#### ALCOHOL LICENSE COMMITTEE AGENDA

January 23, 2017 4:00 PM

#### 160 S Macy Street

Meeting Room D

City-County Government Center Fond du Lac, Wisconsin

#### I. ROLL CALL

- A. Attendance
- B. Declaration Quorum Present

#### II. ELECTION OF OFFICERS

- A. Appointment Of Chairperson
- B. Appointment Of Vice-Chairperson

#### III. CONSENT AGENDA

A. November 28, 2016 Minutes

#### IV. INPUT

A. Audience Comments

Presiding officer shall limit comments to items noticed only on the agenda

#### V. ACTIONS

A. Class "B" Fermented Malt & "Class C" Wine License

Limited Liability: The Noodle Shop, Co.

Agent: Derek Runge

Address: 618 McKinley St, Neenah, WI 54956

d/b/a: Noodles & Company

Location of Premises: 729 W Johnson St

B. Class "B" Fermented Malt & "Class B" Intoxicating Liquor License

Limited Liability Co: 65 N Main Pub, LLC

Agent Name: Bryan Perl

Agent Address: 463 Cedar St, Fond du Lac, WI

d/b/a: 65 N Main St

Location of Premises: 65 N Main St

#### VI. ADJOURN

### ALCOHOL LICENSE COMMITTEE CITY OF FOND DU LAC, WISCONSIN

<u>Title:</u> November 28, 2016 Minutes

Subject:

Initiator:

Location:

Recommendation:

ATTACHMENTS:

File Name

11-28-16\_Minutes.pdf

Description

November 28, 2016

Minutes

# ALCOHOL LICENSE COMMITTEE MEETING MINUTES CITY OF FOND DU LAC, WISCONSIN

Meeting Room D 160 S Macy Street

November 28, 2016 4:00 PM

#### ROLL CALL

Attendance

Present
Shawn Anhalt
Peter Doll
Brian Kolstad
Mark Otterstatter

<u>Absent</u>

Jacob Lehman Kerry Strupp Travis VanDynHoven

Administrative Staff

Deb Hoffman, City Attorney Dyann Benson, Director of Community Development Steve Klein, Police Chief of Operations Doug Hoerth, Inspections

Declaration Quorum Present

Chairperson Shawn Anhalt declared a quorum present.

#### CONSENT AGENDA

May 23, 2016 Minutes

A Motion was made by Brian Kolstad to approve the May 23rd, 2016 Minutes and seconded by Mark Otterstatter, and the motion was **Passed**.

Ayes: Anhalt, Doll, Kolstad, Otterstatter

Absent: Lehman, Strupp, VanDynHoven

#### INPUT

Audience Comments

Presiding officer shall limit comments to items noticed only on

the agenda.

Attorney Bill Everson and Bryan Perl spoke in support of the request for a "Class B" Intoxicating Liquor and "Class B" Fermented Malt License at 65 S Main Street.

#### **ACTIONS**

"Class B" Intoxicating Liquor and Class "B" Fermented Malt License

Limited Liability Co: 65 N Main Pub, LLC

Agent Name: Bryan Perl

Agent Address: 463 Cedar St, Fond du Lac, WI 54935

d/b/a: 65 N Main St

Location of Premises: 65 N Main St

A Motion was made by Shawn Anhalt to deny application for "Class B" Intoxicating Liquor and "Class B" Fermented Malt License and seconded by Peter Doll, and the motion was **Passed**.

Ayes: Anhalt, Doll, Kolstad, Otterstatter

Absent: Lehman, Strupp, VanDynHoven

#### **ADJOURN**

A Motion was made by Peter Doll to adjourn at 4:53 PM and seconded by Shawn Anhalt, and the motion was **Passed**.

Ayes: Anhalt, Doll, Kolstad, Otterstatter

Absent: Lehman, Strupp, VanDynHoven

### ALCOHOL LICENSE COMMITTEE CITY OF FOND DU LAC, WISCONSIN

<u>Title:</u> Class "B" Fermented Malt & "Class C" Wine License

<u>Subject:</u> Limited Liability: The Noodle Shop, Co.

Agent: Derek Runge

Address: 618 McKinley St, Neenah, WI 54956

d/b/a: Noodles & Company

Location of Premises: 729 W Johnson St

Initiator:

Location:

Recommendation:

#### ATTACHMENTS:

	File Name	Description
D	Noodles_ALC_Memo.pdf	Memo
D	Police_Memo_01-13-17_Noodles_and_Company.pdf	Police Memo
D	Noodles_Application_Redacted.pdf	License Application
D	noodles business plan.pdf	Business Plan

### CITY OF FOND DU LAC - Memorandum

### **City Clerk's Office**

Date: December 20, 2016

**To:** Alcohol License Committee

**From:** Maggie Hefter, City Clerk

**Re:** 2016 Class "B" Fermented Malt Beverage & Class C Wine

Application

#### CLASS "B" FERMENTED MALT BEVERAGE & "CLASS C" WINE:

**Limited Liability:** The Noodle Shop, Co.-Colorado, Inc.

Agent: Derek Runge
Agent Address: 618 McKinley St

Nennah, WI 54956

**d/b/a:** Noodles & Company **Location of Premises:** 729 W Johnson St

# Fond du Lac Police Department MEMO



**To:** City Manager Joe Moore

From: Chief Lamb

**RE**: Proposed Class "B" Beer and Class C Wine

license request for Noodles and Company, 729 W

Johnson St.

**Date**: 01-13-17

On January 13, 2017, Assistant Chief Klein, Fire Chief O'Leary, City Building Inspector Doug Hoerth and City Clerk Maggie Hefter met with Derek Runge from Noodles and Company to discuss their license application for the proposed restaurant operation located at 729 W Johnson St.

Noodles and Company is a national brand chain with over 500 stores throughout the United States. Mr. Runge, who is a Fond du Lac native, is the area manager for Noodles and Company and will serve as the licensed agent for this location. Mr. Runge oversees 9 Noodle's restaurants and has over 17 years in the food service and hospitality industry. He anticipates that Noodles and Company will employee about 35 employees in the Fond du Lac store.

Noodles and Company anticipates a February 6<sup>th</sup> opening. The proposed license request would allow those dining customers who chose to, to purchase a select assortment of beers or a glass of wine for on site consumption with their meal.

Background checks conducted on Mr. Runge and the officers of Noodles and Company, both in-house and NCIC/CIB, indicate no prior criminal history that would preclude them from obtaining the requested license. The Police Department has no objections to the approval of the proposed license request.

