



MINUTES OF THE PROTECTION AND POLICY COMMITTEE

**MONDAY, DECEMBER 9, 2019, 5:30 PM
CITY HALL, ROOM 207**

A. ROLL CALL.

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

Also Present: Deputy City Attorney Joanne Bungert, Lt. Steve Mahoney, Assistant City Attorney Lindsay Mather, Chief of Staff Celestine Jeffreys

B. APPROVAL OF THE AGENDA.

I. Approval of the agenda for the December 9, 2019 Protection & Policy Committee meeting.

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

Yes- Craig Stevens, John VanderLeest, Mark Steuer, Randy Scannell

C. APPROVAL OF MINUTES.

I. Approval of the minutes of the November 25, 2019 Protection & Policy meeting.

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

Yes- Craig Stevens, John VanderLeest, Mark Steuer, Randy Scannell

D. REGULAR BUSINESS.

I. Consideration with possible action on a request by Harp & Eagle LTD (St. Brendan's Inn) at 234 S. Washington St. to temporarily extend their licensed premises to their parking lot on March 14 10 a.m. to 3 p.m., March 15 noon to 4 p.m. and March 17 11 a.m. to 9 p.m. for St. Patrick's Day events.

Moved by Ald. Mark Steuer, seconded by Ald. Craig Stevens to approve a request by Harp & Eagle LTD (St. Brendan's Inn) at 234 S. Washington St. to temporarily extend their licensed premises to their parking lot on March 14 10 a.m. to 3 p.m., March 15 noon to 4 p.m. and March 17 11 a.m. to 9 pm. for St. Patrick's Day events, subject to complaint. Motion carried.

Yes- Craig Stevens, John VanderLeest, Mark Steuer, Randy Scannell

2. Consideration with possible action on General Ordinance No. 24-19, an ordinance which would create an outright ban on coal-tar sealants, utilizing model legislation provided by advocacy groups, previously discussed at the May 8 Sustainability Commission meeting and the May 21 Common Council meeting.

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

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

Moved by Ald. Mark Steuer, seconded by Ald. John VanderLeest to approve General Ordinance No. 24-19, an ordinance which would create an outright ban on coal-tar sealants, utilizing model legislation provided by advocacy groups, previously discussed at the May 8 Sustainability Commission meeting and the May 21 Common Council meeting. Motion carried.

Yes- Craig Stevens, Mark Steuer, Randy Scannell No-John VanderLeest

3. Consideration with possible action on a resolution advocating for a state-wide ban on coal-tar sealants, which would be sent to the Wisconsin State Legislature, previously discussed at the May 8 Sustainability Commission meeting and the May 21 Common Council meeting.

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

Yes- Craig Stevens, John VanderLeest, Mark Steuer, Randy Scannell

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

Moved by Ald. Craig Stevens, seconded by Ald. Mark Steuer to approve the resolution advocating for a state-wide ban on coal-tar sealants, which would be sent to the Wisconsin State Legislature, previously discussed at the May 9 Sustainability Commission meeting and the May 21 Common Council meeting. Motion carried.

Yes- Craig Stevens, Mark Steuer, Randy Scannell, No- John VanderLeest

E. INFORMATIONAL.

I. The Liquor Violation Report for December 9, 2019.

Moved by Ald. Craig Stevens, seconded by Ald. John VanderLeest to receive and place on file the Liquor Violation Report for December 9, 2019. Motion carried.

Yes- Craig Stevens, John VanderLeest, Mark Steuer, Randy Scannell

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

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

Yes- Craig Stevens, John VanderLeest, Mark Steuer, Randy Scannell

F. ADJOURNMENT.

Moved by Ald. Mark Steuer, seconded by Ald. John VanderLeest to adjourn at 6:30 p.m. Motion carried.

Yes- Craig Stevens, John VanderLeest, Mark Steuer, Randy Scannell

VERBATIM MINUTES

- All right, we're good to go.

- Okay, the Protection and Policy meeting for December 9th, 2019, is now in session. Roll call, Alder Stevens?

- Here.

- Alder Vander Leest?

- Here.

- Alder Steuer?

- Here.

- And Alder Scannell is present. We are all here, hail, hail. I'm waiting.

- Okay.

- Oh, okay.

- Yeah.

- I'll take a motion to approve our agenda.

- Motion to approve.

- Motion to approve by Alder Vander Leest.

- Second.

- Second by Alder Stevens. All in favor?

- [All] Aye.

- Opposed? We have an agenda for the night. Take your time, do what you need to do.

- Thanks. And then that's it?

- Yep.

- We're charging you by the hour.

- Okay, it's okay.

- Okay.

- I'll take a motion to approve our minutes for November 25th meeting.

- Motion to approve.

- Motion to approve by Alder Stevens.

- Second.

- Seconded by Alder Vander Leest. All in favor?

- [All] Aye.

- Opposed? Our minutes from our last meeting have been approved.

- Okay?

- Okay.

- Onto regular business, number one. Consideration with possible action on a request by Harp & Eagle LTD, St. Brendan's Inn, at 234 South Washington Street to temporarily extend their licensed premises to their parking lot on March 14th from 10:00 a.m. to 3:00 p.m., March 15th, noon to 4:00 p.m., and March 17th, 11:00 a.m. to 9:00 p.m. for St. Patrick's Day events. Staff.

- Staff has no objections. We will defer to P.D.

- [Steve] The P.D. knows that they always have tents and security, so we have no objections.

- Yep, they do this every year, they do a good job.

- It's worked out over the last number of years?

- [Steve] Yes, very well. They're very secure, and make sure they follow all the laws.

- Can I get a sure-am to-gorra?

- Motion to approve.

- Motion to approve by Alder Steuer.

- Second.

- Seconded by Alder Stevens. All in favor?

- [All] Aye.

- Opposed? Okay, that passes unanimously. And I should say, everything we do here at the committee level is just a recommendation to Council. Next Tuesday it'll be official, 6:00 o'clock, room next door.

- [Woman] Okay, thank you.

- Thank you, you do a good job.

- [Woman] Thanks.

- So, do you have this? I have three and then two, do you see that?

- Okay.

- No, not me, mine's one, two, three.

- Oh, that's weird.

- Yeah, huh.

- Oh well.

- The numbering is off.

- But mine isn't, how can one numbering be different from the other.

- Item one was listed as two, and item two is listed as three, I'm not sure why, it just fumbled up.

- But not on mine?

- I don't know.

- Let's not think about it.

- Yeah.

- That's weird.

- It'll all even out somewhere along the line.

- Somehow.

- Okay, item two, consideration with possible action on General Ordinance Number 24-19, an ordinance which would create an outright ban on coal-tar sealants, utilizing model legislation provided by advocacy groups, previously discussed at the May 8th Sustainability Commission meeting, and on May 21st Common Council meeting. Staff.

