



MINUTES OF THE PROTECTION AND POLICY COMMITTEE

**MONDAY, FEBRUARY 24, 2020, 5:30 PM
CITY HALL, ROOM 207**

A. ROLL CALL.

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

Also Present: Lt. Steve Mahoney, Assistant City Attorney Lindsay Mather, Humane Officer Mallory Meves, Ald. Chris Wery, Water Utility General Manager Nancy Quirk

B. APPROVAL OF THE AGENDA.

Moved by Ald. John VanderLeest, seconded by Ald. Craig Stevens to approve. Motion carried.
Yes- Craig Stevens, John VanderLeest, Mark Steuer, Randy Scannell, No- None, Abstain- None

C. APPROVAL OF MINUTES.

I. Approval of the minutes from the February 10, 2020 Protection & Policy Committee meeting.

Moved by Ald. Craig Stevens, seconded by Ald. Mark Steuer 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 Antonio Soto for Taqueria El Local at 1615 University Ave. to remove basement and add storage room to his license premise description on the Class "B" Beer License.

Moved by Ald. Mark Steuer, seconded by Ald. Craig Stevens to approve a request by Antonio Soto for Taqueria El Local at 1615 University Ave. to remove basement and add storage room to his license premise description on the Class "B" Beer License. Motion carried.
Yes- Craig Stevens, John VanderLeest, Mark Steuer, Randy Scannell

2. Consideration with possible action on an application for a Class "A" Beer license for Antonio Soto at 1615 University Ave. with a licensed premises description as "beer sold in grocery store, stored in beverage/beer fridge extra beer in upper storage on main level," previously held at the January 27, 2020 Protection & Policy Committee meeting.

Moved by Ald. Craig Stevens, seconded by Ald. Mark Steuer to approve an application for a Class "A" Beer license for Antonio Soto at 1615 University Ave. with a licensed premises description as "beer sold in grocery store, stored in beverage/beer fridge extra beer in upper storage on main level," with the approval of the proper authorities. Motion carried.
Yes- Craig Stevens, John VanderLeest, Mark Steuer, Randy Scannell

3. Consideration with possible action on an appeal by Cheryl Sarenich regarding the denial of her operator's license.

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

Moved by Ald. Craig Stevens, seconded by Ald. John VanderLeest to approve an appeal by Cheryl Sarenich regarding the denial of her operator's license. Motion carried.
Yes- Craig Stevens, John VanderLeest, Mark Steuer, Randy Scannell

4. Consideration with possible action on an appeal by Rob St. Aubin at 1165 Ninth St. regarding the denial of his exotic animal permit.

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

Moved by Ald. Craig Stevens, seconded by Ald. John VanderLeest to approve an appeal by Rob St.

Aubin at 1165 Ninth St. regarding the denial of his exotic animal permit. Motion carried.
Yes- Craig Stevens, John VanderLeest, Mark Steuer, Randy Scannell

5. Consideration with possible action on the review of bike pub route in the city to change from specific routes to route districts.

Moved by Ald. Mark Steuer, seconded by Ald. Craig Stevens to refer to the Police Department a request by Ald. Scannell to review the bike pub route in the city to change from specific routes to route districts and report at the first Committee meeting in April. Motion carried.
Yes- Craig Stevens, John VanderLeest, Mark Steuer, Randy Scannell

6. Consideration with possible action on General Ordinance 5-20, an ordinance to amend Section 21.11(8), GBMC, relating to Financing of Lead Water Service Line Replacement.

Moved by Ald. John VanderLeest, seconded by Ald. Craig Stevens to approve General Ordinance 5-20, an ordinance to amend Section 21.11(8), GBMC, relating to Financing of Lead Water Service Line Replacement. Motion carried.
Yes- Craig Stevens, John VanderLeest, Mark Steuer, Randy Scannell

E. INFORMATIONAL.

I. Liquor Violation Report from the Police Department for February 24, 2020.

Moved by Ald. Craig Stevens, seconded by Ald. John VanderLeest to receive and place on file the liquor violation report from the Police Department for February 24, 2020. Motion carried.
Yes- Craig Stevens, John VanderLeest, Mark Steuer, Randy Scannell

F. ADJOURNMENT.

Moved by Ald. Mark Steuer, seconded by Ald. Craig Stevens to adjourn at 6:24 p.m. Motion carried.
Yes- Craig Stevens, John VanderLeest, Mark Steuer, Randy Scannell

VERBATIM MINUTES

- The Protection and Policy Committee for February 24th, 2020 is ready to rock'n'roll. We are in session, let's do our roll call. Alder Steuer?

- Here.

- Alder Stevens?

- Here.

- Alder Vander Leest?

- Here.

- And Alder Scannell is present. All are accounted for.

- Sorry.

- Sounds serious.

- That's okay, take your time, don't worry. No pressure. It's her first time doing this.

- Oh really? You're doing fine.

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

- Motion to approve.

- Second.

- Motion to approve by Alder Vander Leest. Seconded by Alder Stevens, all in favor?

- [All] Aye.

- Opposed? We have an agenda for tonight. I'll take a motion to approve our minutes from the February 10th--

- Sorry.

- Whoa, hold on.

- Oh, oh, sorry.

- Just one second, so sorry.

- Oh oh, sorry yep yep, sorry.

- Way too fast for me.

- Yep yep, I'll slow it down.

- So Alder Vander Leest, seconded by Alder Stevens?

- Yes.

- And, okay. Okay.

- Now I'll take a motion to approve our minutes.

- Motion to approve.

- Second.

- Motion by Alder Stevens.

- Second.

- Seconded by Alder Steuer. All in favor?

- [All] Aye.