ORIGINAL ALCOHOL BEVERAGE RETAIL LICENSE A	
Submit to municipal clerk.	456.0000830197-03
Tolo C	LICENSE REQUESTED
ending OLIVO 30 20	
☐ Town of •	Class B beer \$ 42
TO THE GOVERNING BODY of the:  Village of FOND DU LA	
☐ City of	
·	Class B linux
County of FOND DU LAC Aldermanic Dist. No. (if re	equired by ordinance)
	Reserve Class B liquor \$
1. The named INDIVIDUAL PARTNERSHIP LIMITED	LIABILITY COMPANY Class B (wine only) winery \$
CORPORATION/NONPROFIT ORGANIZATION	Publication fee \$ 55
hereby makes application for the alcohol beverage license(s) checked above.	TOTAL FEE \$ 139-
2. Name (individual/partners give last name, first, middle; corporations/limited lial	bility companies give registered name).
THE NOODLE SHOP, CO COLORADO, INC.	
An "Auxiliary Questionnaire." Form AT-103, must be completed and attac	ched to this application by each individual applicant, by each member of a
partnership, and by each officer, director and agent of a corporation or no liability company. List the name, title, and place of residence of each person Title Name	Onprofit organization, and by each member/manager and agent of a limited
President/Member President/VP Assistant Secretary, Paul Strasen, 6 White Al	der, Littleton, CO 80217
Vice President/Member	
Secretary/Member Secretary David J. Boennighausen, 2593 Sunshine Canyon	Dr. Boulder CO 80302
Treasurer/Member	Dr., Boulder CO 80302
Agent Derek Runge	
Directors/Managers Director: Paul Strasen	
AL III O O	
700 11	
5. Is individual, partners or agent of corporation/limited fiability company subject training course for this license period?	Yes No
6. Is the applicant an employe or agent of or acting on behalf of anyone except t	
the approach an employe of agent of, of acting of behalf of anyone except t	he named applicant?
<ol><li>Does any other alcohol beverage retail licensee or wholesale permittee have a</li></ol>	any interest in or control of this business?
<ol> <li>Does any other alcohol beverage retail licensee or wholesale permittee have a</li> <li>(a) Corporate/limited liability company applicants only: Insert state Co</li> </ol>	Iny interest in or control of this business?
<ol> <li>Does any other alcohol beverage retail licensee or wholesale permittee have a</li> <li>(a) Corporate/limited liability company applicants only: Insert state Co</li> </ol>	Iny interest in or control of this business?
<ol> <li>Does any other alcohol beverage retail licensee or wholesale permittee have a</li> <li>(a) Corporate/limited liability company applicants only: Insert state Co</li> <li>(b) Is applicant corporation/limited liability company a subsidiary of any other of</li> </ol>	In y interest in or control of this business?
<ol> <li>Does any other alcohol beverage retail licensee or wholesale permittee have a</li> <li>(a) Corporate/limited liability company applicants only: Insert state Co</li> <li>(b) Is applicant corporation/limited liability company a subsidiary of any other of</li> <li>(c) Does the corporation, or any officer, director, stockholder or agent or limite</li> </ol>	ny interest in or control of this business?
<ol> <li>Does any other alcohol beverage retail licensee or wholesale permittee have a</li> <li>(a) Corporate/limited liability company applicants only: Insert state Co</li> <li>(b) Is applicant corporation/limited liability company a subsidiary of any other of</li> <li>(c) Does the corporation, or any officer, director, stockholder or agent or limite agent hold any interest in any other alcohol beverage license or permit in N</li> </ol>	nny interest in or control of this business?
<ol> <li>Does any other alcohol beverage retail licensee or wholesale permittee have a</li> <li>(a) Corporate/limited liability company applicants only: Insert state Co</li> <li>(b) Is applicant corporation/limited liability company a subsidiary of any other of</li> <li>(c) Does the corporation, or any officer, director, stockholder or agent or limited agent hold any interest in any other alcohol beverage license or permit in the (NOTE: All applicants explain fully on reverse side of this form every YES answer.</li> </ol>	nny interest in or control of this business?
<ol> <li>Does any other alcohol beverage retail licensee or wholesale permittee have a</li> <li>(a) Corporate/limited liability company applicants only: Insert state Co</li> <li>(b) Is applicant corporation/limited liability company a subsidiary of any other of</li> <li>(c) Does the corporation, or any officer, director, stockholder or agent or limited agent hold any interest in any other alcohol beverage license or permit in the NOTE: All applicants explain fully on reverse side of this form every YES answ</li> <li>Premises description: Describe building or buildings where alcohol beverages all rooms including living quarters, if used, for the sales, service, consumption.</li> </ol>	nny interest in or control of this business?
<ol> <li>Does any other alcohol beverage retail licensee or wholesale permittee have a</li> <li>(a) Corporate/limited liability company applicants only: Insert state Co</li> <li>(b) Is applicant corporation/limited liability company a subsidiary of any other of</li> <li>(c) Does the corporation, or any officer, director, stockholder or agent or limite agent hold any interest in any other alcohol beverage license or permit in NoTE: All applicants explain fully on reverse side of this form every YES answ</li> <li>Premises description: Describe building or buildings where alcohol beverages all rooms including living quarters, if used, for the sales, service, consumption, may be sold and stored only on the premises described.)</li> </ol>	nny interest in or control of this business?
<ol> <li>Does any other alcohol beverage retail licensee or wholesale permittee have a</li> <li>(a) Corporate/limited liability company applicants only: Insert state Co.</li> <li>(b) Is applicant corporation/limited liability company a subsidiary of any other of the corporation, or any officer, director, stockholder or agent or limited agent hold any interest in any other alcohol beverage license or permit in the NOTE: All applicants explain fully on reverse side of this form every YES answer.</li> <li>Premises description: Describe building or buildings where alcohol beverages all rooms including living quarters, if used, for the sales, service, consumption, may be sold and stored only on the premises described.)</li> <li>Legal description (omit if street address is given above): N/A</li> </ol>	In y interest in or control of this business?
<ol> <li>Does any other alcohol beverage retail licensee or wholesale permittee have a</li> <li>(a) Corporate/limited liability company applicants only: Insert state Co.</li> <li>(b) Is applicant corporation/limited liability company a subsidiary of any other of corporation, or any officer, director, stockholder or agent or limited agent hold any interest in any other alcohol beverage license or permit in Nonte: All applicants explain fully on reverse side of this form every YES answ</li> <li>Premises description: Describe building or buildings where alcohol beverages all rooms including living quarters, if used, for the sales, service, consumption, may be sold and stored only on the premises described.)</li> <li>Legal description (omit if street address is given above): N/A</li> <li>(a) Was this premises licensed for the sale of liquor or beer during the past licensed.</li> </ol>	In y interest in or control of this business?
<ol> <li>Does any other alcohol beverage retail licensee or wholesale permittee have a</li> <li>(a) Corporate/limited liability company applicants only: Insert state Co</li> <li>(b) Is applicant corporation/limited liability company a subsidiary of any other of</li> <li>(c) Does the corporation, or any officer, director, stockholder or agent or limite agent hold any interest in any other alcohol beverage license or permit in Nonte: All applicants explain fully on reverse side of this form every YES answ</li> <li>Premises description: Describe building or buildings where alcohol beverages all rooms including living quarters, if used, for the sales, service, consumption, may be sold and stored only on the premises described.)</li> <li>Legal description (omit if street address is given above): N/A</li> <li>(a) Was this premises licensed for the sale of liquor or beer during the past lice (b) If yes, under what name was license issued?</li> </ol>	In y interest in or control of this business?
<ol> <li>Does any other alcohol beverage retail licensee or wholesale permittee have a         <ul> <li>(a) Corporate/limited liability company applicants only: Insert state Co</li> <li>(b) Is applicant corporation/limited liability company a subsidiary of any other of the corporation or any officer, director, stockholder or agent or limited agent hold any interest in any other alcohol beverage license or permit in the NOTE: All applicants explain fully on reverse side of this form every YES answers.</li> </ul> </li> <li>Premises description: Describe building or buildings where alcohol beverages all rooms including living quarters, if used, for the sales, service, consumption, may be sold and stored only on the premises described.)</li> <li>Legal description (omit if street address is given above): N/A</li> <li>(a) Was this premises licensed for the sale of liquor or beer during the past lice (b) If yes, under what name was license issued?</li> <li>Does the applicant understand they must file a Special Occupational Tax return before beginning business? [phone 1-800-937-8864]</li></ol>	In y interest in or control of this business?
<ol> <li>Does any other alcohol beverage retail licensee or wholesale permittee have a series (a) Corporate/limited liability company applicants only: Insert state (a) (b) Is applicant corporation/limited liability company a subsidiary of any other (c) Does the corporation, or any officer, director, stockholder or agent or limite agent hold any interest in any other alcohol beverage license or permit in the (NOTE: All applicants explain fully on reverse side of this form every YES answ</li> <li>Premises description: Describe building or buildings where alcohol beverages all rooms including living quarters, if used, for the sales, service, consumption, may be sold and stored only on the premises described.)</li> <li>Legal description (omit if street address is given above): N/A</li> <li>(a) Was this premises licensed for the sale of liquor or beer during the past lice (b) If yes, under what name was license issued?</li> <li>Does the applicant understand they must file a Special Occupational Tax return before beginning business? [phone 1-800-937-8864]</li></ol>	In y interest in or control of this business?
<ol> <li>Does any other alcohol beverage retail licensee or wholesale permittee have a (a) Corporate/limited liability company applicants only: Insert state Co (b) Is applicant corporation/limited liability company a subsidiary of any other (c) Does the corporation, or any officer, director, stockholder or agent or limite agent hold any interest in any other alcohol beverage license or permit in <i>NOTE: All applicants explain fully on reverse side of this form every YES answ</i></li> <li>Premises description: Describe building or buildings where alcohol beverages all rooms including living quarters, if used, for the sales, service, consumption, may be sold and stored only on the premises described.)</li> <li>Legal description (omit if street address is given above): N/A</li> <li>(a) Was this premises licensed for the sale of liquor or beer during the past lice (b) If yes, under what name was license issued?</li> <li>Does the applicant understand they must file a Special Occupational Tax return before beginning business? [phone 1-800-937-8864]</li> <li>Does the applicant understand they must hold a Wisconsin Seller's Permit? [phone (608) 266-2776].</li> </ol>	In y interest in or control of this business?
<ol> <li>Does any other alcohol beverage retail licensee or wholesale permittee have a (a) Corporate/limited liability company applicants only: Insert state Co. (b) Is applicant corporation/limited liability company a subsidiary of any other (c) Does the corporation, or any officer, director, stockholder or agent or limite agent hold any interest in any other alcohol beverage license or permit in <i>NOTE: All applicants explain fully on reverse side of this form every YES answ</i></li> <li>Premises description: Describe building or buildings where alcohol beverages all rooms including living quarters, if used, for the sales, service, consumption, may be sold and stored only on the premises described.)</li> <li>Legal description (omit if street address is given above): N/A</li> <li>(a) Was this premises licensed for the sale of liquor or beer during the past lice (b) If yes, under what name was license issued?</li> <li>Does the applicant understand they must file a Special Occupational Tax return before beginning business? [phone 1-800-937-8864]</li> <li>Does the applicant understand they must hold a Wisconsin Seller's Permit? [phone (608) 266-2776].</li> <li>Does the applicant understand that they must purchase alcohol beverages only</li> </ol>	In y interest in or control of this business?
<ol> <li>Does any other alcohol beverage retail licensee or wholesale permittee have a 8. (a) Corporate/limited liability company applicants only: Insert state Co. (b) Is applicant corporation/limited liability company a subsidiary of any other of (c) Does the corporation, or any officer, director, stockholder or agent or limite agent hold any interest in any other alcohol beverage license or permit in NoTE: All applicants explain fully on reverse side of this form every YES answ.</li> <li>Premises description: Describe building or buildings where alcohol beverages all rooms including living quarters, if used, for the sales, service, consumption, may be sold and stored only on the premises described.)</li> <li>Legal description (omit if street address is given above): N/A.</li> <li>(a) Was this premises licensed for the sale of liquor or beer during the past lice (b) If yes, under what name was license issued?</li> <li>Does the applicant understand they must file a Special Occupational Tax return before beginning business? [phone 1-800-937-8864]</li> <li>Does the applicant understand they must hold a Wisconsin Seller's Permit? [phone (608) 266-2776].</li> <li>Does the applicant understand that they must purchase alcohol beverages only READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the applicant states edge of the signers. Signers agree to operate this business according to law and that the ries.</li> </ol>	In y interest in or control of this business?
<ol> <li>Does any other alcohol beverage retail licensee or wholesale permittee have a 8. (a) Corporate/limited liability company applicants only: Insert state Co. (b) Is applicant corporation/limited liability company a subsidiary of any other of (c) Does the corporation, or any officer, director, stockholder or agent or limite agent hold any interest in any other alcohol beverage license or permit in NoTE: All applicants explain fully on reverse side of this form every YES answ.</li> <li>Premises description: Describe building or buildings where alcohol beverages all rooms including living quarters, if used, for the sales, service, consumption, may be sold and stored only on the premises described.)</li> <li>Legal description (omit if street address is given above): N/A.</li> <li>(a) Was this premises licensed for the sale of liquor or beer during the past lice (b) If yes, under what name was license issued?</li> <li>Does the applicant understand they must file a Special Occupational Tax return before beginning business? [phone 1-800-937-8864]</li> <li>Does the applicant understand they must hold a Wisconsin Seller's Permit? [phone (608) 266-2776].</li> <li>Does the applicant understand that they must purchase alcohol beverages only READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the applicant states edge of the signers. Signers agree to operate this business according to law and that the rianother. (Individual applicants and each member of a partnership applicant must sign: corpor</li> </ol>	In y interest in or control of this business?
<ol> <li>Does any other alcohol beverage retail licensee or wholesale permittee have a 8. (a) Corporate/limited liability company applicants only: Insert state Co. (b) Is applicant corporation/limited liability company a subsidiary of any other of (c) Does the corporation, or any officer, director, stockholder or agent or limite agent hold any interest in any other alcohol beverage license or permit in <i>NOTE: All applicants explain fully on reverse side of this form every YES answers</i></li> <li>Premises description: Describe building or buildings where alcohol beverages all rooms including living quarters, if used, for the sales, service, consumption, may be sold and stored only on the premises described.)</li> <li>Legal description (omit if street address is given above): N/A</li> <li>(a) Was this premises licensed for the sale of liquor or beer during the past lice (b) If yes, under what name was license issued?</li> <li>Does the applicant understand they must file a Special Occupational Tax return before beginning business? [phone 1-800-937-8864]</li> <li>Does the applicant understand they must hold a Wisconsin Seller's Permit? [phone (608) 266-2776].</li> <li>Does the applicant understand that they must purchase alcohol beverages only READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the applicant states edge of the signers. Signers agree to operate this business according to law and that the rianother. (Individual applicants and each member of a partnership applicant must sign: corpor</li> </ol>	In y interest in or control of this business?
<ol> <li>Does any other alcohol beverage retail licensee or wholesale permittee have a (a) Corporate/limited liability company applicants only: Insert state Co. (b) Is applicant corporation/limited liability company a subsidiary of any other (c) Does the corporation, or any officer, director, stockholder or agent or limite agent hold any interest in any other alcohol beverage license or permit in V. (NOTE: All applicants explain fully on reverse side of this form every YES answ.)</li> <li>Premises description: Describe building or buildings where alcohol beverages all rooms including living quarters, if used, for the sales, service, consumption, may be sold and stored only on the premises described.)</li> <li>Legal description (omit if street address is given above): N/A</li> <li>(a) Was this premises licensed for the sale of liquor or beer during the past lice (b) If yes, under what name was license issued?</li> <li>Does the applicant understand they must file a Special Occupational Tax return before beginning business? [phone 1-800-937-8864]</li> <li>Does the applicant understand they must hold a Wisconsin Seller's Permit? [phone (608) 266-2776].</li> <li>Does the applicant understand that they must purchase alcohol beverages only READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the applicant states edge of the signers. Signers agree to operate this business according to law and that the rianother. (Individual applicants and each member of a partnership applicant must sign; corpor access to any portion of a licensed premises during inspection will be deemed a refusal to penalty provided by law, the applicant permises to any portion of a licensed premises during inspection will be deemed a refusal to penalty permises to any portion of a licensed premises during inspection will be deemed a refusal to penalty permises.</li> </ol>	In y interest in or control of this business?
<ol> <li>Does any other alcohol beverage retail licensee or wholesale permittee have a (a) Corporate/limited liability company applicants only: Insert state (b) Is applicant corporation/limited liability company a subsidiary of any other (c) Does the corporation, or any officer, director, stockholder or agent or limite agent hold any interest in any other alcohol beverage license or permit in (NOTE: All applicants explain fully on reverse side of this form every YES answ 9. Premises description: Describe building or buildings where alcohol beverages all rooms including living quarters, if used, for the sales, service, consumption, may be sold and stored only on the premises described.)</li> <li>Legal description (omit if street address is given above): N/A</li> <li>(a) Was this premises licensed for the sale of liquor or beer during the past lice (b) If yes, under what name was license issued?</li> <li>Does the applicant understand they must file a Special Occupational Tax return before beginning business? [phone 1-800-937-8864]</li> <li>Does the applicant understand they must hold a Wisconsin Seller's Permit? [phone (608) 266-2776].</li> <li>Does the applicant understand that they must purchase alcohol beverages only READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the applicant states edge of the signers. Signers agree to operate this business according to law and that the rianother. (Individual applicants and each member of a partnership applicant must sign; corpor access to any portion of a licensed premises during inspection will be deemed a refusal to pen SUBSCRIBED AND SWORN TO BEFORE ME</li> </ol>	In y interest in or control of this business?
<ol> <li>Does any other alcohol beverage retail licensee or wholesale permittee have a (a) Corporate/limited liability company applicants only: Insert state Co (b) Is applicant corporation/limited liability company a subsidiary of any other (c) Does the corporation, or any officer, director, stockholder or agent or limite agent hold any interest in any other alcohol beverage license or permit in V (NOTE: All applicants explain fully on reverse side of this form every YES answ</li> <li>Premises description: Describe building or buildings where alcohol beverages all rooms including living quarters, if used, for the sales, service, consumption, may be sold and stored only on the premises described.)</li> <li>Legal description (omit if street address is given above): N/A</li> <li>(a) Was this premises licensed for the sale of liquor or beer during the past lice (b) If yes, under what name was license issued?</li> <li>Does the applicant understand they must file a Special Occupational Tax return before beginning business? [phone 1-800-937-8864]</li> <li>Does the applicant understand they must hold a Wisconsin Seller's Permit? [phone (608) 266-2776].</li> <li>Does the applicant understand that they must purchase alcohol beverages only READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the applicant states edge of the signers. Signers agree to operate this business according to law and that the rianother. (Individual applicants and each member of a partnership applicant must sign; corpor access to any portion of a licensed premises during inspection will be deemed a refusal to pen SUBSCRIBED AND SWORN TO BEFORE ME</li> </ol>	In y interest in or control of this business?
<ol> <li>Does any other alcohol beverage retail licensee or wholesale permittee have a series.</li> <li>(a) Corporate/limited liability company applicants only: Insert state Co.</li> <li>(b) Is applicant corporation/limited liability company a subsidiary of any other of co.</li> <li>(c) Does the corporation, or any officer, director, stockholder or agent or limite agent hold any interest in any other alcohol beverage license or permit in NOTE: All applicants explain fully on reverse side of this form every YES answ.</li> <li>9. Premises description: Describe building or buildings where alcohol beverages all rooms including living quarters, if used, for the sales, service, consumption, may be sold and stored only on the premises described.)</li> <li>10. Legal description (omit if street address is given above): N/A</li> <li>11. (a) Was this premises licensed for the sale of liquor or beer during the past lice (b) If yes, under what name was license issued?</li> <li>12. Does the applicant understand they must file a Special Occupational Tax return before beginning business? [phone 1-800-937-8864]</li> <li>13. Does the applicant understand they must hold a Wisconsin Seller's Permit? [phone (608) 266-2776].</li> <li>14. Does the applicant understand that they must purchase alcohol beverages only READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the applicant states edge of the signers. Signers agree to operate this business according to law and that the rianother. (Individual applicants and each member of a partnership applicant must sign; corpor access to any portion of a licensed premises during inspection will be deemed a refusal to per SUBSCRIBED AND SWORN TO BEFORE ME</li> <li>this Sachola Sworn To Before ME</li> <li>this Sachola Sworn To Before ME</li> </ol>	In y interest in or control of this business?
<ol> <li>Does any other alcohol beverage retail licensee or wholesale permittee have a (a) Corporate/limited liability company applicants only: Insert state Co (b) Is applicant corporation/limited liability company a subsidiary of any other (c) Does the corporation, or any officer, director, stockholder or agent or limite agent hold any interest in any other alcohol beverage license or permit in \( \text{(NOTE: All applicants explain fully on reverse side of this form every YES answers.)}\)</li> <li>Premises description: Describe building or buildings where alcohol beverages all rooms including living quarters, if used, for the sales, service, consumption, may be sold and stored only on the premises described.)</li> <li>Legal description (omit if street address is given above): \( \text{N/A} \)</li> <li>(a) Was this premises licensed for the sale of liquor or beer during the past lice (b) If yes, under what name was license issued?</li> <li>Does the applicant understand they must file a Special Occupational Tax return before beginning business? [phone 1-800-937-8864]</li> <li>Does the applicant understand they must hold a Wisconsin Seller's Permit? [phone (608) 266-2776].</li> <li>Does the applicant understand that they must purchase alcohol beverages only READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the applicant states edge of the signers. Signers agree to operate this business according to law and that the rianother. (Individual applicants and each member of a partnership applicant must sign; corpor access to any portion of a licensed premises during inspection will be deemed a refusal to pen SUBSCRIBED AND SWORN TO BEFORE ME</li> <li>this Section of Colorado</li> </ol>	In y interest in or control of this business?
<ol> <li>Does any other alcohol beverage retail licensee or wholesale permittee have a 8. (a) Corporate/limited liability company applicants only: Insert state Co. (b) Is applicant corporation/limited liability company a subsidiary of any other of (c) Does the corporation, or any officer, director, stockholder or agent or limited agent hold any interest in any other alcohol beverage license or permit in NoTE: All applicants explain fully on reverse side of this form every YES answ.</li> <li>Premises description: Describe building or buildings where alcohol beverages all rooms including living quarters, if used, for the sales, service, consumption, may be sold and stored only on the premises described.)</li> <li>Legal description (omit if street address is given above): N/A</li> <li>(a) Was this premises licensed for the sale of liquor or beer during the past lice (b) If yes, under what name was license issued?</li> <li>Does the applicant understand they must file a Special Occupational Tax return before beginning business? [phone 1-800-937-8864]</li> <li>Does the applicant understand they must hold a Wisconsin Seller's Permit? [phone (608) 266-2776].</li> <li>Does the applicant understand that they must purchase alcohol beverages only READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the applicant states edge of the signers. Signers agree to operate this business according to law and that the rianother. (Individual applicants and each member of a partnership applicant must sign; corpor access to any portion of a licensed premises during inspection will be deemed a refusal to pen SUBSCRIBED AND SWORN TO BEFORE ME</li> <li>this 3R Is day of November 1 Public) State of Colorado</li> <li>My commission expires SEPT 2 9 202 cNotery ID # 20084032885</li> </ol>	In y interest in or control of this business?
<ol> <li>Does any other alcohol beverage retail licensee or wholesale permittee have a 8. (a) Corporate/limited liability company applicants only: Insert state Co. (b) Is applicant corporation/limited liability company a subsidiary of any other of (c) Does the corporation, or any officer, director, stockholder or agent or limite agent hold any interest in any other alcohol beverage license or permit in NoTE: All applicants explain fully on reverse side of this form every YES answ.</li> <li>Premises description: Describe building or buildings where alcohol beverages all rooms including living quarters, if used, for the sales, service, consumption, may be sold and stored only on the premises described.)</li> <li>Legal description (omit if street address is given above): N/A</li> <li>(a) Was this premises licensed for the sale of liquor or beer during the past lice (b) If yes, under what name was license issued?</li> <li>Does the applicant understand they must file a Special Occupational Tax return before beginning business? [phone 1-800-937-8864]</li> <li>Does the applicant understand they must hold a Wisconsin Seller's Permit? [phone (608) 266-2776].</li> <li>Does the applicant understand that they must purchase alcohol beverages only READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the applicant states edge of the signers. Signers agree to operate this business according to law and that the rianother. (Individual applicants and each member of a partnership applicant must sign; corpor access to any portion of a licensed premises during inspection will be deemed a refusal to pen SUBSCRIBED AND SWORN TO BEFORE ME</li> <li>The Clerk/Noter Public State of Colorado</li> <li>My commission expires Septimes Og-29-202</li> </ol>	In y interest in or control of this business?
<ol> <li>Does any other alcohol beverage retail licensee or wholesale permittee have at a (a) Corporate/limited liability company applicants only: Insert state Co (b) Is applicant corporation/limited liability company a subsidiary of any other of (c) Does the corporation, or any officer, director, stockholder or agent or limite agent hold any interest in any other alcohol beverage license or permit in NoTE: All applicants explain fully on reverse side of this form every YES answ.</li> <li>Premises description: Describe building or buildings where alcohol beverages all rooms including living quarters, if used, for the sales, service, consumption, may be sold and stored only on the premises described.)</li> <li>Legal description (omit if street address is given above): N/A</li> <li>(a) Was this premises licensed for the sale of liquor or beer during the past lice (b) If yes, under what name was license issued?</li> <li>Does the applicant understand they must file a Special Occupational Tax return before beginning business? [phone 1-800-937-8864]</li> <li>Does the applicant understand they must hold a Wisconsin Seller's Permit? [phone (608) 266-2776].</li> <li>Does the applicant understand that they must purchase alcohol beverages only READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the applicant states edge of the signers. Signers agree to operate this business according to law and that their in another. (Individual applicants and each member of a partnership applicant must sign; corpor access to any portion of a licensed premises during inspection will be deemed a refusal to pen SUBSCRIBED AND SWORN TO BEFORE ME</li> <li>this Jayon Member of Description Expires 09-29-202 TO BE COMPLETED BY CLERK</li> </ol>	In y interest in or control of this business?
<ol> <li>Does any other alcohol beverage retail licensee or wholesale permittee have a 8. (a) Corporate/limited liability company applicants only: Insert state Co. (b) Is applicant corporation/limited liability company a subsidiary of any other of (c) Does the corporation, or any officer, director, stockholder or agent or limite agent hold any interest in any other alcohol beverage license or permit in NoTE: All applicants explain fully on reverse side of this form every YES answ.</li> <li>Premises description: Describe building or buildings where alcohol beverages all rooms including living quarters, if used, for the sales, service, consumption, may be sold and stored only on the premises described.)</li> <li>Legal description (omit if street address is given above): N/A</li> <li>(a) Was this premises licensed for the sale of liquor or beer during the past lice (b) If yes, under what name was license issued?</li> <li>Does the applicant understand they must file a Special Occupational Tax return before beginning business? [phone 1-800-937-8864]</li> <li>Does the applicant understand they must hold a Wisconsin Seller's Permit? [phone (608) 266-2776].</li> <li>Does the applicant understand that they must purchase alcohol beverages only READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the applicant states edge of the signers. Signers agree to operate this business according to law and that the rianother. (Individual applicants and each member of a partnership applicant must sign; corpor access to any portion of a licensed premises during inspection will be deemed a refusal to pen SUBSCRIBED AND SWORN TO BEFORE ME  The Action of Colorado  Netary Public  (Cierk/Notar Public) State of Colorado</li> </ol>	In y interest in or control of this business?

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

Submit to municipal clerk.

liquor must appoint an agent	t. The following qu	estions must be ans	wered by the agent. The app	ented malt beverages and/or intoxicating pointment must be signed by the officer(s)
of the corporation/organizat local official.	ion or members	managers of a limi	ted liability company and t	he recommendation made by the proper
iocai official.	X Town			
To the governing body of:	☐ Village of ☐ City	Fond Du Lac	Cour	nty of Fond Du Lac
The undersigned duly author		embers/managers of	The Noodle Shop, Co Colora	ado, Inc. ration/organization or limited liability company)
a corporation/organization of	r limited liability as			
a corporation/organization of	nimited liability co	mpany making appil	cation for an alcohol bevera	ge license for a premises known as
		(trad	e name)	
located at 729 West Johnson	Street, Fond Du Lac.		, namoj	
N iz i				
appoints Derect F	nunge	(name of an	nointed agent)	
	*	(home address o	of appointed agent)	
to alcohol beverages conduc	cted therein. Is ap	plicant agent presen	tly acting in that capacity or	f the premises and of all business relative r requesting approval for any corporation/ other location in Wisconsin?
			d liability company(ies) and	
	,		a massify company (100) and	maniospaniy(100).
Is applicant agent subject to	completion of the	responsible beverag	e server training course?	X Yes No
How long immediately prior t			_	
	3			doly in vilosoficini
Place of residence last year				
For:	The Noodle Sho	p, Co Colorado, inc		
D.o.		(name of	corporation/organization/limited lia	bility company)
By:	2	1- 1, (	(signature of Officer/Member/Man	ager)
And:	SAV	02		
	ľ		(signature of Officer/Member/Man	ager)
		ACCEPTANO	CE BY AGENT	
1, Derek Ru	n Se Sprint/type agen	t's name)	, hereby	accept this appointment as agent for the
	ited liability comp	anv and assume fu	III responsibility for the con ation/limited liability compa	nduct of all business relative to alcohol ny.
	(		12-2-16	Agent's egg
			180 00 10	Agent's age _
				Date of birth
	(home ad	dress of agent)		
			Y MUNICIPAL AUTHORIT half of Municipal Official	-
I hereby certify that I have cl the character, record and re	hecked municipal putation are satist	and state criminal re actory and I have no	ecords. To the best of my ki o objection to the agent app	nowledge, with the available information, pointed.
Approved on	by			Title
(date)		(signature of proper	local official)	(town chair, village president, police chief)
AT-104 (R. 4-09)				Wisconsin Department of Revenue

## AUXILIARY QUESTIONNAIRE ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk.

Indivi	idual's Full Name (please print) (last nam	ne)	(first name)		ddle name)
l _	unge		Derek	(1170	idio namo,
-	Address (street/route)	D105			
}		Post Office	City Neenah	Stat WI	54050
Home	e Phone Number		Age Date of Birth	Plac	ce of Birth
				Mi	lwaukee, WI
The:	above named individual provides th	o following informatic			
				( one):	
	Applying for an alcohol beverage lie				
	A member of a <b>partnership</b> which i	is making application	-		
X	Agent	of	The Noodle Shop, Co.		
	(Officer/Director/Member/Manager/A			nited Liability Company or No	onprofit Organization)
1	which is making application for an a	alcohol beverage licer	nse.		
	above named individual provides th				
1. H	ow long have you continuously res	ided in Wisconsin pri	or to this date? 37 year	rs	
2. H	ave you ever been convicted of an	y offenses (other thar	traffic unrelated to alcohol	beverages) for	
vi	olation of any federal laws, any Wi	sconsin laws, any law	s of any other states or ord	inances of any coun	ty
OI	r municipality?				Yes X No
lf	yes, give law or ordinance violated	l, trial court, trial date	and penalty imposed, and/o	or date, description a	and
st	tatus of charges pending. (If more re	oom is needed, continue	on reverse side of this form.)		
2 _	vo ab annua fan annua ff				
3. A	re charges for any offenses presen	itly pending against y	ou (other than traffic unrelat	ed to alcohol bevera	iges)
m	or violation of any federal laws, any	wisconsin laws, any	laws of other states or ordin	ances of any county	/ or
HF.	unicipality?		• • • • • • • • • • • • • • • • • • • •	• • • • • • • • • • • • • • • • • • • •	Yes X No
	yes, describe status of charges pe		efficient disease to the first terms of the second		
T. D	o you hold, are you making applica	luon for or are you an	officer, director or agent of	a corporation/nonpr	ofit
h <sub>4</sub>	ganization or member/manager/ag	jent of a limited flabilit	y company noiding or apply	ing for any other alc	ohol
lf.	everage license or permit? yes, identify.		******************		Yes X No
			Name, Location and Type of License/Pe	ermit)	
5. D	o you hold and/or are you an office			,	n or
m	ember/manager/agent of a limited	liability company hold	ling or applying for a wholes	ale heer nermit	11 01
br	rewery/winery permit or wholesale I	liquor, manufacturer o	or rectifier permit in the State	e of Wisconsin?	Yes X No
lf	yes, identify.				
	(Name of	Wholesale Licensee or Permitt	(99)	(Address By Cit	v and County)
6. N	amed individual must list in chronol			(Marioso by Ore	r and county)
	ployer's Name	Employer's Address		Employed From	То
1	Noodles & Company	520 Zang St. Brod	omfield, CO 80021	Mey 2007	Present
	ployer's Name	Employer's Address		Employed From	То
G	rullives Grilla Ber	1350 Gille	non 12 Wige, UESURS	200	2006
			-		
The L	indersigned, being first duly sworn	on oath, deposes ar	nd says that he/she is the p	erson named in the	foregoing application; that
tne ap	oplicant has read and made a com	plete answer to each	question, and that the answ	vers in each instanc	e are true and correct. The
penal	rsigned further understands that a lty of state law, the applicant may b	ne prosecuted for sub	mitting false statements an	e vvisconsin Statute	s shall be void, and under
		o procoductor for out	and statements an	a amaavits iii comie	ction with this application.
S 🗆					
this	2 day of Decent	, 20 [6		0//	
u 110		*			
	Muh Wilm (Clerk/Notary Public)		and the	(Signature of Nam	ned Individual)
My or	ommission expires $7-10$		MINH WYMAN	jo.gridiano or Wall	<i>E</i> 10
iviy OC	O IC		Notary Public		
		1	State of Wisconsin		Printed on Recycled Paper
AT-103 (	(R. 8-11)	•		•	Wisconsin Department of Revenue

# Congratulations!

You have successfully completed the ServSafe Alcohol®
Responsible Alcohol Service Training and Certification Program.
This is your official ServSafe Alcohol Certification Card and
provides confirmation that you have studied, and are
knowledgeable about, how to serve alcohol responsibly.