- So, this as the agenda item says, was drafted based on model legislation that we had received. They talked about it at Sustainability Commission, so I'm gonna let Celestine talk about that.

- [Celestine] So, the coal-tar sealant, or PAH, this is a product that is used in parking lots and roads to seal. And unfortunately what it does is, it's a toxic chemical that gets into the waterways and it reduces our water quality also, and please forgive me if you can't understand me, let me know, I'm still--

- Those braces still?

- [Celestine] Can't articulate with my braces, yeah, for like the next year and a half, so.

- Let me brace me.

- [Celestine] It also is harmful to the people who apply the PAH or coal-tar sealants. And so this came to us whilst people were talking about coal-tar sealants. There are a number of communities around Wisconsin, both cities and counties that have actually banned it. The latest one is Sturgeon Bay.

- [Seth] Mm hm.

- [Celestine] Yes, so we have some folks in the audience who know more about it than I do. So what had happened is Sustainability, we had talked about it in Sustainability, it went to Council, Council approved, forwarded it to law department to work on drafting an ordinance, and also crafting a resolution to go to the state, because we currently do not have a statewide ban. This is community by community, county by county. Also, just for your information, before I would encourage you to open up the floor for interested parties to speak, there are a lot of retail outlets that no longer sell this, so the coal-tar sealant is actually something that is gradually going away, and our ban would actually, essentially allow our city to say that this is harmful to the environment, it's harmful to the human beings who are applying it, it's harmful to the people, the human beings who are near it, breathing in the dust, so we would like to ban its application and use.

- Anything else from staff before we open the floor?

- Yeah, so just the version that is in the agenda packet, in the enforcement section, which is the last provision of the draft ordinance, we reached out to the League of Wisconsin Municipalities, and they expressed some concern about the max fine in there, which was \$10,000.00, which in her opinion would border on punitive rather than a civil forfeiture, and we're not allowed to do anything that would be like a criminal punishment, because that is obviously something that's left to the state. So based on my conversation with her, we amended that last provision for the commercial application of the sealant products, would be, there's kind of a tiered system, so there's a range for the first violation, a range for a second violation within two years, and then a third range for two or more previous violations within the past seven years, which would increase the fine amount each time. So I just wanted to explain why the version that we handed out to you today is different from the version that's in the packet.

- Thank you.

- Just real quick, the \$10,000.00, where did that number come from?

- That was in the model--

- In the model one?

- Policy, or the, yeah, the model ordinance that we had been given.

- Okay, thank you.

- Mm hm.

- Any questions for staff or anything, before we open the floor?

- No.

- I'll make a motion to open the floor.

- Motion to open the floor by Alder Steuer.

- I'll second.

- Second by Alder Vander Leest. All in favor?

- [All] Aye.

- Opposed? That passes unanimously, the floor is now open. Please step up, anyone who cares to speak on this. State your name and address, and if you haven't filled out a form, please fill out a form before you leave.

- [John] You want to go first?

- I'll go first?

- [John] Okay, sounds good.

- Evening.

- [Jon] Good evening. Mr. Chair and Members of the Committee, I do have some items to hand out to you.

- Okay.

- [Jon] And I'll hand them out.

- I'll take them.

- Okay.

- And then name and address?

- [Jon] My name is Jon Richards. I represent Clean Wisconsin and Lakeshore Natural Resources Partnership. My address is 1700 North Farwell Avenue in Milwaukee, 53202.

- Thanks for coming up, oh my God.

- [Jon] Yeah, you bet.

- Spending the night at your house?

- Take 41, it's better than 43.

- [Jon] Yeah, 43 was gettin' bad.

- I'm from Milwaukee.

- We got a great hotel, now.

- [Jon] Oh, I know, it's beautiful. I've stayed there. But the idea of handing out a fact sheet, also a statement from Jay's Asphalt who's an asphalt applicator in Luxemburg who wasn't able to join us tonight because of the weather. I also have a sheet that shows the support for the various findings regarding coal price units, because there has been quite a bit of scientific research done here, and I didn't want to bring you a whole scientific journal. But if you are interested in looking at this in more detail, there's a whole range of scientific studies that have been out there for some time that have been relied upon by the EPA and the U.S. Geological Survey and many others to talk about the need to address coal price units in Wisconsin and around the United States. So I know that the City of Green Bay has been looking at coal price units for several months now. I know the four of you have been at a couple of hearings on it, and you're probably well familiar with it, so I'm gonna give a brief overview of what we're trying to do, in the interest of time, and then be happy to answer any questions that you have. I'm also joined this evening by John Schneider of Mix-Tek, another sealant applicator who might be able to provide a little more information about the mechanics of various sealant products, and certainly can provide--

- Speak a little more, speak up a little bit, thanks.

- [Jon] Sure, can provide better information than I can give on that one. We are working with communities around Wisconsin, and especially along the Lake Michigan shoreline to ban coal-tar sealants. We're doing that because the U.S. Geological Survey, in several surveys around the country, and certainly in Wisconsin, found that coal-tar sealants create product in the environment that's similar to PCBs and DDTs called PAHs, that stands for polycyclic aromatic hydrocarbons. So those are a compound chemical that's a compound that stays in the water and in the environment once it's there. It does not break down. And the problem is that people who are exposed to PAHs have a cancer risk that is multiple times higher than average. This is especially a big

problem for children who play around parking lots that have been treated with coal-tar sealant. And it's been found that children who live near those parking lots or driveways have a cancer risk that is 14 times higher than average. That's something that I think gets all of our attention, but I think it's something that we can address. What's good about our proposal is that we ban coal-tar sealants, but there's an alternative product available under our scheme, where if you want to do a sealant job, and you want to have something that will cover your driveway or parking lot, there are many, many products available out there that would meet the standards of this ordinance, and the other ordinances that we're passing around Wisconsin. So we're not trying to put anybody out of business, for sure, and I think it's a testament to our work that some of our most vocal supporters are sealant applicators who have worked with coal-tar and had some bad experiences with it, and switched to an alternative product because it certainly is safer for them as the applicators, they recognize the environmental harm, and they see that there is way to make a living using alternative products. And so that's happening all around Wisconsin, certainly here in northeast Wisconsin. And that's why Jay, as someone I've worked with, in committee hearings in Manitowoc, Algoma, Sturgeon Bay, and I know he wanted to be here tonight from Luxemburg, and he could tell you directly his experience in northeast Wisconsin. So the ordinance forbids this use and sale of coal-tar sealant in the City of Green Bay. And it provides a fine for those who violate the law. But what we are stressing to all the communities that pass this is that we understand that you don't have the resources to go out and check on this, or to require remediation or be a mini-EPA to endorse this law or this ordinance. What we ask is that if the City adopts this ordinance, as I hope you do, that you send a notice out to all residents of Green Bay and the sealant applicators that we know that are in business in the Green Bay area, to let them know that the City of Green Bay bans the use and sale of coal-tar and high PAH sealants. Our experience in other parts of the state is that market forces will take care of enforcement of this, and over time, people will stop using it. Ms. Jeffries talked about the need to have a statewide law on this. That is certainly our goal. But we recognize that the state hasn't acted yet. We hope they do, but they haven't acted yet. So we ask that local communities around Wisconsin, especially on the Lake Michigan coastline take action to make sure that we ban this product that really harms the environment and harms the lake. If you have any questions, I'd be happy to answer them.

