

R. O. No. 48 - 22 - 23. By CITY CLERK. August 1, 2022.

Submitting a Summons and Complaint in the matter of One More Time, LLC
vs. City of Sheboygan.

CITY CLERK

FILED JUL 22 2022
07-20-2022
Sheboygan County
Clerk of Circuit Court
2022CV000377
Honorable Kent Hoffmann
Branch 2

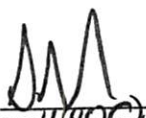
STATE OF WISCONSIN CIRCUIT COURT SHEBOYGAN

One More Time, LLC vs. City of Sheboygan

**Electronic Filing
Notice**

Case No. 2022CV000377
Class Code: Petition for Writ of Certiorari

CITY OF SHEBOYGAN
828 CENTER AVENUE
SHEBOYGAN WI 53081

Process Server 
Date: 7/22/22 Time: 11:40 am/pm
 Personal Substitute
 Posted Corporate

Case number 2022CV000377 was electronically filed with/converted by the Sheboygan County Circuit Court office. The electronic filing system is designed to allow for fast, reliable exchange of documents in court cases.

Parties who register as electronic parties can file, receive and view documents online through the court electronic filing website. A document filed electronically has the same legal effect as a document filed by traditional means. Electronic parties are responsible for serving non-electronic parties by traditional means.

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If you are not represented by an attorney and would like to register an electronic party, you will need to enter the following code on the eFiling website while opting in as an electronic party.

Pro Se opt-in code: 64b2f7

Unless you register as an electronic party, you will be served with traditional paper documents by other parties and by the court. You must file and serve traditional paper documents.

Registration is available to attorneys, self-represented individuals, and filing agents who are authorized under Wis. Stat. 799.06(2). A user must register as an individual, not as a law firm, agency, corporation, or other group. Non-attorney individuals representing the interests of a business, such as garnishees, must file by traditional means or through an attorney or filing agent. More information about who may participate in electronic filing is found on the court website.

If you have questions regarding this notice, please contact the Clerk of Circuit Court at 920-459-3068.

Sheboygan County Circuit Court
Date: July 20, 2022

FILED
07-20-2022
Sheboygan County
Clerk of Circuit Court
2022CV000377
Honorable Kent Hoffmann
Branch 2

STATE OF WISCONSIN

CIRCUIT COURT

SHEBOYGAN COUNTY

ONE MORE TIME, LLC
c/o 4139 Cherrywood Court, Apt. A-101
Sheboygan, WI 53081
Joseph P. Bonelli, Agent

Plaintiff,

v.

Case No.

Case Code: 30955, 30952

CITY OF SHEBOYGAN
828 Center Avenue
Sheboygan, WI 53081

Defendant.

SUMMONS

THE STATE OF WISCONSIN

TO EACH PERSON NAMED ABOVE AS A DEFENDANT:

You are hereby notified that the plaintiff named above has filed a lawsuit or other legal action against you. The Complaint, which is attached, states the nature and basis of the legal action.

Within twenty (20) days of receiving this Summons (45 days if you are the State of Wisconsin and 60 days if you are the United States of America), you must respond with a written answer, as that term is used in Chapter 802 of the Wisconsin Statutes, to the Complaint. The Court may reject or disregard an Answer that does not follow the requirements of the statutes. The Answer must be sent or delivered to the Court, whose address is:

Clerk of Courts
Sheboygan County Courthouse
615 North 6th Street
Sheboygan, Wisconsin 53081

and to plaintiff's attorney, whose address is:

Peter R. Mayer
Mayer Law Firm, S. C.
502 North 6th Street
Sheboygan, WI 53081
peter@wisclawyer.com

You may have an attorney help or represent you.

If you do not provide a proper Answer within twenty (20) days, the Court may grant judgment against you for the award of money or other legal action requested in the Complaint, and you may lose your right to object to anything that is or may be incorrect in the Complaint. A judgment may be enforced as provided by law. A judgment awarding money may become a lien against any real estate you own now or in the future, and may also be enforced by garnishment or seizure of property.

Dated this 20th day of July, 2022.

MAYER LAW FIRM, S. C.

A handwritten signature in black ink, appearing to read "Peter R. Mayer", with a long horizontal flourish extending to the right.

By

Peter R. Mayer
State Bar No. 1009680
Attorney for One More Time, LLC

Mayer Law Firm, S. C.
502 North 6th Street
Sheboygan, WI 53081
Telephone (920) 980-8241
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E-mail: peter@wisclawyer.com

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STATE OF WISCONSIN

CIRCUIT COURT

SHEBOYGAN COUNTY

ONE MORE TIME, LLC
c/o 4139 Cherrywood Court, Apt. A-101
Sheboygan, WI 53081
Joseph P. Bonelli, Agent

Plaintiff,

v.

Case No.

Case Code: 30955, 30952

CITY OF SHEBOYGAN
828 Center Avenue
Sheboygan, WI 53081

Defendant.

**COMPLAINT AND PETITION FOR CERTIORARI
REVIEW PURSUANT TO WIS. STAT. SECTIONS 68.13 and 125.12(2)(d)**

NOW COMES the above-named plaintiff, One More Time, LLC, a Wisconsin limited liability company, by its attorney, Mayer Law Firm, S.C., by Peter R. Mayer, as and for causes of action against the above-named defendant, hereby submits this Complaint for Certiorari Review pursuant to Sections 68.13 and 125.12(2)(d), Wis. Stats., with respect to the revocation of City of Sheboygan Alcohol Beverage License No. 2301 previously held by Plaintiff, which revocation was purportedly recommended by Licensing, Hearings, and Public Safety Committee of the City of Sheboygan on June 8, 2022, and adopted as a resolution by the Common Council of the City of Sheboygan on June 20, 2022, and this Complaint for Writ of Mandamus pursuant to Chapter 783, Wis. Stats. with respect to City of Sheboygan Ordinance 10-46, City of Sheboygan Ordinance 10-39 and Section 125.12, Wis. Stats., and herein alleges and shows to the Court as follows:

JURISDICTION AND VENUE

1. This Court has jurisdiction over the subject matter of this action pursuant to Wis. Stats. Sections 68.13, 125.12(2)(d), and 783.01.

2. Venue is proper in this Court pursuant to Wis. Stats. Section 801.50(2)(a), (b), and c) because Sheboygan County is the county where the claim arose, the county where the real estate which is the subject of the action is located, and the county where the Defendant does business.

PARTIES

3. One More Time, LLC, is a Wisconsin limited liability company (the "Plaintiff") having a principal business location at 1235 Pennsylvania Avenue in the City of Sheboygan, Sheboygan County, Wisconsin (the "Premises"), a registered agent office of c/o 502 North 6th Street, Sheboygan, Wisconsin 53081, and a temporary business location address of 4139 Cherrywood Court, Apt. A-101, Sheboygan, WI 53081.

4. City of Sheboygan (the "City") is a body corporate in the State of Wisconsin, duly organized under Wis. Stats. Chapter 66 as a city with its offices located at 828 Center Avenue, Sheboygan, WI 53081.

FACTS

5. The Plaintiff and its affiliated limited liability companies, all of which have been solely owned by Joseph P. Bonelli and of which he has been the sole member ("Agent") operated a tavern establishment selling alcohol, food, and other beverages to the public (the "Business") at the Premises since 2005.

6. The operation of the Business at the Premises, including specifically the sale of alcohol to customers, was under the authority of City of Sheboygan Alcohol Beverage License No. 2301 (the "License").

7. Commencing in the second half of 2019, Plaintiff temporarily reduced the hours of operation of the Business at the Premises, which reduction in hours of operation was later affected by the Covid pandemic, including by governmental orders requiring the cessation of Business for certain periods of time and recommendations against conducting public operations of the Business for the safety and well-being of the public.

8. Plaintiff made the Premises available for sale but continued to operate the Business from time to time and at no point abandoned, suspended, or ceased operations of the Business for a continuous period of at least six (6) months.

9. Plaintiff operated the Business at the Premises on October 3, 2021, and the City acknowledged and agreed that Plaintiff operated the Business at the Premises on such date, as documented on Exhibit A attached hereto and incorporated herein by this reference.

10. Between October of 2021 and March of 2022, Plaintiff and Bonelli had two different prospective purchasers who both agreed to purchase the Premises, had the financial ability to purchase the Premises under the terms offered, had past experience in the operation of a tavern, had appropriate personal character to be eligible for the issuance of an alcohol beverage license, and indicated a desire for Plaintiff to conditionally surrender the License after the payment of the down payment and earnest money so that the purchasers could obtain a new alcohol beverage license from the City of Sheboygan and operate the Premises from and after the date of closing (the "Potential Sales of the Premises").

11. As a result of the Potential Sales of the Premises and in order to increase the likelihood of consummating the sale of the Premises, Bonelli delayed resumption of the full operation of the Business during the time that the Potential Sales of the Premises were being addressed.

12. During March of 2022, Bonelli determined that the Potential Sales of the Premises might no longer be viable and decided to resume the Plaintiff's operation of the Business.

13. City of Sheboygan Ordinances and Chapter 125, Wis. Stats., do not require a holder of a retail alcohol beverage license to conduct business a certain minimum number of hours or a certain minimum number of days or to advertise an open business in a certain manner.

14. City of Sheboygan Ordinance 10-46 ("Ordinance 10-46") provides that if a retail licensee shall suspend or cease doing business for six consecutive months or more, the retail license shall be subject to revocation, which ordinance is documented on Exhibit B attached hereto and incorporated herein by this reference.

15. Ordinance 10-46 does not require a minimum number or amount of sales of alcohol by the licensee.

16. Ordinance 10-46 has in the past consistently been interpreted by the Office of the City Attorney for the City of Sheboygan to require only operation of Business with the sale of alcohol to members of the public on a single day within not more than a six (6) month period.

17. During March and April of 2022, Bonelli, for and on behalf of himself and Plaintiff, contacted the Office of the City Attorney for the City of Sheboygan and the Licensing Clerk of the City of Sheboygan numerous times to seek advice and obtain confirmation relating to the Plaintiff's compliance with Ordinance 10-46 to prevent the revocation of the License, which communication is documented on Exhibits C and D attached hereto and incorporated herein by this reference.

18. On March 31, 2022, commencing at 11:45 AM, Bonelli had a 20-minute telephone call with City Attorney Adams relating to compliance with Ordinance 10-46 (the "March Advice Call"), and during the March Advice Call City Attorney Adams stated that Bonelli could either request an extension by the City Common Council or open for business to the public again within six (6) months of the last date of business, which communication is documented on Exhibit D attached hereto and incorporated herein by this reference.

19. During the March Advice Call, City Attorney Adams stated that an extension by City Common Council was discretionary, but that opening for business to the public would not be subject to discretionary determination.

20. During the March Advice Call, City Attorney Adams recommended that the Business could simply open for business to the public for one day within the six months and used as an example the action by Curt Hinz, another holder of a City liquor license, to reopen for one day.

21. Bonelli viewed the information provided by City Attorney Adams as legal advice provided to him to assist Plaintiff in complying with Ordinance 10-46.

22. Bonelli secured the services of a licensed bartender and two additional servers to work at the Premises on April 1, 2022 (the "Continuous Business Day"), confirmed that the Premises would have sufficient inventory for operation of the Business, posted messages on Facebook confirming that the Premises was open for Business, posted photographs taken on the Continuous Business Day, and required the bartender and servers to use the cash register on the Continuous Business Day because the POS system was not programmed, as documented on the affidavits attached hereto as Exhibit E and incorporated herein by this reference.

23. Despite numerous calls by Bonelli to Office of the City Attorney for the City of Sheboygan and the Licensing Clerk of the City of Sheboygan starting on April 4, 2022 and continuing until June 7, 2022, the City refused to confirm whether or not Plaintiff was in compliance with Ordinance 10-46 as a result of the operations on the Continuous Business Day, until Bonelli

was served with the Summons and Complaint shortly before the Quasi-Judicial Hearing conducted on June 8, 2022 (the "Hearing") before the City of Sheboygan Licensing, Hearings and Public Safety Committee (the "Committee").

24. The Committee is a committee of the City Council of the City of Sheboygan, as described in Section 125.12(2)(b)3., Wis. Stats.

25. On the day before the Hearing, Bonelli attempted one more time to understand the basis for the claim by the City that the Plaintiff was not in compliance with Ordinance 10-46, and communicated by e-mail with City Attorney Adams, as documented in the e-mail to City Attorney Adams and his reply attached hereto as Exhibit F and incorporated herein by this reference.

26. City Attorney Adams regularly advises, and when required directs, the Committee as to legal options and alternatives, witness testimony, and procedure, and provides the Committee with recommendations on licensees, including when licensees appear before the Committee for regulatory or quasi-judicial action.

27. On the day before the Hearing, in the e-mail attached hereto as Exhibit F, City Attorney Adams informed Bonelli that rather than continue to advise the Committee or withdraw entirely from the matter, City Attorney Adams would be prosecuting the complaint against the Plaintiff.

28. In the e-mail attached hereto as Exhibit F, City Attorney Adams informed Bonelli that Attorney Joseph Voelkner, the partner of an attorney who represented and advised one of the two potential purchasers in the Potential Sales of the Premises, would be representing and advising the Committee at the Hearing.

29. During the Hearing, at the first available opportunity and prior to any witnesses, Bonelli attempted to object to City Attorney Adams' and Attorney Voelkner's involvement in the Hearing and request an adjournment in order to address his objection, but Attorney Voelkner prevented him from raising objections at that time because Attorney Voelkner had a specific order of procedure, and Bonelli later objected to City Attorney Adams' and Attorney Voelkner's involvement in the Hearing.

30. During the Hearing, Bonelli was sworn under oath and testified that the Plaintiff operated the Business at the Premises on the Continuous Business Day.

31. The complainant did not provide any evidence that the Plaintiff did not operate the Business at the Premises on the Continuous Business Day.

32. During the Hearing, City Attorney Adams provided testimony and evidence while at the same time acting as legal counsel for the complainant at the Hearing and without first being sworn under oath.

33. After the Hearing was closed, the Committee and Attorney Voelkner adjourned into closed session and after returning voted to recommend that the City Council revoke the License.

34. The Committee purportedly prepared a document intended to constitute the report described in Section 125.12(2)(b)3., Wis. Stats. (the "Purported Report"), a copy of which Purported Report initially prepared and sent to Plaintiff is attached hereto as Exhibit G and incorporated herein by this reference..

35. The Purported Report did not state whether the Committee found as a matter of fact that the Plaintiff did or did not operate the Business at the Premises on the Continuous Business Day.

36. The Purported Report did not state whether the Committee found as a matter of fact that the Plaintiff's operation of the Business at the Premises on the Continuous Business Day was or was not sufficient to comply with Ordinance 10-46.

37. The Purported Report was conclusory in nature and did not present statements of supporting facts, contrary to the requirements of Section 125.12(2)(b)3., Wis. Stats.

38. The Office of the City Attorney notified the Plaintiff and Bonelli in writing of the right to object to the Purported Report and to present arguments supporting the objection to the City Council on August 20, 2022 (the "Right to Object Notice").

39. Contrary to the requirements of Section 125.12(2)(b)3., Wis. Stats., the Right to Object Notice did not inform the Plaintiff whether the arguments supporting the objection shall be presented orally or in writing or both.

40. At no time did the City inform the Plaintiff, Bonelli, or legal counsel for them whether the arguments supporting the objection shall be presented to the City Council orally or in writing or both, despite repeated inquiries on this.

41. A few business days before the June 20, 2022 City Council meeting (the "City Council Review Meeting"), a secretary in the Office of the City Attorney notified the Plaintiff and Bonelli via e-mail that the Right to Object Notice incorrectly identified the date of the City Council

review of the Purported Report and informed the Plaintiff and Bonelli that the Purported Report would be confirmed at the City Council Review Meeting if no objection was made.

42. The Plaintiff, by its legal counsel, immediately notified various city officials via e-mail of objections to proceeding at the City Council Review Meeting due to the erroneous identification of the date of the City Council review in the Right to Object Notice, the inability to deliver necessary documents relating to the objection in time for the City Council Review Meeting, requested the immediate delivery of a transcript of the Hearing, objected to the continued involvement of City Attorney Adams except as a witness, objected to the Purported Report, and requested a de novo hearing based upon the involvement of the attorneys creating bias and preventing a fair hearing (the "Objection E-mail"), as documented on the Objection E-mail, a copy of which is attached hereto as Exhibit H and incorporated herein by this reference.

43. The Plaintiff, by its legal counsel, sent via e-mail and hand-delivered a letter dated June 17, 2022 to the City Clerk and various City officials, containing objections to proceeding at the City Council Review Meeting due to the erroneous identification of the date of the City Council review in the Right to Object Notice, the inability to deliver necessary documents relating to the objection in time for the City Council Review Meeting, requested the immediate delivery of a transcript of the Hearing, objected to the continued involvement of City Attorney Adams except as a witness, objected to the Purported Report, and requested a de novo hearing based upon the involvement of the attorneys creating bias and preventing a fair hearing (the "Objection Letter"), as documented on the Objection Letter and a subsequent e-mail, a copy of which is attached hereto as Exhibit I and incorporated herein by this reference, and which copy of the Objection Letter hand-delivered to the City Clerk also included the affidavits attached hereto as Exhibits D and E and incorporated herein by this reference.

44. The City Clerk informed the Plaintiff, through its legal counsel, that the City Council Review Meeting would proceed and that the only way Plaintiff could be assured that the City Council would hear its oral objection is if it was presented during the five minute citizen comment agenda item at the beginning of the City Council meeting, contrary to the requirements of Section 125.12(2)(b)3., Wis. Stats.

45. The Plaintiff, through its legal counsel, presented its objections to the City Council during the allotted five minute citizen comment section, objecting to the Purported Report and the

recommended revocation based upon the uncontroverted evidence presented at the Hearing that the Plaintiff operated the Business at the Premises on the Continuous Business Day and the other objections contained in the Objection E-Mail and the Objection Letter.

46. The Purported Report was attached to the agenda of the City Council for the City Council Review Meeting, without any signatures of the Committee members on the signature blanks evidencing adoption or approval of the Purported Report by the Committee, contrary to the requirements of Section 125.12(2)(b)3., Wis. Stats., as documented on the City agenda link <https://mccmeetings.blob.core.usgovcloudapi.net/sheboygnwi-pubu/MEET-Packet-59c9340e237d49c38fc75bfe4c2f7000.pdf> and on the Purported Report, a copy of which is attached hereto as Exhibit J and incorporated herein by this reference.

47. The City Council, without any discussion relating to the Plaintiff or the License and as a part of a block of other license approvals referred by the Committee, voted to revoke the License, as documented on the Minutes of the City Council Review Meeting, a copy of which is attached hereto as Exhibit J and incorporated herein by this reference.

48. The Plaintiff, by its legal counsel, sent via e-mail and hand-delivered a letter dated June 20, 2022 to the City Clerk, requesting the immediate delivery of a transcript of the Hearing (the "Transcript Request Letter"), as documented on the Transcript Request Letter, a copy of which is attached hereto as Exhibit J and incorporated herein by this reference, and City referred Plaintiff to YouTube link <https://www.youtube.com/watch?v=hXZu-YdI1Ds> rather than comply with Wisconsin Statutes.

CLAIMS FOR RELIEF

FIRST CLAIM - THE CITY EXCEEDED ITS JURISDICTION BECAUSE ORDINANCE SIMPLY REQUIRES THAT A LICENSEE HAVE NO GAP IN OPERATIONS OF LONGER THAN SIX (6) MONTHS, WHICH GAP IN OPERATIONS DID NOT OCCUR AT THE PREMISES.

As and for a first cause of action against City, Plaintiff alleges and shows to the Court as follows:

49. Plaintiff reiterates and realleges all of the allegations contained in paragraphs 1 through 48 with the same force and effect as though fully set forth herein.

