



MINUTES OF THE PROTECTION AND POLICY COMMITTEE

**MONDAY, SEPTEMBER 23, 2019, 5:30 PM
CITY HALL, ROOM 207**

A. ROLL CALL.

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

Also present: Ald. Barbara Dorff, Ald. Brian Johnson, Deputy City Attorney Joanne Bungert, Assistant City Attorney Lindsay Mather, Lt. Steve Mahoney, Community and Economic Development Assistant Director Cheryl Renier-Wigg, Chief Building Inspector Paul Van Calster

B. APPROVAL OF THE AGENDA.

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

Yes- Craig Stevens, John VanderLeest, Randy Scannell

C. APPROVAL OF MINUTES.

I. Approval of the minutes from the September 9, 2019 Protection & Policy Committee meeting.

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

Yes- Craig Stevens, John VanderLeest, Randy Scannell

D. REGULAR BUSINESS.

I. Consideration with possible action on a request by Richard Craniums at 840 S. Broadway to temporarily extend their licensed premises to their parking lot on September 29 from noon to 6 p.m. for an event. (The Protection & Policy Committee has been granted final approving authority on

liquor license related matters until October 1, 2019.)

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 their parking lot on September 29 from noon to 6 p.m. for an event, subject to complaint. (The Protection & Policy Committee took final action on this item.) Motion carried.

Yes- Craig Stevens, John VanderLeest, Randy Scannell

2. Consideration with possible action on an application for a Class "A" Beer and "Class A" Liquor license for Dolgencorp, LLC at 1641 Main St.

Moved by Ald. Craig Stevens, seconded by Ald. John VanderLeest to approve an application for a Class "A" Beer and "Class A" Liquor license for Dolgencorp, LLC at 1641 Main St., with the approval of the proper authorities. Motion carried.

Yes- Craig Stevens, John VanderLeest, Randy Scannell

3. Consideration with possible action on the following statewide General Records Schedules:

(1) Administrative and Related Records

(2) Budget and Related Records

(3) Facilities Management and Related Records

(4) Fiscal and Accounting and Related Records

(5) Fleet and Aircraft Management Records

(6) Human Resources and Related Records

(7) Information Technology and Related Records

(8) Payroll and Related Records

(9) Purchasing and Procurement Records

(10) Risk Management and Related Records

Moved by Ald. John VanderLeest, seconded by Ald. Craig Stevens to opt into the entire General Records Schedules as proposed. Motion carried.

Yes- Craig Stevens, John VanderLeest, Randy Scannell

4. Consideration with possible action on General Ordinance No. 21-19, an ordinance to repeal section 15.54 and to create section 15.83(1)(a) of the Green Bay Municipal Code, relating to building code.

Moved by Ald. John VanderLeest, seconded by Ald. Craig Stevens to approve General Ordinance No. 21-19, an ordinance to repeal section 15.54 and to create section 15.83(1)(a) of the Green Bay Municipal Code, relating to building code. Motion carried.

Yes- Craig Stevens, John VanderLeest, Randy Scannell

5. Consideration with possible action on an appeal by Carlos Morales at 525 Victoria St. regarding his re-inspection fees.

Moved by Ald. John VanderLeest, seconded by Ald. Craig Stevens to deny an appeal by Carlos Morales at 525 Victoria St. regarding his re-inspection fees. Motion carried.

Yes- Craig Stevens, John VanderLeest, Randy Scannell

6. Consideration with possible action on a request by Ald. Brian Johnson to review internal policies related to recording orders made on properties to ensure documented transfer when ownership changes.

Moved by Ald. Craig Stevens, seconded by Ald. John VanderLeest to refer to staff a request by Ald. Brian Johnson to review internal policies related to recording orders made on properties to ensure documented transfer when ownership changes. Motion carried.

Yes- Craig Stevens, John VanderLeest, Randy Scannell

7. Consideration with possible action on a request by Ald. Steuer to revisit our city sign ordinance as it pertains to advertising signage on city property, specifically athletic fields and venues.

