



MINUTES OF THE COMMON COUNCIL

TUESDAY, OCTOBER 6, 2020, 6:00 PM

**This is a virtual Zoom meeting.
Please see information 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: Brian Johnson, Chris Wery, Jesse Brunette, John VanderLeest, Mark Steuer, Veronica Corpus-Dax, Lynn Gerlach; Barbara Dorff, Bill Galvin, Craig Stevens, Randy Scannell, Kathy Lefebvre

C. PLEDGE OF ALLEGIANCE.

D. INVOCATION.

The invocation was led by Alder Jesse Brunette, District 12.

I. The invocation will be led by Alder Jesse Brunette, District 12.

E. APPROVAL OF MINUTES.

I. Approval of the minutes of the September 15, 2020 Common Council meeting.

Moved by Ald. Craig Stevens, seconded by Ald. Barbara Dorff to approve. Motion carried.

2. Approval of the amended minutes of the September 24, 2020 Common Council Special meeting.
Moved by Ald. Randy Scannell, seconded by Ald. Chris Wery to approve. Motion carried.

F. APPROVAL OF THE AGENDA.

Moved by Ald. Randy Scannell, seconded by Ald. Barbara Dorff to approve. Motion carried.

G. REPORT BY THE MAYOR.

H. ANNOUNCEMENTS.

I. APPOINTMENTS.

Moved by Ald. Randy Scannell, seconded by Ald. Barbara Dorff to confirm the appointments. Motion carried.

Moved by Ald. Randy Scannell, seconded by Ald. Veronica Corpus-Dax to confirm the re-appointments. Motion carried.

1. Reappointments

Green Bay Water Commission

John Heugel, 115 E. Walnut, #716, Green Bay, 54301

Term to expire: October 1, 2027

2. New Appointments

Sex Offender Residency Board

John Cheslock, 2910 Ballybunion Lane, Green Bay, 54311

Term to expire: May 1, 2025

Green Bay Plan Commission

Autumn Linsmeier, 100 W. Walnut, #224B, Green Bay, 54303

Term to expire: May 1, 2021

Green Bay Water Commission

Elizabeth Wheat, 2757 Kathy Drive, Green Bay 54311

Term to expire: October 1, 2022

J. ORDINANCES - SECOND READING FOR ADOPTION.

Moved by Ald. Randy Scannell, seconded by Ald. Mark Steuer to approve. Motion carried.

Yes- Barbara Dorff, Bill Galvin, Brian Johnson, Chris Wery, Craig Stevens, Jesse Brunette, John VanderLeest, Mark Steuer, Randy Scannell, Veronica Corpus-Dax, Kathy Lefebvre, Lynn Gerlach

1. Zoning Ordinance No. 12-20

An Ordinance rezoning property located at 1748 Main Street from General Commercial (C1) to Highway Commercial (C2) District.

K. REPORT OF THE PROTECTION & POLICY COMMITTEE (SEPTEMBER 28, 2020).

Moved by Ald. Randy Scannell, seconded by Ald. Craig Stevens to approve with the exception of Item 9. Motion carried.

1. To approve a change of agent for Skogen's Foodliner, Inc. at 2250 W. Mason.

2. To hold until the next meeting a request by Kittner's Pub at 129 S. Washington St. to amend the liquor license include an outdoor deck.

3. To approve an application for a "Class B" Combination license by Bay Beer Bellys, LLC at 708 Bodart St. with a licensed premises description as "bar, bathrooms, cooler, backroom, closet," with the approval of the proper authorities. (Previously licensed as Bullseye 708, LLC)

4. To approve an application for a "Class A" Liquor and Class "A" Beer license by Neo Beverages at 1215 E. Mason St. with a licensed premises description as "behind the counter, shelvers (instore), back office storage, with the approval of proper authorities (Previously licensed as CCB Beverages, LLC).

5. To approve an application for a "Class B" Combination License by BMT, LLC at 312 Cherry St. with a licensed premises description as "Bar, lounge style. Serving beer/liquor & wine-one open area

w/ bar, two bathrooms & a storage area, with the approval of the proper authorities (Currently licensed as C Street, LLC).

6. To approve an application for a "Class B" Combination license by Kokoro, LLC, at 875 Lombardi Ave. with a licensed premises description as "Kitchen, behind the bar, the basement, restaurant, "and to exclude patio from the license description, with the approval of the proper authorities (Currently licensed as Sunny's Restaurant, Inc.).

Moved by Ald. Randy Scannell, seconded by Ald. Barbara Dorff to approve Item 6. Motion carried.

7. To approve an appeal by Adrian Summers regarding the denial of his public vehicle operator's license.

8. To approve an appeal by Andrea Pleshek regarding the denial of her operator's license.

9. To approve General Ordinance 25-20, an ordinance creating chapter 50, Green Bay Municipal Code, relating to equal rights, with the following amendment: remove "receipt of rental assistance" from the definition section.

Moved by Ald. Barbara Dorff, seconded by Ald. Veronica Corpus-Dax to approve Item 9.

Ald. Craig Stevens corrected a scrivener's error as it should have read remove "receipt of rental assistance" from the protected class.

Moved by Ald. Randy Scannell, seconded by Ald. Barbara Dorff to open the floor for discussion. Motion carried.

Moved by Ald. Craig Stevens, seconded by Ald. Randy Scannell to close the floor. Motion carried.

Moved by Ald. Jesse Brunette, seconded by Ald. Brian Johnson to waive privilege on the memo provided by the Law Department. Motion failed.

Yes-Brian Johnson, Chris Wery, Jesse Brunette, John VanderLeest, Mark Steuer, No-Barbara Dorff, Bill Galvin, Craig Stevens, Randy Scannell, Veronica Corpus-Dax, Kathy Lefebvre, Lynn Gerlach

Moved by Ald. Jesse Brunette, seconded by Ald. Chris Wery to amend the ordinance under enforcement and jurisdiction to 2Cii in to add pursuant to this ordinance the City Attorney shall not issue subpoenas for personal notes, personal correspondence and sermons or any other document or expression indicating an individual practice or opinion in regard to their religious faith. Motion failed.

Yes-Chris Wery, Jesse Brunette, John VanderLeest, Mark Steuer, No-Barbara Dorff, Bill Galvin, Brian Johnson, Craig Stevens, Randy Scannell, Veronica Corpus-Dax, Kathy Lefebvre, Lynn Gerlach

Moved by Ald. Jesse Brunette, seconded by Ald. Chris Wery to amend to add under purpose section 50.02 it is the public policy of the City of Green Bay to protect employers, labor organizations,

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employment agencies, property owners, real estate brokers, builders, builders and lending institutions from unfounded charges of discrimination. Motion failed.

Yes- Chris Wery, Jesse Brunette, John VanderLeest, No-Barbara Dorff, Bill Galvin, Brian Johnson, Craig Stevens, Mark Steuer, Randy Scannell, Veronica Corpus-Dax, Kathy Lefebvre, Lynn Gerlach
Moved by Ald. Chris Wery, seconded by Jesse Brunette to hold to refer back to committee for a future citywide referendum. Motion failed.

Yes- Chris Wery, Jesse Brunette, John VanderLeest, No-Barbara Dorff, Bill Galvin, Brian Johnson, Craig Stevens, Mark Steuer, Randy Scannell, Veronica Corpus-Dax, Kathy Lefebvre, Lynn Gerlach
A vote was taken on the original motion to approve Item 9.

Yes-Barbara Dorff, Bill Galvin, Brian Johnson, Craig Stevens, Mark Steuer, Randy Scannell, Veronica Corpus-Dax, Kathy Lefebvre, Lynn Gerlach, No-Chris Wery, Jesse Brunette, John VanderLeest

10. To receive and place on file the liquor violation report for September 28, 2020.

L. REPORT OF THE PROTECTION & POLICY COMMITTEE GRANTING OPERATOR LICENSES.

Moved by Ald. Craig Stevens, seconded by Ald. Randy Scannell to approve. Motion carried.

I. Report of the Protection & Policy Committee granting Operator Licenses.

M. REPORT OF THE IMPROVEMENT & SERVICES COMMITTEE (SEPTEMBER 30, 2020).

Moved by Ald. Veronica Corpus-Dax, seconded by Ald. Barbara Dorff to approve with the exception of Item 1, 4 and 6. Motion carried.

1. To deny the request by Bryan Hoff to appeal the nuisance, litter and solid waste materials invoice of \$411.89 at 1019 Velp Avenue.

Moved by Ald. Randy Scannell, seconded by Ald. Barbara Dorff to approve Item 1.

Moved by Ald. Randy Scannell, seconded by Ald. Craig Stevens to refer Item 1 back to the Improvement & Services Committee. Motion carried.

2. To authorize staff to apply for grants to support the Lower Green Bay & Fox River AOC Biota Committee on several potential wildlife restoration projects located within the City of Green Bay and to approve the City becoming partners on the projects presented.

3. To approve the request to rescind or reduce the long grass/weed compliance cutting charge of \$178.30 on Invoice 133126 for Rexford Buxton at 311 N. Oakland Avenue and to issue a new invoice in the amount of \$89.15. (Ald. Johnson)

4. To refer to staff the request by Paul's Pantry, Inc. to rescind the special assessments for pavement construction levied against Parcel 20-271 associated with the North Webster Avenue reconstruction project to determine if the assessment can be rescinded and hold the invoice in abeyance.

Moved by Ald. Randy Scannell, seconded by Ald. Barbara Dorff to approve Item 4. Motion carried.

5. To receive and place on file the request to review pavement reconstruction and resurfacing programs and begin planning for future Capital Improvement Programs. (Alds. Wery and Johnson)

6. To approve the request by Department of Public Works to grant an easement to Wisconsin Central LTD for the northerly 30 feet of the westerly 55 feet of Parcel 2-275 for construction of maintenance equipment for the railroad.

Moved by Ald. Randy Scannell, seconded by Ald. Barbara Dorff to approve Item 6.

Moved by Ald. Brian Johnson, seconded by Ald. Jesse Brunette to amend Item 6 to add at the end of motion contingent on CN holding a discussion with city staff regarding the maintenance of rail crosses and the Ashland Ave rail yard. Motion carried.

Moved by Ald. Brian Johnson, seconded by Ald. Chris Wery to reconsider Item 6. Motion carried.

Moved by Ald. Brian Johnson, seconded by Ald. Chris Wery to add to the amendment contingent on Wisconsin Central LTD, also known as CN, meeting with city staff to discuss and prepare a plan for ongoing maintenance concerns of rail crossings and the abandoned Ashland Ave rail yard; and payment of all outstanding invoices incurred and owed to the City of Green Bay for maintenance of railroad properties. Motion carried.

Moved by Ald. Barbara Dorff, seconded by Ald. Randy Scannell to approve as amended.

7. To approve the request by Department of Public Works to enter into a Professional Service Agreement with Ayres Associates for the design of Country Club Road in the amount of \$232,651.90.

8. To refer to staff the presentation by Department of Public Works staff to the Improvement and Services Committee regarding a few options for more effective downtown snow bank management. It's requested that examples be provided from the 10 largest municipalities in the state and to meet

with interested parties to develop potential solutions. (Alds. Johnson and Scannell)

9. To approve the report of the Purchasing Manager:

A. To award contract for Fiber Optic Cabling at Bay Beach Wildlife Sanctuary for the sum of \$42,800.00 to Holtger Bros., Inc., the lowest responsible bidder to RFB #3274.

10. To receive and place on file the report of actions taken by Department of Public Works

A. Granting of Licenses

I. Sidewalk Builder

a. Sommers Construction Co.

N. REPORT OF THE PLAN COMMISSION (SEPTEMBER 28, 2020).

Moved by Ald. Randy Scannell, seconded by Ald. Veronica Corpus-Dax to approve with the exception of Item 3. Motion carried.

1. To postpone the request to authorize a Conditional Use Permit (CUP) for a Material Recovery Facility (Auto & Metal Salvage Operation) at 1156 Velp Avenue, until the next Plan Commission meeting on October 12, 2020.

2. To rezone 0 N. Huron Road from Rural Residential (RR) to Conservancy (CON). (Public Hearing held 09/28/20)

3. To amend the boundaries Zoning Ordinance 9-03, Planned Unit Development (PUD) for the property located in the 200 Block of Highland Park Avenue, Tax Parcel 21-1229. (Public Hearing held 09/28/20)

Moved by Ald. Randy Scannell, seconded by Ald. Mark Steuer to approve Item 3.

Moved by Ald. Veronica Corpus-Dax, seconded by Ald. Mark Steuer to open the floor for discussion. Motion carried.

Moved by Ald. Randy Scannell, seconded by Ald. Barbara Dorf to close the floor. Motion carried.
A vote was taken on the original motion and motion carried.

Yes-Barbara Dorff, Bill Galvin, Brian Johnson, Craig Stevens, Jesse Brunette, John VanderLeest, Randy Scannell, Kathy Lefebvre, Lynn Gerlach, No-Chris Wery, Mark Steuer, Veronica Corpus-Dax

4. To authorize a Conditional Use Permit (CUP) for the height of a detached accessory structure located at 1006 N. Buchanan Street, subject to: compliance with all of the regulations of the Green Bay Municipal Code not covered under the Conditional Use Permit, including standard site plan review and approval. (Public Hearing held 09/28/20)

5. To declare city property located at 946 Velp Avenue as City Surplus, subject to the following conditions:

1. The existing power pole shall remain in its current location as noted in the attached WPS Exhibit.
2. The owner of parcel 18-583 shall be offered the subject parcels for purchase prior to opening the sale to other interested parties.

O. REPORT OF THE PARK COMMITTEE (SEPTEMBER 30, 2020).

Moved by Ald. Randy Scannell, seconded by Ald. Veronica Corpus-Dax to approve with the exception of Item 6 and 7. Motion carried.

1. To refer to staff to install a security camera at Colburn Pool.

2. To refer to staff to work with the Police Department, Green Bay School District & Neighborhood Associations to collaborate on potential solutions for opening/closing all park restrooms on a daily basis.

3. To refer to staff to develop cost estimates for the necessary floodway studies to reopen the East River trails within the City limits on both sides of the East River and reach out to surrounding communities to collaborate on grant/funding opportunities.

4. To refer to staff for further study of Green Bay Metro Boat Launch to see if there are potential

renovations/upgrades to enhance efficiencies of the facility.

5. To approve the request by the Baird Creek Preservation Foundation to begin fundraising to install art at various trailhead locations within the Baird Creek Greenway.

6. To approve authorizing staff to apply for grants to support the Lower Green Bay & Fox River AOC Biota Committee on several potential wildlife restoration projects located within the City of Green Bay and to approve the City becoming project partners on the projects presented.

Moved by Ald. Randy Scannell, seconded by Ald. Barbara Dorff to approve Item 6. Motion carried.

7. To approve the City to enter into a trail easement with the Brogan Family Trust for the relocation of the Fox River Trail on parcel 15-168-B on the 700 block of South Adams Street.

Moved by Ald. Randy Scannell, seconded by Ald. Brian Johnson to approve Item 7. Motion carried.

8. To approve a \$17,940 contract amendment with Berners Shoeber for the City Hall mechanical replacement preliminary engineering.

9. To approve amending General Ordinance No; 36-20, Sections 25.04(1) and (11), of the Green Bay Municipal Code Relating to Park Hours, modifying the daily park hours from 6:00 AM-10:30 PM to 6:00 AM-10:00 PM.

P. REPORT OF THE PERSONNEL COMMITTEE (SEPTEMBER 29, 2020).

Moved by Ald. Randy Scannell, seconded by Ald. Veronica Corpus-Dax to approve. Motion carried.

1. To approve the request to fill the following replacement positions and all subsequent vacancies resulting from internal transfers.

a. Operator I (Night Sweeper) - Public Works

2. To receive and place on file the quotes from the Wisconsin Public Employers' Group Health Insurance Program.

**Q. REPORT OF THE TRAFFIC, BICYCLE, AND PEDESTRIAN COMMISSION
(SEPTEMBER 21, 2020).**

Moved by Ald. Randy Scannell, seconded by Ald. Craig Stevens to approve with the exception of Item 3. Motion carried.

I. A. Remove the SPEED LIMIT 35 zone on Hillcrest Drive from Haven Place to the west corporate limits.

B. Establish a SPEED LIMIT 25 zone on Hillcrest Drive from Haven Place to West Point Road.

C. Establish a SPEED LIMIT 35 zone on Hillcrest Drive from West Point Road to the west corporate limits.

2. A. Remove Sec. 29.203. - Class "B" parking violations (4) Railroad Crossing that no vehicle shall be parked within 50' of the nearest railroad crossing.

