



MINUTES OF THE PROTECTION AND POLICY COMMITTEE

**MONDAY, JANUARY 6, 2020, 5:30 PM
CITY HALL, ROOM 207**

A. ROLL CALL.

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

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

B. APPROVAL OF THE AGENDA.

I. Approval of the agenda from the January 6, 2020 Protection & Policy meeting.

Moved by Ald. John VanderLeest, seconded by Ald. Craig Stevens to approve the agenda from the January 6, 2020 Protection & Policy meeting. Motion carried.

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

C. APPROVAL OF MINUTES.

I. Approval of the minutes for the December 9, 2019 Protection & Policy Meeting.

Moved by Ald. Mark Steuer, seconded by Ald. Craig Stevens to approve the minutes for the December 9, 2019 Protection & Policy Meeting. Motion carried.

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

D. REGULAR BUSINESS.

1. Consideration with possible action on a request by Braggin Bar, LLC at 219 N. Washington to extend the issuance of his "Class B" Combination license to April 30, 2020 (Granted at the August 20, 2019 Common Council meeting).

Moved by Ald. John VanderLeest, seconded by Ald. Craig Stevens to approve the request by Braggin Bar, LLC at 219 N. Washington to extend the issuance of his "Class B" Combination license to April 30, 2020. (License granted at the August 20, 2019 Common Council meeting). Motion carried.
Yes- Craig Stevens, John VanderLeest, Mark Steuer, Randy Scannell

2. Consideration with possible action on an application for a "Class A" Liquor and Class "A" Beer licensed for Nicolet Gas, Inc. at 2260 Nicolet Dr. with a licensed premises description as "single story building (gas station part) with walk in coolers. Beer cooler and liquor shelf." (Currently licensed as Nicson, Inc.).

Moved by Ald. Mark Steuer, seconded by Ald. Craig Stevens to approve an application for a "Class A" Liquor and Class "A" Beer license for Nicolet Gas, Inc. at 2260 Nicolet Dr. with a licensed premises description as "single story building (gas station part) with walk in coolers. Beer cooler and liquor shelf," with the approval of the proper authorities. (Currently licensed as Nicson, Inc.).
Motion carried. Yes- Craig Stevens, John VanderLeest, Mark Steuer, Randy Scannell

3. Consideration with possible action on an application for a "Class A" Liquor and Class "A" Beer license for Family Dollar Stores of Wisconsin, LLC at 708 Lime Kiln Rd. with a licensed premises description as "free standing building consisting of 9,571 square feet."

Moved by Ald. John VanderLeest, seconded by Ald. Craig Stevens to approve "Class A" Liquor and Class "A" Beer license for Family Dollar Stores of Wisconsin, LLC at 708 Lime Kiln Rd. with a licensed premises description as "free standing building consisting of 9,571 square feet," with the approval of the proper authorities. Motion carried.
Yes- Craig Stevens, John VanderLeest, Mark Steuer, Randy Scannell

4. Consideration with possible action on a "Class B" Combination license for White Dog, LLC at 201 S. Broadway with a licensed premises description as "bar/pub tables/dining rm/closet/behind bar in cabinets-cooler, cooler (locked outside)." (Currently licensed as White Dog Roadhouse LLC).

Moved by Ald. Craig Stevens, seconded by Ald. Mark Steuer to approve a "Class B" Combination license for White Dog, LLC at 201 S. Broadway with a licensed premises description as "bar/pub tables/dining rm/closet/behind bar in cabinets-cooler, cooler (locked outside)," with the approval of the proper authorities. (Currently licensed as White Dog Roadhouse LLC). Motion carried.
Yes- Craig Stevens, John VanderLeest, Mark Steuer, Randy Scannell

5. Consideration with possible action on an application for a "Class B" Combination license for C&P Holdings, LLC at 709 S. Broadway with a licensed premises description as "2 bar rooms, patio, storage." (Currently licensed as Rockabilly's LLC).

Moved by Ald. John VanderLeest, seconded by Ald. Craig Stevens to recommend Council waive the ordinance requirements for an outdoor licensed premises and to approve an application for a "Class B" Combination license for C&P Holdings, LLC at 709 S. Broadway with a licensed premises description as "2 bar rooms, patio, storage," with the approval of the proper authorities. (Currently licensed as Rockabilly's LLC).

