

**Item 24-0834: Non-Renewal of the Class "B" Fermented Malt Beverage & "Class B" Liquor License for Corner Pub, 1123 N Mason Street. Kim Williams, Agent**  
**Safety and Licensing Committee**

Wed, Jul 24, 2024 5:30PM

**Aldersperson Chris Croatt (District 14) 01:12**

Okay, no scheduled public hearings or appearances. Moving right into our action items, which is—first one is the non-renewal of the class B fermented malt beverage and Class B liquor license for Corner Pub 1123 North Mason Street, Kim Williams agent. Miss Williams, are you here today? I know you are. Thank you for confirming.

**Aldersperson Chris Croatt (District 14) 01:34**

Okay, Alder Schultz has arrived. All right.

**Aldersperson Chris Croatt (District 14) 01:41**

Okay, this is back before the committee as the result of a refer back from a Council member at the last Common Council meeting. I am going to give Alder Wolff a chance to speak on the refer back, but I did want to start with reading something from a memo dated on July 15 which is from Legal Services Attorney Buruin. I'm going to read part of your memo if you don't mind, because I feel like it's important that this committee is reminded of what we have at our disposal here and what some of the requirements for that decision would be.

**Aldersperson Chris Croatt (District 14) 02:23**

So, the last part of the memo. I'm just going to read the final section that says "the Common Council has the discretion to allow more time before considering the alcohol license in question to be considered abandoned if good causes shown. It does not appear that the delays in the progress or in the providing or in the providing of information to the applicant in this matter were the result of any action or inaction on the part of the involved departments. Assertions that the relevant departments failed to timely inspect or provided inspection results are not factually supported and should not be treated as basis for a finding of good cause to extend the deadline for abandonment. Should the Council find good cause based on the information supported by record, it may exercise its discretion as it sees fit."

**Aldersperson Chris Croatt (District 14) 03:07**

Keywords there are "good cause." So, I just want everyone to be reminded of that as we proceed. We also took action at our last meeting which sent this to the Council on a motion to support non-renewal. There was also a findings in fact document signed by the three members of this committee that voted for non-renewal. So, with that said, I will turn it over to Alder Wolff who referred this back to the safety licensing committee. Alder Wolff district 13 or 12?

**Aldersperson Nate Wolff (District 12) 03:39**

Yeah.

**Aldersperson Chris Croatt (District 14) 03:39**

Okay. Go ahead.

**Aldersperson Nate Wolff (District 12) 03:41**

Thank you, chair. I referred this back last week, out of curiosity to conversation and some information that the owners of the establishment gave to me and discussion to have, you know, more discussion here in committee. I

felt as though I was out of loop and need—this needed to come back to talk about a more. I had conversations with the with the Attorney's Office on this and got brought up to speed as well as reviewed the previous meetings. So, thank you for bringing it back. I do have questions for the owner of the establishment as well as some thoughts on the direction we should go, but I would also like to hear from the owners of the bar before I ask those questions if that's okay.

**Alderson Chris Croatt (District 14) 04:40**

Okay. Since Miss Williams is here and another representative is here, if you would like to approach the microphone and if you, please give your name and address for the record, and, if you'd like to make any comments, we've heard from you before. So, what I'd like to try not to do today is repeat a lot of what we've heard previously. So please go ahead and add any new information you would like to share.

**Kim Williams (Corner Pub) 05:08**

Up. We are making progress.

**Alderson Chris Croatt (District 14) 05:13**

Could we get your address for the record, Kim?

**Kim Williams (Corner Pub) 05:15**

1123 North Mason.

**Alderson Chris Croatt (District 14) 05:17**

That's the business address. Correct? That's the business address?

**Kim Williams (Corner Pub) 05:21**

Yeah.

**Alderson Chris Croatt (District 14) 05:21**

Okay. Go ahead.

**Kim Williams (Corner Pub) 05:23**

We have been making progress. The tiles are pretty much done. We left a couple down for the inspectors to do what they need to do. The window will be done this weekend and the vanity. So, we're just asking for a couple more weeks, because we will have the furnace to wrap yet.

**Alderson Chris Croatt (District 14) 05:47**

Okay. Alder Wolff, you said you had said—since she's at the microphone, you had said you had a question for the property owner? Would you like to ask that?

**Alderson Nate Wolff (District 12) 05:56**

Yes.

**Alderson Chris Croatt (District 14) 05:57**

Go ahead.

**Alderson Nate Wolff (District 12) 05:57**

So, my question was, in the last year, since you knew that the bar was closed why—what prevented you from starting this then? Even if it wasn't the city necessarily asking you to do it, why—why wouldn't the repairs started back last year?

**Alderson Chris Croatt (District 14) 06:16**

I believe we've heard that, but I'll let her recap the things that they had going on in their life.

**Kim Williams (Corner Pub) 06:21**

We've had, like, five family deaths, my health issues, my husband's. We were dealing with all of that for the last year and a half. We pretty much got over all that. We're kind of moving forward, and this is where we're at?

**Alderson Nate Wolff (District 12) 06:43**

How much longer do you think it will take to get everything—

**Kim Williams (Corner Pub) 06:46**

I think just a couple more weeks would be good.

