



MINUTES OF THE PROTECTION AND WELFARE COMMITTEE

**MONDAY, AUGUST 13, 2018, 5:30 PM
CITY HALL, ROOM 207**

A. ROLL CALL.

Present: Ald. Randy Scannell, Craig Stevens, John VanderLeest, Mark Steuer (at agenda item #5)

Excused:

Also Present: Asst. City Atty Kristen Johnson, Lt. Steve Mahoney, City Clerk Kris Teske, Chief of Staff Celestine Jeffreys, Ald. Brian Johnson, Ald. Chris Wery

B. APPROVAL OF THE AGENDA.

I. Approval of the agenda for the August 13, 2018 Protection & Welfare meeting.

Moved by Ald. John VanderLeest, seconded by Ald. Craig Stevens to approve the agenda as amended (Move 6 & 7 behind 9 and 12 in front of 9). Motion carried.

Yes- Craig Stevens, John VanderLeest, Randy Scannell, No- None, Abstain- None

C. APPROVAL OF MINUTES.

I. Approval of the minutes for the July 9, 2018 Protection & Welfare meeting.

Moved by Ald. Craig Stevens, seconded by Ald. John VanderLeest to approve the minutes for the July 9, 2018 Protection & Welfare meeting. Motion carried.

Yes- Craig Stevens, John VanderLeest, Randy Scannell, No- None, Abstain- None

D. REGULAR BUSINESS.

1. Consideration with possible action on a request by Turn it Up! Tap, 1689 E. Mason St., to temporarily extend their licensed premise to hold an outdoor event in their parking lot on Aug 24, Sept 22, and Sept 29.

Moved by Ald. John VanderLeest, seconded by Ald. Craig Stevens to open the floor.

Yes- Craig Stevens, John VanderLeest, Randy Scannell, No- None, Abstain- None

Moved by Ald. Craig Stevens, seconded by Ald. VanderLeest to close the floor.

Yes- Craig Stevens, John VanderLeest, Randy Scannell, No- None, Abstain- None

Moved by Ald. John VanderLeest, seconded by Ald. Craig Stevens to approve a request by Turn it Up! Tap, 1689 E. Mason St., to temporarily extend their licensed premise to hold an outdoor event in their parking lot on Aug 24, Sept 22, and Sept 29, subject to complaint. Motion carried.

Yes- Craig Stevens, John VanderLeest, Randy Scannell, No- None, Abstain- None

2. Consideration with possible action on a request by Richard Craniums, 840 S. Broadway, to temporarily extend their licensed premise to hold an outdoor event prior to each of the 2018 Packer home games.

Moved by Ald. John VanderLeest, seconded by Ald. Craig Stevens to approve a request by Richard Craniums, 840 S. Broadway, to temporarily extend their licensed premise to hold an outdoor event prior to each of the 2018 Packer home games, subject to complaint. Motion carried.

Yes- Craig Stevens, John VanderLeest, Randy Scannell, No- None, Abstain- None

3. Consideration with possible action on a request by Richard Craniums, 840 S. Broadway, to temporarily extend their licensed premise to hold an outdoor event on Aug 25 – Aug 26 from 12 pm to 10 pm.

Moved by Ald. John VanderLeest, seconded by Ald. Craig Stevens to approve a request by Richard Craniums, 840 S. Broadway, to temporarily extend their licensed premise to hold an outdoor event on Aug 25 – Aug 26 from 12 pm to 10 pm., subject to complaint. Motion carried.

Yes- Craig Stevens, John VanderLeest, Randy Scannell, No- None, Abstain- None

4. Consideration with possible action on an application for a "Class B" (wine only) license by Badger State Brewing Company LLC at 990 Tony Canadeo Dr. with a licensed premises description of building including production facility, tasting room & offices & patio event garden and beer garden adjacent to building, previously discussed at the July 9, 2018 P&W Meeting.

Moved by Ald. Craig Stevens, seconded by Ald. John VanderLeest to open the floor. Motion carried.

Yes- Craig Stevens, John VanderLeest, Randy Scannell, No- None, Abstain- None

Ald. Mark Steuer arrived to the P&W meeting.

Moved. By Ald. Mark Steuer, seconded by Ald. John VanderLeest to close the floor.

Yes- Craig Stevens, John VanderLeest, Mark Steuer, Randy Scannell, No- None, Abstain- None

Moved by Ald. Craig Stevens, seconded by Ald. John VanderLeest to grant a "Class B" (wine only) license by Badger State Brewing Company LLC at 990 Tony Canadeo Dr. with a licensed premises description of building including production facility, tasting room & offices & patio event garden and beer garden adjacent to building, with the approval of the proper authorities and to waive requirements of ordinance regarding the outdoor patios (requires 2/3 vote). Motion carried.
Yes- Craig Stevens, John VanderLeest, Mark Steuer, Randy Scannell, No- None, Abstain- None

5. Consideration with possible action on an application for an available "Class B" Combination license by The Tarlton Theatre, LLC at 405 W. Walnut St.

Moved by Ald. John VanderLeest, seconded by Ald. Craig Stevens to grant an available "Class B" Combination license by The Tarlton Theatre, LLC at 405 W. Walnut St., with the approval of the proper authorities. Motion carried.
Yes- Craig Stevens, John VanderLeest, Mark Steuer, Randy Scannell, No- None, Abstain- None

6. Consideration with possible action on an application for a "Class B" Combination license by State Street Pub of GB LLC at 1238 State St. (Formerly Loch's Bar) with a licensed description of outdoor patio, fenced area, bar storage room.

Moved by Ald. Craig Stevens, seconded by Ald. John VanderLeest to open the floor. Motion carried.
Yes- Craig Stevens, John VanderLeest, Mark Steuer, Randy Scannell, No- None, Abstain- None

Moved by Ald. Mark Steuer, seconded by Ald. Craig Stevens to close the floor. Motion carried.
Yes- Craig Stevens, John VanderLeest, Mark Steuer, Randy Scannell, No- None, Abstain- None

Moved by Ald. Mark Steuer, seconded by Ald. Craig Stevens to grant a "Class B" Combination license to State Street Pub of GB LLC at 1238 State St. (Formerly Loch's Bar) with a licensed premises description including bar and storage room (description amended to exclude outdoor patio), with the approval of proper authorities.
Yes- Craig Stevens, John VanderLeest, Mark Steuer, Randy Scannell, No- None, Abstain- None

7. Consideration with possible action on an application for a "Class B" Combination license by Jam-Rock GB, LLC at 700 Bodart St. (Formerly Pour Decisions).

Moved by Ald. John VanderLeest, seconded by Ald. Craig Stevens to open the floor.
Yes- Craig Stevens, John VanderLeest, Mark Steuer, Randy Scannell, No- None, Abstain- None

Moved by Ald. John VanderLeest, seconded by Mark Steuer to close the floor.
Yes- Craig Stevens, John VanderLeest, Mark Steuer, Randy Scannell, No- None, Abstain- None

Moved by Ald. Craig Stevens, seconded by Ald. John VanderLeest to grant a "Class B" Combination license by Jam-Rock GB, LLC at 700 Bodart St. (Formerly Pour Decisions), with the approval of the proper authorities. Motion carried.
Yes- Craig Stevens, John VanderLeest, Mark Steuer, Randy Scannell, No- None, Abstain- None

8. Consideration with possible action on an application for an available "Class B" Combination license by 304 North Adams Green Bay LLC at 304 N. Adams St. with a licensed premises that includes the hotel building (see attached), restaurant, bar, banquet and meetings rooms, and guest rooms.

Moved by Ald. Craig Stevens, seconded by Ald. John VanderLeest to grant an available "Class B" Combination license by 304 North Adams Green Bay LLC at 304 N. Adams St. with a licensed premises that includes hotel building (see attached), restaurant, bar, banquet and meeting rooms, and guest rooms, with the approval of the proper authorities. Motion carried.

Yes- Craig Stevens, John VanderLeest, Mark Steuer, Randy Scannell, No- None, Abstain- None

9. Consideration with possible action on a request by Ald. Wery that all City campaign finance reports shall be accessible on city website for duration of elected official's term and five years after leaving office. Records are to be permanently kept (electronically) and available upon request, previously discussed at the July 9, 2018 meeting.

Moved by Ald. John VanderLeest, seconded by Ald. Mark Steuer to receive and place on file a request by Ald. Wery that all City campaign finance reports shall be accessible on city website for duration of elected official's term and five years after leaving office. Records are to be permanently kept (electronically) and available upon request. Motion carried.

Yes- Craig Stevens, John VanderLeest, Mark Steuer, Randy Scannell, No- None, Abstain- None

10. Consideration with possible action an appeal by Lisa Trotter, objecting to the decision that her dog was declared dangerous, previously held at the July 9 P&W meeting.

Moved by Ald. Mark Steuer, seconded by Ald. John VanderLeest to deny an appeal by Lisa Trotter, objecting to the decision that her dog was declared dangerous. Motion carried.

Yes- Craig Stevens, John VanderLeest, Mark Steuer, Randy Scannell, No- None, Abstain- None

11. Consideration with possible action an appeal by Robert Hudson, objecting to the decision that his dog was declared dangerous.

Ald. VanderLeest left the P&W meeting.

Moved by Ald. Mark Steuer, seconded by Ald. Craig Stevens to open the floor.

Yes- Craig Stevens, Mark Steuer, Randy Scannell, No- None, Abstain- None

Moved by Ald. Craig Stevens, seconded by Mark Steuer to close the floor.

Yes- Craig Stevens, Mark Steuer, Randy Scannell, No- None, Abstain- None

Moved by Ald. Mark Steuer, seconded by Ald. Craig Stevens to open the floor.

Yes- Craig Stevens, Mark Steuer, Randy Scannell, No- None, Abstain- None

Moved by Ald. Craig Stevens, seconded by Mark Steuer to close the floor.

Yes- Craig Stevens, Mark Steuer, Randy Scannell, No- None, Abstain- None

Moved by Ald. Mark Steuer, seconded by Ald. Craig Stevens to deny an appeal by Robert Hudson, objecting to the decision that his dog was declared dangerous. Motion carried.

Yes- Craig Stevens, Mark Steuer, Randy Scannell, No- None, Abstain- None

12. Consideration with possible action on a request by Green Bay Sports Service, Inc. at 1265 Lombardi Ave. to amend their liquor license to include an additional plaza area in front of the Johnsonville Tailgate Village, previously held at the July 9, 2018 meeting.

Moved by Ald. John VanderLeest, seconded by Ald. Craig Stevens to approve a request by Green Bay Sports Service, Inc. at 1265 Lombardi Ave. to amend their liquor license to include an additional plaza area in front of the Johnsonville Tailgate Village and to waive requirements of the ordinance for fencing (requires 2/3 vote by Council). Motion carried.

Yes- Craig Stevens, John VanderLeest, Mark Steuer, Randy Scannell, No- None, Abstain- None

13. Consideration with possible action on a request by James Tesch in regards to the denial of his operator's license.

Moved by Ald. Mark Steuer, seconded by Ald. Craig Stevens to open the floor.

Yes- Craig Stevens, Randy Scannell, Mark Steuer No- None, Abstain- None

Moved by Ald. Mark Steuer, seconded by Ald. Craig Stevens to close the floor.

Yes- Craig Stevens, Randy Scannell, Mark Steuer No- None, Abstain- None

Moved by Ald. Craig Stevens, seconded by Ald. Mark Steuer to approve an appeal by James Tesch in regards to the denial of his operator's license. Motion carried.

Yes- Craig Stevens, Mark Steuer, Randy Scannell, No- None, Abstain- None

14. Consideration with possible action on a request by Amy Geronimi in regards to the denial of her operator's license.

Moved by Ald. Mark Steuer, seconded by Ald. Craig Stevens to approve an appeal by Amy Geronimi in regards to the denial of her operator's license. Motion carried.

Yes- Craig Stevens, Randy Scannell, Mark Steuer No- None, Abstain- None

15. Consideration with possible action on a request by Ald. Wery, which reads: "Due to constitutional concerns, conduct a complete review with possible action of changing or removing the City's Code of Conduct & Ethics Ordinances." (Previously held at the July 9 P&W Meeting).

Moved by Ald. Craig Stevens, seconded by Ald. Mark Steuer to take a five minute recess. Motion carried.

Yes- Craig Stevens, Randy Scannell, Mark Steuer No- None, Abstain- None

Moved by Ald. Mark Steuer, seconded by Ald. Craig Stevens to resume. Motion carried.
Yes- Craig Stevens, Randy Scannell, Mark Steuer No- None, Abstain- None

Moved by Ald. Mark Steuer, seconded by Ald. Craig Stevens to approve submitting questions to the Legal Department by September 4 and then refer the ethics ordinance to CityEthics.org for review, at a cost not more than \$500. Motion carried.
Yes- Craig Stevens, John VanderLeest, Randy Scannell, No- None, Abstain- None

F. PUBLIC HEARINGS.

E. INFORMATIONAL.

I. Liquor Violation Report from the Police Department for August 13, 2018.

Ald. VanderLeest joined the meeting.

Ald. Craig Stevens, seconded by Ald. John VanderLeest to receive and place on file the Liquor Violation Report from the Police Department for August 13, 2018. Motion carried.
Yes- Craig Stevens, John VanderLeest, Randy Scannell, No- None, Abstain- None

G. ADJOURNMENT.

Moved by Ald. John VanderLeest, seconded by Ald. Craig Stevens to approve. Motion carried.
Yes- Craig Stevens, John VanderLeest, Mark Steuer, Randy Scannell, No- None, Abstain- None

VERBATIM MINUTES

- Mark's in HPC, he said he would be done in five minutes.

- Five minutes?

- HPC?

- Historic Preservation Committee

- Yeah, he's the chair.

- I'm aware, I was not aware that they were meeting today.

- Oh, I think they always meet on Monday don't they?

- They've been canceling some meetings.

- Oh, OK. All right, well we'll get going, we got a quorum and he can join us when he's done. So we're all recording?

- Yes.

- OK, the meeting for the Protection and Welfare Committee for August 13, 2018, City Hall Room 207, it is 5:30 we will begin. Before we do a roll call, I do want to remind everyone that the committee just gives recommendations to the council. What we do here, whatever judgment we pass down goes on to Council which meets next Tuesday at six o'clock and they have the final authority. So if you don't like what we did, you can always come next Tuesday and make your pitch to the entire council. Roll call, Alder Stevens?

- Here.

- Alder Vander Leest?

- Here.