- Go ahead.

- Yeah, I've got several. Well, first of all, thanks, Jon, for coming up. With the ride, are you staying overnight, I hope?

- [Jon] No, no, going back.

- Oh, okay.

- [Jon] Got a car, it's gonna snow.

- Okay, well, good luck.

- All right, well listen, thanks for coming tonight. I just have a few questions. I was reading this thing from Jay's Asphalt, that comment, and they were talking about asphalt emulsion based sealants. Is there a handle as far as how many there are out there right now, or can you talk a little bit more about that as far as what alternatives are being utilized right now?

- Yeah, if it's okay with you, I'm gonna defer to John Schneider about that.

- I'll save that question for him, then.

- [Jon] Sure.

- So I'll leave that alone.

- [Jon] I can tell you there are several.

- Okay, that's fine. They were talking about more expensive, too, and this is costing us a few more pennies. I suppose a lot of times things come down to money, and I just want to make sure that the costs, whatever they may be, just are stated, just to have it as information if nothing else. What communities right now have an ordinance like this that you know of?

- [Jon] Sure, so over the last two years we've been working with communities around the state. So far we're up to 20 communities that have passed this ordinance. The most recent one was Sturgeon Bay, which passed theirs last week. Before that the City of Racine did, the City of Oak Creek. And then going up the coast, we have the City of Milwaukee, and all of the large communities in Milwaukee County have adopted the ordinance. The Village of Elm Grove, Waukesha County. And then going up, the City of Port Washington, the City of Sheboygan, the City of Manitowoc.

- So they all have an ordinance right now?

- [Jon] Yes, they do.

- Okay. That's good to know.

- [Jon] And I'm proud to say that in just about every community we've been in, the ordinance has passed by a unanimous or a nearly unanimous vote.

- Okay, that's all I have for now.

- Any other questions?

- I have a question.

- Sure.

- On the asphalt, bituminous asphalt material, like Northeast Asphalt, they sell their products throughout the city for parking lots and roadways, and the whole, does that affect their products as well?

- [Jon] I don't know the PAH content of that particular product. The standard that's in your ordinances, 0.1% of PAH volume, so I don't, I know there are many asphalt-based sealants that meet that standard, but I don't know--

- I'm not talking sealant now, I'm talking about actual blacktop, whether you've got blacktop, let's say four inches thick, the county has their own plant, for example, at the county.

- [Jon] No the blacktop doesn't, this is a sealant on top of the blacktop, so that's a completely different product.

- Okay.

- Yeah, it's got nothing to do with the blacktop. Just when the blacktop starts wearing, it gets sealed.

- Are they using an emulsion type product now, what's the--

- Mag-u-lent?

- Yes.

- I don't know what they use in the City of Green Bay. I can tell you our experience in going to other communities around the state, is that when we talk to the DPW directors in those communities, they, really, to a city, have not been using coal-tar sealant for some time. They just see it's kind of a hazardous product, and it's difficult for people to use.

- I had talked to our Director, Mr. Grenier, this morning, and he told me that he was checking on if we're using the product right now. He wasn't sure if they were or they weren't. In other words, on some of the material that we have now. He was going to get back to us by City Council, and I think he was going to bring in a couple of engineers from, they were going to give us some briefing on the product itself.

- [Jon] I guess one thing I'd draw your attention to is, in your packet, is a statement from the asphalt sealant association, i think that's the name of it, it's the industry for dealing with asphalt, and they have in there their recommendations for sealant products, and the asphalt industry actually recommends that people not use coal-tar sealant on asphalt because it is an inferior product.

- And then, just for example, your outlet stores, let's say Menards and Lowe's and Home Depot, are they selling this type of product, or are they already--

- [Jon] Most of them have stopped selling it, and they stopped selling it some time ago. There are, Farm & Fleet, or Fleet Farm, one of those two I believe is selling it, that's the only one I know, but we know that Home Depot, Lowe's, and Menards have stopped selling it.

- Stopped selling it, that's good, good news.

- [Jon] So what I hear is that, and John Schneider can talk about this more intelligently than I can, but from the other hearings that we've had around the state, what I hear is that coal-tar sealant is something not typically purchased by a consumer. It's usually bought on a wholesale level. And it's often used by people who are doing jobs and with kind of these smaller jobbers, who will carry a bucket of coal-tar behind their truck, and they'll seal your driveway. The problem with that is that very often those jobbers water down their product quite a bit, and it makes, the bad part about coal tar sealant, in other words, it sloughs off and creates a health problem even worse because you have an even thinner layer of that product down that's subject to wear and tear in the sun, and it's just gonna slough off faster and create a bigger hazard.

- Okay, thank you very much for your information.

- But why would they do that, water it down? Just money?

- Save money.

- Mm hm . You got it, bingo.

- [Jon] We can only assume.

- Give that man a cigar.

- We'll assume, we're assuming.

- For those who may still have some of this nasty stuff around, have we also looked at how they can properly dispose of this stuff? Is there a way to get rid of it?

- [Jon] Sure, you can treat it like a hazardous waste, and I understand Brown County--

- Has a hazardous waste.

- [Jon] Has a hazardous waste spot. So I'm assuming they can dispose of it there, although I have not called Brown County's waste disposal people to directly confirm that, but I suspect that's the case.

- We do have someone from the county on our Sustainability Commission. He did say they would have to work on that, and they're used to getting the small quantities. If someone came in with the large quantities, they would work out something, but I just wanted to get it on record.

- [Jon] No, I appreciate it.

- I'm good for now.

- I'm good too.

- Anything else?

- [Jon] No, that's it, thank you for your attention.

- Thank you.

- Thank you, sir.

- Anyone else?

- [John] Hi, thank you for your time. My name's John Schneider. I actually, I'm gonna grab my stuff here, I'm a little nervous. This is not something I do everyday.

- No worries.

- That's okay. You don't have samples of the stuff, do you?

- [John] I do not, no.

- Yeah, okay, I actually just need your address too.

- Okay, it's 212 West 3rd Street is actually the business address, do you want my personal address?

- I believe personal, right?