B. Establish and adopt by ordinance Sec. 29.203. - Class "B" parking violations (4) Railroad Crossing that no vehicle shall be parked within 25' of the nearest railroad crossing.

3. A. Receive and place on file the documented speed study along North Webster Avenue from University Avenue to Vanderbraak Street.

B. Remove the 25 mph posted speed limit along Webster Avenue from University Avenue to Klaus Street.

C. Establish and adopt by ordinance a 35 mph posted speed limit along Webster Ave from University Avenue to Klaus Street.

Moved by Ald. Randy Scannell, seconded by Ald. Barbara Dorff to approve Item 3. Motion carried.

4. Remove the 4-HOUR 7 AM TO 7 PM MONDAY THROUGH FRIDAY zone on the south side of Cass Street from Roosevelt Street to Irwin Avenue.

R. REPORT OF THE SUSTAINABILITY COMMISSION (SEPTEMBER 16, 2020).

Moved by Ald. Randy Scannell, seconded by Ald. Veronica Corpus-Dax to approve. Motion carried.

1. To hold until the December meeting consideration with possible action on the installation of a solar array at Leicht Park and an additional installation of an EV charging station.

2. To hold until the October meeting consideration with possible action on the progress of the Green Infrastructure Code Audit by Birchline Planning, consultant.

S. REPORT OF THE AD HOC COMMITTEE ON ELECTIONS (SEPTEMBER 10, 2020).

Moved by Ald. Randy Scannell, seconded by Ald. Veronica Corpus-Dax to approve. Motion carried.

1. To hold the next meeting on October 22, 2020 at 5 pm.

T. REPORT OF THE TAX INCREMENTAL DISTRICTS JOINT REVIEW COMMITTEE (SEPTEMBER 22, 2020).

Moved by Ald. Randy Scannell, seconded by Ald. Barbara Dorff to approve. Motion carried.

1. To adopt a Resolution amending the Project Plan for TID Nine (9), State Highway 54/57 Business Park. The proposed costs include projects within the proposed boundary and within a one-half (1/2) mile radius of the proposed boundary of the TID.

2. To adopt an Allocation Amendment Resolution and amend the Project Plan for TID Twelve (12), I-43 Commercial Development.

3. To adopt an Allocation Amendment Resolution and amend the Project Plan for TID Seven (7), Ashland Avenue and Lombardi Avenue Corridors.

4. To adopt an Allocation Amendment Resolution and amend the Project Plan for TID Eight (8), Henry and Morrow Streets.

U. REPORT OF THE FINANCE COMMITTEE (SEPTEMBER 29, 2020).

Moved by Ald. Randy Scannell, seconded by Ald. Barbara Dorff to approve. Motion carried.

1. To receive and place on file a request by the Finance Director to review and discuss 2019 year-end financial results and management communication for the City.

2. To receive and place on file a late communication from Ald. Steuer to the Finance Committee which states: There is a projected shortfall of 550K in the City of Green Bay's 2020 Budget; One possible reduction would be to look at savings that could be realized by combining the functions of the various City garages.

3. To receive and place on file an update on matters pending before the Tax Appeals Commission.

The Council may convene in closed session pursuant to Section 19.85(1) (g), Wis. Stats., for the purpose of conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. The Council will thereafter reconvene in open session pursuant to Section 19.85(2), Wis. Stats., to take action on items discussed in closed session, if appropriate, and to consider the remainder of the agenda.

4. To receive and place on file the report of the Claims Committee.

The Council may convene in closed session pursuant to Section 19.85(1) (g), Wis. Stats., for the purpose of conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. The Council may thereafter reconvene in open session pursuant to Section 19.85(2), Wis. Stats., to report the results of the closed session and consider the balance of the agenda.

V. RESOLUTIONS.

Moved by Ald. Randy Scannell, seconded by Ald. Barbara Dorff to suspend the rules to adopt Resolutions 1 through 4 together with one roll call vote. Motion carried.

Moved by Ald. Randy Scannell, seconded by Ald. Brian Johns to approve Resolutions 1 through 3 and Resolution 4 as amended. Motion carried.

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Yes- Barbara Dorff, Bill Galvin, Brian Johnson, Chris Wery, Craig Stevens, Jesse Brunette, John VanderLeest, Mark Steuer, Randy Scannell, Veronica Corpus-Dax, Kathy Lefebvre, Lynn Gerlach

1. Resolution authorizing conditional use permit at 1006 North Buchanan Street.
2. Resolution drawing final orders to contractors for October 6, 2020.
3. Resolution accepting dedication of regional storm water retention system Fox River Papermaking Corridor.
4. Resolution approving easement to Wisconsin Central LTD at Parcel 2-275.

W. ORDINANCES - FIRST READING.

Moved by Ald. Randy Scannell, seconded by Ald. Veronica Corpus-Dax to suspend the rules and advance Ordinances 1 through 3 and 5 through 7 to a second reading.

Moved by Ald. Randy Scannell, seconded by Ald. Barb Dorff to advance Ordinances 1 through 3 and 5 through 7 to a second reading. Motion carried.

1. General Ordinance 37-20

An ordinance amending Section 29.208, Green Bay Municipal Code, relating to parking regulations.

2. General Ordinance 38-20

An ordinance amending Sec. 29.307, Green Bay Municipal Code, index of traffic regulations.

3. General Ordinance 33-20

An ordinance amending Sec. 29.203, Green Bay Municipal Code, relating to Class "B" parking violations, (4) Railroad crossing.

4. General Ordinance 25-20

An ordinance creating Chapter 50, Green Bay Municipal Code, relating to equal rights.

Moved by Ald. Barbara Dorff, seconded by Ald. Bill Galvin to advance Ordinance 4 to a second reading. Motion carried.

Yes- Barbara Dorff, Bill Galvin, Brian Johnson, Craig Stevens, Mark Steuer, Randy Scannell, Veronica Corpus-Dax, Kathy Lefebvre, Lynn Gerlach, No- Chris Wery, Jesse Brunette, John VanderLeest

5. Zoning Ordinance No. 13-20

An ordinance to rezone parcels along 0 North Huron Road from Rural Residential (RR) to Conservancy (CON).

6. Zoning Ordinance No. 14-20

An ordinance amending Zoning Ordinance No. 09-03 for Planned Unit Residential District located in the 2000 Block of Morrow Street.

7. General Ordinance No; 36-20

An ordinance amending Sections 25.04(1) and (11), Green Bay Municipal Code, relating to modifying daily park hours.

X. REFERRAL OF PETITIONS & COMMUNICATIONS.

Moved by Ald. Randy Scannell, seconded by Ald. Jesse Brunette to refer the petitions and communications to the appropriate Committee or Commission. Motion carried.

A request by Ald. Brian Johnson to the Redevelopment Authority for an update by city staff on the negotiation status of the purchase of the Pulliam Power Plant and actions necessary for the City of Green Bay to execute a development agreement with Brown County, WPS and any other parties as necessary to secure \$1.2 million in grant funding from the State of Wisconsin to conduct a preliminary concept plan.

A request by Ald. Brian Johnson to the Protection & Policy Committee for the Green Bay Police Department to provide a report on the surge of recent gun violence and other violent crimes in our community. A candid conversation around data, community comparisons, policing strategies and support needed from council and our community to understand and respond to the growing number of incidents is encouraged.

A request by Ald. Mark Steuer to the Community Development/Law to Involve the City Staff, apartment owners, apartment renters, apartment association owners, and other housing related entities to work on and create a City housing ordinance that will work for owner and renter alike, with possible action.

A request by Ald. Mark Steuer to the Mayor's Office to have the Mayor's Office create a "virtual" comment form for Council and Committees.

Y. ADJOURNMENT.

Moved by Ald. Randy Scannell, seconded by Ald. Barbara Dorff to adjourn at 9:24 p.m. Motion carried.

Kris A. Teske
Green Bay City Clerk

These minutes in their entirety, are available in the City Clerk's Office and on the City website at greenbaywi.gov.

VERBATIM MINUTES

- One question. I'd like to speak to one of the items, and I'm new to the online meeting. Can I just let you know--

- [Celestine] Just let me just give you some instructions, 'cause we're recording now. So when it comes time for your item, what I will do is I will inquire, people who would like to speak, and then you can either raise your hand in Zoom. There's a feature, or you can physically raise your hand or unmute yourself and begin speaking. But I'll give you those instructions when the item comes. Okay, Mayor, we are ready. We are recording.

- All right. I call to order the Meeting of the Green Bay Common Council for Tuesday, October 6th, 2020. Clerk?

- [Kris] 12 are present, your Honor.

- [Eric] All right, very good. We will now please rise for the Pledge of Allegiance.

- [All] I pledge allegiance to the flag of the United States of America, and to the republic for which it stands, one nation, under God, indivisible, with liberty and justice for all.

- [Eric] Please remain standing for the Invocation that will be offered by the Alder from the 12th District, Jesse Brunette.

- Thank you, Mayor. I'm gonna kneel down here if that's okay. I'm reading an invocation I created. So, thank you to the public who's participating in the meeting. Welcome to the Green Bay City Council. As many of you know, October is Breast Cancer Awareness Month, a time focused on increasing attention to the disease. Been advancing scientific research and supporting the treatment and care of those affected by breast cancer. Except for skin cancer, breast cancer is the most common cancer in women in the United States. Deaths from breast cancer have declined over time, but remain the second leading cause of cancer death among women overall. Each year in the United States about 250,000 cases of breast cancer are diagnosed in women and about 2300 in men. About 42,000 women and 510 men, in the US, die each year from breast cancer. So if you'd like, you can bow your head for a short invocation. Father, for the strength you have given us, we thank you. For the health you have blessed us with, we thank you. We pray for health and healing of those throughout our community affected by COVID-19. During October, Breast Cancer Awareness Month, we also pray for those throughout our community who have been diagnosed with breast cancer. We pray for strength and peace for them and their families. We ask you to bless and to heal them and guide the healthcare workers who are assisting with treatment. Finally, we pray for your hand of protection be placed on our healthcare workers, our police, especially those who were recently injured on call, our firefighters, and our paramedics. Strengthen them and give them peace as they work to solve the pressing issues of our time through their selfless service to humanity. Amen.

- [All] Amen.

- Alder. I'll entertain a motion to approve the Minutes of the September 15, 2020 meeting.

- Motion to approve.

- Move to approve.

- Made by Alder Stevens, seconded by Alder Dorff. Any corrections? Seeing none, all in favor, please signify by saying aye?

- [All] Aye.

- Opposed, nay? Those minutes have been approved. I'll entertain a motion to approve the amended minutes--

- Motion to approve the amended minutes.

- Second.

- Second.

- Motion made to approve those minutes. That was made by Alder Scannell, seconded by Alder Wery. Any corrections there? No requests. All in favor, please signify by saying aye?

- [All] Aye.

- Opposed, nay? Those minutes have been approved. Approval of the Agenda?

- Motion to approve.

- Mayor?

- Second.

- Before we do that, could I make a point?

- Alder Steuer?

- Thank you. I just wanted to say on the Plan Commission Agenda, on number eight, the word Berners-Schober is misspelled. Schober is S-C-H-O-B-E-R. That's all.

- Okay.

- Thank you.

- Thank you for noting that for us, Alder. There was a motion made to approve by Alder Scannell, seconded by Alder Dorff. All in favor, please signify by saying aye?

- [All] Aye.

- Opposed, nay? The ayes have it and the agenda has been approved. As far as my report is concerned, just wanted to touch on a couple of items. Alder Brunette, in his invocation, of course prayed for those who have been afflicted by COVID-19 and those who are responding to the illness in this community. And we did receive word this afternoon that the Governor has put in a statewide order limiting capacity on entities that have members of the public present. So still learning some of those details. But I believe that goes into effect on Thursday. As is the case with the existing statewide mask order and was the case with our City ordinance requiring face coverings, the goal for us, certainly as a City, is to educate and not to punish. So that's how we will move forward with this. These are really very difficult times, especially for those who have been infected, but also for our first responders and healthcare workers. But I think it's important also for us not to forget the businesses, owners, and those frontline employees who have been affected by this outbreak. The Governor did respond with an additional \$100 million for businesses, but I'm really hoping that our federal government responds again. We're in grave need of substantial financial assistance for businesses here in Green Bay, across the state and country. So I'm hoping that our federal government will step up, come together, and offer some support for them, because they can't be forgotten as we move through COVID-19. I also wanted to touch on an item that's before us tonight on the agenda, and

that is the Equal Rights Ordinance. I do want to start by thanking Alder Dorff for her leadership on this ordinance. She of course is the author of this law change, and I'm very grateful for the work she's done to make this ordinance possible. I also want to thank Alder Steuer and members of the Protection and Policy Committee for their deliberations and support for the ordinance. But finally, and most importantly, I want to acknowledge the community members who have attended several committee meetings and who are attending this Council Meeting to offer their perspectives. As individuals and as a community, we are an accumulation of our actions, more than anything. Not our thoughts or our intentions, but our actions. And the actions we've taken recently to create a Diversity and Inclusion Coordinator position, to declare racism to be a public health crisis, to hopefully tonight advance this Equal Rights Ordinance, these are important steps. And these actions stack onto one another to create an impression and a reality of welcoming and acceptance. And that's the culture that I'm dedicated to fostering here in Green Bay. I'm committed to it because it's the right thing to do, because it's in keeping with who we are as a community, and because it's how we will continue to grow and thrive as a city in the 21st century. Green Bay is an exceptional city, with a heritage that's worth celebrating. And our actions tonight, if we're successful in advancing this ordinance, add to that history and enrich it. Green Bay is big enough for everyone, and it's our job as leaders to make room. I firmly believe it's my responsibility, and yours, to lead this community with empathy and compassion. To see others as they see themselves and to stand with them. So I ask members of Council to join me in supporting this ordinance, to send a message that we are a community for all, no matter one's race, ethnicity, religion, sexual orientation, gender identity, or person of goodwill, Green Bay is for you. That concludes my report. And we are onto announcements. Alder Dorff?

- Thank you, your Honor. I wanted to acknowledge and thank the 250 area physicians that sent the letter to all of us, signed the letter, asking us as elected officials "To promote, facilitate, "and encourage behaviors related to COVID-19." And as part of my support, I would like to just state what those simple measures are. They are keep a distance of greater than six feet from others. Wear masks when outside your home and around other people. Avoid any gatherings, including family events, where physical distancing and masking are not possible. Stay at home when not feeling well. Abide by a 14 day quarantine after contact with someone who has COVID-19. Wash hands frequently, especially after touching shared surfaces, before touching your face, before eating and drinking, and upon leaving a public area. I support all of these measures. I try my hardest to model all of these measures. I wish there was more that I personally could do to help to get this surge in COVID-19 under control in our community. And again, thank you, physicians, for sending us this letter.

- Thank you, Alder. Alder Lefebvre?

- [Kathy] Yes, Mayor. Thank you. I wanna thank Alder Brunette for bringing up that this is Breast Cancer Month. I think many of you know that I had breast cancer. And in November I will be celebrating 21 years since my diagnosis. And it was, my diagnosis was 3b, which was pretty aggressive. But I amazed everyone, and I'm still here. So I wanted to thank all those who have gone through this

trying time with breast cancer and have survived. And I do pray for all those families who've suffered the loss of someone to this awful disease. Thank you.

- For that announcement, Alder. Other announcements?

- Mayor?

- Yes. Alder Johnson, is it?

- Yep. Thank you, Mayor.

- Go ahead.

- I released a statement today regarding a announcement out of the State Senate Office that I'd just like to read very quick. It's been more than two years since I began working cooperatively with former Mayor Jim Schmitt on a plan to relocate the coal piles along the Fox River near downtown in my district. The first step of that plan. State for preliminary concept plan for the purchase of the Pulliam power plant site at the mouth of the river and the presumed relocation site for the coal. This project is complex and it comes, it has to come in a lot of different achievable steps. I spent some time down in Madison testifying on behalf of our community and my district, lobbying many legislators in the Assembly, as well as the Senate. And I know David Buck from the City's Community and Economic Development Department also traveled to Madison to testify on this piece. Today it was announced by Senate President Roger Roth's Office, his support and the State Senate's intent to take this bill up in their session, following the election. The Assembly's already acted on this and has supported it. And so now it is up to the Senate to take action. I wanted to quickly thank Wisconsin State Representative Dave Steffen for his efforts to keep this bill moving through both chambers. Appropriating 1.2 million from the State is no small task and reflects the effective work done in Madison to secure the resources necessary for our local community to properly develop the Pulliam power plant site and relocate an industrial user out of our urban core, freeing up land for appropriate development that will contribute to and stabilize our tax base. And I also want to recognize State Senator Rob Cowles for his effort on this, as he's been a great partner and advocate as well. It takes vision and perseverance to get a deal done with this level of complexity. It's time to get a development agreement before the Green Bay City Council so that we can act properly and secure this transformative project before it is too late. This is a once in a lifetime opportunity and I hope we do not squander it. Thank you, Mayor.