- Myself, Alder Scanner's present, Alder Steuer is in another meeting, he should be joining us very shortly, but we have a quorum, so let us begin. I would like to change our agenda before we approve it. I would like to move items six and seven to right behind number nine and item 12 to right in front of number nine.

- Motion to approve.

- OK, motion by Alder Vander Leest, second by Alder Stevens, all in favor?

- Aye.

- OK, our agenda's now set. I'll take a motion to approve the minutes for the July 9, 2018 meeting.

- Motion by Alder Stevens to approve, second by Alder Vander Leest, all in favor?

- Aye.

- OK, that is approved, on to regular business. Number one, considerations possible action on request by Turn It Up! Tap, 1689 East Mason Street to temporarily extend their licensed premise to hold and operate an event in their parking lot on August 24, September 22, and September 29. Staff?

- The city attorney's office has no objections. One concern we wanted to note is that there's no mention of an ending time on the events so if they wanted to provide that possibly to the police department, that would be appreciated.

- Anybody here for this item? Motion to open the floor? By Alder Vander Leest, seconded by Alder Stevens, all in favor?

- Aye.

- OK, the floor is now open, if you could please come up, state your name and address. And if you didn't get a chance to fill out one of the forms on the sheet, too, if you could fill that out.

- My name is Kris Dhein, my address is 5840 Smith Street.

- And do you have an end time?

- 10 PM.

- 10 PM? Thumbs up? OK, any other concerns or issues? Anything you care to add? Any questions from? OK, I'll take a motion to approve.

- Motion to approve. Motion to approve by Alder Vander Leest, seconded by Alder Stevens, all in favor?

- Aye.

- Sorry, to make a motion to close the floor.

- Oh, I'm sorry, thank you, yep.

- Motion to close the floor. Movin' too fast, slow it down. Motion to close the floor by Alder Stevens, seconded by Alder Vander Leest, all in favor?

- Aye.

- Opposed? OK, the floor is now closed. Now, motion to approve by Alder Stevens, seconded by Alder Vander Leest, all in favor?

- Aye.

- That passes unanimously.

- Thank you.

- Yep, we'll wait for.

- Got it

- Got it? OK, on to item two, Considerations possible action on request by Richard Craniums, 840 South Broadway to temporarily extend their licensed premise to hold an outdoor event prior to each of the 2018 Packer home games. Staff?

- No objections from the City Attorney's Office.

- [Steve] No objections from the PD.

- Motion to approve.

- Motion to approve by Alder Vander Leest, seconded by Alder Stevens, all in favor?

- Aye.

- Opposed? None, that passes unanimously.

- OK.

- Item number three. Consideration with possible action on request by Richard Craniums 840 South Broadway to temporarily extend their licensed premise to hold an outdoor event at August 25th through the 26th from 12 PM to 10 PM. Staff?

- No objections from the City Attorney's Office.

- [Steve] No objections from the PD.

- Motion to approve.

- That's a strange time to hold from 12 PM to 10 PM the next day? Am I reading that right?

- Well, I don't think it's going on the whole day, I think it would be 10 PM each day.

- Ahh, there we go. That makes more sense.

- Take the head nod in the audience.

- That makes a lot more sense, OK, motion to approve by Alder Vander Leest, seconded by Alder Stevens, all in favor?

- Aye.

- Opposed? That passes unanimously.

- Now are we going, oh, still number four, right?

- Yep.

- Yep, we're set.

- Number four, consideration with possible action on application for a Class B wine only license by Badger State Brewing Company, LLC at 990 Tony Canadeo Drive with a licensed premises description of building including production facility, tasting room, and offices and patio event garden and beer garden adjacent to building. Previously discussed at the July 9, 2018 Protection and Welfare meeting, staff?

- We have no objection to the license. The only thing that we are concerned about is the outdoor patio. There wasn't any specs provided or a diagram or any details on that, so if they have that, great, we'd love to hear it, if they don't, we recommend that it be held until they can provide those details.

- Is there anyone here for this item? Motion to open the floor. Motion by Alder Stevens to open the floor, seconded by Alder Vander Leest, all in favor?

- Aye. Opposed, OK, the floor is now open, if you wouldn't mind, if you haven't filled out one of the paper forms fill that out, please, and state your name and address.

- Sure. My name is Andrew Fabry, I'm the president and founder of Badger State Brewing Company here in Green Bay. Let's see here. In regards to a diagram of the premise, we'd be happy to get that to you, it hadn't been requested prior to this meeting or anything. I also did speak with Jane, the city clerk we have been working with, and said that we would provide photos as necessary, so if you guys want, I can e-mail those over to you as soon as possible, just give me the right address and where I need to send 'em, and--

- Can you describe it for us, briefly here?

- Sure, so the outdoor space that I believe is listed is our actual beer garden. So it's a fenced-in space, we also have an event garden that's outside. It's partially fenced-in along the street side, and then it's kind of surrounded by trees, basically. People use tents and other stuff out there for weddings, receptions, stuff like that. The main area that we're concerned about, I think, is the beer garden. The fence there does have a gap that's a little bit bigger than what I believe the city code dictates. However, it's kind of in place there already, so I don't know really what else you guys want from us outside of a diagram. Kind of an illustration of the space.

- So it sounds like it doesn't necessarily meet the specifics of our ordinance. You can waive that if you choose, you'd just make a motion that you recommend the council waive those specifics. I don't know if the police department has any input on Badger State, but.

- [Steve] No, when you say the opening, for events will there be someone by that opening to make sure no one's coming in or out that shouldn't be?

- For the beer garden space?

- Yes.

- Yeah, we have bouncers that control every entrance whenever we're serving on any day of the week whenever it is.

- [Steve] OK, no objections from the PD.

- So, I guess your options at this point, you can either hold it and wait for them to provide a diagram and pictures, but it does sound like it doesn't meet the exacts, so if you wanted to just approve it tonight, you could just recommend that they waive the requirement, it requires a 2/3 council vote.

- OK, I would make that recommendation myself. That motion that we approve it and waive the specifics of the ordinance so that they can get going. I believe they will be forwarding the information we need, and you know, I don't think that's a concern.

- If it comes into compliance

- But they're not recommending any.

- They're not recommending? You're not recommending, in other words, that they have to have the premise ...

- What we're doing is waiving parts of our ordinance 'cuz the exact, there's a gap ordinance that states that everything has to be blocked off, there is a spot where there's a gap, but they have a bouncer there, so we're just waiving our ordinance so that they don't have to fill that gap. They're basically doing it with a bouncer. So that's why I have no problem waiving.

- If that's the case, then that's OK.

- Is there a second?

- First we need a motion to close the floor.

- Yep, yep, yep, yep, OK.

- Motion to close the floor.

- Second.

- Motion by Alder Steuer to close the floor, seconded by Alder Stevens, all in favor?

- Aye.

- Opposed. OK, the floor is now closed. I made a motion that we pass this with the recommendation to council that we waive our ordinances, the specifics so as far as the fencing goes.

- Motion to approve.

- Seconded.

- I wasn't part of the sign out staff.

- Yep, OK, so motion by Alder Stevens, seconded by Alder Vander Leest, all in favor?

- Aye. Opposed, OK, that carries unanimously. Alder Steuer's now joined us for number five. And we did move a few things around, but I'll let you know when we get there.

- All right, OK.

- But we're on five now. Consideration with possible action, Oh, I'm sorry.

- Yep, I'm ready.

- OK, consideration with possible action on application for an available Class B combination license by the Tarlton Theater, LLC at 405 West Walnut Street, staff?

- No objections to the license, a couple things to point out. This is in the Fort Howard moratorium. That is set forth by ordinance, however this is going to be a restaurant, so it does meet an exception. Another thing I talked to one of the owners today, and right now they're, they haven't closed on the sale of the property at this point, but they do have the first option to purchase and they have an accepted offer pending some financing, and I believe the liquor license here, so we don't have any objection to the liquor license itself, though.

- [Steve] No objection.

- No objection, you concur?

- [Steve] We concur.

- Any questions from staff? I mean from alders here?

- No, motion to approve.

- Motion to approve by Alder Vander Leest. Seconded by Alder Stevens, all in favor?

- Aye. Opposed, OK, that passes unanimously. Item six and seven have been bumped to after nine. So now we'll go to eight and then 12. Eight, consideration with possible action on an application for an available Class B combination license by 304 North Adams Green Bay, LLC at 304 North Adams Street with a licensed premises that includes the hotel building, we have our attachments, restaurant, bar, bouquet, er banquet. I said bouquet Banquet and meeting rooms and guest rooms, staff?

- No objections from the law department.

- [Steve] The PD concurs.

- OK.

- Motion to approve.

- Motion to approve by Alder Stevens.

- Seconded by Alder Vander Leest. All set, OK, all in favor?

- Aye. Opposed, OK that carries unanimously. We go to 12. Consideration with possible action on a request by Green Bay Sports Service, Inc. at 1265 Lombardi Avenue to amend their liquor license to include an additional plaza area in front of the Johnsonville Tailgate Village, previously held at the July 9, 2018 meeting. If you remember, we were going to enter into negotiations to see if there was a fee or something we could collect for this. I guess negotiations are ongoing, but staff?

- At this time the City Attorney's office has no legal objection and we've Alder, err, Johnson's going to talk more to that.

- OK, Alder Johnson.

- So, I've had, as you may recall, I pulled this out at the council meeting, I wanted us to revisit the nature of our agreement with the Green Bay Packers, specifically how we manage pilot arrangements and also to better understand the issue that they were trying to solve in that area. I've since met with someone from the Packers as well as reviewed the contract. I think at this point I'm comfortable with us moving forward back to council this provision with the understanding that city staff sit down with the Green Bay Packers to be able to discuss certain provisions of our contract with them that fall outside of the need of this particular permit application.

- I guess that was our concern initially with that, and you feel comfortable with it just the way?

- I do, I mean they are essentially trying to address a customer service issue here and some of the bottlenecks that occur during game day, so I don't think that the provisions of the contract that have been under discussion directly affect the service that they're trying to provide by extending the premise.

- I think there was a perception that maybe there was a business going on there without, on a piece of Green Bay property and we were not getting benefit as a city from that. I think that was the perception.

- Well I still think--

- That is it, we're in negotiation with fee, we'll find with them.

- As long as you're comfortable with that.

- And that's why I'm saying with the understanding that staff continue to engage in conversation with the Packers about that issue that, again, is unrelated to the permit at hand.

- When we first passed this, I was unaware and I'm sure everyone else was unaware that businesses in the parking area of Lambeau Field are not taxed. I was not aware of that, so that became the issue is, this is a business that we're helping out whereas other businesses we help out in this way are paying taxes, so it was looked at, can we get some kind of fee, something or other, and that's what

the negotiations are doing, and they're ongoing. I feel confident we're going to do OK, so we can go forward with the liquor license, and they let the games begin.

- They're just two completely unrelated issues and I don't think that we should continue to hold up a permit application over something that should be addressed through dialogue.

- Good enough.

- And just remind the committee, it would have to be, again, waive the requirements for the outdoor patio and then done by 2/3 vote of the council, so that's the motion that we request that you make.

- So, a motion to approve with the waiving of the requirements of our ordinance for surrounding fencing.

- Motion to approve.

- Motion to approve by Alder Vander Leest. Seconded by Alder Stevens, all in favor?

- Aye.

- Opposed? That passes unanimously. Item number nine. Consideration with possible action on request by Alder Wery that all city campaign finance reports will be accessible on city website for duration of elected official's term, and five years after leaving office. Records are to be permanently kept electronically and available upon request. Previously discussed at the July 9, 2018 meeting. Staff?

- I'm the city clerk, Kris Teske. Right now what we have out there is just a term and then the start of the term. So I try and keep at least full term out there. Anyone that is exempt is not out there, so a lot of times I get questions, why isn't the mayor's out there? Because he doesn't have to file anymore, he's exempt. I'm not sure about this request. You know, Alderman Wery, when you're stating to leave it on the website for five years after they're out of office, so like for the mayor, you want 16

years out there plus five years? Is that what you're asking for? But he's exempt now, so he's not out there, so you're asking for anything?

- Well, apart from that.

- Well, he can speak, he's an alder, he can speak anytime.

- Yeah, thanks. I was looking for mainly transparency. It seems like once you're not able to file anymore or you don't want to file, it just disappears, and people might inquire as to who donated or what did you spend your money on in the last election or a couple elections ago, especially for people who are in office. I think that's something that we can put in there, it's readily available with electronics.

- So the issue is, then, first of all, the retention period right now as it's stated, is six years, OK? And the other thing is, and I did talk to Shelby in IT, and putting that much information out on the website is gonna slow our website down. So the information is always available in the clerk's office. Someone who comes in does have to pay, but they don't have to pay for their own, if they need to copy from, you know.

- Doesn't the state also keep track of this?

- Just the state, ours, local, isn't on the state website.

- It's not on the state? OK, that's why I was wondering if we could maybe just connect to them, but if it's not, we're not.

- So Chris, this has not happened before at all in your experience on the council?

- No, putting it online really is a recent feature of the last couple years. I guess, how long would we store the information if someone came in and just requested a copy?

- Well, it's six years.

- And then everything's purged?

- Yes.

- So we could change that to the term of the office-holder, plus five years?

- I think that'd be fine for storage purposes because that won't take up the, you know.

- Well, it's a word document pretty much isn't it?

- It takes up a lot Right, it doesn't have to be available on the web as long as we have it available, and we do have some of the more current on the web, correct?

- From 2016 on. From 2016 on, yep.

- Can I interject briefly?

- Certainly.

- The state currently is finalizing a revised records retention schedule. The city right now follows the state records retention schedule. That's how long we have to keep our information. So we've been reviewing the revised schedule, we are recommending that the city continue to follow the state's schedule. Once the state formally adopts that schedule, we will bring that forward to Protection and Welfare, or policy at that time, and if it doesn't meet the requirements of how long you guys want to

keep that information, you can recommend that that be changed, that those specifics be changed, but it does address election and finance and things like that, so we would recommend at this time, leaving it the way it is, we'll bring it back when the state finalizes their new plan. Come back if you don't like what they have to say, change it or recommend changing it, and then go from there. That's what we recommend at this time.

- Is there a timeline for that?

- I believe the next month?

- So that is quick.

- Yeah

- Usually if it's not this date, it's years.

- Yeah, yeah, yeah.

- Well, and I say that now, but. Since we'll be handling that anyway, this'll all wrap up into it as well.

- So then the motion should be what?

- We could receive and place those on file, and then when we, they--

- We'll be seeing it again, that's my point.

- Yep.

