



City of Appleton

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

Meeting Agenda - Final-revised Safety and Licensing Committee

Wednesday, August 14, 2019

5:30 PM

Council Chambers, 6th Floor

1. Call meeting to order
2. Roll call of membership
3. Approval of minutes from previous meeting
[19-1181](#) Approval of minutes from previous meeting

Attachments: [S&L Minutes 8-7-19.pdf](#)

4. Public Hearings/Apearances

5. Action Items

- [19-0412](#) Resolution #3-R-19 directing that Section 10-42 of the Municipal Code regarding truancy, be repealed

Attachments: [#3-R-19 Repealing Truancy Ord..pdf](#)

[Truancy Resolution Talking Points- Chief Thomas-4-1-19.pdf](#)

[SRO and Truancy Resolution.pdf](#)

[SL Memo re Dispositions 08-02-2019.pdf](#)

Legislative History

3/27/19 Safety and Licensing Committee recommended for denial

The following individuals spoke on this item:

Ronna Swift, 230 W Seymour St

Edward Perkins, 4486 N Whitehawk Dr

John Krueger, 2410 W Cortland Dr

Alvin Terrance Dupree Jr., 921 E Foxmoor Ln

A vote to recommend approval of this item failed 2/3.

4/3/19 Common Council referred to the Safety and Licensing Committee

5/8/19 Safety and Licensing held
Committee
The following individuals spoke on this item:

*Helen Nagler, 932 E Commercial St
Ronna Swift, 230 W Seymour St
Ruth Elner, 427 Hidden Ridges Way, Combined Locks
Karen Pfefferle, 400 N Richmond St
Jeanne Roberts, 1110 E Florida Ave (President, LWV)
Amber McGinley, 617 N Clark St
John Krueger, 2410 W Cortland Dr, Grand Chute
Bill Siebers, Alderperson District 1*

[19-1038](#) Resolution #7-R-19 regarding Alternate Mode of Transportation

Attachments: [#7-R-19 Alternate Mode of Transportation w. attach..pdf](#)
[SL - Resolution #7-R-19-Croatt 07-25-2019 \(002\).pdf](#)

Legislative History

7/17/19 Safety and Licensing held
Committee

[19-1179](#) Resolution #9-R-19 Regulating E-Cigarette/Nicotine delivery device use in young adults

Attachments: [#9-R-19.pdf](#)

[19-1201](#) Operator's License application for Jesse C. Howell

Attachments: [Jesse Howell Application.pdf](#)
[SL Memo - Howell License Denial 08-13-2019.pdf](#)

[19-1205](#) Operator's Licenses

Attachments: [Operator's Licenses for 8-14 .pdf](#)

[19-1118](#) Class "B" Beer License application for Lao Thai, Susan Xiong, Owner, located at 1804 S Lawe St Ste 203, contingent upon approval from all departments.

Attachments: [Liquor License-Lao Thai.pdf](#)

[19-1139](#) Class "B" Beer License application for May's Kitchen, May Vang, Agent, located at 1804 S. Lawe St #204, contingent upon approval from all departments.

Attachments: [Liquor License-Mays Kitchen.pdf](#)

- [19-1169](#) Class "B" Beer and "Class B" Liquor License Temporary Premise Amendment for Fat Sammy's, Angela Gaines, Agent, located at 2500 S. Oneida St, September 8, 2019, contingent upon approval from all departments.
Attachments: [Fat Sammys.pdf](#)
- [19-1060](#) "Class A" Liquor and Class "A" Beer License Change of Agent application, Joshua M. Buck, for Walgreens, located at 3330 E. Calumet St, contingent upon approval from the Police Department.
Attachments: [Joshua M. Buck S&L 8-14-19.pdf](#)
- [19-1061](#) "Class A" Liquor and Class "A" Beer License Change of Agent application, Richard Varick, for Walgreens, located at 2803 N. Meade St, contingent upon approval from the Police Department.
Attachments: [Richard Varick S&L 8-14-19 .pdf](#)
- [19-1142](#) Temporary Class "B" Beer and "Class B" Wine License Extension request for Appleton Downtown Inc, Summer Music Concert Series, to include September 5, 2019.
Attachments: [Summer music concert series-EXTENDED S&L 8-14-19.pdf](#)
- [19-1059](#) Temporary Class "B" Beer License application for St. Joseph Congregation, Mike Bierstaker, Person in Charge, located at 404 W. Lawrence St, contingent upon approval from all departments.
Attachments: [St Joseph Congregation Fall Festival S&L 8-14-19.pdf](#)
- [19-1116](#) Temporary Class "B" Beer License application of United Sports Association for Youth, Inc., Octoberfest Youth Soccer Tournament, September 28, 2019, contingent upon approval from all departments.
Attachments: [USA Sports Complex- Octoberfest Youth Soccer Tournament S&L 8-7-19.pdf](#)
- [19-1140](#) Appleton Police Department application for the Edward Byrne Memorial Justice Assistance Grant (JAG) #2019-H3708-WI-DJ.

6. Information Items

[19-1098](#)

Special Events:

Miller Electric Company Picnic, Pierce Park, August 10, 2019
Sacred Heart Parish Fest, 222 E Fremont St, August 17 & 18, 2019
Pathways Church, Back to School Jam / Party in the Park, Pierce Park, August 24, 2019
Future Urban Leaders, Babapalooza, Appleton Memorial Park, August 24, 2019
Democratic Party of Outagamie County, Corn Roast, Erb Park, August 26, 2019
The Family Radio Network, 50th Anniversary Festival, Pierce Park, August 29, 2019
Fox Valley Chapter of WI Right to Life, "Let's Talk About Life" Symposium, Pierce Park, August 30, 2019
Fox Cities Recovery Celebration and Memorial Walk, City Park, September 8, 2019
Appleton Boychoir, Annual Songfest, Pierce Park, September 8, 2019
E.S.T.H.E.R Renaissance Play and Picnic, Pierce Park, September 10, 2019
Appleton Downtown Inc, Craft Beer Walk, Downtown Appleton, September 14, 2019
RENEW Wisconsin, Ride with RENEW, September 14, 2019
Fox Cities Building for the Arts, Fundraising Gala, Houdini Plaza, September 19, 2019
Xavier High School, Homecoming Parade, September 20, 2019
Community First Fox Cities Marathon, September 22, 2019
Salvation Army, 25th Anniversary Celebration of Project Home, 105 S. Badger Ave, September 25, 2019
Fox Cities Chamber, License to Cruise, College Ave, September 27, 2019
Fox Cities Chamber, Octoberfest, College Ave, September 28, 2019
Appleton East High School, Homecoming Parade, October 4, 2019
Appleton West High School, Homecoming Parade, October 4, 2019

[19-1180](#)

Director's Reports:

City Clerk
-September 10th Special Election Reminders/Updates
Fire Chief
-Outagamie County Outdoor Warning Sirens
Police Chief

[19-1182](#)

Police Department information on liquor law violation convictions.

7. 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.



City of Appleton

100 North Appleton Street
Appleton, WI 54911-4799
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Meeting Minutes - Final Safety and Licensing Committee

Wednesday, August 7, 2019

6:45 PM

Council Chambers, 6th Floor

SPECIAL

1. Call meeting to order

The meeting was called to order by Chair Lobner at 6:45 p.m.

2. Roll call of membership

Present: 4 - Lobner, Williams, Thao and Van Zeeland

Excused: 1 - Meltzer

[19-1134](#)

Approval of minutes from previous meeting

Attachments: [S&L Minutes 7-17-19.pdf](#)

**Williams moved, seconded by Thao, that the minutes be approved. Roll Call.
Motion carried by the following vote:**

Aye: 4 - Lobner, Williams, Thao and Van Zeeland

Excused: 1 - Meltzer

4. Public Hearings/Appearances

5. Action Items

**Williams moved, seconded by Thao, that the be approved. Roll Call. Motion
carried by the following vote:**

Aye: 4 - Lobner, Williams, Thao and Van Zeeland

Absent: 1 - Meltzer

[19-1115](#)

Class "B" Beer and Reserve "Class B" Liquor Temporary Premise
Amendment application for the Fox Cities Performing Arts Center,
located at 400 W College Ave, August 20, 2019, contingent upon
approval from all departments.

Attachments: [Fox Cities PAC.pdf](#)

**Williams moved, seconded by Thao, that the premise amendment be
recommended for approval. Roll Call. Motion carried by the following vote:**

Aye: 4 - Lobner, Williams, Thao and Van Zeeland

Excused: 1 - Meltzer

[19-1117](#)

Temporary Class "B" Beer License application of United Sports Association for Youth, Inc., Wisconsin Gridiron Challenge, August 10, 2019, contingent upon approval from all departments.

Attachments: [USA Sports Complex- WI Gridiron Challenge S&L 8-7-19.pdf](#)

Williams moved, seconded by Thao, that the license be approved. Roll Call. Motion carried by the following vote:

Aye: 4 - Lobner, Williams, Thao and Van Zeeland

Excused: 1 - Meltzer

[19-1135](#)

Operator's Licenses

Attachments: [Operator's Licenses for 8-7 S & L.pdf](#)

Williams moved, seconded by Thao, that the operator licenses be recommended for approval. Roll Call. Motion carried by the following vote:

Aye: 4 - Lobner, Williams, Thao and Van Zeeland

Excused: 1 - Meltzer

6. Information Items

[19-1141](#)

Director's Reports

-City Clerk

-Fire Chief

-Police Chief

Update on Critical Safety Equipment

7. Adjournment

Williams moved, seconded by Thao, that the meeting be adjourned at 6:48 p.m. Roll Call. Motion carried by the following vote:

Aye: 4 - Lobner, Williams, Thao and Van Zeeland

Excused: 1 - Meltzer

#3-R-19
Repealing the Truancy Ordinance

March 20, 2019

Submitted By: Alderperson William J. Siebers, District 1

Referred To: Safety & Licensing Committee

Whereas, the City of Appleton has through the City Attorney's office and the Appleton Police Department, been a partner with the school district in addressing truancy issues and,

Whereas, the City's authority to deal with truancy issues is outlined in Section 10-42 of the City Code and is referenced by Wisconsin State Statute chapter 118, and at times is done by punitive means,

Whereas, the Honorable James Morrison – Chief Judge of the 8th Judicial District – in his letter dated January 3, 2019 to the Appleton Area School District administration, announcing that judges in the 8th Judicial District would no longer be a part of the truancy court, stated that preventing truancy is fundamentally the responsibility of educational officers and best handled by the school district and,

Whereas, the Appleton Area School District would retain the ability to issue truancy citations under state law where city ordinance Section 10-42 is repealed and,

Whereas, truants in a national student truancy survey cited boredom, loss of interest in school, irrelevant courses, suspensions, bad relationships with teachers, struggles academically, not having friends who are attending school regularly, seeing no reason for attending school, and feeling socially isolated in school for not attending classes and most educators believing that family problems cause chronic truancy and,

Whereas, the fact that the School District and Human Social Services can deal with these issues without punitive measures, which are asked to be carried out by the Police Department and City Attorney's office,

Therefore Be It Resolved, that City Ordinance Section 10-42, dealing with truancy be repealed.

Kami L. Lynch

From: Todd L. Thomas
Sent: Monday, April 1, 2019 1:32 PM
To: Bob Baker; Cathy Spears; Christine Williams; Christopher Croatt; Curt Konetzke; Ed Baranowski; Joe Martin; Kathleen Plank; Keir Dvorachek; Kyle Lobner; Matthew Reed; Patti Coenen; Rachel Raasch; Vered Meltzer; William Siebers
Cc: Kami L. Lynch; Tim Hanna; Darrin M. Glad; Mike Frisch
Subject: Council Packet Amendment - Truancy Resolution
Attachments: Truancy Resolution.pdf

Council Members;

Attached is a late addition to your council packets, this was speaking points from the Safety and Licensing Committee meeting regarding the Truancy Ordinance Resolution.

This is only being provided to give you the department's opinion on what the impact will be of approving or denying this resolution.

One point to clarify, when I speak of "criminalizing", it is in the context of juvenile law; a juvenile can't be charged with a "crime" for truancy, but a juvenile referral is done under state statute, and not a city ordinance, and is generally considered more severe.

Feel free to contact me with any questions or if you need any more information,

Thanks

Todd

Todd L. Thomas
Chief of Police

Appleton Police Department
222 South Walnut Street
Appleton, WI 54911
920-832-5512
Todd.thomas@appleton.org

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This is a very complicated and important issue so I put together a document of our thoughts and will share it with the rest of the council and make sure it is in their packets for next week.

We all know the impact of truancy on a child and the community. Short term effects are increased delinquency and criminal behavior, and a lack of mental health or other services being provided to them because most of them don't have any other services outside of the school. And long term effects like poor physical and mental health, poverty, and a higher risk of addiction and incarceration.

I know we all want the same thing: We all have the same goal: that is to help struggling kids to be successful and engaged in school, their families engaged in their lives, breaking family cycles of educational failures, and keeping them out of the criminal justice system as much as possible.

But this resolution will actually do more harm than good, and will do the opposite of what I think is intended, our strong recommendation is to not approve this resolution.

There is currently a task force put together by the SD that is reviewing their processes and programs, and will be making advisory recommendations on truancy abatement. That group includes parents, students, and a police department representative. They should be allowed to develop a plan based on unbiased data and best practices, before any decisions are made.

One of our questions is, what problem are we trying to solve with this change?

If it is to “decriminalize” truancy and contributing to truancy – in an effort to keep kids out of the criminal justice system, it doesn't do that. It is the law in WI, that doesn't change. In fact, if this resolution passes it will eliminate one of the lowest levels of sanctions we have available, a ticket, that we use to try and engage parents and kids, and replaces it with a criminal referral to circuit court or a juvenile intake referral.

