



MINUTES OF THE PROTECTION AND POLICY COMMITTEE

MONDAY, APRIL 27, 2020, 3:30 PM

Telephonic Meeting

Public may also view at www.youtube.com/CityOfGreenBay

A. ZOOM MEETING INFORMATION

I. This item contains documents which provide call in information and instructions for the Zoom Meeting.

B. ROLL CALL.

Present: John VanderLeest, Craig Stevens, Mark Steuer, Kathy Lefebvre

Also Present: City Attorney Vanessa Chavez, Deputy City Attorney Joanne Bungert, Assistant City Attorney Lindsay Mather, Lt. Steve Mahoney, City Clerk Kris Teske, Chief Building Inspector Paul Van Calster, Zoning Administrator Paul Neumeyer, Ald. Jesse Brunette, Ald. Barbara Dorff, Ald. Chris Wery, Ald. Randy Scannel, Ald. Lynn Gerlach

I. Election of Chairman and Vice-Chairman.

Ald. John VanderLeest nominated Ald. Mark Steuer to be chair of the Protection & Policy committee. Ald. Craig Stevens nominated himself to be chair of the Protection & Policy Committee.

A roll call vote was done and Ald. Mark Steuer was nominated 3-1.

Steuer-Kathy Lefebvre, Mark Steuer, John VanderLeest; Stevens-Craig Stevens

Ald. Mark Steuer nominated Ald. Craig Stevens to be Vice-Chairman of the Protection & Policy committee.

A voice vote was done and Ald. Craig Stevens became Vice-Chairman of the Protection & Policy committee.

2. Set Day and Time for Future Meetings.

The committee agreed to meet Mondays at 5:30 p.m.

C. APPROVAL OF THE AGENDA.

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

Yes- Craig Stevens, John VanderLeest, Mark Steuer, Kathy Lefebvre

D. APPROVAL OF MINUTES.

1. Approval of the minutes for the April 6, 2020 Protection & Policy Committee meeting.

Moved by Ald. Kathy Lefebvre, seconded by Ald. Craig Stevens to approve the minutes for the April 6, 2020 Protection & Policy Committee meeting. Motion carried.

Yes- Craig Stevens, John VanderLeest, Mark Steuer, Kathy Lefebvre

E. REGULAR BUSINESS.

1. Notice of change of agent for Kwik Trip, Inc. at 3525 Humboldt Rd.

Moved by Ald. John VanderLeest, seconded by Ald. Craig Stevens to approve change of agent for Kwik Trip, Inc. at 3525 Humboldt Rd. Motion carried.

Yes- Craig Stevens, John VanderLeest, Mark Steuer, Kathy Lefebvre

2. Notice of change of agent for Kwik Trip, Inc. at 1712 E. Mason St.

Moved by Ald. Kathy Lefebvre, seconded by Ald. John VanderLeest to approve the change of agent for Kwik Trip, Inc. at 1712 E. Mason St. Motion carried.

Yes- Craig Stevens, John VanderLeest, Mark Steuer, Kathy Lefebvre

3. Consideration with possible action on a request by Player 2, LLC at 219 N. Washington St. to extend the date of issuance of their "Class B" Combination license until the governor lifts the mandate that bars be closed. (Granted at the February 10, 2020 Protection & Policy Meeting).

Moved by Ald. Craig Stevens, seconded by Ald. John VanderLeest to approve a request by Player 2, LLC at 219 N. Washington St. to extend the date of issuance of their "Class B" Combination license until the governor lifts the mandate that bars be closed. (Granted at the February 10, 2020 Protection & Policy Meeting). Motion carried.

Yes- Craig Stevens, John VanderLeest, Mark Steuer, Kathy Lefebvre

4. Consideration with possible action on a request by Randy Stocker, 1273 Elmore Street, to Ald. Steuer, to rescind a \$624.39 charge for work completed on said property prior to the closing of the sale of the property to Mr. Stocker.

Alder Steuer is recused.

Moved by Ald. John VanderLeest, seconded by Ald. Kathy Lefebvre to open the floor for discussion. Motion carried.

Yes- Craig Stevens, John VanderLeest, Kathy Lefebvre, Abstain- Mark Steuer

Moved by Ald. Kathy Lefebvre, seconded by Ald. John VanderLeest to close the floor. Motion carried.

Yes- Craig Stevens, John VanderLeest, Kathy Lefebvre, Abstain- Mark Steuer

Moved by Ald. Kathy Lefebvre to reduce fees by 1/2. Motion failed for a second.

Moved by Ald. John VanderLeest, seconded by Ald. Craig Stevens to deny the request by Randy Stocker, 1273 Elmore Street, to Ald. Steuer, to rescind a \$624.39 charge for work completed on said property prior to the closing of the sale of the property to Mr. Stocker.

Yes- Craig Stevens, John VanderLeest, No-Kathy Lefebvre, Abstain- Mark Steuer

5. Consideration with possible action on a request by Ald. Brunette to refund the re-inspection fees at 2468 West Point and for the city to appeal to the federal government to allow for the property owner's shed to remain.

Moved by Ald. John VanderLeest, seconded by Ald. Kathy Lefebvre to hold for 90 days a request by Ald. Brunette to refund the re-inspection fees at 2468 West Point and for the city to appeal to the federal government to allow for the property owner's shed to remain. Motion carried.

Yes- Craig Stevens, John VanderLeest, Mark Steuer, Kathy Lefebvre

6. Consideration with possible action on General Ordinance number 11-20, an ordinance to amend Section 1.40(4), GBMC, relating to records retention.

Moved by Ald. Kathy Lefebvre, seconded by Ald. John VanderLeest to approve General Ordinance number 11-20, an ordinance to amend Section 1.40(4), GBMC, relating to records retention. Motion carried.

Yes- Craig Stevens, John VanderLeest, Mark Steuer, Kathy Lefebvre

7. Consideration with possible action on a request by Ald. Steuer to do a study with concerns with 5G Network Health Risks.

Moved by Ald. Craig Stevens, seconded by Ald. John VanderLeest to refer to staff a request by Ald. Steuer to do a study with concerns with 5G Network Health Risks. Motion carried.

Yes- Craig Stevens, John VanderLeest, Mark Steuer, Kathy Lefebvre

Moved by Ald. Craig Stevens, seconded by Ald. John VanderLeest to reconsider the motion to refer to staff a request by Ald. Steuer to do a study with concerns with 5G Network Health Risks. Motion carried.

Yes- Craig Stevens, John VanderLeest, Mark Steuer, Kathy Lefebvre

Moved by Ald. Craig Stevens, seconded by Ald. John VanderLeest to receive and place on file a request by Ald. Steuer to do a study with concerns with 5G Network Health Risks. Motion carried.

Yes- Craig Stevens, John VanderLeest, Mark Steuer, Kathy Lefebvre

8. Consideration with possible action on a request by Ald. Steuer to create a Green Bay City Resolution to the State of Wisconsin asking Governor Evers to designate retail workers as “first responders”, thus opening up possible health and financial benefits.

Moved by Ald. John VanderLeest, seconded by Ald. Craig Stevens to receive and place on file a request by Ald. Steuer to create a Green Bay City Resolution to the State of Wisconsin asking Governor Evers to designate retail workers as “first responders”, thus opening up possible health and financial benefits. Motion carried.

Yes- Craig Stevens, John VanderLeest, Mark Steuer, Kathy Lefebvre

9. A request by Ald. Brunette for consideration with possible action on Green Bay Common Council to begin meeting a minimum of twice a month effective June 2020. There are too many critical issues requiring attention and action to meet once a month. We answer to the public and more regular meetings are necessary and convenient for the public.

Moved by Ald. Craig Stevens, seconded by Ald. John VanderLeest to hold to the next Protection & Policy Committee meeting a request by Ald. Brunette for consideration with possible action on Green Bay Common Council to begin meeting a minimum of twice a month effective June 2020. There are too many critical issues requiring attention and action to meet once a month. We answer to the public and more regular meetings are necessary and convenient for the public. Motion carried.

Yes- Craig Stevens, John VanderLeest, Mark Steuer, Kathy Lefebvre

11. Consideration with possible action on a request by Ald. Scannell to pass a resolution to allow municipalities to go to an all mail voting process for elections.

Moved by Ald. Craig Stevens, seconded by Ald. Kathy Lefebvre to refer to staff a request by Ald. Scannell to pass a resolution to allow municipalities to have a comprehensive mail voting process for elections. Motion carried.

Yes- Craig Stevens, John VanderLeest, Mark Steuer, Kathy Lefebvre

10. Consideration with possible action on a request by Ald. Dorff to form an ad hoc elections committee for the duration of the Covid 19 National Crisis. The purpose of said committee, under the direction of the Green Bay City Clerk, would be to proactively assist the Clerk to plan for the November 2020 election and have the primary goal of obtaining positive suggestions and action items to improve the process of holding elections that occur during the Covid 19 outbreak.

Moved by Ald. John VanderLeest, seconded by Ald. Kathy Lefebvre to approve a request by Ald. Dorff to create an ad hoc elections committee with members consisting of Ald. Dorff, Ald. Wery, Clerk Kris Teske and Mayor Eric Genrich with reports directed to the committee of the whole for the duration of the Covid 19 National Crisis. Motion carried.

Yes- Craig Stevens, John VanderLeest, Mark Steuer, Kathy Lefebvre

12. Consideration with possible action on a request by Ald. Lefebvre which states: Resolution- The City of Green Bay ask the Wisconsin Election Commission to investigate myvote.gov re: requests for absentee ballot failures. Citizens have filled out their requests and not receiving their ballots after weeks of waiting, they went back to check their status only to find out their request was not there. Therefore it is imperative that the Wisconsin Election Commission makes sure that myvote.gov is ready for the August and November elections and is working properly.

Moved by Ald. Craig Stevens, seconded by Ald. John VanderLeest to refer to staff a request by Ald. Lefebvre which states: Resolution- The City of Green Bay ask the Wisconsin Election Commission to investigate myvote.gov re: requests for absentee ballot failures. Citizens have filled out their requests and not receiving their ballots after weeks of waiting, they went back to check their status only to find out their request was not there. Therefore it is imperative that the Wisconsin Election Commission makes sure that myvote.gov is ready for the August and November elections and is working properly. Motion carried.

Yes- Craig Stevens, John VanderLeest, Mark Steuer, Kathy Lefebvre

13. Consideration with possible action on a request by Ald. Wery to request the Wisconsin Elections Commission investigate the administration of the election and conduct of officials for April 7, 2020 and report its findings to the Green Bay Common Council.

Moved by Ald. John VanderLeest, seconded by Ald. Mark Steuer to approve a request by Ald. Wery to request the Wisconsin Elections Commission investigate the administration of the election and conduct of officials for April 7, 2020 and report its findings to the Green Bay Common Council.

Motion Failed 2-2; No recommendation

Yes- John VanderLeest, Mark Steuer, No- Craig Stevens, Kathy Lefebvre

F. INFORMATIONAL.

I. Liquor Violation Report from the Police Department for April 27, 2020.

Moved by Ald. John VanderLeest, seconded by Ald. Kathy Lefebvre to receive and place on file the Liquor Violation Report from the Police Department for April 27, 2020. Motion carried.

Yes- Craig Stevens, John VanderLeest, Mark Steuer, Kathy Lefebvre

G. ADJOURNMENT.

Moved by Ald. Kathy Lefebvre, seconded by Ald. John VanderLeest to adjourn at 6:22 p.m. Motion carried.

Yes- Craig Stevens, John VanderLeest, Mark Steuer, Kathy Lefebvre

VERBATIM MINUTES

- [Joanne] All right, Alder Stevens, we can start with roll call.
- Alder Mark Steuer. He's here.
- I am here, I was muted.
- Alder Kathy Lefebvre?
- [Kathy] Here.
- And Alder John VanderLeest? He's here, right?
- [Joanne] I'm not sure if he hears us. Shelby is he in the room, can he hear us?
- [John] Okay, this is John VanderLeest.
- All right.
- And myself, Alder Craig Stevens. We're all present. Agenda here.

- [Joanne] Yep, so the first thing would be the election of the Chair and the Vice-Chair for the Committee.

- [John] I'd like to nominate Mark Steuer for the Chair. John VanderLeest, nominate Mark Steuer. Can you hear me?

- Can you hear VanderLeest?

- [Joanne] Yes we can hear. We just need a second.

- [Kathy] I'll second. Alder Lefebvre will second.

- Can I nominate myself?

- Oh, there you go.

- [Joanne] We would have to vote on the first motion and then, or amend the motion. So are we voting?

- [John] You gonna have the votes come up or are we gonna do it verbally?

- [Joanne] Sorry what we can do is we can just take all of the candidates. No seconds are needed.

- [John] Okay.

- [Joanne] So if we wanna have the candidate of Alder Steuer and Alder Stevens, then everybody can vote respectively who they vote for. We can do a roll call vote.

- Okay.
- [John] Do you want me to vote now?
- [Joanne] If everybody's ready, I can just call the roll call.
- [Multiple People] Okay.
- [Joanne] Alder Stevens.
- Myself.
- [Joanne] Alder VanderLeest.
- [John] I vote for Alder Steuer.
- [Joanne] Okay. Alder Steuer?
- I'll vote for Alder Steuer.
- [Joanne] And Alder Lefebvre.
- [Kathy] Alder Steuer.

- [Joanne] All right, Alder Steuer is elected to be Chair of Protection and Policy with three votes.

- I nominate Craig Stevens for Vice-Chair.

- [Joanne] All right, any other nominations? Okay, so we can just maybe do a voice vote since there's only one candidate, we can just do a voice vote.

- [Kathy] Aye.

- Aye.

- Aye.

- [John] Aye, VanderLeest.

- Aye.

- [Joanne] All right, Alder Stevens is the vice-chair of Protection and Policy Committee. Okay, let's see. The next discussion we have is setting the day and time for the upcoming meetings. So currently Protection and Policy meets Mondays at 5:30 P.M. Alder Steuer, do you wanna?

- [John] I'm comfortable with that.

- [Joanne] I'm sorry go ahead.

- I'm fine with 5:30 on Mondays. If anybody else has a point on that.

- I do.

- [John] Alder VanderLeest is also comfortable with that timeframe.

- [Kathy] Alder Lefebvre is fine on that time.

- I'm also fine with that time as well but my understanding is that we may need to change the time start for the next couple weeks.

- Because of planning?

- Yes.

- There are some conflicts.

- [Joanne] Right, so the difficulty is is that the YouTube streaming can only do one meeting at a time which is why we can't have two meetings simultaneously happening at the same time. So we may have to do a little bit of movement, but we can always communicate that as soon as we know that there's going to be a conflict and it also always depends on how lengthy the event is going to be. We anticipated that this one was going to take some time based on the number of communications and things that the Committee and constituents are gonna want to discuss, so that's why we pushed it up to 3:30. But if moving forward if everybody's okay with Monday at 5:30, then we will keep that for the future meetings.

- [Alder Lefebvre] Alder Lefebvre has a question. What Monday of the month?

- [Joanne] I believe it's the second and the third Monday, it's always the Monday,

- [Joanne] I'm sorry?

- Not the fourth?