Thank you for participating in the ServSafe Alcohol program. Responsible alcohol service begins with the choices you make, and ServSafe Alcohol training will help you make the right decision when the moment arises.

By completing the ServSafe Alcohol program, you show your dedication to safe and responsible alcohol service. The ServSafe Alcohol program and the National Restaurant Association are dedicated to helping you continue to raise the bar on alcohol safety. To learn more about our full suite of responsible alcohol service training products, contact your State Restaurant Association, your distributor or visit us at ServSafe.com. We value your dedication to responsible alcohol service and applicately you for making the commitment to keep your operation, your customers and your community safe.

Sincerely,

Sherman Brown

Senior Vice President, National Restaurant Association Solutions



**||] ∦** B348274

CARD # 14450730

ServSafe Alcohol® CERTIFICATE

DEREK RUNGE



NAME 12/8/2016

12/6/2016

DATE OF EXAMINATION

Card expires there years from the date of examination. Local loses apply.

South States of the sea only a March states of the sea of the sea of the season of the South States of the season of the South States of the State

.

Sherman Brown. Sational Restaurant Association Solutions

Anna Brown

This aerificate confirms completion of the ServSafe Alcehel® responsible alcohol service program.

In Alaska you must iaminate your card for it to be valid

NOTE: You can access your score and certification information anytime at Survivale som with the class number provided on this form.

If you have any questions regarding your certification please contact the National Restaurant Association Service Center at

ServiceCenter@restaurant.org of 800.765.2122, ext. 6703.



175 West Jackson Boulevard, Suite 1500 Chicago, IL 60604-2814 1.800 SERVSAFE 312,715,1010 in the Chicago area ServSafe.com CODES Retornal Resources Association Educational Foundations (MRRF). All rights, reserved, Servicial Count fire Servicial Countries and the Servicial Countries of the MRRF Michouse Resources in contraction of the Michouse Resources in Servicial Resources and the servicial Resources Resources (Servicial Resources Re





WISCONSIN DEPARTMENT OF REVENUE PO BOX 8902 MADISON, WI 53708-8902

#### **Contact Information:**

2135 RIMROCK RD PO BOX 8902 MADISON, WI 53708-8902 ph: 608-266-2776 fax: 608-264-6884 email: DORBusinessTax@wisconsin.gov website: revenue.wi.gov

Letter ID

L1539152096

JENNIFER MCVAY
THE NOODLE SHOP, CO.-COLORADO, INC.
520 ZANG ST STE D
BROOMFIELD CO 80021-8239

### Wisconsin Department of Revenue Seller's Permit

Legal/real name:

THE NOODLE SHOP, CO.-COLORADO, INC.

Business name:

NOODLES & COMPANY 729 W JOHNSON ST

FOND DU LAC WI 54935-2015

- This certificate confirms you are registered with the Wisconsin Department of Revenue and authorized in the business of selling tangible personal property and taxable services.
- You may not transfer this permit.
- This permit must be displayed at the place of business and is not valid at any other location.
- If your business is not operated from a fixed location, you must carry or display this
  permit at all events.

Tax TypeAccount TypeAccount NumberSales & Use TaxSeller's Permit456-0000830197-03

# GENERAL NOTES

- CAULK FIXED TABLES TO WALLS SWAIR RAIL AND BASE TO BE IN
- CAME PAIL AND PAGE TO BE MISTALLED AFTER ROOTHS FOR TIGHTEST FIT POSSIBLE.

  COLUMNENT SPACING DEMENSIONS TO BE COOMDINATED WITH ETITISHIP EQUIPMENT REQUIREMENTS AND IN ELD CONDITIONS.
- CENTRIUM! OF STOOKS TO BE LOCATED ? 1/2" FROM FACE OF TABLE EDGE. SPACE STOOKS 2"4" APART, OC.

  TABLES WITH SINGLE BASE TO HAVE BASE MODULTED AT THE CENTER.

  POINT.

CORE DRUIL STOOLS AND BOLT DOWN TABLES IF SUAB ON GRADE U.N.O.

- TRALES WITH SMGLE BASE TO HAVE BASE MOUNTED AT THE CENTER POINT.
  TERM TO PLAN FOR TABLE BASE DIMENSIONS FOR TABLES WITH MORE THAN ONE BASE.
- N ONE BASE. N: BASE TUUP COVERS SHALL BE DRILLED AND TAPPED W W HYSTALLED TO PREVENT COVER FROM MONHO.

KEY NOTES

(\*)

G.C. TO COORDINATE SUPPORT CONNECTIONS AT SLAB WITH MICHWORK SHOP DRAWINGS PRIOR TO STARTING CONSTRUCTION.

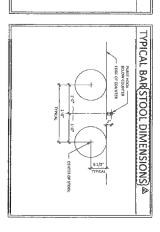
MODIFIED PLUSSTATION PROVIDED BY MILLWORK, REFER TO MILLWORK SHOP DRAWINGS BC TO PROVIDE BLOCKING.

WALL CEAT SUPPORT, GO TO COORDINATE WITH MILLWORK FOR INSTALLATION.

G.C. TO VENNY THEME ARE NO UTILIZED FIRE ALIQUA PAULS, SECURITY CETEMADS, STROMES, CTC. ON THE WALL TO INTERVENE WITH THE WALL HAND WETU SOUND. BOOSTER SEAT SHELF, BY MILLWORK SUPPLEE, 48" AFF, GC TO INSTALL G.C. TO PROVIDE AND INSTALL WINTL COATED AIRCRAFT CASLE, MIN. 50 FT, LENGTH, TO LOCK PATIO TABLES AND CHARS, TYP.

ART	SCH	ART SCHEDULE	
REF.	ALILINYRID	3026	DESCRIPTION
906 A	μ	47. K 41.	зими ним отоне мяв
906 8	μ	41'841"	BRW PHOTO WITH FRAME
906 C		41" X 42"	BEW PHOTO WITH FRAME
906 0	0	41" X 41"	вви рното W/TH FRAME
3 906	0	41" X 41"	BAW PHOTO WITH FRAME
1 904	ø	41" X 41"	BRW PHOTO WITH FRAME
907		29"HX481/2"W	YWX PLEXI PANELS"
908	0	CUSTOM	VINYE WALL MURAL
NOTES: 906 ANTHON ARTWON CONJUCT	WORK SHOUL IN WITH TO THE WORK	HOTES. Des artivories for etems son to constante à label the backside of all wall art in Commetten with the art schedule	E OF ALL WALL ART IN

ORBERTON OF THE CONTROL OF THE CONTR	TYPICAL TABLE LEG ORIENTATION
Line to the state of the state	RENTATION



Extraction (	
188	
MIN MANAGEMENT OF THE PROPERTY	>
	in in
	A 50.
	· · · · · · · · · · · · · · · · · · ·
90 00 00 00 00 00 00 00 00 00 00 00 00 0	
1999 9 D.O. O. 1881	
541/4 10 60 247 10 60	
	ω)

A1.31

FURNITURE PLAN

FURNITURE PANN & NOTIS

PROJECT NUMBER: 15-3011 NOODLES & COMPANY (#241) 729 W. JOHNSON STREET FOND DU LAC, WI 54935 FOR

FOR NOODLES & CO. 520 ZANG ST. STE D, BROOMFIELD, CO 80021





#### **AUXILIARY QUESTIONNAIRE ALCOHOL BEVERAGE LICENSE APPLICATION**

Submit to municipal clerk

Individual's Full Name (please print) (last	name) (first na	me)	(middle	name)
Strasen	Paul		Α	
Home Address (street/route)	Post Office	City	State	Zip Code
6 White Alder		Littleton	СО	80127
Home Phone Number	Age	Date of Birth	Place of	
Which is making application for a which is making application for a status of charges for any offenses predictions.  Officer/Director/Member/M	e license as an individual.  ich is making application for an alcohol peverage license.  Is the following information to the light resided in Wisconsin prior to this of any offenses (other than traffic under Wisconsin laws, any laws of any offense in the light wisconsin laws, any laws of any offense in the light wisconsin laws, any laws of any offense in the light wisconsin laws, any laws of any offense in the light wisconsin laws, any laws of offense in the light wisconsin laws, and light wisconsin laws, and light wisconsin laws, any laws of offense in the light wisconsin laws, and light wisconsin laws	cohol beverage license codle Shop, Co College Shop, Co College Shop, Co College Shop, Co College Shop, Limited Licensing authority: date? n/a prelated to alcohol beverates or ordinant college Side of this form.)	erages) for ces of any county ate, description and county or alcohol beverage	s) Yes X No
organization or member/manage beverage license or permit? If yes, identify. Please see at 5. Do you hold and/or are you an or	r/agent of a limited liability compar tached list  (Name, Locati	ny holding or applying  on and Type of License/Permit) or employe of any pers	for any other alcoho	ol 🛛 Yes 🗌 No
brewery/winery permit or wholes. If yes, identify.	ted liability company holding or ap ale liquor, manufacturer or rectifier		Wisconsin?	
	ne of Wholesale Licensee or Permittee)  onological order last two employer	8	(Address By City an	d County)
Employer's Name	Employer's Address		mployed From	То
Noodles & Company	520 Zang St, Broomfield,		01/2008	Present
Employer's Name	Employer's Address	E	mplayed From	То
Houlihans	8700 State Line Rd, Leaw	ood KS	01/2001	2007
The undersigned, being first duly sy the applicant has read and made a cundersigned further understands the penalty of state law, the applicant models and the sense of the state law, the applicant models are stated as a sense of the stated as a s	complete answer to each question at any license issued contrary to ay be prosecuted for submitting fa	, and that the answers Chapter 125 of the W	s in each instance a lisconsin Statutes s	are true and correct. The shall be void, and unde
My commission expires SEP7	29 2020 RACH	IEL S. VON RIVE	NBURGH	Printed on

AT-103 (R. 8-11)

Notary Public State of Colorado Notary ID # 20084032685 My Commission Expires 09-29-2020 Recycled Paper

Wisconsin Department of Revenue

### AUXILIARY QUESTIONNAIRE ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk.

Individual's Full Name (please print) (last	name) (first name)		(middle r	namal
Boennighausen	David		James	,
Home Address (street/route)	Post Office City		State	Zip Code
2593 Sunshine Canyon		ılder	CO	80302
Hame Phone Number		nide!	100	00302
— The above named individual provide	on the following information as a supervise			
	es the following information as a person who	D IS (check one):		
Applying for an alcohol beverag				
Officer/Director	ich is making application for an alcohol bev	-	_	
(Officer/Director/Member/Mana		nop, Co Colorado, In		fit Occanization)
which is making application for		position, aminou aleasing company	, 0, ,,,,,,,	m organization)
	es the following information to the licensing			
	resided in Wisconsin prior to this date?	n/a		
violation of any federal laws any	f any offenses (other than traffic unrelated to Wisconsin laws, any laws of any other stat	o alconol beverages) for	county	
or municipality?	······································	es of ordinances of arry	County	Yes X No
If yes, give law or ordinance viola	ated, trial court, trial date and penalty impos	sed, and/or date, descrip	tion and	
	ore room is needed, continue on reverse side of t			
Ara charges for any ofference				
for violation of any federal laws	sently pending against you (other than traff any Wisconsin laws, any laws of other state	ic unrelated to alcohol be	everages	5)
municipality?	any wisconsin laws, any laws of other state	es or ordinances of any c	ounty or	Yes X No
If yes, describe status of charges	s pendina.			I tes I No
	olication for or are you an officer, director or	agent of a corporation/n	onprofit	
organization or member/manage	r/agent of a limited liability company holding	g or applying for any othe	er alcoho	ol .
				🛛 Yes 🗌 No
If yes, identify. Please see at	(Name, Location and Type	of Lineage (Descrit)		
5. Do you hold and/or are you an of	fficer, director, stockholder, agent or employ	,	ration a	
member/manager/agent of a limit	ted liability company holding or applying for	a wholesale beer permi	nauon o t	1
brewery/winery permit or wholes	ale liquor, manufacturer or rectifier permit in	the State of Wisconsin?	·, ) 	Yes X No
If yes, identify.				
	ne of Wholesale Licensee or Permittee)	(Address	By City and	County)
	onological order last two employers.			
Employer's Name	Employer's Address	Employed From		То
Noodles & Company Employer's Name	520 Zang St, Broomfield, CO 8002			Present
May Dept Stores	Employer's Address	Employed From 06/00		08/01
The undersigned, being first duly sw	vorn on oath, deposes and says that he/sh	e is the person named i	n the for	egoing application; that
he applicant has read and made a c	complete answer to each question, and that	t the answers in each in	stance a	re true and correct. The
penalty of state law, the applicant m	at any license issued contrary to Chapter ay be prosecuted for submitting false state	125 of the Wisconsin St ments and affidavits in c	atutes si	hall be void, and under on with this application
	ay as presented for bushing fallow didical	monto una umagnio mi	Omicodo	in with this application.
Subscribed and sworn to before me	7			
his 24" day of AUGUST	- 20/6			
P60 8 440	, 20	210		
(Clerk/Notary Public)		(Signature	of Named II	ndividual)
this 24 day of AUGUS7  Lal S. var S. (Clerk/Notary Public)  My commission expires AEP	7 29 2016	\$ (S.S.Marare		
Ty III				Bina
				Printed on

AT-103 (R. 8-11)

RACHEL S. VON RIVENBURGH
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID # 20084032685
MY COMMISSION EXPIRES SEPTEMBER 29, 2016

Recycled Paper
Wisconsin Department of Revenue

#### **Business Plan - Narrative**

Noodles & Company is a fast-casual family-friendly restaurant concept that offers healthy American, Asian and Mediterranean-style noodle dishes, soups and salads at reasonable prices for dine-in or carry-out. In addition to serving food, the business plan includes the offering for sale beer and wine for our adult customers. Noodles & Company has over 400 company owned locations throughout the United States and more than 40 locations operating in Wisconsin. Each location employs approximately thirty team members and is generally open from 10:30am to 10:00pm Sunday through Saturday.

Noodles and Company plans to open a new location in Fond Du Lac, IL in February 2017 at 729 West Johnson Street and respectfully requests a review of its application for a license to serve beer and wine on the premises.

### ALCOHOL LICENSE COMMITTEE CITY OF FOND DU LAC, WISCONSIN

<u>Title:</u> Class "B" Fermented Malt & "Class B" Intoxicating

Liquor License

Subject: Limited Liability Co: 65 N Main Pub, LLC

Agent Name: Bryan Perl

Agent Address: 463 Cedar St, Fond du Lac, WI

d/b/a: 65 N Main St

Location of Premises: 65 N Main St

Initiator:

Location:

Recommendation:

#### ATTACHMENTS:

	File Name	Description
D	Memo_on_staff_recommendation_65_Main_Street1.18.17.pdf	Memo
ם	BRYAN_PERL.pdf	License Application
ם	ExcerptCity_Council_12-14-16.pdf	Excerpt - City Council Minutes 12-14-16

# Memo

To: City Council, City Manager

From: Deb Hoffmann, City Attorney

Date: January 18, 2017

Re: Proposed Class B Combination License for 65 Main Pub LLC,

65 N. Main Street

On January 14, 2017, City staff, including police, fire and building inspection, met with applicant Bryan Perl and his attorney, Bill Everson. Perl explained his plans in more detail. We had further discussions and went over, extensively, the City's expectations with Mr. Perl. Staff no longer has any objections to his request for a license.