50. Ordinance 10-46 provides that if a retail licensee shall suspend or cease doing business for six consecutive months or more, the retail license shall then be subject to revocation.

51. Ordinance 10-46 does not require a minimum number or amount of sales of alcohol by the licensee, minimum hours, or minimum days, but only provides jurisdiction if there is a suspension or cessation of business six months or longer.

52. Plaintiff operated the Business by being open for business and conducting sales of alcohol to general members of the public on at least October 3, 2021 and the Continuous Business Day, a period of less than six months.

53. Since Ordinance 10-46 consistently been interpreted by the Office of the City Attorney for the City of Sheboygan to require only operation of Business with the sale of alcohol to members of the public on a single day within not more than a six (6) month period, the City did not have jurisdiction or authority to revoke the License.

54. Therefore, this Court should reverse the decision of the Committee and the City Council and order the City Council to reissue the License to the Plaintiff for the Premises.

SECOND CLAIM - THE CITY DEPRIVED THE PLAINTIFF OF ITS RIGHT OF DUE PROCESS IN THE MANNER OF REVOKING OF THE LICENSE.

As and for a second cause of action against City, Plaintiff alleges and shows to the Court as follows:

55. Plaintiff reiterates and realleges all of the allegations contained in paragraphs 1 through 48 with the same force and effect as though fully set forth herein.

56. Foremost, among a multitude of substantive and procedural defects and errors preventing the Plaintiff from having a fair Hearing without bias was the multi-faceted roles of City Attorney Adams, acting on March 31, 2022, as legal advisor to the Plaintiff in informing Bonelli that he should open the Premises to Business for at least one day during the six month period, then City Attorney Adams left Bonelli without any reply or confirmation during an almost two month period, until City Attorney Adams took up the position of prosecutor of the complaint before the Committee, which was acting as a quasi-judicial body and accustomed to receiving the advice, direction, and recommendations from City Attorney Adams and for which he provided the introduction to the Hearing as if he was representing the Committee and was identified as such on his virtual meeting caption, City Attorney Adams then provided information and evidence by his testimony without first being sworn as a witness at the Hearing, which defects when combined prevented the Plaintiff from receiving a fair hearing, then City Attorney Adams' office gave a faulty Right to Object Notice, and

finally City Attorney Adams resumed his role before the City Council during the City Council Review Meeting as well.

57. The procedural defect of not informing Plaintiff of the proper date for the City Council Review Meeting, until the cusp of the meeting, or the manner in which the arguments in support of the objection could be presented deprived the Plaintiff of its right to Due Process.

58. The procedural defect of having attorneys with apparent conflicts of interest conducting the Hearing and prosecuting the complaint during the Hearing deprived the Plaintiff of its right to Due Process and prevented a fair Hearing.

59. The defect in the preparation and review of the Purported Report and Plaintiff's objections to the Purported Report, including the absence of signatures confirming approval when the Purported Report was submitted to the City Council, the absence of factual determinations in support of the conclusion found by the Committee in the Purported Report, the lack of direction on how arguments could be presented by Plaintiff to the City Council, the erroneous information on the date of the City Council Meeting Review in the Right of Objection Notice prevented reasonable preparation for and presentation of the objection to the Purported Report, the requirement that Plaintiff appear during the citizen comment section of the agenda rather than during the review of the objections to the Purported Report, and the consolidation of the Plaintiff's objections with batches of other licenses presented for renewal into a single enmeshed resolution prevented anything other than a cursory consideration of the objection by the City Council, and thus deprived the Plaintiff of its right to Due Process.

60. The affidavits attached as Exhibits D and E, and incorporated herein by this reference and supplement the record of the Hearing, were not part of the record at the Hearing but were provided to the City Clerk before the City Council Review Meeting, and provide additional irrefutable proof that the Plaintiff operated the Business at the Premises on the Continuous Business Day.

61. Therefore, this Court should reverse the decision of the Committee and the City Council and order the City Council to reissue the License to the Plaintiff for the Premises, or at a minimum, in the alternative, order a de novo hearing by the Committee.

THIRD CLAIM - THE CITY DECISIONS ON THE LICENSE WERE ARBITRARY AND UNREASONABLE BECAUSE THEY REPRESENT THE WILL RATHER THAN THE JUDGMENT OF THE CITY.

As and for a third cause of action against City, Plaintiff alleges and shows to the Court as follows:

62. Plaintiff reiterates and realleges all of the allegations contained in paragraphs 1 through 48 with the same force and effect as though fully set forth herein.

63. Ordinance 10-46 clearly provides that if a retail licensee shall suspend or cease doing business for six consecutive months or more, the retail license shall then and only then be subject to revocation.

64. The City acknowledged and agreed that Plaintiff conducted Business on October 3, 2022, and Plaintiff provided uncontroverted testimony at the Hearing that Plaintiff operated the Business at the Premises on the Continuous Business Day, thereby complying with Ordinance 10-46.

65. The Purported Report was unsigned and does not provide any determination of supporting facts relating to the issue on compliance with Ordinance 10-46, but merely concludes that the Plaintiff violated Ordinance 10-46, thus confirming the arbitrary and unreasonable nature of the Purported Report and the City Council adoption of the recommendation of the Committee.

66. Therefore, this Court should reverse the decision of the Committee and the City Council and order the City Council to reissue the License to the Plaintiff for the Premises.

FOURTH CLAIM - THE CITY DECISIONS ON THE LICENSE TREAT THE PLAINTIFF IN AN UNEQUAL MANNER TO OTHER LICENSEES AND WERE ARBITRARY AND UNREASONABLE BECAUSE THEY REPRESENT THE WILL RATHER THAN THE JUDGMENT OF THE CITY.

As and for a fourth cause of action against City, Plaintiff alleges and shows to the Court as follows:

67. Plaintiff reiterates and realleges all of the allegations contained in paragraphs 1 through 48 with the same force and effect as though fully set forth herein.

68. Ordinance 10-46 clearly provides that if a retail licensee shall suspend or cease doing business for six consecutive months or more, the retail license shall then and only then be subject to revocation.

69. The City acknowledged and agreed that Plaintiff conducted Business on October 3, 2022, and Plaintiff provided uncontroverted testimony at the Hearing that Plaintiff operated the Business at the Premises on the Continuous Business Day, thereby complying with Ordinance 10-46.

70. Ordinance 10-46 has in the past consistently been interpreted by the Office of the City Attorney for the City of Sheboygan to require only operation of Business with the sale of alcohol to members of the public on a single day within not more than a six (6) month period.

71. City Attorney Adams provided an example to the Plaintiff of how Ordinance 10-46 has been applied to other licensees who open for only one day to satisfy the requirement that a licensee not suspend or cease doing business for six months.

72. The Plaintiff has been treated differently from other licensees and such treatment is arbitrary and unreasonable.

73. Therefore, this Court should reverse the decision of the Committee and the City Council and order the City Council to reissue the License to the Plaintiff for the Premises.

FIFTH CLAIM - CITY HAS FAILED TO ADHERE TO ITS ORDINANCE AND CHAPTER 125 OF THE WISCONSIN STATUTES.

As and for a fourth cause of action against City, Plaintiff alleges and shows to the Court as follows:

74. Plaintiff reiterates and realleges all of the allegations contained in paragraphs 1 through 48 with the same force and effect as though fully set forth herein.

75. Plaintiff requested in writing on at least two occasions, the Objection Letter and the Transcript Request Letter, that City provide a transcript of the Hearing, as required by Section 125.12(2)(b)2., Wis. Stats., and City has failed and refused to provide the transcript.

76. Plaintiff is entitled to the re-issuance by the City of a License for the Premises pursuant to the four claims set forth above, but City may fail or refuse to issue the License to the Plaintiff, which prevents Plaintiff from conducting Business.

77. The preparation of a transcript of the Hearing and the issuance of the License are not discretionary actions.

78. A writ of mandamus requiring the City to provide a transcript of the Hearing to Plaintiff and to issue the License to the Plaintiff for the Premises provides the City with a clear and concise direction in a ministerial action.

79. Therefore, this Court should issue a writ of mandamus requiring the City to provide a transcript of the Hearing to the Plaintiff and to issue the License to the Plaintiff for the Premises, or in the alternative, retain jurisdiction in this matter to confirm that City has complied with its other orders.

WHEREFORE, One More Time, LLC respectfully requests the following relief:

- A. That a Writ of Certiorari be granted and issued by this Court directed to the City of Sheboygan Clerk, City of Sheboygan Licensing Clerk, and City of Sheboygan Common Council, the record and proceedings of the Quasi-Judicial Hearing conducted on June 8, 2022 before the City of Sheboygan Licensing, Hearings and Public Safety Committee and the June 20, 2022 City of Sheboygan Common Council at issue herein be certified and transmitted to this Court;
- B. Review and reversal of the decisions of the Quasi-Judicial Hearing conducted on June 8, 2022 before the City of Sheboygan Licensing, Hearings and Public Safety Committee and the June 20, 2022 City of Sheboygan Common Council at issue herein;
- C. That the City of Sheboygan Clerk, City of Sheboygan Licensing Clerk, and City of Sheboygan Common Council be ordered and directed to reissue to One More Time, LLC the City of Sheboygan Alcohol Beverage License No. 2301 previously held by Plaintiff;
- D. In the alternative and in the event that only the second claim of Plaintiff be found in favor of, that City of Sheboygan Licensing, Hearings and Public Safety Committee and the City of Sheboygan Common Council be ordered to conduct a de novo hearing without involvement of attorneys with conflicts;
- E. For the costs and disbursements of this action as provided by law; and
- F. For such other and further relief as the court deems just and proper.

Dated this 20th day of July, 2022.

MAYER LAW FIRM, S. C.



By

Peter R. Mayer
State Bar No. 1009680
Attorney for One More Time, LLC

Mayer Law Firm, S. C.
502 North 6th Street
Sheboygan, WI 53081
Telephone (920) 980-8241
Facsimile (920) 451-0500
E-mail: peter@wisclawyer.com

Fassbender, Melissa

From: Adams, Charles
Sent: Friday, March 11, 2022 10:05 AM
To: Joseph Bonelli
Cc: Fassbender, Melissa; Hoffman, Kathryn; DeBruin, Meredith
Subject: RE: Mojo



Thank you. Can you provide confirmation that among the sales was the sale of alcohol? I would assume so, but we did just have an issue with someone who wanted to only serve food and that does not qualify as "business of the license."

Assuming the confirmation, the six-months would run out on April 3. The transfer would need to take place and the new business be opened by that day.

Chuck

From: Joseph Bonelli <mojobar@icloud.com>
Sent: Friday, March 11, 2022 9:56 AM
To: Adams, Charles <Charles.Adams@sheboyganwi.gov>
Subject: Mojo

Good morning Attorney Adams,
Thanks for taking the time to speak with me yesterday.

I have attached our daily log of October the 3rd 2021, of our point of sale system as per our conversation. Hopefully this will resolve the situation and eliminate the need for the hearing with the common council. In the meantime, I hope to have the transition for the business to be done in the next week or two. At that point I would surrender my license to the new owners. It is critical that we retain our license until that point as the deal we have in place is contingent on the license.

Thanks once again for your time and understanding. Please call with any questions or concerns. Otherwise, I will touch base with you later today.

Joe Bonelli
920-254-0564

EXHIBIT A
(4 pages)



Sales Report



Oct 3, 2021

All Devices, vs Previous Sunday

1D

1W

1M

3M

1Y

SALES SUMMARY: OVERVIEW



\$247.00

Gross Sales

-24%

\$247.00

Net Sales

-24%

12

Sales

-29%

\$20.58

Average Sale

+7%

\$0.00

Returns

\$0.00

Discounts & Comps

GROSS SALES



Oct 3, 2021

\$247.00

Previous Sunday

\$327.00

\$200

\$150

\$100



Checkout



Transactions



Notifications



More

Fassbender, Melissa

From: Adams, Charles
Sent: Friday, March 11, 2022 1:03 PM
To: Joseph Bonelli
Cc: Fassbender, Melissa; Hoffman, Kathryn
Subject: RE: Mojo



Got it, thanks!

From: Joseph Bonelli <mojobar@icloud.com>
Sent: Friday, March 11, 2022 12:54 PM
To: Adams, Charles <Charles.Adams@sheboyganwi.gov>
Subject: Mojo

Hello Attorney Adams,

I just received your email and that completely makes sense. I've attached another breakdown. The areas that are labeled open, mid, and top shelf will pertain to the sales of alcohol.

If you need anything else please let me know. Otherwise it is getting close to quitting time. Hope you have a great weekend.

Joe



Sales Report



Oct 3, 2021

All Devices, vs Previous Sunday

1D 1W 1M 3M 1Y

> Food open \$152.00

∨ Open \$59.00

Regular \$59.00

∨ Mid \$22.00

Regular \$22.00

> Soda \$8.00

> Top Shelf \$6.00

TOP CATEGORIES



Gross	Count
-------	-------



Checkout



Transactions



Notifications



More



Sec. 10-46. - Cessation of operations.

If any retail licensee shall fail to commence business within six months of granting of a license, or if any retail licensee shall suspend or cease doing business for six consecutive months or more, any or all of said retail licenses held by the licensee shall be subject to revocation by the council after a public hearing, pursuant to Sec. 10-39. The council may, for a good cause shown, extend such six-month period.

(Ord. No. 57-02-03, § 1, 11-18-02)

EXHIBIT B

JAMES O. CONWAY
JOSEPH J. VOELKNER
CORRADO CIRILLO
JOSHUA D. MCKINLEY
ALVIN R. KLOET (OF COUNSEL)
JOHN N. GUNDERSON (OF COUNSEL)

OLSEN, KLOET,
GUNDERSON &
CONWAY

ATTORNEYS AT LAW

602 NORTH 6TH STREET
SHEBOYGAN, WI 53081-4695

EXHIBIT C
(12 pages)

June 9, 2022

VIA EMAIL

Mr. Joseph Bonelli
One More Time, LLC
2148 Allgood Road
Marietta, GA 30062

RE: IN THE MATTER OF A QUASI-JUDICIAL HEARING TO DETERMINE
WHETHER ALCOHOL BEVERAGE LICENSE NO. 2301 SHALL BE
SUSPENDED OR REVOKED
Joseph P. Bonelli et al

Dear Mr. Bonelli:

Pursuant to my representation at the Quasi-Judicial Hearing which took place on
June 8, 2022, please find enclosed Exhibits:

1. Email dated March 11, 2022 with attachments;
2. Email dated March 11, 2022 with attachments;
3. Email dated April 22, 2022;
4. Email dated April 25, 2022 with attachments;
5. Email dated April 28, 2022; and
6. Email dated May 6, 2022 with attachments.

If there is any additional material from the existing record that you wish for the City of
Sheboygan Common Council to provide, please advise and it will be provided immediately.

Thank you for your consideration.

Very truly yours,

OLSEN, KLOET, GUNDERSON & CONWAY

Joseph J. Voelkner

JJV/sar
Enclosure
cc: Attorney Adams

(via email)

Fassbender, Melissa

From: Adams, Charles
Sent: Friday, March 11, 2022 10:05 AM
To: Joseph Bonelli
Cc: Fassbender, Melissa; Hoffman, Kathryn; DeBruin, Meredith
Subject: RE: Mojo



Thank you. Can you provide confirmation that among the sales was the sale of alcohol? I would assume so, but we did just have an issue with someone who wanted to only serve food and that does not qualify as "business of the license."

Assuming the confirmation, the six-months would run out on April 3. The transfer would need to take place and the new business be opened by that day.

Chuck

From: Joseph Bonelli <mojobar@icloud.com>
Sent: Friday, March 11, 2022 9:56 AM
To: Adams, Charles <Charles.Adams@sheboyganwi.gov>
Subject: Mojo

Good morning Attorney Adams,
Thanks for taking the time to speak with me yesterday.

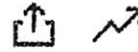
I have attached our daily log of October the 3rd 2021, of our point of sale system as per our conversation. Hopefully this will resolve the situation and eliminate the need for the hearing with the common council. In the meantime, I hope to have the transition for the business to be done in the next week or two. At that point I would surrender my license to the new owners. It is critical that we retain our license until that point as the deal we have in place is contingent on the license.

Thanks once again for your time and understanding. Please call with any questions or concerns. Otherwise, I will touch base with you later today.

Joe Bonelli
920-254-0564



Sales Report



Oct 3, 2021

All Devices, vs Previous Sunday

1D 1W 1M 3M 1Y

SALES SUMMARY: OVERVIEW



\$247.00

Gross Sales

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12

Sales

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Discounts & Comps

GROSS SALES



Oct 3, 2021

\$247.00

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\$100

Previous Sunday

\$327.00



Checkout



Transactions



Notifications



More



Fassbender, Melissa

From: Adams, Charles
Sent: Friday, March 11, 2022 1:03 PM
To: Joseph Bonelli
Cc: Fassbender, Melissa; Hoffman, Kathryn
Subject: RE: Mojo



Got it, thanks!

From: Joseph Bonelli <mojobar@icloud.com>
Sent: Friday, March 11, 2022 12:54 PM
To: Adams, Charles <Charles.Adams@sheboyganwi.gov>
Subject: Mojo

Hello Attorney Adams,

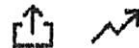
I just received your email and that completely makes sense. I've attached another breakdown. The areas that are labeled open, mid, and top shelf will pertain to the sales of alcohol.

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Joe



Sales Report



Oct 3, 2021

All Devices, vs Previous Sunday

1D 1W 1M 3M 1Y

> Food open \$152.00

▼ Open \$59.00

Regular \$59.00

▼ Mid \$22.00

Regular \$22.00

> Soda \$8.00

> Top Shelf \$6.00

TOP CATEGORIES



Gross	Count
-------	-------



Checkout



Transactions



Notifications



More



Fassbender, Melissa

From: Fassbender, Melissa
Sent: Friday, April 22, 2022 1:50 PM
To: 'Joe Bonelli'
Subject: Receipts



Good Afternoon Joe,

I just wanted to follow-up with you regarding the day you were open earlier this month. Could you please forward screen shots of the posts you made on social media from that day? Our search options are limited due to security restrictions in place on the city's internet. We have also not yet received your receipts from that day. If you could please submit the receipts as soon as possible as well.

Thank you,

Melissa Fassbender
Council/Licensing Clerk
City of Sheboygan
828 Center Ave Suite 103
Sheboygan, WI 53081
(920) 459-3405
melissa.fassbender@sheboyganwi.gov



Fassbender, Melissa

From: Joseph Bonelli <mojobar@me.com>
Sent: Monday, April 25, 2022 12:23 PM
To: Fassbender, Melissa
Subject: Mojo



Hi Melissa,

I got your email. I didn't think about the restrictions of your Internet.

But here are some pictures of my FB. Showing an ad and some customers enjoying themselves on Friday 4/1. I'll give you a shout a little later to make sure you received this.

Have a great day.

Joe

1:11



Joe Bonelli

Apr 1 · 👥

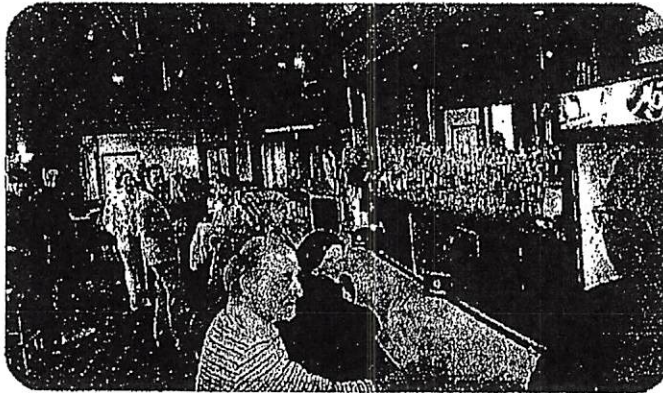


👤 Stephen Irby and 61 others

[View previous comments...](#)



Peter Mayer

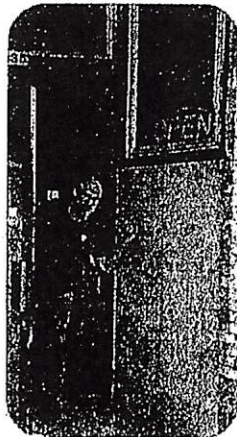


3w Like Reply

500



Peter Mayer



Write a comment...



