

**CITY COUNCIL MEETING MINUTES
CITY OF FOND DU LAC, WISCONSIN**

Legislative Chambers
160 S Macy Street

March 13, 2024
6:00 PM

CALL TO ORDER

Roll Call

Present

Tiffany Brault
Keith Heisler (virtual)
Patrick Mullen
Jane Ricchio
Thomas Schuessler (virtual)
Brett Zimmermann

—

Administrative Staff

Joseph Moore, City Manager
Dyann Benson, Community Development Director
Tricia Davi, Director of Administration
Deb Hoffmann, City Attorney
Paul De Vries, Director of Public Works
Aaron Goldstein, Chief of Police
Erick Gerritson, Fire Chief
Sam Sok, Deputy ITS Director
Jon Mark Bolthouse, Library Director

Declaration a Quorum Is Present

Vice President Brault declared a quorum present.

Pledge of Allegiance

Pledge of Allegiance was recited.

Silent Reflection

A moment of silent reflection was observed.

CONSENT AGENDA

February 28, 2024 Regular Council Minutes

February 28, 2024 Closed Session Council Minutes

List Of Claims Dated March 6, 2024

A Motion was made by Ken Cassaday to approve the consent agenda and seconded by Jane Ricchio, and the motion was **Passed**.
Ayes: Brault, Cassaday, Heisler, Mullen, Ricchio, Schuessler, Zimmermann

AUDIENCE COMMENTS (Agenda and Non-agenda items)

Spoke In Opposition To Ordinance No. 3786:

Peggy Breister, 72 Wakawn Ave., Fond du Lac

Spoke In Regards To Ordinance No. 3786:

Ann Wagner, 64 Wakawn Ave., Fond du Lac

ACTION ITEMS

Change Of Agent "Class A" Intoxicating and Class "A" Fermented Malt License

A Motion was made by Patrick Mullen to approve change of agent for Walgreens Co. at 20 W Pioneer Road to Carol Howe for the "Class A" Intoxicating and Class "A" Fermented Malt License and seconded by Ken Cassaday, and the motion was **Passed**.

Ayes: Brault, Cassaday, Heisler, Mullen, Ricchio, Schuessler, Zimmermann

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

A Motion was made by Brett Zimmermann to approve the Class "B" Fermented Malt and "Class C" Wine license for TTAK LLC d/b/a Ang an Eddies at 7 14th Street and seconded by Jane Ricchio, and the motion was **Passed**.

Ayes: Brault, Cassaday, Heisler, Mullen, Ricchio, Schuessler, Zimmermann

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

A Motion was made by Jane Ricchio to approve the "Class A" Intoxicating Liquor and Class "A" Fermented Malt license for BALAJI LLC d/b/a Philly on 4th Street located at 321 4th Street and seconded by Brett Zimmermann, and the motion was **Passed**.

Ayes: Brault, Cassaday, Heisler, Mullen, Ricchio, Schuessler, Zimmermann

Class "B" Fermented Malt License

A Motion was made by Patrick Mullen to approve the Class "B" Fermented Malt License for Pub 23 LLC d/b/a Pub 23 located at 919 E Johnson Street with the following conditions: 1. The Class "B" licensed establishment must have a completely separate premises description from all other licensed establishments and comply with all relevant provisions of Wis. Stat. Chp. 125 and the Code of the City of Fond du Lac. Separate premises must include the following: a. The two businesses cannot be physically connected, other than by an emergency exit. b. The two businesses must be completely

walled off from one another. c. Customers cannot easily go back and forth between the two businesses while consuming alcohol. d. There are separate outside entrances to each of the two businesses. e. There are separate counters at each location that can specifically monitor the requirements of each separate license. 2. The applicant must submit a site plan to the City of Fond du Lac Inspections Department showing said separate premises descriptions. 3. The property must pass all inspections with the City of Fond du Lac Inspections and Fire Departments and Fond du Lac County Health Department (when applicable), and obtain an occupancy permit and seconded by Jane Ricchio, and the motion was **Passed**.

Ayes: Brault, Cassaday, Heisler, Mullen, Ricchio, Schuessler, Zimmermann

Resolution No. 9109

File No. 2024-53

A Motion was made by Patrick Mullen to approve Resolution No. 9109 Extending Tax Incremental District (TID) 10 to support affordable housing and seconded by Jane Ricchio, and the motion was **Passed**.

Ayes: Brault, Heisler, Mullen, Ricchio, Schuessler, Zimmermann

Nays: Cassaday

Resolution No. 9110

File No. 2024-53

A Motion was made by Ken Cassaday to approve Resolution No. 9110 Tax Incremental District (TID) 10 termination and authorization to distribute excess increment to overlying taxing districts and seconded by Brett Zimmermann, and the motion was **Passed**.

Ayes: Brault, Cassaday, Heisler, Mullen, Ricchio, Schuessler, Zimmermann

Ordinance No. 3786

File No. 2024-54

A Motion was made by Patrick Mullen to approve Ordinance No. 3786 Amending Chapter 500-4, Loudspeakers and Amplifying Systems of the Code of the City of Fond du Lac and seconded by Jane Ricchio, and the motion was **Passed**.

Ayes: Brault, Cassaday, Heisler, Mullen, Ricchio, Schuessler, Zimmermann

PRESENTATION OF INPUT ITEMS

Development Agreement For 183 S Main Street

The Development Agreement for 183 S Main Street was presented by Community Development Director, Dyann Benson.

ADJOURN

A Motion was made by Brett Zimmermann to adjourn at 6:42 p.m. and

seconded by Patrick Mullen, and the motion was **Passed.**

Ayes: Brault, Cassaday, Heisler, Mullen, Ricchio, Schuessler,
Zimmermann

Margaret Hefter
City Clerk

**CITY COUNCIL MEETING AGENDA
CITY OF FOND DU LAC, WISCONSIN**

Title: February 28, 2024 Regular Council Minutes

Subject: February 28, 2024 Regular Council Minutes

Initiator:

Recommendation:

ATTACHMENTS:

File Name

[Minutes 2024 2 28 Meeting\(1095\) \(3\).pdf](#)

**CITY COUNCIL MEETING MINUTES
CITY OF FOND DU LAC, WISCONSIN**

Legislative Chambers
160 S Macy Street

February 28, 2024
6:00 PM

CALL TO ORDER

Roll Call

Present

Tiffany Brault
Keith Heisler
Patrick Mullen
Jane Ricchio
Thomas Schuessler
Brett Zimmermann

Absent

Kenneth Cassaday

Administrative Staff

Joseph Moore, City Manager
Dyann Benson, Community Development Director
Tricia Davi, Director of Administration
Deb Hoffmann, City Attorney
Paul De Vries, Director of Public Works
Aaron Goldstein, Chief of Police
Scott Krause, Asst. Police Chief
Jason Laridaen, Asst. Police Chief
Erick Gerritson, Fire Chief
Kathryn Duveneck, ITS Director
Sam Sok, Deputy ITS Director

Declaration a Quorum Is Present

President Heisler declared a quorum present.

Pledge of Allegiance

Pledge of Allegiance was recited.

Silent Reflection

A Proclamation Recognizing Denny Vokes Retirement

President Heisler presented a Proclamation on behalf of our City and its residents expressing our sincere appreciation to Officer Denny J Vokes for 25 years of dedicated service and making Fond du Lac one of the safest and welcoming cities in the nation and wish him a long and prosperous retirement.

A Proclamation Recognizing Lynn Gilles Retirement

President Heisler presented a Proclamation on behalf of our City and its residents thanking Lynn Gilles for her outstanding legacy of service commitment as Transit Manager and her years of knowledge and expertise will be greatly missed and wish for a long and prosperous retirement.

CONSENT AGENDA

February 14, 2024 Council Minutes

List Of Claims Dated February 21, 2024

A Motion was made by Patrick Mullen to approve the consent agenda and seconded by Jane Ricchio, and the motion was **Passed**.

Ayes: Brault, Heisler, Mullen, Ricchio, Schuessler, Zimmermann

Absent: Cassaday

AUDIENCE COMMENTS (Agenda and Non-agenda items)

Spoke In Regards To Ordinance No. 3783 (Loud Speakers):

Peggy Breister, 72 Wakawn Ave., Fond du Lac

Spoke In Opposition To Ordinance No. 3785 (Demerit Points):

Ronald Boda, 440 Satterlee St., Fond du Lac

Spoke In Regards To Resolution No. 9106 (Team Building):

Savanna Haygood, 255 Grand Ct., Apt B203 Fond du Lac

Steven McCord, 294 E 2nd St., Fond du Lac

ACTION ITEMS

Resolution No. 9105

File No. 2024-03

A Motion was made by Thomas Schuessler to approve Resolution No. 9105 authorizing appointment to the Historic Preservation Commission and seconded by Brett Zimmermann, and the motion was **Passed**.

Ayes: Brault, Heisler, Mullen, Ricchio, Schuessler, Zimmermann

Absent: Cassaday

Resolution No. 9106

File No. 2024-45

A Motion was made by Jane Ricchio to approve Resolution No. 9106 amending the Employee Handbook regarding travel reimbursement and team building and seconded by Tiffany Brault, and the motion was **Passed**.

Ayes: Brault, Heisler, Mullen, Ricchio, Schuessler, Zimmermann

Absent: Cassaday

Resolution No. 9107

File No. 2024-46

A Motion was made by Patrick Mullen to approve Resolution No. 9107 granting a utility easement to Alliant Energy at Playmore Park and seconded by Jane Ricchio, and the motion was **Passed**.

Ayes: Brault, Heisler, Mullen, Ricchio, Schuessler, Zimmermann

Absent: Cassaday

Resolution No. 9108

File No. 2024-47

A Motion was made by Patrick Mullen to approve Resolution No. 9108 adopting the policy regarding Trap, Neuter, Vaccinate, Microchip and Return (TNVR) and seconded by Tiffany Brault, and the motion was **Passed**.

Ayes: Brault, Heisler, Mullen, Schuessler

Nays: Ricchio, Zimmermann

Absent: Cassaday

Ordinance No. 3782

File No. 2024-47

A Motion was made by Jane Ricchio to approve Ordinance No. 3782B to amend Chapter 216, Animals to address Trap, Neuter/Spay, Microchip and Release (TNR) and seconded by Brett Zimmermann, and the motion was **Passed**.

Ayes: Brault, Heisler, Mullen, Ricchio, Schuessler, Zimmermann

Absent: Cassaday

Ordinance No. 3783

2024-48

A Motion was made by Patrick Mullen to move Section 500-4 Loudspeakers and Amplifying Systems from Ordinance No. 3783 to a later date for additional consideration and seconded by Tiffany Brault, and the motion was **Passed**.

Ayes: Brault, Heisler, Mullen, Ricchio, Schuessler

Nays: Brett Zimmermann

Absent: Cassaday

A Motion was made by Patrick Mullen to approve Ordinance No. 3783 as amended for various Chapters of the Code of the City of Fond du Lac regarding Parking Citations, Amusement Devices, Mail Deliveries, Fire and Fire Prevention, Private Ambulance Providers, Tobacco and Cigarette Licenses, No Mow May, The Chief of Police and Zoning Code Changes and seconded by Jane Ricchio, and the

motion was **Passed.**

Ayes: Brault, Heisler, Mullen, Ricchio, Schuessler, Zimmermann

Absent: Cassaday

Ordinance No. 3784

File No. 2024-49

A Motion was made by Tiffany Brault to approve Ordinance No. 3784 establishing a Municipal Court for the Cities of Fond du Lac and Ripon, Towns of Auburn, Calumet, Empire, Fond du Lac, Friendship, Oakfield, Osceola, Ripon and Taycheedah in Fond du Lac County, Village of Wilson in Sheboygan County and the Villages of Brandon, Campbellsport, Eden, Fairwater, North Fond du Lac, Oakfield and St. Cloud in Fond du Lac County and the City of Berlin in Green Lake and Waushara Counties, the Cities of Green Lake, Markesan and Princeton in Green Lake County and seconded by Patrick Mullen, and the motion was **Passed.**

Ayes: Brault, Heisler, Mullen, Ricchio, Schuessler, Zimmermann

Absent: Cassaday

Ordinance No. 3785

File No. 2024-50

A Motion was made by Tiffany Brault to send back Ordinance No. 3785 Amending Chapter 400, Intoxicating Liquor and Fermented Malt Beverages regarding the Demerit Point System to Alcohol License Committee for additional review and seconded by Jane Ricchio, and the motion **Failed.**

Ayes: Brault, Ricchio

Nays: Heisler, Mullen, Schuessler, Zimmermann

Absent: Cassaday

A Motion was made by Patrick Mullen to approve Ordinance No. 3785 Amending Chapter 400, Intoxicating Liquor and Fermented Malt Beverages Regarding the Demerit Point System and seconded by Thomas Schuessler, and the motion was **Passed.**

Ayes: Heisler, Mullen, Schuessler, Zimmermann

Nays: Brault, Ricchio

Absent: Cassaday

PRESENTATION OF INPUT ITEMS

ADJOURN

Adjourn To Closed Session

Consider Employment, Promotion, Compensation Or Performance Evaluation Data Of Any Public Employee Over Which The Governmental Body Has Jurisdiction Or Exercises Responsibility.

The Subject Of The Closed Session Is:

2024 City Manager Performance

This Subject Is Exempt Under Wisconsin Statutes Section 19.85(1)(c)

A Motion was made by Brett Zimmermann to adjourn to Closed Session at 7:35 p.m. and seconded by Patrick Mullen, and the motion was **Passed.**

Ayes: Brault, Heisler, Mullen, Ricchio, Schuessler, Zimmermann

Absent: Cassaday

Margaret Hefter
City Clerk

**CITY COUNCIL MEETING AGENDA
CITY OF FOND DU LAC, WISCONSIN**

Title: February 28, 2024 Closed Session Council Minutes

Subject: February 28, 2024 Closed Session Council Minutes

Initiator:

Recommendation:

ATTACHMENTS:

File Name

**CITY COUNCIL MEETING AGENDA
CITY OF FOND DU LAC, WISCONSIN**

Title: List Of Claims Dated March 6, 2024

Subject: List Of Claims Dated March 6, 2024

Initiator:

Recommendation:

ATTACHMENTS:

File Name

[List of Claims Memo 03-06-24.pdf](#)

CITY OF FOND DU LAC - Memorandum

Department of Administration

Date: March 06, 2024

To: City Council

From: Tricia Davi, Director of Administration

Re: List of Claims

The list of claims for goods and services for the payment periods February 17, 2024 through March 01, 2024 for all funds total \$1,473,887.66. Wisconsin statute 66.0609 (2) requires the comptroller to file, at least monthly with the City Council, a list of approved claims paid.