- [Celestine] This is Celestine. So the, it's the second meeting of the month, the second Monday and the fourth Monday for P & P. And Joanne, were you talking, or Attorney Bungert, were you talking about when planning commission ends, the second and third?

- [Joanne] No. I'm sorry, I misspoke. I meant second and fourth and it's the Monday immediately preceding a Council meeting. I'm not sure what planned commission schedule is. I know that they typically meet on Mondays but I wasn't sure if it was every Monday that P & P met.

- [Celestine] Yeah, so planning commission's schedule is more difficult to change because of notifications to the public regarding decisions that planning commission would make. So the idea, or especially in this time when we are doing virtual meetings, for Protection and Policy you could change to another day but you'd still have to be earlier in the day, most likely.

- [Kathy] Can I ask Celestine a question?

- [Celestine] I don't see why not.

- [Kathy] On the agendas, it's down for, tomorrow night is Finance and Personnel. That's at 4:30 and at 5:00 they have down Parks. That's gonna cause a problem, right?

- [Celestine] So what happens is that it's just immediately following. So for I & S and Parks, and then Personnel and Finance, it should be immediately following. I will look at the agendas right now to confirm that. But that's how we have set those up.

- [Kathy] So is Finance and Personnel first?

- [Celestine] Let me just take a look, Alder.

- [Kathy] 'Cause they start at 4:30 and you had five for Parks.

- Is this something that we can deal with after P & P?

- [Celestine] Yes, sure.

- It's a different day Kathy.

- [Kathy] You can email me Celestine, just let me know.

- [Celestine] I certainly will Alder.

- [Kathy] Okay, thank you.

- [Celestine] You're welcome.

- [Joanne] Okay, so we are on to the approval of the agenda, I'm just trying to queue it up in CivicClerk. Alder Steuer as Chair do you want to proceed with, okay perfect.

- I would like to get a motion for the approval of the agenda.

- Motion to approve.

- [John] Motion to approve.

- Stevens and seconded by VanderLeest, all in favor?

- Aye.

- [Kathy] Aye.

- [John] Aye.

- All opposed, that passes. Approval of the minutes.

- [Kathy] I'll move, Lefebvre move to approve the minutes.

- Second.

- Okay, by Lefebvre and seconded by Stevens, all in favor?

- [John] Aye.

- [Kathy] Aye.

- All opposed. Okay that passes. Next, regular business, number one. Notice of change of agent for Kwik Trip, Inc. at 3525 Humboldt Rd. Staff?

- [Joanne] Yes, so the Law Department has no objection.

- [John] Motion to approve.

- Second.

- Motion to approve by VanderLeest, seconded by Stevens, all in favor?

- [John] Aye.

- [Kathy] Aye.

- That passes unanimously. Next we have notice of change of agent for Kwik Trip, Inc. at 1712 E. Mason St. Staff?

- [Joanne] Yes, one second. Law department does not have any objections for this item either.

- [Kathy] I'll move to accept.

- Do we have a second?

- [John] Second.

- Okay, motion by Lefebvre, seconded by VanderLeest, any other discussion, all in favor, say aye.

- [Kathy] Aye.

- Opposed. That passes unanimously. Okay, item number three, Consideration with possible action on a request Player 2, LLC at 219 N. Washington St. to extend the date of issuance of their "Class B" Combination license until the governor lifts the mandate that bars be closed. Granted at the February 10, 2020 Protection and Policy Meeting. Staff?

- [Joanne] Yes so our ordinances require that establishments are operational within 60 days of the granting of the license unless Council so extends. Accordingly, the licensee is asking for an extension in light of the emergency orders in place. At this point, staff does not have any objections, it's up to the discretion of the Committee.

- Can I ask Lieutenant Mahoney, is there anything with the police on this, do you agree? Lieutenant is there any issue with that from the police standpoint?

- It looks like he needs to be unmuted.

- [Joanne] Yeah, Lieutenant Mahoney, you need to unmute.

- [Lieutenant Mahoney] Okay so there is no objection from the police department for that due to the COVID-19.

- Okay, thank you Lieutenant. Do I hear a motion?

- Motion to approve.

- Motion by Stevens, do we have a second?

- [John] Second.

- Second by VanderLeest. All in favor?

- Aye.

- [John] Aye.

- [Kathy] Aye.

- All opposed, that passes unanimously. Next we have number four. Consideration with possible action on a request by Randy Stocker at 1273 Elmore Street, to Alder Steuer, to rescind a \$624.39 charge for work completed on said property prior to the closing of the sale of the property to Mr. Stocker. Before we continue on this, I am Mr. Stocker's Alder. I will have to recuse myself from this vote. I will probably, I may be saying some things along with this item, so I need to recuse myself.

- [Kathy] Chairman, can you explain what this charge is and why you're asking for this?

- Well, Joanne, is Mr. Stocker part of the call in today?

- [Joanne] I believe he is. So it's up to the Committee whether we can have, if you'd like to introduce this item and either provide whatever communications you've had with him at this point. You could do that now or we could start with Mr. Stocker presenting his arguments for appeal. And then Inspections can then present their information and then we can have some time for rebuttal. In the interest of time, I would suggest the Committee just setting a time limit for 10 minutes for Mr. Stocker for the appellant, 10 minutes for staff to present and then five minutes each for rebuttal.

- [John] I'd like to hear from the staff first. Chairman Steuer, I'd like to hear from the staff first and hear their side of the story, of what, if that'd be okay, I'd like to hear from the staff, thank you.

- I concur.

- I'm fine with that. I mean I have an email from Director Grenier and then there's also information from our Inspection department is here as well. Paul is here to speak on it. So I would agree with that. I would defer over to Inspection at this time.

- Inspection is on mute.

- Joanne?

- [Joanne] Yep, I think I can unmute Paul.

- [Paul V.] Sorry this is Paul VanCalster. I didn't prepare a lot for this meeting. The 624, the fee in question, isn't ours, per se, of closing up the driveway entrance. It was a DPW process they went through to do that closure, so there really is little on our side. It happened, I believe, between the sale of the property and after he bought the property.

- [John] Can you do a little more explaining on that please?

- [Paul] Honestly, I don't have it. I wasn't prepared to speak because I thought it was a DPW and I know Celestine has had a whole slew of conversations on that topic as well. So I've been out of the loop on this one because it was past the Inspection department, it was more between DPW and the complainant.

- Joanne?

- [Joanne] Yes.

- I have a email from Director Grenier. I'd like to read it to the Committee, then Mr. Stocker probably could speak after that. So if you got a minute, I will read this.

- [Joanne] That's fine. Just moving forward, as Alder Steuer is recused, Alder Stevens, if you will, as Vice-Chair, you can run this item and then Alder Steuer is essentially participating on behalf of the constituent.

- Okay.

- Can I move forward then with this letter?

- [Joanne] Yep.

- This is written to me from Director Grenier on April 3rd. He wrote, "Alder Steuer, this is the first I've heard of this situation but I did a little digging with the files I could see in the information Mr. Stocker provided to you. "Based on my research, it appears that the property at 1273 Elmore had a house structure on it that became subject to a raze or repair order. " struck and parcel. "Per the zoning ordinance, a driveway which is a curb cut apron and driveway surface on private property, can only exist on a built-upon parcel. "That's a bit of a colloquialism, but still an accurate interpretation of ordinance. "As a result of a structure razing, the driveway including the apron had to come out and the curb cut needed to be sealed up, so it was curb replacement. "Generally the driveway removal and curb cut closure are the responsibility of the property owner, just like sidewalk repair. "If the property owner fails to complete the work within a specified time period, the City can do charge it back. "It appears that the bank holding the title elected to let the City complete the work. "This is common. "The contractor who was Fisher-Ulman, completed the work order associated with closing the curb cut and restoring the terrace under contract with the City. "Fischer-Ulman submitted an invoice for this work to the City on 11-8 of two thousand This would need to be reviewed by Department of Community and Economic Services forwarded to Finance for payment, and the City would issue an invoice to the property owner. "This could easily take a week to 10 days to complete. "Once the invoice is sent to the property owner, the property owner has 30 days to pay the City. "Invoices for services provided that remain unpaid after 30 days are added to the property tax bill as a special charge. "Outstanding invoices along with liens and unpaid special assessments will show up through the Clerk's office under what is commonly referred to as a letter of specials. "This is the information Mr. Stocker requested multiple times from the Clerk. "Until the invoice is sent to the property owner and it then remains unpaid for 30 days, there is no way for the Clerk know there is an outstanding bill on the property. "At a minimum, we are looking at December 8th of 2019, assuming DCES of the Fischer-Ulman invoice forwarded it to Finance and an invoice to the property owner were generated on the same day Fischer-Ulman created their invoice. "In all reality, we are looking at mid to late December before the Clerk's office could have been made aware of the invoice from Fischer-Ulman. "All work completed by Fischer-Ulman was to bring the property in conformance with our ordinance. "As I mentioned to you, ignorance of the law does not provide a defense from abiding by it. "What that means is that the charges are valid against someone. "At some point during all of this, the property transferred from a previous owner and Mr. Stocker. "The situation of unfortunate timing, the property transfer occurred during the short window between the work being completed and the invoice for the work being issued. "Mr. Stocker may or may not have a case against the seller for who is responsible for the cost. "But I don't believe there is any way that the City is at fault for failure to disclose nor negligence. "The work was necessary for compliance with the code and as a matter between the previous and current property owner." That's the letter. So I would ask to open the floor so that Mr. Stocker could reply.

- [John] Motion to open the floor.

- Okay well I'll second that.

- All in favor.

- Aye.

- [Kathy] Aye.

- [John] Aye.

- [Joanne] Actually I'm sorry Alder Steuer, as you're recusing yourself from this,

- I'm sorry.

- [Joanne] We need to redo that motion.

- I apologize.

- [John] Alder VanderLeest made a motion to open the floor.

- [Joanne] So we need a different second.

- [Kathy] I'll second it.

- [Joanne] All right. All those in favor say aye.

- Aye.

- [John] Aye.

- [Kathy] Aye.

- [Joanne] All right, the floor is now open. One moment and I will unmute Mr. Stocker. All right, Mr. Stocker, can you hear us?

- [Randy] Yes, can you hear me?

- [Joanne] Yes. You can go ahead and proceed with your comments.

- [Randy] Excellent. So I'm not arguing that this work needed to be done. It was just the fact of when it was done, that the issue is. So going back to when I was purchasing this lot, there was a house on it. That house was torn down sometime around March of 2019. I put my offer in and it was signed in September. On September 24th, I received a certified letter that was sent to the title company stating that no special assessment or charges of any kind were approved by the City, other than those that were listed on that letter. There's two charges that were listed on that letter. One was for the raze, which was \$10,191.71. And then some other special assessments for 126.18. I was expected to close on October 10th. The closing was pushed because the monies that were being charged were already put on the taxes and the City stated to the title company that they could not pay them until the tax bill came out because they were put on the tax bill. So I made a bunch of personal phone calls both to the City Clerk's office, Inspections, the title company to resolve this. I was finally able to get a new closing date for basically November 12th. I had called the Clerk's office and they had stated that that certified letter that was sent to me that states that there are basically no special assessment work that is completed or anything that was approved for charges that were on there. So I closed on the 12th. I received the bill in question on December 10th. The director's letter, the City was charged, so invoiced by the subcontractor, the Fischer and Ulman construction, on the 8th of November. So a couple days before I closed. So that work on the curb was completed prior to that September date that I got the certified letter. So to me I'm looking at it I'm like, you would think that if that work was approved that they should have known about that. That's where my issue lies is not the fact that it needed to be done, it should have been disclosed on that certified letter saying that this is a charge that is pending. It was not. When I closed on this, because the monies had been put on the tax bill already, I closed with a paid in full from the title company, meaning that all of that special assessments, I would be responsible for when the tax bill came out. I called not once but twice to the City Clerk's office, talked to Kris Teske and was assured that there by what she could see and this letter that there was no charges going to be placed on the property after closing.

- [John] I've got a quick question Mr. Stevens, you're the chairperson a head of this I think. I got a quick question for the person involved there.

- Go for it.

- [John] Okay, now the bank notified you that there was gonna be a \$629, what is that figure here \$624.39 for the work being done, did the bank notify you on that?

- [Randy] No, the City did not disclose that to the title company.

- [John] How did they happen to hear about, How did the bank happen to hear about it?

- [Randy] They did not. I received a bill after closing on December 10th that this work was completed and like I said, I received that bill from the City along with the invoice from the subcontractor explaining that charge.

- [John] I think that's kinda self-explanatory as far as when you bought the property, at that time there was no charges, the work hadn't been done and then in order to bring it up to code,

- [Randy] No, the work was done before I closed.

- [John] You know myself, I feel that it had to be done, basically, it had to be done and the charges that were, the bank got involved as far as they said that they wanted the City to take care of that installation of that curb and gutter. Is that correct?

- [Randy] I can't, I have no idea what the City and the bank discussed prior to the closing. I know that this was not this was not title-searched, because the City said that they had no idea that this invoice was coming because it wasn't due yet, so like I said, the work was done and complete and billed prior to my closing on it. I'm not arguing the fact that it needed to be done, it was and so if the City would've put it on that certified letter, that certified letter came out September 24th.

- [John] When was the work actually done?

- [Randy] So, I could give you a ballpark because I when I saw the work complete. But I can tell you that the invoice that the subcontractor sent the City is dated 11-8 of 19 which was,

- [John] Did you already own the property at that time?

- [Randy] What's that?

- [John] Did you already own that property at that time?

- [Randy] No, that was four days before me owning the property, closing.

- [John] Basically I think it's a prime example that things have to catch up, if they just did the work and they invoiced it out, I think it's just a matter of that they had to catch up to bill it out and by the time it goes through the system, it takes a little bit longer. So basically I think that the charges you'll probably have to pay 'em. I feel you'd have to pay 'em. That's my opinion.

- Any other questions for Randy?

- [Kathy] This is Alder Lefebvre. No questions for him but I have something to comment after.

- Okay, hold on. I'll take a motion to close the floor.

- [Kathy] I'll make a motion to close the floor.

- [John] Second.

- Okay, Kathy.

- [Kathy] Yes,

- [Joanne] I'm sorry, Alder, we have to vote. We had a motion and a second. All those in favor to close the floor?

- Aye.

- [John] Aye.

- [Joanne] Okay, thank you.

- [Kathy] Okay, my comment is, do you remember back last year we had a similar situation with the guy with the storm sewer? Do you remember that? And again, when he went to look at all the different things that had to be done to the property, he also did not, he was also not aware that he had to put that storm sewer in. And then he came to us and said, "Here I got this all of a sudden notice "that I have to do this." And it wasn't something, you know, cheap it was an expensive proposition. And again, here's another thing. This should've been noted. This should've been noted when he went to purchase this property, all these things should be, I don't understand why, this is something that had to be done, it's in our ordinance. Why that's not noted when people buy property. How many times are we gonna come up with this? I don't think this is fair. I'm sorry. I'm gonna vote for Mr. Stocker. Maybe it has to go back to the bank, I don't know where it has to go. But we can't continually be doing this to people. Thank you.

- Any other comments?