This is destructive in two ways:

#1 it accelerates them into the CJ system: and #2 It would then take weeks and even months for a student's attendance issue to be addressed. The referrals will sit in a stack in an already overworked intake worker or assistant district attorneys desk, and the student will continue to be truant.

One of my more experienced SRO's told me that before we had truancy citation options the referrals went in front of a court commissioner. In her words, "this was unhelpful because the goal was to get their children in school now, not four months down the road." The data has shown that the longer a child is out of school, the harder it is to get them back connected again.

One of the other comments that have been made is that this is a SD issue: I would hope that we have learned that collaboration and multi-disciplinary approaches are the best way to solve complex social and criminal problems. Truancy is not a school district issue, that philosophy is outdated and has failed: truancy is a community issue that needs a multi-disciplinary approach to it.

That is what we have done in Appleton, through partnerships with the SD, Boys and Girls Club, social workers and mental health providers, non-profits and faith based organizations, and the courts.

Truancy is frequently a result of other problems, and the cause of many additional problems including involvement in the criminal justice system. And like other issues involving children there are a lot of contributing factors to truancy: school factors, home and community factors, and personal factors. And there is not only one group responsible to solve it, we all need to be involved.

Another argument I have heard from a community member who is advocating for this change is that if a child doesn't want to go to school we shouldn't make them; they are just disrupting it for the rest of the students. We have heard those comments before, our answer to that is we don't have any throw away kids in this community, we need them all to succeed.

Why do we need this tool in our tool belt? It comes down to Rewards and timely Consequences

What we know, based on data and reputable studies, is that we need a wide range of options to address truancy and keep our kids engaged in school, which includes sanctions and consequences. (National Center for School Engagement, NEA, Office of Juvenile Justice Delinquency Prevention).

And rewards alone do not always work, much like the rest of our society, there is always a small group that needs consequences to conform. Almost all the studies I have seen going back almost 15 years that I've been involved in this specific area of truancy abatement, talk about the importance of rewards and consequences – some call it the carrot and the stick. The focus has been and should always be on

positive reinforcement and connecting with kids, but there are always some students, and frequently parents, who are not motivated until they know they know there may be a court consequence.

Since Truancy Court was halted we stopped issuing citations while we are in this review period, to allow the SD Task Force to develop their new process. We have already noticed an increase in truancy.

An SRO in a high school told me this just this week, “ we are already seeing what the consequences of not having Truancy enforced are. Just in the last week the Dean of Students and Associate Principal...were commenting on how the number of pages of students with Truancy issues has multiplied a couple times over.” “If this ordinance is eliminated we will continue to see a rapid decline in school attendance.”

An elementary school SRO shared with me the following, “Since we have stopped enforcing the truancy/contributing to truancy ordinances and statues, I have seen an uptick in the lack of compliance with the law. I have also heard, on many occasions, parents state that they are not making their kids go to school anymore because there are no consequences for them being truant.”

A school administrator told me today, they have high school students who are brazenly telling staff members that they aren't going to class because they know they are not enforcing truancy anymore.

That's the reality and the consequence of eliminating what we had in place with nothing in place to fill the void. That is the path we are on now, and it only took a couple months.

So how had we been doing? How do we compare to others and is the perception of the problem bigger than the problem?

The most recent data from WI Dept. of Public Instruction website and performance report is from 2015-16 school year. Looking at the top ten school districts in the state (not including Milwaukee) Appleton, Eau Claire, GB, Sheboygan, Janesville, etc.. The average Truancy Rate is 10.2% - Appleton's is less than half that, 4.8% ...the lowest in the top 10 and significantly lower than the rest. The majority are 10-14%, and ours has gone down since we have had the systems in place that we had and is the only one under 5%. That should be recognized, we are doing things that are making our rates significantly better than our peers.

What we do, and how the citation is used, is very misunderstood. There are many steps that are followed before a citation is issued.

The SD, SRO, and school social workers are all involved at various times with the student and family when a student is identified as being truant. Frequently that means home visits and repeated calls or meetings with the student and their parent.

Before citations are issued a Truancy conference is held with the student, parent, guidance counselor, and any special education case managers. They follow an agenda and checklist that asks about possible schedule changes, any IEP's, is there a social worker, is there a mental health plan, do they have medical or aoda concerns, are they involved in the Boys and Girls Club TRAC program, do they have concerns with peers, do they have transportation concerns, housing concerns, child care concerns, or grade concerns.

So a perception that citations are issued frequently and randomly, and that we are not focusing on the root causes and trying to understand the issues, is absolutely false and is unfair to all those social workers, SRO's, mental health providers, and teachers who are working compassionately to help these children succeed.

We only issue around 100 citations a year for truancy violations, this for an enrollment of over 15,000 kids. And I am sure many of those are issued to multiple siblings in the same family. So the actual number of families is much less.

In 2015-16 there were 730 students who were habitually truant, we also know there were thousands of other days students were truant. What that means is it is very rare to issue a citation, even to those kids who are habitually truant. Only 100 citations, but over 700 kids who were habitally truant.

And when they are issued they are very frequently used as a tool and held over the head of the child or the parent. They reach an informal agreement with the SRO that they will vacate the ticket if the child can attend for so many days...so it is frequently used as positive re-enforcement for good behavior.

When it comes to the Accuracy of Information

There is a lot of in accurate information out there now about truancy. What I would remind everyone of is that when we hear stories about truancy, you are only hearing one side because the other side isn't allowed to disclose what may or may not be true. There has been a lot of incomplete information, but we have no

recourse to address it or correct the narrative. It is unfortunate that opinions are being formed on inaccurate information.

I appreciate those that have been very vocal on the topic locally, but we must keep in mind that our paradigms and perspectives are shaped by our own experiences. If you only work in a certain area, whether that's social work or the law enforcement side, that is your perspective, we all need to keep that in mind.

That is why we should look to best practices - and all the best practices will tell you that you need some court consequences for that small number of students and their families. Not having that will guarantee more students dropping out and perpetuating that cycle in many of their families. It is a form of a safety net; to try and keep those kids that nothing else works for, back to school. To eliminate this option will guarantee a higher truancy rate and we know that leads to a higher propensity to become involved in the CJ system.

Data takes the emotions out of decision making, and with all the discussion locally on this topic I haven't seen a lot of data. I shared with you the data on truancy rates, lowest in the state for comparable school districts, and data on the number of citations we actually issue; a miniscule amount considering the number of students actually truant, and the actual checklist and process that is followed to identify all those other contributing factors affecting a child before a citation is issued.

Some other important DATA - When I became Chief in 2015 we rolled out a 5 pillar initiative to engage our strategic plan. One of the pillars was Youth Intervention and Mentoring: working on opportunity gaps, and clarifying the roles of the SRO in the schools to not criminalize behavior and promote a philosophy of delaying contact with the criminal justice system as long as possible, and only if needed. Since then our number of yearly juvenile arrests has gone from 984 to 549...in 2017 dropped 14.8%, 2018 dropped 8.2%...since 2015 dropped a total of 44%...that isn't an accident that is an intentional philosophy.

Summer of Service – around 70% of those students are there because they had truancy and habitual truancy citations and community service they were working off. We all know how successful that program has been, they would not have been in that program if they had not be facing consequences and sanctions.

This is an important tool used to address truancy and decisions on how to address it that shouldn't be rushed. It needs to be a process that is done deliberately, with

educational professionals, social workers, mental health providers, law enforcement, and families involved. That is being done now with the task force formed by the SD. We need to allow them to finish their work



“Excellence in Police Service”

POLICE DEPARTMENT

222 South Walnut Street • Appleton, WI 54911-5899
(920) 832-5500

Date: May 6, 2019

To: Safety and Licensing Committee

Re: Truancy Resolution – School Resource Officer’s Feedback

Safety and Licensing Committee Members:

As you all know, I like getting suggestions from the people who are working directly with an issue or problem; the boots on the ground.

I asked our School Resource Officers for their thoughts on the resolution to eliminate the option of a municipal ordinance violation for truancy violations. I’ve attached their comments, without editing, for your information.

Chief Todd Thomas

[Feedback from Current SRO’s on the proposed resolution](#)

“I appreciate the alderpersons thoughts on truancy, but I don’t think eliminating truancy would help a student’s overall success. I think we truly have to take a step back and look at what is best for Appleton’s youth. It is a pretty rare circumstance for a student to be issued a citation for truancy. The majority of students are written citations for habitual truancy; however, there are circumstances that dictate a truancy citation. As a SRO at AWHs, I have written citations for a multitude of truancy related issues. These citations are not written for punitive punishment. They are written to try and curb behavior and give a student a better chance to graduate. These citations are written as a last resort. Once they are written I have seen students change their behavior on multiple occasions. We have also seen these same changes in the behavior of parents. Without the ability to address truancy it will hinder the success of children in our community.”

“It’s a little difficult for me to concisely put into writing my thoughts and feelings on the truancy issue, so I apologize for the ramblings. Being at Central and working everyday with highly at-risk kids, I have seen first-hand the benefits of having truancy enforcement as a tool. Since losing truancy court, I have seen the drop in attendance and grades of some of our students who were on-track when held accountable by the truancy system. This has honestly lead to somewhat of an overall “vibe” that there is little teeth to school rules, and it shows in the kids attitudes.

I currently have 3 ordinance summons sitting open in Tracs for kids I have put on “desk probation” (2 for truancy), essentially adopting the same ideas that were prevalent in truancy court with the end-goal being to get kids to be in school, not necessarily punish. Like any charge in the juvenile system, it needs to be thought out and used as the means to accomplish the greater goal, no different than veterans court, or drug court, or working with the DA’s office on charges to address mental health; it is a way to force a re-direction onto a road or path of change and improvement.”

Core Values of the Appleton Police Department: “Compassion, Integrity, Courage”



“Excellence in Police Service”

POLICE DEPARTMENT

222 South Walnut Street • Appleton, WI 54911-5899
(920) 832-5500

“Thank you for reaching out to ask for input in this matter. I heard that this was a possibility, but wasn’t sure if it was fodder or legitimate. In reading your email I realize this is legitimate.

In my opinion dissolving this ordinance would be a huge mistake on the part of the city. This ordinance is not something we rely on heavily, even with the loss of Truancy Court, but it is tool we have. Eliminating this option would further hamper AASD and the city in working with the students enrolled in our schools. We have come to this place because of what I feel are a litany of bad decisions, and feel this would be another bad decision that would compound the issues with in the schools.

Lt. Frisch and the SRO cadre have worked hard to continue the great relationships that the SRO’s before us built within the district. With that we need to have all options available to help us be effective at our jobs. I feel that the statement by the Chief Judge was meant to make an example of how generous Judge McGinnis and the Outagamie County Circuit court Judges have been towards the district, not as a hard and fast statement on the standing of Truancy. If this were the case Truancy wouldn’t be a law in Wisconsin.

At the High School level we are already seeing what the consequences of not having Truancy enforced are. Just in the last week the Dean of Students, and Associated Principal at East were commenting on how the number of pages of students with Truancy issues has multiplied a couple of times over. This is due in part because we as a unit are holding off on issuing Ordinance summons in Truancy matters, while we wait for the school district to work out their plan. Without any enforcement I truly believe that this issue would become worse than it was before Truancy court was started.

Until AASD devises their plan we are basically in a holding pattern. If this ordinance is eliminated we will continue to see a rapid decline in school attendance, and ultimately, a decline in the quality of life in the City of Appleton. I lived this life having grown up in Racine.”

“I agree with Adam. In addition to the points he made, we also have to look at the issue of contribute to truancy which is most prevalent at the elementary school level. Although I have only been in the SRO unit for a year, I have personally seen many instances where the mention of the possibility of a contribute to truancy citation being issued was enough to get parents back on track. Typically this was brought up during the truancy conference to further impress upon the parents the importance of getting their children to school every day. Since we have stopped enforcing the truancy/contribute to truancy ordinances and statutes, I have seen an uptick in the lack of compliance with the law. I have also heard, on many occasions, parents state that they are not making their kids go to school anymore because there are no consequences for them being truant.

I am hopeful that we can continue to educate the community on the necessity of enforcing these laws.”

Core Values of the Appleton Police Department: “Compassion, Integrity, Courage”



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

LEGAL SERVICES DIVISION

Office of the City Attorney

100 North Appleton Street

Appleton, WI 54911

Phone: 920/832-6423

Fax: 920/832-5962

TO: Members of the Safety and Licensing Committee
FROM: Darrin M. Glad, Assistant City Attorney
DATE: August 2, 2019
RE: Resolution #3-R-19/Siebers – Repealing the Truancy Ordinance
Our File No. A18-0887

As requested by this Committee, I was able to review multiple municipalities' codes online and review the dispositions for habitual truancy violations that are available by the respective municipality. I have created the comparative chart below in order to easily view the differences.

Wis. Stat. §118.163(2) allows for a municipality to enact an ordinance prohibiting a child from being habitually truant and allows for the court to order any of the following summarized dispositions:

- (a) Suspension of the person's operating privilege for not less than 30 days nor more than one year.
- (b) An order for the person to participate in counseling or a supervised work program or other community service work.
- (c) An order for the person to remain at home except during hours in which the person is attending religious worship or a school program, including travel time required to get to and from the school program or place of worship. The order may permit a person to leave his or her home if the person is accompanied by a parent or guardian.
- (d) An order for the person to attend an educational program as described in s. 938.34 (7d).
- (e) An order for the department of workforce development to revoke, under s. 103.72, a permit under s. 103.70 authorizing the employment of the person.
- (f) An order for the person to be placed in a teen court program.
- (g) An order for the person to attend school.
- (h) A forfeiture of not more than \$500 plus costs, subject to s. 938.37. All or part of the forfeiture plus costs may be assessed against the person, the parents or guardian of the person, or both.
- (i) Any other reasonable conditions consistent with this subsection, including a curfew, restrictions as to going to or remaining on specified premises and restrictions on associating with other children or adults.
- (j) An order placing the person under formal or informal supervision, as described in s. 938.34 (2), for up to one year.
- (k) An order for the person's parent, guardian or legal custodian to participate in counseling at the parent's, guardian's or legal custodian's own expense or to attend school with the person, or both.
- (L) An order for the person to report to a youth report center after school, in the evening, on weekends, on other nonschool days, or at any other time that the person is not under immediate adult supervision, for participation in the social, behavioral, academic, community service, and other programming of the center as described in s. 938.342 (1g) (k).