Moved by Ald. Craig Stevens, seconded by Ald. John VanderLeest to refer to staff a request by Ald. Steuer to revisit our city sign ordinance as it pertains to advertising signage on city property, specifically athletic field and venues. Motion carried.

Yes- Craig Stevens, John VanderLeest, Randy Scannell

E. INFORMATIONAL.

I. The Liquor Violation report for the September 23, 2019 meeting.

Moved by Ald. John VanderLeest, seconded by Ald. Craig Stevens to receive and place on file the Liquor Violation report for the September 23, 2019 meeting. Motion carried.

Yes- Craig Stevens, John VanderLeest, Randy Scannell

F. ADJOURNMENT.

Moved by Ald. Craig Stevens, seconded by Ald. John VanderLeest to adjourn at 6:07 p.m. Motion carried.

Yes- Craig Stevens, John VanderLeest, Randy Scannell

VERBATIM MINUTES:

- [Joanne] Not recording yet.
- Okay.
- And, now we are good.
- Protection and Policy Meeting for September 23rd, 2019 is now in session. Let's see who all is here. Alder Stevens?
- Here.
- Alder Vander Leest?
- Here.
- Alder Scannell is here, and Alder Steuer sends his regrets. We certainly wish him good health and a quick recovery, but he has a health issue that he is addressing tonight.
- [Barb] And Alder Dorff is here.
- And Alder Dorff is here.
- Welcome.
- I'll take a motion to approve our agenda.
- Motion to approve.
- Motion to approve by Alder Vander Leest. Second by Alder Stevens. All in favor?
- [All] Aye.
- Opposed? We have an agenda. Motion to approve the minutes.
- Motion to approve.
- By Alder Stevens.
- Second
- Second by Alder Vander Leest. All in favor?
- [All] Aye.
- Opposed? Our minutes from September 9th, 2019 have been approved. Are we ready for regular business?
- Yes.
- Let us do our regular business. Number one, consideration with possible action on a request by Richard Craniums at 840 South Broadway to temporarily extend their licensed premises to their parking lot on

September 29th from noon to 6:00 p.m. for an event. The Protection and Policy Committee has been granted final approval on this. Staff?

- Law department has no objections.

- [Man] The Police, even though they're not here, recognizes they've had events there in the past and in the past they have said that they'll have security and fencing to prevent, so Police have no objection.

- Motion to approve.

- Motion to approve by Alder Stevens.

- Second.

- Second by Alder Vander Leest. All in favor?

- [All] Aye.

- Opposed? That passes unanimously. And I should say, other than this item, all other items on the agenda, this is just a recommendation by this Committee to the full Council, full Council has the final say next Tuesday, 6:00 o'clock in the room next door. So if you don't like our decisions, there's a second sling. Onto two?

- Mm hm.

- Consideration with possible action on an application for a Class A Beer and Class A Liquor license for Dolgencorp, LLC at 1641 Main Street. Staff.

- Law department has no objections.

- [Man] Police concur.

- That's in your district.

- Motion to approve.

- Motion to approve by Alder Stevens.

- Second.

- Second by Alder Vander Leest. All in favor?

- [All] Aye.

- Opposed? That has been passed unanimously.

- Item three.

- Item three, consideration with possible action on the following statewide General Records Schedules: 1. Administrative and Related Records. 2. Budget and Related Records. 3. Facilities Management and Related Records. 4. Fiscal and Accounting and Related Records. 5. Fleet and Aircraft Management Records. 6. Human Resources and Related Records. 7. Information Technology and Related Records. 8. Payroll and Related Records. 9. Purchasing and Procurement Records. 10. Risk Management and Related Records. What are you recommending we do with this?

- So this is similar to the one that I brought a few meetings back, which was to adopt the general municipal schedule. So in comparing our current records retention schedule to that municipal schedule that the state put out, there are some types of records that are in our current schedule that we'd need to continue keeping, that don't fall into any of the general categories on the municipal schedule. So I spoke with someone from the Public Records Board, and she said that they'd typically advise municipalities to adopt all of the other statewide schedules so that when we come across records, for example, like unemployment records and workers compensation records don't really fit into any of the municipal categories. So for those types of records, if we adopt all of the statewide schedules for all of these more specific areas, those types of records will fall into one of the categories on there, and then we can rely on those categories without having to ask the Board for approval of categories that we create ourselves. So we don't have to keep every single type of record that's in that 250 page document that was in your packet.

