

LICENSE REVIEW COMMITTEE
TUESDAY – JUNE 12, 2012
MONONA CITY HALL
LARGE CONFERENCE ROOM
4:00 P.M.

1. Call To Order
2. Roll Call
3. Approval of Minutes of May 1, 2012
4. Appearances
5. Unfinished Business
6. New Business
 - A. Consideration Of 2012/2013 Operator's License Application For Sarah L. Jahn, 352 North Atwood Lane, Deerfield, Wisconsin 53531.
 - B. Consideration Of 2012/2013 Operator's License Application For Molly A. Rogers, 1601 Wendy Lane, Madison, Wisconsin 53716.
 - C. Consideration Of 2012/2013 Operator's License Application For Andrew T. Schultz, 130 Schenk Street, Madison, Wisconsin 53714.
 - D. Consideration Of 2012/2013 Operator's License Application For Hunter W. Weber, 6313 Roselawn Avenue, Monona, Wisconsin 53716.
 - E. Consideration Of 2012 Temporary Class "B" Fermented Malt Beverage Retailer's License Application For Monona Softball Association, President Timothy C. Reithmeyer, Post Office Box 6127, Monona, Wisconsin 53716, For The Period Of June 29 and 30 and July 1, 2012.
 - F. Consideration Of 2012 Temporary Class "B" Fermented Malt Beverage Retailer's License Application For Monona Softball Association, President Timothy C. Reithmeyer, Post Office Box 6127, Monona, Wisconsin 53716, For The Period Of August 8 – 12, 2012.
 - G. Consideration Of 2012 Temporary Class "B" Fermented Malt Beverage Retailer's License Application For Monona Community Festival, Inc., President James M. Bisbee, 6304 Roselawn Avenue, Monona, Wisconsin 53716, For The Period Of July 3 – 4, 2012.
 - H. Review of Transient Merchant Ordinance.
7. Miscellaneous Business
8. Adjournment

NOTE: Upon reasonable notice, the City of Monona will accommodate the needs of disabled individuals through auxiliary aids or services. For additional information or to request this service, contact Joan Andrusz at (608) 222-2525 (not a TDD telephone number), FAX: (608) 222-9225, or through the City Police Department TDD telephone number 441-0399.

The public is notified that any final action taken at a previous meeting may be reconsidered pursuant to the City of Monona ordinances. A suspension of the rules may allow for final action to be taken on an item of New Business.

It is possible that members of and a possible quorum of members of other governmental bodies of the municipality may be in attendance at the above stated meeting to gather information or speak about a subject, over which they have decision-making responsibility. Any governmental body at the above stated meeting will take no action other than the governmental body specifically referred to above in this notice.

LICENSE REVIEW COMMITTEE MINUTES
May 1, 2012

The regular meeting of the License Review Committee for the City of Monona was called to order by Chairman Wood at 4:00 p.m.

Present: Chairman Doug Wood, Scott Warner, and John Klinzing

Excused: Wayne Kimmell and Jim Pflasterer

Also Present: Police Lieutenant Frank Fenton, Roberta Leen and Ken's Meats & Deli Manager James Jacobsen, Natasha Croissant and Bourbon Street Grille Owner Patrick Mackesey, Doran Moon and Buffalo Wild Wings Manager Mary Wilcox Martin, Silver Eagle Bar & Grill Owner Mitch Marks, and City Clerk Joan Andrusz

ROLL CALL

APPROVAL OF MINUTES

A motion by Mr. Klinzing, seconded by Mr. Warner to approve the minutes of February 14, 2012, was carried.

APPEARANCES

There were no Appearances.

UNFINISHED BUSINESS

There was no Unfinished Business.

NEW BUSINESS

Police Lieutenant Fenton, Ms. Leen, and Mr. Jacobson provided information and answered member's questions regarding Ms. Leen's Operator's license application. Ms. Leen distributed a letter to members. After discussion:

A motion by Mr. Klinzing, seconded by Mr. Warner to approve the 2012/2013 Operator's License Application For Roberta J. Leen, 5850 Oxbow Bend, Madison, Wisconsin 53716, was carried.

Police Lieutenant Fenton, Ms. Croissant, and Mr. Mackesey provided information and answered member's questions regarding Ms. Croissant's Operator's license application. After discussion:

A motion by Chairman Wood, seconded by Mr. Klinzing to approve the 2011/2012 Operator's License Application For Natasha T. Croissant, 479 Highway 14, Brooklyn, Wisconsin 53521, was carried.

City Clerk Andrusz presented Ms. Croissant with her license.

Police Lieutenant Fenton, Mr. Doran, and Ms. Wilcox Martin provided information and answered member's questions regarding Mr. Doran's Operator's license application. After discussion:

A motion by Mr. Warner, seconded by Mr. Klinzing to approve the 2012/2013 Operator's License Application For Doran T. Moon, 5308 Maywood Road, Monona, Wisconsin 53716, was carried.

A motion by Mr. Klinzing, seconded by Mr. Warner to approve the 2012 Temporary Class "B" Fermented Malt Beverage Retailer's License Application For Immaculate Heart of Mary Church, President Father Bart D. Timmerman, 5101 Schofield Street, Monona, Wisconsin 53716, For The Period Of May 28, 2012, was carried.

Chairman Wood reminded members that this was not a formal hearing. Lieutenant Fenton began Discussion Concerning Recent Events at the Silver Eagle Bar & Grill. There are concerns with monitoring activities, customer identification checks, bouncers lacking knowledge of bar closing hours, and a recent violent incident involving underage drinkers. Mr. Marks provided information on the issues surrounding the incident, including a scanner that is unable to discern fake ID's, and the actions taken since to address the issues. Members asked questions and discussion followed. Chairman Wood declared the discussion closed.