In the following chart, an “X” was placed if that disposition is allowed and the box was greyed-out if that disposition was not allowed by ordinance.

Municipality	Dispositions under Wis. Stat. §118.163 allowed:											
	(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(L)
Appleton	X	X	X	X	X	X	X	X	X	X	X	X
Waukesha								X				
Grand Chute	X						X	X	X			
Little Chute	X	X	X	X								
Kimberly	X	X	X	X			X	X	X	X	X	
Fox Crossing	X						X	X				
Menasha	X	X				X	X	X				
Neenah	X	X	X	X	X	X	X	X	X	X	X	
Oshkosh	X					X	X	X				

Please feel free to reach out to me if you have any questions.

#7-R-19

Alternate Mode of Transportation Resolution

Submitted by: Alderperson Croatt, District 14

Date: July 10, 2019

Referred To: Safety & Licensing Committee

Whereas, Appleton has many great community and neighborhood parks, holds numerous special events and community functions within the city that its residents participate in and enjoy as part of enhancing the quality of life.

And Whereas, for residents living within the city, travel to and from these locations and events comes in many forms including but not limited to cars/trucks/SUVs, buses, bicycles, scooters, hoverboards, power chairs, roller blades, skateboards, walking, rideshare, etc.

And Whereas, modes of transportation that help reduce overall emissions and ultimately lead to cleaner air and are more eco-friendly and "greener" alternatives to traditional passenger vehicles are encouraged.

And Whereas, other communities have embraced alternate methods of intracity and/or defined neighborhood transportation by clearly defining all requirements, restrictions, expectations, and penalties.

And Whereas, some citizens of Appleton and a resident of District 14 are interested in an alternate means of transportation and have asked me to evaluate it and propose a resolution to have the dialogue around changing an ordinance that currently restricts a desired means of transportation within the city.

Now, Therefore, be it Resolved, the appropriate City of Appleton staff and the committee of jurisdiction begin the discussion and possibly take action by revising ordinance language to allow for the use of regulated (through clear and specific ordinance language) and permitted (through an application and fee process) intracity travel using golf carts as a mode of transportation within the city limits with the possible restriction of use limited to defined neighborhoods and/or established subdivisions. Additionally, very careful consideration to be given to a golf cart definition that includes a motor vehicle commonly referred to as a golf cart that is battery or gasoline powered and must have 4 wheels and has an attainable top speed not greater than 25 miles per hour on a paved level surface and is manufactured for the primary purpose of transporting persons on a golf course at low speeds. Further consideration for banning use of vehicles defined as ATV's, off-road vehicles, four-wheelers, Mules, Gators, and any design-altered golf carts that can travel faster than 25 miles per hour or any gasoline-

powered golf carts that have any modifications to the exhaust system that would increase noise above the level produced by a factory issued version.

Be it Further Resolved, review, discussion, and possible action to include a detailed review of ordinance language from other municipalities including but not limited to Kyle, Texas and Noblesville, Indiana. Included in the review is the FAQ document from the City of Noblesville, Indiana that addresses safety concerns, permitted use, restrictions, equipment requirements, traffic laws and penalties for non-compliance.



Golf Cart Ordinance Frequently Asked Questions May 16, 2018

Who can drive a golf cart? The driver must possess a valid driver's license. If an unlicensed juvenile is caught operating a golf cart, the Noblesville Police Department may issue any notice/citations to the parent(s).

Do I have to obey all traffic laws? Yes, drivers must abide by all traffic regulations applicable to vehicular traffic when using the authorized streets and parking areas of the city.

Where can I drive my golf cart in Noblesville?

- Driving golf carts is only permitted within established subdivisions and neighborhoods that have complied with section 76.06 of Ordinance No. 60-12-17.
- Golf carts shall not be operated on any City street having a posted speed limit in excess of 25 mph.
- Golf carts may cross a street that has a posted speed limit in excess of 25 mph, but no greater than 45 mph, when crossed at intersections in a path perpendicular to the streets or highways.
- Golf cart operators shall stay in the far right of the travelled portion of the road and yield the right-of-way to overtaking vehicles as soon as possible to do so safely.

Why is the city allowing golf cart use? The intent of the ordinance is to allow golf cart use on local streets where the neighborhood residents want use permitted. This ordinance does not allow for general transportation throughout the city.

Is this ordinance just for golf carts or similar vehicles? Golf carts are described as a vehicle with four wheels substantially similar to vehicles originally designed for operation on a golf course and powered by a battery or internal combustion engine. This does not include ATVs, off road vehicles or four-wheelers.

Can I drive on multi-use paths or through City parks? No, Ordinance No. 49-10-17 prohibits motorized vehicles from using trails and sidewalks and limits the use such areas to pedestrians, bicyclists and recreational users. Violations may be fined a minimum of \$100.

What equipment is required? All equipment shall meet Indiana and Federal motor vehicle safety standards:

- Operational headlamps: (2 required or one long bar across the front)
- Operational tail lamps: (2 required, brake lamps not required)
- Operational turn signals for left and right turning.
- Rearview mirror: (capable of a clear unobstructed view – mounted either in center of golf cart or on each side)
- Slow moving vehicle emblem:
 - This is a triangular emblem that conforms to standards and specifications adopted by the director under Indiana Code § 9-21-9-2 and displayed to meet the specifications established by rules adopted by the Indiana criminal justice institute.

○ The emblem must be clearly visible and mounted to the rear with the base no lower than 3 feet nor the top higher than 5 feet from the ground.

○ The emblem must not be obstructed by any passengers.

• *The City of Noblesville and Police Department strongly recommend golf carts have side reflectors (2 front amber in color and 2 red in color), brake lights and an operational parking brake.*

Can I drive my children to school in a golf cart? Yes, children must be properly seated while the cart is in motion and may not be transported in a reckless or negligent manner. The City of Noblesville recommends that any child younger than 6 years of age should be restrained by a safety belt restraint.

Can I drive on the sidewalk, hike or bike trail? Generally, no. Golf carts shall not be operated on any sidewalk, pedestrian walkway, multi-use path, jogging path, greenway or trail except to cross at intersections in a path perpendicular to the path or walkway.

Can I or my passengers drink alcoholic beverages while operating my golf cart? No. Your golf cart is considered a “motor vehicle” and must be operated in compliance with all applicable local and state traffic laws and the operator may be ticketed in the same manner as motor vehicle operators. All alcohol laws pertaining to motor vehicles apply to golf carts such as open container and driving while intoxicated.

Are there any parking restrictions? Yes. Golf carts may only be parked in the same manner and in the same places designated for the parking of motor vehicles. The stopping, standing or parking of golf carts in areas where parking is not allowed or in any place that may impede the flow of traffic, pedestrian walkways or a passageway is prohibited. Golf carts shall not park within any space designated for disabled persons unless a current disabled parking placard is displayed and the person to whom the placard was issued is operating or being transported by the cart.

Are there any weather restrictions? Yes. Golf carts shall not be operated on City streets during inclement weather or when visibility is impaired by weather, smoke, fog or other condition or at any time when there is insufficient light to clearly see persons or vehicles on the roadway at a distance of five hundred (500) feet.

How does my neighborhood allow golf cart use?

• Only subdivisions or neighborhoods with a governing body, home-owners association or decision-making board authorized to speak on behalf of the welfare of the neighborhood are allowed to participate. If your neighborhood does not have one of the three listed above, golf carts are not permitted.

• The governing body must submit written certification to the Noblesville Police Department stating the board approves the use of golf carts by its residents and within its community.

• The governing body also must notify the Noblesville Street Department. The Street Department will create and install signage at each entrance to the subdivision that complies with City ordinances warning motorists and pedestrians of the possibility of golf carts being operated on the streets within the neighborhood. The governing body will pay \$75 per sign that needs to be installed by the street department. Golf carts are not permitted to be used until the proper signage is placed in the subdivision.

• A neighborhood may rescind its approval by submitting a letter to the Noblesville Police Department.

Do the neighborhoods have to have a specific number of residents in agreement to have this allowed? The governing board must submit written certification to the Noblesville Police Department stating the board approves the use of golf carts by its residents. Whether an individual HOA would have to have its residents to vote on approval depends on the neighborhood and the HOA bylaws.

What are the penalties for violating the Golf Cart Ordinance? Any violation of this ordinance or failure to comply with any of its requirements is a \$50 fine for the first offense; \$150 for a second offense; and \$300 for each additional offense (within a rolling 12-month period). Additionally, penalties listed do not include court costs and fees that may be imposed by Noblesville City Court in addition to the penalty. A Noblesville Police Officer has the discretion to issue any citations of an unlicensed juvenile to their guardians. Also, golf carts not in drivable condition or having a licensed driver may be towed at the police officer's discretion.

If I receive a notice of violation/citation, how can I contest it? All violations of Ordinance No. 60-12-17 shall be docketed with the Noblesville City Court.



LEGAL SERVICES DIVISION

Office of the City Attorney

100 North Appleton Street

Appleton, WI 54911

Phone: 920/832-6423

Fax: 920/832-5962

TO: Members of the Safety and Licensing Committee

FROM: Darrin M. Glad, Assistant City Attorney

DATE: July 25, 2019

RE: Resolution #7-R-19/Croatt – Alternate Mode of Transportation
Our File No. A19-0313

This memo is intended to provide the Safety and Licensing Committee background information relating to Resolution #7-R-19 regarding Alternate Mode of Transportation, including applicable Wisconsin Statutes.

Section 19-1 of our Municipal Code adopts the Wisconsin State Traffic Laws, including the definitions in Wis. Stat. §340.01. A golf cart is not defined in Wis. Stat. §340.01, however, under those definitions, what an ordinary person would understand a golf cart to mean would fit the definitions of “motor vehicle” and “vehicle” and be subject to the applicable laws, including registration, operator’s licensing requirements, and the prohibition of vehicles on sidewalks. However, under Wis. Stat. §341.05, a golf cart does not need to be registered if it is being operated in accordance with Wis. Stat. §349.18. Wis. Stat. §349.18 allows cities to adopt ordinances that allow golf carts to operate in the following ways:

1. Establish a golf cart crossing point upon a highway within its limits. An ordinance enacted under this paragraph shall require that a golf cart stop and yield the right-of-way to all vehicles approaching on the highway before crossing the highway. The ordinance may require that a golf cart be equipped with reflective devices as specified in the ordinance. The city shall place a sign of a type approved by the Wisconsin Department of Transportation to mark the crossing point on both sides of the highway.
2. Regulate the operation of a golf cart to and from a golf course for a distance not to exceed one mile upon a highway under its exclusive jurisdiction. The city shall place a sign of a type approved by the Wisconsin Department of Transportation to mark any golf cart travel route designated by the ordinance.
3. Except as provided below, a city may allow the operation of golf carts on any highway that has a speed limit of 25 miles per hour or less and that is located within the territorial boundaries of the city, regardless of whether the city has jurisdiction, for maintenance purposes, over the highway.

James P. Walsh
City Attorney

Christopher R. Behrens
Deputy City Attorney

Amanda K. Abshire
Assistant City Attorney

Darrin M. Glad
Assistant City Attorney

- a. An ordinance may not allow the operation of golf carts on or, except as provided below, across any state trunk highway or connecting highway.
- b. A city may allow the operation of golf carts across a state trunk or connecting highway if the state trunk or connecting highway:
 - i. has a speed limit of 35 miles per hour or less,
 - ii. the highway crossing will connect highways designated for golf cart operation as described above, and
 - iii. the city provides sufficient funds to the Wisconsin Department of Transportation to cover the costs of erecting and maintaining highway crossing signs.

Additionally, an ordinance created under Wis. Stat. §349.18 may include a definition of the term “golf cart.”

Please feel free to reach out to me directly if you have any other questions, as this was intended to just give a broad overview of some of the statutory constraints related to the proposed resolution.

Resolution #9-R-19
E-Cigarette/Nicotine Device Use in Young Adults

Date: July 24, 2019

Submitted by: Cathy Spears, Alderperson District 12

Referred to: Safety & Licensing Committee

Whereas, the CDC and Surgeon General have released advisories alerting the public to the negative health effects of the use of e-cigarettes and especially the negative impact of nicotine on the adolescence population.

Whereas, the brain continues to develop until the age of 25

Whereas, the use of nicotine negatively impacts teens and young adults by actually changing adolescents' brain cell activity in the parts of the brain responsible for attention, learning, and memory

Whereas, it is difficult to distinguish the difference between e-cigarettes that contain nicotine and those that do not.

Therefore be it resolved;

That the Appleton Health Department and Appleton Police Department work together with the Attorney's office to craft the language prohibiting the use and possession of any e-cigarette and or nicotine containing device by anyone under the age that the State Statute age allows for possession and use of nicotine.

The final language is to include recommendations for enforcement and fines.