- OK, motion to receive and place on file by Alder Vander Leest, second by Alder Steuer, all in favor?

- Aye.

- Opposed?

- OK, that passes unanimously. Now, we are going to six, and then seven.

- So to six?

- This is six.

- All right.

- We're set, OK? Consideration with possible action on an application for a Class B combination license by State Street Pub of GB, LLC at 1238 State Street, formerly Loch's Bar with a license description of outdoor patio fenced area, bar storage room. Staff.

- No objections to the license. Couple questions on the outdoor patio. I believe there was an email from Inspector Rob Cormier in your packet. He indicated that he went out to inspect and there is currently no outdoor patio. So we would want some specifics on that because as you know we have requirements on those, so if we could get some specifics, that'd be great, and then you can decide how to proceed from there.

- Then we deny?

- Hm, no, let's find out, let's find out. Yes.

- Motion to open the floor.

- Motion to open the floor by Alder Stevens, seconded by Alder Vander Leest, all in favor?

- Aye.

- The floor is now open, please state your name and address, and if you haven't filled out one of the, please fill out.

- My name is Tera Hansen and I'm the owner of State Street Pub. I did bring some pictures, I don't know, that's what I was told to give with the outside part, there's a part that is, the building is on the corner, there's a part that's fenced that's just grass. Eventually what we would like to do is add on a patio out the back door and fence that in. So the one part is already there, but like I said, it's grass, and then the other part we would eventually do, probably next spring. They were doing told me when I applied for my license to make sure that if we were considering doing that, make sure you put it on the license, and then to take pictures and bring them with us, so that's what we did. Do you want me to?

- We'll take a look and then we'll.

- Yeah, OK.

- We'll go this way and back. So the patio?

- Would be right now where the parking lot is, there's a back door, and then the parking lot, if you look, the back of that is Bulldog's Bar, there's a fence all the way along there, and then we'd leave the

parking lot, in the parking lot facing the bar, basically running parallel with the bar we would make a patio to code. He said, do you remember how many square feet he said we could do? We kind of measured it out and marked it through to see where that patio would go, and basically that we would just have to add another fence where that patio is.

- I have a question right now. I'm just trying to get a handle on, the patio is how big?

- Are these pink locks?

- Those are locks, yeah, they were, that's on the fence because of before that it was Loch's. Before we bought it it was Loch's.

- That's not how you spell Loch though.

- No, it's L-O-C-H.

- Wow. I like it. And you want to stay with that?

- No.

- I guess the concern from the law department is that it's not built yet, so we don't know exactly what, if it's gonna meet the requirements, or even if you guys wanted to waive it if it doesn't meet the requirements. It's pretty simple to approve the liquor license and then add an outdoor patio once they have maybe more specifics. I think that's what we'd recommend at this point, you said not til next spring? So maybe approve the license now without the outdoor patio. Soon as you know more details you can have somebody come out there with measurements and submit just a little bit more detail.

- What about the grass area that's fenced in?

- You mean you want that licensed right now?

- Yes. I mean if we can. If we can't, my biggest thing is to get the license going for the bar so we can open, you know, that's number one. But like I said, the grass area's fenced in, we could start with that, I mean that would be my goal. If we can't, if we have to suspend that and wait until we get the patio part done, too, it's not, I don't know, there's not much of summer left.

- I guess that's up to you guys, I think we'd still recommend that it be just approved without the outdoor patio at this point.

- Have we done that that often?

- Done what?

- That in the past, something like this, approved--

- Well, a lot of times, bars will come back and ask that an outdoor patio be added, so that's essentially what would be happening here. Next spring they'd come back and ask for an outdoor patio and show you more details.

- I mean it's an established business, too.

- Right, it'll be, the bar will be licensed, they'll just come back and amend their license.

- OK, I'm fine with that. You?

- Well, you would like to do the grass, and then you'd be basically expanding your patio area. Right now your outdoor area it'd be just the grass area, and then you would come back to us if we approve that.

- With the patio part, yeah.

- With an expansion.

- You want to see the pictures then?

- Well, I remember them. So since then, I mean it meets our requirements.

- I don't believe the whole thing is fenced in. If this is what I'm looking at right here, I mean, then it kind of attaches to the parking lot here, right, without a fence?

- Oh, yeah.

- Just the side grass area.

- Yeah, OK.

- Randy, my comment would be that they could come back next month with that, and we would approve the liquor license now, and we could come back in 30 days with the fence.

- The blueprint, yeah.

- And that would probably be a good way to go.

- Yeah, that's acceptable.

- So, any other questions?

- No.

- Anything else you care to add? OK then, a motion to close the floor. Moved by Alder Steuer, second by Alder Stevens, all in favor?

- Aye. Opposed, OK, the floor is now closed.

- Motion to approve.

- Motion to approve without the fenced in area at this time, outdoor patio fenced in area at this time.

- Right.

- Do we have to state that we're waiting for the plan?

- Nope, just approve without the outdoor patio.

- All right, think that's fine.

- Permit without the patio. OK, the fenced in area, yep. OK, motion by Alder Steuer, seconded by Alder Stevens, all in favor?

- Aye.

- Opposed, OK that carries unanimously. Item number seven. Consideration with possible action on an application for a Class B combination license by Jam-Rock GB, LLC at 700 Bodart Street, formerly Pour Decisions. Staff.

- All right so, it looks like this applicant was approved for a different license at 708 Bodart Street in June of this year. At that time, the law department did object, we recommended a denial, I believe, based on some prior offenses. The committee did approve, so we're kind of in the same scenario here. Second, this is an Olde Main moratorium area that's set forth by resolution, but again, it's going to take over a licensed premise, so it would meet an exception. I think PD might have a little bit to add because they recently had an issue at 708 Bodart Street that the committee might want to be aware of.

- [Steve] Essentially we did a property referral to the actual landlord or the owner of the property, they'd had some underage people there. So it was a property referral that was done, but other than that, based on what's happened before at that tavern we haven't had as many issues as we've had there in the past.

- OK, is there anybody here for this? Motion to open the floor?

- Second

- Motion to open the floor by Alder Vander Leest, second by Alder Stevens, all in favor?

- Aye.

- Opposed? OK, the floor is now open. If you haven't filled out one of the forms, please fill--

- I already did.

- Oh, you have, OK, please state your name and address.

- Recordo Neil, 2263, apartment 24, De Pere, Wisconsin.

- OK, so you're starting a second business?

- Yes, I would love to. Regarding the underage ticket the last time I was here, I kind of talked about that a little bit. I had bouncers and one of my bouncers was kind of shady, so he let a few people in that wasn't of age that was related to him. I'm the one who called the cops because one of those individuals started a fight and I asked her to leave and she got in my face so I called the police and cop came back and told me that this girl was underage so immediately I fired my bouncer and put someone else in that position.

- I remember.

- I try to regulate the establishment as best as I can regarding that, you know I never serve underagers. I've been bartending for a few years, and I just want to provide a safe and fun atmosphere for people to consume alcohol, I would love to get this opportunity to continue to run a safe and fun establishment on 708 Bodart Street.

- And it's gonna be Jam-Rock?

- Yes.

- I thought Pour Decisions was a poor decision.

- Indeed

- So yes, any questions for this gentleman?

- I guess, like you were saying, you had that one incident. Have there been any other incidents? According to the police there haven't but--

- No I have not had any problems since then. Like I said, I've had issues in the past, but my partner, I had a partner that kind of misled me down the wrong path. What he wanted was not really what the city would work with, and I found that out, got rid of my partner, took over, and cleaned up the environment, and now it seemed to be--

- Going good.

- Sailing smooth.

- Can I ask a question?

- Certainly.

- It looks like, was there an incident on July 1?

- Yes, I had a party, those people were not in the bar. I had a party that had a DJ, and I had bouncers like normal. The Downtown was charging a cover charge and my people, they were posted online, and all of a sudden we got slammed, but we tried to keep those people from coming in, so I had three bouncers, one at the back and two at the front, and actually I'm the one who called the police

with that to help me clear the street off 'cuz it was like a fair over there. And they came and helped me clean the street off because there was all kinds of stuff and I didn't want anything to go wrong. That was the first day of my liquor license and I didn't want to look bad, so they came, they helped me clean it up, and helped me clean the bar out because it was super-packed and I didn't feel comfortable with all the spillover. It was about bar closing noise, and they helped me clean the street off and worked with me to clean the bar out, so it worked out pretty well.

- OK.

- I'm good.

- Anything else you care to add?

- No.

- OK.

- Motion to close the floor.

- Motion to close the floor by Alder Vander Leest. Second by Alder Steuer, all in favor?

- Aye.

- Opposed? That passes unanimously. Your decision gentlemen?

- Motion to approve.

- Motion to approve by Alder Stevens, seconded by Alder Vander Leest, all in favor?

- Aye.

- Opposed? OK that passes unanimously. We are now on to item 10.

- Did you mention that was also--

- Yeah, I did that at the beginning.

- OK, good.

- Yeah, I ate

- We're on 10 now?

- We are on 10 now. Consideration with possible action on appeal by Lisa Trotter objecting to the decision that her dog was declared dangerous, previously held at the July 9 P and W meeting, Officer Meves?

- That situation, Lisa and her husband or boyfriend had called us and surrendered the dog, it was too much of an issue, so that has been taken care of, I actually let Attorney Mays know about that I think two weeks ago.

- OK, so we would just simply receive and place on file?

- They surrendered the dogs themselves, they didn't want it. So they contacted the police and then.

- I think you would deny at this point. Deny the appeal.

- Deny the appeal, just go on, OK?

- Motion to deny.

- Motion to deny by Alder Steuer, second by Alder Vander Leest, all in favor?

- Aye. Opposed, OK, that motion carries unanimously. Item number 11. Consideration with possible action on appeal by Robert Hudson objecting to the decision that his dog was declared dangerous. Officer Meves.

- Officer Meves and a humane officer, a patrol officer with the Green Bay Police Department. On July 16 I have received an e-mail from our police chief Andrew Smith after he was contacted by a Karen Teckmeyer. This woman had a dog that she brought over to her parents house while she was out of state in Minnesota for them to pet sit. They live over on Ninth Street, I believe it's 994 Ninth Street. So her parents, Dawn and Gene Moss were pet sitting the dog and there was an incident that had happened on July 15, I'm told possibly around two o'clock in the afternoon.

- Excuse me.

- And Gene Moss went outside to let the dogs out to use the bathroom, he had one of his chihuahua dogs and Karen had a smaller dog, I believe her name was Cinnamon or something like that, and then a small beagle mix dog named Snoopy. There was a dog from the adjoining property that had scaled, it was a large-breed dog that had scaled a four-foot chain link fence and attempted to attack all three dogs. Two of the dogs were injured as a result of the incident, one of them sustained a small pea-size puncture to the top of its back. That dog was maybe a 10, 11 pound chihuahua dog named Oso. Karen's dog, Oso is owned by Gene and Dawn Moss. Snoopy sustained, basically a mauling, where he had to be rushed to the Animal Referral Center that afternoon. He was assessed by the vet techs and the vet staff there at 3:10 in the afternoon according to their staff. I have a couple of photographs

that were provided to me by Karen. I also went and assessed the dog. Karen at that time, when I went to go investigate the incident, was out of town. She was still in Minnesota, so I talked to her over the phone and then went to her parents' address because the dog was still there. The dog looked in rough shape. It had a drain hanging out of its neck and it required several sutures. The drain, and the jugular vein was actually exposed on the dog's neck and if it was over two centimeters the dog would have died. So the concern that I have, obviously, is that we don't just have one incident, we have a dog escaping, a large dog that scaled a four-foot fence. I think better precaution should have been done with a large-breed dog. It went into someone else's backyard, Gene is elderly, he walked out there with a cane. He witnessed the incident. Neighbors next door, Sheldon and, I believe, Linda Haig next door to the west heard the incident as it was happening, and they heard the yelping and everything else like that. Gene had to try to fend off the dog with his cane and everything else like that, and he was hollering and swearing and upset given the circumstances, obviously. The dog then scaled back over the fence. I'm told that the dog hung its front paws over and then kind of inched up with its back legs to get over this four-foot chain link fence. After the dog was treated, Gene and Dawn brought the dog to the Animal Referral Center, got an invoice, I believe it was like \$431. Gene walked over to the home, the dog is owned by Robert and Jenny Hudson, went over there and let them know what had happened, and then Robert Hudson later went over to his house and accepted responsibility, I'm told. Another neighbor overheard this, that he was taking responsibility, said I'll take care of this and whatnot. Well that happened on July 15. On the 16th, I was alerted by the chief. I then made contact with the dog owner Linda, she said she wanted to press charges. Her father was like, well, my dog's not as injured as bad, I want to do the neighborly thing and hopefully they'll pay the bill and whatnot. So Karen wanted to proceed with charges. At that point, I then went to go talk with Robert. I then realized that Robert and I had prior contact when I denied his permit in November, November 27 of 2017 last year when, I believe, he was living at 837 15th Avenue. At that time there was a concern of some ordinance violations, un-vaccinated animals in a home daycare, too many animals, not enough space. At that time, yes?

- Yes, I remember.