- To be honest, I didn't read the whole thing, I kinda skimmed, but yeah, it was.

- But for the records that we do keep, and we want to continue to keep, or we need to continue keeping, but they don't fit nicely into one of the municipal categories, we want to be able to rely on these more specific statewide schedules. So similar to the last time around I've prepared a notification of adoption form. The recommendation from staff would be to accept each one in their entirety, and then we would have to submit that to the Public Records Board. When we get that back we can, I will bring back an ordinance to you and to Council for actually adopting a new records retention schedule that has the combination of the municipal records and then also these more specific categories that we need.

- So can we just adopt them? We don't have to adopt them individually, we can adopt them as a whole.

- Correct, there's a separate form for each one. So as long as you're, and that was also in the packet, the adoption form, as long as the motion is to use that first option on all of the forms, I believe that will be sufficient. I defer to Joanne.

- Yes.

- I just have a quick question.

- Yep.

- On most of the records, are they being all, in other words, taken care of electronically, is that how they're doing it?

- Some. That's kind of a separate animal from what we're, some of the records we keep electronically, some we still have the physical records stored. If we want to convert the ones that we have in physical form to electronic records, that's another process that we have to go through with the Public Records Board, to certify to them how we're going to do that so that it complies with the State statutes about electronic record keeping. But for now, this applies regardless of the medium. So this, whether it's a hard copy or whether it's a video of this meeting, whether it's an electronic copy of an email, whatever, if it falls into one of these categories, these categories will apply.

- Are most of our records kept here at City Hall then?

- I believe so.

- I think so, I don't think we have any--

- Okay, that's my only question then, I know the County's working on it.

- I may be mistaken, but, as far as, I know Law department records are all kept within City Hall. We don't have any offsite storage.
- In the basement?
- I'm not sure about other--
- In the dungeon?
- Yeah, in the dungeon. I'm not sure about other departments though, if they've had to go towards off.
- I think everything's here.
- That's my only, I know the County's been working on a lot of, trying to get more things on electronically, especially on the law department where you can access them through the internet system.
- Right, and that is something we also want to do. But this is a big thing that we need to get in order first before we can really tackle that other. It really is its own separate monster, so we'll get there.
- Electronic records, shocking.
- Motion to approve.
- Motion to adopt.
- Yeah, okay.
- Motion to adopt all, what was it, 10 items?
- Mm hm.
- 10 items, yes, by Alder Vander Leest.
- Second.
- Sorry to interrupt, if you can opt, it should just be motion to opt in in their entirety to each of the 10 schedules.
- So motion to opt in--
- Into each.
- Into the entire schedule.
- Into the entire schedule.
- Into the entire schedule. So you've made a motion to adopt into the entire schedule.
- Second.
- And seconded by Alder Stevens. All in favor.

