



MINUTES OF THE PROTECTION AND POLICY COMMITTEE

**MONDAY, MAY 13, 2019, 5:30 PM
CITY HALL, ROOM 207**

A. ROLL CALL.

Present: Randy Scannell, Bill Galvin, John VanderLeest, Mark Steuer, Excused: Craig Stevens

Ald. Bill Galvin substituted in for Ald. Craig Stevens

Also present: Deputy City Attorney Joanne Bungert, Lt. Steve Mahoney, Ald. Jesse Brunette, Ald. Brian Johnson, Chief of Staff Celestine Jeffreys

B. APPROVAL OF THE AGENDA.

I. Approval of the agenda for the May 13, 2019 Protection & Policy meeting.

Moved by Ald. Randy Scannell, seconded by Ald. John VanderLeest to amend the agenda to have Item #9 moved to Item #1. Motion carried.

Yes- John VanderLeest, Mark Steuer, Randy Scannell, Bill Galvin, No- None, Abstain- None

Moved by Ald. Mark Steuer, seconded by Ald. John VanderLeest to approve as amended. Motion carried.

Yes- John VanderLeest, Mark Steuer, Randy Scannell, Bill Galvin, No- None, Abstain- None

C. APPROVAL OF MINUTES.

I. Approval of the minutes of the April 29, 2019 Protection & Policy Meeting.

Moved by Ald. John VanderLeest, seconded by Ald. Mark Steuer to approve the minutes of the April

29, 2019 Protection & Policy meeting. Motion carried.

Yes- John VanderLeest, Mark Steuer, Randy Scannell, Bill Galvin, No- None, Abstain- None

D. REGULAR BUSINESS.

1. Consideration with possible action on General Ordinance 14-19, an ordinance creating Section 40.14 relating to community service as a penalty.

Moved by Ald. Bill Galvin, seconded by Ald. John VanderLeest to approve General Ordinance 14-19, an ordinance creating Section 40.14 relating to community service as a penalty. Motion carried.

Yes- John VanderLeest, Mark Steuer, Randy Scannell, Bill Galvin, No- None, Abstain- None

2. Consideration with possible action on a change of agent for Bay Motel and Family Restaurant, Inc. at 1301 S. Military Ave. with an effective date of 7/1/2019.

Moved by Ald. Bill Galvin, seconded by Ald. John VanderLeest to approve a change of agent for Bay Motel and Family Restaurant, Inc. at 1301 S. Military Ave. with an effective date of 7/1/2019. Motion carried.

Yes- John VanderLeest, Randy Scannell, Bill Galvin, No- None, Abstain- None

3. Consideration with possible action on a renewal application for the 2019-2020 license year for Bay Motel and Family Restaurant, Inc. at 1301 S. Military Ave., pending the approval of the change of agent at the May 21 Common Council meeting.

Moved by Ald. John VanderLeest, seconded by Ald. Bill Galvin to approve a renewal application for the 2019-2020 license year for Bay Motel and Family Restaurant, Inc. at 1301 S. Military Ave., pending the approval of the change of agent at the May 21 Common Council meeting. Motion carried.

Yes- John VanderLeest, Randy Scannell, Bill Galvin, No- None, Abstain- None

4. Consideration with possible action on a change of agent for The Daily Buzz LLC at 130 E. Walnut.

Moved by Ald. Bill Galvin, seconded by Ald. John VanderLeest to approve a change of agent for The Daily Buzz LLC at 130 E. Walnut. Motion carried.

Yes- John VanderLeest, Randy Scannell, Bill Galvin, No- None, Abstain- None

5. Consideration with possible action on a renewal application for the 2019-2020 license year for

The Daily Buzz LLC at 130 E. Walnut St., pending the approval of the change of agent at the May 21 Common Council meeting.

Moved by Ald. John VanderLeest, seconded by Ald. Bill Galvin to approve a renewal application for the 2019-2020 license year for The Daily Buzz LLC at 130 E. Walnut St., pending the approval of the change of agent at the May 21 Common Council meeting. Motion carried.

Yes- John VanderLeest, Randy Scannell, Bill Galvin, No- None, Abstain- None

6. Consideration with possible action on a application for a 6-month Class "B" Beer License for De Pere Dodgers Baseball Club, Inc. at 1450 E. Walnut St. with a licensed premises description as "Joannes Stadium (inside the fence)."

Moved by Ald. Bill Galvin, seconded by Ald. John VanderLeest to approve an application for a 6-month Class "B" Beer License for De Pere Dodgers Baseball Club, Inc. at 1450 E. Walnut St. with a licensed premises description as "Joannes Stadium (inside the fence)." Motion carried.

Yes- John VanderLeest, Randy Scannell, Bill Galvin, No- None, Abstain- None

7. Consideration with possible action on a application starting in the 2019-2020 license year for a Class "B" Beer and "Class B" Reserve liquor license for Old Bavarian Brewing Company, LLC at 1583 Main St. with a licensed premises description as "existing bar and serving areas."

Moved by Ald. Bill Galvin, seconded by Ald. John VanderLeest to open the floor for discussion. Motion carried.

Yes- John VanderLeest, Randy Scannell, Bill Galvin, No- None, Abstain- None

Franz J. Schadt spoke about the Old Bavarian Brewing Company, LLC saying they will not be brewing, they contract.

Moved by Ald. Bill Galvin, seconded by Ald. John VanderLeest to close the floor. Motion carried.

Yes- John VanderLeest, Randy Scannell, Bill Galvin, No- None, Abstain- None

Moved by Ald. Bill Galvin, seconded by Ald. John VanderLeest to approve an application starting in the 2019-2020 license year for a Class "B" Beer and "Class B" Reserve liquor license for Old Bavarian Brewing Company, LLC at 1583 Main St. with a licensed premises description as "existing bar and serving areas." Motion carried.

Yes- John VanderLeest, Randy Scannell, Bill Galvin, No- None, Abstain- None

8. Consideration with possible action on the renewal applications for various liquor and/or beer licenses for the 2019-2020 license year.

Moved by Ald. John VanderLeest, seconded by Ald. Bill Galvin to approve the renewal applications

for various liquor and/or beer licenses for the 2019-2020 license year. Motion carried.
Yes- John VanderLeest, Randy Scannell, Bill Galvin, No- None, Abstain- None

Moved by Ald. Bill Galvin, seconded by Ald. John VanderLeest to take a ten minute recess. Motion carried.

Yes- John VanderLeest, Randy Scannell, Bill Galvin, No- None, Abstain- None

Moved by Ald. John VanderLeest, seconded by Ald. Brian Johnson to reconvene. Motion carried.
Yes- John VanderLeest, Randy Scannell, Brian Johnson, No- None, Abstain- None

9. Discussion with possible action on a request by Ald. Brunette, which reads: "For the City to develop a resolution, or policy and procedure to notify property owners near parcels of land with a pending or approved application to be transferred from fee to trust status. My overarching concern is for the City and the Oneida Nation-in goodwill- to notify affected property owners of the new governing jurisdiction, code enforcement, and zoning authority of the parcel recently transferred or applied to be transferred, and to provide an official forum for public input and comment," previously held at the April 8 Protection & Policy meeting.

Moved by Ald. Bill Galvin, seconded by Ald. Mark Steuer to refer to staff to investigate the legal angles of notifying residents of affected properties and to have a rough draft letter to present at the next council meeting for consideration. Motion carried.

Yes- John VanderLeest, Mark Steuer, Randy Scannell, Bill Galvin, No- None, Abstain- None

Ald. Mark Steuer stepped out at 6:03 p.m.