The following items were moved forward in the Agenda to accommodate those present:

Motions by Mr. Warner, seconded by Chairman Wood to approve the following, were carried:

Renewal Application for 2012/2013 Class "B" Fermented Malt Beverage License:
Mitchell Marks, Monona Community Center, 1011 Nichols Road

Renewal Applications for 2012/2013 Class "B" Fermented Malt Beverage and "Class B" Liquor Licenses:
Valdimark, Inc., d/b/a Silver Eagle Bar & Grill, 5805 Monona Drive

A motion by Mr. Klinzing, seconded by Mr. Warner to approve the following, was carried:

Renewal Applications for 2012/2013 Class "A" Fermented Malt Beverage Licenses:

1. PDQ Food Stores, Inc., d/b/a PDQ Store #123, 105 East Broadway
2. Speedway LLC Owned by MPC Investment LLC, d/b/a Speedway #4088, 5450 Monona Drive
3. Speedway LLC Owned by MPC Investment LLC, d/b/a Speedway #4533, 2500 Royal Avenue
4. Kwik Trip Inc, d/b/a Tobacco Outlet Plus #531, 6300 Monona Drive, Suite 2

A motion by Mr. Klinzing, seconded by Chairman Wood to approve the following, was carried:

Renewal Applications for 2012/2013 Class "A" Fermented Malt Beverage and "Class A" Liquor Licenses:

1. Roundy's Supermarkets, Inc./Ultra Mart Foods, LLC, d/b/a Copps Food Center #8181, 6540 Monona Drive
2. Felleron, Inc., d/b/a Ken's Meats & Deli, 5725 Monona Drive
3. Licali's Market, Inc., d/b/a Licali's Market & Spirits, 6325 Monona Drive
4. Monona Mart, LLC, d/b/a Monona Mart, 1220 East Broadway
5. Walgreen Co., d/b/a Walgreens #4830, 5300 Monona Drive
6. Wal-Mart Stores East LP, d/b/a Wal Mart Supercenter #3857, 2151 Royal Avenue

A motion by Mr. Klinzing, seconded by Chairman Wood to approve the following, was carried:

Renewal Applications for 2012/2013 Class "B" Fermented Malt Beverage and "Class B" Liquor Licenses:

1. Patrick Augustine, d/b/a Angelo's, 5801 Monona Drive
2. Bourbon Street Grille, Inc., d/b/a Bourbon Street Grille, 6312 Metropolitan Lane
3. William D. Noltner, d/b/a Bridge Lounge, 6414 Bridge Road
4. Wings on Monona, LLC Owned by Oscar Properties LLC, d/b/a Buffalo Wild Wings Grill & Bar, 6544 Monona Drive
5. Blake & Blake, d/b/a David's Jamaican Cuisine, 5734 Monona Drive
6. The East Side Club, Inc., d/b/a East Side Club, 3735 Monona Drive
7. Mr. Luo LLC Owned by Jun Luo, d/b/a Edo Garden Japanese Restaurant, 6309 Monona Drive
8. Fat Jack's Monona, Inc., d/b/a Fat Jack's, 6207 Monona Drive
9. Conway & Conway, d/b/a Joe's Fire Station, 900 East Broadway
10. Monona Garden Family Restaurant, Inc., d/b/a Monona Garden Family Restaurant, 6501 Bridge Road
11. Red Robin International, Inc., d/b/a Red Robin America's Gourmet Burgers & Spirits, 6522 Monona Drive
12. Snick's Sportsman's Bar LLC, d/b/a Snicks Sportsman's Bar, 4605 Monona Drive
13. Tasting Room of Monona, Inc., d/b/a The Tasting Room, 6000 Monona Drive, Suite 103
14. Wiltzius LLC, d/b/a The Tower Inn, 1008 East Broadway
15. Leske's, Inc., d/b/a Tully's II Food & Spirits, 6401 Monona Drive
16. Badger Bowl, Inc., d/b/a Village Lanes, 208 Owen Road

A motion by Mr. Warner, seconded by Mr. Klinzing to approve the following, was carried:

Renewal Application for 2012/2013 "Class A" Liquor License:

1. Fraboni's Italian Specialties, Inc., d/b/a Fraboni's, 108 Owen Road

A motion by Mr. Klinzing, seconded by Mr. Warner to approve the following, was carried:

Renewal Applications for 2012/2013 Class "B" Fermented Malt Beverage and "Class C" Wine Licenses:

1. Huang & Lin China Star Owned by Ming Yi Huang, d/b/a China Star Restaurant, 111 River Place
2. The Noodle Shop, CO. - Wisconsin, Inc., d/b/a Noodles & Company, 6520 Monona Drive
3. Pizza Oven of Monona LLC, d/b/a The Pizza Oven, 5417 Monona Drive
4. Jiang & Chen Enterprise LLC, d/b/a World Buffet, 2451 West Broadway

MISCELLANEOUS BUSINESS

Chairman Wood requested Review of Transient Merchant Ordinance be under New Business on the next agenda to allow the requesting member to be present.

ADJOURNMENT

A motion by Mr. Warner, seconded by Mr. Klinzing to adjourn, was carried. (4:43 p.m.)

Joan Andrusz
City Clerk



5211 SCHLUTER ROAD ■ MONONA, WI 53716-2598
CITY HALL (608) 222-2525
FAX (608) 222-9225
<http://www.mymonona.com>

May 29, 2012

Ms. Sarah L. Jahn
352 North Atwood Lane
Deerfield, Wisconsin 53531

*Will appear per
manager 6-8-12
JA*

Dear Ms. Jahn:

This letter is to inform you that following review by the Monona Police Department your application for an Operator's license for 2012/2013 is being denied. This denial is based on a multiple Alcohol Related convictions within the last five (5) years.

