

# ALCOHOL LICENSE COMMITTEE AGENDA

April 24, 2017

4:00 PM

160 S Macy Street

City-County Government Center

Meeting Room D

Fond du Lac, Wisconsin

## I. ROLL CALL

A. Attendance

B. Declaration Quorum Present

## II. CONSENT AGENDA

A. Approval of Meeting Minutes - March 27, 2017

## III. INPUT

A. Audience Comments

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

## IV. ACTIONS

A. "Class B" Intoxicating Liquor and Class "B" Fermented Malt Beverage

**Limited Liability Co:** Fond du Lac Baseball Club, LLC

**Agent Name:** Ryan Moede

**Agent Address:** 43 Thackery Drive, Oshkosh, WI 54904

**d/b/a:** Fond du Lac Dock Spiders

**Location of Premises:** 980 E Division Street

B. "Class B" Intoxicating Liquor and Class "B" Fermented Malt Beverage

**Limited Liability Co:** 211 S Military LLC

**Agent Name:** Ronald Boda

**Agent Address:** 440 Satterlee St, Fond du Lac, WI 54935

**d/b/a:** Nette's Bar & Grill

**Location of Premises:** 211 S Military Rd

## V. ADJOURN

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

Title: Approval of Meeting Minutes - March 27, 2017

Subject:

Initiator:

Location:

Recommendation:

**ATTACHMENTS:**

	File Name	Description
📎	03-27-17_ALC_Minutes.pdf	03-27-17 ALC Minutes

**ALCOHOL LICENSE COMMITTEE MEETING MINUTES**

CITY OF FOND DU LAC, WISCONSIN

160 S Macy Street

Meeting Room D

March 27, 2017

4:00 PM

**ROLL CALL**

Attendance

Present

Shawn Anhalt

Peter Doll

Brian Kolstad

Mark Otterstatter

Absent

Jacob Lehman

Kerry Ann Strupp

Travis Vandynhoven

Declaration Quorum Present

**CONSENT AGENDA**

Approval of Minutes - February 20, 2017

A Motion was made by Mark Otterstatter to approve minutes of February 20, 2017 and seconded by Peter Doll, and the motion was **Passed**.

Ayes: Anhalt, Doll, Kolstad, Otterstatter

Absent: Lehman, Strupp, VanDynHoven

**INPUT**

Audience Comments

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

**Spoke in support of Action Item A, "Class B" Intoxicating Liquor and Class "B" Fermented Malt Beverage license for the Garten Factory at 24 S Brooke Street.**

Wayne Bailey, 212 Pheasant Dr, Brandon

Eric Schraufnagel, W6852 Rogersville Rd, Fond du Lac

**Spoke in support of Action Item B, "Class B" Intoxicating Liquor and Class "B" Fermented Malt Beverage license for Pockets at 119 S Main Street**

Patricia Andrews, 475 W Scott St, Fond du Lac

**ACTIONS**

"Class B" Intoxicating Liquor and Class "B" Fermented Malt Beverage  
**Limited Liability:** Commonwealth Landscape & Maintenance

**Agent:** Wayne A Bailey, Jr

**Agent Address:** 212 Pheasant Drive, Brandon, WI 53919

**d/b/a:** Garten Factory

**Location of Premises:** 24 S Brooke Street

A Motion was made by Shawn Anhalt to approve a "Class B" Intoxicating Liquor and Class "B" Fermented Malt Beverage License for Garten Factory at 24 S Brooke Street and seconded by Peter Doll, and the motion was **Passed.**

Ayes: Anhalt, Doll, Kolstad, Otterstatter

Absent: Lehman, Strupp, VanDynHoven

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

**Limited Liability:** Las Islas, LLC

**Agent:** Patricia Andrews

**Agent Address:** 475 W Scott Street, Fond du Lac, WI

**d/b/a:** Pockets

**Location of Premises:** 119 S Main Street

A Motion was made by Peter Doll to approve a "Class B" Intoxicating Liquor and Class "B" Fermented Malt Beverage License for Pockets at 119 S Main Street and seconded by Mark Otterstatter, and the motion was **Passed.**

Ayes: Anhalt, Doll, Kolstad, Otterstatter

Absent: Lehman, Strupp, VanDynHoven

#### **ADJOURN**

A Motion was made by Peter Doll to adjourn at 4:25 PM and seconded by Brian Kolstad, and the motion was **Passed.**

Ayes: Anhalt, Doll, Kolstad, Otterstatter

Absent: Lehman, Strupp, VanDynHoven

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

Title: "Class B" Intoxicating Liquor and Class "B" Fermented Malt Beverage

Subject: **Limited Liability Co:** Fond du Lac Baseball Club, LLC  
**Agent Name:** Ryan Moede  
**Agent Address:** 43 Thackery Drive, Oshkosh, WI 54904  
**d/b/a:** Fond du Lac Dock Spiders  
**Location of Premises:** 980 E Division Street