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

FEES ARE NON-REFUNDABLE		Date Recv'd <u>6/20/19</u>
<input type="checkbox"/> Operator License	\$60.00	Acct Code CLCOPS
<input checked="" type="checkbox"/> Operator License	\$75.00	Acct Code CLCOPP
	plus a provisional	
<input checked="" type="checkbox"/> Investigation fee	\$ 7.00	Acct Code CLCPIF
Total fee paid \$ <u>82</u>		Receipt #: <u>10931</u>
<input checked="" type="checkbox"/> Original Application		
<input type="checkbox"/> Renewal - License # _____		

LICENSE APPLICATION for
OPERATOR'S (BARTENDER'S) LICENSE

Return application to: City Clerk, 100 N. Appleton Street, Appleton, WI 54911-4799

SECTION 1 - APPLICANT INFORMATION			
Applicant Name (Last, First, MI) - FULL NAME - NOT NICK NAME OR SHORTENED VERSION OF NAME <u>Howell JESSE C</u>			Maiden or Previous
Street Address [REDACTED]		City <u>Appleton</u>	State <u>WI</u> Zip <u>549</u>
Driver's License Number/State Identification Number [REDACTED]		State License Issued In: [REDACTED]	
Date of Birth [REDACTED]	Sex <u>M</u>	Home Phone Number [REDACTED]	Cell phone Number
Name and Address of Establishment you will be selling alcohol			
SECTION 2 - CONVICTION RECORD - NEW APPLICANT: 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 a denial of your application.			
Have you EVER had an Operator's (Bartender's) License?		<input checked="" type="radio"/> YES	<input type="radio"/> NO
If Yes; where? <u>HERE</u>			
Have you EVER been convicted of a felony?		<input checked="" type="radio"/> YES	<input type="radio"/> NO
If Yes; when, where and what type of violation? (Please be specific) <u>(AZ) Class 2 manslaughter - And Others</u>			
Have you EVER been convicted of a misdemeanor or ordinance violation?		<input checked="" type="radio"/> YES	<input type="radio"/> NO
If Yes; when, where and what type of violation? (Example: speeding, OWI) <u>yes, a few?</u>			
SECTION 2 - CONVICTION RECORD - RENEWAL APPLICANT: 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 a denial of your application.			
Have you EVER had an Operator's (Bartender's) License?		<input type="radio"/> YES	<input type="radio"/> NO
If Yes; where? _____			
Have you been convicted of a felony since last license application?		<input type="radio"/> YES	<input type="radio"/> 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?		<input type="radio"/> YES	<input type="radio"/> NO
If Yes; when, where and what type of violation? (Example: speeding, OWI) _____			
SECTION 3 - PENALTY NOTICE			
Under penalty of law, I swear that the information provided in this application is true and correct to the best of my knowledge and belief.			
Signature: <u>[Signature]</u>			
FOR OFFICE USE ONLY			
Department <u>POLICE</u>	Approve	Deny	By <u>Miller</u>
Date sent to APD <u>6/21/19</u>	Scheduled FVTC Class	Class Completion Date	Current other license: Muni _____ # _____
Safety and Licensing	Common Council	Date Issued	Expiration Date License Number



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

TO: Safety and Licensing Committee
Common Council

FROM: Lt. Jeff Miller

DATE: 08/13/2019

RE: Police Department's Recommendation for Denial of Jesse Howell's bartender License Application

Committee Members:

The police department is requesting that the Safety and Licensing Committee recommend to the Common Council to deny Jesse Howell's bartender License Application.

Pursuant to Wis. Stat. §111.335, it is not employment discrimination for a licensing agency to deny an applicant based on conviction record where the circumstances of the conviction substantially relate to the circumstances of the particular licensed activity. If the denial is based on a delinquency adjudication, then the adjudication must be for an exempt offense.

Pursuant to Wis. Stat. §125.04, no license or permit related to alcohol beverages may be issued to a habitual law offender where the circumstances of the habitual law offenses substantially relate to the circumstances of the particular licensed activity.

Also pursuant to Wis. Stat. §111.335, the 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.

Additionally, the licensing agency must consider any of the following evidence if presented by the individual:

- (1) Evidence of the nature and seriousness of any offense of which he or she was convicted.

- (2) Evidence of all circumstances relative to the offense, including mitigating circumstances or social conditions surrounding the commission of the offense.
- (3) The age of the individual at the time the offense was committed.
- (4) The length of time that has elapsed since the offense was committed.
- (5) Letters of reference by persons who have been in contact with the individual since the applicant's release from any local, state, or federal correctional institution.
- (6) All other relevant evidence of rehabilitation and present fitness presented.

STATEMENT ON SUBSTANTIAL RELATIONSHIP

Because Mr. Howell was convicted of Manslaughter 2 in the State of Arizona, that offense equates to Assist Suicide §940.12. Arizona (Maricopa County) case # CR2004-132990-001. This conviction is an exempt offenses under Wis. Stat. §111.335(1m)(b), there is no requirement for the licensing agency to state its reasons for denial in writing or to allow the individual an opportunity to show rehabilitation and fitness to engage in the licensed activity. However, for the sake of consistency we are providing this information in writing.

As part of any denial of licensing, the police department must determine if crimes are substantially related to bartending. Most recently, in Wisconsin, Mr. Howell was convicted of:

Operating after Revocation 2017CT000787, Battery and Disorderly Conduct 2015 CF000778, and OWI 2016TR009280.

The conviction(s) listed are substantially related to bartending for the following reasons.

From the facts alleged in the criminal complaint in Arizona case # CR2004-132990-001, to which Mr. Howell was eventually found guilty of, show that his criminal mentality is not suited for the responsibility of bartending. The criminal complaint is attached and incorporated to this memo. The horrific facts of the assisted suicide case show that his disregard for life is potentially dangerous for individuals who may be drinking. The relationship between depression and alcohol abuse has been definitively proven in study after study. As a person who wants to be responsible to serve alcohol, Mr. Howell has not shown the ability to make good decisions at any time of his life.

The convictions for OWI and Operating after Revocation are substantially related in that both stem from operating a motor vehicle while under the influence of alcohol, other drugs, or both. There is a direct connection between an OWI and the responsible sale of alcohol. The penalty structure for OWI convictions in Wisconsin includes that a person's operating privileges are revoked until certain other guarantees of safety are completed, which include AODA assessment and follow-up treatment and safety planning. The conviction for Operating after Revocation shows that Mr. Howell disregarded the penalty structure used in Wisconsin for OWI offenses and demonstrates a significant inability to exercise the good judgment required for responsible alcohol service.

The criminal case that lead to convictions for Battery and Disorderly Conduct involved

additional felonies that were dismissed and read-in for sentencing purposes including Intimidation of Victim with Use or Attempted Use of Force, False Imprisonment, Strangulation and Suffocation. A copy of that criminal complaint is also attached and incorporated to this memo. The facts in the complaint show that Mr. Howell was drinking alcohol at a bar just prior to committing his offenses, again demonstrating his inability to exercise good judgment around the use of alcohol.

Mr. Howell refers in his materials to “other” felonies committed in Arizona. Due to restrictions on criminal history checks out of state for bartenders I can only locate limited information. But, as far as I can tell, other than a period of incarceration, Howell has committed some kind of crime almost every year.

The police department is not sure he has spent the amount of time necessary to rehabilitate himself and make the necessary life changes to take on the responsibility for alcohol service. The service of alcohol includes coming into contact with individuals in a very vulnerable state and the Police Department feels that through Mr. Howell’s prior convictions he has not demonstrated the necessary maturity and decision making capacity to be allowed a bartender’s license in the City of Appleton.

OTHER CONSIDERATIONS RELATED TO REHABILITATION AND FITNESS

- The conviction for “manslaughter 2” is for an exempt offense(s) and Wis. Stat. §111.335 does not require the licensing agency to allow the applicant an opportunity to show rehabilitation and fitness to engage in the licensed activity.
- The applicant provided misleading information on the application. He treated this application with a level of disdain that I’ve not seen in 5 years of processing applications. I’m particularly concerned where he wrote: “and others” under the question of “have you ever been convicted of a felony?”

It is the opinion of the Appleton Police Department that Jesse Howell be denied his bartender license.

Very Respectfully:

Lt. Jeff Miller
Appleton Police Department

11/22

RICHARD M. ROMLEY
MARICOPA COUNTY ATTORNEY

MICHAEL K. JEANES, CLERK
BY *Bernadette Maraziti*
DEP
FILED

Robert J. Shutts
Deputy County Attorney
Bar Id #: 003469
301 West Jefferson, 4th Floor
Phoenix, AZ 85003
Telephone: (602) 506-5780
MCAO Firm #: 00032000
Attorney for Plaintiff

2004 NOV 16 PM 3:29

DR 200442150212 - Phoenix Police Dept.
NORTHWEST PHOENIX JUSTICE COURT
VACATE
CA2004040342

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
COUNTY OF MARICOPA, RCC - GLENDALE

THE STATE OF ARIZONA,)	
)	
Plaintiff,)	
)	
vs.)	
)	
JESSE COLLIER HOWELL (001),)	CR2004-132990-001 DT ____
)	
Defendant.)	DIRECT COMPLAINT
)	
)	MANSLAUGHTER, A CLASS 2
)	DANGEROUS FELONY
)	
)	IN CUSTODY
)	

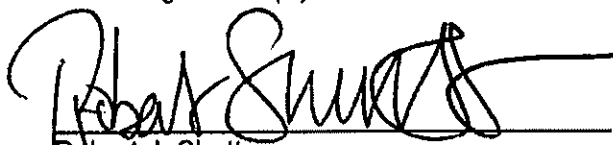
The complainant herein personally appears and, being duly sworn, complains on information and belief against JESSE COLLIER HOWELL, charging that in Maricopa County, Arizona:

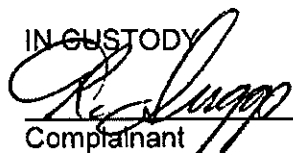
JESSE COLLIER HOWELL, on or about the 11th day of November, 2004, intentionally aided KARA WILLIAMS to commit suicide or recklessly caused the death of KARA WILLIAMS, in violation of A.R.S. §§ 13-1101, 13-1103, 13-701, 13-702, 13-702.01, and 13-801.

The State of Arizona further alleges that the offense charged in this count is a dangerous felony because the offense involved the discharge, use, or threatening exhibition of a HANDGUN, a

DCO

deadly weapon or dangerous instrument, and/or the intentional or knowing infliction of serious physical injury upon KARA WILLIAMS, in violation of A.R.S. § 13-604(P).


Robert J. Shutts
Deputy County Attorney

IN CUSTODY
 7328
Complainant

Agency: Phoenix Police Dept.

Subscribed and sworn upon information and belief this 16 day of November, 2004.

BS/sd/OK

COURT INFORMATION SHEET (CIS)

County Attorney Case Number: CA2004040342

Filing ID Number: CA2004040342-1-1

STATE v. JESSE COLLIER HOWELL
Defendant Sequence: 1

Defendant's **IN CUSTODY**
Address: 1814 West Wahalla Lane
Phoenix, AZ 85027

Defendant's **UNKNOWN**
Employer:

Defendant's **Public Defender**
Attorney:

DEFENDANT'S DESCRIPTION:

Race: W Sex: M Hair: BRO Eyes: BRO Hgt: 510
Wgt: 170 DOB: 5/24/1981 Soc Sec #: 535901522

SID #: 14420592 FBI #: 260930MB0 Old LEJIS #: 0740664
JMS Booking #: P024811 JMS LEJIS #: Unknown

FILING STATUS:

Direct Complaint CR #: CR2004132990001 ^{OT} Date Filed: _____
Court Designation: RCC - GLENDALE
Justice Court Precinct: NORTHWEST PHOENIX JUSTICE VACATE

ATTORNEY: ROBERT J. SHUTTS Bar ID: 003469 Location: DOWNTOWN

PRELIMINARY HEARING/GRAND JURY CHARGES

COUNT 1: MANSLAUGHTER, A CLASS 2 DANGEROUS FELONY

<u>Count</u>	<u>ARS</u>	<u>Date of Crime</u>
1	13-1103A3	11/11/2004

DEPARTMENTAL REPORTS:

DR 200442150212 - Phoenix Police Dept.

EXTRADITE: OK

DWL

IN THE NORTHWEST PHOENIX JUSTICE COURT
STATE OF ARIZONA, COUNTY OF MARICOPA
RELEASE QUESTIONNAIRE

Information to be supplied by a prosecutor or law enforcement officer.

STATE OF ARIZONA vs. HOWELL, JESSE C.

DOB 052481 CASE/BK. NO.

A. GENERAL INFORMATION

1. Charge and Class 1-MANSLAUGHTER-C2F

2. Offense Location: 1814 W. WAHALA ST

Date: 111104 Time: 1440

3. Arrest Location: 1814 W. WAHALA ST

Date: 11-11-04 Time: 1750

B. CIRCUMSTANCES OF THE OFFENSE

1. Was a firearm or other weapon used?

YES NO

Type of weapon: SEMI AUTOMATIC HANDGUN

Was anyone injured by the defendant?

YES NO

Was medical attention necessary:

YES NO

Nature of injuries: GUNSHOT WOUND TO CHIN THROUGH HEAD

2. Was anyone threatened by the defendant?

YES NO

Nature and extent of threats:

3. If property offense, value of property taken or damaged:

Was the property recovered?

YES NO

C. CIRCUMSTANCES OF THE ARREST

1. Did the defendant attempt to:

Avoid arrest? YES NO

Resist arrest? YES NO

Explain:

2. Was the defendant armed when arrested?

YES NO

Type of weapon:

3. Was evidence of the offense found in the defendant's possession?

YES NO

Explain:

4. Was the defendant under the influence of alcohol or drugs at the time of the offense?

YES NO UNK

D. CRIMES OF VIOLENCE

1. Relationship of defendant to victim:

BOYFRIEND-GIRLFRIEND

Do the victim and defendant reside together?

YES NO

2. How was the situation brought to the attention of police?

Victim

Third party

Officer observed

3. Have there been any previous incidents involving these same parties?

YES NO

Explain:

4. Is defendant currently the subject of:

An order of protection

Injunction against harassment

Any other court order

Explain:

E. OTHER INFORMATION

1. Is the defendant presently on probation, parole or any other form of release

Involving other charges or convictions?