Suggested Motion: Receive and File

**CITY COUNCIL MEETING AGENDA
CITY OF FOND DU LAC, WISCONSIN**

Title: Change Of Agent "Class A" Intoxicating and Class "A" Fermented Malt License

Subject: Corporation: Walgreens Co.
Agent Name: Carol Howe
Agent Address: 125 River Hills Dr., Fond du Lac
d/b/a: Walgreens #10927
Address: 20 W Pioneer Rd., Fond du Lac
Introduction: City Clerk

Initiator:

Recommendation:

ATTACHMENTS:

File Name

[Walgreens.pdf](#)

Fond du Lac Police Department

MEMO



To: City Manager Joe Moore
From: Captain A. Hahn
RE: 2024 Change of Agent, Walgreens #10927, 20 W. Pioneer Rd.
Date: 02/27/24

Appointment of Agent

Walgreens has notified the City of Fond du Lac regarding a Change of Agent request for the location of Walgreens #10927, 20 W. Pioneer Rd, Fond du Lac, and appoints Carol Howe as the new agent for this establishment. Background checks conducted on Howe, both in-house and NCIC/CIB, indicate no prior criminal history that would preclude the issuance of the change of agent request. The Police Department has no objections to the change of agent request.

**Schedule for Appointment of Agent by Corporation / Nonprofit
Organization or Limited Liability Company**

Submit to municipal clerk.

All corporations/organizations or limited liability companies applying for a license to sell fermented malt beverages and/or intoxicating liquor must appoint an agent. The following questions must be answered by the agent. The appointment must be signed by an officer of the corporation/organization or one member/manager of a limited liability company and the recommendation made by the proper local official.

To the governing body of: ☐ Town
☐ Village of Fond du Lac County of Fond du Lac
☒ City

The undersigned duly authorized officer/member/manager of Walgreens
(Registered Name of Corporation / Organization or Limited Liability Company)

a corporation/organization or limited liability company making application for an alcohol beverage license for a premises known as

Walgreens #10927
(Trade Name)

located at 20 W. Pioneer Rd, Fond du Lac, WI 54435

appoints Carol Howe
(Name of Appointed Agent)

125 River Hills Dr. #4306 Fond du Lac, WI 54437
(Home Address of Appointed Agent)

to act for the corporation/organization/limited liability company with full authority and control of the premises and of all business relative to alcohol beverages conducted therein. Is applicant agent presently acting in that capacity or requesting approval for any corporation/organization/limited liability company having or applying for a beer and/or liquor license for any other location in Wisconsin?

☐ Yes ☐ No If so, indicate the corporate name(s)/limited liability company(ies) and municipality(ies).

Is applicant agent subject to completion of the responsible beverage server training course? ☒ Yes ☐ No

How long immediately prior to making this application has the applicant agent resided continuously in Wisconsin? 16 years

Place of residence last year 125 River Hills Drive #4306 Fond du Lac, WI 54437

For: Walgreens
(Name of Corporation / Organization / Limited Liability Company)

By: B.A.B.
(Signature of Officer / Member / Manager)

Any person who knowingly provides materially false information in an application for a license may be required to forfeit not more than \$1,000.

ACCEPTANCE BY AGENT

I, Carol Howe, hereby accept this appointment as agent for the
(Print / Type Agent's Name)

corporation/organization/limited liability company and assume full responsibility for the conduct of all business relative to alcohol beverages conducted on the premises for the corporation/organization/limited liability company.

[Signature] 2/1/24
(Signature of Agent) (Date)
125 River Hills Dr. #4306 Fond du Lac, WI 54437
(Home Address of Agent)

Agent's age

Date of birth

**APPROVAL OF AGENT BY MUNICIPAL AUTHORITY
(Clerk cannot sign on behalf of Municipal Official)**

I hereby certify that I have checked municipal and state criminal records. To the best of my knowledge, with the available information, the character, record and reputation are satisfactory and I have no objection to the agent appointed.

Approved on 2-26-24 by AJR 125 Title CAPTAIN OF POLICE
(Date) (Signature of Proper Local Official) (Town Chair, Village President, Police Chief)

Appointment of Successor Agent – Retail Licenses

Submit this form to your licensing authority with a \$10 processing fee.

If there is a change in agent, each club, corporation, or limited liability company that holds a retail license to sell fermented malt beverages and/or intoxicating liquor must appoint a successor agent and have the appointment approved by the licensing authority pursuant to sec. 125.04(6), Wis. Stats. The following questions must be answered by the agent, and the appointment must be signed by an officer of the corporation/organization or one member of the limited liability company (only one signature is required).

Section 1: Licensee Information and Acknowledgement

Licensee Name

Shelby Doss

Reason for Cancellation of Appointed Agent

Store Manager transferred locations

The undersigned appoints Carol Howe as
agent in accordance with sec. 125.04(6), Wis. Stats.

C.R.B.

Signature of President / Member

Date

2/5/24

Section 2: Agent Information and Acknowledgement

Agent Name

Carol Howe

Mailing Address

125 River Hills Dr #4300

City or Post Office

Fond du Lac

State

WI

Zip Code

54937

Agent Questions

Yes No

1. Are you of legal drinking age? ☒ Yes ☐ No
2. Have you been a resident of Wisconsin for at least 90 continuous days prior to the date of appointment as agent? ☒ Yes ☐ No
3. Have you ever been convicted of a federal law violation? ☐ Yes ☒ No
4. Have you ever been convicted of a state law violation? ☐ Yes ☒ No
5. Have you ever been convicted of a local ordinance violation? ☐ Yes ☒ No
6. Have you completed the required responsible beverage server training course per sec. 125.04(5)(a)5, Wis. Stats.? ... ☒ Yes ☐ No

UNDER PENALTY OF LAW, I declare that my answers above are true and correct to the best of my knowledge and belief.

I hereby accept appointment as agent for Walgreens #10927 and
assume full responsibility of the conduct of the business relative to fermented malt beverages and intoxicating liquors.

Signature of Agent

Date

2/1/24

Section 3: Licensing Authority Approval

Municipality Name

Signature of Official

Date

Title of Official



Walgreen Co.
Corporate Offices
300 Wilmot Rd. MS#3215
Deerfield, IL 60015
www.walgreens.com

February 6, 2024

City of Fond du Lac
Clerk's Office
160 South Macy Street
Fond du Lac, WI 54935

To Whom It May Concern:

Enclosed please find the required documents and check(\$10.00) to update the resident agent on file for the liquor license for Walgreens #10927 located at 20 W PIONEER RD. FOND DU LAC , WI 54935.

Please feel free to contact me if you have any questions or concerns regarding this request.

Thank you for your attention and cooperation regarding this matter. It is greatly appreciated. Please mail a copy of the license to the store and if you can, please send me an electronic copy of the license.

Sincerely,
Frances Valentino
License Administration
Office: 847-315-8929
frances.gomez.valentino@walgreens.com

**CITY COUNCIL MEETING AGENDA
CITY OF FOND DU LAC, WISCONSIN**

Title: Class "B" Fermented Malt License & "Class C" Wine License

Subject: Limited Liability Co: TTAK LLC
Agent: Todd Lisowe
Home Address: W4660 Aeolus Way
d/b/a: Ang an Eddies
Location of Premises: 7 14th Street
Introduction: City Clerk

Initiator:

Recommendation: Alcohol License Committee Recommendation: **Approve**

ATTACHMENTS:

File Name

[ang and eddies Redacted.pdf](#)

[Ang and Eddies ALC Minutes.pdf](#)

Fond du Lac Police Department

MEMO



To: City Manager Joe Moore
From: Captain Anthony Hahn
RE: *Class B Beer and Class C Wine, Ang and Eddies, 7 14th St.*
Date: 01-31-24

On January 31, 2024, Assistant City Attorney Taylor Call, Fire Division Chief Jason Roberts and Police Captain Hahn, met with applicant Todd Lisowe, regarding his proposal for a Class B Beer and Class C Wine license at Ang and Eddies, 7 14th St., Fond du Lac, WI.

The legal business name is TTAK LLC, DBA Ang and Eddies, where Mr. Lisowe and his wife Angela McCrory-Lisowe are the current owners of this restaurant. Todd and Angela Lisowe purchased the business with another couple in February of 2023. In July 2023, the Lisowe's took over full owner ownership by themselves.

Ang and Eddies is a restaurant that sells Chicago style pizza and sandwiches. They currently have approximately 10 tables and 24 seats, with a capacity of 40 people. During their ownership of the business, they received requests from customers to have beer with their meal. This request from customers was one of the basis for seeking the alcohol license.

Currently the business hours are Wednesday thru Saturday 4pm to 9pm and on Fridays they will open earlier for lunch at 11 am. He has no current plans on staying open later in the evening. Mr. Lisowe advises much of the business is carry out or delivery.

Mr. Lisowe currently works for a company in the food industry. He also has been involved with Ang and Eddies for approximately one year. Early in his career he also had experience as a bartender and in the restaurant/food service business setting.

Captain Hahn discussed with the applicant the City's expectations of being a license holder.

Background checks conducted on the applicant, both in-house and NCIC/CIB, indicate no prior criminal history that would preclude the issuance of the license request. The Police Department has no objections to the license request.

Form
AT-106

Original Alcohol Beverage
License Application

| FOR CLERKS ONLY | |
|-----------------|-------------------|
| Municipality | C-0007 / C-0008 |
| License Period | 3/14/24 - 6/30/24 |

License(s) Requested

- ☐ Class "A" Beer \$ _____ ☐ "Class A" Liquor \$ _____
- ☒ Class "B" Beer \$ 50- ☐ "Class B" Liquor \$ _____
- ☒ "Class C" Wine \$ 50- ☐ "Class A" Liquor (Cider Only) \$ _____
- ☐ Reserve "Class B" Liquor \$ _____ ☐ "Class B" (Wine Only) Winery \$ _____

| | |
|-------------------|---------------|
| License Fees | \$ 100 |
| Publication Fee | \$ 55 |
| Background Check | \$ |
| Total Fees | \$ 155 |

Part A: Premises/Business Information

1. Legal Business Name (registered entity name or Individual's name if sole proprietorship)

TTAK LLC

2. Trade Name or DBA

Ang an Eddies

3. Premises Address

7 14th St, Fond du Lac, WI 54935

4. County

Fond du Lac

5. Municipality

Fond du Lac

6. Aldermanic District

7. Mailing Address (if different from premises address)

8. FEIN

92-1251741

9. Wisconsin Seller's Permit Number

456-1031196112-04

10. Premises Phone

(920) 929-8909

11. Premises Email

ttakllcfdl@gmail.com

12. Entity Type (check one)

☐ Sole Proprietor

☐ Partnership

☒ Limited Liability Company

☐ Corporation

☐ Nonprofit Organization

13. Premises Description - Describe the building or buildings where alcohol beverages are to be sold and stored. Describe all rooms including living quarters, if used, for the sales, service, consumption, and/or storage of alcohol beverages and records. Alcohol beverages may be sold and stored ONLY on the premises described in this application. Attach additional sheets if necessary.

A restaurant dining room, kitchen area, and basement storage room.

Dining room to be approximately 25x25 ft in size with 10 tables and seating for approximately 40 people.

One stall Bathroom approximately 8x8 ft.

Kitchen area approximately 15x25 ft to include coolers, prep tables, ovens, etc

Basement storage room approximately 20 x 25 ft to include stock supplies, coolers and freezers.

Part B: Questions

1. Have the partners, agent, or sole proprietor satisfied the responsible beverage server training requirement for this license period? Submit a copy of Responsible Beverage Server Training Course Certificate

☒ Yes

☐ No

2. Does the applicant business or its partners, officers, directors, managing members, or agent hold a direct or indirect interest in any alcohol beverage wholesaler or producer (e.g., brewer, brewpub, winery, distillery)?

☐ Yes

☒ No

If yes, please explain using the space below. Attach additional sheets if necessary.

Part C: For Corporate/LLC Applicants Only

1. State of Registration

Wisconsin

2. Date of Registration

12/07/20

3. Is the applicant business owned by another corporation or LLC? If yes, please provide the name and FEIN of the parent company below, include parent company members in Part D, and attach Form AT-103 for all of the parent company's principal members, managers, officers, or directors

☐ Yes ☒ No

Name of Parent Company

FEIN of Parent Company

4. Does the parent company or any of its officers, directors, managing members, or agent hold any direct or indirect interest in any other alcohol beverage wholesaler or producer (e.g., brewer, brewpub, winery, distillery)? If yes, please explain using the space below. Attach additional sheets if necessary.

☐ Yes ☒ No

5. Agent's Last Name

Lisowe

Agent's First Name

Todd

Phone

Part D: Individual Information

A Supplemental Questionnaire, Form AT-103, must be completed and attached to this application for each person involved in the applicant business and any parent company as indicated in Part C. Persons in the applicant business include: sole proprietor, all officers, directors, and agent of a corporation or nonprofit organization, all partners of a partnership, and all managing members and agent of a limited liability company.

List the full name, title, and phone number for each person below. Attach additional sheets if necessary.

| Last Name | First Name | Title | Phone |
|----------------|------------|--------|-------|
| Lisowe | Todd | Member | |
| McCrary-Lisowe | Angela | Member | |
| | | | |
| | | | |

Part E: Attestation

Who must sign this application?

• sole proprietor • one general partner of a partnership • one corporate officer • one managing member of an LLC

READ CAREFULLY BEFORE SIGNING: Under penalty of law, I have answered each of the above questions completely and truthfully. I agree that I am acting solely on behalf of the applicant business and not on behalf of any other individual or entity seeking the license. Further, I agree that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another individual or entity. I agree to operate this business according to the law, including but not limited to, purchasing alcohol beverages from state authorized wholesalers. I understand that lack of access to any portion of a licensed premises during inspection will be deemed a refusal to allow inspection. Such refusal is a misdemeanor and grounds for revocation of this license. I understand that any license issued contrary to Wis. Stat. Chapter 125 shall be void under penalty of state law. I further understand that I may be prosecuted for submitting false statements and affidavits in connection with this application, and that any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000 if convicted.

Signature

Date

Name (Last, First, M.I.)

Lisowe, Todd

Title

Member

Email

ttakllcfdl@gmail.com

Phone

Part F: For Clerk Use Only

Date application was filed with clerk

JAN 23 2024

Date reported to governing body

Date provisional license issued (if applicable)

Date license granted

License number

Date license issued

Signature of Clerk/Deputy Clerk

Alcohol Beverage License Application
Supplemental QuestionnaireDate
01/21/24

This form must be submitted to the municipal clerk, and be accompanied by one or more of the following forms: AT-104, AT-106, AT-108, AT-115, or AT-200. One Form AT-103 must be completed by each person involved in the applicant business or parent company including:

- sole proprietor
- all officers, directors, and agent of a corporation or nonprofit organization
- all partners of a partnership
- managing members and agent of a limited liability company

Your alcohol beverage application or renewal is not complete until all required Supplemental Questionnaires are submitted.

Part A: Premises/Business Information

1. Registered Entity Name (or individual name if sole proprietor)

TTAK LLC

2. Trade Name or DBA

Ang an Eddies

3. Entity Type (check one)

☐ Sole Proprietor☐ Partnership☒ Limited Liability Company☐ Corporation☐ Nonprofit Organization**Part B: Individual Information**

1. Name (Last, First, M.I.)

Todd Lisowe

2. Relationship to Registered Entity (Title)

Member

3. Email

ttakllcfdl@gmail.com

4. Phone

5. Home Address

W4660 Aeolus Way

6. City

Fond du Lac

7. State

WI

8. Zip Code

54937

9. Date of Birth

10. Drivers License/State ID Number

11. Drivers License/State ID State of Issuance

Wisconsin

Part C: Address History

List in chronological order your last two residence addresses within the last 5 years.

