



MINUTES OF THE PROTECTION AND POLICY COMMITTEE

**MONDAY, MARCH 9, 2020, 5:30 PM
CITY HALL, ROOM 207**

A. ROLL CALL.

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

Also Present: Deputy City Attorney Joanne Bungert, Lt. Steve Mahoney, Ald. Brian Johnson, Chief of Staff Celestine Jeffreys

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

C. APPROVAL OF MINUTES.

I. Approval of the minutes from the February 24, 2020 Protection & Policy Committee 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 the Sardine Can, Inc. at 128 S. Broadway to extend their license premises to the parking lot on June 17, July 8, July 29 and August 19.

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

carried.

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

Moved by Ald. John VanderLeest, seconded by Ald. Craig Stevens to close the floor for discussion. Motion carried.

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

Moved by Ald. John VanderLeest, seconded by Ald. Craig Stevens to approve a request by the Sardine Can, Inc. at 128 S. Broadway to extend their license premises to the parking lot on June 17, July 8, July 29 and August 19, subject to complaint. Motion carried.

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

2. Consideration with possible action on a request by the Sardine Can, Inc. at 128 S. Broadway to extend their outdoor patio space.

Moved by Ald. Mark Steuer, seconded by Ald. John VanderLeest to recommend Council waive the ordinance requirements for an outdoor licensed premise and to approve a request by the Sardine Can, Inc. at 128 S. Broadway to extend their outdoor patio space, with the approval of the proper authorities.

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

3. Consideration with possible action on an appeal by Bernard Sanapaw Jr. regarding the denial of his operator's license.

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

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

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

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

Moved by Ald. John VanderLeest, seconded by Ald. Mark Steuer to approve the appeal by Bernard Sanapaw Jr. regarding the denial of his operator's license. Motion carried.

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

4. Consideration with possible action on a request by Ald. Wery regarding creation of a resolution to our state legislators to override the veto by Governor Evers of Senate Bill 60 regarding placement of sex offenders.

Moved by Ald. John VanderLeest, seconded by Ald. Mark Steuer to receive and place on file a request by Ald. Wery regarding creation of a resolution to our state legislators to override the veto by Governor Evers of Senate Bill 60 regarding placement of sex offenders. Motion carried.

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

5. Consideration with possible action on a request by Ald. Galvin to review and adopt the Hotel Registration & Security ordinance from Ashwaubenon. (Section 9-1-8 ord # 3-1-19, 3-26-2019).

Moved by Ald. John VanderLeest, seconded by Ald. Craig Stevens to refer to staff a request by Ald. Galvin to review and adopt the Hotel Registration & Security ordinance from Ashwaubenon. (Section 9-1-8 ord # 3-1-19, 3-26-2019). Motion carried.

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

E. INFORMATIONAL.

1. Liquor Violation Report from the Police Department for March 9, 2020.

Moved by Ald. Mark Steuer, seconded by Ald. John VanderLeest to receive and place on file the liquor violation report from the Police Department. 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. Mark Steuer, seconded by Ald. John VanderLeest to receive and place on file the report from 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. Craig Stevens, seconded by Ald. John VanderLeest to adjourn at 6:12 p.m. Motion carried.

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

VERBATIM MINUTES

- And we are good to go.

- Okay. Here ye, here ye, here ye! The Protection and Policy meeting for March 9, 2020 is now in session. Roll call. Alder Steuer?

- Here.

- Alder VanderLeest?

- Here.

- Alder Stevens?

- Here.

- And the Chair, Alder Scannell, is speaking. So I'll take a motion to approve our agenda.

- Motion to approve.

- Motion to approve by Alder VanderLeest. Seconded by Alder Stevens. All in favor?

- [All] Aye.

- Opposed? We have an agenda.

- Minutes.

- Approval of the minutes of our last meeting, from February 24th.

- Motion to approve.

- Motion to approve by Alder Stevens.

- Second.

- Seconded by Alder VanderLeest. All in favor?

- [All] Aye.

- Opposed? Okay, our minutes are checked-out. Our minutes are good. We got good minutes.

- The only way to do it.

- And one.

- And one, on to regular business. Consideration of possible action and a request by The Sardine Can, Inc. at 128 S. Broadway, to extend their license's premises to the parking lot on June 17th, July 8th, July 29th, and August 19th.

- Staff?

- The Law Department has no objections based on the application. We just want to make it clear for the record, that the license that they're seeking the extension applies only to their parking lot. The special event that they are holding which is immediately adjacent to them will not be part of the licensed premise extension, but under our ordinances they can allow patrons to carry beer only, or fermented malt beverages, from the patio into or from the bar area. From their licensed premise into the special event. But it can only be fermented malt beverages, no intoxicating liquor. That would have to remain on the premise itself.