1

ORIGINAL ALCOHOL BEVERAGE RETAIL LIC	ENSE APPLICATION	Applicant's WI Seller's Permit No.: FEIN Numb	er:
Submit to municipal clerk.			
	- 00 11-	LICENSE REQUESTED >	
For the license period beginning December 15	20 16	TYPE	FEE
ending June 30	20 \	Class A beer \$	
☐ Town of •		Class B beer \$	
TO THE GOVERNING BODY of the: UVillage of	1 1. 100	Class C wine \$	
City of	O CU IUC	Class A liquor \$	
Elil		Class A liquor (cider only) \$	N/A
County of Lord du lac Aldermanic Dist. No.	(if required by ordinance)	Class B liquor \$	
		Reserve Class B liquor \$	
1. The named 🗌 INDIVIDUAL 🔲 PARTNERSHIP 🌽	LIMITED LIABILITY COMPANY	Class B (wine only) winery \$	
☐ CORPORATION/NONPROFIT ORGANIZATION		Publication fee \$	55 ]
hereby makes application for the alcohol beverage license(s) check	red above.	TOTAL FEE \$ 4	405
2. Name (individual/partners give last name, first, middle; corporations		gistered name): > 65 Al Mam	Pub LL
t and the second	minited liability companies give re	gistered name): 500 pt / lam	1 40 LL
President/Member	ration or nonprofit organization, ach person. ame Hor 400 Paul 463	and by each member/manager and age	nt of a limited
vice President/Member			
Secretary/Member			
Treasurer/Member			
Agent • Brya	in Perl 463	ledar st Fol wi	54935
Directors/Managers			
3. Trade Name > 65 N Main St	Business	Phone Number 920 -286-19	79
4. Address of Premises > 65 N Main street	Post Offic	ce & Zip Code > Fd L 5493	20
5. Is individual, partners or agent of corporation/limited liability compan	av subject to completion of the rece	ce a zip code	
training course for this license period?	ry subject to completion of the rest	ponsible beverage server	es 🗌 No
6. Is the applicant an employe or agent of, or acting on behalf of anyon	ne except the named applicant?		es 💢 No
7. Does any other alcohol beverage retail licensee or wholesale permit	tee have any interest in or control	of this husinger?	es X No
8. (a) Corporate/limited liability company applicants only: Insert	state WE and da	ate 11-1-16 of registration	35 🔼 110
(b) Is applicant corporation/limited liability company a subsidiary of	any other corporation or limited lia	ibility company?	es 🗌 No
(c) Does the corporation, or any officer, director, stockholder or age	nt or limited liability company, or a	ny member/manager or	28 L INO
agent hold any interest in any other alcohol beverage license or	permit in Wisconsin?	······································	es No
(NOTE: All applicants explain fully on reverse side of this form every	YES answer in sections 5 6 7 ar	nd 8 ahove 1	25   140
9. Premises description: Describe building or buildings where alcohol b	neverages are to be sold and store	d. The applicant must include	
di TODIIS TOCHIONI IIVIII DISTIPIS IT USAD TOT TA COLOR CONTROL CON	oumption and/or states of -1t	alla	2000
may be sold and stored only on the premises described.)	OOLEKS LOOCK	LOW STOROS	COLON A
- Legar description (officer address is given above)		_	
11. (a) Was this premises licensed for the sale of liquor or beer during the	he past license year?		es 🖾 No
(b) If yes, under what name was license issued?	•		30
12. Does the applicant understand they must file a Special Occupational	Tax return (TTB form 5630.5)		
before beginning business? [phone 1-800-937-8864]			es 🗌 No
<ol> <li>Does the applicant understand they must hold a Wisconsin Seller's F</li> </ol>	Permit?		
[phone (608) 266-2776]			es 🗌 No
14. Does the applicant understand that they must purchase alcohol beve	erages only from Wisconsin wholes	salers, breweries and brewpubs? . 🛣 Ye	es 🗌 No
READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the appliedge of the signers. Signers agree to operate this business according to law and another. (Individual applicants and each member of a partnership applicant must saccess to any portion of a licensed premises during inspection will be deemed a ref	licant states that each of the above quid that the rights and responsibilities c	estions has been truthfully answered to the be	est of the knowl- be assigned to
SUBSCRIBED AND SWORN TO BEFORE ME	$\Theta$	and grounds for revocation	i oi una noense.
this day of povember, 20 1		Mist II	
,20 1	(Officer of Chronration/A	Member/Manager of Limited Liability Company/Pa	rtner/Individual
- Mles Mcl	, sales por diagram		nurennulviduai)
(Clerk/Notary Public)	(Officer of Corporal	tion/Member/Manager of Limited Liability Compa	ny/Partner)
My commission expires 3.23.1	78.7.11		
TO BE COMPLETED BY CLERK	(Additional Partne	er(s)/Member/Manager of Limited Liability Compa	ny if Any)
Date received and filed Date reported to council/board	te provisional license issued Si	implying of Clork / Donuby Clark	
with municipal clerk //- 4 // 2 // 2 // 3		ignature of Clerk / Deputy Clerk	
Date license granted License issued License	anse number issued		
AT-106 (R. 7-15)	1.1.7.180	Missonsin Deposit	

Wisconsin Department of Revenue

#5 will take or renew rapponsible Bu strum lowere

#8 I have Multiple LLC's

# I have 3 other Cig Greense in Wisconsin

# AUXILIARY QUESTIONNAIRE ALCOHOL BEVERAGE LICENSE APPLICATION

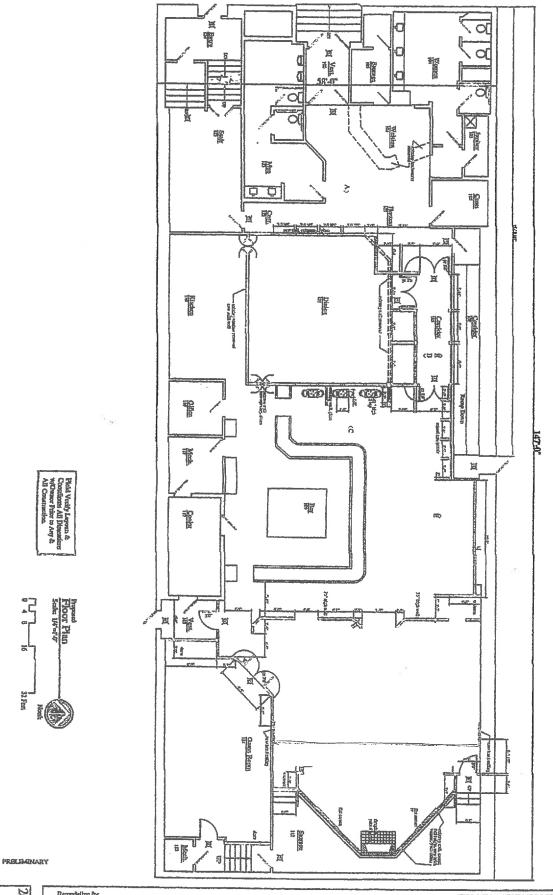
Submit to municipal clerk.

	Perl		(first name)		(middle na	•
Home Address (street/route)		100	1871		Jerom.	e
		ost Office	City		State	Zip Code
463 (edar 9+			Fal	- 8	lut.	54935
						1
he above named individual pr	ovides the follow	ring information	as a person who is	(check one):		
רוים ומחסטום all alconol be	/erage license a:	Leubivibni as a				
A member of a partnershi	P which is makin	g application for	an alcohol bevera	ge license. Main Pyb LL lion, Limited Liability Compan	'L	
which is making application		Neverane license	(Name of Corpora	lion, Limited Liebility Compan	y or Nonprofit	Organization)
he above named individual pro	wides the fellow	in a line of the				
he above named individual pro How long have you continue	ush resided in V	ing information I	o the licensing auth	ority:		
Have you ever been convict	ad of amount	visconsin prior t	o this date?	37 40013		
Have you ever been convicted violation of any federal laws	ed of any offense	es (other than tr	affic unrelated to al	cohol beverages) for		
					county	
or municipality?  If yes, give law or ordinance						Yes No
If yes, give law or ordinance status of charges pending.	violated, trial co	urt, trial date and	penalty imposed,	and/or date, descript	inn and	ica   No
status of charges pending.	If more room is ne	eded, continue on	reverse side of this fo	om.)	ion and	
	A PRO ALCOT	/ .5 A	16 1	fo		
3-0 101 0111 041011303	DIESEUNV DEDAN	DO Oppingt up	-Al 60 a non		1000000	
for violation of any federal lam municipality?	ws, any Wiscons	in laws, any law	s of other states or	Ordinances of any ag	verages)	
municipality?  If yes, describe status of cha				ordinances of any of	ounty or	
If yes, describe status of cha	rges pending.			******		Yes 🖫 No
Do you hold, are you making	application for o	r are you an offi	cor director or and	-1 -6		
		imited liability of	moons boldies are	ni of a corporation/no	onprofit	
beverage license or permit?		nability C	ampany holding of a	applying for any other	ralcohol	
If yes, identify. Peris	1 Run	Dans	- 7	L. 5.7		Yes No
	WIGHT	Dami YIL	- rells m	Road america		/ 70
1017 11		(Mame	64.		a ro	un at Phono
If yes, identify. Per 5 10	D Officer director	(Name	Location and Type of Lice	nse/Permit)	a For	Bear IV
						Bear Lig.
member/manager/agent of a	limited liability or	r, stockholder, a	gent or employe of	any person or corpor	ation or	propretty.
member/manager/agent of a	limited liability or	r, stockholder, a	gent or employe of	any person or corpor	ation or	propriety.
member/manager/agent of a brewery/winery permit or who If yes, identify.	limited liability co plesale liquor, ma	r, stockholder, a ompany holding inufacturer or re	gent or employe of	any person or corpor	ation or	propretty.
member/manager/agent of a brewery/winery permit or who If yes, identify.	limited liability or plesale liquor, ma	ompany holding inufacturer or re	gent or employe of or applying for a wi ctifier permit in the	any person or corpor noiesale beer permit, State of Wisconsin?	ation or	Yes No
member/manager/agent of a brewery/winery permit or who If yes, identify.  Named individual must list in	limited liability or plesale liquor, ma	ompany holding inufacturer or re	gent or employe of or applying for a wi ctifier permit in the	any person or corpor noiesale beer permit, State of Wisconsin?	ation or	Yes No
member/manager/agent of a brewery/winery permit or who If yes, identify.	limited liability or plesale liquor, ma  (Name of Wholesale Lic chronological or Employer's	ompany holding inufacturer or resease or Permittee) der last two empaddess	gent or employe of or applying for a wi ctifier permit in the 	any person or corpor noiesale beer permit, State of Wisconsin? (Address B	ation or	Yes No
member/manager/agent of a brewery/winery permit or who If yes, identify.  Named individual must list in Employer's Name  Sorgante Foods	limited liability or plesale liquor, ma  (Name of Wholesale Lic chronological or Employer's	ompany holding inufacturer or resease or Permittee) der last two empaddess	gent or employe of or applying for a wi ctifier permit in the	any person or corpor noiesale beer permit, State of Wisconsin? . (Address B	ation or	Yes No
member/manager/agent of a brewery/winery permit or who If yes, identify.  Named individual must list in Employer's Name	limited liability or plesale liquor, ma  (Name of Wholesale Lic chronological or Employer's	ompany holding inufacturer or resease or Permittee) der last two empaddress  ymouth	gent or employe of or applying for a wi ctifier permit in the 	any person or corpor noiesale beer permit, State of Wisconsin?. (Address B	y City and Co.	Yes No
member/manager/agent of a brewery/winery permit or who If yes, identify.  Named individual must list in Employer's Name  Sorgante Foods	Ilmited liability of plesale liquor, ma  (Name of Wholesale Lic chronological ord	ompany holding inufacturer or resease or Permittee) der last two empaddress  ymouth	gent or employe of or applying for a wi ctifier permit in the 	any person or corpor noiesale beer permit, State of Wisconsin? . (Address B	ation or	Yes No
member/manager/agent of a brewery/winery permit or who If yes, identify.  Named individual must list in Employer's Name  Scrafule Foods  Employer's Name	limited liability or plesale liquor, ma (Name of Wholesale Lic chronological or Employer's Employer's	ompany holding inufacturer or resease or Permittee) der last two empaddress  ymouth  Address	gent or employe of or applying for a wictifier permit in the libyers.	any person or corpor noiesale beer permit, State of Wisconsin? .  (Address B Employed From 1999 Employed From	y City and Co.	Yes No
member/manager/agent of a brewery/winery permit or who If yes, identify.  Named individual must list in Employer's Name  Scrafule Foods  Employer's Name	limited liability or plesale liquor, ma (Name of Wholesale Lic chronological or Employer's Employer's	ompany holding inufacturer or resease or Permittee) der last two empaddress  ymouth  Address	gent or employe of or applying for a wictifier permit in the libyers.	any person or corpor noiesale beer permit, State of Wisconsin? .  (Address B)  Employed From 1999  Employed From	y City and Co.	Yes No
member/manager/agent of a brewery/winery permit or who If yes, identify.  Named individual must list in Employer's Name  Sorgent to Foods  Employer's Name  e undersigned, being first duly applicant has read and made	(Name of Wholesele Uchronological ord Employer's Employer's	ompany holding inufacturer or resease or Permittee) der last two empaddress  ymouth  Address  deposes and si	gent or employe of or applying for a wit ctifier permit in the alloyers.	any person or corpor noiesale beer permit, State of Wisconsin? .  (Address B  Employed From 1999  Employed From 1999  Employed From 1999	y City and Co	Yes No
member/manager/agent of a brewery/winery permit or who If yes, identify.  Named individual must list in Employer's Name  Sorgent Facts Employer's Name  e undersigned, being first duly applicant has read and made dersigned further understands	(Name of Wholesele Uchronological ord Employer's Employer's sworn on oath, a complete ansulation of the complete and the complete and the complete ansulation of the complete and the com	ompany holding inufacturer or resease or Permittee) der last two empaddress  Address  deposes and sower to each que	gent or employe of or applying for a wictifier permit in the sloyers.	any person or corpor noiesale beer permit, State of Wisconsin? .  (Address B)  Employed From 1999  Employe	the forego	Yes No
member/manager/agent of a brewery/winery permit or who If yes, identify.  Named individual must list in Employer's Name  Scraft to Foods  Employer's Name  e undersigned, being first duly applicant has read and made dersigned further understands	(Name of Wholesele Uchronological ord Employer's Employer's sworn on oath, a complete ansulation of the complete and the complete and the complete ansulation of the complete and the com	ompany holding inufacturer or resease or Permittee) der last two empaddress  Address  deposes and sower to each que	gent or employe of or applying for a wictifier permit in the sloyers.	any person or corpor noiesale beer permit, State of Wisconsin? .  (Address B)  Employed From 1999  Employe	the forego	Yes No
member/manager/agent of a brewery/winery permit or who If yes, identify.  Named individual must list in Employer's Name  Scraft to Foods  Employer's Name  e undersigned, being first duly applicant has read and made dersigned further understands nalty of state law, the applicant	(Name of Wholesele Uchronological order) Employer's  sworn on oath, a complete ansit that any license it may be prosect	ompany holding inufacturer or resease or Permittee) der last two empaddress  Address  deposes and sower to each que	gent or employe of or applying for a wictifier permit in the sloyers.	any person or corpor noiesale beer permit, State of Wisconsin? .  (Address B)  Employed From 1999  Employe	the forego	Yes No
member/manager/agent of a brewery/winery permit or who If yes, identify.  Named individual must list in Employer's Name  Congrule for Semployer's Name  e undersigned, being first duly applicant has read and made dersigned further understands nalty of state law, the applicant bescribed and sworn to before members to the second sec	(Name of Wholesele Lic chronological ord Employer's Employer's sworn on oath, a complete ansu that any license t may be prosect	ompany holding inufacturer or resease or Permittee) der last two empaddress  ymaufu  Address  deposes and sower to each que issued contraruted for submitti	gent or employe of or applying for a wictifier permit in the sloyers.	any person or corpor noiesale beer permit, State of Wisconsin? .  (Address B)  Employed From 1999  Employe	the forego	Yes No
member/manager/agent of a brewery/winery permit or who If yes, identify.  Named individual must list in Employer's Name  Congrule For Semployer's Name  e undersigned, being first duly applicant has read and made dersigned further understands nalty of state law, the applicant bescribed and sworn to before members to the second sec	(Name of Wholesele Lic chronological ord Employer's Employer's sworn on oath, a complete ansu that any license t may be prosect	ompany holding inufacturer or resease or Permittee) der last two empaddress  ymaufu  Address  deposes and sower to each que issued contraruted for submitti	gent or employe of or applying for a wictifier permit in the sloyers.	any person or corpor noiesale beer permit, State of Wisconsin? .  (Address B)  Employed From 1999  Employe	the forego	Yes No
member/manager/agent of a brewery/winery permit or who If yes, identify.  Named individual must list in Employer's Name  Congrule For Semployer's Name  e undersigned, being first duly applicant has read and made dersigned further understands nalty of state law, the applicant bescribed and sworn to before members to the second sec	(Name of Wholesele Lic chronological ord Employer's Employer's sworn on oath, a complete ansu that any license t may be prosect	ompany holding inufacturer or resease or Permittee) der last two empaddress  ymaufu  Address  deposes and sower to each que issued contraruted for submitti	gent or employe of or applying for a wictifier permit in the sloyers.	any person or corpor noiesale beer permit, State of Wisconsin? .  (Address B)  Employed From 1999  Employe	the forego	Yes No
member/manager/agent of a brewery/winery permit or who If yes, identify.  Named individual must list in Employer's Name  Scrafule Fordy  Employer's Name  e undersigned, being first duly applicant has read and made dersigned further understands naity of state law, the applicant bascribed and sworn to before make the series of the series	(Name of Wholesels Lic chronological ord Employer's Employer's Sworn on oath, a complete ansithat any license that any license that any be prosect	ompany holding inufacturer or resease or Permittee) der last two empaddress  ymaufu  Address  deposes and sower to each que issued contraruted for submitti	gent or employe of or applying for a wictifier permit in the sloyers.	any person or corpor noiesale beer permit, State of Wisconsin? .  (Address B)  Employed From 1999  Employe	the forego	Yes No
member/manager/agent of a brewery/winery permit or who If yes, identify.  Named individual must list in Employer's Name  Scratule Foody  Employer's Name  e undersigned, being first duly applicant has read and made dersigned further understands naity of state law, the applicant bascribed and sworn to before in the day of November 1900 (Clern/Notary Publicant)	(Name of Wholesels Lic chronological ord Employer's Employer's Sworn on oath, a complete ansithat any license that any license that any be prosect	ompany holding inufacturer or resease or Permittee) der last two empaddress  ymaufu  Address  deposes and sower to each que issued contraruted for submitti	gent or employe of or applying for a wictifier permit in the sloyers.	Employed From Em	the foregrance are to tutes shall nection v	Pres No No No Ding application; that rue and correct. The l be void, and under with this application.
member/manager/agent of a brewery/winery permit or who If yes, identify.  Named individual must list in Employer's Name  Scrafule Fordy  Employer's Name  e undersigned, being first duly applicant has read and made dersigned further understands naity of state law, the applicant bascribed and sworn to before make the series of the series	(Name of Wholesels Lic chronological ord Employer's Employer's Sworn on oath, a complete ansithat any license that any license that any be prosect	ompany holding inufacturer or resease or Permittee) der last two empaddress  ymaufu  Address  deposes and sower to each que issued contraruted for submitti	gent or employe of or applying for a wictifier permit in the sloyers.	Employed From Em	the forego	Pres No No No Ding application; that rue and correct. The l be void, and under with this application.