YES NO

Explain:

2. List any prior arrests, convictions, and/or F.T.A.'s:

DOMESTIC VIOLENCE ASSAULT/ ASSAULT/

SHOPLIFTING/CRIMINAL DAMAGE/ TRESSPASSING 1ST

DEGREE/ ASSAULT

3. Is there any indication the defendant is:

An alcoholic?

An addict?

Mentally disturbed?

Physically ill?

4. Is the defendant currently employed?

YES NO

With whom

How long

Nature of employment

5. Where does the defendant currently reside?

1814 W. WAHALA ST

With whom

VICTIM'S MOTHER

How long

2 MONTHS

6. What facts indicate the defendant will flee if released?

Explain: DEFENDANT IS CURRENTLY UNEMPLOYEED/ USES MARIJUANA DAILY/ PREVIOUS RECORD/ DEF. IS TRANSIENT IN RECENT RESIDENCES/

7. What facts does the State have to oppose an unsecured release?

Explain: SAME AS #6.

SECTION III: Probable Cause Statement

F. DRUG OFFENSES

1. If the defendant is considered a major drug dealer, please state the supporting facts:
2. What quantities and types of illegal drugs are directly involved in this offense?

Approximate monetary value:
3. Was any money seized?
 YES NO
Amount:
4. Were any automatic weapons in the possession of the defendant at the time of the arrest?
 YES NO
Quantity and type:

1. Please summarize and include the information which establishes probable Cause for the arrest:
 POLICE WERE CALLED TO 1814 W WAHALA REFERENCE A POSSIBLE SUICIDE. UPON CONTACT THE DEFENDANT TOLD POLICE THAT HIS GIRLFRIEND (VICTIM) SHOT HERSELF WITH THE DEFENDANT'S HANDGUN AFTER AN ARGUMENT BEGAN. DEFENDANT AND VICTIM WERE THE ONLY TWO PEOPLE PRESENT WHEN THIS OCCURRED. DEFENDANT ADMITTED TO GETTING HIGH THE NIGHT BEFORE ON MARIJUANA AND WAKING UP AND STARTED TO ARGUE WITH HIS GIRLFRIEND. DEFENDANT INITIALLY SAID THAT HE HANDED HIS HANDGUN TO THE VICTIM BECAUSE SHE SAID THAT SHE WANTED TO HURT HERSELF. DEFENDANT TAUNTED AND DARED THE VICTIM TO INFLECT HARM UPON HERSELF. DEFENDANT SAID THAT HIS HANDS WERE ON THE VICTIM'S HANDS WHEN HE PULLED THE TRIGGER. DEFENDANT LATER RECANTED STORY AND SAID THAT HE THREW THE HANDGUN ON THE BED AND THAT THE VICTIM PICKED UP THE GUN FROM THE BED. VICTIM HELD GUN UNDER CHIN AND DEFENDANT SAID HE FELT HER SQUEEZE THE TRIGGER AND INFLECT HARM UPON HERSELF. DEFENDANT AT NO TIME ATTEMPTED TO STOP VICTIM FROM HARMING HERSELF. DEFENDANT ADMITTED TO DARING HER TO DO AND TAUNTING HER TO DO IT. DEFENDANT ALSO THOUGHT THAT HE WAS A PROHIBITED POSSESSOR AND DIDN'T WANT TO GET INTO TROUBLE FOR POSSESSING THE GUN. NO FELONY CONVICTIONS SHOWED/ ONLY ARRESTS. DEFENDANT ADMITTED TO NOT STOPPING VICTIM.

If a fugitive arrest, a form IVA must also be completed

MARICOPA COUNTY JUSTICE COURT PRECINCTS

- | | |
|-----------------------|------------------------|
| 1. Buckeye | 13. Northwest Phoenix |
| 2. Central Phoenix | 14. Peoria |
| 3. Chandler | 15. Scottsdale |
| 4. East Mesa | 16. South Mesa/Gilbert |
| 5. East Phoenix #1 | 17. South Phoenix |
| 6. East Phoenix #2 | 18. Tempe East |
| 7. Gila Bend | 19. Tempe West |
| 8. Glendale | 20. Tolleson |
| 9. Maryvale | 21. West Mesa |
| 10. North Mesa | 22. West Phoenix |
| 11. North Valley | 23. Wickenburg |
| 12. Northeast Phoenix | |

(PLEASE REFER TO PRECINCT MAP)

JUDICIAL OFFICER REVIEW OF PROBABLE CAUSE STATEMENT AND COMPLAINT ON OATH OR AFFIRMATION

I certify that the information presented is true to the best of my knowledge

- Complaint review
- Witness sworn
- Reviewed Form IV
- Other sources:
- PC returned

N. OYEDA 7918
ARRESTING OFFICER/SERIAL NUMBER

PIX 600
AGENCY/DUTY PHONE NUMBER

11-11-04
DATE

Judicial Officer

Administrated pursuant to AO 2003-046, the oath has been administered pursuant to the law and required procedures. RM

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2004-132990-001 DT

02/03/2006

HONORABLE BETHANY G. HICKS

CLERK OF THE COURT
C. Kelly
Deputy

FILED: 2-9-06

STATE OF ARIZONA

WILLIAM W CLAYTON

v.

JESSE COLLIER HOWELL (001)
DOB: 5/24/1981

JAMES J HARRIS

APO-SENTENCE IMPRISON-CCC
APPEALS-CCC
DISPOSITION CLERK-CSC
RFR
VICTIM SERVICES DIV-CA-CCC

SENTENCE OF IMPRISONMENT

11:02 a.m.

State's Attorney: Bill Clayton
Defendant's Attorney: James Harris and Catherine Whalen
Defendant: Present
Court Reporter: Treva Colwell

Count(s) 2: WAIVER OF TRIAL: The Defendant knowingly, intelligently and voluntarily waived all pertinent constitutional and appellate rights and entered a plea of guilty.

IT IS THE JUDGMENT of the Court Defendant is guilty of the following:

OFFENSE: Count 2 Manslaughter
Class 2 dangerous felony
A.R.S. § 13-1101, 13-1103, 13-604, 13-702 and 13-801
Date of Offense: on or about November 11, 2004
Dangerous pursuant to A.R.S. § 13-604 - Non Repetitive

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2004-132990-001 DT

02/03/2006

AS PUNISHMENT, IT IS ORDERED Defendant is sentenced to a term of imprisonment and is committed to the Arizona Department of Corrections as follows:

Count 2: 8 year(s) from February 3, 2006
Presentence Incarceration Credit: 451 day(s)
Mitigated
Sentence is concurrent with CR2004023309001DT.

IT IS ORDERED the Defendant shall pay through the Clerk of the Superior Court:

ASSESSMENTS:

Count 2: PROBATION SURCHARGE: \$5.00

Community Supervision: Count 2 - Imposed pursuant to A.R.S. § 13-603(I).

IT IS ORDERED granting the Motion To Dismiss the following: Count 1; no further charges out of PPD DR#2004-42150212.

IT IS ORDERED authorizing the Sheriff of Maricopa County to deliver the Defendant to the Arizona Department of Corrections to carry out the term of imprisonment set forth herein.

IT IS ORDERED the Clerk of the Superior Court remit to the Arizona Department of Corrections a copy of this order together with all presentence reports, probation violation reports, and medical and psychological reports that are not sealed in this cause relating to the Defendant.

11:39 a.m. Matter concludes.

cc: DOC - Certified Copy via Certification Desk

cc: MCSO-DIS - Certified Copy via Certification Desk

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CLERK OF THE COURT

2-3-06

Date

BETHANY G. HICKS

JUDGE OF THE SUPERIOR COURT

C. Kelly

Deputy

CR 2004132990001DT

STATE v. Howell

Let the record reflect that the Defendant's thumbprint is permanently affixed to this sentencing order in open court.

11:39^{am} Matter concludes.

(thumbprint)

Bethany G. Hicks
JUDICIAL OFFICER OF THE SUPERIOR COURT



STATE OF WISCONSIN

Plaintiff,

-vs-

DA Case No.: 2015OU003696

Assigned DA/ADA: Alexander E. Duros

Agency Case No.: LGC15-014349

Court Case No.:

ATN:

Jesse C. Howell
1310 W. Hiawatha Drive
Appleton, WI 54914
DOB: 05/24/1981
Sex/Race: M/W
Eye Color: Brown
Hair Color: Brown
Height: 5 ft 10 in
Weight: lbs
Alias:

Criminal Complaint

Defendant,

_____, being first duly sworn, states that:

Count 1: FELONY INTIMIDATION OF A VICTIM, DOMESTIC ABUSE

The above-named defendant on or about Monday, September 21, 2015, in the Town of Grand Chute, Outagamie County, Wisconsin, knowingly and maliciously did attempt to dissuade Jennifer M Whittemore, who has been the victim of a crime, from making a report of the victimization to a law enforcement agent, where the act is accompanied by force or violence or attempted force or violence, contrary to sec. 940.45(1), 939.50(3)(g), 968.075(1)(a), 973.046(1r), 973.047(1f) Wis. Stats., a Class G Felony, and upon conviction may be fined not more than Twenty Five Thousand Dollars (\$25,000), or imprisoned not more than ten (10) years, or both.

And further, invoking the provisions of sec. 968.075(1)(a) Wis. Stats., because this charge is an act of domestic abuse, costs upon conviction would include the domestic abuse assessment imposed under sec. 973.055(1) Wis. Stats.

And furthermore, invoking the provisions of Wisconsin Statute 973.046(1r), if the court imposes a sentence or places a person on probation, the court shall impose a deoxyribonucleic acid analysis surcharge, calculated as follows: (a) For each conviction for a felony, \$250 (b) For each conviction for a misdemeanor, \$200.

And the court shall require the person to provide a biological specimen to the state crime laboratories for deoxyribonucleic acid analysis.

Count 2: FALSE IMPRISONMENT, DOMESTIC ABUSE

The above-named defendant on or about Monday, September 21, 2015, in the Town of Grand Chute, Outagamie County, Wisconsin, did intentionally confine Jennifer M Whittemore, without that person's consent, and with the knowledge that he had no lawful authority to do so, contrary to sec. 940.30, 939.50(3)(h), 968.075(1)(a), 973.046(1r),

973.047(1f) Wis. Stats., a Class H Felony, and upon conviction may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than six (6) years, or both.

And further, invoking the provisions of sec. 968.075(1)(a) Wis. Stats., because this charge is an act of domestic abuse, costs upon conviction would include the domestic abuse assessment imposed under sec. 973.055(1) Wis. Stats.

And furthermore, invoking the provisions of Wisconsin Statute 973.046(1r), if the court imposes a sentence or places a person on probation, the court shall impose a deoxyribonucleic acid analysis surcharge, calculated as follows: (a) For each conviction for a felony, \$250 (b) For each conviction for a misdemeanor, \$200.

And the court shall require the person to provide a biological specimen to the state crime laboratories for deoxyribonucleic acid analysis.

Count 3: STRANGULATION AND SUFFOCATION, DOMESTIC ABUSE - INFLICTION OF PHYSICAL PAIN OR INJURY

The above-named defendant on or about Monday, September 21, 2015, in the Town of Grand Chute, Outagamie County, Wisconsin, did intentionally impede the normal breathing by applying pressure on the throat or neck of another person, contrary to sec. 940.235(1), 939.50(3)(h), 968.075(1)(a)1, 973.046(1r), 973.047(1f) Wis. Stats., a Class H Felony, and upon conviction may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than six (6) years, or both.

And further, invoking the provisions of sec. 968.075(1)(a)1 Wis. Stats., because this charge is an act of domestic abuse, costs upon conviction would include the domestic abuse assessment imposed under sec. 973.055(1) Wis. Stats.

And furthermore, invoking the provisions of Wisconsin Statute 973.046(1r), if the court imposes a sentence or places a person on probation, the court shall impose a deoxyribonucleic acid analysis surcharge, calculated as follows: (a) For each conviction for a felony, \$250 (b) For each conviction for a misdemeanor, \$200.

And the court shall require the person to provide a biological specimen to the state crime laboratories for deoxyribonucleic acid analysis.

Count 4: MISDEMEANOR BATTERY, DOMESTIC ABUSE

The above-named defendant on or about Monday, September 21, 2015, in the Town of Grand Chute, Outagamie County, Wisconsin, did cause bodily harm to Jennifer M Whittemore, by an act done with intent to cause bodily harm to that person, without that person's consent, contrary to sec. 940.19(1), 939.51(3)(a), 968.075(1)(a), 973.046(1r), 973.047(1f) Wis. Stats., a Class A Misdemeanor, and upon conviction may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than nine (9) months, or both.

And further, invoking the provisions of sec. 968.075(1)(a) Wis. Stats., because this charge is an act of domestic abuse, costs upon conviction would include the domestic abuse assessment imposed under sec. 973.055(1) Wis. Stats.

And furthermore, invoking the provisions of Wisconsin Statute 973.046(1r), if the court imposes a sentence or places a person on probation, the court shall impose a deoxyribonucleic acid analysis surcharge, calculated as follows: (a) For each conviction for a felony, \$250 (b) For each conviction for a misdemeanor, \$200.

And the court shall require the person to provide a biological specimen to the state crime laboratories for deoxyribonucleic acid analysis.

Count 5: DISORDERLY CONDUCT, DOMESTIC ABUSE

The above-named defendant on or about Monday, September 21, 2015, in the Town of Grand Chute, Outagamie County, Wisconsin, while in a private place, did engage in abuse, violent or otherwise disorderly conduct, under circumstances in which such conduct tended to cause a disturbance, contrary to sec. 947.01(1), 939.51(3)(b), 968.075(1)(a), 973.046(1r), 973.047(1f) Wis. Stats., a Class B Misdemeanor, and upon conviction may be fined not more than One Thousand Dollars (\$1,000), or imprisoned not more than ninety (90) days, or both.

And further, invoking the provisions of sec. 968.075(1)(a) Wis. Stats., because this charge is an act of domestic abuse, costs upon conviction would include the domestic abuse assessment imposed under sec. 973.055(1) Wis. Stats.