- Whoa, whoa, whoa, whoa... Fermented...?

- Malt beverages.

- That's not an intoxicating liquor?

- It's different than... So like beer versus vodka. Fermented ciders, beers...

- So intoxicating liquors as opposed to intoxicating alcohol?

- Alcohol is all encompassing under the statutes.

- Right, right, right.

- Intoxicating liquor would be distilled--

- Liquor would be the hard...

- Distilled liquors, correct. I got the distinction.

- Mm-hmm. So I just wanted to make that clear. It appears that it's clear on their application that that's exactly what they're doing. I just wanted to make the Committee aware of how that functions.

- Mm-hmm.

- That's it.

- The police will have no objection, as long as they can state that they'll have the same security as last year. They did hold these events last year and we did not have issues with it, with their security. So as long as they continue that this year we have no objections.

- Okay, and that's what I wanted... Because I know last year this was an issue and we asked you to see if you could work that out, and I'm glad to hear there was a happy resolution there.

- Correct.

- Excellent. Is anyone here for this? Would you care to speak up on this at all?

- Yeah, I would just maybe--

- Alder Johnson.

- I wouldn't say last year there was necessarily an issue, as it was a point of conversation. And I think the Sardine Can was very proactive with communicating with the police. I was on a lot of those emails and they were very... again, proactive with the outreach. Like, "Are we doing everything okay?" "Is there anything we need to change?" So that's what we wanted to see last year, they did exactly what was asked by this Committee. And again, if PD says that there were no issues or calls, I would be fully supportive as well.

- Okay, I'll stand corrected. There were some concerns last time.

- Just a question, I dunno if Brian you can answer it, or--

- Is this for the floor?

- Well I'm gonna ask the Alderman. As far as that area, I was looking at it but I couldn't see the dimensions on it, is it a... significant area as far as... area?

- The space for the--

- The extra space that they're asking for?

- I mean, I would obviously encourage you to open the floor and talk with the owner but--

- I'll probably do that.

- But I mean, it's a couple stalls.

- I just thought you might know offhand.

- I don't know the exact dimensions.

- Well we wanna open the floor anyway because I wanna ask that they have the same security as last year.

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

- Motion to open the floor by Alder Steuer.

- Second.

- Seconded by Alder Stevens. All in favor?

- [All] Aye.

- Opposed? The floor is now open. If you could please come forward, state your name and address, and make sure you fill out one of the...

- Yep.

- Oh, super!

- Brian Bunkelman. 128 S. Broadway, The Sardine Can. I thank you for having me today. Uh, yes. We worked hand-in-hand with Lieutenant Mahoney, his group, Alderman Johnson, made sure that any concerns that were brought up, I think last April, almost a year ago that we're here, we made sure that we were very proactive with the police. So we've already had meetings within our staff since January to ensure the exact same setup of what we had last year for the four events, will go hand-in-hand this year. We also had a number of conversations with Celestine in the Mayor's office. To ensure, because I know there was a lot of questions and comments of exactly the picnic law worked exactly. In previous years it was a little, I think, regulated differently last year. And we made sure that we were on the forefront. That within our boundaries of our parking lot, we served all types of intoxicating alcohol. But once they moved from our parking lot or our patio, into either the sidewalk or the street, which we had barricaded off, they could only take what was called a malted beverage. And so that we made sure we were already on task for that. Last year we an authorized security staff checking, making sure that cans. And that no one went outside of our boundaries. So, there were no issues with that. But that's the exact same setup we'll have going forward this year.

- Excellent.

- And I'll just ask how big that area is, in terms of square footage. I couldn't read it on the map.

- Are you asking for question one or question two?

- We can wait on that I guess.

- Well but, did you wanna know for one as well... Did you wanna know for both?

- I was a little confused. So specifically for question one, we will take up, probably... Our back alley has seven parking spots. Our side alley has four parking spots. So it's kind of an L-shaped parking area that we then barricaded off. They're able to get out multiple doors inside that area. And then we used last year, concrete blocks and orange fencing, the snow fencing, that people could go in and out. But we had security personnel at those areas. If I had to guess, probably about 1500 square feet in our parking lots. And then the half of Howard Street, from Broadway to the alley, was where the stage went. We know this year, and I apologize if I'm going long, we know this year there is some road construction going on on Howard Street. So I've already spoken with the Public Works Department, I think it's Tom Sherman's understanding exactly if and when we aren't done, we might move the stage directly to the back alley, just to hold the event. They're hoping that by July 4th that road construction will be done, and our events will go off. But I just want to let you know that's kind of an open conversation.

- Well I know, this is like, might be beating a dead horse, but we talked about this last year and the year before, as far as the neighborhood. And I know that's 10:00 o'clock. Right?