**Alderson Nate Wolff (District 12) 06:50**

And do you have, you know, appointments lined up? Like all the work lined up and set in stone to have those things completed?

**Kim Williams (Corner Pub) 07:00**

Yes.

**Alderson Nate Wolff (District 12) 07:01**

And you have all the communication with the city as well? Like—

**Kim Williams (Corner Pub) 07:05**

Pardon?

**Alderson Nate Wolff (District 12) 07:06**

Do you have communications with the fire department, the city inspector to have everything viewed as well?

**Kim Williams (Corner Pub) 07:14**

Have everything what?

**Alderson Nate Wolff (District 12) 07:15**

Are you in—have—or do you have everything with the city lined up as well?

**Kim Williams (Corner Pub) 07:22**

As far as I know, they—Dan and another gentleman was talking to my husband yesterday. I don't know what exactly was said at that point, but we've been communicating and...

**Alderson Nate Wolff (District 12) 07:35**

Okay. All right.

**Aldersonperson Chris Croatt (District 14)** 07:41

All right. Um just for everyone's benefit, could I have someone from the attorney's office, Attorney Glad maybe, summarize the ordinance as it relates to the one-year rule on this. Because I think it's important for us to remember that as we look at possibly setting precedent.

**Darrin Glad (Assistant City Attorney)** 08:03

I'll use this one. I'm just gonna look up the actual code itself. Give me just a moment.

**Aldersonperson Chris Croatt (District 14)** 08:26

And while you're doing that, the reason why I'm asking about that is obviously the comment about precedent, but also the fact that this has already essentially been extended due to being held at committee, referred back to committee, and we're weeks past the original one-year date.

**Darrin Glad (Assistant City Attorney)** 08:44

Yeah, the licensing period would be from July 1 to June 30 of any year. Abandonment is sufficient grounds for non-renewal of any alcohol beverage license. Abandonment and abandon mean "continuing refusal or failure of the licensee to use the license for the purpose or purposes for which the license was granted by city Council for a period of one year." Then as you alluded to earlier, Common Council may for good cause shown extend such period. I think in this case, we're talking about a license for the sale of alcohol beverages. So inherent in that is—the purpose for which is granted is to sell alcohol beverages.

**Aldersonperson Chris Croatt (District 14)** 09:27

Okay, thank you for that. And it's my understanding there's also an avenue for them to—should they not get an extension and the renewal is supported by Council, there still is an avenue for them to reopen. Would you want to comment on that or would the clerk's office want to comment on that regarding license opportunities?

**Darrin Glad (Assistant City Attorney)** 09:51

I'll let the clerk go first and I can fill in anything.

**Aldersonperson Chris Croatt (District 14)** 09:52

Okay, Clerk Lynch, direc—is it a director one? Go ahead.

**Clerk Kami Lynch** 09:56

They would be eligible to then reapply for a license should the non-renewal proceed when they are ready. There are licenses available of this type.

**Aldersonperson Chris Croatt (District 14)** 10:13

Okay. Who had their hand up first? Alder Schultz, I saw your hand up and then Alder Siebers.

**Aldersonperson Alex Schultz (District 9)** 10:18

Sure. Thank you, chair. Could I direct a question to Miss Williams?

**Aldersonperson Chris Croatt (District 14)** 10:22

Sure. Go ahead.

**Alderson Alex Schultz (District 9) 10:24**

Were you aware as this year end year approached the end of this window, were you aware that at the end of one year, you might be facing a situation you'd have to for—forfeit your license because you haven't been open for a year?

**Kim Williams (Corner Pub) 10:37**

No. No.

**Alderson Alex Schultz (District 9) 10:39**

Was anybody else as part of the establishment aware of that situation?

**Kim Williams (Corner Pub) 10:44**

No, we just got the letter that we got in the mail saying that we needed to be open by whatever the date was.

**Alderson Alex Schultz (District 9) 10:53**

Can you tell me how the date between the time you received that letter and the end of the one-year window, how much time how much time was allowed you to basically enter into this process of getting the place open once you got that letter and became aware that you had to do this or lose your license?

**Kim Williams (Corner Pub) 11:10**

Actually, when the inspectors came through, which I don't have my paperwork in front of me.

**Alderson Chris Croatt (District 14) 11:19**

So, I'm gonna jump in here because this agenda for today has a number of attachments, and one of the attachments is a letter that was sent from the clerk's office on July 28, 2023 outlining the one-year period. I just wanted to be clear that there's—I think there's some questions about what did the what did the property owner understand and know, and then there's the facts around what was sent and presented. So—

**Alderson Alex Schultz (District 9) 11:53**

Thank you, Chair.

**Alderson Chris Croatt (District 14) 11:54**

Just trying to stick to the facts here, and—okay.

**Alderson Alex Schultz (District 9) 11:56**

I'm not trying to suggest that anything was not communicated, and certainly in my previous comments on this particular situation or issue, if there was any illusion that I was suggesting the staff wasn't doing their job or properly alerting the property owners of the situation, that's that wasn't my intent. Part of this is understanding the situation you're in and what your understanding of it is.