Previous Address 1

400 Vine St

Previous City, State, Zip

Fond du Lac, WI 54935

Dates (MM/YYYY - MM/YYYY)

11/01/2002-10/31/2022

Previous Address 2

Previous City, State, Zip

Dates (MM/YYYY - MM/YYYY)

Part D: Employment History

List in chronological order your last two employers within the last 5 years.

Employer's Name

Sysco Corporation

Employer's Address

1 Sysco Dr, Jackson, WI 53037

Dates Employed (MM/YYYY - MM/YYYY)

09/30/2013

Employer's Name

Employer's Address

Dates Employed (MM/YYYY - MM/YYYY)

Part E: Criminal History

1. Have you ever been convicted of any offenses (other than traffic offenses unrelated to alcohol beverages) for violation of any federal, Wisconsin, or another state's laws or of any county or municipal ordinances? ☐ Yes ☒ No

If yes to question 1, please list details of each conviction below. Attach additional sheets as needed.

| | |
|------------------------|--|
| Law/Ordinance Violated | Trial Date |
| Penalty Imposed | Was sentence completed? <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Law/Ordinance Violated | Trial Date |
| Penalty Imposed | Was sentence completed? <input type="checkbox"/> Yes <input type="checkbox"/> No |

2. Are charges for any offenses currently pending against you (other than traffic offenses unrelated to alcohol beverages) for violation of any federal, Wisconsin, or another state's laws or any county or municipal ordinances? ☐ Yes ☒ No

If yes to question 2, describe nature and status of pending charges using the space below. Attach additional sheets as needed.

Part F: Questions

1. Have you lived in any state other than Wisconsin as an adult? If yes, please list them in the space below. If no, continue to question 2. ☒ Yes ☐ No

Colorado
Minnesota

- | | | |
|--|-------------|--------------|
| 2. How long have you continuously lived in Wisconsin prior to the date of application? | Years 25 | Months 11 |
|--|-------------|--------------|

3. Do you hold a direct or indirect interest in any alcohol beverage wholesaler or producer (e.g. brewer, brewpub, winery, distillery)? If yes, please explain using the space below. Attach additional sheets as needed. ☐ Yes ☒ No

Part G: Attestation

READ CAREFULLY BEFORE SIGNING: I understand that any license issued contrary to Wis. Stat. Chapter 125 shall be void under penalty of state law. I further understand that I may be prosecuted for submitting false statements and affidavits in connection with this application, and that any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000 if convicted.

| | |
|---|-----------------|
| Signature  | Date 1.23.24 |
|---|-----------------|

Form
AT-103

Alcohol Beverage License Application Supplemental Questionnaire

This form must be submitted to the municipal clerk, and be accompanied by one or more of the following forms: AT-104, AT-106, AT-108, AT-115, or AT-200. One Form AT-103 must be completed by each person involved in the applicant business or parent company including:

- sole proprietor
- all officers, directors, and agent of a corporation or nonprofit organization
- all partners of a partnership
- managing members and agent of a limited liability company

Your alcohol beverage application or renewal is not complete until all required Supplemental Questionnaires are submitted.

| | |
|--|--|
| Part A: Premises/Business Information | |
| 1. Registered Entity Name (or individual name if sole proprietor) TTAK LLC | |
| 2. Trade Name or DBA Ang an Eddies | |
| 3. Entity Type (check one) <input type="checkbox"/> Sole Proprietor <input type="checkbox"/> Partnership <input checked="" type="checkbox"/> Limited Liability Company <input type="checkbox"/> Corporation <input type="checkbox"/> Nonprofit Organization | |

| | | | |
|---|--|---|----------------------|
| Part B: Individual Information | | | |
| 1. Name (Last, First, M.I.) Angela McCrory-Lisowe | | | |
| 2. Relationship to Registered Entity (Title) Member | | 3. Email ttakllcfdl@gmail.com | |
| 4. Phone [REDACTED] | | | |
| 5. Home Address W4660 Aeolus Way | | | |
| 6. City Fond du Lac | | 7. State WI | 8. Zip Code 54937 |
| 9. Date of Birth [REDACTED] | | 10. Drivers License/State ID Number [REDACTED] | |
| 11. Drivers License/State ID State of Issuance Wisconsin | | | |

| | |
|--|--|
| Part C: Address History | |
| List in chronological order your last two residence addresses within the last 5 years. | |
| Previous Address 1 400 Vine St | |
| Previous City, State, Zip Fond du Lac, WI 54935 | Dates (MM/YYYY - MM/YYYY) 03/01/2011-10/31/2022 |
| Previous Address 2 | |
| Previous City, State, Zip | Dates (MM/YYYY - MM/YYYY) |

| | |
|--|--|
| Part D: Employment History | |
| List in chronological order your last two employers within the last 5 years. | |
| Employer's Name Horicon Bank | |
| Employer's Address 1207 W Johnson St, Fond du Lac, WI 54937 | Dates Employed (MM/YYYY - MM/YYYY) 11/19/2018 |
| Employer's Name | |
| Employer's Address | Dates Employed (MM/YYYY - MM/YYYY) |

Part E: Criminal History

1. Have you ever been convicted of any offenses (other than traffic offenses unrelated to alcohol beverages) for violation of any federal, Wisconsin, or another state's laws or of any county or municipal ordinances? ☐ Yes ☒ No

If yes to question 1, please list details of each conviction below. Attach additional sheets as needed.

| | |
|------------------------|--|
| Law/Ordinance Violated | Trial Date |
| Penalty Imposed | Was sentence completed? <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Law/Ordinance Violated | Trial Date |
| Penalty Imposed | Was sentence completed? <input type="checkbox"/> Yes <input type="checkbox"/> No |

2. Are charges for any offenses currently pending against you (other than traffic offenses unrelated to alcohol beverages) for violation of any federal, Wisconsin, or another state's laws or any county or municipal ordinances? ☐ Yes ☒ No

If yes to question 2, describe nature and status of pending charges using the space below. Attach additional sheets as needed.

Part F: Questions

1. Have you lived in any state other than Wisconsin as an adult? If yes, please list them in the space below. If no, continue to question 2. ☒ Yes ☐ No

Florida

- | | | |
|---|-------------|-------------|
| 2. How long have you continuously lived in Wisconsin prior to the date of application? | Years 18 | Months 5 |
| 3. Do you hold a direct or indirect interest in any alcohol beverage wholesaler or producer (e.g. brewer, brewpub, winery, distillery)? If yes, please explain using the space below. Attach additional sheets as needed. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | |

Part G: Attestation

READ CAREFULLY BEFORE SIGNING: I understand that any license issued contrary to Wis. Stat. Chapter 125 shall be void under penalty of state law. I further understand that I may be prosecuted for submitting false statements and affidavits in connection with this application, and that any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000 if convicted.

| | |
|---|--------------|
| Signature  | Date 1/22/04 |
|---|--------------|

Schedule for Appointment of Agent by Corporation / Nonprofit Organization or Limited Liability Company

Submit to municipal clerk.

All corporations/organizations or limited liability companies applying for a license to sell fermented malt beverages and/or intoxicating liquor must appoint an agent. The following questions must be answered by the agent. The appointment must be signed by an officer of the corporation/organization or one member/manager of a limited liability company and the recommendation made by the proper local official.

To the governing body of: ☐ Town
☐ Village of Fond du Lac County of Fond du Lac
☒ City

The undersigned duly authorized officer/member/manager of TTAK LLC
(Registered Name of Corporation / Organization or Limited Liability Company)

a corporation/organization or limited liability company making application for an alcohol beverage license for a premises known as Ang an Eddies

located at 7 14th St, Fond du Lac, WI 54935
(Trade Name)

appoints Todd Lisowe
(Name of Appointed Agent)
W4660 Aeolus Way, Fond du Lac, WI 54937
(Home Address of Appointed Agent)

to act for the corporation/organization/limited liability company with full authority and control of the premises and of all business relative to alcohol beverages conducted therein. Is applicant agent presently acting in that capacity or requesting approval for any corporation/organization/limited liability company having or applying for a beer and/or liquor license for any other location in Wisconsin?

☐ Yes ☒ No If so, indicate the corporate name(s)/limited liability company(ies) and municipality(ies).

Is applicant agent subject to completion of the responsible beverage server training course? ☒ Yes ☐ No

How long immediately prior to making this application has the applicant agent resided continuously in Wisconsin? 25 years

Place of residence last year W4660 Aeolys Way, Fond du Lac, WI 54937

For: TTAK LLC, DBA Ang an Eddies
(Name of Corporation / Organization / Limited Liability Company)

By: [Signature]
(Signature of Officer / Member / Manager)

Any person who knowingly provides materially false information in an application for a license may be required to forfeit not more than \$1,000.

ACCEPTANCE BY AGENT

I, Todd Lisowe, hereby accept this appointment as agent for the
(Print / Type Agent's Name)

corporation/organization/limited liability company and assume full responsibility for the conduct of all business relative to alcohol beverages conducted on the premises for the corporation/organization/limited liability company.

[Signature] 1.23.24 Agent's age [Redacted]
(Signature of Agent) (Date)
W4660 Aeolus Way, Fond du Lac, WI 54937 Date of birth [Redacted]
(Home Address of Agent)

APPROVAL OF AGENT BY MUNICIPAL AUTHORITY (Clerk cannot sign on behalf of Municipal Official)

I hereby certify that I have checked municipal and state criminal records. To the best of my knowledge, with the available information, the character, record and reputation are satisfactory and I have no objection to the agent appointed.

Approved on 1-31-24 by A. J. He 125 Title CAPTAIN OF POLICE
(Date) (Signature of Proper Local Official) (Town Chair, Village President, Police Chief)

I. EXECUTIVE SUMMARY

Our plan is to take over a current business that will sell Chicago style pizza and sandwiches to current customer base and retail locations. Our management team consists of Todd Lisowe, Angie McCrory-Lisowe, Travis Lambrecht and Keri Lambrecht. Our team has a wide range of business and people expertise to successfully grow this business. Our market size is Fond du Lac county, and our customer base consists of current customer base including the retail frozen pizza accounts. We will market to our target customers using the following methods: 1) Database invitation for special events. 2) social media 3) Direct sales approach for retail business. In order to get this business off the ground, we require \$120,000 in funds, for the purposes of purchasing the business and working capital. Our goal is to reach cash flow positive in 18 months.

II. BUSINESS DESCRIPTION

This homemade Chicago style pizza/sandwich business will operate in the hospitality industry. Our mission is to provide a unique family dining experience and our vision is to unite people with homemade food.

We are selling pizza and sandwiches and our competitive advantage is proven product in the area for years. Currently, the alternatives that buyers use are national and local pizza business. However, those alternatives lack that style of food products we will be offering.

This specific industry is the Hospitality industry, and it is expected to see steady growth. Given those predictions, our company will perform successfully because we have been in the business and 2 of the partners are currently operating a similar business model. We plan to reach \$300,000 in yearly sales and to increase our annual sales by the end of the first year and 15% growth over the next 3 years.

III. MARKET ANALYSIS AND COMPETITION

After analyzing the market and researching the demand for Pizza, we have determined that this is the best time to permeate the market because it is an existing, successful business.

Our market size is Fond du Lac city, and our target market segment(s) can be described as follows:

Segment 1

- 1) Demographic
 - a) Gender, all
 - b) Age,
 - c) Income,
 - d) Education
 - e) Marital Status
- 2) Psychographic
 - a) Social status
 - b) Beliefs
 - c) Values
 - d) Interests
 - e) Lifestyle preferences
- 3) Geographic

Fond du Lac, area with delivery

We determined that there is enough demand for our product and service within this particular segment due to the existing business has been here for 30 years.

Currently, our biggest competitors are Bob's Pizza and Joe's Fox Hut. What separates us from the competition are style of pizza and service levels.

In comparison to what's offered on the market, our prices are right in line based on the cost of goods, which is in line with our competition.

Here is an estimated comparison of our business to existing competitors:

| CATEGORY | OUR COMPANY | COMPETITOR 1 | COMPETITOR 2 |
|---------------------|-------------|--------------|--------------|
| Est. Yearly Revenue | \$000,000 | \$000,000 | \$000,000 |
| Price Level | Average | High | Low |
| No. Employees | 15 | 30 | 40 |
| Quality | High | Average | Low |

IV. MARKETING AND SALES PLAN

Advertising and promotion are essential to getting the word out about our business, and we expect to implement a social media marketing strategy, which will include direct current customer database marketing and ownership warm market. This strategy will enable us to effectively target existing business and grow with new social media contacts due to our personal links.

Our key offerings include Chicago style pizza, sandwiches and hot dog cart. Our offerings benefit our target customers more than what is currently on the market because we will be able to utilize the team approach with all owners involved. Our unique selling proposition is using each of our talents to reach more customers.

The various methods we plan to use to communicate our offerings to our target customers are social media and word of mouth. Additionally, we aim to promote our hot dog carts by getting involved with other communities.

We intend to distribute our products/services to customers by delivery and setting up in different areas of the communities. We will be selling wholesale and retail and will use cash/credit card for collection of those products and services.

V. OPERATIONS AND MANAGEMENT PLAN

Our physical business locations will be 7 14th St., Fond du Lac, Wi. Other physical requirements of our business are wherever we can take the hot dog cart.

Our production workflow is made to order. Our staffing requirements are Todd and Keri, for in house pizza and we have 2 employees we will retain. Employee training will be provided by Todd and Keri.

VI. DEVELOPMENT PLAN

The development of our offering will occur over the course of the first month. We will launch our marketing strategy mid-January with using our personal social media and current social media from current owners to retain/grow business.

Our organizational structure will be Todd and Keri working during operating hours, Angie to handle the financial area and Travis to help out with prep work. We look to retain 3 of the current employees and bring on 2 more at the beginning.

We anticipate our monthly costs and expenses to be less then the current cost because we will be change the POS system to reduce that cost as well as the advertising cost. We have an anticipated monthly revenue of \$25000.

With the money sourced, we plan to invest in buying the business and all of the current assests which includes the frozen pizza business customers. One year out from launch, our goal is to increase sales by 25%. Five years out from launch, our goal is to have sales of \$500,000.

VII. FINANCIAL STATEMENTS

The following financial statements demonstrate that our business will grow and be profitable.

Provide your projected income statement, cash flow statement, and balance sheet. Additionally, attach a break-even analysis to provide investors with the level of sales you need to make a profit.

VIII. SUPPORTING DOCUMENTS AND ATTACHMENTS

Attached here are the documents that support the information provided in the plan, including current P&L and tax returns from the last 4 years.