- Thanks, Alder. Any other announcements?

- [Kathy] Mayor?

- Alder?

- [Kathy] I'm sorry. I forgot to mention, I apologize. They are starting the major work on the dike, and I just wanted to thank the Council for approving the funding for this project. It is a big project. It's definitely needed. And it's very noisy, but they are working on it. And I want to thank everybody for helping us. Thank you.

- Very good. Thanks for that. All right. We will move along to Appointments. I'll entertain a motion.

- Motion.

- I, or someone moved it. And I seconded it. I don't know who moved it. Randy?

- I believe that was made by Alder Scannell, seconded by Alder Dorff, to confirm the Reappointment. All in favor, please signify by saying aye?

- [All] Aye.

- Opposed, nay? The ayes have it. The item has been approved. Onto the New Appointments.

- Motion to approve.

- Second.

- Second.

- Motion made by Alder Scannell, seconded by Alder Corpus-Dax, to confirm the appointments. All in favor, please signify by saying aye?

- [All] Aye.

- Nay? The ayes have it. The item has been approved. Ordinances, Second Reading for Adoption.

- Motion to adopt.

- Second.

- Motion made by Alder Scannell, seconded by Alder Steuer to adopt. Any discussion? All in favor of that motion, please signify by saying aye?

- [All] Aye.

- Opposed, nay? The ayes have it. Oh, my apologies. We gotta use the board here. So we will use the board on that motion.

- [Kim] Alder Brunette, it didn't come through.

- Yeah, it's not opening. Coming up. I vote yes. I'll sign out and sign back in.
- And that is adopted 12-0. Onto Report of the Protection and Policy Committee.
- Motion to approve.
- Second.
- Second.
- Second.
- Made by Alder Scannell, seconded by Alder Stevens, to approve Report K, which is the Report of the Protection and Policy Committee from the meeting on September 28th, 2020. Any items here to be handled separately?
- Number nine.
- Nine will be handled separately. Any others? Approving the remainder of that report, please signify by saying aye?
- [All] Aye.
- Nay? The ayes have it. The report has been approved with the exception of item nine.
- Move to approve.

- Second.

- Second. Motion made by Alder Dorff. Seconded by Alder Corpus-Dax. The item was pulled by Alder Dorff. You have the floor.

- Thank you, Mayor.

- [Craig] Can I make one quick comment?

- [Eric] Just one second.

- Sure, I can yield to Alder Stevens.

- [Eric] Okay. Go ahead, Alder Stevens.

- Yeah, before Barb makes her comment, we need to make a clarification on the amendment. It needs to be reworded so it says remove receipt of rental assistance from the protected class, not the section.

- Okay, and that was the intent of the Committee, correct?

- Correct.

- Yes.

- Correcting a scrivener's error?

- [Craig] Excuse me?

- That's my understanding?

- Oh, I didn't hear you?

- Yes.

- This is correcting a scrivener's error. Is that correct?

- Yes, that's correct.

- Very good. Law, do we need to an amendment to correct that scrivener's error?

- [Vanessa] It would make sense to just go ahead and... To keep things clean. I would say yes. Because it's a scrivener's error, we can just note that.

- Okay. Well, we'll just note that the scrivener's error needs to be corrected then. And then we'll go back to Alder Dorff who has the floor.

- Thank you.

- Thank you.

- Thank you. Mayor Genrich, you did a beautiful job of introducing this ordinance. I don't think I can. I do want to thank people for supporting. I had so much support from the public. I do believe in this ordinance. I do believe with all my heart that Green Bay is a place for everyone. Everyone should feel welcome here. Everyone should feel as though they can be employed or go into a public place of accommodation, or be approved for housing. This is an ordinance that I've been working on for a year and a half. And I'm hoping for good things tonight. I know there are many people here to speak on it tonight. So that's all I'll say for right now. Thank you.

- Alder. I would entertain a motion to open the floor at this point.

- Motion to open the floor.

- Move to open the floor. Second.

- Second.

- Motion made by Alder Scannell, seconded by Alder Dorff, to open the floor. All in favor, please signify by saying aye?

- [All] Aye.

- Nay? The ayes have it. The floor is open. And just for the benefit of members of the public who are speaking to us tonight, comments are limited to three minutes. and we just ask that you state your name and address before speaking to us.

- [Celestine] Okay, so whoever would like to speak first from the public, please either raise your hand in Zoom, or, there's a feature there, or you can unmute yourself and start speaking, and I can acknowledge you.

- [Corey] This is Corey King, 401--

- [Celestine] Okay. Hold on one second, Mr. King. Just give me one moment.

- And if I could just ask Alders to mute themselves when not speaking. The camera tends to grab you if you're moving around and making noise. So it'd be good if you could mute yourselves.

- [Celestine] Thank you, Mayor. Okay, Mr. King, please unmute yourself and state your name and address for the Committee.

- Corey King, 401 North Washington Street, Apartment 515 CityDeck Landing, here in Green Bay, Wisconsin, 54301. I'm Dr. Corey King, Vice Chancellor of Inclusivity and Student Affairs at the University of Wisconsin Green Bay. I am here on behalf of Chancellor Alexander and the University leadership to speak in support of this important ordinance. I just arrived in the city about three weeks ago. And in speaking on this ordinance, I want to share that it is an important ordinance and I am, and the university, are appreciative of the City taking a very bold step, and to Alder Dorff and others, who made this ordinance possible to be on the floor for deliberation. We believe in equal rights of everyone. And the support and passage of this ordinance will allow us, especially, at the University of Wisconsin Green Bay, to join the city community in providing a continued diverse, inclusive environment for all people, including our faculty, staff, and students. We believe that passing this ordinance tonight will open the door to the university to become a more diverse, more inclusive, and joining the City in being a beacon of equal rights in our city and in our state. We further support the notion that passing this ordinance will attract more diverse students, faculty, and staff members to the Green Bay community, as well as enabling our students, when they graduate, to stay within the community to become productive citizens. We appreciate this bold effort and this bold movement on behalf of the City. And the University of Wisconsin Green Bay gives it full support that the City Council tonight adopt this ordinance for the good of all the citizens, not only in our city, but in our state and our nation.

- [Celestine] Thank you very much, Mr. King. Hm. Okay, next I have Amy Olson Guillen who'd like to speak. So Ms. Guillen, please unmute yourself and state your name and address for the Committee.

- Thank you so much. My name is Amy Olson Guillen. I live at 1721 East Shore Circle, Green Bay, 54302. First of all, I want to say thank you all for your service to our city, all the hard work you put in. And thank you for all that you've done. I'd really like to thank Barb Dorff, Alder Dorff, for her incredible. And I think it's beautifully written, and I completely agree with everything in it. I also want

to thank our amazing mayor for his words and his support, and just the beautiful statement of how you want our city to be. I could not agree more. I feel that diversity is our greatest strength, and it will make this city amazing and great and wonderful beyond our dreams, as we attract more professionals from diverse backgrounds, with diverse experiences and strength and differences, and I'm including people who are in wheelchairs and maybe visually or any kind of other impairments, who have different experiences than I've had or than I lived. I believe I can learn so much from people who are different from me. I believe it makes us much stronger, more creative, innovative, a better place to live. And I want that kind of a place for my children to grow up in. I'm very excited to make Green Bay more welcoming and to make Green Bay more attractive to people who are different from me to come and live here and to make it a better place. So I'm very excited about this ordinance, and I'm very hopeful that it will pass, and that we can, I just really agree with attracting more people of color, more people to come and live here and make it a safe and a welcoming place. Thank you so much.

- [Celestine] Thank you, Ms. Olson-Guillen. Next we have Noah Reif. Noah, can you please unmute yourself and state your name and address for the Committee?

- My name is Noah Reif and I reside in De Pere at 3502 Layden, apartment number one. Again, I realize that that is not in Green Bay itself, but I consider myself a member of the Green Bay community as a whole. I've lived in Green Bay throughout my life. I went to school at University of Green Bay. I'm just very, I'm very excited and very proud to be speaking here tonight. And I urge the Council to support the Equal Rights Ordinance, in its entirety and unanimously. I'm a member of the Trans community in Brown County, Wisconsin. Being a member of this community, in my experience, has been to feel equal parts, invisible and afraid. There is a reason that, there's a reason why it can be so challenging to speak on this and to be so open and to be vulnerable, because as a community, are very much afraid. Not saying that we are not proud of who we are and we are not proud of living our authentic lives, but we understand the risks that come inherent within that. I would be lying if I said it was not a major factor in why some of us don't speak in these moments. So while there's a great deal of fear, there's also a great deal of pride and joy in our identity, whether it is our Trans community, whether it is our LGBTQ community as a whole, we have a lot of pride and a lot of joy in living our authentic lives. And to see the City of Green Bay take this on does mean a great deal, not just to a few of us, but to our entire community as a whole. And I firmly do believe, as a resident of Brown County for some time, that discrimination is not a value of this city or this county. We, at the end of the day, are fighting for the simple recognition of our shared humanity, that what we experience and that how we express our love, our joy, and our identity is valued and seen as equal. Because right now it is not, for the simple reason that this is a first step. This is an important first step, but one that we must take, as we continue to grow as a community. And I want to leave with the words of one of my favorites, Marsha Johnson, who was the leader of the Stonewall riots in New York City in 1969, and it is true that over 50 years later, we are still having these conversations. "How many years has it taken people to realize "that we are all brothers and sisters "and human beings in a human race?" And I encourage the entire Committee, the entire Council, to pass this unanimously tonight. Thank you for your time.

- [Celestine] Thank you, Noah. Okay, next we have Lisa Hanson. Ms. Hanson, please unmute yourself and state your name and address for the Committee.

- Hi, thank you, Celestine. This is Lisa Hanson, 217 Allard Avenue in Green Bay. And I just want to say, I didn't prepare anything eloquent, like the speakers before me, but certainly want to echo everything that they've said, and how amazing it is, and appreciative that Alder Dorff has brought this forward to the Committee. This is really something that's needed in our city. And I'm really excited that this is something that our city is actually considering doing. And I really urge you all to vote unanimously in favor of it. And that's my time. Thank you.

- [Celestine] Thank you. Next we have Kellie Delveaux. Ms. Delveaux, please unmute yourself and state your name and address for the Committee.

- [Kellie] My name is Kellie Delveaux, and I am at 716 Chapel View Road, number seven, in Green Bay. I appreciate so much, Alder Dorff, all the work and energy and time that you have put into this ordinance. I echo everybody's sentiments here, that I am very hopeful it passes unanimously. I am also hopeful that within that leadership, that has been established over the summer inside the Black community, will be part of these meetings and committees, because I think it's very important that their voices are heard. I have some hesitation with how well it's going to be received, just from personal experiences throughout this summer with the peaceful protests that I have been directly involved in. I feel this is incredibly important for our city and all of you, as leaders in our community, to take a stand on the side of this. The very first protest I went to was in Appleton, and I went with my father. And he marched with Dr. King in the sixties in Chicago. And it really struck a chord with me as we were marching together. And he looked at me, literally with tears in his eyes, and said, "I have been doing this for over 50 years "and we're still not there yet." And I think as leaders in our community, you need to take a stand that Green Bay is ready to be there. We are ready to embrace diversity of culture, sexual orientation, religion, everything, and be that welcoming Midwest community that we claim to be, because we aren't there yet. And acknowledging that we have some work to do and we're willing to do it, I think really says a lot about the leadership in our community. Thank you.

- [Celestine] Thank you, Ms. Delveaux. Just give me a moment. Next we have Abigail Ringel. Ms. Ringel, please unmute yourself and state your name and address for the Committee.

- Abigail Ringel, 2042 Memorial Drive. I just want to echo the sentiments of those who have spoke before me that I just really feel that this is an excellent opportunity for Green Bay to take a step forward and show our community that we value people that maybe look different, sound different, are different. As a local activist and as a bisexual woman, this has a very significant impact on my life

as well. And I really feel that Alder Dorff's work has opened up doors that many of us wouldn't all otherwise be able to enter. And so I would just really encourage all of you to vote in favor of this. Thank you.

- [Celestine] Thank you, Ms. Ringel. Just give me one moment. I think we've had some other people enter the meeting. Okay. All right. Next we have Toni Baeb. Ms. Baeb, please unmute yourself and state your name and address for the Committee.

- Yes. My name is Toni Baeb, and I reside at 3000 Nooyen Lane, Green, Bay. I would first like to thank Alder Dorff for bringing forth this, this piece of legislation to say what we believe in in Green Bay. I'd like to thank Mayor Genrich too, for all of the work that you've done since you actually started. And I've followed you so long in your path into leadership. And to the rest of the Council, I just would like to charge you to vote unanimously on this piece of legislation, to make a statement about what we believe as a city, to make a statement about what we believe about the people who live in our city and who make up our city, who make up our workforce, who make up our schools, who make up everything that Green Bay is supposed to be about, to make a unanimous decision to say, "We believe that we all have value here" speaks miles and miles of words and value to the people that live here. It creates an opportunity for us to have value and interest and invest ourselves into the community. I'm a transplant from Arkansas, and I've been here for 23 years. I chose to stay here because it was a wonderful place to live. It did not come without some challenges, but those challenges have been met by many, many people who I know have good hearts and good morals. And in our society today, we know that we need to stand up and do the things that are right. And right can outdo wrong if we take a stand on it. So again, I am asking you to say that acceptance of everyone and the values and the diversity and the value of the diversity that we have in our community, as it continues to grow and thrive, is important enough for our Council to stand up and say we take a stand to say that we believe in this, that we want everyone that lives here, that comes here, to feel welcome no matter where it is that they go, and to feel safe to stand up and have a voice when they need to. We need to pull together and unite and show that this is the great place that people believe it to be. And it's why I stay here. And it's why I'll continue to stay here. And it's why I'm confident that all of you will take a vote yes on this piece of legislation. Thank you all.

- [Celestine] Thank you, Ms. Baeb. Next we have Edward. Edward, please unmute yourself and state your name and address for the Committee.

- Yes, I'm Edward Jensen. I live at 541 Alpine Drive in Green Bay. I'm concerned about this ordinance because I think it doesn't touch on some things as well. What about age discrimination? You know we have a lot of that going on in the world. Does this ordinance have anything to do with the age of people? I didn't see anything. Does this ordinance have anything to do with sex offenders? We discriminate against sex offenders, where they can live in this city. Are they going to be allowed to live anywhere then? And are we gonna treat them equally? Or are we going to leave them as third

class citizens or whatever? I have a problem with the gender identity issue. I hear a lot of talk about, "Well, let's let the science decide." Well, doesn't science already decide your DNA? If you have an X or Y chromosome, that's it. I thought that was settled. But apparently it's not. I can't imagine a doctor performing surgery on someone to change them into something that they're not, basically because that's the way they feel. And I wonder, and maybe some of the transgender folks that are on here could explain, when do you finally finish transitioning? I don't think it ever ends. And I do feel sorry for you, but there would not be any transgender if it actually was successful, if it ended. Now, I'm concerned about rights. I think rights are finite. We can say as a group, "Well, we're gonna give rights to these people, those people, this one, that one." But I think at the same time, don't we take rights away from somebody else in order to give rights to others? I'm not here to discriminate against anybody. I don't own any property that I rent out, or I wouldn't even consider it. I don't operate a business. I feel sorry for any business or people that rent property, that they are gonna be subject to some kind of legal action because of their, say, property rights that are now going to be limited. Thank you.

- [Celestine] Thank you, Mr. Jensen. I do not see others who have raised their hands, other than Alder Lefebvre, who have, ah, Cinnamon Harley. Ms. Harley, please unmute yourself and state your name and address for the Committee.

- [Cinnamon] Hi, my name is Cinnamon Harley. I live at 1198 Canterbury Road in Ashwaubenon. And I'm sorry I joined a little late, so I don't know if the housing portion was removed or not. I do not oppose this ordinance whatsoever. I think Green Bay is diverse, but it can be better. We can always do things to make our community better. And I'm a member of the Apartment Association, and they also don't oppose this. But as far as the receipt of rental assistance, I don't think that this would do exactly what you want to do to help these people. I've been talking with County supervisors and aldermen, and agencies as well, to come up with ideas of what we could actually do to help everyone find housing and make their lives better, 'cause that will also improve this community. There's just some things, as far as housing is concerned, that just giving them a protected class label isn't going to do what we want it to do. And I think that we should look at some other ideas and other things that we can do to help. This ordinance is going to help certain people have a better life. I think we can do something for the housing ourselves, besides this ordinance. That's all I'd like to say.