- West 3rd, where's that?

- [John] Necedah, Wisconsin.

- That's good enough.

- [John] And actually, I own and manufacture a product that has got 0.0% PAHs in it. We've been doing this for, this is my fourth year producing the product. The product itself has been around for 25 plus years. It was developed in Reno Nevada. One of the things that coal-tar--

- Thanks a lot.

- Mm hm.

- [John] When it's hot, it can create more burns for the skin, so down south they've started to adopt asphalt emulsions sooner because the heat down there had really started to burn the people who were applying the product, and so it's been a real, there's been a good push down there for some of that. Not everybody has switched over, but it's certainly one of the precursors to people wanting to switch. I'm gonna just mention, you had a couple of questions I can answer pretty quickly. First of all, disposal you had asked, is this gonna be an issue? It shouldn't be an issue now, because in wintertime most everybody has gotten through all of their sealer. They don't typically store this product over the winter. They would have gotten rid of the product already, and they do a pretty darn good job forecasting what they need so they don't have big tanks full of the stuff. So passing an ordinance like this over the winter can prevent some of that from happening.

- They won't restock.

- [John] Yeah, they will not be restocking it. Also, there was a comment about coal-tar and how it affects pavement. Actually, this is an asphalt emulsion, so it's an emulsion product that's got asphalt in it. So it's very similar to the asphalt itself in its general makeup, and it's got a higher solids content than coal-tar would be, and if you think of cheap paint versus bad paint, the higher the solid content is, it's a better product. And because of that solid content, it lasts a little longer, it moisturizes the pavement better, and it actually creates more longevity. When it comes to cost, yes, asphalt emulsion is a bit more expensive, it's about 1 to 8% more expensive depending on the type of surface that you're dealing with. However, it can create a longer life-cycle for your pavement, so in the end, it actually is a cost reduction if you're really doing a good job with it. There are some certainly known benefits of the product of asphalt emulsions. First of all, they don't burn your skin, they do not have these harmful PAHs in them. And they really are a long term asphalt moisturizer that can prolong the life of the asphalt. Some of the coal-tar counterpoints that we hear is, first of all, that it is a higher cost, and yes, to some degree, per gallon it can be a higher cost. It doesn't always have to be that way, but to some degree it can be. We actually represent one of the more premium products in the marketplace, and ours is a bit higher cost. There are multiple manufacturers throughout the region that provide a PAH-free asphalt emulsion. So there's about five of them that provide these products, some of them better than others.

- You said five?

- [John] Yeah, I believe there's five that supply the area. Not all of them are actually in Wisconsin. But they all send product to Wisconsin. Some of the people who are reluctant to change, they also are manufacturing coal-tar, so some of these guys that are not wanting to go, they also manufacture asphalt emulsion, and they also manufacture coal-tar. So they're pushing to not have one of their other products go away, and I can understand why that makes fiscal sense for them. The thing that we're seeing in the science behind this, and there's been some opposition science in that the PAHs don't cause the harm, or aren't contacting the individual or the stream, or that they're not causing that much harm, that science is really starting to be silenced. Over the last couple of years they have not been putting out new information because the bottom line is they know that these PAHs are highly carcinogenic, and there is about 700 times more of a concentration in coal-tar than there is in any other product that has been already banned. They've banned these in hygiene products and like hairsprays and that kind of thing, and they were in like 0.01%, a very small fraction of what percentage coal-tar has in it. So this is a much higher concentration than in other areas that have already been limited. There's a liability risk that comes along with coal-tar that now is starting to introduce itself, whether you're a property owner, a business owner, and you are putting a known carcinogen

on your parking lot, eventually there are going to be class action lawsuits that get filed against the people who are actually having it on their parking lots, as a landowner, as a property owner, it's something that I'm aware of and making sure that I'm not opening myself up to any more liability than needs be. Certainly that's down the road, but in Minnesota, which has already banned coal-tar statewide, they are already having class action lawsuits from cities and municipalities that are suing the coal-tar industry for allowing this material to go down for such a period of time, and they're trying to get them to clean out some of these retention ponds and waterways that have been so highly contaminated.

- So the State of Minnesota banned it.

- [John] Minnesota's completely coal-tar free.

- And Wisconsin hasn't?

- [John] Wisconsin has not. Dane County passed an ordinance five or so years ago, that it's been coal-tar free for that long. And honestly, the seal-coating there has been a good boom, there's a lot of business in there, and people, once they make the switch, it's amazing how much I get clients who come to me, they're like, man, I wish I would've made a switch earlier, because the way that it affects their employees, especially on hot days, the smell that comes off, the asthma that it can create, the breathing problems that it can have, they've found a lot of those to go away. And I've got other clients who don't buy our sealant, but they buy other products from us, and they still buy coal-tar, and they swear by coal-tar, they don't want to make that switch. So I'm not saying that there aren't people out there that don't like that product still, but I think a lot of that is simply, it's kind of the old boys' club, they just have been doing it for so long that it makes a lot of sense for them to stay. And when it comes down to retooling your business to actually handle asphalt emulsions or other sealants that are low-PAHs, there is really very little to no cost to switch over. Sometimes they'll switch the size of the tip on their spray wands because these products are a little thicker, they have a higher solids content so they need to be able to get that solid out of the water tip. Filter baskets have to be changed, but we're talking about very minimal cost to make a switch over. That's pretty much all I have. In general, is there questions for me that I can answer?

- Yes, go ahead.

- One question, how does your product, in other words, where they've used this coal-tar patch over a parking lot, how does your product adhere to what, in other words, where they actually used the older stuff?

- [John] So we have no problem with the compatibility of our product over coal-tar sealants.

- In other words I'm talking about they had used the coal-tar.

- [John] Yeah, correct. And then they come over top and they put our sealant on top of it, we've had no problems with that. I have heard in the industry that some people have had some issues with that compatibility. My guess is that it's more of an application problem than it was the sealant itself. But I don't have data on that for everybody else's sealers. But we do not have an issue with that.

- Also, where they plow parking lots and things, they dig right down in the black top, they're moving a lot of this product right off the surface.