- [John] Alder VanderLeest, I'd like to comment. A lot of these things that take place in a real perfect world, you'd like to say that Kris Teske's office has got everything right up to par, they know every little thing that's going on, but this sounded like the work was gonna, they had to get done, so they got the Ulman Construction company on it to get it done, they completed it and they billed the City for it. I think it's just a fair judgment that, I'm not tryin' to make light of, it's a charge and somebody has to pay for it. I don't think that, you know, like, just for example, it's a charge that the City incurred and they did the job. I think they have to be compensated for what they've done. It's just like if you, it's just that simple, in other words, it was done before the actual sale was completed, I think the gentleman knew that it had to be done. This is a nice way of saying, "Well everything wasn't just up to par "but now I don't wanna pay the bill." I think he's gotta take into consideration that the City took the time, got the construction company involved, they put in the concrete, they did it, it had to be done anyway, regardless of it was a little bit late or whatever. It would still have to come up to code and they brought it up to code. The charge was incurred. If the previous person had to pay it or the person that actually purchased it I think it's just a matter of some common sense here. Who's gonna pay for it? Is the City gonna pay for everything that, there's a little glitch in the system. As far as that other gentleman, there was another gentleman tax money, he's owed the tax money, but we gave him a free pass on it. I think that you have to take into consideration that it takes time to get things done. Fair is fair. The work was done. It should be paid for, simple as that. I'm not trying to make any trouble, but I'm telling you that's the

facts. You have something fixed and done, it brings it up to code, it makes the street better. The City's not in the business of just paying all these bills, just haphazardly, just gonna pay 'em, yeah, we're gonna be a good guy and pay 'em, I feel that we have to put the bill on to the person that actually's gonna benefit from that property, they got the curb and gutter in, they did it, it's done. They should pay for it. Simple as that, thank you.

- [Kathy] Alder Lefebvre.

- [Joanne] Yes.

- [Kathy] The problem is, this gentleman did not know that this was going to be done before he actually owned the property. He's not disputing that it wasn't up to code. He didn't dispute that it was in code, Alder VanderLeest. He didn't dispute that it was in code. But he didn't know about this when he was purchasing it. This all went through the title and he pays it and it goes on his taxes and he pays it that way. All of a sudden, he gets this bill after this happens. That's the problem I have. I think that we have to set up something in our system, that when people go to buy property that all these things gotta come up because these are all surprises people afterwards.

- [John] Believe me, if you purchased any property lately, there's things that have to be taken care of and some of it's done at the last minute. I don't think we can just be a big brother to everything that comes across the table here and say well, "We're not gonna charge 'em." the City got charged for that curb and gutter. Somebody's gotta pay for it, that's how I feel. As far as, things happen. The City can't be liable for every . The property had to be up to code, it had to be fixed and we fixed it. And there's a bill for it. Are you gonna say, well I'm just gonna skip that bill? I can't understand that part of it, you know, myself, personally, I feel that the charges there, he got the curb and gutter fixed, he should pay it, simple as that, thank you.

- All right, Alder Dorff?

- Thank you, Mr. Chair. I have two items. First, I just am a little confused because I thought this was something that went through DPW and I keep hearing "Clerk", the Clerk's office being mentioned. Can someone clarify that for me? Wasn't this a DPW charge, not anything that had to do with?

- [Vanessa] This is Vanessa, I can speak to it.

- Thank you Vanessa.

- [Vanessa] The reason this is where it is is because it's a unique situation. So yes, the charge originated with DPW because they're the ones who did the work. The reason that this ended up where it is is because when the gentleman was looking to purchase the property, he obtained a certified letter from the Clerk's office stating what was on the City's records at the time as to outstanding assessments and taxes. It's something that we provide as a courtesy to people when they are closing on houses or properties. It's standard practice. Now the things that this discussion is that as part of the letter, we do state in there that the charges that are identified are current at the time of the letter.

- Right.

- [Vanessa] And it doesn't address whether any additional ones will be assessed after the letter is provided.

- And that's exactly what happened, right, Attorney Chavez?

- [Vanessa] Correct.

- Those words, after. The second question I have, in the normal course of matters, would the person who sold the property have been responsible for that fee?

- [Vanessa] Yes.

- Is there any recourse to get that fee from that person? Go ahead.

- [Vanessa] Because this went through, I believe it went through foreclosure, the chances of recovery are pretty low. But that would be the proper party is to go back to the previous owner who had necessitated the work in the first place. The City would never be responsible for this charge, as Alder VanderLeest just stated, the work was completed because it was required, and that is something we always assess back to the owner. This is a unique situation in the sense that provided as a courtesy to help people get to closing. We state on there that it is possible that additional charges may be coming forward and in this circumstance it actually did. Just because of the timing of when the work was completed. There was a lag time in when those invoices got to the place of being placed on the Clerk's list. But it wasn't an extreme delay, it was just par for the course timing kind of situation.

- Thank you. So then, I'm not in the Committee but I'd like to make a suggestion. In the past, it seems, this isn't the City's fault. This isn't Mr. Stocker's fault. It's something that happened, it was accidental. At times what we have done is split the charge. That's something that I wonder if you guys want to consider, just splitting it between. Because Mr. Stocker will benefit from it, because he needs it. He needs it to make his property whole. But it really, it should have been, not that it should have been, it technically didn't belong to him, it belonged to the prior owner, might get money and the City will end up paying for it anyway. That would just be my suggestion. I've just seen that done in the past by Committee. Thank you for letting me speak Mr. Chair.

- So Attorney Chavez, I have a question. If I heard you correctly, this gentleman was made aware that there would be potential charges coming?

- [Vanessa] Every letter that we provide indicates this is a letter of that's accurate up until the date that it is provided. And so it's, process after that date could apply.

- Okay, thank you. Alder Randy Scannell.

- Thank you for recognizing me Mr. Chair. Mr. Vice-Chair. Just a couple of things. One, I believe in the past, that issue that Alder Lefebvre brought up, that issue, we did deny that. I do believe it would be wise to be consistent. Also, I don't think it's wise for the City to accept responsibilities and liabilities it's not responsible for. We are not liable here. Yes this is a sticky situation where things fall through the holes. That happens but if we were liable, if it was our fault, I would be all for full reimbursement or even a half reimbursement, if we're not completely at fault or whatever, but the City is not liable at all here. I just don't see why we should accept any liability. I sympathize with Mr. Stocker, but we are not, we just can't be accepting these responsibilities that aren't our responsibilities. We've got enough responsibilities of our own that we do have to, obligations we do have to fulfill. I'm not in favor of this at all. That's my two cents. And also Alder Steuer try to call your member to announce that everything here is just a recommendation.

- I shall do that, thank you. Thank you Randy.

- Yep.

- [John] Quick question and also Alder Stevens, I got one quick question there.

- Go ahead.

- I wanna make a statement. Whenever the City or the Clerk or the Department of Public Works sends out a letter saying that this is what they think are the assessments, they should be in big bold red letters that there's a possibility that could be additional charges and we're not aware of them at this time but there may be additional charges before you close. I think the City has to make it more clear that there might be other charges on the, to bring things up to code. I think we gotta make a real effort to anybody that comes and asks about it, they're gonna buy a property and they wanna know what the assessments are, they also should see that in big bold red letters that there might be some other charges here involved with the closing or whatever. I think that should be very well noted. Otherwise it creates a lot of problems for us at the Committee level. We're trying to say yeah, we're gonna let this fee go or we're gonna let that fee go. I think it's just buyer beware is the number one and then that the City make sure the disclosure that there might be other charges to bring things up to code. It has to be done and somebody's gotta pay for it. The City can't be liable for all these things that are coming across. Thank you.

- You're welcome. Anybody else?

- [Kathy] This is Alder Lefebvre.

- Go for it.

- [Kathy] I just, I don't want this to happen to someone else. I mean, 600 some dollars might not sound like a lot but for some people it's quite a bit and we could end up, could be thousands of dollars coming up. We have to do a better job at letting people know what's happening with property. If this was in code. This is something that the City knew that had to be done. I just have a hard time with this. I know the City can't afford to always be, okay okay but we also have to do a better job, as a City, for our residents. I'm just afraid this is gonna come up again and again and people are not gonna be very happy with us. This is something we have to do due diligence ourselves as a City for our residents.

- [John] That's fine.

- [Kathy] So I thank Alder Barb Dorff for her suggestion. I'll make a motion that we, because of the situation, that we split it 50-50 and the City 50 percent from the former owner who should actually be responsible for the whole thing. But I would make that motion.

- [Vanessa] Just one clarification. This is Attorney Chavez again. We would not be the ones going after the prior owner. We are not in privity with them. We are only in privity at this point with the current owner and so the current owner would have to go after those funds from the prior owner.

- [Kathy] That complicates things.

- [John] I just wanna make one quick comment. Alder VanderLeest if that's okay Alder Stevens?

- Yes.

- [John] If that was in the letter, other words, that they received, that there could be other possible charges, I think that pretty much sets the City that we're not liable for this. There might be other charges. I'm emphasizing that if that was sent in the letter that was what just that simple, in other words, there might be other charges and here was a charge that came up. As far as our citizens, everybody wants to represent their citizens but the thing is that, we're gonna have the disclosure in any letter that's given out, that there might be other charges, so we're not liable for all these things. Just that simple, in other words, we're putting a disclosure on there that there might be other charges so buyer beware. That's what I'm saying right there. If that was on the letter, pretty much says that there might be other charges. And there was another charge. There was this curb and gutter. The City fixed it and they paid for it. So I don't think the City should, if that was in the letter, saying that that's disclosure, then I'd have to say that they'd pay the fee. In other words.

- Alder Stevens?

- I am agreeing with John and Barb and Randy that I don't think the City should be responsible for the full amount. But I see that Alder Scannell wants to speak.

- I'd just like to respond to Alder Lefebvre. These transactions include many parties. The City cannot assume responsibility for other parties. We are not responsible for the coordination of everything. That's not how the system works. There are cracks in there and the buyer has to do their due diligence and check out every crack. We're just not part of the process. I think too much emphasis is being placed on us. We are not responsible for the other parties and there's nothing we can do about those other parties. So I appreciate Mr. Stocker's quandary, of position, but really he should be going after the former property owner, not us. That would be the appropriate course of action, even though I recognize in this case it's probably not going to get him much. To me, that's the appropriate course. We are not liable for other people. We are not responsible for other people. We shouldn't be resuming those liabilities and responsibilities. That's it, thank you.

- Do we have a motion on the floor though?

- [Joanne] Yes, yes. So we have a motion to reduce the fees by half, as moved by Alder Lefebvre. We do not have a second.

- Is there a second?

- [Joanne] Hearing no second, I would say that that fails for lack of a second. And now we can take another motion.

- I'll entertain another motion.

- [John] Motion to receive it and place it on file, as far as that we won't take any action, pay the fees. He'd have to pay the fees. That'd be my motion.

- Would that be the correct motion, Joanne?

- [Joanne] We can either do that or we can do a motion to deny the request.

- I'd entertain a motion to deny the request.

- [John] Second.

- [Joanne] Alder VanderLeest, would you like to amend your motion?

- [John] Deny the request would be fine.

- [Joanne] Okay and then we need a second.

- Can I second that?

- [Joanne] Yes.

- I'll second it.

- [Joanne] All right so we have a motion by Alder VanderLeest and second by Alder Stevens to deny. And that is the motion on the floor.

- Can we vote?

- [Joanne] Yes.

- [John] Aye.

- Aye.

- [Joanne] Alder Steuer abstains. That motion passes. Alder Lefebvre, did you vote?

- [Kathy] No, I didn't vote. I'll vote no.

- So two to one.

- Alder Stevens is reminded that it goes to Council.

- Okay, so everything that we discuss here today does go to Council which is on May 5th for final approval.

- [Joanne] Yes and that motion did pass, two to one, with Alder Lefebvre voting no and Alder Steuer abstaining.

- Okay. We can continue.

- [Joanne] One moment, I just need to catch up in CivicClerk. All right we are on item number five.

- Okay, number five. Consideration with possible action on a request by Alderman Brunette to refund the reinspection fees at 2468 West Point Road and for the City to appeal to the federal government to allow for the property owner's shed to remain. Staff?

- [Joanne] Yes, one second. At this point, I'm not sure whether we would like Inspections to speak on this first, or whether Alder Brunette wanted to introduce the item as it was brought, it wasn't filed by the property owner but via communication filed by Alder Brunette.

- Alder Brunette would you care to speak on this initially?

- Yes, thank you Chairman. This has been an issue that I've been assisting a constituent with since September or October. I've been to his property several times and he has been a very complimentary toward City staff but he's reaching sort of an end point on allowing a shed to be on his property. He had a shed installed on the property, according to him, with the proper permits. Federal government has stepped in and said that the shed is within a flood plain and he needs to remove the shed. So he's been receiving multiple reinspection fees from our Inspection department. But as far as he's concerned it's an open issue with the federal government. He has gone down several paths trying to get a clarification from the federal government because it's his understanding that consistent with federal law that the type of structure and where it's located on his property, that he should be able to keep his shed in its position. He has put quite a bit of work into the shed, quite an expense to him, and according to him, he has done everything the correct way. So he's going through several layers of appeals but until since then we have gone out there and reinspected several times to the point where I think he's, I wanna say over a thousand dollars in inspection fees. Our staff would have to clarify that. Mr. Dudek is his name, Thomas Dudek. If we were in better circumstances and not having to meet this way, he would have liked to have met the Committee in person. He's also a long haul trucker and he's currently, he called me earlier today from Vermont. So the one thing I would like to do, at the very minimum, one thing I'm hoping that the Committee agrees to is to stop the reinspection fees at least until he has the opportunity to

get the proper permissions from the federal government that he says that he should be able to get. So with that, staff can fill in the details that perhaps I'm missing and I'd be happy to answer any questions if necessary Mr. Chairman.

- Thank you Jesse. So Alder Brunette, if I could ask you, you're asking to just stop the reinspection fees at this time and you're not asking for, to rescind any of that are you?

- Well, I would love to have, if in fact the federal government does say that the shed could remain, then I would love to have the reinspection fees to be refunded, that was my communication originally with the owner. What's funny is, he's okay with not having the reinspection fees refunded but he would like above all to have the shed remain because to remove the shed he'd be having to pay several thousand dollars that he paid to install it, basically be thrown away, because he doesn't want to move it, he doesn't think it can be moved. So to answer your question, I know I'm not giving you a straight answer. He's not here so I can't, he wants to be able to keep the shed but at the very minimum, an action to stop the reinspection fees until at least June so he has enough time to figure this out when he returns back.

- I guess I wanna follow up on that. Have you had a chance to talk with Inspection, with Paul or anybody else there and find out.

- Through Ms. Renier-Wigg, Paul Neumeyer. We were trying to get this to be on the board of appeals which would be in my opinion the proper recourse but I don't think that, according to Mr. Neumeyer that it doesn't belong there, that it doesn't meet the threshold to appear before that committee. I think the City's position is the shed just needs to go because it's in the floodplain. There's no, it's a black and white. They've been great, I'm not gonna lie. The City staff as always is great. They're interpreting what they need to consistent with City codes and ordinances. They can't necessarily fight the federal government if the federal government thinks they're right but at least would like the City, based on the recommendation of the Committee, to possibly appeal to the federal government. I have a stack of papers that Mr. Dudek left for me. I need to make copies and present them to City staff so they can go through it and review it as appropriate. But it's longer than I thought I would read it to you but it's numerous pages that he's researched.