- Absolutely! We end each band right around 9:50 to make sure that by the time they're done taking their equipment down, we're not disrupting the neighborhood past 10:00 on Wednesdays. As if we have our band inside our area.

- So, and the neighbors generally are okay with it? That you've talked to?

- Yeah, I've talked to a number of them. A number of them are patrons of the bar from that standpoint, so within that area, and Alderman Johnson can probably speak more to that from that standpoint if he's heard other complaints, but I can't say I've had anybody either noise-wise call and complain.

- Well and, like I said, I'm just asking. I know that we talked about this the last couple of years, so just to make sure it's okay.

- So last year I can't think of one instance where anyone complained about the noise. They were very proactive in working with us. I think almost every night at 9:45, literally 15 minutes before, they cutoff all the bands.

- Well I appreciate that. That's all I have.

- Thank you.

- Motion to close the floor.

- Motion to close the floor, thank you, by Alder VanderLeest.

- Second.

- Seconded by Alder Stevens. All in favor?

- [All] Aye.

- Opposed? The floor is now closed. Gentlemen, what are your wishes?

- I Motion to approve.

- If I could just offer one additional point of clarification.

- Sure.

- Mr Bunkelman alluded to it as malt beverages are what's allowed. Just for the Committee's benefit, malt beverages isn't just beer. That also includes things like White Claw... Sometimes you might see like a Jack Daniels brand name, but it's a malted beverage. It's not a hard distilled liquor. But Mike's Hard Lemonade, stuff like that, those are all considered malt beverages under the law. It's how they're made.

- Good stuff.

- I've had that feedback because with our, our broad license, I mean our permit, covers malt beverages. And people ask sometimes, "How is it that you're able to serve that?" They don't realize that it's a malt beverage that we're serving, like a White Claw or something. But I think it's useful knowledge to have.

- Does wine fall into that?

- No.

- No.

- So you can't--

- Wine's a little more...

- Well it's not hard.

- It's not a malt beverage though.

- I don't really know the particulars, but what's the percent on malt? Any idea?

- Well I mean it can vary.

- But in general?

- Comparable to beer. Comparable to a craft beer.

- Crafty.

- All right.

- So...

- Motion to approve.

- Motion to approve by Alder VanderLeest.

- Second.

- Seconded by Alder Stevens. Any further conversation? All in favor?

- [All] Aye.

- Opposed? That passes. I should say that what we do here at Committee is just a recommendation to Council. Council has the final say. The Council meets April...

- First.

- Right? April 1st. April 1st, that's right.

- Wednesday

- April Fools' Day.

- Yep, April 1st.

- Don't say it!

- Next month.

- He's prepping already.

- Yep yep yep. Keeping it together, keeping it together. So... We're ready for two?

- Yes sir.

- So on to two. Considerations of possible action on a request by the Sardine Can, Inc. at 128 S. Broadway, to extend their outdoor patio space. Staff.

- Law Department has no objection. However the applicant is asking for a patio that doesn't meet the height requirements that are in our ordinances currently. So a two-thirds waiver is needed by the Council. So example motion would be to recommend that the Council waive the ordinance requirements and approve.

- Police concur.

- Okay.

- The Alder has no issues with that? Alder? No.

- I've reviewed the site plan.

- All right. Motion to approve ♪ Don't fence me in ♪ pending Council approval.
- Well the motion is to...
- Recommend waiver of the requirements--
- Motion to recommend the waiver.
- Mm-hmm.
- That's my motion.
- Motion by Alder Steuer to recommend, uh... removing the waiver. Waiving the waiver.
- Second.
- Seconded by Alder VanderLeest. Any further discussion? All in favor?
- [All] Aye.
- Opposed. That passes unanimously.
- Okay. And three.

- Number three. Consideration of possible action and appeal by Bernard Sanapaw, Jr. regarding the denial of his operators license. Staff?

- Yes. Staff recommends denial as the appellant is a convicted felon and habitual law offender for offenses that substantially relate to the license activity. You have denial memos prepared for your reference.

- Yep.

- That's the same person I presume? You realize, it says Shaw.

- Oh that's interesting, I didn't even notice that. Good catch.

- So it's the same person? We've got two different names.

- It says Bernard Shaw.

- Yes, it is. It's the correct person.

- Okay, 'cause we have Sanapaw.

- Yes. I think it's a typo on the--

- Yeah. And it's interesting it says bartender on there too. That's not usually included.

- It depends on what they're applying or who they're working for. So we'll put that in there.

- We're vigilant.

- Okay, yeah. And...

- Police concur with law.

- Okay, is there anyone here for this?

- [Bernard] Yeah.

- I make a motion to open the floor.

- Okay, motion to open the floor by Alder Steuer.