- Right, so at that time, they tried to get stipulations to allow him to keep the dog, but you know, he was going to find a place outside the city. But then they didn't want to put stipulations in because it could not be enforced. So then, unbeknownst to me, this was approved, I guess, by full city council and I was not aware of that, and I felt like I probably should know about it because I'm the one that has to enforce these issues and I'm gonna be called if there's a complaint. So that was approved, I want to say, December 6 maybe? And I did not know that. So then, through my investigation this time around, I discovered, well, Mr. Hudson still had the third dog, and he's now just relocated to a few blocks over from where he previously was. So at that time, I had issued him a citation for keeping more than two dogs, I had issued him a citation for animal, penalty for an animal causing injury or damage to property, it's a \$178 ticket. And then he said, well, I have minute notes and stuff like that and I wanted to verify with the city as well what the minute notes were because he said it was approved by full city council. So I did get the minute notes, and it did confirm that yes, there was talk about him relocating outside the city but there was not gonna be any stipulations, so he was approved to have the third dog. So I met with him, I removed the citations for keeping more than two dogs, obviously, because if he's approved to have it he's approved to have it. I did write an animal

violation notice 'cuz according to our city's dangerous dog ordinance, I have to write, in written form, a dangerous dog declaration to say that you have five business days to remove the dog based on this. So the dog met the criteria of a dangerous dog to be in the city. We had multiple attacks on one day, we had the dog scaling the fence and everything else like that. Mr. Gene Moss walks around now with a canister of pepper spray in his own back yard, he doesn't feel safe. I have safety concerns about this, based on that. We've had a dog almost die. I don't want to risk anyone else in the city to deal with this. I don't believe that the dog is aggressive towards people, but I do believe that the dog has some issues with other dogs, likely smaller dogs. There's different kinds of aggression, food aggression, animal aggression, people aggression, whatnot. So I issued him a notice to have the dog removed. On July 16 I had given him a written notice to have the dog removed from the city limits by the 23rd, July 23. I left out of town. Now I explained to him in person twice, once at the police department, and once when I was at the home there explaining and investigating this situation with another officer and I explained to him the process. I gave him a copy of the dangerous dog ordinance, here are the criteria, this is what's met. I explained the appeals process, I said you have to remove the dog from the city limits within five days, five business days, if you choose to appeal, here's the process, you can be heard in front of the Protection and Welfare Council members to address this issue. So he understood, then, he again, inquired by phone and I explained it to him by phone again. When I went on vacation, I was out of town. He put it upon himself to contact my supervisor Lieutenant Matt Cain. Lieutenant Cain is not familiar with any of my animal ordinances and what I've done and that sort of thing, and I was unable to be reached. He then granted Mr. Hudson an extension until I came back, even though he was advised on what the ordinance said and that sort of thing. So he granted him an extension and told me to follow up with him on the 25th. On the 25th, I got a voice mail, I believe two voice mails from Mr. Hudson and one from his wife Jenny. I contacted his wife Jenny by phone. I think it was about 3:15 in the afternoon that day and explained, well, my call was forwarded to a voicemail so I left a voicemail message explaining who I was, explaining that I recognized that there was an extension granted. I did not approve of it, however, because this is what it is. Obviously to have the dog removed from the city limits or a citation would be issued. So then I met with the city attorney Rich Mays the next day on the 26th. We decided to meet with Mr. Hudson. Mr. Hudson did not agree with me because of lack of evidence I'm told, and that's why he didn't feel he had to remove the dog. So while on the property, I was there with Mr. Hudson and his wife Jenny along with the city attorney, and the dog was still there, at which point the city attorney Rich Mays had said basically if you don't remove this dog, the humane officer can seize the dog and bring it to an isolation facility for holding. So, then ensued an argument and back and forth about why this is the way it is. I was accused of having issues with mastiffs, which is the dog's breed which I love. I tried to explain that we don't have a breed-specific ban legislation, I don't believe in that, I have multiple dogs, heelers, whatever, labs that are problematic. I feel like we should address the behavior of one animal so that it doesn't happen again. And in this situation we have multiple dogs that were attacked, two of them injured and one of them mauled that almost died. So that's where we're at. Mr. Hudson then immediately removed the dog from the city to avoid me seizing it and bringing it to the shelter and avoiding fines and fees associated with that. Then I believe they went to social media to rant about how awful our city is and our city ordinances, and that's where we're at. So if I can, I believe that there are several other people that are here to speak to it. Mr. Hudson also said that he was not going to be paying for the bill because he did not witness his dog scale the fence or cause an attack. If I may?

- Yep.

- May I ask quickly, you said the dog was removed? Where was it removed?

- I believe it was in Sobieski or something like that, it was outside the city limits. I'm told I'm not to need an address. This is the dog, Cain. This dog is owned by Karen Teckmeyer, which is Gene and Dawn Moss' daughter, which I think she's right there. It's, I'll show you some pictures, so what I have to show you. This is where Dawn and Gene Moss reside. Sorry, my color printer's out.

- That's all right, that's fine, black and white works.

- Yeah, and we save money on ink, I suppose. So this is where Dawn and Gene live over on Ninth Street. The front porch, this is the backyard. They have a completely enclosed back yard, and this is the fence that is shared between them and Mr. Hudson, I believe it was 1228 14th Avenue and 994 Ninth Street.

- Whose fence is that?

- I'm not familiar, not sure. I would ask zoning or something like that to find out. But this is the fence, this is the side view of the area, and apparently Snoopy the dog was cornered here. Oh, OK. I guess she's got some lotline. But anyways, so the dog was cornered here, and the other dog was, Oso--

- The dog came over the fence, and--

- And attacks, all three dogs were in the backyard, Gene and Dawn were pet sitting and that sort of thing. And one of the dogs, this is the little guy, Oso. He was first attacked and Gene went to go deal with him and then saw this other dog go over by Snoopy, the beagle mix, and nail him really bad, and that's when he went over there.

- But with him, she was there?

- Yes, he was there, correct. Do you guys have a copy of our dangerous dog ordinance at all?

- Yep.

- The criteria that have to be met? OK, and then this is the bill from the Animal Referral Center, as well as the extension that my supervisor granted.

- But that was an extension that was just granted til you came back to deal with it, correct?

- Right, and I advised them by a voicemail which Jenny Hudson later had saved and replayed back and I, the thing is, I don't want to have to repeat myself over and over again, I get exhausted.

- I guess the question I have, Mallory, is that, OK, you were gone, and your supervisor made a decision to extend, is there, do you have any other backup as far as when it comes to this?

- No.

- How do you?

- The city panics.

- OK, well.

- The city panics when I'm not here. And I'm just, frankly, I'm honest with that. To be honest, I've been off the last two weeks, I came back today, I had 378 emails and voicemails to get back to people and two bats in a refrigerator that were involved in a rabies case, so I stay quite busy. I would like, maybe in the budgeting, a second one. Here's the original notice, if you need to see my paper-written notice.

- This is, yeah.

- I issue a carbon copy, I just want to make sure that you guys have it to show that both were there. And I do believe the bite injuries are consistent with a larger breed dog, just so you guys are aware. Do you need this at all?

- I've seen 'em, and you've seen 'em all?

- And I believe that there are people here to speak to this as well other than myself.

- So, with the plot line here.

- This would be the northeast corner.

- OK, so this--

- They have a long property that extends west.

- So they did move to a bigger property?

- Right.

- Which was our concern with that.

- So the dog came over, over here?

- No.

- Just refresh my-- Oh, let's see here, so if this is Ninth Street, this is 1228, the dog scaled the fence right here.

- That's what I was asking, back there.

- And apparently they had witnessed the dog hanging over the fence multiple times and they were kind of worried the dog might get over the fence.

- Well, that's why I was asking about the fence because if the owner would build the fence high enough so that the dog wouldn't get over, that's why I was asking about the fence.

- Right, and to me, it's like, if you have an animal that's larger and capable of escaping or whatnot, you don't put a horse in a two-foot fence. If you have a large, an extra large-breed dog, the same things have to be done. If it's a concern where the dog is hanging over the fence, put it on a leash within the fence, just simple precautions.

- And no matter whose fence it was, the owner could have put their own, if it wasn't their fence, they could have built a fence taller right next to it.

- Right, and the dog was off property at the time these incidents occurred. It did not happen on the dog owner's property. Correct, it happened on someone else's property in their own fenced yard.

- Yep. Any other questions for Officer Meves?

- Nope, thank you.
- Motion to open the floor.
- Motion to open the floor Alder Steuer, second by Alder Stevens, all in favor?
- Aye. Opposed, the floor is now open. Anybody here to discuss this? OK, yep.
- I would ask that you swear in anybody.
- Oh, for this? Oh, I don't think we ever did that before.
- The language is on the paper I gave you.
- Yes, good. I will mess it up.
- Number four.
- Yep. Do you solemnly swear that the testimony you shall give us in this matter shall be the truth, the whole truth, and nothing but the truth?
- I do.
- Please state your name and address.

- Robert Hudson, 1228 14th Avenue, Green Bay, Wisconsin.

- Oh, I think we did do that now, this is starting to sound familiar. Yep, the cogs are rolling. I don't think I did it as good as this, though.

- No, yours.

- Mine was a little different. Yep, so here we are, I'm glad that you moved to a bigger spot so we're good.

- House is twice the size, yard is twice the size. And we just moved in, July 1 we moved in, so we were only there for two weeks. We have a plan set up with the current landlord that we are putting a six-foot privacy fence up. Half the yard, well, not half. Probably, what, 1/3 of the yard, one side's six-foot privacy fence, and then it's four-foot fence around, so the fence from the property line looks like it's Gene's fence because it's about that far off the property line. So what our plan is is to put a six-foot privacy fence the rest of the way around the whole yard which then would basically, my dog wouldn't be able to jump it. Even so, we went through it. Did you guys get the videos and pictures I sent in?

- Yep.

- The email? All right, so we did get a professional dog trainer that actually specializes in aggressive dogs and everything, we have the videos of our dogs going around with other big dogs, and we also have videos of our dog being around smaller dogs. All the times that we had 'em, there was no aggression. Our dog wasn't acting out or trying to attack them. He was more curious than anything. So for that part, we did go farther because when Officer Meves and the prosecutor came to our house we offered her to try and get our dog to jump the fence because we know our dog couldn't jump the fence, and we had the dog trainer actually trying to get the dog to jump the fence both with another dog on the other side, her dog, plus there was, where the dog's currently at, their neighbors, they have a four-foot fence, they currently have a collie that's on the backside of the fence that he just runs along the fence where he doesn't have any interest in jumping it. Then the south side of him, they have a puppy German shepherd over there, and my dog, he just goes over and looks at him, has no interest in jumping the fence. So for that, going through the dog trainer, where he's currently at, he's currently housed with another dog, shows no aggression with the other dog, so I really don't feel he has a problem with other dogs or people as we showed pictures of him with kids, and he basically tolerated anything the kids put on him.

- It's your contention that it wasn't your dog that did the attack, then?

- I don't feel it was. Ever since the whole incident happened, I went over to Gene's house, talked to him about it, I said I have no problem paying for the vet bill if you provide me proof that my dog did it. I called them later, I think it was Tuesday, I called him, I said, hey Gene, can you give me the veterinarian reports so I could have my vet compare my dog's jaws and stuff, because my dog's only, was 10 months old, so he's still a puppy, 68 pounds. And he said, yep, I'll get that over to you, I called him the other day, I'm like, hey Gene, check and see if I could get it, he's like, well my daughter took it over and she's refusing to release the medical records. So, my concern is, I'm just wondering why they're refusing to release the medical records to let me compare with my dog. If it's truly my dog, I have no problem paying the pet bills, but I want the physical proof that it was my dog. My dog has no marks on him, I checked before and after, before pictures basically right after the incident, like the day after. Took pictures of his underneath where if you were to climb the full length fence and got over, he would get scratched, but we had two police reports, did you guys receive one of the police reports or just both of them?

- I believe we have them both, if I remember. I remember looking through the documentation.

- This is from page 239 to 262 it looks like if that helps.

- Well, if you go.

- Is it on the agenda item?

- It's in the attachments.

- OK, I'm looking, there's a number of attachments.

- Oh, I'm looking at the entire packet.

- Yeah, she's in the other.
- There's pictures, there's several letters. There's an animal violation warning in here.
- I got six PDFs listed here. Is it one of those?
- I thought it was, but it, yeah, I think it's in the report.
- Agenda item report?
- Officer Meves has the details.
- I read it, where'd I read it?
- I know for the previous one there was police reports, so I don't know why they weren't in this one.
- I'm just listening, Mr. Hudson, I just wanted to, you know the fact about the three dogs, and our ordinance says two dogs.
- It's not relevant, it's not relevant.
- All right.

- Completely different issue, and actually he took care of our concerns with that was the house was too small and he moved to a bigger house, so I believe it's not relevant to this at all.

- Well there's a few attachments are labeled Hudson appeal and Hudson. I think those are the two files you're looking for.

- Yeah, it follows after. Yeah, yeah, yeah, yeah. It starts out with his written, but then after.

- Right as always.

- Knew I read it somewhere. Well, I don't know if you have a witness.

- So, basically there was two police reports done. There was one done on the, that was done before the 23rd, so the week after the incident happened, I went and filed to get my police report, got it, and then when I met with Officer Meves on the 25th, because her lieutenant told me to wait til she gets back because from what he saw in the reports is the reason I needed to get rid of the dog was 'cuz I was over the two dog limit. So he wasn't sure what was going on, he was like, so before you do that, wait til she gets back, and then I will get back in touch with you. So me and my wife, we were under the understanding that we were gonna hear back, I think his name's Matt? That we were gonna hear back from him, so that's what I was waiting for. I didn't hear anything so I took the initiative and I called the prosecutor who I was working with who also was aligned with, OK, let's wait until Meves gets back, figure what's going on. Called him and was like, can we just set up a meeting, have Officer Meves and you come over to my house, I'll take a lunch from work, come home, and we can figure out what's really going on here, and what's going on. At that time, I was talking to Officer Meves about telling her I don't believe my dog could jump and clear a four-foot fence. On the original narrative sheet that she wrote on the police report, she puts in there, the dog jumped a four-foot chain link fence. And on that, on the bottom towards the end of it, she said that he jumped the four-foot fence coming back. So basically, jumping it, in my eyes, is jumping over the fence and clearing it, possibly hitting its leg or something getting over. On the second one after I told her I don't believe my dog could jump the fence and clear it, she updated to the new one, she updated it saying the mastiff Cain scaled the four-foot fence saying he climbed it now, attacking the dogs, and then he put his front paws over and managed to get back over the fence on the second one. Also a difference, the first one said he attacked the beagle-Russell Terrier mix first on the first report, and then attacked Oso second. On the new report she switched it up and now said he attacked Oso first and then attacked the beagle, so the stories between 'em both, they're changing as they go. So I don't know what to believe at 'em. And then she also added a witness of Linda and Sheldon who live next door to Gene that they heard the dogs barking and yelping and they overheard Gene yell, but when I asked 'em about it they said they didn't see anything and they didn't see my dogs outside. So in my eyes, I

