

**Item 24-1528: Class "B" Fermented Malt Beverage and Reserve "Class B" Liquor License Revocation Hearing for BT & Dave, LLC - Theodore V. Suess, Agent**  
**Safety and Licensing Committee**

Wed, Dec 11, 2024 5:30PM

**Alderson Chris Croatt (District 14) 11:28**

All right, moving on. 24-1528, class B fermented malt beverage and reserve Class B liquor license revocation hearing for BT and Dave LLC, Theodore V Suess agent. Mr. Suess is present? All right, thank you for confirming that.

**Alderson Chris Croatt (District 14) 11:46**

So, I think what we'll do we're going to have attorney glad come up here and give this committee some legal guidance. Attorney Glad, do you want to start by kind of setting things for everyone and explaining the committee options and the procedure that we're going to embark on?

**Darrin Glad (Assistant City Attorney) 12:06**

Yes, thank you, Alderson Croatt. I'm assistant city attorney Darrin Glad. My role tonight is to be Council for the members of the Safety and licensing committee. A complaint was filed asking that the alcohol beverage licenses issued to Speakeasy be revoked.

**Darrin Glad (Assistant City Attorney) 12:23**

I want to explain the process of the revocation hearing for the benefit of the committee, the parties, and others in attendance. This hearing is recorded, and it's imperative only one person speak at a time, and that they speak clearly and deliberately into the microphone. The first item of business for the committee is to determine if the licensee is present, as required by the summons. That was just done. If the licensee is present, he'll be given opportunity to deny the complaint. If the licensee denies the complaint, both the licensee and the complainant with their council have the opportunity to produce witnesses and cross examine those witnesses.

**Darrin Glad (Assistant City Attorney) 13:03**

I did speak briefly with the licensee before the hearing. I was informed earlier this week that he intend—he has an intention to surrender his license. The information I had earlier was that he wanted to do that on Monday. After speaking with him, he indicated that he still intends to surrender his license—not necessarily on Monday, but still intends to surrender his license. He does not intend to deny the complaint, but he did want to ask the committee more time to get his affairs in order and sell the business before the revocation occurs.

**Darrin Glad (Assistant City Attorney) 13:39**

For this committee, the effect of surrendering his license means that he's relinquishing all interests, rights, and privileges that come with being granted the licenses. It also means that there will not be any alcohol license issued to him for Council to act on, presumably at next week or anytime after it's surrendered. That item would not go to Council for action. However, because the license has not yet been surrendered, I think the committee should proceed with the hearing at least by first asking him if he denies the complaint. If he does not deny the complaint, the committee can accept the complaint is true, and a report from the committee will go to council. I've drafted such a report. It contains the required findings of fact, conclusions of law, and recommendation—recommendation to revoke. If the license is not surrendered prior to next week's council, the council could vote to revoke that license. Both the complainant and licensee would have an opportunity to file an objection to the report, have an opportunity to present arguments supporting their objection to council.

**Darrin Glad (Assistant City Attorney) 14:48**

So, I think at this point, turning this over to you to find out if he's going to confirm his intentions and this point, and if he does deny the complaint, I can go through the procedure on the on the hearing then if that's already with you.

**Aldersonperson Chris Croatt (District 14) 15:09**

Okay. All right, so we already confirmed that Mr. Theodore V Sues is present. Mr. Sues, if you want to come to the microphone, we will take your statement and position on the complaint in front of us. If you could just give your name and address for the record.

**Theodore Sues (Speakeasy Ultra Lounge) 15:29**

Theodore V Sues.

**Aldersonperson Chris Croatt (District 14) 15:30**

Address, please.

**Theodore Sues (Speakeasy Ultra Lounge) 15:34**

[XXXXX] in Appleton, 54914. You want me proceed?

**Aldersonperson Chris Croatt (District 14) 15:45**

Yes, please proceed.

**Theodore Sues (Speakeasy Ultra Lounge) 15:46**

All right. I wrote out this very long statement that I am second guessing reading all of it too, because I don't know that will make much difference. We don't deny what had happened. What we are a little upset about is the fact that we didn't know that this had even happened. If you read the statement or the summons that I got, apparently the officer had tried to get in touch with the bar manager at the time, and then was apparently unsuccessful, and then that ended it. Nothing ever made it to me as far as, "Hey, I'm having trouble with your bar manager." So that's very frustrating.

