



Common Council

Special Untelevised

335 South Broadway
De Pere, WI 54115
<http://www.de-pere.org>

Agenda

Tuesday, April 10, 2018

6:00 PM

De Pere City Hall Council Chambers

Pursuant to Wisconsin Statutes 19.84, Notice is hereby given to the public that a meeting of the **Common Council** of the City of De Pere will be held on **April 10, 2018** at **6:00 PM** in the **De Pere City Hall Council Chambers, 335 S. Broadway Street, De Pere, WI 54115.**

I. Agenda for Said Meeting:

1. Roll Call
2. Hearing to Consider Suspension or Revocation of the Class "B" Fermented Malt Beverage and "Class B" Intoxicating Liquor License issued to The Cover, LLC c/o Paul Huss, Agent, for the premises known as The Longbranch Saloon, 334 Main Avenue, De Pere, Wisconsin is scheduled for 6:00 p.m.

3. Deliberations by the Council upon the conclusion of the above hearing.

PLEASE TAKE NOTICE, that pursuant to Wis. Stats. §19.85(1)(a), the Council may convene in closed session for the purpose of deliberating concerning a case which was the subject of any judicial or quasi-judicial trial or hearing before that governmental body.

The Council may then reconvene in open session to take action on any matter discussed in closed session or for such other purposes as are allowed by law.

4. Decision, if any, on the above hearing may be announced by the Council at the conclusion of its deliberations pertaining to that hearing.
5. Adjournment.

Agenda Sent To:

Alderspersons

City Administrator

Mayor

Department Heads

TV, Newspapers & Radio Stations

Kress Family Library

De Pere Chamber of Commerce

Paul W. Huss, The Cover, LLC, d/b/a The Longbranch Saloon

City of De Pere, Wisconsin

**Request For Common Council Action**

MEETING DATE: April 10, 2018

DEPARTMENT: City Attorney

FROM: Angela Zills

SUBJECT: Hearing to Consider Suspension or Revocation of the Class "B" Fermented Malt Beverage and "Class B" Intoxicating Liquor License issued to The Cover, LLC c/o Paul Huss, Agent, for the premises known as The Longbranch Saloon, 334 Main Avenue, De Pere, Wisconsin is scheduled for 6:00 p.m.

ATTACHMENTS:

- Summons-The Cover, LLC (PDF)
- Complaint - The Cover LLC - with Exhibits 01(PDF)

STATE OF WISCONSIN

CITY OF DE PERE

CITY OF DE PERE,
 By: Derek Beiderwieden, Police Chief
 325 South Broadway Street
 De Pere, WI 54115,

Licensor

v.

The Cover, LLC.
 d/b/a The Longbranch Saloon
 c/o Paul W. Huss, Agent
 334 Main Ave.
 De Pere, WI 54115

Licensee

In the Matter of the Suspension
 or Revocation of the Class "B"
 Fermented Malt Beverage and
 "Class B" Intoxicating Liquor
 License issued to The Cover, LLC.,
 c/o Paul W. Huss, Agent

SUMMONS

TO: The Cover, LLC.
 c/o Paul W. Huss, Agent
 d/b/a The Longbranch Saloon
 2514 Turnbury Road
 Green Bay, WI 54313

You are hereby notified that Derek Beiderwieden, Chief of Police for the City of De Pere, has filed a sworn Complaint against you with the Office of the City Clerk-Treasurer. The Complaint, which is attached, states the nature and basis of this action.

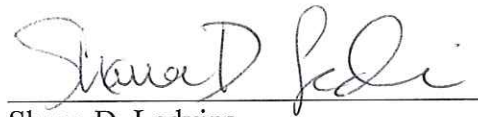
You are commanded to appear before the City of De Pere Common Council on Tuesday, **April 10, 2018 at 6:00 p.m.**, or as soon thereafter as the Common Council may hear this matter, at the City of De Pere Common Council Chambers, 2nd Floor, De Pere City Hall, 335 South Broadway Street, De Pere, WI 54115, to show cause why the Class "B" Fermented Malt

Attachment: Summons-The Cover, LLC (6858 : The Cover, LLC License Suspension/Revocation Hearing)

Beverage and "Class B" Intoxicating Liquor License issued to The Cover, LLC for the license year commencing July 1, 2017 should not be suspended or revoked under §7-13 De Pere Municipal Code and Wis. Stats. §125.12.

This Summons shall be personally served upon the Licensee as provided in Wisconsin Statutes Chapter 801.

Dated this 29th day of March, 2018.



Shana D. Ledvina
City Clerk-Treasurer
335 South Broadway Street
De Pere, WI 54115

Attachment: Summons-The Cover, LLC (6858 : The Cover, LLC License Suspension/Revocation Hearing)

STATE OF WISCONSIN

CITY OF DE PERE

CITY OF DE PERE,
a Municipal Corporation
335 South Broadway Street
De Pere, WI 54115,

Licensors,

In the Matter of the Suspension
or Revocation of the Class "B"
Fermented Malt Beverage and
"Class B" Intoxicating Liquor
License issued to The Cover, LLC
c/o/ Paul W. Huss, Agent

v.

THE COVER, LLC
d/b/a The Longbranch Saloon
c/o Paul W. Huss, Agent
334 Main Avenue
De Pere, WI 54115

Licensee.



COMPLAINT

COMES NOW Derek Beiderwieden, Police Chief for the City of De Pere, pursuant to §7-13 De Pere Municipal Code and Wis. Stats. §125.12 who, upon oath, presents this Complaint regarding suspension or revocation of the Class "B" Fermented Malt Beverage and "Class B" Intoxicating Liquor License issued to The Cover, LLC as follows:

1. I am an adult resident of the City of De Pere and I have held the office of Police Chief for the City of De Pere since June 2, 2002.
2. The City of De Pere issued a Class "B" Fermented Malt Beverage and "Class B" Intoxicating Liquor License to The Cover, LLC, c/o Paul W. Huss, Agent ("Licensee") for the premises doing business as the Longbranch Saloon ("Longbranch"), 334 Main Ave., De Pere, WI, for the 2017-2018 license year (July 1 – June 30). A copy of such license is attached and incorporated as Exhibit A. The manager of the Longbranch Saloon is Jack Van Dyke ("Van Dyke").