- Opposed? Okay, our minutes are approved. And I'm assuming that includes the seconds.

- Absolutely.

- Shoot, okay, I did it wrong, but we're good.

- You did it wrong but we're good, okay, well.

- I can fix it.

- Onto regular business. Item one, consideration with possible action on a request by Antonio Soto for Taqueria El Local at 1615 University Avenue to remove basement and add storage room to his license premise description on the Class B Beer License. Staff?

- So this is the one that we had previously heard at the January 27th P and P meeting. There was an issue because the storage would have been in the basement of the grocery store and they would have had to cross the licensed premise to get to the Class B establishment. My understanding is that they have now created a storage space for the restaurant so they're asking to remove the basement from the licensed premise for the restaurant liquor license and add the storage room. That's the first item, and then the second item, just to get it out all at once, because they will no longer be storing things for the restaurant in the basement of their grocery store, then that can all be one licensed premise. And staff doesn't have any objection to either.

- Police concur to bother as well.

- Good picture.

- Well, that's good news.

- Picture seems like everything's in order. Good work.

- I'd make a motion to approve.

- Motion to approve by Alder Steuer.

- Second.

- Seconded by Alder Stevens.

- Are we approving one and two?

- No, this is just one, there was two parts.

- But she talked about two.

- Sorry.

- Yeah, right, but not item two. Just the second part of the condition of this one.

- It's in his district.

- Yep.

- No, I think it's, but--

- So where are we at?

- We're at a motion to approve by Alder Steuer, seconded by Alder Stevens, all in favor?

- [All] Aye.

- Opposed? Okay, before we go any further, I should say everything we do here at committee is just a recommendation to council. Council meets March 4th?

- It's the first Tuesday, the 3rd?

- First Tuesday of March.

- 3rd.

- Yeah, March 3rd.

- March 3rd.

- March 3rd.

- 6:00 o'clock.

- Don't come March 4th, March 3rd, at 6:00 in the room right next door. So, but there shouldn't be any, you should be fine. Okay, thank you.

- [Woman] Thanks.

- You're welcome.

- Onto number two, consideration with possible action on an application for a Class A Beer license for Antonio Soto, oh, it was the second one then that you spoke of?

- Yes.

- Okay, okay. At 1615 University Avenue with a licensed premises description as beer sold in grocery store, stored in beverage, beer fridge, extra beer in upper storage on main level, previously held at the January 27th, 2020 Protection and Policy Committee meeting.

- Motion to approve.

- Staff has no objections.

- Police concur.

- Yep.

- Second.

- Motion by Alder Stevens, seconded by Alder Steuer. We're gonna flip.

- Not personally.

- Okay, all in favor?

- [All] Aye.

- Opposed? Okay, that passes unanimously.

- Okay.

- Consideration with possible action on an appeal by Cheryl Sarenich regarding the denial of her operator's license.

- I really should bring reader's.

- Here.

- It should be a big print like ours.

- Yeah, ooh, those are good.

- I've got big print here.

- Now I don't have them.

- Oh yeah, there you go. Staff?

- No, that's okay.

- So staff's recommending denial of this appeal as the appellant is a convicted felon and a habitual law offender for offenses that substantially relate to the licensed activity and you have the arrest and conviction record and memo in front of you.

- Okay.

- Police concur.

- Look at the boxes in the middle, 'cause--

- Yep yep.

- Motion to open the floor.

- Motion to open the floor by Alder Stevens.

- Second.

- Seconded by Alder Vander Leest. All in favor?

- [All] Aye.

- Opposed? Okay, the floor is now open. Would you care to come forward, yep. And then for the record, state your name and address.

- [Cheryl] Cheryl Sarenich of 1114 .

- Okay, and?

- [Cheryl] Well I brought a copy of my discharge certificate from probation and I haven't gotten any new charges in over 10 years.

- Okay, could we? Yep yep yep, and here, you might want to look at this. Any questions, or?

- Well, I just wanted--

- Where's your current place of employment, ma'am?

- [Cheryl] I am at and v3.

- Okay. Did you bring any letters of recommendation from your employers?

- I did not bring one from my employer. I reached out to my previous probation officer. I emailed and asked her if she could write a letter of recommendation, she stated to me that she would have to clear it with her supervisor, and I haven't heard anything back. I do have that email if you would like to see that she didn't completely deny it because I'm a horrible person.

- No one thinks that.

- That's all I have for questions.

- Any other questions?

- I don't.

- And you do realize that it's state law that makes any felon, staff automatically kicks it to the committee to interpret the law, which does leave some wiggle room, as you noted in your letter.

- [Cheryl] Yeah, I do have my bartending license for Howard and Grand Chute.

- And how long have you had those?

- [Cheryl] Grand Chute, probably six months and Howard probably four months.

- Could you repeat again where you, I didn't hear it, where you work right now?

- [Cheryl] v3 and Gipper's.

- And where?

- [Cheryl] Gipper's.

- Oh Gipper's, okay.

- [Cheryl] Good from there.

- Okay.

- Anything else you care to add?

- [Cheryl] I don't think so.

- How long have you been working at Gipper's?

- [Cheryl] Huh?

- How long have you been working at Gipper's?

- I just started today.

- Okay.

- Yeah.

- Okay, 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.

- Floor is closed, gentlemen?

- I notice 2008 was the felony, so we're talking 12 years. So that bodes well for me a little bit more, 12 years. I'm pretty comfortable with that. It would be nice to have some letters, but again, you know that always helps.

- Anything else?

- I'd say I'd like to give her another chance to get her license so she can be employed more.