**Theodore Sues (Speakeasy Ultra Lounge) 16:33**

And then obviously, when you consider the fact that we've been obviously in operation for 15 years. Yes, we had an issue that we settled last year, but we settled that based on—we thought that by settling that with the attorney that's present, we figured that, you know, that would put us back in good graces. We were trying to represent ourselves well with the city and not try to make the life any harder on the city.

**Theodore Sues (Speakeasy Ultra Lounge) 17:06**

I've been a resident of Appleton my entire life. I promote Appleton. I help people with financial services during the day. I help the citizens of Appleton on a consistent basis. I'm on a very unique position or special position that I get to talk to people all the time about their finances, their dreams, their retirement goals, all of those things. So, I'm a very lucky person that I'm in a trusted position to do those things.

**Theodore Sues (Speakeasy Ultra Lounge) 17:38**

Recently we've we let the bar manager go in October after another incident happened. So, I've been the bar manager on Thursdays and Saturdays again ever since. And Ben is my partner in the business, and he's been the bar manager on Friday nights. I think that if you talk to some of the officers that are on the nights shifts, I would tell you that they were very happy to hear that we were back in charge, because from 2011 through 2021 I was

the bar manager, and we didn't have a lot of the issues that we have had as of late. We—after the last inc—last summer incident that we were here before for that, we decided, you know, maybe we should consider selling the business in the building, just because we were, you know, occupied with a lot of other life stuff. And then I was in line for the shooting on Christmas Eve, four people away from that shooting. That's when we made the decision, okay, now we're going to try to actually pursue selling the business. We started that process, and we finally got somebody in October that was interested in buying and actually had the means to actually buy the business and the property. So, we're in the process of doing that.

**Theodore Suess (Speakeasy Ultra Lounge) 19:05**

We—the sad thing is Tuesday, we had come to an agreement in the morning on both the business and the building, and then three hours later, I get a summons that I had no idea was coming, because I had no idea that this issue had even happened. And then, you know, what really, really bothers us is, geez, it's an employee that many times, and other employees, many times—if I went to go back and look through my group messaging, they all know they are not supposed to go past neutral. This employee, obviously, is, you know, got his day in court, and he lost and he and he's paid his fine. What's frustrating is he has a job on the same block, doing security at another bar. So, his life continues. Ours, for something we didn't do directly, potentially ends. That's very frustrating.

**Theodore Suess (Speakeasy Ultra Lounge) 20:00**

So, all we're asking for from the city or from you guys, I should say, is to either, you know, don't count the additional 100 points so we are not over 200 so we can continue the sale of our business, or please table this issue for a session or two, giving us the time to complete the sale. That's what we're asking for.

**Aldersonperson Chris Croatt (District 14) 20:28**

Okay. Thank you for coming. Thank you for your statements. Attorney Glad, was there clarity in the position of the licensee?

**Darrin Glad (Assistant City Attorney) 20:37**

Yeah, and just, I guess, for the purpose, you're not denying the allegations that were in that complaint, correct?

**Theodore Suess (Speakeasy Ultra Lounge) 20:44**

It happened. It happened. It's obvious it happened, because it's in the WI courts. So.

**Aldersonperson Chris Croatt (District 14) 20:51**

Okay, so where does that put us from a process standpoint?

**Darrin Glad (Assistant City Attorney) 20:54**

So, from a process standpoint, there's—the committee can take the complaints, the supporting documents that were attached to the agenda.

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

Numerous.

**Darrin Glad (Assistant City Attorney) 21:07**

And from those could make the determination to move forward towards revocation. Moving towards revocation requires that report that goes to council. Did draft that. I'll pass out the draft right now, just in case people want to review it at their leisure right now. If you pass those two down, and then here's one for you.

**Alderson Chris Croatt (District 14) 21:32**

All right. Does everyone want to—everyone want to take a minute to review it? Okay, all right, let's take a few minutes to go through it here.

**[The committee members review the documents.]**

**Alderson Chris Croatt (District 14) 23:27**

Okay, did everyone have a chance to go through the Conclusions of Law Section, specifically referring to all of them, but four, five, and six, which is conclusions that the committee would be taking?

**Alderson Chris Croatt (District 14) 23:50**

All right, everyone have enough time? Okay. How would the committee like to proceed?

**Alderson William Siebers (District 1) 24:01**

Chair?

**Alderson Chris Croatt (District 14) 24:01**

Is everyone clear? And we heard the options clearly from the attorney?

