



MINUTES OF THE PROTECTION AND POLICY COMMITTEE

**THURSDAY, JULY 16, 2020, 2:00 PM
CONTINUED MEETING**

**The Protection & Policy Committee Meeting from July 13, 2020
was recessed at 11:11 p.m. The meeting will reconvene at 2 p.m.
on July 16, 2020.**

**This is a virtual meeting.
Please see the zoom instructions in the agenda.**

A. ZOOM MEETING INFORMATION.

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

B. ROLL CALL.

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

Also Present: Chief of Staff Celestine Jeffreys, Deputy City Attorney Joanne Bungert, Lt. Steve Mahoney, General Manager Nancy Quirk, Alder Lynn Gerlach, Alder Barbara Dorff, Alder Randy Scannell, Alder Jesse Brunette, City Attorney Vanessa Chavez, Assistant City Attorney Lindsay Mather

C. APPROVAL OF THE AGENDA.

D. APPROVAL OF MINUTES.

- I. Approval of the minutes from the June 22, 2020 Protection & Policy Committee meeting.

E. REGULAR BUSINESS.

1. Consideration with possible action on an application for a "Class B" Combination license for Tristas Lunchbox LLC at 1542 University with a licensed premises as "MAIN FLR, BAR, COOLERS, POOL ROOM, BACK OFFICE, TIKI BAR W/IN OUTDOOR PATIO, OUTDOOR PATIO," previously discussed at the June 8 Protection & Policy Committee meeting. (Previously licensed as Alisa Marie, LLC).

Action was taken at the July 13, 2020 Protection & Policy meeting.

2. Consideration with possible action on a "Class A" Liquor and Class "A" Beer license for Mi Favorita Supermarket LLC at 1908 E. Mason St. with a licensed premises description of "coolers" (Previously licensed as Mi Favorita Supermarket).

Action was taken at the July 13, 2020 Protection & Policy meeting.

3. Consideration with possible action on a "Class B" Combination License for Lil Jamaica LLC at 1332 S. Broadway with a licensed description as "bar area, 2 small closets, bathrooms, closet at back entrance, small attic, outdoor patio, side yard." (Previously licensed as Sunshine N Wallys Bar, Inc).

Action was taken at the July 13, 2020 Protection & Policy meeting.

4. Consideration with possible action on a Class "B" Beer & "Class C" Wine license by Aldo's Pizza of Green Bay, LLC at 1247 Velp Ave. with a licensed premises as "Cooler, dining room." (Currently licensed as an individual Jean Cleary).

Action was taken at the July 13, 2020 Protection & Policy meeting.

5. Consideration with possible action on a 2020-2021 renewal application for a "Class B" Combination License for Chip Stacks, Inc. at 416 Dousman St. with a change of agent.

Action was taken at the July 13, 2020 Protection & Policy meeting.

6. Consideration with possible action on a renewal application for the 2020-2021 license year for Strats, Inc. at 2850 Humboldt Rd. (Submitted June 29, 2020).

Moved by Ald. Craig Stevens, seconded by Ald. John VanderLeest to to reconsider a renewal application for the 2020-2021 license year for Strats, Inc. at 2850 Humboldt Rd. (Submitted June 29, 2020). Motion carried.

Yes- Craig Stevens, John VanderLeest, Mark Steuer, Kathy Lefebvre, No- None, Abstain- None

Moved by Ald. Craig Stevens, seconded by Ald. John VanderLeest to approve a renewal application for the 2020-2021 license year for Strats, Inc. at 2850 Humboldt Rd. (Submitted June 29, 2020), with the approval of the proper authorities. Motion carried.

Yes- Craig Stevens, John VanderLeest, Mark Steuer, Kathy Lefebvre, No- None, Abstain- None

7. Consideration with possible action on the renewal applications for various liquor and/or beer licenses for the 2020-2021 license year with approval of the proper authorities (see attached).

Action was taken at the July 13, 2020 Protection & Policy meeting.

8. Consideration with possible action on the release of the 2019-2020 "Class B" Combination licenses to the pool of available licenses due to no action taken for the 2020-2021 license year.

Action was taken at the July 13, 2020 Protection & Policy meeting.

9. Consideration with possible action on a request by Hagemeister Park, Inc. at 325 N. Washington St. to amend their liquor license to include a sidewalk cafe permit adjacent to 325 N. Washington St.

Action was taken at the July 13, 2020 Protection & Policy meeting.

10. Consideration with possible action on a request by Skogen's Foodliner, Inc. at 2430 University Ave. to amend their liquor license to include part of their parking lot for Click and Collect curbside pickup.

Action was taken at the July 13, 2020 Protection & Policy meeting.

11. Consideration with possible action on a request by Skogen's Foodliner, Inc. at 2250 W. Mason St. to amend their liquor license to include part of their parking lot for Click and Collect curbside pickup.

Action was taken at the July 13, 2020 Protection & Policy meeting.

12. A request by Ald. Wery for an update with possible action on changes to the Ethics

Ordinance/Policy that were requested in 2018, with explanation as to why it is taking so long while other newer programs, policies and ordinances are placed ahead of this item?

Action was taken at the July 13, 2020 Protection & Policy meeting.

13. Consideration with possible action on a request by Ald. Scannell to make a city ordinance requiring employees and the public in social situations to wear masks and practice social distancing.

Action was taken at the July 13, 2020 Protection & Policy meeting.

14. Consideration with possible action on a request with Ald. Galvin that the city consider taking fluoride out of the treatment process for the city water.

Moved by Ald. Kathy Lefebvre, seconded by Ald. Craig Stevens to hold a request by Ald. Galvin that the city consider taking fluoride out of the treatment process for the city water to the next meeting of Protection and Policy committee for staff to provide available dates for a special meeting to address this item alone. Motion carried.

Yes- Craig Stevens, John VanderLeest, Mark Steuer, Kathy Lefebvre, No- None, Abstain- None

15. Consideration with possible action on General Ordinance 24-20, an ordinance amending Section 2.06(8), Green Bay Municipal Code, relating to reading of ordinances.

Moved by Ald. Kathy Lefebvre, seconded by Ald. Craig Stevens to approve General Ordinance 24-20, an ordinance amending Section 2.06(8), Green Bay Municipal Code, relating to reading of ordinances. Motion carried.

Yes- Craig Stevens, Mark Steuer, Kathy Lefebvre, No- John VanderLeest, Abstain- None

16. Consideration with possible action on a communication from Alder Dorff to research and create a fair housing ordinance for the City of Green Bay, previously discussed at the July 8, 2019 Protection & Policy meeting.

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

Yes- Craig Stevens, John VanderLeest, Mark Steuer, Kathy Lefebvre, No- None, Abstain- None

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

Yes- Craig Stevens, John VanderLeest, Mark Steuer, Kathy Lefebvre, No- None, Abstain- None

Moved by Ald. Kathy Lefebvre, seconded Ald. Craig Stevens to hold a communication from Alder Dorff to research and create a fair housing ordinance for the City of Green Bay, previously discussed at the July 8, 2019 Protection & Policy meeting, to the next meeting of the Protection and Policy Committee to allow for more input from the public. Motion carried.

Yes- Craig Stevens, John VanderLeest, Mark Steuer, Kathy Lefebvre, No- None, Abstain- None

17. Consideration with possible action on General Ordinance number 22-20, repealing and recreating Section 6.39, Green Bay Municipal Code, relating to mobile food establishments.

Moved by Ald. John VanderLeest, seconded by Ald. Craig Stevens to approve General Ordinance number 22-20, repealing and recreating Section 6.39, Green Bay Municipal Code, relating to mobile food establishments. Motion carried.

Yes- Craig Stevens, John VanderLeest, Mark Steuer, Kathy Lefebvre, No- None, Abstain- None

F. INFORMATIONAL.

1. The Liquor Violation Report for July 13, 2020.

Moved by Ald. Craig Stevens, seconded by Ald. Kathy Lefebvre to receive and place on file the Liquor Violation Report for July 13, 2020. Motion carried.

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

2. An informational report regarding liquor licenses.

Moved by Ald. Craig Stevens, seconded by Ald. John VanderLeest to receive and place on file an information report regarding liquor licenses. Motion carried.

Yes- Craig Stevens, John VanderLeest, Mark Steuer, Kathy Lefebvre, No- None, Abstain- None

G. PUBLIC HEARINGS.

H. ADJOURNMENT.

Moved by Ald. Kathy Lefebvre, seconded by Ald. John VanderLeest to adjourn at 4:01 p.m. Motion carried.

Yes- Craig Stevens, John VanderLeest, Mark Steuer, Kathy Lefebvre, No- None, Abstain- None

VERBATIM MINUTES

- [Celestine] Okay, we are recording.

- Okey dokey, we are on this end as well.

- [Alder Lefebvre] John?

- And... We can begin with roll call and opening the meeting.

- Greetings, everybody, welcome back from our two day break. We will have roll call here for Protection and Policy for the meeting of July 13th, which was suspended till July 16th. Alder Steuer, I am here. Alder

VanderLeest? You're on mute.

- Present.

- Alder Stevens? You're on mute, too. Is present, and Alder Lefebvre.

- [Alder Lefebvre] Present.

- All are present and accounted for.

- All right, since we are resuming a meeting from Monday, or reconvening the Protection and Policy meeting from Monday, we can go directly to item number 14, that item left with the floor being closed to public discussion, and the committee beginning discussions amongst itself.

- Do I need to read that again? I'll read it for the record.

- Sure.

- It's number 14, it's consideration with possible action on a request that the city consider taking fluoride out of the treatment process for the- So, Alder Dorff.

- Thank you, Chair. I think that this is a very important topic. I am concerned that it was kind of lumped into a meeting with a lot of important topics, and I think that this topic should be given the time that it deserves. I think the public needs to be educated, I am very, very concerned about us making a swift decision without having enough information, and enough input from either, from either side, I guess, of the discussion. I would ask that the committee consider holding this, and perhaps asking for a special public hearing, just dealing with this one topic, with nothing else on the agenda. Thank you.

- You're welcome, that's another thread, now. I will admit that, you know, our last meeting, we had three hot button items. Normally, you might get one or two of those a year, but we had three on one agenda. So I'm not complaining, I'm just saying that's just the way it fell. We had 20, you know, we had about 30 folks testify the other night, but it was over two, two and a half hours, and I had my thoughts on that as well, but I want to ask the committee what your thoughts are on Alder Dorff's proposal.

- [Alder Lefebvre] Chairman?

- Alder, yes, go ahead, Alder Lefebvre.

- [Alder Lefebvre] I think Barb makes a valid point. I think that, and I think we should get information out to the public, even before maybe we would have a special meeting, let people know what's going on, you know, 'cause we were, we could only have 100 people, and then we have, you know, our committee, and some of the alders were in after the end, so then, we're limiting the number of people that can have a discussion on this, or voice their opinions. I think maybe we should try to get more information out into the public, and then have, have a meeting, and these people, then they can, they can always email us, one way or the other, and then, at the main meeting, it should be the professionals, I think, talking, those who are the doctors, the scientists, the ones who deal with this issue more, should be the ones for sure speaking at that meeting, and then others can join in.

- Okay. Thank you for that. Alder Stevens, do you have any comments?

- I agree with Alder Dorff and Kathy.

