

Thursday, October 15th,
2015

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To whom this letter may concern,

Hello! My name is Dana Akers and I am writing you in regards to my bartending license. On August 3rd, 2015 in the town of Menasha, I received a denial letter. The purpose of my letter is to ask you to please reconsider. I was told this would be a helpful letter so I hope you find all the questions and answers you're looking for.

My first time in a gas station environment in which I found to be enjoyable. After weeks of working, I had obtained a certification for a approved Wisconsin Alcohol/Seller/Server course. At a later time, I had found myself denied of. In honesty, I was offended of the denial. Offended by being considered a habitual offender. I thought there was no overturn in the denial. I was also upset when finding out the reasoning behind my denial. After letting my place of employment know about the denial, I was informed to go to the meetings. I did try to obtain all the information I needed and unfortunately I was unable to get that information and off with timing. I denied a reposition to Neenah where alcohol cannot be sold. That was my last known work place.

I now understand. A person with multiple convictions, that has had two or more, within a short time period are considered to be a habitual offender. In my situation,

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my opinion on this is kind of a shame. As previously stated, being upset for my convictions stated for my denial. There were four violations stated:

- Operating while Suspended 2010
- Operating while intoxicated 2011
- Operating after revocation 2011
- Disorderly Conduct 2012

My violations are almost four years old. They have been closed, paid, attached with a lesson learned.

I have sense then, got my first speeding ticket. My convictions are all traffic related. Let's be honest, a disorderly conduct can be so many things. You ask why it has taken so long to get here now?

In these two small past months, my personal life walked the block many times. What also was being consuming was the other side of it. I decided I had to do what I had to do to get my license.

It all starts with me stopping into Menasha Police Department. From there I was sent to city hall. City hall sends me back to Menasha Police Station who is now closed! Later in my return, I was told to contact an elderman? What do you know, wrong number. After calling the correct elderman, he told me to call the city clerk. After calling Menasha

non emergency, I got the number, which has now lead me to wait for the court process.

Out of my job? Denied social security. My family and I were struck behind from another driver, soon after they -BAWK- repossessed my car. Within these last three months of today's dated letter, I had a miscarriage, and the doctors believed I was now having an ectopic pregnancy. Thankfully after nervous time waiting, I was told my third child is due to be born June 3, 2016. Even today, October 13th and I have been released from the emergency room. I had a abscess in my WHITE arm, in my armpit, that had to be cut open.

After all of this and god knows what more, I cannot let the road feel at end. I cannot think that my goals, dreams, and wishes stop at a denial to sell alcohol after passing the course. Especially after completing some college credits for hotel and restaurant manage. I cant think that my mission in life, cannot go any farther than this! I belong somewhere, helpful to people for something and all around that would be helpful for myself in so many ways im sure as well. I even feel I am risking myself to a work place with a high vulnerability to have such criminal

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actually. Whether or not I get my job back is irrelevant to me. It's something that feels important to me.

If I have now become understanding of the situation and ask that you could be understanding in reconsidering my presence.

Thank You

Sincerely

Pavithra

32 Five Oaks Drive
Menasha, WI 54952
920-215-6013

10.13.15



To: Menasha Common Council
From: Jenny Groeschel and Ginger Tralongo, Police Records
RE: Beverage Operator License (Bartender) Applicants
Date: July 30, 2015

The below individuals have applied for a bartender license to serve, dispense and/or sell alcohol at a licensed establishment within the City. They have all met the criteria under the "Guidelines for Operator Licenses" approved by the Common Council. Therefore, staff is recommending the following people be **APPROVED** for an Operator's License for the **2015-2017** licensing period:

Bonnie Gosz
Christian Bunno
Ashley Wood
Shafiq Ur Rehman
Shelly Rasmussen
Jessica Hitchcock
Scott Conant
Mikayla Kohls

The following individual has applied for a bartender license to serve, dispense and/or sell alcohol at a licensed establishment in the city. They have not met the criteria under the "Guidelines for Operator Licenses" approved by the Common Council. Therefore, staff is recommending the following person be **DENIED** an Operator's License:

Thomas Neville (Application and Denial Letter attached) (Second letter Jenny sent out to Thomas, also, attached.)

