

CITY OF APPLETON,
a Wisconsin Municipal Corporation,
100 N. APPLETON STREET
APPLETON, WI 54911

COMPLAINT

v.

Core's Lounge, LLC
Agent: Kor Xiong
1350 WEST COLLEGE AVENUE
SUITE D
APPLETON, WI 54911

OFFICE OF CITY CLERK
FILED
MAR 29 2022
APPLETON, WISCONSIN

On Wednesday, April 13, 2022 at 5:30 P.M., the Safety and Licensing Committee of the Common Council of the City of Appleton will meet in the Council Chamber, 6th floor of the City Center, 100 North Appleton Street, Appleton, Wisconsin, at which time the Appleton Police Department, by Assistant Chief Polly Olson, a resident of the City of Appleton, will ask the Committee to recommend to the Common Council that it revoke the alcohol beverage license issued to Core's Lounge LLC, with a registered agent of Kor Xiong, for the licensed premises Core's Lounge, located at 1350 W College Avenue Suite D, Appleton, Wisconsin, 54911.

The recommendation of the Appleton Police Department and Assistant Chief Polly Olson, is being made based upon information and belief regarding the following incidents:

INCIDENT ONE

1. On July 25, 2021, Nou Vang, a manager of Core's Lounge, was issued a citation for Excessive Noise and a citation for Open After Hours.
2. On Sunday, July 25, 2021, at 2:00 AM, Officer Justice and Lieutenant Delplaine responded to a noise complaint at Core's Lounge. Officers could hear music emanating from the business while standing on the north sidewalk of the 1300 block of West Washington. Due to the

excessive noise, and after discussion with Nou Vang, she was cited for Excessive Noise.

3. After addressing the noise complaint with Nou Vang, Officer Justice estimated 20 people were still located in the bar area drinking alcohol. At approximately 2:30 AM, Nou Vang stated that individuals that were not employees would be leaving the bar.

4. At approximately 2:42, officers reentered the bar and again talked to Nou Vang about non-employees continuing to remain on the premises after the bar close after assuring officers the non-employees would leave. Nou Vang was informed multiple times that non-employees must vacate the bar but allowed non-employees to remain. Nou Vang was informed that because she failed to vacate the non-employees from the bar, she would also be cited for Open after Hours.

5. On November 10, 2021, Nou Vang, was found guilty of the Excessive Noise citation by a plea of No Contest.

6. Pursuant to the City of Appleton Code Sec. 9-54, the aforementioned violation requires the assessment of forty-five (45) demerit points.

7. On November 10, 2021, Nou Vang was also found guilty of the Open After Hours citation by a plea of No Contest.

8. Pursuant to the City of Appleton Code Sec. 9-54, the aforementioned violation requires the assessment of fifty (50) demerit points.

9. Pursuant to Chapter 125 of the Wisconsin Statutes, and interpretations thereof, the licensee, Kor Xiong, is answerable for these acts and therefore ninety-five (95) demerit points have been attributed to his license pursuant to the aforementioned "Incident One."

INCIDENT TWO

10. On September 4, 2021, Kor Xiong, an owner of Core's Lounge, was issued a

citation for Failure to Vacate Premises.

11. On September 4, 2021, Officer Grier-Welch responded to a noise complaint that there was loud music coming from the bar, the Officer noted that this was the third call for service for the bar that evening.

12. Officer Grier-Welch arrived at Core's Lounge at approximately 3:00 AM and could hear music playing inside. Through the window, he also observed three females dancing on the dance floor, one of which appeared to be drinking a beer. Multiple individuals were also observed sitting and standing at the bar, a bartender behind the bar, and drinks still on the bar in front of people.

13. After eventually gaining access to the bar, Officer Grier-Welch had a conversation with both the bar manager, Nou Vang, and the owner, Kor Xiong, regarding the noise complaint and the patrons remaining inside the bar well past bar closing time. Based upon the officer's observations of patrons with drinks and showing no intentions of leaving the premise, a citation was written to Kor Xiong for Open After Hours.

14. On November 10, 2021, Kor Xiong was found guilty of the Open After Hours citation by a Plea of No Contest.

15. Pursuant to the City of Appleton Code Sec. 9-54, the aforementioned violation requires the assessment of fifty (50) demerit points.

16. Pursuant to Chapter 125 of the Wisconsin Statutes, and interpretations thereof, the licensee, Kor Xiong, is answerable for this act and therefore fifty (50) demerit points shall be attributed to his license pursuant to the aforementioned "Incident Two."

INCIDENT THREE

17. On February 13, 2022, Nou Vang, a manager of Core's Lounge, was issued a

citation for Permitting Underage Person to Loiter on Premises.

18. On February 18, 2022, Lieutenant Nagel reviewed a report from a disturbance that occurred at Core's Lounge on February 13, 2022. Upon reviewing the report, Lieutenant Nagel determined that there were several underage persons inside the licensed premises. Six (6) separate citations were issued to underage persons loitering on premises as a result of the disturbance on February 13, 2022. As a result of numerous underage persons at Core's Lounge that evening, a citation was written to Nou Vang for Permitting Underage Person to Loiter on Premises.

19. On March 9, 2022, Nou Vang was found guilty of Permitting Underage Person to Loiter on Premises.

20. Pursuant to the City of Appleton Code Sec. 9-54, the aforementioned violation requires the assessment of eighty (80) demerit points.

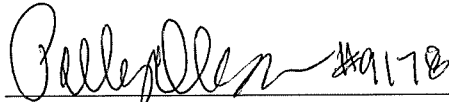
21. Pursuant to Chapter 125 of the Wisconsin Statutes, and interpretations thereof, the licensee, Kor Xiong, is answerable for this act and eighty (80) demerit points shall be attributed to his license pursuant to the aforementioned "Incident Three."

RECOMMENDATION

The above information indicates that on three separate occasions, state and/or local laws were violated by the licensee, Kor Xiong, or by his agents/employees working at the licensed premises. In accordance with the Appleton Municipal Code Sec. 9-54, the license holder has accumulated two hundred twenty-five (225) demerit points within an eighteen month period. The Code further requires that when demerit points totaling two hundred (200) or more are accumulated, the license shall be revoked. Upon an assessment of the demerit points, and considering the serious nature of these violations, the Appleton Police Department is requesting

that the Safety and Licensing Committee revoke the license issued to Core's Lounge LLC, with a registered agent of Kor Xiong for 1534 West College Ave. Suite D, Appleton Wisconsin; and, pursuant to Sec. 125.12(2)(c) that Kor Xiong not be granted a license under Ch. 125 for a period of 12 months from the date of revocation.

Dated this 29th day of March, 2022.



Assistant Chief Polly Olson
Appleton Police Department

OUTAGAMIE COUNTY, WISCONSIN

Subscribed and sworn to before me
this 29th day of March, 2022.



Notary Public, State of Wisconsin
My commission is permanent.