- [John] Yeah, we haven't had, again, in that area we don't have a lot of problems. I think the biggest issue that you're gonna find with asphalt emulsion sealants versus coal-tar sealants, coal-tar sealants are a bit more versatile in weather conditions. If it gets really cold at night or it rains, and that coal-tar sealant went down earlier in that day, it's possible that it could survive maybe a bit better than an asphalt emulsion. However, if you were to put additives, additives enhance the ability for all sealants to work, and a lot of times people are using those for coal-tar as well as asphalt emulsions. So if you know that there's a chance of rain or a chance of it getting colder, you can use a fast drying product, which is basically a polymer that just sucks the moisture out. There is plenty of products out there that don't increase the cost dramatically, but can protect the applicators from potential failures. And they're already using these. These are not something that they only have to use for asphalt emulsions, but certainly asphalt emulsion does have, there's a little bit more finicky, it's a bit more finicky to put down, only because of the solids content. Obviously if there's more solids in something it takes a little bit more time to dry out, and so you just need to know what you're dealing with. The other issue is a lot of times people who are using coal-tar sealants are used to putting 50% water in because they can get away with it, and it won't fail right away. They're still spec'd for a 30% water for coal-tar, just like ours, ours is actually 25% water is the max that we like to push it. With colder environments we actually trim it back even a little bit further when it gets to be late fall or early spring. But there's definitely that water hose if you do that with asphalt emulsions, they do not perform when they're 50% water, they will just wash away. And so educating them on not using the water hose to make money, because the reality is, if they're doing that with coal-tar they're cheating the client as it is anyway, they're removing the solids by diluting the product. And although it still works, it's not gonna work as well, and it's really just something that's cheating the clients. And you don't see it all the time, but it is something, this industry would probably benefit from some licensing. The good guys out there, the reputable contractors, don't do that, they understand that the value is in their name, but there are a lot of people that come into state and buy sealants that are just available wherever it is, and don't do everything by the book, and they're the ones that are giving the sealant and the industry in general any sort of bad name.

- Does your product come in five gallon pails? Like just for example like homeowners, you see a lot of homeowners in the summertime, they're doing their driveways.

- [John] Yeah, so we currently, we sell five gallon buckets out of our facility, but we don't have distribution throughout the State of Wisconsin. There are companies already that have product in Home Depot and Menards that are 0.0 PAHs. They also have additives there for fast-drying. So that is something that's available today. Most of those stores do not sell high PAH sealants anymore, both for the liability of themselves and for the environmental risk that it poses.

- Okay, that answers all my questions. Thank you very much for your information.

- Did you have some?

- Yes. Thanks for coming in, John.

- [John] Thank you.

- That was very informative.

- I believe he's got some questions.

- I'm not done.

- Oh, more.

- Yeah yeah yeah yeah yeah.

- [John] Oh, I thought you were done.

- I've got some too.

- [John] Okay.

- Maybe I gotta hold my head up higher. Anyway, you were talking about, I'm looking at it from the state standpoint, where Minnesota banned it, Wisconsin hasn't. In your estimation, or in your experience, what, to me it would seem better if the state would do it. Locally, going after each individual local establishment, that's difficult sometimes. And I'm just wondering, what is your experience with the State of Wisconsin as far as why this is happening, and what, just in your experience?

- [John] Yeah, I have to say, I can't speak too intelligently on that, I don't know too much about it. But what I do know is that sometimes it's hard to get a larger ball rolling like that. And it seems that there is a lot of local support for this to be banned, and sometimes in larger government institutions, it's just harder to get it moving. And I think, from what I understand from Clean Wisconsin, is that they do have some pretty good support now that it's likely gonna move forward. I would guess that it's gonna be within the 18 months to two years or something like that. But I know that that process is quite a bit longer. I think just seeing this happen on a local level is also pushing them, so I think one hand is kind of helping the other move along. And I do, I honestly, for my own business in general, we're a small company that really, there's the 800 pound gorillas out there that are making this product and that will likely sweep into town when this is all done and when it's a statewide product. For me personally, I like to be able to reach out to each individual community and talk to them about the benefits, so I'm really supportive of the fact that it's actually going community to community, because it gives me a chance to talk to the municipalities about what it is that this product can do for them.

- Okay, a good answer for that, thank you. I heard before that once this gets in the water it's very difficult to get out. Do you know anything about that?

- [John] I just know that what it takes is you have to dredge it out of the, and it's not, it's a very expensive process to do that. I don't know if it's, if it was me, and just kind of speaking off the cuff, if it was me I would probably wouldn't remove it because I think by the time it's down there it might be safer than trying to get it out. I don't know scientifically if I'm accurate there, but it seems like it would be a very disruptive process, and certainly in some areas like retention ponds where you don't have people swimming, and there's not a bunch going on there, I think maybe that's a reasonable place to do it. But once it's in the Fox River, it's probably a bigger issue, and I know that the Fox River did a clean up here not too long ago.

- Yep yep yep.

- [John] So hopefully some of that has already been removed, and you just did it without knowing, and you don't have to go through it again.

- Okay.

- Well thanks a lot, now I gotta stop swimming in the retention ponds now. That explains a lot. Anyway, though, I'm good, thank you.

- Okay, and that segues into my question, which was you had talked about going over the tars, so you don't see any need to remove the old to put on the new?

- [John] Unfortunately, no, because really by removing it I think you're gonna cause more contamination. And truly this product, and one of the reasons that the product, the coal-tar, should be banned is 'cause it does wear off. It goes on, it's only gonna be there for a few years, and then it's gone. And the worse, whether it's environmental conditions or pavement conditions, or maybe application was bad, the worse any one of those three criteria are, the faster that's gonna come off. And not only does it release PAHs as it's wearing off, but it also aromatically will release PAHs. So fresh coal-tar, when children are playing over those lots, they're getting those vapors coming off. So it's certainly something that, it's kind of a no-brainer I think in our world to be able to make this product go away, or at least steer it in the direction to have it be removed because it does propose a significant health risk.

- All right, and I had one other question. Let's say they put the asphalt down. And I suppose it depends on the establishment or the place, but when normally would you put the sealant on? When things are starting to wear down, or soon after?

- [John] That's a great question.

- Normally when do you do it?

- [John] So typically with coal-tar you do not put any sealant on until at least one year after you lay the pavement. With asphalt emulsion, we can go on almost immediately. Typically I say three months is a good window. It does instantly seal and moisturize the pavement, so you can do that and actually get more longevity. Typical application is one to two years after you put down the pavement for new, just because for cost basis I think people are just like why would I cover up my brand new pavement, and so it's a difficult thing for them to swallow, and I can see why.

- Right, okay. So it's partly economics, but if there was a scientific statement saying that we should do it nine months after, three months after, it would just be nice to have.

- [John] Well, there's been advancements in asphalt emulsions as well, where they are making a slurry seal that you can use for roadways in place of chip sealing. And so municipalities are starting to actually slurry coat their roadways instead of doing chip sealing, and it removes the rock issue that you get with a lot of the chip seals. Are you familiar with chip sealing?

- I think so.

- [John] Okay, yeah, it's basically they put an emulsion down, and it's a very similar emulsion to ours.

- You're talking about potholes, right?

- No, so--

- Oh, okay.