ALCOHOL LICENSE COMMITTEE
MEETING MINUTES
CITY OF FOND DU LAC, WISCONSIN
Meeting Room A
160 S Macy Street

February 26, 2024
4:00 PM

ROLL CALL

Attendance

Present

Scott Gilgenbach
Mason Gravelle
Brandon Hiller
Jane Ricchio

Absent

Peter Doll - excused
Mel Kolstad - excused

Administrative Staff

Taylor Call, Assistant City Attorney
Ali Panagopoulos, Deputy City Attorney
Anthony Hahn, Police Captain

Declaration Quorum Present

City Clerk Margaret Hefter declared a quorum present.

Class "B" Fermented Malt License & "Class C" Wine License
Limited Liability Co: TTAK LLC
Agent: Todd Lisowe
Home Address: W4660 Aeolus Way
d/b/a: Ang an Eddies
Location of Premises: 7 14th Street

A Motion was made by Jane Ricchio to recommend approval to City Council for the Class "B" Fermented Malt and "Class C" Wine license for Ang an Eddies at 7 14th Street and seconded by Mason Gravelle, and the motion was **Passed**.

Ayes: Gilgenbach, Gravelle, Hiller, Ricchio

**CITY COUNCIL MEETING AGENDA
CITY OF FOND DU LAC, WISCONSIN**

Title: "Class A" Intoxicating Liquor and Class "A" Fermented Malt License

Subject: Limited Liability Co: BALAJI LLC
Agent: Johnny Patel
Home Address: 1136 Deer Run, FDL
d/b/a: Philly on 4th
Location of Premises: 321 4th Street
Introduction: City Clerk

Initiator:

Recommendation: Alcohol License Committee Recommendation: **Approve**

ATTACHMENTS:

File Name

[phillys_Redacted.pdf](#)

[Philly on 4th ALC Minutes.pdf](#)

Fond du Lac Police Department

MEMO



To: City Manager Joe Moore
From: Captain A. Hahn
RE: Class A Beer and Class A Liquor, Philly on 4th, 321 4th St.
Date: 02-13-24

On February 13, 2024 Deputy City Attorney Alexandra Panagopoulos, Assistant City Attorney Taylor Call, City Clerk Margaret Heffer, Fire Division Chief Jason Roberts and Police Captain Anthony Hahn met with met with alcohol beverage license applicant Johnny Patel, regarding his proposal for a Class A Beer and Class A Liquor license at Philly on 4th, 321 4th St., Fond du Lac, WI.

This location is currently a convenience store. Patel is in the process of purchasing the business. There are no changes planned at this time. He will be keeping the same hours, 5a-8p with Sunday being 6a-8p.

Patel does have experience in this field. He currently operates Pioneer Pit Stop gas station/convenience store at 20 E Pioneer Rd., Fond du Lac, WI. He had this business since 2007, and prior to that he had 6 years' experience at a convenience store in another city.

Captain Hahn discussed with the applicant the City's expectations of being a license holder.

Background checks conducted on applicant Patel both in-house and NCIC/CIB, indicate no prior Criminal History that would preclude the issuance of the license request.

Form
AT-106

Original Alcohol Beverage License Application

| FOR CLERKS ONLY | |
|-----------------|------------------|
| Municipality | City of FDL |
| License Period | 5/1/24 - 6/30/24 |

License(s) Requested


- ☒ Class "A" Beer \$ 100 ☒ "Class A" Liquor \$ 250
- ☐ Class "B" Beer \$ ☐ "Class B" Liquor \$
- ☐ "Class C" Wine \$ ☐ "Class A" Liquor (Cider Only) \$
- ☐ Reserve "Class B" Liquor \$ ☐ "Class B" (Wine Only) Winery \$

| | |
|-------------------|----------------------|
| License Fees | \$ <u>350</u> |
| Publication Fee | \$ <u>55</u> |
| Background Check | \$ |
| Total Fees | \$ <u>405</u> |

| Part A: Premises/Business Information | | |
|---|--|------------------------|
| 1. Legal Business Name (registered entity name or individual's name if sole proprietorship) BALAJI LLC | | |
| 2. Trade Name or DBA PHILLY ON 4TH | | |
| 3. Premises Address 321 4TH STREET | | |
| 4. County FOND DU LAC | 5. Municipality | 6. Aldermanic District |
| 7. Mailing Address (if different from premises address) 321 4TH STREET | | |
| 8. FEIN 93-4406578 | 9. Wisconsin Seller's Permit Number 456-1031537521-04 | |
| 10. Premises Phone 920-266-3501 | 11. Premises Email BALAJILLC01@GMAIL.COM | |
| 12. Entity Type (check one) <input type="checkbox"/> Sole Proprietor <input type="checkbox"/> Partnership <input checked="" type="checkbox"/> Limited Liability Company <input type="checkbox"/> Corporation <input type="checkbox"/> Nonprofit Organization | | |
| 13. Premises Description - Describe the building or buildings where alcohol beverages are to be sold and stored. Describe all rooms including living quarters, if used, for the sales, service, consumption, and/or storage of alcohol beverages and records. Alcohol beverages may be sold and stored ONLY on the premises described in this application. Attach additional sheets if necessary. Alcohol is store on premises / inside the store and in the cooler. | | |

| Part B: Questions | |
|--|---|
| 1. Have the partners, agent, or sole proprietor satisfied the responsible beverage server training requirement for this license period? Submit a copy of Responsible Beverage Server Training Course Certificate. | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| 2. Does the applicant business or its partners, officers, directors, managing members, or agent hold a direct or indirect interest in any alcohol beverage wholesaler or producer (e.g., brewer, brewpub, winery, distillery)? If yes, please explain using the space below. Attach additional sheets if necessary. | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |


Part C: For Corporate/LLC Applicants Only

| | | | |
|--|--|--|--|
| 1. State of Registration WISCONSIN | | 2. Date of Registration 11/14/2023 | |
| 3. Is the applicant business owned by another corporation or LLC? If yes, please provide the name and FEIN of the parent company below, include parent company members in Part D, and attach Form AT-103 for all of the parent company's principal members, managers, officers, or directors <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | | |
| Name of Parent Company | | FEIN of Parent Company | |
| 4. Does the parent company or any of its officers, directors, managing members, or agent hold any direct or indirect interest in any other alcohol beverage wholesaler or producer (e.g., brewer, brewpub, winery, distillery)? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, please explain using the space below. Attach additional sheets if necessary. | | | |
| 5. Agent's Last Name PATEL | | Agent's First Name JOHNNY | Phone  |

Part D: Individual Information

A Supplemental Questionnaire, Form AT-103, must be completed and attached to this application for each person involved in the applicant business and any parent company as indicated in Part C. Persons in the applicant business include: sole proprietor, all officers, directors, and agent of a corporation or nonprofit organization, all partners of a partnership, and all managing members and agent of a limited liability company.

List the full name, title, and phone number for each person below. Attach additional sheets if necessary.

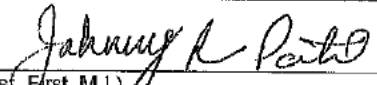

| Last Name | First Name | Title | Phone |
|--------------|---------------|--------------|---|
| PATEL | JOHNNY | OWNER |  |
| | | | |
| | | | |
| | | | |

Part E: Attestation


Who must sign this application?

- sole proprietor • one general partner of a partnership • one corporate officer • ☒ one managing member of an LLC

READ CAREFULLY BEFORE SIGNING: Under penalty of law, I have answered each of the above questions completely and truthfully. I agree that I am acting solely on behalf of the applicant business and not on behalf of any other individual or entity seeking the license. Further, I agree that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another individual or entity. I agree to operate this business according to the law, including but not limited to, purchasing alcohol beverages from state authorized wholesalers. I understand that lack of access to any portion of a licensed premises during inspection will be deemed a refusal to allow inspection. Such refusal is a misdemeanor and grounds for revocation of this license. I understand that any license issued contrary to Wis. Stat. Chapter 125 shall be void under penalty of state law. I further understand that I may be prosecuted for submitting false statements and affidavits in connection with this application, and that any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000 if convicted.

| | | | |
|--|---------------------------------------|--|--|
| Signature  | | Date 11/11/24 | |
| Name (Last, First, M.I.) JOHNNY R PATEL | | | |
| Title Owner | Email Balagilicor@gmail.com | Phone  | |

Part F: For Clerk Use Only

| | | |
|--|---|---|
| Date application was filed with clerk 2-1-2024 | Date reported to governing body 3-13-24 | Date provisional license issued (if applicable) |
| Date license granted | License number C0010 & C0011 | Date license issued |
| Signature of Clerk/Deputy Clerk  | | |

Form
AT-103Alcohol Beverage License Application
Supplemental Questionnaire

This form must be submitted to the municipal clerk, and be accompanied by one or more of the following forms: AT-104, AT-106, AT-108, AT-115, or AT-200. One Form AT-103 must be completed by each person involved in the applicant business or parent company including:

- sole proprietor
- all officers, directors, and agent of a corporation or nonprofit organization
- all partners of a partnership
- managing members and agent of a limited liability company

Your alcohol beverage application or renewal is not complete until all required Supplemental Questionnaires are submitted.

Part A: Premises/Business Information

1. Registered Entity Name (or individual name if sole proprietor)

BALAJI LLC

2. Trade Name or DBA

PHILLY ON 4TH

3. Entity Type (check one)

☐ Sole Proprietor ☐ Partnership ☒ Limited Liability Company ☐ Corporation ☐ Nonprofit Organization**Part B: Individual Information**

1. Name (Last, First, M.I.)

PATEL JOHNNY R.

2. Relationship to Registered Entity (Title)

SOLE MEMBER

3. Email

BALAJILLC01@GMAIL.COM

4. Phone

5. Home Address

1136 DEER RUN

6. City

FOND DU LAC

7. State

WI

8. Zip Code

54935

9. Date of Birth

10. Drivers License/State ID Number

11. Drivers License/State ID State of Issuance

WISCONSIN

Part C: Address History

List in chronological order your last two residence addresses within the last 5 years.

Previous Address 1

795 MUSTANG LANE

Previous City, State, Zip

FOND DU LAC WI 54935

Dates (MM/YYYY - MM/YYYY)

08/2009 - 10/2023

Previous Address 2

Previous City, State, Zip

Dates (MM/YYYY - MM/YYYY)

Part D: Employment History

List in chronological order your last two employers within the last 5 years.

Employer's Name

PIONEER PIT STOP

Employer's Address

20 E PIONEER RD

Dates Employed (MM/YYYY - MM/YYYY)

Employer's Name

Employer's Address

Dates Employed (MM/YYYY - MM/YYYY)

Part E: Criminal History

1. Have you ever been convicted of any offenses (other than traffic offenses unrelated to alcohol beverages) for violation of any federal, Wisconsin, or another state's laws or of any county or municipal ordinances? ☐ Yes ☒ No

If yes to question 1, please list details of each conviction below. Attach additional sheets as needed.

| | |
|------------------------|------------|
| Law/Ordinance Violated | Trial Date |
|------------------------|------------|

| | |
|-----------------|--|
| Penalty Imposed | Was sentence completed? <input type="checkbox"/> Yes <input type="checkbox"/> No |
|-----------------|--|

| | |
|------------------------|------------|
| Law/Ordinance Violated | Trial Date |
|------------------------|------------|

| | |
|-----------------|--|
| Penalty Imposed | Was sentence completed? <input type="checkbox"/> Yes <input type="checkbox"/> No |
|-----------------|--|

2. Are charges for any offenses currently pending against you (other than traffic offenses unrelated to alcohol beverages) for violation of any federal, Wisconsin, or another state's laws or any county or municipal ordinances? ☐ Yes ☒ No

If yes to question 2, describe nature and status of pending charges using the space below. Attach additional sheets as needed.

Part F: Questions

1. Have you lived in any state other than Wisconsin as an adult? If yes, please list them in the space below. If no, continue to question 2. ☐ Yes ☒ No

| | | |
|--|-------------|-------------|
| 2. How long have you continuously lived in Wisconsin prior to the date of application? | Years 23 | Months 4 |
|--|-------------|-------------|

3. Do you hold a direct or indirect interest in any alcohol beverage wholesaler or producer (e.g. brewer, brewpub, winery, distillery)? If yes, please explain using the space below. Attach additional sheets as needed. ☐ Yes ☒ No

Part G: Attestation

READ CAREFULLY BEFORE SIGNING: I understand that any license issued contrary to Wis. Stat. Chapter 125 shall be void under penalty of state law. I further understand that I may be prosecuted for submitting false statements and affidavits in connection with this application, and that any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000 if convicted.

| | |
|------------------------------------|------------------|
| Signature <i>Johnny R Patel</i> | Date 01/11/24 |
|------------------------------------|------------------|

Schedule for Appointment of Agent by Corporation / Nonprofit Organization or Limited Liability Company

Submit to municipal clerk.

All corporations/organizations or limited liability companies applying for a license to sell fermented malt beverages and/or intoxicating liquor must appoint an agent. The following questions must be answered by the agent. The appointment must be signed by an officer of the corporation/organization or one member/manager of a limited liability company and the recommendation made by the proper local official.

To the governing body of: ☐ Town ☐ Village of FOND DU LAC County of FOND DU LAC
☒ City

The undersigned duly authorized officer/member/manager of BALAJI LLC
(Registered Name of Corporation / Organization or Limited Liability Company)

a corporation/organization or limited liability company making application for an alcohol beverage license for a premises known as PHILLY ON 4TH

(Trade Name)

located at 321 4TH STREET FOND DU LAC, WI 54935

appoints JOHNNY PATEL

(Name of Appointed Agent)

1136 DEER RUN, FOND DU LAC, WI 54935

(Home Address of Appointed Agent)

to act for the corporation/organization/limited liability company with full authority and control of the premises and of all business relative to alcohol beverages conducted therein. Is applicant agent presently acting in that capacity or requesting approval for any corporation/organization/limited liability company having or applying for a beer and/or liquor license for any other location in Wisconsin?

☒ Yes ☐ No If so, indicate the corporate name(s)/limited liability company(ies) and municipality(ies).
JAY JALARAM INC

Is applicant agent subject to completion of the responsible beverage server training course? ☒ Yes ☐ No

How long immediately prior to making this application has the applicant agent resided continuously in Wisconsin? 23 YEARS

Place of residence last year 1136 DEER RUN, FOND DU LAC, WI 54935

For: BALAJI LLC

(Name of Corporation / Organization / Limited Liability Company)

By:

Johnny R Patel

(Signature of Officer / Member / Manager)

Any person who knowingly provides materially false information in an application for a license may be required to forfeit not more than \$1,000.

ACCEPTANCE BY AGENT

I, JOHNNY PATEL, hereby accept this appointment as agent for the
(Print / Type Agent's Name)

corporation/organization/limited liability company and assume full responsibility for the conduct of all business relative to alcohol beverages conducted on the premises for the corporation/organization/limited liability company.

Johnny R Patel 1/11/24
(Signature of Agent) (Date)
1136 DEER RUN FOND DU LAC, WI 54935
(Home Address of Agent)

Agent's age

Date of birth

APPROVAL OF AGENT BY MUNICIPAL AUTHORITY (Clerk cannot sign on behalf of Municipal Official)

I hereby certify that I have checked municipal and state criminal records. To the best of my knowledge, with the available information, the character, record and reputation are satisfactory and I have no objection to the agent appointed.