- And she's already got liquor license from two other municipalities, so I think we could take the plunge.
- Well I'll make a motion to approve.
- Motion to approve by Alder Stevens.
- I'll second.
- Seconded by Alder Steuer. Any further discussion?
- No.
- Okay, all in favor?
- [All] Aye.
- Opposed? Okay, that passes unanimously. It will become official once it goes through council next week, or on March 3rd.
- [Cheryl] Okay, do I need to stay for the rest of the meeting?
- If you want, but, we're here. You are free to go.
- [Cheryl] Thank you.

- Does she want this paper back?

- Oh, did you need the?

- Yeah.

- [Cheryl] Sure.

- You need that.

- Thanks.

- [Cheryl] Thank you, guys.

- Certainly.

- All right.

- Can you read?

- I think so, well, it won't hurt, thank you. Number four, consideration with possible action on an appeal by Rob St. Aubin at 1165 North Street regarding the denial of his exotic animal permit. Staff? You're gonna go right to Officer Meves?

- [Mallory] Good evening.

- How are you?

- Good evening.

- [Mallory] Good, and yourself?

- Good to see you.

- Good.

- [Mallory] Good. So I had received a complaint which is routed from City Inspections to myself on January 13th with regard to the resident possibly raising rabbits and birds in the garage and that there was a concern of dumping waste byproducts out the window and running it off into the neighboring yard. Looking at priors at the address, which was 1165 Ninth Street, there was probably about 19 or 20 calls to that address in about a 10 year time span, and a lot of them appeared to be inspection complaints, neighborhood complaints, and that sort of thing. I did go over to the address and I observed a detached garage which housed approximately 20 quail and two ducks. I did meet with the resident, Robert St. Aubin, made contact with him and inspected the garage unit where he has his setup, and I told him, I said, to get into compliance you have to apply for a permit. He did immediately submit a permit application. When I went in there was a concern that I had, he has a pond inside the garage unit, and I was not sure if that would be something that inspection would be okay with, so I called Brenda Seidl over, she's one of the inspectors for that area, to just come over and take a look at it to ensure that there wasn't any code violations or anything that could be a liability if someone were to go in there and drown. She had no issues with it, there was no electrical concerns. There was a slight odor but that's pretty common with birds. I sent out neighborhood letters. I don't know if you guys need to know where those neighborhood letters went?

- I think we've got--

- Well, some, but it would be nice to know the numbers.

- [Mallory] Right, I did indicate in there, quite a few of them did come back and the concerns were obviously over an odor, the noise, the runoff, someone did send photographs of the runoff into one of the neighboring properties, which they reported was deteriorating their landscape. And so I felt, based on the number of objections that came back, I didn't feel comfortable in approving of it, and I thought that it would be best addressed by the alderperson and city council. And I obviously let Robert know that I would have to deny the

permit, and he could appeal it before city council to make that decision, just so that there isn't future fallout from this sort of application.

- Okay.

- Should I say something?

- Well, we'll get there, when we. Anything for Officer Meves?

- No.

- When was the last time you were over there, recently? Because it sounds like some improvements have been made?

- [Mallory] The last time that I was over there would've been the 15th, so I went over there the 13th and then I went over there the 15th, just to follow up with inspections, and at that time everything was okay, because there was no filtration device and electrical.

- So it's just the neighbors, basically, is the big concern?

- [Mallory] It seems that there is a very lengthy chronic history between some of the neighboring properties, and it seems that they're either notifying police or inspections and it is quite lengthy, a lengthy, lengthy history from what I've observed.

- Mm hm, okay, that's good to know.

- I'm good.

- Thank you.
- [Mallory] Okay, thank you.
- We could open the floor?
- Motion to open the floor.
- Motion to open the floor by Alder Stevens.
- Second
- Second by Alder Vander Leest. All in favor?
- [All] Aye.
- Opposed? The floor is now open.
- Do I need to say something ahead of time or wait til we?
- No, we'll have time to speak, let's get all the--
- All right, that's fine.
- [Robert] Do I show you the pictures now?

- Certainly, and, did you, well, first, state your name and address.

- [Robert] Rob St. Aubin, 1165 Ninth Street, Green Bay.

- Okay, and if you haven't filled out one of the forms--

- [Robert] I did.

- Okay, then we're good, super.

- [Robert] These are all the corrections that I made to the property. That's also addressing the noise complaint. And this is my sister who was diagnosed with breast cancer.

- I have no doubt of that, since you're not making that up.

- Thank you.

- [Robert] And this is just a little writeup that I did.

- How large is a quail's egg?

- It's not big.

- [Robert] The size of a robin egg.

- How big is a robin?

- [Robert] So it takes five of them to equal a chicken egg.

- Here, you look at that set.

- We should just start, we can down this way.

- Yeah.

- That makes sense.

- [Robert] And those are pictures of the new runoff . Which goes to my garden and the middle of my back yard.

- And inspection has been, this is what they've approved, so you're good with inspection, okay.

- [Mark] So Brenda Seidl did see that?

- [Robert] Mm hm, yep, I showed her the new way I was gonna put it.

- I was actually on the site.

- Okay, and you'll have to just disclose that information. So it's public.

- I was gonna do it earlier, if you don't mind.

- Yeah, you do it first. But let's wait 'til these people finish, when we're...

- All right.

- [Robert] Everything is drained to the west of the garage. The issue was I was draining it out the window, which was the east side of my garage, and there was a span between five feet by 15 feet of length, and that's what was running off into the property, which his type of fence, I couldn't see what was going in there. I wasn't purposefully dumping on his property. I had the hose on mine and it just ran off, and that's been corrected, I don't use that window anymore.

- So you mentioned, Rob, that it's draining to the west, right now?

- [Robert] Yes, it does now.

- 'Cause I'm just thinking west, that's very close to the lot line, correct?