- Okay, Alder VanderLeest, I know you kind of had your-

- I got an opinion on it. I think we heard a lot of good testimony. I think, as a committee, we can make a good decision. I know that from the medical community, from the Wisconsin Dental Association, they back it heavily, they want the fluoride in the water, and if you go to the medical community, as far as the research goes, they're against, they're against the fluoride. We know that, we know that up front, from all the testimony that we heard the other night. And I feel that, as a committee level, we can make a choice, here, that we can move it on to City Council and we can have another discussion, and we can also, at City Council, we can talk about it as well, but I think at the committee level, I think that we should be able to make our minds up and say that, you know, we're either for the fluoride or we're against it, and what it is, it's a clash of two medical, two medical divisions, the research division, and the division that's advocating to have the fluoride put in the water. That's the real question, and I feel that, as a committee, we can say yes, we don't want fluoride, or yes, we do want fluoride. And I think with the people that spoke the other night was very clear how they felt, and there's a lot of good information on, you know, the medical community that does the research, and then there's a lot of information, and the ones, the dental association, and you know what, the dental association, they're advocating for the fluoride, and that's my thoughts on it, and I think that we could make a decision by, you know, by vote, here is our committee, what we want to do, if we want to, you know, we're gonna, it's gonna go forward to the City Council regardless. So I feel that I'd like to vote on it yet today.

- All right, thank you for your comments.

- [Alder Lefebvre] Can I mention something? You know, right, the dental association is for the fluoride. But they're going by the old research, things that are out there. There's always new things coming forward, that's why we almost need to, that's gotta be brought forward, Mark, the dental association themselves gotta look at this new stuff.

- All right, I, I have a few comments I'd like to make. These are things that I gathered from the meeting, and it's just some of my thoughts, and I'm, please bear with me, it won't be too long. Some folks have felt that this could be referred to staff, for the law department for options to figure out what we can do, here. We could do a resolution, either way. I will say that, I'm gonna read some of this. "Proponents for fluoride feel that this would not work if it went to referendum." I apologize, I meant referendum. "Proponents for fluoride feel that this would not work, due in part to the major education effort that would be needed, it would be a very big project. Opponents to fluoride feel that this would not work either, due to the money and power that the ADA and other agencies have, which would use up, which would use to, they would use to win their case." I have thought, you know, maybe we should go to a resolution, or not resolution, but to a referendum on something like this. But all sides seem to be balking at that as well. There were only two people from the city of Green Bay, citizens that actually testified, at our meeting the other night. There were a couple. Most of 'em were doctors, dentists, professionals, I mean, I went through the list. Maybe there was a couple more, but most, most of what I saw were people that weren't living in the city of Green Bay, and I feel that the citizens of Green Bay need to be heard. I will also state that, though there have been numerous studies, reports, and documents published by both sides, the pending court case against fluoride is still not settled. Though there is a great, there is a great deal of he said, she said, you know, both sides are right, the other side is wrong. And for us, as well, there's this non-scientist to make decisions on that, this is very difficult. It's a heavy, it's a heavy load, I will tell you that. I also will say that both sides have experts on the issue, and they both tout themselves as the experts on the effects of fluoridation, yes or no. I said I'm also struggling with the fact that there have been attempts to introduce new research into the project, you gotta remember that we listened to this in 2013 and also 2017, Alder Dorff was with the 2017 alder group, and I was with the 2013 group. So there was some research, it built up a little bit over time, there were more studies done, and Dr. Johnson even mentioned to me that, if there's new research out there that we can look at, let's do it, let's look at it. Well, I've been reading a number of things where there has been new research brought forward, and it's either debunked, or they don't want to talk about it, and the problem I have is that I look at this, and I'm going, well, is there a fear here, and I'll tell you why. I've had a number of dentists call me, who are against fluoridation,

and they are very upset, because they can't really speak about it, because they're afraid of losing their licenses. So, to me, that doesn't bode well as a good work environment. I don't, that's hard for me to deal with. So, getting back to what Alder Dorff brought up, I still, you know, we could talk, we could bring this out over and over again, and it's gonna be really difficult. Do we have all the information? Probably not. But I have never had an item, or an agenda item, that's been so divisive, in terms of both sides being totally right. And there's no gray area, it's black or white. There's no gray. And for us, you know, we're gonna either be lionized by one side, or demonized by the other. That's just the way it is, and that's part of the nature of being in public service. So, I kind of lean toward what Alder Dorff is stating. You know, if we bring this back to council, you know, like I said, I have a gut feeling of how I want to vote on this, but I still have my doubts. So I, I want to be darn sure, and I don't feel that this is time sensitive, you know, of course, everything is time sensitive in some way, but I don't think this one is specifically time sensitive. You know, if we can do the right thing, we must remember that, you know, Green Bay, we're kind of in the eye of the storm right now. Everybody is watching this. Not only just locally, but throughout the country, throughout Canada, other areas of the world, so I think it's very important that we do the right thing. So... The way I want to move forward, we can discuss it, but I feel that maybe what Alder Dorff brought forward, I think, is a good compromise. And I don't know, Alder Dorff, could you repeat exactly what that was, again?

- Yes, that was the, for right now, to either hold or table this item, and instead, have a meeting, whether we call it a public hearing, or a special meeting of Protection and Policy, that would just be dedicated to the issue of fluoridation in the water, and have it advertised, have some education go out to the public, and give people time to gather their resources, so they can be at the meeting, and don't limit it to just a hundred people on the Zoom meeting.

- Well, I agree with the sense too, that said, with this, you know, going on, the county met yesterday at the Resch Center, and Alder VanderLeest detested that, and he said it was plenty of room, you know, we might need a larger venue for something like this. I think it's important, because there are a lot of folks that could not get into the meeting the other night.

- It happened-

- [Celestine] Alders, if I may, this is Celestine.

- We will get 500.

- [Celestine] Yeah, yeah, this is Celestine. So, we have upgraded, the Chief of Staff, Celestine Jeffreys, we've upgraded my account to accommodate more than 100 people, thank you.

- All right.

- [Alder Lefebvre] Okay, Chairman?

- You know, I think Celestine, hold on a second, Alder. Celestine, I was gonna ask you, you know-

- [Celestine] Yes.

- With this being said, you know, and I know it was mentioned at the meetings, not only for this issue, but the other issues, that, you know, when somebody was on Zoom, they would speak, and then a lot of times, you stay on Zoom, and they really need to maybe get off of Zoom, and then, you know-

- [Celestine] Yeah, that's not necessary.

- You know, I mean, that's very important, too, but a lot of, some folks don't do that, they want to stay on and

kind of feel like they're involved. So-

- [Celestine] Yes.

- We just have to make this as fair and equitable for the entire citizenry, and I, right now, I think we're limited.

- [Celestine] Sure, let me just make it clear that it is not necessary with the upgrade that I have to the account that I use, which is for any meeting at City Hall, especially the Common Council meeting, that we have plenty of space for people to not only dial into the Zoom meeting to only listen, but also for people to participate, should they choose to. We will also have instructions for members of the public to simply come into the meeting anonymously, if that's what they choose to do.

- Okay. Well, whatever way we can make sure the citizens are involved, I think it's very important. So, I know Alder VanderLeest, I know that you had your ideas that moving this forward, if we go ahead with Alder Dorff's suggestion, I can't disagree with that, to have a meeting specifically dedicated to that one item. We were real punchy, we were tired by the end of that meeting, and meeting, I don't know how many emails you've gotten, but I have gotten many, many emails, many studies, and I feel like I'm doing a master's thesis, we're trying to cram everything in in a couple of days. It's very difficult, so we could vote, but I'm leaning toward what Alder Dorff has said, and I would entertain a motion right now.

- [Alder Lefebvre] Can I make a quick suggestion now?

- Yes, go ahead.

- [Alder Lefebvre] If we cannot have it at the Resch, if you do, you will not be able to do it Zoom.

- Okay. Well, we'll... We'll figure something out. We'll deal with it-

- Alder, I would recommend at this point, since all city meetings are being conducted via Zoom, the recommendation would be to continue with that. It sounds like we would have the accommodations to allow for more individuals to be able to attend the meeting, but with this motion, I would recommend that we set a specific date and time.

- Right now. Set up a date.

- Correct.

- Interesting.

- [Alder Lefebvre] Okay, well, let's, I'll make a motion that we do have a special meeting, but let's look at our calendar, then, so we can put a date in.

- I'm usually good on Thursdays. Thursday seems to be a pretty good day.

- [Alder Lefebvre] Yeah.

- Thursdays are difficult, as I've indicated before, because we would still have to do minutes.

- No. Well then.

- Depending on what Thursday it is, if it's preceding a council meeting, it's very difficult for staff to be able to prepare that.

- Well, I mean, we definitely look at the schedule, so all the different committee meetings coming up-
- [Celestine] So, just to be-
- Yes, go ahead.
- Why don't we table it for 30 days, and then, at our next meeting, we can look at a date that we want, that we can work out with staff, and then, then we can, you know, be more accurate on who or how it's gonna work out.
- Okay, that's a good-
- Let's move until our next meeting, and then staff can get back to us, and give us some dates, and we can try to make it work.
- All right. Is that too much time, though? I mean, can we do it earlier?
- The next meeting is-
- Not earlier, the meeting, I'm just talking about deciding when we would have the meeting.
- Our next meeting-
- Yes, when is it?
- August 10th. So less than 30 days.
- Is that okay with the committee?
- [Celestine] Deputy Attorney, do you need to table this to a date certain?
- If we hold it to the next P&P meeting, and at that point, for staff to provide available dates for a special meeting, we can do that.
- [Celestine] Thank you.
- Well, I would entertain a motion to that effect. Alder Lefebvre, is that your motion?
- [Alder Lefebvre] Yes.
- Do we have a second?
- Second.
- Second by Alder Stevens, any other discussion? All in favor?
- Aye.
- Thank you, Alder Dorff.
- Thank you.

- One moment, so the motion was to hold this item to the next meeting, and for staff to provide available dates for a special meeting to address this... This item alone. All right, we are on to, well, before we actually move on to item number 15, I did want to bring to the committee's attention, item number six, staff recommendation for item number six was to deny the renewal as information that was provided by the licensee at the time was that the establishment was not operational, and was not intending to be operational, they have since reconsidered, and have provided information to the clerk's office that they will be operating again, they will resume operations and will open. Accordingly, at this point, the basis for non-renewal no longer exists, there's no legal support for it, so the recommendation is to do a motion to reconsider the item, and then to re, take additional action on the item, and at that time, the recommendation would be to approve. Order, that's item number six.

- I would entertain a motion to reconsider.

- I'll do it, motion to reconsider.

- Alder, by Alder Stevens, do we have a second?

- Second.

- Second by Alder VanderLeest, all in favor?

- Aye.

- All opposed, okay. So I can read that now?

- Yes, one second. Yes, go ahead and read item number six.

- Okay, number six. Consideration with possible action on a renewal application for the 2020-2021 license year for Strats, Inc. at 2850 Humboldt Road, submitted June 29th, 2020. Staff?

- The staff's recommendation, as I've indicated, the licensee is intending to operate and to reopen business. Accordingly, staff has no objections to the renewal.

- And police?

- Police concur.

- Okay, I would entertain a motion.

- Motion to approve.

- Motion by Stevens to approve, do I have a second?

- Second.

- Second by VanderLeest, All in favor, please say aye.

- Aye.

- All opposed? That passes unanimously.

- All right, we are on to item number 15.

- Okay, number 15. Consideration with possible action on General Ordinance 24-20, an ordinance amending Section 2.06, subsection eight, Green Bay Municipal Code, relating to reading of ordinances. Staff.