**Alderson William Siebers (District 1) 24:01**

I guess I don't understand the options.

**Alderson Chris Croatt (District 14) 24:06**

Okay, let's have Attorney Glad restate the options for the committee here.

**Darrin Glad (Assistant City Attorney) 24:11**

Do you want me to go into options on holding this sort of buying then time?

**Alderson Chris Croatt (District 14) 24:18**

Yeah, yeah. Yep. All options, please.

**Darrin Glad (Assistant City Attorney) 24:20**

All right, so we can take the complaint as true and with through the lens that all the supporting documents support moving forward with revocation, that those conclusions contained in the draft are the conclusions of this committee, and that the recommendation be for revocation.

**Darrin Glad (Assistant City Attorney) 24:43**

As for options on finding a way to hold this out longer, we could still we could do that before we vote on the finding—on the recommendation and/or the approval of the report to go to council. You do it after we vote on those, and essentially hold it at committee with all the, for lack of better word, the adjudication and recommendation, and just hold that from going to council to a later date.

**Darrin Glad (Assistant City Attorney) 25:15**

We could proceed with our revocation. He could plead his case at council for more time. So, I think that it's kind of the three paths forward on looking at that. But I think the first question on this is be what the committee wants to do about the alcohol license? Hold that, vote towards—do you want to move towards revocation and adopt the report as written? Or you can amend it as you see fit. It's your report. I tried to draft it in a way with the way I presumed the evidence would come in.

**Alderson Chris Croatt (District 14) 25:53**

Okay, thank you. So, I think I'm clear on the options, including moving this forward, and, you know, taking it through the next steps of the process and potentially, you know, looking at the options at that point, or whatever the committee would like to do. Is there someone that would like to...? Alder Doran, go ahead. Oh, district 10, go ahead.

**Alderson Chad Doran (District 15) 26:18**

Yes, I would make the motion to accept the report and move to revocation.

**Alderson Chris Croatt (District 14) 26:25**

Okay. We have a motion on the table to continue the process tonight and essentially send this on the council as a recommendation to revoke the license. Is there a second?

**Alderson Chris Croatt (District 14) 26:38**

I'll second that. So, we have a motion and a second to proceed. Alder Hartzheim? Yes, 13, right.

**Alderson Sheri Hartzheim (District 13) 26:52**

Thank you, Chair. I'm just looking through the information on the agenda, and there is a email from the appellant to Clerk Lynch that he intends to surrender the license. Why—I'd be curious as to why the thought change, or why that's been—why the why tonight we're hearing something different.

**Alderson Chris Croatt (District 14) 27:15**

I don't know that, and I don't want to speak for him. I don't know that that's changed. Maybe the timing has changed. You want to address that? You had a conversation with him.

**Darrin Glad (Assistant City Attorney) 27:24**

I would say, based on my conversation, I think you're correct that the—I believe the intent was still to surrender it, but he just wanted more time to be able to sell it. But I think he's here, and he could answer that. I don't want to—

**Alderson Chris Croatt (District 14) 27:34**

You want to comment on your?

**Theodore Suess (Speakeasy Ultra Lounge) 27:36**

Yeah. So, again, all we're looking for is some extra time to complete the sale. We have the land contract already drawn up. We we're just waiting for the seller to get financing through the bank, and then it's done. So, either way, you know, the advantage would be that, at least we don't have a dark building in Appleton. And you guys, you know, get what you want. We aren't we aren't running anything anymore out of that building.

**Alderson Chris Croatt (District 14) 28:04**

Okay, so just to give the committee clarity, when you say "sometime" what are, what are you referring to?

**Theodore Suess (Speakeasy Ultra Lounge) 28:10**

Well, again, we already have the purchase agreement and the DNA that was signed last week, and we have the draft of the land contract from the attorney that came yesterday for the for the business purchase. So that part's already done, really. It's just got to get signed. It's the only thing left is the building part, which is what they're waiting on waiting on for financing from a bank.

**Alderson Chris Croatt (District 14) 28:35**

Okay. So, correct me if I'm wrong, but nothing would be final until council took action, which would be a week from today.

**Darrin Glad (Assistant City Attorney) 28:43**

Assuming that this went to council from this committee, yes.

**Alderson Chris Croatt (District 14) 28:45**

And assuming Council took action and didn't do something different with it at that point.

**Darrin Glad (Assistant City Attorney) 28:50**

Yeah. And if they accepted the recommendation, assuming it's for revocation, it would be revoked on Wednesday after Council.