- [Robert] It's in the middle of my back yard, 14 feet from the lot line.

- Would that be the east, wouldn't that be to the east?

- [Robert] East, you're right, I'm sorry.

- Okay, I was just thinking.

- [Robert] Yep, I'm sorry.

- Yeah, okay, I'm good with that.

- How long have you been doing this?

- [Robert] Just shy of two years.

- Two years, okay.

- [Robert] I looked back on my records and I bought them in '18.

- So was there, obviously there's been a little bit of discord between the neighbors and yourself on this, has this been going on for the two years, or has it been just fairly recent, what's the timeframe?

- [Robert] In the three years I knew that guy, I talked to him three times in 12 years.

- Okay.

- [Robert] Otherwise, I'm used to growing up, if you have a problem, you come to me, I fix the problem. But I never talked to him.

- This is the yard that the damage was being done underneath the fence and now that's being addressed?

- [Robert] There was a little residue from the duck poop into the ground.

- Yeah, we saw that, okay. I might have some questions later, but right now I'm good.

- Any questions for, that's public? Okay, recently have you heard anything from your neighbors, have you reached out to them at all?

- [Robert] Every time I go out there he's always gone.

- Okay, any of the other neighbors?

- [Robert] I don't really talk to anybody. We're all kind of to ourselves.

- Well, I have no further questions. If you have anything else you care to add?

- [Robert] No, just my family would like to say a couple of things.

- Sure, certainly. Please state your name and address.

- [Noah] Noah, I 165 Ninth Street. I collect the eggs everyday and help with my father.

- Okay, how long does it take you to collect the eggs?

- [Noah] Five minutes.

- Oh, you're pretty efficient.

- [Maria] I am Rob's wife, Maria, I 165 Ninth Street, and it's really neat, I get a kick out of my three year old, likes to go out and collect the eggs, and it kind of reminds me like she's on an Easter egg hunt and trying to find all of them, but it kind of gives you the sense that we live like on a miniature little farm and their little chores that they enjoy helping. There's a special cutter to cut open the eggs, they enjoy helping with that, and so that's been kind of a neat little thing for us. I never hear the noise at all when we're in the house, only when

we're outside and it's more of a pleasant noise than loud. And my husband, he's always in there, cleaning it on a regular basis. So I don't think there's a concern as far as that goes.

- Okay, thank you.

- [Elizabeth] My name is Elizabeth, and I like collecting the eggs and my mom cooks them.

- Do you eat 'em too? Are they tasty? Okay.

- What color are the eggs?

- [Elizabeth] White.

- Okay. We're getting educated here today on this.

- Yeah yeah yeah. Thank you.

- [Robert] Thank you.

- I'll motion to close the floor.

- Motion to close the floor by Alder Steuer, oh?

- Just, before you close it, if you could make your disclosures in case either of the parties want to respond.

- Oh, to respond, okay, that's a good idea, before we go. Okay.

- Okay, well, I'm gonna make a disclosure. I was invited by the alder in the district, Mr. Wery, to come down to the St. Aubin house, and I did do that. I think that's because we're quasi-judicial there was some concern that I might have a preconceived notion as far as how I was gonna vote. I would like to say for the record that I have no preconceived notion that way. I'm here to listen to testimony from both sides. And if that's okay, I'd like to continue.

- Okay.

- I also toured the property, and it seemed like it was very clean, very orderly, inside and out. And I think a lot of improvements have been made from the early pictures to the now pictures, so I think it's a very--

- Alder Vander Leest?

- Yes.

- So, rather than reporting on what the conditions were, what you saw there, the main thing that we need to make sure of is that you can still be objective and listening to both sides.

- Yes, I can, I can be objective on both sides.

- And only consider what was discussed here tonight.

- Yep, I understand what the inspection department, Officer Meves, what she mentioned, and it sounds like, she gave us some input information as far as how things are progressing, so I understand, just what you're talking about.

- Okay.

- Thank you.

- My conversation--

- Oh no, you didn't have one really.

- A short one, yes

- A short one, yes, yes, but not really. But I did have a conversation, I will disclose, I did have a conversation, but I didn't go to the property, but I did give them a little advice as to how to proceed here, what we'd be looking for, I thought that was appropriate. I did not get into any of the issue per se. So I feel completely free to make a decision. And the, it'd be great to hear from the alder from the district.

- Should we close the floor first?

- Motion to close the floor.

- In case someone else wants to speak, I think we pretty much have to keep it open. He could speak any time.

- [Chris] Long time no see.

- Yeah. ha ha, a little beard there.

- [Chris] Yeah, I know. I went to the property, it was in my district, so of course I'm gonna go to the property. And I always have an open mind, so there. I think the issues you saw, that we saw in the email, the complaints, one sounds like it was resolved with the water spillage, I don't think he even knew it was affecting the neighbor from what it sounds like. And if you take out the neighborhood letters, it sounds from what I'm hearing is the animal control officer and inspections have no issue with what was happening there. And two of those letters really are from the neighbors along the sides who, having been the alderman for quite a long time, putting it nicely, are very nitpicky, so they'll call in and write in on anything. So take that for what it's worth. The other letters, if you read them, one especially says, it says, if they didn't even know they were there for two years, they said, well this would create, so if I think if they went back and told them, well, it's been there for two years, their letter says, well this would create. Well guess what, it's been there two years, I'd be like, oh, okay,

I didn't even know it. And I think that's what you'd find with the others. So I have no problem with it, knowing the lay of the land and what they've done to correct it.

- You're not concerned about the neighbors at all?

- [Chris] No, zero.

- Okay, good, that helps a lot.

- [Chris] All right, thanks.