And furthermore, invoking the provisions of Wisconsin Statute 973.046(1r), if the court imposes a sentence or places a person on probation, the court shall impose a deoxyribonucleic acid analysis surcharge, calculated as follows: (a) For each conviction for a felony, \$250 (b) For each conviction for a misdemeanor, \$200.

And the court shall require the person to provide a biological specimen to the state crime laboratories for deoxyribonucleic acid analysis.

PROBABLE CAUSE:

AND PRAYS SAID DEFENDANT BE DEALT WITH ACCORDING TO LAW; AND THAT THE BASIS FOR THE COMPLAINANT'S CHARGE OF SUCH OFFENSE IS AS FOLLOWS:

Complainant is an employee with the Outagamie County Sheriff's Department and bases this complaint upon the report and investigation of Off. Ben Hanson of the Grand Chute Police Department, as well as the statements of Jennifer Whittemore and Jesse Howell. Complainant and Off. Hanson are presumed truthful and reliable as police officer informants. The statements of Howell are presumed truthful and reliable as made against his penal interests. The statements of Whittemore are presumed truthful and reliable as an adult witness.

Complainant states that Officer Hanson reports that on September 21, 2015, at approximately 1:25 a.m. he was dispatched to 1310 West Hiawatha Drive, in the Town of Grand Chute, Outagamie County, Wisconsin, for a disturbance. Jennifer Whittemore states that she and her fiancée, with whom she lives and has a child in common, went to the bars

and drank alcohol. While at the bar she believed her fiancée Jesse Howell was flirting with another woman. When they arrived home they began to argue.

Ms. Whittemore states that she wanted to stop talking about it but Jesse Howell did not. Jennifer Whittemore attempted to walk past Jesse Howell several times but he would not let her pass. Jesse Howell shoved Jennifer Whittemore in the chest with both hands, causing her pain without consent.

Jesse Howell then placed both of his hands around her neck with his thumbs in front. He then squeezed her neck in an attempt to strangle her. Ms. Whittemore rated the pressure as an 8 out of 10. Jennifer Whittemore felt lightheaded and felt like her head was going to pop. She thought he was going to kill her.

After he stopped strangling her, Jesse Howell closed the garage door to prevent her from getting out. Jesse Howell told Jennifer Whittemore "If you call the cops I will beat you to a bloody pulp." Jennifer states Jesse would not let her leave the garage and was holding her against her will.

Subscribed and sworn to before me,
and approved for filing on:

This _____ day of September, 2015

Complainant

Assistant District Attorney

State Bar No. 1090052 for Assigned DA/ADA

Operator's Licenses for S&L 8/14/19

- | | |
|--------------------|---------------------------------------|
| 1. Jason D. Beatty | 28 N Linden Ln Appleton 54915 |
| 2. Kyle Blomberg | 510 E Lincoln St Appleton 54915 |
| 3. Jordan S. Derks | 217 E Hoover Ave Appleton 54915 |
| 4. David J. Evers | 1904 E Lincoln Ave Little Chute 54140 |

Original Alcohol Beverage Retail License Application

(Submit to municipal clerk.)

For the license period beginning: _____ ending: 06-30-2020
(mm dd yyyy) (mm dd yyyy)

To the Governing Body of the: Town of } Appleton
 Village of }
 City of }

County of Outagamie Aldermanic Dist. No. _____
(if required by ordinance)

Check one: Individual Limited Liability Company
 Partnership Corporation/Nonprofit Organization

Applicant's Wisconsin Seller's Permit Number ●●●●●●●●●●●●●●●●●●●●	
FEIN Number ●●●●●●●●●●●●●●●●●●●●	
TYPE OF LICENSE REQUESTED	FEE
<input type="checkbox"/> Class A beer	\$
<input checked="" type="checkbox"/> Class B beer	\$ <u>100</u>
<input type="checkbox"/> Class C wine	\$
<input type="checkbox"/> Class A liquor	\$
<input type="checkbox"/> Class A liquor (cider only)	\$ N/A
<input type="checkbox"/> Class B liquor	\$
<input type="checkbox"/> Reserve Class B liquor	\$
<input type="checkbox"/> Class B (wine only) winery	\$
Publication fee	\$ <u>60 + 7</u>
TOTAL FEE	\$ <u>167-</u>

Name (individual / partners give last name, first, middle; corporations / limited liability companies give registered name)
Susan Xiong

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>Xiong</u>	<u>Susan</u>	<u>N/A</u>	<u>3131 N. Durkee St. Appleton WI 54911</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 Lao Thai Business Phone Number ●●●●●●●●●●

2. Address of Premises 1804 S. Lawe St. Appleton WI Post Office & Zip Code 54915

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.)
We are located inside "Long Cheng Market" our booth is #203. We'll be serving beer bottles ONLY BY "LAO THAI" - (our booth the Alcohol will be stored in our fridge, next to the register. Our booth is 15-6" x 30. We will only be serving beer bottles!

4. Legal description (omit if street address is given above): 1804 S Lawe St. Appleton WI 54915

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? Bangkok Post

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 _____ 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.) <i>Xiong Susan</i>	Title/Member <i>Owner</i>	Date <i>7/24/19</i>
Signature <i>[Signature]</i>	Phone Number [REDACTED]	Email Address [REDACTED]

TO BE COMPLETED BY CLERK

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



City of Appleton

Liquor License Questionnaire

1. Name of Applicant: Susan Xioney

2. Name of Business: Lao Thai

3. Address of Business: 1804 S. Lawrence St. Appleton WI 54915

4. Have you or any member of your organization ever been convicted of a misdemeanor or ordinance violation? Yes _____ No X
AND/OR been convicted of a felony? Yes _____ No X
If yes to either question, please explain in detail: _____

5. List all partners, shareholders or investors. Include full name, middle initial and date of birth. Please use additional sheets if necessary.

First name	Initial	Last name	Date of Birth
_____	_____	_____	____/____/____
_____	_____	_____	____/____/____
_____	_____	_____	____/____/____
_____	_____	_____	____/____/____

6. Name of person/corporation you are buying the premises and equipment from?

Name: _____
First name Initial Last name

Address: _____

City, State, Zip: _____

7. What was the previous name and nature of the business operating at this location?

8. Are alcohol sales an existing use in this building? Yes No
If no, When did the operation cease? _____ months ago.

9. Are alcohol sales a new use in this building? Yes No
If yes, please contact the Community Development Department at 832-6468 to obtain a Special Use Permit.

10. Is your primary business restaurant? Yes No

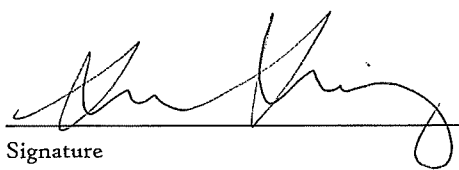
11. Seating capacity: Inside 60-80 Outside _____

12. Operating hours: 10AM - 7PM

13. Number of floor personnel _____ Number of door checkers _____

14. In general, state the size, design and type of the proposed establishment and the operational details.

7/25/19
Date


Signature

Reasonable accommodations for persons with disabilities will be made upon request and if feasible.

Auxiliary Questionnaire Alcohol Beverage License Application

Submit to municipal clerk.

Individual's Full Name (please print) (last name) Xiong		(first name) Susan		(middle name) N/A	
Home Address (street/route) 2131 N. Durkee St.		Post Office	City Appleton	State WI	Zip Code 54911
Home Phone Number ●●●●●●●●		Age ●●	Date of Birth ●●/●●/●●	Place of Birth Berlin, WI	

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.
- _____ of _____
(Officer / Director / Member / Manager / Agent) (Name of Corporation, Limited Liability Company or Nonprofit Organization)
- which is making application for an alcohol beverage license.

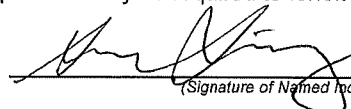
The above named individual provides the following information to the licensing authority:

- How long have you continuously resided in Wisconsin prior to this date? _____
- 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
Employer's Name	Employer's Address	Employed From	To

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)

Original Alcohol Beverage Retail License Application

Submit to municipal clerk.

For the license period beginning 20 19 ;
ending June 30 20 20

TO THE GOVERNING BODY of the: Town of }
 Village of } Appleton
 City of }

County of Outagamie Aldermanic Dist. No. _____ (if required by ordinance)

1. The named Individual Partnership Limited Liability Company
 Corporation / Nonprofit Organization

hereby makes application for the alcohol beverage license(s) checked above.

2. Name (individual/partners give last name, first, middle; corporations/limited liability companies give registered name): Lilac Enterprise LLC

LICENSE REQUESTED	
TYPE	FEE
<input type="checkbox"/> Class A beer	\$
<input checked="" type="checkbox"/> Class B beer	\$ 100
<input type="checkbox"/> Class C wine	\$
<input type="checkbox"/> Class A liquor	\$
<input type="checkbox"/> Class A liquor (cider only)	\$ N/A
<input type="checkbox"/> Class B liquor	\$
<input type="checkbox"/> Reserve Class B liquor	\$
<input type="checkbox"/> Class B (wine only) winery	\$
Publication fee	\$ 60
TOTAL FEE	\$ 160

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 name, title, and place of residence of each person.

Title	Name (Last, First, M.I.)	Home Address	Post Office & Zip Code
President/Member	<u>President</u>	<u>Vang, May N.</u>	<u>1226 Appleton St. Menasha, WI 54952</u>
Vice President/Member	<u>Member</u>	<u>Thao, Kong</u>	<u>1226 Appleton St. Menasha, WI 54952</u>
Secretary/Member			
Treasurer/Member			
Agent			
Directors/Managers			

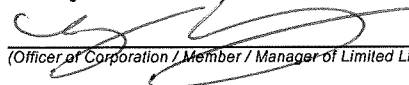
3. Trade Name May's Kitchen Business Phone Number 920-939-6004
4. Address of Premises 1804 S. Lawe St Unit 204 Appleton, WI Post Office & Zip Code 54915

5. Is individual, partners or agent of corporation/limited liability company subject to completion of the responsible beverage server training course for this license period? Yes No
6. Is the applicant an employe or agent of, or acting on behalf of anyone except the named applicant? Yes No
7. Does any other alcohol beverage retail licensee or wholesale permittee have any interest in or control of this business? Yes No
8. (a) **Corporate/limited liability company applicants only:** Insert state _____ and date _____ of registration.
(b) Is applicant corporation/limited liability company a subsidiary of any other corporation or limited liability company? 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? Yes No
(NOTE: All applicants explain fully on reverse side of this form every YES answer in sections 5, 6, 7 and 8 above.)

9. 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.) Front side area and stored in storage area in back of kitchen

10. Legal description (omit if street address is given above): _____
11. (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? _____
12. 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
13. Does the applicant understand they must hold a Wisconsin Seller's Permit? [phone (608) 266-2776]. Yes No
14. 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.


(Officer of Corporation / Member / Manager of Limited Liability Company / Partner / Individual)

TO BE COMPLETED BY CLERK

Date received and filed with municipal clerk	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) <u>Vang</u>		(first name) <u>May</u>		(middle name) <u>Nhia</u>	
Home Address (street/route) <u>1226 Appeton street</u>		Post Office	City <u>Menasha</u>	State <u>WI</u>	Zip Code <u>54952</u>
Home Phone Number <u>██████████</u>		Age <u>██</u>	Date of Birth <u>██████████</u>	Place of Birth <u>Fresno, CA</u>	

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.

Owner of Lilac Enterprise LLC
(Officer / Director / Member / Manager / Agent) (Name of Corporation, Limited Liability Company or Nonprofit Organization)

which is making application for an alcohol beverage license.

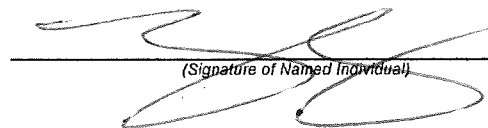
The above named individual provides the following information to the licensing authority:

- How long have you continuously resided in Wisconsin prior to this date? 29 yr.
- 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 <u>Kenneth Enterprise Charley Phillyskal</u>	Employer's Address <u>14 Lisa Lane, Nanuet, NY</u>	Employed From <u>1/2016</u>	To <u>12/2018</u>
Employer's Name <u>UW-Milwaukee Restaurant ops</u>	Employer's Address <u>2200 E. Kenwood Blvd, Milwaukee</u>	Employed From <u>10/2004</u>	To <u>12/2015</u>

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)

Auxiliary Questionnaire Alcohol Beverage License Application

Submit to municipal clerk.

Individual's Full Name (please print) (last name) <u>Thao</u>		(first name) <u>Kong</u>		(middle name)	
Home Address (street/route) <u>1226 Appleton St</u>		Post Office <u>54852</u>	City <u>Menasha</u>	State <u>WI</u>	Zip Code <u>54952</u>
Home Phone Number <u>414-286-1884</u>		Age <u>25</u>	Date of Birth <u>05/25/88</u>	Place of Birth <u>Thailand</u>	

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.
- Member of Lilac Enterprise 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:

1. How long have you continuously resided in Wisconsin prior to this date? 25 years
2. 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.)
3. 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.
4. 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)
5. 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
<u>Wells Fargo</u>	<u>5541 S 550 South 4th St Minneapolis, MN</u>	<u>May 2013</u>	<u>Present</u>
<u>K Force</u>	<u>1001 E. Palm Ave Tampa, FL 33605</u>	<u>October 2012</u>	<u>May 2013</u>

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)



City of Appleton

Liquor License Questionnaire

1. Name of Applicant: Lilac Enterprise LLC

2. Name of Business: May's Kitchen



3. Address of Business: 1804 S. Lave St. Unit 204 Appleton, WI 54915

4. Have you or any member of your organization ever been convicted of a misdemeanor or ordinance violation? Yes _____ No X

AND/OR been convicted of a felony? Yes _____ No X

If yes to either question, please explain in detail: _____

5. List all partners, shareholders or investors. Include full name, middle initial and date of birth. Please use additional sheets if necessary.