Attachment: Complaint - The Cover LLC - with Exhibits 01 (6858 : The Cover, LLC License Suspension/Revocation Hearing)

COUNT 1: Permitting Consumption on a Public Place

3. On April 28, 2017, Van Dyke was working at the Longbranch and was issued a municipal citation for permitting the consumption of alcohol beverages on a public place, contrary to Wis. Stats. §125.09(1) and Section 7.125.09 De Pere Municipal Code (DPMC).

4. Van Dyke was found guilty of the April 28, 2017 citation for permitting the consumption of alcohol beverages on a public place by the De Pere/Ledgeview Joint Municipal Court on September 28, 2017. A certified copy of the Judgment of Conviction is attached hereto and incorporated as Exhibit B.

COUNT 2: Permitting Underage Person on Licensed Premises

5. On June 10, 2017, Van Dyke was working at the Longbranch Saloon and was issued a municipal citation for permitting an underage person on the licensed premises of the Longbranch contrary to Wis. Stats. §125.07(3)(a) and Section 7.125.07 DPMC.

6. Van Dyke was found guilty of the June 10, 2017 citation for permitting an underage person on the Longbranch premises by the De Pere/Ledgeview Joint Municipal Court on September 28, 2017. A certified copy of the Judgment of Conviction is attached hereto and incorporated as Exhibit C. Twelve (12) underage persons were also issued municipal citations and convicted for being underage on a licensed premises (place of sale) arising from the same incident.

COUNT 3: Permitting Underage Person on Licensed Premises

7. On October 10, 2017, De Pere police officers apprehended four (4) intoxicated underage persons in the vicinity of 334 Main Avenue, all who admitted to consuming alcohol beverages at the Longbranch Saloon. The Longbranch bartender on duty that evening was Maria Bielski.

8. On February 22, 2018, Maria Bielski was found guilty by the De Pere/Ledgeview Joint Municipal Court for the October 10, 2017 incident for permitting an underage person on the Longbranch Saloon premises, contrary to Wis. Stats. §125.07(3)(a) and Section 7.125.07 DPMC. A certified copy of the Judgment of Conviction is attached hereto and incorporated as Exhibit D.

9. On March 8, 2017, Licensee, c/o Paul Huss was also found guilty by the De Pere/Ledgeview Joint Municipal Court for the October 10, 2017 incident for permitting an underage person on the licenses premises, contrary to Wis. Stats. §125.07(3)(a) and Section 7.125.07 DPMC. A certified copy of the Judgment of Conviction is attached hereto and incorporated as Exhibit E.

COUNT 4: Failure to Retain Receipts on Premises for Two years

10. On March 19, 2018, De Pere Police Captain Chad Opicka and Police Officer Jedd Bradley accompanied State of Wisconsin Department of Revenue Special Agent R. Ulig on an inspection of the licensed premises. This inspection revealed that receipts for the purchase of fermented malt beverage and/or alcohol (“alcohol”) for the premises were retained for “a few months” rather than the two (2) years required under Wis. Admin. Code § Tax 8.21. This State Administrative Code was adopted under the authority of Wis. Stats. § 125.03.

COUNT 5: Purchase of Alcohol Beverages from Non-Wholesale Source

11. The March 19, 2018, said enforcement inspection revealed that alcohol for sale on the licensed premises had been purchased from a local grocery liquor store, rather than through a state permitted wholesaler, contrary to Wis. Stats. §§ 125.33(9) and 125.69(6)(a). Van Dyke admitted to the inspecting officers that he would purchase alcohol for the Longbranch at a local grocery store ‘when he ran low’.

12. The illegally purchased alcohol was confiscated by Special Agent Ulig and noted on the Property Receipt issued to the licensed premises, a copy of which is attached and incorporated as Exhibit F.

COUNT 6: Allowing Use of License by Another to Sell Alcohol Beverages

13. During the enforcement inspection, Van Dyke told the inspecting officers that:

- The Cover, LLC holds the license, and Paul Huss is the “spokesman/owner” of the business;
- Van Dyke and his wife, Linda, run all day-to-day operations on the licensed premises;.

- They run the business as a “cash” business, including paying all bills with cash from the operations, except for Van Dyke being paid wages of \$300/week by check;
- Van Dyke is on the payroll but Linda is not;
- Van Dyke is not the Licensee in order to avoid prior marital debt obligations; and
- Agent Paul Huss’s interest in the business is the income he collects from gambling machines on the licensed premises. Huss receives no other income from the licensed premises;

14. According to Paul Huss, he is often out of the Country for extended periods of time

15. The Longbranch website reads “Jack Van Dyke Proprietor” as shown on Exhibit G, attached and incorporated by reference.

16. Signs above the bar on the licensed premises read “Jack” and “Linda.” A photograph of these signs, taken by Captain Opicka during the March 19, 2018 inspection is attached and incorporated as Exhibit H.

17. Based upon the totality of the facts set forth in paragraphs 13 through and including 16, The Cover, LLC, c/o Agent Paul Huss, has and is allowing Jack Van Dyke to use its Class B Combination License to sell alcohol beverages, contrary to Wis. Stats. §§ 125.32(2m) and 125.68(2m).

Jurisdictional Requirements

18. All ordinances referenced herein and adopted by the City of De Pere in Chapter 7 DPMC have been so adopted under the authority of Wis. Stats. §125.10.

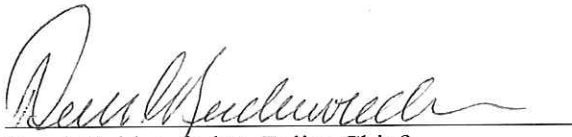
19. All offenses and convictions listed above occurred constitute violations of Chapter 125 Wisconsin Statutes and/or Chapter 7 De Pere Municipal Code and may be considered for purposes of license suspension or revocation under Wis. Stats. §125.12 and Section 7.125.12 DPMC since all occurred within a twelve (12) month period.

20. Under Wis. Stats. §§125.32(2m) and 125.68(2m), if the Council finds that the allegation that The Cover LLC has permitted Jack Van Dyke to use its Class B Combination License is true, said license shall be revoked.