Home



News



Marketplace



Events



Notifications



Menu

1:12



Joe Bonelli

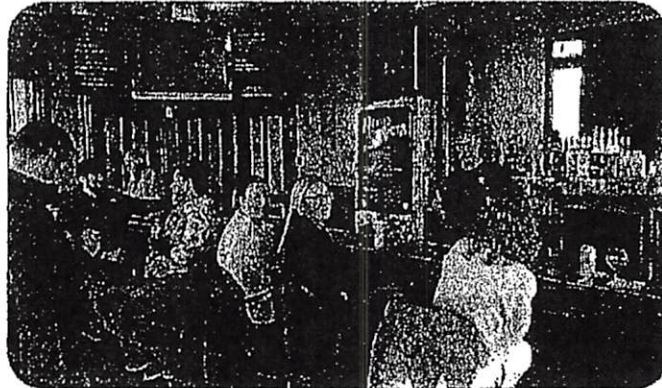
Apr 1 · 🧑

3w Like Reply

1 🗨️



Peter Mayer



3w Like Reply

2 🗨️



Michelle Walters Perronne

That is not even funny to tease us 🙄

3w Like Reply

1 🗨️



Karen Cartwright

The little light flashing bottle from your open house. It is on my frig so I can think of you everyday. Miss you lots and love you more.

3w Like Reply

2 🗨️



Write a comment...



Home



News



Marketplace



Events



Notifications



Menu

Fassbender, Melissa

From: Fassbender, Melissa
Sent: Thursday, April 28, 2022 3:46 PM
To: 'Joseph Bonelli'
Subject: RE: Mojo



Hi Joe,

I received the pictures, however, there way to determine when the pictures were taken. Please submit the receipts from the sales that day as soon as possible.

Thank you,

Melissa Fassbender
Council/Licensing Clerk
City of Sheboygan
828 Center Ave Suite 103
Sheboygan, WI 53081
(920) 459-3405
melissa.fassbender@sheboyganwi.gov

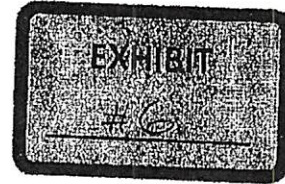


From: Joseph Bonelli <mojobar@me.com>
Sent: Monday, April 25, 2022 12:23 PM
To: Fassbender, Melissa <Melissa.Fassbender@sheboyganwi.gov>
Subject: Mojo

Hi Melissa,
I got your email. I didn't think about the restrictions of your internet.
But here are some pictures of my FB. Showing an ad and some customers enjoying themselves on Friday 4/1. I'll give you a shout a little later to make sure you received this.
Have a great day.
Joe

Fassbender, Melissa

From: Joseph Bonelli <mojobar@me.com>
Sent: Friday, May 6, 2022 11:42 AM
To: Fassbender, Melissa
Subject: 4/1/2022 sales
Attachments: IMG_0624.heic



Hey Melissa,

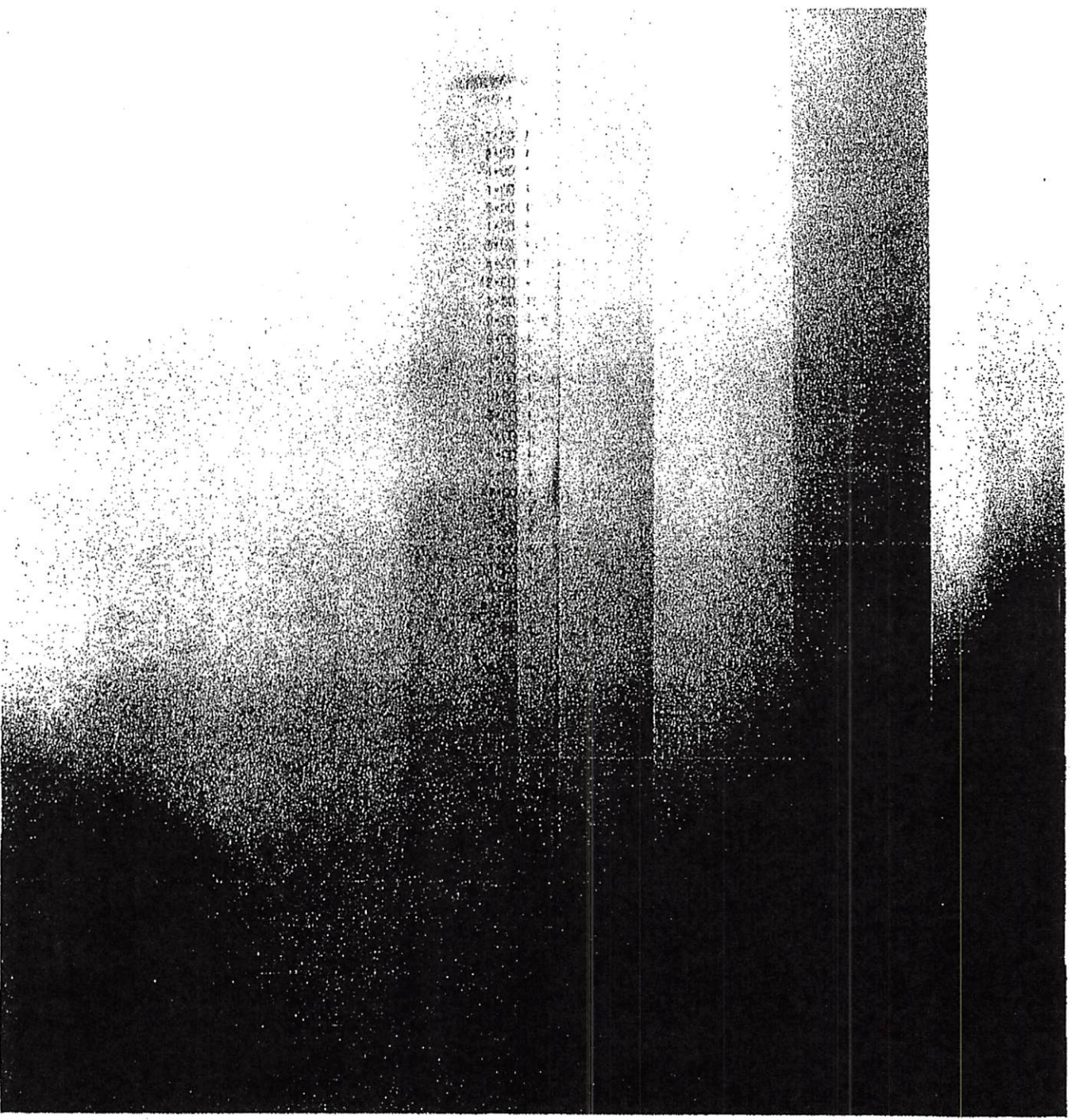
So sorry this didn't send for some reason. These are the sales from 4/1/2022. I sent over the pictures of our Facebook ad and the pictures of our customers on 4/1.

I know this is a pretty generic tally of our sales. But we cleared out our POS and couldn't get it going in a short turnaround and had to use our old school registers.

Hope all is well. Please let me know if you need anything else.

Thanks
Joe

Sent from my iPhone



AFFIDAVIT RELATING TO OPERATION OF TAVERN

STATE OF WISCONSIN)
) ss.
COUNTY OF SHEBOYGAN)

EXHIBIT D
(9 pages)

The undersigned, being first duly sworn on oath, deposes and states:

1. My name is Joseph P. Bonelli.
2. I currently reside at the following address: ⁸²⁵~~253~~ Beachfront Drive, Sheboygan, WI 53081.
3. I make this Affidavit on the basis of my personal knowledge of the facts set forth herein.
4. I am the owner and sole member of the Wisconsin limited liability company One More Time, LLC, which holds the City of Sheboygan Alcohol Beverage License No. 2301 (the "License") relating to the tavern business enterprise known as MoJo Bar ("the "Business") operating at 1235 Pennsylvania Avenue (the "Premises").
5. After receipt of an inquiry relating to compliance with City of Sheboygan Ordinance Section 10-46 (the "Ordinance"), I contacted Attorney Charles Adams to inform him that I was attempting to sell the Business, wanted to maintain the License until a buyer obtained the transfer of the licenses for the Business, discuss compliance with the Ordinance, and asked him for his recommendation on how I could prove that I was in compliance with the Ordinance.
6. On March 31, 2022, commencing at 11:45 AM, I had a 20-minute telephone call with Attorney Adams (the "March Advice Call"), and during the March Advice Call Attorney Adams stated that I could either request an extension by the City Common Council or open for business to the public again within six (6) months of the last date of business.
7. During the March Advice Call, Attorney Adams stated that an extension by City Common Council was discretionary, but that opening for business to the public would not be subject to discretionary determination.
8. During the March Advice Call, Attorney Adams recommended that the Business could simply open for business to the public for one day within the six months and used as an example the action by Curt Hinz, another holder of a City liquor license, to reopen for one day.
9. I viewed the information provided by Attorney Adams as legal advice.
10. Attorney Adams did not inform me at any time during the March Advice Call that he was not my lawyer, that he was not giving me legal advice, or that I should consult with a lawyer.
11. I placed numerous additional calls to the office of the City Attorney and to the City Licensing Clerk after the Business was open on April 1, 2022, to verify that nothing further would be required to prove compliance with the Ordinance.

12. Attached hereto is a true and correct redacted call log from my cell phone provider (the "Call Log"), confirming the March Advice Call and the calls I placed to the office of the City Attorney and to the City Licensing Clerk after the Business was open on April 1, 2022, to verify that nothing further would be required to prove compliance with the Ordinance (the "Verification Calls").

13. During the Verification Calls, the Licensing Clerk informed me that I would have to talk to Attorney Adams, Attorney Adams assistant informed me that I would have to talk to Attorney Adams, and after the March Advice Call, Attorney Adams did not take my calls or return my calls.

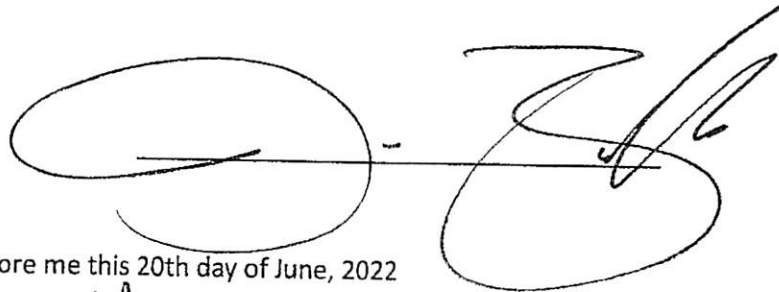
14. Attorney Adams did not respond to the Verification Calls between April 4, 2022 and June 7, 2022, until he sent me an e-mail in reply the day before the Quasi-Judicial Hearing conducted on June 8, 2022 (the "Hearing") before the City of Sheboygan Licensing, Hearings and Public Safety Committee (the "Committee"), when he stated that he would now be representing the complainant in a complaint against me claiming that the Business was in violation of the Ordinance despite the Business being open for business to the public as he recommended and advised me to do.

15. I objected to the involvement of both Attorneys Adams and Voelkner at the Hearing at the first available opportunity due to their conflicts.

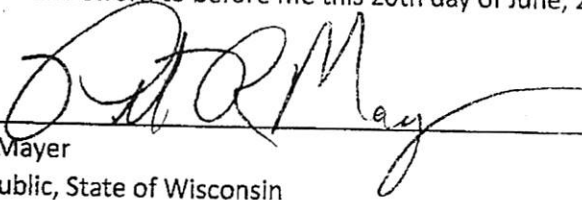
16. In addition to overturning the revocation, I requested and continue to desire that the License be renewed so that I can reopen the Business to operate on a regular basis.

This Affidavit was made by me to confirm the operation of the Tavern on the Business Date.

Further Affiant sayeth not



Subscribed and sworn to before me this 20th day of June, 2022



Peter R. Mayer
Notary Public, State of Wisconsin
My commission is permanent.



12 - 920-459-3917 *

1 - 920-459-3919 *

4 - 920-459-3405 **

3 - 920-459-3917 *

5/23, 6/7, 6/14

2 - 920-459-3369 ***

5/26, 5/27

* Atty Adams

** City Clerk

*** Meredith DeBruin

Detail of Voice Usage Unhighlight Data Plan
Joseph P. Borrelli

Page A 3 of 24
Account Number: 853841860
Bill Date: 04/24/22
Invoice Number: 0504932800

Line	Date	Time	Calls To	Number Called	Feature	Per. Code	Min	Airtime	Toll	Addl	Amount	Line	Date	Time	Calls To	Number Called	Feature	Per. Code	Min	Airtime	Toll	Addl	Amount
1	04/24	01:14:04	MOBILE	920-254-0864			1	0:00			0.00	1	04/24	01:14:04	MOBILE	920-254-0864			1	0:00			0.00
2	04/24	01:15:00	MOBILE	920-254-0864			1	0:00			0.00	2	04/24	01:15:00	MOBILE	920-254-0864			1	0:00			0.00
3	04/24	01:16:00	MOBILE	920-254-0864			1	0:00			0.00	3	04/24	01:16:00	MOBILE	920-254-0864			1	0:00			0.00
4	04/24	01:17:00	MOBILE	920-254-0864			1	0:00			0.00	4	04/24	01:17:00	MOBILE	920-254-0864			1	0:00			0.00
5	04/24	01:18:00	MOBILE	920-254-0864			1	0:00			0.00	5	04/24	01:18:00	MOBILE	920-254-0864			1	0:00			0.00
6	04/24	01:19:00	MOBILE	920-254-0864			1	0:00			0.00	6	04/24	01:19:00	MOBILE	920-254-0864			1	0:00			0.00
7	04/24	01:20:00	MOBILE	920-254-0864			1	0:00			0.00	7	04/24	01:20:00	MOBILE	920-254-0864			1	0:00			0.00
8	04/24	01:21:00	MOBILE	920-254-0864			1	0:00			0.00	8	04/24	01:21:00	MOBILE	920-254-0864			1	0:00			0.00
9	04/24	01:22:00	MOBILE	920-254-0864			1	0:00			0.00	9	04/24	01:22:00	MOBILE	920-254-0864			1	0:00			0.00
10	04/24	01:23:00	MOBILE	920-254-0864			1	0:00			0.00	10	04/24	01:23:00	MOBILE	920-254-0864			1	0:00			0.00
11	04/24	01:24:00	MOBILE	920-254-0864			1	0:00			0.00	11	04/24	01:24:00	MOBILE	920-254-0864			1	0:00			0.00
12	04/24	01:25:00	MOBILE	920-254-0864			1	0:00			0.00	12	04/24	01:25:00	MOBILE	920-254-0864			1	0:00			0.00
13	04/24	01:26:00	MOBILE	920-254-0864			1	0:00			0.00	13	04/24	01:26:00	MOBILE	920-254-0864			1	0:00			0.00
14	04/24	01:27:00	MOBILE	920-254-0864			1	0:00			0.00	14	04/24	01:27:00	MOBILE	920-254-0864			1	0:00			0.00
15	04/24	01:28:00	MOBILE	920-254-0864			1	0:00			0.00	15	04/24	01:28:00	MOBILE	920-254-0864			1	0:00			0.00
16	04/24	01:29:00	MOBILE	920-254-0864			1	0:00			0.00	16	04/24	01:29:00	MOBILE	920-254-0864			1	0:00			0.00
17	04/24	01:30:00	MOBILE	920-254-0864			1	0:00			0.00	17	04/24	01:30:00	MOBILE	920-254-0864			1	0:00			0.00
18	04/24	01:31:00	MOBILE	920-254-0864			1	0:00			0.00	18	04/24	01:31:00	MOBILE	920-254-0864			1	0:00			0.00
19	04/24	01:32:00	MOBILE	920-254-0864			1	0:00			0.00	19	04/24	01:32:00	MOBILE	920-254-0864			1	0:00			0.00
20	04/24	01:33:00	MOBILE	920-254-0864			1	0:00			0.00	20	04/24	01:33:00	MOBILE	920-254-0864			1	0:00			0.00
21	04/24	01:34:00	MOBILE	920-254-0864			1	0:00			0.00	21	04/24	01:34:00	MOBILE	920-254-0864			1	0:00			0.00
22	04/24	01:35:00	MOBILE	920-254-0864			1	0:00			0.00	22	04/24	01:35:00	MOBILE	920-254-0864			1	0:00			0.00
23	04/24	01:36:00	MOBILE	920-254-0864			1	0:00			0.00	23	04/24	01:36:00	MOBILE	920-254-0864			1	0:00			0.00
24	04/24	01:37:00	MOBILE	920-254-0864			1	0:00			0.00	24	04/24	01:37:00	MOBILE	920-254-0864			1	0:00			0.00
25	04/24	01:38:00	MOBILE	920-254-0864			1	0:00			0.00	25	04/24	01:38:00	MOBILE	920-254-0864			1	0:00			0.00
26	04/24	01:39:00	MOBILE	920-254-0864			1	0:00			0.00	26	04/24	01:39:00	MOBILE	920-254-0864			1	0:00			0.00
27	04/24	01:40:00	MOBILE	920-254-0864			1	0:00			0.00	27	04/24	01:40:00	MOBILE	920-254-0864			1	0:00			0.00
28	04/24	01:41:00	MOBILE	920-254-0864			1	0:00			0.00	28	04/24	01:41:00	MOBILE	920-254-0864			1	0:00			0.00
29	04/24	01:42:00	MOBILE	920-254-0864			1	0:00			0.00	29	04/24	01:42:00	MOBILE	920-254-0864			1	0:00			0.00
30	04/24	01:43:00	MOBILE	920-254-0864			1	0:00			0.00	30	04/24	01:43:00	MOBILE	920-254-0864			1	0:00			0.00
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34	04/24	01:47:00	MOBILE	920-254-0864			1	0:00			0.00	34	04/24	01:47:00	MOBILE	920-254-0864			1	0:00			0.00
35	04/24	01:48:00	MOBILE	920-254-0864			1	0:00			0.00	35	04/24	01:48:00	MOBILE	920-254-0864			1	0:00			0.00
36	04/24	01:49:00	MOBILE	920-254-0864			1	0:00			0.00	36	04/24	01:49:00	MOBILE	920-254-0864			1	0:00			0.00
37	04/24	01:50:00	MOBILE	920-254-0864			1	0:00			0.00	37	04/24	01:50:00	MOBILE	920-254-0864			1	0:00			0.00

Page A 4 of 24
Account Number: 853841860
Bill Date: 04/24/22
Invoice Number: 0504932800

