



AGENDA OF THE PROTECTION AND POLICY COMMITTEE

**MONDAY, NOVEMBER 26, 2018, 5:30 PM
CITY HALL, ROOM 207**

A. Roll Call.

B. Approval of the Agenda.

1. Approval of the agenda for the November 26, 2018 Protection & Policy meeting.

C. Approval of Minutes.

1. Approval of the minutes for the October 22, 2018 Protection & Policy meeting.

D. Regular Business.

1. Consideration with possible action on a change of agent for Cropsey's on State LLC, with an effective date of January 1, 2019.
2. Consideration with possible action on an application for a "Class A" Liquor license for Monzu Bistro, LLC at 126 S. Broadway.
3. Consideration with possible action on a an application for a "Class A" Liquor License by Singhs C Store 2 Inc. at 952 W. Mason St. (Currently has a Class "A" Beverage License).
4. Consideration with possible action on an application for an available "Class B" Combination License by Ricci L Bosley for Pepper at 114 S. Broadway, with a licensed description as "behind the bar, in the dry & locked storage closet by the restroom or in the basement."
5. Discussion with possible action on General Ordinance No. 29-18, an ordinance creating section 33.08(7)(i), Green Bay Municipal Code, relating to on line ordering and curbside pickup of alcohol beverages.
6. Consideration with possible action on a request by Ald. Scannell that the Advisory Committee items be placed on the Protection and Policy committee agendas, previously held at the Oct. 22 Protection & Policy meeting.

8. Consideration with possible action on a request by Ald. Wery for a complete update on rat abatement and rat activity 2018 vs. 2017.
7. Discussion on a request by Ald. Wery stating "review with possible action on ordinance 27.203 regulation of noise for the purpose of amending with weekend hours (New daytime :09:00-20:00)."

E. Informational.

1. Liquor Violation Report from the Police Department for November 26, 2018.

F. Adjournment.

- 1) THIS MEETING IS RECORDED: THE VIDEO OF THIS MEETING AND MINUTES ARE AVAILABLE ONLINE AT www.greenbaywi.gov
- 2) ACCESSIBILITY: Any person wishing to attend who requires special accommodation because of a disability, should contact the City Safety Manager at 920-448-3125 at least 48 hours before the scheduled meeting time so that arrangements can be made.
- 3) QUORUM: Please take notice that a majority or quorum of the Common Council will attend this Protection and Policy committee meeting and will constitute a meeting of the Common Council for purposes of discussion and information gathering relative to this agenda.
- 4) REPRESENTATION: The party requesting the communication, or their representative, should be present at this meeting.
- 5) FOR ALL LICENSING ISSUES, the Committee may potentially convene in closed session pursuant to §19.85 (1)(b) and/or §19.85 (1)(f) Wisconsin Statutes, for the purpose of considering information with respect to licensing for a person. The applicant has the right to demand that the meeting be held in open session. The applicant may also request that the meeting be held in closed session. The Committee may, thereafter, reconvene in open session pursuant to §19.85(2) Wisconsin Statutes to report any actions taken during the closed session and to consider all other matters on the agenda. If there are any questions regarding the agenda, please call Jaime, City Clerk's Office, at 448-3011.



Report to the
Protection and Policy Committee
of the City of Green Bay

MEETING DATE

November 26, 2018

PREPARED BY

AGENDA ITEM # D.I.

Consideration with possible action on a change of agent for Cropsey's on State LLC, with an effective date of January 1, 2019.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. Cropsey



Report to the
Protection and Policy Committee
of the City of Green Bay

MEETING DATE

November 26, 2018

PREPARED BY

AGENDA ITEM # D.2.

Consideration with possible action on an application for a "Class A" Liquor license for Monzu Bistro, LLC at 126 S. Broadway.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

I. monzu



Report to the
Protection and Policy Committee
of the City of Green Bay

MEETING DATE

November 26, 2018

PREPARED BY

AGENDA ITEM # D.3.

Consideration with possible action on a an application for a "Class A" Liquor License by Singhs C Store 2 Inc. at 952 W. Mason St. (Currently has a Class "A" Beverage License).

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. application



Report to the
Protection and Policy Committee
of the City of Green Bay

MEETING DATE

November 26, 2018

PREPARED BY

AGENDA ITEM # D.4.

Consideration with possible action on an application for an available "Class B" Combination License by Ricci L Bosley for Pepper at 114 S. Broadway, with a licensed description as "behind the bar, in the dry & locked storage closet by the restroom or in the basement."