21. The aforementioned allegations are true and to the best of my knowledge and belief.

WHEREFORE, Derek Beiderwieden, Chief of Police for the City of De Pere, hereby requests that upon filing of this Complaint, a Summons be issued directing The Cover, LLC, Paul Huss Agent, Licensee, to appear before the Common Council on April 10, 2018 at 6:00 p.m. for a hearing under §7-13 De Pere Municipal Code and Wis. Stats. §125.12 for the Common Council to consider the suspension or revocation of the Class "B" Fermented Malt Beverage and "Class B" Intoxicating Liquor License issued, together with such other relief as is allowed by law.

Dated this 28 day of March, 2018.


 Derek Beiderwieden, Police Chief
 City of De Pere
 325 S. Broadway Street
 De Pere, WI 54115

Personally came before me this 28th
 day of March, 2018, the above
 named Derek Beiderwieden
 known as the person who executed
 the foregoing instrument and
 acknowledge the same.


 Notary Public
 My Commission Expires: permanent

RENEWAL ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk. Read instructions on reverse side.

For the license period beginning: 7-1-17 ending: 6-30-18
(MM DD YYYY) (MM DD YYYY)

TO THE GOVERNING BODY of the: ☐ Town of ☐ Village of ☒ City of DePere

County of Brown Aldermanic Dist. No. _____ (if required by ordinance)

CHECK ONE ☐ Individual ☐ Partnership ☒ Limited Liability Company
☐ Corporation/Nonprofit Organization

Complete A or B. All must complete C.

A. Individual or Partnership:

Full Name(s) (Last, First and Middle Name)

Home Address

Post Office & Zip Code

B. Full Name of Corporation/Nonprofit Organization/Limited Liability Company The Cover LLC

Address of Corporation/Limited Liability Company (if different from licensed premises) 2514 Turnbury Rd. Green Bay WI 54311

All Officer(s) Director(s) and Agent of Corporation and Members/Managers and Agent of Limited Liability Company:

Title Name (Inc. Middle Name) Home Address Post Office & Zip Code

President/Member Paul William Huss 2514 Turnbury Rd. Green Bay WI 54313

Vice President/Member

Secretary/Member

Treasurer/Member

Agent Paul William Huss

Directors/Managers

C. 1. Trade Name The Longbranch Business Phone Number 920-639-4770

2. Address of Premises 334 Main Ave DePere WI Post Office & Zip Code 54115

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

4. 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.) Tavern with basement + storage room

5. Legal description (omit if street address is given above):

6. a. Since filing of the last application, has the named licensee, any member of a partnership licensee, or any member, officer, director, manager or agent for either a limited liability company licensee, corporation licensee, or nonprofit organization licensee been convicted of any offenses (excluding traffic offenses not related to alcohol) for violation of any federal laws, any Wisconsin laws, any laws of other states, or ordinances of any county or municipality? If yes, complete reverse side ☐ Yes ☒ No

b. Are charges for any offenses presently pending (excluding traffic offenses not related to alcohol) against the named licensee or any other persons affiliated with this license? If yes, explain fully on reverse side ☐ Yes ☒ No

7. Except for questions 6a and 6b, have there been any changes in the answers to the questions as submitted by you on your last application for this license? If yes, explain. ☐ Yes ☒ No

8. Was the profit or loss from the sale of alcohol beverages for the previous year reported on the Wisconsin Income or Franchise Tax return of the licensee? If not, explain. ☒ Yes ☐ No

9. Does the applicant understand they must hold a Wisconsin Seller's Permit? [phone (608) 266-2776] ☒ Yes ☐ No

10. Does the applicant understand that alcohol beverage invoices must be kept at the licensed premises for 2 years from the date of invoice and made available for inspection by law enforcement? ☒ Yes ☐ No

11. Is the applicant indebted to any wholesaler beyond 15 days for beer or 30 days for liquor? ☐ 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.)

SUBSCRIBED AND SWORN TO BEFORE ME

this 27th day of Apr., 20 17

Erin Staben
(Clerk/Notary Public)

My commission expires 8-3-2018

Paul W Huss
(Officer of Corporation/Member/Manager of Limited Liability Company /Partner/Individual)

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

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

TO BE COMPLETED BY CLERK

Date received and filed with municipal clerk	Date reported to council/board	Date license granted
<u>4-27-17</u>	<u>6-6-17</u>	
License number issued	Date license issued	Signature of Clerk / Deputy Clerk
<u>17-16</u>		



No. 17-16

Seller's Permit No. 456-1026501591-03
\$600.00

CLASS B RETAIL LICENSE
For the sale of
FERMENTED MALT BEVERAGES and INTOXICATING LIQUORS

COPY

WHEREAS, the local governing body of the City of De Pere, County of Brown, Wisconsin, has, upon application duly made, granted and authorized the issuance of a Retail "Class B" License to **THE COVER LLC**, Agent: **PAUL WILLIAM HUSS**, to sell Fermented Malt Beverages as defined by pursuant to Section 125.26 of the Statutes of the State of Wisconsin and Local Ordinances and the said applicant has paid to the treasurer the sum of \$100.00 for such "Class B" Retailer's Fermented Malt Beverage license as required by local ordinances.

AND WHEREAS, the local governing body has granted and authorized the issuance of a "Class B" Intoxicating Liquor License to said applicant to sell intoxicating liquor as defined in and pursuant to Section 125.51 (3) of the Statutes of the State of Wisconsin and local ordinances and the said applicant has paid to the treasurer the sum of \$500.00 for such "Class B" Intoxicating Liquor License as provided by local ordinances and has complied with all the requirements necessary for obtaining such licenses,

LICENSE IS HEREBY ISSUED to said applicant to sell, deal and traffic retail, Fermented Malt Beverages and Intoxicating Liquors at the following described premises: **THE LONGBRANCH, 334 MAIN AV, DE PERE, WI 54115. TAVERN WITH BASEMENT & STORAGE ROOM.**

FOR THE PERIOD from JULY 1, 2017 THROUGH JUNE 30, 2018.

Given under my hand and the corporate seal of the City of De Pere, County of Brown, State of Wisconsin, this 7th day of June, 2017.