**Alderson Alex Schultz (District 9) 12:19**

So, I think the only thing we can determine as a committee here is whether there's an extenuating circumstances or good cause or hardship that has put you in a position where adhering to that one-year timeline and getting that bar open in that one-year timeline is was a challenge, and I think that's essentially the question where we're dealing with.

**Alderman Alex Schultz (District 9) 12:42**

Now in the interim, since you were made aware of this in the short window, I mean, I don't know how much of it has to do with our decision here, but I understand that a lot of work has been done to try and fix these things once you became aware that, "Oh, my goodness, I guess we didn't realize our license would be a subject," even though you were alerted a year ago. And so, I guess the next question would be, I'd like to refer to staff inspections, to give us a sense of where they are now and how much time or how much has been accomplished, and is it a sense of from staff that, you know, another week or two or whatever the time period is, they would be able to essentially be in a place where they could open that business.

**Alderman Chris Croatt (District 14) 13:23**

I don't know if staff wants to comment on that or not. Inspector Craanen, would you like to comment? I think one of the unknowns is what happens and is the work sufficient when it's completed? And there may be a need to address something new or something else. Go ahead. What—you have two Director two? District Four? Go ahead.

**Supervisor Kurt Craanen (Inspections) 13:42**

So, we were first there on May 28. We had a bunch of inspectors come through, and that's when we informed the owner—and we've been talking to Rick, her husband, I think way more than we were speaking to Kim, just so just so you understand that. And Rick has been at the property and we've been talking with him, and he's been doing most of the work. The biggest issue is the fire separation between the residential unit upstairs and the bar. There has to be fire separation; it's a very important life safety issue. And when there was the water damage several years ago—was it two three years ago?

**Kim Williams (Corner Pub) 14:19**

Well, it was February? February—just before February 3, we had the water damage.

**Supervisor Kurt Craanen (Inspections) 14:31**

Okay. So, the water damage was catastrophic. I mean, all, the whole ceiling and that entire separation was brought down to the floor. So, they have to reestablish that one-hour rating between the residential area and the bar and then also it damaged the enclosure, the two-hour enclosure, around the furnace. And right now, Rick is trying to decide whether to replace the furnace altogether or to establish that two-hour separation. So, for us to—you know, we're nowhere near, you know, approving this until that sep—fire separation exists. It's a life safety issue. So, Rick has been working on it. This past week he's done a lot of work. Dan was just there just now, and he's done even since yesterday, when I was there, he's done a lot to reestablish that that rating on the ceiling.

**Alderman Chris Croatt (District 14) 15:20**

Okay. So—

**Alderman Alex Schultz (District 9) 15:21**

Sorry.

**Alderman Chris Croatt (District 14) 15:22**

Go ahead.

**Alderman Alex Schultz (District 9) 15:22**

You mind? Is all that remains then as far as the fire safety and life safety is the wrapping of that furnace room?

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**Supervisor Kurt Craanen (Inspections) 15:29**

I will say that there is a window that faces north that was warped severely from the water damage, and there's gaps in there—

**Aldersperson Alex Schultz (District 9) 15:38**

Okay.

**Supervisor Kurt Craanen (Inspections) 15:38**

—a couple inches. I mean, I—

**Aldersperson Alex Schultz (District 9) 15:40**

And they're aware of that?

**Supervisor Kurt Craanen (Inspections) 15:41**

It's not a life safety issue, but it's just—it needs to be fixed. It's a violation.

**Aldersperson Alex Schultz (District 9) 15:45**

Okay.

**Supervisor Kurt Craanen (Inspections) 15:47**

And that window [indecipherable] I think ordered it. Right?

**Kim Williams (Corner Pub) 15:49**

We do have a gentleman coming this weekend to take care of that.

**[Inspector Craanen speaks off microphone with someone.]**

**Aldersperson Chris Croatt (District 14) 16:03**

If you're gonna make extended comments, please use microphone.

**Daniel Meissner (Commercial Building Inspector - City of Appleton) 16:06**

Okay. Thank you. My name. Yes, please. Okay. Daniel—

**Aldersperson Chris Croatt (District 14) 16:10**

And title.

**Daniel Meissner (Commercial Building Inspector - City of Appleton) 16:10**

Daniel Meissner. I'm the commercial building inspector city of Appleton. If I may just state a couple additional things. As Kurt mentioned, very, very accurate, I believe they've taken the major things they had from our list and done them. And from what I've seen it, I was just there today, it's been done to code and compliant. Will we have to go back as a team and look at it again? Definitely. Before we were authorized to go. And I can simply state that Health Department when they go through, they like to see that as if it's going to open the next day.

**Aldersperson Chris Croatt (District 14) 16:45**

Thank you. Okay, thanks. Alder Siebers, I think you were next.

**Aldersperson William Siebers (District 1) 16:54**

Just clarification. When the attorney was reading the ordinance, did you say ordinance or—?

**Darrin Glad (Assistant City Attorney) 17:03**

That was ordinance. Yeah.