10. A request by Ald. Scannell for consideration with possible action for legal to work with inspection to either amend or write an ordinance protecting property owners from their neighbors runoff.

Moved by Ald. Brian Johnson, seconded by Ald. John VanderLeest to refer to staff a request by Ald. Scannell, which reads: "For legal to work with inspection to either amend or write an ordinance protecting property owners from their neighbors runoff." Motion carried.

Yes- John VanderLeest, Randy Scannell, Brian Johnson, No- None, Abstain- None

11. Consideration with possible action on a request by Ald. Wery to review/action on changes to the Ethics Code policy and ordinance as recommended by outside Counsel.

Moved by Ald. John VanderLeest, seconded by Ald. Brian Johnson to hold until staff can report back to the committee an update. Motion carried.

Yes- John VanderLeest, Randy Scannell, Brian Johnson, No- None, Abstain- None

12. Consideration with possible action by Ald. Wery which states: "To request a report of police call volume on Western Ave. from Oneida to Taylor. What addresses are habitual problems, have nuisance plans and bills for service been issued? Develop a plan moving forward to reduce the number of police calls to this area."

Moved by Ald. John VanderLeest, seconded by Ald. Brian Johnson to hold to the next meeting a request by Ald. Wery, which states: "To request a report of police call volume on Western Ave. from Oneida to Taylor. What addresses are habitual problems, have nuisance plans and bills for service been issued? Develop a plan moving forward to reduce the number of police calls to this area." Motion carried.

Yes- John VanderLeest, Randy Scannell, Brian Johnson, No- None, Abstain- None

13. A request by Ald. Johnson for consideration with possible action on the creation of a SafePark initiative that permits overnight parking for those who may have consumed too much alcohol in an effort to deter drunk driving incidents. (Examples: Seattle: <http://www.parking.org/2016/01/19/tpp-2013-11-overnight-options/> Colorado:

<https://www.codot.gov/safety/alcohol-and-impaired-driving/planahead/overnight-parking>)

Moved by Ald. Brian Johnson, seconded by Ald. John VanderLeest to refer to staff the request by Ald. Johnson, which reads: "The creation of a SafePark initiative that permits overnight parking for those who may have consumed too much alcohol in an effort to deter drunk driving incidents. (Examples: Seattle: <http://www.parking.org/2016/01/19/tpp-2013-11-overnight-options/> Colorado: <https://www.codot.gov/safety/alcohol-and-impaired-driving/planahead/overnight-parking>)."

Motion carried.

Yes- John VanderLeest, Randy Scannell, Brian Johnson, No- None, Abstain- None

14. For consideration with possible action to grant final approval authority to the Protection and Policy committee for liquor license applications, liquor license amendments and operators licenses from May 21, 2019 through October 1, 2019.

Moved by Ald. John VanderLeest, seconded by Ald. Randy Scannell to grant final approval authority to the Protection and Policy committee for liquor license applications, liquor license amendments and operators licenses from May 21, 2019 through October 1, 2019. Motion carried.

Yes- John VanderLeest, Randy Scannell, No- Brian Johnson, Abstain- None

E. INFORMATIONAL.

1. Liquor Violation Report from the Police Department for May 13, 2019.

Moved by Ald. John VanderLeest, seconded by Ald. Brian Johnson to receive and place on file the

Liquor Violation Report from the Police Department for May 13, 2019. Motion carried.
Yes- John VanderLeest, Randy Scannell, Brian Johnson, No- None, Abstain- None

2. Report from the Water Utility Department regarding the lead pipe removal project.

Moved by Ald. John VanderLeest, seconded by Ald. Brian Johnson to receive and place on file the report from the Water Utility Department regarding the lead pipe removal project. Motion carried.

Yes- John VanderLeest, Randy Scannell, Brian Johnson, No- None, Abstain- None

F. ADJOURNMENT.

Moved by Ald. Brian Johnson, seconded by Ald. John VanderLeest to adjourn at 6:35 p.m. Motion carried.

Yes- John VanderLeest, Randy Scannell, Brian Johnson, No- None, Abstain- None

VERBATIM MINUTES

- All righty. You are good to go.

- Okay, hear ye, hear ye, hear ye, the Protection and Policy meeting for May 13th, 2019 is now in session. It's 5:30, the roll call is Alder Stevens is excused. He's in Alaska, in his place we have Alder Galvin.

- Here.

- Alder Vander Leest.

- Here.

- Alder Steuer.

- Here.

- Who will be excused a little later 'cause he has to get to another meeting. Hopefully he'll be back, and then Alder Galvin will need to go.

- And Alder Scannell, the Chair, is present. Before we approve the agenda, I'd like to make a motion to amend the agenda, I would like to move item

- Nine.

- Nine, nine. Nine, nine, nine, nine. Nine to number one, and everything else falls down below it. Is there a second for that?
- Second.
- Second
- Motion by Alder Randy, seconded by Alder Vander Leest, all in favor?
- [Together] Aye.
- Opposed? Okay, that carries unanimously. I'll take a motion to accept our amended agenda.
- So moved.
- So moved by Alder Steuer, seconded by Alder Vander Leest. All in favor?
- [Together] Aye.
- Okay, opposed? And that passes unanimously. So we will start with, we ready?
- Yes.
- One moment.
- Yep. I've gotta remember, I gotta take a breath.
- Yes, and I am also.
- Yep, yep, yep.
- We'll get you back in it though.
- Oh, did we approve the minutes?
- Yep, oh, no, how'd I miss that?
- Not yet, okay, so that would be next.
- Well, approval of the agenda.
- Oh, okay, right, yeah. Somehow I went right over it, okay, I'll take a motion to approve our minutes for April 29, 2019.
- So moved.
- So, moved by Alder Vander Leest, seconded by Alder Steuer. All in favor?

- [Together] Aye.
- Opposed? Okay, that passes unanimously. Thank you very much, I don't know how I scrolled past that. But I did.
- Alder Galvin, have you joined the meeting?
- Yeah, I could have sworn.
- Yeah, let me see.
- I'm looking at the agenda right now.
- He's not in there.
- No.
- I just noticed that.
- Yeah, hold on, I'm just going to--
- 'Cause the votes are capturing Alder Galvin's.
- Okay.
- You just give me one second to get Alder Galvin.
- I'll give you 10 seconds.
- Thank you, you're generous.
- I'm a generous guy.
- I'm trying to think of a good come back. I can't come up with anything. I'll say yes. Is there a way that I can text or?
- I'll text you when--
- Could you do that?
- When Alder Galvin's gotta go.
- All right. I'll make sure I'm on here.
- This is not working.
- You have my cell number, right.