Dana Akers

Cc: Chief Styka

CITY OF MENASHA
ALCOHOL OPERATORS LICENSE APPLICATION

Establishment of Employment Midway Marathon
TEMPORARY PROVISIONAL REGULAR RENEWAL

Name Akers Dana Lee
Last First Middle

Address 32 Five Oaks Drive Menasha WI 54952
Street City State/Zip Code

Phone _____

Height _____ Weight _____ Eyes _____ Hair _____ Sex _____ Race _____

Birth Date _____ Age _____ Birthplace _____

Scars, Marks, Tattoos _____

Drivers License No. _____ State of Issue _____

Expiration Date _____

NOTE: A license may be denied if applicant fails to provide accurate information or if the information is incomplete! Please read this section carefully.

Please explain all yes answers completely on the back of this form!

Do you currently have any criminal charges pending against you? NO

Have you ever been convicted of a felony? NO

Have you ever been convicted of a misdemeanor? Yes

Have you ever been convicted of operating a motor vehicle while under the influence of an intoxicant or drug? Yes

Have you ever been convicted of any law, statute, or ordinance pertaining to the use or sale of alcohol (including drinking alcohol underage)? Yes

Have you ever been convicted of any law, statute, or ordinance pertaining to the possession, use, or sale of illegal drugs? NO

Have you ever been convicted of a criminal traffic offense? Yes

I UNDERSTAND THAT THE APPLICATION FEE WILL NOT BE RETURNED IF LICENSE IS DENIED.

SIGNATURE [Signature] Date 7-20-15

Approved _____ Denied [Signature] Expiration Date _____
Chief of Police [Signature] Date 7/21/15

Comments: _____

REVOKED FOR VIOLATION: _____



July 22, 2015

Dana Lee Akers
32 Five Oaks Dr.
Menasha, WI 54952

Re: City of Menasha Alcohol Operators License Application

Dear Ms. Akers,

Upon conducting a background investigation in relationship to your alcohol operator's license application the following information was determined:

On October 19, 2010 you were convicted of Operating While Suspended in the Village of Kimberly Municipal Court.

On June 8, 2011 you were convicted of Operating While Intoxicated in Outagamie County.

On November 8, 2011 you were convicted of Operating After Revocation in Outagamie County.

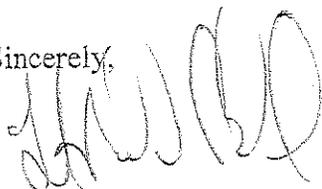
On March 29, 2012 you were convicted of Disorderly Conduct through the Town of Menasha Police Department Municipal Court.

Based on this background investigation, I will be recommending the Menasha Common Council deny your request for an Operator's License in the City of Menasha because under guideline #3 you are considered a Habitual Law Offender.

Engaging in bartending involves the purchase and sale of a closely regulated substance/alcohol, individuals granted an Operator's License must act in cooperation with law enforcement to enforce the alcohol beverage laws, drunken driving laws and assist with minimizing disturbances of the peace and maintaining the safety of the community. The incidents you have been convicted of substantially relate to the license for which you have applied and arose out of separate incidents which occurred within a short period of time in the last five years.

The Police Department will recommend to the Common Council that they deny your application for an Alcohol Operator's License within the City of Menasha. The recommendation will be given to the Common Council at its next meeting on August 3, 2015 at 6:00 p.m., or shortly thereafter. Should you wish to provide comment to the Common Council on your application, you may do so during the public participation portion of the meeting.

Sincerely,

A handwritten signature in black ink, appearing to read "Ron Bouchard", written in a cursive style.

Lt. Ron Bouchard
Investigative Services
Menasha Police Department

CITY OF MENASHA
COMMON COUNCIL
Third Floor Council Chambers
140 Main Street, Menasha
Monday, August 3, 2015
MINUTES

A. CALL TO ORDER

Meeting called to order by Mayor Merkes at 6:00 p.m.