**Alderson William Siebers (District 1) 17:03**

Okay. You mentioned non-renewal, but this isn't a non-renewal. They've already renewed their license. So, this would be a forfeiture of their license, right?

**Darrin Glad (Assistant City Attorney) 17:17**

It is procedurally a little bit of a weird position we're in. That non-renewal hearing, I believe, was in the end of June, before the new issue the—so we're still in non-renewal world, because the timing of that. So, this never shifted from our non-renewal to a revocation or anything like that. We are we're looking at renewing the license for 2024 to 2025.

**Alderson William Siebers (District 1) 17:39**

Okay. And just a point that I want to make in regards to your question, in regards to if we would not renew the license, and they were to do the work. The city clerk said they could apply for license, but they've already spent money on their renewal, and applying for a license after their license has been taken away is a considerable amount of money. It's not \$500, you know.

**Alderson Chris Croatt (District 14) 18:14**

Correct, and I believe

**Alderson William Siebers (District 1) 18:15**

And considering the financial situation that they're in, it's hard for me to believe that they could come up with that money. But anyways, it's not a easy fix.

**Alderson Chris Croatt (District 14) 18:28**

Understand, and I believe the clerk clarified that those are non-refundable fees that they already incurred.

**Clerk Kami Lynch 18:34**

That is correct.

**Alderson Chris Croatt (District 14) 18:35**

Okay. All right. Anyone else? Alder Doran?

**Alderson Chad Doran (District 15) 18:41**

Thank you. I'm still struggling to understand the reason for the refer back just because of a colleague's curiosity, and there were several meetings about this and plenty of opportunity for all of our colleagues to get involved in this discussion in the past. The new information I think we have today is somewhat irrelevant to the discussion here, because the issue with the non-renewal is that we have a set deadline for that. They had one year to address that. This Council gave them an extension already.

**Alderson Chad Doran (District 15) 19:13**

Having a license comes with a responsibility to understand what the rules around that license are, and whether they didn't understand those or disregarded those rules, is not an issue for us. Our issue is to follow what the ordinance says, and I think what some of my colleagues seem to be doing here is poking around the edges looking for excuses or reasons to give them another further extension when what their issue really is, is with the



way the ordinance might be written. And so, if that's the concern, then I would encourage my colleagues to bring the ordinance forward for changes. But I'm really concerned about setting a precedent here that we're going to then have to follow that we are essentially just disregarding what our ordinance says by continuing to grant extensions for reasons that are not really covered under what our current ordinance says or allows. So, I can't see supporting this. And I also have a question, I guess, for the attorney, just given that we already signed the, I guess, the notice last week or at our last meeting, what sort of procedurally happens next with that?

**Darrin Glad (Assistant City Attorney) 20:20**

So, what you're referring to, I believe, would be that report to Council that contained the findings of fact conclusions, the law, and the recommendation. That that's by statute that's required, and that report has gone to Council. I think if this committee revisited it and changed their recommendation, I think I would have to amend that report to reflect that. If the recommendation remained the same, and the findings of fact, conclusions of law are the same, there'd be no need to amend it. So that's the procedure for that process.

**Alderman Chris Croatt (District 14) 20:56**

Okay. Thank you for clarifying. Alder Schultz.

**Alderman Alex Schultz (District 9) 21:00**

Thank you, Chair. I mean, it, the decision we have to make is clear and the boundaries that we are working within are certainly laid out. And again, it comes down to a question of whether there is good cause or a reason why, and in this case, it's I guess we're talking about this year that no action was taken on that property. I guess I would balance that with once that notification occurred, this property owner has been making copious efforts to remediate the issue and try and reopen. It would be—I would have a different opinion, if we were given this notification and nothing was happening on the property. I've spoken to the property owners. I know some nights, he's been working till 5am to try and catch up and remediate things. And we have heard from Inspections that most of the issues that were shared have been taken care of, and there's just this sort of, I guess, primarily one remaining element, which is the fire safety around the furnace. And in my mind, I think that can be remedied in short order.

**Alderman Alex Schultz (District 9) 22:06**

So, I guess I'm looking at it from the standpoint of was there just cause? Is it—was there a hardship that was faced? Yes. Did the property owner fail to recognize that they had a year to take care of this business? Yes. Those are two opposing things in my mind. How do I reconcile those two? I'm going to defer to the spirit of law versus the letter and essentially say, look, we have the opportunity as a committee to grant some license to the owner, because there has been so much effort, since the notification was made to bring this space back into operation.

**Alderman Alex Schultz (District 9) 22:44**

Yes, it's taken longer than a year; I get that. And yes, they didn't act as quickly as they could. But when you hear the story about what this family has gone through, and the fact that the person who is before us has gone through chemotherapy and is dealing with a lot of stuff, I feel personally, that's just cause for allowing a little bit extra time, particularly because they're getting really close to being reopened. I don't know what that time is. Besides wrapping the furnace, I'm sure there are other things that need to happen before that place can actually open its doors and serve.