- That would be useful.
- Maybe we should put it in another--
- Yeah, we'll put it in by hand, but if I can figure it out, then I will, and actually submit.
- Can you just jot down what if he votes.
- Yes, we'll search this to make sure.
- We're just gonna input Alder Galvin's votes by hand later on if she can figure it out, we'll update it. When we're preparing the minutes, we can just, in the event you vote no and the rest of the Committee votes yea.
- Nice job.
- I know.
- Okay, all right, so we can move onto new business first item.
- Okay, new business first item is actually number nine, we bumped it up to one.
- Correct.
- So, discussion with possible action on a request by Alder Brunette, which reads, for the City to develop a resolution, or policy and procedure to notify property owners near parcels of land with a pending or approved application to be transferred from fee to trust status. My overarching concern is for the City and the Oneida Nation, in goodwill, to notify affected property owners of the new governing jurisdictions, code enforcement, and zoning authority of the parcel recently transferred or applied to be transferred, and to provide an official forum for public input and comment, previously held at the April 8, Protection and Policy meeting. And Alder Brunette and Alder Johnson are with us now, so Alder Brunette.
- [Jesse] Yes. Thank you Chairman. It's really a timing issue if you recall. I believe it was a closed session discussion in March, I believe, where the Council in closed session decided on some properties that were planned to be placed in trust, the Council made the decision in closed session, and then after that meeting, I had placed this agenda item through a late communication. And the first Protection and Policy meeting I had been on vacation so I could not make it. The second meeting, it appeared on the agenda, I asked the Chair to hold off on the agenda item because at that time we had not had any additional properties that were received by the legal department that were being placed in trust, or were looking to be placed in trust. Since then, during the Finance Committee meeting, which I could not be part of, I received a late notification of that meeting agenda, the agenda had been revised the day before so I could not get out of work to attend that meeting. So the motion that appeared, and again, what I understand, watching the minutes of the meeting, it was discussed in closed session, so I don't want to reveal too much of what was discussed, but the agenda item was consideration with possible action on initiating negotiations for intergovernmental agreement with

the Oneida Nation, including revisiting the following Notices of Decision from the U.S. Dept of the Interior regarding the intent to take away and into trust, and then 12 properties were listed. So I guess for me it's a timing issue. Moving forward, as I've been an Alder with the 12th District I understand just how important, and I don't know the right word is, but how just very important putting land into trust for, is to the Tribe, and I've gotten to really respect that, but until the public who I've been elected to represent and serve are notified of such applications, I really struggle with not divulging the information to the institutes where I serve. So much of the discussions, in fact, all of the discussions we've had on this issues, whether it be Finance Committee, City Council, had been done behind closed session, and I'm getting increasingly uneasy about that because I'm conflicted. How much do I share with residents in my district on issues that just deeply concern them and involve their neighborhood cohesiveness, yet I don't want to create stigma on Trust property. So it's a very difficult position that I'm in. And so with that, I'll just put it back to the Committee and as you discuss this, if you have any questions, I'd be happy to answer them, but, depending on how the conversation goes, I would reserve, if I could share the right to read a statement at the time, if I see fit.

- Certainly, certainly, certainly. What I was thinking is, would you like to see where going forward with the City, talking with the Oneidas, where instead of these properties being noticed to the City that we could do it somehow publicly, that would then allow your constituents to be notified, if it's publicly listed on the agendas, if we, I don't know what legal, if there is legal ramifications to that, or if the Oneidas need to agree, if we could make that part of our negotiations to get them to agree that when they want to put land in trust, we would make that a public notice with the City notice, and then that way, we can discuss it openly and not in closed session, and that would, so can we kick that to staff to look at that possibility and go forward with that.

- Well, this was something that the City Attorney had been looking into, she was going to attend this evening's meeting but wasn't able to. She gave me a brief summary as far as her thoughts were and what she was able to come up with. As far as looking into it she didn't feel the proposal could work, that our obligation extends only to defend or appeal the applications into trust, so that is our role with respect to Oneida filing with fee to trust applications. We don't have any authority or any other obligations beyond that as far as probably notice with respect to what properties are being applied for, moving into trust. The jurisdiction for these residents isn't changing. They're still within the jurisdiction of the City. The parcel, once moved into trust, is still in City jurisdiction. The change is that we just simply cannot enforce our zoning and our inspections codes on those parcels because at that point it's trust property, and it's out of our hands.

- Well so then in many ways it's not in our jurisdiction, we can't enforce zoning which is a big thing, and also--

- Collect taxes.

- We're not collecting taxes.

- We still have to provide, I believe it's--

- Right, we provide services.

- We still have to provide, right, services, and police still have jurisdiction. It's just a matter of our inspections code and our buildings code that we can't enforce against them, without their cooperation.

- I would think that residents would want to be aware of that change because it could affect them and their property, and the ability to do things with it.

- Does it seem one of the reasons they're maybe not doing it is it's kind of a two-edged sword, the neighbors I feel should have the right to know if something may go into trust or not, but maybe there's something with the tribes stating that it's our right to go ahead and do it, which, okay, so with that being said, it's like, okay, where is that fine line, where can we agree? And I realize that negotiations and things will be coming into play. But I agree with Alder Brunette, I really feel that citizens should at least be notified, if the Tribe thinks that well, maybe there's going to be a backlash because of that, I don't know.

- If we're going to, if I own a piece of property, I want to tear down the existing home on it, or do anything else with it, that has to come before City Council, and that's noticed in the notifications, right?

- It depends on the, I'm not familiar with the inspections or the housing code, or planning permits, and things of that nature, but it all kind of depends on the nature of the project. Do we have to pull plan permits from, or building permits, construction permits, electrical permits, depending on what it is that you're doing to your property. And I think certain changes have to come before Council, but not necessarily the pulling of the permits themselves.

- Right, but are those listed in the paper with the Press Gazette, the application?

- I don't believe those are published. I believe rezoning issues, yes, those get public hearings, things like that.

- But if you're asking for a variance or something like that.

- Right, right, yes, yes. But just pulling from its, to do construction on your home, or your business, I don't believe those get noticed. And while the citizens may not, the actions that are being filed, while they may not be published in a newspaper, it is public record, it's a court filing, the citizens would be able to go and find this information for themselves. So I guess the recommendation from the City Attorney is that while they may be entitled to notice, the City may not be the most appropriate party to be providing the notice to these residents.

- [Jesse] If I could?

- Sure.

- Yeah.

- [Jesse] So I've given a lot of thought to this, in fact for the last year. The issue is, first of all, not in a terminated. So the idea is jurisdiction, I use that term perhaps for a lack of a better term, I'm not an attorney so I don't know, but what I meant by jurisdiction is this. Say for example if a property is held in trust, the City has no enforcement on the municipal violations--

- Mm hm, okay.

- On that property. So for example, say if that person, that property owner, in this case the Tribe held in trust for the benefit of the Tribe, for purpose of the tribe, say if they wanted to turn a single family home into a multi-family home. That would fall completely under the jurisdiction, pardon the parsing of the word, but that would fall completely under that jurisdiction, if you will, of the Tribal government.

- Mm hm.

- [Jesse] So that homeowner who lives next door, who's paying property taxes, would have no forum to oppose such a development other than some agreement that the City and the Tribe have worked on, like a piece of communication. So the purpose of the agenda item that I put forward is as we move forward, I don't think it's reasonable or a long-term or sustainable plan for the City to oppose every land transfer. But I'm telling you right now that people in my district are clueless, and I mean that not because of their own ignorance, they're clueless because this has not been part of public discussion for quite some time. April 2016 the City terminated the service agreement. I was not on the council, I think just the two of you were at that time. So since then three years have passed. And me, being an Alderman, I get the calls, I've heard it during election time, and I get those calls quite a bit. So when a neighbor has a concern with a property that's held in trust, for example, say if that property, I'm just throwing it out there, has three or four dogs, and they didn't get the proper approval of the City government. Can the City or myself as an alderman, can I do anything about that other than knock on the door, or ask for cooperation from the Oneida government?

- I'm not sure, I know that there are restrictions as far as what ordinances we can enforce against parcels that are in trust. I'm not entirely sure if there is an exception for ordinances that affect public safety, like dangerous dog declarations or things of that nature. So I don't want to speak if it's not right.