- Second.

- Seconded by Alder Stevens. All in favor?

- [All] Aye.

- Opposed? Okay, if you could come forward. Please state your name and address, and make sure you fill out one of the forms and give it to our attorney when you go, please.

- Bernard Sanapaw, Jr.

- Do you need a pen?

- No I have one.

- Okay.

- My residence is at N594 Chief Shunien, Keshena, Wisconsin. And I was working for Oneida Casino as a bartender. They stated in here to, because my beverage license was denied, what I did do was go back, from the Oneida Indian tribe I got a pardon, for the... the felony which happened in '86. It was years ago. And it's three DUIs, and two counts of cocaine with drug paraphernalia. I went to AUDA, I have a letter from them also that I stated that I completed all their assessments, all their fines, all their time in jail, and all of that. So I was gonna give that to you as well.

- Yes, please.

- Just hand it to you?

- Yep.

- Thank you.

- And have you been bartending...

- Yes, I've been bartending. Well, I just resigned from there because I didn't have a license. But I'd rather go back there to bartend. I have a, um... I have a CDL, I drive a school bus. I have a taxi license in Shawano County. I've had my license for years, and I'll probably go back to school bus driving too. But I also do bartending and side jobs. You know, so...

- So you have a license from other munici--

- Yes.

- Which other?

- Shawano.

- Shawano?

- Shawano, yes.

- The county?

- Yes. I just come down here to bartend for the winter, you know? But then denied my license. But I mean, I've had them before in Shawano County, because I've worked at several different bars there. And I've also worked at Northern Lights Casino. And I've also worked down at Baraboo at the um... at the um... Ho-Chunk as a bartender down there also. And I've had my license down there through, what is it, Iles County? Or Nyles. I dunno,

- Nyles.

- some county down there.

- I think Nyles is north.

- Is it?

- Okay, it was down south anyway. I had them there too. But um... I dunno, this stuff happened a long time ago. It's like my past is coming up to haunt me now, you know? I had a good life back then, I thought, but now it's just hurting me. You know? And I'm just trying to get back on track.

- Well the state statute is what Staff has pulled, and that anybody applying for license that has a felony, the state automatically, you know... Staff automatically denies it. But you can appeal it, and then the law is so written it does give us a little wiggle room

- Ok.

- So that we can... There are certain grounds on which we can accept your appeal. And I don't wanna speak, does anyone else care to... Questions or anything?

- Well it seems like 2008 was the last one, that's 12 years.

- It's years ago.

- Right, but I'm just saying--

- Question?

- No the question would be... Like you said, you went through the program?

- Yes.

- And you haven't had any other issues since?

- Nope. No, nothing since.

- Okay, that's all I had.
- Nothing since.
- Then if there's anything else you care to add? We'll close the floor. Discuss it and make a decision.
- Motion to close the floor.
- Motion to close the floor by Alder Steuer.
- Second.
- Seconded by Alder Stevens. All those in favor?
- [All] Aye.
- Opposed? Our floor is closed. Gentlemen, what are you thinking?
- Motion to approve.
- Motion to approve.
- I'll give him another chance

- I'll second.

- Absolutely.

- Yeah, I think one of the things that we kinda look for is time being a factor. And it's been a long enough time, that we can, I think, safely say that it is no longer a relevant factor. According to the law, the way it's written, we can use that as our option out to accept your appeal. And I would be in agreement with that. So we have a motion by Alder VanderLeest, and seconded by Alder Steuer to accept your appeal. Any further discussion? All in favor?

- [All] Aye.

- Opposed? Okay. That will go to the Council April 1st,

- Okay.

- And...

- They will send me the decision in the mail then, at my address in Keshena?

- I believe the Clerk's office will. But I would just follow up with them after the Council meeting on April 1st.

- Okay.

- Okay.

- I'll fill this out

- Do you need

- and just give it to you?

- their phone number?

- Yes, to me.

- 448-3010.

- What was that?

- 448-3010. That's 920 area code.

- 448...

- 3010.

- Okay, thank you. Thank you guys.

- Good luck.

- Certainly. Uh...

- Number four.

- Number four. Considerations of possible action and request by Alder Wery regarding creation of a resolution to our state legislators to override the veto of Governor Evers of Senate Bill 60 regarding placement of sex offenders. Staff, do you have some information for us?

- ACE Mather has been communicating with Alder Wery a little bit as far as what he would like to see. He wasn't able to come to tonight's meeting but just requested that this be just referred to Staff so we can continue working on it and see what we can come up with and draft, and then bring that back to the Committee.

- Now will the Committee have a chance to look at any of this? Or will we just judge it--

- No, we can bring a draft for the Committee to review. You can give input, revisions, we can make those revisions and bring it back. However you want to move forward with it.