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. Moratorium-broadway
2. 114 S Broadway
3. Floor Plans
4. security plan

RESOLUTION LIMITING THE NUMBER OF
LICENSED ESTABLISHMENTS IN THE BROADWAY AREA

Green Bay, Wisconsin
September 16, 1997

BY THE COMMON COUNCIL OF THE CITY OF GREEN BAY:

WHEREAS, the Common Council of the City of Green Bay is concerned with the redevelopment of the Broadway area and the present high concentration of licensed establishments in the Broadway area. The high concentration of these establishments in this area has impaired the public peace, safety, welfare, and order; and

WHEREAS, there are currently 34 establishments which hold a Class "B" Fermented Malt Beverage or Class "B" Combination Liquor License. The names and addresses of said establishments are:

Lenny's Tap	431 North Broadway
333 Bar	333 North Broadway
Blazing Saddles	331 North Broadway
The Cannery	319 North Broadway
King's X	313 North Broadway
Titletown Brewing	200 Dousman Street
Carol's Ritz Lounge	119 Dousman Street
Nom's Thai Orchid	240 North Broadway
Central Bar	231 North Broadway
Broadway Cafe	128 North Broadway
Rev's Brass Rail	109 North Broadway
West Pitcher Show	100 South Broadway
Maria's Mexican Family Restaurant	106 South Broadway
Ginny's Heart of Broadway	112 South Broadway
Connie's	128 South Broadway
Country Club Bar & Grill	201 South Broadway
Kar's Place	226 South Broadway
Alamo	301 South Broadway
Nepalese Lounge	515 South Broadway
Blue Side	709 South Broadway
Shnicker's	813 South Broadway
Bourbon Street	821 South Broadway
Sass	840 South Broadway
The Lion's Den	1100 South Broadway
Carol's 9 th Street Tap	316 Ninth Street
The Camelot	1301 South Broadway
Manci's Tuxedo Lounge	1313 South Broadway
Good Times	1332 South Broadway
The Packer Stadium Lounge	1342 South Broadway
Terminal Bar	1423 South Broadway

RESOLUTION LIMITING THE NUMBER OF
LICENSED ESTABLISHMENTS IN THE BROADWAY AREA
Page 2

Hammer Inn
Thirsty's
Loch's Bar
Cropsey's Bar

1208 State Street
1234 State Street
1238 State Street
1336 State Street

WHEREAS, pursuant to the powers reserved under Ch. 125, Wis. Stats., the Common Council wishes to decrease the number of Class "B" Fermented Malt Beverage and Class "B" Combination Liquor Licenses issued to establishments in the Broadway area; and

WHEREAS, it is the intent of this resolution to allow the present Class "B" Fermented Malt Beverage and Class "B" Combination Liquor Licenses to maintain and renew their establishments in accordance with Ch. 125, Wis. Stats.; and

WHEREAS, it is the intent of this Resolution to effectuate a decrease in the number of Class "B" Fermented Malt Beverage and Class "B" Combination Liquor licensed establishments in the limitation area whenever an establishment goes out of business and does not renew its license;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. Limitation Area. The area to which the terms and conditions of this section apply is that area on Broadway or business fronting either side of Broadway and those areas east of Broadway to the Fox River, within the city of Green Bay, Brown County, Wisconsin.
2. Prohibition. The Common Council shall not authorize the issuance of any new or transfer of any existing Class "B" Fermented Malt Beverage or Class "B" Combination Liquor Licenses within the limitation area, except restaurants as defined in paragraph 4 hereof.
3. Exceptions.
 - a. This subsection shall not prohibit the renewal of a Class "B" Fermented Malt Beverage or Class "B" Combination Liquor License for an existing premises in the limitation area.

RESOLUTION LIMITING THE NUMBER OF
LICENSED ESTABLISHMENTS IN THE BROADWAY AREA
Page 3

- b. This subsection shall not prohibit the issuance of a Class "B" Fermented Malt Beverage or Class "B" Combination Liquor License for a previously licensed premises provided that such application is made within 60 days of any of the following:
 - i. Surrender by the prior licensee of the license issued for that premises; or
 - ii. Sale of the premises by the prior licensee; or
 - iii. Termination of the prior licensee's lease for the premises; or
 - iv. Revocation of the prior license, for cause.

