

PUBLIC SAFETY COMMITTEE MINUTES

Thursday, February 6, 2020 @ 6:00 p.m.

Council Chambers, 321 S. Forrest St. Stoughton, WI 53589

Present:

Greg Jenson, Tim Riley, Jean Ligocki, Ozzie Doom and Mayor Tim Swadley

Absent and Excused:

None

Call to Order:

Greg Jenson called the hearing to order at 6:07 p.m. The committee gave unanimous consent to have Tim Riley chair the committee.

HEARING: In the Matter of the Consideration of the Revocation of the Class B Reserve Combination License held by Shakers Saloon, LLC.

Rick Manthe, attorney for complainant Chief Greg Leck presented his opening statement. He argued that Shakers Saloon, LLC knowing allowed another person to possess a controlled substance with intent to deliver while on the licensed premises. He also stated that Shakers kept a disorderly, riotous, indecent house by having 2.5-3 ounces of cocaine on the premises. He added that allowing drugs to be on the premise, would endanger customers of Shakers Saloon and increase the likelihood of ancillary crimes such as theft, prostitution and other violence.

Nicolas C. Watt, attorney for Shakers Saloon, LLC presented his opening statement. He stated that Steve Meyer has no knowledge of Dale Kittleson being involved with the delivering of drugs. He added that no employee has ever observed Mr. Kittleson deliver drugs and there is no evidence that he sold/delivered drugs while on premises at Shakers. Mr. Watt stated that Shakers has received no violations or complaints since it opened. He argued that the drugs allegedly found were in Mr. Kittleson's backpack and not in the office itself, the bar area or safe. He added that Shakers Saloon, LLC is willing to remove Mr. Kittleson as agent.

Detective Brandon Hill of the Stoughton Police Department was sworn in as a witness for the prosecution. He stated that on December 18, 2019 he worked with the officers from the state Department of Criminal Investigation to locate Mr. Kittleson. He added that he went to Shakers Saloon and saw a truck registered to Mr. Kittleson. When the state executed their search warrant, they found 2.5-3 ounces of cocaine. Based on Detective Hill's training and experience, he said that amount is not for personal use. He added that officers found the cocaine on Mr. Kittleson's person, a backpack and a gun case. He added that they also found a handgun. When searching Mr. Kittleson's vehicle, Detective Hill found a ledger that had names, weights and amounts. Detective Hill said that he believed this to be a drug ledger. Exhibit 1 was entered as evidence into the record (the police report). Exhibit 2 and Exhibit 2 were also entered into the record (the license application and the liquor license).

Steve Meyer was sworn in as a witness for the defense. He stated that he had known Mr. Kittleson for 20 years and did not know him to deliver drugs. He stated that the Shakers Saloon had not had any complaints or violations. He added that he had 50% ownership in Shakers Saloon and has invested thousands of dollars of his own money. The committee request the LLC information from the defense. Mr. Meyer stated that Shakers Saloon would put the license in his name or someone else's name. He added that Shakers Saloon wanted to work with the City to keep their license and would be willing to make changes. He added that they have a camera system, they check people's IDs at the door and wand all bags.

Bradley Dillman was sworn in a witness for the defense. He stated that he was the insurance agent and also a bartender for Shakers Saloon. He noted that he worked at the bar during the day with Mr. Kittleson and has known him since 2014 and had no knowledge of him delivering drugs. He added that he would also be willing to take over as the agent for Shakers Saloon or put the license in his name. Mr. Dillman stated that he felt that people didn't like the crowd of people that came to the bar on the weekends and were looking for a reason to shut them down.

Chatta Huffman was sworn in as a witness for the defense. She stated that she was a bartender for Shakers and would be taking over a managerial role. She added that she has been a licensed bartender for about a month. Ms. Huffman said that she has no knowledge of drugs being present or delivered at Shakers Saloon. She added that Shakers has security, bag checks and ID checks. Ms. Huffman stated that she recently ended employment at another establishment so she could become and a manager and possibly take over as agent for Shakers.

Victoria Williams was sworn in as a witness for the defense. She stated that she has been employed at Shakers Saloon for about 3 months. She stated that she mostly takes cash at the door for events. She added that she has never observed any illegal activity at Shakers Saloon. Ms. Williams stated that the bar is a welcoming environment and may be unconventional to some people.

Closing arguments were presented by Attorney Rick Manthe and Attorney Nicolas Watt.

Motion by Jenson, second by Riley to go into closed session pursuant to Wis. Stat. § 19.85(1)(a) for deliberations concerning a case which was the subject of a quasi-judicial hearing before the Public Safety Committee at 8:33 p.m. Motion carried on roll call vote 5-0.

RECONVENE IN OPEN SESSION: Issue a determination or take other appropriate action in regards to the Class B Reserve Combination License held by Shakers Saloon, LLC.

Motion by Doom, second by Ligocki to reconvene in open session at 9:29 p.m. The committee stated they would meet to consider the license at their regularly scheduled Public Safety Committee meeting on February 25, 2020.

Adjournment:

Motion by Ligocki, second by Doom to adjourn at 9:31 p.m.

Respectfully Submitted,
Holly Licht, City Clerk