- [All] Aye.
- Opposed? We're on record for opting the records.
- Item number four.
- Four, consideration with possible action on General Ordinance 21-19, an ordinance to repeal section 15.54, and to create section 15.83 subsection subsection of the Green Bay Municipal Code, relating to building code. Staff, anything.
- [Paul] Can I come up there?
- Sure.
- [Cheryl] We recommend approval.
- I'm shocked at that.
- [Paul] So, I did a memo in the file, I don't know if you had a chance to read it.
- Yep, yep.
- [Paul] There's basically two sections. The 15.54 states, we're talking just basements of residential houses, states it has to be seven foot six. The State requires only seven foot. So that one is really of no use and of no value right now because we don't enforce it because we can't be stricter than the State. So I want that one removed. The other one that's equally important though is the 15.83. That's one that somewhere in the course of time we put it in there that it had to meet UDC for all structures, all houses. The UDC was adopted in 1980, June of 1980. So houses prior to that have typically six 10, six 11, six 11-1/2 by the time we put a ceiling up there, we're down to six 10, so we can't grant you a habitable space in the basement under this current code. So what I want to do is take that, and what happens is that people go do it illegally then. So they don't put in an egress window, smoke detection, et cetera. This would just take it off the books and allow them to do, if it was built at six 10, you can still put a habitable space down there. I've talked with the Fire Department. There's a way of, if you've got your floor joist up there, and let's say they're this deep, you can put two by fours or two by sixes next to it, and then cut it out so that it's tall enough to get that seven foot, but it's not as safe 'cause you're taking old wood that's stronger and more durable in a fire, trimming it and sistering it. So they would prefer just let it be six 10, 'cause they know it's six 10 when they go into the house to fight a fire. So those are the two propositions that we have.
- So practical.
- [Paul] Yeah. That's what we thought.
- Any questions?
- No.
- Mm mm.
- You're good. Yep.
- Motion to approve.
- Motion to approve by Alder Vander Leest. Oh oh, Barb, Alder Dorff.

- [Barb] I just promised one of my constituents that I would speak in favor of this, because there's some building that wants to be going on in my district. And this is great, this is a solution to something that really shouldn't have been a problem, but it was a problem, right. So thank you for putting this together.
- [Paul] You're welcome.
- [Barb] I appreciate it.
- [Paul] Thank you.
- Yep, yep.
- Second.
- Second for Alder Stevens. All in favor?
- [All] Aye.
- Opposed? You've adopted it.
- All right, item number five.
- Consideration with possible action on an appeal by Carlos Morales at 525 Victoria Street regarding his re-inspection fees. I do not see Mr. Morales.
- So this item actually was resolved prior to this--
- Oh, this is the one that was resolved?
- Yeah.
- I thought we'd pulled the one, weren't there two?
- Yes, so the other one was resolved, but prior to the agenda being published. So this one go resolved today.
- [Paul] Today.
- Yep.
- Okay.
- So staff's recommendation is just to deny the appeal.
- Just out of curiosity, I mean, his appeal was based on we had the wrong address?
- [Paul] It was a duplex, that' part of the reason--
- That's what I was wondering.
- [Paul] Correct, so the order was on the left side. And the issue was on the right side. So there was a confusion. The order went to the tenant on the left and to the owner, so he called the tenant on the left, there was no issue, so he's like, he must have fixed it. And then the re-inspections came, but there was no

communication between there and here. But then it's fixed, it's resolved, so we handled it. So he's happy, we're happy.

- Thank you.

- All right.

- Motion to receive and place on file?

- Yes.

- Right, that's the right?

- No.

- No, no.

- To deny, just--

- To deny.

- Right.

- Right, okay, motion to deny by? Alder Vander Leest.

- Second

- Second by Alder Stevens. All in favor?

- [All] Aye.

- Opposed? It is denied. Item six.

- Mm hm, it's just got to come up, just mark it for deny. Okay, item six, yes.

- Consideration with possible action on a request by Alder Brian Johnson, what timing, he's been waiting out there waiting. to review internal policies related to recording orders made on properties to ensure documented transfer when ownership changes. Alder Johnson, welcome. So good to see you.

- [Brian] I kid you not, I got back to work, I opened up the agenda, I was like, shoot.

- Good timing.

- [Brian] And I literally just got here.

- You didn't get caught by the train.

- [Brian] All right, I just walked up the stairs too. So I submitted this communication following the dialogue that we've been having at Improvement and Services Committee and then again at Council last week, where you may recall there was property that had orders placed on it for the storm sewer installation, but that little bit of historical knowledge, the way that we understood it at Committee level was that the property was taken over by the bank, so those orders obviously never were disclosed and did not move to the bank, and then the bank didn't know about it, so the bank in turn did not communicate it. Because they're orders that we just kind of