don't see how that's considered a witness when you don't see anything. A witness in my eyes is seeing something that's actually going on. Also in the second report she added in that the incident happened at 2:00 PM and they brought Snoopy to the animal, or the veterinarian emergency clinic at 3:10. If the dog was seriously injured that bad, I just don't understand why you'd wait an hour to drive 10 minutes to bring the dog in. The dog's just gonna get worse in its condition. And then the referral, and then back on the first report again, she labeled Cain with mastiff, and she emphasized the mastiff part, she said he was between 80 to 100 pounds. On the second one, on the updated one, she updated saying he's estimated a hundred pounds. Before we shipped our dog out, he was roughly 68 pounds before we sent him over to our friend's house to be taken care of. So there's another one where things are changing in there. And I don't know if you're too sure with Argentine Mastiffs, Argentine Mastiffs, their average max weight for a male is around 100 pounds. It's between 80, 90 to 100 pounds. He's 11 months now and I'm sure he's maybe 70 pounds, 75 give or take, but I know when we first moved him it took a week before he really got comfortable and started eating. On the first report when she declared Cain dangerous, she declared him dangerous because he jumped and cleared a four-foot fence attacking three dogs, and then when she corrected it on the second one, she labeled him as dangerous because he's gotten over the fence and attacked the dogs. Now if he'd just barely gotten over, so it's just misreading on the reports here, the first report again, Meves put in there, "Now Robert is responsible for the bills "incurred in the result of the injuries "caused by the dog Cain." On the second report, she changed it to saying that "Robert has accepted responsibility for the incident "involving the dogs and met with Gene and his wife, "met with Gene after his wife Jenny Hudson "informed him of the incident. "Robert is liable for all the bills caused." With that regards, I never once accepted full responsibility without the proof. My thing was I want proof, and she put that in there saying that I accepted full responsibility. I don't, I actually have a third party that was at my house when her and the prosecutor came over and discussed it and she emphasized again, saying that I took responsibility when I didn't. Around the timeframe when this incident happened I was in my backyard, well, I got home around 1:40, 1:50, I have GPS on my phone and I can show you the pictures and show you what time I truly did get home. We had got done going shopping, I basically unloaded this vehicle, got everything put away, and then I went out back and I started cutting off the branches. We cut down trees on Saturday which was the day before the incident supposedly occurred, and I was back there trimming up trees. So I was in and out of the house in that timeframe, but, also in Meves' report, she said that Gene claims I was not home at all when this occurred. So I asked her, why wasn't I approached as soon as it happened being as I was going in and out outside, you obviously would have saw me go out there, is I would have brought it to my attention earlier what was going on being they didn't leave to go to the animal clinic until 3:00 PM, so they waited an hour to leave. And then also with it, going back with Meves coming over, I asked her if she could do a DNA swap of my dogs, of my dog to verify if it was his bite marks in her. My aunt's a veterinarian down in Appleton and she says with dog bites that are life threatening, they do a swab of the wound to hopefully get the saliva of another animal which caused it to match with the DNA for this kind of instances. She came back saying they didn't do that and it's not something that's normally done. And I asked her how am I supposed to truly have proof that my dog did it besides the veterinarian saying. Or she told me that Gene and Karen told her the veterinarian said it was a large breed that attacked it. Well, in my eyes, if my dog truly did it, I would have been outside, most likely I was outside. But also, she informed me that there's not really any other large dogs around in the neighborhood. But across in front of me the guy has two dogs, and there's people walking large-breed dogs, labs, labradoodles, I saw a collie. So there is large-breed dogs in the area that, I'm just asking for proof that it was actually my dog, where the proof is, not just a he said, she said thing. And so far to this day, I have yet to get the veterinarian report, I have yet to get any proof that it was actually my dog. When I offered DNA swab tests or anything, I was upfront to do whatever she needed to me to prove

whether it was my dog or not. Another thing, as well, that was brought to my attention from a friend is she feels that this got a little blown out of proportion because Karen personally knows Chief Smith at the gym that he attends to. So she emailed him directly with the personal experience that he talks and asks about the dog and stuff is that he pushed down to get it done. With Meves hearing from her chief saying hey, figure this out, I feel that she's more pushed to get something done and get a quick answer and get it said and done with without actually looking into it. Because with the whole time of her coming to my house, she has yet once took five minutes to listen to my side of the story that I was outside. Every time I tried telling her I was outside working on the tree branches and cutting 'em down so I could get rid of 'em, she kept cutting me off saying Gene didn't see you outside. So I just don't understand how it's one-sided that you're taking one person's word to basically make a decision to rip a family apart.

- Questions?

- Very comprehensive, appreciate your insights. I'm gonna have some questions for us.

- But I do have copies of both reports if you guys are interested in looking at 'em. When I went and got it, she said I should keep the first one in case there was any changes, which, good thing she did because it's quite different.

- You weren't in the yard when this incident occurred?

- Well I don't know because in the timeframe around 2:00 PM, I wasn't outside. When I was outside, my dogs, nine times out of 10, they'll either play against each other or try chasin' birds which, obviously, you can't catch, or they lay down on the ground and just mind their own business. So when we lived at 837 with the smaller house, we had four-foot fences and there was a section where we had a flower bed that made the fence roughly almost three feet, and there were smaller dogs on the other side. I think it was a Yorkie or something? Whatever, it was a smaller dog and a medium-sized dog that would run back and forth on the fence barking at my dogs, and Cain never jumped at them. So I just don't see it why all of a sudden now he would jump the fence because of the other dogs. It's just, he's been around other dogs before and he hasn't acted out once. So that's why I'm so, should I say bent, on trying to get proof that it was my dog, because I personally just feel from the dog. I know the way he is around my kids, the way he is around my, I even have cats in my house and he doesn't attack 'em. My cats actually defend themselves, so he's actually, on one of the videos I sent you guys, is him with a smaller dog, and he's scared of the dog. The dog snaps back at him and he backs away from the dog.

- Questions? I just want to be clear, you were there, but you ran out, but as far as you know, the incident didn't happen.

- Yeah, from the time I was out, when I was outside, doing it, I didn't see anything happen, but that was around the timeframe around 2:00 PM which was when I just got home so I just got started trimming branches. So I figured I'd probably leave the house like 2:30, 2:40, maybe. I don't know, I don't sit there and watch the clock when I'm clipping off branches, I'm more worried to get it done.

- OK. Thank you, anyone else here for this item? OK. Please state your name and address and if you haven't filled out a form, please fill out a form.

- My name's Karen Teckmeyer, I live at 335 Crossgate Lane in De Pere, I am the owner of--

- Swear her in, sorry.

- Oh, well, right. I should. Swear 'em in right away or after they give the? Doesn't matter? Right away, OK. I probably should do it right away so I don't forget. Put that right there. Do you solemnly swear that the testimony you shall give us in this matter shall be the truth, the whole truth, and nothing but the truth?

- I do.

- On July 15 I was over in Rochester, Minnesota waiting for my Mayo appointment on Monday and I got a call from my parents eight or nine o'clock that night in my hotel room that there was an incident at their house that night or that afternoon that, everybody's OK, but Snoopy was injured and, of course, I dropped, my jaw just dropped, and come to find out that he was attacked by the dog in their backyard. And I just asked 'em, why, what happened, what's going on with details. My dad said that he let the dogs out, the dogs charged to the fence because there's squirrels back there. We don't have trees in our yard for squirrels, and my older dog Cinnamon knows that there's squirrels, so she always bolts to go get the squirrels 'cuz they're always on the fence line. And as they were going at the fence, Cain, this is hearsay to me 'cuz I wasn't there, went and leapt over the fence. How he got over, I don't know, if he jumped like a deer, if he crawled it, I don't know. And he went to, first he chased Cinnamon, which is my older dog, she's a 24-pound beagle mix thingy, and she outran him, but then there's Oso that he went at first my dad said, and he went and nipped at Oso, pierced his back,

and then Snoopy panicked when he was watching this and ran into the fence, the corner of the yard, and then he went after Snoopy. And my dad said that by the time he got over there he had Snoopy in his jowls, and was just whipping him around, and my dad said, he walked over there and said, get your ass back over that fence, pardon my French, then he looked at my dad, turned around, and went right back over. Linda, my parents' neighbor, Linda and Sheldon, Linda heard my dad yelling, get back over that fence. They did not see it, nobody witnessed it except my dad, obviously. But Linda heard it and then after it happened, my dad was all shook up, he went into the garage, 'cuz he wasn't thinking about Snoopy being hurt at that moment because he's an old gentleman, he's 81 years old. He was in shock then, he said he went out in the garage and he was just trembling 'cuz he just, he approached this dog after it attacked Snoopy not thinking that it was gonna turn around and get him. So, as the neighbors heard Snoopy running into the house howling, my dad finally realized what was going on and walked in and saw that there was blood going from the patio door, across the wood floor, through the couch, and up onto the blinds onto the windowsill. Snoopy was trying to get away from any harm, and thought going up on the windowsill would be his ideal place, and that's when my parents realized that he was severely hurt. I do have on the vet bill here that he was, they did get him in around 3:10 PM. Now shortly after my dad noticed that there was injuries done to Snoopy, he walked over to Robert's house right away and knocked on the door, and asked if her husband was home and she said not at the moment. She goes, well, will you send him over to my house when he gets home because his dog just attacked my daughter's dog. So I don't know how long it was from that point to when Robert entered the house, but as soon as he got home, he went to my parents' house and apologized, said that I will take full responsibility of this dog, I will pay these vet bills, please send them over to me so my parents handed him the invoice right away from the emergency room, and he said, I will take care of this, I will pay you at the end of the month. Sheldon next door heard that part because he was in his living room which is right next to the door from, it's not a great distance from my parents' back door Robert was, to where Sheldon was and heard him say this to my dad, he will take care of all the vet bills. So after that, they took him to the vet, he was treated, he had a drain tube taken out. I did contact the vet, the emergency again and ask if I could have any kind of documentation if they wanted they said they can't, there's no determining what size dog did this, all they know is that he was bit in his right shoulder and it went over into the left side of his ribcage where the big puncture wound was, and then he had two more to the side of that yet. But they said there was no way they could say if this was done due to a mastiff or a large large-breed dog, or just because of the fact of he's so small that it wouldn't take much to bite him. So they did not do that, that's all I could do, and that's the reason I did not release the medical reports because at that time, you know, he said that day that it happened he will take responsibility, but then it was kind of weird that after I contacted the authorities, he's retracting that now. So, my dad now is terrified to go out in the back yard. When he goes out, he ties the dogs up on a leash and takes 'em out into the front yard. If he goes into the backyard he'll stand on the patio out with the dog on a leash, let 'em go potty, and then he takes 'em back in. He's got a sign on the gate to the backyard saying vicious dog or mean dog, precaution or something like that. As far as what Robert said about the other dogs in the neighborhood getting at 'em, my parents have very little bit of fence that's exposed to the front of the sidewalks, and there's no dogs to the right side of them and there's no dogs to the left side of them. His dogs are the only ones that have access to their backyard. If my dad was taking them for a walk, which he wouldn't 'cuz he cannot handle Snoopy and his other dog Oso at the same time, so there's no way he could have had them out of the yard to get attacked. I've talked to other neighbors around there who have seen these dogs, they have seen his dogs fighting with one another where he's had to step in and separate them. And then others saying that, 'cuz I had walked around with a petition explaining the story, let 'em read it, and I just said, a large-breed dog did this to my dog, and the guy said, well my dogs, who are like 25-30 pounds, he says they can jump over a fence, and any jump dog

can jump over a fence. My parents' dog, they have a rat terrier mix, she can clear their back patio door. When she wants in, she jumps just like a kangaroo, she bounces up, she has to clear three or four feet 'cuz she wants in the house. My big concern now is I am not a homewrecker. I hate the idea of the dog being taken away, but the dog that day was dangerous, it hurt my animal, it hurt my father's animal, and almost got my other one. That would devastate me if it was my dog. Would I take responsibility if somebody came knocking at my door saying your dog just attacked my dog? Absolutely, you know, it doesn't have to be labeled as a vicious animal, or anything like that. Dogs can attack at anytime. So, my dog bit your dog, OK. That's fine, I will take responsibility of it. I will not try to get out of it because it does happen so I don't label any dog, no matter what the size, a vicious animal 'cuz all dogs can attack at any time. I just want my parents to be safe, to be able to go out into their backyard where they have been for 20 years and not have to worry about something else happening to Oso or my parents' other dog. I'm heading out of town tomorrow, they're dog sitting again tomorrow for my dogs, and all of us, we're scared right now, because if he comes back, can we trust it? Is he gonna come back over the fence? I don't want to take a Russian roulette and find out with my dogs. So I just want my vet bill paid, which, overall, is \$470, and I don't mind if he gets the dog back if there is a six foot privacy fence put up. But I do not want that dog back in that backyard until I know that my parents and all the neighboring people are safe from him going out. Because I also had people telling me when I was out walking the other day that live across the street from Robert and Jenny saying that their dogs have been in their backyards even. They walk out alongside the house somewhere, I don't know, but they have seen the dogs in their backyard and they actually remain in the house until the dogs leave again. So I'm just scared for the people that are around them. If he's done it once, he's liable to do it again, and I'm just scared for everything and everybody around him.

- I guess I just have one question, maybe I'm missing something here, but it sounds like your father might have been the only witness to this?

- He is the only witness except the neighbors that heard, it was Linda, and then somebody a couple houses over and across the street actually heard my dog yelling.

- And your father is here?

- Yes he is.

- OK, I'd like to hear him.

- OK, he'll be next?

- Any other questions?

- Thank you.

- Yep, yep. Anybody else for this? Looks like we've got a couple others, but. Yep, please fill that out if you haven't filled that out, and do you solemnly swear that the testimony you shall give in this matter shall be the truth, the whole truth, and nothing but the truth?

- Yes, sir.

- And your name and address.

- Gene Moss 994 Ninth.

- OK.