**Alderson Chris Croatt (District 14) 28:59**

But Council—just one second, just. But Council would have an option to hold it.

**Darrin Glad (Assistant City Attorney) 29:05**

Yes.

**Alderson Chris Croatt (District 14) 29:05**

Okay, so I just want to be clear on the options here, because I think there's obviously some desire to look at extending some time. But did you want to say something?

**Theodore Sues (Speakeasy Ultra Lounge) 29:15**

Yeah, I was going to say that the reason why we had the 16th down as the date is we know that if we give it up, that at least somebody can take over that spot and not have to wait six months. But if you guys would be willing to at least table it at least once, that would at least give us enough time, theoretically, to finish everything off, and then we could obviously transfer the license.

**Alderson Chris Croatt (District 14) 29:37**

Okay, I'm going to go to Alder Schultz, but I'm of the opinion that we move this forward, and we look at our options on Wednesday next week based on where you're at. But that's just my position. Alder Schultz, did—you had your hand up.

**Alderson Alex Schultz (District 9) 29:50**

The question may have been asked. I'm just trying to understand what happens with this license, whether it's revoked or it's forfeited, and as it relates to the sale the business. If it's revoked or forfeited prior to the sale, you're suggesting that the business would be dark, but that business is not going to have a license once it's sold, regardless of what happens, correct?

**Theodore Sues (Speakeasy Ultra Lounge) 30:09**

Well, you're right. I mean, theoretically, it takes six to eight, you know, weeks, to pass an application with the city, as far as the licensing goes, but at least they could get it, you know what I mean? Where they wouldn't have to wait six months to get it.

**Darrin Glad (Assistant City Attorney) 30:23**

Are you looking for clarification on that six-month period?

**Alderson Alex Schultz (District 9) 30:25**

Essentially, I'm just trying to understand how this license traveling with the business influences the sale the business, and why we're asking for some additional time, and how that influences.

**Darrin Glad (Assistant City Attorney) 30:26**

Okay, so if it goes through Council and gets revoked, per statutes and our code, the premises can't be licensed for six months. If he surrenders the license prior to the Council action, there's no license that gets revoked, and that six-month period doesn't apply. As soon as the next—as soon as that premises is licensed, it can operate it, and.

**Alderson Alex Schultz (District 9) 30:59**

That's what I was looking for.

**Alderson Chris Croatt (District 14) 31:00**

Okay. Alder Fenton.

**Alderson Denise Fenton (District 6) 31:04**

Thank you, Chair. I just have a procedural question.

**Alderson Chris Croatt (District 14) 31:07**

Can you use your microphone.

**Alderson Denise Fenton (District 6) 31:08**

And—sorry, I forgot it went in front of me. Procedural question, and either the attorney's office or the police department. I'm just a little bit confused. The—Mr. Wells was convicted in May, and it wasn't until December the 2nd was the complaint was filed by Officer Lewis requesting the revocation of the license. Is that almost seven month delay normal?

**Alderson Chris Croatt (District 14) 31:36**

It's a good question, and one that I was thinking about as well. Who wants to address that?

**Darrin Glad (Assistant City Attorney) 31:41**

I'll take an initial stab, but I know they'll be more details that Zak can add. So, the process set by statute for revocation is that a complaint can be filed by any residents of the city at any time. Happens that our complainant here is an officer, but he's also the residents. So, the timing of it is based on whenever—when the complainant files it. So, it's not necessarily a police thing or a non-police thing. It's just any resident of the city can file that.

**Zak Buruin (Assistant City Attorney) 32:14**

And the piece that I will add to that is I don't know that enough of these happen for there to be a normal procedure on that particular part of it. But the timing on when something like this moves forward is at least in part governed by when, substantively, in this particular case, I'm ready to actually handle it and give it the attention, and I have all the materials and information that I need to go forward with it. So—and we can't even start looking at that until the conviction occurs, because everything is based on that date of conviction.

Wed, Dec 11, 2024

**Alderson Chris Croatt (District 14) 32:46**

Yeah, okay, okay. All right, does that help?

**Alderson Denise Fenton (District 6) 32:49**

Well, a little bit. I'm still a little bit—so I would assume he filed the complaint and then the process to accumulate all the data began, but he didn't file the complaint for almost seven months—

**Zak Buruin (Assistant City Attorney) 33:03**

Most of it—

**Alderson Denise Fenton (District 6) 33:04**

—after the conviction.

