



MINUTES OF THE PROTECTION AND POLICY COMMITTEE

**MONDAY, AUGUST 12, 2019, 5:30 PM
CITY HALL, ROOM 207**

A. ROLL CALL.

Present: Craig Stevens, Mark Steuer, John VanderLeest, Randy Scannell

Also Present: Deputy City Attorney Joanne Bungert, City Attorney Vanessa Chavez, Assistant City Attorney Lindsay Mather, Chief of Staff Celestine Jeffreys, Lieutenant Steve Mahoney, Director of Public Works Steve Grenier, Assistant Chief Building Official Paul Van Calster, Housing Inspector Tim Meves, Ald. Brian Johnson and Ald. Barbara Dorff

B. APPROVAL OF THE AGENDA.

I. Approval of the agenda for the August 12, 2019 Protection & Policy meeting.

Moved by Ald. John VanderLeest, seconded by Ald. Mark Steuer to amend the agenda to take up items 9, 13, and 14 after item 7. Motion carried.

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

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

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

C. APPROVAL OF MINUTES.

I. Approval of the minutes of the July 8, 2019 Protection & Policy meeting.

Moved by Ald. John VanderLeest, seconded by Ald. Craig Stevens to approve the minutes of the July 8, 2019 Protection & Policy meeting. Motion carried.

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

2. Approval of the minutes of the July 9, 2019 Protection & Policy meeting.

Moved by Ald. John VanderLeest, seconded by Ald. Craig Stevens to approve the minutes of the July 9, 2019 Protection & Policy meeting. Motion carried.

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

3. Approval of the minutes of the July 12, 2019 Protection & Policy meeting.

Moved by Ald. Mark Steuer, seconded by Ald. Craig Stevens to approve the minutes of the July 12, 2019 Protection & Policy meeting. Motion carried.

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

D. REGULAR BUSINESS.

1. Consideration with possible action on a change of agent at The Woods Golf Operations, LLC at 530 Erie Rd.

Moved by Ald. Mark Steuer, seconded by Ald. Craig Stevens to approve a change of agent at The Woods Golf Operations, LLC at 530 Erie Rd. Motion carried.

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

2. Consideration with possible action on an application for an available "Class B" Combination license for Barny's LLC at 201 N. Washington St. with a licensed premises description as "1350 sq ft selling space (first floor), 220sq ft storage space (upstairs), subject to the approval of the proper authorities. (Previously licensed as "Cover 2 Sports Bar & Lounge, LLC) (The Protection & Policy Committee has been granted final approving authority on liquor license related matters until October 1, 2019).

Moved by Ald. John VanderLeest, seconded by Ald. Craig Stevens to approve an application for an available "Class B" Combination license for Barny's LLC at 201 N. Washington St. with a licensed premises description as "1350 sq ft selling space (first floor), 220sq ft storage space (upstairs), subject to the approval of the proper authorities. (Previously licensed as "Cover 2 Sports Bar & Lounge, LLC) (The Protection & Policy Committee took final action on this item). Motion carried.

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

3. Consideration with possible action on an application for "Class B" Combination license for Ramis River Run, LLC at 324 N. Roosevelt with a licensed premises description as "bar area, men's and women's bathrooms, storage, security room, basement, coolers (in basement), subject to the approval of the proper authorities. (Currently licensed as Karen's Pub, LLC). (The Protection & Policy Committee has been granted final approving authority on liquor license related matters until October 1, 2019).

Moved by Ald. Mark Steuer, seconded by Ald. Craig Stevens to approve an application for "Class B" Combination license for Ramis River Run, LLC at 324 N. Roosevelt with a licensed premises

description as "bar area, men's and women's bathrooms, storage, security room, basement, coolers (in basement), subject to the approval of the proper authorities. (Currently licensed as Karen's Pub, LLC). (The Protection & Policy Committee took final action on this item). Motion carried.
Yes- Craig Stevens, John VanderLeest, Mark Steuer, Randy Scannell, No- None, Abstain- None

4. Consideration with possible action on an application for a "Class B" Combination license for The Braggin Bar, LLC at 219 N. Washington St. with a licensed premises as "Mexican restaurant, 2 floors plus basement area," subject to the approval of the proper authorities. (Previously licensed as El Presidente, LLC)

Moved by Ald. Randy Scannell, seconded by Ald. John VanderLeest to approve an application for a "Class B" Combination license for The Braggin Bar, LLC at 219 N. Washington St. with a licensed premises as "Mexican restaurant, 2 floors plus basement area," subject to the approval of the proper authorities. (Previously licensed as El Presidente, LLC). Motion carried.

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

5. Consideration with possible action on a request by Richard Craniums at 840 S. Broadway to temporarily extend their licensed premises to the outside parking lot on Aug. 31 from noon to 10 p.m. for a fundraising event.

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

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

Moved by Ald. John VanderLeest, seconded by Ald. Mark Steuer to close floor. Motion carried.

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

Moved by Ald. John VanderLeest, seconded by Ald. Craig Stevens to approve a request by Richard Craniums at 840 S. Broadway to temporarily extend their licensed premises to the outside parking lot on Aug. 31 from noon to 10 p.m. for a fundraising event, subject to complaint. Motion carried.

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

6. Consideration with possible action on a request by Richard Craniums at 840 S. Broadway to temporarily extend their licensed premises to the outside parking lot on Sept. 5 from noon to 10 p.m. for a customer appreciation tailgate party.

Moved by Ald. Craig Stevens, seconded by Ald. John VanderLeest to approve a request by Richard Craniums at 840 S. Broadway to temporarily extend their licensed premises to the outside parking lot on Sept. 5 from noon to 10 p.m. for a customer appreciation tailgate party, subject to complaint. Motion carried.

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

7. Consideration with possible action on a request by Brewski's On Broadway at 1100 S. Broadway to temporarily extend their licensed premises to the parking lot on September 21, September 28 and December 1.

Moved by Ald. Craig Stevens, seconded by Ald. John VanderLeest to approve a request by Brewski's On Broadway at 1100 S. Broadway to temporarily extend their licensed premises to the parking lot on September 21, September 28 and December 1, subject to complaint. Motion carried.
Yes- Craig Stevens, John VanderLeest, Mark Steuer, Randy Scannell, No- None, Abstain- None

8. Consideration with possible action on an appeal by Dennis Bailey at 621 Challenger Dr. regarding his reinspection fee.

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

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

Moved by Ald. Craig Stevens, seconded by Ald. Mark Steuer to close 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 approve an appeal by Dennis Bailey at 621 Challenger Dr. regarding his reinspection fee and reduce the fine to \$25. Motion carried.

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

9. Discussion with possible action on a request by Ald. Dorff, which reads: "I believe that steps must be taken to ensure that infra structure projects, including but not limited to those that the wheel tax will fund, must be chosen very carefully and be placed into a capital improvement plan. I am requesting that P and P develop policy with the help of DPW, legal and other appropriate staff. This policy must be developed so that the special interests and requests of individual alders do not subvert the process of choosing the projects that have been carefully researched by city staff as being appropriate for placement in a five year plan. Parameters for choosing streets to be repaired, reconstructed or resurfaced as well as other infra structure improvements should be clearly identified within this policy," which was referred to staff at a previous Protection & Policy Committee meeting.

Moved by Ald. Mark Steuer, seconded by Ald. Craig Stevens to receive and place on file a request by Ald. Dorff, which reads: "I believe that steps must be taken to ensure that infra structure projects, including but not limited to those that the wheel tax will fund, must be chosen very carefully and be placed into a capital improvement plan. I am requesting that P and P develop policy with the help of DPW, legal and other appropriate staff. This policy must be developed so that the special interests and requests of individual alders do not subvert the process of choosing the projects that have been carefully researched by city staff as being appropriate for placement in a five year plan. Parameters for choosing streets to be repaired, reconstructed or resurfaced as well as other infra structure improvements should be clearly identified within this policy," which was referred to staff at a previous Protection & Policy Committee meeting. Motion carried.

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

10. Discussion with possible action on a request by Ald. Wery, which reads: "Request a legal opinion from the State Department of Justice Office regarding walking quorums, mayors that are legally a member of the City Council, and the practice of meeting individually with Council members regarding upcoming business that the City Council will be voting on," previously held at a Protection

& Policy meeting until a response from DOJ was obtained.

Moved by Ald. Craig Stevens, seconded by Ald. John VanderLeest to receive and place on file a request by Ald. Wery, which reads: "Request a legal opinion from the State Department of Justice Office regarding walking quorums, mayors that are legally a member of the City Council, and the practice of meeting individually with Council members regarding upcoming business that the City Council will be voting on," previously held at a Protection & Policy meeting until a response from DOJ was obtained. Motion carried.

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

11. Consideration with possible action on a request by Ald. Wery which reads: All requests to any city committee or commission, be it from an alderman, staff or the public, shall be placed immediately on the next agenda of said body. The request may be delayed from an agenda upon agreement of both submitter and body chairman.

Moved by Ald. Mark Steuer, seconded by Ald. Craig Stevens to have staff provide alders a list of how to submit a communication and to what committee and commission communications maybe be submitted in regards to a request by Ald. Wery which reads: All requests to any city committee or commission, be it from an alderman, staff or the public, shall be placed immediately on the next agenda of said body. The request may be delayed from an agenda upon agreement of both submitter and body chairman. Motion carried.

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

12. Consideration with possible action on a request by Ald. Galvin to the Protection & Policy committee to have a procedure for alders to be notified when petitions and communications are going to be addressed at the committee level, which was held at the June 10 & July 8 Protection & Policy meeting.

Moved by Ald. Craig Stevens, seconded by Ald. John VanderLeest to approve the procedure as presented by staff on a request by Ald. Galvin to the Protection & Policy committee to have a procedure for alders to be notified when petitions and communications are going to be addressed at the committee level. Motion carried.

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

13. Discussion with possible action on General Ordinance No. 28-18, an ordinance to repeal and recreate Section 6.15 Green Bay Municipal Code, relating to special events, previously discussed at the October 8, 2018 Protection & Policy meeting.

Moved by Ald. Mark Steuer, seconded by Ald. Craig Stevens to open the floor for discussion. Motion carried.

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

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

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

Moved by Ald. Craig Stevens, seconded by Ald. John VanderLeest to approve General Ordinance No. 28-18, an ordinance to repeal and recreate Section 6.15 Green Bay Municipal Code, relating to

special events, and amend it to include language that an event per application may include a series of events and amend the cancellation fee language to indicate that the assessment of a late fee be discretionary. Motion carried.

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

14. Consideration with possible action on the General Records Schedule for Wisconsin Municipal and Related Records dated August 27, 2018.

Moved by Ald. Craig Stevens, seconded by Ald. Mark Steuer to adopt the General Records Schedule for Wisconsin Municipal Related Records dated August 27, 2018 as recommended by staff. Motion carried.

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

E. INFORMATIONAL.

1. Liquor Violation Report from the Police Department for August 12, 2019.

Moved by Ald. Mark Steuer, seconded by Ald. Craig Stevens to receive and place on file the Liquor Violation Report from the Police Department for August 12, 2019. Motion carried.

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

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

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

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

F. ADJOURNMENT.

Moved by Ald. Mark Steuer, seconded by Ald. John VanderLeest to adjourn at 8:16 p.m. Motion carried.

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

VERBATIM MINUTES

- Let's roll the rocket.

- All right. We are good to go.

- Okay, hear, hear, hear ye, the Protection and Policy meeting for August 12th of 2019 is now in session. I'll take a motion to amend our agenda by--

- What about roll call?
- Did I miss that again? I did miss that again. Sorry, roll call, let's do a roll call, Alder Steuer?
- Here.
- Alder Vander Lee?
- Here.
- Alder Stevens?
- Here.
- And Alder Scannell is here, we're all here. Hail, hail the gang's all here. I'll take a motion to amend our agenda.
- Motion to amend.
- We'll put nine, 13 and 14, after item seven. Okay is there a motion to--
- Second.
- The motion by Alder Vander Lee to amend the agenda, seconded by Alder Steuer, all in favor?
- Aye.
- Opposed okay that passes unanimously. Now I'll take a motion to accept our agenda as amended. By Alder Vander Lee
- Second.
- Seconded by Alder Steuer. All in favor?
- Aye.
- That carries unanimously so, our minutes, can I take those all at once or do I have to do each one?
- We have to do each one.
- Each one, okay I will take a motion to approve our minutes for the July 8, 2019 Protection and Policy meeting. So moved by Alder Vander Lee, seconded by Alder Stevens, all in favor?
- Aye.
- Opposed? Those minutes have been approved. Those are good minutes. Approval of the minutes for July 9th 2019 Protection and Policy meeting, Alder Vander Lee, second by Alder Stevens, all in favor?
- Aye.
- Opposed, those are also good minutes. Approval of the minutes of the July 12th, 2019 Protection and Policy meeting?

- So moved.
- By Alder Steuer, seconded by Alder Stevens, all in favor?
- Aye.
- Opposed, okay our minutes have been approved. Let's get on to the regular business if you're ready.
- I am ready.
- Number one consideration with possible action and a change of agent at the Woods Golf Operations LLC at 530 Erie Road. Staff?
- Law department has no objections.
- [Man] Police concur.
- Motion to approve.
- Motion approved.
- By Alder Steuer, seconded by Alder Stevens, all in favor?
- Aye. Opposed, okay and I should say before we get any further, everything we do here unless I say otherwise it's just a recommendation to council, council has the final say unless they've given us the final say which they haven't with this one. And that meets next Tuesday six o'clock in the room next door. So with that let us move on item two, consideration with possible action on an application for an available Class B combination license for Barney's LLC at 21 North Washington Street with a license purposes description as 1,350 square feet selling space first floor. 220 square feet storage space upstairs, subject to the approval of the proper authorities. Previously licensed as Cover Two Sports Bar and Lounge LLC. For this one we do have the final authority as granted to us by the council October 1st.
- Yes so.
- Until October 1st.
- Yes so this is for an available license, we currently have four availables. Law department has no objection. We do wanna note that it is in the downtown moratorium, but they qualify for an exemption because they applied within 60 days of the termination of the prior licensees, lease for the premise.
- What was that, the prudence?
- Cover 2.
- Cover 2.
- Okay thank you, I got that.
- Motion to approve.
- Whoa whoa, wait wait, let's.