held internally, there was nothing that was attached to the deed of course that would follow those transactions. So when I submitted this communication it was part of a dialogue that we had had. I know Director Vonck was in the meeting, and I just asked the question if we did anything in terms of recording those orders. He said at this time, no, that is not something that we do. Now it's, I mean in fairness, I don't know if that's an isolated incident where we need to be concerned about it. Or should we consider a policy that we would record those orders so that if there were a property transfer in the future that it would follow with the property transfer, and that we don't have to rely on the selling party's commitment to disclose those orders. Because in this particular scenario, as you may recall, here we have a developer who is unable to secure an occupancy permit for his property until these orders are fulfilled. And it was for an order that he knew nothing about. And it's no fault of his. It's no fault of the City's. This is just a very unique circumstance. And I'm trying to determine if it makes sense for us to record those orders. Admittedly, I don't know what it's going to cost. I'm really looking to staff, right, to help us identify, hey, every time we record this, this is how much it costs, this is how many orders we issue in a given year. If it's one isolated incident over the course of a decade, the cost might not be worth it. But I am looking to maybe staff, and then discussion from the Committee about whether or not it makes sense for us to engage in that type of exercise to prevent a similar circumstance from happening in the future. That's the history.

- Yep, there we go.

- One quick question, Brian.

- Yes sir.

- On that property, was that actually a foreclosure, was that, when they re-bought it through the bank, was it a foreclosure?

- [Brian] No, I can't, I guess I can't verify that.

- I don't think it was.

- It was a receivership.

- Pardon?

- It was a receivership.

- Receivership.

- It was bought on a receivership.

- Because a lot of times when they buy them on foreclosure, you're buying a property as is.

- Right.

- Right.

- Whatever the, if you owed the county or the state, whatever, all those fees have to be brought up to, in other words, they all have to be taken care of.

- [Brian] Sure, but in this case, this isn't a fee. These were orders, right?

- No, I understand They were orders.

- [Brian] To do something. And that just never followed through with new ownership.
- It's kind of a touchy area.
- [Brian] It is, and like I said, this is why I'm looking to staff maybe to help verify how frequently does this type of thing happen, and is there another way, I guess, that we can help to prevent that from happening in the future.
- It would be nice if the orders would follow the documentation, but maybe more discussion, maybe staff will give us something.
- Well what I'm wondering is if, because this was found out from DPW, right, they found the orders, right? But when he went to get a permit, that was the disconnect, between the two departments, right?
- [Brian] I'm going to defer to staff maybe on that, on that line of communication.
- Yeah, we'll get some information from staff.
- [Brian] But I just wanted you guys to understand the background of why I submitted this, and ultimately what I'm trying to do is problem solve, and is there a policy that we could create that would help prevent something like this from happening in the future.
- I thought you were just trying to give us a hard time.
- [Brian] Well, that too, yeah. We'll do that with your, outside of the meeting. Anyway.
- Staff?
- [Cheryl] We were just talking about this. I think we might have worked with Law Department on this with regards to properties that are condemned. Sometimes we have these zombie properties where we don't know who owns them, it's a bank, we have it condemned. But if there was a way to record all those appendeds or something so if somebody's buying it, it's like, wait, there's orders on this, so we know that we're going to have to put a lot of money into this. But for some reason I didn't think we could do it. I think Law Department advised that we could not do those appendeds with regards to the condemnations. Now this might be different without a street vacation, but.
- Typically documents that can be recorded against a property are documents that affect title. And an inspections order wouldn't affect title. I know that certain title companies as a practice do contact the clerk's office to get a letter that basically states that this property is free of any inspections orders, and that's something that they require as part of their process in order to proceed to closing. It's not something that would pop up in a title search per se because it doesn't affect title of the property. But we can certainly look into review with the Register of Deeds and reach out to them to see, 'cause that office essentially controls what documents that they would accept for reporting against a parcel. But just off hand, I'm not aware that it would be something.
- Well who, where's the repository for these orders? I mean, if it got lost and forgotten about, but then it was found.
- Right.
- It was my understanding DPW had a record of it, or had a copy of it or whatever. They knew what was going on. Is that where all--