If you so desire, you may request reconsideration of your Operator's license application by the License Review Committee at its next regularly scheduled meeting on Tuesday, June 12, 2012, at 4:00 p.m. in the City Hall Large Conference Room, 5211 Schluter Road, Monona, Wisconsin. At such a reconsideration hearing, you may present evidence and testimony as to why your license should be granted.

You may wish to have your employer attend the review hearing with you. Employer input gives the License Review Committee important information to assist in their decision-making process.

If you wish to appear before the License Review Committee, please contact me at (608) 222-2525 by June 6, 2012.

Sincerely,

Joan Andrusz
City Clerk

Cc: License Review Committee
Walter Ostrenga, Police Chief
Walgreens

CITY OF MONONA - OPERATOR LICENSE APPLICATION

Pursuant to Wisconsin Statutes Section 23.01(8), subject to limitations imposed by as 125.17 and 125.68(2)

FEES ARE NON-REFUNDABLE

Operator's - Regular - \$40.00

Operator's - Provisional - \$15.00

Operator's - Two Year - \$65.00

Operator's - Temporary - \$10.00

New License Renewal License

This license expires on June 30, 20 13

Full Name of Applicant: <u>Sarah Jahn</u>		Sex: Male / <input checked="" type="radio"/> Female
Street Address: <u>350 N Atwood Ln</u>		
City: <u>Deerfield</u>	State: <u>WI</u>	Zip Code: <u>53531</u>
Date of Birth: <u>[REDACTED]</u>	Telephone Number: <u>[REDACTED]</u>	
Drivers License Number and State: <u>[REDACTED]</u>		

How long have you continuously resided in Wisconsin? 24 years

Place of employment as an Operator: Walgreens

Telephone: 608-226-9916

Have you registered for the Alcohol Awareness Program? (Circle One) Yes / No Date of Class: 11-10-2010

Have you completed the Alcohol Awareness Program? (Circle One) Yes / No Date Completed: 11-10-2010

Have you ever been convicted of a misdemeanor or felony in the past 5 years? (Circle One) Yes / No

If yes, please explain: Overage drinking ticket

Are there any pending criminal charges against you? (Circle One) Yes No

If yes, please explain: _____

Are there any pending drug/alcohol related offenses against you? (Circle One) Yes No

If yes, please explain: Overage drinking ticket

ANY FALSE OR MISSING INFORMATION ON THIS APPLICATION WILL RESULT IN DENIAL OF YOUR OPERATOR'S LICENSE. The undersigned affirms that he/she made complete and true answers to each question, and understands his/her past record will become a part of this application. I understand that I am subject to a driver's license check, a local police records check, and a criminal history background check by the City of Monona Police Department. I give permission to make my juvenile records available for this application.

Subscribed and sworn before me this 24th day of May, 20 12

Jean Anderson
Notary Public
My Commission expires: 9-20-15

Signature of Applicant: [Signature]

Police Department Review: Recommend Approval Recommend Denial Review

Reason for denial, if not recommended: MULTIPLE ALCOHOL RELATED CONDITIONS

Signature of Police Chief: [Signature] Date: 5/29/12

Approval of City Clerk: _____ Date: _____

License No. Issued: Provisional # _____ Operator # _____ Date Issued: Provisional _____ Operator _____



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FAX (608) 222-9225
<http://www.mymonona.com>

May 29, 2012

*Will appear
per manager
6/28-12 JH*

Ms. Molly A. Rogers
1601 Wendy Lane
Madison, Wisconsin 53716

Dear Ms. Rogers:

This letter is to inform you that following review by the Monona Police Department your application for an Operator's license for 2012/2013 is being denied. This denial is based on an Operating While Intoxicated conviction within the last five (5) years.

If you so desire, you may request reconsideration of your Operator's license application by the License Review Committee at its next regularly scheduled meeting on Tuesday, June 12, 2012, at 4:00 p.m. in the City Hall Large Conference Room, 5211 Schluter Road, Monona, Wisconsin. At such a reconsideration hearing, you may present evidence and testimony as to why your license should be granted.

You may wish to have your employer attend the review hearing with you. Employer input gives the License Review Committee important information to assist in their decision-making process.

If you wish to appear before the License Review Committee, please contact me at (608) 222-2525 by June 6, 2012.

Sincerely,

Joan Andrusz
City Clerk

Cc: License Review Committee
Walter Ostrenga, Police Chief
Walgreens

CITY OF MONONA - OPERATOR LICENSE APPLICATION

Pursuant to Wisconsin Statutes Section 23.01(8), subject to limitations imposed by as 125.17 and 125.68(2)

FEES ARE NON-REFUNDABLE

- Operator's - Regular - \$40.00
 - Operator's - Two Year - \$65.00
 - Operator's - Provisional - \$15.00
 - Operator's - Temporary - \$10.00
- New License Renewal License This license expires on June 30, 20 13

Full Name of Applicant: Molly Rogers Sex: Male / Female

Street Address: 1601 Wendy Lane

City: Madison State: WI Zip Code: 53716

Date of Birth: [REDACTED] Telephone Number: [REDACTED]

Drivers License Number and State: [REDACTED]

How long have you continuously resided in Wisconsin? 22 years

Place of employment as an Operator: Walgreens Telephone: (608) 226-9916

Have you registered for the Alcohol Awareness Program? (Circle One) Yes / No Date of Class: November

Have you completed the Alcohol Awareness Program? (Circle One) Yes / No Date Completed: November

Have you ever been convicted of a misdemeanor or felony in the past 5 years? (Circle One) Yes / No

If yes, please explain: I got an OUI in Stoughton WI in April 2011

Are there any pending criminal charges against you? (Circle One) Yes / No

If yes, please explain: _____

Are there any pending drug/alcohol related offenses against you? (Circle One) Yes / No

If yes, please explain: _____

Have you been convicted of drug/alcohol related offenses in the last 5 years? (Circle One) Yes / No

If yes, please explain: OUI

ANY FALSE OR MISSING INFORMATION ON THIS APPLICATION WILL RESULT IN DENIAL OF YOUR OPERATOR'S LICENSE. The undersigned affirms that he/she made complete and true answers to each question, and understands his/her past record will become a part of this application. I understand that I am subject to a driver's license check, a local police records check, and a criminal history background check by the City of Monona Police Department. I give permission to make my juvenile records available for this application.