**Zak Buruin (Assistant City Attorney) 33:05**

Most of it happens before the complaint is filed.

**Alderson Denise Fenton (District 6) 33:08**

Okay, all right, thank you.

**Zak Buruin (Assistant City Attorney) 33:10**

Because once the complaint is filed, we're locked into statutory timetables.

**Alderson Chris Croatt (District 14) 33:13**

Okay, all right. Alder Hartzheim, did you have your hand up?

**Alderson Sheri Hartzheim (District 13) 33:17**

Thank you, Chair. It's my understanding then that the applicant or the license holder intends to surrender this license regardless. It's just a matter of time, but the point of the time is that there are demerits that have been accumulated.

**Alderson Chris Croatt (District 14) 33:34**

Correct.

**Alderson Sheri Hartzheim (District 13) 33:35**

And that is still a concern of mine as a council member.

**Alderson Chris Croatt (District 14) 33:41**

Okay, thank you. Alder Doran.

**Alderson Chad Doran (District 15) 33:43**

Thank you. I think that kind of gets to the heart of why I think we move forward here with revocation. The piece about the owner trying to sell the business and the building is, in my view, not really a concern of what we're trying to wrestle with here. We're looking at some pretty serious violations that puts this business 50% over, you know, the 200 demerits it would require us to have their license revoked. So, this is a—these are pretty serious violations.



**Alderman Chad Doran (District 15) 34:16**

The point about giving the business owner extra time to sell the business, we don't know how long that's going to take. In the meantime, then, the business could continue operating without having its license revoked. And I think that sends the wrong message to other businesses in the city. We have some pretty clear information. Business owner's not contesting the violations that have caused this revocation hearing to come forward. I think our job is to purely just look at the circumstances in front of us as it relates to these violations and make a determination based off of that, which, to me, seems pretty clear that revocation is the correct next step.

**Alderman Chris Croatt (District 14) 34:52**

Yeah, thank you for that. And that's, that's my position as well. I think, you know, setting a precedent of keeping this process moving is prudent here. Alder Fenton.

**Alderman Denise Fenton (District 6) 35:04**

One more question. Sorry. Thank you, Chair. Procedural question. So, at this time, if this committee moved to recommend revocation of the license, and then, as is stated in the email, Mr. Sues surrenders the license on Monday before the Council meeting on Wednesday, does that render it moot for council?

**Alderman Chris Croatt (District 14) 35:29**

It's my understanding that, yes, we would not have action to take.

**Darrin Glad (Assistant City Attorney) 35:32**

That's correct.

**Alderman Denise Fenton (District 6) 35:33**

All right, thank you.

**Alderman Chris Croatt (District 14) 35:34**

Okay. And the council still would have options if the council decided they wanted to go that route, to not revoke.

**Alderman Denise Fenton (District 6) 35:42**

Thank you.

**Alderman Chris Croatt (District 14) 35:43**

Alder Siebers, did you have anything?

**Alderman William Siebers (District 1) 35:45**

I'm still struggling with option two or three. You know, I—you know, I've heard your comment in terms of, we can go to the council and debated there, but I've always felt committee matters need to be dealt with in committee. I'd like to give this gentleman an opportunity to sell. It seems like he's pretty close to selling. I don't know what harm it would do for us to table this till our next meeting.

**Alderman Chris Croatt (District 14) 36:30**

Alder Hartzheim.

**Alderman Sheri Hartzheim (District 13) 36:32**

Thank you, Chair. I think the harm that will be done would be that this business continues to operate and could potentially have another issue that, again, as Alder Doran said, could—definitely sends the wrong message to

other licensees in this town. If—in the city, if you have X number of demerits and come to this this committee and ask them fervently, because you want to sell the business, to give them more time, you get a free pass. And I'm, I am very uncomfortable with that. Thank you.

**Alderson Chris Croatt (District 14) 37:06**

Yeah, thank you for that.

**Alderson William Siebers (District 1) 37:08**

Can I just...?

**Alderson Chris Croatt (District 14) 37:08**

When I—just one second. When I when I stated the options for council, I wasn't suggesting doing committee work at Council. I was just simply stating that the council would have options to hold it, refer it back would be, I guess, would be in order, because, like any item we could refer it back. That would be someone's ability to provide extra time. Alder Siebers?