- Quite frankly, I'm not in favor of this at all. I think it's a waste of Staff's time to be working on this. Do we know why the Governor vetoed this? I think that would be a good thing to find out. And I think I found out why he and the previous Governor vetoed it.

- Well, share it.

- It's that it would do away with all buffers. There would no longer be any buffering. A sex offender could be placed anywhere.

- It's handled by the state, so...

- Right. But that's why it was vetoed. Because if he had not vetoed it, that buffer zone would have gone away. So I'm not sure that I wanna be part of a resolution that does away the veto, that does away, that will then do away with this buffer.

- Well I understand you feel that way, but don't you feel that there's, you know, the Staff, I know you don't wanna waste Staff time, but is it at least something that we can look at?

- No. For me, no. For me, no. Staff... We've got so much on Staff's plate. Look at, we still haven't heard from the ethics. That's still waiting. We've got... There's a lot of things Staff could be working on, and a resolution that's gonna say we think you should overturn this veto which would in turn do away with the buffer, that's the position we'd be taking, not a position I wanna take.

- Well it would have been just nice to have some of that information ahead of time.

- Yes, well, I think the Alder who put this in should have found out why there was a veto in the first place.

- He's not here.

- Why was there a veto?

- He's not here.

- It's not like it wasn't done for a reason. And then, if the reason was no good that would be something to have a resolution for. I believe the veto was for a good reason and I do not want that overturned.

- Right. If he was here at least to speak on it, but he's not here. So...

- Yes.

- Well I think, since this is really being derived as a direct result of a placement in my district, which is immediately adjacent to Alder Wery's district, I mean, I personally think it's, it's worthwhile to have this sent to Staff to come up with, just language. This isn't something that's gonna take them hours to do. I mean, we've taken these up in other areas. Things that I've opposed as well, but I've supported the process. And that's why I would advocate to send this to Staff, just to support the process. I understand what you're saying, at the state-level there's Madison politicking going on right now... The state legislature unanimously approved this by

voice vote, so that nobody's got to put their name to it... But then the Governor, of course, vetoed it. But there's little likelihood that they'll take up a veto, because nobody wants to put their name on the line. That's Madison politicking going on. I get it. What I think is okay, is for us to advocate at the local level, that we want to have more municipal control over where these individuals are placed in our community. Right now, we have very very limited scope, and I think, that's really to me, what this resolution is aimed at.

- To me that resolution is not, the wording of this resolution is not what you're talking about. The wording in this resolution is to override the Governor's veto.

- And as Attorney Bugnet?

- Bungert.

- Bungert.

- I don't even know how to pronounce your name, I'm sorry.

- It's okay.

- As Attorney Bungert had alluded to, Alder Wery is working with Staff to determine the best way to word this. We do this all the time, where we provide the benefit of the doubt to basically come up with a document that has some words on it. I don't see the harm in it.

- You might get the result you want.

- I don't see it as a time-intensive task.

- Celestine.

- [Celestine] Just to add to your understanding and deliberation, in the context of the bill there's a veto memo. And it's two paragraphs, very short. So Governor Ever says in the second paragraph, "I'm vetoing the bill "because I object to weakening "the protections in current law, "requiring residential options "for sexually violent persons "to be a specific distance from "school premises, "childhood facilities, "etc. etc." So, he's objecting to the weakening of the provision of 1500 ft. So that's what he says.

- Right. And that corroborates what Alder Scannell said. And like I said, that's Madison politicking going on. I mean, we can very easily sit here and make the case that research has shown, time and time again, that creating those buffers does little to nothing to actually keep the public more safe. I mean, that's...

- So you are taking the position you wanna do away with buffers?

- I'm not taking a position, because I don't have anything to take a position on. But my point is that there are two arguments to be had here. And until I've got something that I can actually look at and take a position on... I mean, to not allow this to go to Staff is not even giving us an opportunity to have that dialog. I'm not sure why we'd be afraid to have that conversation. That's Governor Ever's reason for the veto. That says nothing about what are reasons might be for requesting an override

- I'd like to see it.

- or any other type of language that Alder Wery might wanna see out of this resolution.

- So you think that there's an argument to be made, this is news to me, that the buffer zone is immaterial? That that is not a valid reason to veto...

- I'm not trying to take up a debate on the state legislation. What I am saying is that there are two sides to that argument, and why you have the legislators taking one position and the Governor taking another. What I'm interested in, is a very limited amount of time to draft a resolution for us to make the case of why we deserve more control at the municipal level, about how these placements occur.

- Okay, for me, if you wanna do that, that needs a different communication. That's a communication that says, "We want more local control in our say." That's not a resolution that addresses... We're not gonna get even into the buffer zone issue then.