- Our honored boys in blue over here?
- [Man] Police concur.
- Police concur.
- Motion to approve.
- Motion to approve by Alder Vander Lee
- Second.
- Second by Alder Stevens. All in favor?
- Aye.
- Opposed, that passes unanimously.
- Next.
- Number three consideration with possible action on that petition for a Class B combination license for Ramis River Run LLC at 324 North Roosevelt with a license process description as a bar area, men's and women's bathrooms, storage security room, basement, coolers in basement, subject to the approval of the proper authorities. Currently licensed as Terrence Pub LLC. We also have final authority on this one.
- Yes so Law Department also has no objections on this application. We do also want to note that this premise is in the Old Main moratorium, but they qualify for an exemption as it's a surrender from the prior licensee. It's also directly across from a school which would typically be prohibited under our ordinances but it also qualifies for that exemption in this case because the premise was licensed as such with the liquor license prior to March 25th 2000. So they are allowed to continue on.
- [Man] Police concur.
- Motion to approve.
- Motion to approve by Alder Steuer. Second by Alder Stevens, all in favor?
- Aye.
- Opposed? That passes unanimously.
- [Man] Thank you.
- You're welcome, have a good day.
- [Man] You too.
- Good to go.
- Number four consideration with possible action on application for a Class B combination license for The Braggin Bar LLC a 2019 North Washington Street with a licensed premises as Mexican restaurant two floors plus basement area. Subject to the approval of the proper authorities. Previously licensed as El Presidente LLC, staff?

- Staff has no objections. This premise is also in the downtown moratorium and they qualify for an exemption as it will operate as a restaurant per their security plan.
- [Man] Police concur.
- Yeah yeah motion to approve, I'll make the motion to approve.
- Second.
- Second by Alder Vander Lee.
- I guess I just had one question because of the situation we had with the previous tenant, I'm just wondering if there's any thing with that at all, with El Presidente.
- [Man] No, when we did our bar stipulation plan we spoke to the owner it is specifically going to be a Mexican restaurant on the first level. He made comment that the second level would kind of be like The Gather on Broadway that would be rented out if people wanted to hold some events or parties there, but he assured us it is strictly a Mexican restaurant. And it has no association with any previous people from El Presidente.
- Okay good thanks.
- Good?
- Yep.
- Motion to approve, by alder?
- You.
- Oh by me, yes, and seconded by Alder Vander Lee. All in favor?
- Aye.
- Opposed, that passes unanimously. Item five consideration of possible action on a request by Richard Craniums at 840 South Broadway to temporarily extend their licensed premises to the outside parking lot on August 31st from noon, high noon to 10:00 p.m. for a fundraising event, staff?
- Law department has no objections, we would defer to PD if they have any questions.
- [Man] We would just like to standard to make sure there's security or fencing outside to make sure all calls not coming or going.
- Motion to open the floor?
- Second.
- Motion by Alder Stevens to open the floor, seconded by Alder Steuer all in favor?
- [Board] Aye.

- Opposed, the floor is now open. Please come forward speak your name and address and are the pads up there? Please fill out a pad before you leave. Oh she did? Okay hi.
- Hi.
- You heard the police concerns, can you tell us?
- Yeah, we will have a fenced in area and we have security as well so we'll have somebody watching all day. That's basically it.
- Anything else?
- Nope, we're satisfied.
- Anything you'd care to add?
- [Woman] Nope, it's the same for the next one too, if that makes a difference.
- All right yep thank you.
- Thank you.
- Motion to close the floor?
- Motion by Alder Vander Lee, seconded by Alder Steuer, all in favor?
- Aye.
- What's your wish is done.
- Motion to approve.
- Motion by approve by Alder Vander Lee,
- Seconded by Alder Stevens, all in favor?
- Aye.
- Opposed? That passes unanimously. Item six, oh are we ready?
- Yes.
- Consideration with possible action on a request by Richard Craniums at 840 South Broadway to temporarily extend their licensed premises to the outside parking lot on September 5th from high noon to 10:00 p.m. for a customer appreciation tailgate party. Staff?
- Law department has no objections.
- [Man] Based on what she said on item five, we have no objections either.
- Motion to approve.
- Motion to approve by Alder Stevens, second by Alder Vander Lee, all in favor?

- Aye.
- Opposed, that passes unanimously. Item number seven.
- Yes.
- Consideration with possible action on a request by Brewski's On Broadway at 1100, excuse me, South Broadway to temporarily extend their licensed premises to the parking lot on September 21st, September 28th and December 1st, staff?
- Law department has no objections.
- [Man] Once again the police would wanna make sure they have security and fencing outside.
- Motion to open the floor.
- Is someone here for this? Uh oh, no one's here for this.
- It's time sensitive.
- It states it in the letter.
- Proper fencing and will have proper security personnel for the event.
- [Man] Police are satisfied then.
- Motion to approve.
- Motion to approve by Alder Stevens.
- Second.
- Seconded by Alder Vander Lee all in favor?
- Aye.
- Opposed? That passes unanimously. We are on to item nine?
- You can move to item nine.
- Okay.
- Yes, onto item nine.
- Nine, discussion with possible action on a request by Alder Dorff, which reads: I believe that steps must be taken to ensure that infrastructure projects, including but not limited to those that the wheel tax will fund, must be chosen very carefully and be placed into a capital improvement plan. I am requesting that P and P develop policy with the help of DPW, legal and other appropriate staff. This policy must be developed so that the special interests and requests of individual alders do not subvert the process of choosing the projects that have been carefully researched by city staff as being appropriate for placement in a five year plan. Parameters for choosing streets to be repaired, reconstructed or resurfaced as well as other infrastructure improvements

should be clearly identified within this policy, which was referred to staff at a previous Protection & Policy Committee meeting. Staff, or Barb did you have, okay staff.

- I believe Director Grenier is here to speak on this item.

- We have provided for you in your packet a copy of the criteria that are currently utilized by the Department of Public Works for selection of infrastructure projects. Most notable among these are the street resurfacing and reconstruction that is predicated primarily by street pavement readings which are conducted in every other year in odd-numbered years. We do attempt to leverage those projects against the sanitary and storm sewer utilities to maximize the amount of work that can be done, by minimize the expenditure. We also do coordinate that with both Green Bay Water Utility to coordinate with their plans on the infrastructure upgrades as well as coordinating with other known utilities in areas where we know that we have major utility upgrades. Target goal is about 16,000 linear feet of resurfacing in an annual year. And the target for reconstruction runs between six and 10,000 lineal feet. Obviously that is somewhat dictated by the amount of financing that is available. We have identified that there are certain instances where streets cannot be resurfaced and they automatically become candidates for reconstruction, most notably among those are where the base has already failed, and we have to do a complete base reconstruction, or if it is what we refer to as a concrete base street which is the old concrete street that has already been paved over. We similarly have some situations where streets are normally candidate for resurfacing, but they've already been paved into the gutter and by resurfacing them we would wind up with surface ponding and lack of drainage. When we have something like that the only thing that we can do is reconstruct the curb and gutters as well and that's for reconstruction. Although it wasn't explicitly stated in Alder Dorff's communication we did take the opportunity to further describe how a utility improvement program is funded, that is our sanitary and storm only projects. Prior to about five years ago those projects simply did not exist within the city of Green Bay. If we did a utility project, it was directly tied to a street project. Here we are utilizing funding solely derived from sanitary or stormwater utility to drive those projects that will make a bigger improvement above and beyond what we can do with our road reconstruct and resurfacing program alone. As our bridge division has come along, we've provided you with some description on how bridge projects are selected. Traffic signal repair program has kind of come into its own over the last five to six years and what we target there essentially, it's two intersections a year, that comes out to about a quarter of a million dollars. And we are trying to coordinate that along corridors to make corridor timing and corridor progressions work better. So we don't just pick two intersections at random throughout the course of the city or we don't necessarily go to the two oldest. We will look at the University Avenue corridor in an effort to maximize or enhance travel times along the corridor. In recent years we have been working in the core of the downtown improving traffic flow along Walnut Street and this year we utilized the two intersections leveraging that money against the money that came in from the state and federal governments on Webster Avenue to upgrade and enhance the signals at Webster Bradison, and Webster and University. Last thing that we've identified is our parking ramp repair program, that is about a \$650,000 a year program to enhance and repair and keep the longevity of our existing parking ramps. And that is slowly funded through the parking division which is an enterprise, or a special revenue function. So we've put a pretty good description of how the projects are selected, if you have any questions?

- Thanks for coming in Steve. You mentioned 16,000 linear feet per year, so with that being said is it still, it would be nice to know what is being done at this time, or is this all related on the wheel tax and other things? I'd like to know where we're at so far this year as far as being up to the 16,000.

- We're in about that neighborhood.

- Okay is there a list of the roads and things that have been done? Do we have any kind of?

- Nothing is complete this year, we're in the middle of construction.

- All right well like what I'm saying is what projects are going on right now all that we have access to see what was being done.
- We approved them.
- We approved, okay, so it wasn't INS, we have a copy of all those roads some time ago correct?
- At Camp Tecumseh, correct, we approved maintenance.
- Well just when we bring the capital improvement program we simply have a line item that says resurfacing. Yes I do have a list of the streets that are included in the resurfacing program that's available for anybody, absolutely.
- I'll just look at that later.
- What did we approve at council?
- The capital improvement program which will individually list out reconstruct streets but it's just resurfacing, a resurfacing program, is just a single item.
- Okay, Alder Dorff?
- Sure, that was quick, I should come up.
- I think you should.
- Yes so I'd like to address this to law, is this doing this is a nice statement, it's nice description is this doing what I want it to do? To make sure that like someone at an improvement and services committee cannot just go oh yeah and you got this list here and this is what you prioritize DPW, but I want this street done in my district. That was my intent that it doesn't seem like it's in policy form is it policy form? Well I'm asking legal.
- [Woman] So there's a couple different ways that we could do it. I think that the way that has the most ability to prevent things from being added would be to do this by ordinance. So we would establish, we would basically take the policy that has created, and put that into a ordinance format. That's really only difference to make it binding so that there is no opportunity for somebody to take and stick it in, or stick in projects that would serve them at that time. It would literally be an ordinance to do it, otherwise staff's direction is to follow through with policies that we put in place. They can be overwritten but so could an ordinance, an ordinance just takes more time to refill.
- But this is definitely the format that we use for policy with the new city.
- [Woman] Policies don't have to be written, the policies are just what we adopt.
- So I might call practice is what the city calls policy and ordinances are what is pretty prescribed? I guess I'm used to policy being the way we do things or practices we do things, policy is the written rules around it.
- [Woman] So there's nothing that requires us to have our policies in writing, it could be as simple as a practice, or it could be codified as a ordinance. What we do generally is when we have policies in house, we will generally write them down, they're not something that's taken and adopted because they're adopted at the staff level. That's one of our charges is well we are given the authority to act under ordinances, the expectation that is given to us through state law is that we have the authority to adopt policies for our own functions which means that when we come up with something like this that's what we're operating under until told otherwise.

- So going to DPW does this, do you feel like this will allow you to do the areas that you think most needed to be done?

- We do. This was written consistent with other policies like the long grass, weeds, unmanaged growth policy, with our tariffs, street tariffs policy, and our street repair policy. So it's the format and how it's being handled is consistent with past practice on other policies that have been adopted. And again I think the policy as opposed to an ordinance, one of the things that we identified very early on in this policy statement was that we do have, it's not all inclusive because items such as surface transportation block grant funding may alter that, and we need to be able to be a responsive to that, but I don't know that we can necessarily have that same flexibility or responsiveness to alternate funding sources if it was under ordinance, or it may become a little bit more cumbersome under ordinance.

- [Barb] Okay, I'm satisfied then thank you.

- So Director Grenier, you're not concerned about an alder trying to stick their fingers into that street buy?

- No I'm not. Alder's always have been and continue to be, welcome to submit their recommendations for consideration. But whereas the council makes a decision to have a resurfacing program, it always has been at the discretion of the Department of Public Works to select the individual streets that comprise that program. What we are doing here at all Alder Dorff's request is providing an objective fact-based, financially responsible description of how we are already selecting the projects with the anticipation that the council's gonna look at that and agree that this makes sense and this is the way it should be done.

- Question?

- I got a quick question then Steve. I think you know some of it you know there are some concerns with we had some problems with water on the lift station and on the Broadway area and I think we got the lift station in the works. I think that was some of the concern that the water problem was bad in certain areas and I think they did address them with the lift station and they're doing some work on North Broadway, I think to address all that. And I think there was another issue with over by Bellevue Street where they had some flooding and things in that area right off. I think that was kind of like some of the move up. In other words the residents wanted action and you know some of the alders in those districts might have been concerned about, as you well know all the problems that we had with the water with the flooding. I think that's, but you guys are addressing those trying to address those kind of issues and you have staff available when they have, when they know the flooding's coming and I think that was a good in other words initiative, that went forward, to try to help the rest in those districts. I think that was a big plus. I think you're not asleep at the wheel on what's going on on the flooding and if we can get the floods you know where to get the flooding, in other words if the lift station isn't working that in other words that basically what they're asking for and I think you guys are trying to address that, if I'm correct on that.

- Yes.

- I don't know what you know it's been the last since we had some of the last storms, that's all been like I know that areas in my district they have a lot of trees down and stuff like that. I mean they see the guy's out working. Fourth Street's been I think pulling it pretty good. I think you know it works this same way is for a different. So in other words to one other question on on University Avenue, around Traveler, is that project gonna be completed as far as?

- But that really is kind of.

- But it's off to come.

- Yes it is, that's sounds good.

- Okay thanks.

- Okay just two things from me, one is I wanted to make sure that I mean we've done some transitioning here from special assessments and surveying streets to see if we're going to do the reconstructions or the resurfacing, and that's all behind us now. All the streets are on an equal footing, we're starting scratch looking at every street for its condition. In the past if people didn't want their streets for whatever reason redone, they were put at the bottom list correct in the past?

- Yes.

- But now everybody's on an equal footing?

- If they've been moved down, some of those streets are still moved down. And the thought process behind that, that is because that street came up, it was due up it was recommended and people spoke out and the council agreed with that. If you spoke out that you didn't want that project done and let's not forget when those public hearings were held, nobody wanted to be assessed even the folks who had the project completed. Everybody understands that, the decision that was made that was affirmed by the council was not to proceed with the project taking everything into consideration, the project was not needed at that time. If the project wasn't needed it wasn't needed. So it falls behind those who are patiently waiting their turn to come up.

- So we haven't looked at all the streets and done another grading of all the streets?

- Yes we do.

- Okay and so, but the ones that have gone down that were put down, if they're as bad as something that's ahead of them or well let's say if they're worse, would they bump up?

- If they're worse than they'll bump up.

- If there as bad they'll wait?

- They may have to wait behind another that hasn't had it's first shot yet.