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

Submit to municipal clerk.

des comes appoint an agent. The following thes	IRDRS MUST be answered by the ear	to sell fermented malt beverages and/or intoxicating ent. The appointment must be signed by the officer(supany and the recommendation made by the proper
☐ Town		
City	FOND DU LAC	County of FOND DU LAC
The undersigned duly authorized officer(s)/mem	bers/managers of 65 /	V Main Pub LLL
a corporation/organization or limited liability comp	Pany making application for an elec	and houses a linear for a series leaves
TB	D of Later date	beverage license for a premises known as
located at65 n Main 3	t Fold du lac.	WI 54935
appoints	Bryan Per I (name of appointed agent)	
46.3	(name of appointed agent)  (e or street Four (home address of appointed agent)	ed du lac UI 54935
to act for the corporation/organization/limited liab to alcohol beverages conducted therein. Is applic organization/limited liability company having or applications.	201 20ent bresentiv action in that	d control of the premises and of all business relative capacity or requesting approval for any corporation as for any other location in Wisconsin?
	te name(s)/limited liability compar	av/iss) and supicinality/iss)
Is applicant agent subject to completion of the res	ponsible beverage server training	COURTO 2 TWO DATE
How long immediately prior to making this applica	tion has the applicant agent rapid	course? Yes No
ma and a second	6	ed continuously in Wisconsin? 27 Year 3
Place of residence last year Wiscons	<u>(n</u>	5
For: 65	N Main Pyb LL	4
Ву:	Horn KW	
And:	(signature of Officer/	Member/Manager)
Allu.	(signature of Officer/	Member/Manager)
0 - 1	ACCEPTANCE BY AGENT	
I, Bryan Per/ (printitype agent's n	ame)	, hereby accept this appointment as agent for the
corporation/organization/limited liability company beverages conducted on the preprises for the cor	and assume full responsibility to another assume full responsibility to another and assume full responsibility to a support of the support of	for the conduct of all business relative to alcohol lity company.
(signature of agent)	(de	Agent's age
. (home addres	s of agent)	Date of birth
APPROVA (Clerk ca	AL OF AGENT BY MUNICIPAL A	UTHORITY al Official)
	State criminal records. To the ho	of of my knowledge with the excellent information
Approved on by	(signature of proper local official)	Title(town chair, village president, police chief)
AT-104 (R. 4-09)		NA CONTRACT DESCRIPTION OF PRINCIPLE



PRELIMINARY

2008.05

Ramodeling for JR's Sports Bar & Grille 55 N. Mola St. Pool da Lac, WI 54925

TOM W. MEIKLEJOHN, III AIA
A R C H I T E C T
13 South Main Street
Parti da Loc. WI 58935 P (930) 923-3163
1 (930) 923-3211

03,19.2008

#### Fond du Lac City Police Department



# Memo

To: City Manager Moore

From: Chief Lamb

Date: 11-22-16

Re: Proposed Class B Combination License for 65 N Main Pub LLC. 65 N. Main

Street

On November 22, 2016, Assistant Chief Klein, Building Inspector Doug Hoerth representing Community Development, and Amy Hansen from the DFP met with the listed applicant Bryan Perl who is seeking the requested license to open a bar at 65 N. Main Street which is the former sight of JR's Sports Bar and Grill.

Mr. Perl currently owns and operates two other licensed establishments in Wisconsin, Saturday's Bar in Beaver Dam and Perl's at Road America which is a seasonal operation. Mr. Perl stated that he was looking for an opportunity to expand his business to the Fond du Lac area. Mr. Perl has purchased the building at 65 N Main Street and has already been working on sanding the hardwood floors and updating the painting throughout the building.

Mr. Perl stated that he plans to move slowly with the proposed business, starting out with a smaller menu of sandwiches and pizza. He talked about possibly bringing in live bands and providing a dance floor for entertainment. He also talked about the possibility of creating an Ale House theme with a large variety of tap beers. Mr. Perl stated that initially he plans on being open Wednesday thru Sunday from 2p.m. to closing time. The lack of a specific plan for this establishment does create concern on how their potential operations will impact the City and police resources.

Mr. Perl was asked how he would characterize his working relationship with the Beaver Dam Police Department and he stated that it was a good working relationship. He stated that he did receive some demerit points last year for a person who was underage that came into his bar allegedly with a fake ID. He stated he worked with Police and the City Attorney's office in Beaver Dam and did get his demerit points back. He stated that his license has never been suspended or not renewed.

In talking with Deputy Chief Dan Schubert of the Beaver Dam Police Department, he stated that their Department has had a rocky relationship with Perl's operations in their city. He characterized Mr. Perl as an absentee owner and that Mr. Perl opened his Beaver Dam operation as a dance and night club where they brought in outside entertainment acts. Deputy Chief Schubert was able to provide me with a list of the demerit points on their record.

Mr. Perl will serve as the licensed agent for this location and has 17 years of experience in owning or managing licensed establishments including the former Fire House Bar in Fond du Lac which was located at 72 S Main St. at the time. Mr. Perl did apply for an alcohol license in February 2011 in which a number of concerns were raised at the time (see memo dated 02-14-2011) which would still apply today. Assistant Chief Klein discussed with the applicant the City's expectations of being a license holder and the importance of being a "good neighbor."

Background checks were performed on Mr. Perl, both in-house and NCIC/CIB, while there is nothing in his background that would preclude him from obtaining the requested license, staff would recommend denial based upon the concerns noted.

# 65 N MAIN PUB LLC 65 N Main Street, Fond du lac Wisconsin 54935

#### November 1, 2016

#### **Executive Summary**

#### The Goals and Objectives

Our goal is to provide Downtown Fond du lac with a venue that provides unique food and beverage options.

#### The Product

Our company shall provide a unique food and beverage menu; giving our customers options with anything from wings to specialty sandwiches or coffee to alcoholic beverages.

#### Marketing Plan

The Target Market

We as a company strive to provide an appealing environment for our customers to enjoy in Downtown Fond du lac.

#### Pricing

Our pricing will remain affordable for everything we serve.

#### Advertising

Our goal is to provide affordable prices with an appealing environment.

#### **Operation**

#### Hours of Operation

Our hours of operation are planned to be Wednesday-Saturday 2pm-2am.

#### Staffing

We as a company plan to hire top notch staff; to provide our customers with the best service possible making is a welcoming environment.

#### The Company

0.0

#### **Business Sector**

The owners would like to start a business in the food and accommodation services sector.

#### Company Goals and Objectives

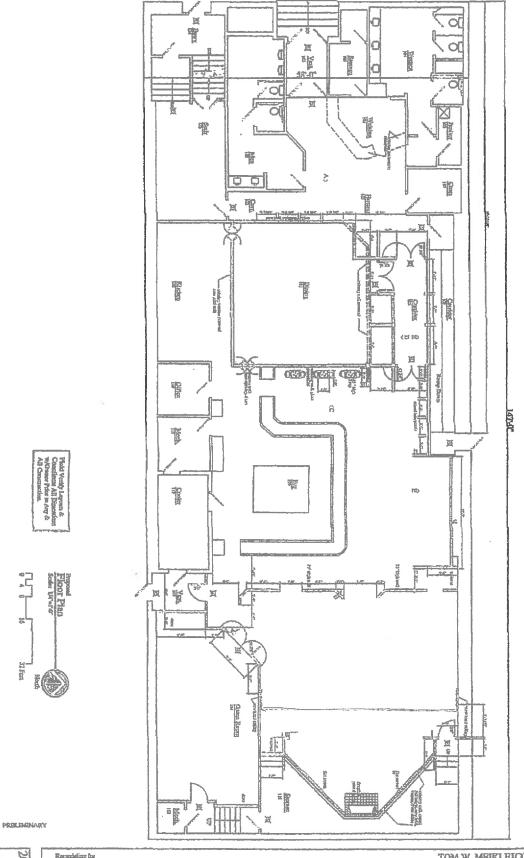
Our goal is to provide Downtown Fond du lac with a venue that provides unique food and beverage options.

#### The Ownership

The company will be structured as a limited liability company (LLC).

#### Ownership Background

As an owner of several other successful restaurants/businesses, I plan to bring my skills and talented staff to Downtown Fond du lac.



PRITLIMINARY

2008,05 1 of Remodeling for JR's Sports Bar & Grille 65 N. Main R. Frend do Law, WI 54285

TOM W. MBIRLEJOHN, III ALA A R C R I T B C T I) I Somb Male Street Fred da Los. WI 54735 | 1 000 972-3011

10.19.200E

### ALCOHOL LICENSE COMMITTEE MEETING MINUTES

#### CITY OF FOND DU LAC, WISCONSIN

Meeting Room D 160 S Macy Street

November 28, 2016 4:00 PM

#### ROLL CALL

#### Attendance

Present
Shawn Anhalt
Peter Doll
Brian Kolstad
Mark Otterstatter

Absent
Jacob Lehman
Kerry Strupp
Travis VanDynHoven

Administrative Staff
Deb Hoffman, City Attorney
Dyann Benson, Director of Community Development
Steve Klein, Police Chief of Operations
Doug Hoerth, Inspections

Declaration Quorum Present

Chairperson Shawn Anhalt declared a quorum present.

#### CONSENT AGENDA

May 23, 2016 Minutes

A Motion was made by Brian Kolstad to approve the May 23rd, 2016 Minutes and seconded by Mark Otterstatter, and the motion was **Passed**.

Ayes: Anhalt, Doll, Kolstad, Otterstatter

Absent: Lehman, Strupp, VanDynHoven

#### INPUT

Audience Comments

Presiding officer shall limit comments to items noticed only on

the agenda.

Attorney Bill Everson and Bryan Perl spoke in support of the request for a "Class B" Intoxicating Liquor and "Class B" Fermented Malt License at 65 S Main Street.

#### **ACTIONS**

"Class B" Intoxicating Liquor and Class "B" Fermented Malt License

Limited Liability Co: 65 N Main Pub, LLC

Agent Name: Bryan Perl

Agent Address: 463 Cedar St, Fond du Lac, WI 54935

d/b/a: 65 N Main St

Location of Premises: 65 N Main St

A Motion was made by Shawn Anhalt to deny application for "Class B" Intoxicating Liquor and "Class B" Fermented Malt License and seconded by Peter Doll, and the motion was **Passed**.

Ayes: Anhalt, Doll, Kolstad, Otterstatter

Absent: Lehman, Strupp, VanDynHoven

#### **ADJOURN**

A Motion was made by Peter Doll to adjourn at 4:53 PM and seconded by Shawn Anhalt, and the motion was **Passed**.

Ayes: Anhalt, Doll, Kolstad, Otterstatter

Absent: Lehman, Strupp, VanDynHoven

#### 65 N Main Pub, LLC

#### DBA: Two Bucks Grill & Ale House

#### 65 North Main Street

#### Fond du Lac, WI

#### **Executive Summary**

#### 1. 65 N Main Pub, LLC dba Two Bucks Grill & Ale House

Two Bucks Grill & Ale House considers itself first a restaurant and then an ale house. We estimate that seventy percent (70%) of our business will be made from food sales and thirty percent (30%) will be made up of drink sales.

The property is located at 65 North Main Street, Fond du Lac, Wisconsin, formerly JR's. Two Bucks Grill & Ale House will have the exact same footprint and layout of the former JR's. All the tables, chairs, televisions, kitchen, and equipment were purchased along with the building and will be used by Two Bucks Grill & Ale House.

Bryan Perl purchased this property after it had sat vacant for many years, it is his plan and passion to bring this property back to life and become a productive building in downtown Fond du Lac.

The property was purchased by Bryan Perl and titled under the name of MFBT, LLC, in which he is a single member. MFBT, LLC will lease the premises under a triple net lease to 65 N Main Pub, LLC dba Two Bucks Grill & Ale House which Bryan Perl also is a single member.

#### 1.1 Objectives

Two Bucks Grill & Ale House's goal is to provide downtown Fond du Lac with unique dining experience with numerous beverage options.

#### 1.2 Menu / Ale House

- \* Food: Two Bucks Grill & Ale House will open with a simplified menu, which has been attached to this Executive Summary.
- \* Drinks: Two Bucks Grill & Ale House will have twelve (12) ale's on tap each being from local or regional micro-brews. The ale selection will be based on the season and customer demands. There will also be dozens of unique bottled beers and wines to be selected from.

#### 1.3 Keys to Success

The keys to success are to start simple and grow:

- In the beginning, start with a simple menu and deliver on the quality of the product.
- Use smart growth business planning.
- · Expand the menu options as customer demand requires.
- Expand days per week open as customer demand requires.
- Expand hours open per day as customer demand requires.

#### 1.4 Pricing

The prices will be comparable with similar eating establishments in the community (Backyard, Fat Joe's, etc.). We will offer nightly specials and Happy Hours similar to other establishments in the community.

#### 1.5 Hours of Operation

Hours will be Wednesday through Saturday 2:00 p.m. to 2 a.m. The hours of operation may expand depending on success of the restaurant. If the restaurant is successful, then lunch service may be added and additional days may be added per week.

#### 1.6 Public Safety/Conduct Code

Public Safety is of the utmost importance in providing our patrons a great experience. We will have a host/security on the floor at all times. We have installed a new 12 camera system for video surveillance. Inappropriate behavior will not be tolerated at any time, with a strict dress code after 9 p.m. We will also work with law enforcement to maintain the peace and if there are any issues or concerns on behalf of law enforcement, we shall take appropriate actions immediately. Every bartender is required to take a responsible beverage serving course.

#### 1.7 Music and Bands:

We plan on applying for a amplified music permit with the City of Fond du Lac. The intent is to have a jukebox and the ability to have live band performances.

#### 1.8 Dress Code:

For dinner services, normal everyday attire will be allowed.

After 9:00 p.m. no hats, hoodies, jerseys (except on game days) the attire is expected to be similar to the attire a person would wear to a wedding or other semi-formal gathering. The dress code shall be strictly enforced by the host/security.

#### 1.9 Prior Code Violations:

When the property was purchased there were code violations that will need to be or have already been addressed prior to opening. We are committed to working with the City of Fond du Lac to remedy these code violations prior to opening our doors.

#### 1.10 Parking:

There is one City of Fond du Lac parking lot adjacent to the premises that will be utilized by the patrons. The property was previously used in a similar capacity and parking was satisfactory to the patrons and City leaders then and will be again in the future.

#### 1.11 Permits:

Two Bucks Grill & Ale House have received the following permits:

- Certified Food Manager License
- Health Inspection
- Fire Protection/Certified by JF. Ahern Fire Protection

#### 2. Company Ownership and Structure

- 2.1 Owner: 65 N Main Pub, LLC dba Two Bucks Grill & Ale House is a single member limited liability company organized under the laws of the State of Wisconsin. Bryan Perl is the single member of the limited liability company. A copy of the Articles of Incorporation and Operating Agreement are attached to this Executive Summary.
- 2.2 General Manager: This person will oversee the day to day operations and have meetings weekly with Bryan Perl. Bryan Perl shall act as general manager until such a time when one can be hired that is acceptable by him. At the time a new general manager is hired a transfer of agent will be filed with the City of Fond du Lac to make the general manager the agent. The General Manager will directly oversee the food preparation and bar staff. This person shall also be responsible for enforcement of the rules and policies of the organization.
- 2.3 Chef: The Chef shall oversee the food preparation and wait staff. The duties of the Chef shall include ordering and maintaining of the fully functional kitchen and wait staff. The Chef shall report directly to the General Manager.
- 2.4 Bar Manager: The Bar Manager shall oversee the bartenders. The Bar Manager's duties shall include ordering and maintaining the fully functional bar and staffing of it. The Bar Manager shall report directly to the General Manager.
- 2.5 Employees: We will have a staff of approximately nine (9) employees (not including the managers) in the beginning. If additional staff is required, we will always maintain the proper staffing levels at all times.

#### 3. Marketing Strategy

The marketing strategy will be a combination of local media (radio and print) along with social media (Facebook, Twitter, etc.).

#### 4. Financial Plan

Two Bucks Grill & Ale House is not dependent on conventional funding to start up or operate. This means that growth can be achieved quicker and easier than other organizations that are more dependent on debt service rather than customer service.

#### 5. Prior History

Bryan Perl has been in food and drink industry for almost twenty-years having previously owned the Black Perl Restaurant & Hall of St. Peter and Fisherman's Cove and several other bars throughout the area. He is excited at the opportunity to bring his passion to downtown Fond du Lac.

Mistakes have been made in the past which can be discussed at length, but in each instance Bryan Perl has not run away from the issues, he will openly and honestly discuss them. Any demerit points issued were remedied and no restaurant or bar that he has owned has ever had their liquor licenses revoked. Attached to this Executive Summary is an explanation to the concerns raised by the Fond du Lac City Police.

#### Two Bucks Grill & Ale House

#### 65 North Main Street

### Fond du Lac, WI

#### Menu

#### Appetizers

- 1. Brochette
- 2. Mozzarella Sticks
- 3. Cheese Nuggets
- 4. French Fries
- 5. Mini Corndogs
- 6. Garlic Bread
- 7. Cheese Bread
- 8. Mac & Cheese Bites

#### Wings (Boneless & Traditional)

- 1. Hot
- 2. Medium
- 3. Mild
- 4. Thai Chile
- 5. General Tso
- 6. BBQ
- 7. Honey BBQ
- 8. Still to Come
- 9. Still to Come
- 10. Still to Come

#### Sandwiches

- 1. Hamburger
- 2. Cheeseburger
- 3. Bacon Cheeseburger
- 4. Brochette Burger
- 5. Mac Attach Burger
- 6. Grilled Cheese
- 7. Chicken Sandwich
- 8. Cajun Chicken Sandwich

- 9. Chicken Cordon Blue Sandwich
- 10. Brochette Chicken Sandwich (open face)
- 11. Tenderloin Steak Sandwich
- 12. Ham Sandwich
- 13. BLT
- 14. Mushroom Swiss Burger
- 15. Fish Sandwich
- 16. Still to Come

#### Kids

- 1. Corn Dog & French Fries
- 2. Pizza
- 3. Grilled Cheese
- 4. Boneless Chicken Bites & French Fries

#### French Bread Pizza

- 1. Pepperoni
- 2. Sausage
- 3. Pepperoni & Sausage
- 4. Deluxe
- 5. Chicken & Bacon

#### Fish Fry

- 1. Perch
- 2. Haddock
- 3. French Fries
- 4. Slaw & Bread
- 5. Potato Salad

#### Fish Fry Combos

- 1. Perch, French Fries, Slaw & Bread
- 2. Haddock, French Fries, Slaw & Bread
- 3. Poor man's, French Fries, Slaw & Bread
- 4. Perch, Haddock, Poor man's, French Fries, Slaw & Bread

#### Soup & Salad

- 1. Sample Soup (5 soups daily)
- 2. Side Salad
- 3. Grilled Chicken Salad

Sec. 183.0202 Wis. Stats.



## State of Wisconsin Department of Financial Institutions

## ARTICLES OF ORGANIZATION - LIMITED LIABILITY COMPANY

Executed by the undersigned for the purpose of forming a Wisconsin Limited Liability Company under Chapter 183 of the Wisconsin Statutes:

Article 1.

Name of the limited liability company:

65 N Main Pub LLC

Article 2.

The limited liability company is organized under Ch. 183 of the Wisconsin

Statutes.

Article 3.

Name of the initial registered agent:

**BRYAN PERL** 

Article 4.

Street address of the initial registered office:

**463 CEDAR STREET** FOND DU LAC, WI 54935 United States of America

Article 5.

Management of the limited liability company shall be vested in:

A manager or managers

Article 6.