- [John] I'd like to make a motion.

- Yes, go ahead Alder VanderLeest.

- [John] I make a motion that we stop the fees and give him a 90 day period to see if he can't work it out with the federal government. And after 90 days, we should know what's going on at that time. That would be my

motion would be to and give him 90 days to get the communication to the federal government and see how they weigh in on it. At that time we can look at it again within 90 days. I think that would be.

- [Kathy] I'll second that.

- I would like to hear from the inspector first.

- I was gonna ask for that as well. Is Paul still here, VanCalster?

- [Paul V.] This is Paul VanCalster.

- Go ahead Paul.

- [Paul V.] The fees have actually stopped. He had come into the office one day and Paul Neumeyer, myself and I believe Brenda was up there and we all spoke with him, we all went over the options. At that time, we said we'll stop the fees, we won't charge you, work with that and submission to them to see if the shed can stay or not. We really have no jurisdiction on whether we can make the determination that it can stay, that's a federal issue. I see Paul Neumeyer joined the meeting as well, he can comment more on that. But for clarity, the inspections stopped in January when he came into the office.

- Thank you Paul. Mr. Neumeyer, is Mr. Neumeyer there? I'd like to hear from him too.

- [Paul N.] I'm here, are there any questions you have about that I can address?

- Well, I think it was stated already Paul that it's a federal issue and that it cannot go to the board of appeals because of what was stated here. I just wanted to hear that from you as well.

- [Paul N.] Yeah, it's a federal issue but it's also a State and local issue, so the City of Green Bay adopts the FEMA maps. In this particular case, Mr. Dudek did have a permit from the City to put up the shed, but he chose to put it in a flood way. So both the flood plain and the flood way, impact his property. He put it in the flood way where we can't issue a permit for that and there really is no recourse, at least locally, that I'm aware

of. I know he's looked at several different avenues to try and get that appeal through others but it's really I think something he has to deal with between himself and FEMA and there really is no other recourse at this point that we can offer.

- Paul can I ask another question? I mean when he came in, he must have come in for a site plan, correct?

- [Paul N.] He did, in August of 2018. We discovered this maybe in December of '18, and found it was put in the wrong spot but since that time.

- I guess the question I had is when he built that, when he decided to build this where he wanted to build it was he fully aware of the flood way or flood plain where he was building it or is this something that the City could've told him said, "Nope, you cannot go on this area, "you have to go back here." Was he aware of that, according to your records?

- [Paul N.] I can't speak to that directly but I suspect he was made aware of that in the sense that just behind his home is where the flood plain is and where the flood way is, there's a very small portion that is out of the flood plain and that's where the current position where he chose to put the structure to get the permit. So I think he got the permit to put it where it would've been compliant, so to speak, so I think he was aware of the flood plain standards at that time.

- I guess that's an issue that I have is that if he had a site plan to build it on a certain spot and then he moved that possibly to another spot, I would have an issue with that. I'd have to talk to Alder Brunette about that as well. I'd like him to weigh in as well. Does the Committee have any other comments on this?

- [John] No.

- I'd like to know what is the current inspection fee that total was.

- [Paul V.] He had 30 reinspections for \$1500. We talked about that as well when he came in in January and he told us the same thing. The fee, the \$1500 wasn't the issue, he just wanted to leave his shed where he chose to put it, like Paul Neumeyer was saying, versus where he told us he was gonna put it. He didn't want to chop down some trees, so he moved it back in the yard and put it in the flood way.

- Chair Steuer,

- Yes.

- If you could recognize me at some point, I can wait until the others.

- Go ahead.

- Alder Stevens are you done?

- I'm finished

- I'm sorry.

- Okay, so I wanna make sure I'm clear that the last I had heard about the reinspection fees that we were going to stop them and begin again in April. I didn't realize that, I thought from April 1st was when Mr. Dudek said that the City was going to start reinspecting so I'm actually quite happy that we haven't reinspected or charged fees since January. Honestly, I do believe him. He showed me page upon page upon page of letters he's written to Congressman's office. He referenced something in the federal code that would justify him keeping the shed so he has been working through a very bureaucratic system to get the proper permissions. So I guess not to waste too much time with the Committee, as long as there's no further reinspection fees I'd be fine holding, we need to resolve it at some point, either the shed has to go or he has to get permission from the federal government. I the motion to hold as long as there's a reassurance that the Inspection department won't go out for at least another month or two. The guy's been driving truck like crazy due to Corona and I don't wanna have this be another burden for him to have to handle from outside of the State .

- Okay thank you Alder. We do have a motion on the floor from Alder VanderLeest, correct?

- [Joanne] Yes, we have a motion to hold for 90 days.

- Do we have a second?

- [Joanne] Alder Lefebvre.

- [Kathy] Yes I seconded it.

- All right.

- [Joanne] So we have a motion

- I would ask for a vote. All in favor.

- Aye.

- [John] Aye.

- [Kathy] Aye

- Aye. All opposed, that passes unanimously.

- Thank you, appreciate it.

- All right, next number six. Consideration with possible action on General Ordinance number 11-20, an ordinance to amend Section 1.40 , GBMC, relating to records retention. Staff.

- [Lindsay] Hello everyone, this is Lindsay Mather.

- Hi Lindsay.

- [Lindsay] So as you probably remember, I've been working for quite some time now on the records retention schedule and getting that updated. In looking at the best way to get that done, I revisited the provision of code that allows for amending the records retention schedule and it currently says that the schedule won't be adopted by ordinance but it really should be adopted by resolution, so that it doesn't require an ordinance change every time that we update the social schedule. Basically, this is just a rather straightforward ordinance to change the provision of our code that would allow for us to pass the records retention schedule by resolution of Common Council rather than by ordinance. As soon as we get this enacted, I will be back with the full revised retention schedule.

- Thank you Lindsay. Is there any questions from the Committee, otherwise I'm gonna entertain a motion.

- [Kathy] Would the motion be to receive and place on file or to,

- Let's to amend. To amend section I.40.

- [Kathy] Oh, to amend. Okay, I'll make a motion to amend.

- [Joanne] I'm sorry, it would be, it would just be a straight motion to approve.

- Okay, all right.

- [Kathy] To approve, okay.

- Do I have a second?

- Second.

- [VanderLeest] Second.

- Okay, Lefebvre made the motion, second by VanderLeest. All in favor.

- [VanderLeest] Aye.

- [Kathy] Aye.

- Aye.

- Aye. All opposed, that passes unanimously. All right, next we have consideration with possible action on a request by Alder Steuer to do a study with concerns with 5G Network Health Risks. Before I continue on this, Joanne,

- [Joanne] Yes.

- Attorney Bungert, is there anybody here to speak on that, the citizen? I just wanted to know if there was anybody on the queue.

- [Joanne] Not that I'm aware of, no.

- All right, well, it's from a citizen, a constituent that brought this forward. She was sending me all sorts of articles and talking about 5G Network health risks and such. Like any other topic, you can get many many different types of materials that talk for or against some kind of a product. I realize that we don't really have a health department but I was wondering how we could proceed with this as far as getting some information out there. I don't know if this is something that would have to go to the Brown County Health Department, per se. But I would like to have some work done by staff to kind of move this forward just to see what issues might exist with this. Could you advise me on that?

- [Joanne] I think, I'm sorry, there's a little bit of feedback. I think if we just do a motion to refer to staff, I'm not entirely sure if this would be something that IT would be looking into, as far as the 5G Network.

- I would, right. Okay, I would ask for a motion to refer it to staff.

- Motion to refer to staff.

- Do we have a second?

- [VanderLeest] Second.

- Stevens moved it and second by VanderLeest, all in favor?

- [All] Aye.

- Opposed? That moves forward, thank you. Like I said, these are.

- Mark?

- Yes, go ahead.

- I think Alder Gerlach wanted to speak.

- Oh, I'm sorry, I didn't see her. When I look at this forum, I don't see that coming up, so you must have that I don't know if I do.

- You can see 'em waving.

- Well, yeah, I only have you and me on here right now. Alder Gerlach?

- Thank you.

- Sure.

- I wanted to speak before you voted. It might be a moot point now but I do have a little background information on this topic and I just wanted to share it with you because it might have affected your vote. The 5G bill was introduced to Congress last spring by Mr. Cornyn of Texas. It was finalized in December and it was passed by the full Senate on March 4th of this year. This whole concern about health risks of 5G apparently started as a Facebook post with someone claiming that there were all kinds of health issues with the 5G Network. It also has been credibly linked to some Russian propaganda.

- Hmm.

- I have researched this and I haven't found any credible evidence that there is really any health risk, that this was put forward on Facebook as a suggestion that someone was using the Coronavirus pandemic to, as a cover, to pass legislation about, on a harmful technology. So I just think you ought to know that.

- Well I appreciate that, Alder Gerlach. I mean our Committee has dealt with a number of health type issues, you know, fluoride, for example, is one. It's amazing how many arguments you get on both sides. It is hard to cut through everything but I agree with, I'm glad you I still, I think for the sake of what we brought forward is just to, if it comes back, that there's no credence to this, I'm fine with that. I just wanted to have it aired out and if that's the case, then that would be the case. But I appreciate your comments. Are we good, Alder Brunette I mean I'm sorry, Attorney Bungert, are we good on that?

- [Joanne] Yes we are good, we are on,

- [Vanessa] Hold on.

- [Joanne] Oh I'm sorry.

- [Vanessa] This is Vanessa Chavez.

- Yeah.

- [Vanessa] I just wanna make one comment. If we're looking into the health of something, we should probably send this or ask the public health department at the County to look into it, since they're the ones who actually have health people on their staff.

- initially so. If it's a case, Attorney Chavez, that it goes to you and then you send it over is that okay?

- [Vanessa] We can certainly ask for them to provide input. I don't know if they will if it's not an official item in front of them.

- Okay. Well then I suppose, we have two County supervisors on our Committee here, so I could talk to them as well. Is that something Alders VanderLeest and Lefebvre that you would look at? Is that something that you think,

- [Kathy] Sure.

- [John] I would recommend we send it to the County, County health department and ask 'em if there's bad health effects from the 5G or if it's, in other words, let them give us some information on it. I'd definitely be forward, in other words, support that as far as if there's any health risks that we could be aware of it. That would be my thoughts.

- Right, well that's fine but like Attorney Chavez said is we don't have that capability here at the City. So I'm wondering if you would have to take that as a communication to the County.

- [John] Sure, we take it, I will do it. That'd be fine.

- Okay.

- [Kathy] I can also support taking it to the County but I'm surprised that we cannot make a motion to ask the County, I mean.

- Well, Attorney Chavez,

- [Kathy] I'll do it as you believe it should be done. I can definitely take it with John to the County.

- Okay, Attorney Chavez, does that help with or how do you wanna deal with that?

- [Vanessa] We don't have any authority over anything the County does so we'd be basically asking or enacting a resolution asking them to pick it up. Otherwise the easier process is for somebody, for one of the County directors to actually just take this matter before them.

- So I'm just wondering if we should just receive and place this on file and then just have the County supervisors bring it forward, would that be the best way?

- [Vanessa] Yes.

- Okay. All right, so somebody make a motion to receive and place on file unless there's other questions or answers here.

- [John] Motion to receive and place on file.

- Do we have a second?

- [Kathy] Second.

- VanderLeest made the motion, seconded by Lefebvre, any other discussion, all in favor?
- [Lindsay] Do you need to reconsider the previous vote? 'Cause you already voted on this item?
- Yeah, we need to reconsider.
- Yeah, I would say yes. I would say yes, so can we go ahead and do that?
- [Joanne] So we need to do a motion to reconsider first?
- Motion to reconsider.
- [Kathy] Second.
- [John] Second.
- Motion by Stevens, seconded by VanderLeest. All in favor?
- [All] Aye.
- All opposed? That passes, okay, so.
- [Joanne] Yep, and then another motion to receive and place on file.
- Motion to receive and place on file.

- [Kathy] Second.

- Okay, by Stevens, a motion, seconded by Lefebvre, all in favor?

- [All] Aye.

- All opposed, okay that passes, thank you. Going a little long here. Number eight.

- [Joanne] One, one, I'm sorry Alder, one second.

- I'm sorry.

- [John] Kathy Lefebvre, wanna welcome you to our Committee, by the way as well.

- Of course.

- [Kathy] Yes, it's a new Committee for me. I have to get used to this one.

- Yeah, well, thank you for coming over.

- [Joanne] All right, we are on number eight.

- Consideration with possible action on a request by Alder Steuer to create a Green Bay City Resolution to the State of Wisconsin asking Governor Evers to designate retail workers as first responders, thus opening up possible health and financial benefits. I'll speak briefly on this. There, let's see. There's been some, CNN wrote a story called, "Grocery Stores Demand First Responder Status "For Their Workers." You know, as you look

at all the various mandates and proclamations that have come out over time, there's no denying the fact that nurses and doctors and police and fire are, they're the top first responders, in many respects. But there are many other businesses that are essential that need help and folks like grocery stores, and other retail, trucking, other types of positions, they're in harm's way as well. Alder Scannell mentioned to me that we change this to include retail workers so I guess what I'm doing some work on it but my feeling is that I would like Law Department to look at this and see if we can put something together. I would refer it to Law Department unless other people have some things they'd like to speak on.

- [Lieutenant] This is Lieutenant Mahoney, can I speak on this?

- Yes, yes go ahead, Lieutenant.

- [Lieutenant] I realize that yes, our retail workers, grocery stores, truck drivers, are performing an essential function and I would say they're frontline workers. I can tell you, you'll probably have a huge pushback from both police, fire and rescue for designating them as first responders. Also, police, fire, rescue, if there is an incident that happens, whether it's a fire, a mass shooting, we are required by law to rush to that. A grocery store clerk, they are performing a very essential service right now and they are a frontline worker, they don't have that. We take the designation of being a first responder very serious and it's very near and dear to us. I can tell you that if you took a poll of every single police and fire man at the City of Green Bay they would, I would say, highly oppose this as it's diminishing the service that we are required by law through our oath that we took to protect the citizens of Green Bay. I realize the intent behind it but I don't think first responders should be the word that's used. Frontline worker, essential worker, but first responder, and I discussed this with the Chief and Commander Warych, is not a word that we would want put out there for people that aren't in a position that police, fire and rescue are in.

- Duly noted, Lieutenant. I was wondering, Alder Scannell, are you here?

- Yes, I'm here.

- You've mentioned something to me about changing it to retail. Do you have any thoughts on this at all?

- I agree first responder's probably not the appropriate word.

- Okay.

- Frontline, or I think some of the suggestions that Lieutenant Mahoney made are quite good and I think that is more accurate and more appropriate.

- All right, well thank you Alder. Committee?

- [Kathy] Alder Lefebvre.

- Hold on, Alder Dorff wants to speak.

- Oh, sorry, Alder Dorff?

