



MINUTES OF THE PROTECTION AND POLICY COMMITTEE

**MONDAY, NOVEMBER 25, 2019, 5:30 PM
CITY HALL, ROOM 207**

A. ROLL CALL.

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

Also Present: Deputy City Attorney Joanne Bungert; Lt. Steve Mahoney

B. APPROVAL OF THE AGENDA.

I. Approval of the agenda for the November 25, 2019 Protection & Policy Committee meeting.

Moved by Ald. John VanderLeest, seconded by Ald. Mark Steuer to approve the agenda for the November 25, 2019 Protection & Policy committee meeting. 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 November 11, 2019 Protection & Policy meeting.

Moved by Ald. Craig Stevens, seconded by Ald. John VanderLeest to approve the minutes of the November 11, 2019 Protection & Policy meeting. Motion carried.

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

D. REGULAR BUSINESS.

I. Consideration with possible action on an application for a "Class B" Combination license by MCR Green Bay Tenant, LLC at 1011 Tony Canadeo Run with a licensed premises description as "patio,

hotel lobby, bar, guest rooms, back storage room." (Currently licensed as LVP SHS Green Bay Holding Corp).

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. Mark Steuer, seconded by Ald. Craig Stevens to close the 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 waive the ordinance requirements for the outdoor patio and approve an application for a "Class B" Combination license by MCR Green Bay Tenant, LLC at 1011 Tony Canadeo Run with a licensed premises description as "patio, hotel, lobby, bar, guest rooms, back storage room," with the approval of the proper authorities. (Currently licensed as LVP SHS Green Bay Holding Corp). Motion carried.

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

2. Consideration with possible action on an application for a "Class B" Combination license by Wisconsin Apple, LLC at 2420 E. Mason St. with a licensed premises description as "restaurant and free standing bar." (Currently licensed as Apple Hospitality Group, LLC).

Moved by Ald. Mark Steuer, seconded by Ald. Craig Stevens to approve an application for a "Class B" Combination license by Wisconsin Apple, LLC at 2420 E. Mason St. with a licensed premises description as "restaurant and free standing bar," with the approval of the proper authorities. (Currently licensed as Apple Hospitality Group, LLC). Motion carried.

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

3. Consideration with possible action on an application for an available "Class B" Combination license by Rebel One, LLC at 1301 S. Broadway with a licensed premises description as "main floor restaurant/bar area. Liquor stored on main floor, back liquor room, beer stored in restaurant, basement, walk-in cooler, patio area."

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. Mark Steuer, seconded by Ald. Craig Stevens to close the 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 waive the ordinance requirements for the outdoor patio and to approve an application for an available "Class B" Combination license by Rebel One, LLC at 1301 S. Broadway with a licensed premises description as "main floor restaurant/bar area. Liquor stored on main floor, back liquor room, beer stored in restaurant, basement, walk-in cooler, patio area," with the approval of the proper authorities. Motion carried.

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

4. Consideration with possible action on an appeal by Greg Oettinger at 1457 Grignon St. regarding his re-inspection fee.

Moved by Ald. Craig Stevens, seconded by Ald. John VanderLeest to deny an appeal by Greg Oettinger at 1457 Grignon St. regarding his re-inspection fee. Motion carried.

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

E. INFORMATIONAL.

I. The Liquor Violation Report for November 25, 2019.

Moved by Ald. Mark Steuer, seconded by Ald. John VanderLeest to receive and place on file the Liquor Violation Report for November 25, 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. Craig Stevens to adjourn at 5:45 p.m. Motion carried.

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

VERBATIM MINUTES

- We ready to go?

- We're recording.

- We're recording, hear ye. The Protection and Policy meeting for November 25th 2019 is now in session. Let us begin with a roll call. Alder Steuer.

- Here.

- Alder Vanderleest.

- Here.

- Alder Stevens.

- Here. And, myself, Alder Scannell, all are present. Hail, hail, the gang's all here. I'll take a motion for approving the agenda for November 25th 2019.

- Motion to approve.

- So moved by Alder Vanderleest.

- Second.

- Seconded by Alder Steuer, all in favor?
- [All] Aye.
- Opposed? We have an agenda. I'll take a motion to approve our minutes from our last meeting, November 11th 2019.
- Motion to approve.
- Motion to approve by Alder Stevens, seconded by Alder Vanderleest. All in favor?
- [All] Aye.
- Opposed? Our minutes are approved. I know I went through that quick.
- That's okay.
- But I'm gonna pause now. You should almost just do that before the meeting, it's all there then.
- I forgot to bring my mouse, so now I'm doing this on my track pad.
- Don't say it.
- Going at least too slow, okay. And we're on to item one.
- We're on to item one ,regular business. Consideration of possible action on an application for a Class B combination license for MCR Green Bay Tennant LLC at 101120 Kennondale Run with a license premises description as patio, hotel lobby, bar, guest rooms, back storage room. Currently licensed as LVP SHS Green Bay Holding Corp. Staff?
- Staff has no objections, however we do wanna note that the applicant is asking to license an outdoor patio that doesn't conform to the correct height requirement. So, any motion to approve would just need to contain a recommendation to waive the ordinance requirements and to approve.
- Is someone here?
- Right here.
- I'd probably like the motion out on the floor. I'd like to just hear it.
- All right, motion on the floor by Alder Steuer. Seconded by Alder Vanderleest. All in favor?
- [All] Aye.
- Opposed? The floor's now open, if you could just please step up, state your name and address, and there's a form to fill out, if you could fill that out and hand it to our--
- Do you want the address of the business or my personal address?
- Your personal address.