- Well, I dunno if--

- Now a motion to close, is there anyone else with anything to say?

- Motion to close the floor.

- Motion to close the floor by Alder Steuer.

- Second.

- Second.

- Second by Alder Vander Leest. All in favor?

- [All] Aye.

- Opposed? Okay, the floor is now closed. Gentlemen?

- Well, like I did disclose, I was at the property. I think what helps me is the fact that the inspection department said there was no big issue. I think it's very important that we get input from the city staff and from Officer Meves as well. Granted, it's a unique situation. I think the fact that you're doing these eggs also for your sister and there's other factors involved, so it's a human interest story to say the least, but we have to look at the safety and such of the community and what's right and that. But with that being said, the fact that I was there, I still feel that because of the inspection department and Officer Meves and with the alder, what they were saying, I have no problem with this.

- I agree.

- You concur?

- If that's his motion, I'll second it.

- I'll make the motion.

- I'll second it.

- To approve the permit?

- Yeah.

- Yes.

- And second, oh, a motion by Alder Steuer, second by Alder Vander Leest. Anything you care to add? Okay, yeah, for me it comes down to two things. It comes down to staff and it sounds like you've corrected

everything, staff has written it off. And then it's the neighborhood. And on the phone I mentioned to you about it, a constituent of mine who had an issue, but he had wide community support as well as staff okaying it. But if the alder says it's good to go, I'm willing to go by that. I believe the new conditions have been to the point where neighbors are certainly not contacting the alder or anyone. So as far as we know we haven't heard any more from neighborhood complaints recently, so it looks like you're good to go.

- Are you gonna vote?

- All in favor?

- [All] Aye.

- Opposed? Okay, that passes unanimously. It becomes official when it goes through council on March 3rd, 6:00 o'clock in the room next door.

- [Robert] Do we have to be here for the next one?

- You don't have to be, it's possible someone could pull it and object, especially if between now and then maybe a neighbor will pop up and say, hey, so it may not hurt to be there, just in case and be prepared. But in all probability it'll just go right through.

- [Robert] Okay.

- I just want to make one comment?

- Certainly.

- I think that going forward, if you just pay real close attention to the, as far as have a good clean operation and you won't hear from anybody, and it will just be for your benefit to keep everything just right on target, that would be my suggestion.

- [Robert] Yeah.

- Yeah, thank you.

- All right, we voted, correct?

- Yes.

- Yes we did.

- And we're all set to go? All right, onto our next item, number five. Consideration with possible action on the review of bike pub route in the city to change from specific routes to route districts. That's me. That's why you're here.

- Well, he had nothing else going.

- [Dave] Yeah, I love to work.

- Yeah, staff?

- I'm actually going to defer to the police.

- Okay, well that, yep yep. But before perhaps, I should just, I put in this communication and I heard, we have a bike pub in town, and the owner, the operator of it mentioned how he's concerned in that the routes are very specific and that if there is roadwork or if there is something and they have to deviate, he's concerned about being ticketed or fined. He'd like it if there was some language or some flexibility in the rules to allow him to deviate from the path if roadwork, train, some kind of obstruction or other, that would allow him some flexibility as long as he's roughly in the right area, shall we say? Following the path as best as is possible. So

that's what's bringing this forward, is his concern about not being able to follow the path strictly and that has happened in the past, and so he's concerned about ramifications of that if he's called out on it. So, is that a concern? Is there a way we can address that if it is?

- From a police perspective, yes, it would be a concern, because what would define that would allow him to deviate? If it's because the people on the trolley or the bike just want to go over because they know somebody that lives in that neighborhood. So I get if there's road construction, but if it's like, hey, we want to swing by this person's house that's a block or two off the path, but it's in now a residential neighborhood, you would have the pedal bar going through the neighborhood. Then if you create the district, is it gonna be a citywide district throughout the district, where they can go?

- No, nothing that big, it would have to be fairly well defined, just--

- But that'd just be one district, or multiple districts?

- I think we would look at the path now, and just add some flexibility to what's there, not add to it or extend it or.

- In like I said, I guess our police concern is it gives them the flexibility, what will define their flexibility? If he says, well that road's too rough, I don't like it, so I'm gonna go a block or two off the path because he or she deems they don't want to do it, or do there have to be certain guidelines where the road needs to be shut down, or there has to be certain guidelines to allow it. That would be our concern. Just to create a district where he now has the option of choosing where he would like to go, and it could be a place that the neighborhood or people don't want him to go, but he just wants to because it might save wear and tear on the pedal bike or the pedal trolley.

- Yeah, unfortunately I couldn't get ahold of him in time. It would've been good if he could've been here, but oh well. We'll proceed anyway. Is there anything, yep?

- [Dave] I was just really here to get a little more information and learn about it. But I'd probably just add a couple of things. I guess the first thing that I would be concerned about is the acceleration rates of these public cycles are variable, can be very slow. I guess the one concern I would have is if you just have one coming out at some random intersection onto, let's say, an arterial that's a divided roadway, and the acceleration rates kind of creates that issue with gap acceptance to determine the proper gap to get into traffic. I could see that potentially being a problem. Another thing would be probably quality of life, and this is really not an engineering thing, but I'm kind of taking my perspective of I do get phone calls on random things sometimes that really aren't engineering, but I could possibly see that these things end up in neighborhoods, on

neighborhood streets, that you've really kinda got roving bars that are going around. And I kind of look at it sometimes, my day is a successful day when the least amount of complaints come in, and something like this I could easily see as coming to our office and having us as staff trying to explain this one out. And I don't really know if there's a real good logical explanation for that. I think that also, their concern about work zones, I think is probably a legitimate one. However, I think that a lot of those are kind of limited. I guess probably with the exception of maybe if there is a private utility contractor, they may have a lane closure here or there. But for the most part, we know where a lot of the work zones are going to be taking place. So rather than probably districting, as in creating a cordon and any street is game, perhaps you just designate multiple routes, multiple, rather than just, here is one route and that's all they're sticking to, maybe you have options of where you say, all right, you're on this route and there may be obstructions, I'm creating a quote unquote detour of that. It's real similar to kind of how we deal with incident management, like if the Frigo Bridge goes down and there's detour routes throughout the city. I would actually see this probably being more simple than that, but an overall district kind of seems very generic to me and I think could actually could probably cause more problems than enhance.