- [Atty Chavez] This is Attorney Chavez.

- Okay. Yes, go ahead, attorney.

- [Atty Chavez] Thank you. So, the reason we're bringing this up is because everything that we have done under the emergency, the emergency proclamation has been done on a single reading. And so, we just want to make it clear to the public that that is gonna be the process moving forward. What we are ultimately looking at doing is creating a, an entire emergency ordinance, but until we get that in place, at the very least, we feel that... What we're going through, we might as well codify it.

- Well, let me ask you this. Once it's codified, it's a rule for good. If things change down the road, do we have to change that again, or what's your take on that?

- [Atty Chavez] Yes, but this only applies to ordinances that are brought forward under the, under emergency powers, and so, like I said, every single one that we've brought forward so far under the emergency powers has been for our first reading, for adoptions, and so it's just making that process clear to the public, that's what we're gonna be doing, so that they know that that is what we're doing. And then, as far as amending that goes, you know, like I said, we are gonna be, at some point, proposing an entire emergency management ordinance, and we can revisit it at that time if it feels like there's issues with it.

- Well, I just want to make sure that we have the opportunity to change that in case, you know, things do change. So I mean, I, Alder Brunette?

- [Alder Brunette] Well, Chairman, you can open, you can allow the others on the committee to speak before me if-

- No, that's right, nobody else chimed in, but go ahead.

- Okay, I guess my question for the City Attorney, that an ordinance that gets presented to the council a single time could be adopted, because normally we have to go through two readings of the ordinance, from my recollection, is that correct?

- [Atty Chavez] So order apparently stays, that there will be, so actually, let me back up. The ordinance originally stated that there were supposed to be three readings, but that it's gonna have, that the ordinance to be adopted on the second reading is with the suspension of the rules. When it became clear that that's just the process that the council takes, is to adopt on the second reading, we modified the ordinance to comply with that, and so, that is what is currently in place, saying that two readings are what are, or what the standard is. We also carved out an exception saying that it could be adopted on the first readings, what the suspension rules by two-thirds vote, which is what we normally do. And then, with that, that allows us to take everything to a first reading, would actually use first readings, on a, not a regular basis, I would say we do about maybe two or three times a year, but since we have adopted the emergency ordinance, the emergency declaration, everything that comes up under the emergency declaration is obviously time sensitive, and so that is why every, since we are already doing this process, we are, everything is coming up for a first reading, then the best thing we can do is make it clear to the public that's actually what we're gonna be doing.

- Okay, thank you. Hypothetically, this coming City Council meeting will be discussing a possible face covering, mandatory face mask or face covering ordinance. Based on the action that the council could take, if the Mayor

does decide to create an ordinance using his emergency powers under the existing action of the council, could that be adopted at that council meeting, and not be forced to be voted on at another council meeting, like we normally have outside of emergency authority?

- [Atty Chavez] So... I should explain that better. So the ordinances that normally come through committee are really what we are talking about, because everything that takes, all action taken by the Mayor is subject to ratification, so if the Mayor decided to implement an ordinance, as he did with the curfew, or resolution of the curfew, I should say. That was only subject to ratification, so it doesn't change anything with respect to what the Mayor's obligation, or what the Mayor's actions are, it just allows the council to move their own ordinances through faster.

- Okay. I guess we have been meeting on this platform for quite a while now, and if the council needed to call an emergency session to vote on an ordinance through a second reading, I think we could do that rather quickly. That allows additional public input and comment and feedback. I guess I'm wondering, other than codifying what we have been doing for the last two months, why under this platform, when we can add very quick, as a council, would we want a second reading? I'm just trying to grasp why that's necessary in this case. A question for the Chair or the City Attorney, what's your-

- I was waiting for the City Attorney on that one.

- [Atty Chavez] I guess I'm confused by your question, I mean, what we're trying to do is make it clear to the public what we're doing.

- That I understand, but again, specific to an issue we'll be discussing on Tuesday. Normally, ordinances outside of emergency declarations-

- [Atty Chavez] This is in place on Tuesday. We'd have to go through two readings on this, or be up for first reading for adoption.

- Okay, so let me ask this, Attorney Chavez. If on Tuesday, the Mayor does put forward a ordinance to adopt mandatory face masks in the city of Green Bay, and the council votes in the affirmative, is it, is it enforceable the moment we vote on it? Is it valid that second that we vote on it and adjourn?

- [Atty Chavez] Actions of the Mayor, or of the, yes, of the executive, under the, or emergency powers, are subject to ratification only.

- Okay, so if on Tuesday, we vote for a mandatory face mask ordinance, or whatever issue is brought before us through emergency orders, the vote of the council, the single vote of the council on that, two votes of the council could make it valid when we adjourn from that meeting?

- [Atty Chavez] I guess so, what I'm telling you is that's not really what we're talking about.

- Okay, all right, I'm just trying to understand. That's all I'm doing, I'm trying to understand.

- [Atty Chavez] I understand that, but this is, this is pertaining to ordinances that require two readings.

- Okay, thank you.

- Alder Brunette, I have comments. I think I know what you're driving at for that, but you know, I think, I think we're fine right now. Anybody else on the committee have any comments? Otherwise, I would entertain a motion.

- [Alder Lefebvre] I make a motion to, I don't want to say it. To move forward on the new ordinance reading.
- Okay, do we have a second?
- [Alder Stevens] Second.
- Second, is motioned by Lefebvre, seconded by Stevens, any other discussion, all in favor, please say aye.
- Aye.
- All opposed?
- Nay.
- Okay, three to one.
- Can we do that, since we have not a unanimous vote-
- Okay, sure.
- We would do the voice vote.
- Okay.
- Just delete this vote. So, Alder Stevens?
- [Alder Stevens] Yes.
- Alder VanderLeest?
- Nay.
- Alder Steuer?
- Yes.
- Alder Lefebvre?
- [Alder Lefebvre] Yes.
- Okay, that passes three to one, with Alder VanderLeest voting no. Okay. And on to item number 16.
- Number 16, consideration with possible action on the communication from Alder Dorff to research housing ordinance for the city of Green Bay, previously discussed at the July eighth, 2019 Protection and Policy Committee. Alder, you're here.
- I am here, thank you. So, I wanted to tell a little bit of the history of how this came about. And it actually came about on May seventh, 2019, I'm a member of RDA, the Redevelopment Authority, and there was consideration with possible action on approving and recommending to the common council an analysis of the impediments to fair housing. There was an audit done on the city of Green Bay, and so, there were some impediments to fair housing. Among these impediments were that we did not have a fair housing ordinance, and being an alder on RDA, I, if you go back and watch that meeting, you will see me say, hmm, that seems to

be something that I... Something the city council person would look into, is looking at ordinance. The first, 2019, I put in two late communications at City Council, and this was after there was a meeting held, I was the only alder that attended the meeting, but it was a summary of what the audit had shown us on the fair housing impediments. So I'd also attended that meeting prior to our prior City Council. And these two late communications were, number one, to incorporate the finding of the impediments to fair housing into the comprehensive plan, and two, to create a fair housing ordinance for the city of Green Bay. And you can find these at page 77 of the meeting minutes for 5/21/2019. Then it went to Plan Commission on June 10th, 2019, consideration with possible action on a request from Alder Dorff to research and create a fair housing ordinance for Green Bay, then it went to Protection and Policy on July eighth, 2019, consideration with possible action on a request by Alder Dorff to research and create a fair housing ordinance for the city of Green Bay, which was referred to Protection and Policy by the Plan Commission. Then it was moved by Randy Scannell, seconded by Mark Steuer, to refer to staff a request by Alder Dorff to research and create a fair housing ordinance for the city of Green Bay. The motion carried, yes, Craig Stevens, John VanderLeest, Mark Steuer, Randy Scannell. No, there were no votes against it. So, I started meeting on October 23rd, 2019, with legal, and at the first meeting we held in October 23rd of 2019, we had seen that other communities, other municipalities that put this ordinance into effect had actually expanded it beyond the scope of just fair housing, so instead of looking at creating two ordinances, I was very comfortable with saying, yes, we can roll some other things into this ordinance, and... Back then, we called a human rights ordinance. Over time, we met, and then, I think, the... To the Equal Rights Ordinance, I was more comfortable with Equal Rights than Human Rights. Then on February fourth, 2020, Alder Johnson requested to the Protection and Policy committee for consideration and possible action to create a Diversity and Inclusion Commission that will properly support the roles and responsibilities of the Diversity and Inclusion Coordinator, and secure proper return on the investment for taxpayers, and benefit to all citizens. So this fit in with the idea, this is actually where I got the idea that, having the commission to support this ordinance, we should also roll that into the ordinance. Then... Another discussion, Alder Johnson, on February seventh, brought up the idea of the commission to support the Diversity Coordinator position, and then that was accepted on 2/5/2020, at Protection and Policy. Another meeting with the Mayor, and with the, actually, the Mayor wasn't there, I'm sorry. Another meeting with legal, and Joe Falls of the Human Resources Director, to talk more about what might be included in the ordinance, that was on Tuesday, February 18th, 2020. And then, we scheduled those meetings, and finally came up with this ordinance that was now ready to be presented before you. So. Are there any questions on the timeline, first, before we get into the ordinance? That this has been something that was brought up-

- No, I appreciate the timeline, Alder Dorff. And I, you know, I just, I think part of it is that now we have something here, and it's 15 pages long, there's a lot there. I realize there was a lot of research that was done in it, but you know, I think you were stating the timelines just to make sure that, you know, things were going along the way you thought they needed to go in order to move forward.

- Right.

- But...

- On the timeline.

- On the timeline. Yeah.

- No questions on the timeline, but I'd like to, I'd like to make this comment, Mark. I think the public has to have more input, as far as what's going on, and this ordinance would just put together in paper form, I think there might be people that are, you know, going to chime in on the, on our meeting, that would like to have more time, as far as the landlords that own a lot of properties. I think that, you know, that we should give 'em the courtesy to look this thing over before we vote on it, I think that we should give 'em at least, I would say, a 60 day period, to let 'em look it over, different businesses that are, you know, landlords, and property

owners, I think they should have a 60 day window before we actually vote on it. I'd like to know if there's anybody from the public that would like to speak, to weigh in on it. There's 22 different classes of protection persons in this ordinance. Matters such as classes that have not been established as protected in state and federal law. More fundamental federal and state laws are already defining discrimination, and provides the necessary protection. Laws will not expand upon the protection classes created endless lawsuits. So I think the, you know, the public should have a chance to weigh in on, you know, the dollar amounts, you know, who's gonna be, you know, it says here a thousand dollar fines, and you know, does the city of Green Bay have time for all of these things? And number one, how many complaints have we had in the city, for the city of Green Bay? I think in the whole state, in 2017, there was only 50 complaints. So, I think that the public should have a chance to weigh in on this before we actually put it, put it into law.

- Okay, I, I know, Alder VanderLeest, I know you got, you know, we were looking at the timeline when we were gonna have time to discuss, discuss this, I understand. I had no issue with the timeline, per se, you know, I understand that it went through a process, and that, but now I think we're looking at the actual ordinance, and I will tell you that I had a number of phone calls from landlords as well, who were concerned, and just making sure that, let's say, a tenant might have a poor credit rating, or might have been a felon or some issues that came up, I think they're fearful that if they don't rent to that person, that they would be charged, that type of thing, so I think there's some, there's some gray areas, there, I think, that people need to hear, so I can't disagree with Alder VanderLeest, at least in having that opportunity to air these various concerns out. Not so much to poke fun at it, or poke the blame at it, I think it's more to just make sure that everything is covered. Alder Dorff?