- [John] So a chip sealant is actually, if you've ever seen like the stones that are scattered all over the road, and they're just like these little pebbles, initially what they do is they put an asphalt emulsion down, and that is drying fairly quickly, and then they take stones and they scatter them over the entire roadway, and they do this mostly on county roads. You don't see a lot on city roads, but occasionally in neighborhoods on the outskirts, outside of town you'll see it. And really what happens is they end up kind of almost repaving the road to some degree, with these little stones and the sealer that's there. Instead of doing that and having the issue of these stones all running off into the gutters and chipping windows, and that's kind of the problem that happens, is we actually come in and do slurry seal that dries within one day. So they shut down half the road and they keep it open, and you only do like a mile at a time, and it's about half or a third of the cost of chip sealing and can actually prolong the life. So that's happening quite a bit in the southern and west part of the country, and it's just kind of making its way here as we're learning about these processes.

- When you say southern and western, generally they're warmer climates, so how does that affect us here?

- [John] The issue that we're faced with is just simply because our cold weather shuts down the season as it does, everybody's cramming their work into six months, it's really five and a half months depending on a good year maybe we get six and a half months, and the reality is that's just sealants, whether it's coal-tar or otherwise, that's just the way that it works. We are actually working on enhancing our product, just like every other asphalt emulsion company I'm sure is, in fact we did a roadway in Necedah, Wisconsin when it was just over, it was 50 degrees, and it froze that night and the roadway's holding up really good. So we're doing some tests. In fact I have a picture of that, it was this first one right here.

- That one?

- [John] So that is just sealer on a roadway, and it looks, that was done early in the spring, and then we came back and had done testing, but it almost looks like it's fake in that picture, it's just--

- Yeah.

- It'll wear down eventually.

- [John] Yeah, and it certainly will. That's taken pretty close to a day or so after it dried. But it is, certainly the length of the season is part of the issue that we're gonna be faced with no matter what sealant we have. And the longevity will be extended by technology, there's no question about it. They're already making additives that are toxicity-free and that can extend and dry, really what we're looking for is to get the sealer to dry and cure as quickly as we can before it gets too cold, and then once it freezes it's not gonna adhere the way it should.

- Thank you, thanks for that.

- I have another question. When they recycle there's a lot of areas they'll take and take the parking lot right out and they'll start over. They'll take it, I know Northeast Asphalt, they have a huge stockpile of it, and they'll incorporate that, maybe 20% of that old asphalt into the new product. So basically when they do that they're pretty much encapsulating everything when it goes through their burner and everything like that.

- [John] They're regrinding it. In fact this is one of the benefits. You were talking about getting rid of toxic waste, there is none. With us, when we go and clean our tanks and go clean out, or assist our people in cleaning out tanks around the two states, we represent Minnesota and Wisconsin, all that goes into just a big bulk container, and we can bring it to asphalt plants all around the state. They'd take it for free, they'd grind it

up and use it as recycled asphalt. So, it's eliminating the waste that even needs to be recycled. It's not going back into some toxic dump, it's literally going right back onto our roads. So it's a really great process as far as how it affects the environment overall.

- Okay, thank you.

- He answered, you took my question.

- Did I, I'm sorry, I apologize. You want to ask it anyway? Anything else?

- I'm good for now.

- Anything else you'd care to add?

- [John] So, just one, seal-coaters in general have started to make the switch already. There are some that are reluctant, and that's just kind of the way the world works, right? So it's not that if you were to make this change people wouldn't be aware of where to get this and what product, how to do it, it's already happening in the marketplace. And I think this is a testament, there's no other seal-coaters here objecting to this, most likely because they kind of all know it's coming. There's certainly some that would probably want to be here, would want to object, but the reality is, everybody in this industry understands this is happening. So I don't think you're too far ahead of the mark that you're gonna get a lot of pushback. Certainly you're gonna get some, but I wouldn't think you're gonna get a ton. And that's the only one I have, so great. Guys, thank you so much, I appreciate it.

- No, thank you.

- You said you were nervous.

- This is great.

- You came across very well.

- Thank you.

- Yeah, I really appreciate all our travelers here, thank you very, very much. Anyone else care to speak on this?

- [Andy] Is this about the--

- Coal-tar.

- [Andy] Yes, yes.

- If you could please--

- [Andy] Stand up and say--

- Fill out the form when you get a chance, but state your name and address.

- Sure.

- Hi, Andy.

- [Andy] Hi, hi, how're you? So I'm here to--

- Oh, your name and address first.

- [Andy] Sure. My name is Andrew Waterman, and I live on 1222 Hastings Street.

- Okay.

- [Andy] And I'm here to just go on the record that I would like this to be banned in our area, and I know it's been banned in other areas. And I am a Green Bay public school teacher, so I'm on playgrounds a lot with little kids, and I work for Head Start, and we just put in a new parking lot two years ago, and I know we're going to put in a new one in Jefferson School because the school's getting switched over to Head Start, and they need a bigger parking lot and a playground. So I'm just here saying, hey, let's not have this product there, even if it's not banned, to kind of give it more awareness of the product, if more people that know about it, that it's not such a good idea, that we'll just go to the other product. Maybe it's not as strong, I don't know, I'm sorry, I'm not a scientist. I teach three and four year olds, so. So I'm more here about other people telling me that it's a bad thing, and thinking that, yeah, maybe it's an easy fix. Okay.

- Andy, I was going to ask you a quick, so you've been a teacher for quite some time, and you've seen kids on playgrounds and that. Have you ever noticed any things that have happened to the children over time, or? I mean, it's kind of hard to differentiate.

- [Andy] Right, it would be hard for me to notice that. I mean, I work with special Ed kids within the regular Ed school, that's my job. So I feel some of my children may have had toxic things, or their parents, and that's part of the reason they might have some delays or whatever. But again, I'm not a doctor.

- That's just speculating.

- Yeah.

- Yeah.

- [Andy] I'm sorry I can't, I don't know.

- Well that's okay, I just wanted--

- [Andy] But I do know kids scrape themselves on playgrounds, and lick playgrounds, and crawl all over playgrounds, and we're shoveling snow, and the kids are eating the snow that's on the playground. We try to keep them not to do that, but sometimes chunks of the stuff is broken off, and kids are carrying it around in the sandbox. Not so much in our playground now because it's new.

- Yeah, well.

- [Andy] Anything else? Well thank you for your hard work. I'll fill this out, and where do I put it?

- You can hand it in just right over here.

- I can take it.

- It's right there?

- Yep, thank you.

- I saw Chris the other day too.

- Oh yeah.

- It's good to see you.

- It's good to see you.

- Yep, go ahead, yep.

- [John] I just wanted to mention one more thing that came to mind. There is no PAH in any asphalt itself.

- Right, right, it's the sealant.

- [John] So you had mentioned about asphalt plants, asphalt itself does not contain PAHs, it's only the sealants that do.

- Yep yep.

- Thank you.