- Well that's a side-effect, in my opinion.

- No no no, that's not a side effect.

- That's a side effect that comes from this.

- Why can't staff look at it? I mean, just come back with something. That's all. Like Alder Johnson said, it's gonna take a short amount, it shouldn't take that all that long I think to come up with something. At least so we can look at it.

- If we are looking at a resolution that focuses on empowering more local power, I would be in favor of amending this to saying that. That's not what this says.

- So you wanna deny it just on--

- On what it says, yes!

- Yeah, he wants us to override the veto.

- Yeah.

- Well would you be open as a Committee to perhaps amending this, or giving specific direction to Staff, rather than just flat out rejecting the creation of a resolution. Give more specific direction to Staff that the resolution should be

- My direction would be

- about getting

- a completely

- municipal control.

- different communication. My direction would be a... Which I don't know. I mean I'm not really amending this, I'm changing it completely. And I don't know if we can do that. I think we have to reject this and then come back with an appropriate resolution.

- You can give direction to Staff, the item is... The item is introducing the topic. If Committee wants Staff to look into this, or to look into something else and come back with a draft.

- You could deny it with a caveat.

- Approve it with that caveat.

- Approve it with that caveat, yeah. We're not taking action on this, right?

- If we could say, we want Staff to come back with a resolution that addresses more local control over placement of sex offenders, I would be in favor of that. And just ignore the whole veto issue and the whole buffer issue, and we don't even have to go there.

- Well I don't, obviously, represent what Alder Wery's intentions are here. But I suspect that this is about trying to gain that local control. Some type of local decision making authority. And now, this just happens to be the way that he worded it. But if he says, "No. What I want is the veto override." He can add to that resolution language, if he wants to, through an amendment process. Otherwise, if this Committee were to say, "Refer to Staff with this direction..." I mean, we're not making any type of binding decision here today, I think that would be an appropriate motion.

- I've got a word to say about this.

- Certainly. Alder VanderLeest.

- I feel that Alder Wery, possibly Alder Johnson here, they should draft a new communication. First talk to Staff, maybe talk it over a little bit, and then bring the new communication forward at our next meeting. And then we can take another look at it. Some of the wording in this communication probably doesn't measure up. We're not looking to override the veto of the Governor, I think that's a pretty tough one to do. But I would recommend that you just have a new communication, come to our Committee, and talk to Staff a little bit about it if you wanna have more control about where they're putting these people. I know there are certain things already on the state level, as far as so many feet from a school, different things like that, I think those are some of the things that could, just look a little closer into what you actually want us to... Want Staff to actually do. That would be my recommendation. That we just put this here one, receive it, place it on file, and then just ask him to have a new communication to our Committee. And then we can look at it.

- Well, that's what I thought would be the appropriate thing to do. But if we don't have--

- You can do it either way.

- We can request him, we can do that. Actually, I think that would be a good way to go.

- Well that's what I was thinking, but if there's a way to, I mean, is this time-sensitive?

- I just think it needlessly delays it. Quite frankly.

- Right, but that's what I'm wondering. Is this time-sensitive?

- No. It's just, to stop the process to put in a new communication to do what you guys can just do right now, you don't have to take action on it later. And if you get something put in front of you that you don't wanna support, fine.

- The only thing that I feel a little uncomfortable with is that, we're doing it without Alder Wery here.

- Yeah.

- It's his communication.

- Well can we hold this until next meeting?

- But isn't that basically the same thing?

- That's the same thing then, yeah.

- Well no, 'cause we're meeting again before Council.

- In two weeks. And I'm not entirely sure with Staff's projects and workload, whether we'll have something ready for the next meeting either. However ACE Mather can come in to answer questions.

- And even if we did deny this, it won't be denied until the next Council. That's when it becomes official. So we would be... I would ask the Alder, how time-sensitive is this? Can we... 'Cause to me it would be better to do the appropriate communication. But, if it's gonna take up too much time and that's an issue, I have no problem with tinkering with this one to make it--

- So the time-sensitivity, and I don't wanna misspeak on this, but I think, and I'm looking at maybe anybody over there that might know how the State's process works. But, before this legislative session closes, would they have to take up the issue?

- [Celeste] I know there is a veto window, and I'm not entirely sure that we're not--

- Well we're not going for the veto anymore.

- Well, and again, I'm trying to paint both sides of the picture here.

- Oh okay.

- And that would be, if that is Alder Wery's authentic request, that would be the time-sensitivity of that. If he is open to the modification as what's been suggested, then there's no time-sensitivity. 'Cause then you're just asking for a modification of the law in general.

- And I'm thinking if, let's say he wants to go for the veto, which I oppose, then that almost has to go to Council to have that discussion...