- [Jesse] Fair enough, so since April 2016, a lot of that was in the service agreement that the City had in place. It was terminated, well actually it wasn't terminated immediately, the City asked the Tribe to renegotiate it at the three year anniversary date, that was April 2015, or 2015, and then for a year, the negotiations stalled. So now we are at the point of April 2016. There hasn't been a whole lot of cooperation since then, as far as I'm concerned. So here I am as an Alder who very much values community input and keeping things transparent and out in the open and informing the public on issues that involve them, and really without being at the table, negotiations, between the Oneida Nation and our City Executive, I have no ability to tell my constituents, hey, this will be discussed at this committee. And I'm not looking, you know me by now, I am not the type to rally a posse or try to divide or create division in neighborhood, that is a terrible thing to do, and I certainly would not do that. But when I hear the phone calls, and I get the calls, and they go to properties, people simply do not know. So we need to, the motion was in good will, reach out to Oneida, and I understand, the City Attorney, that's a big responsibility to take on, notifying property owners, and that's why I said, in coordination, in good-will with the Oneida government, so the Oneida and the City government

put together a letter saying this property has been applied to be placed in trust, if approved it will be discussed at this Council meeting. If approved, then this is who you call within the Tribal Government for this issue or that issue. I don't believe this argument that it's too much, too burdensome, that is the whole point of government, is to serve the people. And right now, whether it be the Oneida, or the City, or a partnership of both, we are failing the people who live in my district, and for the longest time I've kind of remained silent because I'm trying to figure out the best way to navigate this, and now with the election of a new mayor, I have a lot of optimism that we will come to the table. But until then, we need to notify people, it's just, you know, and again, send out a letter to these 12 properties, neighbors adjacent to these 12 properties that were discussed at the Finance Committee, and maybe five people show up, and then that gives me the notice then that people in my district really aren't that concerned about it, that I'm fine going ahead and approving these. So what I'm looking for is cooperation, good governance, partnership, it's what I've looked for from the beginning. Have I said or done things that I regret through this course, maybe minor, but it's because I've really been working towards this goal.

- You've got a good comment. I think the staff could notify the Alders in their districts which properties are going into trust. In my district, some of my district is in that area, and I don't know what properties are going into trust, so it'd be nice if staff could notify the Alders, and then we'd have the information on hand, and we could talk to some of the neighbors, if there's any questions we could talk to them, and say, well this property's going into trust, and we'll know the addresses of which ones are going into trust, and at least we'll have the information. Right now, I don't have any information of what's going into trust.

- [Jesse] Thank you Alderman Vander Leest. Now Chair, the thing, I've thought about really three solutions to this situation and problem. The first solution, and it's not a solution, but the first option is to do nothing. To literally have the City say we are not going to notify anything, we're gonna continue to put these items on agendas without indicating the address, and you have to really dig into the agenda to understand that this is going to even be discussed. So the first option is to do nothing. That is not an option for me because what will happen, six months or a year from now, is if a property goes into trust and a neighbor has a concern about the property, again, not meaning to stigmatize the property, but that's not a given that we're going to have problems, 90% of the trust properties will probably have no issues whatsoever. So my constituent will come to me and say, I had no idea that now the City has no ability to challenge or do anything with this, and that puts me in a very bad position because I, it was kind of a dereliction of duty, I did not inform people of this situation, and I can't, that in my conscience I can't tolerate that. The second option would be for, as Alderman Vander Leest suggested, is that each Alder get notified. The problem with that is, and as a very sensitive situation, it's a very sensitive issue, we will be accused of possibly inciting a posse mentality of we must oppose these. That is not a position I want to be in, or I want you to be in, I don't want to lead the public in what they should think. I simply want them to have an avenue to express their opinion. That is not a good option for me. I live in that district, that neighborhood. I do not want to create division within the neighborhoods. So that's what I'm saying, from the City and the Tribe, together, together we must come up with a letter so that it creates a front and then it gives me, the constituents, my name, and Alderman Vander Leest's name, or any other City official or Tribal officials that have that property. And then, that in fact is the third option, that the City does that. And I think that's the most tenable situation. Anything else just simply won't work. I can't not notify people, and I cannot make that contact because of the sensitivity of the issue. So the answer to your question, really the only option is for the City staff and the Oneida Nation to come together and to draft a letter for our consideration. And I think it's reasonable, quite honestly, we've got to

move forward to a shared service agreement, but we have to notify the public first. That's critical. We're in the United States of America, the consent of the governed, the notice of the government, the governed, they have to know what we are discussing, and enough of the closed session discussions. We've got to get this stuff out in the open as much as possible.

- So what, if we made a motion to refer this to staff, that working, going forward with the Oneidas, and working out, I don't know if we're really working out a service agreement, or what's the language we're using, we're not using service agreement, any more, are we, or?

- Not right now.

- Inter government--

- Intergovernmental agreement, yes.

- Intergovernmental agreement, that they take this into consideration to work out this as part of the process. With that, yeah.

- [Jesse] That's true, but we have an issue coming up before the Council that was discussed by the Finance Committee, so I'd be looking for a little more timeliness, almost to the point that the staff could report back a draft letter of what that letter would look like, and I know--

- But if we want the Oneidas to be part of it, that's gonna take some time to--

- We know there's a meeting coming up, why can't that be broached at that meeting?

- Meeting, sure.

- When is that date, for that?

- It's, I don't know what the date is, we know it's coming. So I would make a proposal that--

- At the next meeting, which--

- That at the next meeting that staff and the mayor are gonna have with the representatives from the Oneida Tribe, that this item be one of the items that they bring forward.

- Is there a problem though with that, only in the sense that Jesse, you were talking about the timeliness of this, that there may have been some things discussed at Finance that have pushed this forward, more quickly, so would that work, to wait for a while, another week?

- [Jesse] For me, I think that public input should be before the action takes place. And so whatever the Finance Committee decided. Again, I was notified of the meeting the day before, not proper notification as far as I'm concerned. I don't know if it was purposeful or not, but it was not proper notification, so, all those properties that were discussed in Finance now, those people who live just, we have to notify people ahead of time, and again, two people show up, three people, then that's proof I have that it's okay to move forward.

- Well, is there anything legally binding, preventing--

- The City.

- The City to notify those people? Just because it was discussed in closed session, is there anything--

- Mm hm, because it does involve litigation, that essentially we are defendants in that action. So the reason that those discussions happen in closed session is because there can be conversations and discussions that could potentially be affecting our litigation position and our negotiation position and our legal strategies and conferring with Council, and so that's why those discussions are in closed session.

- If we're not contesting those properties--

- Mm hm, but that decision to contest or not contest, that happens in closed, so we don't know whether Council and the committee will want to or not.

- Right, so if the City, say in closed session, the City made a decision not to contest.

- Mm hm.

- Does that apply then, to notifying those residents around those properties that they're not being contested?

- Once Council approves and we then determine that we're not going to be contesting, I don't think so. Again, I'm not super well-versed in this particular area, this was something that the City Attorney was looking into and working on. I don't believe there would be because at that point our position has been made, and our decision has been made, but there could be also a lag until the proceedings have been finalized, or whether we've made a filing, or a response in the appeal. We still may not be able to disclose what our decision is until that particular point in time.

- So your opinion is we're legally bound not to say anything right now.

- It is in the City's favor to not be discussing what our decisions are with respect to pending litigation, until that litigation is resolved--

- And we're in the middle of litigation.

- I guess that's the best way of phrasing it.