Detail of Voice Usage Unhighlight Data Plan (Continued)
Joseph P. Borrelli

920-254-0864

Detail of Voice Usage - Unprinted Data Plan
 Joseph P. Borelli 920-254-0564

Line	Date	Time	Call To	Number	Feature	Per-iod	Min	Airtime	Toll	Adtl	Charge	Amount
39	04/28	11:11AM	SHEROVGM	WI 920-488-3381			1	0.00			0.00	0.00
40	04/28	11:11AM	SHEROVGM	WI 920-488-3381			2	0.00			0.00	0.00
41	04/28	11:11AM	SHEROVGM	WI 920-488-3381			24	0.00			0.00	0.00
42	04/28	11:11AM	SHEROVGM	WI 920-488-3381			2	0.00			0.00	0.00
43	04/28	11:11AM	SHEROVGM	WI 920-488-3381			3	0.00			0.00	0.00
44	04/28	11:11AM	SHEROVGM	WI 920-488-3381			15	0.00			0.00	0.00
45	04/28	11:11AM	SHEROVGM	WI 920-488-3381			20	0.00			0.00	0.00
46	04/28	11:11AM	SHEROVGM	WI 920-488-3381			43	0.00			0.00	0.00
47	04/28	11:11AM	SHEROVGM	WI 920-488-3381			2	0.00			0.00	0.00
48	04/28	11:11AM	SHEROVGM	WI 920-488-3381			1	0.00			0.00	0.00
49	04/28	11:11AM	SHEROVGM	WI 920-488-3381			1	0.00			0.00	0.00
50	04/28	11:11AM	SHEROVGM	WI 920-488-3381			1	0.00			0.00	0.00
51	04/28	11:11AM	SHEROVGM	WI 920-488-3381			1	0.00			0.00	0.00
52	04/28	11:11AM	SHEROVGM	WI 920-488-3381			1	0.00			0.00	0.00
53	04/28	11:11AM	SHEROVGM	WI 920-488-3381			1	0.00			0.00	0.00
54	04/28	11:11AM	SHEROVGM	WI 920-488-3381			1	0.00			0.00	0.00
55	04/28	11:11AM	SHEROVGM	WI 920-488-3381			1	0.00			0.00	0.00

Detail of Voice Usage - Unprinted Data Plan (Continued)
 Joseph P. Borelli 920-254-0564

Line	Date	Time	Call To	Number	Feature	Per-iod	Min	Airtime	Toll	Adtl	Charge	Amount
56	04/28	11:37AM	SHEROVGM	OH 920-488-3381			5	0.00			0.00	0.00
57	04/28	11:11AM	SHEROVGM	WI 920-488-3381			27	0.00			0.00	0.00
58	04/28	11:11AM	SHEROVGM	WI 920-488-3381			1	0.00			0.00	0.00
59	04/28	11:11AM	SHEROVGM	WI 920-488-3381			6	0.00			0.00	0.00
60	04/28	11:11AM	SHEROVGM	WI 920-488-3381			2	0.00			0.00	0.00
61	04/28	11:11AM	SHEROVGM	WI 920-488-3381			1	0.00			0.00	0.00
62	04/28	11:11AM	SHEROVGM	WI 920-488-3381			3	0.00			0.00	0.00
63	04/28	11:11AM	SHEROVGM	WI 920-488-3381			2	0.00			0.00	0.00
64	04/28	11:11AM	SHEROVGM	WI 920-488-3381			3	0.00			0.00	0.00
65	04/28	11:11AM	SHEROVGM	WI 920-488-3381			1	0.00			0.00	0.00
66	04/28	11:11AM	SHEROVGM	WI 920-488-3381			1	0.00			0.00	0.00
67	04/28	11:11AM	SHEROVGM	WI 920-488-3381			3	0.00			0.00	0.00
68	04/28	11:11AM	SHEROVGM	WI 920-488-3381			7	0.00			0.00	0.00
69	04/28	11:11AM	SHEROVGM	WI 920-488-3381			1	0.00			0.00	0.00
70	04/28	11:11AM	SHEROVGM	WI 920-488-3381			4	0.00			0.00	0.00
71	04/28	11:11AM	SHEROVGM	WI 920-488-3381			17	0.00			0.00	0.00
72	04/28	11:11AM	SHEROVGM	WI 920-488-3381			4	0.00			0.00	0.00
73	04/28	11:11AM	SHEROVGM	WI 920-488-3381			1	0.00			0.00	0.00
74	04/28	11:11AM	SHEROVGM	WI 920-488-3381			1	0.00			0.00	0.00
75	04/28	11:11AM	SHEROVGM	WI 920-488-3381			2	0.00			0.00	0.00
76	04/28	11:11AM	SHEROVGM	WI 920-488-3381			1	0.00			0.00	0.00
77	04/28	11:11AM	SHEROVGM	WI 920-488-3381			2	0.00			0.00	0.00
78	04/28	11:11AM	SHEROVGM	WI 920-488-3381			2	0.00			0.00	0.00
79	04/28	11:11AM	SHEROVGM	WI 920-488-3381			1	0.00			0.00	0.00
80	04/28	11:11AM	SHEROVGM	WI 920-488-3381			2	0.00			0.00	0.00
81	04/28	11:11AM	SHEROVGM	WI 920-488-3381			2	0.00			0.00	0.00
82	04/28	11:11AM	SHEROVGM	WI 920-488-3381			4	0.00			0.00	0.00
83	04/28	11:11AM	SHEROVGM	WI 920-488-3381			1	0.00			0.00	0.00
84	04/28	11:11AM	SHEROVGM	WI 920-488-3381			1	0.00			0.00	0.00
85	04/28	11:11AM	SHEROVGM	WI 920-488-3381			1	0.00			0.00	0.00
86	04/28	11:11AM	SHEROVGM	WI 920-488-3381			1	0.00			0.00	0.00
87	04/28	11:11AM	SHEROVGM	WI 920-488-3381			1	0.00			0.00	0.00
88	04/28	11:11AM	SHEROVGM	WI 920-488-3381			2	0.00			0.00	0.00
89	04/28	11:11AM	SHEROVGM	WI 920-488-3381			2	0.00			0.00	0.00
90	04/28	11:11AM	SHEROVGM	WI 920-488-3381			1	0.00			0.00	0.00
91	04/28	11:11AM	SHEROVGM	WI 920-488-3381			17	0.00			0.00	0.00
92	04/28	11:11AM	SHEROVGM	WI 920-488-3381			1	0.00			0.00	0.00
93	04/28	11:11AM	SHEROVGM	WI 920-488-3381			36	0.00			0.00	0.00
94	04/28	11:11AM	SHEROVGM	WI 920-488-3381			2	0.00			0.00	0.00
95	04/28	11:11AM	SHEROVGM	WI 920-488-3381			2	0.00			0.00	0.00
96	04/28	11:11AM	SHEROVGM	WI 920-488-3381			2	0.00			0.00	0.00
97	04/28	11:11AM	SHEROVGM	WI 920-488-3381			1	0.00			0.00	0.00
98	04/28	11:11AM	SHEROVGM	WI 920-488-3381			1	0.00			0.00	0.00
99	04/28	11:11AM	SHEROVGM	WI 920-488-3381			1	0.00			0.00	0.00
100	04/28	11:11AM	SHEROVGM	WI 920-488-3381			1	0.00			0.00	0.00
101	04/28	11:11AM	SHEROVGM	WI 920-488-3381			1	0.00			0.00	0.00
102	04/28	11:11AM	SHEROVGM	WI 920-488-3381			1	0.00			0.00	0.00
103	04/28	11:11AM	SHEROVGM	WI 920-488-3381			1	0.00			0.00	0.00
104	04/28	11:11AM	SHEROVGM	WI 920-488-3381			1	0.00			0.00	0.00
105	04/28	11:11AM	SHEROVGM	WI 920-488-3381			1	0.00			0.00	0.00
106	04/28	11:11AM	SHEROVGM	WI 920-488-3381			1	0.00			0.00	0.00
107	04/28	11:11AM	SHEROVGM	WI 920-488-3381			1	0.00			0.00	0.00
108	04/28	11:11AM	SHEROVGM	WI 920-488-3381			1	0.00			0.00	0.00
109	04/28	11:11AM	SHEROVGM	WI 920-488-3381			1	0.00			0.00	0.00
110	04/28	11:11AM	SHEROVGM	WI 920-488-3381			1	0.00			0.00	0.00

AFFIDAVIT OF LAURA K. SCHULTZ RELATING TO OPERATION OF TAVERN

STATE OF WISCONSIN)
) ss.
COUNTY OF SHEBOYGAN)

EXHIBIT E
(22 pages)

The undersigned, being first duly sworn on oath, deposes and states:

1. My name is Laura K. Schultz.
2. I reside at the following address: 7415 Scheffler Rd. Newton, WI 53006
3. I make this Affidavit on the basis of my personal knowledge of the facts set forth herein.
4. On the 1st day of April, 2022 (the "Business Date"), I was present at the tavern known to me as "MoJo" and located at 1235 Pennsylvania Avenue, Sheboygan, Wisconsin (the "Tavern").
5. I am a licensed bartender holding a current, valid server's license in the City of Sheboygan.
6. On the Business Date, the Tavern was open for business to the public and drinks with alcohol were prepared, served and sold to members of the public.
7. Payment for the drinks was received by the Tavern.
8. Attached to this Affidavit are photographs of me and customers physically present on the Business Date in the interior of the Tavern when it was open to the public on the Business Date.

This Affidavit was made by me to confirm the operation of the Tavern on the Business Date.

Further Affiant sayeth not

Laura K. Schultz

Subscribed and sworn to before me this 19th day of June, 2022

Peter R. Mayer
Peter R. Mayer
Notary Public, State of Wisconsin

My commission is permanent.



Exhibit to
Affidavit Relating to Operation of Tavern

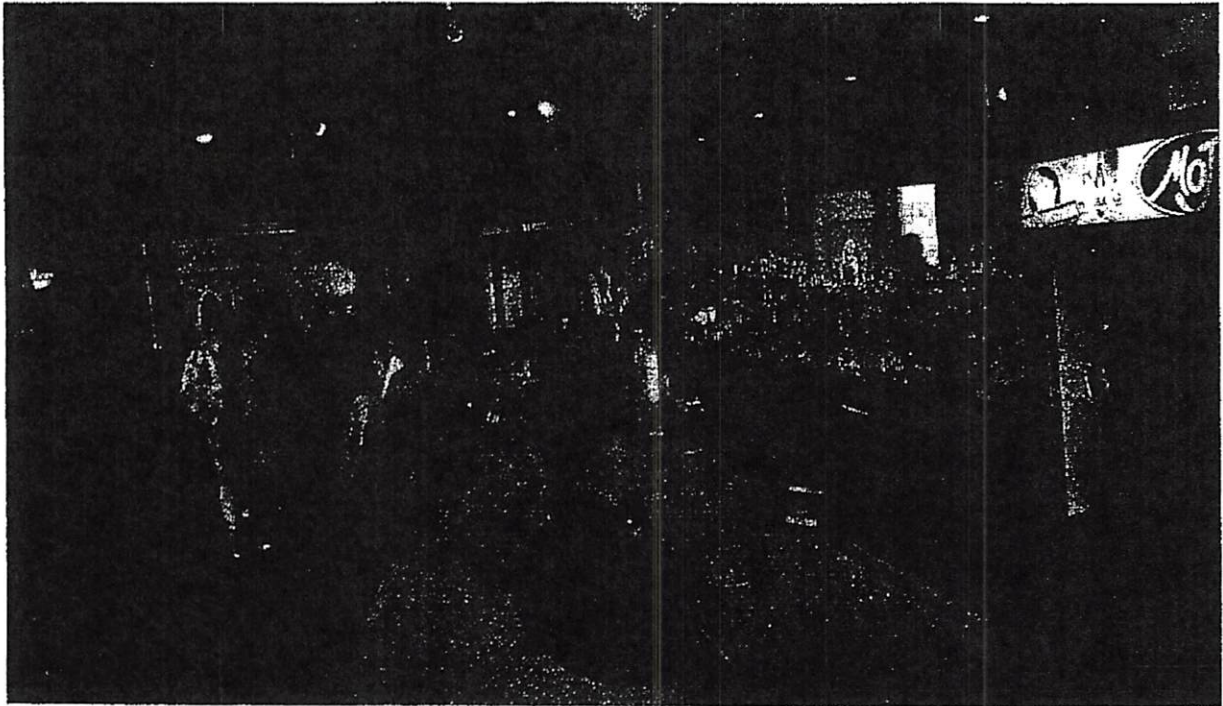


Exhibit to
Affidavit Relating to Operation of Tavern

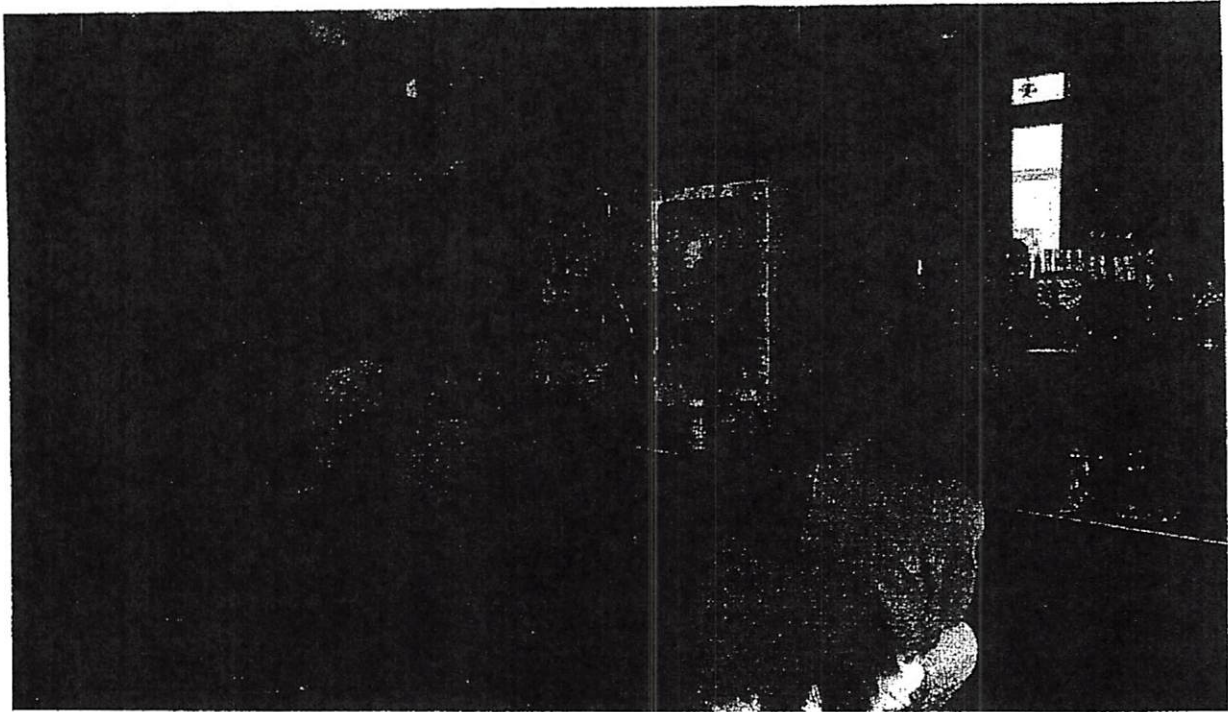


Exhibit to
Affidavit Relating to Operation of Tavern

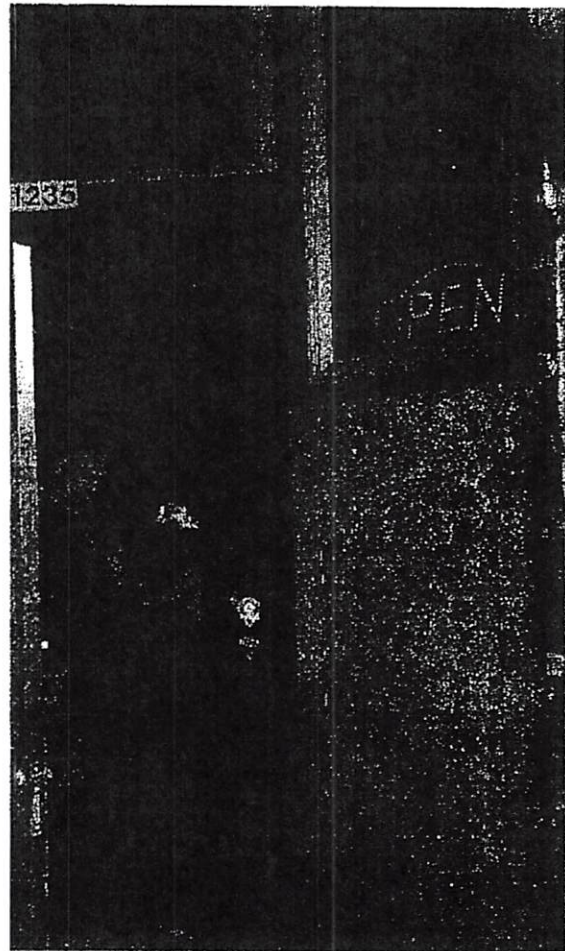
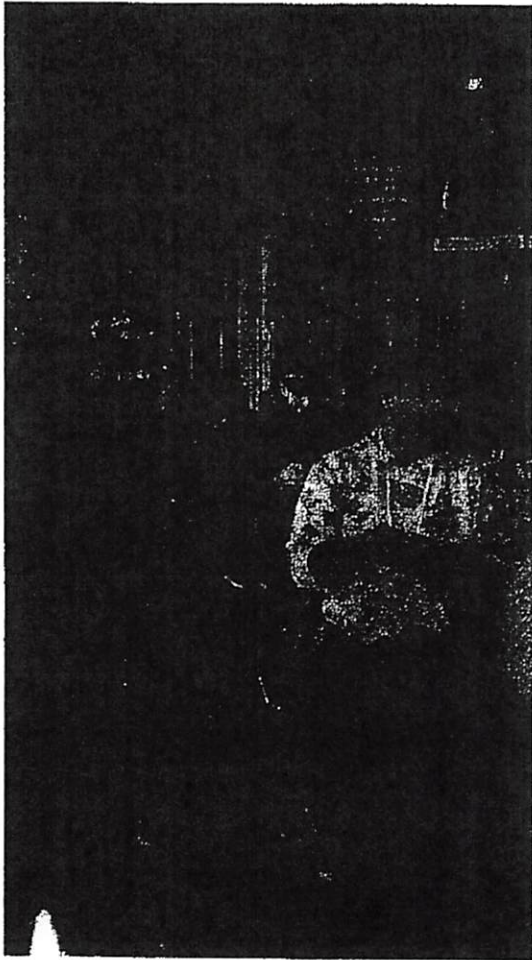
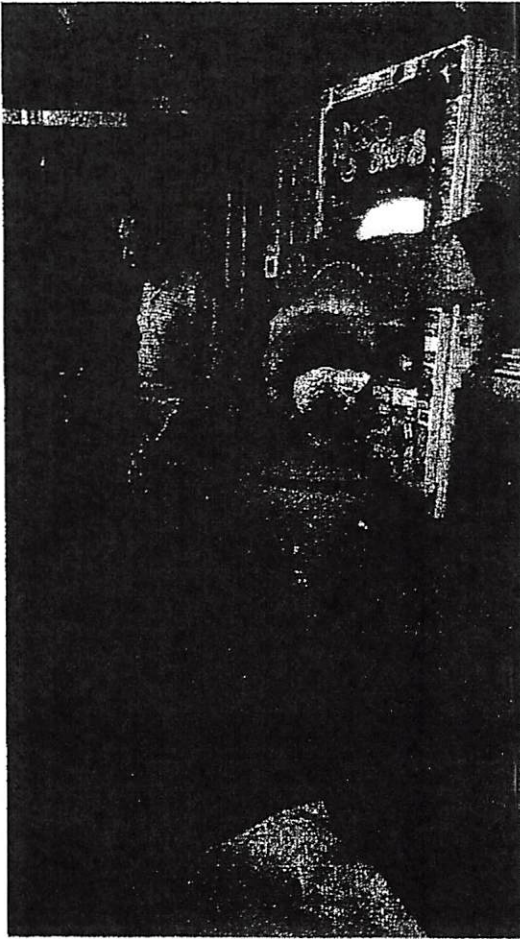


Exhibit to
Affidavit Relating to Operation of Tavern



AFFIDAVIT OF SCOTT JELINEK ZITTEL RELATING TO OPERATION OF TAVERN


STATE OF WISCONSIN)
) ss.
COUNTY OF SHEBOYGAN)

The undersigned, being first duly sworn on oath, deposes and states:

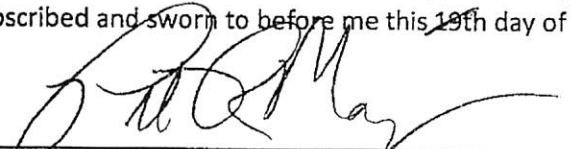
1. My name is Scott Jelinek Zittel.
2. I reside at the following address: 4600 Nicole Lane, Sheboygan, WI 53083.
3. I make this Affidavit on the basis of my personal knowledge of the facts set forth herein.
4. On the 1st day of April, 2022 (the "Business Date"), I was present at the tavern known to me as "MoJo" and located at 1235 Pennsylvania Avenue, Sheboygan, Wisconsin (the "Tavern").
5. I assisted Laura K. Schultz, the licensed bartender, in preparing, serving and selling drinks to members of the public, and I reviewed the license of Laura K. Schultz prior to the time that the Tavern was open for business, to confirm that the license was a valid and current City of Sheboygan license.
6. I received payment for the drinks purchased and provided the funds at the end of the night to the Tavern operator.
7. The Tavern was open to the public on the Business Date.
8. Attached to this Affidavit are photographs of me and customers physically present on the Business Date in the interior of the Tavern when it was open to the public on the Business Date.

