



Common Council

Special Untelevised

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

Minutes

Tuesday, January 30, 2018

6:00 PM

De Pere City Hall Council Chambers

1. Agenda for Said Meeting:

Attendee Name	Title	Status
Michael J. Walsh	Mayor	Present
James Boyd	Aldersperson	Present
Dan Carpenter	Aldersperson	Present
Scott Crevier	Aldersperson	Present
Jonathon Hansen	Aldersperson	Present
Ryan Jennings	Aldersperson	Present
Larry Lueck	Aldersperson	Excused
Casey Nelson	Aldersperson	Present
Dean Raasch	Aldersperson	Present

2. Hearing to consider the suspension or revocation of the Class "A" Fermented Malt Beverage License issued to Dolgencorp LLC, Anthony W. Hawks, Agent, for the premises known as Dollar General Store, 805 Main Ave, De Pere, WI is scheduled for 6:00 p.m.

Mayor Walsh announced the hearing to consider the suspension or revocation of the Class "A" Fermented Malt Beverage License issued to Dolgencorp, LLC, Anthony W. Hawks, Agent, for the premises known as Dollar General Store, 805 Main Avenue, De Pere, WI. City Staff Attorney Kate Zuidmulder announced that the City recommends dismissal of the hearing for Dolgencorp, LLC. Aldersperson Raasch moved, seconded by Aldersperson Boyd to dismiss the hearing. Upon vote, motion carried unanimously.

3. Hearing to consider the suspension or revocation of the Operator's License issued to Jack Van Dyke, 421 S. Ontario St., De Pere, WI is scheduled for 6:30 p.m.

Mayor Walsh announced the hearing to consider the suspension or revocation of the operator license issued to Jack Van Dyke. Mayor Walsh introduced Kristen Johnson, Assistant Attorney with the City of Green Bay. Court Reporter Stephanie Groshek transcribed the minutes for the hearing. Her transcription has been placed on file with the City Clerk's Office and is attached as an addendum to these minutes. Green Bay City Attorney Kristen Johnson acted as the Common Council's legal advisor for the hearing, as De Pere City Attorney Judith Schmidt-Lehman brought the charges before the Council and acted in the role of prosecutor. Present at the hearing were Police Chief Derek Beiderwieden, Assistant City Attorney Kate Zuidmulder, and Jack Van Dyke. Attorney Kristen Johnson asked for bias in the hearing; no one on the Council wished to express a bias. She asked Jack Van Dyke if he received and understood the content of the complaint; Mr. Van Dyke indicated that he understood the complaint but is denying some of the statements in the complaint.

De Pere City Attorney Judy Schmidt-Lehman began with opening statements and called Police Chief Derek Beiderwieden forward. Police Chief Beiderwieden was sworn in by the Court Reporter and explained the citations received by Mr. Van Dyke. City Attorney Judy Schmidt-Lehman moved for admission of the three exhibits presented to the City Clerk. Jack Van Dyke cross examined Police Chief Derek Beiderwieden. Mr. Van Dyke

was then sworn in and provided testimony regarding the citations he received. City Attorney Judith Schmidt-Lehman provided closing testimony for the City of De Pere. Discussion followed with the City Council and Police Chief Beiderwieden.

4. Deliberations by the Council upon the conclusion of any of the above hearings.

Aldersperson Raasch moved, seconded by Aldersperson Crevier to close the meeting. Upon roll call vote, motion carried unanimously. At 6:51 p.m., Aldersperson Crevier moved, seconded by Aldersperson Carpenter to open the meeting. Upon roll call vote, motion carried unanimously.

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

Aldersperson Boyd moved, seconded by Aldersperson Nelson to revoke the license issued to Jack Van Dyke. Upon vote, motion carried unanimously.

Attorney Kristen Johnson explained that the Council is revoking the license based on the following facts: that Jack Van Dyke was convicted on both citations presented by the City Attorney; the number of citations issued to underage persons; the age of the underage people in the bar; that several of the underage individuals had no false IDs, and that there were credible witnesses as to Jack Van Dyke's presence for both citations. She explained the revocation to Mr. Van Dyke.

6. Adjournment.

Aldersperson Raasch moved, seconded by Aldersperson Crevier to adjourn the meeting at 6:57 p.m. Upon vote, motion carried unanimously.

Respectfully submitted,

Shana Ledvina, Clerk-Treasurer