- That makes sense if they're equal okay.

- Steve I was just going to ask, I know that the PACE report we have numbers for the 2015 and 2017 years, and I heard through the grapevine or what have you that 2019 is also being worked on, is that correct?

- It's being worked on right now, yes.

- Okay and is there any kind of timeline for that or it depends, as far as completion for something like that?

- Soon.

- Soon. Like I said, in a separate.

- Anything else from anyone else? Then I do Alder Wery sent me an email, he's made some comments on a couple of our items and he asked me to read them into the record. He did so on this item and he writes: I am supportive of staff creating priority lists. However I believe we should never tie the hands of the elected body to make decisions. If the body feels priority streets projects should change and that is their elected right to do so. The list should be the suggested project list which is kind of exactly the opposite of what everyone seems

to be in agreement. So but that is his feeling on it, I think that's kind of the feeling that kind of prompted Alder Dorff's communication. I don't know that he's in the majority. I think we need to not make this a political football that was the whole purpose of the communication of Alder Dorff. But he asked me to put it in the record so it's there. Any other comments or questions or anything? Thank you very much sir, appreciate it. I believe the proper motion would be.

- Receive and place on file.

- Receive and place on file.

- So moved.

- By Alder Steur, seconded by Alder Stevens. All in favor?

- Aye.

- Opposed? That is now received and placed on file. We're on to, let me get back to everything here.

- Number 13.

- Number 13. And we're ready discussion with possible action on general ordinance numbers 28-18, an ordinance to repeal and recreate section 6.15 Green Bay Municipal Code relating to special events previously discussed at the October 8th 2018 Protection and Policy meeting.

- Spence?

- So we have, we had a few meetings last year, earlier this year, with heard some special event holders, and some of their concerns. And so I would say the changes that we made that were fairly major, and matters to discuss them, minor changes if you'd like to go there, is to remove the matrices for both police and fire. So there is not going to be a specific standard for X amount of people in an event, you demand X amount of the police, or X amount of fire. The other change that we made was to allow special event organizers to hire private security with the approval of the police chief or his or her designee. There is no replacement for fire services, so those are the changes that I think caused some concerns last year. And so those are the changes that we made to address those concerns. As I had stated last year, I think the great thing about this ordinance is that it essentially matches the kinds of events that we have in our community with a better definition and then with a better streamlining of services. We also have room for a special event coordinator to do this work, and as I had said last year that was a member of the now law department. The person who was doing the special events of coordinating is the mayor's Community Relations assistant, Jered Vogeltanz. So that is part of his prescribed duties. So we do have a designated person to run that. And those are the high level changes.

- I got a question for Alder Johnson. You're involved with this district, your district is on Broadway. Does this seem to be okay as far as you're?

- [Brian] Yeah maybe, I guess maybe if it's okay, I'll just maybe share a few comments that I have that should probably answer that question for you. I do want to thank staff and Celestine and the hard work that they put into this. I think you know I've looked at this, I've talked with a couple of other organizations that host special events, that an opportunity to look at it and I know Downtown Green Bay's here, I'll let them share any feedback or comments that they may have. I think this is a really good modification, there were only a few things that I thought not necessarily that I disagreed with but I thought could maybe use some further clarification, and so unless there's any amount of time sensitivity to this I would maybe at least request that we hold this item until next month to refer back to staff I should say, just to make some of those modifications but I guess that's up to discretion of the committee.

- We could possibly make them right now.

- [Brian] We could sure, I'm just not sure if legal would be ready to provide the exact verbiage that would go along with that, but I'm happy I mean I probably what, six seven eight things right?

- Well we got three lawyers here I think we can. I think any verbiage.

- [Brian] It's up to you guys and it's up to I guess the committee and I would look for staff's--

- Why don't we start and see how it works, and if it's not working out, we can refer it to staff and staff can.

- [Woman] On behalf of law, we've got a ton of ordinances that we want to bring out to you guys and so if we get this run through, we will do whatever we need to make it happen next time.

- Okay.

- [Brian] All right, well I'm looking under definitions under large events, and actually this would apply to all of them where we indicate the size, or the number of attendees. The question that I would pose is that when we say for example 5,000 attendees is that at one time or over a period of time? Because many special events in our community, it's over a period of time. So hypothetically--

- One event,

- Farmer's market I mean we say 10,000 people come to the event but there's never 10,000 there at one time. So and that number might apply, large events might apply to that example. And all this is anyway but my point is it's just I don't know if that requires clarification, I'm looking to legal maybe for some advice on that. Or maybe maybe even just staff, what your intent was.

- [Woman] The intent was to, this came up last year came up last year, oh by the way, I did send this ordinance out last week to a bunch of folks so to make sure that they were informed.

- Were there any responses back?

- I did not get any responses.

- Okay thank you.

- [Woman] And I was here Friday too, at one o'clock, so for folks to get in touch. So the intent was to really determine well do we have, in what sense do we have 5,000, 10,000 people or 1,000 people converging on an area? I think it's a conversation really what that does is it does talk about services, it also talks about that number directly impacts fees.

- So if there's 5,000 there at any one time.

- Now that's the large event.

- [Woman] That would be hard to determine.

- I mean medium event is 500 to 1000 right?

- Right right.

- It might even impact those categories a little more.
- Medium is 1,000 to 5,000.
- Oh yeah I'm sorry yeah.
- So it would be hard for anyone to determine, so at this hour you had 2,500 people and at this hour you had 7,000 people. I think the idea is what do you generally expect over the course of your entire event.
- Event, okay.
- And we're not going and counting people.
- Right right right right.
- We're taking the word of the event organizers to say we will have about 5,000 people, we will have about 1,500 people, that's perfect.
- I mean from an event organizer perspective I can tell you half of the time it's just a guess anyway. We don't know what's gonna come. So I just didn't know again from a staff perspective if you wanted clarity on that, doesn't impact I don't think event organizers other than like you said the the permit fee, but I just if you want an opportunity to clarify that I thought I would call that out. Okay looking under page three under permit required. This is maybe just a point of clarification, do events on private property, are they required to secure a permit?
- They are not special events.
- Does that need to be clarified anywhere in this ordinance?
- The definition of special events at the top, special event, an athletic events, an athletic event, ceremony, demonstration, march pageant, blah, blah, blah, which impedes the normal flow or regulation of traffic upon streets, sidewalks, and/or rights of way, or customary use of parks or other public grounds.
- Okay so you feel that adequately sums it up? Okay that's fine with me then. 60 days to submit for large, medium, or small event. I mean sometimes so you know, I even look at like, correct me if I'm wrong but if you were taking out a picnic permit you are automatically considered a large event?
- No, oh in terms of right in terms the kind of services that would be necessary?
- So if you're going to serve alcohol.
- So you could be a medium event and have a picnic permit but you can't be a simple event and have a picnic permit. You could be a small other event and have your picnic permit.
- And state law prescribes that 15 days, correct me if I'm wrong, is what's required to submit for a picnic permit?
- But the picnic permit and the special permit are not the same thing.
- I understand that, my point being is that I believe it says in here somewhere that those permits must be secured in advance so does 60 days become the new standard for applying for picnic permits, or is it possible to secure a permit 60 days in advance and submit for your picnic permit later?

- Lindsay's looking.
- It's fun when you rewrite a whole ordinance.
- Yeah yeah.
- You're enjoying this.
- I think you need a permit for this.
- And maybe while she's looking that up, I would just make a statement that particularly for small events that still want to serve that want to pull out a picnic permit, a 60-day severely inhibits an organization's ability to host pop-up events, which generally aren't designed to be large-scale events. So I will just throw that out there for the committee's consideration and I understand late fees can be applied.
- We can take late applications, late fee may apply.
- But the late fee proportionately becomes a much bigger impact when you're talking about small pop-up events. Just something to consider.
- I did, pardon the interruption, I did find the reference. So I think what you're referring to, there's, I don't know what page I'm on.
- The application for?
- It says page four subsection 11 other alcoholic beverages will be served and or consumed et cetera and whether all necessary licenses have been obtained.
- So can we change that so that way, 'cause otherwise the way that I'm reading this is we'll have to secure the picnic permit before we even have the event permit.
- Well no, go ahead.
- So the way it says is you're just indicating whether or not the license has been obtained. You can state that you've applied for it, and that's just one of the considerations in granting it.
- Okay if you feel that that can be done after the fact that I'm satisfied with that.
- Yes.
- But how does that affect the pop-up events then?
- It'll make it harder to do.
- Pop-up events can't have liquor licenses. I mean 15 days is that's it, right, and then 60 days, a pop-up event is not the definition in the ordinance, it's by the size and the activity is how we determine the category of an event. And so--
- So if the pop-up event isn't expected to have a large--
- Generally speaking I can't guarantee that.
- Right you can't guarantee, but you could--

- Some could be bigger than others.
- I mean essentially it sounds to me like you can still do it on a shorter timeframe, we'll just have to pay the late fee.
- I wonder if we could make some language to add pop-up events?
- I don't think you need to do that.
- [Woman] No, I would not recommend you do that.
- Don't wanna pop-up event?
- [Woman] They're great I would not recommend, when we went through this whole paradigm it wasn't it was like I said classifying an event by how big are you, where are you and what are you doing? Not how fast it comes or the necessary character of the event. So we're not saying there's really any difference between a farmers market or a race.
- Right right.
- And I'm fine with it I think it's it was just a question more than anything. One thing that I did not see addressed in here or clarified and please correct me if I missed it, but series based events, are they considered one permit?
- One.
- And does that need to be clarified in here because while we may have that understanding right now, that may not be an understanding with the staff or a council 10 years from now. And I would maybe urge us that we actually dictate that a series based event can qualify as one permit. So I would ask--
- Are you serious?
- Yes I am serious so I would ask the committee for that consideration. And I'll let you maybe take up discussion on it after I've.
- Well could staff?
- Yeah we the intention was not to make a series either contiguously so Friday, Saturday, Sunday or every Friday, it was not to make those events any different in terms of charges or in terms of how we will classify the event. If the event moves around that's a little different, and then basically what you're doing is you're creating new events that are connected thematically but if you go from you know Main Street to Mason Street to Light Park those are essentially three different events.
- Right, but do we need to add some language to make that clear with series events?
- And again it's clear with our staff and council that we have now, but it would not necessarily be clear with future leadership.
- I don't see any issue with us adding it. The language of the application does state that for family concerts, B3 states the dates, of a special event, but there is no issue with us adding language to codify that including series events.

- Can we add that then?
- Okay item E talks about a cancellation fee, I would just pose the question of why we need to charge cancellation fee if we've already charged for the upfront event permit fee.
- Because we want to discourage organizers from creating an event and then canceling it. This is not a weather related issue.
- Somebody else could have been on that.
- Okay and I understand that but I can assure you that no event organizer ever coordinates an event with the intent to cancel it. And I don't think that the cancellation fees as laid out would actually serve the purpose of being a deterrent.
- [Woman] We have had cancellations.
- I know but I'm saying I don't think anybody ever intends to do it. There are things that happened and a band could cancel, I mean just any number of things could happen right, that could prompt an organizer to want to cancel an event. You don't generate as much interest, you don't sell as many tickets, and it just seems to me that if we've paid the event fee up front, what costs are we incurring as a city to cancel it on the back end?
- What kind of costs might those be reserving those?
- They're minimal which again I mean if we're gonna charge on a small event for example it's a \$15 cancellation fee, we're gonna spend hundreds of dollars of staff time tracking down the \$15 cancellation fee. I would say just let it be done, but.
- So listen how many of these, who said some events have canceled over time since you been here, how many have you seen that have canceled?
- To my recollection only two have canceled, not weather related that's not what we're talking about.
- Right right.
- Weather related should not know be a part of this.
- No that's not what we're talking about.
- Right right.
- But that's not necessarily clear.
- That'd be \$30, we're talking about correct \$30? That's all it is.
- And the staff time too.
- Right I mean, are we spending more money.
- Yeah I would agree with that.
- So attorney Mather saying how about if we change it from will to may.

- So the cancellation fees section right now says that cancellation fee will be charged for any events canceled within fifteen days and it doesn't provide any kind of exception for weather or anything like that, so if we change the will to a may, then something like a weather event wouldn't require charging a fee.

- Does that work?

- Yeah I'm still just I mean you know and of course as you guys don't have two hats on here right now I'm still just questioning as an alder why we even charge a fee. I don't really care as an event organizer because the amount is so negligible but as an alder it's just, I think the staff time that goes into chasing down a cancellation fee.

- If it's \$15

- Actually puts us upside down.

- So it's the whole invoice. So we invoice everything, so it would just be added to the invoice.

- So it'd be \$15 added to the invoice.

- Absolutely.

- Okay.

- And again, I defer to the committee, it's just something I wanted to bring up. The last maybe question that I would bring up is under appeal procedures.

- Before we move on this though. Finish with that, that language isn't in there about the invoice, that they're invoiced, is that just given?

- That's a process, so we invoice, we don't ask for money upfront, we invoice the special event organizer for the fees, including if there were fireworks, we would invoice that special event hazard fee.

- Okay all right.

- And then the last item is a page seven item number 10 under appeal procedure. An applicant may appeal the denial of a special event permit. When I was reading this there was kind of like no in-between either it's accepted or it's denied and then you can appeal to Protection and Policy on the denial of the permit but it's not clear whether or not you could use the committee as a place to appeal certain contingencies or restrictions that might be placed on your application. So I don't know quite frankly how often that happens but I just wanted to at least open that up for discussion that if the city for example, staff were to say you have to have barricades here and the event organizer says no that's not really necessary, or if they say you have to have 80 police officers and we're like no we only think we need you know, two, I mean there's no other place to appeal that so I just wanted to put that in front of the committee. for their consideration.

- I thought there was a process to appeal. I think didn't that, people have appealed in the past.

- So the purpose of the appeals is not to substitute the decision of the committee, the committee's the one that's tasked with making those determinations based on the expertise and everything that's available to them. And so really what you're doing is bringing forward an opportunity to be heard when they've been aggrieved. Now allowing somebody to continue forward with a special event under conditions that promote a higher level of safety than say the event organizer was originally anticipating, isn't necessarily an aggrievement because there's still allowed to pursue with their event. Instead, the only time they'd really be aggrieved is if they are prohibited from proceeding with this such as through a denial.

- And that they can aggrieve the whole thing, any part of it, if they're not they're denied the permit, and they're denied--

- Yeah that that you can, but again if there were any pieces of city staff recommendations that the event organizer did not agree with, there's no place to aggrieve is that the word? Aggrieve is a good term. Well there's no place to do that.

