

10/05/2021

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OCT 11 2021

Dear Lodi City Council,

I am writing to explain why I really would appreciate the opportunity to obtain a liquor license for Lodi Kwik Mart. I have made many mistakes in my past. I realize that. I have been through a lot of hardship for my age, and I have made some very bad decisions, but I am trying to better my situation.

I am willing to work during the pandemic and I am sorry for my past mistakes. I recently moved to Lodi and do not have a vehicle. So, I am willing to walk to work so that I can still maintain employment. I have recently been working at the Dane BP. I had a ride, but now I must try to find another ride because the person works different hours. It is very stressful and hard trying to rely on others and hope they follow through.

I want to better my life and go back to school and provide for my family. I have lost a child already and I want to be there for my current children and provide for them. It is not easy to obtain employment when you tell them that you do not have transportation.

So, I ask that you reconsider my liquor license application for Lodi Kwik Mart. I will do whatever it takes. I will do a probationary period if needed, take extra classes, whatever you need me to do. Thank you for your time.

Sincerely,

Cade McIlroy

City of Lodi
Operator License Application

Denied



Operator License No.:	Type of License (circle one): <u>New</u> <input type="checkbox"/> Renewal <input type="checkbox"/>
Beverage Server Certificate Attached (circle one): <u>Yes</u> <input type="checkbox"/> No <input type="checkbox"/>	
1-Year (\$40) <input checked="" type="checkbox"/> Period: 7/1/2021 to 6/30/2022	2-Year (\$75) <input type="checkbox"/> Period: 7/1/2021 to 6/30/2023
NON-REFUNDABLE Provisional (\$15): 60 days <input type="checkbox"/> Beginning: ___/___/___	
Temporary (\$10) <input type="checkbox"/> For Date(s): _____ Located at: _____	

Last <i>McKREY</i>	First <i>Cade</i>	Middle <i>HH</i>	Previous Name(s)		
Date of Birth & Age <i>11-25-1999</i>	Street Address <i>626 N Main St</i>		City <i>Lodi</i>	State <i>WI</i>	Zip
Previous Address (if less than two years at above address) <i>Tomlinson Rd</i>			Phone <i>608-635-5531</i>		
Employer (where license will be used) <i>Kwick Mart</i>					

List previous residence by City-County-State (prior 5 years):

Have you ever been convicted of or have pending charges of ANY of the following?

YES NO

- Any federal or state criminal statutes
- Any federal, state, or local alcohol or drug laws (including operating a motor vehicle under the influence)
- Any municipal ordinance law in the past five years (other than traffic or parking laws)

If YES, the following information for each incident must be provided (use back of page if needed):

Date of Charge/Offense	Nature of Charge/Offense	Issuing/Arresting Agency
2020 2019	Possession(s)	Columbia
2019	underage drinking/open Intoxicants	Dane

The undersigned deposes and says that he/she is the person named in the foregoing application, that the applicant has read and made a complete answer to each question, and the answers in each instance are true and correct. The undersigned further understands that any license issued contrary to Chapter 125 of Wisconsin State Statutes shall be void, and under penalty of law, the applicant may be prosecuted for submitting false statements and affidavits in connection with this application. The undersigned understands that the license fee is non-refundable and non-transferable.

[Signature]
Applicant Signature

_____ Date

Office Use Only

Amount Paid (Cash/Check): <i>No \$ collected</i>	Granted: <input type="checkbox"/>	Denied: <input checked="" type="checkbox"/>	PD Investigation: <i>9/17/21</i>	Approved By: <i>[Signature]</i>
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CITY OF LODI
130 South Main Street
Lodi, Wisconsin 53555-1119
(608) 592-3247
www.cityoflodi.us

September 17, 2021

Cade McIlroy
626 N Main Street
Lodi, WI 53555

RE: City of Lodi Operator License Application

Following the background check conducted by the Lodi Police Department, it was found that you have prior charges that, according to City municipal code, Chapter 204-5(B)(2), are grounds for denial of your Operator License Application. (copy enclosed)

You may appeal this denial under the provisions of Wisconsin State Statutes §68.01 to §68.15. See below.