Initiator:

Location:

Recommendation:

**ATTACHMENTS:**

	File Name	Description
📎	Dockspiders_-_Memo.pdf	Memo
📎	Dockspiders_-_Application_-_Redacted.pdf	Application

## Fond du Lac City Police Department



# Memo

**To:** City Manager Moore

**From:** Chief Lamb

**Date:** 04-19-17

**Re:** Proposed Class B Beer and Intoxicating Liquor License for the Fond du Lac Dock Spiders, 980 E Division St.

On April 18, 2017 Assistant Chief Klein, Division Chief of Fire Prevention Troy Haase, Community Development Director Dyann Benson and City Clerk Maggie Hetter, met with Ryan Moede who is the General Manager and the listed agent for the Fond du Lac Dock Spiders Northwoods Baseball Team regarding their request for a Class B combination license for Herr-Baker Field.

Mr. Moede stated that the Fond du Lac Dock Spiders is a newly created expansion team that is part of the Northwoods Baseball League. The Northwood teams are comprised of top collegiate baseball players from around the country. The Dock Spiders operate under Fond du Lac Baseball Club LLC which is a single member LLC of Appleton Baseball Club Inc. which own the Wisconsin Timber Rattlers minor league team. Mr. Moede stated that they are in the process of making a number of additions and improvements to Herr-Baker Field on the campus of Marian University which will be the home of the Dock Spiders. The stadium will hold 2,000 people and they anticipate an average crowd of 1,500 for games. The Dock Spiders will play 36 home games at Herr-Baker Field between May and August.

In addition to box seating and bleacher seating areas, there will be a couple of group party areas within the stadium. This license request will allow fans attending Dock Spider games to consume beer or other alcoholic drinks within the stadium. Mr. Moede stated that they will be carding all individuals 30-years of age or younger wishing to consume alcohol on the premises. In addition, all fans consuming alcohol must have a Dock Spiders issued wrist band which can be obtained as they enter the stadium or at the concessions. All servers will have completed the responsible beverage servers course and be licensed operators.

The Dock Spiders will cease all alcohol sales in the 7<sup>th</sup> inning which is an industry best practice. The Dock Spiders will have on site security staff for all games and will work closely with law enforcement on any concerns that may come up.

Mr. Moede has worked for the Wisconsin Timber Rattlers for the past 6-years, prior to assuming the role of General Manager for the Dock Spiders. Mr. Moede will serve as the licensed agent for the Dock Spiders.

Background checks were conducted on Mr. Moede and the applicants' both in-house and NCIC/CIB. There is nothing in the applicants' background that would preclude them from obtaining the requested license. The Police Department has no objections to the approval of the proposed license.

# ORIGINAL ALCOHOL BEVERAGE RETAIL LICENSE APPLICATION

Submit to municipal clerk.

For the license period beginning May 11 20 17  
ending June 30 20 17

TO THE GOVERNING BODY of the: ☐ Town of  
☐ Village of } Fond du Lac  
☒ City of

County of Fond du Lac Aldermanic Dist. No. \_\_\_\_\_ (if required by ordinance)

1. The named ☐ INDIVIDUAL ☐ PARTNERSHIP ☒ LIMITED LIABILITY COMPANY  
☐ CORPORATION/NONPROFIT ORGANIZATION

hereby makes application for the alcohol beverage license(s) checked above.

2. Name (individual/partners give last name, first, middle; corporations/limited liability companies give registered name): Fond du Lac Baseball Club, LLC

An "Auxiliary Questionnaire," Form AT-103, must be completed and attached to this application by each individual applicant, by each member of a partnership, and by each officer, director and agent of a corporation or nonprofit organization, and by each member/manager and agent of a limited liability company. List the name, title, and place of residence of each person.

Title	Name	Home Address	Post Office & Zip Code
President/Member	<u>President Rob D Zorjav</u>	<u>[REDACTED]</u>	<u>De Pere, WI 54115</u>
Vice President/Member	<u>Vice President Aaron W. Hahn</u>	<u>[REDACTED]</u>	<u>Appleton, WI 54913</u>
Secretary/Member	<u>[REDACTED]</u>	<u>[REDACTED]</u>	<u>[REDACTED]</u>
Treasurer/Member	<u>[REDACTED]</u>	<u>[REDACTED]</u>	<u>[REDACTED]</u>
Agent	<u>Ryan T. Moede</u>	<u>[REDACTED]</u>	<u>Oshkosh, WI 54904</u>
Directors/Managers	<u>[REDACTED]</u>	<u>[REDACTED]</u>	<u>[REDACTED]</u>