Subscribed and sworn before me this 24th day of May, 20 12

Jean Andrusz
Notary Public
My Commission expires: 9-20-15

Signature of Applicant: Molly Rogers

Police Department Review: _____ Recommend Approval Recommend Denial _____ Review _____

Reason for denial, if not recommended: ou1 4/23/11

Signature of Police Chief: [Signature] Date: 5/29/12

Approval of City Clerk: _____ Date: _____

License No. Issued: Provisional # _____ Operator # _____ Date Issued: Provisional _____ Operator _____



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May 29, 2012

Mr. Andrew T. Schultz
130 Schenk Street
Madison, Wisconsin 53714

*will appear
per manager
6-8-12
JA*

Dear Mr. Schultz:

This letter is to inform you that following review by the Monona Police Department your application for an Operator's license for 2012/2013 is being denied. This denial is based on an Operating While Intoxicated conviction within the last five (5) years.

If you so desire, you may request reconsideration of your Operator's license application by the License Review Committee at its next regularly scheduled meeting on Tuesday, June 12, 2012, at 4:00 p.m. in the City Hall Large Conference Room, 5211 Schluter Road, Monona, Wisconsin. At such a reconsideration hearing, you may present evidence and testimony as to why your license should be granted.

You may wish to have your employer attend the review hearing with you. Employer input gives the License Review Committee important information to assist in their decision-making process.

If you wish to appear before the License Review Committee, please contact me at (608) 222-2525 by June 6, 2012.

Sincerely,

Joan Andrusz
City Clerk

Cc: License Review Committee
Walter Ostrenga, Police Chief
Walgreens

CITY OF MONONA - OPERATOR LICENSE APPLICATION

Pursuant to Wisconsin Statutes Section 23.01(8), subject to limitations imposed by as 125.17 and 125.68(2)

FEES ARE NON-REFUNDABLE

- Operator's - Regular - \$40.00
- Operator's - Provisional - \$15.00
- Operator's - Two Year - \$65.00
- Operator's - Temporary - \$10.00

New License Renewal License

This license expires on June 30, 20 13

Full Name of Applicant: <u>Andrew Thomas Schultz</u>		Sex: <u>(Male)</u> / Female
Street Address: <u>130 Schenk St.</u>		
City: <u>Madison</u>	State: <u>WI</u>	Zip Code: <u>53714</u>
Date of Birth: <u>[REDACTED]</u>	Telephone Number: <u>[REDACTED]</u>	
Drivers License Number and State: <u>[REDACTED] WI</u>		

How long have you continuously resided in Wisconsin? 26 years

Place of employment as an Operator: Walgreens Telephone: 608-226-9916

Have you registered for the Alcohol Awareness Program? (Circle One) (Yes) / No Date of Class: _____
 Have you completed the Alcohol Awareness Program? (Circle One) (Yes) / No Date Completed: June 2010

Have you ever been convicted of a misdemeanor or felony in the past 5 years? (Circle One) (Yes) / No
If yes, please explain: OWI

Are there any pending criminal charges against you? (Circle One) Yes / (No)

Are there any pending drug/alcohol related offenses against you? (Circle One) Yes / (No)

Have you been convicted of drug/alcohol related offenses in the last 5 years? (Circle One) (Yes) / No
If yes, please explain: OWI

ANY FALSE OR MISSING INFORMATION ON THIS APPLICATION WILL RESULT IN DENIAL OF YOUR OPERATOR'S LICENSE. The undersigned affirms that he/she made complete and true answers to each question, and understands his/her past record will become a part of this application. I understand that I am subject to a driver's license check, a local police records check, and a criminal history background check by the City of Monona Police Department. I give permission to make my juvenile records available for this application.

Subscribed and sworn before me this 21st day of May, 2012

Jean Andrusz
Notary Public
My Commission expires: 9-20-15

Signature of Applicant: Andrew Schultz

Police Department Review: _____ Recommend Approval Recommend Denial _____ Review _____

Reason for denial, if not recommended: OWI 2/17/12 - CONVICTION 4/17/12

Signature of Police Chief: [Signature] Date: 5/29/12
Approval of City Clerk: _____ Date: _____

License No. Issued: Provisional # _____ Operator # _____ Date Issued: Provisional _____ Operator _____



5211 SCHLUTER ROAD ■ MONONA, WI 53716-2598
CITY HALL (608) 222-2525
FAX (608) 222-9225
<http://www.mymonona.com>

May 29, 2012

*will attend
per mgr Sue Noyes
5-31-12*

Mr. Hunter W. Weber
6313 Roselawn Avenue
Monona, Wisconsin 53716

Dear Mr. Weber:

This letter is to inform you that following review by the Monona Police Department your application for an Operator's license for 2012/2013 is being denied. This denial is based on a Possession of Drug Paraphenalia conviction within the last five (5) years which you did not disclose on your application.

If you so desire, you may request reconsideration of your Operator's license application by the License Review Committee at its next regularly scheduled meeting on Tuesday, June 12, 2012, at 4:00 p.m. in the City Hall Large Conference Room, 5211 Schluter Road, Monona, Wisconsin. At such a reconsideration hearing, you may present evidence and testimony as to why your license should be granted.