- And that may actually have been my worry and that was not as precise as what the problem that he brought up, and that's probably on me.

- Do you have a specific area? Like a map, something that--

- I don't have, but the city has one of what's allowed. We did map out a route.

- But it was just routes, it wasn't a whole, it wasn't a big district was it?

- No, no, it was--

- I didn't think so.

- But it was a particular area. It's not beyond, it's not to cover the whole city.

- I've got a quick question.

- Yep.

- Is this pretty much generally the Broadway District that they're using this, the trolley? I see them go by by Kegler's and different bars they stop at, is this--

- They go down Main Street.

- They go down Main too then?

- Yep yep, and I'm not sure about Washington.

- So they cross the bridge and they're brave?

- [Steve] It is my understanding they go down Broadway, cross the bridge and either go up Washington or, they're kind of in the entertainment district.

- Basically the bar district?

- Yeah yeah.

- [Steve] Yes, and then they cross back over. That's their circle or their path.

- Yeah, and actually he's never had any trouble on the bridge he's told me. You would think, but.

- I think that, from my perspective, from what you're mentioning, that it sounds like they're staying within the bar quarter, and if they're not gonna be driving down, you know, East Mason down to the high school or?

- Yeah, I did one down in Milwaukee and whoever's pedaling that, yeah, if they have to pedal that far, 'cause you're pedaling, there's no gears to shift, it's one speed and any little incline, yeah, you're pedaling like mad just to get over this.

- No, he does have a motorized, so he can help you.

- Yeah, all of them do have that, but very rarely--

- Oh, they don't use that?

- And I agree, they probably will stay in the bar district, it's just all of sudden if that road is closed, or on the west side if they want to go to like Maple, which is a couple of streets off, but the person, it's their bachelor party and they live on Maple Street, and they're like, hey, I want to go by my house, well all of a sudden they're taking the pedal tavern, and they're deciding where to go and when to go. So I do agree with Dave that if there are set detour routes, like okay, if this one is blocked, you're allowed to use this street or this street to get around it.

- And I think that's kinda just all he's looking forward to, is just, he's had some issues where he's had to detour, and that made him very nervous. He likes to be, you know, he likes to follow the law. He was very, he didn't get the bike until after we had passed the ordinance. He could have, but he wanted to make sure that everything was kosher and good. And so that's his mindset. So he would like us to be able to have some flexibility in the route. So whatever, however you guys think that's best. But I think we should hear from him. If I could just refer this to staff, and you could reach out to him and I can contact him, and he could reach out to you and make sure you've got all his concerns and figure out what, if anything, could be done?

- Sure, I think it's probably more appropriate to refer it to either PD or to Dave rather than to Law.

- Mm hm.

- [Dave] If I could interject, I would think probably more appropriate to police department because they're the ones that ultimately approve the route. If they have questions or want to come forward to public works they can.

- Yep, and then you could talk to whoever you need to talk to to get more input if you need, okay?

- Okay, we'll reach out to him. It's the owner of Keggers?

- Keggers, right, Bill Liebergen.

- Right, yeah. It would be interesting just to see what other communities do, because I think Appleton has it, there's a few that have it around here and just to see what they do. I'm sure you could check on that maybe.

- Yeah yeah. So I think that's just all his only concern is to have a little flexibility for when, on the whole I don't think he's had much trouble, and I think he's happy with the way things are. He just gets nervous.

- And I was just gonna say, from the police, I can't, I don't remember any call. I think at first people were like slowing down traffic, but there's never been an issue with--

- Right, but he's a very proactive kind of guy. He wants to--

- Is this time sensitive?

- No, no no no no.

- [Dave] Well, it could be because I know, for example, this summer we're doing work on Howard Street, and we're gonna have actually a crossing of South Broadway, which is gonna close that street for, it's gonna be a short amount of time, but it could affect possibly throughout.

- Right, yeah yeah yeah. Well I mean, this isn't something we want to sit on, but it doesn't have to be done tomorrow. We do have a little...

- So a motion just to refer to police? I would make that motion, but if it's not time sensitive, in a timely manner?

- Well yeah, I think refer to the police. And they could take.

- I would say a month?

- Yeah, I was gonna say, first one in April, we could have it.

- Okay, well I'll make that motion.

- Okay, so refer to police to come back first one in April with a recommendation to either receive and place on file or make the changes and what the changes should be.

- Second.

- Motion by Alder Steuer, seconded by Alder Stevens. Any further discussion? Okay, we'll pedal on outta here. All in favor?

- [All] Aye.

- Opposed? Okay, that passes unanimously.

- Go ahead.

- Okey-doke, we're onto item six. Consideration with possible action to General Ordinance 5-20, that was dash 20, an ordinance to amend section, could I borrow your readers, thank you, 21.11 subsection , GBMC, relating to Financing of Lead Water Service Line Replacement. Staff.

- So I'm going to defer to Nancy on this one.

- Okay.

- [Nancy] All right.

- Long time no see.

- Yeah. Yay.