**Alderman Alex Schultz (District 9) 23:13**

So, I'm hoping we have the heart and compassion to, as a committee to say, "Okay, yes, this is just cause." I understand this. If I was going through that, I would want a little bit of leeway with the city. I get that we're up

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against—and I appreciate your comments Alder Doran—there are hard and fast rules, but there's also a clause that says we have as a committee the ability to say, "Okay, we recognize this as a unique situation. They've been through a lot, and they're working to reopen soon." Why would we want to revoke the license and have them appear two or four weeks later to get a new license? That seems—that seems like preposterous to me. If we're going to revoke and it's going to take them six months to a year to reopen, okay, I understand that. But they're so close at this point. It feels like we're just going to put them through a lot more anxiety, more fees, and they've already invested so much time energy to get to reopen. So, I would hope this committee has some heart and says, "Okay, we get to understand—understand what happened. We understand there's a violation. We understand that this property owner didn't do what they were supposed to do. But we also understand the other side of the story." So, I would hope we would vote to approve the license.

**Alderman Chris Croatt (District 14) 24:19**

Okay. Other comments from committee members? We don't have a motion. Don't make a motion yet, because we do have a posted closed session, if necessary, on the agenda? Yes, it is posted. So, attorneys or committee members? Alder Doran, go ahead.

**Alderman Chad Doran (District 15) 24:42**

To Alder Schultz's point, we have no definite timeline here as to when they're going to be ready to reopen. This committee has given six weeks plus of additional time, and yes, they have made progress but we have no information that would lead us there'll be back here in two weeks or four weeks or six months. And so, what what's being advocated here is just a blank check, so to speak, to just have them come back when it is, whenever that is, that they're ready to reopen. And I'm not comfortable with having that sort of leeway in our ordinance when it's pretty clear that there's a one-year deadline for these things to be finished. Commend them on the work they've done, and we're all understanding of issues they faced, but leeway has been given in in I think, pretty vast sums already, and without any sort of information and a kind of concrete timeline here. I can't see us giving any extra time for this sort of just open-ended scenario when the ordinance is very clear.

**Alderman Chris Croatt (District 14) 25:50**

Alder Fenton.

**Alderman Denise Fenton (District 6) 25:51**

Thank you, Chair. I was thinking about the letter of the ordinance and I think Alder Schultz address the extraordinary circumstances. I'm also thinking back on several votes that we—not in this committee, but as a Council—have taken with development—with corporations that have development agreements with us, and they have run into circumstances that may have been beyond their control or market conditions, and we've unanimously passed a lot of extensions to those development agreements, where some of us who were like, very picky about it could say, "Well, no, they had a contract with the city, and they were to purchase this land at this price on this day. And they ran into—we don't care what they ran into in the business environment or with interest rates, or—we have a contract. We want you to enter into that contract."

**Alderman Denise Fenton (District 6) 27:04**

Here, we have an ordinance. We—the city—I have—I am making no argument that the city was in any way negligent in notifying the license holders of their responsibilities, but in my view, the license holders (who are small business owners, individual families) ran into some extraordinary circumstances that prevented them from getting all of the work done. And as the inspectors have told us, they've been making progress, maybe, maybe late, but they've been making progress. They clearly want to keep their business open.

**Alderson Denise Fenton (District 6) 27:55**

I had meant to ask—I know when we met at the last meeting, Clerk Lynch told us that there might be an issue that they wouldn't be able to get the standard class B license, that they'd have to go for a reserve license and— or is it true now that now a regular class B beer and liquor license would be available? But we don't but we have no guarantee, right?

**Clerk Kami Lynch 28:21**

So, we have—not including this license, there are three regular license available licenses available. We do have six applications for those licenses of the regular license. So, it's first come first serve. Who's ever, who's ever ready first would get a regular license.

**Alderson Denise Fenton (District 6) 28:38**

All right. Thank you. So back to my original point, I think that for a family business that's been in the city who has been dealing with extraordinary circumstances, I think we could grant them the same grace that we grant some of the large corporations who have agreements with the city. Thank you. And I don't know—you said we're not making motions right now—

**Alderson Chris Croatt (District 14) 29:07**

Well, we can make a motion, but we also have the opportunity if we want to go into closed session before we make a motion

**Alderson Denise Fenton (District 6) 29:14**

I would defer to the to the desires of my colleagues on the committee on that.

**Alderson Chris Croatt (District 14) 29:20**

All right. Anyone want to make a motion on the item or a motion to go into closed session? Alder Doran.

**Alderson Chad Doran (District 15) 29:29**

I make the motion to deny.

**Alderson Chris Croatt (District 14) 29:31**

So, a motion to deny the license renewal or support the non-renew?

**Alderson Chad Doran (District 15) 29:37**

Well, whichever—I guess what did we decide last time was the proper...?

**Alderson Chris Croatt (District 14) 29:40**

Last time we sent it as a motion to approve the non-renewal.

**Darrin Glad (Assistant City Attorney) 29:43**

Approve the non-renewal.

**Alderson Chris Croatt (District 14) 29:44**

I believe. Is that correct Attorney Glad?

**Darrin Glad (Assistant City Attorney) 29:46**

In the findings—the recommendation in the report says it was "refused to renew." I honestly don't remember the way it was worded. Just so long as the intent on what you're doing to this license is clear, I'm satisfied.