- I would just say that we should start the discussion, that's what I'm asking for, because how, how do people know what the intent is, unless we actually start the discussion, and have a little discussion here, at committee, which is what the committee's meant for, on what is meant, and if there are concerns, things like you brought up some valid concerns, so let's talk about that section of it, and so, let's have the attorneys weigh in on it. I'm asking for time for discussion at committee, not necessarily asking for a vote, either way, but I think we have to start the process. And that's what I'm asking for.

- Well, okay, so at this committee, I mean, this is our first kick at it, in a sense, you know, with this ordinance. You know, we've all looked, a number of us have looked at it, and I've thought of a few things, and there's a lot here, you know, and I'm not saying I, I'm not an attorney per se, but you know, just looking at things, trying to read it as an alder, trying to read it as a citizen, or trying to read it as a professional, it's different, so we need to be able to handle that, and I think some of the, some of the descriptions, I'm not too, it's not too difficult for me to deal with. I think it's just, like you said, you're lumping, you're bringing in housing, or bringing in accommodation, places of accommodation or amusement. You know, which is a whole thing, employment. There's a lot here, so-

- [Celestine] Alder Steuer?

- I don't know if we're fully equipped to really go over all of that right now, we could maybe put out some talking points. But I think there definitely is some more, you know, there needs to be smarter inspection.

- [Celestine] Alder Steuer?

- Yes, go ahead, Celestine.

- [Celestine] Thank you. I just, I'm not rushing your conversation along, but if you can look at your screen, you will see that there are two people who have their hands raised, they either have a little blue hand by their name on, if you have the participant screen up, or they actually have it, so I'm not rushing you, I'm not rushing you, I just wanted to make you aware.

- Yeah, well, that's fine, and actually, maybe I would, that'd be a good time to open the floor, just to get some comments. I would have a motion, make a motion to have the floor opened, anybody.

- Motion.

- VanderLeest. Alder VanderLeest, seconded by Lefebvre, all in favor, please say aye.

- Aye.

- All opposed? All right, come forward, and state your name and address for the record, and we'll get going.

- [Celestine] And so, that would first be Martin W. Martin W., can you please un-mute yourself, and state your name, please spell your last name for the record. Unfortunately, this time I don't have the three minute timer to show, I don't think, but I'm gonna do my best, I'm toggling between two computers.

- We'll figure it pretty well. I've got a watch too.

- Yes, hello, can you hear me?

- Yes.

- Okay, my name is Martin Webber, W-E-B-B-E-R, 3307 Beach Lane in Green Bay. Yeah, I, as far as this ordinance, this proposed ordinance, myself and several other people have emailed Alderperson Dorff numerous times for clarification, and now, I'm just trying to get an understanding on this. Federal law, as far as I know, covers all this, as Alderman VanderLeest brought up. So, our question to Alderman Dorff was, what's the purpose of this, besides political posturing? And she, she refused to answer, except for her saying, I feel like it's the right thing to do. Well, what kind of question is, I mean, answer is that? You know, does the city really have time, or my taxpayer money, to waste on this? I don't get it. If federal law is covering everything that's proposed here, why jam up the system more with just this political nonsense? And she refuses to answer! You know, that's what I'm trying to grasp, here, and I just, she won't answer the question. Maybe she'll answer it now.

- I'll leave that up to her.

- [Martin] I'm done, I'm waiting to hear.

- Mr. Webber, well, what we'll do is, if you have no other comments, we can talk to the, afterwards.

- [Martin] Thank you.

- Okay. Well, we'll bring that after we close the floor. We can bring that point forward.

- [Celestine] Okay, next is Andrea Johnson, Ms. Johnson, can you please state your name? I do see it here. Unmute yourself, and give your address for the committee.

- [Andrea] Hi, my name is Andrea Johnson, I live at 387 Windward Road in Green Bay, 54302. And thank you very much for, for allowing me to speak, I don't have, because I just read this today, I don't have a whole lot, I have some questions. So many questions, but the first thing I'd like to address, really, isn't related to this per se, it is related to how many people can access this, even though you allow more than a hundred people now to access Zoom, we have a huge population of elderly people who don't remember how to use their phone, let alone how to use a computer, and to be honest with you, they're very intelligent people, and they really have a lot to say, and I really am gonna ask that these really big issues be addressed, say, at the Resch Center,

it doesn't matter if it's Zoomed, they can all attend, but we have a lot of really intelligent people with a lot of wisdom that really need to be able to chime in, and the pressures of trying to remember what to do with their computer and how to access all of this stuff, or their phone, is very, very daunting. And it's a shame that our citizenry, level, or that skill level cannot attend. That's all I wanted to say on that. Now, the other thing is, I have some questions, but on page... Well, 50.08, letter D, it says, "For any," this isn't the first question, this is probably my 50th question, but my time is running out. "For any person or employer to refuse to reasonably accommodate an employee's or prospective employee's disability, unless the employer can demonstrate that the accommodation would impose an undue hardship on the employer's program, enterprise, or business." Okay, then E, this isn't the, this is, I don't, I should probably do a word check in here, find out how many times it says "reasonably accommodate," I mean, there's a lot of vague, vague terms in here, that we all know that if someone, it only takes, it's gonna be a snowball, because you, we cannot leave up to government or law enforcement or attorneys to that vague term actually means. You, what do you mean you're gonna put it on the employer or the whoever? Maybe a private property owner? You're gonna put it on them to prove that they didn't discriminate? I don't think that's the best way to go. I don't think we need an ordinance, we have constitutions, both federal and state. I don't, I would like to know the specifics, and I think only laws or ordinances should be made addressing only specific things that were not covered by said constitutions and laws and ordinances. Thank you very much.

- Thank you, Ms. Johnson, for your testimony. I guess what I would suggest to you, we're gonna be talking about this for some time, it won't, you know, there'll be other moments after this meeting. But if you have concerns or comments, if you read through the document, and you make, you know, underline or enter your concerns in a succinct format, and get it to the committee, or get it to the City Council, we will definitely look at that.

- [Andrea] Okay, appreciate that.

- That's something, and then, as far as Mr. Webber, Alder Dorff, I don't know something to this, or you want to, it's up to you.

- Sure, 'cause I already explained that the genesis of this particular ordinance was as a result of the fair housing impediments, and so, when and being the alder that represents RDA, go into the fair housing, knowing that our HUD funding sources depend on us complying when we were found to be in violation, I said yep, I will certainly work on a housing ordinance. Then after months of meeting with the attorneys on that, realizing that in many municipalities that have a fair housing ordinance, they've expanded it to include places of employment, public accommodation, amusements, et cetera. I said yep, let's just roll this into one ordinance, and spare the work on more than one ordinance. So that's why I brought it forward.

- Barb, can you tell us what was the discrepancy at RDA, and what was the problem there?

- That we did not have an ordinance in place. That was the problem.

- Do we need an ordinance in place?

- We've found, through the audit, impediments to fair housing, and I don't know if Cheryl Renier-Wigg is on our call, I know she can explain it probably a little better than I can, but we were found, and I actually do have in front of me, yep, I did print the entire impediment, here is that, and it's the impediments to fair housing choice in the city of Green Bay, and in administrative impediments, under section five, public sector, "A lack of a local fair housing ordinance." This study identified the following impediments to fair housing choice in Green Bay. These are all indirect impediments, meaning they do not directly limit choice for protected class residents, to conditions that limit choice. So under the-

- Alder Dorff? Alder Dorff? I've got to hold on for a second. We still have the floor open, don't we? Okay, I

just wanted to check on that, because, you know, I thought we might be-

- [Celestine] Yes, you do.

- Okay. I was gonna ask you, Alder Dorff, wasn't, I mean, in 1968, wasn't there a fair housing ordinance that was brought forward in Green Bay? I thought that that-

- I have no idea.

- I thought, I thought it was.

- A point of order, Chairman Steuer, the floor is open, I think it should.

- Yeah, the floor is still open.

- I think you should listen to anyone else who'd like to speak, and then close the floor.

- All right, that's fine, and I, we were in the middle of it, so-

- I understand.

- Is there anybody else-

- [Celestine] Yes, Alder. We have, so Ms. Johnson, you've already spoken, so I'm going to go to the next two people who are new. We have Mike's iPhone. Mike's iPhone, please un-mute yourself, and please give your name and address, spell your last name for the record, thank you.

- [Mary] Can you hear me, this is Mary Brode and Mike Brode.

- Yes. Yes, we can.

- [Celestine] Yes, we can hear you, thank you.

- [Mary] 2709 Nicolet Drive.

- Okay. Go ahead.

- Thank you kindly. We would second the comments that have been made by the two other members of the general public, and without having read the ordinance at all, we didn't have time to do that yet, our impression is that there's some overreach going on here from a fair housing policy, if there is indeed one lacking in Green Bay, it sounds like it's been expanded upon to the point where definitely, landlords, businesses, employers, need to weigh in on whether it's feasible to comply with such ordinances. We want to live in a community that is economically friendly to business, not to drive employers out, because there's 12 inches of regulations to follow, but to allow people in, to bring jobs and economic prosperity to Green Bay. Thank you.

- All right, thank you for your comments. Is there anybody else, Celestine?

- [Celestine] Yes, yes, thank you, there is. Just getting myself from one to another. Okay, so there was one other person who was, who had raised their hand. Hold on one second. So what I see is, first, I'd like to give opportunity to the people who have not yet spoken, so if you'd like to speak, please either un-mute yourself, or raise your hand, because I see there are two other people who've already spoken, and I'd like to give opportunity to the people who've yet to speak. Okay, I see John Gard. Okay, John Gard, if you would please

un-mute yourself, spell your first and last name for the record, and give your address, thank you.

- Thank you, Celestine, thank you, committee members for giving us the opportunity. My name's John Gard, G-A-R-D. I, my wife and I run a business over in the Lombardi Business Center, at Lombardi and Military, and also we're Suamico residents, live in 2234 Skyline Pines. I have a couple questions. Among the things that we do, we run an organization called Wisconsin Independent Businesses that is an advocacy firm for a lot of small employers. So, when I originally saw this ordinance, it was about public housing, but the best I can tell, this is a lot more than public housing, which I think Alder Dorff brought up. So I want to go, in this limited time, go right to 50.07, City Facilities, and then the provisions right after that, and I guess that what the best thing I could do, the legal representative of the committee, or the support of the resolution, a couple of questions so we understand what this, how this works. The way I read it, and correct me if I'm wrong, first of all, it seems like if a business owner is accused of this, they are presumed not innocent. Second of all, at probably the most difficult time in recent memory for small employers, we are, the city of Green Bay is overstepping federal and state law, and adding on something that deals with a mandatory requirement to make your facilities available to anybody who fits in the first series of descriptions, criterias that are laid out in the early part of the document, which includes, includes gender, gender non-conformity. So the question is, if you're a parent with three children at a McDonald's in the Playland, and a seven year old girl would say, "Mommy, I gotta go to the bathroom," so she, the parent sends them to the bathroom, 'cause you can't leave the other two alone, is it, then, required that if a 30 year old man who has bad intentions in mind, wants to go in that bathroom while the seven year old girl is alone in the bathroom by herself, all he has to do is say, "I am gender non-conforming?" And so, in that situation, in that situation, you are putting an employer, who has to train probably high school, part time workers, how you handle people raising a ruckus in your employment, about who gets to use what bathroom. And my issue isn't with people who try to follow the law appropriately, my issue is with people who seek to do bad things. And the, it appears to me that this ordinance would make it easier for people who have bad intentions to do bad things, and those victims primarily will be children or women. And so, for an employer perspective, it looks like they could be sued from either side in that scenario, based on what this ordinance would suggest.