- It is being aggrieved because you have been aggrieved unless your application has been denied.

- Denied yeah because the event still goes forward. If let's say the barricade issue, you're still going forward to your event, you're not being stopped your permit hasn't been denied.

- Yeah but I think practice would suggest and Celestine correct me if I'm wrong because you have done a lot of these permits, the I mean practice would suggest that a lot of times organizers may submit a permit, city staff me come back and say well how about we change this or change that, you know what I mean? So oftentimes it's not just a, and I actually prefer that process, not to get a flat-out denial that it's if you make these modifications then we'll approve the permit.

- Right and if they don't approve that permit then you can appeal it. It's only if you would agree with it and go forward and then you change your mind but then you're still going forward with your permit.

- So what you're suggesting is that you just don't agree with modifications and then you get the denial and then you bring it to the committee.

- No that's the aggrieved. The aggrievance has to occur because you were denied. In order for a person to be aggrieved, it can't be because they weren't receptive to what they received, it's because they were denied something by the committee. And so the whole purpose of this is to put together the people who are supposed to be tasked in making those decisions, like PDA, fire department, city staff, and so it's gonna be based on these standards that are established by those different departments. And so when one of those departments says what you're proposing is inadequate, that's not a grievance since really it's a correction to a permit so it's telling you may proceed, with these conditions is not a denial and so you're not aggrieved, you just provided a difference set of standards then.

- So if you say though that I don't agree to those modifications your permit would be denied and then you could appeal it.

- The permit is still granted the permit is still granted, you're just choosing not to move forward.

- Just with conditionals.

- Correct.

- Okay so at this point then there's no way to appeal conditions

- Nope.

- Okay. So that's the piece that I would ask the committee for their consideration on.

- But as I understand it.

- I would not recommend that.

- Right, but as I understand it okay they don't agree to the conditions they still got the permit. If they do the event the way they want to do it what's the consequence?
- Oh then they're in violation of the permit, that's a big deal.
- That's a big deal, would that be aggrieved?
- No that's just a permit violation.
- Just a permit, they would have no recourse to say.
- That results in a city court. That results in a citation. So let's also remember that we're talking about public assets, talking about the street, talking about parks and DPW fire, police, they have the ability to say that we would love to have this event this is the way in which we feel it keeps your event safe as well as the community safe. There have been a number of events have taken place in the last two weeks I think remind us all that when police and fire and DPW are present and giving their good opinion their wisdom as to how an event can go off well, I think that event organizers should listen.
- And as a hypothetical I kind of hear what you're saying but in practice I mean is an event, really the organizer they can go against what the police and the fire say? I mean it does that happen where there's been an issue with?
- No, we work with event organizers to make sure that this is the whole reason why the matrices been removed. We had lots of conversation around this because we want to make sure that it is do the cost of services are reasonable for the event organizers and also keeping the event safe for the attendees as well as the rest of the public.
- And I can appreciate that but I will tell you from personal experience that there have been times where we've been told as event organizers absolutely not that will never happen and it goes through months of frustration and negotiation to finally get to the point where we were in the first place so I don't feel that there's a need to call out specific examples other than to say that sometimes it does not work flawlessly.
- You wouldn't recommend it though why wouldn't you recommend doing this? A couple of reasons, the first and foremost is the potential for liability. So if the council decides to substitute its own decisions for that of the people who are tasked with this, then should the worst happen I think there would be a potential so we would have a quasi-judicial immunity we have legislative immunity, but when we are substituting our decisions for those of people who have the knowledge and wherewithal--
- The expertise
- In these situations, then we're creating more of a situation where we do have a potential for exposure. Second it kind of murky's the water between the separation of powers, which is legislative reset policy, an executive where you carry things out. So here you guys are telling them to create a special events ordinance and that you want that to you know follow certain standards and so which would be to make sure the PD's on board, make sure that fire is on board, to make sure that a DPW, safety, everybody's on board. Unless and in this instance, it'd be unless the person disagrees with it. Which the the whole purpose of having a separation of powers is you have one body who has the authority to make sure those those decisions as far as what the policy should be and then you have the other entity which is actually going carrying through deciding they're the the subject matter matter experts who are actually tasked with carrying these out. And so having a situation where PD is no longer the body that's telling people here's how many people you need for a safety plan, you no longer have fire department telling people having people safe, that's a complete blurring of the lines which I would not recommend you engage in.

- So would simply having an appeal procedure for the deniable permit not create an inconsistent perspective there because you are still then allowing the legislative side of the government be able to override the denial of a permit, correct?

- Denials are a specific set of standards they are limited to mistake of fact, mistake of law, whether or not it is, what's the word I'm looking for, arbitrary and capricious, whether or not it was, I forget there's more standards, but either way, the point is it's not just a whole a whole new fact-finding make your case and hope that convince somebody else that these standards aren't necessary, it's to explain to them why it was that why it is that you should not have been denied this for work. Possible purpose of the denial.

- And I'm okay with that I mean for the committee's perspective the one thing that maybe I would request from staff is an education of all departments about the importance of the quality of life in our community for special events because one statement I will say is that some departments are more receptive than others when it comes to special events in our community. So that's all I got thank you, unless there's questions.

- Alder Steuer did you have something?

- So I guess just going back with the appeal procedure and denial step here maybe first on staff, the applicant can be appealed in the denial of a special event permit to the protection of policy committee so what over time what kind of denials has the city given to different folks? I mean just like a couple different reasons.

- As a matter of fact we were talking about this the other day. I can't remember the last time it's been a long time since we've denied anybody.

- All right.

- And what we do is we work with event organizers to make sure that event closed and that everything works and everything aligns with what they need and what we need. So we have denied a few.

- And I would attest to that Celestine, and the mayor's office have been great to work with there are times we submit permits and we need to work on them.

- And there's such a big input from all the various departments that are involved in special events. And I have pretty much confidence in a lot that they do. I mean is it perfect? Not always but you know sometimes it depends on the promoters as well and their intent.

- Well that's why I want to be clear, some of the suggestions I brought up, 90% of this is awesome it's the 10% you know scenarios where this could happen that I just at least wanted to address.

- Okay that's what I've got.

- Anybody care to speak on this? I'll think a motion to open the floor.

- Motion to open the floor.

- By Alder Steuer, seconded by Alder Stevens, all in favor?

- Aye.

- Opposed, sorry my computer must be restart to update.

- Did we pay our bills?

- Did we vote?

- Yes.

- And did we ask for anybody for any, no? Anybody no, any nays? No nays. The floor is now open please state your name and address and please fill out one of the forms before you go home.

- All right, Dani Parish, Downtown Green Bay 2396 Sycamore Drive. I just wanted to thank Brian for the clarifications, I apologize I don't come before I didn't know I was gonna be the one coming. So a couple of things he already addressed and this kind of summed up from the better law project conversation we had last week. So in part four for application, number 12, it talks about the cost of additional city services. Sorry, it talks about the cost of the additional city services, is there a way that these city services can have a standard or estimated cost so that event organizers can know this upfront when they're budgeting for the event?

- So that's that's an excellent question--

- Good question

- Alder Parish and Alder Scannell, we, you know I can't, Lindsay will have to let me know exactly 'cause I had my hands in it, we've had our hands in it so now I can't remember if it's still in there. We at one point we did say that we would do our best to communicate the fees the estimate of fees to the organizers is that still in there?

- It doesn't ring a bell but I'll look while you're talking.

- Okay so yes I think it's really important that we communicate an estimation of what the fees would be that's part of the 60 days, to be honest with you, that helps us to get every one and get all the estimates together so that we can present to the organizer. Yep this is what it's gonna take to put this event together. So that's part of the reason why we have 60 days.

- It's in there.

- Is it? okay good it isn't it right

- course us it's under on page six very opposite okay in the middle of the paragraph you see estimated that in my services will be determined by the death of baby, the increase or decrease.

- Okay so it I guess my thought is because a lot of the city services that will be assessed are similar across events like if you'll need barricades or if you'll need whatever else but so if the city has a standard of you need one bare caper 10 feet and you know your event is going to be a hundred feet what's the cost for one of those barricades.

- That might change over time

- Right and that's where the asteroid comes I'm saying like if this could change over time but I think year to year it shouldn't be that much because we because they'll event organizers budget for an event before they put the 60 day event permit earth apply for the permit that's only needed in the audience or in

- so in the packet.

- Well that you know be a lot of conversation around that so the city of Ashram Students at Seabury and every nail is accounted for if their schedule of fees we did not come to any hard and fast conclusions about that I'm definitely now that we have someone who has really you know, part of his job is really doesn't work I

think we can come up with something but unfortunately these cost you change in a lot ideas labor costs not the cost to the actual thing so a hood meter hood is 10 bucks that includes the labor cost but the barricade doesn't the is another example there's a cost but there's a labor cost around the now I think actually just recently Parks Department had sort of tried to do more of them all up like here's the whole thing right for full price instead of an 500 bucks for the and another 70 bucks an hour for guidance. How many people was really frustrated some event organizers so we hadn't gotten there we hadn't gotten any solid answers I think it's really incumbent upon us to give you an estimate what those costs would be quite sure about but nothing.

- To add on top of that there is an expectation that a resolution creating especially event the schedule will be as process it's just not part of the ordinance because it doesn't allow for changes to occur but it would be adopted and you will leave to give you an idea at least anticipate what it cost okay

- Okay thank you. Same, so page six number seven another clarification question, excuse me it's one saying public safety and security resources for the special events it'll be determined when is this communicated at the special event permit meeting that's what's the event organizers or when is this communicated to the event organizers for what those resources for staffing only ?

- So when the application comes in and they'll be a newer process of the application 'cause right now it's still a PDF fillable form online so then the special event coordinator can that can go to all the various departments who need to look at it. The police department and that's Brad

- Stove.

- Strove, I always do that strove So, he's the one who is the key person for special events of PD for instance um and he will say "yep we can do this this and this." And the people they approved and then that way the special events coordinator can communicate. That's not I don't think that's necessary in the ordinance.

- So there isn't a timeline for communication but because that also has to do with the budget too for event organizers.

- I think we want that pretty much upfront right wait right at the application kind of?

- Application yet we can't that isn't submitted. So the applications submitted we don't have a timeframe list.

- It's part of the I'm--

- Sorry.

- No, no!

- It's not a part of that depend on events that you may have had over a period of time you know like I'm going to feel for it then it kind of makes it easier the next time. It was seems like for startups that might be a little more difficult but it seems like celestine that this handles it quite pretty well so I don't know unless there's something else.

- I just like it's there can we hear within 15 days of getting at 30 days honest I was just curious if that was something that could be done or if?

- That be a good thing to put in the ordinance or a good thing to have as policy or what?

- I mean I certainly does I have drafted a new special medical to go along with this which no one has seen really but the department right. Because the application isn't live yet and so if this would be acceptable I can actually put a time frame in the special event.

- Okay yeah, it's just good to know, 'cause we always have new events.
- Right.
- Page seven a number or letter H, it talks about specific sufficient number of parking spaces within a reasonable distance so counting and where vehicles expected is there a number of the sufficient number of parking spaces for each size event? So just because I know.
- Yes . Thank you though. Say that again Pam.
- Is there a number of sufficient number of parking spaces for each different size events that's known or is it just?
- That's an excellent question. We I think there isn't a standard. As a matter of fact some there is no there isn't a standard as a matter of fact the development department is working on amending some apartment market see brick-and-mortar stores so and stuff you just want to know I mean essentially the purpose of that is to say if you're going to have a very large event and everyone's going to descend at one time you need to think about where people are going to park and you need to direct those people to that place to park.
- Okay and I think my class sorry sorry. My last question. A clarification question it has to do with the appeal procedure so it says like you have seven days to appeal the denial and then within 15 days of that appeal the committee will hear you but it doesn't have a date on when that decision will be made for their appeal process. So if you to the 60 days--
- After the committee would make a decision right away but it would be council rule so just follow on a normal procedure of committee would make a recommendation to council comment and you pay upon that recommendation they may be able to go to Council and give their side you know.
- Okay so once it's hurt right then they make their this decision for the next council meeting?
- So yes so--
- The council meeting . There have been very rare instances where a decision is not rendered at the time of the hearing. It's been very very rare that it's been pushed to like further research is required or something and so that's the only time that's finish to the following meeting but generally the standard operators here in the city
- So let's just practice not from a between I just clarify yep I think that's all the clarification questions I have same impressions for me.
- Thanks!
- Thank you.
- Appreciate it
- You said you wanted me to fill this out?
- Yes please yep.
- house this manual you're working on I have it as a PDF but there's no more online there it's still in the process of thing amazing work on--

- Correct and so it will be so the online application will be a fillable form like we have now right now the application is a PDF so in that application you will be able to hover you're able to click on something which will take me right to the booklet. So it will be a--
- Right but the booklet itself is not I mean just said it's completed or it's still in a process of being amended a little bit because--
- No, it's completed but I mean obviously not excited to see what was going to happen--
- I'm just hoping it and print a lot of copies.
- Oh no Yes.
- One other recommendations I'm looking at the matrix under non-resident fee.
- Yes
- When I look at this I almost thought that non-residents are going to pay less so I presume that this means additional in which case it might encourage you to add the word additional similar the first time event, right?
- Not all the non-resident fee that is the fee.
- So they're going to pay less than people who are local?
- Where are you look?
- So when I look at like a large event to order a 5,000.
- Yes!
- Local people pay 275 but a non-resident will pay 250 or a special hazard event they're going local people pay 550 non-residents a 250?
- Oh yes that is a mistake. That is mistake.
- Yep that is not accurate sorry I will fix that.
- So that can be corrected for the full copy
- Yes yeah no it's not enough charge that is a big thing.
- Acknowledgment then by committee that will be. New numbers will be put in there before the council.
- When we adapt this will adopt as super money.
- And actually so just like Vanessa saying about a schedule of charges for various services that you provide this is a separate document from the actual ordinance that they can changed
- Thank you very much. Yeah I think that was enough, yeah. That actually doesn't pertain to what limit the motion will be it's not Nikki
- So if fees are not in the ordinance?