This Affidavit was made by me to confirm the operation of the Tavern on the Business Date.

Further Affiant sayeth not



Subscribed and sworn to before me this 19th day of June, 2022



Peter R. Mayer
Notary Public, State of Wisconsin
My commission is permanent.



Exhibit to
Affidavit Relating to Operation of Tavern

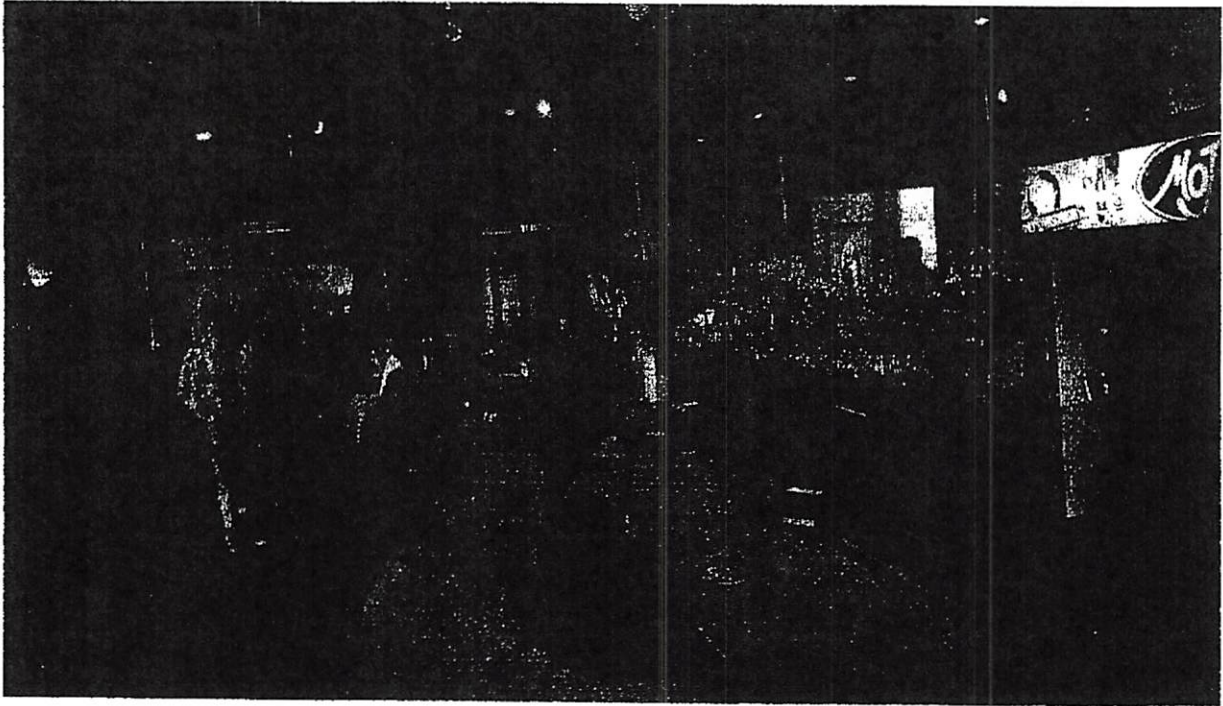


Exhibit to
Affidavit Relating to Operation of Tavern

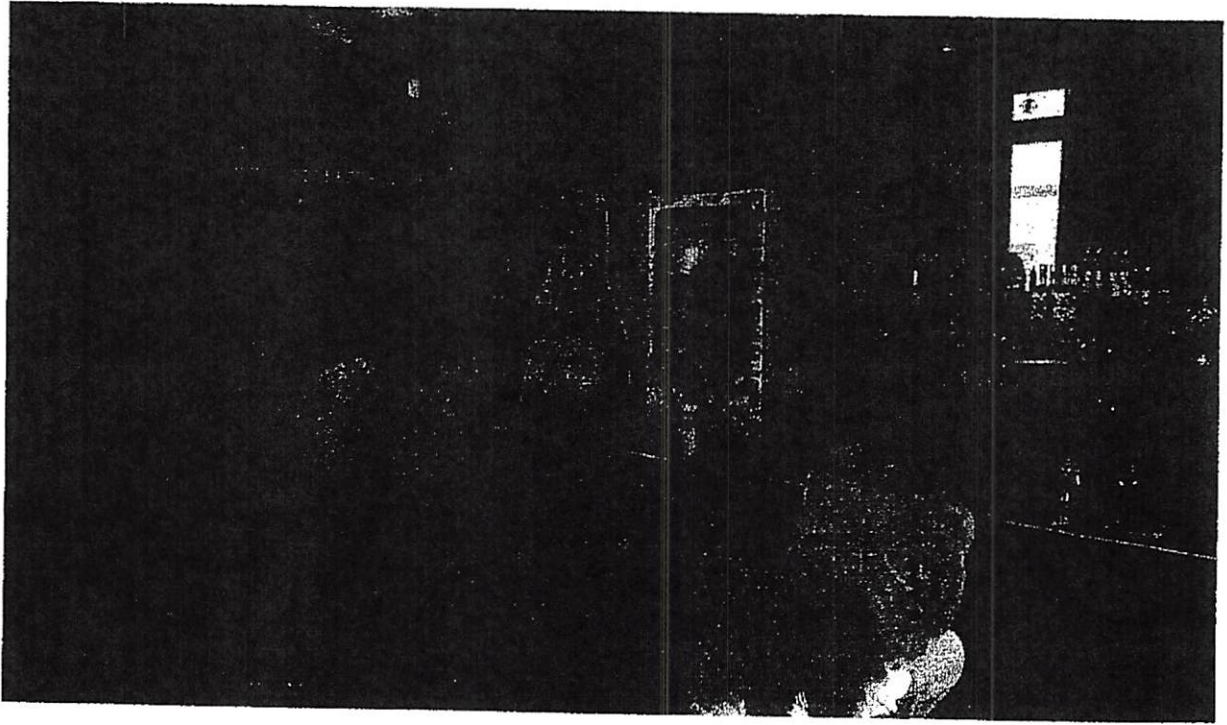


Exhibit to
Affidavit Relating to Operation of Tavern

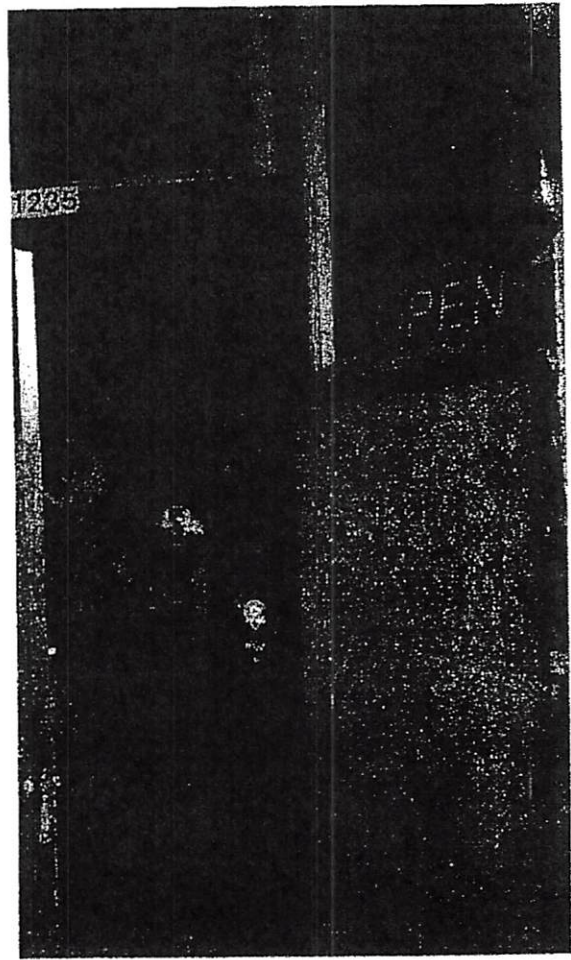
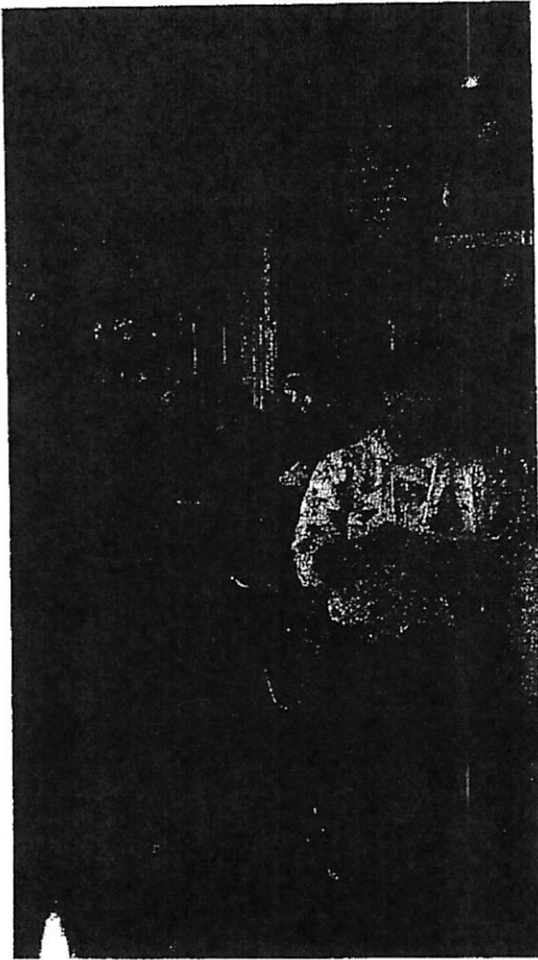
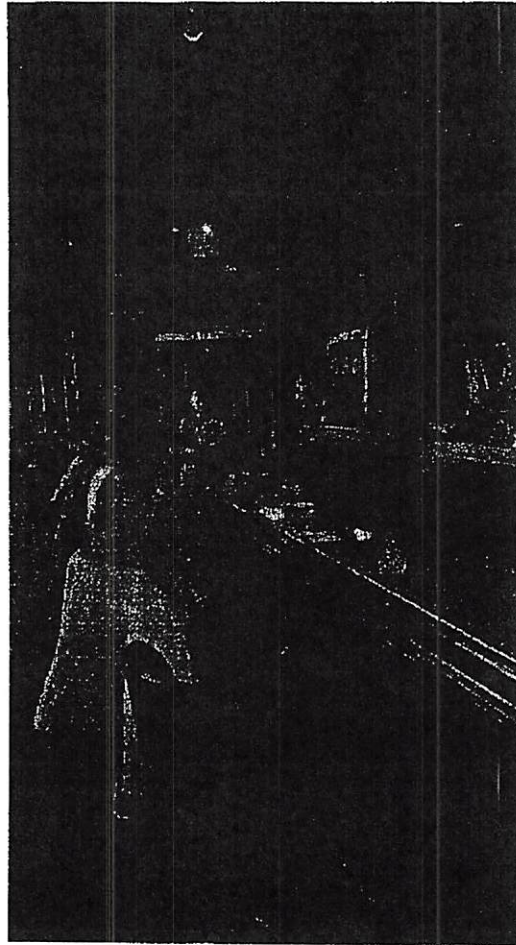
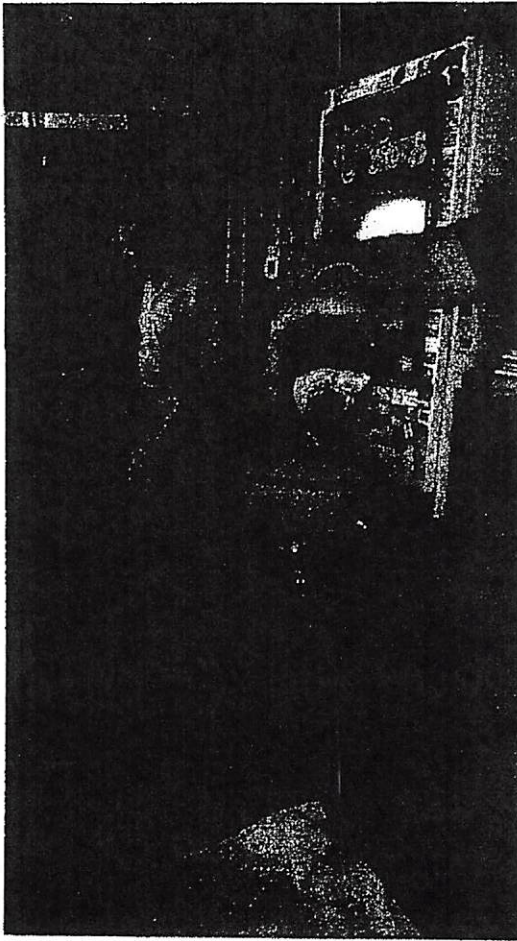


Exhibit to
Affidavit Relating to Operation of Tavern



AFFIDAVIT RELATING TO OPERATION OF TAVERN

STATE OF WISCONSIN)
) ss.
COUNTY OF SHEBOYGAN)

The undersigned, being first duly sworn on oath, deposes and states:

1. My name is Leo P. BONELLI JR
2. I reside at the following address: 2417 W. KONING DR.
3. I make this Affidavit on the basis of my personal knowledge of the facts set forth herein.
4. On the 1st day of April, 2022 (the "Business Date"), I was present at the tavern known to me as "MoJo" and located at 1235 Pennsylvania Avenue, Sheboygan, Wisconsin (the "Tavern").
5. I assisted Laura K. Schultz, the licensed bartender, in preparing, serving and selling drinks to members of the public.
6. I received payment for the drinks purchased and provided the funds at the end of the night to the Tavern operator.
7. The Tavern was open to the public on the Business Date.
8. Attached to this Affidavit are photographs of me and customers physically present on the Business Date in the interior of the Tavern when it was open to the public on the Business Date.

This Affidavit was made by me to confirm the operation of the Tavern on the Business Date.

Further Affiant sayeth not

Subscribed and sworn to before me this 19th day of June, 2022

Peter R. Mayer
Notary Public, State of Wisconsin
My commission is permanent.