- It would be the department that's issuing the orders I would presume.
- So I'm wondering if we could have a database where such documents are accessible to all departments, or at least departments that it would be relatable to, so that way, if someone's coming for a permit or something, which I believe is what happened, he came for a permit. They didn't realize the orders, but if he knows that, well, let me check if there are any orders. Bop, bang, yes here are. Would that be anything illegal?
- And that just sounds kind of like an internal check between departments.
- Right, uh huh.
- [Brian] But that wouldn't have necessarily cured this particular problem, which is he purchased the property from the bank without even knowing that these orders existed.
- That's a private bank. I don't know how we can get ourselves involved in a private transaction like that.
- Part of the difficulty with the suggestion of reporting anything against the title is, there wasn't anything that actually had to be done or anything that anybody had failed to do, until the property was developed on. Because this storm sewer didn't need to be put in until anything was built on the property. So we can't record a hypothetical requirement of some sort through the Register of Deeds or anything like that when it may or may not be something that's ultimately sort of required.
- Right.
- [Brian] Why would a hypothetical order exist?
- The order can exist because the order said, if this property is developed, there has to be a storm sewer. But that doesn't affect title.
- Right, and the City, excuse me, I'm sorry, were you done?
- No, I am.
- Okay, I'm sorry. And working with the City, negotiating with the developer, might say, okay, we as the City will take that on, or, you as the developer will take that on, right? It could go either way, as I understand it, correct? And then, obviously, whatever way it goes, DPW has a copy of that, and if we could just have that in some database that's accessible, because what happened is when he, either when a developer comes to DPW or to Inspection or whatever, that information is made known to them, it, entity.
- [Brian] So would that be known to the developer then, before they ever pull a permit?
- It would be known when they get a permit.
- [Brian] To build, and not when they're trying to gain occupancy. 'Cause my understanding, that's the problem right now, and anyone can correct me if I'm misunderstanding this, but he's trying to get occupancy on his property right now, and now he can't because he's being told that he needs to do this after the structures are already built. So how do we get there ahead of time--
- I think if we can make that part of the, if it's any orders, anytime anyone gets a permit, it's checked to see if there are any orders, as part of that process.
- [Brian] Right.

- Then he would know.
- [Brian] Because then at least, then he can at least make the decision if he wants to make that investment or not.
- Well he may have already bought the property by that time.
- Prior to the purchase, the onus is on the potential buyer to contact the City and see if there are any old orders. With the title company or whatever.
- Right.
- But it's somebody on the buyer's side, and we can't reach out to know whether somebody's a potential buyer or not, there's no way for the City to--
- I think what happens then is he has a decision whether he wants to litigate against the owner who didn't divulge the information. That's the private recourse. We can't get involved in that I don't think. I don't know how we can ever get involved in that. But we can make it so that when he comes for permits, it's made known that these orders are, you have all this to do, you need all these permits, and, you have these orders. And then that way at least he knows before he's building.
- [Brian] Except I don't know that it's 100% private, right? Certainly you could make the argument that the bank should have disclosed, but the bank didn't disclose because the bank didn't know.
- Right, the bank's private.
- [Brian] It's not unreasonable to think that whoever the bank took the property from isn't going to disclose, but we're actually--
- Well the owner would have to sue the bank, the bank sues, it would be like dominoes, doom, doom, doom, doom doom. And if someone gets sued, maybe they'll think twice about not disclosing such information.
- [Brian] All I'm saying is it's not 100% private matter, and it's a very conceptual thing--
- I think it's 100% private matter, at that point it's 100% private matter.
- [Brian] Except of the fact that the City has issued an order on the property. And that's why I'm saying that we do have some type of stake in this discussion. So how do we ensure or how can we do things a little bit differently to ensure that that order is communicated?
- At the point of purchase, I don't see how we can.
- Unless the buyer reaches out, it's not something that has to be disclosed under law by a seller, I don't believe.
- Oh really?
- I don't know.
- They're under no obligation to disclose.
- I don't know whether a work order like that has to be, I'm not sure.