Approved on 2/13/24 by AJHE 125 Title CAPTAIN OF POLICE
(Date) (Signature of Proper Local Official) (Town Chair, Village President, Police Chief)

To: city of fond du lac.

Balaji
~~Gopal~~ INC

Doing Business as Philly On 4th

We are going to keep the hours of operation the same as now.

Selling groceries, beer, liquor, soda, dairy, fresh food pizza, Chicken And fish.

ALCOHOL LICENSE COMMITTEE
MEETING MINUTES
CITY OF FOND DU LAC, WISCONSIN
Meeting Room A
160 S Macy Street

February 26, 2024
4:00 PM

ROLL CALL

Attendance

Present

Scott Gilgenbach
Mason Gravelle
Brandon Hiller
Jane Ricchio

Absent

Peter Doll - excused
Mel Kolstad - excused

Administrative Staff

Taylor Call, Assistant City Attorney
Ali Panagopoulos, Deputy City Attorney
Anthony Hahn, Police Captain

Declaration Quorum Present

City Clerk Margaret Hefter declared a quorum present.

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

Limited Liability Co: BALAJI LLC
Agent: Johnny Patel
Home Address: 1136 Deer Run, FDL
d/b/a: Philly on 4th
Location of Premises: 321 4th Street

A Motion was made by Scott Gilgenbach to recommend approval to City Council for the "Class A" Intoxicating Liquor and Class "A" Fermented Malt license for Philly on 4th at 321 4th Street and seconded by Brandon Hiller, and the motion was **Passed**.

Ayes: Gilgenbach, Gravelle, Hiller, Ricchio

**CITY COUNCIL MEETING AGENDA
CITY OF FOND DU LAC, WISCONSIN**

Title: Class "B" Fermented Malt License

Subject: Limited Liability Co: Pub 23 LLC
Agent: Himmat Dhillon
Home Address: N6383 Tradewinds Cir., Beaver Dam
d/b/a: Pub 23
Location of Premises: 919 E Johnson Street
Introduction: City Clerk

Initiator:

Recommendation: Alcohol License Committee Recommendation: **Approve with conditions recommended by City Staff**

ATTACHMENTS:

File Name

[pub_23_Redacted.pdf](#)

[Class_B_Memo_FINAL_Pub_23.pdf](#)

[Pub_23_revised_site_plan.pdf](#)

[Pub_23_ALC_minutes.pdf](#)

Fond du Lac Police Department MEMO



To: City Manager Joe Moore
From: Captain A. Hahn
RE: Class B Beer, Pub 23, 919 E Johnson St.
Date: 02-13-24

On February 13, 2024 Community Development Director Dyann Benson, Deputy City Attorney Alexandra Panagopoulos, Assistant City Attorney Taylor Call, City Clerk Margaret Hefter, Fire Division Chief Jason Roberts and Police Captain Anthony Hahn met with alcohol beverage license applicant Himmat Dhillon, regarding his proposal for a Class B Beer license at Pub 23, 919 E. Johnson St., Fond du Lac, WI.

This location is currently a gas station/convenience store, which is Station 23. His proposal is to construct suite seating area which will share the same building as the convenience store/gas station. In this seating area they would sell beer and pizza. The beer would be kept locked in the suite area. Pub 23 will have the same operating hours as the gas station/convenience store, which is currently 600 AM to 1000 PM.

Dhillon does have approximately 20 years' experience in this field. He currently has 15 locations in Wisconsin that are Class A with 4 of them being Class B. He indicated that he has approximately 120 employees, 4 of which are general managers. He has owned this location, Station 23, since approximately 2019/2020 and is the current Agent for this location.

Captain Hahn discussed with the applicant the City's expectations of being a license holder.

Background checks conducted on applicant Dhillon both in-house and NCIC/CIB, indicate no prior Criminal History that would preclude the issuance of the license request (from a background check perspective).

Form
AT-106

Original Alcohol Beverage License Application

FOR CLERKS ONLY

Municipality

City of FDL

License Period

5/14/24 - 6/30/24

License(s) Requested

- ☐ Class "A" Beer \$ _____
- ☒ Class "B" Beer \$ 40
- ☐ "Class C" Wine \$ _____
- ☐ Reserve "Class B" Liquor \$ _____
- ☐ "Class A" Liquor \$ _____
- ☐ "Class B" Liquor \$ _____
- ☐ "Class A" Liquor (Cider Only) \$ _____
- ☐ "Class B" (Wine Only) Winery \$ _____

| | |
|-------------------|--------------|
| License Fees | \$ <u>40</u> |
| Publication Fee | \$ <u>55</u> |
| Background Check | \$ _____ |
| Total Fees | \$ <u>95</u> |

Part A: Premises/Business Information

1. Legal Business Name (registered entity name or individual's name if sole proprietorship)

PUB 23 LLC

2. Trade Name or DBA

3. Premises Address

919 JOHNSON ST, SUITE B, FONDDULAC WI 54935

4. County

FONDDULAC

5. Municipality

FONDDULAC

6. Aldermanic District

7. Mailing Address (if different from premises address)

PO BOX 590, FONDDULAC WI 54935

8. FEIN

933806617

9. Wisconsin Seller's Permit Number

456103152063202

10. Premises Phone

9209230055

11. Premises Email

HIMMATHILLON100@GMAIL.COM

12. Entity Type (check one)

- ☐ Sole Proprietor ☐ Partnership ☒ Limited Liability Company ☐ Corporation ☐ Nonprofit Organization

13. Premises Description - Describe the building or buildings where alcohol beverages are to be sold and stored. Describe all rooms including living quarters, if used, for the sales, service, consumption, and/or storage of alcohol beverages and records. Alcohol beverages may be sold and stored ONLY on the premises described in this application. Attach additional sheets if necessary.

BEER, TO BE STORED IN SUITE B IN A LOCKED REFRIGERATOR.

Part B: Questions

1. Have the partners, agent, or sole proprietor satisfied the responsible beverage server training requirement for this license period? Submit a copy of Responsible Beverage Server Training Course Certificate ☐ Yes ☒ No

2. Does the applicant business or its partners, officers, directors, managing members, or agent hold a direct or indirect interest in any alcohol beverage wholesaler or producer (e.g., brewer, brewpub, winery, distillery)? ☒ Yes ☐ No
If yes, please explain using the space below. Attach additional sheets if necessary.

Station 23llc

Station Prospectllc

Station Ixoniallc

Station Neoshollc

Station26llc

Part C: For Corporate/LLC Applicants Only

| | | |
|---|-------------------------------------|--|
| 1. State of Registration WISCONSIN | | 2. Date of Registration OCTOBER 9 2023 |
| 3. Is the applicant business owned by another corporation or LLC? If yes, please provide the name and FEIN of the parent company below, include parent company members in Part D, and attach Form AT-103 for all of the parent company's principal members, managers, officers, or directors <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | |
| Name of Parent Company | | FEIN of Parent Company |
| 4. Does the parent company or any of its officers, directors, managing members, or agent hold any direct or indirect interest in any other alcohol beverage wholesaler or producer (e.g., brewer, brewpub, winery, distillery)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, please explain using the space below. Attach additional sheets if necessary. | | |
| 5. Agent's Last Name DHILLON | Agent's First Name HIMMAT | Phone [REDACTED] |

Part D: Individual Information

A Supplemental Questionnaire, Form AT-103, must be completed and attached to this application for each person involved in the applicant business and any parent company as indicated in Part C. Persons in the applicant business include: sole proprietor, all officers, directors, and agent of a corporation or nonprofit organization, all partners of a partnership, and all managing members and agent of a limited liability company.

List the full name, title, and phone number for each person below. Attach additional sheets if necessary.


| Last Name | First Name | Title | Phone |
|----------------|---------------|----------------|------------|
| DHILLON | HIMMAT | MANAGER | [REDACTED] |
| | | | |
| | | | |
| | | | |

Part E: Attestation


Who must sign this application?

- sole proprietor • one general partner of a partnership • one corporate officer • one managing member of an LLC

READ CAREFULLY BEFORE SIGNING: Under penalty of law, I have answered each of the above questions completely and truthfully. I agree that I am acting solely on behalf of the applicant business and not on behalf of any other individual or entity seeking the license. Further, I agree that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another individual or entity. I agree to operate this business according to the law, including but not limited to, purchasing alcohol beverages from state authorized wholesalers. I understand that lack of access to any portion of a licensed premises during inspection will be deemed a refusal to allow inspection. Such refusal is a misdemeanor and grounds for revocation of this license. I understand that any license issued contrary to Wis. Stat. Chapter 125 shall be void under penalty of state law. I further understand that I may be prosecuted for submitting false statements and affidavits in connection with this application, and that any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000 if convicted.

| | |
|--|--|
| Signature  | Date Feb 1 2024 |
| Name (Last, First, M.I.) DHILLON HIMMAT S | |
| Title MANAGER | Email HIMMATDHILLON100@GMAIL.COM |
| Phone [REDACTED] | |

Part F: For Clerk Use Only

| | | |
|--|---|---|
| Date application was filed with clerk 2/5/24 | Date reported to governing body 3/13/24 | Date provisional license issued (if applicable) |
| Date license granted | License number C0009 | Date license issued |
| Signature of Clerk/Deputy Clerk  | | |

Form
AT-103

Alcohol Beverage License Application Supplemental Questionnaire

This form must be submitted to the municipal clerk, and be accompanied by one or more of the following forms: AT-104, AT-106, AT-108, AT-115, or AT-200. One Form AT-103 must be completed by each person involved in the applicant business or parent company including:

- sole proprietor
- all officers, directors, and agent of a corporation or nonprofit organization
- all partners of a partnership
- managing members and agent of a limited liability company

Your alcohol beverage application or renewal is not complete until all required Supplemental Questionnaires are submitted.

Part A: Premises/Business Information

1. Registered Entity Name (or individual name if sole proprietor)

PUB23 LLC

2. Trade Name or DBA

PUB23 LLC

3. Entity Type (check one)

☐ Sole Proprietor ☐ Partnership ☒ Limited Liability Company ☐ Corporation ☐ Nonprofit Organization

Part B: Individual Information

1. Name (Last, First, M.I.)

DHILLON HIMMAT S

2. Relationship to Registered Entity (Title)

MANAGER

3. Email

HIMMATDHILLON100@GMAIL.COM

4. Phone

5. Home Address

N6383 TRADEWINDS CIRCLE

6. City

BEAVER DAM

7. State

WI

8. Zip Code

53916

9. Date of Birth

10. Drivers License/State ID Number

11. Drivers License/State ID State of Issuance

WISCONSIN

Part C: Address History

List in chronological order your last two residence addresses within the last 5 years.

Previous Address 1

NA

Previous City, State, Zip

Dates (MM/YYYY - MM/YYYY)

Previous Address 2

Previous City, State, Zip

Dates (MM/YYYY - MM/YYYY)

Part D: Employment History

List in chronological order your last two employers within the last 5 years.

Employer's Name

NA STATION 23 LLC

Employer's Address

919 JOHNSON ST, SUITE A, FOND DU LAC

Dates Employed (MM/YYYY - MM/YYYY)

Employer's Name

Employer's Address

Dates Employed (MM/YYYY - MM/YYYY)

Part E: Criminal History

1. Have you ever been convicted of any offenses (other than traffic offenses unrelated to alcohol beverages) for violation of any federal, Wisconsin, or another state's laws or of any county or municipal ordinances? ☐ Yes ☒ No
- If yes to question 1, please list details of each conviction below. Attach additional sheets as needed.

Law/Ordinance Violated

Trial Date

Penalty Imposed

Was sentence completed? ☐ Yes ☐ No

Law/Ordinance Violated

Trial Date

Penalty Imposed

Was sentence completed? ☐ Yes ☐ No

2. Are charges for any offenses currently pending against you (other than traffic offenses unrelated to alcohol beverages) for violation of any federal, Wisconsin, or another state's laws or any county or municipal ordinances? ☐ Yes ☒ No

If yes to question 2, describe nature and status of pending charges using the space below. Attach additional sheets as needed.

Part F: Questions

1. Have you lived in any state other than Wisconsin as an adult? If yes, please list them in the space below. If no, continue to question 2. ☐ Yes ☒ No

2. How long have you continuously lived in Wisconsin prior to the date of application?

Years

24 YEARS

Months

3. Do you hold a direct or indirect interest in any alcohol beverage wholesaler or producer (e.g. brewer, brewpub, winery, distillery)? If yes, please explain using the space below. Attach additional sheets as needed. ☐ Yes ☒ No

Part G: Attestation

READ CAREFULLY BEFORE SIGNING: I understand that any license issued contrary to Wis. Stat. Chapter 125 shall be void under penalty of state law. I further understand that I may be prosecuted for submitting false statements and affidavits in connection with this application, and that any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000 if convicted.

Signature

Date

Feb 1 2024.

Schedule for Appointment of Agent by Corporation / Nonprofit Organization or Limited Liability Company

Submit to municipal clerk.

All corporations/organizations or limited liability companies applying for a license to sell fermented malt beverages and/or intoxicating liquor must appoint an agent. The following questions must be answered by the agent. The appointment must be signed by an officer of the corporation/organization or one member/manager of a limited liability company and the recommendation made by the proper local official.

To the governing body of: ☐ Town ☐ Village of Fond Du Lac County of Fond Du Lac
☒ City

The undersigned duly authorized officer/member/manager of Pub 23 LLC
(Registered Name of Corporation / Organization or Limited Liability Company)

a corporation/organization or limited liability company making application for an alcohol beverage license for a premises known as
PUB 23 LLC
(Trade Name)

located at 919 E JOHNSON ST, SUITE B, FOND DU LAC

appoints HIMMAT DHILLON
(Name of Appointed Agent)
N6383 TRADEWINDS CIRCLE, BEAVER DAM WI 53916
(Home Address of Appointed Agent)

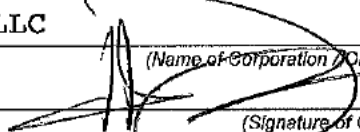
to act for the corporation/organization/limited liability company with full authority and control of the premises and of all business relative to alcohol beverages conducted therein. Is applicant agent presently acting in that capacity or requesting approval for any corporation/organization/limited liability company having or applying for a beer and/or liquor license for any other location in Wisconsin?

☐ Yes ☒ No If so, indicate the corporate name(s)/limited liability company(ies) and municipality(ies).

Is applicant agent subject to completion of the responsible beverage server training course? ☐ Yes ☒ No

How long immediately prior to making this application has the applicant agent resided continuously in Wisconsin? 24 YEARS

Place of residence last year N6383 TRADEWINDS CIRCLE BEAVERDAM WI 53916

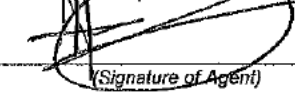
For: PUB 23 LLC
(Name of Corporation / Organization / Limited Liability Company)
By: 
(Signature of Officer / Member / Manager)

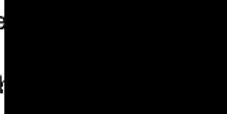

Any person who knowingly provides materially false information in an application for a license may be required to forfeit not more than \$1,000.