- Hi, I just wanted to say that I've been watching quite a bit of information and I think the term essential worker has been used to describe those frontline workers. I would agree that it is different from a first responder. I don't agree that it diminishes the first responder but I do agree that probably essential worker is a better term, thank you.

- Okay, Alder Dorff, I was gonna ask you, do you feel that the City needs to put something forward for the State to say that or do you think that language is already out there?

- I feel like it's out there. I think that they're looking at them, but I'm, this one isn't that critical, I would be open to either.

- All right, okay, thank you. Committee, anybody else on the Committee have anything to say?

- [John] Mark, what are you looking,

- [Kathy] Alder Lefebvre.

- [John] This is Alder VanderLeest, what are you looking for for a?

- Well you know what, after listening to Lieutenant Mahoney, you know, this was you know just looking at this from articles and that that I've read, it's like anything else, you can ask 10 people what is important, are we first responders or are we essential workers, et cetera. I think there's a lot of definitions that are flying around out there. I think Lieutenant Mahoney put it in perspective for me. So I'm good with that. I guess I just wanted to make sure that that other essential businesses are out there and I think with, I think it was Declaration 28 by the Governor, I think that's . I'm fine with that.

- [John] Do you just wanna have a receive and place on file then Mark?

- Yeah, I would say.

- [John] I make a motion then to receive and place on file.

- Okay, by VanderLeest, motion, do we have a second?

- Second.

- Second by Stevens. Any other discussion, all in favor?

- [All] Aye.

- All opposed, that passes.

- All right, number nine. "A request by Alder Brunette for consideration "with possible action on Green Bay Common Council "to begin meeting a minimum of twice a month "effective June of 2020. "There are too many critical issues requiring attention "and action to meet once a month. "We answer to the public and more regular meetings 'are necessary and convenient for the public." Alder Brunette?

- With the exception of Alder Gerlach, we all know we have discussed this a few times at City Council within the last few years. I know the current meeting schedule was discussed and the current meeting time of starting at 6:00 was voted on early in our last term, so about two years from this time. Never really sat well with me that some months we only meet one time, specifically summer months. I'm looking through the calendar of meetings for the next several months. May, we're meeting twice. June, we're meeting twice. One of those meetings is specifically for liquor licenses. July 21st is the only meeting in July. One meeting in August. One in September. Two in October, one in November, two in December. Just my honest opinion, that when we have constituents who have concerns that come up that funnel through the Committee meeting, sometimes they have to meet once a month of the full City Council meeting. If I have an issue or concern and I want my City government to address it and have resolution of my issue, one time a month is just not sufficient. Now each Alder can have different opinions. I respect all of their opinions. I would encourage the City Council going forward that we meet the first and third Tuesday of the month, as we have in the past. One clarifying question I guess I need for the City Attorney is who sets the meetings? Is that the prerogative of the Mayor or the City Council? Go ahead.

- [Vanessa] The Council approves at the beginning of the year.

- Okay. Would that be able to be revised and voted on by this current City Council?

- [Vanessa] I will have to look into it.

- Thank you. So those are my comments, Alder Steuer.

- Okay, thank you. Alder Dorff?

- Just one clarification. We do meet twice in November, Alder Brunette, because November 2nd is the Joint Finance and Personnel, so we've already got that meeting there too.

- Thank you, you're correct.

- All right, well.

- [Kathy] This is Alder Lefebvre.

- Yes, go ahead, Alder.

- [Kathy] Thank you. I believe yes, I think we should change it if we can. Depends on what the Law Department comes up with to see how we can change it. I think because right now we're in a different situation. I don't think people are gonna be taking vacation time and I think we have voted for summer to have the one in June and June, July, August. I don't know how we did September. But because of people taking vacation time and that's not just the Alders but it's also staff, trying to arrange everybody time to take time off. But because of the COVID-19, I don't think people are gonna be taking vacations so I would definitely be in support of changing the schedule right now, thank you.

- Thank you, any other, anybody else on the Committee or other Alders?

- Yes, Mr. Chairman.

- Oh, Alder Wery.

- Thank you Mr. Chairman. Yeah I know, thank you Alderman Brunette for bringing this forward. I think I've talked about this probably ad nauseum through the years. If memory serves me right back when I first started, I think we skipped maybe July and January, maybe another month if we had to, but it seems like more and more we have one meeting a month, especially for this year's schedule. So we can eke that back more towards two a month I think that serves the public much better. That's what we're here to do is serve them, not work around our schedules, thanks.

- Thank you Alder.

- [John] Quick comment, Alder Steuer.

- Yes, go ahead, Alder.

- [John] I just wanted to ask our attorney, is City Hall gonna be closed on Friday afternoons in the summer months now? I just wanted to ask that question.

- [Vanessa] That is a question for either the Mayor's office or HR.

- [John] Okay, all right, that's all. I just wanted to find out if that was gonna be the plan for this summer or not. So we can wait to hear on that one. We'll just keep our ears open on that one, thank you.

- All right. Listening to the Committee and some of the other Alders, I concur with Alder Brunette and Alder Wery. I've been on Council now for almost eight and a half years and I feel that we should be meeting more often. It sounded like Attorney Chavez said that there still has to be something done on their end to change that so, Attorney Chavez, how would you ask that we proceed with this? 'Cause I think we'd like to vote on something like this. I mean, we can make a motion right now and see if that would work. I would entertain someone to make the motion on the Committee.

- [Vanessa] Well until we know the proper process and I do need to do some research on it, I would recommend holding it until the next meeting, so that actually we have that clarified.

- All right.

- [John] I make a motion to hold

- I make a motion to hold it.

- Alder Brunette, what did you say?

- Well I'm sorry, if you wanna make a motion, that's fine, but I would like to speak to what Attorney Chavez just said.

- Go ahead.

- Well, I mean, we could hold it for the next Committee meeting but I think a more appropriate and timely motion to make sure we start meeting twice a month in June, it could be to make a recommendation to meet twice a month and then when we meet at full Council, if that's out of order or not the proper way, then we could adjust it at that time. To wait for another Committee meeting, I think it's something she could get the answer on prior to our full City Council meeting. You can make the motion how you choose but that's just what I, go ahead.

- Attorney Chavez.

- [Vanessa] Yes, sir, I was saying I can try to get you an answer by Council, I can't guarantee I'll have an answer for you. The Law Department is pretty slammed right now because everybody who isn't able to do work outside is sending work to us.

- Can we do a motion to hold with the caveat of Alder Brunette's suggestion?

- I would like to make a motion.

- Okay, go ahead.

- I would require that we hold this until our next Protection and Policy meeting so the Attorney can have enough time to present her case to us.

- [John] I'll second that motion.

- Alder Brunette are fine with that?

- That's fine, Committee's decision, I'm okay with it.

- All right, okay, any other, okay we had Alder Stevens made the motion, it was seconded by Alder VanderLeest, any other discussion, all in favor.

- [All] Aye.

- All opposed, that passes unanimously.

- All right, number 12. I'll wait for you. Attorney Bungert are you ready then.

- [Joanne] Yes, actually we're on item number 10.

- Oh we are, I noticed that my agenda's flipped around a little bit here. Okay, number 10. "Consideration with possible action on a request "by Alder Dorff to form an ad hoc elections committee "for the duration of the COVID-19 National Crisis. "The purpose of said committee, "under the direction of the Green Bay City Clerk, "would be to proactively assist the Clerk to plan "for the November 2020 election "and have the primary goal "of obtaining positive suggestions and action items "to improve the process of holding elections "that occur during the COVID-19 outbreak."

- Alder Dorff?

- Thank you. I think if you open up in your agenda packet, you'll see the whole motion. That's part of the motion but it is not the complete motion that was on the agenda. But it's within the packet. Here are my thoughts. I would like to see this authorized as quickly as possible because this is only a committee, an ad hoc committee, that would meet for a short period of time, possibly only two or three times. We need to have some feedback, if we have this committee, we need to have it at the latest by June, so that we're ready for the August election, so that we've done some groundwork, we've looked at some options. I'd even suggest that if we would have maybe two Alders on this committee, I would like to be on the committee. I would like an Alder such as Alder Wery might like to be on this committee too. We could work together on it. I'm not sure how we would go about composing it but however we do it, I think we need to do it quickly if we're gonna have any effect on the next election which is in August. Then November we're probably still gonna be under this COVID emergency somewhat in November. There are things we can do in August for example, holding elections at schools, that we couldn't possibly do in November, once schools are in session. There are things that this committee, with a group of people, can think about. Maybe even giving the make up of the committee, the responsibility to the Alders and the City Clerk, some way that it doesn't have to be just kind of micromanaged by Council, approving every person on this committee that it isn't gonna be a longstanding committee. Ad-hoc, a few months.

- That'd be advisory, I would think.

- Advisory.

- Advisory.

- Is there a way to put in advisory committee?

- Right, so Alder Dorff, were you thinking of having it set up in such a way that you would talk to P & P, the Committee here, or would it be to the Council? What's your take as far as how you would like to advise, so to speak? Would it be just to our Committee, then we'd advise to the Council, or?

- Well, here again, I wouldn't mind going to P & P, but here again, we're in a time crunch. I think maybe committee of the whole might be an appropriate place for this to go so it doesn't have to be held up. I see we actually had actually two meetings scheduled for June luckily even though one is for liquor licenses, it doesn't just have to be for liquor licenses.

- Right.

- So luckily we have two meetings in May and in June, where we could come to Council and actually get some work done on this committee.

- I like this myself, I like what you brought forward. Alder Wery?

- [Chris] Yeah, I'm here.

- Did you want to speak?

- [Chris] I don't know, I think it's a great idea. I'd be happy to volunteer if you need somebody.

- Okay, I just saw your name come up here, so I thought I'd check. Any other Alders or Committee members, anybody would like to weigh in on this? I personally like this idea.

- [Kathy] I'd like to speak.

- Go ahead Alder Lefebvre.

- [Kathy] Yes, I wanna thank Alder Dorff for bringing this up. It's a very good idea 'cause we have to be proactive on this, we don't want anything to happen like happened with our spring election. I didn't have time yet, but I am going to send a suggestion in to our Clerk Kris Teske. I have some ideas and I think this is excellent, it's very proactive and let's get it done. Thank you.

- Thank you. Alder Stevens.

- I also feel like this'd be a correct move to move forward so we can help out with our elections, especially for Kris. So I'm all forward with Barb on this. But I do see Lynn Gerlach would like to speak.

- Oh, okay, Alder Gerlach?

- Yes, I just wonder, just a question. I have been told by a pretty good source that the Mayor is forming an elections commission that might be aimed at doing the same thing. I'm just asking if that, if anyone knows if that's true. Because you wouldn't wanna be having two bodies working on the same thing, that's all.

- That's news to me. I don't know if anybody else has heard that.

- I haven't heard anything.

- [Kathy] I haven't either.

- Celestine?

- Celestine, are you there?

- Vanessa, do you know?

- [Vanessa] I do not.

- Okay.

- All right. Well like I said, all of us Alders have had a lot of comments from a lot of folks over this election and with the pandemic and everything else that's going on, a number of us were campaigning during this epidemic, so it's been hard for a lot of us. I think the sooner we can get to something, the better. I like Alder Dorff's tact as far as moving forward for committee of the whole. So with that being said, I would entertain a motion for somebody to bring it something forward.

- Wait, wait.

- Celestine?

- Something about my understand- hold on, she texted.

- Oh.

- Her understanding is that the Mayor is supportive of Alder Dorff's idea.

- Okay, all right, thank you.

- You're welcome.

- I'm glad you're getting it Craig, I'm not getting any of that on my meetings. Stick around, I need you. All right, I would entertain a motion then.

- [Kathy] I'll so move that we accept Alder Dorff's suggestion.

- Okay, do we have a second?

- Is that the correct motion for that?

- Let me look here. Possible action. It would be to move it.

- Move it forward.

- [Kathy] To move it forward to form an ad hoc election commission and to have Barb Dorff as one Alder and the second Alder as Alder Wery.

- I think Randy had a comment.

- Okay, Alder Scannell.

- [Alder Scannell] Yes, thank you. Couldn't we just refer, the Mayor's the one who usually puts together these things and he'd be the one who would be most in touch with the community, to get community members and so on. Mayor's office to put this together ASAP, maybe put some kind of date on it, that he, I don't know how we'd put this commission together.

- Well, I would defer to Alder Dorff as far as how she'd feel on this moving this forward. I'm fine with whatever. Alder Dorff?

- My idea would be then to have Alder Wery, myself, Director Teske and the Mayor. I agree that the Mayor, we could probably do it a lot faster probably. And that's the whole thing, we need speed but like Alder Wery, what do you think about the four of us putting it together?

- [Chris] Sounds fine to me.

- [John] Motion to approve, Alder VanderLeest.

- Okay, motion by VanderLeest, do we have a second?

- [Kathy] I'll second it.

- Second by Lefebvre, any other discussion?

- [Joanne] Just to clarify with the committee, that is a motion to approve the request and to form the committee which would include Alder Dorff, Alder Wery, Clerk Teske and the Mayor, correct?

- That's correct.

- Would there be any citizens?

- Yes, that's in the motion.

- Okay.

- It's in my communication, that's all in there.

- We defer to.

- [Kathy] Alder Dorff, would it be just one?

- We will defer that up to the four of us. Why don't you let the four of us come up with a good plan, okay?

- [Kathy] Okay, good.

- Okay, so we have a motion and a second. Any other discussion, all in favor?

- [All] Aye.

- Opposed, okay that passes. Let me know when you're ready Attorney.

- [Joanne] Yes, one minute.

- Okay. Like Alder Scannell always says, this will be referred to City Council by May 5th for all of you who care.

- [Joanne] All right, we are on to item, for some reason, the order is off in City Clerk, but going off the published agenda, we are on item number 11.

- Number 11, "consideration with possible action "on a request by Alder Scannell to pass a resolution "to allow municipalities "to go to an all mail voting process for elections." Alder Scannell?

- Thank you, I would just like to see this referred to staff so they can come up with something and then staff bring that to the Council as a whole, because this is again a time-sensitive issue. I would hope that we could just communicate to the Legislature how during the pandemic, we were the only State that had in-person voting. I don't think we would eliminate it completely, but I think there's steps that could happen to make this more of a mail-in election and I know I've talked to some of our State Assembly members and I know there is a bipartisan group starting to work on this so I think it would just be a communication to them that we support this, we urge this, we think the more we can go to a mail-in system during the pandemic, that makes sense and we are and hopefully other municipalities will also get behind this so that we can effect some kind of change. I would just recommend that we send this to staff to come up with something that we could look up at a Council and then pass on hopefully unanimously to the Legislature. I don't know anybody who'd wanna do in-person voting during a pandemic.

- Okay, thank you Alder Scannell. Was there anybody else from any other staff or, Alder Wery?

- Thank you Mr. Chairman. I think it would be good to perhaps encourage people to vote by absentee, but I don't think we should ever eliminate the chance to vote in person, no matter what the circumstance because you would be cutting some people out perhaps who didn't get the chance to do it by mail. I would be against anything that says an all mail-in. So I know this will be coming back to us but,

- Okay, Alder?

- Encourage mail-in but not all mail-in.

- Okay, thank you Alder Wery. Alder Scannell?