- Yeah, but those playgrounds will get resealed.

- [John] With sealant

- Yeah.

- Right.

- [Andy] I'm not saying they need to be cement, that's my understanding too.

- I'm getting educated here.

- Yeah, yeah. Anyone else on this?

- Motion to close the floor.

- Motion to close the floor by Alder Steuer.

- Second.

- Seconded by Alder Stevens. All in favor?

- [All] Aye.

- Opposed? The floor is now closed. Gentlemen, what are you thinking?

- I thought it was very well stated. Thank you for all your input on this. I think one of things, as alders we get a lot of information over time on a lot of different topics, so there's a lot here. And at first blush I feel this is very important. But Alder Vander Leest mentioned that he's talking with our Public Works director as well, and just trying to find out, just gathering the data. So a lot of times with these type of things whether it seems like a slam dunk, I think it's still important that we gather data all the way around. So I'm in that mode right now, I'll be doing some reading this weekend. But it was very well presented. I commend all of you for some great comments. And I will study this very diligently. So, thank you.

- I did talk with--

- Director Grenier.

- Director Grenier, and he was going to bring in an engineer and some other people I think from Schober Engineering, and they're gonna discuss it, and he was going to have it for the City Council meeting coming up.

- So we should get it to Council, so we should send it forward with a recommendation.

- Yeah, it definitely needs to be discussed I think at Council, I feel. So I would--

- That was the information that he gave me, and he was going to check to see if the City of Green Bay is using any of the product at all, if it's in any of the products that we're using at this point right now. He was going to check on that as well.

- If it is, I would like us to stop immediately. But that would be the discussion then.

- So how did you want to? Because we've got a third point.

- I'll make a motion that we recommend adopting the law, and once that gets to Council we can have that discussion and then make any amendment or kick it back to committee or whatever we need to do then.

- Okay, that's, you're making the motion.

- Second.

- Second, so motion by Alder Randy--

- Hold on a second, could--

- To adopt the ordinance, and seconded by Alder Stevens.

- I was going to say, if law could weigh in on that at all, before we do it?

- I thought they kind of did with the beginning, I don't know if there's anything else? Anything else?

- Yeah, sorry, I just wanted to check and make sure the one we'll--

- The amended. Yeah, it was the amended.

- The revised draft that we presented to you.

- Yes, the draft as amended.

- Yep.

- Yeah.

- So we have a motion, do we have a second?

- Yes, Alder Stevens.

- Okay, thank you.

- Just to approve.

- Mm hm.

- Any further discussion? All in favor? Aye.

- Aye.

- Aye

- Opposed?

- There'll be one nay. I'm only saying nay until I hear from--

- Oh, should we do it on the?

- Yeah, we can do that.

- From Mr. Grenier.

- Yeah yeah yeah.

- Well, it'll still be discussed.

- Yeah, and we can make our final choice at City Council when he brings the information. It's too bad Mr. Grenier wasn't here tonight.

- Yeah.

- Now, if it was a two to two vote it would die.

- It was three to one, if it was, then it would be a motion failed, yes.

- He is gonna check with rates and representation from the engineers. He'll be there at City Council.

- So we're gonna vote?

- Yes, it should start if it didn't.

- Yeah, I don't got it.

- I started it.

- No.

- Nothing up here yet.

- No.

- No, no.

- Okay.

- Well, we will log it manually. Alder Stevens?

- Yes.

- Alder Vander Leest?

- It'll be a nay until I hear more information from our engineer.

- Mm hm.

- Alder Steuer?

- I'll say yes.

- And Alder Scannell?

- Aye.

- All right, that passes three to one. With Alder Vander Leest voting no.

- Yep, okay, thank you. And then like I said at the beginning, this will be taken up at Council, and that's where it will become, and if it does pass at Council, then we have, it has to go through, that'll be the first reading. To be law it has to go through a second reading, so it would be at our second meeting that it has to become law and take effect. So a little bit of a process here.

- [John] When's the next meeting, is it Wednesday?

- Next Tuesday, 6:00 o'clock, right next door.

- [John] Is it recommended that we come to that too?

- Yes.

- Well, if you could make it, it would be super. We would really appreciate it. I hate to burden you like that, but it would be fantastic if you could. But otherwise, we'll try, you gave us a lot, we'll pull up the slack for you.

- [John] I'll do my best to be there.

- Yep, thank you. Onto item three?

- Yep.

- Consideration with possible action on a resolution advocating for a statewide ban on coal-tar sealers, which would be sent to the Wisconsin State Legislature, previously discussed at the May 8th Sustainability Commission meeting, and the May 21st Common Council meeting. Staff, we have the resolution here.

- Mm hm.

- Right, and it's in our packet. Everyone got a look at that, or?

- So does one preclude the other? It's just another?

- No, even if we didn't accept, thank you, thank you.

- Or, can I talk to that?

- We'll get, on this, on the resolution?

- [Jon] Yes, if you have a public time.

- Yep yep yep, we'll--

- We'll open the floor.

- Yep, we'll open the floor.

- So there's nothing in the resolution that specifies that Green Bay has an ordinance like this or anything like that, so it's not contingent on us having passed the ordinance first or anything like that. So we can send them both. And even if Council decides not to pass the ordinance at this time, the resolution can still go through, or vice versa I guess.

- Okay.

- Yeah. So, anything else from staff?

- No, I think it's reasonably self explanatory, a lot of the scientific findings about the dangers that we've discussed tonight are included in the resolution. We also note that other communities and states have outright bans, and then we just advocate that the state legislature also institute a statewide ban.

- Yep, very good.

- Where is that?

- It's we don't have hard copy.

- You don't have a hard copy, it's in your packet.

- Never mind.

- Motion to open the floor.

- Motion.

- Motion by Alder Stevens to open the floor.

- Second.

- Second by Alder Steuer.

- All in favor?

- All in favor, well I'm just giving them a little time.

- Thank you.

- Aye.

- Yep.

- Aye.

- Aye.

- Aye. And that passes unanimously. The floor is now open. If you'd just state your name and address again. You don't have to fill out another form.

- [Jon] Thanks. Jon Richards for Lakeshore Natural Resources Partnership and Clean Wisconsin, 1700 North Farwell, Milwaukee. So the resolution that you have before you, I hope you adopt, and this is the City of Green Bay going on the record asking the state legislature to pass a statewide ban on coal-tar sealants. And we are trying to pass this ban in this legislative session. But the legislature doesn't meet very often now until the next legislative--

- Yeah, these days, not so often.

