



# City of Appleton

100 North Appleton Street  
Appleton, WI 54911-4799  
www.appleton.org

## Meeting Agenda - Final Safety and Licensing Committee

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Wednesday, November 1, 2023

5:45 PM

Council Chambers, 6th Floor

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### Special Meeting

1. Call meeting to order
2. Pledge of Allegiance
3. Roll call of membership
4. Approval of minutes from previous meeting
5. **Public Hearing/Appearances**
6. **Action Items**  
[23-1187](#) Recommended Denial of an Operator License for Katie Baxley

**Attachments:** [Katie Baxley Denial Letter.pdf](#)  
[Katie Baxley License Application.pdf](#)  
[Katie Baxley PD Letter.pdf](#)

**Legislative History**

10/25/23	Safety and Licensing Committee	recommended for approval
10/25/23	Safety and Licensing Committee	reconsidered
		<i>Motion to Reconsider Application since applicant showed up.</i>
10/25/23	Safety and Licensing Committee	held
		<i>Katie Baxley, appeared late and addressed the committee. Chris Ferron, W5553 Harper Rd, Chilton, appeared and addressed the committee.</i>

7. **Information Items**

8. Adjournment

*Notice is hereby given that a quorum of the Common Council may be present during this meeting, although no Council action will be taken.*

*Reasonable Accommodations for Persons with Disabilities will be made upon Request and if Feasible.*



LEGAL SERVICES DEPARTMENT

Office of the City Clerk

Kami Lynch, Clerk

100 North Appleton Street

Appleton, WI 54911

Phone: 920/832-6443

Fax: 920/832-5823

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September 13<sup>th</sup>, 2023

\*CERTIFIED MAIL\*

Katie D. Baxley  
1626 Schaefer Circle Apt #7  
Appleton, WI 54915

This letter is to notify you that we are in receipt of your application for an Operator's License. Upon review of your application, the Police Department has recommended that your application for an Operator's License be denied due to your history of civil and/or criminal convictions.

You have the right to appear before the Safety and Licensing Committee to contest this recommendation. To do so, **please contact the City Clerk's Office within 30 days** of receipt of this letter in order to be placed on the Agenda of the Safety and Licensing Committee. Failure to contact the City Clerk's Office within 30 days will result in your license being denied.

Regular meetings of the Safety and Licensing Committee take place on the second and fourth Wednesday of each month at 5:30 p.m. in the Council Chambers, 6<sup>th</sup> floor of City Hall, 100 N Appleton St., Appleton, Wisconsin.

Again, should you choose not to appeal this recommendation, your application will be considered denied and an Operator's License will not be issued.

If you have specific questions relating to this matter, please contact Lt. Adam Nagel APD, at 920-832-6011.

Sincerely,

Kami Lynch  
City Clerk

23-1187

License Application for Operator's (Bartender's) License Mail: City Clerk- 100 N Appleton St Appleton 54911  
Cash or Check Only!



New Applicant  
 Renewal License  
 #:

**FEES ARE NON-REFUNDABLE** Date Rec'd 6/23/23  
 Operator License -\$67.00  Operator License plus a provisional- \$82.00  
 Total fee paid \$: 82 Receipt #: 5269-2

SECTION 1 - Applicant Information

Your Name (First name, MI, Last name) Katie D Baxley Maiden or Previous Katie D Joslin  
 Street Address 1626 Schaefer Circle Apt #17 City Appleton State WI Zip 54915  
 Driver's License #: \_\_\_\_\_ State WI  
 Date of Birth: 02/08/1982 Email: \_\_\_\_\_ Contact Phone: \_\_\_\_\_ Gender: F  
 Name of establishment you will be selling alcohol: Tave North

Stone

SECTION 2 for NEW APPLICANTS: You are required to list each and every violation and/or offense for which you have been convicted in or out of state. Failure to provide complete answers may result in the denial of your application.

Have you EVER had an Operator's (Bartender's) License? YES  NO   
 If Yes; in what Municipality and what year? \_\_\_\_\_  
 Have you ever been convicted of a felony?  YES NO   
 If Yes; when, where and what type of violation? (Please be specific) Brown Cty - Poss. of Narcotics 2015; Brown County - Poss. of Meth 08/2020  
 Have you ever been convicted of a misdemeanor or ordinance violation?  YES NO   
 If Yes; when, where and what type of violation? (Example: speeding, OWI) Brown Cty - Resist & Obstructing 2015; Brown Cty - Poss. of Paraphernalia 2015; MI - poss. prescription w/o the proper container 2014 twice

SECTION 3 for RENEWALS: List any pending charges, citations, tickets and all convictions since last license application in or out of state. Failure to provide complete answers may result in the denial of your application.