- But that'll be too late.

- But if you wait until the next Protection and Policy meeting, you probably won't have enough time. Depending on what that veto window is.

- Either... So we don't have another Council meeting between... So regardless, right? The next the Council meeting is--

- [Celeste] The next Council meeting is April 1st, and the one after that is April 18th, I believe.

- So holding it to the next meeting won't really have any effect. Because both reports of this meeting and the next meeting are going to the Council on April 1st. So whatever happens today isn't going to Council until April 1st, and there is another--

- So can we hold this until

- With the caveat that

- next time and have Chris

- if you came back to

- clarify it?

- the April, to the next...

- So he can change it by then?

- Right, so it wouldn't... If it did get held to the next meeting, it wouldn't be held, really, at the next meeting, it would be held til the April meeting, because this report won't be approved by Council until April 1st. Because we don't have a meeting inbetween the two meetings. We don't have a Council meeting.

- Right. So if you hold it, Council still has to approve the hold.

- The hold, correct.

- But we would have two weeks to find out what Chris really wants.

- Well, no matter what we do we're gonna have two weeks to find out what he wants.

- We're gonna talk to Council now, that's my feeling.

- Even if this goes to the Council now--

- Why don't we--

- The item can be

- He'll pull it.

- The item can be pulled by Council. By the Alder or by anybody and referred to staff immediately. So it can...

- Well for myself, what I'm comfortable with is, receiving and placing this on file, and getting an appropriate communication of what we really wanna do. And having that discussion. Because to give Staff the direction to go in a different direction, but that's not the direction Alder Wery wants to go, we're wasting Staff's time. And if it, you know... So I think just--

- We're...

- To receive and place on file.

- Yeah, we're overthinking it.

- I think to receive and place on file. And if this is really what Alder Wery wants then we can have that discussion. I do oppose that, I don't think that's a good way to go. But if what he really intended was language for more local control, I got no problem with that at all. So, um... That's what I'm comfortable with.

- Well, Alder VanderLeest brought something up--

- Which is what Alder VanderLeest suggested, that we receive and place on file and get a new communication.

- A new communication for our next meeting, that would be before the April 1st--

- No no, the new communication wouldn't be until after our next meeting. After Council meets. So can we hold this one for two weeks and he can clarify?

- Right, he'd have to clarify at Council.

- I mean, he could submit a new communication as early as tomorrow.

- Just receive it and file.

- You can have it on

- We're overthinking it.

- your next Committee agenda.

- Yeah yeah yeah yeah. So if we receive this and place it on file, he could put in a new communication.

- And both items will be up for report.

- And both of these will be up for report.

- On the April 1st meeting.

- On April 1st.

- The only disadvantage, and this is just for you guys to decide, would be that, if you don't refer this to Staff then Staff is doing no work on this between now and your next meeting. Whereas if you did approve this, in theory you could have a resolution at your next P&P meeting--

- No no no no.

- Because Council hasn't approved the action.

- It's gotta be approved through Council first.

- Oh I see, I see.

- Because Council could completely override what Committee says. So in theory Staff could be working on it, but whatever they work on, if Council changes their mind, then all that would be...

- This was the offer to get multiple Committee meetings on one Council agenda.

- Yeah. But the advantage is that Alder Wery can see what we're doing at this Committee, and if it is his intention to do the local, he can put in that communication for our next Committee meeting.

- I would just maybe recommend that you have Staff contact Alder Wery, depending on your action today, to advise him of what the outcome was today. So that he can appropriately respond to it. If he wants something on the next P&P agenda.

- Did we second? I second it unless you did. I can't remember.

- No one seconded it.

- I'll second it.
- Well that was a suggestion, it wasn't actually a motion. Do you make that motion.
- I make the motion that--
- He did make the motion.
- To receive and place on file.
- I thought he... Well regardless, let's just...
- It was a suggestion.
- Yeah, it's a motion.
- With the communication that they're gonna--
- Right. So this is to receive and place on file.
- But also with the communication that we're gonna draft a new--
- Well that's up to Alder Wery.
- Okay, that's fine.

- Motion to receive and place on file by Alder VanderLeest. Seconded by Alder Steuer. Any further discussion?

- That Staff will contact him.

- Yes.

- I guess. I'm sure he's probably watching this right now. All in favor?

- [All] Aye.

- Opposed? Okay, then this is received and placed on file and Alder Wery will be contacted as to what and why. And then he can put in a new communication if he so desires. Or he can pull this and make a fight for this is what he wants and why he wants it and why it's a good thing to do, okay?

- And number five.

- Number five. Consideration of possible action and a request by Alder Galvin to review and adopt the hotel registration and security ordinance from Ashwaubenon Section 9-1-8, and number 3-1-19, 3-26-2019. A lot of dashes, dash it all. Staff.