- If those properties, we're in the middle of litigation with those properties.
- Can we have answers to that by the next Council meeting?
- Yes, well, Vanessa should be there, and she' will probably be able to--
- And when is that next Council meeting?
- 21st.
- 21st.
- 21st, yes.
- 21st, mm hm.
- So next Tuesday, yes.
- I'd like to make a suggestion that as far as what the Finance Committee discussed at their meeting, I think that the City Council should address this whole issue before they move forward with the Finance Committee's recommendation, I think the City Council should discuss it, if it's in closed session or open session, it doesn't matter to me, but I think that it should be discussed, and then it can be aired out as far as how we want to move forward.
- Right, is the Finance Committee's decision will be discussed at the next Council meeting--
- Council meeting, yeah.
- This could also be an item for that same agenda. And I don't know if there are two separate closed session items, or if it becomes part and parcel of the one.
- Right, this doesn't have closed session. But I'm assuming, I wasn't at the Finance meeting last, I'm not sure when it was, the last meeting.
- We could certainly take this up in closed session, and then we'll report it out to Council. When this gets reported out to Council--
- When the Finance item, I'm assuming, was probably in closed session, so if that item gets pulled, then closed session language, I assume it will go with closed session language, so then that will be able to be discussed in closed session.
- Well when we report this item to Council, we could add closed session language to it, could we not?

- I'm not seeing a basis for closed session for this particular item, unless, because it doesn't necessarily refer to specific properties that are in litigation, it's kind of a general over-arching approach.

- Could staff have the answers to the questions that we're bringing up here for the City Council meeting, and then, chicken and egg, can you give us advice on which should come first during that City Council meeting so it's in the proper order.

- Mm hm.

- I think we'd go to closed session first, to find out about those properties, 'cause if we don't litigate, then there's no, if we decide not to litigate, then there's no issue of confidentiality that we're gonna break or we're gonna hurt ourselves in litigation, because we're not litigating, so I'd think we'd want to do the closed session first, and then speak about what happened in closed session as much as we can. And if we're not litigating, we could certainly let the cat out of the bag then.

- [Jesse] Sure, now, the Committee, could they ask the City, your department.

- Mm hm

- [Jesse] To draft a letter and send it to the properties within 200 feet of the trust parcels, of applicant parcels.

- The Committee can direct us.

- [Jesse] You can direct them, with a letter stating that this agenda item could appear, the agenda item will appear on the next council meeting, and you will be allowed to provide public input, that's really what I'm looking for, because, hear me out, if the Council decides what they decided at Finance, or whatever the end result is, and properties do go into trust, then it's done, it's a done deal, there's nothing I can do at that point, and everyone's opinion will not be heard by this body, and I cannot go door to door, and share things that were discussed in closed session, so we have basically handcuffed me, and in the end it's gonna be bad for me either way, except, unless we kind of slow down a little bit, and if I could impose upon the Committee to do just that, let's slow down a little bit and let's think about this. We need to inform the government, that's all I'm asking for. I'm not sliding them one way or the other, I just simply want to hear from them. I cannot do, I cannot share what I know because of the discussions of pending litigation.

- Right.

- Council can direct us to do that, and we'll certainly look into whether that's something we can do or not. However it won't, I'm understanding the timing concerns, that this Committee's report won't go to Council until next Tuesday, and once Council approves this Committee's recommendation, then at that point staff would be able to move forward. But if we're looking to have a letter--

- That's fair.

- Can we vote?

- Well it's about all we can do. I mean, time wise, I don't know how we can--

- Will it work?

- Yeah, and unfortunately, going that path, we don't include the Oneidas now, but I'm hoping eventually we can get to the point where you said, it's a joint letter, working together. They did back, I don't think I'm letting anything out by saying the negotiations before, with the service agreement, they did say they would, as part of that agreement they would, whenever they were going to develop land they would notify us, and they would take our input on it, so it's kind of the same kind of thing, almost. So they seem, at least at one time they were willing to do that, so. Go go go go go.

- I'd like to make a statement--

- Can we, recommend right now, 'cause I have to go to another meeting. Unless you want to--

- I think we've made our motion, that staff, the motion is that staff investigate the legal angles on notifying residents within a certain parameter of the affected properties, and that we have at least a rough draft letter to look at by City Council, and with staff's recommendations on how to proceed legally so we're not tying our hands or violating any issues as far as our rights go to contest or not contest those properties.

- Motion.

- Second.

- Motioned by Alder Galvin, seconded by Alder Steuer. Would you like to make a quick statement?

- Yeah, I say that we should discuss this, your proposal, Mr. Brunette's proposal, before we approve the Finance Committee's recommendation, and we should discuss that first, and have the Council get an overall draft of what's being presented, and then we go to the next step, to the Finance coming to, in other words, the proposal that they have endorsed right now, the Finance Committee, and then we make an approval, that we can talk about it openly before we actually vote on the--

- If it's in litigation, we can't. If we decide in closed session to litigate, we cannot talk about it in open session, which is why we should do that first. Because if we decide to litigate, it closes the discussion, we can't discuss it in open session. But if we don't decide to litigate, then we can.

- Okay, well, I think that we should still give Mr. Brunette a chance on the City Council floor to--

- Oh yeah, we'll be talking about this.

- To address this, so that it's in the minutes that he'll get a chance to discuss it at--

- Right, depending on how the agenda gets sussed out, if a report of Protection and Policy receives the report of the Finance Committee, a motion can be made to amend the agenda to move the Finance, so if the goal is to have, to discuss the report of the Finance Committee prior to discussing this Committee's report, a motion can be made to amend the agenda to move it up, and discuss it first--

- And we can just pull this one item.

- Okay, that would be fine then.

- [Jesse] Just one comment if I could, and then I'll let you vote.

- Sure, yep, yep.

- [Jesse] I've been around government for a while, sometimes, and not to discredit staff, but sometimes when we ask staff to do something, sometimes the reply, in the past, not just City government, but my experience in County government, they can't give what we ask them to do due to timing, so if I'm asking to talk to the City Attorney tomorrow, and assure me that we will have an actual draft.

- I will speak with her first thing in the morning.

- [Jesse] I greatly appreciate that.

- Sure.

- Thank you.

- Yep, that satisfied, we're doing?

- [Jesse] Well, not satisfied completely, but we need to notify the public, that's all. So whatever we decide moving forward, we have to allow people the right to know what's going on. It's only right.

- Yep, okay. Thank you. Any other discussion? All in favor?

- [Together] Aye.

- Opposed? Okay, that passes unanimously. And Alder Steuer needed to step out.

- Okay, back to--

- The rest of the agenda?

- One, yes.

- Consideration with possible action on General Ordinance 14-19, an ordinance creating Section 40.14 relating to community service as a penalty. Staff, I think this is just.

- Yep, it's pretty self explanatory. It just creates an over-arching ordinance or provision in the ordinance where in community service can be issued at and in conjunction with, or as an alternative to, as a penalty that can be imposed by muni court or municipal violations.

- Yep.

- Didn't they already have that?

- They did.

- They did, I don't know if it was codified necessarily.

- It wasn't codified. So, I mean, this is just--

- This just makes it official, kind of?

- Yeah.

- Right, and instead of adding to every single municipal section or ordinance, it kind of just provides a catchall.

- And who's gonna monitor that community service?

- That I don't know, I believe that would be muni court, muni court's imposing that.

- And if they don't do their community service, we swear out a warrant for their arrest, pick 'em up, bring 'em back in?

- I believe it operates the same way as if you don't pay your fine, then there would be a warrant, correct.

- Okay, all right.

- So that's all monitored by municipal court.

- I don't think we're changing anything so much as codifying, and putting this in our code lets the public know this is a possible, you know, it's just, I think, makes us more transparent, gets more--

- Sure, motion to approve.

- So, motion to approve by Alder Galvin.

- Second.

- Seconded by Alder Vander Leest. All in favor?

