



MINUTES OF THE PROTECTION AND POLICY COMMITTEE

**MONDAY, OCTOBER 7, 2019, 5:30 PM
CITY HALL, ROOM 207**

A. ROLL CALL.

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

Also present: Deputy City Attorney Joanne Bungert, Lt. Steve Mahoney, Chief of Staff Celestine Jeffreys

B. APPROVAL OF THE AGENDA.

I. Approval of the agenda for the October 7, 2019 Protection & Policy meeting.

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

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

C. APPROVAL OF MINUTES.

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

Moved by Ald. Craig Stevens, seconded by Ald. Mark Steuer to approve. Motion carried.

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

D. REGULAR BUSINESS.

1. Consideration with possible action on an appeal by the Lang residence at 970 Elmore St. regarding their reinspection fees, previously held at the September 9, 2019 Protection & Policy meeting.

Moved by Ald. Mark Steuer, seconded by Ald. John VanderLeest to deny an appeal by the Lang residence at 970 Elmore St. regarding their reinspection fees, previously held at the September 9, 2019 Protection & Policy meeting. Motion carried.

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

2. Request by Titledown Tobacco, LLC at 159 N. Broadway to amend their licensed premises to include a sidewalk café pursuant to and in accordance with the sidewalk café permit issued by the City of Green Bay Department of Public Works on February 11, 2019.

Moved by Ald. Mark Steuer, seconded by Ald. Craig Stevens to approve a request by Titledown Tobacco, LLC at 159 N. Broadway to amend their licensed premises to include a sidewalk café pursuant to and in accordance with the sidewalk café permit issued by the City of Green Bay Department of Public Works on February 11, 2019. Motion carried.

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

3. Request by Ricci Bosley (Pepper) at 114 S. Broadway to amend their licensed premises to include a sidewalk café pursuant to and in accordance with the sidewalk café permit issued by the City of Green Bay Department of Public Works on September 30, 2019.

Moved by Ald. Craig Stevens, seconded by Ald. John VanderLeest to approve a request by Ricci Bosley (Pepper) at 114 S. Broadway to amend their licensed premises to include a sidewalk café pursuant to and in accordance with the sidewalk café permit issued by the City of Green Bay Department of Public Works on September 30, 2019. Motion carried.

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

4. Consideration with possible action on a request by Braggin Bar, LLC at 219 N. Washington St. to extend the issuance of the liquor license until February 1, 2020 (license granted at the August 20, 2019 Common Council 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. Mark Steuer, seconded by Ald. John VanderLeest to close the floor. 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 a request by Braggin Bar, LLC at 219 N. Washington St. to extend the issuance of the liquor license until February 1, 2020 (license granted at the August 20, 2019 Common Council meeting). Motion carried.

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

5. A request by Ald. Brunette for discussion with possible action on creating an ordinance allowing golf carts on city streets.

Moved by Ald. Mark Steuer, seconded by Ald. John VanderLeest to hold a request by Ald. Brunette for discussion with possible action on creating an ordinance allowing golf carts on city streets. Motion carried.

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

E. INFORMATIONAL.

I. The Liquor Violation Report from the Police Department for October 7, 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 October 7, 2019. 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 5:40 p.m. Motion carried.

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

VERBATIM MINUTES

- Okay, the meeting for Protection and Policy on October 7th is now in session. It is 5:30, let us rock and roll. Who is all here, Alder Stevens?

- [Craig] Here.

- Alder VanderLeest?

- [John] Here.

- Alder Steuer?

- [Mark] Here.

- And Alder Randy is also present, we're all here, hail, hail, the gang's all here. I'll take a motion to approve our agenda.

- [John] Motion to approve.

- [Craig] Second.
- Motion by Alder VanderLeest, second by Alder Stevens for our agenda for October 7th, 2019, all in favor?
- [All] Aye.
- Opposed? That passes unanimously. I'll take a motion to approve our minutes from our last meeting, September 9th, 2019.
- [Craig] Motion to approve.
- [Mark] Second.
- Motion by Alder Stevens, seconded by Alder Steuer, all in favor?
- [All] Aye.
- Opposed? Our minutes have been approved, and on to regular business.
- [Joanne] Yeah, okay.
- Number One, consideration of possible action in the appeal by the Lang residence of 970 Elmore Street regarding the re-inspection fees previously held at the September 9th, 2019 Protection and Policy meeting. I had talked to staff on this, and this has been happily resolved between the Langs and staff. They agreed to pay some fees, and some fees were waived, and so receiving a place in that file would be in order, unless there's something?
- No, I just wanted to make a point I did read, it sounded like as long as the family's happy with that and the inspection department, as long as it came to an agreement, it seems like they did--
- Yep.
- So as long as that's well and you're the Alder, everything seemed to be okay?
- Yep, everything's kosher.
- All right.
- [Joanne] Recommendation would be to Deny versus receive a place in the file.
- Oh, to deny?
- [Joanne] Mm-hmm.
- [Mark] To deny--
- The appeal, so, yeah cause it's still an appeal.
- [Joanne] Right.
- Right. Okay?
- Motion, motion to deny.