- Yes, I agree. All mail-in was just off the top of my head at the time when I wrote the communication but I think especially talking to some of the people in the Assembly, we wouldn't be eliminating completely. So if we can amend that when we send that to staff that we encourage going to a comprehensive mail-in voting system, as opposed to,

- Just for clarification, Alder Scannell, could you, you have the resolution in front of you right, or the agenda item, can't you just state it the way you'd like to have it stated then?

- To go to a comprehensive mail voting process

- So that's comprehensive doesn't mean, that means that there's still opportunities to do it another way.

- I think so, right. That doesn't say all. It just means, we're gonna put great emphasis and weight on the mail-in.

- Alder Wery are you okay with that?

- Yeah I think, that's meant specifically during these types of situations, right Randy? Or are you looking permanent?

- Well, I'm looking for during the pandemic, after the pandemic.

- That makes sense then.

- We can have further discussion if we feel that whatever. It's basically for the pandemic, definitely. After that we do whatever. Whatever everybody wants, that's fine by me.

- Is there anybody else that wants to weigh in on this? I heard Gerlach, Alder Gerlach?

- Just a question. How would this be, what you're proposing, how would this be different from what we currently have in that anyone can request an absentee ballot, I just don't understand the difference.

- Alder Scannell, do you want weigh in on that?

- Yeah, because there are things now, for example, we could mail to every registered voter the application, not that we'd be mailing them the ballot, but we'd be mailing them the application. As I understand it now, we can't do that. So there are steps that can be taken that would help enhance the ability to do more mail-in voting. So it's just a matter of tweaking some State laws at the State level.

- Alder Gerlach does that help or? Alder Gerlach?

- Yes, that's fine, thank you.

- Okay, thank you, anybody else?

- [John] Alder VanderLeest like to make comment.

- Yes, go ahead Alder VanderLeest.

- [John] I just wanna say that you know on the when all these mail-in absentee ballots, she mentioned 17,000 or whatever she mentioned, it's a huge number. I think that you know from looking at the whole perspective I think that we should encourage early voting. Lot of people voted early. Like at the bus company here in Green Bay. Open up those lines as well as far as early voting. Also I think we have to have our polls open regardless. As far as encourage people if they wanna vote by absentee I think that's great as well. I think that you know we should keep the communication channels open, that people are able to vote and hopefully by August, I'm hoping that it's gonna look much better for the COVID-19 and maybe things will be a lot more friendly as far as getting out to vote and so. I don't have a real problem with what you're talking about there, you know, encouraging people to vote absentee. I don't have a problem with it but I think we still have to have polls open. I think the State elections commission, they have the laws on the books and I think we gotta look at that as well. I'm fine with what we're talking about here. But I wanted to mention that, thank you.

- Thank you Alder VanderLeest. Anybody else?

- [Kathy] Alder Lefebvre.

- Go ahead.

- [Kathy] Right now I would not be in favor of the all mail-in voting because look at the problem we had with just 1700 coming in. This would be impossible. It's taken the State of Washington years to actually have all-mail voting because there are a lot of legal things, strategy, different things that they had to do to get a proper system in place. So this is something that we couldn't do at this time but I do believe that, my next one, reason that we have problems too with the mail-in is with the State, this is something we need to work on. I also have my suggestion that I'm gonna send to Kris Teske is that we have more satellite, in-person, early, absentee-ballot voting. I think that would help a lot, so that they're not inundated with too many requests. Thank you.

- All right, thank you Alder Lefebvre. What Alder Scannell said though, he was looking at a comprehensive, so it wasn't like all mail-in.

- [Kathy] Right, he changed it.

- So I think that this is a point of discussion that I think the ad-hoc can bring us up to speed but I think all of us Alders are willing to really look at this strongly, so I think we will give good input. Unless, does anybody else have anything to say? Otherwise I would entertain a motion. Committee?

- I'll make a motion.

- Okay and this would be consideration with possible action on a request by Alder Scannell to pass a resolution to allow municipalities to go to a comprehensive voting process for elections. That word comprehensive includes a number of things.

- Motion to refer this to staff, right?

- And then to the committee as a whole, please, 'cause it is kind of time sensitive.

- Okay, all right. So somebody make a motion.

- I'll make that motion.

- [Kathy] I'll second it.

- [Joanne] Clarify that's a motion to refer to staff, correct?

- Correct. And then to committee as whole.

- [Vanessa] And to clarify for committee as a whole be the purpose of the that is specifically for time-sensitive issues. So if the recommendation can be made to committee, it should if there is not time to get it to committee before Council, that's when it would go to committee as a whole.

- So you're saying that we can just send refer it to staff, is that what you're saying?

- [Vanessa] Yeah, so if you guys are saying that you want this time sensitive, we can definitely, to get it on to committee as a whole, we have to get either the President or the Mayor's approval and if it's included that you would like it to go to committee as a whole if it's not available for committee, then that's an option. But as far as sending it to committee as a whole, that's only supposed to be available when there's not time to actually address it. So if it can come back to Committee before it goes to committee as a whole, it really should.

- So I would ask the Committee then, if you don't think it's time-sensitive, we can just go according to that route, is that okay?

- Sure.

- [John] That's fine.

- May I ask Attorney Chavez? If this came back to Committee, then it has to go to Council, we're looking then that would be probably the second,

- June?

- The end of May or the first one in June. That does cut back, I mean, that doesn't give that communication to the State much time to then work on this. That's why I do that, time-sensitive. Is that, am I missing something there?

- [Vanessa] Yes, because this would either go as part of the Committee report to the Council. I don't know if we will have everything finalized by then since we usually wait until Council has made the recommendations to approve. So if it's ready for Council, it would just be on Council as part of the report. Otherwise it would be going to the next Council meeting anyway

- Okay, thank you, I understand now.

- Okay, all right, okay, I think we got it clarified, so. So the motion was made by Alder Stevens, correct?

- Correct.

- [Joanne] Yes, seconded by Alder Lefebvre to refer to staff to pass the resolution to allow a comprehensive mail voting process for elections.

- Any other discussion, all in favor?

- [All] Aye.

- Opposed? That passes unanimously. I'll give you a second, Attorney Bungert.

- [Joanne] Yep, one second.

- Let me know when you're ready. Alder Stevens, can you see everybody that's here? I can only see one or two people.

- I can see everybody.

- [Joanne] Okay, we are on item number 12.

- Okay, number 12. Consideration with possible action on a request by Alder Lefebvre which states, "Resolution, The City of Green Bay "ask the Wisconsin Election Commission to investigate "myvote.gov per the requests for absentee ballot failures. "Citizens have filled out their requests "and not receiving their ballots after weeks of waiting, "they went back to check their status "only to find out that their request was not there. "Therefore it is imperative "that the Wisconsin Election Commission "makes sure that myvote.gov is ready for the August "and November elections and is working properly." Alder Lefebvre?

- [Kathy] I think it pretty well says it right there. I heard from several of my constituents telling me this I thought they had, I remember there was problems with the myvote before, this was a couple years ago, I think. I thought they had, were working on it to fix it. I know, I think it was in November, December, when the State some of 'em made a request they had sent out the postcards to people and they wanted the Election Commission to disenfranchise a bunch of people because they didn't return their cards so they felt that the addresses weren't accurate, that they moved, whatever. So I went in to the site. I got only a certain way into the site and I could not go further. I couldn't even find if I was registered. I still found out that there's still problems I believe with that site, so this is something I think we need to move forward with because this is what helps with what happened to a lot of people who did not get their ballots in time because they were not aware that they weren't even in the system. Thank you.

- Okay, is there anybody else who wants to weigh in? Alder Stevens.

- [John] I just wanna make one comment.

- I have a question.

- Hold on a second, Alder Stevens first and then Alder VanderLeest.

- Would this be a City issue level or a County or State issue?

- Alder Lefebvre?

- [Kathy] Well this would be a City

- Or Kris?

- Kris, someone, yeah.

- [Kathy] Yeah, someone from the Law Department.

- Yeah, go ahead, Attorney Chavez.

- [Vanessa] So the myvote is run by the State. So it would be a State issue. Whether or not people are making requests of them is, it depends, I don't think the issue is us asking the WEC to look into myvote at the capabilities and whether it's meeting the needs of voters in Green Bay. So I think that a resolution on this would be appropriate, yes.

- Okay.

- [Vanessa] Thank you.

- Does that sound?

- Um,

- Go ahead Craig, Alder Stevens.

- Barb would like to talk.

- Oh, Barb, Alder Dorff.

- Thank you, I just wanted to mention that I did happen to go into WisconsinEye and I did watch the Wisconsin Elections Commission and the entirety of their meeting and that is actually something that they discussed at length. There were concerns some votes, some voters who put in not receiving the ballots, they weren't in the system, it was not consistent across all the State branches, but there were problems across the State for voting by mail. So I know that they, in their meeting, already determined that they need to look at this. I don't think the resolution hurts but I think it's good to know that they're on top of it already and they realize that there was a problem.

- Right, I agree with you Alder Dorff. I listened to that meeting as well and there was a lot that was brought forward. Alder Lefebvre, or is there anybody else?

- [Kathy] Yes, I,

- [John] Alder VanderLeest just wanna make one quick comment.

- [Kathy] I do believe that

- I'm sorry, Alder Lefebvre, please hold on, Alder VanderLeest?

- [Kathy] Okay, okay.

- [John] I just wanna mention that I talked to different constituents. I think a lot of them didn't fill out the request properly and our Clerk Kris Teske mentioned that as well. That if you miss one little word or

whatever, one little space, you get rejected or you don't get your ballot sent. So I think a lot of it has to do with the mechanics of that as well. Hopefully they'll look into that, they are on top of that but a lot of it is, some of it is people that are doing it they couldn't get it done for whatever reason. If you're not total computer savvy, it might be a challenge, so maybe they can, you know, what we're trying to propose is a good idea. The person that's actually signing up for that myvote.gov, that's great. I think that simplicity is great. Let's hope they get it done, thank you.

- Okay, thank you Alder. Attorney Chavez, I was just gonna ask is this something, if we put a resolution together, is this something that your office would work on or is that something that you would need some help from others?

- [Vanessa] We would work on it in conjunction with the Clerk's office.

- Okay, is there anything as far as suggestions that you would take from us for that or not?

- [Vanessa] Yes, if you guys have suggestions, we always incorporate those into it, otherwise if you want us to look into what the problems are that we've identified, or that the Clerk has identified, we can definitely do that.

- Okay, thank you. Who wanted to speak, was there somebody else out there? Alder Lefebvre, did you wanna say something else?

- [Kathy] No, I just felt that yes we should definitely send something to the State, just letting them know, it's like a little push, to make sure that they finish what they had spoken at their meeting.

- Well I would suggest to the Committee and to Council members, that if they wanted to send some information to Attorney Chavez and to Clerk Teske on this matter, I would appreciate that, I think that would be helpful. I would entertain a motion here.

- Make a motion to send to staff. By Stevens, do we have a second?

- [John] Second.

- Second by VanderLeest, any other discussion, all in favor?

- [All] Aye.

- All opposed, that passes. I'll wait for Attorney Bungert.

- [Joanne] We are on item number 13.

- Okay, number 13. "Consideration with possible action on a request "by Alder Wery to request the Wisconsin Elections Commission "investigate the administration of the election "and conduct of officials for April 7, 2020 "and report its findings to the Green Bay Common Council." Alder Wery. Alder Wery?

- [Joanne] Alder Wery, you need to unmute your microphone.

- Thought you could read lips.

- I was so profound, I don't know if I can say that again. Okay, I said we had a really robust discussion at City Council and we fleshed through some of this and I look forward to the ad hoc committee. I think we're gonna get some solid ways to move forward. I do feel, however, we owe it to our residents to have an independent review, let the experts look at it. My suggestion only would be for a request from the City of Green Bay City Council for a thorough review of the administration of the failed April 7, 2020 election and report back irregularities, failures, and improvement opportunities. That's what I'm looking for. I had emailed everybody on the Committee and I can get it to the people on the Council as well, I haven't had that chance. Put together a two-page timeline of information I managed to get from the State elections commission and from the County Clerk, kinda day by day different things that happened in the State at the County and at the City, and different communications that went back and forth. Pretty interesting reading. I think we just need an outside body to look at it and give us their opinion.

- All right, is there anybody else that wants to weigh in? Thank you, Alder Wery.

- Alder Dorff.

- Alder Dorff. Go ahead, Alder Dorff.

- Thank you. Alder Wery, I'm assuming that you also probably watched the Wisconsin Elections Commission. But for those of you that didn't, I did watch it. I do just have concerns. I know that she doesn't mind an investigation, she doesn't feel there's anything to hide. My concerns come from listening to how they voted. Item B, which if you want, if anyone wants to go back and they don't wanna listen to all of it, comes about an hour and four minutes into the meeting. Item B is to look at the Green Bay and Milwaukee consolidation. Certainly they spent much time, one person did at least, talking about Milwaukee, because he'd been on the elections commission in Milwaukee, so he was very concerned about Milwaukee. But this item was Green Bay and Milwaukee. I can say that at times one person said, "I'm not interested in having a witch hunt "on two Clerks, "that they want people to be safe." Then another comment for the WEC to investigate, to have that role, and the answer was, "They're charged with overseeing the Clerks. "It's a complaint-driven organization. "A person could file a complaint against a Clerk." But they have never before at the statement of the chair investigated in general an election. So then it finally, it came to vote. And that was boy, about an hour and 30 minutes into the meeting, it came to vote. So they discussed this for about an hour on the motion to investigate and that vote failed. It was three to three and the vote failed. So the commission it seemed already made a determination that they were not going to investigate. So that is why I wanted to bring that forward and say that's a concern I had just from watching it. Perhaps someone has an answer to that.

- Alder Wery?

- Thank you, Mr. Chairman. Yeah I did watch that, it was kind of a painful meeting to watch or to listen to, I guess, and watch. I actually called and spoke with the chairman, Dean Knudson, to get some clarification, on his thoughts, you know not speaking on behalf of the commission. Their board is very averse, very very averse to instigating investigations or looking at things. That's why it went down that way. They said if they receive complaints, they treat it much differently. That request came from one of their members to investigate it. They don't want that because we've had problems in the past with some election boards kinda go on crazy investigating people and then they want it to be complaint basis only. That's how he explained it.

- Thank you Alder Wery. Alder Dorff, I listened to that meeting as well, two and a half, three hours. I think the commission would've said, Okay let's, let's just look at this logistically, what happened? What were the issues that happened? Things that broke down. They basically threw it out. So in a sense we got no answers. Even though they made a decision it still was one of, well, what did happen? I've been doing a lot of research on this, I know you have, Alder Wery has. A number of us have looked up many things on this and I think logistically speaking I'm interested just to see what did happen. Let's not let it happen again and move forward. It's like anything else, there is accountability and there's responsibility for things. The Mayor has taken accountability for it but regardless I still think it's important to at least understand what the process was over a period of a month and a half or so between the County and the City and the State and all the things that happened or didn't happen just for clarification. Like I said, I have 55 citizens that emailed me. Actually I got 37 responses. I would like to give that to the committee, to the ad hoc committee just to see what their views were and their thoughts were. There is no way that a voter is gonna know everything that has been going on behind the scenes. We don't even know. People say it's a witch hunt. I don't look at it like that. I look at it as a means of

gathering data, trying to understand what happened. The WEC, we listened for a long time and we didn't get any answers from them. Anyway, I'd like others to chime in if they would like. Anybody else?