ACCEPTANCE BY AGENT

I, HIMMAT DHILLON, hereby accept this appointment as agent for the
(Print / Type Agent's Name)

corporation/organization/limited liability company and assume full responsibility for the conduct of all business relative to alcohol beverages conducted on the premises for the corporation/organization/limited liability company.

 Feb 1, 2024
(Signature of Agent) (Date)
N6383 TRADEWINDS CIR BEAVERDAM WI 53916
(Home Address of Agent)

Agent's age 
Date of birth 

APPROVAL OF AGENT BY MUNICIPAL AUTHORITY (Clerk cannot sign on behalf of Municipal Official)

I hereby certify that I have checked municipal and state criminal records. To the best of my knowledge, with the available information, the character, record and reputation are satisfactory and I have no objection to the agent appointed.

Approved on 2/13/24 by AJHR 125 Title CAPTAIN OF POLICE
(Date) (Signature of Proper Local Official) (Town Chair, Village President, Police Chief)

Business Plan: Class B License in a Gas Station

1. Executive Summary:

Our business, Pub 23, is looking to get a Class B Beer license to enhance our customers experience and boost revenue at our gas station. By offering a small selection of beer and pizza, we plan to attract a wider customer base and increase overall sales.

2. Business Description:

Pub 23 will be in Suite B located at 919 E Johnson Street Fond du Lac which will share the same building as a convenience store and gas station we will offer a variety of beer to customers aged 21 and above, complying with all state regulations and serving pizza from the local Bobs Pizza.

3. Market Analysis:

Target Audience: Adults aged 21 and above, local residents, commuters, and travelers seeking relaxation and convenient access to beer and pizza from the local Bobs Pizza. We currently have multiple locations throughout the state of Wisconsin that we have remodeled with the same concepts in mind and have seen great success for the business and surrounding community.

4. Products and Services:

Small selection of beers that cater to diverse tastes that will be in a lockable cooler.

Simple selection of a variety of Pizzas to complement beer purchases.

Knowledgeable staff to assist customers in choosing suitable beer while being cautious to not over serve.

5. Operational Plan:

Partnering with local distributors to maintain a fresh and diverse inventory.

Implementing strict age verification procedures to ensure compliance with legal requirements.

Regular staff training on responsible alcohol sales and customer service.

There will be a dedicated access to Pub 23 and the pump located outside of the parking area will be converted into a prepaid pump only to prevent customers from walking in to the pub to pay for their gas purchase.

There will be designated signage stating "no carry in's allowed" as well as a "No Drinks beyond this point" to restricting taking alcohol into the C- Store.

Pub 23 will maintain the same operating hours Mon-Sun 6:00am-10:00pm as the attached convenience store and gas station so rest rooms will always be accessible.

8. Legal and Regulatory Compliance:

Pub 23 will adhere to all state and local laws related to the sale of alcoholic beverages.

Regular audits and checks to ensure compliance with licensing regulations.

Responsible service practices to prevent underage sales and maintain a safe environment.

9. Risk Management:

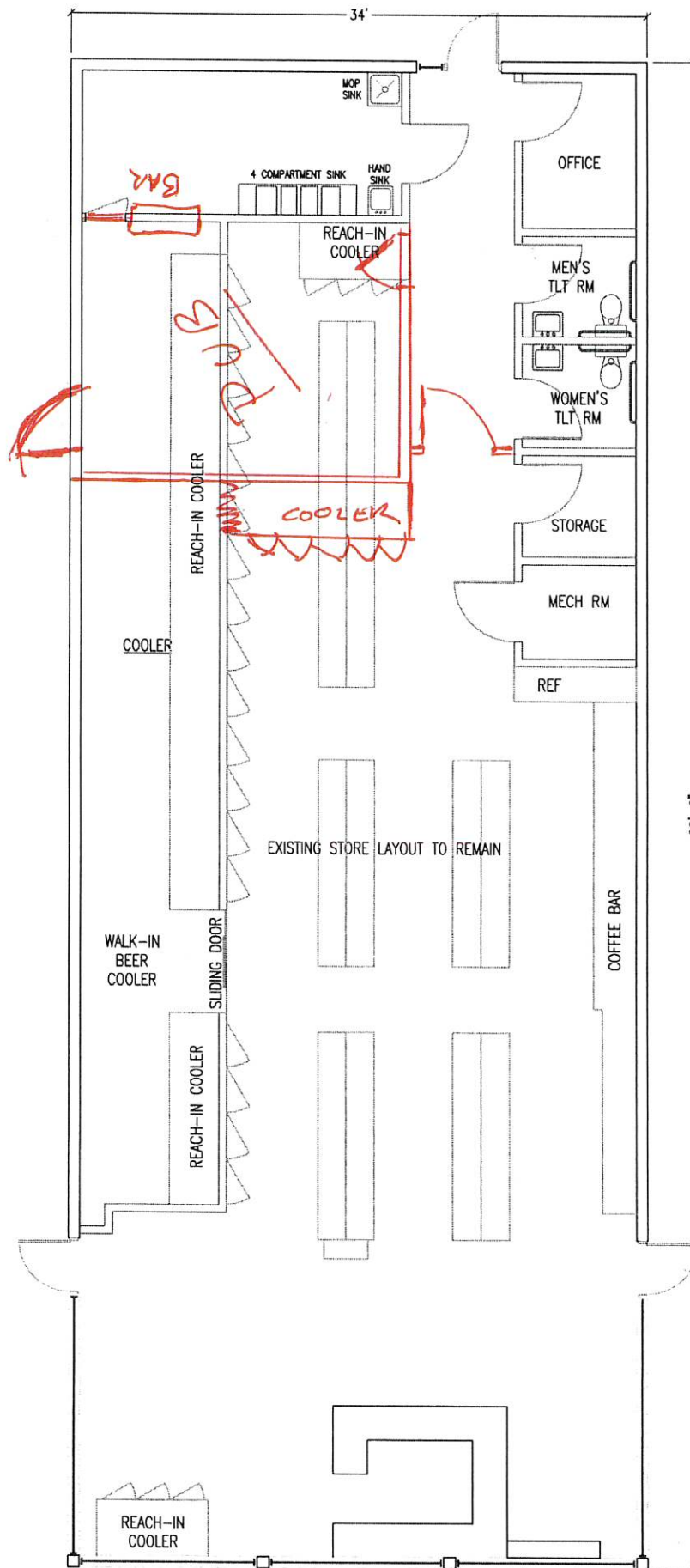
Comprehensive insurance coverage for liability, theft, and property damage.

Monitoring customer behavior to prevent disturbances and maintain a secure environment.

Regular training for staff to handle difficult situations and customer disputes.

10. Conclusion:

By integrating a Class B license for our Pub 23 it aims to provide a convenient, legal, and responsible way for adults to purchase alcoholic beverages after filling up their tanks or grabbing snacks on their way through town. Our commitment to exceptional customer service and compliance with regulations will set us apart, ensuring long-term success and positive community impact.




This floor plan shows the existing layout for the 1000 sq. ft. addition. The layout includes a large central area with a 'SLIDING DOOR' and 'EXISTING STOVE LAYOUT TO REMAIN'. Along the top wall, there are three 'REACH-IN COOLER' units and one 'WALK-IN BEER COOLER'. A 'COFFEE BAR' is located along the bottom wall. On the right side, there is an 'OFFICE' area, a 'MEN'S TLU RM', a 'WOMEN'S TLU RM', a 'STORAGE' area, a 'REST' room, and a 'MECH RM'. A 'REACH-IN COOLER' is also located near the office area. The plan is labeled 'EXISTING LAYOUT' and '1000 SQ. FT. ADDITION'.

[illegible]

| | | |
|----------------------------------|---|--|
| DRAWING NO. 25129 | STATION 23, LLC | |
| | 919 EAST JOHNSON STREET FOND DU LAC, WI | |
| SCALE: AS SHOWN | INTERIOR ALTERATIONS - FLOOR PLANS | |
| DATE: 11-02-23 | | |
| REVISIONS 12-04-23 1-09-24 | | |
| | | |
| | | |
| SHEET NO. 3 OF 3 | | |

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N5877 PALMER ROAD
ROSENDALE, WI. 54974

PHONE (920) 922-7010
FAX (920) 922-9093
www.rapinno.com

CITY OF FOND DU LAC - Memorandum

Date: March 6, 2024
To: City Council; City Manager
From: City Attorney's Office
Subject: Requirements for New Class "B" Licenses Connected to Another Licensed Establishment Selling Alcohol

An alcohol license issued by a municipality "must contain sufficient detail to identify the specific areas where the alcohol beverages will be stored or sold or both" and a license which fails to do so does not satisfy the statutory requirement that a license must "particularly describe premises for which issued." *Wisconsin Dolls, LLC v. Town of Dell Prairie*.

Further, Wis. Stat. Sec. 125.32(3m) lays out the following:

(3m) Limitations on other business; Class "B" premises. No Class "B" license or permit may be granted for any premises where any other business is conducted in connection with the premises, **except that this restriction does not apply if the premises for which the Class "B" license or permit is issued is connected to premises where other business is conducted by a secondary doorway that serves as a safety exit and is not the primary entrance to the Class "B" premises.** No other business may be conducted on premises operating under a Class "B" license or permit. These restrictions do not apply to any of the following:

- (a) A hotel.
- (b) **A restaurant, whether or not it is a part of or located in any mercantile establishment.**
- (c) A combination grocery store and tavern.
- (d) A combination sporting goods store and tavern in towns, villages and 4th class cities.
- (e) A combination novelty store and tavern.
- (f) A bowling center or recreation premises.
- (g) A club, society or lodge that has been in existence for 6 months or more prior to the date of filing application for the Class "B" license or permit.
- (h) A movie theater.
- (i) A painting studio.
- (j) Premises for which a temporary Class "B" license is issued under s. 125.26 (6) if the license is one of multiple licenses issued by the municipality to the same licensee for the same date and times, the licensee is the sponsor of an event held at multiple locations within the municipality on this date and at these

times, and an admission fee is charged for participation in the event and no additional fee is charged for service of alcohol at the event.

(k) Premises for which a Class "B" permit is issued under s. 125.27 (5).

Under the statute, a business applying for a Class "B" license cannot be connected to another business, except that business "is connected to premises where other business is conducted by a secondary doorway that serves as a safety exit and is not the primary entrance to the Class "B" premises." The requirement that the two businesses can only share a secondary doorway that is intended to serve only as an emergency exit implies that the two businesses must be totally separate in the following ways:

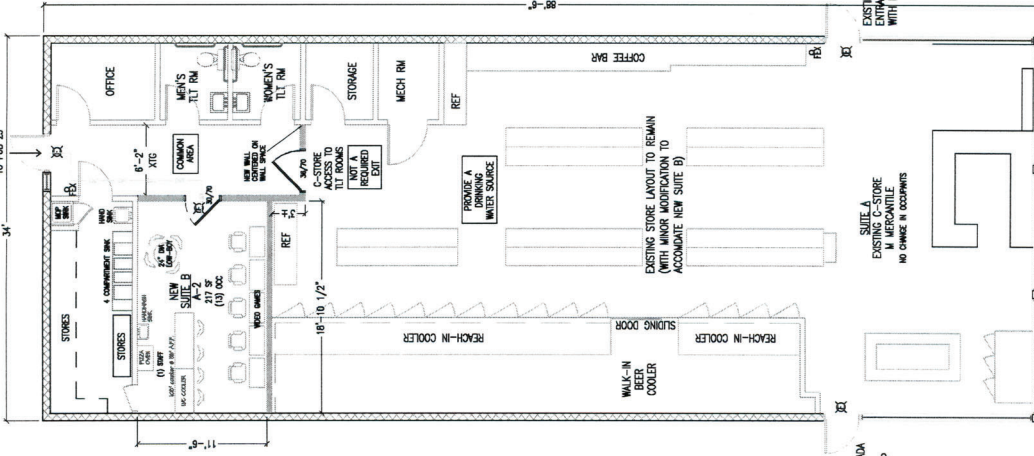
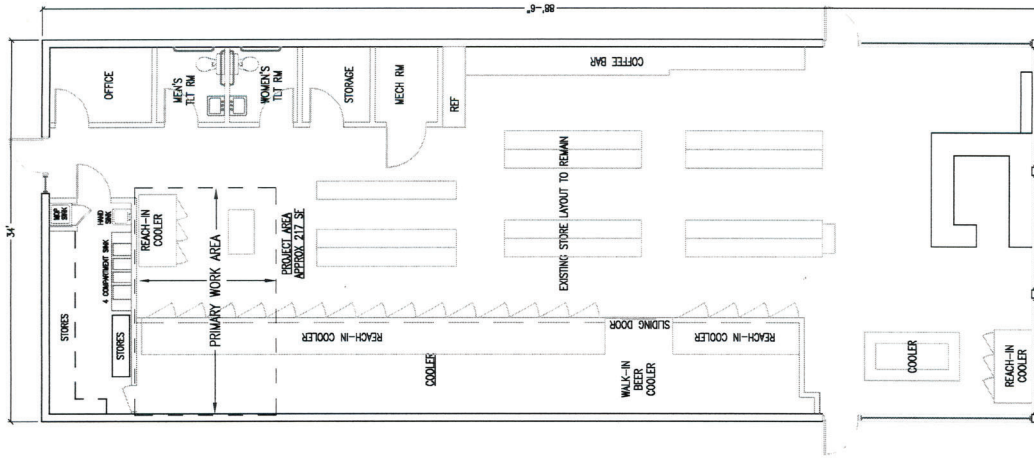
1. The two businesses cannot be physically connected, other than by an emergency exit.
2. The two businesses must be completely walled off from one another.
3. Customers cannot easily go back and forth between the two businesses while consuming alcohol.
4. There are separate outside entrances to each of the two businesses.
5. There are separate counters at each location that can specifically monitor the requirements of each separate license.

City staff recommends approval of Pub 23's Class 'B' License at 919 East Johnson Street, Fond du Lac, WI., with the following conditions:

1. The Class "B" licensed establishment must have a completely separate premises description from all other licensed establishments and comply with all relevant provisions of Wis. Stat. Chp. 125 and the Code of the City of Fond du Lac. Separate premises must include the following:
 - a. The two businesses cannot permit cross access besides an emergency exit.
 - b. The two businesses must be completely walled off from one another.
 - c. Customers cannot easily go back and forth between the two businesses while consuming alcohol.
 - d. There are separate outside entrances to each of the two businesses.
 - e. There are separate counters and staff at each location that can specifically monitor the requirements of each separate license.
2. The applicant must submit a site plan to the City of Fond du Lac Inspections Department showing said separate premises descriptions.
3. The property must pass all inspections with the City of Fond du Lac Inspections and Fire Departments and Fond du Lac County Health Department (when applicable), and obtain an occupancy permit.