- Thank you, John. Thank you for your testimony. I don't know. Is there anybody else? We can all talk to our attorney about that point in a minute.

- [Celestine] So, thank you so much, Alder, and thank you, Mr. Gard. Is there anyone else who would like to speak, for the people who've already spoken, please un-mute yourself, and just start talking. All right. So, Alder, I don't see anyone new who's raised their hand, or who has either un-muted themselves to speak, so we have the three people who've already spoken, Andrea Johnson, I think the Brodes, and Martin Webber. Oh, okay, they've just taken, they've just lowered their hands, okay. So we, I don't have anyone else? Anyone else who would like to speak?

- All right.

- [Celestine] Oh, Martin Webber would like to speak.

- I would make a motion to close the floor.

- [Celestine] Okay, sorry. I'm so sorry, Alder. A lot of back and forth, so-

- Oh.

- They, they raised their hands again, they've already spoken, so Mr. Webber, please un-mute yourself, and you've already given your name and address for the committee, thank you.

- Yeah, no actually, I didn't lower my hand, it went blank, and I just had to re-raise it. Anyway, Alderman

Steuer, you asked a question of Alderperson Dorff, if she's familiar with the Fair Housing Act of 1968, and she says, "No." Alderperson Dorff, how can you introduce an ordinance like this, and not know about the Fair Housing Act? That's, that's- I mean, what kind of alderperson are you, you're introducing-

- Mr. Webber? Mr. Webber? Mr. Webber, please. Please.

- I mean, she represents my district, I can't get answers out of her. She still won't answer it, this is a, this is covered by federal law, why is she wasting everybody's time?

- Mr. Webber, I appreciate your comments, but you know, we gotta keep decorum, here. You know, that's something that you're gonna have to deal, you know, with your alderperson, you know, to speak and work on. I've got citizens in my district that get very angry and heated about things with me, I try to work with them as best as I can.

- I mean, she doesn't work-

- Well, that's-

- She won't answer questions!

- We don't have the time to deal with that right now. You know, we understand your frustration, but you need to work it out with her, or what. I, you know, we got your comments, we understand the frustration. We are gonna look at this ordinance, we're not gonna, we're gonna definitely look at it, and all its elements, and try to come up with a, something fair and discreet for everybody, no matter what form or shape it's in, whether it is passed or not. We will look at it. That's the best I can give you right now. Is that enough?

- That's fine, thank you.

- Okay. Thank you for your time. Celestine, let me know if anybody else is, want to talk.

- [Celestine] Yep.

- Alder Steuer?

- Yes.

- May I say that I misunderstood your question, I thought your question was about an ordinance Green Bay passed. I wasn't hearing it correctly. I apologize for misunderstanding.

- Yeah, I kind of asked what your take was, what your take was to Mr. Webber's comments. I think that-

- No, I mean, when you asked about the fair housing.

- The fair housing ordinance, yeah-

- You said ordinance, and I didn't know we had one in Green Bay in 1968. That's what I was asking. I wasn't-

- Right, there wasn't

- Responding about a federal law. So thank you.

- No. But they're, right, there was a long discussion back in the late 60s that, you know, brought this forward.

So it's, yeah, it was a pretty significant move, so it would be interesting to even look at that ordinance and see, you know, how good and up to date that is, if this ordinance overrides that, or over what, I would like to really see the differences between the two, and find out if the original one is good enough, obviously, it sounds like there's new, new additions with, especially with all the different folks, the different, creed, color, origin, all the different things that are in section two of 50.01, there's a lot there, and there was a lot that probably was not brought forward in 1968. And I think that's one of the big differences.

- [Celestine] Yes, thank you, Alder Steuer, there is Andrea Johnson, who would like to speak again.

- Okay, everybody gets one more shot at it, if they've spoken already.

- [Celestine] Ms. Johnson, please un-mute yourself, you've already stated your name and address for the committee, thank you.

- [Andrea] Hello, this question is for Alder Dorff. Alder Dorff, you repeatedly stated that you printed off the impediments that we were cited, by whom were those impediments brought forward from? I mean, who gave you the impediments, who did the audit, what was the name of the group, was it a federal government group, who was it?

- It was TWG Development, LLC. I, no, that wasn't, nope. I don't know if I have the exact name of who did this, again, if anyone is here from the department, from Cheryl Renier-Wigg's department, that would be helpful. I am looking.

- [Andrea] I guess it just would be helpful to know who, and what their motivations are, and did we invite them, or did they-

- We have to be audited. We have to be audited every several years, I think it's every 10 years.

- [Andrea] Okay.

- So, and it, we, you know, our community block rent allocations from this. The total home allocation was \$519,455, but I'm just not seeing the, I have the report in my hand, I don't see, I must not have printed the page that said the author of the report. But it was someone that was hired by the city of Green Bay.

- [Andrea] Okay, if we could, could that be maybe posted in the minutes or something, we could look it up?

- Yes, I, we can get that.

- [Andrea] Okay, that would be great. Thank you, that's all I wanted.

- Thank you.

- [Alder Lefebvre] Maybe Barb should bring forward, the audit is demanded by the federal government, I would assume, for the housing, right?

- It is. For, I think, the federal funding, right.

- [Alder Lefebvre] Okay. It's not something that you just thought up of-

- I didn't have anything to do with having the audit. I had something to do with responding to the audit.

- [Alder Lefebvre] Yes.

- Mr. Gard would like to speak again. Celestine?

- [Celestine] Yes. Sorry. Todd leaned back between two computers, yes, go ahead, Mr. Gard.

- Okay. So, the way I understand, sorry, I came in kind of late, here. There's not gonna be a vote today, correct?

- I'm not planning, I'm not planning on it. Our committee might change their mind.

- So, we can submit a series of questions, 'cause I think a lot of employers will, I mean, there's masks, there's fluoride, there's all kinds of things going on. And this is when sometimes, when people with good intentions to try and make laws different prudent points of view, but some things can happen that a large group of people in the public are unaware how this happened. So, if you're a small employer in Green Bay, we are being told there's a housing ordinance being done that has a series of other provisions in there that deals with discrimination in public places of accommodation or amusements, so for example, will it be the policy of the city of Green Bay moving forward that the girls' bathroom at Bay Beach, a 45 year old man will be allowed to go into the girls' bathroom at Bay Beach? Is that gonna be the new policy of the city of Green Bay? At the Children's Museum, will a 50 year old man who says, I have, you know, fits one of the criterias in there, who says I'm non-conform, I have, can he go into the bathroom where there's young girls in there? If you own a gym in the city of Green Bay, can you have a provision that prevents men who, for the time being, are, you know, again, this is for people who seek to do bad things. Not for people who have, you know, other things that, determinations that they've made. 'Cause we're not judging them, but we're trying to say, is it, can a gym owner prevent a man from going into a women's locker room? Can we prevent, if there's a 80 year old woman in a bathroom, in a business in the city of Green Bay alone, can we prevent a 35 year old person, who now, a man, who maybe says he has a non-conforming, I'm sorry, I don't know how to use all the terms, if I'm offending anybody. But to go in there, and potentially assault somebody, and all he has to do is say I am identifying as a different gender today, because best I can tell, there's gonna be a commit, an unelected group of people in the city of Green Bay who are gonna referee that. And the employers themselves are going to be, this is, heck, about how this applies, and because, what does an employer want? They want certainty and they don't want to get sued. And in that particular situation, best we can tell from reading this, they could be sued by either person in this situation. If a guy walks into a girls' locker room, at any of these places, so I think there's a lot of questions, we want to ask so there's clarity, so good people who invest in businesses in Green Bay are also not living in a situation where they are gonna be publicly called out, sued, and brought, had litigation brought against them.

- Okay. Duly noted, John. We, I think we got your, the drift very well. I would, is there anybody else, Celestine?

- [Celestine] Not that I see. Anyone else who would like to speak for the first time? Okay, I don't see anyone else, Alder.

- Okay. I would entertain a motion to close the floor.

- Motion to close the floor.

- By VanderLeest, do we have a second?

- [Alder Lefebvre] I second.

- Okay, second by Lefebvre, all in favor, please say aye?

- Aye.

- All opposed, the floor is now closed. All right, some good points, there were points that were brought forward, and I, I had a talk with Alder Dorff yesterday about this too, and I said there will be some push back, so, and she assured me that this is the first kick, you know, we need to look at it, we need to go through it, I'm sure there are, maybe it's a repeat, maybe, then maybe it's not. But, you know, I think there are some concerns, I think especially from landlords and restaurant owners, and things like that, Mr. Gard brought up a couple of points. I'm sure that there's probably other issues too, and it's, it's a legal type thing, too, and I'm not an attorney, so... You know, I really feel that we need more discussion on this, you know, we can't, you know, I don't feel comfortable voting on something like this today.

- [Alder Lefebvre] Right, Chairman?

- Go ahead, yes, go ahead, Alder.

- [Alder Lefebvre] I believe, I think that what we should do then, if there was one in 1968, was it?

- Yes.

- [Alder Lefebvre] Ordinance, a city ordinance? Then I think we should look at that, we should have that reading, and then we should compare 'em, and I know things have changed since 1968, there's some big changes, and we do need to put those changes in somehow, so I think, would that be a motion, that we would, would it have to be staff look... Let's see. Maybe staff would have to bring up the '68, and look at this one, and highlight the differences?

- Yeah. I mean, I'd be, I'd entertain that. I'll probably end up looking at the ordinance, or at the 1968 one anyhow.

- I'd like to make a comment, Mark, when you're done there.

- Go ahead. Yeah, okay, Alder Le- Hold on a second. Hold on, everybody's kind of barking, here. Attorney Mather, did you want to say something? Can you hold on, Alder VanderLeest?

- Sure, I can hold on.

- Okay, Attorney Mather.

- [Atty Mather] I just wanted to note that our current ordinances, there is no existing fair housing ordinance, equal rights ordinance, anything like that, so if it's, I was unable to find anything historically that has been passed by the city, but we do not currently have a version of a fair housing ordinance, or anything else like that, on the books here in the city of Green Bay.

- Oh. That's kind of, that's surprising.

- [Atty Mather] Federal is the other question, I'm sorry, I didn't mean to cut you off, Alder Steuer. I do have answers to several of the other questions, whenever you would like me to address them.

- [Alder Lefebvre] Can I, quick?

- Yes, go ahead, Alder Lefebvre, and then-

- [Alder Lefebvre] Yes, it must not have been a city ordinance, there must be just the Fair Housing-

- That's probably the federal.

- [Alder Lefebvre] Or something.

- Yeah, I don't think you-

- [Alder Lefebvre] But I would've updated since '68, so-

- Well, I still think we need to look at that, I agree, that's probably a federal thing, and I'm sure Cheryl Renier-Wigg can help us with that, so is there anybody from, is there anybody from the city here, that you know of? You know, that can help on that? They're not here, are they? I mean, as far as, you know Cheryl and her office.