- [Together] Aye.
- Opposed? Passes unanimously.
- Okay, good to go.
- Consideration with possible action on a change of agent for Bay Motel and Family Restaurant, Inc., at 1301 South Military Avenue, with an effective date of 7/1/2019, staff.
- Law Department has no objections.
- [Steve] Police concur.
- Motion to approve.
- Motion to approve by Alder Galvin.
- Second.
- Seconded by Alder Vander Leest, all in favor?
- [Together] Aye.
- Opposed? That passes unanimously.
- Okay.
- Consideration with possible action on a renewal application for the 2019-2020 license year for Bay Motel and Family Restaurant, Inc., at 1301 South Military Avenue, pending the approval of the change of agent at the May 21st Common Council meeting, staff.
- Law department has no objections.
- [Steve] Police concur.
- Motion to approve.
- Motion to approve by Alder Vander Leest.
- Second.
- Second by Alder Galvin, all in favor?
- [Together] Aye.
- Opposed? That passes unanimously.
- Good to go.

- Yep, consideration with possible action on a change of agent for The Daily Buzz LLC at 130 East Walnut, staff.

- Law Department has no objections.

- [Steve] Police concur.

- Motion to approve.

- Motion to approve by Alder Galvin.

- Second.

- Second by Alder Vander Leest, all in favor.

- [Together] Aye.

- Opposed? That passes unanimously.

- Mm hm, you're good to go.

- Consideration with possible action on a renewal application for the 2019-2020 license year for The Daily Buzz LLC at 130 East Walnut Street, pending the approval of the change of agent at the May 21st Common Council meeting, staff.

- Law Department has no objections.

- [Steve] Police concur.

- Motion to approve.

- Motion to approve by Alder Vander Leest.

- Second.

- Seconded by Alder Galvin, all in favor.

- [Together] Aye.

- Opposed? That passes unanimously.

- Yep, good to go.

- Consideration with possible action on a application for a six month Class B Beer License for De Pere Dodgers Baseball Club, Inc., at 1450 East Walnut Street with a licensed premises description as Joannes Stadium . Want to knock them outside the fence. Staff.

- Law Department has no objections.

- [Steve] Police concur.
- Motion to approve.
- Motion to approve by Alder Galvin.
- Second.
- Second by Alder Vander Leest, all in favor?
- [Together] Aye.
- Opposed?
- That passes unanimously.
- Yeah.
- Play ball.
- Okay, we're all set.
- Seven, consideration with possible action on a application starting in the 2019-2020 license year for a Class B Beer and Class B Reserve liquor license for Old Bavarian Brewing Company, LLC at 1583 Main Street, with a licensed premises description as existing bar and serving areas. Is there anyone here for this?
- [Franz] Yes.
- Okay, well, staff first.
- Sure, we have no objections. The agent did have one, just for, in the interest of full disclosure, the agent did have one conviction for allowing under-age persons to loiter in Appleton, in 2015. It wasn't disclosed on the application, but we didn't feel that it was enough to warrant not recommending. And that was all from the Law Department.
- [Steve] Police concur.
- Okay, I'll take a motion to open the floor.
- Motion to open the floor.
- Second.
- Motion to open the floor by Alder Galvin, seconded by Alder Vander Leest, all in favor?

- [Together] Aye.
- Opposed? Okay, if you could please come up, please state your name and address, and address the Chair, and if the pad's still there, if you could fill that out and hand that to the, our legal department before you go. There was, I got an email expressing concern about brewing. Do you brew beer?
- [Franz] No, no, we contract brew.
- You contract brew?
- Correct.
- Then I think that clears that up.
- So you're just operating a bar, this is not a brewery.
- [Franz] Correct, correct.
- And which building is this in, I know it's near McDonalds.
- [Franz] 1583 Main Street, it's BBs.
- Oh, BBs, yeah.
- [Franz] The sole tenant in that building.
- Mm hm.
- BBs.
- [Franz] Correct.
- Is there anything else you care to add? That's all I needed to know.
- [Franz] No, I mean, we'd like to bring our business up to Green Bay, we've been in business for 20 years in Appleton now. And just trying to expand.
- Okay, cool.
- I wonder, in the stipulation agreement, you didn't want to sign the license or any employee of a licensed establishment is permitted from being under the influence of an intoxicant or controlled substance, or a combination of intoxicant or controlled substance while performing services or job duties on a licensed premises, you didn't want to sign that?
- [Franz] When I met with the Police Department last week, I signed that letter.
- It's not initialed here, it's crossed out.

- [Franz] The police officer crossed that out himself. He said that's no longer valid, so that's why. I met with Dave Vanerem.
- [Steve] Yeah, Officer Vanerem did the business plan. And since that's being crossed out on some since establishments are allowing their servers to drink.
- [Franz] I mean, we don't anyway, but he crossed it out, he said he can't legally ask me to, to me it doesn't matter.
- Well I guess I would ask staff, is that holding water? It's a surprise to me.
- It's up to the discretion of the Police Department if they wanted to keep that in the stipulation agreement. I don't believe there have been any, since my absence, I don't believe there have been any changes in the Sober Server Ordinance, I know that that did come in front of the Committee.
- I understand we have no Sober Server ordinance--
- And that's coming back--
- But, but--
- It could be in the stipulation.
- It was something that we had going. And I just, I would strongly urge the Police Department to have a discussion with their community police officers, and make sure they're all on the same page as the stipulation agreement goes. We spent a lot of time putting this together, and it just seems like it has been, parts of it are being kicked to the curb. And if it's because they're misinformed about ordinances, statutes, and whatever, liability, I think we should all get on the same page as a community. So, and if you could let me know what you find out, I would appreciate it. But I think, going forward, if a company is willing to sign it, by all means, let's have them sign it. I mean, again, we've all agreed that there is an issue with the drinking culture in the state, much less in the community, and the more we can do to get that under control and not have the problems that we've had to deal with in the past, I think everyone benefits, including the police department.
- [Steve] I agree, I'll discuss it with the community police and get the opinion of Rich Maes, the City attorney that prosecutes these.
- All right.
- [Franz] And if I need to initial it after the fact, I'm totally fine with that.
- And I'm reassured that that's a great policy to have for a drinking establishment.
- [Franz] And I agree, it's business.
- Well it's good business not to have intoxicated people working for you, absolutely.

- [Franz] Well it's a double-edged sword. I agree with that we don't allow it, but I know why bars do it.
- Sure, all right, thank you so much.
- [Franz] It's actually smaller bars that do it.
- Do you have a question, or?
- I was just going to mention to staff--
- Save that until we close the floor.
- Okay.
- Unless it's a question.

- I have no more questions, thank you.
- Okay, thank you very much.
- [Franz] Thank you.
- Motion to close the floor?
- Motion to close the floor.
- By Alder Galvin.
- Second.
- Second by Alder Vander Leest, all in favor?
- [Together] Aye.
- Opposed? Okay, Alder Vander Leest.

- I think this discussion was brought up probably about four or five months back, and I think the Tavern League, they had some input on it, and also the Police Department did, that there weren't a lot of violations as far as intoxicated servers. Some of the bar owners came up, and they spoke that they felt that they were managing their people at a pretty good pace as far as it wasn't an issue, a real big issue, as far as drunk servers. I don't think there was any violations written that had drunk server at this bar or that bar, that the establishments were policing their own operation more so, and I think that's why maybe it wasn't really pushed that heavily on that.