- No
- Okay sorry is that what you just said--
- Yes.
- Let's have listen.
- Is there anything else? Most of close to floor by alders Stephens second by on favor of closing the floor. Post the floor is now pose it and walk safely. Thinking anything else from staff?
- No.
- I just want to make sure we have of all the changes that we--
- Yes! So I have a basically a motion to the draft ordinance to include language that an event per application may include a series of events and to amend the language to with respect to the cancellation fee language to indicate that this assessment of a late fee the discretionary that so the may instead of and that was what I that's what there's.
- If it's for May, what about July and August
- So is there a motion to approve as so a minute so almost you buy all their Stevens second it buy all their band released a further discussion?
- So that's a motion to amend. Or was that a motion to approve?
- A motion to approve as a mandate as you.
- Got it.
- Okay, all in favor?
- [Altogether] Right.
- Post. We've got ourselves an ordinance. Good job, thank you.
- Excuse me.
- Yes!
- And it is 14, correct?
- Correct!
- Number 14 consideration as possible action on the general records scheduled from Wisconsin Media School and the related records needed August 27-2018, staff.
- That's me. So we are working toward updating our records retention schedule and one of the steps in the process to kind of bring the city up into compliance with the state general record schedule is to complete the formats on the first page in the packet which is to notify the public records for the city's intention to adopt the

municipal referred schedule, which is the rest of what's in that packet. And then they will send that to the POV. And then after they approve it, we can pass an ordinance here adopting our new reference retention schedule.

- Right now ?

- Correct, we're just submitted a form. The new schedule, a lot of the retention periods that are on our current record retention schedule, are much longer than what's outlined in the new schedule that we're looking to adopt. So it will help cut down on some of the records that we're keeping longer than the state board now says that we need to however, we can't just start destroying records we need to actually make sure that we're maintaining compliance with all of the different procedures Public Records for has established. And the very first step in doing that is completing this form there are three checkboxes on the form. It allows us to opt in all together we adapt the entire schedule, opt in with revisions to score out into only certain and then opting out altogether. SAS recommendation would be to opt in to the entire

- All in?

- All in!

- Is that what we do with records and we destroy you?

- No!

- So the way it works right now there's a number of items that so once items have exceeded their life requirement under the representation, we're obligated to contact the struggle society and get their permission to actually be, Get rid of the records. I wish my beta destroyed or it gives them the opportunity to take possession of those records for anything they feel has to circle back.

- Oh, okay .

- Just a the question I have been. So you said Historical Society, whether it be through the city of landmarks commission or the Brown County?

- No, it's through the state.

- The state I see, okay.

- And then if you look on the schedules in the packet of form right column is the WHS notification, which is what indicates whether we need to notify the Wisconsin historical societies prior to destroy that particular records.

- It was obviously was something that we looked at, through what they did a kind of borrowed and glean from that or was it kind of a copy of--

- This is actually copied and pasted directly from there, there were some extraneous things in that schedule that I didn't want to include in this just to keep it simple. But the wording is all the same. It's all from the schedule they adopted at last August.

- So do you feel comfortable with this ?

- Yes, this is actually we've been trying to get this file last year, the existing record schedules are out dated and it was kind of not done happenstance, it was more done, I think with fear of destroying things and possibly needed. So there's a lot of things in there that are kept as permanent retention, which makes zero sense. So without all literally all the records for the six for the Community Economic Development, are listed as premier

retention. There's a number of things that probably should be kept permanently. The entirety of everything was generated by that for it's not it. Same thing with our litigation, we have permanent retention for litigation files. That doesn't necessarily make sense for all of the draft and stuff like that. May be pleadings, may be exhibits, but for everything that is permanent, it doesn't work. We're not being, we're not using the best resources we have available to us .

- I'm just gonna ask more question like community development, you know, they have a lot of plans that they produce. And a lot of these will either come to fruition or they'll die on the vine. So with that being said, there's a lot of plans that have gone bad 30, 40, 50 years. Where do you find the time to say this is historical this is not, I suppose, you're letting the state determine that, even though they might not have maybe the the everyday feel for it that we do at the city. So I'm just wondering, I mean, you're kind of giving them carte blanche to make the decisions of somewhat this.

- Well, they really are the answer to that establishes record retention, we as the city are able to dug out all their stuff that needs to be kept longer. And so that is something that we could look at my recommendation at this point, though, is for us to move forward because there's a number of things that we're waiting to do that are being held up. And so rather than this isn't the last time you may see resolved to bring the ordinance forward and there's a couple of requests like all the way past that we change the duration that we keep the campaign finances be kept for. And so this isn't the last time you guys can see record retention. We are just saying that in order to get us moving forward, we need to get this thing adopted because it's it's long overdue.

- With motion to adopt with the staff recommendation is that we adapt the entire schedule. Elder Stevens So moved. And seconded by , all in favor?

- [Both] Aye!

- Opposed? We're just singing along here.

- Thank you.

- Use this one.

- Thank you! Alright. Are we ready to go back I believe to number eight

- Yes,

- All right number eight considerations possible action and appeal by Dennis Bailey 621 challenger inspection fee, the staff wanna go first, on this-- Okay then.

- Take them before.

- Ocean open the floor!

- It's Taken.

- Seconded by I needed by owner Stephen sorry, . Favor? I posed, okay The floor is now open. Can you please state your name and address for the record and make sure you fill up.

- Bailey 621 Challenge Drive. Okay, I built the fence four years ago, three years after the fence was built, they came along and said that I was not an ordinance. I applied for a variance. When I went to apply for variants I talked to the person there. And he said get signatures from the neighbors. They complained I got signatures from all the neighbors, there was no complaints. I says it was just a formality it should go through. So I was not prepared properly for the variance hearing because I thought it was just a formality that the city employee told

me, I got the signatures, everything was fine. The variance was turned down. I hired an attorney, because there was at least seven people in with a 10 mile area of me that we're in violation of the ordinance. So I tried fighting it, it didn't go through. My attorney talked to Paul and tried to get another hearing set up. It was set up but unfortunately I had to work and my attorney was out of town and they would not reschedule and again. So, then I went through the mayor's office and the mayor's office was working on it.

- Can I just have one second?

- Sure!

- What time did you go to them? What date was the mayor's office?

- The mayor's office, I talked to them. On the eighth of July.

- Eighth of July, okay. I was in Sturgeon Bay, getting a recall done on my car. And he said that if I didn't do something with the fence that I would get a ticket and fines would be established. And inspector was going to come around that day and look at it. I was trying to get a one foot variance because my air conditioner was right in the way of the peak of the house center line of the house. And I talked to Paul and Paul says, "You shouldn't lose any "sleep about it, I'm sure that's gonna be okay. "But you said you're gonna have to go through Mr. Meves." So Mr. Meves showed up that day. And he drove by and I whistled to him. I was cutting the grass. And I asked him I said "can I get foot" and he says, "No, you can't get a foot." I said "fine I will take the fence down today." So I did take the fence down the same day that Mayor told me that would be no fees after he showed up and said I couldn't do it. Two days later, I got a fine for \$50 in the mail. And I do have pictures that it was taken down. I've got pictures of other places that are in violation of the same code and there is nothing been done about them.

- As your fence was that right on the outline or was?

- The fence was on the outline. And the corner ordinance says you can't go past the peak.

- So the

- Okay, the air conditioner was here. I talked to the air conditioning people they said I had to have three foot clearance around the air conditioner so they could do maintenance on it. So if I went three feet, I was right in the middle of this window. So I went past the window right up to there, it was 10 feet past the middle of the house is where it ended up to be.

- So you went to the Board of Appeals, you're assuming that it was going to go through. Many times we always suggest that if you if you have an issue that to be there, then you couldn't be there.

- No, I was there. The first time, but I was told it was just a formality. I didn't take pictures I gave my neighbors and I didn't do anything. Because I said it's just a formality should go through with none other neighbors complained. And it was three years after the fence was built. You know, three years I figured, and it looked good. It wasn't blocking traffic. It wasn't interfering. I was parking my boat and my trailer in here the boat that my dad gave me that we fished in, it's just a small fish and my kids went fishing in it and now my grandkids are fishing in it. And now I'm going to have to get rid of it because I can't afford to pay storage fee.

- So was a part time grass?

- Yes, but I was planning on putting crushed gravel in there.

- Okay, because I was just wondering, well.

- No, I was gonna put crusher dustin there this year as a matter of fact, but then this all went haywire. So I have taken the fence down and I did able to move the air conditioner enough. I'm gonna put a swinging gate here so that you can work on it. But I'm doing all this by myself by the way, in the seat

- And you can sell well

- Here's another residence, that's in violation. It goes well past the peak. Within 10 miles, here's another one. Here's another one. This is a white fence on a corner lot. They're all in violation, and there's nothing being done about those

- Right, sadly, you know, we're looking at you right now. Those other folks they have to deal with it--

- But I guess what I'm--

- You want to consistency.

- What I'm angry really about is the mayor's office and there would be no fines or penalties if I took that fence down that day and I did start working on right after I got the grass-cut and I told Mr. Meves that I was going to do that.

- So when did you get the find of?

- Two days later!

- Two days after the fence was down?

- Yes.

- Did they state on there , why you got the find.

- He said it was a reinspection fee and I feel I'm being harassed by him, you know.

- It wasn't a fine, it was a reinspection fee.

- Correct.

- So, okay.

- And I don't feel that they're giving me inspection fees for other things normally.

- I wanna hear from them too, but please, I appreciate it.

- Okay, thank you. This is a four year, we're looking at four years here.

- Always wanted to talk to you.

- We'll leave the floor open so that staff can talk without closing the floor.

- Scandal and members of the committee. Mr. Bailey--

- If you can come on up.

- Yeah, yeah.

- Even though you do
- Mr. Bailey obtained a fence permit. And that fence permit was a site plan, indicating proper location of the fence that you wish to install.
- When was that?
- 2015. Mr. Bailey didn't follow that approved plan. He didn't follow the ordinance requirement. He didn't approve the site plan that he submitted along with the permit application.
- So how different was in terms of just what are the differences?
- I think it was significant. The requirement is for the fence to be positioned no further than the center point of their home. And so reality that is what he installed back in 2015, or some point thereafter for and it's good for one year.
- So the timing, like I said, it wasn't a fine it was an inspection?
- It was an inspection.
- Right, after the fence came down. So there's a difference,
- But I will do the inspect.
- It's not fine.
- It's not a fine.
- It's an inspection fee.
- And the reinspection fee was assessed at that point that I did the reinspection in July on the eighth. Mr. Bailey's morning lawn defenses is in the same position as you see right here. Yes, he did indicate that he was going to address it after he was done mowing the lawn. But please understand, I mean, I've been dealing with since October of the previous year. So after eight months and one reinspection fee for multiple reinspection fees, indeed there could have any Municipal Court citation with a much higher forfeiture knowledge. I did none of that, I issued the one. I felt I was justified. All we're looking for is compliance. The last time I was out there was August second, the sections in question had been removed by Mr. Bailey and now I think unless he's completed with the project he was in the process of relocating those sections and in a proper location that may be done now I'm not sure.
- The the boat that's kind of a separate issue, right and it has got really nothing to the fence. He can still put it his boat back there, right? down with the blocks.
- Well, the hard surface material were made. Not allowing the ground will be brought in per se
- He needs a hard surface.
- Yeah and he needs to set back requirements for
- I can't go past the center of the house.
- But the boat?

- With the boat.

- Really well okay.

- The people are nice--

- Yep the floor still open so--

- The people on the variance committee didn't even know this ordinance existed. They had to get clarification because of the sidewalk. And the reason that I changed it was because like I said I didn't realize the fence was going to come to the air conditioner. And I talked to the air conditioning people and they said they had three feet around the air conditioning was ideal of a working on. The the window was involved and I didn't feel as long as, I didn't know the audience existed. And I thought if I didn't go past the corner of the house where it was blocking traffic, it was fine. I did not do maliciously, they was nothing malicious in my thinking at all when I build the fence you know, I had to move back two feet from the because all that wiring ran on the center where post order well, so I had to move it back 24 inches with the post in and that limited to what I was doing also.

- But the inspection I mean they're separate from, they're just following what the Planning Commission did I mean it sounds like the Planning Commission's to... I don't know why they didn't give you a various but they didn't and so inspection is just doing their job. It seems like the biggest beef here is with--

- Well I don't feel that he had to give me the--

- The \$50.

- \$50 fee, and I think it was vindictive because I did have the fence down and I've been fighting it since October.

- I have a question.

- Yeah, sure.

- So when you according to Mr. Meves, the plan that you submitted does not, didn't follow the plan--

- Right, I did not follow.

- So were you aware of that? I mean, were you aware that, did you think you were doing the correct thing when you build that fence?

- Yes I did.

- Even though--

- I didn't think there was an ordinance on a sidewalk, I have built fences on. But it wasn't on a quarter lot. And as long as I get past the cent... The corner of the house, I thought it was safe because I built a fence up my previous residents, and I went all the way to the corner of my house and it wasn't on a quarter walk.

- And you came in all to get your permit. Did you talk to anybody in inspection? Did they lay that out to you?

- No they did not at all. I think that a copy of the ordinance should be included with the building permit when you get a building permit. So you're aware--

- Telling me Tim, I don't know if I can ask you that, you know, in a lot of times when somebody does come in to get a permit, that, you know, there are many ordinances are many things that you folks have to deal with. But a lot of the citizenry is not going to know all of that. So with that being said, do you feel that your department gave him Mr... I'm sorry, last name.

- Bailey!

- Mr. Bailey, you feel that your department? Oh, you're speaking for yourself, but did you give them in him the information that he needed to follow that site plan correctly? I mean, in your estimation--

- that the inspection or planning inspection?

- No it's inspection, when it comes to the front counter for the permit, he would have been informed about that, that's why they put it halfway of the house.

- I put it halfway up the house because my wife

- But it's halfway up the house on the site planets in the apartment. So if it had been any other one, it would have been all the way to the front, if it wasn't on a corner lot. So they specifically drew it in at that point, which is a requirement.

- So what have been discussed the we hand all the codes that every permit, no we do have time 'cause... Like you suggested there's a half dozen to a dozen codes that are applicable

- So the thing that was done is when he needed to change just to check. And I could see where you didn't think you needed to, but it would have been the best thing to do.

- And I would agree a simple phone call or a double check with our department. Certainly if he would have brought in a plan Looking for a permit to put the fence in that location. Our person who has issued a permit the red flag would have went off and said Mr. Bailey, wait a minute, you can't do this.

- So initially All right, it's all I have for now. Any other questions or anything? I'm just trying to get the timelines down a little more because this has gone on a long time.

- Yes it has.

- They told me I didn't have to do anything during the winter because it's frozen and and they would give me leeway. Talk to an attorney and she tried to get another hearing so I can reestablish the things that went on in my what happened and it was turned down. And this was just a couple months ago that this was turned down. And then I contacted Senator Hanson, Senator Hanson called the mayor's office. Got them involved, and I did hear them from the until July eighth, and July eighth, they said there was nothing they could do about it. And I was just doing my everything I could to keep the fence where it was. Because I thought it there was nothing wrong with it. The neighbors had no problems. nobody complained about it to take it down. He was just finally doing his inspection after three years.