- Boy, you'd think it'd have to be.
- We may think, but we're not sure.
- [Brian] We don't have to solve this problem today. If there's--
- Right, right, I'm wondering what kind of direction we might give some direction to staff. But I guess we'll just-
-
- We can reach out to the Register of Deeds and just kind of get their input, and then also look into internal processes to see if there's a check somewhere, at what point I'm not sure, but at some point, so that it can all kind of come full circle.
- I've got a quick question for--
- If not a check, a credit card.
- Sure, any form of payment.
- Go ahead.
- I've got a quick question for Inspection. When somebody comes in and applies to build, let's say a duplex, and they have to pull out a building permit, they have to build out plumbing, electrical. And for just, for example, most of your sump pumps where they do have a storm sewer available, is it required that they put that in right away during that, if they're building a new structure?
- [Paul] New structure typically, yes.
- So this gentleman was actually building new structures, is that correct?
- [Paul] Correct.
- So he kind of, was that outlined to him at the time that he did the project?
- [Paul] But except we're talking two different things. He would have connected, if he was going to connect a sump pump, that's one thing. This is a separate catch basin on the back side of the property that he's got to run pipe from back there to the front and tie into the front of his property. So it's not a sump pump issue per se, it's a standalone catch basin to pick up water coming down the street.
- Now is he doing this project? Is it actually getting done now or not?
- [Paul] The duplex is being built right now, and yes, one side is done per se, but the other side's not done.
- But he's going to comply with the order, is that correct?
- [Paul] That I don't know. I would assume he will because occupancy's contingent upon it, so he's got to comply with the order.
- So I think sometimes when the builder's involved, these things come up, and I understand where they're coming from as far as if they weren't aware of it, I can understand that part of it.
- [Paul] Now this happened years, I don't remember the date on that memo.

- It was quite a while ago that the original?
- Well the memo was in--
- It was 2005 or 2006.
- Yeah.
- [Brian] Yeah, it was over a decade ago.
- Yeah.
- [Paul] Yeah, and we didn't have Eclipse, the new software for the City, that one database that you mentioned. Going forward, if there was a vacation, with an order, we could put that in Eclipse, and then we would know it's there. This one, we didn't even know it was there because it's in the paper file that's downstairs and we don't go and check that. Back to full circle to where the meeting started, getting all that stuff scanned so it's in one database, it would greatly help the whole City, all the staff and the City.
- Interns.
- [Paul] No, no, this has got to be external because the quality, we tried that, and the quality of the scanning isn't there. I think it's about \$100,000.00 to send it offsite and get, that's our floor, to get the whole floor scanned.
- [Brian] It's just your floor.
- [Paul] But it's something that's got to be considered because of issues like this. This isn't a \$100,000.00 issue, but it goes to the point that if this database was full and used the way it's supposed to be, this may have been caught. Now I'll contest, it probably wouldn't have been caught by us when we're permitting, because we're not looking there to see if there's an issue. It would back again on the purchaser to have his agent call and see, anything in the file? We have some real estate agents and title companies that call and do that, but I'd say less than 5%. We don't get that many requests. The good agents do, but the other ones don't.
- But if we've got it all set up, that's still not on us then, we've done our job.
- [Paul] Correct.
- They haven't been doing theirs. So that's a private issue among private people to duke out. I don't want to get in the middle of private issues. But I think there's some things we can do to help the process I think. And when you come back to us, if you are going to be doing some scanning, will that be part of the proposal, will you bring everything--
- [Paul] I thought it was supposed to be in the budget coming up.
- Oh it's going to be?
- I think that's part of the whole retention.
- Oh, it's already in the works?
- [Brian] Well I think just if you could still bring that back then, something on that, whether it's a budget request or whatever it might be.