3. Trade Name Fond du Lac Dock Spiders Business Phone Number 920-907-9835  
4. Address of Premises 980 E. Division, FDL Post Office & Zip Code P.O. Box 2152, 54936

5. Is individual, partners or agent of corporation/limited liability company subject to completion of the responsible beverage server training course for this license period? ☒ Yes ☐ No  
6. Is the applicant an employee or agent of, or acting on behalf of anyone except the named applicant? ☐ Yes ☒ No  
7. Does any other alcohol beverage retail licensee or wholesale permittee have any interest in or control of this business? ☐ Yes ☒ No  
8. (a) Corporate/limited liability company applicants only: Insert state WI and date 7/18/16 of registration.  
(b) Is applicant corporation/limited liability company a subsidiary of any other corporation or limited liability company? ☒ Yes ☐ No  
(c) Does the corporation, or any officer, director, stockholder or agent or limited liability company, or any member/manager or agent hold any interest in any other alcohol beverage license or permit in Wisconsin? ☒ Yes ☐ No  
(NOTE: All applicants explain fully on reverse side of this form every YES answer in sections 5, 6, 7 and 8 above.)

9. Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include 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.) Baseball stadium incl. concessions, picnic decks, VIP party dock, ATLE box + patio tables, food top dock yard, seating bowl, concourses, grass berms, VIP suites, kitchen, front office launch.

10. Legal description (omit if street address is given above):  
11. (a) Was this premises licensed for the sale of liquor or beer during the past license year? ☐ Yes ☒ No  
(b) If yes, under what name was license issued?  
12. Does the applicant understand they must file a Special Occupational Tax return (TTB form 5630.5) before beginning business? [phone 1-800-937-8864] ☒ Yes ☐ No  
13. Does the applicant understand they must hold a Wisconsin Seller's Permit? [phone (608) 266-2776] ☒ Yes ☐ No  
14. Does the applicant understand that they must purchase alcohol beverages only from Wisconsin wholesalers, breweries and brewpubs? ☒ Yes ☐ No

**READ CAREFULLY BEFORE SIGNING:** Under penalty provided by law, the applicant states that each of the above questions has been truthfully answered to the best of the knowledge of the signers. Signers agree to operate this business according to law and that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another. (Individual applicants and each member of a partnership applicant must sign; corporate officer(s), members/managers of Limited Liability Companies must sign.) Any lack of access to any portion of a licensed premises during inspection will be deemed a refusal to permit inspection. Such refusal is a misdemeanor and grounds for revocation of this license.

## SUBSCRIBED AND SWORN TO BEFORE ME

this 8th day of March, 20 17

Catherine J. Spahr  
(Notary Public)  
My commission expires 4/15/2018

[Signature]  
(Officer of Corporation/Member/Manager of Limited Liability Company/Partner/Individual)

(Officer of Corporation/Member/Manager of Limited Liability Company/Partner)

(Additional Partner(s)/Member/Manager of Limited Liability Company if Any)

## TO BE COMPLETED BY CLERK

Date received and filed with municipal clerk <u>3/10/17</u>	Date reported to council/board <u>5/10/17</u>	Date provisional license issued	Signature of Clerk / Deputy Clerk
Date license granted	Date license issued	License number issued	

Control # - 2591-OL  
License # - 17-5021

**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 the officer(s) of the corporation/organization or members/managers 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(s)/members/managers of Fond du Lac Baseball Club, 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

Fond du Lac Dock Spiders  
(trade name)

located at 980 E. Division Street, Fond du Lac, WI 54935

appoints Ryan Moede  
(name of appointed agent)

[Redacted] Oshkosh, WI 54904  
(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? 6 years

Place of residence last year 1025 Covered Bridge Rd, Waupaca, WI 54981

For: Fond du Lac Baseball Club, LLC  
(name of corporation/organization/limited liability company)

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

And: Arion [Signature], Vice President  
(signature of Officer/Member/Manager)

**ACCEPTANCE BY AGENT**

I, Ryan Moede, 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.

Ryan Moede 3/10/17 Agent's age [Redacted]  
(signature of agent) (date)  
[Redacted] Oshkosh, WI 54904 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 04/19/17 by [Signature] Title ASST. POLICE CHIEF  
(date) (signature of proper local official) (town chair, village president, police chief)



5. Ryan has already completed the course.

6. -

7. -

8. (b) Single Member LLC of Appleton Baseball Club, Inc.

(c) Appleton Baseball Club, Inc.