Shana D Ledvina

Shana D. Ledvina, Clerk-Treasurer

This License must be FRAMED and POSTED IN A CONSPICUOUS PLACE in the room where Fermented Malt Beverages and Intoxicating liquors are sold.

Attachment: Complaint - The Cover LLC - with Exhibits 01 (6858 : The Cover, LLC License Suspension/Revocation Hearing)

STATE OF WISCONSIN)
)ss.
COUNTY OF BROWN)

IN TESTIMONY WHEREOF, I have here unto
set my hand this 8th day of January, 2018.

Carey E. Danen
Carey Danen, Deputy Clerk/Treasurer

STATE OF WISCONSIN

CITY OF DE PERE/TOWN OF LEDGEVIEW
MUNICIPAL COURT

CITY OF DE PERE

Plaintiff

vs.

VanDyke Jack M
Defendant,

JUDGEMENT

Initial Appearance TRIAL
Good Cause Hearing
Warrant Hearing
By video Conference☒ The defendant appeared in person;
_____ With Attorney
_____ Without an Attorney; and_____ entered a Plea of No-Contest
_____ entered a Plea of Guilty
_____ entered a Plea of Not Guilty

IT IS HEREBY ORDERED AND ADJUDGED:

(A) Citation No. 0680DJJ8WK ☒ Guilty _____ Not Guilty _____ DismissedCharge: permit consumption in public place Forfeiture Plus Costs: \$ 250⁰⁰Due on or Before: 11/28/17 Other: _____(B) Citation No. _____ ☐ Guilty _____ Not Guilty _____ Dismissed

Charge: _____ Forfeiture Plus Costs: \$ _____

Due on or Before: _____ Other: _____

IT IS FURTHER ORDERED AND ADJUDGED that if the defendant fails to pay:

DEFENDANT'S OPERATING PRIVILEGE SHALL BE SUSPENDED FOR (2) YEARS OR UNTIL

FORFEITURE IS PAID IN FULL AT COURT OFFICE, OR

☒ DEFENDANT SHALL BE COMMITTED TO THE COUNTY JAIL FOR 5 DAYS.

On failure to timely pay a forfeiture or restitution in full:

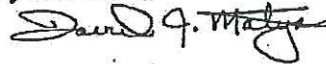
- (A) If an alternate jail sentence is ordered, then a warrant may be issued to arrest and have defendant appear before the court to determine if defendant is unable to comply with the judgment for good cause or poverty.
- (B) If the alternate suspension of operating privilege is ordered, then the DOT will suspend unless defendant requests a hearing before the court & shows he/she is unable to comply with the judgment for good cause or poverty.
- (C) If because of poverty, (means tested assistance, low income, or other circumstances), you are unable to pay the forfeiture and costs, notify the court to set up an installment plan.

Dated this 28 day of Sept, 20 17.

COURT ADDRESS AND TELEPHONE:

335 S. Broadway
De Pere, WI 54115
(920) 339-2463

By The Court,



David J. Matyas, Municipal Judge

PAYMENT PLAN:

Payments of \$ _____ beginning on _____ and every _____ after until paid in full.

Payments may be made in person at City Hall or mailed or left in the drop box (anytime) in the front entrance in a Court payment envelope. Pay with Credit/Debit card at www.GovPayNow.com or 888-604-7888 use pay location code 2586.

De Pere Municipal Court
335 S. Broadway
De Pere, WI 54115
920-339-2463

01/08/2018 10:03AM

Page: 1

Defendant Court Record

Van Dyke, Jack M
421 S Ontario St
De Pere, WI 54115

Citation No: 0L80DJJ8WK

Department De Pere Police Department

Original Violation: Permit alcohol consumption on public place

Amended Violation:

Violation Date: 04/28/2017 Status: Satisfied Status Date: 11/13/2017

Plea: Not Guilty

Due: \$ 250.00

Violation Due Date: 11/28/2017

Finding: Guilty Finding Date: 09/28/2017

Paid: \$ 250.00

Balance \$ 0.00

PROCEEDINGS

Type	Date	Time	Status	Attorney
Initial	06/14/2017	6:00 pm	Appeared	
Trial	09/28/2017	7:00 pm	Appeared	

PAYMENT

Receipt #	Date	Type	Payment	Adjustment	Method	Status
00031590	11/13/2017	FINE	\$ 250.00	\$ 0.00	CHECK	RLSE
00031590	11/13/2017	FINE	\$ 250.00	\$ 0.00	CHECK	RLSE

crCit
version 1.7De Pere Municipal Court
335 S. Broadway
De Pere, WI 54115
920-339-246301/08/2018 10:02AM
Page: 1

Citation Court Record

Department: De Pere Police Department

Citation No: 0L80DJJ8WK

Name: Van Dyke, Jack M

Violations

Type	Violation	Offense Description	Viol. Date	Status	Status Date
ORIG	7.125.09	Permit alcohol consumption on public place	04/28/2017	Satisfied	11/13/2017
Plea:	Not Guilty		Due: \$250.00	Viol Due Date:	11/28/2017
Finding:	Guilty	Finding Date: 09/28/2017	Paid: \$250.00	Last Paid Date:	11/13/2017
			Balance: \$0.00		

Proceedings

Type	Date	Time	Status	Attorney
INIT	06/14/2017	6:00 pm	APP	
TRL	09/28/2017	7:00 pm	APP	

Other Sentences

Description	Start Date	Status	Status Date	Number	Unit	=	Amount	Note
" No Information Entered "								

Citation

Issued Date: 04/28/2017 Age: 64
 County: Brown County
 Location: 334 334 Main Ave

Citation Status: Issued
 Status Date: 04/28/2017
 Court: De Pere Municipal Court
 Transferred to:

MPH/KPH Actual: Legal: Over:

Overweight: PAC:

[] Minor Passenger in Vehicle

Violation Zone

[] Const. Incident No: 17-005425
 [] Railroad File No: 0L80DJJ8WK
 [] School Docket No:
 [] Utility