- [Paul] Mike was doing it.
- Okay, because I don't think to your point, Paul, I mean it was brought up at Council that this could be something that he could file a claim against the City for. Well, how many more of those are potentially out there that all of a sudden that number makes sense. From lost staff time to potential risk of claims--
- [Paul] You want us to scan, get all that stuff in there.
- Right, I'm saying there might be a reasonable rate of return on that that makes it worthwhile for us to consider it.
- [Paul] I think an astronomical rate of return when you look at there's multiple departments with multiple files that you could clear, just for example, you might be able to clear one floor and not even scan it, 'cause we do hard floors, or vice versa, I don't care who scans what, but there's two copies of some of the same document floating around the City. There's no reason that this floor scans what we scan. If we went into that common database, it's all there, and we just took the \$100,000.00 we're spending here, we're not spending another \$100,000.00 to scan this floor because they want theirs in, whereas for a team, it's scanned once and it's there.
- You know, when I scan, and I hear a bell, it becomes a Scan-ell. Got a nice ring to it, huh?
- Oh geez.
- By God, he'd ding dong.
- Are we done with this item?
- I think so. So the recommendation would be to refer--
- Refer to staff.
- Yeah, that's correct.
- Refer to staff.
- Refer to staff by Alder Stevens.
- Second.
- Second by Alder Vander Leest. All in favor?
- [All] Aye.
- Opposed? That is all yours, staff, Merry Christmas. Sometimes this job is just too much fun.
- Item number seven.
- Item number seven, consideration with possible action on a request by Alder Steuer to revisit our city sign ordinance as it pertains to advertising signage, oh, I should have asked him what he wanted, on City property, specifically athletic fields and venues. He is not here, and I forgot to ask him about it. Does any, did he talk to staff at all, or?
- No, but our, do you want to hold it? You kind of want to hear what he has to say.

- Yeah, so he had emailed me with basically the same question, and I had given him kind of some surface level stuff, but I didn't have any details, so I was hoping he could provide some more details today. But I'm also happy just to, you can refer it to me now, I'm working eventually on the sign ordinance anyways, so.
- Okay, we can refer to staff, Alder Steuer could, you just keep talking, and anything you need.
- Anything he can talk to you with.
- Yep.
- Okay, I'm sure he would be happy with that. I think he'd prefer that than holding it, 'cause then that comes back next meeting. So to refer to staff?
- [Brian] Can I make one comment on that?
- Certainly, certainly, by all means.
- [Brian] I presume that this is referring to, I think back, I know that the Military Avenue Business Improvement District one time had the challenge where they wanted to basically sell sponsorships for planters, but they were told that they couldn't put a sign up that says this planter was sponsored by so and so. Is that kind of tied into this request, do you know?
- I'm not sure, what's in the communication is essentially all of the details that I got.
- [Brian] Okay, and I bring that up because if it is tied in I would love for us to reconsider how we work that, because I can just tell you, from the Broadway District perspective, like we're responsible as a BID to maintain everything that normally cities maintain. But then we're not allowed to put any type of signage recognizing sponsors that help pay for that. So it would be nice to have that ability.
- I think that's a distraction.
- [Brian] Well, then we cannot do it, and then the City can find a way to fund these nice things. So I just think it would be a nice thing to at least consider, if that's all tied together.
- Sure.
- Okay.
- So, refer to staff?
- Motion to refer.
- Motion to refer by Alder Stevens.
- Second.
- Second by Alder Vander Leest. All in favor?
- [All] Aye.
- Opposed? That is referred, again, Merry Christmas, staff. Thank you very much. On to Informational. The Liquor Violation report for September 23rd, 2019.

- [Man] We had no violations for this report.
- Wow, just a blank paper.
- [Man] Yes.
- Thank you, well done, very good.
- Motion to receive and place on file.
- Motion to receive and place on file by Alder Vander Leest.
- Second.
- Second by Alder Stevens. All in favor?
- [All] Aye.
- Opposed? Gentleman.
- [Brian] What did you receive and place on file?
- The Liquor Violation report.
- The liquor violations, there was none.
- Yeah, blank paper, yeah, yeah, yeah. It can go with all the other blank ones, we have quite a few.
- Motion to adjourn.
- Motion to adjourn by Alder Stevens.
- Second.
- Second by Alder Vander Leest. All in favor?
- [All] Aye.
- Opposed? We're done.
- [Barb] Turn it off, I have to tell you guys something.