CONDITIONALLY
APPROVED

Building Inspector
Fond du Lac, WI



NEW SUITE B (A-2)
BS 2015 TABLE 1008.2.1
SPACES WITH ONE EXIT OR EXIT ACCESS DOORWAY
OCCUPANCY A
MAXIMUM LOAD OF
OCCUPANT SPACE 49
MAXIMUM PATH
OF TRAVEL DISTANCE 75'

BS 2015 SEC. 1003.1.2.1 DIRECTION OF SWING
SUITE-HINGED SWING DOORS SHALL SWING IN THE
DIRECTION OF EGRESS TRAVEL WHERE SERVING A ROOM OR
AREA CONTAINING AN OCCUPANT LOAD OF 50 OR MORE
PERSONS...

NOT APPLICABLE
-PERTAINS TO NEW INNER SUITE B DOOR-

ANSI A17.1.1 SEC. 309
OPERABLE PARTS AND CONTROLS OF DOORS SHALL BE
OPERABLE WITH THE USE OF ONE HAND AND NOT REQUIRE
TWO HANDS OR EXHAUSTIVE OR EXHAUSTIVE FORCE. WEST
THAT DOORS OR CONTROLS SHALL BE OPERABLE WITH NO
MORE THAN 5 POUNDS REQUIRED TO ACTIVATE THEM.
CLEAR FLOOR SPACE AND REACH RANGES SHALL COMPLY
WITH SECTION 305 AND 308.

PIZZA OVEN SHALL BE SINGLE-SERVING, ELECTRIC,
NON-VENTED, EQUAL TO "MANITCO EQUIPMENT" MODEL
177P016TSL. FOLLOW MANUFACTURER'S REQUIREMENTS
FOR POWER SUPPLY, CLEARANCE TO OTHER MATERIALS
AND TYPE OF COUNTERTOP SURFACE.

PROVIDE FIRE EXTINGUISHERS IN ACCORDANCE
WITH IBC2015 TABLE 803.4(1) AND NFPA 10.

ILLUMINATED EXIT SIGN

IBC2015 SEC. 1006.2 COMMON PATH OF
EGRESS TRAVEL < 75' MAX ...OK

NEW NON-BEARING PARTITION
WALLS ARE 2x4 SF #2 OR
3-3/8" x 25 GA SIL STUD @ 16"
O.C., BUILT UP TO SUSPENDED
CEILING WITH 1/2" GYPSUM BOARD
ON BOTH SIDES. FINISH PAINT.
EXISTING FLOOR COVERING TO
REMAIN. INSTALL VINYL BASE.

ANY NEW DOORS HAVING LOCK
OR LATCHES SHALL HAVE
LEVER HANDLES

ARRANGE EXISTING LIGHTING
AND HVAC DISTRIBUTION TO
AND NEW WALLS AND ALLOW
FOR PROPER LIGHTING AND
VENTILATION IN SUITE B

EXISTING PARTITION

NEW PARTITION

NEW SWING DOOR SHOWN THIS

EXISTING SWING DOOR SHOWN THIS

Revised.

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

Meeting Room A
160 S Macy Street

February 26, 2024

4:00 PM

ROLL CALL

Attendance

Present

Scott Gilgenbach
Mason Gravelle
Brandon Hiller
Jane Ricchio

Absent

Peter Doll - excused
Mel Kolstad - excused

Administrative Staff

Taylor Call, Assistant City Attorney
Ali Panagopoulos, Deputy City Attorney
Anthony Hahn, Police Captain

Declaration Quorum Present

City Clerk Margaret Hefter declared a quorum present.

Class "B" Fermented Malt License

Limited Liability Co: Pub 23 LLC

Agent: Himmat Dhillon

Home Address: N6383 Tradewinds Cir., Beaver Dam

d/b/a: Pub 23

Location of Premises: 919 E Johnson Street

A Motion was made by Jane Ricchio to recommend approval to City Council of Class "B" Fermented Malt License for Pub 23 located at 919 E Johnson Street with the conditions below and seconded by Mason Gravelle, and the motion was **Passed**.

1. The Class "B" licensed establishment must have a completely separate premises description from all other

licensed establishments and comply with all relevant provisions of Wis. Stat. Chp. 125 and the Code of the City of Fond du Lac. Separate premises must include the following:

- The two businesses cannot permit cross access besides an emergency exit.
 - The two businesses must be completely walled off from one another.
 - Customers cannot easily go back and forth between the two businesses while consuming alcohol.
 - There are separate outside entrances to each of the two businesses.
 - There are separate counters and staff at each location that can specifically monitor the requirements of each separate license.
2. The applicant must submit a site plan to the City of Fond du Lac Inspections Department showing said separate premises descriptions.
3. The property must pass all inspections with the City of Fond du Lac Inspections and Fire Departments and Fond du Lac County Health Department (when applicable), and obtain an occupancy permit.

Ayes: Gilgenbach, Gravelle, Hiller, Ricchio

**CITY COUNCIL MEETING AGENDA
CITY OF FOND DU LAC, WISCONSIN**

Title: Resolution No. 9109

Subject: A Resolution Extending Tax Incremental District (TID) 10 to Support Affordable Housing
Introduction: Director of Administration

Initiator:

Recommendation:

ATTACHMENTS:

File Name

[TID 10 Affordable Housing Extension Res. 3.6.24.pdf](#)

[TID 10 Termination Memo.pdf](#)

[TIF 10 map.pdf](#)

RESOLUTION NO. 9109

**A RESOLUTION EXTENDING TAX INCREMENTAL DISTRICT (TID) 10
TO SUPPORT AFFORDABLE HOUSING**

WHEREAS, the City of Fond du Lac created TID 10 on August 25, 2004, and successfully completed implementation of the project plan and sufficient increment was collected in 2023 from the 2022 tax roll to pay off its aggregate project costs; and

WHEREAS, all TID 10 projects were completed in the prescribed allowed time; and

WHEREAS, State law requires the termination of a TID after all project costs have been paid, state law (sec. 66.1105(6)(g), Wis. Stats.), does allow extension of a TID up to one year, using the last year of tax increment to improve the City's housing stock; and

WHEREAS, at least 75 percent of the final increment must benefit affordable housing with the remaining portion used to improve housing stock; and

THEREFORE, BE IT RESOLVED, that the City Council of the City of Fond du Lac hereby extends the life of TID 10 for 1 month to use the final year's increment of \$1,747,593.89 collected in 2024 from the 2023 tax roll to benefit affordable housing; and

BE IT FURTHER RESOLVED, that the City of Fond du Lac shall use the final increment to improve housing quality and affordability through the continued development of a detailed housing study, plan for needed investment in the housing stock and assist in the development of affordable housing in accordance with sec. 66.1105(6)(g), Wis. Stats.; and

BE IT FURTHER RESOLVED that the City of Fond du Lac Director of Administration shall notify the Wisconsin Department of Revenue by providing a copy of this resolution.

ADOPTED:

Tiffany Brault, Vice President
Fond du Lac City Council

Attest:

City Attorney:

Margaret Hefter, City Clerk

Reviewed 

CITY OF FOND DU LAC - Memorandum

Date: March 13, 2024

To: Joseph Moore, City Manager
City Council

From: Tricia Davi, Director of Administration
Dyann Benson, Community Development Director

Re: TID 10 – South/Fox Ridge Business Park
Resolutions for Affordable Housing Extension and Subsequent Termination

The City Council adopted Resolution No. 7625 creating Tax Incremental District Number Ten (TID 10) on August 25, 2004. The goal of the District was to attract private industrial, commercial and residential investment, thereby creating new jobs and expanding of the tax base. This would not have been accomplished without Tax Incremental Financing.

According to State Statutes and Tax Incremental Financing rules, a municipality must adopt a termination resolution at the earlier of a TID reaching its maximum life or when a TID receives tax increment payments that equal or exceed the project costs. In 2023, tax increment payments for TID 10 exceeded remaining project costs. Also of note for TID 10 is the Project Expenditure Period deadline was August 25, 2022. After this date, no further expenditures can be incurred or paid out of the TID.

State Statutes also provide the City an opportunity to extend a TID's life for up to one year and place a year of increment in a separate fund for Affordable Housing. The City's Affordable Housing Fund was created to improve the housing quality and affordability through the continued development of a detailed housing study, plan for needed investment in the housing stock, and assist in the development of affordable housing in accordance with sec. 66.1105(6)(g) of Wis. State Statutes. With the adoption of the Affordable Housing Extension resolution for TID 10, \$1,747,593.89 of increment will be transferred into the Affordable Housing Fund.

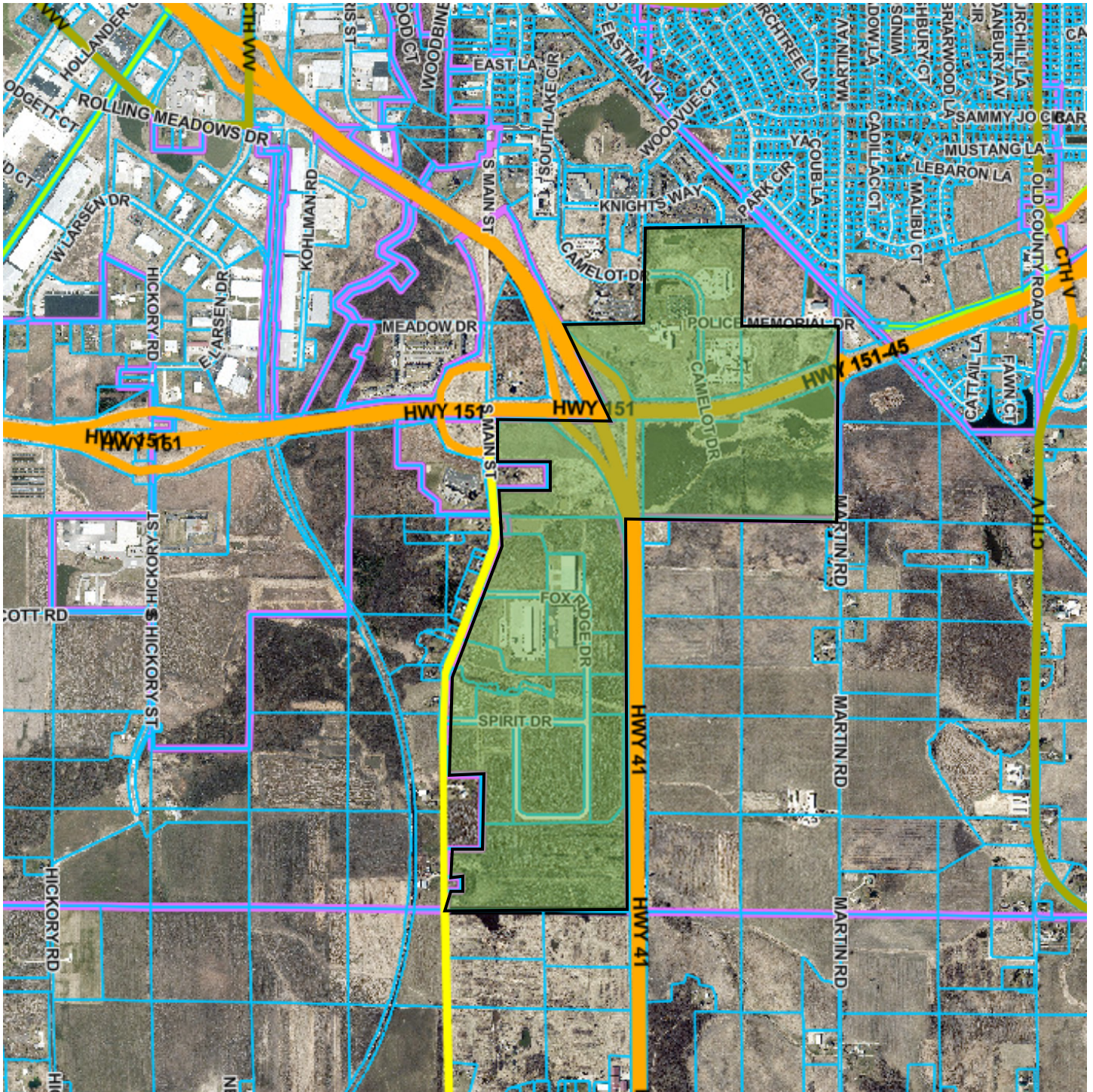
Due to strict deadlines imposed by the State of Wisconsin Department of Administration, both the extension resolution and termination resolution must be adopted by April 15, 2024. Both resolutions may be adopted at the same meeting as long as the extension resolution is adopted before the termination resolution.

Based upon the 2023 equalized value of the property, the termination of TID 10 will return the tax increment of \$89,073,100 of property value to the general property tax base of the City and the participating taxing jurisdictions effective January 1, 2024.

Upon adoption of the Affordable Housing Extension and Termination resolutions, notice will be filed with the Department of Revenue and a final audit of TID 10 will be scheduled.

Please feel free to contact us with questions or for more information.

TAX INCREMENT DISTRICT 10



**CITY COUNCIL MEETING AGENDA
CITY OF FOND DU LAC, WISCONSIN**

Title: Resolution No. 9110

Subject: Tax Incremental District (TID) 10 Termination And Authorization To Distribute
Excess Increment To Overlying Taxing Districts
Introduction: Director of Administration

Initiator:

Recommendation:

ATTACHMENTS:

File Name

[TID 10 Termination Resolution.3.6.24.pdf](#)

[TIF 10 map.pdf](#)

RESOLUTION NO. 9110

**TAX INCREMENTAL DISTRICT (TID) 10 TERMINATION RESOLUTION AND
AUTHORIZATION TO DISTRIBUTE EXCESS INCREMENT TO OVERLYING
TAXING DISTRICTS**

WHEREAS, the City of Fond du Lac passed Resolution 7625 creating TID 10 on August 25, 2024 and adopted a project plan in the same year; and

WHEREAS, all TID 10 projects were completed in the prescribed allowed time; and

WHEREAS, sufficient tax increments were collected from the 2022 tax roll, payable in 2023, to cover TID 10 projects costs; and

WHEREAS, the final tax increment collected from the 2023 tax roll payable in 2024 is being used to support affordable housing efforts as approved in resolution 9109 before this resolution is adopted; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Fond du Lac does terminate TID 10; and

BE IT FURTHER RESOLVED, that the Director of Administration shall notify the Wisconsin Department of Revenue (DOR) within 60 days of this resolution, or prior to the deadline of April 15, 2024, whichever comes first, that the TID has been terminated; and

BE IT FURTHER RESOLVED that the Director of Administration shall sign the required DOR final accounting form (PE-223) agreeing on a date by which the City shall submit final accounting information to the DOR; and

BE IT FURTHER RESOLVED that the Director of Administration shall distribute any excess increment collected after providing for ongoing expenses of the TID, to the affected taxing districts with proportionate shares to be determined by the final audit by the City's auditors, CliftonLarsonAllen LLP.