People

Name	Role	Start Date	End date	Phone	City	State
Van Dyke, Jack M	DEFND	04/28/2017		(920) 493-0078	De Pere	WI
Vandenbush, Michael	OFFCR	04/28/2017			De Pere	WI

crCit
version 1.7

De Pere Municipal Court
335 S. Broadway
De Pere, WI 54115
920-339-2463

01/08/2018 10:02AM
Page: 2

Citation Court Record

Department: De Pere Police Department
Name: Van Dyke, Jack M

Citation No: 0L80DJJ8WK

User Defined Fields			Flags		
User Defined:	☐	UserDef1	☐	Juvenile	☐ Pay Plan
User Defined:	☐	UserDef2	☐	Warrant	☐ DOR Enforce
User Defined:			☐	Committment	☐ DL Suspension
User Defined:	<u> / / </u>		☐	Do Not Enforce	
			☐	No Online Payments	

Enforcement

Type	Issue date	Status	Status date	Note
				" No information Entered "

Payment

Receipt #	Date	Type	Payment	Adjustment	Method	Status	Note
00031590	11/13/2017	FINE	\$ 250.00	\$ 0.00	CHECK	RLSE	

History

Date	Type	Note	LTR
06/19/2017	LTR	Trial Notice	☒
05/16/2017	NOTE	Retrieved from eCitation by: VLAMBERT	☐

Documents

Date	File Type	File Type	Comment	DOC
			"No Information Entered"	

STATE OF WISCONSIN

CITY OF DE PERE/TOWN OF LEDGEVIEW
MUNICIPAL COURT

BRADSHAW COUNTY

CITY OF DE PERE

Plaintiff

vs.

VanDyke Jack M

Defendant,

JUDGEMENT

☒ TRIAL☐ Initial Appearance☐ Good Cause Hearing☐ Warrant Hearing☐ By video Conference☒ The defendant appeared in person;
☐ With Attorney
☐ Without an Attorney; and☐ entered a Plea of No-Contest☐ entered a Plea of Guilty☒ entered a Plea of Not Guilty

IT IS HEREBY ORDERED AND ADJUDGED:

(A) Citation No. OL 808 BLH KG ☒ Guilty ☐ Not Guilty ☐ DismissedCharge: allow underage on premise Forfeiture Plus Costs: \$ 250⁰⁰Due on or Before: 11/28/17 Other: _____(B) Citation No. _____ ☐ Guilty ☐ Not Guilty ☐ Dismissed

Charge: _____ Forfeiture Plus Costs: \$ _____

Due on or Before: _____ Other: _____

IT IS FURTHER ORDERED AND ADJUDGED that if the defendant fails to pay:

DEFENDANT'S OPERATING PRIVILEGE SHALL BE SUSPENDED FOR (2) YEARS OR UNTIL
FORFEITURE IS PAID IN FULL AT COURT OFFICE, OR☒ DEFENDANT SHALL BE COMMITTED TO THE COUNTY JAIL FOR 5 DAYS.

On failure to timely pay a forfeiture or restitution in full:

- (A) If an alternate jail sentence is ordered, then a warrant may be issued to arrest and have defendant appear before the court to determine if defendant is unable to comply with the judgment for good cause or poverty.
- (B) If the alternate suspension of operating privilege is ordered, then the DOT will suspend unless defendant requests a hearing before the court & shows he/she is unable to comply with the judgment for good cause or poverty.
- (C) If because of poverty, (means tested assistance, low income, or other circumstances), you are unable to pay the forfeiture and costs, notify the court to set up an installment plan.

Dated this 28 day of Sept, 20 17

COURT ADDRESS AND TELEPHONE:

335 S. Broadway
De Pere, WI 54115
(920) 339-2463

By The Court,

David J. Matyas

David J. Matyas, Municipal Judge

PAYMENT PLAN:

Payments of \$ _____ beginning on _____ and every _____ after until paid in full.

Payments may be made in person at City Hall or mailed or left in the drop box (anytime) in the front entrance in a Court payment envelope. Pay with Credit/Debit card at www.GovPayNow.com or 888-604-7888 use pay location code 2586.

01/08/2018 10:04AM

Page: 1

De Pere Municipal Court
335 S. Broadway
De Pere, WI 54115
920-339-2463

Defendant Court Record

Van Dyke, Jack M
421 S Ontario St
De Pere, WI 54115

Citation No: 0L808BLHKG
Department De Pere Police Department

Original Violation: 125073a Presence in place of sale

Amended Violation:

Violation Date: 06/10/2017 Status: Satisfied Status Date: 11/13/2017

Plea: Not Guilty

Due: \$ 250.00 Violation Due Date: 11/28/2017

Finding: Guilty Finding Date: 09/28/2017

Paid: \$ 250.00

Balance \$ 0.00

PROCEEDINGS

Type	Date	Time	Status	Attorney
Initial	08/01/2017	9:25 am	Plea at court office	
Trial	09/28/2017	7:00 pm	Appeared	

PAYMENT

Receipt #	Date	Type	Payment	Adjustment	Method	Status
00031590	11/13/2017	FINE	\$ 250.00	\$ 0.00	CHECK	RLSE
00031590	11/13/2017	FINE	\$ 250.00	\$ 0.00	CHECK	RLSE

crCit
version 1.7De Pere Municipal Court
335 S. Broadway
De Pere, WI 54115
920-339-2463

01/08/2018 10:04AM

Page: 1

Citation Court Record

Department: De Pere Police Department

Citation No: 0L808BLHKG

Name: Van Dyke, Jack M

Violations

Type	Violation	Offense Description	Viol. Date	Status	Status Date
ORIG	125073a	Presence in place of sale	06/10/2017	Satisfied	11/13/2017
Plea:	Not Guilty		Due: \$250.00	Viol Due Date:	11/28/2017
Finding:	Guilty	Finding Date: 09/28/2017	Paid: \$250.00	Last Paid Date:	11/13/2017
			Balance:	\$0.00	

Proceedings

Type	Date	Time	Status	Attorney
INIT	08/01/2017	9:25 am	PACO	
TRL	09/28/2017	7:00 pm	APP	

Other Sentences

Description	Start Date	Status	Status Date	Number	Unit	=	Amount	Note
" No Information Entered "								

Citation

Issued Date: 07/24/2017 Age: 65
 County: Brown County
 Location: Main Ave

Citation Status: Issued
 Status Date: 07/24/2017
 Court: De Pere Municipal Court
 Transferred to:

MPH/KPH Actual: Legal: Over:

Overweight: PAC:

[] Minor Passenger in Vehicle

Violation Zone

[] Const. Incident No: 17-007511
 [] Railroad File No: 0L808BLHKG
 [] School Docket No:
 [] Utility

People

Name	Role	Start Date	End date	Phone	City	State
Van Dyke, Jack M	DEFND	07/24/2017		(920) 493-0078	De Pere	WI
Glime,	OFFCR	07/24/2017			De Pere	WI

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version 1.7De Pere Municipal Court
335 S. Broadway
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920-339-246301/08/2018 10:04AM
Page: 2

Citation Court Record

Department: De Pere Police Department

Citation No: 0L808BLHKG

Name: Van Dyke, Jack M

User Defined Fields

Flags

User Defined:	☐ UserDef1	☐ Juvenile	☐ Pay Plan
User Defined:	☐ UserDef2	☐ Warrant	☐ DOR Enforce
User Defined:		☐ Commitment	☐ DL Suspension
User Defined:	___/___/___	☐ Do Not Enforce	
		☐ No Online Payments	

Enforcement

Type	Issue date	Status	Status date	Note
"No information Entered"				

Payment

Receipt #	Date	Type	Payment	Adjustment	Method	Status	Note
00031590	11/13/2017	FINE	\$ 250.00	\$ 0.00	CHECK	RLSE	

History

Date	Type	Note	LTR
08/07/2017	LTR	Trial Notice	☒
07/28/2017	NOTE	Secured Function - Merged with: Vandyke, Jack M MNI #: 00019790 by VICKI LAMBERT at 8:49:37 AM	☐
07/28/2017	NOTE	Retrieved from eCitation by: VLAMBERT	☐

Documents

Date	File Type	File Type	Comment	DOC
"No Information Entered"				

03/08/2018 3:05PM

Page: 1

crCit
version 1.7

De Pere Municipal Court
335 S. Broadway
De Pere, WI 54115
920-339-2463

Citation Court Record

Department: De Pere Police Department **Citation No:** 0L808BLHKH
Name: The Cover Llc C/O Agent Paul Huss,

Original Violation : Ord:7.125074a1 **Statue:** 125.07(4)(a)1 **Description:** Underage procures/attempts to procure

Violations

Type	Violation	Offense Description	Viol. Date	Status	Status Date
AMEND	125073a	Presence in place of sale	10/10/2017	Trial	03/08/2018
Plea:	Not Guilty		Due: \$250.00	Viol Due Date:	04/28/2018
Finding:	Guilty	Finding Date: 03/08/2018	Paid: \$0.00	Last Paid Date:	
			Balance: \$250.00		

Proceedings

Type	Date	Time	Status	Attorney
INIT	12/13/2017	6:00 pm	BYM	
TRL	01/25/2018	6:00 pm	CANC	
TRL	02/08/2018	7:00 pm	CANC	
TRL	03/08/2018	7:00 pm	SCHE	Meuler, Christopher M, 330 East Kilbourn Ave Suite 1250, Milwaukee, WI 53202

Notes: Attorney Christopher M. Meuler

Other Sentences

Description	Start Date	Status	Status Date	Number	Unit	=	Amount	Note
OTHR			02/08/2018				\$ 0.00	VAn Price, Hanson and Dawson were all sent trial notices

Citation

Issued Date: 10/24/2017 **Age:**
County: Brown County
Location: 334 Main Ave Main Ave

Citation Status: Issued
Status Date: 10/24/2017
Court: De Pere Municipal Court
Transferred to:

MPH/KPH	Actual:	Legal:	Over:
Overweight:		PAC:	
☐	Minor Passenger in Vehicle		

Violation Zone			
☐	Const.	Incident No:	17-013636
☐	Railroad	File No:	0L808BLHKH
☐	School	Docket No:	
☐	Utility		

Attachment: Complaint - The Cover LLC - with Exhibits 01 (6958 : The Cover, LLC License Suspension/Revocation Hearing)

03/08/2018 3:05PM
Page: 2crCit
version 1.7De Pere Municipal Court
335 S. Broadway
De Pere, WI 54115
920-339-2463

Citation Court Record

Department: De Pere Police Department Citation No: 0L808BLHKH
 Name: The Cover Llc C/O Agent Paul Huss,

People

Name	Role	Start Date	End date	Phone	City	State
The Cover Llc C/O Agent Paul Huss,	DEFND	10/10/2017			Green Bay	WI
VanPrice, Ron	OFFCR	10/10/2017			De Pere	WI

User Defined Fields

Flags

User Defined:	☐ UserDef1	☐ Juvenile	☐ Pay Plan
User Defined:	☐ UserDef2	☐ Warrant	☐ DOR Enforce
User Defined:		☐ Committment	☐ DL Suspension
User Defined: / /		☐ Do Not Enforce	
		☐ No Online Payments	

Enforcement

Type	Issue date	Status	Status date	Note
" No information Entered "				

Payment

Receipt #	Date	Type	Payment	Adjustment	Method	Status	Note
" No Information Entered "							

History

Date	Type	Note	LTR
02/07/2018	LTR	Trial Notice	[X]
01/11/2018	LTR	Trial Notice	[X]
12/05/2017	LTR	Trial Notice	[X]
10/25/2017	NOTE	Retrieved from eCitation by: VLAMBERT	[]

Documents

Date	File Type	File Type	Comment	DOC
"No Information Entered"				

De Pere Municipal Court
MNI - Citation History

Exhibit E
Page 4 of 4

The Cover Llc C/O Agent Paul Huss
2514 Turnbury Road
Green Bay, WI 54313

De Pere Municipal Court
335 S. Broadway
De Pere, WI 54115
920-339-2463

Date of Birth: _/_/_ MNI #: 00021639

Citation #	Agency	Offense	Violation Date	Finding Date	Finding	Viol. Status	Status Date	Total Due	Total Paid	Balance Due
0L808BLHKH	CDPPD	Presence in place of sale	10/10/2017	03/08/2018	GUL	TRL	03/08/2018	\$ 250.00	\$ 0.00	\$ 250.00
Grand Total:								\$ 250.00	\$ 0.00	\$ 250.00

Number of Citations: 1

Attachment: Complaint - The Cover LLC - with Exhibits 01 (6858 : The Cover, LLC License