Exhibit to
Affidavit Relating to Operation of Tavern

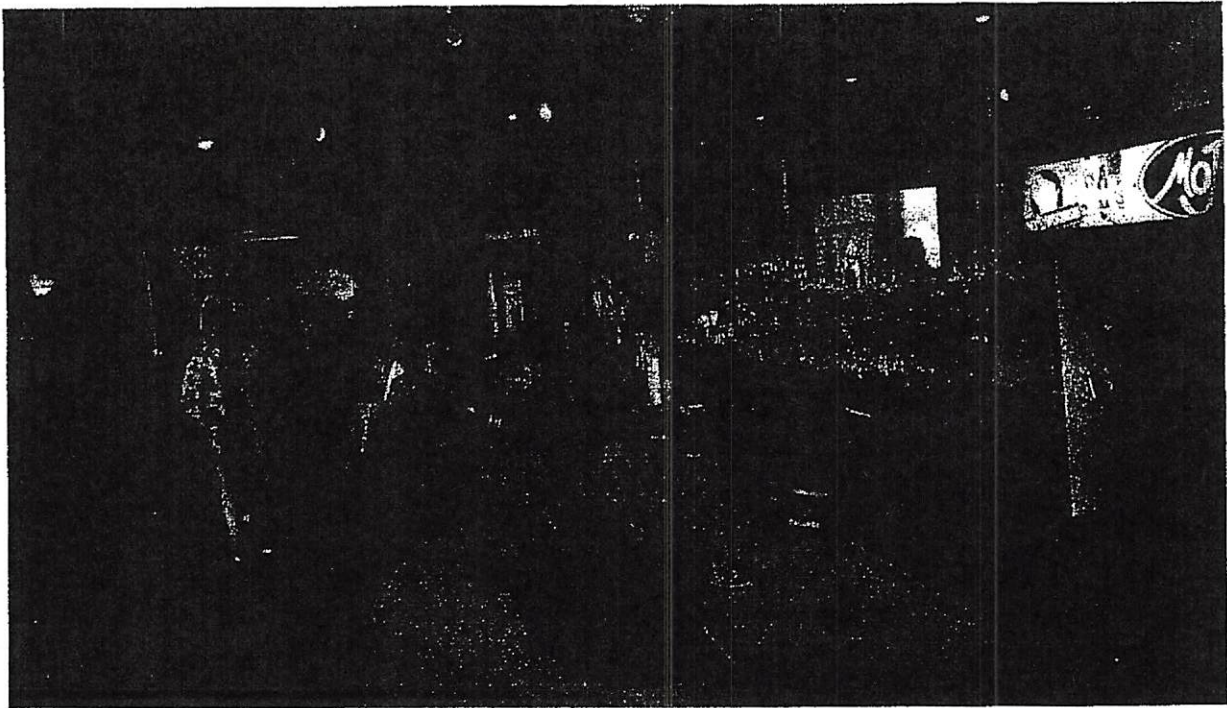


Exhibit to
Affidavit Relating to Operation of Tavern

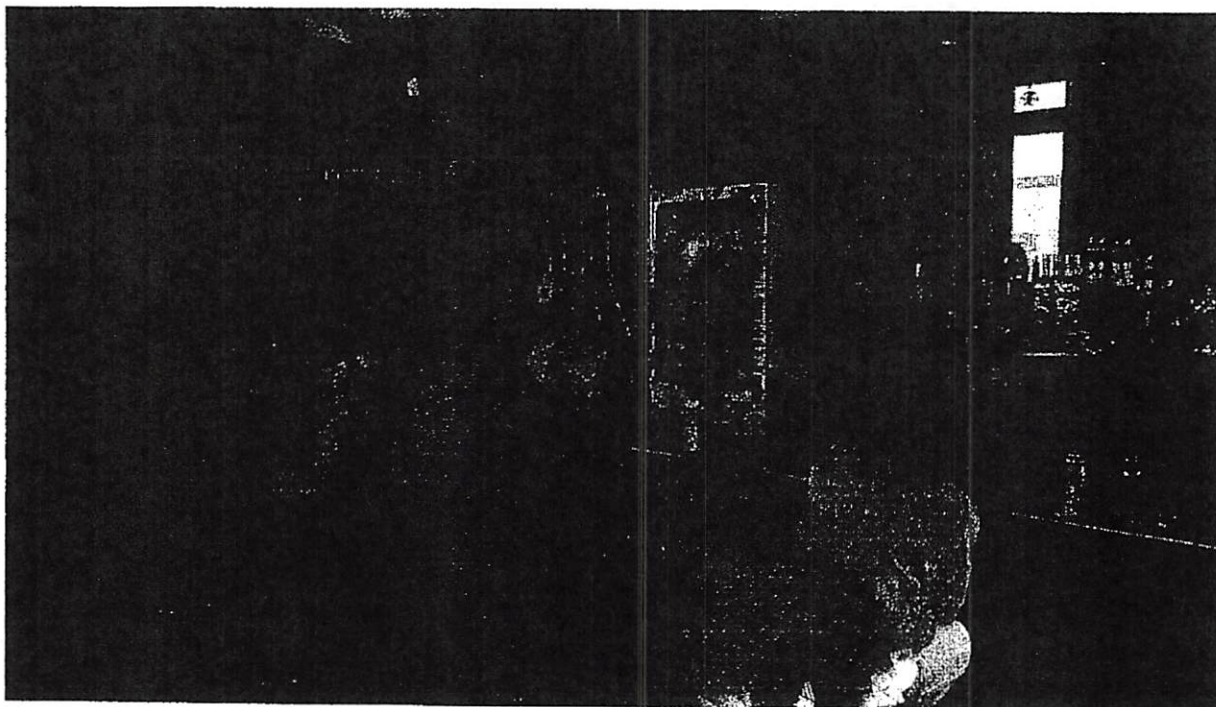


Exhibit to
Affidavit Relating to Operation of Tavern

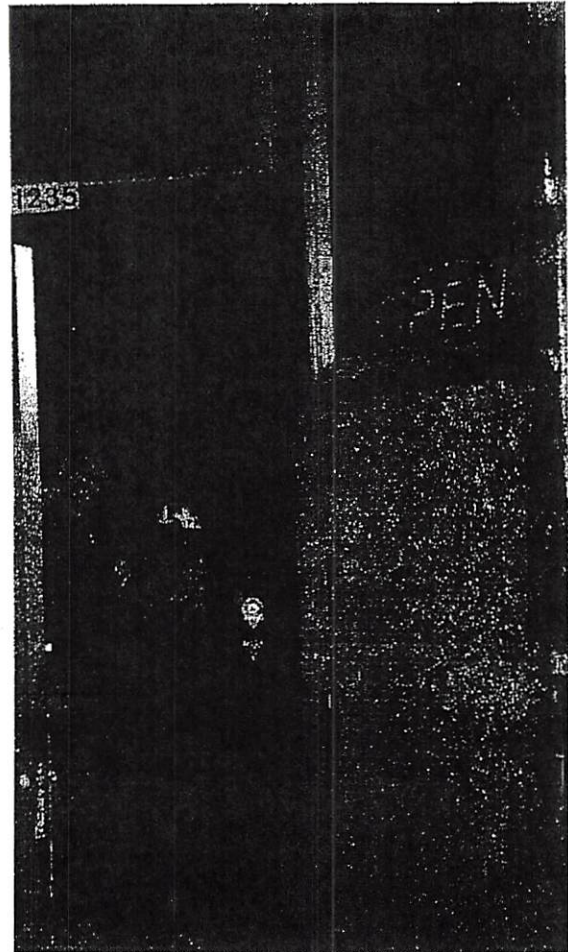
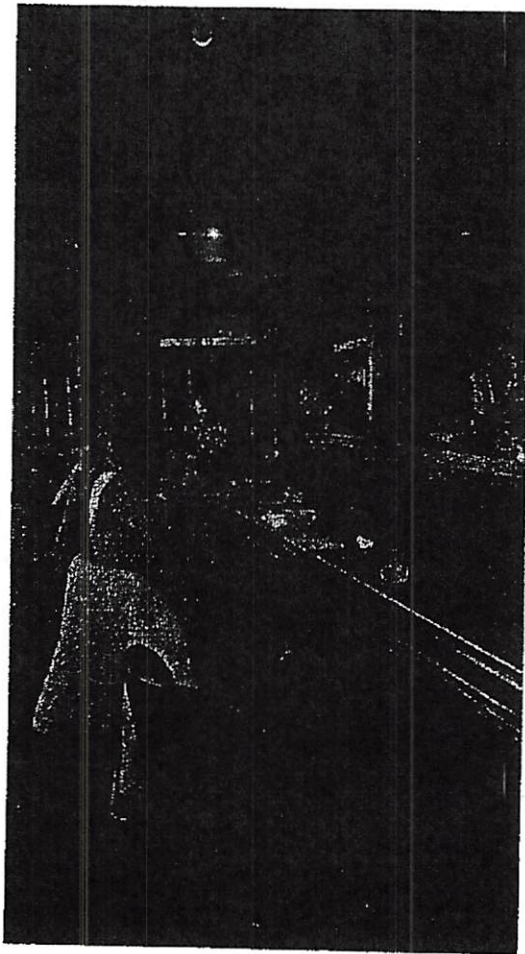
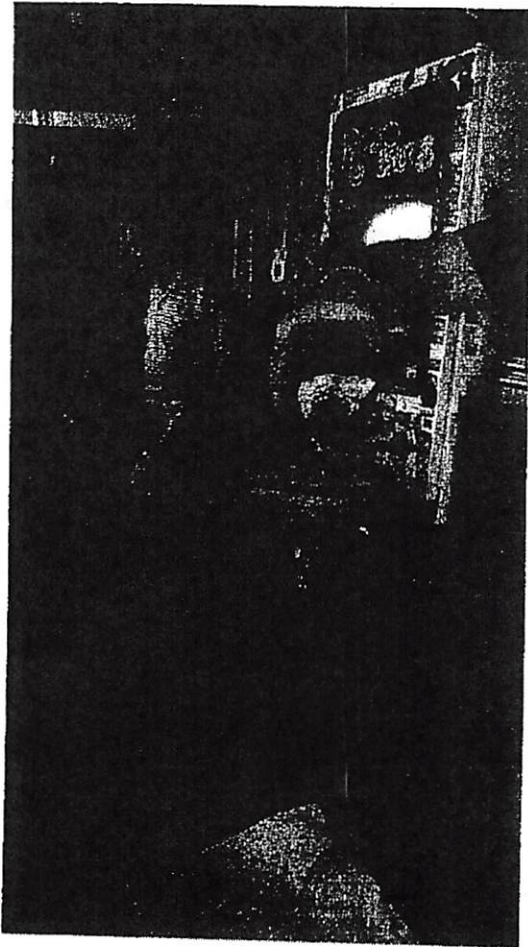


Exhibit to
Affidavit Relating to Operation of Tavern



AFFIDAVIT RELATING TO OPERATION OF TAVERN

STATE OF WISCONSIN)
) ss
COUNTY OF SHEBOYGAN)

The undersigned, being first duly sworn on oath, deposes and states:

1. My name is Charlie Vanbiakle

2. I reside at the following address:

2409 Mayflower Ave Sheboygan WI 53083

3. I make this Affidavit on the basis of my personal knowledge of the facts set forth herein.

4. On the 1st day of April, 2022 (the "Business Date"), I was a customer at the tavern known to me as "MoJo" and located at 1235 Pennsylvania Avenue, Sheboygan, Wisconsin (the "Tavern").

5. At the time I attended the Tavern on the Business Date, it was open to the public and I was not attending a private event.

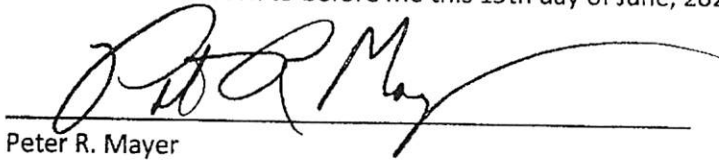
6. Attached to this Affidavit is a photograph of me as a customer physically present on the Business Date in the interior of the Tavern.

This Affidavit was made by me to confirm the operation of the Tavern on the Business Date.

Further Affiant sayeth not



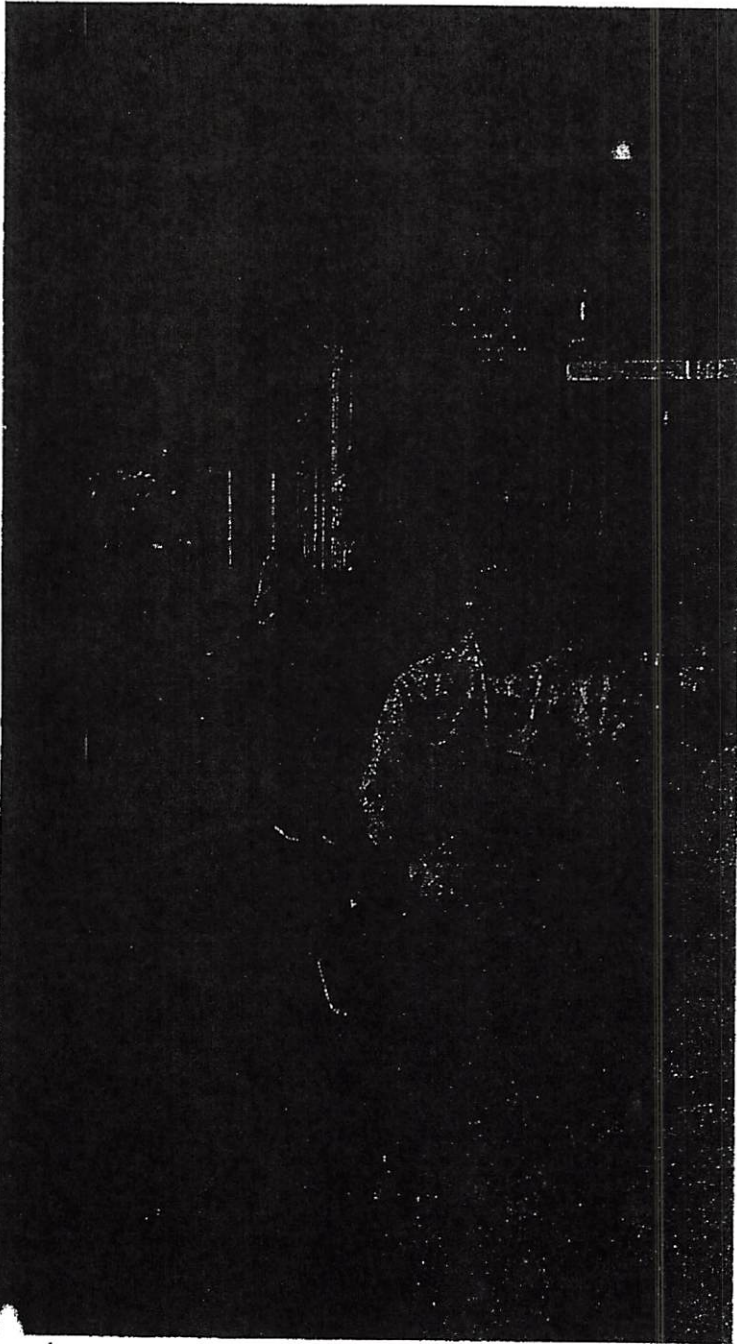
Subscribed and sworn to before me this 19th day of June, 2022



Peter R. Mayer
Notary Public, State of Wisconsin
My commission is permanent.



Exhibit to
Affidavit Relating to Operation of Tavern



Charlie VanBintzle

AFFIDAVIT RELATING TO OPERATION OF TAVERN

STATE OF WISCONSIN)
) ss
COUNTY OF SHEBOYGAN)

The undersigned, being first duly sworn on oath, deposes and states:

1. My name is Nicoll VanGinkel

2. I reside at the following address:

2401 Mayflower Ave, Sheboygan, WI 53083

3. I make this Affidavit on the basis of my personal knowledge of the facts set forth herein.

4. On the 1st day of April, 2022 (the "Business Date"), I was a customer at the tavern known to me as "MoJo" and located at 1235 Pennsylvania Avenue, Sheboygan, Wisconsin (the "Tavern").

5. At the time I attended the Tavern on the Business Date, it was open to the public and I was not attending a private event.

6. Attached to this Affidavit is a photograph of me as a customer physically present on the Business Date in the interior of the Tavern.

This Affidavit was made by me to confirm the operation of the Tavern on the Business Date.

Further Affiant sayeth not

Nicoll VanGinkel

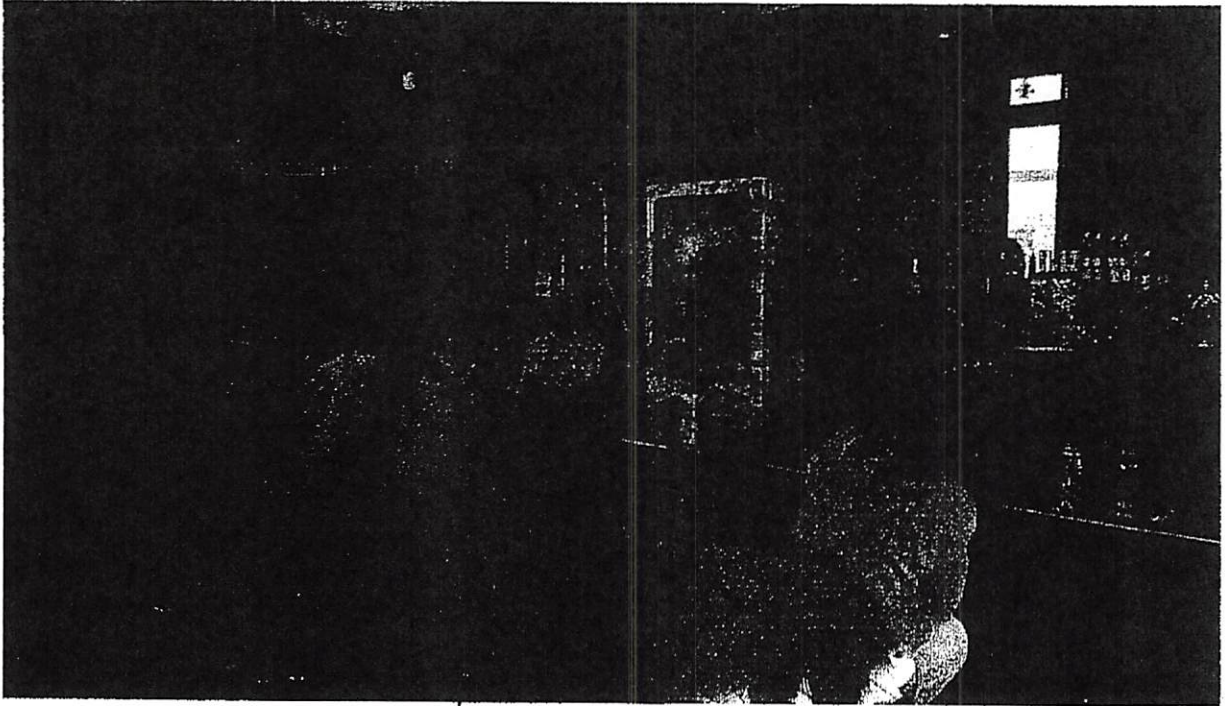
Subscribed and sworn to before me this 19th day of June, 2022

Peter R. Mayer

Peter R. Mayer
Notary Public, State of Wisconsin
My commission is permanent.



Exhibit to
Affidavit Relating to Operation of Tavern



Nicole Van Ginkel (Nicole Van Ginkel)

AFFIDAVIT RELATING TO OPERATION OF TAVERN

STATE OF WISCONSIN)
) ss
COUNTY OF SHEBOYGAN)

The undersigned, being first duly sworn on oath, deposes and states:

1. My name is Katherine Jelinek-Zittel

2. I reside at the following address:

4600 Nicole Ln Sheboygan, WI 53083

3. I make this Affidavit on the basis of my personal knowledge of the facts set forth herein.

4. On the 1st day of April, 2022 (the "Business Date"), I was a customer at the tavern known to me as "MoJo" and located at 1235 Pennsylvania Avenue, Sheboygan, Wisconsin (the "Tavern").

5. At the time I attended the Tavern on the Business Date, it was open to the public and I was not attending a private event.

6. Attached to this Affidavit is a photograph of me as a customer physically present on the Business Date in the interior of the Tavern.

This Affidavit was made by me to confirm the operation of the Tavern on the Business Date.

Further Affiant sayeth not

Katherine Jelinek-Zittel

Subscribed and sworn to before me this ^{20th} 19th day of June, 2022

Peter R. Mayer

Peter R. Mayer
Notary Public, State of Wisconsin
My commission is permanent.