Name and complete address of each organizer:

BRYAN PERL

**463 CEDAR STREET** FOND DU LAC, WI 54935 United States of America

Other Information. This document was drafted by:

**BRYAN PERL** 

Organizer Signature:

BRYAN PERL

**Date & Time of Receipt:** 11/1/2016 9:42:09 AM

Order Number: 201611015036596

## ARTICLES OF ORGANIZATION - Limited Liability Company(Ch. 183)

Filing Fee: \$130.00 <b>Total Fee: \$130.0</b> 0

**ENDORSEMENT** 

## State of Wisconsin Department of Financial Institutions

EFFECTIVE DATE	
11/1/2016	
FILED 11/1/2016	Entity ID Number

#### Application for Employer Identification Number OMB No. 1545-3003 (For use by employers, corporations, partnerships, trusts, estates, churchen, government agencies, Indian tribal entities, cortain individuals, and others.) (Rev. January 2010) Department of the Treasury from a Revenue Savice > See separate instructions for each line. ► Keep a copy for your records. Lagai name of eatily for individual, for whom the EIN is being requested 65 N MAIN PUB LLC Trade name of business of different from name on line 1) 2 print clearly Executor, administrator, mistee, "care of" name Malling address from, apt., suite no. and street, or P.O. box) Street address (if different) (Do not enter a P.O. box.) **463 CEDAR STREET** 65 N MAIN STREET 46 City, state, and ZIP code (it foreign, see instructions) City, state, and ZiP code (if foreign, see instructions) ő FOND DU LAC Wisconsin 54935 FOND DU LAC Wisconsin 54935 Eype G County and state where principal business is located Name of responsible party SSN, ITIN, or EIN **BRYAN PERL** is this application for a limited liability company (LLC) for If 8a is "Yes," onter the number of a foreign equivalent]? V Yes □ No LLC mambers If 8a is "Yes," was the LLC organized in the United States? Type of entity (chack only one box). Caution. It So is "Yes," see the instructions for the correct box to check. Sole proprietor (SSN) \_\_\_\_ Estate (SSN of desedent) Partnorship Plan edimenstrator (TIN) Corporation (enter form number to be filed) > Trust (TIN of grantor) Personal service corporation National Guard State/local government Cherch or church-controlled organization Famers' cooperative | Federal government/military Other nonprofit organization (specify) . Other (specify) ☐ REMIC II Indian hibal governmente/enterprises Group Exemption Number (GEN) II any 🕨 If a corporation, name the state or fereign country State Foreign country if applicable) where incorporated Reason for applying (check only one box) ☐ Banking purpose (specify purpose) ➤ \_\_\_\_ Started now business (apecity type) > ☐ Changed type of organization (specify now type) ► \_ Food Service Purchased going business Three employees (Chock Big box and aga line 13.) Created a trust (specify type) > Gompliance with IRS withholding regulations Created a pension plan (specify type) > Other (acecily) 🕨 Date business started or acquired (month, day, year). See instructions. 12 Clashing month of accounting your December If you expect your employment tax liability to be \$1,000. Highest number of amployees expected in the next 12 months lenier -0- if none). or less in a full calendar year and want to file Form 944 annually instead of Forms 941 quarterly, check here. If no employees expected, skip line 14. (Your employment tax liability generally will be \$1,000 or less if you expect to pay \$4,000 or less to total Agricultural Household Other wagoe.) If you do not check this box, you must like 0 10 From 941 for every quarter. First date wages or consider were paid (month, day, year). Note, if applicant is a withholding agent, enter date income will list be paid to 12/01/2016 Check one bax that best describes the pilitopal notably of your business. Hozlit, pare 8 social essistance Wholesale-agent/broker Construction 🗆 Across & leasing 🔘 Transportation & warehousing 🔘 Accommodation & load service 🖂 Wholesole-other 🖂 Retail ☐ Real estato ☐ Manufacturing ☐ Finance & insurance Other (epecify) Indicate principal line of merchandise sold, specific construction work done, products produced, or services provided. FOOD, BEVERAGES, ALCOHOL Has the applicant entity shown on line 1 ever applied for and received an EIN? 📋 Yes 💆 No If "Yes," wiile previous EIN heie ▶ Complete this section utily if you want to extinctive the numeri individual to receive the untily's EIR and another questions about the pemplation of this form Designasis nama Third Casinnes's telephone number finaliste man tede) Party Designes Address and AP occes Daughee's lax hombs: (withde area core)

Signature &

Name and title (type or print clearly) - BRYAN PERL, Managing Member/Owner

Unity perceive of paying 1 docum that I have examined this application, such to be host of any waveledge and before it in two, record, and exceptable

Unio - 11/01/2016

Applicant's joightone marby, the his area code)

(920) 286-1979 Applicant's fax months (exclusio orea caste)

1

# OPERATING AGREEMENT OF 65 N MAIN PUB, LLC dba Two Bucks Grill & Ale House

THIS AGREEMENT (this "Agreement") between the undersigned Bryan Perl the sole member ("Member") of 65 N Main Pub, LLC dba Two Bucks Grill & Ale House a Wisconsin limited liability company (the "Company"), for the purposes set forth below, and Bryan Perl, (the "Organizer"), solely for the purpose of making the acknowledgment at the end of this Agreement, is effective as of November 1, 2016.

#### RECITALS

The Members has formed the Company by having the Organizer file with the Wisconsin Department of Financial Institutions Articles of Organization, a copy of which is attached to this Agreement and incorporated by this reference, as provided in the Wisconsin Limited Liability Company Law (the "WLLCL"); and

The Members affirms their membership in the Company, acknowledges the contributions and the values of the contributions made, and assents to the operation of the Company under the WLLCL.

NOW, THEREFORE, in consideration of the promises made in this Agreement, the Member agrees as follows:

- **Section 1. Members Contribution.** The Members have contributed the property described on the Property Schedule attached to this Agreement, which contribution the Members have valued as set forth on the Property Schedule attached to this Agreement as required by section 183.0501 of the WLLCL. The Members have not agreed to make any additional contributions to the Company.
- **Section 2.** Term. The Company shall continue indefinitely until the Company is dissolved pursuant to Section 3 hereof.
- **Section 3. Company Dissolution.** The Company is to be dissolved and its business wound up as provided in the WLLCL.
- Section 4. Member Management. The provisions of the WLLCL relating to a limited liability company the management of which has been vested in its members shall apply with full force and effect without amendment to the Company's operations and management, except as otherwise specifically provided in this Agreement.

Section 5. No Withdrawal; No Distribution in Redemption on Dissociation. No Member may voluntarily withdraw or resign from the Company, and the dissociation of a Member from the Company, within the meaning of section 183.0802 of the WLLCL, to the extent it does not cause a dissolution of the Company pursuant to section 183.0901 of the WLLCL, will <u>not</u> entitle the dissociating member to receive a distribution in complete redemption of the fair value of the Member's interest in the Company.

Dated: November 1, 2016.

Address

463 Cedar St. Fond du Lac, WI 54935

Bryan Perl

ACKNOWLEDGMENT

THE UNDERSIGNED acknowledges that Exhibit A contains a true and correct copy of the Articles of Organization filed by me with the Wisconsin Department of Financial Institutions to organize the Company.

Bryan Perl, Organizer

## **Property Schedule**

Member

Market Value

Bryan Perl

## **COMMERCIAL LEASE**

AGREEMENT, made this 1st day of December 1, 2016, by and between, MFBT, LLC by agent Bryan Perl, ("Landlord") and 65 N Main Pub, LLC dba Two Bucks Grill & Ale House by agent Bryan Perl ("Tenant").

### EXPLANATION OF AGREEMENT

The Landlord desires to lease to the Tenant and the Tenant desires to lease from the Landlord part of the property generally known as 65 North Main Street, Fond du Lac, Wisconsin, on the terms and conditions set forth in this agreement. That is the purpose of this agreement.

#### **AGREEMENT**

NOW, THEREFORE, IT IS AGREED:

- 1. **LEASE**: The Landlord hereby leases to the Tenants and the Tenants hereby lease from the Landlord the property located at 65 North Main Street, Fond du Lac, Wisconsin. The property has been improved as a bar and restaurant building and parking lot, which are included in this lease as part of the property. Tenant has inspected same and, by the execution of this agreement, accepts the property in its present condition, subject to the improvements agreed upon herein.
- 2. <u>TERM</u>: The term of this lease shall be for a period of five years, beginning on the first day of December 1, 2016, and ending on November 30, 2021.
- 3. **RENT**: The rent for this lease shall be Three-Thousand Five Hundred Dollars \$3,500.00 per month. Rent shall be paid in advance on the first day of each month during the term of the lease, with the first payment due on January 1, 2017.
- 4. **SECURITY DEPOSIT**: Security Deposit will be equal to one month's rent which will be due January 1, 2017, along with the first month's rent.
- 5. <u>UTILITIES</u>: Tenant shall pay all utilities including heat, electricity and water.

6. **RESPONSIBILITY OF PARTIES**: The parties to this agreement shall have the following responsibilities:

EXPLANATI	<u>ON</u>	LANDLORD	<u>TENANT</u>
A.	Real Estate Taxes		X
В.	Heat		X
C.	Electricity		X
D.	Water		X
E.	Structural Repairs		X
F.	Major Plumbing Repairs		X
G.	Major HVAC Repairs		X
H.	Minor Interior Repairs		X
I.	Public Liability Insurance		X
J,	Insurance on Contents		X
K.	Recycling and Trash Remova	al	X
L.	Janitorial Services		X
M.	Snow Removal: Sidewalks o	r Walkways	X
N.	Salt and slip prevention	-	X
O.	Appliances/Equipment		X

- 7. INSURANCE CERTIFICATE: Any insurance required of the Tenant shall be evidenced by a certificate of insurance which shall be filed with the Landlord annually, commencing December 14, 2016. Landlord shall be named on the insurance policies as an additional insured. Landlord shall require not less than \$1,000,000.00 worth of insurance.
- 8. WAIVER OF SUBROGATION: Provided the insurance required to be maintained by the Landlord and Tenant is in full force and effect and remains so, each of the parties hereto releases and discharges the other from all claims or demands whatsoever which either party may have in the future arising out of damage to or destruction to the property occasioned by fire or extended coverage risks, whether such claim or demand may arise because of the negligence of the party, its agents or employees or otherwise, and the other party agrees to look to the insurance coverage only in the event of such loss.
- 9. <u>USE</u>: The Tenants agree to use the property as bar and restaurant. Landlord shall transfer current liquor licensing or assist in the gaining of liquor license for the Tenant. Tenant also agrees to refrain from any and all illegal activity in the possession of the Tenant.
- 10. **ASSIGNMENT OR SUBLEASE**: The Tenants may not assign or sublease their interest in this lease without the written permission of the Landlord which shall not be unreasonably withheld.

- 11. **TRADE FIXTURES**: Landlord and Tenants agree that all improvements made subsequent to the execution of this lease in the leased premises shall become the property of the Landlord and may not be removed by the Tenants at the end of the term of the lease or from time to time during the lease.
- 12. **SURRENDER**: Upon the expiration or earlier termination of this lease, the Tenants shall surrender the property to the Landlord in good order and condition, except for ordinary wear and tear. Tenants shall remove from the property on or prior to such expiration or earlier termination all of its property situated thereon and shall repair any damage caused by such removal. Property not removed shall become the property of the Landlord.
- 13. <u>AMENDMENT</u>: This lease may not be amended, modified or terminated, nor may any obligation hereunder be waived orally, and no such amendment, modification, termination or waiver shall be effective for any purpose unless it is in writing, signed by the party against whom enforcement thereof is sought.
- 14. **BINDING EFFECT**: This lease shall be binding upon and inure to the benefit of and be enforceable by the respective successors and assigns of the parties hereto.
- 15. <u>COUNTERPARTS</u>: This lease will be simultaneously executed in counterparts, each of which, when so executed and delivered, shall constitute an original, fully enforceable counterpart for all purposes.
- 16. PROPERTY DAMAGE AND DESTRUCTION: If the Premises or any part thereof are damaged or destroyed by any casualty or any other cause of any kind or nature, ordinary or extraordinary, foreseen or unforeseen, insured or uninsured, Tenant shall give Landlord immediate notice thereof, and Tenant shall promptly repair, restore or rehabilitate the Premises at Tenant's own expense, to an extent that, upon the completion of such repairs, restoration or rehabilitation, the value and rental value of the Building and other Improvements shall be substantially equal to the value and rental value of the Building and other Improvements immediately prior to the happening of such casualty.
- 17. <u>COURT COSTS AND ATTORNEYS FEES</u>: In any action or legal proceeding to enforce any part of this Agreement, the prevailing party shall recover reasonable attorneys' fees and court costs.
- 18. <u>TIME IS OF THE ESSENCE</u>: Time is of the essence with respect to every provision of this Lease.
- 19. **ENTIRE AGREEMENT**: This document and any Attachments constitute the entire Agreement between the parties, and no promises or representations, other than those contained here and those implied by law, have been made by Landlord or Tenant. Any modifications to this Agreement must be in writing and signed by Landlord and Tenant.

20. GOVERNING LAW: This lease shall be governed by and construed in accordance with the laws of the State of Wisconsin.
IN WITNESS WHEREOF, the parties have set their hands and seals the day and year stated above.
MFBT, LLC LANDLORD
Date: 65 N Main Pub, LLC dba Two Bucks Grill & Ale House

TENANT

Sec. 183.0202 Wis. Stats.



## State of Wisconsin Department of Financial Institutions

## ARTICLES OF ORGANIZATION - LIMITED LIABILITY COMPANY

Executed by the undersigned for the purpose of forming a Wisconsin Limited Liability Company under Chapter 183 of the Wisconsin Statutes:

Article 1.

Name of the limited liability company:

MFBT LLC

Article 2.

The limited liability company is organized under Ch. 183 of the Wisconsin

Statutes.

Article 3.

Name of the initial registered agent:

BRYAN PERL

Article 4.

Street address of the initial registered office:

**463 CEDAR STREET** FOND DU LAC, WI 54935 United States of America

Article 5.

Management of the limited liability company shall be vested in:

A manager or managers

Article 6.

Name and complete address of each organizer:

**BRYAN PERL** 

**463 CEDAR STREET** FOND DU LAC, WI 54935 United States of America

Other Information. This document was drafted by:

BRYAN PERL

Organizer Signature:

BRYAN PERL

Date & Time of Receipt: 10/18/2016 4:07:13 PM

Order Number:

201610185016157

## ARTICLES OF ORGANIZATION - Limited Liability Company(Ch. 183)

Filing Fee: \$130.00
Total Fee: \$130.00

## **ENDORSEMENT**

## State of Wisconsin Department of Financial Institutions

EFFECTIVE DATE	
10/18/2016	
FILED 10/18/2016	Entity ID Number

Date of this notice: 11-01-2016

Employer Identification Number:

Form: SS-4

Number of this notice: CP 575 G

MFBT LLC BRYAN PERL SOLE MBR 463 CEDAR ST FOND DU LAC, WI 54935

For assistance you may call us at: 1-800-829-4933

IF YOU WRITE, ATTACH THE STUB AT THE END OF THIS NOTICE.

#### WE ASSIGNED YOU AN EMPLOYER IDENTIFICATION NUMBER

Thank you for applying for an Employer Identification Number (EIN). We assigned you EIN 81-4295632. This EIN will identify you, your business accounts, tax returns, and documents, even if you have no employees. Please keep this notice in your permanent records.

When filing tax documents, payments, and related correspondence, it is very important that you use your EIN and complete name and address exactly as shown above. Any variation may cause a delay in processing, result in incorrect information in your account, or even cause you to be assigned more than one EIN. If the information is not correct as shown above, please make the correction using the attached tear off stub and return it to us.

A limited liability company (LLC) may file Form 8832, Entity Classification Election, and elect to be classified as an association taxable as a corporation. If the LLC is eligible to be treated as a corporation that meets certain tests and it will be electing S corporation status, it must timely file Form 2553, Election by a Small Business Corporation. The LLC will be treated as a corporation as of the effective date of the S corporation election and does not need to file Form 8832.

To obtain tax forms and publications, including those referenced in this notice, visit our Web site at www.irs.gov. If you do not have access to the Internet, call 1-800-829-3676 (TTY/TDD 1-800-829-4059) or visit your local IRS office.

#### IMPORTANT REMINDERS:

- \* Keep a copy of this notice in your permanent records. This notice is issued only one time and the IRS will not be able to generate a duplicate copy for you. You may give a copy of this document to anyone asking for proof of your EIN.
- \* Use this EIN and your name exactly as they appear at the top of this notice on all your federal tax forms.
- \* Refer to this EIN on your tax-related correspondence and documents.

If you have questions about your EIN, you can call us at the phone number or write to us at the address shown at the top of this notice. If you write, please tear off the stub at the bottom of this notice and send it along with your letter. If you do not need to write us, do not complete and return the stub.

Your name control associated with this EIN is MFBT. You will need to provide this information, along with your EIN, if you file your returns electronically.

Thank you for your cooperation.

## OPERATING AGREEMENT OF MFBT, LLC

THIS AGREEMENT (this "Agreement") between the undersigned Bryan Perl the sole member ("Member") of MFBT, LLC a Wisconsin limited liability company (the "Company"), for the purposes set forth below, and Bryan Perl, (the "Organizer"), solely for the purpose of making the acknowledgment at the end of this Agreement, is effective as of November 1, 2016.

#### RECITALS

The Members has formed the Company by having the Organizer file with the Wisconsin Department of Financial Institutions Articles of Organization, a copy of which is attached to this Agreement and incorporated by this reference, as provided in the Wisconsin Limited Liability Company Law (the "WLLCL"); and

The Members affirms their membership in the Company, acknowledges the contributions and the values of the contributions made, and assents to the operation of the Company under the WLLCL.

NOW, THEREFORE, in consideration of the promises made in this Agreement, the Member agrees as follows:

- Section 1. Members Contribution. The Members have contributed the property described on the Property Schedule attached to this Agreement, which contribution the Members have valued as set forth on the Property Schedule attached to this Agreement as required by section 183.0501 of the WLLCL. The Members have not agreed to make any additional contributions to the Company.
- **Section 2.** Term. The Company shall continue indefinitely until the Company is dissolved pursuant to Section 3 hereof.
- **Section 3. Company Dissolution.** The Company is to be dissolved and its business wound up as provided in the WLLCL.
- Section 4. Member Management. The provisions of the WLLCL relating to a limited liability company the management of which has been vested in its members shall apply with full force and effect without amendment to the Company's operations and management, except as otherwise specifically provided in this Agreement.

Section 5. No Withdrawal; No Distribution in Redemption on Dissociation. No Member may voluntarily withdraw or resign from the Company, and the dissociation of a Member from the Company, within the meaning of section 183.0802 of the WLLCL, to the extent it does not cause a dissolution of the Company pursuant to section 183.0901 of the WLLCL, will <u>not</u> entitle the dissociating member to receive a distribution in complete redemption of the fair value of the Member's interest in the Company.

Addwaga

Dated: November 1, 2016.

Signature	Address
Bryan Perl	463 Cedar St. Fond du Lac, WI 54935
ACKNOWLE	DGMENT
THE UNDERSIGNED acknowledges that E Articles of Organization filed by me with the Wisorganize the Company.	Exhibit A contains a true and correct copy of the consin Department of Financial Institutions to
Bryan Perl, Organizer	

## **Property Schedule**

Member

Market Value

Bryan Perl

## State Bar of Wisconsin Form 2-2003 WARRANTY DEED

Document Number

WARRANTY DEED

\*Type name below signatures.

Document Name

DDC # 1076261
Recorded November 02, 2016 at 09:14 AM SHAWN KELLY, REGISTER OF DEEDS FOND DU LAC COUNTY, WI Fee Amount: \$30.00
Transfer Fee: \$300.00

Returned to: Guaranty Title Services, Inc. \*This document has been electronically recorded.\*

THIS DEED, made between National Exchange Bank and Trust, ("Grantor," whether one or more), and MFBT LLC, a Wisconsin limited liability company, ("Grantee," whether one or more).