# AUXILIARY QUESTIONNAIRE ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk.

Individual's Full Name (please print) (last name) <u>Zerjav</u>		(first name) <u>Rob</u>	(middle name) <u>D.</u>	
Home Address (street/route) [REDACTED]		Post Office	City <u>De Pere</u>	State <u>WI</u> Zip Code <u>54115</u>
Home Phone Number [REDACTED]		Age [REDACTED]	Date of Birth [REDACTED]	Place of Birth [REDACTED]

The above named individual provides the following information as a person who is (check one):

- ☐ Applying for an alcohol beverage license as an individual.
- ☐ A member of a partnership which is making application for an alcohol beverage license.
- ☒ President of Fond du Lac Baseball Club, LLC  
(Officer/Director/Member/Manager/Agent) (Name of Corporation, Limited Liability Company or Nonprofit Organization)

which is making application for an alcohol beverage license.

The above named individual provides the following information to the licensing authority:

- How long have you continuously resided in Wisconsin prior to this date? 42 years
- Have you ever been convicted of any offenses (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of any other states or ordinances of any county or municipality? ☐ Yes ☒ No  
If yes, give law or ordinance violated, trial court, trial date and penalty imposed, and/or date, description and status of charges pending. (If more room is needed, continue on reverse side of this form.)
- Are charges for any offenses presently pending against you (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of other states or ordinances of any county or municipality? ☐ Yes ☒ No  
If yes, describe status of charges pending.
- Do you hold, are you making application for or are you an officer, director or agent of a corporation/nonprofit organization or member/manager/agent of a limited liability company holding or applying for any other alcohol beverage license or permit? ☒ Yes ☐ No  
If yes, identify. Appleton Baseball Club, Inc., 2400 N. Casaloma Dr., Appleton - Class B  
(Name, Location and Type of License/Permit)
- Do you hold and/or are you an officer, director, stockholder, agent or employee of any person or corporation or member/manager/agent of a limited liability company holding or applying for a wholesale beer permit, brewery/winery permit or wholesale liquor, manufacturer or rectifier permit in the State of Wisconsin? ☐ Yes ☒ No  
If yes, identify.

(Name of Wholesale Licensee or Permittee)

(Address By City and County)

6. Named individual must list in chronological order last two employers.

Employer's Name <u>Park</u> <u>Village of Ashwaubenon</u>	Employer's Address <u>Ashwaubenon</u>	Employed From <u>1994</u>	To <u>1996</u>
Employer's Name <u>Best Buy</u>	Employer's Address <u>Green Bay</u>	Employed From <u>1992</u>	To <u>1994</u>

The undersigned, being first duly sworn on oath, deposes and says that he/she is the person named in the foregoing application; that the applicant has read and made a complete answer to each question, and that the answers in each instance are true and correct. The undersigned further understands that any license issued contrary to Chapter 125 of the Wisconsin Statutes shall be void, and under penalty of state law, the applicant may be prosecuted for submitting false statements and affidavits in connection with this application.

Subscribed and sworn to before me

this 8th day of March

Cathleen S. Spanbauer  
(Clerk/Notary Public)



My commission expires 4/10/2018

[Signature]  
(Signature of Named Individual)



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# AUXILIARY QUESTIONNAIRE ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk.

Individual's Full Name (please print) (last name)		(first name)		(middle name)	
Hahn		Aaron		W.	
Home Address (street/route)		Post Office		City	State
[REDACTED]		[REDACTED]		Appleton	WI
Home Phone Number		Age	Date of Birth	Zip Code	
[REDACTED]		[REDACTED]	[REDACTED]	54913	
Home Phone Number		Age		Date of Birth	
[REDACTED]		[REDACTED]		[REDACTED]	
Home Phone Number		Age		Date of Birth	
[REDACTED]		[REDACTED]		[REDACTED]	

The above named individual provides the following information as a person who is (check one):

☐ Applying for an alcohol beverage license as an individual.

☐ A member of a partnership which is making application for an alcohol beverage license.

☒ Vice President of Fond du Lac Baseball Club, LLC  
(Officer/Director/Member/Manager/Agent) (Name of Corporation, Limited Liability Company or Nonprofit Organization)

which is making application for an alcohol beverage license.

The above named individual provides the following information to the licensing authority:

- How long have you continuously resided in Wisconsin prior to this date? 12.5 years
- Have you ever been convicted of any offenses (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of any other states or ordinances of any county or municipality? ☐ Yes ☒ No  
If yes, give law or ordinance violated, trial court, trial date and penalty imposed, and/or date, description and status of charges pending. (If more room is needed, continue on reverse side of this form.)

- Are charges for any offenses presently pending against you (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of other states or ordinances of any county or municipality? ☐ Yes ☒ No  
If yes, describe status of charges pending.

- Do you hold, are you making application for or are you an officer, director or agent of a corporation/nonprofit organization or member/manager/agent of a limited liability company holding or applying for any other alcohol beverage license or permit? ☐ Yes ☒ No  
If yes, identify.