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL/EXCUSED ABSENCES

PRESENT: Aldermen Nichols, Taylor, Krautkramer, Langdon, Zelinski, Benner

EXCUSED: Alderman Keehan

ALSO PRESENT: Mayor Merkes, CA Captain, PC Styka, FC Auxier, DPW Radtke, CDD Keil, ASD Steeno, PRD Tungate, PHD McKenney, LD Lenz, Clerk Galeazzi

D. PUBLIC HEARING

None

E. PUBLIC COMMENTS ON ANY MATTER OF CONCERN TO THE CITY

(five (5) minute time limit for each person)

Kathy Stahl, 44 DePere Street, Menasha. 1) Enforcement of illegal alcohol consumption at Jefferson Park and leaving refuse behind; 2) traffic cameras.

Rep. Amanda Stuck. Wisconsin State Budget.

F. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS

1. Clerk Galeazzi - the following minutes and communications have been received and placed on file:

Minutes to receive:

- a. [Administration Committee, 7/20/15](#)
- b. [Board of Public Works, 7/20/15](#)
- c. [Library Board, 7/16/15](#)
- d. [NMFR Joint Finance and Personnel Committee, 7/28/15](#)
- e. [NMFR Joint Fire Commission, 7/29/15](#)
- f. [Neenah-Menasha Sewerage Commission, 6/23/15](#)
- g. [Plan Commission, 7/21/15](#)
- h. [Redevelopment Authority, 7/15/15](#)
- i. [Winnebago County Joint Review Board, 7/16/15](#)

Communications:

- j. [ASD Steeno, 7/30/15; Human Resources Coordinator-Hiring Announcement](#)
- k. [K-9 Fundraiser Memorial Golf Outing on 9/11/15](#)
- l. [First Annual Menasha Corny Community Walk on 8/13/15](#)
- m. [Menasha Police Benevolent Assn., 7/24/15; Benevolent Purchase Supporting the K-9 Unit](#)
- n. [DPW Radtke, 7/30/15; Manitowoc Road Trail Project Rescheduled to 2016](#)
- o. [Ayres Associates, 7/23/15; Public Involvement Meeting-Proposed Reconstruction of Lake Park Rd.](#)

Moved by Ald. Benner seconded by Ald. Langdon to received Minutes and Communications A-O.

Motion carried on voice vote.

G. CONSENT AGENDA

(Prior to voting on the Consent Agenda, items on the Consent Agenda may be removed at the request of any Alderman and placed immediately following action on the Consent Agenda. The procedures to follow for the Consent Agenda are: (a) removal of items from Consent Agenda; and (b) motion to approve the items from Consent Agenda.)

Minutes to approve:

1. Common Council, 07/20/15.

Administration Committee, 07/20/15 – Recommends the Approval of:

2. Site Assessment Grant Agreement between the Wisconsin Economic Development Corporation (WEDC) and City of Menasha, and Development Agreement for Receipt and Reimbursement of SAG Grant Funds Agreement Between the City of Menasha and Warehousing of Wisconsin (WOW) Logistics.

Board of Public Works, 07/20/15 – Recommends the Approval of:

3. Street Use Application – Otto Grunski Runski; Saturday, August 8, 2015; 6:00 m – 11:00 AM (City of Menasha).
4. Payment – Janke General Contractors; Gilbert Riverfront Trail; Contract No. 2014-03; \$51,675.49 (Payment No. 4).
5. Payment – Janke General Contractors; Gilbert Trestle Improvements; Contract No. 2014-04; \$20,045.00 (Payment No. 2).
6. Payment – Northeast Asphalt, Inc.; New Street Construction and Reconstruction, Concrete Curb and Gutter, Asphalt Pavement, Storm Sewer – Southfield West/Natures Way Subdivision Streets, Baker Farm VI Subdivision Streets, River Lea Court, Broad Street, Ida Street, Manitowoc Street and Lincoln Street; Contract No. 2015-01; \$283,358.37 (Payment No. 2).