- Well you can't cite for it if you don't have an ordinance for it.
- Well I think they were trying to put it into ordinance form, and I don't think it went forward as far as, because I think the people that are, you know, Tavern League, for number one, and a lot of the bar owners didn't feel that, some of the establishments felt that if they wanted to have one or two drinks when they were working that it was okay, and some people were against any kind of drinking, but I guess it kind of comes with the territory.
- But we're getting off our agenda item now, that item will be coming back, we can have a full discussion then. Our agenda item is--
- I'll make a motion to approve.
- To approve this license, so a motion to approve by Alder Galvin.
- Second
- Second by Alder Vander Leest, all in favor?
- [Together] Aye.
- Opposed? Okay, I want everything we do here is just a recommendation to Council, Council has the final say next Tuesday.
- Thank you very much.
- Thank you.
- You've gotta go?
- I do gotta go, but that puts us in a--
- I will get him.
- No quorum.
- No quorum.
- Right.
- Yep.
- Is Alder Steuer upstairs, do you know?
- I'll make a motion to recess for a few--

- Well, if you want, I can, you know, we can get this next one done.
- Eight.
- Eight, yeah.
- All right, consideration with possible action on the renewal applications for various liquor and/or beer licenses for the 2019-2020 license year, staff.
- Law Department has no objections.
- [Steve] Police concur.
- Motion to approve.
- Second.
- Motion to approve by Alder Vander Leest, seconded by Alder Galvin, all in favor?
- [Together] Aye.
- Opposed? Okay, that passes unanimously. Then there's the rest of these, we should probably recess until--
- Yeah, I think so too.
- Yeah, so I will--
- All right, I'm sorry.
- No, no, thank you, appreciate the help we got. We got a lot done while you will still here. So I will take a motion to recess.
- 10 minutes.
- 10 minutes for--
- Motion to recess.
- Second.
- Okay, a motion by Alder Galvin to recess for 10 minutes, seconded by Alder Vander Leest, all in favor?
- [Together] Aye.
- Opposed? That passes unanimously. Sorry folks, we don't have a quorum until Alder Steuer comes back from planning, I'm going to get him back here ASAP.

- Recording, okay.
- Okay, I'll take a motion to go back in session, or do we need a motion?
- Yep.
- Yep.
- Yep, to go back into, mm hm, yes.
- Motion to go back in session.
- Motion by Alder Vander Leest.
- Second.
- Second by Alder Johnson. Got so many names now I'm gonna be spinning. All in favor?
- [Together] Aye.
- Opposed? Okay, we are now back in session. We are onto item 10.
- Mm, yes, scrolling through, item 10.
- Okay, a request by Alder Scannell for consideration with possible action for legal to work with inspection to either amend or write an ordinance protecting property owners from their neighbors' runoff. I've gotten a couple of different calls on this, apparently there's a long history here. We used to have some more laws that were more effective in that way, and then they were changed, and so I'm looking for inspection staff to see what can be done with this, I'd just like to refer this to staff.
- Okay, sounds good.
- Motion to refer.
- Second.
- Motion by Alder Johnson to refer, seconded by Alder Vander Leest, all in favor?
- [Together] Aye.
- Opposed? That passes unanimously.
- Okay.
- Item 11, consideration with possible action on a request by Alder Wery to review/action on changes to the Ethics Code policy and ordinance as recommended by outside counsel, staff.

- Yes, I believe the City Attorney did update Alderman Wery on this item that A.C.A. Johnson, Kristen Johnson was working on this up until her departure a couple of weeks ago. So work has paused on it temporarily due to staffing issues, but we hope to resume work quickly on this in the next couple of weeks. We have a new attorney starting May 29th.

- Oh, yay.

- To replace A.C.A. Johnson, so she will be able to move forward with this and hopefully we can have an update for the Committee thereafter.

- Sounds very ethical.

- Mm hm, very much so.

- Does anyone have any other questions or any concerns about this?

- No.

- Has Alder Wery indicated which items within the Code that he'd like to see revised.

- He, I believe he wanted to have changes implemented that the outside counsel had recommended. This was sent, so the Ethics Code per his request that was approved by Council, the Ethics Code was sent to outside counsel who reviewed, made recommendations, and gave a report back to the City.

- This was when it was first passed?

- No, no, this was just recently.

- No, just recently, in the past couple of months I believe.

- Oh, longer than that, but whatever.

- My timings all out of whack.

- Yeah, yeah, yeah.

- And so our department has been working, specifically A.C.A. Johnson was working on reviewing those recommendations because it was actually fairly detail oriented, and then implementing those changes into amendments and recommendations to then bring back to Committee and Council.

- Okay.

- Do you want to make a motion just to--

- Receive and place on file.

- We could have, in other words, we could hold it, and then let staff bring it up to date.

- Sure, we'll hold the item until the recommendations are ready.
- You're right, hold would be better. I think you're right, I think so. Yes you're right, to hold. A motion to hold by Alder Vander Leest.
- Second.
- Second by Alder Johnson, all in favor?
- [Together] Aye.
- Opposed. That passes unanimously.
- That was a motion to hold.
- 'Til staff can report.
- Until staff can report back. Alrighty.
- Item 12, consideration, well actually 13, consideration with possible action by Alder Wery which states, to request a report of police call volume on Western Avenue from Oneida to Taylor, what addresses are habitual problems, have nuisance plans and bills for service been issued, develop a plan moving forward to reduce the number of police calls to this area, staff.
- I will defer this one to Lieutenant Mahoney.
- [Steve] We received the request very similar from the neighbor that lives in that area. I reached out to Alder Wery and explained that to him. Our crime analyst is working on that data. She just had to get some other help, so she was unable to compile that data for this meeting. So we're just asking that just be held, and for the next meeting we'll have that information.
- Motion to hold?
- Motion to hold.
- By Alder Vander Leest.
- Second.
- Second by Alder Johnson, any further discussion? All in favor?
- [Together] Aye.
- Opposed? That passes unanimously.
- I'm sorry, I missed that.
- Motion to hold by Alder Vander Leest.

- Vander Leest.
- Second by Alder Johnson.
- Johnson, to hold. Until the next meeting?
- Yep.
- Okay. My skills with multi-tasking have not returned yet.
- Yeah, that's fine, that's fine. When you're ready, there's no pressure.
- Yes, item 13, yep.
- We're just all staring at you.
- No pressure though.
- Yeah. Item 13, a request by Alder Johnson for consideration with possible action on the creation of a SafePark initiative that permits overnight parking for those who may have consumed too much alcohol in an effort to deter drunk driving incidents. Examples, Seattle, Colorado, staff. Well, let's go to Alder Johnson.
- Okay.
- I think the appropriate action at this time is just to refer to staff to craft a policy that we can actually bring back here, discuss, debate. I've been working with Don Mjelde from the Brown County Tavern League, and specifically trying to address certain situations where we have overnight parking, and we create citations, and trying to see if there's a way that we can, I guess, create an environment that encourages people not to get behind the wheel because they fear getting a citation or a ticket. There are other cities that successfully do this. An additional one that had been shared with me is Austin, Texas, so I think when we're researching this, that could be another model to look to, with creating a policy that works. And I think, also, Director Grenier had indicated that he might have some feedback on a policy of this sort.
- Mm hm. My recommendation at this point would be for, basically, refer to staff to DPW and to Parking, as they would be kind of spearheading whatever policy would be at play.
- We could park it with them?
- Yes, you can park it with them.
- Did you get that, hm, hm, hm.
- I did.

- Oh, Alder Vander Leest.

- Yeah, I'm just gonna mention, during the Packer games, this issue has come up before about people leaving their cars where there's such a narrow corner on some of those streets, and people, they say they were drunk, they weren't drunk, they left their cars. So that has to be addressed into the issue as well. I think our traffic manager, a Mr. Hansen, he had some input on that, so I think we should definitely discuss it with Mr. Hansen as well. And see where it all kind of fits in, because they're basically, if they approve it, that some of those streets, it won't move out at all, when they have a Packer game, and I'm sure Lieutenant Mahoney knows what's going on in that end.