- Well that's my daughter's little brown dog which weighs about 20-25 pounds. I left my little chihuahua which weighs about 10, 12 pounds, and Snoopy which weighs 10, 12 pounds. For some reason because this dog the day before in one particular incident, he had his paws were over my neighbor's fence, this much above the dog would be above the fence. So this dog is big, and I have no reason to lie about it. So first of all, this dog did come over the fence. He did not jump, he climbed over the fence, and I've seen it. The first time I was here to that flag away. The second time I was right on top of the dog. My one fence this way, the other fence is this way, using that corner, I broke up and off him Snoopy, a black and white one. I was within a foot of the dog, and the next thing I think of is waving your arms and everything else that they claim like with a bear, make yourself as big as possible. They don't want, you know, to scare and calm the dog down. So I'm screaming at this dog, Linda and my neighbor heard it, Sheldon. Four houses beyond the library, he came over and wanted to know what the big dog fight was about, what my screaming was about. Now this guy is over half-a-block from my house and he heard it. The guy next to him who has moved since also heard me, he came over, another friend of mine, and said what was the big dog fight over there. I did

scream loud enough, why they didn't hear me, they must be deaf if a guy half a block away can hear me or better, they sure as Hell should have been able to hear me. As far as jumping over the fence, he did not jump over the fence. He put his paws up on the fence like this, and I was looking, was turning looking at the dogs that are behind me, I look back, and here he came right over the fence. He put his paws up there, his hind paws, he shoved himself over the fence. At first he chased the brown one Cinnamon, which is about 20 pounds or so. He got away. Then the next thing you know he had a hold of my little chihuahua, right by the side like this. Now, lately his latest is that Cinnamon did this, only problem is Cinnamon can't hold his mouth open that wide. 'Cuz the side of my chihuahua's about this wide, he's a little chubby little guy. So I got away from that, they ran towards my patio, my seven-year old. All of a sudden I heard this screaming, I turned around quick and here he had a hold of Oso by the throat and just shaking the living Hell out of him. And I broke that up, and then I got him in the corner, I said you're gonna stay here, or else I'm gonna get bit. So I'm about, oh about like this. So if you call this one fence, this the other fence, I'm about here, the dog is right in here. I'm just screaming and screaming at him. He turned around and put his paws up on the fence the same damn way and took his hind feet and over the fence he went. So don't let nobody tell you it wasn't their dog. I'm not blind, I got pretty good vision, and I've seen this dog before. So it was his dog, no question about it. OK, first of all, we did not wait an hour to take him to the doctor. We got in the house and the blood all over the place, he's up in my bay window he's that scared. All the way in the back from where he was attacked, through my house he's just screaming. And I went in the house, I says Dawn I looked at him, I said, Dawn we gotta get him to the vet. I call our vet, she says, oh you take him to the emergency vet, it's quite a ways away I don't know what street it's on, my wife could tell ya. But anyway, got him out there, so it wasn't we waited an hour. I didn't wait 10 minutes before I took him to the vet. So that's another lie. Another thing. Also on the corner of my place just by coincidence, I walk around the neighborhood with my daughter two or three times a day with walk on leashes. I come up out of the house, and I know this guy, he's got a big, nice black lab. The black lab is a wonderful animal, it's about 15 years old or something. Anyway, he says, I'm just telling you about your dog attack. The guy said, we talked about it, he says what's the guy's name? I said what do you mean, is the guy's name Robert? I said yeah, he said that dog attacked my neighbor's dog. The same damn dog, so don't say he doesn't attack dogs. I don't know who this fella is because he doesn't want to have to come forward. OK, as far as the fence. My daughter measured it as 44 inches, wasn't it, Karen? 44 inches tall, 'cuz obviously there's pileups and stuff. My neighbors, they heard me screaming as did the house four houses behind the library, it's a big white house. John's his first name, and his wife. And the house next to him heard me screaming. Why they didn't hear me screaming, I don't know. After we got back from the vet, I says, Dawn, I hate to do it, they're pretty nice people as I talked to 'em and visited with 'em and stuff, I said, somebody's gotta pay this bill. So I took it over there, his wife said no question to you, we'll pay it, there's no question, any other bills, we'll pay 'em. As far as me waiting an hour, I'm not worried about the doctor bills, I'm worried about the dog. So I did not wait an hour. This dog, we went around, my daughter, we went around the neighbors in our block, and that block, I don't now how many signatures we got, quite a few, they want the dog gotten rid of. Everyone of 'em, they're afraid of him. Far as him working in the yard, sorry. He wasn't working in the yard. I was out in the yard, and he was not working in the yard. There was no chainsaw running that day, maybe he used an ax, I don't know, but there was no chainsaw running that day and there were branches cut down this big. And the tree up there, his dad, I think, did most of the sawing on the branches. I myself have heard this particular dog fighting with his other two dogs. I heard it, you can tell the difference when a dog is playing, because I have two dogs that play all the time, and when the dogs are fighting. It doesn't take a brain surgeon to figure that out. OK, as far as proof that it was his dog, it was his dog, I'm a foot from it. Why did he go over

his fence instead of taking off the other way? And when it went over his fence, where'd it go? To his back door. That's all I've got.

- Thank you. You've seen this dog before, correct?

- Oh yes. The day before, the day before, like I said before, well the four-foot fence they call it, his paws are like this on the fence, so this much of the dog was above the fence. There's no question that it was his dog. First thing it did when it come over the fence, was hind feet on their side of the fence, and just shoved himself forward. He turned around right in front of me like I say, I got him in a, I'm a foot-and-a-half from the dog at most. And it just turned around, feet up on the fence, took his hind feet, over the fence it went. As far as it jumped, no it didn't jump. It crawled over the fence.

- And would you be, for yourself, I mean your daughter mentioned that she would, if they put up the fence and paid the bills, she'd be fine with that. Is that satisfactory to you, or do you feel?

- I don't think the dog should be in town. I took my spray out because I didn't know if you allowed it in the building. I won't go in my own backyard. And I won't take my dogs, won't let my dogs in the backyard. I take 'em out on the front yard. I usually go to bed about midnight, 11:30 right around there. I take my dogs out in the front of my house to go to the bathroom 'cuz I won't go in the backyard and be afraid of that dog. And what a person needs three large dogs for, I don't know. As far as he told me 80 pounds, Robert did. He came over right after, well, when I talked to his wife and she said she'd pay all the bills, he came over a short time later, he went to the store or something, I suppose and he apologized for like an hour, he said he would definitely pay for all the bills, any coming bills. I, my neighbor, we'll get into that with you. My neighbor wasn't in the house, he was sitting on the front porch. And from the front, from where I and Bob were standing by the side of my house to the corner where he was standing was maybe here to that thing there, maybe a little further to his front porch, so my neighbor heard all the conversation that we had about him paying for the dogs. Any other questions, please?

- Not at this time, but thank you

- Thank you. Someone else on this? Do you solemnly swear that the testimony you shall give in this matter shall be the truth, the whole truth, and nothing but the truth?

- Yes I do.

- And your name and address please.

- My name is Brian Bosher, 1117 Jaymar Street, we're in Howard-Suamico, we are actually where the dog has been staying since July 27 and will have a little testimony on that particular dog with aggression. The night he came home it was about 11:00 PM. The dog was there for the first time in a new environment. It was late, it came inside and within, I don't know, a minute of being in the house the dog was already over licking my hands. So to me right away, I knew that that dog didn't really have an aggressive tendency. To be put in a situation that you're unfamiliar with, territory late at night, an intruder entering the building, an aggressive dog would have easily had an issue with that. We have an adopted pit bull mix, another breed that is looked at as a bully breed, and do believe that this plays into the matter at hand. Who cares if you have three large dogs or three small dogs? What you choose to have is your own. And our two dogs play together very well. Again, they've never met before this incident. In fact, I haven't known Robert Hudson longer than about a week and a half, two weeks now since the dog's been staying at our place. Our daughters know each other through dance and that's the only way we've been acquainted at this point. Our daughter plays with him, lays on him, runs around him, couldn't care less. Doesn't have any issue with the two cats we have. The dogs play together, and for those of you that aren't familiar with dogs, dogs playing and dogs fighting, sometimes you think they're distinguishable, but these dogs roll around, wrestle each other. Our dog bites at his ears and pulls on his collar when he wants to play and is rather annoying to him, and he's never once made any sort of aggressive lunge or anything like that towards our dog. Hasn't done anything towards our family, any of us, myself, my wife, our son. There's been no signs of aggression at all. We also have a four-foot chain link fence in our backyard. We are surrounded on two sides by dogs as he mentioned, and Cain does nothing but play with the dog along the backside they run back and forth. Our neighbors on the other side also, they don't have dogs of their own, but they often dog sit for two or three of their children bringing over German Shepherd puppies, one of them is a boxer who has a bit of a temper as well and being outside he has never made any attempt to jump the fence, scale the fence, whatever you call it. Is he big enough to put his paws up on the fence? Sure, but I've never seen him make any effort to get over the fence at any other dogs even when the trainer came to our house to kind of test their dog, and, obviously, you have a letter that deems it non-aggressive. The dogs played together, her trained dog, our dog, their dog, they all played in the backyard, no aggressiveness, no fighting, no nothing. He's extremely well-behaved. He listens immediately when you tell him to go in his kennel for the night or do anything like that, he's a well-trained dog, he listens to commands. He has no aggressive tendencies towards us. He plays with multiple dogs no problems. And as much as I'm not a witness of the situation that went on, I can testify that this dog should not be removed from his family, has really done no harm or no harm that's been proved at this point. Without seeing the situation, I'm not sure how you could distinguish which dogs were yelping out loud, so it's hindsight til I've heard, so. Questions?

- Questions?

- No.

- Thank you. Anyone else here for this.

- Yeah, I'd like to say something.

- Just a second I gotta swear you in. Do you solemnly swear that the testimony you shall give in this matter shall be the truth, the whole truth, and nothing but the truth?

- I do.

- And your name and address please.

- Sheldon Haig, 998 Ninth Street. The only thing I wanted to say is I witnessed their mastiff attacking their rottweiler three different times he had to pull him off. That's the only point I wanted to make. The dog is aggressive.

- That's it?

- Nope, that's it.

- Any other questions? Thank you very much. Yep, you can speak at it if you like.

- Thank you.

- Hello.

- Hello, do you solemnly swear that the testimony you shall give in this matter shall be the truth, the whole truth, and nothing but the truth?

- I do.

- Your name and address, please.

- Samantha Castor, 1476 Navigator Way Unit 50 in De Pere. I've known Rob and Jenny for five years. We have been good friends of theirs. We have a small dog, he's a Yorkie, he's a Yorkie-Maltese mix. He's about seven to 10 pounds, he's been around their dog. They just got him not that long ago, a few months ago when they got the permit for him, and our dog is very territorial. When it comes to larger dogs, he's been around a family member's dog who is a lab and a much bigger dog and he will growl and become very defensive, especially if there's me or my husband around or our kids. And our dog Charlie has been around Cain and he has growled at Cain, he has barked at Cain. Cain will sniff him and turns his nose. We have brought our dog around him, we've never been concerned ever that he would do any harm to him. Otherwise we would keep him home instead of him being around the other dog. Our dog was involved, he broke his leg, so he is a very fragile dog, he's very timid and skittish but he can be a little territorial like I said. We also have kids we've never had, we brought our newborn around Cain. I know the question is with smaller dogs specifically. My mom has smaller dogs, she also has chihuahuas, and I know how yippee they can be and they charge to the fence barking at everything and anything that they see. My mom has our dog's brother, I've seen them play, and I've several times said that I was concerned if they were gonna hurt each other, but they're playing. It sounds like they're hurting each other, but that's just how dogs play. So that's something that I wanted to point out, we've been around all three of their dogs. I don't care for larger dogs, I am obviously not very tall, so they tend to jump up on me and I just care not to be around them. I don't mind being around their dogs. We're very good friends, we've gone over there several times, I've been in the backyard that they're talking about. Their dogs are very go with the flow, they have five kids, Jenny does daycare. It just doesn't make sense to me that an aggressive dog would be allowed in a house with that many kids and we would never feel comfortable bringing our kids or our dog around a dog that is mean. My brother has a pit bull mix. That dog, I'm scared of, so that would make more sense to me. Cain is very dopey, he's very just roamy, he lays down a lot, he's very cuddly, and it's weird to describe a dog like that that's that big because you get intimidated, but honestly, I've never seen any aggression come from him and I've known them for five years and I've known Cain since they first got him. So I just think that's important to know. That's all that I want to say.

- Thank you, you have questions? Questions, no? Anyone? Well, we'll leave John for last. Let you get the last word, so in the meantime, yep, go ahead if you have something else.

- It's been brought up that our dogs charged the fence so that gives the neighbor's dog the authority to climb over the fence and attack them even though they're in my yard. How does that make sense to anybody? As far as their dog did it, I've seen him do it, not once, twice. Over and back. It did not jump the fence it more or less crawled over the fence. So don't let anyone tell you that it didn't do it and it wasn't their dog. I know it, you want a lie detector test, bring it on. And I'll take it. It just irritates me when people stand up here and lie and lie. Another thing I'd like to bring up. Have all these dogs had their shots? I don't know.

- I believe it was, I don't know if I'm getting it mixed up with the other report?

- There's cats involved, the cats didn't have their shots.

- If we can just check on that.

- Yep, anything else?

- Yeah, I'm wondering about these shots on cats and dogs, if it's enforced. I get letters all the time from the city when mine are due, we take 'em right immediately and have 'em done. But he did climb the fence.

- I'd like to clarify a few things.

- Yes, please.

- I do not type my own reports. I send them to the transcriptionist who then type them out, and I go in and make corrections. So, thus, the differing in reports, OK? Obviously, talking with Karen, her information and then speaking further with her father, scaling, jumping, you can get technical, it is

what it is. I never once, everyone's claimed that this dog is great around kids. I never once said the dog had people aggression or food aggression. I'm saying that the dog meets the criteria of our dangerous dog ordinance. So call it what you might, but it indicates "without provocation while not under the control "of its owner, chases, confronts, or approaches a person "in a menacing fashion while off its owner's property "and it is clear that the dog is not merely being protective "in a particular set of circumstances. "When unprovoked and while off its owner's property "approaches a domestic animal in a menacing fashion. "When unprovoked and while off its owner's property "causes a non-severe, non-bite injury "in a menacing fashion to any person or domestic animal." So right there it's criteria. It's called the dangerous dog ordinance. I'm trying to explain that we have a dog that scaled a fence, we have an eye-witness, we have a witness who heard it. It's my job to investigate these circumstances. I take it seriously and when I have three dogs that are attacked, two of them injured, one of them two centimeters over and that thing would have died, I have to take that seriously, I do. And as far as Mr. Hudson's dogs being immunized, I'm going to assume that they are. I don't know when their expirations run out. As far as I understand, if he obtained dog and cat licenses in 2018, or 2017 like he was instructed, if it was November, December that's the time when our new 2018 tags come in and I want to say that they were available like December, and when I was first here, I believe it was November 27, he was instructed to get licenses, he was not aware that he had to have them. He then went and got them and that's when obviously, afterwards it went to full city council. So I just want to clarify that. I think some people are confused about the dog, the kids can lay on the dog and whatever. That's not what I'm saying, there's a difference. There's absolutely a difference. Thank you.

- We'll give you the last shot.