- Alder Steuer, Attorney Mather should, I think wants to, can address those questions.

- All right, well, before I do that, Alder VanderLeest, did you have any more, did you want to add something, or do you want, I'd like to hear Attorney Mather on some of these.

- I'd just like to mention that, we can't move too quick on this. I think the public has to have a chance to have an open setting, where all these issues can be addressed on a public platform, and you know, we just can't slam something together, here. We have to follow the state and the federal laws. If we don't have anything on the books at this time, then this is the first ordinance that the city of Green Bay is trying to put together. And I feel that we're, we're not up to speed on what's going on right now, in other words, we need some attorneys involved, both from the public sector, that can weigh in on this, and you know, settle some of the issues that are being brought up. Mr. Gard brought up some good issues, some of the other people that weighed in, they also brought up some good issues, and I think we have to have input from the public, and you know, I think that we should have a 60 day period where we can get some research done, and then, and we can go forward at that time. And I think that we'd have enough time to get things, don't just do it in one, that's my thoughts.

- All right, thank you, Alder. Attorney Mather, did you, could you answer some of the questions that were brought forward before by some of the citizens?

- [Attorney Mather] Certainly. And just as some follow up to the background that Alder Dorff has provided, we, since it was referred to staff by Protection and Policy, I have already been doing extensive research on this topic, both what the federal law is, what the state law... And the municipalities have done and are currently doing. And so, there, I mean, there's a lot of research that's gone into this, one of the primary goals has been to make our ordinance basically mirror or parallel with state and federal protections. So... If any, there are some provisions that are, you know, stated differently, or that are different than what's in state and federal law, however, we are not judged by state and federal law. The protected classes that are included are also ones that are found in the state and federal law, for example, while the federal government does not include sexual orientation among... The equal, in its Employment Discrimination Act and the Fair Housing Act, the State of Wisconsin does include sexual orientation. So there are, the State of Wisconsin provides some additional protections, that there are state and federal laws does not exempt, or somehow make it unnecessarily duplicative for the cities to have an ordinance, because as Alder Dorff stated, it's been determined that it is an impediment to fair housing within the city, an indirect impediment. If we do not have an ordinance on the books, that a lot, that the public as to what their rights are. And the... that Alder Dorff was referring to was produced by MSA Professional Services, Inc., which I believe helped the Housing Authority with a lot of their needs, and then Cheryl could, you know, Renier-Wigg could speak to that, more, in more detail, but that is the organization whose name is on the report.

- Well-

- Whenever you're ready-

- Yeah, hold on, Alder VanderLeest. Are you done, Attorney Mather, or-

- [Atty Mather] No, not quite yet. Sorry about that.

- That's all right.

- [Atty Mather] So, as far as the structure of our ordinance, it's largely based off of similarly situated communities, particularly Appleton and De Pere, and with respect to the concerns that were brought up about the use of facilities, and those kinds of things, my recommendation, actually, would be that we add a provision under the section 50.05, which is discrimination in public places of accommodation and amusement prohibited, and that would be sub four, which would refer to the state law that is equivalent to this provision, and just states that any exemption that is available under that state law shall apply to our ordinance, and that state statute is section 106.52, sub three, and there are specifically named exceptions in that law that would address... And is including, give me just one second. "The subsection does not prohibit the separate treatment of persons based on sex with regards to public toilets, showers, saunas, and dressing rooms for persons of different sexes." So the, we are, my recommendation would be that the same exceptions that are in state law be added to our ordinance, at which point, those concerns would be alleviated.

- That would be subsection four? That'd be subsection four? Okay.

- [Atty Mather] Yes, 50.-

- Before Alder VanderLeest, I might want you in in a second, I just wanted to ask Attorney Mather, okay, so you based this ordinance off of, you looked De Pere's, you looked at Appleton's, and there were things that were added in, maybe from the federal, some of the federal legislation that's out there, I'm just wondering if the way that we can look at both of those, if they're somewhat similar, and just see what the differences are. I would like to just see the, some of that, and I don't know how long that would take to do, but you know, I know you drew on the federal as well, and I just want to know, you know, what changes did the city of Green Bay add, that are above and beyond what the state or the federal government added? I don't know-

- [Atty Mather] Are you speaking just with the overall ordinance? Are you thinking-

- I would say, yeah, without getting too specific, you know, I wish I could get a little more specific, 'cause I haven't read it as well as I could've, but you know, and maybe I can get a little better tight, a little tighter on that, but I would say generally, the whole ordinance, you know, what is the difference between, you know, what we have here as a draft ordinance, and then what would it have been if you didn't add those specifics for Green Bay. Is that a possibility?

- [Atty Mather] Sure. I could definitely put something together. The sources from the other places that are in several locations, that was not one fluid ordinance, like this one.

- I'm not looking for this right away, and I think, when Alder VanderLeest window, I would think there, there would be plenty of time to allow for that. I'm not looking for this right away. But I just think that, you know, a lot of us want, you know, what is out there, what we are trying to come up with, you know, what we are allowed to come up with, and I'd also like input from our, from Cheryl Wigg and her staff, you know, 'cause there's a lot of questions on housing and such that I have yet, so anyway, that's just something that I need to look at, and that'll be part... Part of our work. Alder VanderLeest, did you want to say something?

- Yes. It's for the attorney. Why don't the city of Green Bay just adopt the federal and the state recommendations, and the city could eliminate a lot of problems. You know, we're talking about a thousand dollar fines, we're talking about all types of different things. I think the federal and the state are probably doing a good job, how many cases have we had brought up against the city of Green Bay at this time? How many of these cases have been brought forward? Is this a big problem? Why don't we just adopt the federal and the state as is, and move forward?

- [Atty Mather] So, one of the, oh, sorry.

- Go ahead. Go ahead, attorney.

- [Atty Mather] So, I'm actually glad that you brought up the enforcement provision. I can't actually answer your question as to how many complaints have been raised within the city of Green Bay, specifically because we don't currently have a mechanism for receiving all of these types of complaints here at the city level. So, the, this ordinance allows for people in the city of Green Bay to submit complaints to the City Attorney's office, and there's a specific jurisdictional section in this ordinance that states that, if another state or federal agency has jurisdiction, the city of Green Bay will take no action on the complaint, and will inform the complainant of whatever other body has jurisdiction, so for example, if it's an employment discrimination case, and either the state Department of Workforce Development or the federal EEOC has jurisdiction, the city's not going to look into it, the city's not going to spend any more staff time on it than just... and saying no, we don't have jurisdiction. The protections that we have included in our ordinance are covered under state and federal law, so when I reached out to other municipalities and asked how frequently do you get complaints that fall outside of the state and federal entities, they, nobody had, could remember having a case like that. I didn't hear back from , he works with bigger cities, but they also have different mechanisms set up for their equal rights commission to handle their complaints, so it's not really comparing apples to apples anyway.

- Where does the state take care, where does the state address these issues, and where does the federal government address these issues right now?

- [Atty Mather] So complaints can go to any number of places, depending on what the allegation is about. So housing complaints can go to HUD at the federal level, employment can go to the EEOC at the federal level, the Department of Workforce Development does employment... the state level, and I'm blanking on the entity that would do housing-

- It sounds to me like in order for the city of Green Bay just to follow the ordinances that the federal and the state have in effect right now, and the city of Green Bay won't be opening up for a bunch of problems for their businesses or housing, to me, it sounds like we're opening a can of worms. And a lot of the business people, from what we're hearing from the ones that have called in, they're not too happy about, you know, all the regulation that the city of Green Bay's trying to enact, do we have all that kind of time, our staff have all that kind of time to deal with these situations? I don't think we do. We don't have the resources, for number one, we don't have the financial resources to handle a lot of these things, I think the federal and the state are probably our best bet to do a good job for our citizens. And the complaints can be handled there, and they'll be dealt with there. And as far as the city of Green Bay, it just opens up a lot of problems. So I would recommend we just stay with where we're at. Adopt the federal and the state, and move forward.

- Well, Alder VanderLeest, go ahead, go ahead, Alder.

- That was my comment.

- Thank you, thank you.

- [Alder Lefebvre] Okay, Alder VanderLeest, the majority, I think, just about everything that's in this ordinance

is covered by state or federal law already. These businesses already have to follow a lot of these rules and regulations that they've put forward themselves. It's written in law already.

- So we don't need, we don't need another ordinance then. Thank you.

- [Alder Lefebvre] No, we do need an ordinance written up specifically for Green Bay, but we, like you said, we would, these here are following our state and federal. If there is something in here that doesn't follow it, then that's what we should be discussing. That's , but otherwise I think-

- Adopt the federal and the state-

- Okay, hold on. Hold on, Alder.

- [Alder Lefebvre] From what I've been hearing, from what I've been hearing and reading, in different news organizations, you know, different outlets where I'm getting the information, from what I'm reading in this, most of this, all, I think is all in there. It's already the state or federal.

- Okay, hold on, okay, thank you. We're getting a little back and forth, here.

- [Alder Lefebvre] Yeah.

- I think that we need to hold on this. You know, I was, Alder Brunette, go ahead.

- Chairman, would Alder Stevens like to speak? He's on the committee, if not, then I would like-

- Yeah, I haven't, he's blocked out, here. Alder Stevens, are you there?

- [Alder Stevens] Yeah, I'm here.

- Yeah, okay, I don't see a picture. You're there! Do you have any comments?

- [Alder Stevens] No, I do think we should hold this as well.

- Okay.

- Yeah. Chairman, if I could.

- Yes.

- Yeah, I'm in favor of holding it, and I've reviewed the ordinance, 16 pages, several times, and I've highlighted several things that I have questions about, that we really need to have an in-depth conversation, on a committee level, or at the City Council level, but preferably on the committee level. One question I have though, is what is the city's definition of discrimination? If the City Attorney or Alder Dorff, you know, through the Chair, I respect your role, Alder Steuer, what is the definition of discrimination?

- Are you asking me too?

- Well, I'm asking somebody who either drafted it, or what the city's official definition of discrimination is.

- [Atty Mather] So there is not a definition of discrimination in the ordinance, some ordinances do have them, those are something that the committee decides to be necessary or by official, we could certainly get something in writing. But under the law, it's understood to be different treatment of an individual based on

one of the protected characteristics that's defined in the law.

- Thank you, the reason I, go ahead.

- [Atty Mather] Oh, no. I was just gonna give an example, but if that's good, then you go ahead.

- No, go ahead, give the example, please.

- [Atty Mather] So, you know, if... Someone has, if there's two people otherwise equally qualified for the same employment, one person has a disability, one person doesn't, and the employer only gives it to the person that doesn't have a disability because of the lack of a disability, that's discrimination.