- [Nancy] What I want to explain is, maybe I'll give you a little background real quick.

- Thanks, Dave.

- [Dave] Yeah, you're welcome.

- [Nancy] When the city decided to go proactively to remove lead services, this is the part of the private lead service so that the homeowner's cost, at that time, water utilities in the state were not allowed to fund any part of that. We were not allowed to put any rate payer dollars towards a private lead service replacement. So we were working on our own. And the city, as you might remember, gave a \$300,000.00 grant to us to use for private lead service replacement. We also obtained two grants from the Safe Drinking Water Loan Act that allowed us to get another \$800,000.00. So we had about \$1.1 million that we were using for grants. We have to date found 241 private lead services. We have replaced 224, which is 93% of the lead.

- Wow.

- [Nancy] The private side is gone. We're down to 178 on our side too, so we're getting down there. But what happened is, Senator Cole, in 2018, introduced legislation that allowed water utilities to fund up to half of a cost of a private lead service. So the other half was mandated to have to come from the property owner. We

are within \$7,000.00 to \$8,000.00 of running out, completely out of our grant money, so we have applied to the Public Service Commission, which is by law, that Senator Cole did, we have to do, to get permission from them to use our ratepayer money to pay for the half of the lead service replacement. And we're gonna have about, right now we know of 10 homes, eight to nine, 10 homes, depends on what the bids come in for the last services, that need to have their lead service replaced this year, that we're gonna have to go into a financing plan with them. And our water commission approved a plan where we're gonna pay up to half of the cost, and then we're going to fund a loan to the property owner of a five year period with zero percent interest and it will be, we're gonna invoice it out of the water utility. So, they'll have, like, say on a five, our average cost of a private lead service replacement is around \$5,000.00. So that means that we're gonna fund 2,500.00 of that, the water utility will pay the contractor that. And then the other one will be in 500, they'll get invoiced for \$500.00 for five years. We are leading at city and water utility because we don't want to limit any options that might come. The state's talking about getting some other grants. We don't know if we're gonna get any. We'll be applying and stuff, but all those grants come through the city not through the water utility. So we have to give ourselves the maximum flexibility. If we can get additional grant money we'll certainly do that, but right now it doesn't look like it will be available this year, and we're trying to get these lead services out by December of this year. So that's the background, does that help?

- It helps.

- Yeah.

- Very good.

- Right.

- I think the proposal that you're presenting, I think is very feasible. If you're giving 50%, it's quite a lot. And if you're giving the option of five years, again, just, there's only like how many did you say was left of them?

- [Nancy] We figure, I had Justin do me a sheet, there's like 11 properties, but we have about maybe \$7,500.00, and it depends on how the bids come in. We could do one, for sure, one more service and maybe two. We've got, I think we've got 17 left and there's six contracts that we know their bid prices because we're waiting for the spring to come so they don't have to dig through three feet of frost right now.

- Oh come on, take all the fun out of it.

- [Nancy] I know, it's a little more expensive to go through frost. But they're ready to go. So we just have 10 or 11 of these homes. And I did look up two, we know that there are, we've been trying to get ahold of these properties since 2016, 2017, and they have not returned our calls, they have not worked with us. They had the availability to get 100% of their service paid, but they chose not to follow through. And we have six of the 11 on this list are landlords and five of them are owner-occupied, and we just can't, they're not responding to us. And I'm gonna need the legal department probably to help me with our ordinance to enforce and start having these people, to say, you have 30 days to replace your lead service, because we need to, we've been working with our other 200 and some to try to get those out 'til now. Now we're getting down to the hard ones and we've gotta get them out.

- Get that lead out.

- [Nancy] Get the lead out.

- Yeah, thanks for coming in, Nancy. I think you helped answer my question a little bit because I was thinking for these last number of properties, the previous ones had it taken care of completely, correct?

- [Nancy] Yes.

- So now these last number will have to pay half.

- [Nancy] That's correct.

- And is part of the reason for that, if they had all jumped on right away, do you think there would have enough money to cover all that?

- [Nancy] No.

- So what happens in a case like that? It's the last ones that sign up that have to deal with it? I'm just trying to understand that.

- [Nancy] What we've been telling them, we've sent letters and Justin Hewitt, he's the guy who's been doing the program management for this, we've got letters sent out in 2016, '17, '18, '19. We've sent letters, we've had phone calls, we've tried to talk to them, and well, I've got two bids, I just need one more and I'll get back to you, and then we don't hear from them for over a year and stuff.

- No, I understand that part of it, I'm just trying to reason the fact that most of the people had it taken care of versus a small portion that don't, and would you say the fact that they were delayed because of whatever reasons they had that that didn't bode well for them?

- [Nancy] Right, if they would've gone at 2016, they would've gotten money, meaning we would've been able to pay for it.

- Is there any way to find out if you knew that this program would've covered 100%? There's probably no way to really figure that out? With the grants?

- [Nancy] It was all dependent on the contractor prices of what we were getting, so we did have every property owner get three bids and we took the lowest one, always, and we just, it was just pretty high.

- But it seems pretty amazing that you're that close.

- Yeah.

- To me that's amazing, because you'd think that there'd be a wide discrepancy either way.

- [Nancy] Yeah, so those last ones, I was talking to Alderman Steuer this morning because I wanted to see if we could suspend the rules and maybe try to get this ordinance through on one reading so we can go after these property owners more quickly, but yeah, we're getting down there and it's just, their options are, one, if we don't let the water utility pay, then either they have to pay for the whole thing themselves or the city would have to chip in about \$50,000.00 to get it paid. And I know our budgets here are a little tight, so.

- Yeah.