Have you been convicted of a felony since last license application? YES  NO   
 If Yes; when, where and what type of violation? (Please be specific) \_\_\_\_\_  
 Have you been convicted of a misdemeanor or ordinance violation since last license application? YES  NO   
 If Yes; when, where and what type of violation? (Example: speeding, OWI) \_\_\_\_\_

SECTION 4 - Responsible Beverage Server Course

Proof of an approved Responsible Beverage Server Course is required to be included with this application.

SECTION 5 - Penalty Notice

I certify under penalty of law that this application is true and correct to the best of my knowledge and belief.

Signature: Katie Baxley

FOR OFFICE USE ONLY						
Class Completion Date:	Current License in other Municipality?	Date Sent to APD:	Date Approved:	Issued Date:	Exp. Date:	License number:
<u>6-17-23</u>		<u>JUN 26 2023</u>				



"...meeting community needs...enhancing quality of life."

TO: Safety and Licensing Committee  
FROM: Lt. Adam Nagel  
DATE: 09/12/2023  
RE: Denial of Katie D. Baxley

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Committee Members:

As a designee for the police department, I am requesting that the Safety and Licensing Committee recommend to the Common Council to deny Katie D. Baxley application for an operator's license.

It is not employment discrimination for a licensing agency to deny an applicant based on a conviction record where the circumstances of the conviction substantially relate to the circumstances of the particular licensed activity.

No license or permit related to alcohol beverages may be issued to a habitual law offender where the circumstances of the offenses substantially relate to the circumstances of the particular licensed activity. A person is a habitual law offender if they have been convicted of repeat misdemeanor or ordinance violations. No license may also be issued to a person who has been convicted of a felony which substantially relates to the alcohol beverage licensing activity unless duly pardoned.

An applicant is allowed an opportunity to show evidence of rehabilitation and fitness to engage in the licensed activity, *unless the conviction(s) are for exempt offenses*. The applicant may produce the following to conclusively demonstrate their rehabilitation and fitness from a given conviction:

- A copy of the local, state, or federal release document; and either
- (1) a copy of the relevant department of corrections document showing completion of probation, extended supervision, or parole; or
- (2) other evidence that at least one year has elapsed since release from any local, state, or federal correctional institution without subsequent conviction of a crime along with evidence showing compliance with all terms and conditions of probation, extended supervision, or parole.

Reviewing Katie's prior history of police contacts, I find the following offenses are substantially related to the sale of alcohol and demonstrate that Katie Baxley is a habitual law offender. Katie has history of arrests and convictions starting in 2015 up to October of 2019.

In 2015, Katie Baxley was found guilty of a misdemeanor Resisting or Obstructing an Officer in Brown County case number 2015CM000045. This case shows dishonesty toward authority and presents concerns about her making ethical decisions in the service of alcohol. This incident is substantially related to Katie's lack of judgment and ability to serve alcohol.

In 2015, Katie was found guilty of felony Possession of Narcotic Drugs Brown County case number 2015CF000118. Possessing illegal drugs demonstrates a lack of good judgment necessary for a bartender. People under the influence of alcohol are generally susceptible to poor decision-making, including illicit drug law violations. This violation is directly related to the sale of alcohol.

In 2019, Katie was found guilty of Felony Possession of Methamphetamine in Brown County case number 2019CF001543. Possessing illegal drugs demonstrates a lack of good judgment necessary for a bartender. People under the influence of alcohol are generally susceptible to poor decision-making, including illicit drug law violations. This violation is directly related to the sale of alcohol.

The service of alcohol includes encountering individuals in a vulnerable state and the Police Department feels Katie Baxley has not demonstrated the necessary maturity and decision-making capacity to be allowed a bartender's license in the City of Appleton. Her violations of drug laws and the last arrest for drugs being approximately four years prior shows that she is not capable of being a responsible bartender.

Her arrest and conviction record go back several years. This further corroborates the decision for the APD to recommend a denial for this license request.

Respectfully:

Lt. Adam Nagel #9191  
Appleton Police Department