- [Celestine] Thank you, Ms. Harley. And now we have, I'm just going to take a moment to--

- I'm unable to raise my hand in Zoom.

- Okay. Thank you, Ms. Cheslock. I will acknowledge you next. So after Ms. Cheslock we have Rachel Maes and Jon Pahl. So let me just go to the next screen.

- [Carrie] And Carrie Hoyman as well.

- [Celestine] And Terry, so we will take you after Jon Pahl. Thank you very much. Just give me one--

- [Gregory] Gregory Muehl, too, please.

- [Celestine] And Mr. Muehl, we will take you after Terry. Just give me one moment. And go right ahead, Ms. Cheslock.

- My name is Melissa Cheslock, PO Box 8982, Green Bay, 54308. Thank you, Alder Dorff, for bringing this important ordinance to the Common Council. This ordinance is a personal, it has a very personal meaning to me. I'm a Black, Transracial adoptee who was born in Green Bay. During that time, most of the racism I faced was during school or at school. I was told to go back to Africa. I, during homecoming in high school, one year, the seniors in the parade decided to dress like the KKK, hood and ropes and everything. I was made fun of because of my looks. Regardless of where these incidents happened, whether they were in school or elsewhere, all parties lived in the city of Green Bay. Other incidents included when my parents bought a new house, a neighbor sent around a petition that notified my white parents that we were not welcome or wanted in the neighborhood because I, a child entering 3rd grade, would cause home values to decline. In that same neighborhood, a little boy wanted to know which Packer player my dad was. I laughed, and I said, "My dad wasn't a Packer player." The little boy's response had a huge impact and has never left me after approximately 45 years. That little boy, a white boy asked me, "Well, why are you here?" That question explained why so many people treated me as though I, a little Black girl, was not welcome or wanted in Green Bay. This also explained, that little boy's statement, why an old white man, who used a cane, called me the N word and chased me out of my friend's yard when I was six or seven years old. That old white man lived next door to my friend and was not a relative. Now you might think that what I'm telling you is irrelevant because these things happened during the 1970s and '80s, but this is all relevant because racism keeps happening at school in the city of Green Bay. And I'd like to direct your attention to a news item that was, it was actually a video, dated June 10th of this year, by WBAY journalist Aisha Morales. It's entitled "Teen Talk. "Teenagers discuss what discrimination feels like." The students talk about how they've been affected by racism living here. I know that there'll be those who say that this is not important, there is no racism. But unless you talk to your constituents, the people that live where you represent, you will not know. And I dare say, most of you have not asked. Thank you.

- [Celestine] Thank you, Ms. Cheslock. Next we have Rachel Maes. Ms. Maes, please unmute yourself and state your name and address for the Committee.

- Thank you. My name is Rachel Maes. I live at 245 Traders Point Lane in Green Bay. I'm speaking. I'm speaking to the Council--

- [Woman] Oh, I just broke it.

- [Celestine] I'm sorry, Ms. Maes. Hold on one second, Director Kiewiz, can you mute yourself please?

- [Woman] Yeah, I forgot you tied it on that thing, Mary.

- [Celestine] Wait, hold on one second. Hold on. Just give me one second. I will mute Director Kiewiz. Just hold on one second. Ms. Maes, why don't you start again?

- All right. My name is Rachel Maes. I live at 245 Traders Point Lane in Green Bay.

- [Celestine] Thank you, go ahead.

- I'm addressing, the Council, not as a city employee tonight, but as a private citizen living within the city. I grew up in Green Bay, and I consider Green Bay to be my hometown. I went to elementary school and middle school, high school right here in Green Bay. And I am such a cheerleader for the city. After going to college in Madison and being part of the brain drain that leaves town to go to a bigger city. I lived in Minneapolis for a few years. I lived in Superior, Wisconsin for a few years. And I can tell you I was thrilled when I got the opportunity to come back home a few years ago and raise my kids here in Green Bay. The city is different than when I grew up, however. Different in some pretty amazing ways. The increase in diversity is absolutely noticeable. The University of Wisconsin Green Bay is among the top 25 campuses nationally in diversity and inclusion. The pride and sense of community is definitely present in the African-American, Hispanic, Muong, and Native American communities. The LGBT community is coming together stronger than I've ever seen it in the city. Despite all of these positive changes in diversity and inclusion, there are still vestiges of outdated

opinions that are rooted in hate and lack of understanding. Until strangers have engaged you and called you an abomination or told you that you should just kill yourself, it's really tough to know just how important it is for our leaders to tell people who are different that they are welcome, that they are not less than, that they are not other. Edward, you spoke earlier, and I would like to address some of your concerns. Whether people are male, female, or somewhere in between, everyone in this city should be able to feel comfortable in their own skin. As far as your question on when is a transition over? Everybody in the city is constantly evolving, growing, and transitioning. I would hope that no one in the city closes their mind or stops their ability to grow. As a community we have to continue to grow. We have to continue to embrace people who are different and celebrate their differences. I wholeheartedly urge this Council to adopt this ordinance and send a clear message to the community that every citizen in this community is welcome. Thank you for your time.

- [Celestine] Thank you, Ms. Maes. Next we have Jon Pahl. Jon Pahl, please unmute yourself and state your name and address for the Committee.

- Good evening. I'm Jon Pahl. I live at N 10710 Lakeshore Road, Clintonville, Wisconsin, 54929. And I'm a pastor at Union Congregational United Church of Christ, the longest continually worshipping Protestant congregation in the State of Wisconsin. The Union was a stop on the Underground Railroad. It was active in the women's suffrage movement. Founded the Green Bay Chapter of Habitat for Humanity, and has a 20 year history of being open and affirming to individuals who identify as LGBTQ. Our congregation advocates for the American ideas of liberty and equal justice for all under the law. I speak this evening to commend the Council for proposing an Equal Rights Ordinance for Green Bay, with clearly delineated protected status individuals and groups, and I urge you to pass it unanimously. As a person of faith, it is my calling to love my neighbor as myself. This means recognizing that we are only as strong as the weakest and most vulnerable person among us. As Dr. Martin Luther King Jr put it, in his own effort to advance civil rights, and I quote, "Injustice anywhere is a threat to justice everywhere. "We are caught in an inescapable network of mutuality, "tied in a single garment of destiny. "Whatever affects one directly affects all indirectly. "Never again can we afford to live "with the narrow provincial outside agitator idea. "Anyone who lives inside the United States "can never be considered an outsider "anywhere within its bounds", end quote. I affirm this statement, and I hope the Council sees fit to affirm it as well, through passing this ordinance. I left Wisconsin for nearly 40 years as I served as a professor in the Chicago area at Princeton University and in Philadelphia, where I'd go to Eagles games wearing my Packers' gear and survived. When I returned to Wisconsin three years ago, I was delighted to see the diversity that has grown in our midst, and the welcome that is provided for LGBTQ individuals and families in many venues and through our laws. Green Bay is now reflective of a new and stronger America that is enshrined in the words of Emma Lazarus on the base of the Statue of Liberty, "Give me your tired, your poor. "Your huddled masses yearning to breathe free." It is that freedom that this ordinance affirms and upholds, freedom not only for the powerful and privileged, but freedom for those excluded and poor and marginalized, for no reason but because of ignorance, and in some cases, hatred. Religious and spiritual traditions call us not. At the forefront of public life in Green Bay, but to take a place of service, of humble affirmation, of the dignity of all people. The First Amendment and its affirmation of religious freedom also intentionally began with the word "Congress shall make no law respecting "an establishment of religion." The intent of that clause was to rule out the privilege that Christian

minorities might claim and the violence they have historically enacted, even as if aggrieved, at the expense of religious and other minorities. Sorry, almost done.

- [Celestine] Sorry.

- A lively experiment in building a democratic culture that sought to welcome and protect, especially the most vulnerable among us, articulated so well in this Equal Rights Ordinance, consistent with the deep ethic of love of neighbor at the heart of the world's historic religious traditions,

- [Celestine] Thank you so much, Pastor Pahl.

- Practiced at the Union Church. Thank you for your support of this. I urge you to vote for it.

- [Celestine] Thank you. Next we have Terry. Terry, if you could please, I believe it's Terry. I did not catch your last name, or perhaps it's Carrie?

- It's Carrie.

- Oh yes, okay, thank you.

- [Celestine] It's Carrie Hoyman, and it's 1300 Delray Drive, Green Bay, Wisconsin, 54304.

- [Celestine] Okay, go ahead.

- I also want to thank and support Alder Dorff for bringing this important work forward. And I just have a couple of quick quotes that I want us to think about, one of them coming from Rosa Parks. "I would like to be known as a person "who is concerned about freedom and equality "and justice and prosperity for all people." And I would like the Green Bay community to be for that as well. And also

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from Theodore Roosevelt, "Knowing what's right doesn't mean much "unless you do what's right." So the. Pass this ordinance unanimously.

- [Celestine] Carrie, you froze there for a second. So can you just repeat that?

- Which part did I freeze on?

- Just after Rosa Parks.

- The last one.

- The laugh quote?

- Yes.

- Oh, Rosa Parks. "I would like to be known as a person "who is concerned about freedom and equality "and justice and prosperity for all people." And I would like Green Bay to be known for that as well. And the other quote was by Theodore Roosevelt and it was "Knowing what's right doesn't mean much "unless you do what's right." So please tonight, it's time to act, and please pass this unanimously. Thank you.

- [Celestine] Thank you so much. Next we have Gregory Muehl, I believe, is the way you pronounce your last name. Mr. Muehl, can you please unmute yourself and state your name and address for the Committee?

- [Gregory] Sure. My name is Jerry Muehl, pronounced like you eat.

- [Celestine] Go right ahead when you're ready.

- [Gregory] My address is 3780 Dickinson Road. I was born and raised in Green Bay. I own several real estate investments, several duplexes, seven to be exact. And I built those over the course of five years. And it's become my full time job. So it's not a side hustle or anything like that, it's actually what I do all day. And I apologize, I missed the beginning of this, I was actually working on a floor. I was putting up an upgrade in a floor for a tenant. I'll start out with saying, there's no one on this meeting I wouldn't rent to once you pass my background criteria. I'd also put, say that, some of the stories I hear, I'm just heartbroken about, that people treat others like that. So I completely understand why there's a need for this bill. I do object, and I believe, last week we talked about some of these similar things, but, where I definitely object is the forcing of a government entity as a protected class. So housing is a very complex thing. ICS, also known as Section 8, and there's multiple other types of housing that you can receive, to just bundle those up and say, "Hey, with all the rules and us not looking at all of that "and the unknown amount of ownership "that goes into administering those rules." As a small business owner, it can be extraneous, not to mention that your properties "have to meet certain criteria and things like that. So it's not about classes. It's not about who you are or who people are or who I am. It's about, you're talking about a government funded entity. And we all know how will government funding goes, it changes frequently. And so besides the point of that, the ownership of the rules and the management and all that, to force that, especially on smaller landlords, it's just completely unfair. And I recommend highly that the entire group of alderman get involved with ICS and the landlord group and work together and really see what the problems are in the actual organization itself. Not the people, it's, and I'm not even saying the organization is terrible, I'm saying there's things that need to be worked on before we can force this down on other people's throats. I think that can be easily done. I can parrot things that Cinnamon spoke about earlier. Our associations frequently talk to these different entities and would love to work together to make it better for everyone. But I don't think we need a law saying you have to accept the government run program as it is. And we are not aware of what that even is. And that's my impression when I listen to this. So, I apologize, but I'm not for the bill for that reason. If you strike out that part of it, the single item, then I'm for the bill 100%. Let's work together on the housing piece. Thank you.

- [Celestine] Thank you, Mr. Muehl. Okay, is there anyone else who would like to speak to this, any member of the public who would like to speak?

- Good evening. This is Renita Robinson.

- [Celestine] Yes, Ms. Robinson--

- I'm the CEO of the YWCA of Greater Green Bay, but I'm also a resident here of Green Bay. My address is 1301 South Chestnut Avenue in Green Bay. And I want to thank all the alders who have been a part of this bill and Mayor Genrich for bringing it forward and for your opening remarks. I

appreciate especially the part about Green Bay becoming, or being welcoming and accepting. And I want to add that it's important for us to adopt this ordinance so that Green Bay can be safe. At the YWCA, our mission is a dedication to eliminating racism, empowering women, and promoting peace, justice, dignity, and freedom for all. And I think that if people are not safe, they can't actually engage, because it's very difficult, really, to even hear yourself think if you're afraid. And I, I'll stand by this ordinance and promote it and ask that you all accept it, because until Green Bay is accepting and creating a space of safety for people who are different, we will not have equality across the city. And many of the stories that have been shared are really just very tiny tips to the iceberg of the kind of anger, hatred, and just unkindness that is still prevalent in and around Green Bay. And I do think that this is a first step that people will listen differently to, and so the cumulative total of individuals who have decided that they want to honor the humanity of human kind and who take a stand and say that "I won't stand for hate crimes. "I won't stand for people being afraid "to sleep in their homes at night. "I will stand for freedom. "I will stand for justice. "I will stand for kindness "and all the other things that many people believe in." And so as a member of the community, I support this bill and ask that you all support it with your vote in favor of the ordinance. Thank you.

- [Celestine] Thank you, Ms. Robinson. Next we have Richard. Richard, please unmute yourself and state your name and address for the Council. Richard, please unmute yourself and state your name and address for the Council. Last call for Richard. Okay. Thank you. We're moving on. Is there anyone else who would like to speak to the Council? Please unmute yourself or raise your hand in Zoom. Ah, Richard, are you un-muted and ready to speak? No. Anyone else who would like to speak to the Council, please unmute yourself and state your name and address. 615-2797, would you like to speak to the Council? Okay. Mayor, I, Alder Lefebvre has her hand up, but obviously that's for when the floor is closed. I don't believe we have anyone else.

- [Kathy] Celestine, no, I do not.

- [Celestine] Oh, okay.

- [Kathy] I apologize. I do not. I will say something, but later.

- [Celestine] Okay. Thank you, Alder.

- Very good, Alder. I'll entertain a motion to close the floor.

- Motion to close the floor.

- Motion to close the floor.

- Motion made by Alder Stevens, seconded by Alder Scannell, we'll say, to close the floor. All in favor, please signify by saying aye?

- [All] Aye.

- Opposed, nay? The ayes have it. The floor is closed. Alder Dorff. I think you had some clarifying comments?

- I did. I just wanted to make two clarifications. For Cinnamon and for, I think, Gregory Muehl, that portion was removed from the ordinance, the receipt of rental assistance was removed. So that's what you had spoken to last week and it was taken out. And then also I want to point out that on the very first page of the ordinance, 50.01, subsection two, the first word of the third line is age. So age is indeed in this ordinance. That's the two clarifications that I wanted to make. Thank you.

- Thanks, Alder. Additional comments or questions from Council?

- I do, Mayor.

- Mayor?

- Yes.

- [Kathy] Apologize, go ahead.

- Alder Lefebvre--

- Just press your button, press your buttons, guys. I've got Alder Johnson next in the queue. Alder Johnson?

- Thank you, Mayor. I just have one question for Legal, and it seems like a very small technicality, given the scope of the ordinance. But when I'm looking at the section assisting persons with disabilities, I'm just looking for maybe some clarification. It indicates in there that no extra compensation is allowed for individuals that require animals. However, does that apply to security deposits?

- Attorney Mather, if you're on the line, I think we'll go to you on those questions.

- I am. Couldn't figure out how to unmute myself, even though I've done a million of these. So I believe one of the provisions does specifically say that the security deposit cannot be higher. However, I'm gonna have to look at this a little bit closer. I don't want to just give you the wrong information. It might've been a provision that we actually took out previously.

- We can get back to you, Attorney Mather, if you want to.

- Yeah, if you wouldn't mind, if I could just have a second to just peruse. Thank you.

- Sure.

- [Vanessa] This is Attorney Chavez. What I can tell you is that the ADA would not allow a landlord to charge a deposit for service animals. So if anybody is, if it's for an actual disability, those animals would be exempted from a requirement for a security deposit for the animal.