- [Steve] Yeah, that's one of our, we're for it, especially, I work night shift, and yes, last thing in the world that we want are people debating on whether, do I get a \$30 parking ticket, or is it worth me driving. One of the concerns we would also have is, now, with the Saturday Farmer's Market along Washington Street, I know in the past the Farmer's Market people, right at 2:30, were trying to get us to get the cars out, so it's something I think the City needs, it's just, yeah, there's gonna have to be some research and tweaking to it to accommodate Packers, some of the downtown events, that the streets are closed off.

- Yeah, I know this has come up before, and we looked at it, and there were some solutions offered as to there are spots where people can park, but I think we need to get more organized with this, more promotion of this, more marketing of this, and more organized with it. And I know staff is working on a comprehensive parking plan for the City, so this certainly should be a part of that.

- One other part of it also is the Fire Department, they said that, for instance, where they had those party houses behind that, and they were off of Lombardi Avenue, they said they couldn't even get a fire truck down there in order to get through there were so many cars. So that's some kind of issue, in other words, they don't want nobody parking on there during that time frame I think, I don't know if that's Thrush Street, or the name of that, it's right next, in other words, the party houses, the next one over from Lombardi, they couldn't even get a fire truck down the, the rescue quad couldn't even get through.

- Is that Thorndale?

- So there was a problem there, so they wanted to discuss that with the Fire Department as well.

- Yep, yep.

- And I think those are all concerns that can be addressed in crafting a policy. I think when it comes to referring to Improvement and Services, the one concern I would have is referring it directly to staff, and then it doesn't find its way back onto an agenda, so I want to make sure that, if we do refer over to that department, and it leaves this Committee then--

- The Law Department wouldn't, because it does involve parking policies, and they are procedures, it's not something that Law Department can craft and then pose on DPW and Parking. I was hoping that somebody from the DPW and Parking would be here tonight to discuss, so it could be referred directly to them.

- I'm okay with referring to them, I just want to make sure that it ends up on an agenda again.

- Right, so Jamie, in the clerk's office, will follow up and make sure that it will come back once it's ready.

- Okay.

- Okay, if we don't hear back within a little bit, we can put in a communication where we are on this parking.

- To get an update, correct.

- Okay, so I move to refer to, for staff, I guess, do we have to specifically designate which staff?

- No, you don't have to.

- Refer to staff.

- You guys'll figure out which staff, okay.

- Yes.

- Refer to staff, by Alder Johnson, seconded by.

- Second.

- By Alder Vander Leest. All in favor?

- [Together] Aye.

- Opposed? That passes unanimously.

- Refer to staff, and we are good to go.

- 14 or 15, consideration with possible action to grant final approval authority to the Protection and Policy committee for liquor license applications, liquor license amendments, and operators licenses from May 21st, 2019 through October 1st, 2019. I believe this is on our agenda so that during the summer months, we meet fewer times and this way people who are looking for a license aren't left hanging for a month or two because we only meet once a month, both Committee and Council, correct?

- Yep, that is exactly it.

- And so I would recommend that we have that authority to the Council. I'll take a motion to approve. Unless there's other--

- Motion to approve.

- Motion to approve by Alder Vander Leest. Discussion?

- Yeah, I mean, we've seen this with I and S, and some other committees as well, where we start removing the legislative body from its responsibility of legislating. And by saying, you know what, we don't meet enough in the summer months, let's just give it to this organization, or we'll give it to staff to make that decision, we'll give it to, now in this case, we'll give it to the sub-committee to make the decision. If we have a policy in place that's designed for appropriate legislative oversight throughout the balance of the year, it just seems kind of odd to me that we would constantly change the rules to change that authority, just because we don't meet enough.

- Well, if I may, we have in the past, or have in specific cases that have come up, where due to time constraints, it's usually a time constraint issue where this Committee has been given the authority. It was specific issues, specific circumstances, so this is just a little more of a blanket policy to deal with the time constraints of our new, considering our summer schedule. So I would certainly, don't think we should have the final say forever, but, and I don't know--

- What time constraints are we typically facing here?

- It's mostly just so that applicants aren't facing a delay where they could only have their application be heard once a month for final approval from Council. So for bartenders, if they're applying for a job, and they need to have their bartender's license to get that job, they would be able to turn that around in two weeks time when Council is meeting in regular fashion. But when we go into the summer schedule, only meeting once a month, it could pose a problem for operator's licenses, and for bars and restaurants who are looking to open up, and businesses that are looking to open up and whatever their timelines are. It just makes it a little bit easier, but it's entirely up to your discretion whether you want to do that or not.

- I mean, I would imagine the whole Council's gonna debate this issue, but again, I just have a, maybe, take issue, when we constantly delegate the Council's responsibility to smaller bodies making that decision for us, so.

- That's a good point. For now though, I will second the motion. And for moving it onto Council, all in favor?

- Aye.

- Aye.

- Opposed?

- Nay
- Nay, okay, so we should vote.
- Yes, let's redo that.
- That's two to one that it passes.
- Okay, I will start the vote.
- My vote's not coming up on the screen here.
- Alder Vander Leest, you'd like to vote yes?
- Yes, yeah, there is a program. Generally if there's any real questions about, we refer to the Police Department and to the Law Department, and if there's a big issue, then we'll say no.
- And I would reserve the right to change my vote at Council, I think I want to learn a little bit more about this issue between now and then.
- Yeah.
- So that passed two to one, with Alder Johnson voting nay.
- Are we ready to move on?
- Would you like a chair?
- [Mark] Brian, are you going to stay here?
- I'm good, Matt's gonna text me, you want to jump back on?
- All right, well just let me know.
- Well, you certainly could.
- You can jump back on.
- We could still have four, if you're back.
- [Mark] I'm back.
- Come on up, Mark.
- You're the man.
- We have a quorum, but technically, it is four to the Committee usually.

- What is there left?
- Just informational, it should be quick.
- We only have one more--
- Two more items.
- Two more items.
- Oh, two more items.
- [Mark] Go ahead.
- Yeah, yeah. All right, informational, Liquor Violation Report from the Police Department for May 13th, 2019, staff.
- [Steve] We didn't have any violations. We issued one property referral to a business downtown based off of the disturbance.
- Any questions?
- It sounds like they're doing a good job.
- Yep, I'll take a motion to receive and place on file.
- Motion to receive and place on file.
- Second.
- Alder Vander Leest, seconded by Alder Johnson. All in favor?
- [Together] Aye.
- Opposed? That is received and placed on file. Report of the the Water Utility Department regarding the lead pipe removal project. We got a PDF on that, so I think we just receive and place on file. They're doing a good job, they're getting more and more of the lead, they're getting the lead out.
- Well they got all of Shawano Avenue done, that was a big project over there.
- Yeah.
- Huge. Practically every house had, across from West High School was all bad.
- Motion to receive and place on file.

- Motion to receive and place on file by Alder Vander Leest.
- Second.
- Second by Alder Johnson, all in favor?
- [Together] Aye.
- Opposed? That passes unanimously. I believe, I'll take a motion to adjourn.
- Yes.
- Move to adjourn.
- Motion to adjourn by Alder Johnson.
- Second.
- Seconded by Alder Vander Leest, all in favor?
- [Together] Aye.
- Opposed? We're done. Good job everyone. Thank you, thank you, thank you.
- Thank you.
- Now you want to, you're gone, they already polled you?
- [Mark] Thank you, Brian.