(Name, Location and Type of License/Permit)

- Do you hold and/or are you an officer, director, stockholder, agent or employee of any person or corporation or member/manager/agent of a limited liability company holding or applying for a wholesale beer permit, brewery/winery permit or wholesale liquor, manufacturer or rectifier permit in the State of Wisconsin? ☐ Yes ☒ No  
If yes, identify.

(Name of Wholesale Licensee or Permittee)

(Address By City and County)

- Named individual must list in chronological order last two employers.

Employer's Name	Employer's Address	Employed From	To
JT's Wash & Mart	751 Wisconsin St., Ashkosh, WI 54801	6/05	3/06
Birmingham Barons	100 Ben Chapman Dr., Hoover, AL 35244	1/04	9/04

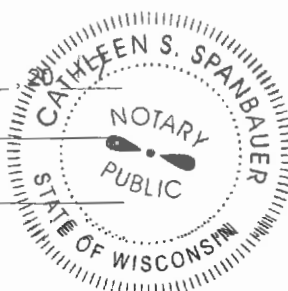
The undersigned, being first duly sworn on oath, deposes and says that he/she is the person named in the foregoing application; that the applicant has read and made a complete answer to each question, and that the answers in each instance are true and correct. The undersigned further understands that any license issued contrary to Chapter 125 of the Wisconsin Statutes shall be void, and under penalty of state law, the applicant may be prosecuted for submitting false statements and affidavits in connection with this application.

Subscribed and sworn to before me

this 8th day of March

Catherine S. Spanbauer  
(Clerk/Notary Public)

My commission expires 4/10/2018



Aaron W. [Signature]  
(Signature of Named Individual)



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# AUXILIARY QUESTIONNAIRE ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk.

Individual's Full Name (please print) (last name)		(first name)		(middle name)	
Muede		Ryan		T.	
Home Address (street/route)		Post Office	City	State	Zip Code
[REDACTED]			OshKosh	WI	54904
Home Phone Number		Age	Date of Birth	Place of Birth	
[REDACTED]		[REDACTED]		[REDACTED]	

The above named individual provides the following information as a person who is (check one):

☐ Applying for an alcohol beverage license as an individual.

☐ A member of a partnership which is making application for an alcohol beverage license.

☒ Agent of Fond du Lac Baseball Club, LLC  
(Officer/Director/Member/Manager/Agent) (Name of Corporation, Limited Liability Company or Nonprofit Organization)

which is making application for an alcohol beverage license.

The above named individual provides the following information to the licensing authority:

- How long have you continuously resided in Wisconsin prior to this date? 6 years
- Have you ever been convicted of any offenses (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of any other states or ordinances of any county or municipality? ☐ Yes ☒ No  
If yes, give law or ordinance violated, trial court, trial date and penalty imposed, and/or date, description and status of charges pending. (If more room is needed, continue on reverse side of this form.)

- Are charges for any offenses presently pending against you (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of other states or ordinances of any county or municipality? ☐ Yes ☒ No  
If yes, describe status of charges pending.

- Do you hold, are you making application for or are you an officer, director or agent of a corporation/nonprofit organization or member/manager/agent of a limited liability company holding or applying for any other alcohol beverage license or permit? ☐ Yes ☒ No  
If yes, identify.

(Name, Location and Type of License/Permit)

- Do you hold and/or are you an officer, director, stockholder, agent or employee of any person or corporation or member/manager/agent of a limited liability company holding or applying for a wholesale beer permit, brewery/winery permit or wholesale liquor, manufacturer or rectifier permit in the State of Wisconsin? ☐ Yes ☒ No  
If yes, identify.

(Name of Wholesale Licensee or Permittee)

(Address By City and County)

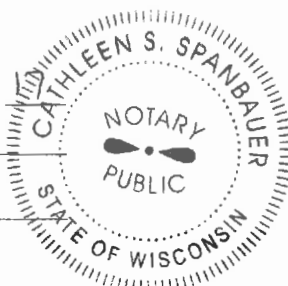
- Named individual must list in chronological order last two employers.

Employer's Name	Employer's Address	Employed From	To
WI Timber Rattlers	2400 N. Casaloma, Appleton	11/22/2010	12/31/2016
Sacramento River Cats	Sacramento, CA	1/1/2010	11/2010

The undersigned, being first duly sworn on oath, deposes and says that he/she is the person named in the foregoing application; that the applicant has read and made a complete answer to each question, and that the answers in each instance are true and correct. The undersigned further understands that any license issued contrary to Chapter 125 of the Wisconsin Statutes shall be void, and under penalty of state law, the applicant may be prosecuted for submitting false statements and affidavits in connection with this application.