**Alderson William Siebers (District 1) 37:33**

I would disagree with Alderson Hartzheim when she says getting a free pass. They're not getting a free pass in my opinion. They're losing their business. It's just a matter in terms of, are we giving them a little leeway in terms of selling the business? I don't think they're getting a free pass.

**Alderson Chris Croatt (District 14) 37:55**

Okay,

**Theodore Sues (Speakeasy Ultra Lounge) 37:56**

Can I add anything?

**Alderson Chris Croatt (District 14) 37:58**

One final comment, then I'm going to bring it to the committee for a vote.

**Theodore Sues (Speakeasy Ultra Lounge) 38:01**

So again, we're trying to do things that are right by the city. That's why we agreed to the thing that we agreed to last summer. Bar with the same issue never got suspended, never got any issues from what I from what I can see. Never, never paid any consequences for the stuff that we agreed to. The bar—the security person in the statement there that we fired is working at another bar on the exact same block that I'm on. So, if we got rid of the person that was the issue in that particular situation, and they're able to go to another bar and get the exact same job, how is there ever going to be an issue at my bar? I got rid of the person that was the issue. I am now the bar manager for last [...]. I don't, I don't follow—I don't follow that line of thinking.

**Alderson Chris Croatt (District 14) 39:01**

Okay. I appreciate the actions you've taken, but that doesn't guarantee that nothing's going to happen.

**Theodore Sues (Speakeasy Ultra Lounge) 39:05**

But it might happen at the other bar because he's working there.

**Alderson Chris Croatt (District 14) 39:08**

Possible, but I don't want to get into comparing two establishments or the former—your former employees.

**Theodore Suess (Speakeasy Ultra Lounge) 39:14**

I understand that, but what you're trying to tell me is you're saying that somebody else's actions we are basically at fault for, even though we didn't directly do those actions. That's like if I smash a car and I blame someone else.

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

Okay. Let's bring this back up here. Attorney Glad?

**Darrin Glad (Assistant City Attorney) 39:29**

Before you vote, I do want to maybe clarify for clerk Lynch on the motion. I just want to confirm that it was basically a motion to revoke and accept the report as written, all in one motion, correct?

**Alderson Chris Croatt (District 14) 39:40**

Yes, that was my intention with the second. It was Alder Doran motion to—he made the primary motion.

**Darrin Glad (Assistant City Attorney) 39:48**

Okay, I just wanted to.

**Alderson Chris Croatt (District 14) 39:49**

Okay. Final comments from the committee, and we'll take a vote on the motion on the table. We may have further action to take. Alder Doran, go ahead.

**Alderson Chad Doran (District 15) 39:57**

Again, I guess, to the to the business owner's point, the business owner is responsible for his employees and what happens there, and the actions of the employee have now caused this business that the licensee is responsible for to accumulate almost 300 demerit points, which is almost a 100 demerits over the limit for revocation. So again, we're not talking about minor violations here.

**Alderson Chad Doran (District 15) 40:22**

And to Alder Hartzheim's point, granting additional time for this licensee to continue running the business while they attempt to sell it is indeed a free pass, because it does send the message to other businesses that by just coming here to this committee and asking for more time for some reason, or just asking for leniency, that they can expect, that they can they can have violations and not face consequences for those violations.

**Alderson Chad Doran (District 15) 40:56**

Again, everything in this seems pretty cut and dry, and the licensee has agreed that what stated in this, I guess, this report is in fact, true. So, there is no debate about what actually took place and that there—that we're here for this revocation hearing. I just can't possibly feel good about allowing that to continue and having the message that sends to our community. It's us shirking our responsibilities of what we're here to do in in my view, and I think it's important that we make that statement.

**Alderson Chris Croatt (District 14) 41:37**

Okay. Other final comments?

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

I don't agree with—

Wed, Dec 11, 2024

**Alderson Chris Croatt (District 14) 41:41**

Microphone.

**Alderson William Siebers (District 1) 41:42**

I don't agree with my colleague over there saying that we're shirking our duties if we allow them some time. I agree with everything in terms of, you know, that their violations. I agree with that. The only thing that I'm struggling with is the idea in terms of giving them, at least, you know, some time, you know.

**Alderson Chris Croatt (District 14) 42:12**

Okay. Alder Schultz.