PROPERTY RECEIPT

Wisconsin Department of Revenue
Alcohol & Tobacco Enforcement
PO Box 8933
Madison WI 53708-8933
(608) 266-2776

BY AUTHORITY OF
WISCONSIN STATUTE 125/139

CASE NUMBER _____

Date	<u>3-8-18</u>	County	<u>BROWN</u>
Licensee	<u>TITE COVER LLC</u>		
Address of premises	<u>334 WILSON AVE, DEPERE, WI</u>		
Municipality	<u>C- DE PERE</u>		
Trade name	<u>THE LONGBRANCH</u>		

➤ The following article(s) were confiscated from: LINDA S LUEKE

Ident. No.	Quantity	Size	Description of Article(s) (Brand, container size, content level, stamp number)	Opened	Sealed
	1	1-75	<u>KESSER</u> ☐ Untaxed ☒ Unauthorized source ☐ Other:		X
	1	1-75	<u>MIDORI</u> ☐ Untaxed ☒ Unauthorized source ☐ Other:		X
	1	1-75	<u>GORDON VODKA</u> ☐ Untaxed ☐ Unauthorized source ☐ Other:	X	
	1	1-75	<u>JAMESON IRISH</u> ☐ Untaxed ☒ Unauthorized source ☐ Other:	X	
	1	750	<u>PARON</u> ☐ Untaxed ☒ Unauthorized source ☐ Other:	X	
	1	1-75	<u>RAILEY'S IRISH CREAM</u> ☐ Untaxed ☒ Unauthorized source ☐ Other:	X	
	1	750	<u>GRAN GALA</u> ☐ Untaxed ☒ Unauthorized source ☐ Other:	X	
	16	1202	<u>HEINEKEN / GUINNESS</u> ☐ Untaxed ☐ Unauthorized source ☐ Other:		X
	18	1202	<u>10-RECEIPTS</u>		

Signature of Agent [Signature] A-20 Witness [Signature] AT-21

Signature of party from whom articles were obtained X [Signature]

➤ Chain of Custody

Ident. No.	Quantity	Lab No.	Relinquished by (Signature)	Received by (Signature)	Date	Placement

➤ Final Disposition

☐ Article(s) with Identification Number(s) _____
Returned to owner by Agent _____ Date _____
Received by _____ Date _____

☒ Ownership relinquished by [Signature] Date _____

☐ Article(s) with Identification Number(s) _____
Destroyed by _____ Date _____
Witnessed by _____ Title _____

AT-225 (R. 2-07)

PROPERTY COPY

Attachment: Complaint - The Cover LLC - with Exhibits 01 (6058 : The Cover, LLC License Suspension/Revocation Hearing)

Stival
foods

...It's the little things

5.
call 920-336-6520
on

2018-08-33:20 Danny
rs#:282953

\$ 12 PK \$13.99 T1
ngs: \$1.00
\$ 12 PK \$13.99 T1
ngs: \$1.00
T \$12.99 T1
ngs: \$3.50
T \$12.99 T1
ngs: \$3.50
EAM 1.7 \$39.99 T1
ngs: \$3.00
OCK 25.4 FZ \$15.99 T1
ngs: \$1.00
OCK 25.4 FZ \$15.99 T1
ngs: \$1.00

\$125.93
\$6.93

\$132.86

\$150.00
\$17.14

3/1945
\$14.00

OTAL \$14.00

you for shopping at

festival
foods

...It's the little things

1001 Main Ave.
De Pere, WI 54115
Comments please call 920-336-6520
www.festfoods.com
Store: 2721
#2721-020 2/24/2018 10:10:20 Wayne
Inv#:00280937 Trs#:281132

BEER
GUINNESS DRAUGHT \$13.99 T1
Sale Item Savings: \$2.50
GROCERY
WORCHESTER \$1.99 F
WORCHESTER \$1.99 F
ESSEVRYDY STEAK SAUCE BOLD \$2.79 F
Sale Item Savings: \$0.40
ESSEVRYDY STEAK SAUCE BOLD \$2.79 F
Sale Item Savings: \$0.40
LIQUOR
FINEST CALL CHERRY JUI \$4.49 T1F
CALL RASPBERRY MX \$4.99 T1F
PATRON SILVER TEQUILA \$44.99 T1

Subtotal \$78.02
Tax 1 (\$68.46) \$3.77

TOTAL \$81.79

Cash \$82.00
Change \$0.21

Item count 8
Guest DOB: 11/23/1933
Ad Savings \$3.30

SAVINGS GRAND TOTAL \$3.30

Thank you for shopping at
Festival Foods





1001 Main Ave.
De Pere, WI 54115
Comments please call 920-336-6520
www.festfoods.com
Store: 2721
#2721-020 2/17/2018 09:06:23 Wayne
Inv#:00278584 Trs#:278777

BEER	
COOR'S LIGHT BOTTLES	\$17.99 T1
Sale Item Savings: \$2.00	
COOR'S LIGHT BOTTLES	\$17.99 T1
Sale Item Savings: \$2.00	
Subtotal	
Tax 1 (\$35.98)	\$1.98
TOTAL	
	\$37.96
Cash	\$40.00
Change	\$2.04
Item count	2
Guest DOB: 11/22/1933	
Ad Savings	\$4.00
SAVINGS GRAND TOTAL	
	\$4.00

Thank you for shopping at
Festival Foods



970127210200278777



1001 Main Ave.
De Pere, WI 54115
Comments please call 920-336-6520
www.festfoods.com
Store: 2721
#2721-020 2/26/2018 09:40:44 Wayne
Inv#:00281594 Trs#:281789

GROCERY	
S/C TONC WTR	\$0.99 T1F
Sale Item Savings: \$0.20	
S/C TONC WTR	\$0.99 T1F
Sale Item Savings: \$0.20	
S/C TONC WTR	\$0.99 T1F
Sale Item Savings: \$0.20	
S/C TONC WTR	\$0.99 T1F
Sale Item Savings: \$0.20	
S/C TONC WTR	\$0.99 T1F
Sale Item Savings: \$0.20	
S/C TONC WTR	\$0.99 T1F
Sale Item Savings: \$0.20	
EE PNAPPL JUICE	\$2.99 FW
Sale Item Savings: \$0.40	
EE PNAPPL JUICE	\$2.99 FW
Sale Item Savings: \$0.40	
EE PNAPPL JUICE	\$2.99 FW
Sale Item Savings: \$0.40	
LIQUOR	
BAJA ROSA	\$15.99 T1
GORDON'S VODKA 1.75 LT	\$12.49 T1
Sale Item Savings: \$1.50	