If application under this subsection is sought after 60 days, the owner of the previously licensed premises may apply to the Protection and Welfare Committee for an extension of the application time on the basis that application of the moratorium would have a substantial adverse effect on the owner's ability to use or enjoy the property. The party requesting the extension must demonstrate this effect by clear, satisfactory and convincing evidence.

- c. All applications and renewals shall be subject to review as provided by Ch. 125, Wis. Stats.

4. Prohibition Not to Apply to Restaurants.

- a. This resolution shall not prohibit the issuance of a Class "B" Fermented Malt Beverage or Class "B" Combination Liquor License to the operator of a restaurant, where the principal business conducted is that of a restaurant, as defined in Ch. 125, Wis. Stats. If the premises are operated under a Class "B" Fermented Malt Beverage or Class "B" Combination Liquor License, the principal business conducted is presumed to be the sale of alcohol beverages, but the presumption may be rebutted by competent evidence.

RESOLUTION LIMITING THE NUMBER OF
LICENSED ESTABLISHMENTS IN THE BROADWAY AREA
Page 4

- b. A restaurant licensee operating within the limitation area which fails to maintain a principal business of operating a restaurant at any time later than 60 days after the granting of a Class "B" Fermented Malt Beverage or Class "B" Combination Liquor License shall be in violation of this subsection and its Class "B" Fermented Malt Beverage or Class "B" Combination Liquor License shall be subject to revocation.
- c. "Principal business" means the primary activity as determined by analyzing the amount of capital, labor, time, attention and floor space devoted to each business activity, and by analyzing the sources of net income and gross income. The name, appearance and advertisement of the entity may also be taken into consideration in determining "principal business."

Adopted 9/14/97

Approved 9/17/97

13/ David H. August
Mayor

13/ David H. August
Clerk

LMS:bc



Report to the
Protection and Policy Committee
of the City of Green Bay

MEETING DATE

November 26, 2018

PREPARED BY

AGENDA ITEM # D.5.

Discussion with possible action on General Ordinance No. 29-18, an ordinance creating section 33.08(7)(i), Green Bay Municipal Code, relating to on line ordering and curbside pickup of alcohol beverages.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. DRAFT GO 29-18 - Create 33.08(7)(i) re online curbside pickup alcoholic beverages

GENERAL ORDINANCE NO. 29-18

**AN ORDINANCE
CREATING SECTION 33.08(7)(i),
GREEN BAY MUNICIPAL CODE,
RELATING TO ONLINE ORDERING AND
CURBSIDE PICKUP OF ALCOHOL BEVERAGES**

THE COMMON COUNCIL OF THE CITY OF GREEN BAY DO ORDAIN AS FOLLOWS:

SECTION 1. Section 33.08(7)(i), Green Bay Municipal Code, is hereby created to read:

(i) Online Ordering and Curbside Pickup of Alcohol Beverages.

- 1. No establishment shall allow online purchase of alcohol beverages and curbside delivery of such purchases ("Click and Collect"), without first obtaining a "Change of Premises" from the Common Council, upon recommendation of the Protection and Policy Committee to license that portion of the establishment's parking lot that will allow vehicles to park for purposes of picking up their online order.**
 - a. The licensed establishment shall file a detailed operation plan with their "Change of Premises" form that clearly details how their "Click and Collect" operation will function. The operation plan shall include the licensee's protocol for assuring that underage persons and intoxicated persons do not pick up alcohol via the "Click and Collect" program.**
 - b. Failure of licensee to provide a detailed operation plan with their "Change of Premises" application shall result in the City Clerk's Office not forwarding the "Change of Premises" form to the Protection and Policy Committee for consideration.**
- 2. No establishment holding an alcohol beverage license shall allow online purchase and pick-up of alcohol beverages unless the sale is consummated on the licensed premises.**
 - a. Payment for the purchase must be completed on premises and may not be completed until the purchaser is at the licensed premises and has presented valid photo identification that has been verified by a licensed operator employed by the premises.**