Plan Commission, 7/21/15 – Recommends the Approval of:

7. Third Street/Brighton Drive Greenspace Alterations as proposed.

NMFR Joint Finance and Personnel Committee, 7/28/15 – Recommends the Approval of:

8. Authorize hiring one firefighter subject to the retirement of an existing employee on September 4, 2015.
9. The modification to item 4.01 Budget and Cost Distribution Formula of Neenah-Menasha Fire Rescue's Merger Agreement and change this from a five part formula to a four part formula that would eliminate the square footage of buildings portion from the formula as outlined in Director Steeno's memo dated July 23, 2015.
10. The purchase of the SABER 28574 from Pierce Manufacturing for \$387,000 with an additional \$20,000 for equipment for a total cost of \$407,000. Each City Finance Director shall give information to their respective Common Council on funding sources available for each of their Cities for this unbudgeted purchase prior to each Common Council's approval.

Ald. Langdon requested to remove items 7 & 10 from Consent Agenda. Ald. Taylor requested to remove item 9 from Consent Agenda. Ald. Nichols requested to remove item 2 from Consent Agenda.

Moved by Ald. Benner seconded by Ald. Nichols to approve Consent Agenda items 1, 3, 4, 5, 6, 8.
Motion carried on roll call

H. ITEMS REMOVED FROM CONSENT AGENDA

Moved by Ald. Nichols seconded by Ald. Langdon to approve Consent Agenda item 2, SAG Agreement between WEDC and City of Menasha and Development Agreement for Receipt and Reimbursement of SAG Funds Agreement between the City of Menasha and WOW Logistics.

CA Captain explained language changes to the Development Agreement request by WOW.

Moved by Ald. Nichols seconded by Ald. Langdon to amend to include in Development Agreement the language: *The timing of developing improvements on the property will be determined by the needs of WOW in accordance with the needs for expansion by its tenants occupying the adjoining property.*

Motion to amend carried on roll call 6-0.

Original motion as amended carried on roll call 6-0.

Moved by Ald. Taylor seconded by Ald. Zelinski, to refer Consent Agenda item 7, Third Street/Brighton Drive Greenspace Alterations as proposed to Parks & Recreation Board and Utility Commission.

General discussion ensued on property being considered a park, stabilizing shore wall, input from Parks and Utilities, parking issues, maintenance of property, classifying dead-end streets as parks, scheduling of Public Works crew to work on project.

Motion carried on roll call 6-0.

Moved by Ald. Benner seconded by Ald. Langdon to approve Consent Agenda item 9, Modifications to item 4.01 Budget and Cost Distribution Formula of Neenah-Menasha Fire Rescue's Merger Agreement and change this from a five part formula to a four part formula that would eliminate the square footage of buildings portion from the formula as outlined in Director Steeno's memo dated July 23, 2015.

ASD Steeno explained the fifth part of the formula is square footage of buildings and the inability of staff to provide the information required.

General discussion ensued on gathering square footage information of residential and commercial structures, lack of resources to provide square footage information, other factors of formula.

Motion carried on roll call 6-0.

Moved by Ald. Benner seconded by Ald. Nichols to approve Consent Agenda item 10, the purchase of the SABER 28574 from Pierce Manufacturing for \$387,000 with an additional \$20,000 for equipment for a total cost of \$407,000. Each City Finance Director shall give information to their respective Common Council on funding sources available for each of their Cities of this unbudgeted purchase prior to each Common Council's approval.

ASD Steeno explained as there is no funding source available the Council would need to do a formal budget amendment as this was not included in the 2015 budget and the borrowing for the year has been completed. She recommends including this item in the 2016 financing plan.

General discussion ensued on other funding sources, issues with truck being replaced, maintenance of vehicles, proposed replacement schedule.

Moved by Ald. Zelinski seconded by Ald. Langdon to postpone to next regular Common Council meeting.

Motion carried on roll call 6-0.

I. ACTION ITEMS

1. [Accounts payable and payroll for the term of 07/21/15 to 07/30/15 in the amount of \\$1,168,081.86.](#)

Moved by Ald. Taylor seconded by Ald. Langdon to approve accounts payable and payroll.

Motion carried on roll call 6-0.

2. [Beverage Operators License Applications for the 2015-2017 licensing period.](#)

Moved by Ald. Nichols seconded by Ald. Langdon to approve beverage operator's license applications as list in memo dated 7/30/15.