<u>May</u>	<u>N</u>	<u>Vang</u>	
First name	Initial	Last name	Date of Birth
<u>Kong</u>		<u>Thao</u>	
First name	Initial	Last name	Date of Birth
_____	_____	_____	____/____/____
First name	Initial	Last name	Date of Birth
_____	_____	_____	____/____/____
First name	Initial	Last name	Date of Birth

6. Name of person/corporation you are buying the premises and equipment from?

Name: _____
First name Initial Last name

Address: _____

City, State, Zip: _____

7. What was the previous name and nature of the business operating at this location?

8. Are alcohol sales an existing use in this building? Yes No
If no, When did the operation cease? _____ months ago.

9. Are alcohol sales a new use in this building? Yes _____ No
If yes, please contact the Community Development Department at 832-6468 to obtain a Special Use Permit.

10. Is your primary business restaurant? Yes No

11. Seating capacity: Inside 84 Outside 0

12. Operating hours: 10AM to 8PM

13. Number of floor personnel 2 Number of door checkers 0

14. In general, state the size, design and type of the proposed establishment and the operational details.

A multi-unit establishment Unit is a food vending stall with kitchen, and dining area outside of sales area.

5/15/2019
Date


Signature

Reasonable accommodations for persons with disabilities will be made upon request and if feasible.



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

REQUEST for Beer/Liquor License Premise Amendment

FEES ARE NON-REFUNDABLE		Date Recv'd <u>8/6/19</u>
License Fee	\$10.00/event	Acct: CLCAGP
Receipt	<u>10720</u>	

SECTION 1 – LICENSE INFORMATION

Name of Establishment <u>Fat Sammy's</u>	
Address of Establishment <u>2500 S. Oneida St</u>	
Name of Agent <u>Angela Gaines</u>	Phone Number <u>920-277-4288</u>

SECTION 2 – PREMISE AMENDMENT

Please describe the change in premises:
 A drawing/diagram of the proposed area must also be submitted with this application
5-9pm band in Parking lot. Sun. Sept. 8th
 *Possible Food Trucks (off premise) budweiser beer truck during band.

Is this change Permanent? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	If this is temporary please specify the reason for the amendment: <u>Parking Lot Party</u>
--	---

Please list the date(s) and time(s) that this temporary premise amendment will be utilized:
Sun. Sept. 8th 5-9 pm

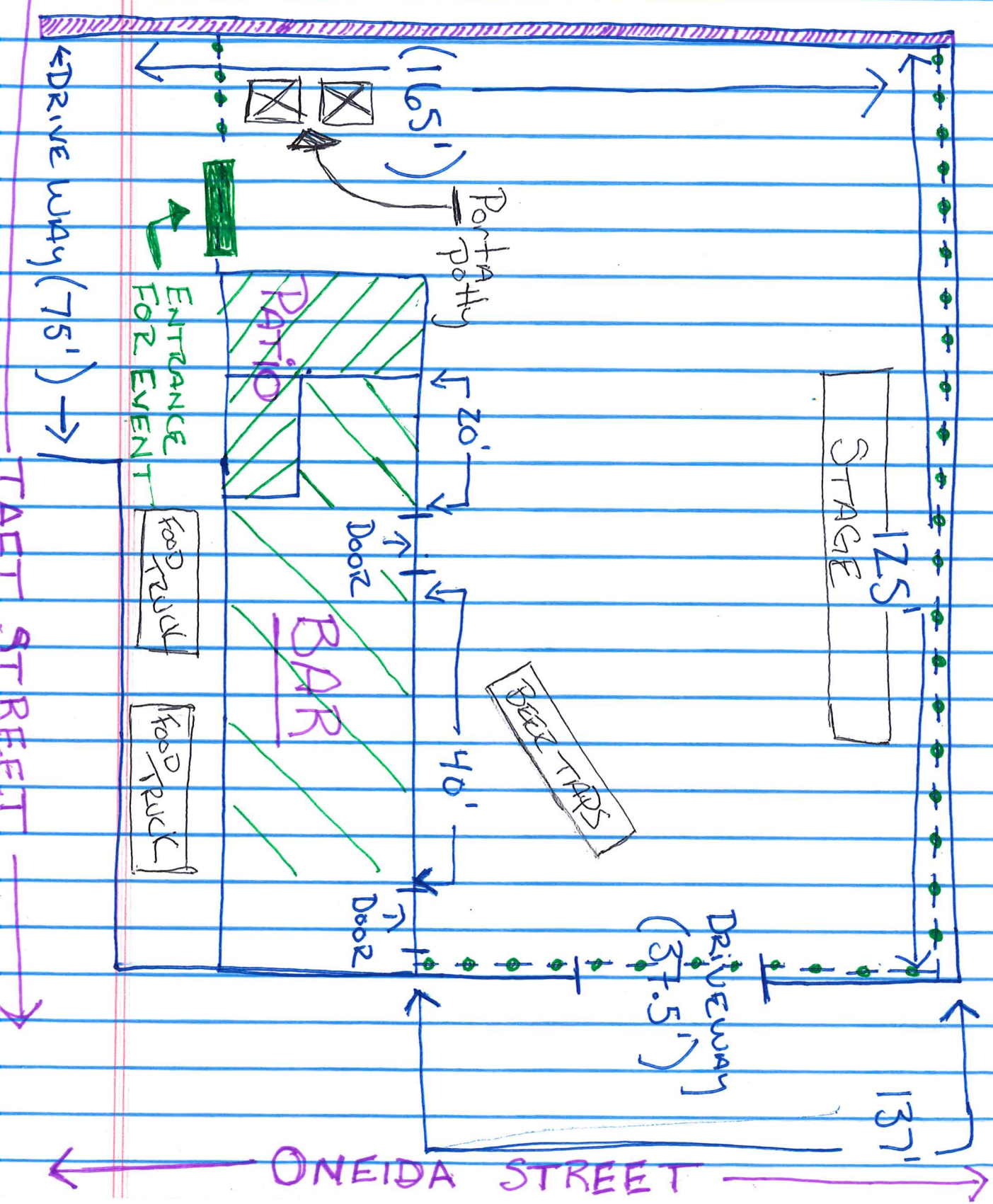
SECTION 3 – PENALTY NOTICE

I certify that I am familiar with Section 9-52 of the Municipal Code of the City of Appleton and agree that any license granted under this application may be suspended for cause at any time by the Common Council.
 Under penalty of law, I swear that the information provided in this application is true and correct to the best of my knowledge and belief.
 Signature of Applicant: Angela Gaines

FOR OFFICE USE ONLY

Department	Approve	Deny	By	Reason
Comm. Dev.				
Finance				
Fire				
Health				
Inspections				
Police				
S&L <u>8-14-19</u>	Council <u>8-21-19</u>	Date Issued	Exp. Date	License Number

WOODEN Fence 6'
SNOW Fence



TAFT STREET

ONEIDA STREET

SCHEDULE FOR APPOINTMENT OF AGENT BY CORPORATION/NONPROFIT ORGANIZATION OR LIMITED LIABILITY COMPANY

Submit to municipal clerk.

All corporations/organizations or limited liability companies applying for a license to sell fermented malt beverages and/or intoxicating liquor must appoint an agent. The following questions must be answered by the agent. The appointment must be signed by the officer(s) of the corporation/organization or members/managers of a limited liability company and the recommendation made by the proper local official.

To the governing body of: Town Village City of Appleton County of Outagamie

The undersigned duly authorized officer(s)/members/managers of Walgreen Co.
(registered name of corporation/organization or limited liability company)

a corporation/organization or limited liability company making application for an alcohol beverage license for a premises known as

Walgreens #07323
(trade name)
located at 3330 E. Calumet Street, Appleton, WI 54915

appoints Joshua M Buck
(name of appointed agent)
W6572 Austin Drive Appleton, WI 54915
(home address of appointed agent)

to act for the corporation/organization/limited liability company with full authority and control of the premises and of all business relative to alcohol beverages conducted therein. Is applicant agent presently acting in that capacity or requesting approval for any corporation/organization/limited liability company having or applying for a beer and/or liquor license for any other location in Wisconsin?

Yes No If so, indicate the corporate name(s)/limited liability company(ies) and municipality(ies).

Is applicant agent subject to completion of the responsible beverage server training course? Yes No

How long immediately prior to making this application has the applicant agent resided continuously in Wisconsin? 39.5 years

Place of residence last year W6572 Austin Drive Appleton, WI 54915

For: Walgreen Co.
(name of corporation/organization/limited liability company)

By: [Signature] Todd Heckman, VP
(signature of Officer/Member/Manager)

And: [Signature]
(signature of Officer/Member/Manager)

ACCEPTANCE BY AGENT

I, Joshua M. Buck, hereby accept this appointment as agent for the
(print/type agent's name)

corporation/organization/limited liability company and assume full responsibility for the conduct of all business relative to alcohol beverages conducted on the premises for the corporation/organization/limited liability company.

[Signature] 6-13-19 Agent's age 39
(signature of agent) (date)
W6572 Austin Dr. Appleton, WI 54915 Date of birth [Redacted]
(home address of agent)

**APPROVAL OF AGENT BY MUNICIPAL AUTHORITY
(Clerk cannot sign on behalf of Municipal Official)**

I hereby certify that I have checked municipal and state criminal records. To the best of my knowledge, with the available information, the character, record and reputation are satisfactory and I have no objection to the agent appointed.

Approved on _____ by _____ Title _____
(date) (signature of proper local official) (town chair, village president, police chief)

Auxiliary Questionnaire Alcohol Beverage License Application

Submit to municipal clerk.

Individual's Full Name (please print) (last name)		(first name)		(middle name)	
Buck		Joshua		Michael	
Home Address (street/route)		Post Office		City	
W6572 Austin Dr				Appleton	
Home Phone Number		Age		Date of Birth	
[REDACTED]		[REDACTED]		[REDACTED]	
				State: WI Zip Code 54915	
				Place of Birth: Neenah, WI	

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.

Joshua Buck of Walgreen Co.
(Officer / Director / Member / Manager / Agent) (Name of Corporation, Limited Liability Company or Nonprofit Organization)

which is making application for an alcohol beverage license.

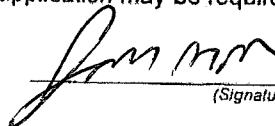
The above named individual provides the following information to the licensing authority:

- How long have you continuously resided in Wisconsin prior to this date? 39.5 years
- 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
Walgreens	700 West College Ave, Appleton, WI	June 2002	Present
City of Menasha	455 Baldwin St, Menasha, WI 54952	June 1998	Sept 2001

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)

SCHEDULE FOR APPOINTMENT OF AGENT BY CORPORATION/NONPROFIT ORGANIZATION OR LIMITED LIABILITY COMPANY

Submit to municipal clerk.

All corporations/organizations or limited liability companies applying for a license to sell fermented malt beverages and/or intoxicating liquor must appoint an agent. The following questions must be answered by the agent. The appointment must be signed by the officer(s) of the corporation/organization or members/managers of a limited liability company and the recommendation made by the proper local official.

To the governing body of: Town Village City of Appleton County of Outgamae

The undersigned duly authorized officer(s)/members/managers of Walgreen Co.
(registered name of corporation/organization or limited liability company)

a corporation/organization or limited liability company making application for an alcohol beverage license for a premises known as

Walgreens #12019
(trade name)

located at 2803 N. Meade St. Appleton WI 54911

appoints Richard Varick
(name of appointed agent)

N3502 State Road 47 Appleton WI 54913
(home address of appointed agent)

to act for the corporation/organization/limited liability company with full authority and control of the premises and of all business relative to alcohol beverages conducted therein. Is applicant agent presently acting in that capacity or requesting approval for any corporation/organization/limited liability company having or applying for a beer and/or liquor license for any other location in Wisconsin?

Yes No If so, indicate the corporate name(s)/limited liability company(ies) and municipality(ies).

Is applicant agent subject to completion of the responsible beverage server training course? Yes No

How long immediately prior to making this application has the applicant agent resided continuously in Wisconsin? 29 years

Place of residence last year Appleton WI

For: Walgreen Co.
(name of corporation/organization/limited liability company)

By: [Signature] Todd Heckman, VP
(signature of Officer/Member/Manager)

And: _____
(signature of Officer/Member/Manager)

ACCEPTANCE BY AGENT

I, Richard Varick, hereby accept this appointment as agent for the
(print/type agent's name)

corporation/organization/limited liability company and assume full responsibility for the conduct of all business relative to alcohol beverages conducted on the premises for the corporation/organization/limited liability company.

Richard Varick 6-11-19 Agent's age ●●
(signature of agent) (date)

N3502 State Road 47, Appleton WI 54913 Date of birth ●●●
(home address of agent)

**APPROVAL OF AGENT BY MUNICIPAL AUTHORITY
(Clerk cannot sign on behalf of Municipal Official)**

I hereby certify that I have checked municipal and state criminal records. To the best of my knowledge, with the available information, the character, record and reputation are satisfactory and I have no objection to the agent appointed.

Approved on _____ by _____ Title _____
(date) (signature of proper local official) (town chair, village president, police chief)

Auxiliary Questionnaire Alcohol Beverage License Application

Submit to municipal clerk.

Individual's Full Name (please print) (last name) <u>Varick</u>		(first name) <u>Richard</u>		(middle name)	
Home Address (street/route) <u>N3502 State Road 47</u>		Post Office	City <u>Appleton</u>	State <u>WI</u>	Zip Code <u>54913</u>
Home Phone Number ●● ●● ●●●●		Age ●●	Date of Birth ●●●●●●	Place of Birth <u>Milwaukee WI</u>	

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.