- Pardon?

- Vanessa.

- Alder Dorff had her hand raised first. Alder Dorff.

- Well actually I was gonna ask about the legalities of it, does it cost something to do this and then, do we have attorneys? So maybe I'll let Vanessa talk, Attorney Chavez.

- Okay, Attorney Chavez.

- [Vanessa] Thank you Alder. I did look into what is needed in order to file a complaint. As you guys noted, this is a complaint-driven. The commission can either do it independently or it can be based on a complaint filed. Any elector has the authority to do it. Now the requirements of filing a complaint is that we have to actually allege what we believe, what actions we believe were conducted contrary to law or what the abuse of discretion actually occurred. So we aren't able to just at them to just look into it and see what happened. We actually have to identify specific things we felt were wrong with it and ask them to investigate those wrongdoings on the part of the City. Now the second component of that is that not only do we have to actually make the allegations, we also have to set forth the facts and any of the supporting documents which we may have. Now what I think's most instructive is that the relief that's available when the commission actually investigates this is not to provide an evaluation to anybody. They don't come back and tell you here's what we found. Instead, they either require an election official to conform his or her conduct to law, or they restrain an official from taking action inconsistent with law, or they require an official to correct any action or decision that's inconsistent with law. So this is not just an investigation to have some determinations made, or not determinations, but evaluations made as to what we could've done better, done wrong, it's actually an investigation into alleged misconduct, alleged, essentially wrongdoings, and we have to actually provide facts identifying that basis. So if you guys are going to file a complaint, if that's going to be the recommendation, then the Council, it needs to actually have identified those issues, those specific facts which you believe are contrary to law. Now the last thing that I do feel it is important for you all to be aware of is that if an election official is aggrieved it comes back and they determine that an election official did something wrong, then that is appealed to the Circuit Court. In that instance, we have an obligation because everything that's done related to the election is within an official capaCity. We have an obligation to defend that person as the City. So it's gonna be a really weird situation where we're asking to investigate something so we can determine whether or not they're at fault and then potentially have to defend those actions anyways, in a court case. Well, that Attorney Chavez. I was gonna ask Alder Brunette, are you there Alder Brunette?

- I am, yes.

- You've listened to all this, do you have any thoughts, or, on this?

- Listening to the discussion and what Attorney Chavez just said is, clarifies the situation but my position has always been that the process, the way we administered the election did not allow someone to effectively and efficiently vote for the representative that they want in their government. So for me, I can't allege any criminal wrongdoing, that would be quite a leap to make. But I do think that we should have an outside investigation or review of our election. But what Attorney Chavez just stated is news to me. So I need to think about it a little more what the City's best response would be. So with that, I'll listen to the rest of the conversation. Thank you.

- All right, any other?

- [Kathy] Alder Lefebvre.

- Alder Lefebvre, go ahead, Alder.

- [Kathy] At the Council, I listened, at the Council meeting I listened to Clerk Teske and I think she laid it out very well, all these things that happened. It was like a snowball, just rolling, rolling, rolling. All these things happened. It was almost minute by minute, trying to make adjustments, tried to get this election done, that it was almost impossible, all the things that happened. I think they were so overwhelmed. I think Clerk Teske is someone who is really adheres to the law, to the regulations, everything that needs to be done in an election, I think she was so cognizant of that. That she did not want to make a mistake and that could've been brought up and the election could've been nullified or whatever, she was so careful what she was trying to do it was almost impossible for her to do anything different than what happened. It wasn't, I would never put blame on her. I would never put blame on the Mayor. I would never put blame on anyone. This is something that, it was almost out of, I think, our control what happened, I know it was terrible what happened to all these people. I had people who told me they couldn't vote, so I know how terrible this was. I know how important, to vote, how important that is. I used to be a special deputy register, registered deputy to the State to register people so I understand this. Thank God I was able to vote. I got my absentee ballot in time. But I just think that, I don't like the way it's worded, in a way, it's almost like saying that someone's at, someone did something wrong. I don't think anybody did anything wrong. I just think they were trying to get this election done and they couldn't stop it. It had to go forward and it just didn't work out right. I think the ad hoc committee, this is something I think that they can look at. They should looking at what happened and how we can make sure this doesn't happen again. Thank you.

- Thank you Alder Lefebvre. I wanted to make a suggestion. With this ad hoc committee coming up, I myself personally I've taken many pages of notes, from the election and from citizens and that. I'm more than willing to give that all over to the committee and there's no right or wrong. These are the things that came up to me. I think the more that we can bring to the table, that way I think the better it will be. I don't know if Alder Wery if this is a time-sensitive type of thing that you're looking for or if you're willing to look at gathering data from all of the Alders and others, others that might wanna chime in on this. I think the ad hoc committee will be put together and we'll have citizens and the four that we talked about. I think that's a good group. I think it'd be great for us to give the information that we already have to that committee and then proceed from there. That's just my thought right now. Anybody else, Alder Wery?

- I will, Mr. Chairman, thank you. Well certainly and I don't know if Attorney Chavez is still there or not, I don't know Attorney did you reach out to the Wisconsin Elections Commission or is that your read of how it, their guidelines are?

- [Vanessa] I'm reading directly from the statute.

- So you didn't reach out to them, per se, and ask, "Hey if we sent this to you, "would you look at it?" All right, so, that's something between now and next Council I'd like to reach out to the director, Meagan Wolfe, or to the chairman, and ask if we sent this to you, is it even something you'd look at. 'Cause I don't want to rely on our interpretation of it, I wanna get it right from them. If they say no, then well, I don't know what use they are. Because you can ask if an election is not administered correctly. If it's not administered correctly, that can raise a question. You're not necessarily saying someone's done something illegal. But you are saying this wasn't administered right when you look at it, that's clearly in there.

- [Vanessa] To give you the exact language from the statute, it says, "If election administration or conduct of elections "is contrary to law."

- Such as closing early voting? I believe we had that happen. Looking at the timeline, and I will get this to everyone because it's clear there were, some bad decisions made, when other cities, for example, that made good decisions. Sometimes, it was unclear who made the decision, I don't know if it was the Mayor, Clerk Teske, or Chief of Staff Jeffreys because it's all over the board. If it's all right Mr. Chairman, I'm just gonna read a couple.

- You may.

- All right, thanks. Starting on March 16th, the Wisconsin Election Commission issued guidance to all Clerks, "contingency planning and emergency preparedness. "Prepare for absences by recruiting "and maintaining a list of poll workers. "High school and college students good pool. Poll worker training available online." That was March 16th. Then on March 20th, the Wisconsin Election Commission issued a sample news release for poll worker recruitment to "All Clerks encouraging them "to put out a call for election inspectors." Three days later, March 23rd, Wisconsin's Election Commission issued a reminder on poll worker training and how you can do it online. On the 24th of March, Mayor Genrich recommended the City to sue the State of Wisconsin. Lack of poll workers cited as one reason. On the 26th, Brown County Clerk's office email Clerk Teske saying they heard polling locations may be changing and the public informational web page needs to be updated. Clerk Teske replies, "I have no clue. "I don't have the poll workers "and the polling locations are canceling "on a daily basis." On the 26th, same day, I had emailed Clerk Teske about volunteering to be a poll worker and asked how and where I could encourage people to sign up and help if the City has let the public know we need help. I got an email back from Chief of Staff Celestine Jeffreys stating, "At this time, we aren't taking volunteers "for polls, some of our polling locations have pulled out. "The Clerk's office is focusing "on processing absentee ballots." I emailed back and pressed on why we're not recruiting and Celestine said, "I considered this two weeks ago. "The issue is putting anyone in danger "and the lack of polling locations." The next day the Green Bay lawsuit was dismissed in federal court. The day after that, March 28th, discussion began with the Green Bay school district regarding the use of schools as polling locations. Then on April 1st, Governor Evers directed the National Guard to help and the Press-Gazette had an article that Green Bay was cutting polling down from 31 to four. I emailed Clerk Teske asking is this true, we're going down to four? The reply was she did not have an answer to that question. Then later on that day a memorandum of understanding was signed between the Green Bay School District and City of Green Bay for use of all four high schools. This was signed by Mayor Genrich and Superintendent Langenfeld April 1st, later signed April by Clerk Teske. The next day, April 2nd, the top WEC administrator, Meagan Wolfe, and her assistant admin, Richard Rydecki, called the City of Green Bay to discuss staffing needs for election day. They could not reach the Clerk and spoke with the Mayor's Chief of Staff. All parties agreed at least 60 poll workers would be provided on election day. That was on April 2nd. That was at 12:59 P.M. At 4:46 P.M., the City of Green Bay announced the reduction from 31 polling locations to two on its official City Facebook page. So same day, a couple hours later. On the 5th of April, Brown County Clerk Sandy Juno communicated to Mayor Genrich reminding that the City has at least 48 trained National Guard members ready to assist. Offer declined. Then on April 6th, 3:12 P.M., on the City's Facebook page and website, Mayor Genrich signed a resolution to suspend in-person voting. Now that Facebook page was not updated or removed to say voting was back on, once the Supreme Court had overturned it. I don't know about the State web page. Then on election day Mayor Genrich posted, "If you're voting today, please take every precaution. "Respect social distancing, "and if you're sick, stay home." And there were notes after that by the County Clerk that it wasn't a failure of COVID-19 but mismanagement. These are just some of the notes, I have a lot of others.

- All right, thank you Alder Wery. Is there anybody that wants to?

- I'll make a motion. Alder Stevens?

- No, Alder Gerlach was ahead of me.

- Oh, Alder Gerlach.

- Thank you. I wasn't going to speak, this isn't my Committee but I was so encouraged by listening to Alder Lefebvre. I'm happy to hear someone say some positive things about the situation. As I listen, it seems to me that there are, there's a dichotomy here. There's two ways of looking at this. You've already established a committee that's going to look into working with the Clerk to make sure the next elections are good and are viable and are run the way they're supposed to go. The other side seems to be an attempt to lay blame and hold someone accountable. I think what's not talked about is the fact that this was a pandemic that no one ever dealt with before in our lifetimes. That we, I think we have a City Clerk who has run the elections for eight years, if I've got that correct. And I just think that maybe the energy should go into that committee you already formed to make the next elections better and then let's see, they're talking about doing this fast. Then let's see what they come up with and then let's see if it's necessary to do an investigation and lay blame. That's my suggestion.

- Thank you Alder Gerlach and anybody else?

- Alder Dorff.

- Alder Dorff, go ahead.

- Thank you. I just also wanna support Alder Kathy Lefebvre. I really enjoyed everything that she said. I agreed with everything that she said. I appreciated that she spoke out. So thank you Alder Lefebvre.

- Okay, thank you Alder Dorff. Alder Stevens?

- I will have to also agree with Alder Lefebvre. Everything she stated I also feel the same way. I also do feel that the Mayor has already made his comment that he is taking 100% responsibility for what happened during this election period. Right now, I think we are making the right direction with Alder Dorff to move forward with this committee to help out with the elections in November and I also think Kris did a lot that was given to her during this pandemic. So I have to thank her as well. I understand that there was a lot of people that weren't able to vote during this election. I feel sorry for that. Three people that reached out to me that was not happy, that they were, how the election went. But I think we're moving forward so that this does not happen again in November. So I would not support moving Chris Wery's suggestion forward.

- Okay, is there anybody else from the Committee?

- Alder Randy.

- [Kathy] Alder Lefebvre.

- Randy.

- Alder Scannell?

- I clicked and it didn't go off, there you go, I'm live now. I'd just like to also, I think, what Alder Lefebvre said is accurate. Also, I was gonna stress as Alder Gerlach did, the biggest thing here is pandemic, pandemic, pandemic. Without a pandemic, we'd have had just an election like we've had in the past. We wouldn't have had these issues. But we had a pandemic. We had over 95% of our poll workers steadily pull out. We had polling places steadily close down. Any decision that with 20-20 hindsight if we look at and say, well maybe that wasn't the right decision. At the time, was not made with any malfeasance, with any conniving, for any kind of gain of any kind of sort from anybody or enrichment or whatever. There's nothing I would see that's culpable. One thing I want to hear as far as going forward with this is specifics. As far as I can, all the information we've got, I think has been answered. There aren't any questions left for me. I'd like to know what other questions are left. What do we need to know that we don't know? What do we need verified that we don't believe? That our poll workers steadily went down, that the poll places steadily exited. The last thing I wanna stress, is before I forget it, the integrity of an election. I seem to recall, I don't remember who said it, but there was, during one of the past conversations about the standards that Kris Teske had, that her standards were too high. Well, her standards are high and that's what we want because that ensures the integrity of an election. That's very important. If we don't have integrity, that opens the door to corruption and malfeasance. I think there's just absolutely no evidence of that. Without any specific issues brought up that someone could bring up that we haven't already answered I don't know what we would go forward with. Certainly now knowing what we know from Attorney Chavez, we not only need specifics but some documentation of some sort. I just don't see how this makes any sense going forward or that it's helpful going forward. We've asked for a report. We've got the report. We've got this ad hoc committee going. I just don't know what more we can, I feel like we're starting to beat a dead horse. I just don't see any point in looking back and doing what, that we don't already know, that we can't already use going forward to try and avoid this in the future. But I think any election during the pandemic is gonna be problematical. Hopefully it's not gonna be like it was but pandemics, look at how it's disrupted all our lives. Look how it's disrupted workings of City Hall.

- Okay.

- I believe we're going forward the best we can. I believe there was no mal or corruption,

- Okay.

- or wrongdoing on anyone's part. I would just like to see us to start looking forward instead of keep finger pointing.

- Thank you Alder, thank you. Alder Wery.

- One last comment.

- Alder Brunette.

- Alder Wery, can you hold on? Alder Brunette?

- Thank you.

- Sure, yeah, go ahead.