Motion carried on roll call 6-0.

3. Possible Motion to Reconsider – Denial of Beverage Operator's License Application.

CA Captain explained Mr. Neville did not receive the denial notice as there was an issued with the mailing and he is asking to appeal the decision of the Council.

Moved by Ald. Krautkramer seconded by Ald. Langdon to reconsider motion to deny beverage operator's license application of Thomas Neville.

Motion carried on roll call 6-0.

The original motion of 7/20/15; Moved by Ald. Nichols seconded by Ald. Keehan to deny beverage operator's license application for Thomas Neville as he does not meet the criteria under Guidelines for Operator Licenses.

Unanimous consent to hear from Mr. Neville.

Mr. Neville explained his situation to the Council and he asked Council to approve his beverage operator's license application.

Mr. Neville answered CA Captain's questions on the convictions he has received over the past three year.

Original motion to deny carried on roll call 6-0.

Moved by Ald. Nichols seconded by Ald. Langdon to deny beverage operator's license application for Dana Akers as she does not meet the criteria under Guidelines for Operator Licenses.
Motion carried on roll call 6-0.

4. [Accept Wisconsin Economic Development Corporation \(WEDC\) CDI Grant for Menasha Office Tower.](#)

Moved by Ald. Nichols seconded by Ald. Langdon to accept Wisconsin Economic Development Corporation (WEDC) CDI Grant for Menasha Office Tower.
Motion carried on roll call 6-0.

5. [Development Agreement Between the City of Menasha and Woodland Developments, LLC.](#)

Moved by Ald. Nichols seconded by Ald. Langdon to approve Development Agreement between the City of Menasha and Woodland Developments, LLC.

CDD Keil explained request of Mr. Hagen to extend timeline of development to 2021. He also explained the provision of trail notification is part of the Development Agreement.

General discussion ensued on the procedure used for notifying the property owner of trail installation, extension of timeline of development to 2021.

Unanimous consent to hear from Mr. Hagens.

Mr. Hagens addressed the Council on his procedure for notification to property owner of the trail installation. He also explained his request to extend the timeline for development.

Moved by Ald. Nichols seconded by Ald. Langdon to amend to include title policy provision in paragraph 8 and to change date to September 1, 2021 in paragraph 10 of the Development Agreement.
Motion on amendment carried on roll call 6-0.

General discussion ensued on condition of surrounding property, type of homes to be constructed on the subject property.
Original motion carried on roll call 6-0.

6. [Amendment to Listing Contract with Newmark Grubb Pfefferele for 901 Airport Road.](#)

Moved by Ald. Nichols seconded by Ald. Langdon to approve amendment to Listing Contract with Newmark Grubb Pfefferele for 901 Airport Road.
Motion carried on roll call 6-0.

7. [Transfer of City Property to Menasha Downtown Development, LLC \(Part of Marina Place Parking Lot\).](#)

Moved by Ald. Nichols seconded by Ald. Langdon to authorize conveyance of a portion of Marina Place parking lot to Menasha Downtown Development, LLC with a purchase price of \$1.00 and subject to reservation of public use and other conditions as described in paragraph 2.8 of the Development Agreement between the parties.

CA Captain explained the transfer of the property is in accordance with the Development Agreement with Menasha Downtown Development, LLC that has already been approved. Any amendments would require a change to the development agreement.

Motion carried on roll call 5-1. Ald. Zelinski voted no.

J. ORDINANCES AND RESOLUTIONS

None

K. APPOINTMENTS

None

L. HELD OVER BUSINESS

None

M. CLAIMS AGAINST THE CITY

None

N. PUBLIC COMMENTS ON ANY MATTER LISTED ON THE AGENDA

(five (5) minute time limit for each person)

Kathy Stahl, 44 DePere Street, Menasha. Other factors to consider if making street dead ends park property.

O. ADJOURNMENT

Moved by Ald. Taylor seconded by Ald. Langdon to adjourn at 8:26 p.m.

Motion carried on voice vote.

Respectfully submitted by Deborah A. Galeazzi, WCMC, City Clerk