- Deny, motion to deny by Alder Steuer.
- [John] Second.
- Second by Alder VanderLeest. All in favor?
- [All] Aye.
- Opposed? Have been unanimously denied. On to Two.
- [Joanne] On to Two.
- Request by Titledown Tobacco, LLC at 159 North Broadway, to amend their licensed premises to include a sidewalk cafe, pursuant to, and in accordance with the sidewalk cafe permit issued by the City of Green Bay Department of Public Works on February 11th, 2019. That is, by the way, my birthday.
- [John] Happy Birthday.
- [Mark] Oh, my sister's too.
- Happy birthday! I didn't even look at that. What a coincidence. Uh, staff?
- [Joanne] We are on item Two--
- Two.
- [Mark] Two.
- [Joanne] Titledown Tobacco?
- [Mark] Yes.
- Yup.
- [Joanne] Okay, staff has no objections. We reviewed they will receive their sidewalk cafe permit from DPW and there are no objections.
- [John] Please concur.
- [Mark] Motion to approve.
- Motion to approve by Alder Steuer.
- [Craig] Second.
- Second by Alder Stevens. All in favor?
- [All] Aye!
- [Randy] Opposed? Passes unanimously.
- [Observer] Thanks, guys.

- [Randy] Thank you.
- [Mark] You bet.
- [Craig] Should we tell them this is final--
- [Randy] Item Three.
- [John] We forgot to tell them it's final--
- Oh I'm sorry! There is more thing you should know. I should thank you for reminding me. Everything we do here at committee is just to report a recommendation to the council, they have the final say, so that's when it will be final.
- [Mark] Next week, Next Tuesday, six o'clock.
- Next week, next Tuesday. Six o'clock in the room right next door. You shouldn't be any issue, but just so you know.
- [Observer] Show up anyways.
- Okay, well, it'll be a party.
- [Mark] It's always good to see you.
- [Observer] Thanks guys.
- [Mark] All right.
- [Joanne] Yes, we're--
- [Randy] Okay.
- [Joanne] Good for Number Three.
- Good for number three. Request by Ricci Bosley, Pepper, at 114 South Broadway to amend their license premises to include a sidewalk cafe pursuant to and in accordance with the sidewalk cafe permit, issued by the City of Green Bay Department of Public Works on September 30th, 2019. Staff.
- [Joanne] Staff has no objections.
- [Craig] Please concur. Motion to approve.
- Motion to approve?
- [Randy] Motion is approved by Alder Stevens.
- [Mark] Yeah, yeah, give it to him.
- [Randy] Second by Alder VanderLeest. All in favor?
- [All] Aye.

- [Randy] Opposed? That passes unanimously.
- [Joanne] Item Number Four.
- [Randy] Item Number Four. Consideration of possible action on a request by Braggin Bar, LLC at 2019 North Washington Street--
- [John] 219.
- [Randy] To extend the issuance of the liquor license until February 1, 2020. License granted at the August 20th, 2019, Common Council meeting, staff?
- [Joanne] Staff doesn't really have a position; our ordinance requires that an establishment be operational within 60 days of when the license is granted
- [Randy] Right.
- [Joanne] For this establishment. Beyond that period, so now they have to basically ask for an extension--
- [Randy] Got ya.
- [Joanne] Which is up to the discretion of the committee and council.
- [Owner] Please have no objection.
- [Mark] Do you wanna hear from the owner?
- [Randy] Well, we could, I mean--
- [Mark] Just to get some clarification.
- [Randy] Well if, okay. If you'd like to hear from the owner?
- [Mark] I would. Motion out on the floor.
- [Owner] Basically, I just need an extension to deal with my present tenant.
- [Randy] Okay but you need to come up and state your name and address, and also I need to fill out one of these before you leave.
- [Owner] Sorry.
- [Joanne] You need to open the floor, though.
- [Mark] Oh, I made a motion open the floor.
- [Joanne] Yes.
- [Craig] Second.
- [Randy] Yeah, okay. Motion by Alder Steuer to open the floor, second by Alder Stevens, all in favor?

- [All] Aye.
- [Randy] Opposed?
- [Owner] Rod Smith, 377 Mighty Oak Trail, Green Bay. Requesting an extension here. I'm dealing with my present tenant. The good news, as far as I know, they've had no police calls since they've been operating without a liquor license. That's basically my situation.
- [Craig] So you're just looking for an extension?
- [Owner] Yup, til February First.
- [Mark] For clarification on that? I mean I don't know. I mean you're looking for a license?
- [Randy] No he's got the license.
- [Mark] He's got the license.
- He needs to extend it because he had planned to start operating sooner, but the current tenant, El Presidente that we took--
- [Mark] Oh, right.
- The liquor license from--
- [Mark] Right, yes.
- There's some issues there, he's still--
- Do you think that they need time to get--
- [Randy] To get that all worked out.
- [Mark] I see, is that it?
- [Owner] That's it, yes.
- [Mark] All right, okay, I'm good with that.
- Any other questions?
- [John] Nope.
- [Mark] Motion to close the floor.
- Any, wait, are you gonna ask?
- Oh, I'm sorry.
- [Owner] Thank you.
- [Chairman] Okay, just, thank you.