- Okay. So essentially it's already covered, which is fine. I just looked at that piece, and it left a question mark in my mind if we needed additional clarifying language. But as long as we've got a place to look back on that, I'm comfortable with that. So that's all I have for questions. So, Mayor, I just, maybe a quick statement. It was interesting, so if any of you ever have the opportunity to interact with children, and I've got two daughters. It's interesting when you can kind of bounce some of these complex issues off of them sometimes and get a reaction. And the look that they give you when they're kind of like, "Why do we need to create a law for this?" And it's kind of fascinating. And one of those things that I would just say about that is that, this particular ordinance would, what essentially it tells us to do is to be better humans, to be the best versions of ourselves in how we treat one another and to see each other really as the way that children do. And that is kind of without this veil of confusion that sometimes we create, I think it makes us accountable in doing so. And one of the things that I would concede is that I'm not perfect. But I'm getting better. And is not perfect, our community is also getting better. And I think that this ordinance puts us on the path to continue that process of getting better. And so I would, too, like to thank Alder Dorff. She's gotten a number of commendations today. Clearly putting these types of ordinances together is very difficult and challenging. It's hard work. I want to thank those who took the time to speak here today. Several of you being very vulnerable with your personal circumstances. And it means a lot for our community to hear those types of things. And if there's only one piece in this entire thing that did create a little bit of pause for me, it was the protected class of rental assistance, which has already been addressed. But I also want to point out that it's not because I have opposition to that component in particular. But I think as a standalone item, we can create a much better product and a much better outcome for the way that we serve our residents who are beneficiaries of that program. So I too would urge passage of this. I think it puts us on a great path. And I'm excited to see the rest of the discussion. Thank you, Mayor.

- Thanks, Alder. Alder Vander Leest?

- Thank you, Mayor. I'd just like to make a comment that, if we want to get to the root of the discrimination and problems with housing and equal rights, I didn't hear one word about any type of education. In other words, if we want to conquer those type of issues, we have to educate the public. And we have to start at a young age to educate the public, and we have to educate all classes, all age groups. Personally, I'm not, I have no feelings of discrimination towards anyone. I've operated a business for over 50 years and we don't discriminate anyone. Doesn't matter what religion, none of it. I don't believe in any type of discrimination. I think that if we want to really get to the issue, education is where we got to start as far as discrimination goes. I know the federal and the state of Wisconsin, I know that they have a lot of these laws basically on the books already. And nobody seems to talk about education, how we're gonna educate our public to stop the discrimination. Our ordinance here, most people will never see it, will never hear of it. But I feel that if we can educate our public at a young age, middle-class, every class of person, doesn't matter what economic background, education is the key, is the main goal, if we want to stop discrimination. And that's my thought on it. I think that we could go much farther. And I know that, without the education part of it, we're kind of missing some of the boat here. I think that there wasn't one word spoke about educating our public. So that's where I'm coming from. I don't believe in any type of discrimination. Thank you.

- Thanks, Alder. Alder Lefebvre?

- [Kathy] Thank you, Mayor. Yes, I just wanted to say, I want to thank Barb Dorff for bringing this forward. It's been a long haul, hasn't it, Barb? You've been working on this for quite a while. But it was good though that we've been discussing this. And I really want to thank all those who came or who spoke at the Protection and Policy meetings, and then tonight at the Council. And yes, there are heart rendering stories and that shouldn't be. We shouldn't again. And you know, we are only stronger when we include all the people in our community, 'cause we do have a brain drain. We have a lot of young people who leave. There are different reasons why they leave, but some of it could be discrimination. And we have to be careful what we do. I think this is very, very important. And I want to thank everybody, everybody who had a say on this. And I also want to thank the Apartment Association and those who spoke. And they are right, we need to discuss that a little bit more and we will. This is something that the committee. And Barb is working hard on that too. Thank you all.

- Thanks, Alder Lefebvre. Alder Brunette?

- Thank you, Mayor. I have a few comments, and then I'm going to offer a few amendments. First of all, thank you to everyone who spoke. I agree. Many of you shared very personal parts of your stories. And I know that can be very difficult, especially in a public setting. Thank you very much. I like, many of you, grew up in Green Bay, grew up in a very diverse family, in a diverse neighborhood. So I see all the values and benefits diversity brings. Makes my life much richer. So thank you, sincerely, from the bottom of my heart. Now I've kind of followed this ordinance from the very beginning. And the way I research things is I look at the 16 page document, which is the Equal Rights Ordinance, and I try to find things that could put the City in a position of legal vulnerability. And many of my questions have been directed to our City Attorney's Office, and I've been very candid in my reasoning and questioning of, are we looking at this from all perspectives? Because the last thing I want is for the City to be in a unnecessary lawsuit, if we can amend, or if we can change a few things. Well, I've researched different municipalities throughout the country who have adopted equal rights ordinances or human rights ordinances, and there have been legal challenges. So I've kind of, I've done my research, and I've kind of poked back a little bit at our Law Department. And as a result, they, I don't know if this was intended solely for my purposes or maybe some of the other aldermen and women who questioned it, but there's a memorandum that's confidential attorney client privilege. And from what I understand, I'm hoping no one from the Council shared that publicly, but what I would like to do, and first of all, for those who are attending this meeting, know that this is a vote tonight, a first reading of an ordinance, but before it goes into full effect, from what I understand, in two weeks from now we have to have a second reading of the ordinance. So what I would request of the City Attorney's Office, if they could guide me in how I can have this document, the two page memorandum where you kind of break apart the constitutional challenges, the permissible exemptions and the religious exemptions, in regard to public accommodations, how can that be made

public so the public understands the legal reasoning being used that makes this good public policy that prevents the City from a lawsuit?

- [Vanessa] So there are a couple. First, the fact that you guys have asked for guidance from the Legal Department should adequately convey that message, especially since you're stating that you've received that. Outside of that, so the Law Department never recommends that we waive, that the Council waive privilege. But whether or not the privilege will be waived is ultimately the decision of the Council. So the Council would just need to vote by a simple majority to waive the privilege and make that document public.

- Attorney Chavez, could I make that motion here? Would it be appropriate here? At this point?

- [Vanessa] That is a good question. Give me a couple of seconds to think on that.

- That's fine. And just so, while you research this, for the benefit of the other Council Members, one of the reasons I ask is, I've had a lot of conversations with people on this ordinance. And I'm trying to explain this without divulging the internal workings of the Law Department and advice that we receive. If this was a public document then it'd kind of free my conscience to say, "Well, right here is the reasoning being used." And it would certainly benefit the public.

- [Vanessa] So I do think that it is something you could do tonight under the, I think that the consideration of the ordinance gives you, will give you the ability to consider the legal advice you've been given. And with that, the decision to make it public could go with that. So yes, I think it is something you could do tonight.

- Okay, and then when the notice gets published for the second reading, the public agenda, this document would be included?

- [Vanessa] No, what we would do is it would just be available to the public under public records requests.

- Could an individual alder release that to anyone who's interested?

- [Vanessa] At that point it is no longer privileged, so yes, the document, if the Council chooses to waive privilege, the document could be freely shared. But the document, the only way it would end up on the agenda at this point is if, oh, I'm sorry, there's no way it would end up on the agenda at this point. Instead it would just be subject to inspection.

- So Attorney Chavez, could I make that motion now?

- [Vanessa] Yes

- Okay, so would the appropriate motion be to remove the attorney client privilege of legal advice received from the Law Department?

- [Vanessa] It would be to waive privilege on the memo. And then you'd have update.

- Okay. Well that would be my motion. Do I need to state it, or can I just say my motion is what you just advised us?

- [Vanessa] That's a question for the Mayor. But I believe that what you have moved is already, is adequate to give, the Council knows what you are asking to vote on.

- Okay. Mayor, that's my motion, please.

- [Brian] Second.

- There is a second by Alder Johnson, I think?

- Yes.

- Okay. Before we go to a vote and additional comments from alders, just wanted to get your recommendation on the motion, Attorney Chavez, from your legal perspective.

- [Vanessa] The recommendation from the Law Department is never to waive privilege. The privilege exists for the Council to be able to freely and adequately seek legal advice. And the intent is not to make the advice something that outside parties rely on. It is always only intended for the Council to rely on.

- Okay. Thank you, Attorney Chavez. Alder Dorff?

- Thank you. So just for clarification, Attorney Chavez, your advice as our attorney would be for us to vote against this, to not waive, not necessarily vote against it, but to not waive our privilege?

- [Vanessa] My recommendation to you, on all matters, is to never waive privilege.

- Okay. Thank you.

- Any additional comments on this motion? Alder Steuer?

- I have one.

- Alder Steuer and then Alder Wery.

- All right. Thank you, Mayor. I guess with that being said, I just want to know what the ramifications are if we do vote for this? Attorney Chavez?

- [Vanessa] So it'd be... All it does at this point is make legal analysis from the Law Department freely available to the public. We would, at this point, still maintain that the position is not something that the public should or can rely on. We would not, we are basically providing you guidance on what we find to be the current status of the law. So whenever we're providing legal guidance, it provides somebody with a plan of attack, I guess you should say, should things change in the future. So that's one reason we never recommend waiving privilege. And the other is, it's a very fine line as to once you waive privilege, what else ultimately gets subject to that? I think if we're limiting it to just the memo, we're probably okay. But it is a very fine line, 'cause once you've waived privilege in one area, the courts tend to disfavor granting privilege in related areas.

- I just have a follow up. I don't know if that would be a precedent of sorts? If we did that, if we did it for this, then it would open up the door for other things as well? I appreciate where Alder Brunette is coming from. But I'm worried that if we do this, that we would compromise. Matters like this. So I don't know what your take is on that?

- [Vanessa] The waiver doesn't set any precedential value. It has to be decided on a case by case basis. And it would certainly apply to all communications. The bigger risk is if there are other things that kind of come into that same arena that we've waived. Means that we wouldn't be entitled to it anymore. So I think the bigger risk would be if we, I don't know that it would necessarily come into play in the event of a challenge necessarily, unless it was directly related to something that's coming out of that memo. But anything that's in that memo now, if waiver comes up, we can't rely on the fact that we provided you with legal guidance in that regard. If an issue comes up in respect to anything that's covered by that in the future, I think there is a claim to say that we're not entitled to privilege on that anymore.

- I guess I would just say that citizens, if they really care, they can get the information from the City. So that would be my take and that's all I have. Thank you.

- Thank you, Alder. Alder Wery?

- Thank you, Mr. Mayor. I don't think there's anything incendiary in there. I think we've all read it. I hope we all read it. I think this is a case where we hear from the Police Department a lot of times, on issues they'll handle, they'll give you a flat out, no, uncertain things. And then it's up to us, do our job to vote what we think best. And I think that's exactly what we have here. We heard from Attorney Chavez that releasing the memo's probably okay. No precedent. So, I think the benefit here is going

to outweigh any harm. So I'm gonna be voting in favor of it. And I would like a roll call on this. Thanks.

- Thanks, Alder. We will have a roll call. Before Alder Brunette speaks again, do we have any others? Alder Brunette?

- Alder Scannell is waving hello to me, or panicking, something. He can speak first, Mayor.

- Okay, and then I do see Alder Gerlach as well. Alder Scannell?

- I'll just be quick. I appreciate and I understand what the Alder's trying to do. But I really, really am very hesitant about giving up a privilege. I wish I could, 'cause I understand what you're trying to do, and I think it's a good thing, but I think it's a mistake to give up privilege. So I will be voting no.

- Thanks, Alder. Alder Gerlach?

- Mr. Mayor, I'm sorry. I don't have any kind of statement or anything. I just have a question. Please, if I might ask Alder Brunette to just tell me very concisely and simply what the advantage he perceives would be in making this, in releasing this? I just didn't understand it. I'm not being difficult.

- I appreciate that. Mayor, I can?

- Yeah, Alder Brunette?

- Those are going to be my comments, I read things. So I read this ordinance a few times. And I see a lot of challenges going on at municipalities all throughout the country, tied up in federal court. And our Law Department has been very good and very professional in their response in helping me understand certain cases. But yet I'm no legal mind or I'm no legal scholar. I'm just a layman who has been doing this for several years now. And I understand the threats of lawsuits. And I don't want our Equal Rights Ordinance to be challenged in the court of law or overturned on some technicality. So

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my reasoning is this. Equal Rights Ordinance in effect will put the City of Green Bay government in a regulatory role in every housing, employment, and public accommodations transaction in the entire city, right? We are establishing many protected classes that go over and above what the state and federal government currently detail. So just like we saw with the inclusion of rental assistance, or rental income. We had a lot of people from the public who were against that provision. So I sense that by including many protected classes, we could be unleashing unintended consequences to the ordinance. And because I'm no legal professional, there are many people who I have discussed this ordinance with, and many of their concerns are my concerns and vice versa. But I can not explain to them the City's legal reasoning, provided to each of us. And I can't do that because it's attorney client privilege. So my hope is between now and the next ordinance reading, if there are challenges to this, if a person who has a legal mind, who is educated, maybe don't. But can provide an outside opinion to prevent us from going through another lawsuit, I think it's worth looking into that. 'Cause I don't want another lawsuit and I don't think any of you do either. But I'm telling you, based on my very layman research into this, these have been challenged, and usually it revolves around religious liberty. So the Supreme Court, in fact, just yesterday, I think two justices of the Supreme Court said, in regards to these ordinances or discrimination ordinances, eventually the Supreme Court's gonna make a decision on it. And so that's my reasoning. I read the ordinance, 16 pages, and I do have concerns. But I have many other concerns. So that was not the brevity you were looking for, Alder Gerlach, but that that's my reasoning, So obviously I support the motion.

- Thanks, Alder. Alder Gerlach, any further comments?

- No, I'm still a little confused, but thanks.

- Okay. Thank you. If we don't have any further comments on that motion, we will use the board. And this is the, the motion is to waive privilege on the memo prepared for Council by our Law Department.

- Mayor, could I just get a point of clarification?

- Yeah, go ahead.

- Are we talking about waiving privilege exclusively on the two page memo?

- On the memo itself, yes.

- Yeah, I just want to make sure that we're not waiving privilege beyond the memo?

- Correct.

- Okay. Thank you.

- [Kathy] Mayor?

- [Bill] Mayor?

- [Eric] Yes.

- I guess I'd like to ask a question, then, of Attorney Chavez, because I want to clarify then, if we're only waiving privilege on this two page memo, I thought she said something about this opens the door, though, that we could lose privilege regardless at court or challenge us legally, that we may lose privilege on other materials related to this? And I want to make sure I understood.

- Sure. Attorney Chavez?

- [Vanessa] So what I am saying is that you guys are only waiving privilege on this memo. So we should be fine. However, anything that pertains to what is included in that memo is considered waived. So you can't waive privilege for part of something and not all of it. The courts kind of view it as you've either waived it or you haven't. And so I think we're probably okay because the memo is pretty limited. But anytime something comes up in the future with regard to that specific item or any communications we've had with regards to that item, those are no longer protected.

- So any communications even related to this memo could be, the courts could tell us that we have to pony up those items?

- [Vanessa] Potentially. Yes.

- Thank you. I'm not in favor of this as is, and I'm not going to be voting in favor of it. Thank you.

- Thanks, Alder. Alder Lefebvre, did you have a comment or question?

- [Kathy] Yes. I have a question. This is about the whole ordinance, it's number nine that we're voting on. We're not voting on Alder Brunette's motion?

- This is on the motion.

- [Kathy] That's not what mine says here. It says to approve General Ordinance 25-20, an ordinance creating Chapter 50, Green Bay Municipal Code relating to Equal Rights, with the following amendment, remove receipt of rental assistance from the definition section.

- Yeah, the vote should just be on the memo.

- [Kathy] So how do I vote here, then? Because the way it's worded, it's not on the motion from Brunette?

- Clerk or other city staff?

- This happens every time we try to do something when we're on a particular item and we try to vote on something that's related to, but not the item, the item shows up. So we need to all be clear,

that even though that's what it says, that's not what we're voting on. We're voting on Alder Brunette and his motion. Right?

- Okay, thank you.

- [Kris] And that's because we, we don't put it in the system right now, what his motion is. That's why we cannot do that.

- [Kathy] Okay. Thank you very much.

- Thanks for that clarification. So without further comments, we will go to the board again. The motion is on releasing the privileged memo. And that fails, seven five.

- Okay, Mayor, if I could--

- Mayor, I never voted, I don't know how my vote got up there.

- Okay. It briefly showed up on my screen and then it was gone.

- Clerk, can you bring the screen back or should we revote?

- [Kim] I can bring the screen back, but if you want to revote, I just need to know, 'cause I can cancel it out and put it back up. Let's just bring the screen back and see if Alder Galvin's vote is properly reflected. Alder Galvin, are you seeing your vote there?