You may wish to have your employer attend the review hearing with you. Employer input gives the License Review Committee important information to assist in their decision-making process.

If you wish to appear before the License Review Committee, please contact me at (608) 222-2525 by June 6, 2012.

Sincerely,

Joan Andrusz
City Clerk

Cc: License Review Committee
Walter Ostrenga, Police Chief
Speedway #4088 – Monona Drive

CITY OF MONONA - OPERATOR LICENSE APPLICATION

Pursuant to Wisconsin Statutes Section 23.01(8), subject to limitations imposed by as 125.17 and 125.68(2)

FEES ARE NON-REFUNDABLE

Operator's - Regular - \$40.00

Operator's - Provisional - \$15.00

Operator's - Two Year - \$65.00

Operator's - Temporary - \$10.00

New License _____ Renewal License _____

This license expires on June 30, 20 13

Full Name of Applicant: <u>Hunter William Weber</u>	Sex: <input checked="" type="radio"/> Male / Female	
Street Address: <u>6313 Roseawn Ave.</u>		
City: <u>Monona</u>	State: <u>WI</u>	Zip Code: <u>53716</u>
Date of Birth: <u>[REDACTED]</u>	Telephone Number: <u>[REDACTED]</u>	
Drivers License Number and State: <u>[REDACTED]</u>	<u>Wisconsin</u>	

How long have you continuously resided in Wisconsin? 20 years

Place of employment as an Operator: Speedway (Monona dr.) Telephone: _____

Have you registered for the Alcohol Awareness Program? (Circle One) Yes / No Date of Class: 23-05-2012
Have you completed the Alcohol Awareness Program? (Circle One) Yes / No Date Completed: 23-05-2012

Have you ever been convicted of a misdemeanor or felony in the past 5 years? (Circle One) Yes / No
If yes, please explain: _____

Are there any pending criminal charges against you? (Circle One) Yes / No
If yes, please explain: _____

Are there any pending drug/alcohol related offenses against you? (Circle One) Yes / No
If yes, please explain: _____

Have you been convicted of drug/alcohol related offenses in the last 5 years? (Circle One) Yes / No
If yes, please explain: _____

ANY FALSE OR MISSING INFORMATION ON THIS APPLICATION WILL RESULT IN DENIAL OF YOUR OPERATOR'S LICENSE. The undersigned affirms that he/she made complete and true answers to each question, and understands his/her past record will become a part of this application. I understand that I am subject to a driver's license check, a local police records check, and a criminal history background check by the City of Monona Police Department. I give permission to make my juvenile records available for this application.

Subscribed and sworn before me
this 23 day of May, 2012

Jean Anderson
Notary Public
My Commission expires: 9-20-15

Signature of Applicant: Hunter Weber

Police Department Review: _____ Recommend Approval Recommend Denial _____ Review _____

Reason for denial, if not recommended: DRUG PARAPHERNALIA NOT DISCLOSED WITH CONVICTION ON 2/8/12.

Signature of Police Chief: [Signature] Date: 5/29/12
Approval of City Clerk: _____ Date: _____

License No. Issued: Provisional # 28 Operator # _____ Date Issued: Provisional 5-23-12 Operator _____

CITY OF MONONA, COUNTY OF DANE
APPLICATION FOR TEMPORARY CLASS "B" / "CLASS B" RETAILER'S LICENSE

See Additional Information on reverse side. Contact the City Clerk at (608) 222-2525 if you have questions.



FEE: \$10.00

Application Date: _____

The named organization applies for (Check appropriate box(es).)

A Temporary Class "B" license to sell fermented malt beverages at picnics or similar gatherings under s. 125.26(6) Wis. Stats.

A Temporary "Class B" license to sell wine at picnics or similar gatherings under s. 125.51(10), Wis. Stat.

at the premises described below during a special event and agrees to comply with all law, resolution, ordinances and regulations (state, federal or local) affecting the sale of fermented malt beverages and/or wine if the license is granted.

1. EVENT

(a) List name of the event Fourth of July tournament - Softball

(b) Dates of event June 29, 30 + July 1, 2012

(c) Full name and address of manager or person(s) in charge of event: (PERSON(S) SUBJECT TO A POLICE BACKGROUND CHECK)

Name Timothy C. Reithmeyer Date of Birth [REDACTED] Phone [REDACTED]
Address 4 La Crescenta Cir Madison WI 53716
(Street) (City) (State) (Zip)

Name _____ Date of Birth _____ Phone _____
Address _____
(Street) (City) (State) (Zip)

2. ORGANIZATION (check appropriate box) Bona fide Club Church Lodge/Society Veteran's Organization Fair Association

(a) Name Monona Softball Association

(b) Address PO Box 6127 Monona WI 53716
(Street) (City) (State) (Zip)

(c) Date Organized Late 60's If corporation, give date of incorporation _____

(d) Full names and addresses of all officers, including date of birth:
President Timothy C. Reithmeyer [REDACTED]
Vice President Mark V. McDowell [REDACTED]
Secretary _____
Treasurer Tony J. Darwin [REDACTED]

3. LOCATION OF PREMISES WHERE BEER AND/OR WINE WILL BE SOLD

(a) Address Schaeffer Shelter Winnequah Park _____
(Street) (City) (State) (Zip)

(b) Do premises occupy all or part of building? _____

(c) If part of building, describe fully all premises covered under this application, which floor or floors, or room or rooms, license is to cover:

4. NAMES OF LICENSED BEVERAGE SERVERS (A Licensed Operator must be on premises at all times when beer or wine is served.)

Lauren Lottes Sarah Wampole-Maciejeski

5. ANTICIPATED NUMBER OF ATTENDEES 100-200

DECLARATION

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.