**Alderson Chris Croatt (District 14) 30:01**

Yeah, we made a motion to approve the non-renewal according—in accordance with the findings and of the attached report, which was a three two vote at that time. Okay, so your motion, again, Alder Doran.

**Alderson Chad Doran (District 15) 30:15**

Approve the non-renewal.

**Alderson Chris Croatt (District 14) 30:17**

Okay. Is there a second? I'll second. All right. Any other comments? All right, we have a motion and a second. All those in favor of non-renewals signify by saying aye.

**Alderson Chad Doran (District 15) 30:31**

Aye.

**Alderson Chris Croatt (District 14) 30:32**

All opposed?

**Aldersons Siebers, Fenton, and Schultz 30:32**

Nay.

**Alderson Chris Croatt (District 14) 30:34**

Did not pass because it was two to three. So now we're back to the original state. Committee members, would you like to—?

**Alderson Alex Schultz (District 9) 30:45**

Motion to approve renewal contingent upon final inspections and approval by—

**Alderson Alex Schultz (District 9) 30:50**

That's—okay.

**Alderson Chris Croatt (District 14) 30:55**

Which attorney wants to chime in here? Buruin, you want Attorney Buruin?

**Darrin Glad (Assistant City Attorney) 30:59**

I think in this circumstance, I mean, I'll be advising Council on that procedural rule. Which you started to say, "to renew the license contingent upon..." I didn't hear anything after that.

**Alderson Chris Croatt (District 14) 31:13**

Okay, if you could just comment on the good cause part, because that's an important part of moving forward with this, correct?

**Darrin Glad (Assistant City Attorney) 31:22**

Yes. I think a motion to approve—to renew this license will need an enlargement of the period of time that the property can be abandoned at this point, given the findings of fact that report to Council. So, with that would come an amended report to Council. We can take that step like last time afterwards. But this motion, it sounds like, is already contemplating that good cause is the basis for the extension of the period.

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**Darrin Glad (Assistant City Attorney) 31:59**

And then I think through the argument/discussion of that, laying out what the good cause would be, so that we can amend the report to Council would be an appropriate way to handle that.

**Alderson Alex Schultz (District 9) 31:59**

Yes.

**Alderson Chris Croatt (District 14) 32:15**

Okay. Go ahead. Go ahead. I'm sorry for cutting you off. I just want to make sure we were moving down the right.... Yes, absolutely, Attorney Buruin.

**Zak Buruin (Assistant City Attorney) 32:24**

Just following up on that, I think at this point, the proper motion would likely be just for the enlargement of the time frame. And beyond that, I think we would need to have a specific set time for that, rather than leaving it open ended. I don't think it necessarily requires that, but I think in terms of procedure, it makes sense to do it that way so we actually have something that we're addressing and dealing with. I don't know if my colleague Attorney Glad agrees, but that would be my recommendation from this side of things.

**Darrin Glad (Assistant City Attorney) 32:55**

If I may, I think doing it that way, you don't end up in a position where you don't have the good cause to do what you just did. So, I think it's what Attorney Buruin's trying to avoid.

**Alderson Chris Croatt (District 14) 33:03**

Clear, Alder Schultz?

**Alderson Alex Schultz (District 9) 33:07**

Almost clear. I would need to know what time has passed so that I know how large to make the extension. So, I'm guess I'm understanding that this was July 1. And we are now—

**Alderson Chris Croatt (District 14) 33:23**

Actually June 30, I believe was the cycle—right?—for...?

**Zak Buruin (Assistant City Attorney) 33:29**

Yes. I don't see any reason you couldn't set it as a date deadline rather than extending the date to that.

**Alderson Chris Croatt (District 14) 33:40**

So, for example, a motion could be made to extend 'til August 15. Just throwing out an example.

**Zak Buruin (Assistant City Attorney) 33:50**

I think that would be appropriate.

**Darrin Glad (Assistant City Attorney) 33:55**

I'm comfortable. I think the—whatever the beginning date of this abandonment, one year period, I think if your intention is to enlarge that abandonment period so that it ends on August 15—

**Alderson Chris Croatt (District 14) 34:06**

Or otherwise phrased as 45 days past the original date? Which would essentially be—

**Darrin Glad (Assistant City Attorney) 34:13**

I worry about that language, because the start date of the abandonment.

**Alderson Chris Croatt (District 14) 34:17**

I didn't know if it had to be tied to date, the July 1 date.

**Darrin Glad (Assistant City Attorney) 34:20**

The way I conceptualize this is, they were not in operation for a year. They're not using their license for what it was intended to be used for one year is what abandonment is. So, the findings of fact as they are pretty much started that period on—in May of 2023. But there's been some I would say testimony today that may have pushed that farther back in the past. So, if you say I'm gonna extend it to one year, six months, that period might have already passed already, depending on how the finding of facts come out. So.

**Alderson Chris Croatt (District 14) 34:57**

So set and actual date is what I'm hearing. Okay,

**Alderson Alex Schultz (District 9) 35:01**

Can I ask you another question from inspections?

