



City of Manitowoc

900 Quay Street
Manitowoc, WI 54220
www.manitowoc.org

Meeting Minutes

Common Council

Tuesday, June 25, 2024

5:00 PM

Council Chambers

Note: This meeting will also be held via remote conferencing software (Zoom)

Special Meeting

and

Hearing on Non-Renewal of "Class B" Retail Intoxicating Liquor and Fermented Malt Beverage License Application of Leslie O's LLC

A. CALL TO ORDER

B. ROLL CALL

Alderspersons Present: 8 - Chad Beeman, Tim Boldt, Todd Reckelberg, Bill Schlei, Eric Sitkiewitz, Jim Brey, William DeBaets and Brett Vanderkin

Alderspersons Absent: 2 - Michael Cummings and Brett Norell

C. COMMITTEE REPORTS

1. Committee of the Whole

[24-1647](#) Resolution Authorizing Submission of the Wisconsin DOT 2025-2028 Carbon Reduction Program Briess Malt & Ingredients Co.

Moved by Schlei, seconded by Sitkiewitz, that this Resolution be adopted. The motion carried by the following vote:

Aye: 8 - Beeman, Boldt, Reckelberg, Schlei, Sitkiewitz, Brey, DeBaets and Vanderkin

2. Public Safety Committee

[24-1646](#) Intergovernmental Agreement for Law Enforcement Services for the 2024 Republican National Convention

Moved by Boldt, seconded by Beeman, that this Agreement be approved. The motion carried by the following vote:

Aye: 7 - Beeman, Boldt, Reckelberg, Schlei, Sitkiewitz, Brey and DeBaets

Abstain: 1 - Vanderkin

D. HEARING ON NON-RENEWAL

[24-1606](#) Hearing on Non-Renewal of "Class B" Retail Intoxicating Liquor and Fermented Malt Beverage License Application of Leslie O's LLC

Mayor Nickels called to order the Hearing on Non-Renewal of "Class B" Retail Intoxicating Liquor and Fermented Malt Beverage License Application of Leslie O's LLC, DBA as Deja Vu.

Mayor gave a brief overview of how the hearing will be conducted.

Attorney Joseph Thuermer appeared on behalf of the City of Manitowoc.

Attorney John Miller Carrol and Roger Burt appeared on behalf of Leslie O's LLC. Also present is Carrie Orth.

Attorney Carrol moved to sequester all of the witnesses for the City of Manitowoc. The sequestration was approved and all witnesses except City Clerk Mackenzie Reed, as she was to be called first, left the room.

Attorney Carrol requested that the meeting be adjourned to a later time, to give more time to respond. Mayor stated that we will not be adjourning, state law requires a three day notice for the hearing. City Attorney Nycz confirmed that adequate notice was given.

Attorney Thuermer presents the Prosecution side.

Attorney Thuermer calls City Clerk Mackenzie Reed to the stand. City Attorney Nycz swears in City Clerk Mackenzie Reed. City Clerk Reed answered questions presented by Attorney Thuermer, Attorney Carrol, and members of the Council.

Attorney Thuermer calls Deputy Chief Pusel to the stand. City Clerk Reed swears in Deputy Chief Pusel. Deputy Chief Pusel answers questions presented by Attorney Thuermer, Attorney Carrol, and members of the Council.

Attorney Thuermer calls Sergeant Krock to the stand. City Clerk Reed swears in Sergeant Krock. Sergeant Krock answers questions presented by Attorney Thuermer, Attorney Carrol, and members of the Council.

Attorney Thuermer calls Lieutenant Schmidt to the stand. City Clerk Reed swears in Lieutenant Schmidt. Lieutenant Schmidt answers questions presented by Attorney Thuermer, Attorney Carrol, and members of the Council.

Short Recess.

Attorney Thuermer calls Detective McGinty to the stand. Detective McGinty appears via Zoom. City Clerk Reed swears in Detective McGinty.

Detective McGinty answers questions presented by Attorney Thuermer, Attorney Carrol, and members of the Council.

Attorney Thuermer enters Exhibits A-U.

**Clerk Note:*

Exhibits A-U include the following Findings of Facts:

- 1. That Leslie O's LLC applied for a renewal of a Class "B" Beer and Liquor License on May 28, 2024 ("application").*
- 2. That a background check was performed by the Manitowoc Police Department, which then filed a Complaint, also identified as the report of Deputy Chief Pusel, attached hereto, recommending denial of the application.*
- 3. That notice of a Nonrenewal Hearing on June 25, 2024 was provided to the applicant, Leslie O's LLC, by personal service on June 16, 2024 by serving the registered agent. Notice was also sent to the members of the LLC via registered mail.*
- 4. That a hearing was held, pursuant to Wis. Stat. 125.12(3), on June 25, 2024, before the Common Council of the City of Manitowoc.*
- 5. That all material allegations in the Complaint, also identified as the report of Deputy Chief Pusel, attached hereto, are true and correct.*
- 6. That Roger Burt was not listed on the application.*
- 7. That Roger Burt is a member of Leslie O's LLC.*
- 8. That Roger Burt is a convicted felon.*

Attorney Carrol presents the Defense side.

Attorney Carrol calls Carrie Orth to the stand. City Clerk swears in Carrie Orth. Carrie Orth answers questions presented by Attorney Carrol, Attorney Thuermer, and members of the Council.

Attorney Carrol enters Exhibits 1 and 2.

Mayor closes both sides' case.

Attorney Thuermer provides closing statements.

Attorney Carrol provides closing statements.

Mayor closes the hearing.

Moved by Reckelberg, seconded by Schlei, to accept the complaint as true and deny Leslie O's LLC application for renewal of its "Class B" license. The motion carried by the following vote:

Aye: 8 - Beeman, Boldt, Reckelberg, Schlei, Sitkiewitz, Brey, DeBaets and Vanderkin

E. ADJOURN

A motion was made by Schlei, seconded by Sitkiewitz, that this meeting be adjourned. The motion carried by the following vote:

Aye: 8 - Beeman, Boldt, Reckelberg, Schlei, Sitkiewitz, Brey, DeBaets and Vanderkin