Moved by Ald. Steuer, seconded by Ald. John VanderLeest to open the floor for discussion.
Yes- Craig Stevens, John VanderLeest, Mark Steuer, Randy Scannell

Moved by Ald. Mark Steuer, seconded by Ald. Craig Stevens to close the floor.
Yes- Craig Stevens, John VanderLeest, Mark Steuer, Randy Scannell

A vote was taken on the floor on the original motion. Motion carried.
Yes- Craig Stevens, John VanderLeest, Mark Steuer, Randy Scannell

6. Consideration with possible action on a resolution establishing the Special Events Fee Schedule.

Moved by Ald. John VanderLeest, seconded by Ald. Craig Stevens to approve a resolution establishing the Special Events Fee Schedule. Motion carried.
Yes- Craig Stevens, John VanderLeest, Mark Steuer, Randy Scannell

E. INFORMATIONAL.

I. The Liquor Violation Report for January 6, 2020.

Moved by Ald. John VanderLeest, seconded by Ald. Craig Stevens to receive and place on file the Liquor Violation Report for January 6, 2020. 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 5:50 p.m. Motion carried.

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

VERBATIM MINUTES

- All righty.
- Okay, hear ye, hear ye, hear ye, the Protection and Policy for January 6th, 2020, our first Protection and Policy of the new year, decade, is now in session. Let's see who's all here. Alder Stevens?
- Here.
- Alder Vander Leest?
- Here.
- Alder Steuer?
- Here.
- And Alder Scannell is also present, we're all here. I'll take a motion to approve our agenda for January 6th, 2020.
- 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. I'll take a motion to approve our minutes from our last meeting, December 9th, 2019. That was a great decade.
- So moved.
- So moved by Alder Steuer.
- Second.
- Seconded by Alder Stevens. All in favor?
- [All] Aye.
- Opposed? Our minutes is approved. Onto Regular Business.
- Are you all ready?

- Yep, yep.
- Yep, we're good.
- Okay.
- Number one, consideration with possible action on a request by Braggin Bar, LLC at 219 North Washington to extend the issuance of his Class B Combination license to April 30th, 2020, granted at the August 20th, 2019, Common Council meeting. Staff?
- Staff has no legal objections. The ordinance requires that the establishment be operational within 60 days of issuance. This was issued in, or granted in August. I believe the license, he previously asked for an extension at the October 7th P and P meeting.
- He did.
- And I don't believe he was able to attend tonight's meeting.
- No.
- He spoke with you?
- Yeah, I did speak.
- Okay.
- Yep, yep.
- So he's asking for another extension.
- This is El Presidente. And he had many difficulties evicting the tenant. And so now that has happened.
- Okay.
- And so he's ready to go forward, but it took much longer, it was a much more difficult process than he imagined. But the premises is his now, minus the sink, apparently. And he's hoping to get going soon. So I'm all in favor of extending this license.
- Motion to approve.
- Second.
- Motion to approve by Alder Vander Leest, seconded by Alder Stevens, all in favor?
- [All] Aye.

- Opposed? That passes unanimously.
- Item two.
- Number two, consideration with possible action on an application for a Class A Liquor and Class A Beer license by Nicolet Gas, Inc. at 2260 Nicolet Drive with a licensed premises description as single story building, gas station part, with walk in coolers, beer cooler, and liquor shelf. Currently licensed as Nicson, Inc. Staff?
- Law Department has no objections.
- Police concur.
- Motion to approve.
- Motion to approve by Alder Steuer.
- Second.
- Seconded by Alder Stevens. All in favor?
- [All] Aye.
- Opposed?
- That's in your district, right?
- No.
- No?
- No.
- Okay.
- Yeah...
- Probably...
- Barb Dorff's.
- Dorff's, yeah, okay.
- No problem.
- Opposed? That it passes unanimously, oh, and I should say it before I get too far, everything we do

here at committee is just a recommendation to the Council, they have the final say, which will be next Tuesday, 6:00 o'clock in the room right next door.

- The 14th.

- Mm hm.

- So, we ready for three?

- Yeah.

- Item three, consideration with possible action on an application for a Class A Liquor and Class A Beer license for Family Dollar Stores at Wisconsin, LLC at 70--

- Dollar Stores.

- Hm?

- Family Dollar Stores, you didn't say that, did you?

- I thought I did, did I read over it? Family Dollar Stores at Wisconsin, LLC at 708 Lime Kiln Road with a licensed premises description as free standing building consisting of 9,571 square feet. Staff?

- Law Department has no objections.

- Police concur.

- Motion to approve.