Subscribed and sworn to before me

this 10<sup>th</sup> day of March 2018  
Cathleen S. Spanbauer  
(Clerk/Notary Public)



Ryan Muede  
(Signature of Named Individual)

My commission expires 4/10/2018



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## **Business Summary for Fond du Lac Baseball Club, LLC**

Appleton Baseball Club, Inc., a non-stock, for profit Wisconsin Corporation, dba Wisconsin Timber Rattlers is a highly successful Minor League Baseball team recognized both locally and nationally for their business operations. The Northwoods League is a collegiate summer baseball league comprised of teams of the top college players from around the country. In 2016, the Fond du Lac Baseball Club, LLC purchased an expansion team in the Northwoods League and will begin operations in 2017 as the Fond du Lac Dock Spiders. Fond du Lac Baseball Club, LLC is the single member LLC of Appleton Baseball Club, Inc.

The Fond du Lac Dock Spiders will be playing at Herr-Baker Field on the campus of Marian University and leasing the facility from Marian for baseball operations from May 25 through August 25 each year. The Dock Spiders core business is providing family entertainment to Fond du Lac and the surrounding communities.

Hours of operation vary depending on the games schedule each year. A 2017 schedule is attached for reference.



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

**Contact Information:**

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

Letter ID L1433374944

CATHY SPANBAUER  
FOND DU LAC BASEBALL CLUB, LLC  
PO BOX 2152 980 E DIVISION STREET  
FOND DU LAC WI 54936-2152

## Wisconsin Department of Revenue Seller's Permit

**Legal/real name:** FOND DU LAC BASEBALL CLUB, LLC  
**Business name:** FOND DU LAC BASEBALL CLUB, LLC  
980 E DIVISION ST  
FOND DU LAC WI 54935-2152

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

Tax Type	Account Type	Account Number
Sales & Use Tax	Seller's Permit	456-1029313271-02

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

Title: "Class B" Intoxicating Liquor and Class "B" Fermented Malt Beverage

Subject: **Limited Liability Co:** 211 S Military LLC  
**Agent Name:** Ronald Boda  
**Agent Address:** 440 Satterlee St, Fond du Lac, WI 54935  
**d/b/a:** Nette's Bar & Grill  
**Location of Premises:** 211 S Military Rd

Initiator:

Location:

Recommendation:

**ATTACHMENTS:**

	File Name	Description
▣	Nettes_Bar__Grill_-_Memo.pdf	Memo
▣	Nettes_Bar__Grill_-_Application_-_Redacted.pdf	Application

**Fond du Lac City  
Police Department**



# Memo

**To:** City Manager Moore

**From:** Chief Lamb

**Date:** 04-19-17

**Re:** Proposed Class B Beer and Intoxicating Liquor License for Nette's Bar and Grill,  
211 S Military Road.

On April 18, 2017 Assistant Chief Klein, Division Chief of Fire Prevention Troy Haase, Community Development Director Dyann Benson and City Clerk Maggie Hefter, met with the listed applicant Ron Boda regarding his request for a Class B combination license for the above location.

Mr. Boda is looking at opening a bar in the former Warehouse tavern location. Mr. Boda advised that he is not looking to make any major changes to the infrastructure of the building. Mr. Boda has purchased the property and will be owner/manager of the business. He stated that it would be the typical neighborhood corner bar. Boda stated that they will have a number of large screen televisions for watching sporting events. The second floor area would be used for busy times such as weekends or for special event/private parties. Boda advised that even though the name of the business suggests that they are a bar and grill, that there is no food kitchen within the establishment; however, he has had some discussions with his next door neighbor at the Green Dragon to provide some small menu items that they could serve at Nette's next door.

Mr. Boda has been a resident of Fond du Lac for over 50 years. Mr. Boda stated that he owns a number of businesses including a soda fountain distribution business which supplies a number of restaurants and bars. Mr. Boda has over 13 years of experience of working within the Hospitality industry.

Mr. Boda will serve as the licensed agent for this location. Assistant Chief Klein discussed with the applicant the City's expectations of being a license holder and the importance of being a "good neighbor."

Background checks performed on the applicant, both in-house and NCIC/CIB, indicate no criminal history that would preclude him from obtaining the requested license. The Police Department has no objections to the approval of the proposed license request.



# ORIGINAL ALCOHOL BEVERAGE RETAIL LICENSE APPLICATION

Submit to municipal clerk.

For the license period beginning 5-11 20 17 :  
ending 6-30 20 17

TO THE GOVERNING BODY of the: ☐ Town of  
☐ Village of } FOND DU LAC  
☒ City of

County of FOND DU LAC Aldermanic Dist. No. \_\_\_\_\_ (if required by ordinance)

1. The named ☐ INDIVIDUAL ☐ PARTNERSHIP ☒ LIMITED LIABILITY COMPANY  
☐ CORPORATION/NONPROFIT ORGANIZATION

hereby makes application for the alcohol beverage license(s) checked above.

