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ATTORNEYS AT LAW

June 20, 2022

VIA EMAIL

City of Sheboygan
c/o Meredith DeBruin, City Clerk
828 Center Avenue
Sheboygan, WI 53081

Re: City of Sheboygan; One More Time, LLC and Joseph P. Bonelli;
Alcohol Beverage License No. 2301; City of Sheboygan Ordinance Section 10-46

Dear Council Members:

I write this in advance of the Common Council meeting of June 20, 2022, scheduled for 6:00 p.m. I am unable to attend based on a prior engagement. We are in receipt of Attorney Peter R. Mayer's correspondence submitted on behalf of One More Time, LLC and Joseph P. Bonelli dated June 17, 2022.

At the outset, we are not aware of any discernable conflict in our continuing representation in this matter. My office, nor Mr. McKinley, are engaged in any current representation of any transaction parties involving One More Time, LLC and have not circulated any draft documents, memorandums, or actually discussed any material terms with any party.

With respect to the first request, no additional materials are to be provided by One More Time, LLC and/or Joseph P. Bonelli at tonight's hearing. The time to present any materials was June 8, 2022. The parties were directed to present evidence at the June 8, 2022 quasi-judicial hearing, at which time such evidence was submitted and the record subsequently closed. At its discretion, and pursuant to Section 125.12(2)(b)3, Wis. Stats., the council may allow One More Time, LLC and/or Mr. Bonelli to present arguments to the council either orally or in writing.

Secondly, if Mr. Mayer requests a transcript of any proceedings, he may obtain same by virtue of a Petition for a Writ of Certiorari (Judicial Review), which necessarily includes an Order from the Circuit Court to provide the entirety of the existing record, including any and all transcripts. Section 125.12(2)(b)2, Wis. Stats., does allow Mr. Mayer an opportunity to obtain a written transcript of proceedings held on June 8, 2022, and he may obtain same at his client's own expense. I would recommend the video link of proceedings for Mr. Mayer for his review should he request it.

Third, I do not find the report prepared by the Committee to be "incomplete". The evidence presented by One More Time, LLC and/or Mr. Bonelli was considered by the Committee and evidence presented by Mr. Adams at the quasi-judicial hearing was also considered. While Mr. Mayer may not agree with the findings of the Committee, that may be an issue he wishes to pursue in judicial review under Section 125.12(2)(d), Wis. Stats.

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Lastly, the requested de novo review is not appropriate. Despite One More Time, LLC's and Mr. Bonelli's assertions, One More Time, LLC and Mr. Bonelli were provided with due process of law, had an opportunity to present their materials in evidence, and were not denied any due process rights whatsoever.

If members of the Council may have any questions, I am available for discussion tomorrow and will be glad to respond to any specific inquiries.

Very truly yours,

OLSEN, KLOET, GUNDERSON & CONWAY

Electronically signed by Joseph J. Voelkner

Joseph J. Voelkner

JJV/kmm

cc: Mayor Ryan Sorenson
City Administrator Todd Wolf
City Attorney Charles Adams
Attorney Peter R. Mayer