- Motion to approve by Alder Vander Leest.

- Second.

- Second by Alder Stevens. All in favor?

- [All] Aye.

- Opposed? That passes unanimously.

- Item four.

- Item four, consideration with possible action on a Class B Combination license for White Dog, LLC at 201 South Broadway with a licensed premises description as bar/pub, tables/dining, rmmmmmm...

- Room.

- Yes, closet, sorry, couldn't resist, behind bar in cabinets-cooler, cooler, locked outside. Currently licensed as White Dog Roadhouse, LLC. Staff?

- Law Department has no objections.

- Police concur.

- Motion to approve.

- Motion to approve.

- Motion to approve by Alder Stevens.

- Second.

- Seconded by Alder Steuer. All in favor?

- [All] Aye.

- Opposed? That passes unanimously.

- Item number five.

- Item number five, consideration with possible action on an application for a Class B Combination license for C&P Holdings, LLC at 709 South Broadway with a licensed premises description as two bar rooms, patio, storage. Currently licensed as Rockabilly's, LLC. Staff?

- We have no legal objections. Just would like to know that it's in the Broadway Moratorium area set by resolution, but they qualify for an exemption as the premise was licensed within the last 60 days. However, the applicant is looking to license an outdoor patio that currently exists, but it doesn't conform to our height requirements, so we just need a waiver of two-thirds of Council to waive the requirements. So the example motion would be to recommend that Council waive the ordinance requirements for an outdoor licensed premise and to approve.

- Police concur.

- Motion to approve.

- Motion to approve with Council waiving the license height requirement and approving the license.

- What is that right now?

- Six feet.

- Versus, I mean, what?

- They've got pictures.

- I'm not sure what it currently is.
- Yeah, right.
- Right, it's six feet.
- Okay.
- [Chris] It's probably about five feet-ish.
- You don't want to put like barbed wire on top?
- [Chris] No.
- I second it.
- Oh, okay, and who?
- Motion?
- Okay, motion by Alder Vander Leest, seconded by Alder Stevens. I do have one question. I read through the...
- Description?
- No, no, for clothing, for, what am I trying to say?
- [Chris] Security Plan?
- Yes, thank you.
- And there's no--
- Should we open the floor? Should we open the floor?
- Well, you know, I suppose I technically should, shouldn't I, all right, would you mind answering a question?
- [Chris] Not at all.
- I'll make a motion to open the floor.
- Motion to open the floor by Alder Steuer.
- Second.

- Seconded by Alder Vander Leest. All in favor?
- [All] Aye.
- Opposed? It's really a silly thing, a little thing, but I'm curious as heck.
- [Chris] Yeah, Chris Knutson, 1754 Maxwell Court, De Pere.
- Yep, thank you.
- [Chris] So, what's the question?
- You have in there, sunglasses?
- [Chris] Yeah.
- No sunglasses?
- [Chris] No, they cover your eyes. You can be stoned out of your mind, and we can't see it.
- Wow.
- [Chris] It helps us identify it.
- Okay.
- [Chris] If you're super drunk, I mean, I've seen very intoxicated people walk a straight line, but you can see it on their face, you can see it with their eyes.
- I never noticed that before, is that kind of common?
- [Chris] Yeah, it's--
- So when did you start that, or why?
- [Chris] Eight years ago? Eight years ago.
- Huh.
- Yeah.
- I wonder if other, do you know, is it pretty common in? Do you see that often, or?
- I don't know.
- Not really. It's a good thing to do, but no, we don't see it.

- Yeah, I never noticed it before, and I just thought it was very interesting.
- [Chris] Yeah, I don't think we've ever had to enforce it. We've had to enforce the pull-up-your-pants-or-get-out more than anything, but.
- So if somebody's wearing them, they have to take them off?
- [Chris] Mm hm.
- When they walk in?
- [Chris] Absolutely.
- But they came in to take a belt.
- [Chris] Right. Yeah.
- Where's that dollar jar?
- Thanks, that was my only question. I just thought it was very, very interesting.
- [Chris] Yeah, thank you.
- You bet.
- Thanks.
- Motion to close the floor.
- Second.
- Motion to close the floor by Alder Steuer, seconded by Alder Stevens. All in favor?
- [All] Aye.
- Opposed? The floor is now closed. We have a motion to approve, all in favor?
- [All] Aye.
- Opposed? Okay, that is approved.
- That depends on the two-thirds, though?
- Yeah, well that's at Council, and it will be written up in the report.
- They know that though, right?