2. Name (individual/partners give last name, first, middle; corporations/limited liability companies give registered name): 211 S MILITARY LLC

An "Auxiliary Questionnaire," Form AT-103, must be completed and attached to this application by each individual applicant, by each member of a partnership, and by each officer, director and agent of a corporation or nonprofit organization, and by each member/manager and agent of a limited liability company. List the name, title, and place of residence of each person.

Title Name Home Address Post Office & Zip Code  
President/Member MEMBER RONALD BODA [REDACTED] WI 54935  
Vice President/Member \_\_\_\_\_  
Secretary/Member \_\_\_\_\_  
Treasurer/Member \_\_\_\_\_  
Agent RONALD E BODA  
Directors/Managers \_\_\_\_\_

3. Trade Name NETTE'S BAR & GRILL Business Phone Number \_\_\_\_\_  
4. Address of Premises 211 S MILITARY RD Post Office & Zip Code FOND DU LAC WI 54935

5. Is individual, partners or agent of corporation/limited liability company subject to completion of the responsible beverage server training course for this license period? ☒ Yes ☐ No  
6. Is the applicant an employee or agent of, or acting on behalf of anyone except the named applicant? ☐ Yes ☒ No  
7. Does any other alcohol beverage retail licensee or wholesale permittee have any interest in or control of this business? ☐ Yes ☒ No  
8. (a) Corporate/limited liability company applicants only: Insert state WISCONSIN and date 4-6-17 of registration.  
(b) Is applicant corporation/limited liability company a subsidiary of any other corporation or limited liability company? ☐ Yes ☒ No  
(c) Does the corporation, or any officer, director, stockholder or agent or limited liability company, or any member/manager or agent hold any interest in any other alcohol beverage license or permit in Wisconsin? ☐ Yes ☒ No  
(NOTE: All applicants explain fully on reverse side of this form every YES answer in sections 5, 6, 7 and 8 above.)

9. Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include 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.) BASEMENT-STORAGE- 1ST + 2ND FLOOR- STORAGE + SALES

10. Legal description (omit if street address is given above): \_\_\_\_\_

11. (a) Was this premises licensed for the sale of liquor or beer during the past license year? ☐ Yes ☒ No  
(b) If yes, under what name was license issued? \_\_\_\_\_

12. Does the applicant understand they must file a Special Occupational Tax return (TTB form 5630.5) before beginning business? [phone 1-800-937-8864] ☒ Yes ☐ No

13. Does the applicant understand a Wisconsin Seller's Permit must be applied for and issued in the same name as that shown in Section 2, above? [phone (608) 266-2776] ☒ Yes ☐ No

14. Does the applicant understand that they must purchase alcohol beverages only from Wisconsin wholesalers, breweries and brewpubs? ☒ Yes ☐ No

**READ CAREFULLY BEFORE SIGNING:** Under penalty provided by law, the applicant states that each of the above questions has been truthfully answered to the best of the knowledge of the signers. Signers agree to operate this business according to law and that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another. (Individual applicants and each member of a partnership applicant must sign; corporate officer(s), members/managers of Limited Liability Companies must sign.) Any lack of access to any portion of a licensed premises during inspection will be deemed a refusal to permit inspection. Such refusal is a misdemeanor and grounds for revocation of this license.

## SUBSCRIBED AND SWORN TO BEFORE ME

this 6th day of April, 20 17

[Signature]  
(Clerk/Notary Public)

My commission expires 9-27-2019

[Signature]  
(Officer of Corporation/Member/Manager of Limited Liability Company/Partner/Individual)

(Officer of Corporation/Member/Manager of Limited Liability Company/Partner)

(Additional Partner(s)/Member/Manager of Limited Liability Company if Any)

## TO BE COMPLETED BY CLERK

Date received and filed with municipal clerk <u>4-6-17</u>	Date reported to council/board <u>5-10-17</u>	Date provisional license issued	Signature of Clerk / Deputy Clerk
Date license granted	Date license issued	License number issued <u>17-5043</u>	

0-2641

**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 the officer(s) of the corporation/organization or members/managers 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(s)/members/managers of 211 S MILITARY 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  
NETTE'S BAR & GRILL  
(trade name)

located at 211 S MILITARY RD

appoints RONALD E BODA  
(name of appointed agent)  
[REDACTED] FOL. 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).

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? 50 YEARS

Place of residence last year [REDACTED] FOL. WI 54935

For: 211 S MILITARY LLC  
(name of corporation/organization/limited liability company)

By: Ronald E Boda / member  
(signature of Officer/Member/Manager)

And: \_\_\_\_\_  
(signature of Officer/Member/Manager)

**ACCEPTANCE BY AGENT**

I, RONALD E BODA, 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.