Richard Varick of Walgreen Co.
(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? 29 years.
- 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 <u>Walgreens</u>	Employer's Address <u>200 Wilmet Rd Deerfield IL 60015</u>	Employed From <u>12/1992</u>	To <u>present</u>
Employer's Name <u>Mike's Town & Country</u>	Employer's Address <u>520 E Northland Ave (out of business) Appleton WI 54911</u>	Employed From <u>6/1991</u>	To <u>12/1992</u>

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.

Richard Varick
(Signature of Named Individual)



July 24, 2019

City of Appleton
Kami Lynch, City Clerk
100 N. Appleton Street
Appleton, WI 54911

Re: Request to extend Summer Concert Series

Please accept this letter of request to amend our Heid Music Summer Concert Series Special Event and Class "B" permits to extend through Thursday, September 5, 2019.

Due to inclement weather causing us to have to cancel on Thursday, June 27 with one of our more popular bands, we would like to try to recoup some of the expenses incurred on that evening.

We will also be reaching out to the following:

City of Appleton, Health Department – regarding an extension on the noise variance
City of Appleton, Park and Rec – reservation of Houdini Plaza

If approved, we will bring the necessary additional fees for the Class B license, to acknowledge the additional payment date of September 5.

Thank you,

A handwritten signature in black ink that reads "Djuanna Hugdahl". The signature is fluid and cursive, with the first name being the most prominent.

Djuanna Hugdahl
Event Coordinator
Appleton Downtown Inc.
djuanna@appleondowntown.org
(920) 749-4211 (Direct Line)



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

FEES ARE NON-REFUNDABLE
License Fee - \$10.00 per event
Investigation Fee + 7.00
Total Amount Paid 137-
Date Rec'd 3/1/19
Acct. 11030.6322
Acct. 100.2359
Receipt 5330

Concerts
2-28-19
CK# 17207

Application for Special Class "B" License to Sell Fermented Malt Beverages at Picnics or Gatherings

The named organization applies for:

A temporary Class "B" license to sell FERMENTED MALT BEVERAGES at picnics or similar gathering under s. 125.26(6) Wis. Stats.
 A temporary Class "B" license to sell WINE at picnics or similar gathering under s. 125.51(30) Wis. Stats. (Limit 2 permits in a 12 month period)

SECTION 1 - ORGANIZATION INFORMATION - Answer all questions completely. Please PRINT clearly

Name of Organization (Boys' Life club, lodge or society, veteran's organization or fair association) Date Organized
 Appleton Downtown Inv. 7.2.93

Address 333 W. College Ave., Ste 100 City Appleton State WI Zip 54911

Person in Charge of Event: Name: Last Stephen First Jennifer Middle Initial L State of Birth WI

Address ADI - 333 W. College, Ste 100 City Appleton State WI Zip 54911

President Last Peterson First John Middle Initial C. Male Female
 Address 200 E. College Ave. City Appleton State WI Zip 54911

Vice President Last Johnson First Deb Middle Initial A. Male Female
 Address 300 W. College Ave. City Appleton State WI Zip 54911

Secretary Last Magee First Lynn Middle Initial S. Male Female
 Address 101 E. Water St. City Appleton State WI Zip 54911

Treasurer Last Vargasko First Lavin Middle Initial E. Male Female
 Address 200 E. Washington St. City Appleton State WI Zip 54911

SECTION 2 - EVENT INFORMATION SECTION

Date(s) of Event: Beginning 5/30/19 Ending 8/29/19 Hours 5:30 AM (M) 9:30 AM (PM) (13 wks)

Please describe the type of event you are going to have:
 Summer music concert series

Do you plan to serve food at this event? No Yes If yes, contact the Appleton Health Department, (920.832.6429)

Location where beer or wine will be sold:
 Howard Plaza

Address Appleton & College City Appleton State WI Zip 54911

Are you requesting an "open concept" license? No Yes Will minors be present? No Yes

Describe actual location and dimensions of area to be licensed - Be precise! Full use of park area. Wristband required w/ ID, tickets with licensed bartenders.

If yes, how will you prevent minors from obtaining alcoholic beverages?

SECTION 3 - PENALTY SECTION

This application must be on file in the Office of the City Clerk for at least ten (10) business days prior to granting the license.
 If the event will last more than four (4) days, the application shall be filed 15 days prior to the granting of the license.
 This organization also agrees to comply with all laws, resolutions, ordinances and regulations (state, federal or local) affecting the sale of fermented malt beverages if the license is granted. The officer(s) of the organization, individually and together, declare under penalty of law that the information provided in this application is true and correct to the best of their knowledge and belief.

Signature of Officer: *[Signature]*

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Dept.	Approve	Deny	By	Reason
Police				
Fire	3-5		Patterson	
Health				
Inspection	3-5		Meissner	
S&L				
Council				

Date Issued Exp. Date License Number

11-01-09 Reasonable accommodations for persons with disabilities will be made upon request and if feasible.
Return application to: City Clerk, 100 North Appleton Street, Appleton, WI 54911-4799

*Note: No concert on July 4.



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

FEES ARE NON-REFUNDABLE		Date Rec'd <u>7/18/19</u>
License Fee - \$10.00 per event		Acct. 11030.4322
Investigation Fee + 7.00		Acct. 100.2359
Total Amount Paid <u>17.00</u>		Receipt <u>12132</u>

Application for Special Class "B" License to Sell Fermented Malt Beverages at Picnics or Gatherings

The named organization applies for:							
<input checked="" type="checkbox"/> A temporary Class "B" license to sell FERMENTED MALT BEVERAGES at picnics or similar gathering under s. 125.26(6) Wis. Stats.							
<input type="checkbox"/> A temporary Class "B" license to sell WINE at picnics or similar gathering under s. 125.51(10) Wis. Stats. (Limit 2 permits in a 12 month period)							
SECTION 1 – ORGANIZATION INFORMATION – Answer all questions completely. Please PRINT clearly							
Name of Organization (Bona fide club, lodge or society, veteran's organization or fair association)						Date Organized	
<u>St JOSEPH CONGREGATION</u>							
Address <u>404 W. LAWRENCE ST</u>				City <u>APPLETON</u>	State <u>WI</u>	Zip <u>54911</u>	
Person in Charge of Event: <u>EVENT CHAIR</u>			Name: Last <u>BIERSTAKER</u> First <u>MIKE</u> Middle Initial <u>G</u>		Date of Birth <u>██████████</u>		
Address <u>1715 S. HILLCREST DR</u>			City <u>APPLETON</u>	State <u>WI</u>	Zip <u>54911</u>	Person in charge phone number: <u>██████████</u>	
President Last <u>PASTOR LEARY</u> First <u>JAMES</u> Middle Initial <u>P</u>		Date of Birth <u>██████████</u>		Male <input checked="" type="checkbox"/>	Female <input type="checkbox"/>		
Address <u>404 W. LAWRENCE ST</u>				City <u>APPLETON</u>	State <u>WI</u>	Zip <u>54911</u>	
Vice President Last <u>TRUSTEE TOPPINS</u> First <u>MARY</u> Middle Initial <u>K</u>		Date of Birth <u>██████████</u>		Male <input type="checkbox"/>	Female <input checked="" type="checkbox"/>		
Address <u>4517 N. HAYMEADOW AVE</u>				City <u>APPLETON</u>	State <u>WI</u>	Zip <u>54913</u>	
Secretary Last <u>TRUSTEE WILZ</u> First <u>JANE</u> Middle Initial <u>A</u>		Date of Birth <u>██████████</u>		Male <input type="checkbox"/>	Female <input checked="" type="checkbox"/>		
Address <u>9 MEADOWBROOK LN</u>				City <u>APPLETON</u>	State <u>WI</u>	Zip <u>54914</u>	
Treasurer Last _____ First _____ Middle Initial _____		Date of Birth _____		Male <input type="checkbox"/>	Female <input type="checkbox"/>		
Address _____				City _____	State _____	Zip _____	
SECTION 2 – EVENT INFORMATION SECTION							
Date(s) of Event: Beginning <u>9/14/2019</u> Ending: <u>9/14/2019</u>				Hours <u>4</u> AM <input type="checkbox"/> PM <input checked="" type="checkbox"/>	<u>8</u> AM <input type="checkbox"/> PM <input checked="" type="checkbox"/>		
Please describe the type of event you are going to have: <u>FALL FESTIVAL PARISH FUNDRAISER</u>							
Do you plan to serve food at this event?		No <input type="checkbox"/>	Yes <input checked="" type="checkbox"/>	If yes, contact the Appleton Health Department. (920.832.6429)			
Location where beer or wine will be sold: <u>ST. JOSEPH PARISH</u>							
Address <u>404 W. LAWRENCE ST</u>				City <u>APPLETON</u>	State <u>WI</u>	Zip <u>54911</u>	
Are you requesting an "open concept" license?			No <input type="checkbox"/>	Yes <input type="checkbox"/>	Will minors be present?		No <input type="checkbox"/> Yes <input checked="" type="checkbox"/>
Describe actual location and dimensions of area to be licensed – Be precise! <u>West Parking Lot</u>				If yes, how will you prevent minors from obtaining alcoholic beverages? <u>Checking ID's</u>			
SECTION 3 – PENALTY SECTION							
This application must be on file in the Office of the City Clerk for at least ten (10) business days prior to granting the license. If the event will last more than four (4) days, the application shall be filed 15 days prior to the granting of the license. This organization also agrees to comply with all laws, resolutions, ordinances and regulations (state, federal or local) affecting the sale of fermented malt beverages if the license is granted. The officer(s) of the organization, individually and together, declare under penalties of law that the information provided in this application is true and correct to the best of their knowledge and belief.							
Signature of Officer <u></u>							
FOR OFFICE USE ONLY							
Dept.	Approve	Deny	By	Reason			
Police							
Fire							
Health							
Inspection							
S&L	Council	Date Issued	Exp. Date	License Number			

11-01-09

Reasonable accommodations for persons with disabilities will be made upon request and if feasible.

Return application to: City Clerk, 100 North Appleton Street, Appleton, WI 54911-4799



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

FEES ARE NON-REFUNDABLE		Date Rec'd <u>7/26/19</u>
License Fee - \$10.00 per event		Acct. 11030.4322
Investigation Fee + 7.00		Acct. 100.2359
Total Amount Paid <u>10-</u>		Receipt <u>12335</u>

Application for Special Class "B" License to Sell Fermented Malt Beverages at Picnics or Gatherings

The named organization applies for:							
<input checked="" type="checkbox"/> A temporary Class "B" license to sell FERMENTED MALT BEVERAGES at picnics or similar gathering under s. 125.26(6) Wis. Stats.							
<input type="checkbox"/> A temporary Class "B" license to sell WINE at picnics or similar gathering under s. 125.51(10) Wis. Stats. (Limit 2 permits in a 12 month period)							
SECTION 1 – ORGANIZATION INFORMATION – Answer all questions completely. Please PRINT clearly							
Name of Organization (Bona fide club, lodge or society, veteran's organization or fair association) United Sports Association for Youth, Inc						Date Organized 03/01/1994	
Address P.O. Box 532				City Appleton		State WI	Zip 54912
Person in Charge of Event:			Name: Last Ornstein, Joe D		First	Middle Initial	Date of Birth ●●●●
Address 941 E Pacific St			City Appleton		State WI	Zip 54911	Person in charge phone number: ●●●●●●
President Ornstein, Joe D		Last		First		Middle Initial	Date of Birth ●●●●
Male		Female					
Address 941 E Pacific St		City Appleton		State WI	Zip 54911		
Vice President Peters, Steve		Last		First		Middle Initial	Date of Birth
Male		Female					
Address 4506 N Snowy Owl Ct		City Appleton		State WI	Zip 54913		
Secretary Hahn, Aaron		Last		First		Middle Initial	Date of Birth
Male		Female					
Address 317 E Clearfield Ln		City Appleton		State WI	Zip 54913		
Treasurer Ramczyk, Rick		Last		First		Middle Initial	Date of Birth
Male		Female					
Address 2624 W Sunnyview Cir		City Appleton		State WI	Zip 54914		
SECTION 2 – EVENT INFORMATION SECTION							
Date(s) of Event: Beginning 09 / 28 / 2019 Ending: 09 / 28 / 2019 Hours 12:00 AM (PM) 7:00 AM (PM)							
Please describe the type of event you are going to have: Octoberfest Youth Soccer Tournament							
Do you plan to serve food at this event? No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> If yes, contact the Appleton Health Department. (920.832.6429)							
Location where beer or wine will be sold: USA Sports Complex Plaza							
Address 3300 E Evergreen Dr (USA Sports Complex)				City Appleton		State WI	Zip 54913
Are you requesting an "open concept" license?		No <input type="checkbox"/> Yes <input type="checkbox"/>		Will minors be present?		No <input type="checkbox"/> Yes <input checked="" type="checkbox"/>	
Describe actual location and dimensions of area to be licensed – Be precise! Concession Plaza Area				If yes, how will you prevent minors from obtaining alcoholic beverages? Wristbands, id checks,			
SECTION 3 – PENALTY SECTION							
This application must be on file in the Office of the City Clerk for at least ten (10) business days prior to granting the license. If the event will last more than four (4) days, the application shall be filed 15 days prior to the granting of the license. This organization also agrees to comply with all laws, resolutions, ordinances and regulations (state, federal or local) affecting the sale of fermented malt beverages if the license is granted. The officer(s) of the organization, individually and together, declare under penalties of law that the information provided in this application is true and correct to the best of their knowledge and belief.							
Signature of Officer							
FOR OFFICE USE ONLY							
Dept.	Approve	Deny	By	Reason			
Police							
Fire							
Health							
Inspection							
S&L		Council		Date Issued		Exp. Date	License Number

11-01-09

Reasonable accommodations for persons with disabilities will be made upon request and if feasible.

Return application to: City Clerk, 100 North Appleton Street, Appleton, WI 54911-4799