

LEGAL SERVICES DEPARTMENT

Office of the City Attorney

100 North Appleton Street

Appleton, WI 54911

Phone: 920/832-6423

Fax: 920/832-5962

TO: Kyle Lobner, Chair of the Safety and Licensing Committee
Members of the Safety and Licensing Committee

FROM: Amanda Abshire, Assistant City Attorney *AA*

DATE: October 20, 2017

RE: Dieter's Place (also d/b/a Dieter's Ale Haus) Liquor License Agreement

Dieter's, located at 830 East Northland Avenue within the city of Appleton, holds a "Class B" liquor license. Within a twelve month period, the licensed establishment received two separate citations for violations of the liquor law. The two violations are detailed below:

Date of Violation	Violation Description	Court Disposition	Demerit Points
7/13/16	Sale of Alcohol to an Intoxicated Person	Entered a plea. Found guilty.	80
11/3/16	Sale of Alcohol to Minor ("CAT Check" Violation)	Entered a plea. Found guilty.	80

Based on the above-referenced convictions, Dieter's is now eligible to have 160 demerit points assessed against its "Class B" liquor license, pursuant to the City's Demerit Point System set forth in AC Sec. 9-54. Our office has met with members of the Appleton Police Department to discuss an appropriate disposition of Dieter's liquor license. Thereafter, our office also met with the manager of Dieter's and worked with their legal counsel to continue to discuss whether we could come to a mutually-agreeable disposition.

The City Attorney's Office and the Appleton Police Department are jointly recommending the approval of the attached Stipulation. The City has prepared and signed the Stipulation attached to this memorandum to detail our recommendation. As set forth in the attached agreement, we are recommending that the license shall be suspended for a period of ten (10) days, to commence within 13 days of Council action.

Recommended Action:

The City Attorney's Office, together with the Appleton Police Department, is recommending the adoption and approval of the attached stipulation between the City of Appleton and Dieter's Place.