Exhibit to
Affidavit Relating to Operation of Tavern

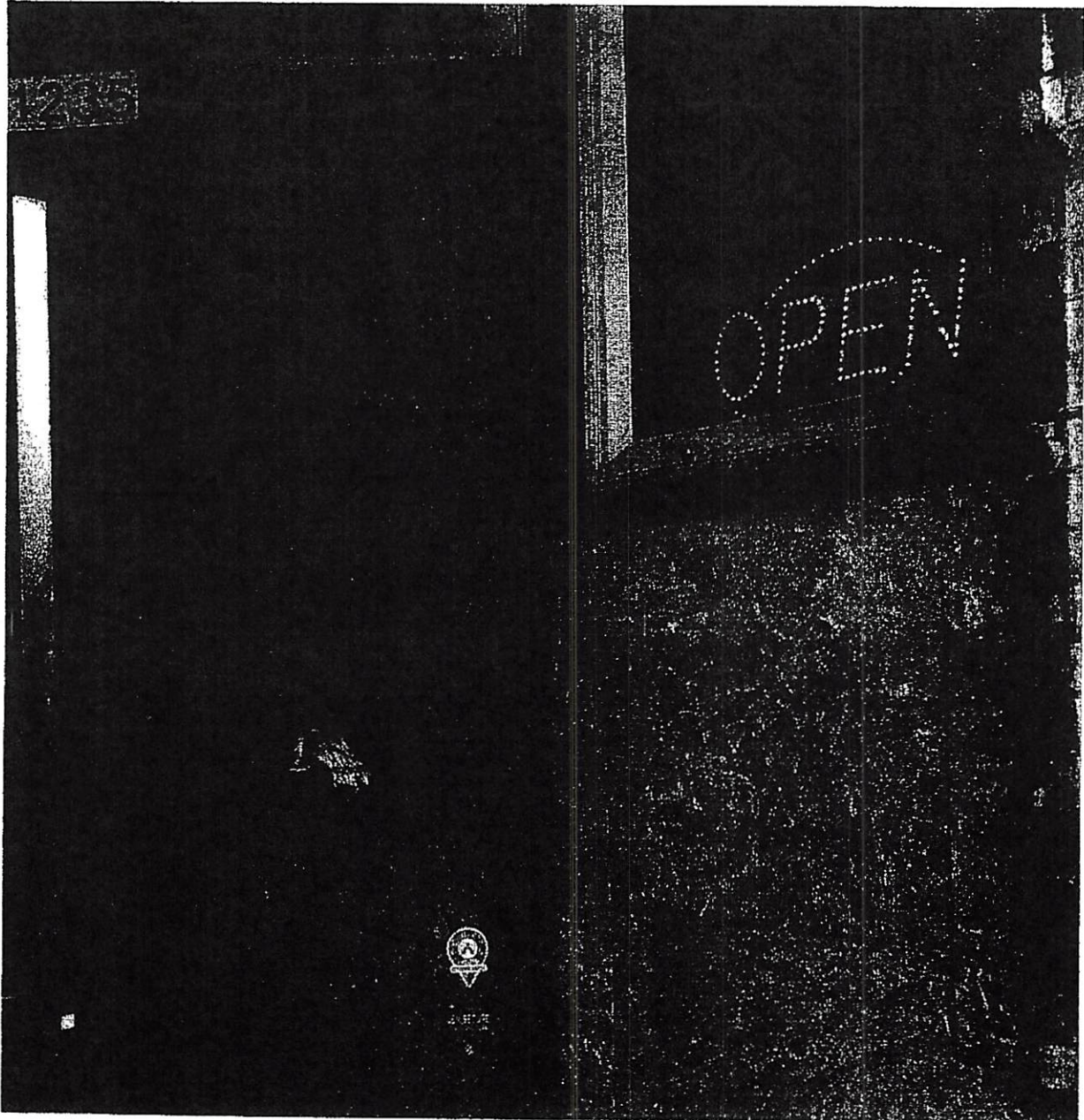
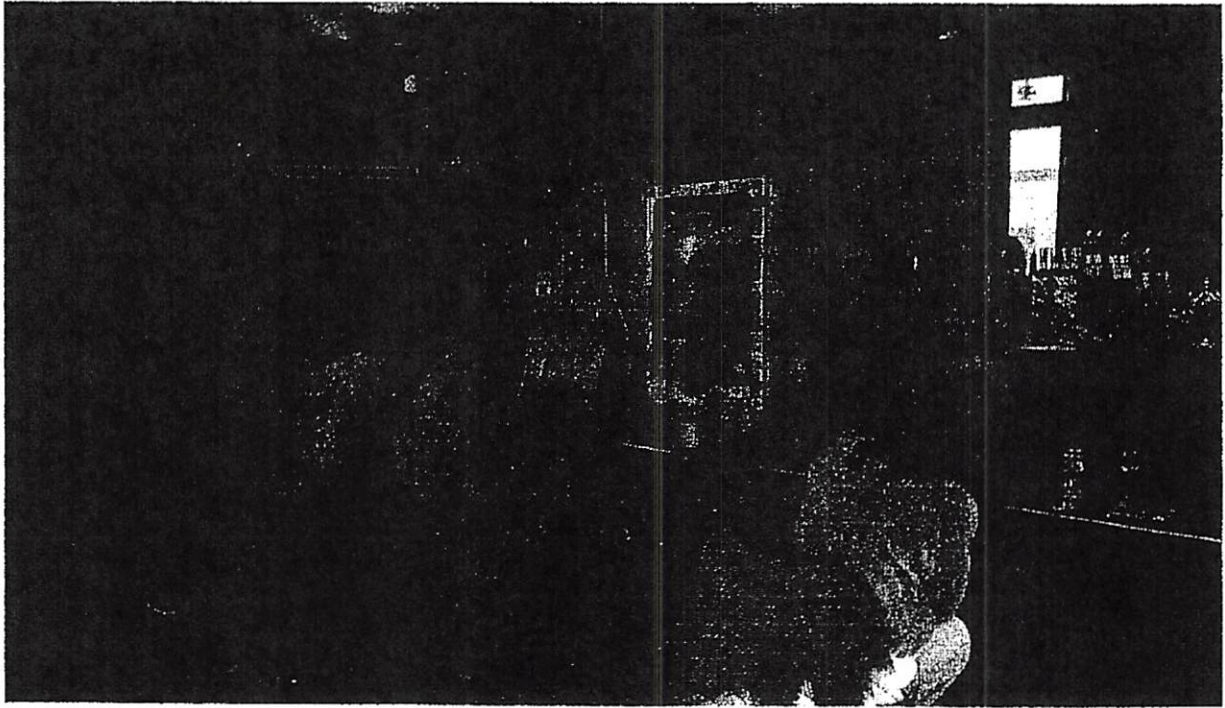


Exhibit to
Affidavit Relating to Operation of Tavern



From: Adams, Charles <Charles.Adams@sheboyganwi.gov>
Sent: Tuesday, June 7, 2022 2:22 PM
To: Munnik, Jennifer <Jennifer.Munnik@dentaquest.com>
Cc: 'josephvoelkner@olsenkloetlaw.com' <josephvoelkner@olsenkloetlaw.com>
Subject: RE: Joe Bonelli - Mojo Hearing 6/8/2022

EXHIBIT F

This message was sent securely using Zix

INFORMATION SECURITY NOTICE - THIS EMAIL IS FROM AN EXTERNAL EMAIL SENDER

Do not click on links or attachments if the sender is unknown or if the email is unexpected from someone you know. Never provide your username and password. Report suspicious emails by selecting the "REPORT PHISH" button. If you have any questions, contact the Information Security team at ITSecurity@greatdentalplans.com.

Good afternoon, Mr. Bonelli—

At tomorrow's hearing the process will be as follows:

I will present evidence in support of the staff recommendation that the license be non-renewed under the continuation of business ordinance. You will have the opportunity to ask questions of those witnesses on cross-examination. The entire matter will be based on the complaint we served on you.

Once I have presented my case, you will present your evidence opposing the staff recommendation. Be prepared to present any relevant evidence of whether or not you are in violation of the ordinance.

In addition, there is also often the opportunity for a brief opening statement before the evidence is presented, and brief closing statement afterward before the committee deliberates.

I will be representing the Clerk's Office and not the LHPS committee on this matter, since by assisting and advising the Clerk and the SPD, I would have a potential conflict were I also to advise the committee on this matter. As such, Attorney Joe Voelkner will be representing the council during the portion of the meeting related to your hearing. I have copied him on this email so that he is aware of our communication.

While this is a fairly formal hearing, and you should be prepared to present your evidence, I do also expect it to be simple and quick, as the only allegation is that you do not meet the requirements of the ordinance. The committee will either decline to renew the license (in which case you would still be eligible to make a presentation at a future meeting along with any other potential applicants to obtain any available license, including this one), or will renew the license. If they renew, the six months would be considered to have restarted on whatever date they determine you were in business.

Your matter is fairly early in the meeting, so please be there by 4:15, when the meeting is to start. Be advised I may be appearing remotely as I have been out with COVID. I am hoping to return tomorrow, as I have recovered, but I need a negative test to do so. If you need to appear remotely, we will need to know ASAP so we can get you that link.

Thanks,

Chuck Adams

City Attorney

From: Munnik, Jennifer <Jennifer.Munnik@dentaquest.com>
Sent: Tuesday, June 7, 2022 1:56 PM
To: Adams, Charles <Charles.Adams@sheboyganwi.gov>
Cc: mojobar@sbcglobal.net
Subject: Joe Bonelli - Mojo Hearing 6/8/2022

Hi Chuck,

Reaching out in advance of tomorrows hearing to request the following:

- Information that I would need to present tomorrow to continue our license
- Still unclear why we didn't pass last meeting as the letter I received did not include any detail
- I would like to be prepared to address pertinent details tomorrow and am yet unclear as to what might be needed

I have reached out to your office numerous times and have also left multiple voicemails and I've yet to receive direction. If you could please respond to this email or call me directly, I would greatly appreciate it.

Thanks in advance,
Joe Bonelli
920-254-0564

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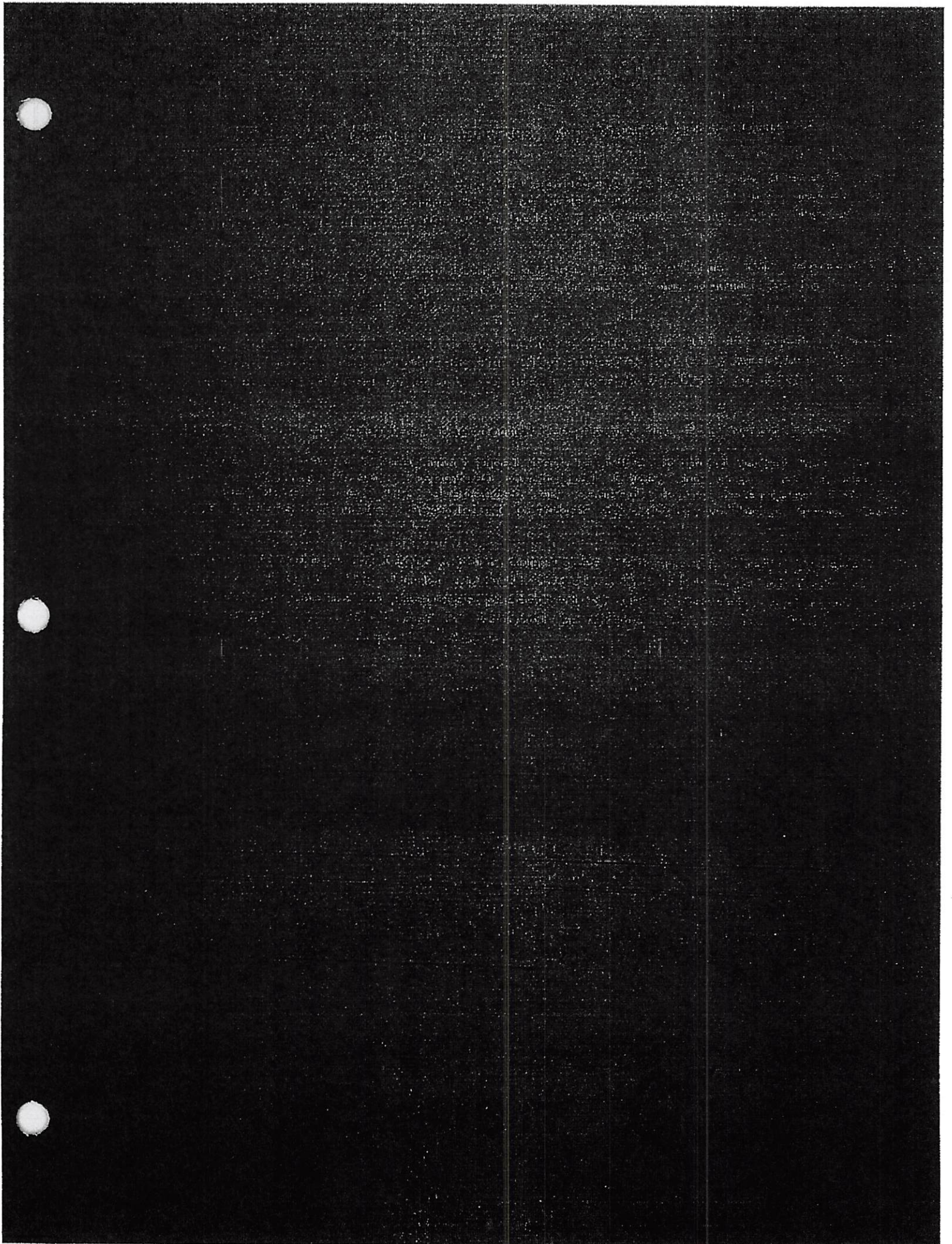


EXHIBIT H

Peter Mayer

From: Peter Mayer <peter@wisclawyer.com>
Sent: Thursday, June 16, 2022 3:30 PM
To: 'Kathryn.Hoffman@sheboyganwi.gov'; 'DeBruin, Meredith'
Cc: 'Joseph Bonelli'; Joe Voelkner (josephvoelkner@olsenkloetlaw.com); 'Adams, Charles'; 'ryan.sorenson@sheboyganwi.gov'; 'todd.wolf@sheboyganwi.gov'
Subject: Common Council meeting; City of Sheboygan Alcohol Beverage License No. 2301; One More Time, LLC and Joseph P. Bonelli

Importance: High

Dear Madam Clerk and Ms. Hoffman,

I represent One More Time, LLC and Joseph P. Bonelli ("Bonelli") and am writing to you in connection with the City of Sheboygan Licensing, Hearings and Public Safety Committee (the "Committee") Quasi-Judicial Hearing conducted on June 8, 2022 (the "Hearing"). The Hearing related to a determination of whether the tavern business enterprise known as MoJo Bar ("the "Business") operating at 1235 Pennsylvania Avenue (the "Premises") under City of Sheboygan Alcohol Beverage License No. 2301 (the "License") was in compliance with City of Sheboygan Ordinance Section 10-46 (the "Ordinance").

First, the letter from your office directing Bonelli to appear on August 20, 2022, for purposes of his appeal was read by him exactly as you stated. Specifically, that the review of the Hearing and the License would take place on August 20, 2022. Therefore, we strenuously object at this late date to a change in the time of the appeal by the City Common Council. We find this conduct reprehensible by your office. Furthermore, it is impossible at this late date to provide the materials to the Common Council for proper review.

Second, we request an immediate preparation of a transcript of the Hearing, as allowed by Section 125.12(2)(b)2., Wis. Stats., and a delivery of that transcript within a prudently reasonable number of days prior to the City Common Council appeal meeting to allow for proper review and preparation in advance of the appeal. It is meaningless for the Committee to deliver a copy of the transcript after the appeal is heard by the Common Council.

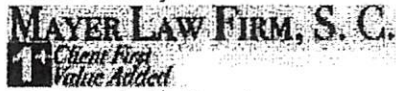
Third, we strenuously object to the report prepared by the Committee, as required by Section 125.12(2)(b)3., Wis. Stats. The "report" delivered is not complete and states the will and not the judgment of the Committee in that the facts are not laid out but given as a mere recital of the Committee's desired result. It is my understanding that Bonelli presented to the Committee uncontroverted testimony of the Business sale of alcohol from the Premises under the License on April 1, 2022, within six months and proving compliance with City of Sheboygan Ordinance Section 10-46 (the "Ordinance"). The "facts" of the "report" are conclusory and without any evidence.

Lastly, we hereby request a de novo hearing before the City Common Council and a removal of both Attorney Adams and Attorney Voelkner from any involvement in this matter, except for Attorney Adams continued role as a witness. It is my understanding that at the time of the Hearing at the first available opportunity, Bonelli informed and advised the Committee that he objected to those individuals as legal counsel present at the Hearing due to conflict and other ethics breaches, requested that they not participate, and requested an adjournment of the Hearing to address the issue of bias and impartiality of the Committee conducting the Hearing. Additional information will forthcoming and be presented to those attorneys directly. Needless to say, their involvement in this matter has so tainted the legitimacy of the Hearing as to require a de novo hearing.

This communication is being sent via e-mail due to the urgency of the matter and will be hand-delivered in letter format tomorrow as well.

Sincerely,
Peter R. Mayer
State Bar No. 1009680

Peter R. Mayer



502 North 6th Street
Sheboygan, WI 53081-4611
(920) 980-8241
peter@wisclawyer.com

From: Joseph Bonelli <mojobar@me.com>
Sent: Thursday, June 16, 2022 2:03 PM
To: Peter Mayer <peter@wisclawyer.com>
Subject: Fwd: Correct date of Common Council meeting

Sent from my iPhone

Begin forwarded message:

From: "Hoffman, Kathryn" <Kathryn.Hoffman@sheboyganwi.gov>
Date: June 15, 2022 at 10:54:37 AM CDT
To: mojobar@me.com
Cc: Joseph Voelkner <josephvoelkner@olsenkloetlaw.com>
Subject: Correct date of Common Council meeting

Mr. Bonelli,

I just noticed that there was a typo in the letter our office sent to you dated June 10th. The next regularly scheduled council meeting is on Monday, June 20, 2022 at 6:00 p.m., NOT August 20th as indicated in the letter. I apologize for any confusion this may have caused.

Kathy

Kathy Hoffman
State Bar of Wisconsin Certified Paralegal
City Attorney's Office
828 Center Ave., Suite 210
Sheboygan, WI 53081
Ph. 920-459-6453 / Fax 920-459-3919
e-mail: kathryn.hoffman@sheboyganwi.gov

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MAYER LAW FIRM, S. C.
1+ Client First
Value Added

502 North 6th Street
Sheboygan, WI 53081-4611

EXHIBIT I

(920) 980-8241

e-mail: peter@wisclawyer.com

Firm web site: wisclawyer.com

June 17, 2022

(6 pages)

VIA HAND-DELIVERY

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

City Attorneys Office
City Hall
828 Center Avenue
Sheboygan, WI 53081
Attn. Kathryn Hoffman

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 Madam Clerk and Ms. Hoffman:

I represent One More Time, LLC and Joseph P. Bonelli ("Bonelli") and am writing to you in connection with the City of Sheboygan Licensing, Hearings and Public Safety Committee (the "Committee") Quasi-Judicial Hearing conducted on June 8, 2022 (the "Hearing"). The Hearing related to a determination of whether the tavern business enterprise known as MoJo Bar ("the Business") operating at 1235 Pennsylvania Avenue (the "Premises") under City of Sheboygan Alcohol Beverage License No. 2301 (the "License") was in compliance with City of Sheboygan Ordinance Section 10-46 (the "Ordinance").

First, the letter from your office directing Bonelli to appear on August 20, 2022, for purposes of his appeal was read by him exactly as you stated. Specifically, that the review of the Hearing and the License would take place on August 20, 2022. Therefore, we strenuously object at this late date to a change in the time of the appeal by the City Common Council. We find this conduct reprehensible by your office. Furthermore, it is impossible at this late date to provide the materials to the Common Council for proper review.

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MAYER LAW FIRM, S. C.
1+ *Client First*
Value Added

Third, we strenuously object to the report prepared by the Committee, as required by Section 125.12(2)(b)3., Wis. Stats. The "report" delivered is not complete and states the will and not the judgment of the Committee in that the facts are not laid out but given as a mere recital of the Committee's desired result. It is my understanding that Bonelli presented to the Committee uncontroverted testimony of the Business sale of alcohol from the Premises under the License on April 1, 2022, within six months and proving compliance with City of Sheboygan Ordinance Section 10-46 (the "Ordinance"). The "facts" of the "report" are conclusory and without any evidence.

Lastly, we hereby request a de novo hearing before the City Common Council and a removal of both Attorney Adams and Attorney Voelkner from any involvement in this matter, except for Attorney Adams continued role as a witness. It is my understanding that at the time of the Hearing at the first available opportunity, Bonelli informed and advised the Committee that he objected to those individuals as legal counsel present at the Hearing due to conflict and other ethics breaches, requested that they not participate, and requested an adjournment of the Hearing to address the issue of bias and impartiality of the Committee conducting the Hearing. Additional information will forthcoming and be presented to those attorneys directly. Needless to say, their involvement in this matter has so tainted the legitimacy of the Hearing as to require a de novo hearing.

This letter is being hand-delivered to follow on an e-mail sent the day prior due to the urgency of the matter. Please advise me at your earliest convenience of your intentions with respect to this matter.

Sincerely yours,



Peter R. Mayer

PRM/s

pc. Mayor Ryan Sorenson
City Licensing Clerk
City Administrator Todd Wolf
City Attorney Charles Adams
Joseph Voelkner, Esq.
Joseph P. Bonelli

Peter Mayer

From: Peter Mayer <peter@wisclawyer.com>
Sent: Monday, June 20, 2022 1:00 PM
To: 'DeBruin, Meredith'
Subject: Common Council meeting; City of Sheboygan Alcohol Beverage License No. 2301; One More Time, LLC and Joseph P. Bonelli

Meredith,

I will be bringing the packet to you within the hour. My letter constitutes objection to the report of the Committee and request for reversal of the Committee decision and renewal of the license, but not the detailed arguments for that objection and request. My letter also constitutes objection to other components of this review.

I would like to talk to you about this. Mr. Bonelli received written direction from the City Attorney's office that the City Common Council review would occur in August. That was corrected, but not until late last week. We also requested a transcript of the hearing, which has not yet been provided to us. We were also not informed under Section 125.12(2)(b)3., Wis. Stats., whether our arguments "shall be presented orally, in writing, or both." It is our request that the City abide by the statutory procedures and adjourn this matter until it can do so properly. Failing that, I would like to appear and be heard and be allowed to present oral arguments on this matter this evening. (Mr. Bonelli was also planning to be present, but since he is sick, I have instructed him that he may NOT attend in order to prevent any spread of disease.)

If the City Common Council proceeds this evening and does not reverse the Committee decision and renew the license, we do intend to appeal to Sheboygan County Circuit Court under Section 125.12(2)(d), Wis. Stats. The misdirection by the City Attorney's office on date of the City Council review, the failure to provide a transcript, and the absence of direction of how to present arguments should alone be sufficient to overturn the decision. Therefore, it seems prudent in the efficient administration of justice to at least adjourn this and avoid those procedural defects.