- Okay. Well, it's correct. It's what I wanted. So that's fine.

- Okay. Very good. Alder Brunette?

- Yes. Thank you, Mayor. I want to issue an amendment or offer an amendment. Under Enforcement and Jurisdiction, 2C, add II. Again, I'm no legal mind. So if my verbiage is a little off, forgive me, wordings off, forgive me. But I'd like to add, under Enforcement and Jurisdiction regards to subpoena power, I would like to amend the ordinance to add pursuant to this ordinance, the City Attorney shall not issue subpoenas for personal notes, personal correspondence, and sermons, or any other document or expression indicating an individual's practice or opinion in regard to their religious faith.

- Okay, can you explain that a little bit Alder, for us?

- If I can get a second? Someone second?

- Second.

- Yeah. Thank you. No problem. I'm not comfortable with certain subpoena powers. Again, because of my research in these ordinance that have passed different municipalities. The City of Houston, I believe, passed something like this five years ago. And the city attorney or the mayor, I don't know who it was within their city government, but they subpoenaed records for pastors, I believe Christian pastors. And I just don't think it's appropriate, if religion is a protected class, that we as a city should authorize the city attorney to subpoena records in regards to a person's religious convictions.

- But we do have a religious exemption in place here with the ordinance, but Attorney Chavez or Attorney Mather, do you have any comments on the Alder's amendment?

- [Vanessa] I'll defer to Mather. But what I will say is that generally subpoena powers are limited to matters that are of discoverable nature, meaning they have to be relevant. So it would only come up assuming it was relevant to the case somehow. And the fact that somebody holds religious beliefs generally wouldn't be relevant.

- Attorney Mather?

- And I would say the same. I can't. I'm trying to, I'm sorry. Alder Brunette, can you, do you have like a scenario in mind where, 'cause our enforcement at the City level is going to be very limited because all, now that the rental assistance category has been taken out, all of these categories now fall under state or federal jurisdiction. So the, there, it's highly unlikely that we would have something that would need to be enforced at the municipal level anyway. But I'm not sure I understand, given that there are religious exemptions, I'm not sure I understand what the concern is, and what kind of scenario you envision that these things might be subpoenaed?

- All right. Well, Attorney Mather, thank you for that. I'm not gonna point out or lay out any scenario. I think we all kind of understand. If we're going to say that religion is a protected class, religion isn't simply an internal private belief. It manifests its ways in several, several ways. And for Christian pastors or Muslim, or people of Muslim faith and Jewish faith, it doesn't matter. People of all faith will express their viewpoints. And if there's a scenario where a person could say that a person of faith, an individual of faith, discriminated against someone, the city attorney could, could currently subpoena documents that prove discrimination. And so that, that again is why I wanted this released publicly because the City Attorney's Office kind of lays out scenarios, which I don't 100% find myself in agreement with. So by adding that, that amendment, it makes sure that people of faith are protected. If we're really being legitimately true to ourselves and saying religion is a protected class, then that means people acting out their religious faith and expressing their opinion, that that should be protected. This amendment ensures that, so that's why.

- There's one important distinction that you make, and that would be that religion as a protected class is not what, is not how you're describing it. So if someone's defense is that it's their religious belief that's not because they're a protected class. If they have discriminated against somebody who's in a protected class, that's essentially a First Amendment argument, but it's not, it has nothing to do with the fact that religion is a protected class. So it's not inconsistent in the ordinance to not have that language in there. I also, if we were to have that kind of exemption, you would also have to include, you couldn't ever subpoena anything that expresses a negative opinion about certain races. You would just have to be consistent across the board, in which case, it would nullify the whole thing.

- Okay. Thanks Attorney. Alder Brunette, did you have additional comments?

- Oh no. I think it's a very valid motion. And I thank Alder Wery for seconding it. Thank you.

- Any other comments on the amendment?

- Mayor Genrich?

- Alder Dorff, go ahead.

- Thank you. So I will be voting against this amendment. I see no need for this amendment. I don't think that a person who says that they, their religious beliefs allows them to discriminate against people. I don't know what kind of religion that is. I'm a Christian, so I'm used to the Christian teachings, of love thy neighbor as thyself. So I'm not familiar with these religions where your beliefs would allow you to discriminate against a protected category. So I will be definitely voting against this amendment. Thank you.

- Thanks, Alder. Without additional comments, we will use the board on this amendment. And that amendment fails eight to four.

- Okay. Thank you. One more, as I mentioned, one more amendment. The Municipality of South Bend, Indiana has a Human Rights or Equal Rights Ordinance, I forget how it's stated, but they have a provision that states, "It is the public policy of this city "to protect employers, labor organization, agencies, "property owners, real estate brokers, builders, "builders and lending institutions, "from unfounded charges of discrimination." I'm concerned that there are going to be situations where someone alleges discrimination against someone or it's unfounded discrimination, it lacks several things in order to be a valid claim of discrimination. And I know consistent with the ordinance, the City Attorney can refer this to the federal court, the state jurisdiction, or send it to municipal court, or dismiss it all together. I guess my fear is, as a City government, are we going to protect people in this city from false claims of discrimination? For example, are they going to have their name released publicly? Is it going to be a public deliberation if they're accused of discrimination? Of course, if it's a valid claim of discrimination, this municipal court should hear that. I am in complete agreement with that. But if it proves to be a false charge of discrimination, what protections are there in place for a person who will be accused of false claims of discrimination? So I think the City of South Bend, Indiana had a very good idea. And so my motion will be to add under Purpose, Section 50.02, the language, it is the public policy of the City of Green Bay to protect employers, labor organizations, employment agencies, property owners, real estate brokers, builders, builders and lending institutions, from unfounded charges of discrimination.

- Is there a second? I didn't catch that one.

- Second.

- Second from Alder Wery. Law, Attorney Mather, could you maybe just lay out the complaint process or how that would be handled under the ordinance? And then maybe also respond to the language that the Alder has suggested?

- Hi, sorry about that. I was muted. So the complaint process that's established in the ordinance is the City Attorney's Office will receive the complaints and read them, obviously, and if, based on that reading, either a state or a federal agency has jurisdiction, we will not take any action. We don't have discretion to decide whether to take it to municipal court or whether to refer it. We don't do either, as a matter of fact. We respond, we send a letter back to the complainant and say, this is actually a matter for the EEOC or the Department of Workforce Development or whatever it may be. And then they can file with the appropriate agency. So we are not, the complaint process really, to the extent of our involvement in that initial determination, is just do we have jurisdiction? And if the answer is no, that's where our involvement ends, except to send the letter. And then it obviously would be incumbent. Validity to the claim. If the City Attorney's Office did have jurisdiction, just like any other municipal action or any other citation or forfeiture brought to municipal court, there's a presumption of innocence, and the City would have to meet its burden to support the allegations in a verified complaint. And so it's not, it's not a deviation from the typical process in municipal court, except that we would have to have a complaint over which we have jurisdiction. We would have to have an outside entity investigate the claim, and first verify that the allegations are supported before any action was brought in municipal court. So again, it's not just someone brings a complaint, we decide to pursue it in municipal court. It's very explicitly set out in the ordinance to ensure that the procedure is fair to everybody involved, the complainant, as well as the respondent. With respect to South Bend's language, I don't really have a lot of thoughts about it. There's, there's an error in it. But other than that, it's somewhat contrary to the tone of the other statements in the Purpose section, which largely relate to prohibiting discrimination within the city and then to state that we also, essentially, it almost makes it sound like the city is automatically on the side of the employers and the housing entities. But, it doesn't, I guess it's really a policy decision as to whether that's what the Council would like our ordinance to say as well.

- If I could, Mayor?

- [Vanessa] One additional clarification on that, the language states the intent of the ordinance, or the proposed language would state the intent is to protect, but we don't have anything that we'd actually be doing. In that would say that if that is the direction the Council would like to move, it should actually say something like it's not the intent to, I believe, prosecute or something along those lines.

- Yeah. Yeah. I like that. If I could Mayor, Attorney Mather and Attorney Chavez, thank you. It's false claims of discrimination. Again, valid claims, I understand it. It's false claims, and let's be real. We live in. Could be false claims of discrimination. We see issues with our Code of Ethics for Elected Officials, quite frankly. So I don't want people who are not, basically, I want to ensure the assumption of innocence on the accused until proven otherwise. So if I could amend my motion to put it as the policy, public policy of the City to, not wrongfully, I don't know. Attorney Chavez, can you help me with the wording?

- [Vanessa] I don't have exact language, but I would say something to the effect of, it is not the intent of the City to prosecute or, I would say what it's not the intent of, rather than what the intent is, because the intent is to be an ordinance that could prevent discrimination. The intent would not be to create a place for wrongful accusations to be aired publicly or something.

- Okay, yeah, I would say it is a motion to amend under Purpose, would it belong under Purpose 50.02? Would that be an appropriate place for it?

- [Vanessa] I would defer to Attorney Mather on that.

- Bear with me just a second. I'm just reviewing that language.

- I think it could go under either 50.01 or 50.02. I think my preference would be under 50.01, because it's an itemization of the policies on which the ordinance is based. So if we're specifically saying it is or is not the policy of the City, that that would seem like a good place for that to go.

- So can I keep it under Purpose 50.02, did I hear that right?

- Sure. I would suggest making it a subsection then, making the current language subsection A and then adding a subsection B.

- Okay. So if I could, Mayor, amend my motion, under Purpose 50.02, to add a subsection to amend the ordinance to read, it is the intent of the City to not wrongfully find a employer, labor

organization, employment agency, property owner, real estate broker, builder, builder and lending institution, guilty of discrimination to, to not wrongly find those entities guilty of discrimination.

- Can you say that one more time?

- Yes, I'll try. 50.02 subsection. It is the intent of the City of Green Bay to not wrongfully find a employer, labor organization, employment agency, property owner, real estate broker, builder, builder and lending institution, guilty of discrimination. For me, it codifies the assumption of innocence, which I think is important.

- Was that wrongful discrimination?

- Well just one second.

- Sorry.

- Just on the language itself, it seems to me that it would flow more logically if it said it's the intent of the City not to?

- Yeah, not to wrongfully fine. I would agree with that.

- Okay. Alder Dorff, you had comments and then--

- Well, I do. We don't want anybody to ever be wrongfully accused. I think that I don't agree with having this laundry list of people and places to not be wrongfully accused. But isn't that under the complaint part? I don't think it belongs anywhere, I don't think belongs in this, this is my ordinance. This is not my intent with this ordinance. However, it doesn't belong under the Purpose for sure. And basically when you're looking at the review of the complaint, the City Attorney determines that. Satisfy the requirements of subsection one. Then it shall return the complaint to the complainant without taking any action, notify the complainant what information is missing from the complaint. So, I

mean, if they're already protected, there's this presumption of innocence, that's part of our democracy, that you are assumed. Entity. And by listing all of these entities in the Purpose, that really takes away from the intent of this ordinance. I just don't agree with having that in there.

- Thanks, Alder.

- [Vanessa] One last thing to clarify, is that the, about the presumption of innocence until proven guilty, that is a criminal standard. These are ordinance violations. They are, they're different. They're just a different beast. And so while I get where you're going with this, I think that guilty is the, the presumption of innocence isn't the right wording.

- Alder Galvin, I believe you had your hand raised?

- Thank you. I guess I'm a little mystified why this particular ordinance out of all the ordinances that the City has, has to have special language declaring that we're not gonna try and be bad to people that are accused. There's all sorts of ordinances that we have. Are we gonna take them all and put in language like that? I'm not, after reading through this ordinance, and people make false accusations all the time. and I've never seen the City pursue when they know that there's been false accusations made. The City on all levels, whether it be with the police department or the fire marshals or our city inspectors, I think they do a really good job. And I think the Law Department does a really good job of reviewing these things to make sure that these kinds of things don't happen. We have a lot of checks and balances there. and I'm not sure why we have to create special language for this ordinance and this ordinance in particular. And it just smacks of, like we're putting this ordinance out there, but we're not really endorsing it when we put this kind of language in there. And I just think we need to let the ordinance stand on its own two feet all by itself. Thank you.

- Thanks, Alder. Any additional comments on the amendment. I don't think we have a second yet on this.

- Alder Scannell has been waving his hand.

- Alder Scannell, go ahead.

- Yes, I, at first I was thinking, I think the language is redundant. I think it's already covered. But I appreciate there's a lot of anxiety out there. And so I was kind of leaning it to maybe supporting this, just to help put some people at ease. But then I started thinking, the purpose of this ordinance and the people we're addressing and the people we're addressing are people who've been facing prejudice and persecution throughout our history. And it's really their focus we should be looking at. And I do think language like this, this kind of, it's contrary to that. I think we really need to focus on who we're trying to address here. And though I appreciate there are others who are very anxious about how this change, change is always never easy. I think it's redundant and not necessary. So I am not going to support it.

- [Eric] Thanks, Alder. Alder Gerlach?

- I just want to say that, exactly what Alder Galvin and Alder Scannell just said. I 100% agree, that language would weaken the ordinance. And I fully support those two comments. I do not support the amendment.

- Okay. Any further comments on the amendment?

- Mayor?

- Alder Lefebvre, go ahead.

- [Kathy] Yes, I also agree with those who spoke, that this is not needed. It just, it kind of muddies the whole thing up, and it is redundant because then it, you have to almost go to court, I think, to decide if this is false, a false accusation. So I'm not going to support that. Thank you.

- Okay. Thanks, Alder. Any others on the amendment? Okay, seeing none, Alder Brunette, can you read the amendment again and then we'll make sure--

- Again? Again? Oh my gosh. That's fine, Mayor. I'm just joking with you. It is the intent of the City to not to, Okay, I take your suggestion. It is the intent of the City not to wrongfully fine a employer, labor organization, employment agency, property owner, real estate broker, builders, builders and

lending institutions, from, guilty of discrimination. I hope I got that. It's probably going to fail anyways. But I know you need the motion for the public record. One thing I'll say, this is just a suggestion, I found it in South Bend, Indiana. There's plenty of municipalities that have ordinances and languages. This for me would protect those who are wrongfully accused of discrimination, not to exempt these entities. So I want to make sure that's clear. And you know what, if people have a difference of opinion, that's perfectly fine. I'm one of 12 alders. I respect all of your opinions. I just found language that would, I thought, would be helpful to our ordinance, and I stand by the motion. Thank you.

- Thanks, Alder. Is there a second?

- [Chris] I seconded it.

- Okay, Alder Wery seconded it.

- I second it, Mr. Mayor. If we could use the board?

- Yep, absolutely. We'll use the board And that amendment fails nine to three. All right, we are onto, if there are no further amendments, onto passage of--

- Mr. Mayor?

- Of the ordinance.

- I have my literal and figurative hand raised.

- We do, just one second, Alder. We do have three in the queue. I don't know if they're from previous discussions, but I'll go through them real quick.

- No problem, Mayor.

- On this, on advancement here? Alder Steuer?

- You know, I put it, I wanted to raise my hand and that was probably 45 minutes ago. So I'm trying to remember exactly what it was. It's more or less talking about the entire agenda item. That we would vote on it. So, I'm prepared for that. So I just had a statement on that.

- Yeah. We're to that stage, Alder, so go ahead.

- All right. Well, I just wanted, again, to thank Alder Dorff for bringing this forward. I thought a lot of work was put into this ordinance. I also felt that at the Protection and Policy Committee meeting last week, that it was truly vetted and many, many folks spoke on this matter. It did come forward. Alder Stevens brought a point forward about the rental assistance that we took out. Alder Dorff concurred, and she didn't want it per se, but she did concur with it. And I guess all I'm trying to say is that I've talked to a number of landlords, apartment owners, the Brown County Apartment Association, a number of folks, and many of them said, "You know what, "we want to work with the city, "with the alders and, and such." So I think that I'm gonna put in a communication to that effect at the end of the meeting. But I feel that the ordinance, as it stands right now is good. It's very fine. And it was a great job, again, by Alder Dorff, and I feel that we should just move forward with it. So I would make a motion to pass the ordinance as it was presented to us today.

- Thanks, Alder. Alder Vander Leest?

- Somebody made that motion.

- Yeah, we do have the motion.

- You already did make that? All right.

- Yep.

- I've been waiting so long.