- [Owner] Thanks guys, thank you.
- [Mark] Motion to close the floor.
- Motion to close the floor by Alder Steuer.
- [Craig] I concur.
- Second by Alder Stevens, all in favor?
- [All] Aye.
- [John] Motion approved.
- Motion approved by Alder VanderLeest.
- Second.
- Second by Alder Steuer, all in favor?
- [All] Aye.
- Opposed?
- [Owner] Thank you, guys.
- [Mark] All right.
- That passes unanimously . A request by Alder Brunette for discussion with possible action on treating an ordinance allowing golf carts on city streets. I talked to Alder --
- [Mark] Brunette.
- Brunette earlier today. He asked that we hold that this week, hold it until our next meeting. He put this forward from a constituent who's going to put together a presentation for us. And, he's not quite ready, so he'd like a little more time. So he asks that we hold this until our next meeting. Sounds like it's gonna be pretty interesting; I think it's kinda an interesting idea. So, I'll be looking forward to--
- [Mark] I'm waiting for your golf jokes--
- Well I just wanna know, if you're driving a golf cart, you have to go clubbing?
- [Mark] That's par for the course.
- [Randy] Yeah, it's par for the course. Setting you up, I set you up, I was waiting. All right.
- [Mark] Motion to hold.
- [Randy] Motion to hold by Alder Steuer.
- [John] Second.
- [Randy] Second by Alder VanderLeest, all in favor?

- [All] Aye.
- [Randy] Opposed? That passes unanimously.
- [Joanne] One second. Yup, liquor violation report.
- [Randy] On time information, the Liquor Violation Report from the police department for October 7th, 2019.
- [Steve] During this time, we cited a bartender, at Jekyll and Hyde for bartending without a license. And, charges were referred to the DA's office from excess bar for battery, substantial battery against the bouncer.
- Ooh, bouncer got bounced.
- [Steve] Yeah.
- [Mark] What happens in a case like that then? It just goes to courtroom then, it goes to court?
- [Steve] Yeah, I tell you, it won't go to court. The normal practice with the DA and with something like this, they'll probably work out some type of plea bargain. It wouldn't surprise me if it gets amended back down to a municipal citation for battery or disorderly conduct.
- [Mark] The bar itself can still maintain, it's just this individual?
- [Steve] Yeah.
- [Randy] Well did the bouncer cause the battery, or was the bouncer the receiver of battery?
- [Steve] He caused it.
- [Randy] Oh, he caused it?
- [Steve] Yeah.
- [Randy] I misunderstood for a moment.
- [Steve] Without getting into any detail of the report--
- [Randy] Yeah, that's fine.
- [Steve] What happened was he went a little above and beyond just removing someone out of the bar.
- [Mark] Oh, okay.
- [Randy] Took it personal?
- [Steve] Yeah.
- [Randy] All right, okay.
- [Mark] Motion to receive a place on file.

- Motion to receive a place on file by Alder Steuer.
- [Craig] Second.
- Second by Alder Stevens, all in favor?
- [All] Aye.
- Opposed? Before we close it, ♪ Happy birthday to Joanne ♪ Thank you!
- [Mark] Joanne?
- [Joanne] It's not my birthday, It's Alder Stevens, right?
- No!
- [John] It's Mr. Stevens'.
- [Randy] Hold on, someone told me it was your birthday.
- [Joanne and Woman] No.
- [Mark] You're on tape now, so don't worry about it.
- [Woman] I thought maybe you should start again.
- [Mark] Yeah.
- [Randy] Someone told me. Okay, whatever.
- [Mark] Try it, try that again.
- Yeah.
- Maybe they were pointing towards--
- [Mark] No.
- Alder Stevens and I took. That's why I said birthday present for you, remember?
- [Mark] Don't defend yourself. It's over.
- I said it was your birthday, I was giving you a birthday--
- [Joanne] No, I think--
- Alder Stevens, well, happy birthday Alder Stevens.
- [Craig] Thank you.
- [Mark] Happy Birthday Alder Stevens.

- [John] Wishing you all the best.
- [Mark] All right, motion to adjourn.
- [Randy] Motion to adjourn by Alder Steuer.
- [John] Second,
- [Randy] Second by Alder Vanderleest, all in favor?
- [All] Aye.
- Opposed? We are adjourned!
- [Mark] Wow!
- Good job one and all.
- [Joanne] Ten minutes. Yep.
- Ten minutes.
- [Mark] We could have made it nine if--
- Holy Somalians!
- [John] You're our lucky charm. Don't get spoiled.
- [Steve] Yeah, don't get--