- So was the variance committee though, denied?

- Right, because I wasn't properly prepared because I told it was just going to be a formality. If I had the signatures.

- Well, that's not always a guarantee.

- I know.
- That's not a guarantee.
- I know and I realized that now.
- I mean for someone to say it's just a formality.
- Your city employee did it! Your city employee told me it was going to be a formality.
- May I asked who which city employee.
- It was the person at the desk, I paid the \$75 to.
- Alright, well.
- He told me it was just a formality.
- Well, with my experience in the years in a department, we are, I am at least very quick to point out that applying for a variance is not an automatic. Yeah, it's not an automatic. It's not just a formality at all.
- So that's what your employee told me!
- I can't, I can't dispute.
- Any other questions?
- At this point I would just like to give the fine wave for \$50.
- Fee!
- Fee.
- Not a find.
- Because the mayor's office didn't assure me that if I did it that day, on the eighth and I did do it after I cut the grass. It's three and a half miles walk
- the mayor's office who did you talk to him?
- Sister--
- Karen.
- going back and forth with Mr. Meves to charity.
- I have a discussion with Jerry, from the from the mayor's office prior to my visit to Mr. Bailey property on July. I explained to him that my reinspection finding if there was no work in progress at that point after all this time, I would more than likely issue reinspection fee and possibly a citation. If work hadn't been started. At that point, again, just as late as it is in the game, and the work was started. That's when I made the decision to issue the reinspection fee, one fee \$50. I told very, I told Jerry very clearly that I was going back out, the week of the eighth to perform the reinspection. And if it was in the process of being relocated, I would work with Mr. Bailey and follow up with him until we get to repositioned and then close out the case. By if I didn't find

mind you on June fifth, the previous month I met him on site I met Mr. Bailey on site. And we talked about the required fence location and answered some of the questions he had at that time. He became a little upset. He was upset with the ordinance. He was upset with the variants procedure. He was upset with certain city staff. He wasn't happy about having to move the fence. I could sense that very clearly. So that's June fifth, July eighth, after telling the mayor, mayor's office assistant, Jared, I'm just looking for progress that finally we're going to have some progress with relocation of the fence sections in question. That wasn't the case at that point.

- How times did you go to this property over time. Because each time you normally would go out, technically that would be like a real inspection, correct?

- Correct. How many times--

- I'm sure, in total, a handful five or six times.

- Okay, so there are no costs for that. This \$50 for the one check, for one show.

- He was out there seven times.

- Seven?

- And regarding Mr. Bailey's concerned about some of these other properties, I think he may have showed you a picture of a big white fence that's legally installed. Believe it or not, it's legally installed the property lot and the vacant corner lot. And that fence does not extend over into the setback. That's what that's a legal installation. So we're not doing anything because there's nothing wrong with where it's located. If Mr. Bailey provided addresses to us with the other properties he has concerns about will be follow up on those.

- don't feel it's-- His job for.

- But we only but inspection does not go on Look. Everything is by and that's why I don't... Except for this because there's a permit. But what was, why was it such a long delay between the issue of the permit and following up on--?

- I can answer that. What's going on upstairs right now is working on the computer system that makes it more automated. So what the onus has been for since 2013. They put the new Eclipse system in place. Onus is on it says on all our permits that the owner is required to call in for an inspection, final inspection will never happen. We didn't have the system in place to go, Hey, Tim, or whom it wasn't him at the time. Hey, Mr. Inspector, go follow up even though they haven't called because some people don't start. So when would you go a year later, two years later, three. So one of the big pushes that I'm making right now as we're walking through all the old price, on the books, that's how it came.

- My mother got a notice

- That's not true, I talked to them when I did it, I said, "Do I have to call when the fences down?" And they said, "No, we just do a drive "by everything is fine, you don't have to" and that is what I was told.

- That was four years ago?

- Four years ago. They said "You don't have to call in with just do a drive "by and fence issues you don't have to worry about it" and that is exactly what I was told. And my son was there with me when I heard it.

- Like I said, I know there's no real intent on your part and I understand where you're coming from. But like I said, I were looking at what the site plan was.

- I understand.
- And what happened and it's--
- I'm trying to explain the the issues why, What happened on you know.
- I have a question, so November of last year Board of Appeals denied your your request. And then again in May, they said basically took no action sort of still denied. Why did it take you three months to take the fenced off?
- Because I was working with Senator Hansen's and the mayor's office and I was working with my attorney. My attorney was working with Paul and he was trying to get another meeting set up Monday and unfortunately I need three weeks notice and I had the work that we it was just the two weeks that I could go there and my attorney had that was out of the city and then we they wouldn't read reschedule it. I requested to reschedule for the next month and they would not reschedule.
- But I went to border appeals twice November last year and May of this year.
- May, that's what I said, in May, I asked. They gave me a two day notice that it was gonna be in May.
- And November of last year?
- And November of last year I made it. I was out there but the May one I couldn't make because I was scheduled to work. I couldn't get out of it. And my attorney was out of town. And we talked to Paul and asked him if we could reschedule for June, and they wouldn't let us reschedule for June.
- So you're hoping to maybe we scheduled for July then to or just but this is taking time.
- Right and I was trying to get--
- Reserve Paul for inspection on something like this where if they cannot make it if they let your departmental far enough in advance, can they take the agenda say, we'll move it up?
- That's not my--
- That's not your
- The council has no call over that either. You know, the more of the chills suffer.
- Yeah.
- So we can't really do much now. Yeah it was one of those.
- There are several things here I feel are really, really regrettable, but we have no authority over it. All we got is the \$50 fee and I can understand why staff is saying it was time to give it to him and I can understand why he wants to appeal that he's been burnin up a lot of time here trying to get to save that fence. Which I got an opinion on that, but I'm not going to share it because it doesn't really matter. And it because I don't know enough. I don't understand the process, but whatever.
- So?
- I think I mean, this is an interesting case in the sense that you had your attorney involved in this whole kinda put things in limbo somewhat for you. But yet the city still had to move forward with what they were doing.

So it seemed like those two elements were not jiving. So that makes it a unique, more unique situation than normally that we deal with, at least in my estimation.

- The final line here is I did take the fence down that day. I worked until about nine o'clock at night. And I did have that fence down after I seen him. I told him, I would do it. And I did it, I'm a man of my word. I took it down, except for the post that I had to Jeff, you know, they're kinda everything else was down.

- But Tim, you said you came out there. How long after he took the fence now or you were there before? I mean, you know, the reinspection fee is just to make sure that you did what you did. That's all, it was fine.

- I promised the mayor's office that I would take it down and he told me if I took it down on the eighth, which I did, there would be no charges involved.

- No charges at all.

- That's what he told me.

- That was not my communication with the mayor's office.

- with me, if I took it down that day--

- My communication with the mayor's office and my understanding with the mayor's office was that I was going to respect the fence, that week early that week, July eighth, it turned out to be the day and I explicitly clearly told Jared and the mayor's office, Jared, if work has be gone on fence relocation, no fees or fines will be living. However, if know if no effort is being made at that point--

- Did I promise you I would take it down that day? Did I promise you?

- You didn't promise me you told me that you were gonna start working on the fence. After you finished mowing the lawn that day. That's what you told me.

- And I did.

- And after seven visits to the property and eight months later, I'm not sure what to believe anymore.

- Yeah, well, and if I might just interject, I mean, you're a man of your word, but you must understand staff has to work with all kinds of, they don't know you're a man of your word. I mean, they, they're just doing their job of doing their procedures. So like I say, I can understand why they're issuing the fee. It's not a slam against your word or anything like that. It's from their perspective, and I think you could see how they couldn't been hitting you with fees much sooner, they could have been hitting you with a fine, and they've done none of that to try to work with you, and because of all that that's going on. So I hope we can appreciate that. But I understand your grievances and that you feel you've been misled a couple of different times by the city. And there's no way for us to verify that but I have no reason to doubt you either. That's what makes this a little for me

- building permits before I had filed them, and I've had to get a great variance, and I've gone through the procedure and I've gotten variances before, so I know what they are. And I've done it. I've done building permits and I've done it by the book. I remodeled the whole house and I've got building permits electrical, plumbing, all that and I followed him by the book, I've been inspected, I've never--

- And that's that's great, but why didn't you do that in this case with the fence?

- Because I wasn't aware of the ordinance.

- Okay vigorous this noble excuse.

- No, I realized that.

- When okay July eighth, you said you to take the fence down reiterate this for the record when, Tim when you went out there, did you go out there on July eighth?

- Yes Sir, I did.

- Okay, and when you went all through what time was it? Morning?

- I have, I have my file, around three o'clock.

- Around three in the afternoon? So you said you will take the fence on July eighth. So you went out there on July eighth, and the fence was still up. So after you left, when did you take the fence down?

- I finished cutting the grass because I wanted to get the clippings to the yard, the landfill before they close the gates. As soon as I got that done, I started around five o'clock.

- So it was that it was after work was over, you know, in a sense, I mean, you can understand where they're coming from their work days 4.30 or five o'clock and summer hours. So it was it was all already July ninth in a sense. It was the next day?

- With the thing of it is I promised him I would take a down. I promised him that I would as soon as soon as I finished with the grass, I'll get on the fence and I did.

- And there's no, for you Tim, to go out there after six seven o'clock. When did it come down actually? What time did you finish?

- I thought I got it down around nine o'clock.

- dark at that time and there was no--

- It was starting to get dark--

- There was no reason for a city staff to come on at nine o'clock would have an overtime, which is not. We don't call for that, per se for that. So you can see where the frustration is we're not coming at you. But the thing is, you said you promised what it was after the fact when they were done working so you can see where we have to look at it. We have to look at both sides of

- As long as we're sharing frustrations. Okay, can I share some additional frustration ahead? Okay, April 17 of this year, called daughter regarding fence relocation order. He requested a meeting on site next week and will call me early in that week to schedule that appointment. April 17, May third I hadn't heard from Mr. Bailey. Two weeks later. On May 30, I visited the property. Fence again, no work on it. It's in the same location. So I waited for that call that never came. I visited his house on May third, knocked on the door, nobody home, left my business card, left my business card and just asked if he could call me. I was there to meet him on site, if he was home. Heard nothing until I went back out there at the end of the month of May three. So that some of my frustration again making a trip out there. It's our busy time of the season. One of life seven stops.

- Anything else from any owners? Any other questions? Mr. Bailey or staff?

- So we're just talking about \$50?

- Yep.

- Seems like it's more the principle of the matter--

- Insult to injury.

- from his perspective. There's no one, that's I'm making sure, no other questions? Okay motion floor for my older Stevens . Before we do that, any you think... Okay, most of the the floor, in favor?

- gentlemen, what do you think?

- Well, that's compelling on both sides my understanding well I you know I really feel that the city is going on through seven or eight times. You can assume that variances are going to go through there was just a number of things that seemed to be working a perfect storm if you will. I don't feel the city had any ulterior motive here, you know Mr. Bailey and I don't feel he did either. But I think in this case it's not a fine it was an inspection fees so i i will to deny the appeal a commotion.

- Solution by older Stevens. My only hesitation on this is I think staff was right in what they did. But I understand Mr. Bailey's frustration in feeling begin getting some curveballs from the city and we're talking 50 bucks. I think the purpose of the inspection fees is to get a project moving and particularly with I think it's more designed for landlords, as well as central residents, but I think it's really, we wanna be able to get landlords who have been very.

- Yes, yes. Some landlords about that, some landlords! So, I mean, I don't know. I feel that Mr. Bailey, I wish I knew well, I guess it really is... It's immaterial to the case, whether he's got a case for whether that fence should be there or not. So my feelings on that, I guess really don't matter. I wish I knew more on it, but I guess it really does matter. It seems a damn shame in the way that he couldn't have that fence there. But perhaps there's very, very good reasons for I don't know. You want to change your--

- \$50 I think we should just cut after \$25.

- Slow motion, where will you mend the motion.

- Cut the

- Yes.

- It was more of a principle matter anyhow, slow motion to make it 25.

- Slow motion to but reduce

- Reinspection fee to 25. .

- No it could be all in one right.

- The reason being and there was a time frame here. And if someone in staffs said

- Yeah, I think if staff told him differently he honestly believe he heard what he heard. So there was a miscommunication. Somewhere your staff somehow got things turned around or he misunderstood or somebody there's a miscommunication but I believe communication was an honest miscommunication I think there's any malice on anybody's part here. So the motion is to accept the appeal and reduce the five to \$25 and its Stevens, all in the favor?

- High.
- Post, okay.
- Clerk? Took references or you could mail it in or no,
- This is-- This is going to come so--
- Next.
- Yeah, once it has been approved by counsel.
- Yeah, this is close to all, where you were at the beginning when I said that everything we do here is just a recommendation and counsel, they have the final authority?
- Yeah. Okay yeah, so yeah, so this this is one thing that will go with counsel next Tuesday. Once they go through that.
- Then they'll notify me?
- You could come the counsel and .
- Well, I mean, if it's agreeable to pay the 25. You know, then we'd notify after, or...
- I don't know if we would notify him.
- You could call--
- Call the clerk's office office.
- Okay.
- We can just mail it in probably be the easiest thing.
- Okay, thank you.
- Sorry, guys had to sit through all that for \$25. Yeah, but thanks for you know, I think you did the right thing. I think you were more than generous. But it seems like there's some things I wish we need to look at how we can clean up some of this stuff but we don't have these kind of miscommunications. Mayor's office I think there's a slight which was Jared.
- No.
- It wasn't.
- My feeling is that it should have gone to his order first there's a certain order of things if you chop chop over that way I don't know I just, I just my thought.
- Yeah.
- I suggest as we're doing this cleanup, do they know ahead of time that we're going to clean up?