- Thank you, Mayor. I feel that the ordinance that we're putting forward, it's a specially type law person. I think the City of Green Bay is kinda, we're gonna be spending a lot of time on this ordinance as far as seven member committee, the mayor, alders involved, it'd be a nine member committee, enacting fines, things like that. I think we'd be better off just to adopt. I'd make a motion that we adopt the federal government and the State of Wisconsin's laws that they have on the books already. And we might save ourselves a lot of problems as far as litigations and what have you down the road. My motion would be that, I'd like to make a motion that we adopt the state and the federal, on the housing and the human rights. I think they're the leaders, as far as what's on the books right now. We're adding a lot of things that are already on the books. And I don't think we have the capacity as far as our law department and the resources to handle all these type of allegations that come down. I don't know how many that come down. But I feel that the state and the federal government are already handling these issues. I think we're putting a burden on our city as far as the human rights and the housing. So, I'd make that motion, that we just adopt the state and the federal government, and that the city would be of assistance to anyone that's being discriminated against, that we direct them in the proper manner to the agencies that they should encounter, as far as getting justice served for the citizen that's being discriminated against. That would be my motion, that we adopt the state and the federal governments on the human rights and the housing ordinance. Thank you.

- I'm not sure exactly how that motion would be in order, Alder?

- Well, I think it would kind of like give us a lot of, give the city a lot more, they could be part of it, but we wouldn't have to, we wouldn't have to be, doing all the homework, doing all the work, and all the finances, as far as the Law Department and all the things that are going on as far as enforcing all these things, that's what the state and the federal governments, they specialize in this type of law. Our city attorneys, they don't specialize in this type of law at all. I think that the City should be a helping hand, to anybody that's being discriminated against, and we don't encourage any type of discrimination and that we should just direct it to the proper agencies, to the state and the federal government, that has the sound law background, as far as handling these type cases. I don't think the city is equipped. That would be my motion.

- I understand the spirit of what you're driving at. I just don't know exactly how that would be crafted as an amendment.

- Well, you can ask our City Attorney, Attorney Chavez or Attorney Mather?

- [Vanessa] I'm not sure that that's really a proposed amendment so much as a potential motion to receive and place on file.

- Okay.

- No. I'm not asking to receive and place on file. I'm asking that we would adopt the state and the federal government's housing and human rights laws, that we don't, and that we don't incur, that we don't act, in other words, that we're not enforcing more laws. They already have most of these laws on the books. And they specialize in it.

- If I could, Alder, or Mayor, I'm sorry.

- Attorney Mather, go ahead.

- I just want to clarify. As I mentioned before, the majority of the enforcement will still be done at the state and federal level. This, essentially, is doing what Alder Vander Leest is requesting, and it is the City of Green Bay codifying the state and federal laws with respect to non-discrimination. So the enforcement provisions exist in case there are complaints that the City Attorney's Office gets that do not fall within the jurisdiction of a state or federal agency. But I checked with other municipalities who said that in the years that their city attorneys have been there, they haven't received any complaints that fell outside of their ordinance, that all of them got referred to either the state or the federal government. And so, and that was, I'm sorry, that was Appleton and De Pere that I spoke with. In large part, what the ordinance is doing is just adopting those state and federal laws within the City of Green Bay. And just to briefly address the commission, it's also very important to understand that the commission does not address complaints at all. The complaints will entirely be addressed either at the state or federal level or in the City Attorney's Office, by the city prosecutor. And the commission exists to report to the mayor and council on how anti-discrimination efforts are going in the city, and also what efforts the city itself is taking to eliminate discrimination within city employment. So the commission, just to clarify, will not be handling these complaints. And so it's not going to place a large administrative burden on us to make sure that the specialization needed is there.

- Okay, very good. Thanks for that explanation, Attorney Mather. Alder Vander Leest, any further thoughts?

- Well, I'd like to have a vote on it. I'd like to take a vote on it that we adopt the state and the federal agencies on the human rights and on the housing.

- Order. Isn't there a motion on the floor already? And he's not offering an amendment. So, just a point of order.

- Amendment That would be my amendment.

- I don't know exactly how that would be crafted as an amendment. Again, Attorney Chavez suggested this is essentially a receive and place on file. If you'd like to a vote on that, we can do that.

- Well, let's vote on it. I'd like to vote on it. I feel that the City of Green Bay, that we're gonna follow the state and the federal government as far as human rights and housing.

- Yeah. I don't see how that's exactly in order. So we're gonna go to Alder Galvin and then Alder Wery.

- Thank you, your Honor. I'd just like to say I am very much in favor of this ordinance. I grew up in Green Bay since I was a little kid, 1967, grew up on the near East side of town. A very protected area, I guess, is the best way to put it. Never had any experiences with drugs or alternative lifestyles or anything else like that growing up. It wasn't till my family, which consists of 10 brothers and sisters, started spreading their wings throughout the world that we live in. And then through my work on the police department, that I began to have experiences with different lifestyles, minorities, people in different classes of economic lifestyles. And it started to open my eyes. And I think Green Bay is doing much better than it was back when I was a child. But I always think that we're human beings and we're capable, always, of doing better and obtaining a higher standards, and that we should always be working towards that. I think this ordinance goes a long way. It's what we can measure ourselves against. In a perfect world, we would never need this ordinance. And I look forward to the day when that happens. But until then, we need to have some things in place, things that reassure people, that

Green Bay is a place that will not tolerate any kind of discrimination whatsoever. And that people have a chance to stand on their own two feet and improve themselves. And at the same time that's happening, we're improving our community, and we're making it better for our children and our grandchildren. Education was brought up in earlier comments. And I agree with you. You can go to any one of our public schools and you look at the diversity within those schools and how those children interact with each other. I think it's unfortunately that later in life, when they observe the adults in our communities that they start to change. And I think that the education obviously has to be ongoing. But we can't legislate that. But what we can do is protect these people, anybody that feels they may be being discriminated against, we can protect them with this ordinance, and allow them to have a chance to stop the discrimination and give themselves and their families, their children, the right to grow up just like everybody else. So I'm very much in favor of this ordinance. Thank you.

- Thank you, Alder. Alder Wery?

- Thank you, Mr. Mayor. Obviously, a big issue, a huge issue. I would venture to say that probably only one to 5% of the city of Green Bay knows we're even discussing this, much less what it's about. I know it's been on agendas, but most people don't read agendas, much less listen to the news. I'm going to make a motion to refer this back for the purpose of a future city wide referendum on this item.

- Is there a second?

- I'll second that.

- And just, I'm just curious how this would play out exactly, I guess? Attorney Chavez or Mather, is this an appropriate motion?

- [Vanessa] So, it's not a charter ordinance, so there's nothing that would require it to go to referendum. I think instead the issue would be whether or not it would be an advisory referendum. I think it could possibly be done in this fashion. But I'll be honest with you that that's kind of a left field question that I was not prepared to answer tonight. So as far as the referendum process, I can't give you a full rundown of how that would work.

- So is it a referral to Law Department to investigate exactly how a referendum would play out with regard to this subject?

- Um--

- I knew in, oh, sorry. I didn't know if you were asking me or the attorney.

- [Vanessa] So the, if you want to advance it to a referendum, we would just have to figure out what the actual process would be, and then we could bring that back. I think it would probably be to hold rather than to refer it for that purpose. And then when we brought back the information, the Council could determine whether or not to advance it to a referendum. I do know that as far as timing-wise, I think it'd like 60 or 70 days before it can go on a referendum. So I think it would be like the April election is when it would be the next time it would come up, but I would defer to the Clerk on timing of that.

- [Kris] Yes, we don't, we don't even know if we're going to have a primary though, anyway. So I would assume that we'd put it on for April. But if I could also add, there will be a cost, above and beyond what we'd normally pay for that election because we don't have anything local. So I just want you to be aware that there would be additional costs for that election to have a referendum on there.

- Okay, so we do have a motion to essentially hold the item and put it to referendum. A motion was made by Alder Wery and seconded by Alder Brunette. Alder Gerlach, on this motion.

- I'm just confused because I thought we had a motion on the floor to adopt the ordinance. And I was going to call the question and say, I think we should move forward to a vote.

- I was gonna move the question, because moving the question will vote on whether we should vote. Can I do that right now? Can I move the question, the first question?

- If you're mean and not allow other people to speak.

- You've spoken, you've spoken. I'd like to move the question, I'd like to move the question to a vote.

- The speaker does not have the floor. You need the floor though to do that.

- Well I'd recommend--

- You need the floor. You cannot shout out, "Move the question." That is out of order. I guarantee you.

- Alder, we need decorum.

- Do I have the floor?

- Yes.

- Thank you.

- Well, I have the floor right now, Mr. Mayor, right?

- No, he called on Alder Gerlach.

- No, Alder Gerlach has the floor.

- Regarding this motion, right.

- And I think, I don't know for sure, I did take a whole college course in parliamentary procedure, but it was a long time ago. I think it is appropriate to call the question of the motion that is on the floor before we take up another motion. I would like to call the question. I would like to vote on whether or not we are going to approve this ordinance, because that has been on the floor for a long time.

- Point of order, the motion on the floor is to hold.

- Attorney Chavez, do you--

- It's the current motion.

- Attorney Chavez, could you clarify for counsel?

- I said refer. He changed it to hold.

- [Vanessa] So if we are, so if there's a second on the motion, I didn't know if there was or not?

- There is.

- [Vanessa] Then that motion would take precedence at this point because it would be, it takes precedence over our main motion. So at this point, if there is a motion to hold, then that motion is in order right now.

- Okay. Well, let's go to the vote on that motion. And then move forward.

- So just to clarify, this is whether or not to hold?

- Correct.

- For a referendum?

- Yeah.

- Okay. Just so everybody's clear.

- And the motion was made by Alder Wery, seconded by Alder Brunette. And we'll use the board again on this.

- [Kim] Just waiting on one vote from Alder Vander Leest.

- [John] Nothing has come up on my screen yet. I have it now, one second.

- That motion fails, nine to three.

- I think I still have the floor, Mr. Mayor.

- Alder Wery?

- Thank you. Just a slight aside for some of the new people, and maybe some of the old too, and I've been on longer than anyone. It's, I think, personal opinion, it's quite rude, well, especially on a heated item such as this, especially when some people like myself, hasn't gotten a chance to speak to the item. So I can't remember in 20 years ever actually calling the question, actually working, as I think you need a two-thirds vote. So it's usually used when there's a majority who want to ram something

through and don't want to listen to the minority. I'd advise just , that's my opinion. The Equal Rights Ordinance, and it's a nice, unassuming, politically correct title. Pretty much everything we consider equal rights is already covered in state or federal law. So what does that leave? Well, and I appreciate Attorney working with me and sending us now different memos and answering questions because when you chisel down to it, it really seeks to codify notions such as gender expression, gender identity, and gender nonconformity. That's what this is about. It seeks to force those notions on the people of Green Bay with the force of \$1,000 fines behind it. Now it's really, I think, this ordinance is an extreme affront to how most Green Bay residents think about such matters, especially with deeply held, those with deeply held religious beliefs. Now, that being said, as many people have stated, we should treat each other with love and respect. Always, you always accept the person no matter who they are. That's going without saying. However, this ordinance demands that we play along with subjective reality claims. Well guess what folks, we don't have to accept radical change because some people's feelings may be hurt. There's two important areas that are nowhere near settled on this issue. Science and law. In science, whether it's biological or psychological, it's still awash and a myriad of debates on this issue. And if you want to do some, you want to take a lot of your time up, start researching it, 'cause there's a lot there. Now under the law, there are several lawsuits, as I think Alder Brunette mentioned and others, that by business owners in other cities and states, that, have come about because of ordinances like this, and they're working their way through state court and some are pending, awaiting the Supreme Court, as I think a couple of Supreme Court Justices even mentioned this week. The Supreme Court has not yet broadly and definitively ruled on this specific issue of anti-discrimination claim versus the right to free exercise of religion. That one's still pending, that broad overreaching ruling, and although they've had a limited ruling about employment, but not the broad ruling. If this passes, I predict we'll see some lawsuits and I don't want to tax our legal department anymore than it is, especially, as I've said, I've been waiting for two years now, it'll be two years in November, for the Ethics Ordinance changes to come through. I will probably be long out of office before I ever realize that, but I hope we get to it. So I can't in good conscious support this ordinance. Thank you.

- Thanks, Alder. Alder Dorff?

- Oh, I'm sorry. I have nothing to say. Thank you. I just would like to vote. Thank you.

- Yeah, it has been a robust discussion, two and a half hours in. So if we could move to the vote, I think that would be a good thing. We do have a motion and a second on advancement of the ordinance. So we will use board.

- Has the board come up? I don't see it.

- [Kim] It is up.

- Give me a second.

- That item passes nine to three. So we're onto the Report of the Policy Committee Granting Operator Licenses.

- Motion to approve.

- Motion to approve.

- Motion made by Alder Stevens, seconded by Alder Scannell, to approve Report L, which is the Report of the Protection and Policy Committee Granting Operator Licenses. Any names for which you'd like to be recorded as abstaining? Any names under this report you wish to handle separately? Hearing none, all in favor of the report please signify by saying aye?

- [All] Aye.

- Opposed, nay? The ayes have it. The report has been approved. Onto Improvement and Services.

- Motion to approve.

- Second.

- Second.

- Motion made by Alder Corpus-Dax, seconded by Alder Dorff, to approve Report M which is the Report of the Improvement and Services Committee from the meeting on September 30th, 2020. Any items under this report to handle separately?

- Item one.

- [John] Number four.

- One, four.

- [Brian] Six.

- Six. Any others? Items one, four, and six will be handled separately. Hearing none others, all in favor of approving the remainder of that report, please signify by saying aye?

- [All] Aye.

- Nay? The ayes have it. The report has been approved with the exception of items one, four, and six. Your wishes on item one?

- Motion to approve.

- Move to approve, second.

- Made by Alder Scannell, seconded by Alder Dorff, to approve. This item was pulled by Alder Scannell?

- Yes it was.

- Go ahead.

- Here we go again. Mr. Hoff has notified us that he tried to attend the last meeting, but with technical difficulties was not able to do so. So I'd like to refer back and give him his chance again.

- Second.

- Made by Alder Scannell, seconded by Alder Stevens, to refer this item back to Improvement and Services. All in favor, please signify by saying aye?

- [All] Aye.

- Opposed, nay?

- Nay.

- The ayes have it. The item has been referred back. We're onto item four, your wishes?

- Motion to approve.

- Second.

- Second.

- Motion made by Alder Scannell, seconded by Alder Dorff to approve. The item was pulled by Alder from the 9th, Alder Johnson?

- No.

- Alder Vander Leest.

- Alder Vander Leest, go ahead, Alder.

- Thank you, Mayor. I just want a little bit of a history on this. Are they trying to resend? They don't want to pay their assessment for the curb and gutter or what, could you give us a little information on that, Department of Public Works?

- Director Grenier?

- Sure. Prior to the construction of the North Webster Avenue project, Paul's Pantry acquired a piece of property on the northwest corner of Klaus street and North Webster. Because that property has frontage along North Webster, it is, under ordinance, subject to special assessments for pavement construction. And because it's in a non-residentially zoned area, they would have to pay half of the pavement assessments and the other half would be covered by the local vehicle registration fee. Paul's Pantry came in and did discuss that in their opinion, they felt there was some unequitable treatment because there are nonprofits or not-for-profits, simply by being located in a residentially zoned area would thereby be excluded from paying the pavement special assessments for pavement construction because of their zoning. So that was the main point that they were making is that they shouldn't have to pay the special assessments. I would suggest that you allow this to continue to go back to staff. We are doing research and we think we may have found some additional information that would be relevant to the conversation and that could be held, we could have that discussion at Improvement and Services next week.

- Okay. That's fine. In other words, you're going to discuss it. But I don't think that the City Council can waive fees for nonprofits. If they're coming at, if they're in that jurisdiction, as far as that's where their business operates out of, I believe that they should pay just like everybody else. So that's my

thoughts on that. I don't know, I was kinda interrupted, my Wi-Fi or whatever might've went out a bit, but I would support that they pay their fair share on that, on that curb and gutter, whatever it might be, 'cause that's their location. They should pay. Thank you.

- Thanks, Alder. We do have a motion to refer back, and it's been seconded. Any further discussion? All in favor will signify by saying aye?

- [All] Aye.

- [Kathy] Mayor? I apologize, I was muted. Can I still speak, say something?

- Well, we have acted on that item, Alder.

- [Kathy] I just want to say, I think it's gotta go back and discuss it further, as this is in my district, and I did talk to Paul's Pantry about this. So yeah, I approve that it should go back. Thank you.

- Thanks, Alder. Now we're onto item six. Wishes for item six?

- Motion to approve.

- Motion to approve--

- Second.

- Made by Alder Scannell.

- Second.

- Second.

- Seconded by Alder Brunette, I think.

- Nope.

- Alder Dorff.