Officer [Signature]
(Signature/Date)

Date Filed with Clerk _____ Date Reported to License Review Committee _____

Police Chief Approval [Signature] Date Granted by Council _____ License No. _____

CITY OF MONONA, COUNTY OF DANE
APPLICATION FOR TEMPORARY CLASS "B" / "CLASS B" RETAILER'S LICENSE

See Additional Information on reverse side. Contact the City Clerk at (608) 222-2525 if you have questions.



FEE: \$10.00

Application Date: _____

The named organization applies for (Check appropriate box(es).)

A Temporary Class "B" license to sell fermented malt beverages at picnics or similar gatherings under s. 125.26(6) Wis. Stat.

A Temporary "Class B" license to sell wine at picnics or similar gatherings under s. 125.51(10), Wis. Stat.

at the premises described below during a special event and agrees to comply with all law, resolution, ordinances and regulations (state, federal or local) affecting the sale of fermented malt beverages and/or wine if the license is granted.

1. EVENT

(a) List name of the event City Softball Tournament

(b) Dates of event August 8-12, 2012

(c) Full name and address of manager or person(s) in charge of event: (PERSON(S) SUBJECT TO A POLICE BACKGROUND CHECK)

✓ Name Timothy C. Kesthomer Date of Birth [REDACTED] Phone [REDACTED]

Address 4 La Crescenta Cir Madison WI 53716
 (Street) (City) (State) (Zip)

Name _____ Date of Birth _____ Phone _____

Address _____ (Street) (City) (State) (Zip)

2. ORGANIZATION (check appropriate box) Bona fide Club Church Lodge/Society Veteran's Organization Fair Association

(a) Name Monona Softball Association

(b) Address PO Box 6127 Monona WI 53716
 (Street) (City) (State) (Zip)

(c) Date Organized Late 60's If corporation, give date of incorporation _____

(d) Full names and addresses of all officers, including date of birth:

President Timothy C. Kesthomer [REDACTED]

Vice President Mark V. Mc Powell [REDACTED]

Secretary _____

Treasurer Tony J. Darwin [REDACTED]

3. LOCATION OF PREMISES WHERE BEER AND/OR WINE WILL BE SOLD

(a) Address Schaeffer Shelter - Winnebago Park
 (Street) (City) (State) (Zip)

(b) Do premises occupy all or part of building? _____

(c) If part of building, describe fully all premises covered under this application, which floor or floors, or room or rooms, license is to cover:

4. NAMES OF LICENSED BEVERAGE SERVERS (A Licensed Operator must be on premises at all times when beer or wine is served.)

Laura Lottis Sarah Wampole-Maciejewski

5. ANTICIPATED NUMBER OF ATTENDEES 100-300

DECLARATION

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.

Officer Tom Lottis
 (Signature/Date)

Date Filed with Clerk _____ Date Reported to License Review Committee _____

Police Chief Approval [Signature] Date Granted by Council _____ License No. _____

CITY OF MONONA, COUNTY OF DANE
APPLICATION FOR TEMPORARY CLASS "B" / "CLASS B" RETAILER'S LICENSE

See Additional Information on reverse side. Contact the City Clerk at (608) 222-2525 if you have questions.



FEE: \$10.00

Application Date: 5-24-2012

The named organization applies for (Check appropriate box(es).)

- A Temporary Class "B" license to sell fermented malt beverages at picnics or similar gatherings under s. 125.26(6) Wis. Stats.
 - A Temporary "Class B" license to sell wine at picnics or similar gatherings under s. 125.51(10), Wis. Stat.
- at the premises described below during a special event and agrees to comply with all law, resolution, ordinances and regulations (state, federal or local) affecting the sale of fermented malt beverages and/or wine if the license is granted.

1. EVENT

(a) List name of the event MONONA COMMUNITY FESTIVAL

(b) Dates of event JULY 3 & 4, 2012

(c) Full name and address of manager or person(s) in charge of event: (PERSON(S) SUBJECT TO A POLICE BACKGROUND CHECK)

Name JAMES M. BISBEE Date of Birth [REDACTED] Phone [REDACTED]

Address 6304 ROSELAWN AV. MONONA WI 53716

(Street) (City) (State) (Zip)

Name _____ Date of Birth _____ Phone _____

Address _____

(Street) (City) (State) (Zip)

2. ORGANIZATION (check appropriate box) Bona fide Club Church Lodge/Society Veteran's Organization Fair Association ?

(a) Name MONONA COMMUNITY FESTIVAL, INC.

(b) Address 6304 ROSELAWN AV. MONONA WI 53716

(Street) (City) (State) (Zip)

(c) Date Organized 1983 If corporation, give date of incorporation 1983

(d) Full names and addresses of all officers, including date of birth:

✓ President JAMES M BISBEE 6304 ROSELAWN AV. MONONA, WI 53716

✓ Vice President Belle Heberling 4801 Roigan Terrace Monona, WI 53716

Secretary Jacob Bisbee 850 E Broadway Monona, WI 53716

✓ Treasurer Laura Bowles 4711 Roigan Ter Monona WI 53716

3. LOCATION OF PREMISES WHERE BEER AND/OR WINE WILL BE SOLD

(a) Address 1055 NICHOLS (NICHOLS & HEALS) WINNEQUAA PK MONONA

(Street) (City) (State) (Zip)

(b) Do premises occupy all or part of building? 1

(c) If part of building, describe fully all premises covered under this application, which floor or floors, or room or rooms, license is to cover:

4. NAMES OF LICENSED BEVERAGE SERVERS (A Licensed Operator must be on premises at all times when beer or wine is served.)

JAMES BISBEE BELLE HEBERLING

5. ANTICIPATED NUMBER OF ATTENDEES ?

DECLARATION

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.