ADOPTED: _____

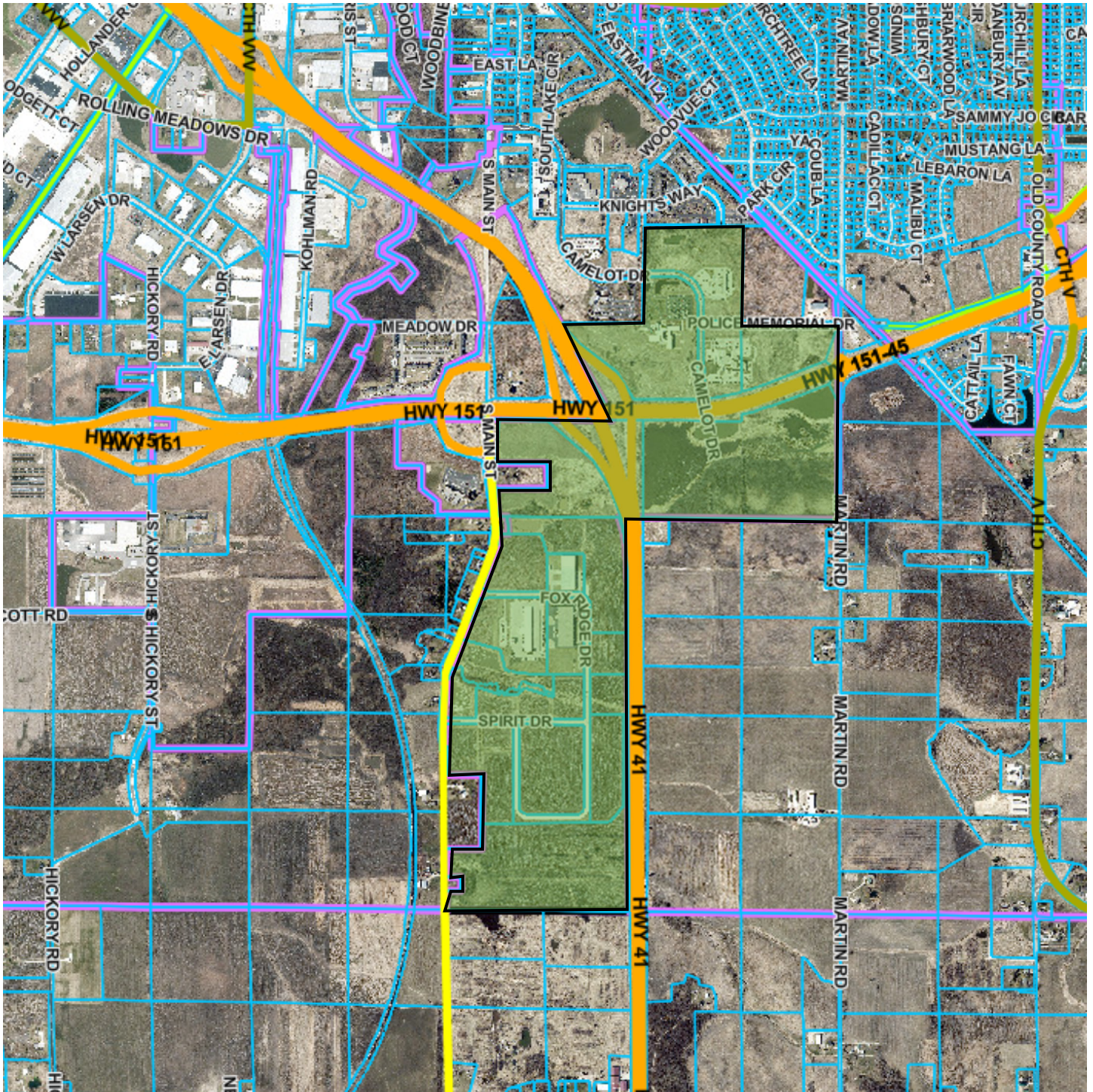
Tiffany Brault, Vice President
Fond du Lac City Council

Attest: City Attorney:

Reviewed 

Margaret Hefter, City Clerk

TAX INCREMENT DISTRICT 10



**CITY COUNCIL MEETING AGENDA
CITY OF FOND DU LAC, WISCONSIN**

Title: Ordinance No. 3786

Subject: An Ordinance Amending Chapter 500-4, Loudspeakers And Amplifying Systems Of
The Code Of The City Of Fond du Lac
Introduction: City Attorney

Initiator:

Recommendation:

ATTACHMENTS:

File Name

[3786 Ordinance Amending Sec. 500-4 Loudspeakers.3.7.24.pdf](#)

[Loudspeaker Ordinance Memo.pdf](#)

[Section 500-4 Loudspeakers and amplyfying systems.pdf](#)

[Code Cleanup Ordinance Backup.pdf](#)

ORDINANCE NO. 3786

AN ORDINANCE AMENDING CHAPTER 500-4 LOUDSPEAKERS AND AMPLIFYING SYSTEMS OF THE CODE OF THE CITY OF FOND DU LAC

The City Council of the City of Fond du Lac do ordain as follows; deleted items are shown with strikethrough and additions are underlined:

Section 1. That Chapter 500, Peace and Good Order; Section 4, Loudspeakers and amplifying systems., is hereby amended as follows:

§ 500-4 Loudspeakers and amplifying systems.

B. Permit application. Application for permit shall be filed with the City Clerk. The Clerk ~~shall present the application at the next regular or special session of the Council, which shall finally~~ will approve the issuance of the permit, subject to the provisions of this section and particularly the following restrictions:

(1) Sound tracks or loudspeakers transported from place to place shall operate on no street except Main Street and only between 11:45 a.m. and 1:00 p.m. and between 4:45 p.m. and 6:00 p.m. No operation shall be made on Sundays or legal holidays.

(2) Loudspeakers not transported and operated at one location shall not be operated between 10:30 p.m. and 10:00 a.m.

(3) No loudspeakinger system, whether movable or set up for one location, shall employ or use over ~~19 watts or eighty~~ decibels of output. It is the intention of this provision that no amplifying device shall be operated at such volume that sound shall carry in excess of 100 feet to 150 feet from the point of broadcast.

(4) The Electrical Inspector shall have the right to inspect the loudspeakinger system whenever in use to determine the output.

(5) Sound wagons or any vehicle transporting any amplifying system shall keep moving with traffic while the system is being used and shall not stop or remain standing at any location on Main Street while using the system except as required by delay in movement of traffic.

(6) ~~The Council~~ City Clerk may cancel and declare any permit void where the speaking system is being used in violation of this section or of state or federal laws and the permit shall be returned to the City. Operation of such system after notice is given of cancellation of permit shall constitute a violation of this section.

Section 2. Any person violating the provisions of this Ordinance shall be subject to the penalty provided in Section 1-4 of the Code.

Section 3. The appropriate City officials are hereby authorized and directed to take such action as is necessary to effectuate the terms of this Ordinance.

Section 4. All other ordinances and resolutions inconsistent with the provisions of this Ordinance are hereby repealed.

Section 5. This Ordinance shall take effect and be in force upon its passage and publication as provided by law.

ADOPTED:

Tiffany Brault, Vice President
Fond du Lac City Council

Attest:

City Attorney:

Margaret Hefter, City Clerk

Reviewed DSM

CITY OF FOND DU LAC - Memorandum

Date: March 5, 2024

To: City Manager, City Council

From: Deborah Hoffmann, City Attorney

Subject: Ordinance 3786 Loudspeakers and amplifying systems

Ordinance 3786 will:

- 1) Amend the loudspeaker ordinance to reflect our current practice of having the City Clerk grant loudspeaker permits and revise the typographical error for permissible decibel levels;

Ordinance 3786 shows the parts that are being deleted as strike-through and the new parts as underlined. Also included with the Ordinance is a printout from our code showing the current Section 500-4 and a back-up document that shows the changes in red and blue.

Please contact the City Attorney's Office if you have any questions about the proposed ordinance changes. Thank you.

City of Fond du Lac, WI
Tuesday, March 5, 2024

Chapter 500. Peace and Good Order

§ 500-4. Loudspeakers and amplifying systems.

- A. Permit required. Except as otherwise provided, no person shall operate any loudspeaker or amplifying system so as to amplify and broadcast to the public either voice or recordings on or along the public streets or alleys or in any outdoor location in the City without obtaining a permit as provided for in this section. A special event or march/public assembly permit under Chapter **562** of the Code of the City of Fond du Lac may also be required.
[Amended 2-13-2019 by Ord. No. 3684]
- B. Permit application. Application for permit shall be filed with the City Clerk. The Clerk shall present the application at the next regular or special session of the Council, which shall finally approve the issuance of the permit, subject to the provisions of this section and particularly the following restrictions:
- (1) Sound tracks or loudspeakers transported from place to place shall operate on no street except Main Street and only between 11:45 a.m. and 1:00 p.m. and between 4:45 p.m. and 6:00 p.m. No operation shall be made on Sundays or legal holidays.
 - (2) Loudspeakers not transported and operated at one location shall not be operated between 10:30 p.m. and 10:00 a.m.
 - (3) No loudspeaking system, whether movable or set up for one location, shall employ or use over 19 watts or eight decibels of output. It is the intention of this provision that no amplifying device shall be operated at such volume that sound shall carry in excess of 100 feet to 150 feet from the point of broadcast.
 - (4) The Electrical Inspector shall have the right to inspect the loudspeaking system whenever in use to determine the output.
 - (5) Sound wagons or any vehicle transporting any amplifying system shall keep moving with traffic while the system is being used and shall not stop or remain standing at any location on Main Street while using the system except as required by delay in movement of traffic.
 - (6) The Council may cancel and declare any permit void where the speaking system is being used in violation of this section or of state or federal laws and the permit shall be returned to the City. Operation of such system after notice is given of cancellation of permit shall constitute a violation of this section.
- C. Exceptions. This section does not apply to the use of loudspeaking or amplifying systems as follows:
- (1) Wholly within a permanent building.
 - (2) By a school when used in connection with educational purposes or when otherwise used noncommercially for any public address system at any athletic game or similar contest.
 - (3) Within the county fairgrounds which is bounded generally by Ninth Street, Martin Road, Fond du Lac Avenue and south City limits, when the use is by the Fond du Lac County Fair

Association at the annual Fond du Lac County Fair.

- (4) Within the public parks, provided permission is otherwise obtained from the City Manager.
 - (5) So-called wireless or radio transmission where the broadcast is not audible without the use of a radio or wireless receiving apparatus.
- D. Commercial advertising. No person shall operate or cause to be operated any loudspeaker or amplifying system on a truck or airplane for commercial sound advertising purposes in or over the City.
- E. Purpose of section. It is declared that the purpose of this section is solely to regulate the use of sound systems in the City which are covered by the provisions of this section and which have proven to be a public nuisance when operated without reasonable regulation. This section does not require any person to file with the City any statement of the public utterances to be made and no censorship of any kind shall be used in granting or revoking any permit, except as provided in Subsection **B** of this section.

Code Cleanup Ordinance Backup

Deletions are displayed in red

Additions are displayed in blue

§ 500-4 Loudspeakers and amplifying systems.

B. Permit application. Application for permit shall be filed with the City Clerk. The Clerk ~~shall present the application at the next regular or special session of the Council, which shall finally~~ will approve the issuance of the permit, subject to the provisions of this section and particularly the following restrictions:

(1) Sound tracks or loudspeakers transported from place to place shall operate on no street except Main Street and only between 11:45 a.m. and 1:00 p.m. and between 4:45 p.m. and 6:00 p.m. No operation shall be made on Sundays or legal holidays.

(2) Loudspeakers not transported and operated at one location shall not be operated between 10:00 p.m. and 10:00 a.m.

(3) No loudspeaker system, whether movable or set up for one location, shall employ or use over ~~19 watts or eight~~ 80 decibels of output. It is the intention of this provision that no amplifying device shall be operated at such volume that sound shall carry in excess of 100 feet to 150 feet from the point of broadcast.

(4) The Electrical Inspector shall have the right to inspect the loudspeaking~~ing~~ system whenever in use to determine the output.

(5) Sound wagons or any vehicle transporting any amplifying system shall keep moving with traffic while the system is being used and shall not stop or remain standing at any location on Main Street while using the system except as required by delay in movement of traffic.

(6) The ~~Council~~ City Clerk may cancel and declare any permit void where the speaking system is being used in violation of this section or of state or federal laws and the permit shall be returned to the City. Operation of such system after notice is given of cancellation of permit shall constitute a violation of this section.

**CITY COUNCIL MEETING AGENDA
CITY OF FOND DU LAC, WISCONSIN**

Title: Development Agreement For 183 S Main Street
Subject: Presented By: Community Development Director
Initiator:
Recommendation:

ATTACHMENTS:

File Name

[CC Memo - DA Memo.pdf](#)

[Rendering WI Main Street.pdf](#)

CITY OF FOND DU LAC - Memorandum

Department of Community Development

Date: March 8, 2024

To: Joe Moore, City Manager

From: Dyann Benson, Community Development Director

Re: 183 South Main Street – City Investment & Development Agreement

The former Beernuts Bar/Brickle Building at 183 South Main Street has a proposed redevelopment into a mixed-use project with residential units and commercial space along the Main Street frontage. The developer is proposing four (4) residential units on the second floor and up to four (4) residential units on the first floor. The Main Street portion of the building would offer commercial space.

This historic building, constructed in 1880, has been underutilized for a number of years. The closure of the former Beernuts and the building going onto the market creates a unique opportunity to support reinvestment in the south end of Main Street. The additional residential units will not only add to a much-needed inventory of housing options within the community, but within the downtown.

The City Council has authorized the submittal of a Community Development Investment (CDI) grant through the Wisconsin Economic Development Corporation (WEDC) for \$250,000. The CDI grant program provides funding to projects that create a significant, positive impact in downtown areas. The City will be applying for a \$250,000 CDI grant, the maximum grant amount available under the program, to support the approximate \$1.4 million renovation.

The estimated cost of the renovation is \$1,4 million. The proposed renovation will restore the historic façade but will also include roofing, windows and significant upgrades to the plumbing, electrical and HVAC. This property is currently assessed at \$142,700. Given the proposed work scope of the renovation, the addition of residential units along with the commercial space, the estimated assessment could increase to \$800,000 to \$900,000. This is a significant increase in value for a building within the downtown. The increase in value will also enhance the BID assessment to support the work of the Downtown Fond du Lac Partnership.

The City is proposing to further facilitate this project through a \$200,000 forgivable loan. The funds would be secured through a subordinate mortgage (meaning behind the primary lender(s)). The loan would be forgiven based upon the following conditions: \$1000 per year for any professional or service type commercial tenant or \$2,000 for any experience based commercial tenant (restaurants, retails, activity based businesses). Up to \$6000 per year per residential unit could be forgiven as long as there were no extended vacancy periods.

Reinvestment in downtown properties poses a financial challenge due to the nature of these historic buildings; the uncertainty of what will be found once renovations start and the financial cost of capital for commercial projects. In addition, the size of these projects attract small-scale developers that often have higher costs of capital than large commercial developers that can leverage other equity.

The ratio of City investment to long term benefits to the overall tax base as well to the downtown demonstrates a worthy partnership. City staff supports the investment in the project and will be bringing a resolution authorizing a development agreement for this project to the March 28th City Council meeting.



183 S. MAIN STREET
OCTOBER 13, 2023

FOND DU LAC, WI
JOE LAWNICZAK