Ronald E Boda 4/6/17 Agent's age [REDACTED]  
(signature of agent) (date)  
[REDACTED] FOL. WI. 54935 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 04/19/17 by Steven P Koo Title ASST. POLICE CHIEF  
(date) (signature of proper local official) (town chair, village president, police chief)

# AUXILIARY QUESTIONNAIRE ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk.

Individual's Full Name (please print) (last name)		(first name)		(middle name)	
BODA		RONALD		EDWARD	
Home Address (street/route)		Post Office	City	State	Zip Code
[REDACTED]		[REDACTED]	FO	WI	54935
Home Phone Number		Age	Date of Birth	Place of Birth	
[REDACTED]		[REDACTED]	[REDACTED]	[REDACTED]	

The above named individual provides the following information as a person who is (check one):

☐ Applying for an alcohol beverage license as an individual.

☐ A member of a partnership which is making application for an alcohol beverage license.

☒ Member / Agent of 211 S MILITARY LLC  
(Officer/Director/Member/Manager/Agent) (Name of Corporation, Limited Liability Company or Nonprofit Organization)

which is making application for an alcohol beverage license.

The above named individual provides the following information to the licensing authority:

- How long have you continuously resided in Wisconsin prior to this date? 50 YEARS
- Have you ever been convicted of any offenses (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of any other states or ordinances of any county or municipality? ☒ Yes ☐ No  
If yes, give law or ordinance violated, trial court, trial date and penalty imposed, and/or date, description and status of charges pending. (If more room is needed, continue on reverse side of this form.)  
A DUI IN 2004 IN CITY OF FOND DU LAC. CAN'T FIND INFO ON CCAP.
- Are charges for any offenses presently pending against you (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of other states or ordinances of any county or municipality? ☐ Yes ☒ No  
If yes, describe status of charges pending.
- Do you hold, are you making application for or are you an officer, director or agent of a corporation/nonprofit organization or member/manager/agent of a limited liability company holding or applying for any other alcohol beverage license or permit? ☐ Yes ☒ No  
If yes, identify. (Name, Location and Type of License/Permit)
- Do you hold and/or are you an officer, director, stockholder, agent or employee of any person or corporation or member/manager/agent of a limited liability company holding or applying for a wholesale beer permit, brewery/winery permit or wholesale liquor, manufacturer or rectifier permit in the State of Wisconsin? ☐ Yes ☒ No  
If yes, identify. (Name of Wholesale Licensee or Permittee) (Address By City and County)
- Named individual must list in chronological order last two employers.

Employer's Name	Employer's Address	Employed From	To
BODA DISTRIBUTION	440 SATTERLEE ST	2004	PRESENT
HOME CARE CONST	440 SATTERLEE ST.	1988	PRESENT

The undersigned, being first duly sworn on oath, deposes and says that he/she is the person named in the foregoing application; that the applicant has read and made a complete answer to each question, and that the answers in each instance are true and correct. The undersigned further understands that any license issued contrary to Chapter 125 of the Wisconsin Statutes shall be void, and under penalty of state law, the applicant may be prosecuted for submitting false statements and affidavits in connection with this application.

Subscribed and sworn to before me

this 6th day of April, 2017

[Signature]  
(Clerk/Notary Public)

My commission expires 9.27.2019

[Signature]  
(Signature of Named Individual)



Printed on  
Recycled Paper

## Nette's Bar & Grill

Dear City of Fond du Lac my name is Ronald E Boda of 440 Satterlee St in Fond du lac and I am at this time applying for a Original Alcohol Beverage Retail liquor license for what was formally called the Warehouse Bar at 211 S Military Rd in Fond du Lac.

This location has been a local bar for decades serving the Fond du lac area. At the time the current owner shut down there had been improvements to the building such as installing new bathrooms on the second level along with a remodel for the second floor. They had pool tables and other games on the second floor for parties and pool tournaments,

My intention is to reopen the bar initially doing simple clean ups and minor improvements to get the business operating again and over the course of the next year we will install a small kitchen grill area behind the bar for serving sandwiches and appetizers for our guest. In the meantime until this happens we will utilize the Green Dragon for food service.

There isn't much information to share at this time other than we wish to continue serving the local area that was served there in the past with a nice place to go to socialize with friends with the ability to serve alcohol and eventually have a meal produced there. There will be pool tables and other games as before and like can be found at any other bar in Fond du lac.

We intend to be open from 3pm to close Monday-Friday and opening 11 am to close on the weekends. There is no dance floor nor are there any plans for one. There will be music provided by a juke box for entertainment. The second floor will still be utilized for private parties and events as it was in the past.

If you have any other question feel free to call me at 920-923-3517. Thank you! Ronald E Boda.