- Well, yes, they know. Some of them know we're just calling you're going and doing like fences and stuff you don't need to let them know you're doing the final, observer observed that it was improperly installed and then we send him a notice .
- defense from your from your permit?
- Yeah.
- like he said they know if it says we're going to know that right away.
- Yeah
- Like we apologize for our delay, but we're catching up on.
- We did, we're doing that with each back
- That's what my mom got that
- Rather be upfront and honest, hey, we're three years behind. So we're here now and this is the reason why.
- Yeah, yeah. Yes, thank you.
- Yes.
- How we had to 10?
- Yes sir!
- Discussion was possible action and request for which reads "request a legal opinion "from the State Department of Justice office "regarding walking forums mayor's are that are legally "a member of the City Council and the practice "of meeting individually with council members regarding "upcoming business that the city council will be very "not previously held at a protection policy meeting until "the response from DOJ was obtained" and the response from DOJ was. Back I didn't lose regard to this.
- This, right here.
- So DOJ has provided response to all the weary into the city, both are included in the packet. The Department of Justice gave general infringement information as to what constitutes a walking forum. However, they declined to give a formal opinion based on the limited amount of facts provided. So staffs recommendation is to receive a placement.
- So this is they just basically through the state?
- gave it an explanation as to what a walking warm was, but they declined to give an opinion on this specific circumstance because they didn't have enough.
- And all the weary did of course, have something on this which is statement for the record. Is us just looking for the answer from the state DOJ and then for the council Mayor to adhere to the legal requirements put forth there in. So late we got we've got the response and we can receive it in place on file. There's nothing else to do it that. motion by order Stevens. Talking about
- No, I think this may come up again sometime. But I think for now.

- All right, I think if any means we would need-- to have some better practices--
- Some better definition because sometimes we wonder, you know, the final goal with Randy when we go over to have a soda pop somewhere.
- So there are exceptions, gatherings and the Attorney General does, or the Department of Justice did laid out kind of certain examples and what are exceptions and what, what kind of watch out for. They just didn't answer all the very specific, because they didn't have enough facts. So they do give a detailed analysis as to all the applicable laws. And obviously, we can't give blanket advice. As instances come up and authors have questions. Obviously the city attorney is ready to take a--
- Well a handbook of sorts saying okay, there's 20 different parts possibilities of me. There's nothing like that.
- No.
- So it makes it a little, you know, sometimes you look over shoulder like well, wait a minute, I'm walking with you across the bridge--
- They is set of laws and standards, and those are applied to the specific facts. Did you get good information, knowledge, details--
- Wisdom with time as if somebody puts in a complaint.
- true.
- Well, I guess for now, I'm fine with that. I'm just saying that it may come up with
- Motion to receive. It's already been done. All in favor?
- [Both] .
- I opposed, that passes unanimously. On to 1011. Is that correct? Yep.
- Correct and yes.
- So consideration with possible action on request voluntary which reads "all requests to any city committee "or commission from an alderman staff or the public shall "be placed immediately on the next agenda "said body requests may be delayed from agenda upon "agreements of both submitter and body chairman."
- to this.
- Yes.
- [Lady] So we had so there's the two items and I'll be dressing of all the very end all the goblins communication. So we had some competition senior staff to get a process together, that I would like now. So, first, let's just begin with some basics who can place an agenda, an item on the agenda, so staff can place an item, others can place an item through communication, and others can receive requests from residents to place an item but residents cannot replace an item directly on the agenda.
- Okay, that's been a bone of contention in the past, because there have been some others who said they should be able to wear the hat or whatever, just that's something we need to make clear.

- [Lady] That yet, so that is actually Vanessa and I talked about it today just to get clarification when I was on Council. Yeah, that the order is the elected person that person the order or makes that is the conduit through which that action can take form in the in the form of a communication and agenda item on the committee

- So the citizen comes up the needs to go through his his or her all.

- [Lady] Absolutely. For any order me doesn't have to be, you know, I could make a communication to older evangelist if I felt that my communication was more in keeping with his priorities doesn't have to be my representative. Indeed at senior staff we discussed that items will be placed on the next agenda. All of orders and we had some conversation about this, and I'll talk about it again and I discussed all their communication. All there should check for their items to civic work like to do is do search, see where your items are, there's some more things I want to add to that, but just need to flip that up that you have the ability to find out where your items are just going to submit clerk, search the agenda item, and you'll see whether or not it's been placed on the agenda that are published. So we'll talk about that too.

- Okay.

- [Lady] Communications will not be delayed. So there's communication that goes on that made, it will discuss the various ways that Well, there's two ways that communications can happen and then a few ways that items can be placed by orders on the agenda, that will not be late so that we will not be doing well you know, you and I can agree that will wait till October for this to happen. Nobody should go on the agenda. And it should be discussed and if there needs to be more work and that should be floated up for the public to know about it.

- So everything will be put on the agenda--

- [Lady] Postmates!

- Postmates, okay.

- One of the issues, and maybe I'm wrong on this. But there are times where I'll look at the agenda, you know, on a Friday, and it's not in there yet. You know, or, you know, I'm trying to you're trying to find it on your meeting might be on Monday. So part of its timeliness that if you go to the city website, you can look at it when you go to civic clerk, there's times where you don't see it.

- [Lady] On your board view.

- Yeah, if it'll say no data file.

- [Lady] Really?

- Yeah, I got that.

- [Lady] So that's that no, I'm just gonna put this on my calendar.

- So I think that's one of the questions because there's times we don't have enough time to react for the fact that we're worse for communication. We're assuming that it's on.

- [Lady] Well, and that's my team question because here's the how this is how it works behind the scenes. So we get the agenda, we publish to public. That means it goes on the website we publish to board that means the people who are authorized to get that agenda receive it. So it happens we have to actually physically saying publish to public, publish to board. So if you see it on the website you shouldn't see it on your board view.

- You should or shouldn't

- [Lady] Should.
- I don't and I'm just saying that's kind of a frustrated.
- [Lady] Let me ask that question of Mike.
- That sounds like it.
- [Lady] Yeah, that's--
- Regardless, that's still no that's not consoles--
- Yet it's not right and is that working.
- [Lady] Okay, so we'll figure that out. And then I will be able to follow up with how would you like me to and this is part of our process. How would you like me to follow if you want me to come back next month and and talk about that you want me to just communicate with order Sawyer.
- With the IT problem? I think I haven't had that
- So I'll go on I have my tablet, and I'll look for the agenda. So if I go to the city website that generally will be there.
- [Lady] So let me have--
- so it's kinda about--
- [Lady] So I will then communicate directly with order Sawyer about that particular issue and not bring that back back to committee.
- That's fine.
- Because it really sounds like an IT problem not a procedural problem, which is what we got--
- As far as North communications, or I remember some time ago, you know, all the guild and I think brought this up to but, you know, you're kind of putting the onus on us to put in the communication, we need to follow up on it. And there are times where it seems to fall through the cracks. And if we don't think about it for a while, it's like what happened to them. So I know that Kevin , he for a while through their community development, what they would do is he would have a list of the communications he did it within his part--
- If I may. with the next item with order Galvin, because this is specifically just an initial communication.
- Okay we can--
- Let's wrap this up--
- That's fine.
- [Lady] So then we'll get to that . So how did it get placed on an agenda? So there are four ways. So you can give a communication to the clerk's office either by filling out the form or by sending an email. You can make a communication at City Council. And you can email a senior staff member to have a staff member placed on the agenda. Or you can email the committee chair.

- So when you that's the order?
- [Lady] That's the order, yes. I'm only talking about all of us.
- Okay.
- [Lady] Now here is something else that I think requires some education, orders can make communications to standing committees. So that's their five PP, IMS, Parks, finance and personnel. The other committees are requests. The orders that those committees are where the business of the legislative body is really done. Those other committees are somewhat there's a mixture.
- More of a commission and the committee.
- [Lady] Yes, for instance, Transit Commission. All this should not make communicate transit does not report back to the city council. Water Authority same thing. We were talking about the board the zoning Board of Appeals, that is the standard. Right, exactly. So yes.
- Well, I'm glad to clarify that. Just let me think we've all heard that but we need to hear it again.
- Redevelopment Authority.
- No, no.
- [Lady] Redevelopment Authority It is a little bit of a mixture, but yes, that's right.
- And I know they had the communication with you, when they were gonna do the rebate packaging, they make the approval in order for that to get done.
- Right, but that was them coming to us communication--
- I'm just saying and they have authority that is kinda untouchable.
- Right, yeah.
- [Lady] Some of it is some of these actions to report back to council but some don't.
- Right.
- [Lady] That's correct.
- So things like traffic commission, sustainability commission, those are all if they lose day, if they want from the .
- [Lady] So they is so that's really interesting day is Dave Hanson for traffic sustainability law.
- So talk to staff.
- [Lady] It is right--
- Now to the chair.

- [Lady] It could be up to the chair but the chair or not. So for the chair of traffic, the chair sustainability, those are residents they're not. They're not employees and they're not orders, so you could absolutely let you could email the committee chair and say "Hey, Seth Hofmeister, can you put this on the "sustainability commission agenda?" And all Seth is gonna do because he's not in control of the agenda, I am. He doesn't actually physically control it.

- So something on the agenda, hypothetically.

- [Lady] Right, it says again.

- If hypothetically you don't want to put something on the agenda.

- [Lady] That is not, I would not do that.

- I know--

- But you could?

- [Lady] No.

- That's that was the request.

- That's what a weary so that happened. He went to a committee and they refused to put--

- Yeah, but I think that's more committee, not staff.

- [Lady] That's so if you're talking about me as a staff person, I will always put the communication on the agenda.

- Right, but correct me if I'm wrong, but what you're suggesting is that it's a request when you're talking about a commission, so it's up to your discretion. I can imagine a scenario where you say no, but you could.

- [Lady] Right, you could. But and then like I said, I want to be really clear that the communications are really for the standing committees, and this is still action, right, you're still elected, you're still the legislative body. But you also have to understand that there's some commissions, committees and boards, but you have no ability to even make a request.

- Okay. So I guess, pardon my ignorance here, but let's say you have five standing committees, and there's quite a few other committees and their agenda--

- Oh, wait wait though

- are we talking?

- Right, right, go ahead, go, go, go go, sorry!

- Train came off--

- At five committees.

- So the five committees. So the other committees that are not standard, you know, the fact is that some of their agenda or some of their findings from their meetings will come to counsel,

- [Lady] Sometimes.
- Not always.
- Yeah, we don't know what they like the landmarks commission, for example
- Now, if a chair of a committee gets a communication from another order decides not to put that on the agenda what is that all order's...
- [Lady] Recourse!
- Recourse.
- [Lady] So all order A, who's chair of the committee decide gets a communication from older B and basically high hands that communications is not putting it on what is the recourse for order B? That I don't know.
- I think that's what all the weary has had problems with--
- [Lady] So .
- be considered direct to the clerk.
- [Lady] Then if it goes to the clerk, if it goes to the clerk then the clerk--
- Usually will send it to the to the staff member who will put it off because I don't believe any committee chairs actually manage the agendas.
- [Lady] They I do not.
- No.
- I do!
- [Lady] You know, physically put--
- Right if you receive a communication you will then direct it to me and to Jamie and then gene physically creates the--
- True right right right.
- So that's what I meant.
- If I got from Jamie back, she sends it to me because we all I do is play with the order.
- Yep.
- Yep, but if I said no back, not gonna do it what happens?
- [Lady] So if you remove an item from the agenda
- That's interesting.
- I think that's the issue that we're up against.

- [Lady] So the recourse the recourse is to make that communication through as a way communication at Council, then Chris tracks that will cover tracking when they get to all their communication. And then that will get placed on the agenda. Now the question of course, is well, what happens if the chair attempts to remove it again?

- So shouldn't we be bypassing a chair for communication go right to clerk.

- Right but it A chair usually is given--

- talking about if I as an older send you a chair communication near the chair and you said no. But if I went to clerk and submitted.

- And they put it on and I would see that as Chair, and I say no!

- Maybe you shouldn't be able to.

- Well over time with that--

- What is a staff gonna do if I say that.

- They're gonna

- So in for an example with this Protection Policy when there are communication submitted by other orders at council that goes to Jamie few in the clerk's office she prepares the agenda she reviews it with me. She then sends it to all order Scannell for approval. Is this okay? Do you want to rework anything anything around? He says, let's move this here, this there and we're good to go.

- I close my eyes.

- So he ultimately approves the agenda, the form and the order and so forth before it gets published.

- So if chair said this item, we're not gonna have it.

- So in theory he could there could be a communication from one order that made at Council, Jamie puts it on the agenda and all their scandal could say "Nope, we're not hearing that" and directs Jamie to remove.

- So what happens after that?

- About that--

- I guess that's the question.

- [Lady] So what with the mayor about this.

- The mayor feels very strongly that it's up to orders to have some input ownership over these agenda items. And quite frankly, if an order is going to and in many ways, I'm not sure that the staff can stop someone from doing that, right. In this in many ways, is has to do with your legislative body practices and policies and rules. I think really that the chair has been remove, it needs to communicate that to the person who's made communication.

- The reason for it.

- Well, but okay. Let's say I say it's off. It's taken off by staff. And I really report that to the order. I said, I met that whatever I give whatever reasons or don't whatever. And they still want it on. Is there a recourse to do a committee of the whole.

- That's a possibility. I was just thinking

- what can we do, so that scenario doesn't happen?

- Well, there's also ethics issues, right. I mean, this is you have your own way of disciplining each other.

- But take note, I mean, there have been some communications and quite frankly, I think we should not have dealt with when the people there were all those that played politics with committee was city business, and I thought there were items that weren't appropriate. And I was never in a position to do anything about it or if I was, I think I went along. But I don't know anymore. I mean, if someone really I mean like that communication about if I would have been aware that communication a few months back about renaming Spring Street to final realize what street that was, there's no way I would have voted to advance that communication.

- [Lady] So this is your opportunity too, if the communication is made, you know, with an email to a staff member an email to committee chair, that's harder, but if the communication is made, either to the clerk's office before the meeting, or at the meeting, you can vote not to accept the communications

- Communication yeah, and if I'd have been aware, I would definitely have not accepted that, I mean, that was just rank, because it's Schmidt street where he lives someone wanted you know, I mean.

- [Lady] Oh Yeah

- and I thought the whole thing was weird, but-- If I realized that there's no way I would have--

- I mean you can look at the face value of that say this nice

- So why should that be a part of our city business?

- I agree with them--

- Right you know, so if an order but maybe they maybe there's just some conflict between the two orders .

- Not sure something this is what all the word mentioned he says he recently requested an item be put on the GV Housing Authority agenda and was told that denied.

- [Lady] That's correct.

- This is how in the heck is this good open government, an unelected officials telling residents they don't get to discuss their concern--

- [Lady] Right because--

- So that's what--

- [Lady] Back to me as an order does not have the authority to put a communication for the Green Bay Housing Authority.

- Okay.

- [Lady] That's--

- We're now running into a situation where an order's communication for a standing committee has being taken off, and it's more of situation that's the order was trying to put for the community to a body that so the order's authority--

- So pardon my ignorance. Just one quick . So with the five standing committees, bam, no problem as far as communications, but the other ones, if I, you know, I'm in the historical preservation and I might see something that I think is important. I'd like to get something on the agenda for landmarks commission, am I allowed to do that?

