Permits and Information	
Please attach copies of the following: <input checked="" type="checkbox"/> Wisconsin DATCP Permit <input checked="" type="checkbox"/> Menu (typed) <input checked="" type="checkbox"/> Proof of Insurance <input checked="" type="checkbox"/> Valid Driver's License(s)	
Applicant's Signature	
By signing this application below: I acknowledge that I have read and understand all applicable rules and regulations regulated to the operation of food trucks in the City of Sparta, and recognize that any violations of said rules and regulations may result in the revocation of this permit.	
Applicant's Signature: <i>Lauren Dunn</i>	Date: 6/2/23

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Mobile Food Vendor Permit Application

1. A permit is required for the use of a mobile food vendor as outlined in the City of Sparta Food Vendor ordinance section 12-400.
2. The registration permit fee is \$100.00 or \$50.00 for an existing City of Sparta based business. pd #50 #1.145187
3. Each mobile food vendor permit is only valid for a specific truck; permits are not transferrable to any other vehicle.
4. Applicants should familiarize themselves with the applicable regulations as required in the City of Sparta Mobile Food Vendor ordinance. Failure to abide by the rules of the mobile food vendor program may result in the revocation of the mobile food vendor permit and possibly a Municipal Citation.

Applicant Information

Applicant Name: <u>Frederick L. Green</u>	Company Business Name: <u>Sparta Icecream Company LLC</u>
Business Mailing Address: Street: <u>506 S. Water St</u>	City: <u>Sparta</u> Zip: <u>54656</u>
Applicant Phone Number: <u>608.633.6009</u>	Applicant Email Address: <u>fredgreen16@hotmail.com</u>
Trade Name/Food Truck Name:	
Name(s) of Food Truck Operator(s): <u>Fred Green</u>	
Commissary Name: <u>Walmart</u>	Commissary Phone Number:
Commissary Address: Street:	
City: <u>Sparta</u> Zip: <u>54656</u>	

OFFICE USE ONLY Verified By: Jennifer Gordon Date: 6/07/2023

Food Truck Information

Food Truck Year, Make, and Model: <u>1950's Acornsheet metal Company Ice cream Biko</u>	
License Plate Number: <u>N/A</u>	VIN Number: <u>6230 Series B</u>

Menu: *Please attach a typed copy of the menu the operator will be using.*

Other Permits and Information

Please attach copies of the following:

- Wisconsin DATCP Permit
- Menu (typed)
- Proof of Insurance
- Valid Driver's License(s)

Applicant's Signature

By signing this application below: I acknowledge that I have read and understand all applicable rules and regulations regulated to the operation of food trucks in the City of Sparta, and recognize that any violations of said rules and regulations may result in the revocation of this permit.

Applicant's Signature: Frederick L. Green Date: 7/20/2023