- Yeah, definitely, I think we could all agree on that. The point that I to make is, the definition of discrimination is important, because there could be a gray area of interpretation. And for example, in this ordinance, as far as I can tell, the City Attorney is the gatekeeper for what a valid discrimination claim would be. In other words, she can refer the individual who is complaining of discrimination to the state and federal, you know, jurisdictions. That's a good thing. I think that's proper to do. But if the City Attorney, this is not meant to, you know, not meant, directed towards the current City Attorney, because this is an ordinance that would be basically in effect for the current holder of that office or position, and future City Attorneys. It will open up interpretation of what discrimination is, based on the opinion of the City Attorney. So if we don't clearly state what discrimination is, and give examples in the ordinance, we are basically giving a lot of authority to an unelected city official, in determining what is discriminatory. And we live in a very pluralistic society, people have different opinions on several issues of life that I don't think we should give unlimited authority to the City Attorney to validate what other act is discriminatory or not. Furthermore, if the act is considered discriminatory, it then goes to a... a municipal judge, thankfully, is elected, but what qualifies that person to be the decider on what could be considered discriminatory? We have to define that. A constitutionally respected definition. So then, the municipal judge could, or the municipal judge or the City Attorney, I forget which, but they have subpoena powers. That is not something we should consider lightweight. If someone is accused of discrimination, the City Attorney or the judge, I forget which, could ask for records to prove or prove someone was violating discrimination clauses. We have to consider that, so I want people to live in peace. I love... Have equal opportunities in the city, to pursue life, liberty, and happiness. We all agree with that. And the hatred that's running deep in our society, but this is attempting to bridge that gap, and bring people together, I applaud that. But my highlighted copy of this ordinance is numerous pages, we have to define this. We can't push it through. Now Chairman, I know I'm taking some time, but I want, this is an important issue for me. So ideally, realistically, and I want to be clear on this, even though your committee votes to refer this, or hold it, the City Council can override this decision. They can adopt the ordinance as written at our meeting on Tuesday, so I want it known now, at the committee level, what my feelings are about this, so I promise I won't take too much more time, but this is a-

- Well.

- Well, Chairman, please.

- Go ahead, oh, I'm sorry. Go ahead.

- This kind of encapsulates it, there are two main things that I'm concerned about with this ordinance, in addition to the things I just mentioned. One, this is part of an email that I sent to the City Attorney's office, the Mayor, and Alderperson Dorff. I'm not gonna comment on what their response was, I don't think that would be appropriate to do. But the email, I'm paraphrasing it now, but it kind of encapsulates my belief on this ordinance, so I'd like to share that now. "This ordinance, as written, infringes on the First Amendment rights of the people in this city. With the drafting of an ordinance, we should be able to articulate specific provisions that protect citizens in exercising their First Amendment rights. Situational cases where

discrimination would be hard to prove, it seems this ordinance could invoke the assumption of guilt, rather than innocence on the accused. It seems to place the burden of proof on an accused person, that they did not discriminate. This could damage their reputation, business, and cost them thousands of dollars in legal fees. The ordinance exempts places of faith, but not individual people of faith, regardless of their religious beliefs. What I am asking is, could specific language be inserted not referencing statutes by code and number, in the text of the actual ordinance? The city of De Pere adopted a similar ordinance, and lost a federal lawsuit, I think in 2018. Is our ordinance different than theirs? I read theirs, and ours seems very language. I'm really trying to understand this. The core issue at the root of the problem is, why is this now an acceptable function of municipal government? Does this expose our city to First Amendment lawsuits? And will it essentially have the city regulate nearly every housing, hiring, and public accommodation action in the entire city? I'm on board with eliminating discrimination, but it is our burden as a city to explain what discrimination is in the ordinance, not on the day of a municipal court hearing, where a citizen could be subject to a thousand dollar fine, and public ridicule from their city government, especially if they are simply observing their constitutionally protected right to their deeply held religious faith and conscience." Chairman, one last thing, and I'll, you know, respectfully allow others to speak. In 2014, the city of Houston went through a similar situation. They put forward a discrimination ordinance past the City Council, the Mayor, I believe, was on board, and the public, once they realized what was in it, created a referendum issue, and they actually overturned it. The City Attorney, I believe, in that case, actually subpoenaed the who objected to the ordinance. So one thing that a City Council member of the city of Houston wrote in an email, when someone questioned her opinion of the ordinance, this is what she said, and this, I'm using her email, and I agree with this, so these words might as well be mine. It says, "Thank you for your recent email about the proposed equal rights ordinance. While most Houstonians and I agree," in this case, Green Bay-ian, Green Bay-ians, would that be-

- Close enough. Green Bayans.

- "I agree that discrimination of any kind is wrong. This proposed ordinance does nothing more than duplicate existing laws, add bureaucracy, and highlight the city's endless overstepping of their jurisdiction. The real question is not whether or not someone should be discriminated against. The real question is, what is the proper role of a municipal government? Cities are created to provide basic services, such as water, sewer, fire, and police protection, and infrastructure. Cities are... Not comprehensive issues like discrimination. We have different levels of government for a reason, and it is imperative that each level does not exceed their jurisdiction. If passed, this ordinance would create a new bureaucracy for the city to address discrimination complaints. Houston would have to expand government to handle the same issues already funded... The state and federal government. It is incomprehensible to me how the city can waste our time and your tax dollars to duplicate these services. There are still potholes, road repairs, and additional police and fire needs to which your tax dollars should be allocated. Cities should stick to what they were created to do. I was elected to represent my district on city matters, and I will not stand up for the city overstepping their authority." I was gonna read something a constituent sent me, I'll save that, Chairman Steuer, if this goes to the full City Council. One thing I want to remind every member of this committee, this is the oath of office. Okay, this oath of office I took in 2012, when I was represented, voted to the eighth district on the City Council, I swore this in 2018, and I swore this again in 2020. It is an absolute honor to be able to represent my constituents, my neighbors, my fellow Americans, in this city government. This is an oath of office I took three times, and each of you took as recently as April, 2020. Let me read this. "I, Jesse Brunette, being duly elected as alderperson of the city of Green Bay, district 12, do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Wisconsin, and that I will faithfully perform the duties of said office to the best of my ability, so help me God." That is an oath of office we took, this ordinance as presented, unless we have a clear definition of what discrimination is, violates a person's First Amendment rights. And the city government has no right to do that. Thank you, Chairman.

- [Alder Lefebvre] Chairman, may I say something?

- Yes. Thank you, Brunette, for your testimony, thank you. Go ahead, Alder Lefebvre.

- [Alder Lefebvre] I want to say something about Alder Brunette. Okay, Alder Dorff was directed, directed from the RDA to put an ordinance in place, because we could... Not receiving HUD funds. So, what are you gonna do? We have to have an ordinance. So, the ordinance, from looking at it, from what I have been understanding and reading, and understanding, with the federal and the state, it looks like this follows it pretty close to their regulations, rules, and laws. So, I don't know how all this can be, I'm just saying, I'm sorry. About the constitution, you're going on and on and on and everything in our powers. Our powers are here to fulfill the laws of the state and the federal. This is what the ordinance says. This is everybody in the city of Green Bay, is to follow the ordinances, the rules, the regulations, that the state and the federal have placed upon us. It's our duty to put something together now that follows those rules, laws, regulations. That's what this is. If, I do agree, yes, let's have a definition, maybe at the beginning, what is discrimination. And I'm gonna say something about our law department, and our judges. They study the law. We don't. I never took any law classes. I haven't spent years studying and getting my law degree. They have. Yes, sometimes people do put their own personal things, and they're not supposed to. They're supposed to look at the law, and for us to understand, it's to tell us what the law means, and then for us to follow it. I, I don't think that we're going to have a rogue attorney that's going to do all kinds of weird things, or things that aren't lawful, because then there would be a lawsuit. But as long as we stay... With the state and the federal, and you don't put anything else in here, that's what I want to know, do we have things that are not in the state or the federal, then yes, then that needs to be discussed, and maybe taken out, or whatever.

- We've talked about that.

- [Alder Lefebvre] Let's follow that, okay?

- Okay, thank you. We did talk about that a little bit, I was interested in looking at the differences as well, so that's already, that's already there.

- Chairman.

- Alder Brunette, go ahead.

- Yeah, I just, thank you, and Alderperson Lefebvre, thank you, honestly, I respect your opinion. One thing I will say is, I'm actually in favor of a housing discrimination policy. That is appropriate, especially if we receive HUD funding. My point, Alderperson Lefebvre, is that this goes well beyond housing issues. This is basically the city of Green Bay, by threat of fine, of their constituency, every transaction in regards to housing, and not, housing's good, but public accommodation and hiring. This is not simply a housing ordinance anymore, I'm actually for that. We should be talking about that, stripping everything else away, and building it back up again. So to your point, Alderperson Lefebvre, I am in agreement, we need a housing ordinance in regards to anti-discrimination, I think we're in agreement there. This, what's presented, goes well beyond what the intended purpose of the original communication from the committee levels were, so thank you, I won't monopolize the time. Thank you.

- Thank you.

- [Alder Lefebvre] Can I-

- One more, go ahead, Alder Lefebvre.

- [Alder Lefebvre] There is, right, there is laws out there for hiring. There's also that, that is, there is federal. That's part of it. And there, so hiring means businesses too. So there are laws out there, with that, too. So that's why they put part of that in there. But we do need to look at the whole thing and let's make sure everything follows state and federal, okay?

- We have laws, so why are we creating more? That's the point.

- All right.

- [Alder Lefebvre] No, no, no, no, I'm not saying create more, I'm saying let's follow those laws that are there.

- All right. Thank you for all the dialogue. Alder VanderLeest, did you want to, you just sound like you wanted to jump in there.

- I'd just like to comment that we should just stick with our federal and our state laws, and that Green Bay doesn't have to, all we have to do is adapt the federal and the state laws, and we can move forward. As far as the housing laws, the federal and the state have all the information, all the rules laid down, you can follow what's presented. What have we been doing this past, for the past 45, 50 years? We're following the state, and we're following the federal laws. And I don't think Green Bay has a huge problem with discrimination. I don't think there's been many cases even brought forward.

- Well, I think that-

- They're handled with, the federal and the state are handling them, I... Just follow the federal and the state.

- Okay.

- That's what Jesse talked about as our oath of office. The federal and the state.

- Okay.

- We don't even have to add to it, thank you.

- All right, thank you, Alder. Alder Dorff?

- [Alder Lefebvre] Chair? Oh, I'm sorry. I was just wondering what kind of motion you'd want.

- Well, Alder Dorff, hold on a second. Okay, thank you. Go ahead, Alder Dorff. Go ahead.

- Alder VanderLeest, I just wanted to respond to Alder VanderLeest, as our Attorney Mather said, how do we know what the complaints are in the city of Green Bay? We have had no way to track those, because it is handled federally and by the state. So this would be a way to track them, and it would also be a way for local control, and I like things to be handled at the local level, I think it's better for things to be handled at the local level. And so, I believe that we should be looking at local control, that is the purpose of the commission. Thank you.

- All right. Some very good discussion by all, I'm very impressed. Thank you very much. Alder Lefebvre, you said you wanted to bring something forward, I would say, I would prefer to see this delayed for at least two months, so however you want to word that, I would say go forward with it.

- [Alder Lefebvre] But delay it, we can delay it, but we need something.

- Well, delay, well, we have to add, we have to flesh it out a little bit.

- Right, we need a little, Alder Steuer, we need, we can hold it to the September Protection and Policy meeting.

- Yes.

- But with some direction as to what you would like for us to bring back at that time.

- [Alder Lefebvre] Yeah.

- Well, there were a lot of threads that were brought up, and I'm just trying to figure out how to succinctly do that. Alder Brunette, I would defer to you, go ahead.

- Well, what I would recommend, one of the speakers early had a very good point, there's issues with the entire city having access to Zoom, and using this format. Keep in mind, this ordinance covers so much of, so many issues with the city, housing, employment, and public accommodations, basically effects numerous people and subjects them to a possible thousand dollar fine, so landlords, business owners, people who hire should be able to access this meeting in person, so I would almost wonder if it would be more appropriate to delay to the time where the City Council could have an in person meeting, so we can welcome people from the community, and pack our chamber councils, that would be great, because I legitimately want to hear what people's opinions are, and even though they may oppose me and my reasoning, I want to understand theirs, because I want to help with discrimination issues in the city. This ordinance does not, is not the way to go, though. I'm telling you, that's my opinion.