- [Lady] So I don't wanna say, you know, that you're disallowed from doing something. But the best way to handle that would be to be in communication with a chair. We're with Stephanie Switzer, who is I'm sorry, who is the manager of the staff member of staff liaison to be in communication with them--

- To see if this is possible. I can see that. But I don't know if all the orders know that--

- Well, the problem is is that it was denied. Not that I mean, he went through it. That wasn't an issue, the issue was it was denied.

- But the Housing Authority correct me if I'm wrong, is it totally legal, it is separated--

- Right right.

- That would be like submitting a communication as an order to --

- So I don't know who would be for--

- The village.

- Well, could the landmarks commission as a city--

- The Commission's , things like the housing authority?

- Thank you.

- Yes!

- Is there a way to get something out to the orders about this I think just just a little sheet, this is what was alone, I'd love to see.

- Yep!

- You kind of see what we're going for.

- How would you like that back?

- Just as a communication or email or you know, email or...

- Mailboxes for those who want to snail mail.

- Okay, no mail, we're not doing snail mail anymore.

- Well, I mean, white paper.
- Really? Because I get stuff from public works, Like 10 times a week.
- I requested it that they do it digitally.
- Yes, I know, that's the whole thing.
- [Lady] Okay, so, any other questions? I get the list, okay. I also have the issue that for you all, they're shorter about what's going on with your inability to see something that's that you should be able to see or view, which is bad.
- Oh that great, That's fine. That's whatever.
- Are you wearing the special goggles when you look.
- Really we get those?
- [Lady] Okay, so just I have for older worries, communication.
- And there's an issue with a standing committee that an order recourses community whole.
- [Lady] That it's a resource and let you have some abilities. I mean you have--
- For SH community?
- I mean, you can only--
- guidelines I don't know.
- I'm not positive.
- Maybe that's something we look at when we look at the ethics.
- Yeah.
- It's hard to give an answer on that right now, I'm sorry it's hard to give an answer right now because our, the ethics for versions that we're working on are pretty significant in terms of revising what's already there. So it's hard to be able to say yes or no
- And that's one of the things that to try and get in front of you.
- Right, and when when it does mean, is that something we can take up?
- Can we put in a request or make a motion to the fact that you know, it's for this but put the have information for the orders stating, when you have four lists of four items, how are you a communication I understand all of those who have done all that, but to have that so that we can see that and then also what committees we can and cannot do that.
- I will make sure that
- And if that could be provided for new orders, will meet you know we're working on packets for new orders if we could store that aside and put that in. because personnel is this putting together

- Which goes into all the Galvin's request. Can I ask a question?
- Yep.
- When when we submit like communications there's been talk amongst some folks here in the city actually encouraging the when that happens, is that accurate?
- [Lady] Yeah, that's accurate.
- Because like communications actually published. publishing fee to be that press because that is what the peripheral
- I mean just to piggyback on the other minute type communication and is partly to get it out there, and also the folks here at the citizens here, but would you say in a perfect form as much as possible that you'd like to have these communications and either to the Department or to the clerk's office, I mean.
- [Lady] it becomes part of the agenda if you make it early enough to Chris Tedeschi to Clerk, and up front--
- Because we often do quite a few way communications, and I'm guilty of that as well. So with that being said, is the kind of like, well, you should have done it earlier.
- It's not we're not talking about five figures difference, right, you're talking about four, So it's up to you. What do you want to do?
- [Lady] I get that sometimes it makes sense to make communication verbally publicly, for the community to hear and say.
- Well, I think that's part of the reason I do it just on your behalf and that's out there.
- All right,
- Email your communications about stop signs, proclamations and everything else, I don't know.
- Meaning a stop sign I'll you know.
- Share that publicly right.
- All right, so Redis honor.
- I have a motion for staff to provide all there's a list of how to submit communication and what committing condition communications need to be submitted to and then and to do it, just the committee then want to receive and place on file. Order Leary's request Or that action.
- That is okay with me.
- So we're doing two things right.
- No, just one, just the motion to have staff provide all their surplus. So, destroyer seconded by order Stevens.
- All in favor?
- All right.

- So that motion passed unanimously

- Number 12.

- Yes

- Considerations possible action request by order Galvin to the Protection Policy things that have a procedure for all those be notified when positions and communications are going to be addressed at the community level, which was held up to July 10th and July eighth, June 10th and July eighth Protection Policy meeting.

- Yep, there's we talked about all this the senior staff. So, once again, just to reiterate that all those concerns for their communication on civic work. Department heads and staff whoever's working on that agenda really need to get approval from the agenda from the chairs. So for the five standing committees, that means orders, so that what that does is it, it promotes communication about the agenda with the orders who are the chairs of the committee. And as I said, the mayor really thinks that you have legislative body and you have the responsibility as well as the privilege of being able to have some input into the agenda. So you should exercise that. Now, I do want to say that meeting managers and recording secretaries do keep track of agendas from communications from all orders. Even so this is even for committees that may not be standing committees. They do keep track of these agenda, sorry, of these requests, these communications Jamie and Chris Tedeschi keep track of it. Deanna de ruler who works a lot department keeps track of the ones for like--

- No that's definitely

- department has a master list of communications that come in mostly, I believe, is like communication. It's a nice Excel spreadsheet

- But that communication.

- Yeah, that's just like communication. So, law department keeps track of those and follows up with department heads periodically to see where those items are.

- Those lead communications that come in if they're not a standing committee, or they given pedal to the heads of those committees.

- Absolutely so they always have to go to committee for the committee to then refer it to staff or decide whatever.

- So they decided--

- The committee wants to do with it.

- Okay so part of my reasoning is that where is it. And I put that out there and I don't see it anywhere. So is that part of the reason that you don't see it? It's because the share of that particular non standard committee says, nope, we don't wanna.

- [Lady] Well, and as I said, it will be our practice to make sure that an agenda gets placed on the next agenda. There's not going to be any delay. Right no agreements, no sign agreements. The other issue though too, which I think you're bringing up all their store is that that if it, before you all leave council meeting, I believe it is attorney Chavez's requirement that a communication go someplace. So it's not going to be like you know, here's communication to have her served at all council meetings. That's not going to sit there she's going to insisted that be given a place or assigned to place as soon as we can the next day. If it isn't given a place, you really should say where it should go in your communication. Yes, you should. And you know what, if you're

wrong then fine, we'll fix it and we will notify you that we have you so sorry, you're taking this route where communication should not have gone to Protection Policy should go into finance.

- Or you should print it up.

- Well, it's not a big deal.

- But if I'm not mistaken, I believe that this communication actually was created after order Galvin had inquired with improvement and services what the status was of a communication going over a year ago, about practice sidewalk inspections, and it was referred to staff to bring backup plan and then it was a year later still hasn't been brought forward. Very similar to order Stevens here when you asked Where are we at with that new order orientation program that was referred to staff. And so there are a lot of communications that are put in, get referred to staff for work and never make their way back.

- we don't know the status, if there's a way that we can be kept up with status.

- [Lady] So one thing that, like I said, a couple things that need to happen to make that situation go from, you know, horrible to the right way. First of all, there needs to be a date certain given, right. So it's a staff member says I need two months to come up with some sort of decision about a sidewalk program, then that will be on the agenda in two months with the recording secretary. So what the senior staff members will do is to advise the recording secretaries to put that agenda item on a future agenda, which unfortunately, you can't see, we can see behind the scenes. So we can like the draft agenda, so it's actually appearing, we say okay, we will Come back to you in two months time, boom, two months, we have put that agenda item on the agenda two months later.

- Whose duty is that?

- [Lady] That is the recording secretary of media manager.

- Okay, I'm just saying that if, like order Galvin brought this up, it's been over a year. I don't think he put a time limit or constraint on that.

- [Lady] Right.

- And if you would have said, I would like to have something in three months, is it last to do that? Put some kind of time frame. I mean, why not?

- You could you could absolutely say I would like to hear back from this.

- So I have a question.

- stuff hasn't completed the task entirely. Still report to the committee saying this is the progress that I've made. I need additional time, but at least it keeps it up.

- [Lady] So we will not be doing that anymore where somehow an item is discussed a committee, it needed more work, it goes into the ether and nothing is reported that we will put a date certain as to when staff will come back. And quite frankly, sometimes we're just not ready, right.

- Well, so as long as we understand?

- more time.

- [Lady] The other half of that though, is the communication. Like I said, department heads and staff should be talking to the chairs of the special standing committees and saying this is what's going on. This is what's happening with the agenda, so that the chairs of the committee should be really versed in what is on the agenda and what is based basically going forward in the future. So that in all there should be able to call the committee chair to say, "hey, . "What happened to this item? "Well, thanks for giving me a call "because I know after talking to the staff that we're gonna "discuss this in December."

- Elder Johnson from that request for new orders, but he didn't put a date on there. So what do we have to do now to find out where we're are--

- [Lady] So now it's up to us to put a date on it, if there isn't a date request from the order.

- Staff will do that?

- [Lady] Staff will do that.

- Well, that would be--

- [Lady] We agreed to this as senior staff, he will give a date certain. If the order doesn't, then we will.

- Because I would assume you wanted something sooner and then what we got now.

- I think they is a lot of communications out there just like this case.

- If you put a date on it

- [Lady] Yes, I think not, seriously. It is not working, if you're seeing that your communications disappear into the ether. I know I don't keep track of I don't have that list right so I don't keep track of every item. Let me know so that I can address it to make sure that when item that it can be brought back in a timely way.

- So I think that was part of the discussion if you refer something to staff, can that have a placeholder on the agenda?

- [Lady] So we're not doing we're not doing old business new business, that it gets to be complicated in terms of how parliamentary procedure Robert's Rules work. So but what we can do is say, we will bring this back in three months with an update or with a solution. The old business new business doesn't work.

- I'm happy with the date point of data.

- It'd be good if if the community doesn't do it, which they think we got to start getting in the habit of doing it, and staff ends up doing that if that will do the chair.

- [Lady] And just as I was doing, as I'm talking about this, you know, I'm trying to model that kind of interaction that you should be seeking. How would you like decided to come back to you? Do you want this item to be reported back in committee or as an email sufficient so you need to take some ownership too have how items come back how pieces, especially if it's a piece of an item that needs to come back then say get staff we would like this item to come back many or could you please send an email and then it's like I said responsibility of the chair to make sure that all happens.

- About the sidewalks you know, all the sidewalks. That's a pretty major undertaking and further just like a road project, you know, how many roads every SS. I think I get the orders are concerned about certain sidewalk areas. They should bring it up through Department of Public Works if you got some areas that are

bad, because as far as you know, I don't I don't know if they got the staff to send out the check all the sidewalks within the city of Green Bay, but I think they--

- he's asking for though. He's asking for a policy.

- Oh policy, okay, well, that would be fine. But what I'm saying is if you don't got bad areas in your district, you should bring it up the requirement of the order should bring up your private library people will call in and say yeah, I stumbled on this, and this a bad trees in my district. Basically if there's trees that are real close to the sidewalk, you know, pop them up, and they've replaced some of those they've done some of that

- [Lady] well and I think you bring up the point of the art of making communication right, this is, are you trying to make are you making communication because he wants you really indeed wants something very large, very global, very philosophical, very process or policy oriented to be dealt with? Or is this a way to get something particular to be done? So that is the art of making the communication because everyone should know the difference do something big global and philosophical or something particular like three sidewalks three cakes need to get replaced by apart.

- And another thing too is they talked about it you know, during the World Tech discussion when it was brought up you know, it's going to pay for the sidewalk. I don't think we'll tax you know.

- It's not.

- It is not a good idea. You know, most of the sidewalks are put in by the citizen that owns a property . And so I think that was kind of off the table where the will of tax money is paying for the resurfacing and that type thing, not sidewalks, and I think sidewalks are totally different issue. And I think that, you know, if you want to be a good author, you got to kind of take a look around your district to see what's going on in brighter district. Good to go plates left and right, you know, people on Broadway, you know, in front of the Broadway district you know, there's some bad places on the road you know, where they put in you know, and I'm sure that you know, those are be talked about as well you know, in it same way, my district, we got some military amateurs got some big you know, divots in the road and in you know, you gotta call a minute you got to get it fixed. So I think the sidewalks that's a big discussion.

- Isn't May, usually in May when they make poor determinations, public works as far as--

- [Lady] They said they lead a contract for a sidewalk repair.

- So the fact is, I mean, there are times where--

- And some citizens are reticent to do this now where they'll complain about one sidewalk square kick will come in and say, by the way, you're gotta replace these four as well. And it's like we want, so that that's usually a bit of a shock. So you got that and then across the street looks like a war zone. And nobody looks at that. So those are the things that citizens get a little frustrated.

- But the sidewalk if you replace a cake, cake walk.

- back to the agenda.

- So there's one more thing I have to offer you that Vanessa and I and also working with my product. We're still finalizing the process for committee to committee referrals. There is a way to do it in civic court, but didn't seem like there was enough training given we had to start like a year ago. So we are still finalizing that. And if you'd like to I can come back to the report on committee to committee, we're focused on something that you should know about because sometimes something can be handled in one committee needs to go to

another. And so you can say, you know, all this could say refer this to finance committee, right here Protection Policy. So it should then be very easy for the manager to send that to the finance committee but right now.

- So for now, we just report that out, right? I mean, that's what we've been doing.

- [Lady] Well then the question is though making sure that we get it.

- It can be a generalist to for businesses

- To proceed as presented by staff. Motion to approve by Stevens by orders. All the manner least. All the favor!

- High, posed. There we go. No, no, we have liquor violations the police departments from August 12 2019.

- There were no actual worker violations are two reports. One was criminal damage and disorderly conduct that was a domestic violence situation at one establishment. The other one was called those alleged marijuana use. When the officers got to they could smell marijuana not couldn't find anything. They accidentally wrote the bartender a citation property without a bartender's license because they didn't realize she was an agent on the actual license. So that was what

- Thank you. Five order Slayer seconded by alder Stevens, all in favor!

- High, posed. Hi unanimously. report from the water utility department regarding the lead pipe removal project. Everybody saw that in the pie in their packet I hope.

- Yes.

- Most interesting place on fire by elder Stevens second. Let's get the lead out. All in favor.

- [Both] High.

- Pose! Guys received it and placed on file, I believe.

- Second by all evangelist, what should we do? What should we do? All in favor!

- [Both] High.

- Posed.

- You promised. Yep, yep, thank you ladies and gentlemen. Well done appreciate it.