Sincerely,
Peter Mayer

Peter R. Mayer



502 North 6th Street
Sheboygan, WI 53081-4611
(920) 980-8241
peter@wisclawyer.com

From: DeBruin, Meredith <Meredith.DeBruin@sheboyganwi.gov>
Sent: Monday, June 20, 2022 11:36 AM
To: 'peter@wisclawyer.com' <peter@wisclawyer.com>
Subject: RE: SPAM RE: Common Council meeting; City of Sheboygan Alcohol Beverage License No. 2301; One More Time, LLC and Joseph P. Bonelli

Good morning,

We have not yet received the hand-delivered letter, but I would like to clarify if this is your "written arguments in response presented by the licensee"? This is the language that is included in the Report of Committee that is on the agenda for this evening.

Thank you,
Meredith

From: Peter Mayer <peter@wisclawyer.com>

Sent: Friday, June 17, 2022 4:21 PM

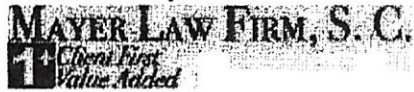
To: Hoffman, Kathryn <Kathryn.Hoffman@sheboyganwi.gov>; DeBruin, Meredith <Meredith.DeBruin@sheboyganwi.gov>

Cc: 'Joseph Bonelli' <mojobar@me.com>; Joe Voelkner <josephvoelkner@olsenkloetlaw.com>; Adams, Charles <Charles.Adams@sheboyganwi.gov>; Sorenson, Ryan <Ryan.Sorenson@sheboyganwi.gov>; Wolf, Todd <Todd.Wolf@sheboyganwi.gov>

Subject: SPAM RE: Common Council meeting; City of Sheboygan Alcohol Beverage License No. 2301; One More Time, LLC and Joseph P. Bonelli

Please see the attached letter which will be hand-delivered this afternoon.

Peter R. Mayer



502 North 6th Street
Sheboygan, WI 53081-4611
(920) 980-8241

peter@wisclawyer.com

From: Peter Mayer <peter@wisclawyer.com>

Sent: Thursday, June 16, 2022 3:30 PM

To: 'Kathryn.Hoffman@sheboyganwi.gov' <Kathryn.Hoffman@sheboyganwi.gov>; 'DeBruin, Meredith' <Meredith.DeBruin@sheboyganwi.gov>

Cc: 'Joseph Bonelli' <mojobar@me.com>; Joe Voelkner (<josephvoelkner@olsenkloetlaw.com>
<josephvoelkner@olsenkloetlaw.com>; 'Adams, Charles' <Charles.Adams@sheboyganwi.gov>;

'ryan.sorenson@sheboyganwi.gov' <ryan.sorenson@sheboyganwi.gov>; 'todd.wolf@sheboyganwi.gov' <todd.wolf@sheboyganwi.gov>

Subject: Common Council meeting; City of Sheboygan Alcohol Beverage License No. 2301; One More Time, LLC and Joseph P. Bonelli

Importance: High

Dear Madam Clerk and Ms. Hoffman,

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This communication is being sent via e-mail due to the urgency of the matter and will be hand-delivered in letter format tomorrow as well.

Sincerely,
Peter R. Mayer
State Bar No. 1009680

Peter R. Mayer
MAYER LAW FIRM, S.C.
*Client First
Value Added*
502 North 6th Street
Sheboygan, WI 53081-4611
(920) 980-8241
peter@wisclawyer.com

From: Joseph Bonelli <mojobar@me.com>
Sent: Thursday, June 16, 2022 2:03 PM
To: Peter Mayer <peter@wisclawyer.com>
Subject: Fwd: Correct date of Common Council meeting

Sent from my iPhone

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From: "Hoffman, Kathryn" <Kathryn.Hoffman@sheboyganwi.gov>

Date: June 15, 2022 at 10:54:37 AM CDT

To: mojobar@me.com

Cc: Joseph Voelkner <josephvoelkner@olsenkloetlaw.com>

Subject: Correct date of Common Council meeting

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Kathy

Kathy Hoffman

State Bar of Wisconsin Certified Paralegal

City Attorney's Office

828 Center Ave., Suite 210

Sheboygan, WI 53081

Ph. 920-459-6453 / Fax 920-459-3919

e-mail: kathryn.hoffman@sheboyganwi.gov

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R. C. No. 31 - 22 - 23. By LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE. June 20, 2022.

Your Committee to whom was referred R. O. No. 14-22-23 by City Clerk submitting various license applications, hereby reports as follows:

On May 18, 2022, your Committee, via the authority delegated to a staff task force to review such matters, recommended that the Common Council not renew the "Class B" Alcohol Beverage License No. 2301 held by One More Time, LLC (Joseph P. Bonelli, Agent).

Pursuant to its right provided by state statute, One More Time, LLC requested a hearing to review the decision not to renew the license. Your committee held that hearing at its meeting on June 8, 2022.

At the time scheduled for the hearing, One More Time, LLC and its agent, Joseph P. Bonelli, appeared before the committee. The City appeared by City Attorney Charles Adams. The Committee was advised by special counsel, Joseph Voelkner of Olsen, Kloet, Gunderson & Conway.

After hearing from the parties, the committee found the following fact:

One More Time, LLC has violated municipal regulations adopted under Wis. Stat. § 125.10; to wit, § 10-46, Sheboygan Municipal Code, in that, as a retail licensee, One More Time, LLC suspended or ceased doing business for six consecutive months or more, beginning October 3, 2021, without good cause shown.

EXHIBIT J
(2 pages)

Based on these findings of facts, your committee recommends that, pursuant to Wis. Stat. § 125.12 (2)(b)3, the common council receive the findings of fact stated above and any written arguments in response presented by the licensee, and uphold the decision to deny renewal of the "Class B" Alcohol Beverage License No. 2301 held by One More Time, LLC (Joseph P. Bonelli, Agent).

Committee

I HEREBY CERTIFY that the foregoing Committee Report was duly accepted and adopted by the Common Council of the City of Sheboygan, Wisconsin, on the _____ day of _____, 20_____.

Dated _____ 20_____, _____, City Clerk

Approved _____ 20_____, _____, Mayor



CITY OF SHEBOYGAN**SIXTH REGULAR COMMON COUNCIL MEETING MINUTES****Monday, June 20, 2022****OPENING OF MEETING****EXHIBIT K****1. Roll Call**

Alders present: Ackley, Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Ramey, Rust, and Salazar – 10.

2. Pledge of Allegiance**3. Approval of Minutes**

MOTION TO APPROVE MINUTES FROM THE JUNE 6, 2022 MEETING

Motion made by Felde, Seconded by Filicky-Peneski.

Voting Yea: Ackley, Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Salazar, Rust, Ramey – 10.

4. Confirmation of Mayoral Appointments

Angela Ramey to Public Works Committee, Zach Rust to Architectural Review Board, Christine Campe to Library Board, Andy Ross to Board of Review, Stephanie Goetz to Senior Service Commission, and James VanAkkeren, Geralyn Leannah, Rebecca Clarke and Lora Hagen to Sustainable Task Force

MOTION TO CONFIRM APPOINTMENTS

Motion made by Felde, Seconded by Filicky-Peneski.

Voting Yea: Ackley, Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Salazar, Rust, Ramey – 10.

5. Presentation

Citizens Fire Academy (CFA) by Eric Montellano Fire Chief

6. Presentation

Affordable Housing Market Study Update on Progress by Chad Pelishek, Director of Planning and Development

7. Public Forum

Limit of five people having five minutes each with comments limited to items on this agenda. Maeve Quinn and Peter Mayer spoke.

8. Mayor's Announcements

Upcoming Community Events, Proclamations, Employee Recognitions

CONSENT**9. Motion to Receive and File all R.O.'s, Receive all R.C.'s and Adopt all Resolutions and Ordinances**

Motion made by Felde, Seconded by Filicky-Peneski.

Voting Yea: Ackley, Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Salazar,

Rust, Ramey – 10.

10. R. O. No. 22-22-23 by Board of License Examiners submitting applications for Building Contractor Licenses already granted.

MOTION TO RECEIVE AND FILE THE R. O.

Motion made by Felde, Seconded by Filicky-Peneski.

Voting Yea: Ackley, Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Salazar, Rust, Ramey – 10.

11. R. C. No. 30-22-23 by Licensing, Hearings, and Public Safety Committee to whom was referred R. O. No. 9-22-23 by City Clerk submitting various license applications; recommends denying License #3539 Reynoso Properties, LLC.

MOTION TO RECEIVE THE R. C. AND DENY THE LICENSE

Motion made by Felde, Seconded by Filicky-Peneski.

Voting Yea: Ackley, Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Salazar, Rust, Ramey – 10.

12. R. C. No. 32-22-23 by Licensing, Hearings, and Public Safety Committee to whom was referred pursuant to R. O. No. 14-22-23 by City Clerk submitting various license applications; recommends granting the extension of open for Business to License No. 3333 (Kohler Company) and approving the renewal of the alcohol license.

MOTION TO RECEIVE THE R. C. AND GRANT THE EXTENSION AND RENEWAL

Motion made by Felde, Seconded by Filicky-Peneski.

Voting Yea: Ackley, Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Salazar, Rust, Ramey – 10.

13. R. C. No. 29-22-23 by Licensing, Hearings, and Public Safety Committee to whom was referred R.O. No. 21-22-23 by City Clerk submitting various license applications; recommends amending the R. O. to include license #2207 and granting the license applications with caveats.

MOTION TO RECEIVE THE R. C. AND GRANT THE APPLICATIONS WITH CAVEATS

Motion made by Felde, Seconded by Filicky-Peneski.

Voting Yea: Ackley, Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Salazar, Rust, Ramey – 10.

14. R. C. No. 34-22-23 by Public Works Committee to whom was referred Res. No. 22-22-23 by Alderpersons Dekker and Perrella authorizing the appropriate City officials to enter into a contract with Buteyn-Peterson Construction Company, Inc. for the construction of the Evergreen Park – Area 5 Pedestrian Bridge; recommends adopting the Resolution.

MOTION TO RECEIVE THE R. C. AND ADOPT THE RESOLUTION

Motion made by Felde, Seconded by Filicky-Peneski.

Voting Yea: Ackley, Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Salazar, Rust, Ramey – 10.

15. R. C. No. 28-22-23 by Licensing, Hearings, and Public Safety Committee to whom was referred Res. No. 23-22-23 by Alderpersons Felde and Ackley authorizing acceptance of the 2022 Wisconsin Bureau of Transportation Safety, Bicycle and Pedestrian Enforcement Grant; recommends adopting the Resolution.

MOTION TO RECEIVE THE R. C. AND ADOPT THE RESOLUTION

Motion made by Felde, Seconded by Filicky-Peneski.

Voting Yea: Ackley, Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Salazar, Rust, Ramey – 10.

16. R. C. No. 37-22-23 by Finance and Personnel Committee to whom was referred Res. No. 26-22-23 by Alderpersons Mitchell and Filicky-Peneski approving an amendment to the Project Plan and Boundaries of Tax Incremental District No. 16, City of Sheboygan, Wisconsin; recommends adopting the Resolution.

MOTION TO RECEIVE THE R. C. AND ADOPT THE RESOLUTION

Motion made by Felde, Seconded by Filicky-Peneski.

Voting Yea: Ackley, Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Salazar, Rust, Ramey – 10.

17. R. C. No. 35-22-23 by Public Works Committee to whom was referred Res. No. 27-22-23 by Alderpersons Dekker and Perrella authorizing the appropriate City officials to enter into a contract with K-W Electric, Inc. for the replacement of the emergency electrical generator at Sheboygan Fire Department Fire Station #2; recommends adopting the Resolution.

MOTION TO RECEIVE THE R. C. AND ADOPT THE RESOLUTION

Motion made by Felde, Seconded by Filicky-Peneski.

Voting Yea: Ackley, Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Salazar, Rust, Ramey – 10.

18. R. C. No. 36-22-23 by Public Works Committee to whom was referred Res. No. 28-22-23 by Alderpersons Dekker and Perrella authorizing the appropriate City officials to enter into an Addendum dated April 18, 2022 to the contract with Foth Infrastructure and Environment, LLC for design services related to the South Side Interceptor System (SIS) Rehab/Access Road/Shoreline Protection Program; recommends adopting the Resolution.

MOTION TO RECEIVE THE R. C. AND ADOPT THE RESOLUTION

Motion made by Felde, Seconded by Filicky-Peneski.

Voting Yea: Ackley, Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Salazar, Rust, Ramey – 10.

REPORT OF OFFICERS

19. R. O. No. 23-22-23 by City Clerk submitting a communication from Grateful Properties, LLC requesting an encroachment on their property located at 340/342 South Pier Drive for the purpose of adding an outdoor seating deck. REFER TO CITY PLAN COMMISSION
20. R. O. No. 24-22-23 by City Clerk submitting a communication from M. Squared Properties requesting an encroachment on their property located at 1444 Pershing avenue for the purpose of creating an asphalt driveway and parking lot. REFER TO CITY PLAN COMMISSION

RESOLUTIONS

21. Res. No. 29-22-23 by Alderpersons Felde and Ackley authorizing the City Attorney to engage the services of special outside legal counsel to represent the Licensing, Hearings, and Public Safety Committee and Common Council with regard to a hearing regarding the denial of "Class B" Alcohol Beverage License No. 3539-Reynoso Properties LLC (Pedro Reynoso, Jr., Agent) and authorizing payment for said services.

MOTION TO SUSPEND THE RULES AND ADOPT THE RESOLUTION

Motion made by Felde, Seconded by Filicky-Peneski.

Voting Yea: Ackley, Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Salazar, Rust, Ramey – 10.

22. Res. No. 30-22-23 by Alderpersons Felde and Ackley authorizing the City Attorney to engage the services of special outside legal counsel to represent the Licensing, Hearings, and Public Safety Committee and Common Council with regard to a quasi-judicial hearing regarding the non-renewal of "Class B" Alcohol Beverage License No. 2301-One More Time, LLC (Joseph P. Bonelli, Agent) and authorizing payment for said services.

MOTION TO SUSPEND THE RULES AND ADOPT THE RESOLUTION

Motion made by Felde, Seconded by Filicky-Peneski.

Voting Yea: Ackley, Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Salazar, Rust, Ramey – 10.

23. Res. No. 31-22-23 by Alderpersons Felde and Ackley authorizing entering into an Agreement for Urban Search and Rescue Emergency Response Services with the State of Wisconsin Department of Military Affairs Division of Emergency Management with regard to providing City of Sheboygan personnel to a statewide urban search and rescue team. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE
24. Res. No. 32-22-23 by Alderperson Mitchell pursuant to the extraterritorial plat approval jurisdiction of the City of Sheboygan approving the final plat of Maywood Estates subdivision in the Town of Sheboygan. REFER TO CITY PLAN COMMISSION

REPORT OF COMMITTEES

25. R. C. No. 38-22-23 by Finance and Personnel Committee to whom was referred Res. No. 25-22-23 by Alderpersons Mitchell and Filicky-Peneski authorizing an appropriation in the 2022 budget for grant funds received under the 2022 Wisconsin Bureau of Transportation Safety, Bicycle and Pedestrian Enforcement Grant; recommends adopting the Resolution.

MOTION TO RECEIVE THE R. C. AND ADOPT THE RESOLUTION

Motion made by Mitchell, Seconded by Filicky-Peneski.

Voting Yea: Ackley, Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Salazar, Rust, Ramey – 10.

26. R. C. No. 31-22-23 by Licensing, Hearings, and Public Safety Committee to whom was referred R. O. No. 14-22-23 by City Clerk submitting various license applications; recommends denying the renewal of the "Class B" Alcohol Beverage License No. 2301 held by One More Time, LLC (Joseph P. Bonelli, Agent).

MOTION TO RECEIVE THE R. C. AND DENY THE RENEWAL

Motion made by Felde, Seconded by Dekker.

Voting Yea: Ackley, Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Salazar, Rust, Ramey – 10.

27. R. C. No. 33-22-23 by Finance and Personnel Committee to whom was referred Res. No. 24-22-23 by Alderpersons Mitchell and Filicky-Peneski adopting updated wage classifications and steps as part of the 2022 City of Sheboygan Compensation Program for Non-Represented Employees; recommends adopting the Resolution.

MOTION TO RECEIVE THE R. C. AND REFER THE RESOLUTION TO THE FINANCE AND PERSONNEL COMMITTEE

Motion made by Mitchell, Seconded by Heidemann.

Voting Yea: Ackley, Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Salazar, Rust, Ramey – 9.

Voting Nay: Perrella – 1.

GENERAL ORDINANCES

28. Gen. Ord. No. 3-22-23 by Alderperson Perrella repealing Gen. Ord. No. 39-21-22 granting Harbor Cafe, LLC, its successors and assigns, the privilege of encroaching upon certain portions of 340/342 South Pier Drive in the City of Sheboygan and granting Grateful Properties, LLC, its successors and assigns, the privilege of encroaching upon expanded portions of 340/342 South Pier Drive, as described in the City of Sheboygan for the purpose of adding an outdoor seating deck. REFER TO CITY PLAN COMMISSION
29. Gen. Ord. No. 4-22-23 by Alderperson Felde granting M Squared Properties, its successors and assigns, the privilege of encroaching upon described portions of 1444 Pershing Avenue in the City of Sheboygan for the purpose of creating an asphalt driveway and parking lot. REFER TO CITY PLAN COMMISSION
30. Gen. Ord. No. 5-22-23 by Alderpersons Dekker and Perrella creating a 30 Minute Parking zone on the west side of N. 15th Street north of Wisconsin Avenue. REFER TO PUBLIC WORKS COMMITTEE

OTHER MATTERS AUTHORIZED BY LAW

31. R. O. No. 25-22-23 by City Clerk submitting various license applications. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

ADJOURN MEETING

32. Motion to Adjourn

MOTION TO ADJOURN AT 7:10 PM

Motion made by Felde, Seconded by Filicky-Peneski.

Voting Yea: Ackley, Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Salazar, Rust, Ramey – 10.

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June 20, 2022

VIA HAND-DELIVERY

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

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 Madam Clerk:

As you know, I represent One More Time, LLC and Joseph P. Bonelli ("Bonelli") and am writing to you in connection with the City of Sheboygan Licensing, Hearings and Public Safety Committee (the "Committee") Quasi-Judicial Hearing conducted on June 8, 2022 (the "Hearing"), which related to a determination of whether the tavern business enterprise known as MoJo Bar ("the "Business") operating at 1235 Pennsylvania Avenue (the "Premises") under City of Sheboygan Alcohol Beverage License No. 2301 (the "License") was in compliance with City of Sheboygan Ordinance Section 10-46 (the "Ordinance").

In my letter to you dated June 17, 2022, I stated ". . . **we request an immediate preparation of a transcript of the Hearing, as allowed by Section 125.12(2)(b)2., Wis. Stats.** . . ." A copy of my letter is enclosed for your convenience. Attorney Voelkner sent a letter dated June 20, 2022, to you confirming our right to a transcript. However, he also redirected you to provide a video link. Although I appreciate a video link, our first concern is the delivery of a written transcript. Since we have a deadline for filing a summons and complaint for review by certiorari, it is necessary to obtain the transcript promptly. Although Attorney Voelkner may address his matters differently, it is my practice to have the statements made at the Hearing referenced in the complaint. Please inform me of the approximate date by which the transcript will be ready and if you require payment or a deposit in advance.

Please note that a copy of this letter has been sent to Attorney Voelkner, but we continue to object to his representation in this matter and do not waive our objection by complying with professional requirements.

Sincerely yours,



Peter R. Mayer

PRM/s

pc. Joseph Voelkner, Esq.
Joseph P. Bonelli