- Yeah, yeah. I just wanted you to have to fill out some paperwork.
- [Chris] I don't mind.
- It is a good idea.
- Yeah, but you think a lot of people would be wearing sunglasses in the summer and stuff. I suppose when you come in you can just put them in your pocket I guess, why not, what the heck, it's not a big deal.
- [Chris] Do you really need to wear them indoors though?
- But you should see me in shades, I look so cool.
- That sounds handsome.
- Item six.
- Item six. Consideration with possible action on a resolution establishing the Special Events Fee Schedule. Staff.
- The Special Events Ordinance was amended and adopted by Council, and that ordinance requires that a fee schedule be adopted by resolution. And so the resolution in the packet sets forth those fees, accordingly, for direct costs that would be attributed back to the City.
- [Celestine] No.
- No?
- No.
- [Celestine] Just for application fees.
- Oh, it's just application fees.
- [Celestine] Yes.
- I see.
- [Celestine] Direct costs would be billed separately.
- Got it, okay.
- So to apply the application fees?
- [Celestine] Yes.

- Did, I've got one quick question.

- Sure.

- Whenever you're done.

- Yep, yep.

- I was going to ask you about the policy on the number of officers that have to be present on some of the events, did they kind of iron that out?

- Yes.

- Yeah.

- [Celestine] And so, what happened was, in the ordinance, it basically said that the event organizer and the police department, the special events coordinator, who is Jered Vogeltanz, part of his job is to do the special events, will come to an understanding about the appropriate number of officers for the event. So essentially it's a conversation. There isn't a hard and fast rule.

- Okay, 'cause some of the things that did come up on our last committee meeting, they said if they had to have 13 officers on, that they wouldn't make enough money to sustain the event.

- [Celestine] That is completely--

- I can understand it where you got 5,000 runners, where you're gonna need enough police presence to take care of traffic and all that, I understand that part where you've got a large event like the Bellin Run and different things like that. So those fees aren't gonna increase for those activities, right, where you have large participation?

- [Celestine] So, for an event like the Cellcom Marathon, or for the 4th of July as it is currently conceived, which is essentially an all day event, there are a number of officers that are deployed to those events, and the event organizer agrees with that number, for instance, for the Cellcom, and also for the 4th of July event as it is currently conceived. But for like Farmers Market, the Artstreet, Fridays on the Fox, we're going forward with what we currently have. The change though comes to, another issue that had come up last year was off-duty, in uniform, versus on-duty in uniform.

- [Siri] I didn't get that.

- Sorry.

- Siri, repeat that there phone.

- Siri.

- [Celestine] So, oh, Siri, sorry.

- Yeah yeah yeah yeah yeah.

- [Celestine] Operating system. So that's something that the police department has also ironed out.

- That's good, that was my only question. I think that it sounds like you did a nice job of making it work.

- [Celestine] Yes.

- For the event, the people that are gonna have the event. We didn't want to discourage the events.

- [Celestine] Not at all.

- Because it's helpful for the city.

- Yeah.

- So it would have been a broad brush, Celestine, there has been some adjustment a little bit with prices on some things, but it's pretty good.

- [Celestine] In terms of services.

- Services.

- [Celestine] But the biggest adjustment that you're approving, hopefully tonight, is this is an increase in our fee schedule. Our fee schedule, this fee schedule is also indexed to how much work goes into planning an event, so for instance if you have a different, I have a chart, you have words, but essentially, if you are a new event, it takes staff members quite some time to help plan that. So we have a first time event fee. We have a non-resident fee, because of course residents pay taxes, right, for our services, for our salaries, et cetera, but non-residents do not, so we charge a little bit higher. So that's where the adjustments come, but in terms of what Mr. Vander Leest was talking about, Mr. Steuer, is that the police department, and it really was the police department that had the most consternation with event organizers regarding the level of staffing, but we've all come to an understanding about that.

- Just one other quick question, Celestine. Is there a way, as far as monies that come in over the years, has there been a handle as far as what comes into the city by this, and then maybe what this might project to be, even with the new events, because you have to spend staff time and that kind of washes out a little bit I suppose. But is there a way to put a handle on that, like what we might be looking at?

- [Celestine] So, in terms of the economic benefit to the city overall, that number is hard to arrive at.

- Okay, depends on who comes in.