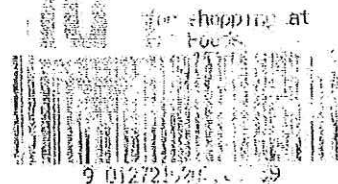
Subtotal	\$43.39
Tax 1 (\$34.42)	\$1.89

TOTAL	\$45.28
-------	---------

Cash	\$50.00
Change	\$14.72

Item count	11
Guest DOB: 11/22/1933	
Ad Savings	\$4.00

SAVINGS GRAND TOTAL	\$4.00
---------------------	--------



970127210200278777



1001 Main Ave.
De Pere, WI 54115
Comments please call 920-336-6520
www.festfoods.com
Store: 2721
#2721-020 2/9/2018 10:19:51 Wayne
Inv#:00274858 Trs#:275050

LIQUOR	
JACK DANIELS 1.75 LT	\$42.99 T1
Sale Item Savings: \$5.00	
Subtotal	\$42.99
Tax 1 (\$42.99)	\$2.36
TOTAL	\$45.35
Cash	\$46.00
Change	\$0.65
Item count	1
Guest DOB: 01/23/1945	
Ad Savings	\$5.00
SAVINGS GRAND TOTAL	\$5.00

Thank you for shopping at
Festival Foods



970127210200275050



1001 Main Ave.
De Pere, WI 54115
Comments please call 920-336-6520
www.festfoods.com
Store: 2721
#2721-020 2/9/2018 20:44:53 Danny
Inv#:00276179 Trs#:276371

BAKERY	
DONUT/SWEETROLLS	\$1.78 F
2 @ \$0.89 each	
GROCERY	
LIQUOR	
JACK DANIELS 1.75 LT	\$42.99 T1
Sale Item Savings: \$5.00	
Subtotal	\$44.77
Tax 1 (\$42.99)	\$2.36
TOTAL	\$47.13
Cash	\$50.00
Change	\$2.87
Item count	3
Guest DOB: 01/23/1945	
Ad Savings	\$5.00
SAVINGS GRAND TOTAL	\$5.00

Thank you for shopping at
Festival Foods



970127210200276371



1001 Main Ave.
De Pere, WI 54115
Comments please call 920-336-6520
www.festfoods.com
Store: 2721
#2721-019 2/9/2018 16:10:28 Wayne
Inv#:00058973 Trs#:059198

LIQUOR
KESSLER 1.75 LT \$14.49 T1
Sale Item Savings: \$2.50
KESSLER 1.75 LT \$14.49 T1
Sale Item Savings: \$2.50
X RATED LIQUEUR 25.4 FZ \$14.99 T1
Sale Item Savings: \$5.00

Subtotal \$43.97
Tax 1 [\$43.97] \$2.42

TOTAL \$46.39

Cash \$60.00
Change \$13.61

Item count 3
Guest DOB: 11/22/1933
Ad Savings \$10.00

SAVINGS GRAND TOTAL \$10.00

Thank you for shopping at
Festival Foods



970127210190059198



1001 Main Ave.
De Pere, WI 54115
Comments please call 920-336-6520
www.festfoods.com
Store: 2721
#2721-020 2/7/2018 11:40:26 Wayne
Inv#:00275145 Trs#:275337

BEER
PABST 30-PK \$16.99 T1
Sale Item Savings: \$1.00
PABST 30-PK \$16.99 T1
Sale Item Savings: \$1.00
PABST 30-PK \$16.99 T1
Sale Item Savings: \$1.00

Subtotal \$50.97
Tax 1 [\$50.97] \$2.80

TOTAL \$53.77

Cash \$55.00
Change \$1.23

Item count 3
Guest DOB: 11/23/1933
Ad Savings \$3.00

SAVINGS GRAND TOTAL \$3.00

Thank you for shopping at
Festival Foods



970127210200275337

Festival Foods
Festival Foods Market

1000 Main Ave.
Des Moines, IA 50319
For more places call 800-451-7773
www.festivalfoods.com
Source: 2/2/13

11/22/2013 11:47:44 Randall
1070127210200276794

LIQUOR	
100% Grain Neutro AFZ	\$42.99 T1
Sale Item Savings: \$0.00	
100% Grain Neutro AFZ	\$42.99 T1
Sale Item Savings: \$0.00	
DR M GIL CHERRY 1.75 L	\$19.49 T1
Sale Item Savings: \$0.50	
DR M GIL CHERRY 1.75 L	\$19.49 T1
Sale Item Savings: \$4.50	
Subtotal	\$149.45
Tax 1 (\$149.45)	\$7.94
TOTAL	\$152.39
Cash	\$200.00
Change	\$47.61
Item count	5
Guest DOB: 11/22/1933	
Ad Savings	\$23.50
SAVINGS GRAND TOTAL	\$23.50

Thank you for shopping at
Festival Foods

970127210200276794

Exhibit G

THE LONGBRANCH SALOON

dancing allowed

Follow us on Facebook 

WE OPEN WITH HAPPY HOUR 7 DAYS A WEEK / 2:00 - 6:00PM

HOME

EVENTS

OUR LOCATION

LONGBRANCH CHATTER

The Longbranch Saloon
334 Main Avenue
De Pere, WI 54115

WATCH 'EM HERE 



Jack Van Dyke
PROPRIETOR



Happy Hour

7 Days a Week

Noon - 6:00 pm
\$2.00 Rail Mixers
\$1.00 Mugs

NO REDEMPTION FOR CASH

\$20 Gift Certificate

For Someone Special



LONG BRANCH SALOON

334 MAIN AVENUE De PERE, WI 54115

Our Gift Certificates are a great way to say 'Thank You', 'Happy Birthday', Congratulations' - or any reason at all - just ask your bartender.



LIVE MUSIC

Exhibit H

