

## Item 23-1187: Recommended Denial of an Operator License

### Safety and Licensing Committee

Wed, Nov 01, 2023 5:45PM

**Aldersperson Chris Croatt (District 14) 01:28**

Moving right into our action item, which is 23-1187 is the recommended denial of an operator's license for [Katie B.]. This was at our last meeting on the October 25th. Due to the applicant arriving late to the meeting, we had taken action, but then we reconsidered our action, and then ultimately held it at committee with the intent of having an additional discussion at a future date which is tonight. So, we still have the same attachments that were on the original packet, which is the denial letter, the license application from [Miss B.] and a letter from the Appleton Police Department. And we also have a new document, which is a discharge certificate. Attorney Behrens, would you like to comment on the additional document, or should we? Okay, yeah. District Four, go ahead.

**Attorney Christopher Behrens 02:29**

Okay. What you've been provided tonight is a document that you were anticipating you might have received at the last meeting—Wisconsin Department of Corrections, it's a discharge certificate. You have it in front of you, you can you can read the details of it. But with respect to this license, what it means is, she satisfied one of the obligations that you're looking for, and basically, statutorily now there would not be a basis for denying the license as applied for. So, staff would recommend approval at this point.

**Aldersperson Chris Croatt (District 14) 03:00**

Okay. Thank you for that. When you say staff would recommend approval, does that include the Appleton Police Department?

**Attorney Christopher Behrens 03:08**

Well, Appleton Police Department's recommendation of denial, I believe was based on not having this discharge.

**Aldersperson Chris Croatt (District 14) 03:15**

Okay.

**Attorney Christopher Behrens 03:16**

I won't speak for them, but I'll speak for the attorney's office and what the statute mandates and our recommendation.

**Aldersperson Chris Croatt (District 14) 03:20**

Okay. So, the statutory requirement has been met.

**Attorney Christopher Behrens 03:24**

Yes.

**Aldersperson Chris Croatt (District 14) 03:24**

Okay. So, thank you. That's an important clarification. Chief Olson, may I call on you? I know, Lieutenant Nagel is not here, right? Okay. Would you be able to comment on the police department's current position on this based on the additional documentation that was received?

**Police Chief Polly Olson** 03:42

So, it would be our position that as long as all the statutory requirements are met, I don't think we would necessarily have an objection.

**Aldersperson Chris Croatt (District 14)** 03:49

Okay. Because the original recommendation from the police department was a recommendation for this committee to look at denial.

**Police Chief Polly Olson** 03:55

Correct.

**Aldersperson Chris Croatt (District 14)** 03:55

Okay. Just wanted to make sure that we're all on the same page. Okay.

**Aldersperson Katie Van Zeeland (District 5)** 04:00

May I make a motion to approve?

**Aldersperson Nate Wolff (District 12)** 04:01

Second.

**Aldersperson Chris Croatt (District 14)** 04:02

You may. So, we have a motion and a second to approve discussion? Aldersperson Hartzheim, which? 13 is— should be green.

**Aldersperson Sheri Hartzheim (District 13)** 04:11

Thank you, Chair. I just have a procedural I guess, question in this regard. If this license is granted to this particular applicant, is she able then to serve alcohol at any establishment not just the one that she's asking for in terms of her current—

**Aldersperson Chris Croatt (District 14)** 04:31

Where she's currently employed?

**Aldersperson Sheri Hartzheim (District 13)** 04:32

—was it—yep, correct.

**Aldersperson Chris Croatt (District 14)** 04:33

So, it's my understanding that she could take that anywhere. Attorney Behrens, can you confirm that—or Clerk Lynch?

**Clerk Kami Lynch** 04:40

That is correct. Anywhere in the City of Appleton.

**Aldersperson Chris Croatt (District 14)** 04:42

Okay.

**Aldersperson Nate Wolff (District 12)** 04:43

I would like to thank the applicant for providing the documentation. I appreciate your effort, and I'm happy to do this.

**Alderson Sheri Hartzheim (District 13) 04:43**

Thank you.

**Alderson Chris Croatt (District 14) 04:43**

Yep. All right. Other questions from the committee? Okay. **[Miss B.]** or anyone that's here for this item, would you like to say anything? You don't have to but this is an opportunity to comment. Anybody that's with you, would you care to share? Okay, I know you spoke at the last meeting, so thank you for coming back. Alderson Wolff.

**Alderson Chris Croatt (District 14) 05:12**

Okay, thank you. Alderson Schultz, we—I don't think we can hear you, but try—try speaking. We'll see if—you have any question? No question? Okay. All right.

**Alderson Chris Croatt (District 14) 05:24**

So, we have a motion in a second to approve the license. Any additional questions or comments? Seeing no hands let's take a vote. All those in favor signify by saying aye. Aye. All opposed. Five, zero. It will go to the Council as a recommendation and a five zero vote.

**Alderson Chris Croatt (District 14) 05:40**

I believe that's on the Council agenda for tonight. So, you're welcome to stay. That meeting will start at seven o'clock, and it's on our agenda. So, we will take action on it tonight. Otherwise, you can—if you leave, I'm sure you can find out the results of the vote through the clerk's office or by watching the video. Okay? Thank you.

**Alderson Chris Croatt (District 14) 06:02**

All right. Moving information items, there is nothing listed. move to adjourn. Second motion a second to adjourn All in favor signify by saying aye. Aye. All opposed. Five zero. We are adjourned. Thank you