- [Celestine] Right, unfortunately we can't, the Development Department has talked a little bit about

that, On Broadway has talked a little bit about that, trying to actually calculate those numbers, those numbers are hard to come by. When it comes to our application fees, in the past we've collected about \$5,000.00 every year. That does not come close to actually covering the administrative costs for managing the events. And so this fee schedule, with the current events that we have, will actually cover the costs, the administrative costs for these events. So unfortunately we don't have a great handle on it.

- No, I understand, I just thought there might be something out there that you can compare, especially over time, but that helps, thank you.

- [Celestine] Yes, well thank you.

- Thank you very much for the information, and we're all up to, all up to, motion to approve.

- Well I have a question.

- Go ahead.

- Okay. Now I'm gonna forget. If they need a refund, there's a process for that? If there's a huge hurricane, and you know.

- [Celestine] Sure, a hurricane would be really odd.

- They can come up the Gulf, I've been told, right up the Mississippi to the Wisconsin-Fox.

- So but certainly--

- Climate change.

- [Celestine] We had, so the Pride Festival had a terrible rain event in 2019, which caused them to postpone the event. So what we, so let's just talk about something like the picnic license, which is only \$10.00, right, but if we have an event cancellation or event postponement, the clerks office works with an event organizer so they don't have to pay an additional fee for an additional picnic license, unused, right? We are encouraging our events to pick a rain date, up front, and there is currently, on the current application, there is a rain date, but we are really encouraging events, with our new application which is a fillable form online, to put a rain date in. Obviously we want events to go forward, we want maybe to understand, weather events, et cetera, but that's why we have a special event coordinator, quite frankly, to really help with that. So hopefully that answers your question.

- Yeah.

- Will there be a challenge, of course we have a shorter season per se, the warm weather and that, so even if you put that additional date in there, there's other events as well that are competing against each other, et cetera, so is that the roll of the dice?

- [Celestine] It's first come, first serve.

- Yeah.

- [Celestine] So if I reserve the CityDeck for June 1st, and I choose my rain date as June 20th, but I'm the first one in, right? Then we're gonna reserve CityDeck for June 20th for that rain date, and then there's another event that wants to come in on June 20th, well, we're gonna say, hey, we've got a rain date for June 20th, maybe you should choose another timeframe or another date.

- But let's say if nobody uses it for June 20th, if it's a rain date, can you, hopefully if that other event goes on, then that other group can do it? But they might not have enough time to prepare that?

- [Celestine] We are really looking for a 60 day application window.

- 60 day?

- [Celestine] Yeah, so that we can make sure we get everything together.

- Okay.

- [Celestine] But our intention is to work with organizers so that their events go off, so that they have enough resources, so that if there's something that happens that we can find another date for them to do their event.

- How is Jered liking the job?

- [Celestine] As a special events coordinator? It's a lot of work.

- That's good.

- Well there you go.

- [Celestine] I think he is really rising to the challenge. And I think he's really becoming very--

- Yeah, he's helped me out on some items, so I think he's doing a good job.

- [Celestine] Yes, I would agree. He's doing a great job, special events is a big bear, yes.

- It's special.

- It's very special.

- And eventful.

- Yeah.

- Yes, it is.

- And I want to know when they decide for police, if they decide on two and a half officers.
- [Celestine] Well you can be the half.
- Yeah, you could be.
- Okay, enough.
- I know.
- Second.
- Is there a motion?
- I made it.
- A motion by Alder Vander Leest to approve, seconded by Alder Stevens, all in favor?
- [All] Aye.
- Opposed? Passes unanimously.
- [Celestine] Thank you.
- All right, Informational.
- Onto the Informational, Liquor Violation Report for January 6th, 2020.
- During this timeframe we had two incidents at the The Getaway Bar. The property owner received referrals. It's now being more closely monitored by the community police and the officers in that area. They seem to be having some issues that hopefully they will address.
- They're not gettin' away with it?
- Correct.
- At the Getaway Bar. It's not named right.
- I'm not looking at you.
- Well, thank you. Any questions or? Thank you, that's it.
- That's it.
- That's it.
- Motion to receive and place on file.

- Motion to receive and place on file by Alder Vander Leest.
- Second.
- Second by Alder Stevens, all in favor?
- [All] Aye.
- Opposed? That's received and placed on file.
- Motion to adjourn.
- Motion to adjourn by Alder Steuer.
- Motion to adjourn.
- Seconded by Alder Vander Leest. All in favor?
- [All] Aye.
- Opposed? We are adjourned. Well done, one and all, thank you.
- [Celestine] Short and sweet.