- All right, so just to bounce back on both Karen and Gene's statement. Karen went up and said that Gene came up to us right away when the incident happened before he went to the vet, and now Gene's saying, which is true, what Gene said, he did come to our house around 7:15, I was coming back from Home Depot, went over to his house around 7:20, 7:25 give or take. So what Gene said was correct, Karen's was a little bit off because he didn't come to our house right away. Secondly, I don't think anyone said it was OK for a dog to jump a fence or scale a fence if approached by another dog running up a fence, it doesn't give a dog a right, there's no true reason would give a dog a right to attack another dog whether it's barking, growling, whatever it is, at him. It just doesn't make sense. Finally, with rabies shots and everything, as a dog owner, I am, if my dog was attacked by another dog, the first question would be, is your dog up to shot and rabies. That'd be the first question, wasn't asked to me or Jenny when they just dropped the invoice off, apologizing, said here's the bill, they never once asked if our dog was up to shots. My first thing if you're truly caring about your dog's health after he's been attacked, you want to make sure that the dog that attacked it was up to date on its shot. My cats that we had at the time when she came over we were, took 'em in for my parents with the whole health issue and stuff. When she came to visit and when we had stuff that we didn't know was correct we went through and corrected the process. The cats had their vaccines done middle of November. When we got the tags and everything, vaccines were good for a year. We got the tags from the city that were good for 2018 to end of 2018. All the dogs are up to date on shots because we couldn't get 'em unless we had everything up to date which I brought the proof to you guys when I was here last. So we did follow the steps that needed to be done, so following the

steps of getting our animals up to date on everything which I didn't know when I was house sitting my dad's cats I needed to have 'em up to date. So that was a new lesson for me, and then the other violation we had was animal feces needed to be picked up every 24 hours which was new to me as well. So we did correct those things, so I held my word on that. Another thing that was in question, she said our house was too small and the yard was too small. We upgraded the house, got a bigger size house, and we also doubled the size of the yard. So I just want to let you guys know, when I gave you my word, I've been keeping my word every step of the way. I know she brought out that I was looking to get out of the city of Green Bay which is correct. When I was here we were looking at a house up in Suamico with three, I think it's three or four acres of land. But when we went and looked at it the electrical wasn't up to date, so in reality of purchasing a house, it wasn't realistically affordable to go through and rewire the whole house. So that would have just cost way too much money so we passed on that and then when this opportunity came around with this house on 14th, the yard was twice the size, fully fenced in, and the house was twice the size. We went from a 1,000 square foot house to, I think this one was right around 1,800 square feet, a little bit bigger, four bedrooms, like that. So it is a much bigger place, so that's the other part I did keep my word on. So I just wanted to let you guys know if I tell you something, I will keep my word on it. That's one thing I stand by is I already plan on putting the six foot privacy fence up, and we will get it put in place. So if that's one of the questions like Karen says is to get the fence put up, I have no problem putting the fence up, that's not an issue to me. So, I'm still sitting out back on the part is, I still want the proof that it was my dog. Anyone can say anything whether they did or didn't do it. Karen came up here and said there was four puncture wounds or something on the dog, I was only told there were two now, so and my question is, did my dog made my dog jump, maybe, I don't know. But could her dog and Gene's dog get into a fight because they're not actually from the same house? Chihuahuas and Jack Russells are both high on the aggressive list of dogs. So they both are up there. Could those two have gotten in a fight and that's why those two are the only ones that are injured? I'm not sure, which is why I keep asking for proof. That's all I have.

- We've heard some testimony about interactions between your dogs?

- I don't believe that one bit. I know, one day when we first moved in the kids let the dogs out of the front door and they ran out the front door. Cassie ran out through the front and then Cain and Clay ran to the backyard to get to the gate, and then Cassie made a big loop and then ran to the back of the gate. So I'm not sure if that's what they mean that the dogs are running around, but when we first moved into the house, probably the second or third day, the kids opened the screen door and the dogs went out and they wanted to go outside. Our old place, we'd let 'em out the front door and they'd run right to the back gate because that's how I train 'em. When we let 'em out of this one, they ran out the front door running alongside the house and went to the back gate. So whether if that's what someone meant by them running around, then yes, they did run around the front yard but they went straight to the back gate. But attacking someone else's dog? News to me, I never once heard it, I've haven't seen any of my animals with blood or anything on 'em, and with them saying that my dogs were attacking each other, my dogs play all the time. I know probably before Cain left, I know him and Clay which is the shepherd-spaniel mix, were playing and Cain's teeth actually got stuck up on his collar up here as they were playing and they both started squealing. So I did have to go unhook 'em because his teeth were stuck. So what are you supposed to do, you're not gonna let

'em choke each other. So I don't know if that's regarding to. And then what the neighbor said about my dog attacking a rottweiler, I don't own a rottweiler, so I don't know--

- [Alder Johnson] What do you call it?

- It's a hound-lab mix. But never once, Cassie the hound-lab, she's the alpha of my dogs. She is the one that won't let anything fly. I don't see Cain attacking her, he knows better. My dogs do play and obviously dogs do go with each other for dominance and Cain's at the bottom of the totem pole. He's the one that puts his tail between his legs and gets down because he knows that if he retaliates, my other two dogs will put him in his place because they train him how he needs to act around the kids. If they feel Cain isn't being good around the kids, they'll literally get between Cain and Clay or Clay and Cassie will get between 'em, push him out of the way if they feel, and that's how they train him. I train my dogs and my dogs help train dogs to show him what he needs to do. Do I have control of my dogs? Yes, when I'm with 'em, like Brian said. The dogs do listen to commands, they understand what they need to do. Yes, I do have control of my dogs, so.

- Was Cain immunized?

- Yes, so he had to be, so before we had to get the third dog that Meves did decline us for, we had to be up to date on shots which the owner that had him before did all his tester shots and he couldn't get his rabies shots until he was three or five months or something.

- [Officer Meves] Five months by state law.

- What is it by what?

- [Officer Meves] Five months by state law.

- So by five months, so with the vet, you have to wait til they're so old, but then with the state law, you have to have 'em by a certain timeframe. So I think I got 'em around four months. He was born in September and then we had 'em done in December, and then I got his tags middle of December because then the following year tags were already to get his registration because they gave us, I think

it was six months to get your dog registered of age. So before he reaches six months, obviously I got his vaccines and stuff, shots done and then I went and got him registered. So I did follow the correct steps that Meves put in place.

- No more questions.

- OK, thank you.

- I'd just like to comment on Robert, on something he just said. He said his dogs don't leave his yard, how come his neighbor across the road has had 'em in her backyard? That's not Robert's yard, that's the neighbor's across the street's yard. And not once, four, five, six times they've been over there. In the neighbors yards. So don't let him talk at you about going to the front door to the back, 'cuz I know better and so do you.

- Has she reported that?

- No she hasn't, they just go in the house and lock the doors. They're deathly afraid of 'em. They just go in the house and lock the doors. They see 'em coming, they're in the house.

- Is she here today? She's not here today?

- No, we've got her, all her information.

- [Man in Audience] Then sit down.

- I do have one more thing here. I walked around their neighborhood just a few days ago and I did get some signatures from some of the neighbors that have either adjacent yards or just within that vicinity of my parents' house and his house so if I may give it to you guys.

- Yes, please.

- Thank you.

- OK, so this is the letter that was presented to the neighbors and they signed. Got two, four, six, you can tell, no quickie.

- Could I be able to read to see what that says?

- Sure, I would think so. That would be appropriate.

- Do you mind if I say something before we wrap this up? Sorry. I did want to mention. I know Mr. Hudson had mentioned that when Attorney Mays and I were at the property I said, yeah, let's take a look at the fence thing, and we were actually ordered off the property by his wife after she swore at us, so we left. We were told that we were not welcome there and we were obviously not very welcome there. So I'm not going to sit and assess things back and forth on this, so I just wanted you, he said that he offered to deal with the fence thing when I asked about it, we went into the conversation about what the proof was. Attorney Mays has said we have an eye-witness, and that sort of thing and that's no different than a car accident, and obviously the conversation did not go well and we were asked to leave at which point we did. So, if I could add that.

- OK, yep.

- You want this back?

- You can hand that. Do you solemnly swear that your testimony, that in your testimony you shall give the truth this matter, shall be, let me try that again, please. Do you solemnly swear that the testimony you shall give in this matter shall be the truth, the whole truth, and nothing but the truth?

- I do.

- State your name and address please.

- Oh, I'm sorry. Adam Castor, 1476 Navigator Way number 50, De Pere, Wisconsin. I was the third party at Hudson's home the day that Officer Meves was there. I don't know about swearing, but I know that Jenny was very upset. But there was never any ordering them off the property. We just, we had, they said we had to have the dog removed, and I believe Officer Meves said that we're done here. She decided to leave, she was not ordered off the property. Just want to make that clear that that was not the case.

- That all?

- Yeah.

- Any questions? OK, thank you.

- Motion to close the floor.

- One last call, anyone else on this?

- I just have one last thing to add. I know that this story has been talked about between a lot of people because obviously Rob and Jenny have a lot of friends, they have a lot of friends, and every person that we've explained everything to, they don't seem to quite understand how the only witness is one of the owners of the dog who has a benefit from saying, yep, your dog did it, I want this paid, I want this done. I think that typically a witness should be somebody who's not gonna benefit from saying what they need to say in order for the situation to be swayed their way, so I think I just want to point that out.

- Motion to close the floor.

- One more, one more.

- Just a question for the attorney.

- But we have one more.

- Oh, I'm sorry, I didn't see that.

- And you can speak up anytime.

- Swear me in.

- Yep, yep. Think I have it memorized by now. Do you solemnly swear that the testimony you shall give in this matter shall be the truth, the whole truth, and nothing but the truth?

- Yes.

- Your name and address, please.

- My name is Linda Haig, 998 Ninth Street. I live next door to Gene and Dawn and my backyard also runs along the Hudson's backyard. I have no problem with them having the dog there. I love dogs, but I did hear the attack and as I came out my back door, that's when their dog just got back in their yard. I didn't see the attack, their dog was the only one in the whole neighborhood that was out in the yard. Gene was very upset, shaking. I was a little more concerned about him than I was the dogs at the time. I occasionally cut his backyard, I always cut my backyard. I'm afraid to go in my backyard all the way up to the fence again. Like I said, I love dogs, their dog has never bothered us, but I'm afraid after what had happened if they are allowed to put the tall fence up, great, I don't know if they'll get approved since we already have a fence there, I don't know what the issues are about that. I don't have a problem with it, I hate to see them lose their family pet, but if it ever threatens me or

my neighbors, I will shoot him plain and simple. I will carry a gun out there and if I'm ever intimidated or threatened by that dog or any other dogs, it'll be gone.

- [Officer Meves] Don't just charge while roaming the city.

- Yeah, yeah.

- I'm telling you, I'm not gonna get attacked.

- Motion to close the floor by Alder Stevens. Seconded by Alder Steuer, all in favor?

- Aye.

- The floor is now closed.

- It's just a question that I had, Kristen. Because the comment was made that they may have something to gain from today's testimony. For clarity sake, this body does not have the ability to order payment on damages, correct? So I wanted to be sure that we got those facts correctly.

- Right, we cannot put any conditions at all. We can't enforce those at all, yeah. Including the fence. Well? Questions, comments amongst each other?

- Well, I'll tell ya, these are never easy situations. You know, with this committee we've dealt with a number of these issues over time. It really comes down to he said, she said type of testimony and the fact of the matter is that everybody was sworn in, so you take that seriously. So we all, everybody's telling the truth, at least they say they are. So it really comes down to me, with the witness that was there. The gentleman was there and it's hard to argue that, so you can put all sorts of clarifiers on that, and say well maybe he wasn't in the right spot or are you sure it was our dog. The fact is there were no other witnesses except you and I have a hard time having somebody overturn that. I'll wait

for the other staff or committee to talk but I'm leaning toward the dog and the owner there, the person who witnessed it.

- I concur with him.

- So my motion would be to deny the appeal.

- Motion to deny the appeal. Seconded by Alder Stevens. I was, I think, too, that the sworn witness, that testimony has to be accepted. And that I can understand having a hard time given the dog's, what we know of the dog, but I believe is accurate with the dog that it's been very friendly with many other dogs, with very many people, a sweet, loving dog. Kanye? Cain? Cain, I want to call him Kanye. Cain. And I was going to ask, no, I'm still gonna ask this 'cuz I'm still toying with it, I'm not sure, if we held this for three months and came back to it and at this time, people could testify whether bills were paid and fences were put up, we could do that can't we?

- You can hold it if you'd like.

- So that's one way we can insure.

- [Alder Johnson] Would holding it require that the animal be kept outside of the city?

- Until, yep. So now, that was gonna be my suggestion until the nextdoor neighbor said he feels very strongly the dog should be removed. We've got witnesses of neighbors who feel the dog should be removed, so now I don't know. I thought that might be a way to go if everyone, if the neighbors and the next-door neighbor agree that the bills were paid and the fence were put up they would be satisfied with the dog. It does seem to be, it was certainly an extremely aggressive action. It may be inexplicable, do we know this could happen again? Well, if it happened once, it could happen again, but it does seem out of character for the dog. But does that, is that any kind of guarantee that it wouldn't happen again? If it happened once, it could happen again. I'm gonna, I'm gonna, well what do my fellow alders think about holding it for three months if Mr. Hudson agrees to pay the bills and put up the fence? What do you think of that?

- Well, I think part of it is, the neighbors signed the petition, it sounds like the entire neighborhood is, I mean how many petitioners were there? Probably 12, 13 something like that. You know, and like I said, it's one of those situations where sadly, we need 100% not 99%. 99% of the time it's probably perfect, the dog is perfect, but sadly in a case like this if you slip 1%, that can be it. I would love to allow that, I'm gonna stay with my original motion.

- I'm the same.

- OK, I was thinking that I was going to, if everyone was on board I would make that, push for that motion, but given that the next door neighbor, well, the neighbors are afraid, the neighbors would like to see it as well. One neighbor would like to see the dog removed and the petition that many of the neighbors would like to see the dog removed. I'm afraid I agree with you that I think the dog needs to be removed. It was a very serious offense.

- That's my motion.

- Any other discussion? All in favor of denial say aye.

- Aye.

- Opposed? OK, that passes unanimously. Item 13. Ready

- Yep. Consideration with possible action on a request by James Tesch in regards to the denial of his operator's license. Staff?

- The law department is actually recommending approval of this appeal. The applicant has a felony conviction, but it's our opinion that it does not substantially relate, it was for failure to support a child in 2016. So we recommend approving the appeal.

- [Steve] PD concurs.

- Motion to approve.

- I'd like to just make a, can I say something?

- Sure, it'll cost you a nickel.

- His owner Will Leebergen is here as well. He talked to me earlier today and he vouches for him. If you'd like to come up?

- Well--

- Well, I'd like to open the floor and let him speak. If I can do that first.

- Sure, if he wants to. Motion to open the floor by Alder Steuer.

- Just for a minute.

- I mean, he called me as well. All in favor of opening the floor say aye.

- Aye.

- Who seconded?