- Okay, thank you. Alder Dorff?

- [Alder Lefebvre] Can I make a comment on that? I will not be able to-

- Go ahead.

- [Alder Lefebvre] I will not be able to attend in person. I will not come, I cannot. I have to, you know, because of my, because of the virus. Until the virus is gone, we, if we cannot have a building, even for other people, where they can socially distance, listen, you gotta be six feet apart. Do we have a place that that can be done, where we can do, some can go by Zoom, if they do not feel comfortable coming in in person-

- That's the option. We can have a hybrid, we can have a hybrid type meeting, where we can have both, so you can-

- [Alder Lefebvre] We can do that, right.

- Yes.

- Alder Steuer, I would-

- Yes, go ahead.

- Yes, there's difficulty in setting, or holding this item for a date not yet certain, we're not sure what, the situation is dynamic, we're not certain what's going to be happening in the next month, in the next two months, three months.

- Right, is this time sensitive? Is this time sensitive, I guess? You know, I-

- To my understanding, it's not. I will defer that to the City Attorney, or Attorney Mather.

- [Atty Chavez] This is a, this is Attorney Chavez. What I would recommend at this point, since it's not really

clear what you guys want to do, is hold it till the next month, so that you have an opportunity to review it, and provide directions to staff at that time. And then, hopefully you'll have a better idea of whether or not you'll be able to set a meeting date, or a consideration at that time.

- Are you good with that, committee?

- I'd like to make a comment on that.

- Go ahead. VanderLeest.

- I feel that we should try to engage the public. I think we should give 'em a 60 day period, so the public can look over what's on the, what's being proposed, and then we can move forward, and we can iron out a lot of things within the next 60 days. We don't have to push it to the next meeting. It takes time to dig into some of these issues, and I feel that we should alert the public what's going on, as far as what's being proposed, and get some feedback from the public as well. And then, then we can make some good, good input.

- That's fine. That, I don't, I don't disagree with that, but Attorney Chavez brought up a good point. We need to move forward, here. I think we're gonna delay this, so whether we move it to our next meeting, We could direct staff to look at that. Once we have that in place, then we can pick out a date, at that time, correct, Attorney Bungert?

- Right, or at that point it could be held over to the next, to the next P&P meeting, I don't think necessarily the committee was discussing having a special meeting.

- Okay, so I'm asking the committee, somebody bring a communication, or not a communication, but just a motion forward, please bring a motion forward.

- [Alder Lefebvre] Can I ask for a quick question? Is this easy to access for the people to go to the Green Bay site? This ordinance, how it's written, right now, so that those people can see it, and then they can respond, you know, they can send emails, call us, or whatever?

- [Celestine] So, we do actually have a new portal, this is Celestine Jeffreys, Chief of Staff. We have a new portal that we have not yet activated, where people could see proposals, such as this, and take a look at them. You know, it's not on, and Attorney Bungert can correct me, but it's not on our Municode site, because of course, it's not yet an ordinance. But we do have that ability to post this, it is not live, that module is not yet live. But we have actually been working on that for a couple of months, so that we can inform members of the public of upcoming changes in policies, laws, et cetera.

- Well, 'cause as long as they have an opportunity to look at that and give input accordingly, I think that's important.

- [Celestine] Yes, the input-

- I agree with Alder Lefebvre on that.

- [Celestine] The input would go to the council.

- Good, thank you.

- I couldn't hear any of that, Mark.

- What's that?

- I didn't hear that last, there was, Attorney Chavez was speaking, I didn't hear that part of it.
- That was, no, that wasn't Attorney Chavez.
- [Alder Lefebvre] Celestine.
- It was Celestine.
- Pardon me, Celestine, I didn't hear all of what you said.
- [Celestine] Sure, sorry, I walked away. Thank you, Alder VanderLeest. The, Alder Steuer had asked about having input, and the input really needs to go to the council members. I don't think that that is set up as an automatic, but your email addresses are on our website, and so, we would just direct people to talk to you.
- Well, I can see with a draft ordinance, you know, that, even though there's a lot of questions, you throw that out to the public, you know, it's great to be transparent and everything, but that could open a whole lot of things, too, so I feel okay that if the citizens get in touch with their alders on this, that we can direct them accordingly, and I think, I think that would work, to me, in my mind.
- That's fine, thank you.
- All right. All right, are we done yet? Can we get a motion, please, somebody? Help me out.
- [Alder Lefebvre] I'll make a motion that we hold this to our next committee meeting in August, that would be the 10th.
- August 10th.
- [Alder Lefebvre] And that we get input, and that we research this, we look at it, we get our own input, we get input from the public on this issue, as long as they are aware that this is happening.
- Was that a good enough for you, attorney?
- [Atty Chavez] Yes.
- Attorney, okay. Do we have a second?
- [Alder Stevens] Second.
- Second by Stevens, any other discussion? All in favor, please say aye.
- Aye.
- All opposed? That passes unanimously. That was very, very well thought, thank you. So.
- All right, item number 17.
- 17, consideration with possible action on general ordinance number 22-20, repealing and recreating section 6.39, Green Bay Municipal Code, relating to mobile food establishments. Staff?
- [Atty Chavez] Attorney Chavez?

- Yes, go ahead, thank you.

- [Atty Chavez] So essentially, what has happened is the current food truck ordinance has been essentially unworkable for staff, and so, we're running into issues with enforcement. We are looking at doing an entire overhaul of the ordinance, but because right now, it's not being enforced, that means that we're also losing revenue from people not registering, and that's not enforcing against them, or licensing, and that's not enforcing against them. So what we've done at this point is parsed it down to the things that we know we're able to enforce, that the police department's comfortable enforcing, that's really the issue, is the police department's having issues enforcing it. And so, with these revisions, all the departments feel comfortable moving forward with it, and we will come back with revisions for a full ordinance after we get to, as you guys are aware, we've got a pretty full load of ordinance requests at this point, so once we get that down to that one, we'll bring a full ordinance back to the committee, but this just gives us something that everybody's still comfortable enforcing, otherwise, we're just not, we're not regulating food trucks in the city of Green Bay.

- So, you're looking for an approval at this time?

- [Atty Chavez] Correct.

- [Alder Lefebvre] Can I ask one question?

- Yes, you may.

- [Alder Lefebvre] Transfer license, "A license issued under this sub chapter shall not be transferable from person to person," I get that. "A license is valid for one vehicle only, and shall not be transferable between vehicles." But someone might have, in their business, they might have two vehicles, maybe they do one on the east side and west side, it's the same person, do they have to have a separate license for each one, then? Or is that considered... One.

- One licensed?

- [Alder Lefebvre] Yeah, yeah.

- [Atty Mather] So, this is Attorney Mather. So, the ordinance provides that those two separate trucks in two separate locations would each be considered their own mobile food establishment, and the ordinance does require that they be licensed separately.

- [Alder Lefebvre] Okay, even though they're the same business?

- [Atty Mather] Correct.

- Okay. That's good, thank you.

- [Alder Lefebvre] Okay.

- All right. I peeked at it, I have no big issues with it, I don't know if-

- Motion to approve.

- Okay. Do we have a second?

- Second.

- Motion by VanderLeest, second by Stevens, any other discussion, all in favor, please say aye.
- Aye.
- All opposed. That passes unanimously.
- All right, we are on to the informational items. The first one is the liquor violation report for July 13th.
- So, one of my favorite parts of the meeting. Liquor violation report for July 13th, 2020. Lieutenant.
- The good news is, for this item, we have nothing to report, so it's a quick item.
- Time to party, thank you very much.
- Mark, I got a quick question for the lieutenant.
- Yes.
- I got a quick question for the lieutenant.
- Go ahead.
- I got a magazine from the Packers, and it's got your picture on it, and you're doing some good work there. I'm gonna save it for you, okay?
- Oh, thank you very much! Was that, I know we did a, a thing with the Brown County Youth and the Packers, a movie night.
- I got that book, so I'm gonna give it to you.
- Okay, great, thank you very much!
- Are we gonna be able to deal with you now in the future? I mean, that's kind of big stuff.
- Yeah, unfortunately, you're stuck with me for a while.
- Well, that's great!
- [Alder Stevens] A motion to receive and place on file.
- Thank you, Alder, that's what I was looking for. Second by Lefebvre, all in favor, please say aye.
- Aye.
- All opposed, that passes unanimously.
- All right, we have one more informational item, this is the report regarding liquor licenses that Alder Lefebvre had requested, basically a listing of all liquor licenses by type, by category, in the city, along with a corresponding map as to their locations.
- Very good work.

- [Alder Lefebvre] Can I-
- Go ahead.
- [Alder Lefebvre] Can I ask for, and I'll pay for a printed form? Because on my screen, I can't get the whole column.
- I'll make one for you. I'll make one for you.
- [Alder Lefebvre] And I would like the map, I'm sorry.
- Well, maybe-
- [Alder Lefebvre] It's a, yeah, I'm a more visual person, and then to keep it on my computer, I can't print right now, my printer's-
- Could we get a copy of that, attorney, for the committee? Can we get a copy of that?
- Like a hard copy mailed to you?
- Yes, yes.
- We, yeah, we can, I can have the clerk's office print it up.
- Alder Dorff, would you like one of those, too? You don't want one? Okay, all right.
- Sure, I would like one, that would be great!
- I'm just saying, if you're gonna just do the committee, we could do the whole, all the entire council, I don't know, I was just throwing you-
- Oh, sure! That's very thoughtful, I appreciate it, thank you.
- All right, can you do that, deputy? Ms. Attorney?
- Yes, yes, I will inquire with the clerk's office to be able to prepare that and send that out, sure.
- I'd appreciate that.
- [Alder Lefebvre] Okay.
- All right. So then, we are looking for a motion to receive and place on file.
- [Alder Stevens] Motion to receive and place on file.
- Second.
- Motion by Stevens, seconded by VanderLeest, all in favor, please say aye.
- Aye.

- All opposed? That passes unanimously. Did we get through?
- Yep, we are on adjournment.
- Oh!
- Motion to adjourn.
- [Alder Lefebvre] I make a motion to adjourn!
- Okay, by Lefebvre, do we have a second? VanderLeest? Wow. This has been one fun week, I'm gonna admit. Or two weeks.
- [Alder Lefebvre] I've still got stuff on my emails to read, so yeah.
- Well, you know what, I mean, there's some committees, I mean, we really had it tough this time, but you know, there's other times where other committees have quite a bit on their plate as well.
- [Alder Lefebvre] So right.
- That's part of the enjoyment of public service, right? Part of the enjoyment?
- [Alder Lefebvre] That's right.
- Thank you, Mark, for all your help.
- Yeah, well, thank you for-
- All the committee members as well. I wish everybody the best, have a nice evening.
- Yeah, you too, and I think-
- We do still need, we do still need to vote. We haven't voted on-
- [Alder Lefebvre] Oh, that's right.
- We don't want to vote, we want to stay! We want to stay!
- [Alder Lefebvre] Oh yeah, right, we just want to leave, no.
- Okay, all in favor for adjournment, please say aye.
- Aye.
- All opposed? Another two days.
- [Alder Lefebvre] Yeah, yeah.