- b. The licensed operator must verify that the person placing the "Click and Collect" order is the same person picking up the order.
 - c. The sale and delivery of "Click and Collect" purchases shall be made only by a licensed operator.
 - d. No alcohol sales are permitted if the purchaser fails to present valid photo identification.
 - e. The "Click and Collect" system must allow the purchase of alcohol to be denied without affecting the remainder of the purchase.
- 3. Each "Click and Collect" transaction must capture and retain an image of the vehicle into which the order is being loaded for thirty (30) days.
- 4. Each "Click and Collect" transaction must record and retain the following information for thirty (30) days:
 - a. The name of the purchaser.
 - b. The type of identification card presented and the number and expiration date of that identification card.
 - c. The purchaser's date of birth.
 - d. The license plate of the vehicle into which the order is being loaded.
- 5. Pick-up of "Click and Collect" orders shall be ~~between the hours of 8:00 a.m. and 8:00 p.m.~~ prohibited between the hours of 12:00 A.M. and 6:00 A.M. for a premises holding a Class "B" (Beer) or "Class B" (Liquor) license. For premises holding a Class "A" (Beer) license or "Class A" (Liquor) license, pick-up of fermented malt beverages shall be prohibited between the hours of 12:00 A.M. and 8:00 A.M. and pick-up of intoxicating liquor shall be prohibited between the hours of 9:00 P.M. and 8:00 A.M.
- 6. If the "Click and Collect" purchaser is not the driver of the vehicle into which the order is being loaded, the licensed operator must verify that the driver is 21 years of age or older.

7. The licensed operator shall report to his or her manager any purchaser who shows signs of alcohol consumption, and in conjunction with the manager, shall assess sobriety for purposes of approving or denying the sale.
8. The pick- up area for "Click and Collect" purchases shall be clearly defined with visible markings, signs, and/or barriers.
9. No events other than the delivery of "Click and Collect" orders shall be allowed on the expanded premises.
10. Penalty. Any licensee or person who violates any provision of this subsection shall be subject to a forfeiture of not less than \$250, nor more than \$1000 plus court costs and fees. Licensees are also subject to demerit point assessment for violations of this subsection.

SECTION 3. All ordinances, or parts of ordinances, in conflict herewith are hereby repealed.

SECTION 4. Effective date. This ordinance shall take effect on and after its passage and publication.

Dated at Green Bay, Wisconsin, this _____ day of _____, 2018.

APPROVED:

Mayor

ATTEST:

Clerk

KKJ

7/17/18



Report to the
Protection and Policy Committee
of the City of Green Bay

MEETING DATE

November 26, 2018

PREPARED BY

AGENDA ITEM # D.6.

Consideration with possible action on a request by Ald. Scannell that the Advisory Committee items be placed on the Protection and Policy committee agendas, previously held at the Oct. 22 Protection & Policy meeting.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

None



Report to the
Protection and Policy Committee
of the City of Green Bay

MEETING DATE

November 26, 2018

PREPARED BY

AGENDA ITEM # D.7.

Discussion on a request by Ald. Wery stating "review with possible action on ordinance 27.203 regulation of noise for the purpose of amending with weekend hours (New daytime :09:00-20:00)."

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. noise



PETITIONS AND COMMUNICATIONS FORM
COMMON COUNCIL
CITY OF GREEN BAY

Date of Council Meeting: 11-5-18

Request of Alderperson WEPY

Refer to: Protection & Policy

Please state clearly the action requested. Requests should be turned in at the City Clerk's Office by 10:00 AM on the Thursday before a Council meeting. For late communications, present this form to the City Clerk after the request is read.

Review with possible action on
Ordinance 27,203 Regulation of Noise
for the purpose of amending with
weekend hours, (^{NEW} Daytime 09:00 - 20:00.)



Report to the
Protection and Policy Committee
of the City of Green Bay

MEETING DATE

November 26, 2018

PREPARED BY

AGENDA ITEM # D.8.

Consideration with possible action on a request by Ald. Wery for a complete update on rat abatement and rat activity 2018 vs. 2017.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. rat abatement



PETITIONS AND COMMUNICATIONS FORM
COMMON COUNCIL
CITY OF GREEN BAY

Date of Council Meeting: 11-5-18

Request of Alderperson WE RY

Refer to: Protection & Policy

Please state clearly the action requested. Requests should be turned in at the City Clerk's Office by 10:00 AM on the Thursday before a Council meeting. For late communications, present this form to the City Clerk after the request is read.

Complete update on rat abatement
and rat activity 2018 vs 2017.



Report to the
Protection and Policy Committee
of the City of Green Bay

MEETING DATE

November 26, 2018

PREPARED BY

AGENDA ITEM # E.I.

Liquor Violation Report from the Police Department for November 26, 2018.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. 18LiqVio
2. Report November 26, 2018