- Alder Stevens. If you could put your John Hancock on the paper and state your name and address and do you solemnly swear, oh, wait a minute.

- Will Leebergen, 7333 Casey Lane Sobieski, Wisconsin. Sounds like the police department, it was held up for something else that wasn't disclosed on the form, so there isn't really an issue with it.

- Yeah, it's not so much the form, it's state law that if you have a felony, so that's what bumped it.

- Well, it seems it wasn't held because of any liquor related offense or anything like that.

- Right.

- OK, then, I don't have much to say against it.

- I was just looking for your.

- Yeah, I agree. I'm not gonna put someone in this business or in bar business as you get a ticket on your personal name, and I'm not going to hire somebody for this spot and risk getting a ticket, so I wouldn't stand here without knowing, that I would get a personal ticket on my personal name what by having him at my establishment, so that would be.

- You vouch for him?

- Yes.

- Yes, that's all I wanted to hear. OK, motion to close the floor.

- Motion to close the floor by Alder Steuer. Second by Alder Stevens. All in favor?

- Aye.

- Opposed?

- OK, the floor is now closed.

- So, motion to approve.

- Motion to approve by Alder Stevens.

- Second.

- Second by Alder Steuer, all in favor?

- Aye. Opposed? That carries unanimously. Item 14, consideration with possible action on a request by Amy Geronimi, Geronimi. Geronimi, Geronimi, did I say that?

- It's Geronimi.

- Geronimi.

- He was a teacher, too, so.

- Oh, I see, kind of like Geronimo, Geronimi, cool. In regards to the denial of her operator's license. Staff.

- Same thing here, the law department is gonna recommend approval. The applicant has a felony conviction, looks like it was for intimidation of a victim or a witness in 2002. Not only does it really not relate, it's very old.

- [Steve] The PD concurs.

- Concurr, good.

- Motion to approve.

- Motion to approve by Alder Steuer. Seconded by Alder Stevens, all in favor?

- Aye.

- Opposed, no. That carries unanimously.

- Thank you.

- Thanks for your patience.

- Number 15. Consideration with possible action on a, are we ready?

- Yes.

- Your fast, you're gonna have to teach Joanne.

- I could be doing it all wrong.

- Oh, OK, yeah. Consideration with possible action on a request by Alder Wery which reads, "Due to constitutional concerns, "conduct a complete review with possible action "of changing or removing the city's code of conduct "and ethics ordinance as previously held "at the July 9 P and W meeting." Officer, officer. Alder Wery.

- I have a question, how long will this take him?

- How long will this take? Oh, we could take a five minute break, yeah. Motion to take a five minute recess? Motion by Alder Stevens seconded by Alder Steuer, all in favor? Aye, aye.

- I can't believe that planning commission's still going.

- Yeah, John's not back yet, they're still on that one item?

- They had one item.

- Wow. I might as well take a break as well. What the hay? We'll have a quorum in the bathroom, is that an issue?

- I was in the middle of that because Gene was in my district for 10 years. Great people, good people. A bunch of the people back here were kind of, all live in my district. They're both wanting me to come up on behalf He lives in the ninth district?

- Well now it's in?

- Not your district.

- Yeah, the border shifted. Well, why don't we just listen and see how it goes. I like the lady being honest.

- [Steve] About shooting?

-Yeah. I would only do that if it were in your yard and it were attacking you. Not like, it's over the fence and it's growling at you.

- [Steve] Exactly.

- Oh, thank you, we have a handout.

- I always have a handout.

- I think you gave me two copies, or were they different?

- Oh, no, thanks, might have run out. Felt like old times.

- Well he is a squeezable.

- What happened to it, is so help me God. Does that get cut out? Maybe that's just for courtroom drama, I don't know.

- Courtroom's Anonymous.

- So he's logged out?

- Oh are you?

- I don't know.

- He's got a technical issue there. He's got a blank screen spinning.

- I can see it on here so I can just do his.

- OK. All right, motion to.

- Motion to resume. By Alder Steuer, second by Alder Stevens. All in favor?

- Aye.

- Opposed?

- Okay, we are resumed, Alder Wery, it's yours.

- Oh, it's good to be back.

- P and P now, right? I think next time, I think next time. This time we're still P and W. PP, I kind of like PP.

- That's on tape.

- I don't know if I can vote on my machine either, or if we do.

- Anything that's not, we've been, as long as it's unanimous, she can do it real easy. It's when we split that we--

- I can mark somebody no, too, I can mark it as a no.

- All right.

- Let's see, I think, who was here for our ethics ordinance and policy? The three of us right, and?

- Yeah, three of us.

- I'm actually learning about it right now. I'm just gonna state, I'll make it quick. Steuer hasn't heard it, I don't think. As you already know our ethics policy and ordinance has been a heated point of contention with many claiming it's not constitutional, parts of it aren't or aren't legal. My proposal is there's this CityEthics.org, I'm gonna give you the handout. They've done classes on this, they've helped cities around the nation, they're really experts on it. As you saw on the email, their proposal was to review it. She didn't think it would be more than \$500, she would just like a list of questions and she'll read through it, but she'd like some ideas of what we're looking at. Her last, I'll just read her first comment was, "Hello, I took a quick look at it "and it covers the basic areas. "I would not have the mayor choose "all of the ethics board members. "I did not do an in-depth review of the ordinance, "that would take me a few hours." And then she mentions how it shouldn't take her more than \$500 or under to review it. This is what she does for a living, her name is Carla Miller, she's a City Ethics founder, former federal prosecutor, ethics officer for the city of Jacksonville. I think we

just take three, four weeks, collect questions from council members, send it off to this person and have them answer it, come back and go put it to rest. 'Cuz I voted for it. I voted for the ethics policy when it came through, but I think Alderman Chairman. Alderman Chairman. Chairman Scannell, you remember when we passed it, we said, like we always do, ordinances aren't perfect right out the gate, they never are, if we needed to tweak it in the future we can tweak it. I don't know if we're necessarily looking to get rid of it, but maybe there's parts of it that this person who's helped so many other cities might say, hey, you know, we can get jobs, probably here and there if you just reword a few things. That's really just my proposal is we take questions from council members for the next couple weeks, send it off, cap it at 500.

- The payment would come out of general fund?

- Or the legal fund, but yeah.

- Yeah, yeah, yeah, they can afford it.

- Nothing but money.

- They might usually have this fund for outside counsel, they do have a fund.

- Do you have some questions already that you would like?

- I would if it gets passed, and I'm sure others would, too. You know, things that you wondered like, hey, you know what, this doesn't sound right.

- I'd be comfortable with that, I would be.

- Yeah, 500 bucks is.

- So the motion would be to?
- To approve.
- Approve, OK, I would approve that.
- Any questions Alder Stevens?
- Nope, I think that I'll second it.
- OK, motion by Alder Steuer, seconded by Alder Stevens. How long, a month?
- Well, whatever you think, I mean two weeks.
- Two weeks, yeah, I was gonna say, it shouldn't take long. Two weeks for Alders to?
- Submit questions to the legal department?
- For our next meeting?
- No, no, to submit questions to legal.
- Right, but this'll be on our next meeting?

- No, I don't think so, no. 'Cuz it's gonna go off to them, they gotta bring it back.

- I'm sure once it comes back it would.

- Yeah, once it comes back. But we don't know when.

- Just a note to the ordinance, the ethics ordinance actually does, it provides that the ethics board can refer amendments or changes to their own ordinance, I don't know if that necessarily eliminates you guys as doing the same, but typically for a change or if they wanted to eliminate it, we would refer to actually to the ethics board, they would discuss their own changes to make to their board. They know how it works, they know the process.

- Oh, so it wouldn't come back to us, it would go to the ethics. Well, that's fine.

- Depending if they change the ordinance, right?

- Yeah, they change the ordinance it comes to us.

- The policy?

- Yep.

- We can hit that bridge when we get to it.

- Well, I'm not sure it's a bridge, I think it's an overpass.

- What's over, actually?

- An overpass.

- I have a question. So if you guys all passed this ordinance, then why is it being questioned now?

- Well, in practice, we weren't sure how it was gonna work out. And it's been some glitches, I'd say. There's a number of things I was thinking about that night, it's a long night, I should have taken better notes.

- It was pretty contentious at the time.

- Yeah, and as Alder Wery said when we passed it, we didn't know what changes, we figured we could always tweak it as we went along, and maybe it does. I think it probably could use some tweaks.

- Based on what other cities are doing.

- Yep, yep.

- So, that's my motion.

- I have a motion to approve submitting questions to the legal department to refer to CityEthics.org for a review of ethics ordinance. That sound right?

- The funding to come out of general funds, two weeks?

- You want to cap it at 500, too?

- Yeah, cap it.

- Don't leave 'em an open, they'll take two weeks to review and send us a 5 grand bill.

- Yeah, yeah, yeah, yeah.

- We need the questions back to legal within two weeks, correct? I mean, you're gonna get that out to all the alders?

- Well two weeks from, let's make it two weeks from council. 'Cuz that's when this is approved, right? We're just recommending. So it'll be two weeks from council, then everybody on council will know. So it'll be two weeks from council, then capped at 500, and when they get back to us they get back to us.

- Ask or forever hold your peace.

- That would be September 4?

- So help me.

- Ooh, September 4 is right after Labor Day.

- Well, are we good? I gotta get off the planet, are we good?

- We made a motion.

- Seconded, he seconded it.

- Seconded by Alder Stevens, and we're all set with what we got for the motion, then?

- Yes.

- OK, anything else? No, no, I think it's OK, all in favor?

- Aye.

- Opposed? That passes unanimously. This was fun, let's do it again sometime. If I knew it was gonna be that quick I could have bumped ya.

- Well, this other one, some of the people who were in the back live in my district and I know Gene, he used to live in my district for 10 years, so I knew both parties and both wanted me to talk. Well, I'm just gonna listen over here, let it play out, I didn't know the details.

- Are we done.

- No, no, not quite. We got informational liquor violation report from the police department for August 13, 2018. Thanks, Alder Wery.

- [Steve] Pretty much what was sent to you gentlemen. Catch-22 is still a problem for us. I was there personally for one of the ones with the unlicensed bartender that was the manager. The owner, Cindy Luntz, we've had meetings with her and the mayor and the chief, and she's very displeased with the services the city provides her and let it known very bluntly. We are in the process between us

and the health department, she continually violates so we continually cite. She doesn't believe laws or rules apply to her, so we're working the best we can.

- Well that's the Catch-22.

- Yeah, exactly. That seems to be the bar that's causing us the most work. All of our officers are aware of it, we've tried working with Cindy, the owner, dealing with her, giving her suggestions and she's just not open or accepting to anyone. Other than that, you guys heard about the incident on July 1 in front of the, I call it McNeill's, the old Jamaican Irish pub, I know they changed the name.

- I do have a question on that. Now you said that was referred, and he made the comment that he contacted you for your help?

- Yes, a property referral, what happens at the department, if we notice there is a property that is owned and there is a tenant, the landlord is required to help us if there's a problem tenant. So what we did, since there was a disturbance there, the disturbance started in his bar. Yes, he called us, which is what we want him to do, but he had an event that he couldn't control, so we just do a property referral so we could document it so if there's a certain number of documented cases, then we could work with the landlord to help us with the tenant.

- So he is the tenant.

- He's the tenant. He does not own the actual building, so that's where we work with the property owner if there's a problem tenant to assist us and removing the tenant or evicting the tenant.

- But I operate apartments, so I'm familiar with the ordinance we have, but I thought if he made that phone call, 'cuz he is the renter.

- It all depends on the officer on scene. It's, just because you make the phone call doesn't sign to say, well, I'm free from any liability. If they make the phone call but it's determined that they could have done something to help control it, we would still do a property referral.

- To the owner.

- To the owner. If they are truly doing everything they can, having security or an apartment where they're doing everything they can, then, no, we wouldn't do a property referral. But if it's where we believe some more could have been done? It's pretty much to give the property owner a warning. If you run apartments at Eighth, you have a tenant that we're dealing with--

- I'm more than well aware of it. That was just the question I had.

- Any discussion, and then get to it? OK, just one quick thing. I've been getting some complaints from Riverside Apartments about disturbance and some of those noise complaints. Have you heard anything about how that's going?

- Yes, we're going to be sitting down in the very near future, I guess they have hospitality meetings where all the businesses along Excuse me, Washington meet. Myself and the community police officers are gonna sit down and try and work out an agreement because we know the music from The Nines, we have people complaining about it, but the decibel meter readings are within the allowable, so it's one where we want to try and mediate an agreement to try and get everyone to work together and live together, so we're hoping that will happen in the next two weeks. I apologize, I believe they have monthly, they call 'em their hospitality venues. We want to be at the next one so we could explain from the police point of view, things are starting to get a little close to the line, and what we could do to make sure that we don't have to act through citations.

- Yeah, and I did talk, I've been doing a little mediating myself. I did put the owner of The Nines, or one of the managers? No, one of the owners of The Nines, in touch with the board, so they are directly communicating with each other which I think is helpful.

- One of our suggestions is gonna be, we know you all had those overhead garage door things that open out? Really after 11 o'clock at night, do those really need to be open? So we're hoping if we can convince them all to shut those it would help us in terms of passing alcohol back and forth. It would help with the noise if they could just shut those doors, 'cuz at 11 o'clock at night, we're under the opinion you don't need to have an open, outdoor area, 'cuz the music just shoots straight out the front of the bar. So that's gonna be our suggestion that all of them just shut their doors at 11:00 and hopefully that'll help mitigate the noise.

- OK, thank you, any questions? Anything else? Make it just in time to adjourn.
- Motion to adjourn.
- Second.
- Motion to adjourn by Alder Vander Leest, seconded by Alder Stevens.
- Motion to receive and file.
- Oh, motion to receive and place on file. Motion to receive and place, motion by Alder Stevens.
- Seconded by Alder Vander Leest, all in favor?
- Aye.
- Opposed. That is received and placed on file. Motion to adjourn by Alder Vander Leest, seconded by Alder Stevens, all in favor?
- Aye.
- We are adjourned.
- Leave the meeting, right?

- Yeah, make sure you log off, make sure you log off.

- I couldn't log off.

- Well, who made the motion to adjourn?

- Alder Vander Leest.

- Seconded by?

- Alder Stevens.

- It's been fun, I gotta leave.

- Yeah, let's do this again sometime.

- You gentlemen, have a good night.

- Thank you, thank you for your service, sir.

- Why can't I log off here? I can't even find out where I'm supposed to log off?

- Can you log me out if I was still in there?

- Wow, now it says.