**Alderson Chris Croatt (District 14) 35:03**

Sure.

**Alderson Alex Schultz (District 9) 35:06**

In your inspections of the property and understanding what is left to be accomplished and also for inspections, including health and whoever else has to go there for final round, knowing what you know the property how much—I guess I'm going to ask you, how much time do you think is necessary for the city to be able to accomplish inspections and sign off with the understanding that essentially, when you want to approve it, you're expecting the business to be open the next day. So, I'm comfortable making that August 15 date, but I want to understand what that means for inspections, given what you've seen at the property. As much as you are able to give us any insight on what you're what you're required to do.

**Supervisor Kurt Craanen (Inspections) 35:54**

We can be there at any time—

**Alderson Alex Schultz (District 9) 35:56**

Okay.

**Supervisor Kurt Craanen (Inspections) 35:56**

—they call us. It's really on them, the amount of resources they're willing to put into the property as far as how much time this is going to take.

**Alderson Alex Schultz (District 9) 36:04**

Nothing presents—prevents the city to get in—

**Supervisor Kurt Craanen (Inspections) 36:05**

How many workers they have there

**Alderson Alex Schultz (District 9) 36:06**

—and inspect day of or day after work is done. Okay.

**Supervisor Kurt Craanen (Inspections) 36:10**

We can be there any time, but they have to wait for materials to come in. They could be putting new, a new furnace in—

**Alderson Alex Schultz (District 9) 36:16**

I would—can I make a motion or you want me to hold off here just a second?

**Alderson Chris Croatt (District 14) 36:20**

Hold for a second. The other representative for the property wanted to speak. If you would use the microphone and give your name and address again for the record.

**Crystal Williams (Corner Pub) 36:29**

Crystal Williams [XXXXX] Grand Chute. Daughter in law of Kim and Ricky Williams. I truly believe two weeks—two weeks, everything can be completed ready for inspections. Provided we get that furnace done this week, I really believe two weeks everything should be done and ready to go and ready for inspection. So, I don't know what the inspector believes on that. Spoke with Dan today. I don't know what he feels on that, if he thinks that would be able to be done in that amount of time. But I truly believe if we can get that furnace wrapped. I know I was talking with my father-in-law after Dan left today and he said he is really pushing—he really wants to just do get the furnace wrapped and then later on talk about maybe replacing that furnace at a later date. So.

**Alderson Chris Croatt (District 14) 37:17**

Okay. Thank you for sharing that.

**Crystal Williams (Corner Pub) 37:18**

You're welcome.

**Alderson Chris Croatt (District 14) 37:19**

I will also add that Council doesn't meet next week. So, Council would meet on two weeks from tonight on the seventh, so just throwing that out there. Alder Schultz, go ahead.

**Alderson Alex Schultz (District 9) 37:32**

I guess at this point, I would motion to extend the non-use abandonment period from one year to one year—well, I'm sorry, to the date of August 15 of 2024.

**Alderson Chris Croatt (District 14) 37:44**

Okay, is there a motion—is there a second?

**Alderson Denise Fenton (District 6) 37:49**

I'm gonna second that.

**Alderson Chris Croatt (District 14) 37:51**

Okay, sounded reluctantly.

**Alderson Denise Fenton (District 6) 37:53**

Because I would second it, but I would like to offer an amendment to that motion.

**Aldersperson Chris Croatt (District 14) 37:59**

Okay, so we have a motion and a second, which essentially extended August 15. Go ahead Alder Fenton.

**Aldersperson Denise Fenton (District 6) 38:06**

And given what you've just reminded us, chair, that Council is, you know, we have the fifth week and Council isn't meeting till this till the seventh, which would take the next committee meeting, I would like to amend that to be August 31 just to make sure that inspections has time to do what they need to do.

**Aldersperson Chris Croatt (District 14) 38:31**

Okay, so, Alder Fenton just amended it to the 31st of August. Is there a second on the amendment?

**Aldersperson Alex Schultz (District 9) 38:38**

Second.

**Aldersperson Chris Croatt (District 14) 38:38**

Okay. It was second. So now that's on the table. Essentially, the extension 'til the end of August. Any comments, questions? All right, seeing no one, we'll vote on the amendment. All those in favor of the amendment signify by saying aye.

**Alderspersons Fenton and Schultz 38:55**

Aye.

**Aldersperson Chris Croatt (District 14) 38:56**

All those opposed?

**Alderspersons Siebers and Doran 38:57**

Nay.

**Aldersperson Chris Croatt (District 14) 38:59**

Failed. Motion failed to three. All right, so back to the August 15 motion. Alder Siebers?

**Aldersperson William Siebers (District 1) 39:07**

Well, you just lead me to this day, do you know. What—they said two weeks. Why don't we hold them to two weeks and our next meeting is August 7.

**Aldersperson Chris Croatt (District 14) 39:21**

So, are you are you making a motion to amend?

**Aldersperson William Siebers (District 1) 39:24**

Two weeks. To hold it two weeks.

**Aldersperson Chris Croatt (District 14) 39:26**

To the seventh? So, let's do a specific date. August 7? Okay. Is there a second? I'm not hearing a second.