- I'm not interested in a witch hunt. That's why I said I can't allege any criminal neglect or wrongdoing any action of any of our election officials, that is a heck of an accusation to make. I don't have that. But I will say, I'll tell you this. If one person, aside from what happened in this election, in future elections, if one voter in this City was disenfranchised, who showed up at the polls and couldn't vote in an election, if one person was not guaranteed their right to vote, that's a pretty big thing that we cannot let happen. So let's not forget that regardless of where the blame lies or who accepted blame or responsibilities, it is possible that hundreds, perhaps 2,000, we don't know the exact numbers, people who showed up at the polls, West High School, East High School, or showed up to City Hall to vote in person when our building was shut to visitors, those are people that did not have an opportunity to vote. It was because of the administration of our election. I'm not gonna throw anyone under the tracks or anything like that, but I need to know what happened. I can investigate this, but I'm too close to the situation to give a good unbiased opinion. Therefore, we ask the professionals to do it. The Wisconsin Elections Commission can say, nope we're not going to accept your request as a City Council to investigate the election. It's not improper, it's not complete. Put that on them then. Put that on them. I need to clear my conscience to say, okay, one person may not have been able to vote because of what the City did. Hundreds perhaps thousands were denied the right to vote in an election. And I understand there was COVID. I understand there was Coronavirus. I understand all of those things. But according to the Wisconsin Elections Commission's meeting, 1850 municipalities in the State of Wisconsin did not experience the lines that we had. Milwaukee and Green Bay, those are it. So let's take a step back and

realize the same people who wanna move forward and move on, I understand that and so do I, but if we do not at least request an outside investigation of our election, clear our consciences, this election will be forever stained. This will be a stain on our clean record of good elections in the City of Green Bay. All we need to do is request an outside investigation. If they say, what proof do you have of wrongdoing? Any Alderman can make that accusation or they could dig deeper or I'll tell you what. Any constituent out there who has some reason to believe that something was not completely ethical and proper, they can make that charge. But as a Council, I just want to be able to say okay we're too close to it, we got Grenier's explanation, we got the City Clerk's explanation, but we need someone to look at this and say this is what happened, this is what was wrong. I think anyone who doesn't at least make that attempt, I think is doing a great injustice to everyone who showed up to vote that was turned around because they couldn't wait in the line, their health was failing, they were concerned. The lack of communication from the City, on. So I'm gonna vote for, when this, whatever the Committee decides, I'm hoping you at least say, we're gonna put this to the Wisconsin Elections Commission. If they think our request is invalid or not complete, then that's on them, but we need to not have this on us. Thank you, Chairman.

- Okay, all right. Alder Wery, were you gonna say something else?

- Yeah thanks Mr. Chairman. Alder Brunette, or President Brunette, sorry I can't genuflect. President Brunette stated it perfectly I think, let's move this on to them. If they deny it, that's on them. I'll gladly reach out to Wisconsin Election Commission again and ask how would you like this presented because we're not looking to play blame, we want you to look at it and tell us what happened here. As I think it was, there was a citizen who spoke, I think it was Elliot Christenson, spoke at our last Council meeting and he said, that we're so busy patting each other on the back telling each other how great of a job we did, he was sickened by that and I think he wanted to say more but he was out of time. When you listen to that meeting with the Wisconsin Election Commission, the director Meagan Wolfe did point out specifically she had 1,850 municipalities do an admirable job and she had two failures, Green Bay and Milwaukee. So that tells me it's not the pandemic, it's some kind of management issue. Maybe our standard operating procedures aren't good but something happened there. Boy, I know you others, maybe you haven't received the complaints. Maybe those of us who have spoken out are the lightning rod for those, but I know I've received them. Let's pass this on to them, and if they say no, well, that's on them. But we need some answers here.

- Anybody else?

- Alder Dorff.

- [John] I'd like to make a comment, President Steuer.

- Alder VanderLeest then Alder Dorff. Alder VanderLeest.

- [John] Can you hear me there?

- Yes, go ahead.

- [John] I would make a motion that we ask for the request of Alder Wery for the Wisconsin Election Commission to investigate. Another good opportunity maybe with something from their investigation. And if they don't wanna handle it, then at least we did our duty as far as presenting it to them. Maybe we can learn something from what they come up with. Something that we don't see that they'll have more experience as far as looking into it. I feel that it wouldn't do any harm to have the Wisconsin Election Commission investigate and give us their opinion. If they don't wanna handle it, then at least we did our duty. So that's my request and that's my motion. Thank you.

- Okay do we have a second? Alder Dorff, go ahead.

- Thank you. So Alder Wery I, you provided in your 5.06, so I quick printed this up and I think it's what Attorney Chavez said already. If we do this, it says we have to set forth such facts within the knowledge of the complainant to show probable cause to believe that a violation of law or abuse of discretion has occurred or will occur. You can't just say investigate the election. We have to say here is the violation of law or the abuse of the discretion. If relevant supporting documents. This isn't just like, hey could you guys investigate this? This is like, somebody did this wrong, this is what our complaint is based on, here's the supporting documents to show that we did it wrong, so I haven't heard that we're wanting to do that. I haven't heard anybody say that somebody did violate the law. In fact, I've heard just the opposite. I think it would be well worth all of your whiles to look at what Alder Wery had put and then to run 5.06 and to see what is all involved when you file a complaint. I'm glad this was brought to my attention. But there's a lot more to it than just say, "Hey could you guys come over here and investigate?" There seems to be.

- Okay.

- [Kathy] Alder Lefebvre.

- Alder Lefebvre, go ahead.

- [Kathy] Yes, I concur with Alder Dorff. Right, we can't point any malfeasance, violation of the law, I don't think, we have nothing that we can put down to have the Wisconsin Election Commission to look into. If we said oh just investigate, they're gonna say right away, "What? "Tell us what you want us to investigate." so I think that's a moot point. But I want to go back to one thing that, I thank Alder Wery for his timeline of all the things. But one thing that he had stated that the, our Governor Evers had mentioned about the 48 National Guard units. The thing is, the Guard units, the ones who are trained and want to volunteer to help with the elections had to be in your district. Kris Teske said she had one came forward. She said she was trained and she did work at West High. That's all she had that came forward. So that part I would say is,

- That's not true Kathy.

- [Kathy] Not a valid point.

- That's not true Kathy. You're wrong on that.

- [Kathy] That's what Kris said.

- Alder Wery, just let, go ahead Kathy, just finish up, then you can rebut. Go ahead Kathy.

- [Kathy] Then I'd like to hear from Alder Wery what's wrong.

- Alder Wery.

- I put it right in there. When the Wisconsin Election Commission called on what do I have on there, April 1st? And they spoke with Celestine Jeffreys, both parties agreed they'd have at least 60. Then Sandy Juno, the County Clerk followed up and said, "Hey, we've got people ready to go. "They're all from Brown County or Green Bay. "They all qualify to be helpers." So they were there. You don't have to be from our little individual district, Kathy.

- Okay, that's, all right, um,

- Does Kris Teske want to?

- Yeah I was wondering, Kris, did you wanna speak?

- [Kris] Sure.

- Okay, go ahead.

- [Kris] So it was decided by whoever that we would go down, it was decided we'd go down to two polling locations. So I had enough poll workers to take care of those polling locations. When I got to work that morning, there was a girl outside waiting. One of the election techs said, "She's waiting for you, she's from the National Guard." And I said, "Oh," so I went out to talk to her. I said, "You were assigned to the City of Green Bay?" She said, "Yeah." And I said, "The City, right?" and she said, "Yeah." So, oh, I said, "Okay, good." I said, "I can assign you, do you know where West High is?" Well, she's actually from Appleton. But she said she could find West High. I gave her directions and she did work there. So we also did use some volunteers. So we did because at that time, I didn't know until the Sunday before that we could have the National Guard. Come to find out, not all of them got trained. And there's an email out there to Sandy Juno stating that. I just wanted to clarify we did have one from the National Guard.

- If I could Mr. Chairman?

- Yes, go ahead, Alder Wery.

- Thank you. Kris, did you have any conversations with Celestine Jeffreys on April 2nd when the Wisconsin Election Commission called in and said hey we're gonna have 60 people for you?

- [Kris] I don't have my documentation in front of me. The first I heard, I heard National Guard way before when they thought they could come in and do labels but they weren't certified for that. First time I heard then that we could have somebody was on that Sunday, late in the afternoon.

- 'Cause as I had put in my timeline, April 2nd, 12:59 P.M. the top administrators for the WEC called in and said, "Hey, how many people do you need?" And they couldn't reach you so they spoke to Celestine and it was agreed upon that 60 would be fine. But then a couple hours later, we shut it down to two anyway. That's the

puzzling thing. Who's getting this information? Who's making the decisions to go down to two? It sounds like you didn't and you're the Clerk. Did you decide to go to two, was that the Mayor? This is part of the problem, here. We told the WEC we'd have four, at least in .

- [Kris] You don't have a complete timeline, Alder Wery, but I don't have all that in front of me and you know, I talked about the whole thing.

- We did ask for a, I asked for a written account. you gave us kind of a long ongoing verbal account. A written account would've been good, so I did as much as I could with the resources I have.

- Okay, so Director Teske, are you finished? Do you have anything else?

- [Kris] No I do not.

- Okay, so.

- [Kathy] Alder Lefebvre.

- Okay, go ahead, one more time, go ahead.

- [Kathy] Yes, I think this is all things that, as we can't forward this to the Wisconsin Election Commission, I think this should be discussed at the ad hoc. Alder Wery's gonna be there and he's gonna bring all this stuff that he has. Kris Teske's gonna be there. The Mayor's gonna be there. Alder Barb Dorff. And we're gonna have some citizens, concerned citizens will also be there. And I think they're gonna hash all this out and we're gonna find out what happened, I think, with that. I think this is the only way we can move forward on this. Otherwise we're gonna be talking for hours on this. I mean we're gonna go round and round and round and we're not gonna get anything done on this. I think this just should go to the ad hoc committee and we've gotta move forward on this. Thank you.

- Alder Brunette.

- Yes, thank you Chairman. Thank you again for allowing so many people to speak multiple times.

- Right.

- I appreciate it, it's an important issue. It's not about us. It's not about the people within City administration or Alders. It's about the people who were not given the right to vote in person or in absentee ballot. Clerk Teske, I have a ton of respect for her and the Mayor, but somewhere along the line, something happened and people were not given their right to vote in an election if they didn't wanna wait over four hours. It's not about us. It's not about anything like that. It's about the people who were not given the right to vote in an election for the leaders who will be making their decisions. Let's stop talking about this person did that, they give this explanation. It's not about us. It's about the people who didn't have the right to vote in their election. That's their constitutional right. And in this country we should take very seriously. People have died all over the world to defend that right to vote. Somewhere along the way, something happened. I'm not gonna go as too far as to say someone was criminal or negligent or anything like that. I'm in no position to make that determination. But the professionals who do this who have been appointed by our State government to do these investigations and to make those determinations. They need a report from this City Council. If this City Council doesn't act, then some people in the community will probably press forward with a request. Those are the calls I've been getting. People say there's accountability they expect in government. We keep talking about this person did that or we did the best we could, or it's a virus. I get all that. But it's not about us. It's not the people in this government. It's about the people this government belongs to. The people this government belongs to could not vote because someone somehow some way messed up in this City government. So stop talking about how we're trying to move forward. I wanna move forward too but the only way you can move forward if there's a full accounting of what happened and an investigation of what happened. So with that, I thank you Chairman for letting us talk.

- I think we're gonna start wrapping this up a little bit. Alder Scannell and then we gotta keep moving forward here. Alder Scannell?

- I'll make this quick. I agree it's horrible. People didn't vote. I know people who didn't vote. It's terrible. Pandemic, pandemic, pandemic and fine, if you want this investigation. I'm not necessarily against the investigation, I'm against this, it sounds like a fishing expedition. If there was something specific, if we can nail down something specific, with some documentation that we need investigated by the election board, fine. But I just don't think we can just cast a net and say investigate it. As far as I can tell, we looked into this. We've got information. We can go through this. Is there something specific and I'm asking anybody. That's something,

- Alder Scannell?

- I'll support that but give me some specifics with some documentation of what we need specifically investigated that we don't know that we don't have verified.

- You brought that up already Alder Scannell.

- And that's it, I'm done.

- Well, everybody keeps lighting up the lights. This is a tough one, this is a tough one. I have what Alder Wery had said as far as a recommendation. I don't know if you want me to read that, Alder Wery?

- Sure, I don't know what it hurts to ask, right. Just ask.

- This is a request from Alder Wery. The request is "from the Green Bay City Council "for a thorough review of the administration "of the failed April 7th, 2020 election "and report back any irregularities, failures "and improve opportunities." So would that be a motion that you would be looking for, is that something that you would?

- Point of order,

- If he wants to take it back, God bless him.

- Chairman Steuer,

- Yes, go ahead.

- Alder VanderLeest made a motion to that effect. There's not a second on it.

- Yeah, you're correct, thank you. Alder VanderLeest, you did make a motion.

- [John] That's correct.

- Did we have a second on that?

- [Joanne] Did not have a second.

- Repeat your motion.

- [John] That the Wisconsin Election Commission would investigate the election that was held in Green Bay on April 7th and report back to the City Council what their findings were. My thoughts are that whatever they, they'll look at the situation. If they decide to take it on and they could give us some suggestions and we could move forward from there. I'm all about moving forward. I think this isn't a bad idea to let 'em take a look at it. They might give us some good pointers, some good ideas, that we might've missed. That's it.

- Okay, all right. Duly noted. Did we have a second on that? I will second for discussion.

- There was no second.

- There was no second. I will second it. I will second that. So then with that being said, I would ask for a vote. All in favor?

- [John] Aye.

- Aye. All opposed?

- No.

- [Joanne] Alder Steuer, I would recommend a roll call vote.

- A roll call vote, okay.

- [Joanne] I can call the names. Alder Stevens.

- No.

- [Joanne] Alder VanderLeest.

- [John] Aye.

- [Joanne] Alder Steuer.

- Aye.

- [Joanne] Alder Lefebvre.

- [Kathy] No.

- Okay, that fails, that fails on a vote of two to two.

- I'm sure we'll talk about it next week.

- I'm sure. Well, here's my suggestion.

- My thought, well,

- Go ahead, go ahead, Alder Stevens.

- Well Attorney Chavez is claiming that we need proof that there was some failure in this election.

- That's her interpretation.

- Alder Wery, please hold on. Alder Stevens, are you finished, Alder Stevens?

- Yeah, well Chavez says we need to have proof that there was a violation of this law. As of right now, I'm not seeing that there's any proof that there was a violation of this law.

- I think our vote's done really. You know we're done with this item, right?

- Yes, we have to move on.

- Hold tight Alder Stevens, hold your fire. You can explain to people why you don't want to investigate it. Good luck with that.

- Alder Wery, please.

- That's not the problem. We can investigate this internally.

- Please!

- Oh, Randy! Randy's giving me the finger! Ethics complaint! At least you can't poke me, I'm right next to you.
- People, people. Please, civility, I'm begging, civility.
- Okay.
- I'd like an apology from Alder Scannell for giving me the finger.
- If you think I was giving you the finger, I apologize, I was scratching my eye.
- I'm sure you were Randy.
- I was.
- I'm sure you were.
- Yep.
- Everybody saw it.
- Do you accept my apology?
- They can make their own.
- Keep it classy, I do Randy, I accept your apology.

- Okay. Everybody saw it, you can make your own opinion. What's next, Attorney Bungert?
- [Joanne] I think we are on adjournment. That was the last item.
- What about informational?
- [Joanne] Oh yes, you are correct, I'm sorry. We have the Liquor Violation Report.
- [Lieutenant] There were no violations during this time.
- Yippee, thank you much. All right, I'd like to have someone make a motion to receive and place on file.
- Motion to receive and place on file. [John] Motion to receive and place on file.
- By VanderLeest, do we have a second?
- [Kathy] Second.
- Second by LeFebvre, all in favor?
- [All] Aye.
- Opposed. Okay, motion to adjourn. Do we have a motion?

- [Kathy] Make a motion to adjourn.

- Okay, Lefebvre, do we have a second?

- Second.

- Aye

- Thank you all for your input.

- [Kathy] Okay thank you very much.

- All right.