**Alderson Alex Schultz (District 9) 42:15**

Similar sentiments. Some of it is based on the notion, or at least what was what we heard, that this sort of came out of left field, and they weren't aware of this as they're going through the process of selling the business and about agreeing to forfeit the license. It feels like ramifications of what happened are taking place. Business is being sold, and they've agreed to forfeit the license. So that that's going to happen. I mean, I do agree with my colleagues that this is what we're here to discuss and make a determination based on the fact, but I guess I'm struggling a little bit myself, and I feel like we could potentially give them a little bit of time to get to that determination, which I think we all agree is laid out before us, and I think we'd all agree to it. So really it is just about question of whether we want this new business taking over this location to have the challenge of having to wait six months and essentially tank the sale if that business is not willing to wait that long, and then what happens to the business itself? So, I'm struggling with it. I do agree with my colleagues here. I'm not even sure I'm going to vote yet.

**Alderson Chris Croatt (District 14) 43:27**

Alder Fenton.

**Alderson Denise Fenton (District 6) 43:28**

Thank you, Chair. May I direct the question to Mr. Sues?

**Alderson Chris Croatt (District 14) 43:32**

Yes.

**Alderson Denise Fenton (District 6) 43:33**

All right. Can you confirm, was the Mr. Wells fired after his conviction, or was he fired more recently?

**Theodore Sues (Speakeasy Ultra Lounge) 43:40**

He was fired in May of 2023.

**Alderson Denise Fenton (District 6) 43:43**

Okay, so before he was—before the conviction?

**Theodore Sues (Speakeasy Ultra Lounge) 43:47**

Oh, yeah, the incident happened, and if you read it was March of 2023 was—

**Alderson Denise Fenton (District 6) 43:50**

Okay.

**Theodore Suess (Speakeasy Ultra Lounge) 43:50**

And again, we had no idea. I'm learning this just as you guys did, but he was fired in May of 2023 and convicted in May of 2024.

**Alderson Denise Fenton (District 6) 43:59**

Okay, thank you.

**Alderson Chris Croatt (District 14) 44:00**

Okay, all right. Let's take a vote on the motion that's on the table, which is to send the revocation or the recommendation for revocation to council. We have a motion and a second. All those in favor of supporting that signify by saying, aye.

**Alderson Chris Croatt (District 14) 44:16**

All opposed?

**Alderson Chad Doran (District 15) 44:16**

Aye.

**Aldersons Siebers, Fenton, and Schultz 44:17**

Nay.

**Alderson Chris Croatt (District 14) 44:19**

I think I heard three nays. Okay. So that motion fails, so now we're back to nothing on the table. What would committee like to do? We also—I should note, we also do have a posted closed session on our agenda, Attorney Glad.

**Darrin Glad (Assistant City Attorney) 44:37**

Yes. So, the statutory exception that would allow us to go into closed session is for deliberation on a quasi-judicial hearing. I think we're past that point.

**Alderson Chris Croatt (District 14) 44:47**

Okay, thank you for clarifying. All right, what would the committee like to do at this point?

**Alderson Alex Schultz (District 9) 44:53**

Motion to hold to the next safety licensing committee meeting.

**Alderson Denise Fenton (District 6) 44:56**

Second.

**Alderson Chris Croatt (District 14) 44:57**

Okay, which would be January 8, correct, Clerk Lynch? Okay, motion and a second to hold until January 8. Any discussion on holding? Alder Schultz.

**Alderson Alex Schultz (District 9) 45:10**

May I direct a comment to the...?

**Alderson Chris Croatt (District 14) 45:12**

Yes.

**Aldersperson Alex Schultz (District 9) 45:13**

I guess, depending on this vote, I would strongly encourage you to forfeit that license as soon as possible. That will put you in better standing. Thank you.

**Aldersperson Chris Croatt (District 14) 45:24**

Okay, any other comments, questions? All right, let's take a vote on the motion to hold. All those in favor signify by saying aye.

**Alderspersons Siebers, Fenton, and Schultz 45:32**

Aye.

**Aldersperson Chris Croatt (District 14) 45:33**

All opposed?

**Aldersperson Chad Doran (District 15) 45:34**

Nay.

**Aldersperson Chris Croatt (District 14) 45:35**

Okay. Three, two. The motion to hold passes, so this will be back on our agenda, unless something happens between now and then on January 8.

**Theodore Suess (Speakeasy Ultra Lounge) 45:45**

Thank you.

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

Thanks for coming. Thanks for your comments.

**Theodore Suess (Speakeasy Ultra Lounge) 45:46**

Appreciate y'all.