

**IN THE CITY OF APPLETON,
OUTAGAMIE COUNTY, STATE OF
WISCONSIN, BEFORE THE SAFETY
AND LICENSING COMMITTEE.**

APPLETON POLICE DEPARTMENT,
222 South Walnut Street
Appleton, WI 54911

Petitioner,

v.

ANDREW L. CARR
2205 Cloudview Ct.
Appleton, WI 54914

Respondent.

The Safety and Licensing Committee for the City of Appleton does hereby make the following findings of fact, conclusions of law and recommendation to the Common Council in the above referenced matter:

FINDINGS OF FACT

1. The Respondent, Andrew L. Carr was convicted on December 12, 2012 of Operating While Intoxicated (2nd Offense), for an incident which occurred in the Town of Menasha and was convicted of Operating While Intoxicated (1st offense) on July 30, 2009 for an incident which occurred in Milwaukee County.

2. The Respondent, Andrew L. Carr was also convicted of Possession of Marijuana on January 26, 2005 in New Berlin, Wisconsin and was convicted of Possession of Drug Paraphernalia on February 20, 2013 in Washington County.

CONCLUSIONS OF LAW

1. The convictions for Operating While Intoxicated (1st and 2nd offense) are substantially related to the subject matter of the license.

2. The convictions for Possession of Marijuana and Possession of Drug Paraphernalia are not substantially related to the subject matter of the license.

3. As a result of the convictions listed in the first findings of fact, the Respondent does not possess the requisite qualifications to hold an operator's license pursuant to the requirements of §§ 125.12(2)(ag)4.; 125.04(5)(a)1. and (b), Wis. Stats.

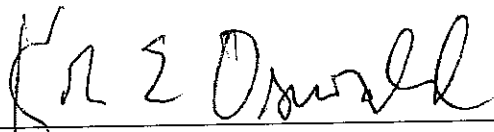
RECOMMENDATIONS

1. The Committee on a vote of 3/0 recommends that the Common Council approve the findings of fact as stated above.

2. The Committee on a vote of 3/0 recommends that the Common Council approve the conclusions of law as stated above.

3. The Committee on a vote of 3/0 recommends that the Common Council deny the application for renewal of the Respondents operator's license.

Dated this 16th day of August, 2013.



Kole Oswald, Chairperson
Safety and Licensing Committee