**Aldersperson Denise Fenton (District 6) 39:38**

Hang on. I'm gonna have to look at my calendar.



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**Alderman William Siebers (District 1)** 39:41

Could we wait until Denise looks at her calendar?

**Alderman Chris Croatt (District 14)** 39:44

I'm trying to...

**Alderman Denise Fenton (District 6)** 39:46

So, the seventh is Council, right.

**Alderman William Siebers (District 1)** 39:49

Oh, I'm sorry.

**Alderman Denise Fenton (District 6)** 39:50

The—our next meeting would not be until the 14th.

**Alderman Chris Croatt (District 14)** 39:53

Okay, the next—there's no meetings next week because of the fifth week of the month.

**Alderman William Siebers (District 1)** 40:02

Okay. So, then my—I'm sorry, my motion would be the 14th.

**Alderman Chris Croatt (District 14)** 40:08

Okay, so changing it by one day. Because what's on the table is the 15th.

**Alderman Denise Fenton (District 6)** 40:12

Yeah. Because we—

**Alderman Chris Croatt (District 14)** 40:14

Is there a second to the motion.

**Alderman William Siebers (District 1)** 40:15

Fifteenth, fifteenth.

**Alderman Chris Croatt (District 14)** 40:17

So, you withdraw your amendment.

**Alderman William Siebers (District 1)** 40:18

Right.

**Alderman Chris Croatt (District 14)** 40:19

Okay. There wasn't the second for it. All right. So, what's on the table is the 15th. Any final comments? All those in favor of extending to the 15th signify by saying aye.

**Aldermen Siebers, Fenton, and Schultz** 40:30

Aye.

**Alderman Chris Croatt (District 14)** 40:31

All opposed.

**Aldersperson Chad Doran (District 15) 40:32**  
Nay.

**Aldersperson Chris Croatt (District 14) 40:32**  
Three, two. So that goes—so Attorney Glad we need to prepare a new set of paperwork.

**Darrin Glad (Assistant City Attorney) 40:41**  
Yeah.

**Aldersperson Chris Croatt (District 14) 40:41**  
Do you need to do that now?

**Darrin Glad (Assistant City Attorney) 40:43**  
I think I do, but I also need the good cause rationale.

**Aldersperson Chris Croatt (District 14) 40:46**  
Okay.

**Darrin Glad (Assistant City Attorney) 40:48**  
So, of the three—

**Aldersperson Chris Croatt (District 14) 40:50**  
If I could start with Alder Schultz, who made the original motion, if you could state clearly the good cause components of the motion to extend?

**Aldersperson Alex Schultz (District 9) 41:02**  
Yes, understanding the hardships that this small, family run operation bar has had to deal with during that one-year non-occupancy/non-operation, I would under—I would make the case that there is good cause to allow another short extension for them to complete the work that's required for them to open.

**Aldersperson Chris Croatt (District 14) 41:33**  
Okay, and you need confirmation from the other two on that good cause statement?

**Darrin Glad (Assistant City Attorney) 41:38**  
Yeah, I think I think that would be—that's how we kind of did the finding of facts.

**Aldersperson Chris Croatt (District 14) 41:41**  
So, Alder Siebers, any objection or any addition to the good cause statement by Alder Schultz?

**Aldersperson William Siebers (District 1) 41:47**  
No objections.

**Aldersperson Chris Croatt (District 14) 41:48**  
Alder Fenton?

**Alderson Denise Fenton (District 6) 41:50**

I might—just for the sake of conciseness, I would just say the good cause being the catastrophic circumstances that the owner and family underwent after the incident that destroyed the bar.

**Alderson Chris Croatt (District 14) 42:13**

Okay. Everyone in agreement of the three? Okay, Attorney Glad, you have what you need?

**Darrin Glad (Assistant City Attorney) 42:21**

Yeah, I'll repeat it. If that's okay, then.

**Alderson Chris Croatt (District 14) 42:22**

Go ahead

**Darrin Glad (Assistant City Attorney) 42:23**

The good cause is the catastrophic circumstances that the owner and family underwent after the flooding at the bar.

**Alderson Denise Fenton (District 6) 42:31**

I would say I would say the equally catastrophic circumstances that that destroyed the bar.

**Darrin Glad (Assistant City Attorney) 42:36**

Destroyed the bar. Okay, and the three that voted in favor are in consent to that? Okay.

**Alderson Chris Croatt (District 14) 42:51**

All right. Do we need to take a short, not a break but just pause in the meeting to prepare this or how do you want to handle it? Last time we did? I don't know if it's too a lot to change.

**Darrin Glad (Assistant City Attorney) 43:06**

Yeah, I will update the findings of fact, conclusion of law, in the recommendation. It would just be the what's said here adding the good cause and the recommendation itself. It'd be an amendment and then have the chair sign it again. And if—Miss Williams if you're able to stick around this time, I could give you a copy of that today once it's signed. But this matter has been acted on. I think you can proceed with the—

**Alderson Chris Croatt (District 14) 43:37**

Okay, I was gonna say can we continue with our agenda while you're doing that? Okay. Great. Thank you.