- [Nancy] So I would like to be able to help them. And the law was passed. The Wisconsin Manufacturing Commerce kind of fought, Senator Coles originally asked that we could pay the whole thing, but the business community said we don't want to pay for lead services on the residential property, they wanted the owner to take some ownership in their properties and to pay for some of it, and that was the reasoning in the state legislature for doing 50%.

- Well I think it's wonderful. We're getting something, they're getting something.

- [Nancy] They're getting at least half, yeah.

- So the only change is just that and or water utility.

- [Nancy] Right, so that we can keep both options available, because we're gonna, honestly, we're gonna probably find one or two every now and then. Our inventory has been really, we've been aggressively looking at those older homes and trying to find them. But even Madison, who replaced it, over 11 years they did 4,000 lead services, they still find an occasional one that they just didn't see 'cause they're underground, they're--

- Yeah, I was always wondering how you found, you can assume that some areas are that way, but how do you find out?

- [Nancy] Yeah, and we did, our customer service, our metering tech guys who are changing out meters and stuff like that, they've gone into almost, I said 2,500, 3,000 homes, knocked on homes and said, can we see what's at your meter, and that's what they've been doing.

- Okay.

- [Nancy] And as they go in, we have a 20 year meter change-out program, we'll be going in, checking every house. We are doing that already. So we will get to it eventually.

- I make a motion that we approve, is your name Mrs. Quirk?

- [Nancy] Yes, thank you.

- That what she's proposing, I make a motion that we support what she's doing, approval.

- Motion to approve the ordinance.

- Yeah, and like I said, you were talking about time sensitivity though on this too, so I don't know, should that be part of the?

- I think she has to put that on a--

- We can't make that as a motion.

- No.

- In other words, you want to get these done as quick as possible, as quick as we can get the second reading done, we'll be on it.

- Either way.

- [Nancy] Right, if you, and Lindsay, we've been working, she's been awesome to work with it, she helped us draft this very quickly, but if we can get the suspension at March 3rd, to suspend the second reading, we could get this in right away, and then we can, as soon as the mayor signs it, we could start going forward with trying to get these people to get contractors on board.

- You can get the lead out to get the lead out.

- [Nancy] It's up to you, and the mayor asked me to talk to you guys individually, I can do that too. He's not real keen on suspending the rules if it's not necessary, but I'd just like as much time as I can.

- Right.

- Well we'll figure that out.

- And the idea, the--

- [Nancy] The Public Service Commission, oh yeah, that's another point.

- As well, right.

- [Nancy] Yeah, that we did submit our application to the Public Service Commission for this program, and they've got it going before the Public Service Commission in the next month, and we've said that we are trying to get this ordinance passed, because this was a requirement of them to change this ordinance, so that we could have water utility fund it.

- Okay.

- [Nancy] Thank you. I had forgot about that.

- Yep yeah yeah, well I've got no problems putting this on the fast track when we get to council. But let's get it passed.

- [Nancy] Passed here. Thank you, guys, I appreciate it. I just wanted to give you the background--

- Second.

- Of what's going on here.

- Yeah.

- Well thanks, Nancy. Thank you.

- Motion to approve the ordinance.

- I approved it.

- And seconded by Alder Stevens. Anything else? All in favor?

- [All] Aye.

- Opposed?

- [Nancy] Thank you for your support.

- Yeah, thank you. You're doing a great job, appreciate it.

- [Nancy] Thanks, we're excited.

- Yeah.

- [Nancy] We're getting down there, our distribution crews are like only 100, well I think Doty Street has 60 lead services that we're gonna get out with contract.

- They're not gonna get bored now, are they?

- [Nancy] No, we have a lot of other work to do. Just checking.

- When we're all done, we'll all just have to, we'll have a whoosh of water come through in everybody's sinks.

- [Nancy] We are gonna celebrate.

- Did the water utility spend like \$8 million to upgrade a lot of those?

- [Nancy] It's \$8 to \$9 million, we are doing a little over a million because every, our side is about \$5,000.00 with our own crews. So we've gone from I think at the beginning of 2016, we had 1,782 lead services and now we're down to 178. So we're getting there.

- Did the storm water sewer go up 30% this last year? The storm water?

- It's part of the--

- [Nancy] I think they did, I'm not in charge of that.

- A lot of people are complaining in my district about it.

- That's a matter for another day.

- Yes.

- Yes. That's Right.

- Just mentioning it here.

- Okay, we're onto the last item I take it?

- Yes, sir.

- We approved it?

- Informational, yeah, we approved that, yeah. Liquor violation report from the police department for February 24th, 2020.

- [Steve] We have no violations to report.

- Whoo hoo. You make me just want to go out there and do something.

- Don't.

- [Steve] Don't, we're busy enough.

- And no pet cats.

- Okay, thank you, sir.

- Motion to receive and place on file.
- Motion to receive and place on file by Alder Stevens.
- Second.
- Seconded by Alder Vander Leest. All in favor?
- [All] Aye.
- Opposed? Okay, that is received and placed on file.
- Motion--
- Hang on, hang on, hang on.
- I've got 6:30.
- Sorry.
- It's okay, it's okay.
- I'll make a motion.

- We'll give you an hour.
- I'll do that.
- Okay.
- [Nancy] What's an hour?
- For her to do this so we can adjourn.
- She has to adjourn. Then we have some matters.
- Okay.
- Motion to adjourn.
- Motion to adjourn by Alder Steuer.
- Second.
- Second by Alder Stevens. All in favor?
- [All] Aye.
- Opposed? We are outta here. Thank you, everyone. Good job.

- [Nancy] Thank you.

- No problem.

- [Nancy] Thank you, guys.

- Thank you.

- Yeah, thanks, Nancy.

- I think so, yeah.

- No.