Grantor, for a valuable consideration, conveys and warrants to Grantee, the following described real estate, together with the rents, profits, fixtures and other appurtenant interests, in Fond du Lac County, State of Wisconsin ("Property") (if more space is needed, please attach addendum):

Property described on Exhibit A, attached hereto

Exceptions to warranties: All easements and restrictions of record

Recording Area

Name and Return Address 2-159618

MFBT LLC

463 Cedar St,
Fond du Lac, WI 54935

FDL-15-17-10-44-820-00

Parcel Identification Number (PIN)

This Is Not homestead property.

FORM NO. 2-2003

INFO-PRO<sup>TM</sup> Legal Forms • (800)655-2021 • Infoproforms.com

Dated: 10101862 31, 2016		National Exchange B	ank and Trust	
*	(SEAL)	*By/José Hayes, VP		_(SEAL)
*	_(SEAL)	*		_(SEAL)
AUTHENTICATION		ACKN	OWLEDGMENT	
Signature(s)		STATE OF WI	)	
authenticated on	*	Fond du Lac COUNTY	) ss. )	
*		Personally came before m the above-named <u>Jeff Hay</u>		31,2016
TITLE: MEMBER STATE BAR OF WISCONSIN (If not, authorized by Wis. Stat. § 706.06).	M. BASK	to me known to be the per instrument and acknowled	rson(s) who executed the	foregoing
THIS INSTRUMENT DRAFTED BY: Sara B. Andrew Andrew Law Offices, S.C.	OTAR, BLIC	Notary Public, State of V		77
(Signatures may be alut	heuticated or ack	nowledged. Both are not neces	sary.)	

NOTE: THIS IS A STANDARD FORM. ANY MODIFICATION TO THIS FORM SHOULD BE CLEARLY IDENTIFIED.

©2003 STATE BAR OF WISCONSIN

#### EXHIBIT "A"

Lot Twenty-Three (23) and Lot Two (2) of Block Three (3) of Van Renselaer's Addition to the City of Fond du Lac, Fond du Lac County, Wisconsin, excepting a strip of land Eight (8) inches wide off the North side thereof, and except a strip of land Eight (8) inches wide off the South side thereof, and except also that part of said Lot Two (2) described as follows:

Commencing at the Northeast corner of said Lot Two (2), thence West along the North line of said Lot 2, about 90 feet more or less to within 12 inches of the Bast wall of the Coliseum building, thence South within the same distance of said wall 60 feet to the South line of said Lot 2, thence Bast along the South line of said Lot 2 to Portland Street, thence North 60 feet to the place of beginning.

		FOND DU	LAC		
				<u>Offense</u>	
<u>Establishment</u>	Location	Violation	<u>Defense</u>	Date	<u>Points</u>
			Patrons may have been on the		
		Closing Time issues with	premises until 2:29 a.m.		
	72 S.	patrons being served right up	Patrons do not have to be out		
Firehouse	Main St.	to closing	till 2:30 a.m.		0
			Not certain those were		
			necessarily patrons of Mr.		
			Perl's establishment; back door		İ
			was for deliveries and		
		Problems in rear alley from	emergency exit only. Not sure		
	72 S.	patrons smoking, urinating,	who was in back alley -		
Firehouse	Main St.	vomiting and littering	multiple businesses in the area.		0
			Not certain those were		
			necessarily patrons of Mr.		
			Perl's establishment; back door		
			was for deliveries and		
			emergency exit only. Not sure		
			who was in back alley -		
			multiple businesses in the area.		
			Smoke was noticed in the back		
			alley and firemen who were in		
		Complaints from paighbors	the establishment at the time		
		Complaints from neighbors			
	72 S.	about noise including a trash fire at the rear entrance that	went out and stomped the fire out and returned back to the		
Cinale a con-			1		
Firehouse	Main St.	was called in to public safety.	establishment.		0
			Not sure why patrol was		
			increased as no violations were		
		l	given. Possibly, due to flow of		
	72 S.	Police having to increase	traffic, yet nothing happened		
Firehouse	Main St.	patrols in area.	to warrant increased patrols.		0
			Alcohol sign was hung outside		
			the premises indicating bar		
			specials – Was informed it not		
	72 S.	Illegal sign installed on outside	meet Code and it was removed		
Firehouse	Main St.	of building in violation of code	immediately		0
			Mr. Perl only sponsored the		
			event and did not have		
			anything to do with the event.		
			Event was run and organized		
		Mislead City Staff on	by two other individuals and		
		Halloween Dance in which a	Mr. Perl was asked to sponsor		
	72 S.	tent was erected over Main	and gave money for		
Firehouse	Main St.	Street	advertising.		0
	72 S.	No water available to a urinal	Flush valve broke and new		
Firehouse	Main St.	for over a week and a half.	parts were on order.		0

			Owner of building wasn't keeping up with repairs on building and made a claim Mr. Perl stole \$50,000 worth of equipment from him. With that claim he wrote a police report and was paid \$50,000 from his insurance company. The insurance co. then came after Mr. Perl for payment; Mr. Perl had to get an attorney. The atty. showed Mr. Perl purchased equipment from building owner and had written contracts with him. The building owner then sued Mr.	
		Civil disagreements between	Perl for \$140,000 for remainder of lease that was broke and \$50,000 the building owner was going to give back to the insurance co. if he won.	
		Mr. Perl and the owner of the building at 72 S. Main Street when Mr. Perl ceased	Next 3 months of legal litigation, building owner's attorney paid Mr. Perl's atty.	
Firehouse	72 S. Main St.	operations. This caused the police to have to intervene several times.	\$10,000 to drop counter suit and all charges were dropped against Mr. Perl.	 0
		Mr. Perl appeared before the ALC on May 26, 2009. Several concerns were made to the ALC reference improper handling of alcohol at a winter festival on Lake Winnebago and renovations made at this tavern in the town of	Helped run event called Winterfest along with Calumet Cty. Fire Dept. Who pulled a beer permit for the weekend to sell beer and have bands, Mr. Perl contacted distributors to have beer delivered, when beer was delivered, it was delivered with Mr. Perl's name and not the Fire Dept. Rec'd	
Firehouse	72 S. Main St.	Taycheedah in violation of code. Fond du Lac Police at the time had concerns about the applicant's ability to work within the rules and codes that he must follow.	citation for wholesaling beer without wholesale license. Beer was not paid for by Mr. Perl, Mr. Perl simply ordered it for Fire Dept. who had legit license.	0

	BEAVER DAM					
Establishment	Location	Violation	Defense	Offense Date	Points	
Establismilent	EUCALIUII	VIOIALIOII		Date	Fonts	
	208 Front		Individual was not drinking, was simply on the			
Saturday's Bar (1)	St.	Underage	premises	2/28/2015	150	
	208 Front	Underage on premises -			150	
Saturday's Bar (1)	St.	Dismissed by City Attorney	_	8/17/2016	(returned)	
	208 Front	Stayed open after 2 a.m.	Mr. Perl was under the impression closing time was 2:30 a.m. Not a normal night of operation thought it was weekend hours. This bar is normally			
Saturday's Bar (2)	St.	on a Wednesday	open only on Saturdays.	11/26/2015	80	
	208 Front		Individual was not drinking, was simply on the			
Saturday's Bar (3)	St.	Underage on premises	premises	6/26/2016	150	
	208 Front	Underage on premises -	Dismissed – 3 conflicting		150	
Saturday's Bar (3)	St.	Dismissed by City Attorney	written statements	8/17/16	(returned)	

## **Wisconsin Circuit Court Access (WCCA)**

## State vs Bryan J. Perl

## **Calumet County Case Number 1998CF000051**

The defendant Bryan J. Perl was found guilty of the following charge(s) in this case.

Resisting or Obstructing an Officer, a class A misdemeanor, Wisconsin Statutes 946.41(1).

**Notice to employers:** It may be a violation of state law to discriminate against a job applicant because of an arrest or conviction record. Generally speaking, an employer may refuse to hire an applicant on the basis of a conviction only if the circumstances of the conviction substantially relate to the particular job. For more information, see <u>Wisconsin Statute 111.335</u> and the Department of Workforce Development's <u>Arrest and Conviction Records under the Law publication</u>.

## Wisconsin Circuit Court Access (WCCA)

## State of Wisconsin vs. Bryan J. Perl

## Fond du Lac County Case Number 2009CM000695

The defendant Bryan J. Perl was found guilty of the following charge(s) in this case.

- Alcohol-Fail/Obtain Appropriate License, an unclassified misdemeanor, Wisconsin Statutes 125.04(1).
- Retailer Receipt/Beer on Consignment. This is not a criminal offense and results only in a money penalty for this offense.

**Notice to employers:** It may be a violation of state law to discriminate against a job applicant because of an arrest or conviction record. Generally speaking, an employer may refuse to hire an applicant on the basis of a conviction only if the circumstances of the conviction substantially relate to the particular job. For more information, see <u>Wisconsin Statute 111.335</u> and the Department of Workforce Development's <u>Arrest and Conviction Records under the Law publication</u>.

## Wisconsin Circuit Court Access (WCCA)

State of Wisconsin vs. Bryan J. Perl

## Fond du Lac County Case Number 2009CM000695

What is RSS? RSS

**Filing Date** 

Case Type

**Case Status** 

10-16-2009

Criminal

Closed

**Defendant Date of Birth Address** 

Branch Id

**DA Case Number** 

5

2009FL001592

Charge(s)

Count No.

Statute Description Severity Disposition

1 125.04(1) 2 125.33(7)(a)2

Alcohol-Fail/Obtain Appropriate License Retailer Receipt/Beer on Consignment

Misd. U Found Guilty at Court Trial Forf. U

Found Guilty at Jury Trial

Defendant Owes the Court: \$ 0.00

Responsible Official

Prosecuting Agency

**Prosecuting Attorney** 

**Defense Attorney** 

Wirtz, Robert J.

District Attorney

Kaminsky, Daniel

**Defendant** 

**Defendant Name** 

Date of Birth

Sex

Race<sup>1</sup>

Perl, Bryan J.

Male

Address Updated On

10-19-2009

Caucasian

**JUSTIS ID** 

**Address** 

**Finger Print ID** 

WI 777902

Charge(s)/Sentence(s)

The Defendant was charged with the following offense:

Count No. Statute Cite Description

Severity Offense Date Plea

1

125.04(1)

Alcohol-Fail/Obtain Appropriate License Misd. U 02-21-2009

Not Guilty on 11-03-2009

On 12-29-2009 there was a finding of:

Action

**Court Official** 

Found Guilty at Jury Trial

Wirtz, Robert J.

On 12-29-2009 the following was ordered:

Sentence

Begin Time

**Notes** 

Forfeiture /

Fine

Defendant to serve 1 day of jail for every \$50.00 of unpaid

fine and court costs.

The Defendant was charged with the following offense:

Count No. Statute Cite Description

Severity Offense Date Plea

2 125.33(7)(a)2 Retailer Receipt/Beer on Consignment Forf. U

U 02-20-2009

Not Guilty on 11-03-2009

On 12-29-2009 there was a finding of:

Action

**Court Official** 

Found Guilty at Court Trial

Wirtz, Robert J.

On 12-29-2009 the following was ordered:

Sentence

Time Begin Date

Notes

Forfeiture / Fine

## **Total Receivables**

Court	Adjustments	Paid to the	Probation/Other Agency	Balance Due to	Due Date
Assessments		Court	Amount <sup>4</sup>	Court	5
\$ 3,512.00	\$ 0.00	\$ 3,512.00	\$ 0.00	\$ 0.00	

- 1 The designation listed in the Race field is subjective. It is provided to the court by the agency that filed the case.
- <sup>2</sup> Non-Court activities do not require personal court appearances. For questions regarding which court type activities require court appearances, please contact the Clerk of Circuit Court in the county where the case originated.
- <sup>3</sup> Includes collection agency fees; bankruptcy discharge of debt; Department of Revenue collection fees; and forgiven debts due to indigence, death, time served, or community service.
- 4 Some amounts assessed by the courts are collected by the Department of Corrections or other agencies. This column is rarely updated by the courts and may be less than the actual amount owed.
- <sup>5</sup> For cases with multiple assessments, the due date represents the assessment with the latest date.



**Inspection Field Report** 

Inspected Date: 7/21/2016

Inspected By: TROY HAASE

VACANT Occupancy ID: 1486

Location: 65 N MAIN ST

FOND DU LAC, WI 54935

Bus. Phone:

**Contact Information** 

Name: NATIONAL EXCHANGE BANK Cell: (920) 921-7700

Email: Work:

Inspection Type: Inspection General

Violation Code	Days to Correct	Violation/Notes		Location
EXITS 04	1	Exit Light Obstructed / Out	EXIT LIGHT IN AUXILLARY EXIT (SOUTH) MUST BE CLEAR FOR ACCESS	
ELECTRICITY 03	1	Open Electrical Box	ALL ELECTRICAL WIRES AND BOXES NEED TO BE TERMINATED IN A JUNCTION BOX	
ELECTRICITY 03	1	Open Electrical Box	ALL ELECTRICAL WIRING & PANELS NEED TO BE INSPECTED BY A LICENSED ELECTRICIAN	
EXITS 04	1	Exit Light Obstructed / Out	EXIT LIGHT MUST BE REPAIRED	
WALLS / CEILINGS 02	14	Openings in Ceiling	OPENINGS IN CEILING NEED TO BE CLOSED	
EXITS 05	24	Emergency Lights Inoperative	EMERGENCY LIGHTS NEED TO BE OPERABLE	

Occu	pant	Notes

**VIOLATIONS CONTINUE - VACANT BUILDING** 

Mail, Fax or E-Mail violation corrections to Fond Du Lac Fire Department, 815 S. Main St., Fond Du Lac, WI 54935, Fax (920) 322-3801, Email fireinspections@fdl.wi.gov, Inspection Dept. (920) 322-3807

Owner/Representative:	
Inspector:	

Printed Date: 12/8/2016 10:17:46 AM Page 1 of 2

VIOLATIONS REQUIRING CORRECTIVE ACTIONS ARE MARKED ABOVE (City of Fond Du Lac Ordinance Fire Protection Chapter 5 Adopts SPS 314 Wis. Adm. Code, Adopts NFPA 1, Fire Prevention Code - 2009, subject to the modifications specified in SPS 314 Wis. Adm. Code. All references above contain the citation/ chapter to the applicable section of the Administrative Code and / or the citation/chapter to NFPA 1, Fire Prevention Code - 2009

Printed Date: 12/8/2016 10:17:46 AM Page 2 of 2

## CITY OF FOND DU LAC - Memorandum

Date:

December 8, 2016

To:

Joe Moore, City Manager

From:

Deborah S.R. Hoffmann, City Attorney

William Lamb, Chief of Police

Dyann Benson, Community Development Director

Re:

Alcohol Licensing Committee Recommendation- 65 N. Main Street

On November 28, 2016, the Alcohol Licensing Committee (ALC) met to review the request for a "Class B" Intoxicating Liquor and Class "B" Fermented Malt for the applicant Bryan Perl for the property at 65 N. Main Street. The ALC recommended denial of the liquor license. The ALC's deliberations and recommendation were informed by Section 125.12, Wis. Stats. and Fond du Lac Code Section 400-6. and focused on the factors for judging new license applications outlined below. (Copies of the pertinent code sections are attached)

## (a) Character of applicant, agent, managerial personnel, and owners

At the time of the ALC meeting, Mr. Perl did not have confirmed information on any of the agents that may be part of the business or managerial personnel. Mr. Perl did acknowledge at the meeting that he did not intend to be involved in the day-to-day operations and would be an "absentee owner."

(b) Experience of applicant and manager in operating a licensed establishment & (c) History of applicant and manager in operation of licensed establishments

Mr. Perl currently owns and operates two other licensed establishments in Wisconsin, Saturday's Bar in Beaver Dam and Perl's at Road America (seasonal). In addition, Mr. Perl is the former operator of the Firehouse Bar & Grill (now Annie's Fountain City Café) and Perl's Country Inn in St. Peter.

In 2011, Mr. Perl was denied an intoxicating liquor license for a relocation of the Firehouse Bar & Grill after the Police Department indicated several concerns with the original Firehouse operations including: patrons being served up to closing time; complaints from neighbors; increased police patrols; illegal signage; and erecting a tent over Main Street without proper City approvals for street closures or tent installation.

Asst. Chief Klein contacted the Beaver Dam Police Department regarding the operation of Saturday's by the applicant. Beaver Dam Police Department reported several issues and concerns related to the operation of the business.

These are outlined in attached police department memos.

## (d) History of premises

The property at 65 N. Main Street was formerly JRs Bar & Grill; it has also operated in the past as Lucky's. The large size of the building, approximately 9,000 square feet, poses both opportunities and challenges. In 2006, an application for a liquor license from a different person was denied due to concerns about the size of the establishment and the ability of the police to adequately respond. A copy of the 2006 application, memos and meeting minutes is attached.

## (e) Design, type, and size of the proposed establishment

The property at 65 N. Main Street is approximately 9,000 square feet in size. At the time of the ALC meeting, the applicant did not have a definitive plan or concept for the proposed establishment, such as sports bar, dance club, restaurant, etc. Subsequently, the applicant has completed a business plan. A copy of the plan is attached.

## (f) Proximity to other licensed establishments

The property at 65 N. Main Street is in close proximity to Backstage Bar and Grill at 101 N. Main Street.

## (g) Proximity to residential buildings or areas.

The property is adjacent second story residential units to the south and the Portland Square Apartments to the east. There is also residential to the northeast (along Merrill Avenue from Portland Street to Marquette Street). Additional housing is planned in the near future.

A Special Use Permit is required for Amplified Sound when adjacent to residential uses. At the time of the ALC meeting, it was not clear whether the applicant intended to have live bands, DJ, or similar type of amplified sound to determine whether the Special Use Permit is required. In the business plan that the applicant provided on 12/7/2016, it does say that they want to apply for a Special Use Permit for Amplified Sound and would like to have live bands.

## (h) Ability of Police Department to ensure public safety at this location

Due to the size of the building, there were concerns in 2006 about the Police Department's ability to ensure public safety.

## (i) Condition of building/premises

The property, formerly known as JR's, has been vacant for a period of time. The property will require an occupancy permit prior to opening the business which is issued by Building Inspection and Fire Department.

The building cannot be issued an occupancy permit at this time. The applicant's architect is working with the Chief Building Inspector to address some code violations and concerns. Depending upon the timeframe for completion of the required work items to meet building code compliance, occupancy could be granted in early 2017.

The Chief Building Inspector, Doug Hoerth, has indicated that the following are outstanding:

- \*Occupancy permit is required to be obtained
- \*Bring the ceiling to a Class B fire rating or better including patching all the openings
- \*Provide a letter from the Architect to verify the structure is sound. The concern is a several cracked attic trusses, a homemade hanger fix on the Southwest side of the building and the wall on the southeast end of the building is leaning out.
- \*Correct all the electrical issues such as open electrical boxes, etc.
- \*Clean and inspect the kitchen hood

The fire inspector also has conditions that need to be resolved before an occupancy permit can be issued. A copy of his report is attached.