68.08 Request for review of determination. Any person aggrieved may have a written or oral determination reviewed by written request mailed or delivered to the municipal authority which made such determination within 30 days of notice to such person of such determination. The request for review shall state the ground or grounds upon which the person aggrieved contends that the decision should be modified or reversed. A request for review shall be made to the officer, employee, agent, agency, committee, board, commission or body who made the determination but failure to make such request to the proper party shall not preclude the person aggrieved from review unless such failure has caused prejudice to the municipal authority.

If you have questions regarding your application, please contact Lodi City Hall at 608-592-3247. If you have questions relating to your record, please contact Chief Wayne Smith at 608-592-5401 at the Lodi Police Department.

Sincerely,

Brenda Ayers
City Clerk, Interim Administrator

Cc: Chief Wayne Smith
Lodi Kwik Mart

City of Lodi, WI
Thursday, October 14, 2021

Chapter 204. Intoxicating Liquor and Fermented Malt Beverages

§ 204-5. Regular and provisional operators' licenses.

[Amended 5-21-2019 by Ord. No. A-539]

- A. Delegation of authority. Regular and provisional operators' licenses may be issued by the Clerk, without approval of the Common Council, assuming that the requirements to hold such licenses as set forth in other provisions of this chapter and in state law are met. In exercising this authority hereunder, the Clerk shall follow the standards set forth in Subsection **B** of this section.
- B. Standards to be applied for issuance of operators' licenses.
- (1) Upon receipt of the application, the Clerk shall refer it to the Police Department to make an investigation of the applicant in accordance with requirements of § 125.04, Wis. Stats., and local ordinances. A provisional license will immediately be issued not to exceed 60 days.
 - (2) The City may deny an operator's license to an applicant who has a record indicating that the applicant has been convicted of any of the following:
 - (a) Selling or serving alcohol beverages to an underage person on one or more occasions within four years of submitting the application.
 - (b) Selling or serving alcohol beverages to an intoxicated person on one or more occasions within four years of submitting the application.
 - (c) Selling or serving alcohol beverages during times when such selling or serving is prohibited by law on one or more occasions within two years of submitting the application.
 - (d) Drinking alcohol beverages in a motor vehicle upon the highway on two or more occasions within four years of submitting the application.
 - (e) Operating a motor vehicle while under the influence of an intoxicant or controlled substance on two or more occasions within four years of submitting the application.
 - (f) Possessing or using a controlled substance on two or more occasions within four years of submitting the application.
 - (3) The Clerk may, based upon the findings of the Police Department investigation, deny an operator's license to an applicant who has a record indicating that the applicant has been arrested for any of the offenses referred to in Subsection **B(2)(a) to (f)** hereof where such charge is a criminal charge and where such charge is pending at the time of such determination.
 - (4) The list of offenses set forth in Subsection **B(2)** hereof is not exclusive. The Clerk may recommend to the Common Council denial of an operator's license to an applicant whose record discloses that he has habitually been a law offender within the meaning of § 125.04(5)(b), Wis. Stats., or whose record disclosed convictions or pending criminal charges for offenses the circumstances of which substantially relate to the licensed activity. In the event of situations that fit the circumstances of this subsection rather than those which are specifically enumerated in Subsection **B(2)** hereof, the Clerk shall make a recommendation to the Common Council, and the Common Council shall make the determination of whether or not to issue the particular license.
 - (5) In the event that the Clerk or the Common Council decides to deny an operator's license to an applicant, the Clerk shall send written notice to the applicant of the decision. The written notice shall state the reasons for the decision and advise the applicant that he or she may appeal the denial under the provisions of §§ 68.01 to 68.15, Wis. Stats.