- Yeah.
- And then you can hand that in whenever but, you have a question?
- No, I just wanted to understand what, if we're gonna waive the ordinance, I just wanted to hear what you're looking at. You're looking at an outdoor patio?
- Yeah, we have an outdoor patio that's already established.
- Oh, it is?
- It's been established since the building was built in 2007.
- It's just that the fencing was only four feet or six, whatever?
- The porte-cochere, yeah.
- It doesn't meet the ordinance.
- Oh, so it's just, okay.
- But you do have a fence, it is fenced in?
- So the patio area's on the back side of the hotel, so it's like a little courtyard area.
- Okay.
- Yeah.
- So it's, okay, I guess I misunderstood. I was thinking that there is a patio there and the fence is just, how high?
- There's no fence.
- There's no fence at all.
- There's just a porte-cochere, there's no fence there.
- Is there any kind of bushes or anything?
- In front of the building there is, yes.
- [Man offscreen] There's green scape on both sides.
- On the patio, around the patio?
- [Man Offscreen] Yes sir.
- All right that's--
- That's fencing.

- That sounds good enough.
- That's green fencing, good job. I'm on the sustainability commission too.
- Eco-friendly fencing.
- Eco-friendly fencing, I like it.
- That should do it.
- Any other questions?
- I guess I'm good with questions.
- Anything you care to add?
- No.
- Well, thank you very much.
- You're welcome.
- Anybody else, otherwise motion to close the floor.
- Motion to close the floor by Alder Steuer.
- Second.
- Second by Alder Stevens. All in favor?
- [All] Aye.
- Opposed? Okay, is there a motion?
- Motion to approve.
- With? With the exception of?
- With waiving the ordinance requirement.
- With waiving the ordinance requirement.
- That's fine, that's fine.
- Second.
- Motion made by Alder Steuer, seconded by Alder Stevens. Any further discussion? All in favor?
- [All] Aye.
- Opposed? Okay, that passes unanimously, and I should just say that everything we do here at the committee level is just a recommendation to council, we don't have the final say usually. So that meets next Tuesday at

6:00, and then it'd be official.

- [Man Offscreen] Okay. Thank you very much. Thank you so much, have a good day.

- Item two.

- Item two. Consideration with possible action on an application for Class B combination license by Wisconsin Apple LLC at 2420 East Mason Street, with a licensed premises description as restaurant and free-standing bar. Currently licensed as Apple Hospitality Group LLC, staff. The law department has no objections.

- Please concur.

- Motion to approve by Alder Steuer. Second it.

- Seconded.

- By Alder Stevens.

- That's in your district?

- Yeah.

- Oh, seconded by Alder Stevens.

- If it isn't then--

- Well, whatever. Any further discussion? All in favor?

- [All] Aye.

- Opposed? That passes unanimously.

- Who said meetings are stuffy?

- And, item number three.

- Item number three. Consideration with possible action, an application for an available Class B combination license by Rebel One LLC at 1301 South Broadway, with a license premises description as main floor restaurant, bar area, liquor store on main floor, back liquor room, beer stored in restaurant, basement, walk-in cooler, patio area.

- Staff?

- So two notes. Law department had no legal objections. Two notes, that the establishment is in the Broadway moratorium, but it will meet the exemption because they are going to be a restaurant. And, secondly, they're also asking for an outdoor patio, which doesn't conform to the requirements under our ordinances for fencing. So, again, any motion to approve just needs that recommendation to waive the requirements.

- Do we know how it does not conform?

- I think it may be high--

- So there is fencing there?
- There should be a attachment in the packet, there usually is with the application.
- That used to be-- The court's office usually requires some sort of... ...some sort of drawing or something.
- There's a restaurant one time that I went to--
- Oh, Camelot, this is the deal with Camelot.
- Camelot.
- Camelot.
- And Darjune now.
- Darjune, was that, that was a restaurant as well?
- Yeah, they had a restaurant but they didn't serve alcohol.
- Right, so I was wondering, if you go from one to another and then back, does that cause any issue at all? If you go from restaurant/bar to a not used that way? To another bar?
- As far as the moratorium goes on there qualified place of--
- It's raised.
- The immediate license prior was, that 60 day surrender exemption applies if you're going from a premise that was a bar and then another straight tavern in the Broadway moratorium wants to open up, they would qualify only as a straight tavern if they are applying within that 60 day window. But because they're a restaurant, they need the other requirement of the moratorium. So it doesn't matter what it was previously licensed as.
- Okay.
- Yeah.
- All right, that's fine. I just wanted for clarification.
- It looks like there is fencing, it's just I don't think it's within the six foot. It looks like there is fencing, if you look in the packet it's in there. It's just wooden fencing, it just wouldn't, I don't think it--
- It wouldn't, but it's wood!
- Right, it does not or would not meet the height requirements and the impervious to the passing of drinks. But there is something to delineate that it's a patio.
- Please concur with that.
- Concur. You're so concurable.
- So is there a specific date that we're looking at for this to be open or?