## (j) Compatibility of proposed use with neighborhood

At the time of the ALC meeting, the applicant did not have a definitive plan or concept for the proposed establishment, such as sports bar, dance club, restaurant, etc. The ALC was unable to determine if the use was compatible with the neighborhood.

The applicant has now supplied a business plan that indicates it will primarily be a restaurant, though they do want a special use permit for amplified music and to host live music, which implies a dance club.

## (k) Zoning and land use considerations

The property at 65 N. Main Street is located within the C-1 Zoning District. The C-1 Zoning Districts accommodates a variety of retail and entertainment uses. However, there are a small number of uses that fall within the entertainment area that are either not permitted within the C-1 Zoning District or require a Special Use Permit.

Staff prefers to work with a property owner in advance of their proposed occupancy as it relates to their proposed use than try to obtain compliance after a business has opened in cases where the actual use is not consistent with the C-1 Zoning.

At the time of the ALC meeting, there was insufficient information to determine compliance with zoning requirements. Based on the business plan that was received on 12/2/16, the proposed establishment appears consistent with zoning regulations for C-1.

## (1) Likely impact on property values & (m) Economic development considerations

A vacant building that has minimal reinvestment can have a negative impact on property value. However, an occupied building that creates a nuisance can also negatively impact property values. The ALC was unable to make a determination of a positive impact on property values or economic development given the lack of information on managerial personnel as well as a definitive concept for the property.

### (n) Other considerations

In conversations with the applicant prior to the ALC meeting and at the ALC meeting, staff asked the applicant if he would defer his application to the next meeting to allow time to refine his concept, provide additional details and work with staff so that staff could support the application for the intoxicating liquor license. Mr. Perl opted not to defer and requested the ALC move forward with their deliberation.

Prior City Councils have denied a liquor license request to this applicant in 2011 and denied a liquor license to the premises in 2006. The documents from these prior denials are attached.





#### **Demerit Points Assessed To Date**

				Total	Offense
Establishment	Location	Licensee		Points	Date
SATURDAY'S BAR	208 FRONT ST.	BRYAN PERL		150	2/28/201
SATURDAY'S BAR	208 FRONT ST.	BRYAN PERL		80	11/26/201
SATURDAY'S BAR	208 FRONT ST.	Guilty in Mun Ct Appealed to Cir. Ct. Dismis by (	City Att.	80 replaced	8/17/2010
SATURDAY'S BAR	208 FRONT ST.	BRYAN PERL	1	150	6/26/2010
SATURDAY'S BAR	208 FRONT ST.	3 conflicting written statements		150 replaced	8/17/2016

## City Attorney/Department of Human Resources City of Fond du Lac

## Memo

To: City Council, City Manager

From: Deb Hoffmann, City Attorney

Date: December 8, 2016

Re: Legal Guidance on Alcohol Licensing

The City Council has broad discretion in determining whether or not to grant a new alcohol license. A good discussion of this discretion is covered in a League of Wisconsin Municipalities article, "Municipal Licensing and Regulation of Alcoholic Beverages," a portion of which is set forth below:

Municipal governing bodies have broad discretion regarding whether to issue a license to a particular applicant for a particular location. The courts have held that state law does not confer upon a qualified applicant an absolute right to a license. If a governing body conducts a proper review of the application, considers public sentiment and local concerns, and has a rational basis for denial, the courts will likely not interfere with the municipality's decision to deny. When a governing body decides not to issue a new alcohol beverage license it must notify the applicant in writing and set forth the reasons for the denial. Valid reasons for denial of a retail license are based on concern for the public health, safety, and welfare of the community. Possible reasons for denial include:

- adverse impact on traffic;
- 2. adverse impact on the peace, quiet and cleanliness of the neighborhood where the establishment is located;
- 3. insufficient parking for patrons;
- 4. proximity to other licensed establishments, residential areas, schools, churches, or hospitals;
- 5. ability or inability of the police to provide law enforcement services to the new establishment and the impact of the new establishment on the ability of the police to provide law enforcement services to the balance of the community at all times.

Once a license has been issued, however, a municipality may only refuse to renew the license if there are violations of chapter 125 or local regulations enacted under the authority of sec. 125.10 or violations that fit within the causes identified in sec. 125.12(2)(ag). A municipality

that decides not to renew a license must follow the procedure set forth in sec. 125.12(3) and notify the licensee in writing that it intends not to renew the license and state the reasons why. The municipality has to provide the licensee with an opportunity for a hearing.

A motion to approve or grant the license, if carried, grants the license. If the motion to approve is defeated, the license is denied.

If it is Council's judgement to approve, the approval could be made with appropriate conditions, like completing all necessary repair work and not operating as a dance club, for example.

A motion to deny, if carried, also is a denial of the license. However, a motion to deny which does not carry is not the equivalent of an approval. In the event a motion to deny does not carry, a motion to approve would be appropriate.

If it is Council's judgment to deny, it should be done applying the concepts described above. Specific facts and circumstances should be considered and a record made. An example of a motion to deny which comports to these standards is as follows:

"I move that the application for the alcohol license be denied because it is against the public health, safety and welfare of the City for the reasons previously discussed at this meeting and for the reasons outlined in the supporting memos contained in the agenda packet; and that the City Clerk notify the applicant in writing of this decision to deny their application and the reasons for this decision."

If the application is denied by the City Council, such denial may be appealed to the Circuit Court. The applicant may also reapply for license at any time.

Please call if you have any questions on any of this.

- C. Alcohol Licensing Committee. There is hereby created an Alcohol Licensing Committee, which shall be advisory to the City Council and shall review all applications for new licenses as well as all disciplinary procedures and issues as to whether a licensee has abandoned the licensed business within the meaning of § 400-98. ...
- D. Applications for new licenses. The Alcohol Licensing Committee and the City Council shall consider a number of factors in reviewing and judging the adequacy of applications, including but not limited to the character, background, and experience of the applicant; the nature of the proposed use; the condition of the building; compatibility with the neighborhood; safety at the proposed location; economic development considerations; zoning and land use; and any other factor that the Committee or the Council finds germane to the proposal. Without limiting the generality of the forgoing, applications for new liquor licenses shall include consideration of the factors below. Appropriate City staff shall include the City Manager, the Community Development Department, the City Clerk's office, the City Attorney's office and other staff as deemed necessary or desirable. It is not necessary that all of the foregoing participate in any particular recommendation. Rather, it is the intent that the makeup of staff involved be flexible to meet the needs of the particular situation. The Committee shall take the recommendation and the factors into account and formulate a recommendation to the City Council.[4]
- (1) Factors for judging new license applications:
- (a) Character of applicant, agent, managerial personnel, and owners.
- (b) Experience of applicant and manager in operating a licensed establishment.
- (c) History of applicant and manager in operation of licensed establishments.
- (d) History of premises.
- (e) Design, type, and size of the proposed establishment.
- (f) Proximity to other licensed establishments.
- (g) Proximity to residential buildings or areas.
- (h) Ability of Police Department to ensure public safety at this location.
- (i) Condition of building/premises.
- (i) Compatibility of proposed use with neighborhood.
- (k) Zoning and land use considerations.
- (I) Likely impact on property values.
- (m) Economic development considerations.
- (n) Other considerations.

	RIGINAL ALCOHOL BEVERAGE LICENSE APPLICATION  mit to municipal clerk.	Applicant's Winconsis Setter's Perryll Number: GCSV,	
		Number (FEIN): 39-13	
Or	the license period beginning July 20 00;	LICENSE REQUESTED	
	ending	TYPE !	PEE
	□ Town of a →	Ciass A beer	
ο.	THE GOVERNING BODY of the: Village of Findulac		58-
•	€ City of	Wholesale beer	
	ge only or	Class C wine	-
QU	nty of Fondshire Aldermanic Dist. No. (if required by ordinance)	Class A liquor	
			969-
i.	The named 🔲 INDIVIOUAL 🔛 PARTNERSHIP 🔲 LIMITED LIABILITY COMPANY		
	CORPORATION/NONPROFIT ORGANIZATION		55
	hereby makes application for the alcohol beverage license(s) checked above.	TOTAL PEE	405
2,	Name (Individual/partners give last name, first, middle; corporations/limited liability companies give regisi	lered name): >	
	An Victorian Connection when I from IT 400 must be completed and attacked to this confinction in	a and halfelded andland by and	
	An "Auxiliary Questionnaire," Form AT-103, must be completed and attached to this application by partnership, and by each officer, director and agent of a corporation or conprofit organization, and	y each more than appacent, by such	t of a limited
	Rability company. List the name, title, and place of residence of each person.	oy each membermanage, and ages	
		ddress Post Office &	Zip Code
	President/Member Presid	Iddress Post Office & Post Office &	V MF 23
	Vice President/Nember VwE		
	SecretaryMember 115.0%		8
	Treasurer/Member Uaws		
	Agent) SOME DS ABOUTE		
	Directors Managers 11-21-5		
	Trade Name > TOLL POLLS Business Ph	one Number hane yet of	RE 420 39
-	Address of Premises > Lot V1 Main St. Post Office 8	Zip Code > Fun Line 5	4935
	Published or French or a count of a count of a count of the count of t	wild have some and so	
	is individual, partners or agent of corporation/limited liability company subject to completion of the respon- training course for this license period?		i ≯No
	is the applicant an employe or agent of, or acting on behalf of anyone except the named applicant?		
•	Does any other alcohol beverage retail licensee or wholesale permittee have any interest in or control of	this business?	No
4	(a) Corporate/limited liability company applicants only: Insert state and date and date	16 7 of moletration	TA NO
	(b) Is applicant corporation/finited Sability company a subsidiary of any other corporation or limited Sability		. SZ No
	<ul><li>(c) Does the corporation, or any officer, director, stockholder or agent or limited liability company, or any</li></ul>		ga; No
	agent hold any interest in any other atcohol beverage license or permit in Wisconsin?		i ∏i No
			. T. 140
	(NOTE: All applicants explain fully on reverse side of this form every YES answer in sections 5, 6, 7 and		
).	Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. all rooms including living quarters, if used, for the sales, service, and/or storage of alcohol beverages are	The applicant must include	
	may be sold and stored only on the premises described.)	records. (Adonor beverages	
		31 24.00.00	
	Legal description (ornit if street address is given above):	XYes	. □ Alo
	(a) Was this premises licensed for the sale of liquor or beer during the past license year?	(Alle	L1100
	(b) If yes, under what name was license issued?		
•	Does the applicant understand they must file a Special Occupational Tax return (TTB form 5630.5) before beginning business? [phone 1-800-937-8864]	IN Vac	7 m Ms
	perore deginining susmess? Innone 1-800-937-888-1 Does the applicant understand a Wisconsin Setter's Permit must be applied for and issued in the same n	non as that shown in	1. 140
4	Dogs me aphacaut alkoetststad 9 Miliocousou Seisel 2 Lellun minzt de afrhiedrich ein eint iszenen in nie seine m	anie as ukat situmi III	∏ No
	Section 2, above? [phone (608) 266-2776]	TI Van	IC No
	is the applicant indebted to any wholesaler beyond 15 days for beer or 30 days for action?	Li 16	AC NO
AD	CAREFULLY BEFORE SIGNING: Under penalty provided by law, the applicant states that each of the above question	s has been truthfully answered to the bost of t	he knowledge
ħo	singers. Singers across to appeals this business according to jour and that the rights and responsibilities conferred by	the licease(s), if granted, will not be assign	ed to another.
Sivi	fuel applicents and each mersher of a partnership applicant must sign; corporate officer(s), members/managers of Lin	rited Liability Compareds must sign.) Any lic	X Of BCCBSS 15
	ation of a licensed parmises during inspection will be deemed a refusel to permit inspection. Such refusel is a misder	TOTAL SI GLOSIOS TO ISTOCARON OF ING AC	7
	CRIRED AND SWORN TO BEFORE ME	///////////////////////////////////////	
\$ _	75 13 day of Nosemorn 20 of	perManuter of Limited Lightly Company Peter	
	Tomas R. Kwelt	Belinguates or County County Outchest water	O. C.
		berMenager of Limited Liability Company Parts	
' CC	mission expres 11-7-2010		
_	(Additional Permaric) Ment	perManager of Circlind Liability Company FAny)	
В	COMPLETED BY CLERK		•
	scrived and find Date reported to connellinear Date previsional ficanso issued Signa	ture of Clork / Deputy Clerk	,
ABA B	canto granted Dato liconse issued Liconse mumber issued		
	i i		

## **CITY COUNCIL MINUTES**

December 13, 2006 7:00 P.M.

Legislative Chambers City-County Government Center

160 South Macy Street Fond du Lac, Wisconsin

REGULAR AGENDA

#### CALL TO ORDER

ROLL CALL:

Present - Sal Curcurio
Mark Jurgella
Lindee Kimball
Tim Lakin
Jim Nintzel
Jim Sabel
Jeremy Thiesfeldt

Absent - None

Administrative Staff - Thomas Herre, City Manager
Wayne Rollin, Director of Comm Dev
Hal Wortman, Director of Admin
Rodney Pasch, Director of HR
Mark Lentz, Director of PW
Rick Goding, City Engineer
Tony Barthuly, Chief of Police
Joseph Clow, Fire Chief
Jim Flader, City Attorney
Steve Klein, Police Lieutenant
Dennis Fortunato, Police Major
Ken Hall, Library Director

Council President Jurgella declared a quorum present.

\* \* \* \* \* \* \* \* \* \* \* OTHER BUSINESS \* \* \* \* \* \* \* \* \* \*

#### REPORTS OF OFFICERS

City Clerk, dated December 6, 2006

Subject: 2006 - 2007 Combination "Class B" Intoxicating Liquor License and Class "B" Fermented Malt

Beverage License Application

**City Council Minutes** 

December 13, 2006

Page 2

Corporation:

Pauls Pubs Inc.

Agent:

Paul Salzwedel Home Address: W2102 Hwy 44

Markesan, WI

d/b/a:

Tall Pauls

Location:

65 N Main Street

(Proposed Action:

Deny)

Motion made by Councilperson Sabel to deny the application for liquor license because it is against the public health, safety and welfare of the City for the reasons described in the memos relating to the application contained in the agenda packet and for the reasons described at this meeting; and that the City Clerk notify the applicant in writing of this decision not to issue the license and the reason for this decision."

Seconded by Councilperson Thiesfeldt.

ROLL CALL VOTE:

Aye - Lakin, Sabel, Kimball, Jurgella,

Thiesfeldt, Curcurio, Nintzel

Carried.

OTHER BUSINESS

## CITY OF FOND DU LAC - Memorandum

## **Department of Community Development**

Date:

December 6, 2006

To:

Tom Herre, City Manager

From:

Wayne Rollin, Community Development Director

Re:

Liquor License Application - Paul's Pub's

We have an application for a liquor license application from Paul Salzwedel of Paul's Pubs, Inc. to reopen the premises formerly known as Lucky's at 65 North Main Street. Salzwedel does not own or operate a club in Fond du Lac, but has extensive experience in the industry, presently operating four establishments in towns to the west and southwest.

Salzwedel proposes to open a club at the former Lucky's location which is substantially similar to Lucky's. It would offer about the same environment that Lucky's did. In spite of proactive work by the Police Department and by the owner of Lucky's, that establishment caused a fair amount of trouble in downtown Fond du Lac, primarily due to its large size. Lucky's had a capacity of 384 patrons. When such a large number of patrons would exit the establishment at bar time, it would cause great strain on available Police resources. Fights, vandalism, and other similar problems were common. A number of Officers had to be assigned to this location on Thursday, Friday, and Saturday evenings on a regular basis. Nothing in the present proposal would address this issue. The establishment would still be too big for our Police Department to handle while carrying out their other responsibilities at the same time.

I recommend denial of the application at the present capacity of the facility.

The situation might be different if Salzwedel and the building owner could find a way to substantially reduce the capacity of the establishment. Adding permanent seating areas, more restaurant space, or properly constructed billiards areas, for example, could reduce the capacity of the establishment and reduce the problems presented at closing time. Getting the capacity down to 275 or less would perhaps help to address the problem.

## Fond du Lac City Police Department

FOND OIL IN

## Memo

To:

City Manager Herre

From:

Chief Barthuly

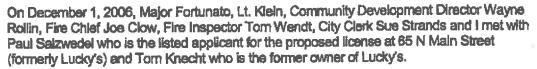
Date:

12-05-06

Res

Proposed Class B Fermented Malt Beverage & Intoxicating Liquor

Tall Paul's, 65 N Main St.



Mr. Salzwedel stated he currently owns taverns in Fairwater, Kingston, Waupun, and Manchester and that he is interested in opening an operation in Fond du Lac. Mr. Salzwedel stated that neither he nor the general manager of the proposed site would reside in the Fond du Lac community, but that he would put a "key person" in place that does reside within the city. Mr. Salzwedel expressed that he would work closely with the city to address any concerns that may come up.

Mr. Saizwedel stated he would keep the general floor design the same as the former Lucky's and would operate in a similar manner. He stated that he would offer food, pool and dart leagues, live band entertainment and television viewing for sporting events.

The Police Department has expended large amounts of police resources at this location in the past. Officers had to be assigned outside the tavern every weekend night to keep the peace with the large volume of people leaving the establishment at bar time. Night shift commanders report this did have a negative impact on the Police Department to provide law enforcement services to the community. Since the close of business in May of this year at 65 N. Main Street, night shift commanders have reported a significant decrease in the amount of manpower hours devoted to this area. This has allowed them to focus their community policing efforts in other areas of the city.

Background checks were conducted on Mr. Salzwedel and nothing of significance was noted in his background. Members of the Fond du Lac County Law Enforcement Executives Committee expressed some concerns regarding the operation of Mr. Salzwedel's tavems in their jurisdictions. We do feel the proposal would negatively impact the ability of the Police Department to provide law enforcement services to the community. Based upon the concerns noted, the Police Department does have objections to approval of this license request.

Ē

1

#### CITY COUNCIL MEETING MINUTES

CITY OF FOND DU LAC, WISCONSIN Legislative Chambers 160 S Macy Street December 14, 2016 6:00 PM

#### CALL TO ORDER

Roll Call

#### Present

Catherine Block
Lee Ann Lorrigan
Greg Giles
Karyn Merkel
Brian Kolstad
Kay Miller
Derek TerBeest

#### Absent

None

#### Administrative Staff

Joe Moore, City Manager
Dyann Benson, Director of Community Development
Tracy Salter, Director of Administration
Deb Hoffmann, City Attorney
Chade Wade, Assistant City Attorney
Jordan Skiff, Director of Public Works
Paul DeVries, City Engineer
Jon Mark Bolthouse, Library Director
Bill Lamb, Chief of Police
Steve Klein, Asst. Police Chief of Operations
Peter O'Leary, Fire Chief

Declaration a Quorum Is Present

President Lorrigan declared a quorum present.

#### ACTIONS

Class "B" Fermented Malt and "Class B" Intoxicating Liquor License

A Motion was made by Brian Kolstad to refer Class "B" Fermented Malt and "Class B" Intoxicating liquor license application to the Alcohol & Licensing Committee for further review and seconded by Derek TerBeest, and the motion was **Passed**.

Ayes: Block, Giles, Kolstad, Lorrigan, Merkel, Miller, TerBeest