- [Jon] Well, and that's typical in any state legislature no matter who's in charge, that's just how that place works. And so we have a narrow window of time between now and February where we're hoping to pass this. We have a couple of legislators that have said they're interested in working on it. They haven't come forward yet, but we're hoping that this will move forward and that the legislature will take this up with the wide variety of things they're doing on dealing with clean water this year. I'm glad they're doing that, we're hoping that they'll take this up as well. It's no guarantee they're gonna pass it, but we are going to all the communities that have passed this ban in the last two years to ask them to come on, to go on record to urge the legislature to take this action. But you certainly don't have to have a ban in place to go on record asking for the state to do it.

- Jon, thanks again. Are there names of certain legislatures, legislators, it's hard to say, that you've worked with on this issue at all, or are you more or less trying to gather the support and then hopefully someone will come forward?

- [Jon] We have a couple that are kicking the tires pretty hard, but they haven't come out and publicly endorsed it yet. So I don't want to get in front on that.

- All right, just checking.

- [Jon] But we do have people that are willing to commit.

- If you just whisper.

- We won't tell anybody.

- [Jon] Yeah, right, right.

- Yeah, okay, well that's fine. That's fine, thank you.

- Anything else?

- That's it.

- Any other questions?

- Mm mm.

- [Jon] Great, thanks.

- Thank you very much.

- Thanks.

- Motion to close the floor.

- Motion to close.

- Motioned by Alder Steuer to close the floor.

- Second.

- Seconded by Alder Vander Leest. All in favor?

- [All] Aye.

- Opposed? The floor is closed. I see no reason why we wouldn't go forward with this, especially this also can be taken up at Council at the same time. I think I'm for the ordinance, I'm for the resolution. I don't know why we wouldn't go forward, even if we're still using the stuff. Thank God, I hope we're not. But if we are we should be figuring out a way to stop using it pronto and get rid of what we've got or whatever. This is not good stuff. We should take some action on this I believe, and so I would...

- I'll make a motion to approve.

- Motion to approve by Alder Steuer. I will second that. So a motion by Alder Steuer to approve the resolution. Seconded by myself. Any further discussion?

- Mm mm.

- All in favor? Aye.

- Aye.

- Aye.

- Opposed?

- One nay until I hear from our chief engineer.
- Yep, yep, yep. Perfect, and then we'll vote.
- We're gonna try this again.
- Okay. Whoa-ho.
- Did it go this time?
- It went.
- It did?
- I got it.
- No I didn't.
- No.
- No, I didn't get it.
- Not yet.
- Okay, well we'll do a roll call.

- Alder Stevens?

- Sure, yeah.

- Alder Vander Leest?

- It's a nay 'til I talk to the engineer.

- Did mine show up?

- Alder Steuer?

- Yes.

- Mine showed up?

- Well you're special.

- And Alder Scannell showed up as yes. So that passes three to one.

- Okay.

- I hate to be a nay-sayer.

- No, no, that's, I understand where you're coming from, that's fine.
- It's just that if it was two to two it died.
- Right, so three to one passed it.
- I can understand it if it's not a good product. I think it's not a very good product.
- No, no. Thank you. Have a great trip back.
- Yeah.
- I hope you've got some good reindeer.
- [Jon] Yeah, oh yeah.
- Farwell, I used to hang out, I went to school, I went to UWM for a couple of years.
- [Jon] Oh you did?
- I know the area well.
- I need to update those forms. Thank you very much.
- [Jon] Oh yeah, I know very well, I gotcha.

- Hooligans.

- [Jon] We'll be right back.

- All right, yes, just give me one second.

- Are we ready for--

- Andy, take care.

- Thanks, guys. For your hard work.

- Thank you. Are we ready to move on, or?

- Mm hm.

- Okay, informational. The liquor violation report for December 9th, 2019. Staff.

- [Steve] Through that time we had no liquor violations or ordinance violations, but we did have one property referral. It was a disturbance at Fret & Friends bar.

- Where's that?

- [Steve] On University Avenue across from, I still call it the Lindy's, the old Lindy's grocery store.

- Yeah, I know what you're talking about.

- It's changed names a couple of times.

- Wait, it's not Lindy's anymore?

- [Steve] No, I still call it Lindy's, but it's University Avenue Market I believe.

- Mm hm.

- Oh, maybe I knew that.
- [Steve] We went there to ask for video per their stipulation agreement, they did not have the video, so we did a property referral. Essentially it was a warning to them to make sure they get their cameras up and running per their agreement.
- Okay.
- So there was one major disturbance of some sort?
- [Steve] Yeah, a patron was cited for battery.
- Wow, okay.
- In other words, they didn't have the cameras working inside the facility?
- [Steve] Correct.
- I see, okay.
- Correct.
- They needed batteries?
- [Steve] Yes. Stop.
- Motion to place on file.
- Motion to place on file by Alder Stevens.
- Second.
- Second by Alder Vander Leest. All in favor?
- [All] Aye.
- Opposed? That's received and placed on file. Thank you very much, Officer Mahoney, that was very good. Are we ready for the second informational?
- Yeah.
- Report from the Water Utility Department regarding the lead pipe removal project.
- No comments. We just got an update.
- We got the PDF, right?
- It was just an update from the Water Utility.
- Oh, it's just a--

- We got the PDF. They're making progress. I don't know if they really need to come, even, we can see from the, you know, we're movin', we're gettin' closer, we're gettin' there.
- Yeah, what percent are we at?
- I definitely supported that.
- Yeah.
- I put it on record that I supported the removal of all those lead pipes. And the state gave us some money and so did the city and so did the county.
- Yep, we got 15 remain to be replaced. And the public side is down to 300.
- All those things just popped up on my screen. I can vote yes.
- Oh did they?
- That's a bit of a delay.
- Is that as far as it goes?
- No.
- Well, it's not working. You're stuck, get the lead out, will ya?
- Yeah, I'll get that.
- Huh.
- Green Bay Water's spent a ton of money on it as well. They removed pipes that were four inch diameter lead.
- Well, I make the motion to place on file.
- Motion to receive and place on file by Alder, here, you wanna see mine?
- No, that's fine, I mean, I'll second it.
- Where did mine go?
- That's fine.
- Seconded by Alder Steuer. All in favor?
- [All] Aye.
- Opposed? Okay, that's received and placed on file. I think we need an aria or two before we... Hang on, when they're ready. I'll take a motion to adjourn.

- Motion to adjourn.
- Motion to adjourn by Alder Steuer. Seconded by Alder Vander Leest. All in favor?
- [All] Aye.
- We are adjourned. Thank you one and all, good job.
- Thank you.
- I woulda bet a dollar you would say adjourn-ed. And I won, nobody's gonna pay me though. So when, the police department, when's the event?
- [Steve] Our cookout?
- Yeah.
- [Steve] On the 20th.
- The 20th, yeah.
- What day is that?
- [Steve] Friday.
- Okay.
- Oh, you're frozen like I was.
- I always enjoy that.
- [Steve] Yeah, it's a good time.