- We would request that this be received, or not received, referred to Staff. So that we can--

- I was hoping that there'd be more, I don't even know what in the world are we talking about here.

- I think Police have something.

- Okay.

- Our department has been in touch with Alder Galvin. The main purpose behind this is, with human trafficking and other things going on in the city and in the county, it would allow us to go to a hotel that we believe there might be someone trafficking someone in that room, or where our suspect is there, where we could get that information very readily. As opposed to having to go seek to get a warrant and then a lot of times when we get that whole list, every name on there becomes discovery. So if you stayed at a hotel, and they're going after me, your name's gonna be on there. Other--

- That sounds like fun!

- Other jurisdictions around... What our plan or goal is, is we're not gonna go to these hotels daily and ask, we don't have the time nor the resources. But if we're conducting an investigation, we'd have in theory, a sheet where it'll say, "The Green Bay Police Department "is conducting a human trafficking investigation. "We are requesting your hotel list for this date." That way they could keep it on their records, so we're not going on a fishing expedition, it'd be where we're looking for a specific thing. For human trafficking, for drugs, some of our hotels that, they have mental illness and we're trying to help them through a homeless outreach programs and they're staying in some of the lower income hotels, we have no idea that they're there. So that's the purpose behind it.

- It just gives you another tool.

- Yes. It's not to be a fishing expedition where we wanna see who's staying at the hotels. Like I said, we don't have the time nor the resources nor the want to know that. It's for very specific instances that we'd be asking for that information.

- Are there others municipalities like this--

- Ashwaubenon, right?

- Well besides that. I said besides that.

- Yeah, I talked to Sergeant Wilson from the Sheriff's Department. He said the county was thinking about doing a county-wide ordinance. But they were looking to start at the local municipalities first to see how it would go. Ashwaubenon has had it the past couple of years and it's been very successful. Sergeant Wilson from the Sheriff's Department was happy that Green Bay might be enacting it. 'Cause he made it seem like--

- Once that happens, others will--

- Yes, other municipalities might follow suit.

- Okay, that's good news.

- Is it actually saving, excuse me. Is it actually saving the Police Department money by going this direction?

- Yeah, it'd save a lot of time and money. Because right now, if I believe the person was at the hotel... The hotel, I believe it was a Motel 6, a couple Motel 6s paid out multi-million dollar lawsuits because they just gave the police the information. Whereas if there's an ordinance, where then we give them the form, it would save us from having to go to a judge, fill out to get a search warrant or a document subpoena--

- They're gone by then.

- Take all that time and effort, get it signed, then go to the hotel, present it to them, and then if their legal staff wanted to go over it, it would create a lot of time. Sergeant Wilson also said, the hotel and hospitality board or commission is very much in favor of this. They want this because it will help their hotels and motels with the undesirables that, hey, they don't want them there either. So he said, in the future if you have any questions I can let him know once we draft the ordinance, and he'd be more than happy to come in. And some of the other gentlemen from the hotels in the area if you had questions of them as well.

- I make a motion to approve.

- I'll move to refer it to Staff.

- Motion to refer to staff by Alder VanderLeest.

- Second.

- Seconded by Alder Stevens. I thought you liked fishing?

- Not that type.

- All in favor?

- [All] Aye.

- Opposed? That passes unanimously.
- Sounds like a good one.
- We are on the...
- Informational?
- The violational.
- Liquor violation report from the Police Department from March 9, 2020.
- We had one incident in the parking lot of Club 920. They were proactive in helping us out. In fact they even called to have a meeting with us after the incident so we could keep open lines of communication to hopefully prevent something like this happening again. And they have been very good with us when we've asked for security footage or anything else. It was just a random incident in the parking lot.
- Okay. I make a motion to receive and place on file.
- Motion to receive and place on file by Alder Steuer.
- Second.
- Seconded by Alder Stevens. All in favor?
- [All] Aye.
- Opposed? Okay that is received and placed on file.
- And a report from the water utility department.
- Report from the water utility department regarding the lead pipe removal project. We have the attachment here.
- And she shared with the Council too.
- Yep, so...
- Motion to receive and place on file.
- Motion to receive and place on file by Alder Steuer.

- Second.

- Okay, Motion to receive and place on file by Alder Steuer. Seconded by Alder VanderLeest. All in favor?

- [All] Aye.

- Opposed? That is received and placed on file.

- Adjournment.

- I'll take a motion to adjourn.

- Motion to adjourn.

- Motion to adjourn by Alder Stevens. Seconded by Alder VanderLeest. All in favor?

- [All] Aye.

- Opposed? We are done! Good job everyone. Thank you thank you. This was fun, wasn't it? Aren't you glad you came?