- You'd have to open the floor if you have questions.
- I'm gonna do it anyhow, I'll make a motion to open the floor.
- Motion to open the floor by Alder Steuer, seconded by Alder Vanderleest. All in favor?
- [All] Aye.
- Opposed? Passes unanimously, please state your name and address, and then, when you get a chance, fill out the form.
- Sure thing, my name is Jolinda. We are in the process of actually renovating so we're looking at a 60 day, I would say 50 day, window, I mean we're improving everything on the inside so that is kind of what we're looking at as far as opening goes.
- So it says to this, okay. All right, I was just, you were talking about a sandwich kind of thing?
- Yep. It's gonna be a restaurant. We're not gonna stay open late, we're gonna have restaurant prices on our drinks so it's not gonna be a happy hour kind of place.
- It will be a happy place though.
- It will be a happy place.
- Okay.
- So, that's kind of what we have goin' on.
- All right. I was just wondering how long DarJune has been out.
- It's been empty a while.
- Quite a while.
- Yeah. And DarJune was a recovery cafe.
- Right.
- So.
- Right, okay, that's all I have.
- Perfect.
- Anything else? Anybody care to--
- Out of curiosity.
- Yep.
- So the stipulation I see is a refused on here for the I.D. scanning device.

- The reason being--

- I get that's the reason why--

- And I'll explain, it's because we are going to be a restaurant, we're gonna be open from eleven until ten during the week and eleven on the weekends, all of my employees in the front of the house will have a bartender's license. But to spend a thousand dollars on a machine when we are strictly a restaurant and we're aiming for an older crowd, so I don't feel that we're gonna have a lot of people in the 21 to 25 year old range anyways.

- Okay.

- So what are the hours, generally you're lookin' at?

- We're looking at eleven o'clock 'til ten o'clock during the week and eleven o'clock on the weekends.

- Okay.

- Sounds good to me.

- Cheesteak Rebellion. All right.

- Perfect, thank you.

- Motion to close the floor.

- Motion to close the floor by Alder Steuer.

- Second.

- Seconded by Alder Stevens. All in favor?

- [All] Aye.

- All right, the floor is now closing. What are your wishes, gentlemen?

- Motion to approve with the--

- With the waiver of requirements for the ordinance by Alder Stevens.

- Second.

- Seconded by Alder Vanderleest. All in favor?

- [All] Aye.

- Opposed? Passes unanimously.

- Floor be over.

- Thank you.

- Thank you very much.
- [Man Offscreen] Happy Thanksgiving.
- You bet.
- Right, item number four.
- Item number four. Consideration of possible action on an appeal by Greg Ottinger at 1457 Greenyolm Street regarding his re-inspection fee. And I've been apprised that staff and this person have come to a mutual agreement on all this and so it's all been resolved, and all we need to do is a motion to deny the appeal.
- Motion to deny.
- Motion to deny by Alder Stevens. Seconded by Alder Vanderleest. All in favor?
- [All] Aye.
- Opposed? That passes unanimously.
- All in favor to report?
- As soon as she's ready.
- Let's call it.
- Okay. On to informational, the liquor violation report for November 25th 2019.
- We have no reports for this timeframe.
- No reports, you don't wanna make some up?
- Well, I have a feeling, the next one we'll have Thanksgiving, we might have one next time.
- So the liquor violations here, so the 2019, that's over the course of the entire year?
- Correct.
- Okay. But not this time.
- Yes.
- All right, motion to receive in place on file.
- Motion to receive in place on file by Alder Steuer. Seconded by Alder Vanderleest. All in favor?
- [All] Aye.
- Opposed? Gratus received and placed on file.
- Motion to--

- No, no, wait a minute.
- Sorry, I'm a little excited.
- I know, I understand. We'd a been done ten minutes ago, but no, someone's gotta open the floor!
- Of course your
- Yeah, I understand.
- So much for records.
- Adjournment.
- Motion to adjourn?
- Motion to adjourn.
- By Alder Steuer, seconded by Alder Stevens. All in favor?
- [All] Aye.
- Opposed? We are adjourned. Thank you all, good job.
- Thank you.
- Staff, thank you.
- Happy Holiday.
- Happy Holiday. Happy Turkey Day.
- Any traveling? We're supposedly going to Madison, hopefully it'll--