Officer [Signature]
(Signature/Date)

Date Filed with Clerk _____ Date Reported to License Review Committee _____

Police Chief Approval [Signature] dated by Council _____ License No. _____

Chapter 13

Regulation of Transient Merchants

7-13-1	Registration Required
7-13-2	Definitions
7-13-3	Exemptions
7-13-4	Registration
7-13-5	Investigation
7-13-6	Appeal
7-13-7	Regulation of Transient Merchants
7-13-8	Records
7-13-9	Revocation of Registration
7-13-10	Penalty

Sec. 7-13-1 Registration Required.

It shall be unlawful for any transient merchant to engage in sales within the City of Monona without being registered, and receiving a solicitor's license, for that purpose as provided herein.

Sec. 7-13-2 Definitions.

- (a) **Transient merchant** means one who engages in the sale of merchandise at any place in the City of Monona temporarily, and who does not intend to become and does not become a permanent merchant of the City. For purposes of this section, sale of merchandise includes a sale in which the personal services rendered upon or in connection with the merchandise constitutes the greatest part of value for the price received, but does not include a farm auction sale conducted by or for a resident farmer of personal property used on the farm or the sale of produce or other perishable products at retail or wholesale by a resident of this state. Transient merchant shall also include any one engaged in the sale of ice cream, candy, beef or other merchandise out of a vehicle.
- (b) **Permanent merchant** means one who, for at least one year prior to the consideration of the application of this ordinance to said merchant a) has continuously operated an established place of business in Dane County or b) has continuously resided in Dane County and now does business from his/her residence.
- (c) **Merchandise** shall include personal property of any kind, and shall include merchandise, goods, or materials provided incidental to services offered or sold. The sale of merchandise includes donations required by the seller for the retention of goods by a donor or prospective customer.
- (d) **Charitable organization** shall include any benevolent, philanthropic, patriotic, or eleemosynary person, partnership, association or corporation, or one purporting to be such.
- (e) **Chief of Police** shall mean the City Chief of Police or his/her duly appointed officer.
- (f) **Clerk** shall mean the City Clerk or his/her duly appointed agent.

Sec. 7-13-3 Exemptions.

The following shall be exempt from all the provisions of this chapter:

- (a) Any person delivering newspapers, fuel, dairy products or bakery goods to regular customers on established routes;
- (b) Any person selling goods at wholesale to dealers in such goods;
- (c) Any person selling agricultural products which such person has grown;

- (d) Any permanent merchant or employee thereof who takes orders at the home of the buyer for merchandise regularly offered for sale by such merchant within this county and who delivers such merchandise in their regular course of business;
- (e) Any person who has an established place of business where the merchandise being sold is offered for sale on a regular basis, and in which the buyer has initiated contact with, and specifically requested, a home visit by said person;
- (f) Any person who has had, or one who represents a company which has had, a prior business transaction, such as a prior sale or credit arrangement, with the prospective customer;
- (g) Any person selling or offering for sale a service unconnected with the sale or offering for sale of merchandise;
- (h) Any person holding a sale required by statute or by order of any court and any person conducting a bona fide auction sale pursuant to law;
- (i) Any employee, officer or agent of a charitable organization who engages in direct sales for or on behalf of said organization, provided that there is submitted to the Clerk proof that such charitable organization is registered under Sec. 440.41, Wis. Stats. Any charitable organization engaging in the sale of merchandise and not registered under Sec. 440.41, Wis. Stats., or which is exempt from the statute's registration requirements, shall be required to register under this chapter;
- (j) Any person who claims to be a permanent merchant, but against whom a complaint has been made to the Chief of Police or Clerk that such person is a transient merchant; provided that there is submitted to the Chief of Police or Clerk proof that such person has leased for at least one year, or purchased, the premises from which he/she has conducted business in the City for at least one year prior to the date the complaint was made;
- (k) Any individual licensed by an examining board as defined in Section 15.0(7), Wis. Stats.;
- (l) This chapter does not apply to transient merchants while doing business at special events authorized by the City Council.
- (m) Any group or individual selling merchandise for the primary purpose of raising funds for a public or private school engaged in the education of children from kindergarten through high school or any extracurricular group affiliated with such a school.
- (n) Any family member holding an estate sale of the personal property of a deceased member of their family.
- (o) Any individual holding a garage sale as provided by Section 13-1-44.
- (p) Any individual engaged in proselytizing, canvassing or pamphleteering regarding political or religious views and not selling any merchandise or soliciting any funds or services.

Sec. 7-13-4 Registration.

- (a) Applicants for registration must complete and return to the Clerk a registration form furnished by the Clerk which shall require the following information:
 - (1) Name, permanent address and telephone number, and temporary address, if any;
 - (2) Age, height, weight, color of hair and eyes;
 - (3) Name, address and telephone number of the person, firm, association or corporation that the transient merchant represents or is employed by, or whose merchandise is being sold;
 - (4) Temporary address and telephone number from which business will be conducted, if any;
 - (5) Nature of business to be conducted and a brief description of the merchandise, and any services offered;
 - (6) Proposed methods of delivery of merchandise, if applicable;
 - (7) Make, model and license number of any vehicle to be used by applicant in the conduct of his/her business;
 - (8) Most recent cities, villages, town, not to exceed three, where applicant conducted his/her business;
 - (9) Place where applicant can be contacted for at least seven (7) days after leaving this City;

- (10) Statement as to whether applicant has been convicted of any crime or ordinance violation related to applicant's transient merchant business within the last five (5) years, and the nature of the offense and the place of conviction.
- (11) Documentation showing that the applicant has permission to be at that location.
- (b) Applicants shall present to the Clerk for examination:
 - (1) A driver's license or some other proof of identity s may be reasonably required;
 - (2) A state certificate of examination and approval from the sealer of weights and measures where applicant's business requires use of weighing and measuring devices approved by state authorities;
 - (3) A state health officer's certificate where applicant's business involved the handling of food or clothing and is required to be certified under state law; such certificate to state that applicant is apparently free from any contagious or infectious disease, dated not more than 90 days prior to the date the application license is made.
- (c) At the time the registration is returned, a fee shall be paid to the Clerk to cover the cost of processing said registration. Each and every member of a group must file a separate registration form. The fee for a solicitor's license shall be Fifteen Dollars (\$15.00) per year.

The applicant shall sign a statement appointing the Chief of Police or his/her agent to accept service of process in any civil action brought against the applicant arising out of any sale or service performed by the applicant in connection with the direct sales activities of the applicant, in the event the applicant cannot, after reasonable effort, be served personally.

Upon payment of said fee and the signing of said statement, the Chief of Police shall register the applicant as a transient merchant and date the entry. Said registration shall be valid for a period of one year from the date of entry, subject to subsequent refusal as provided in Section 7-13-5(b) below.

Sec. 7-13-5 Investigation.

- (a) Upon receipt of each application, the Chief of Police or his/her duly appointed officer may immediately make and complete an investigation of the statements made in such registration.
- (b) The Clerk shall refuse to register the applicant if it is determined, pursuant to the investigation above, that: the application contains any material omission or materially inaccurate statement; complaints of material nature have been received against the applicant by authorities in the most recent cities, villages and towns, not exceeding three, in which the applicant conducted similar business; the applicant was convicted of a crime, statutory violation or ordinance violation within the last five (5) years, the nature of which is directly related to the applicant's fitness to engage in direct selling; or the applicant failed to comply with any applicable provisions of this chapter.

Sec. 7-13-6 Appeal.

Any person refused or denied registration may appeal the denial through the appeal procedure provided by Title IV, Chapter 1.

Sec. 7-13-7 Regulation of Transient Merchants.

- (a) **Prohibited Practices.**
 - (1) A transient merchant shall be prohibited from: calling at any dwelling or other place between the hours of 9:00 p.m. and 9:00 a.m. except by appointment; calling at any dwelling or other place where a sign is displayed bearing the words "No Peddlers", "No Solicitor" or words of similar meaning; calling at the rear door of any dwelling place; or remaining on any premises

- after being asked to leave by the owner, occupant or other person having authority over such premises.
- (2) A transient merchant shall not misrepresent or make false, deceptive or misleading statements concerning the quality, quantity, or characteristics of any merchandise offered for sale, the purpose of his/her visit, his/her identity or the identity of the organization he/she represents. A charitable organization transient merchant shall specifically disclose what portion of the sale price of the merchandise being offered will actually be used for the charitable purpose for which the organization is soliciting. Said portion shall be expressed as a percentage of the sale price of the merchandise.
 - (3) No transient merchant shall impede the free use of sidewalks and streets by pedestrians and vehicles. Where sales are made from vehicles, all traffic and parking regulations shall be observed.
 - (4) No transient merchant shall make any loud noises or use any sound amplifying device to attract customers if the noise produced is capable of being plainly heard outside a one-hundred (100) foot radius of the source.
 - (5) No transient merchant shall allow rubbish or litter to accumulate in or around the area in which he/she is conducting business.
- (b) **Disclosure Requirements.**
- (1) After the initial greeting and before any other statement is made to a prospective customer, a transient merchant shall expressly disclose his/her name, the name of the company or organization he/she is affiliated with, if any, and the identity of merchandise or services he/she offers to sell.
 - (2) If any sale of merchandise is made by a transient merchant, or any offer for the later delivery of merchandise is taken by the seller, the buyer shall have the right to cancel said transaction in accordance with Section 423.202, Wis. Stats. And any other provision under the law; the seller shall give the buyer two (2) copies of a typed or printed notice of that fact. Such notice shall conform to the requirements of Section 423.203, Wis. Stats.
 - (3) If the transient merchant takes a sales order for the later delivery of merchandise, he/she shall, at the time the order is taken, provide the buyer with a written statement containing the terms of the agreement, the amount paid in advance whether full, partial, or no advance payment is made, the name, address and telephone number of the seller, the delivery or performance date, and whether a guarantee or warranty is provided and, if so, the terms thereof.
- (c) Any transient merchant engaged in the sale of fireworks, as defined in Section 7-5-1, shall fully comply with the provisions of Title VII, Chapter 5 as well as this chapter.

Sec. 7-13-8 Records.

The Chief of Police shall report to the Clerk all convictions for violation of this ordinance and the Clerk shall note any such violation on the record of the registrant convicted.

Sec. 7-13-9 Revocation of Registration.

- (a) Registration may be revoked by the License Review Committee after notice and hearing, if the registrant made any material omission or materially inaccurate statement in the application of registration, made any fraudulent, false, deceptive or misleading statement or representation in the course of engaging in transient sales, violated any provision of this ordinance or was convicted of any crime or ordinance or statutory violation which is directly related to the registrant's fitness to engage in selling.
- (b) Written notice of the hearing shall be served personally or pursuant to Sec. 7-13-4(c) above on the registrant at least seventy-two (72) hours prior to the time set for the hearing; such notice shall

contain the time and place of hearing and a statement of the acts upon which the hearing will be based.

Sec. 7-13-10 Penalty.

Any person adjudged in violation of any provision of this ordinance shall forfeit not less than Ten Dollars (\$10.00) nor more than One Thousand Dollars (\$1,000.00) for each violation per day plus costs of prosecution. Each violation shall constitute a separate offense.

Sec. 7-13-11 Severability.

The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a decision of a court of competent jurisdiction to be invalid, unlawful, or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, and not affect the validity of all other provisions, sections, or portion thereof of the Ordinance which shall remain in force and effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.