- [Mark] Wery.

- We'll go with Alder Dorff here. And this item was pulled by?

- Johnson.

- Alder Johnson, go ahead.

- Thank you, Mayor. Director Grenier, just so that I can properly wrap my brain around this, when we're talking about the footprint that will encompass this easement, how much square footage are we actually talking about here, in that particular lot, roughly?

- The easement area itself measures 55 feet perpendicular to the road and 30 feet parallel to the road.

- Okay, and so, when we grant an easement on something like this, I presume, then, the City would continue to be responsible for maintaining that, that lawn in that area, is that correct? Or would it be permanently replaced with concrete and other stuff?

- In this case, it is required, it is part of the easement language that should, the grantee, who would be Canadian National Wisconsin Central Limited doing, Canadian National doing business as Wisconsin Central Limited, if their work require excavation, that they would have to restore the surface of the easement area to its condition prior to their work. So it would go back in lawn if it is in lawn right now.

- Okay.

- I guess in answer to the second part of your question, that would continue to be the City's responsibility for maintenance.

- Okay. And is a permanent easement our only option? Or is there another way to write an easement that, gives us, I understand, once you put in a big signal, how do you take an easement back? But to give that up permanently, is that our only option?

- Short of asking CN to buy the parcel, I would say yes.

- And so is it CN not interested in buying the parcel?

- I don't believe they are. Again, as I indicated at Improvement and Service Committee, we were approached by Wisconsin DOT on behalf of Canadian National.

- Okay.

- So I have not had direct conversation with the CN about this.

- And is there a sense of urgency on this item?

- I believe there is, I believe the, they need to acquire the easement to get the signalization installed. And if memory serves, I'm going completely off memory now, I believe that the signals are required as part of the track modernization and safety improvements for that spur line.

- Okay. So I think what I would like to do is I'd like to propose an amendment that can just be added to the tail end of this, which would be that we would grant this contingent on CN holding a discussion with City staff regarding the maintenance of rail crossings in the Ashland Avenue rail yard. And I would explain that if there's a second, Mayor.

- I'll second that.

- Seconded by Alder Brunette. Alder Johnson?

- Okay. So obviously I'm very interested in the City being a cooperative partner with this. The utility upgrade, it sounds like it's something that's necessary, it's a piece of property that would be very difficult for us to use for development purposes. However, as I expressed at the committee level, I'm a little bit hesitant with providing permanent easements or giving away property when we have so many other challenges in our community that are currently not being met. And so I think for us, a good foot forward to say, "Hey, we're still willing to be a cooperative partner. "However, we need you to sit at the table with us "to talk about some of these other challenges "that are ongoing within our community." So I think it's important that they do that. And it sounds to me like there's just been a little bit of a challenge with some of the outreach that we've done to have those conversations. So I want, the purpose of the motion, again, is to say that you have to hold the conversation before we're gonna.

- Okay. Further discussion on the amendment? All right. Hearing none, all in favor of amending that approval as reflected with Alder Johnson's comments will signify by saying, aye.

- [All] Aye.

- Nay? The ayes have it. The item has been amended.

- Motion to approve as amended.

- Second.

- Motion made by Alder Scannell, seconded by Alder Corpus-Dax, to approve as amended. Hearing none, all in favor signify by saying aye?

- [All] Aye.

- Nay? The ayes have it. The item has been approved. Onto Plan Commission.

- Motion to approve.

- Second.

- Second.

- Second.

- Made by Alder Scannell, seconded by Alder Corpus-Dax, to approve Report N which is the Report of the Plan Commission from the meeting on September 28, 2020. Any items here to be handled separately?

- Number three, please.

- Item. Any others?. Item three will be handled separately. Hearing none others, all in favor of approving the remainder of that report please signify by saying aye?

- [All] Aye.

- Nay? The ayes have it. The report has been approved for the exception of item three.

- Three?

- Motion to approve.

- Second. Motion to approve made by Alder Scannell, seconded by Alder Steuer. We'll go to Alder Corpus-Dax.

- Thank you, Mayor. I know there's some people here, some residents here, who have concerns about item three, but I'd first like to refer to staff to just kind of give some background information so that the rest of Council understands what is occurring with this Plan Zoning Ordinance.

- Very good. Director Renier-Wigg or other staff from CED?

- Yep, actually our principal planner, Dave Buck, I believe is here and he can speak to this meeting.

- Very good. Thank you. Mr. Buck?

- [Dave] Thank you, Cheryl and Mr. Mayor. Yeah, this is a Planned Development Amendment. So back in the early 2000s, in the Morrow Street area, there was a Planned Unit Development put into place that encompassed quite a bit of property, primarily designed for 55 and older apartment buildings. So there was a little over a 10 acre piece on the eastern portion of the site, which you can see in your packet, that originally had been intended to have a couple more structures built upon it. Those did not take place. The current owners of the property are looking to sell that for regular development. And so they want it removed out of the Planned Unit Development. It would fall back to the underlying zoning, which I believe is R-3, which is a very density residential, and just would no longer be part of that original planned development.

- Very good. Thanks, Mr. Buck. Alder Corpus-Dax?

- So thank you, Mr. Mayor. And I know what we're looking at, when it comes to Plan Commission and us as a Council, what they're asking for is to essentially shrink that zoning, or shrink that area, shrink the boundaries. I think right now it crosses Highland, and the change being made right now would be to, all be within the same block so it's not crossing the street. There's a lot of concern from residents in that area. Those that are on Deuchert, I think there's maybe six residences on Deuchert, and those on Danz, who have concerns, where, if we pass this, should a development come in and they fall within the guidelines, basically, this doesn't have to come back to Planning. This doesn't have to come back to Council. Any development could go through at that point, so long as they're not asking for any variances. And there's concerns in there when it comes to traffic and access to Deuchert, because where it is on Danz is it's in between Danz School and Preble High School, so there's a lot of traffic in that area. So, I guess I want to motion to open the floor so that the residents that are here to speak on it have that chance.

- Second.

- [Barb] Motion to open the floor, or second

- By Alder Corpus-Dax, seconded by Alder Steuer. All in favor, please signify by saying aye?

- [All] Aye.

- [Celestine] Thank you.

- The ayes have it. The floor is open. Just state your name and address, and again, members of the public have three minutes to address the Council.

- [Celestine] So please unmute yourself or raise your hand in Zoom, or you can start speaking and I can acknowledge you. Whoever would like to speak, please unmute yourself and start speaking, give your name and address for the Council.

- [Joshua] Hello, my name is Joshua Schwalbe I'm currently across the world right now. My address 175 Nanhu West Road, Nanhu International Subdivision, phase two, building six, unit one, room 1702, Chengdu, Sichuan, China. For intents and purposes, I'd like to state my address is 232 North Danz Avenue, Green Bay, Wisconsin, 54302. And this is the house I grew up in, and I've been asked to kind of speak on behalf of a few of the residents that had some questions about what exactly we're talking about here. Just to give a little background. I've grown up in this neighborhood. When I went to Danz Elementary School, my best friend lived in the backyard neighboring this development. When I was in Preble High School, I delivered the newspapers for two years for the Green Bay Press-Gazette to the apartment complex to the south of this development. So I would like to say I think I know this parcel of land better than anybody in the room right now. We have some concerns about the development because this proposal has been brought by the owner of the property, but not the developer. They've stated that they're not gonna be the ones developing it. So we have some concerns that, it's very hard to support a blank piece of paper. I'm gonna try to make a quick argument that everybody can still get exactly what they want out of this by not allowing the borders of this Planned Unit Development to be moved. I think a Planned Unit Development was approved about two decades ago because it was a good plan, because it was approved, and it should be held in place, but maybe modified a little bit to fit potential future development. Mainly, we're looking at Deuchert. Be a thoroughfare on Danz Avenue because of some traffic, especially when the schools let out. The school schedule, growing up there, you just don't back out of your driveway for about a half hour after Preble High School lets out. And just some, back in the applicant's calculations, I would definitely refer to staff for some better estimate numbers. But we're looking at like an extra possible 225 units, if we extrapolate some units from Deckner Manor Apartments that are right next door. Maybe an extra 1500 trips in the local vicinity. So maybe an extra 500 people living in the neighborhood. I've been speaking at the Planning Commission, and they had said, "Well, we would like to have "a traffic study before anything goes forward, "and we should rely on staff." I definitely say that I trust Green Bay to hire competent staff, but staff turnover can happen before a new development comes. So the traffic study or our concerns might not be met or heard in the future. We really just, this is our only opportunity. Some kind of public input to the development. I can say that the neighbors are very well organized. They don't have a neighborhood association, they don't need one. They communicate with each other. And by holding this land in the PUD, it'll force the new developer to bring it to the forefront so that the community members will have a chance to kind of work with the developer, kind of voice some concerns, and maybe help mold how the neighborhood's gonna change in the future.

- [Celestine] Thank you so much, Mr. Schwalbe.

- Thank you. And I'm definitely open for any questions. If anybody wants to know about the character of the neighborhood or exactly what the neighbor's concerns are about this potential development.

- Thank you so much, we appreciate your comments.

- Again, just to restate, we don't support removing this from the boundaries.

- [Celestine] Thank you. I'm so sorry. Your three minutes are expired. Thank you so much. Next we have Cynthia's iPad. Cynthia's iPad, please unmute yourself and state your name and address for the Committee.

- It's Cindy Schwalbe. 232 North Danz Avenue. Josh is my son. We have 25 signatures of residents of the neighborhood that are opposed to this. If you allow this to go through, we would get no notification of any development that goes in there. That area looks like it is approximately double the size of Deckner Manor, which is 211 units. So this could potentially be 400 plus units going in. We're not trying to block apartments, just the access to the 200 block of Danz Avenue. There are other areas that they can have ingress and egress, and that those residents would be able to access Danz Avenue, just not right in that 200 block. Again, when the schools let out, it's during rush hour traffic to begin with, and we have high pedestrian traffic. So getting onto Deer Trail Street for the back neighborhood is a lengthy wait, and also trying to get out of our driveways. You just plan around those hours. If you need to get out, you sit and wait. I was told that if this plan does go through, then they won't even hold our petition attached to this lot. It would be for the city planners to remember that we had some questions. Again, we have 25 signatures opposing this, and it's mainly for the right to have a right to come to you and put forward our concerns at the time that there's actually a plan, a development, that is put forward. Thank you.

- [Celestine] Thank you so much, Ms. Schwalbe. Is there anyone else wishing to speak to this item? Please unmute yourself and state your name and address for the Committee, for the Council, sorry.

- Jeff Rustick, 2711 North Mason Street, Appleton, Wisconsin. I'm a consulting engineer representing the owners of the property. I just want to clarify what we're asking, or what the owners are asking for here, and that's just to go to the underlying zoning. There seems to be a little bit of a

misconception. The existing PURD has a connection right to Deuchert Street. So right now, as it stands, there is no other way to develop that property other than connecting to that street. PURD is. So we're asking to take that off. And then a new developer would have to come forward and he may not have any interest in it, but with that PURD on the property now, that there's only one way for it to develop, and that's the way that the PURD is laid out now, with connections to both Highland Park and Deuchert Street. Thank you.

- [Celestine] Thank you so much, Mr. Rustick. Okay. Just give me a moment. Is there anyone else wishing to speak to this issue? Please either raise your hand in Zoom or unmute yourself and state your name and address for the Council. Anyone else wishing to speak on this issue? Okay, Mayor.

- I'll entertain a motion to close the floor.

- Motion to close the floor.

- Second.

- Second.

- Made by Alder Scannell, second by Alder Dorff, to close the floor. All in favor will signify by saying aye?

- [All] Aye.

- The floor is closed. Comments on the item?

- [Veronica] So, do I still have the floor?

- Yeah, go ahead, Alder.

- Okay. Thank you. Mr. Buck, are you able to, or can you explain the situation with Deuchert Street? I feel like there's confusion there as to what's currently there now and what would happen should, should the PUD go through?

- [Dave] Certainly. So, okay, this would be removing it from the PUD. So as it exists today, that Planned Unit Development, when it was adopted, had a bunch of conceptual site plans associated with it. And it had a couple of units on this property that's being requested to be removed from the PURD. And it is true what Mr. Rustick had said, it does show access going out onto Danz from that little stub street. So to be developed right now, we're pretty close to the exact criteria of the original Planned Unit Development. If you remove it from the Planned Unit Development, it would just have the straight underlying R-3 zoning and would have to follow all code requirements. So that includes setbacks, access. It would have access onto Danz through Deuchert Street. So it's really, would follow just the code. That road is stubbed into there. There would not be any, if it had just straight zoning, you would come in and get a site plan review, and a building permit review, and get your permits. They wouldn't, there's no public hearings or public meetings associated with it. The site plan review can require a traffic analysis be performed, and the zoning administrator for the City and our traffic engineer would make that determination when the site plan goes through. So if it's felt to be a contentious situation or an unsafe situation at that time, staff could require that. And that usually falls upon the developer who is bringing in their site plans. Does that answer your question?

- So the way that I understood it, and I guess it answers my question. We understood on Monday, during the Plan Meeting, was that regardless, there's access there now, as it stands right now, there's access onto Deuchert. As it's presented, with the zoning change, it'll still have access. So regardless of whether or not we approve it, there's access there onto Deuchert?

- [Dave] Correct.

- Okay. Okay, well. Yep.

- [Eric] Alder Steuer?

- Thank you, Mayor. I don't know if Cheryl, Director Wigg, could answer this or actually planner, Mr. David Buck, but I'm looking at a particular area, and it seems to me that you would have to have an exit on Highland Park Avenue. You can't really go down to Mill Street because there's another apartment complex right there. It's too bad you couldn't go to the north somehow, onto Morrow Street, I look at this plan and it's a large piece of property. So granted there will be, there'd be quite a few units on here. But with Deuchert Street, it's just a small stub. But the fact of the matter is that it would enter onto North Danz, and that is a extremely busy street, with all the different factors with schools and traffic. You've got the Red Cross. You've got businesses on University coming down. Just a lot of different traffic going on. So it seems to me that if Deuchert was vacated or taken out, that it would in effect kill the project. It seems to be the only real point of contention. So I dunno if there's anything else that Planning can bring forward to say that, you know what, maybe the project will work if we could have another exit. 'Cause I realize that you have to have emergency vehicles, police, fire, you have to have access to the property. And if you didn't have due process from the east or the west, that it would, in effect, kind of kill the project. So a little clarification there would help. Thank you.

- [Dave] Certainly. Deuchert is a public road. It does stub out. It's a dead end. There are a couple of driveways that do access that roadway as well. So that could not be vacated. People have to get access to their property. Also it does provide access to the larger piece that we were just talking about. So, I can throw one option out there, would be if the PURD remains in place, as it sits today, either the property can be developed as designed in that PURD, as regulated in the PURD, excuse me. Or if a new developer were to come in, at that time, they would have to request the amendment, then it would go back through Plan Commission and City Council for that amendment. And that could either be to remove it, like it's being requested tonight, or to amend it, to change the parameters to meet whatever the new request would be. That would an option. It does take a little bit of flexibility, quite a bit of flexibility. out of the sale of the property, however. But Deuchert Street could not be vacated currently without all of the adjoining property owners agreeing, including the one that's being requested right now.

- Can you tell me what the value, off hand, of that property as it sits?

- [Dave] I am sorry. I don't have that information.

- Okay. All right. That's all I have right now. I may have some more comments later. but that's all for now.

- Thanks, Alder. Other comments or questions?

- [John] I just got one comment, Mayor. Alder Vander Leest.

- [Eric] Go ahead, Alder.

- This would be for Mr. Buck. Is there any state statutes that would stop the developer, if a new developer comes forward, that are on the books as far as, that the City couldn't stop the project if it meets all the criteria?

- [Dave] Yes.

- I'm just asking that question.

- [Dave] Sure. If they meet the criteria of the existing Planned Unit Residential Development, they could develop with just a site plan approval and building permit. If it goes to a straight rezoning and it has the R-3 zoning, then they could develop as well. There would really be no state statute that would say you can't develop the property.

- Okay. So in other words, the new developer now, he's not actually come forward yet, is that correct?

- [Dave] It's my understanding the current owners are interested in selling the property. And so there is not a current development proposed.

- [John] Okay. I can understand their concern. Thank you.

- Thanks, Alder. Alder Dorff?

- This is also for Mr. Buck. So the way that it stands right now, if they would put a development in there, would that street necessarily stay the way it is? If we didn't change the Planned Unit Development, or could they make it a through street? Under the people that own it now?

- [Dave] The Planned Unit Residential Development that's there now doesn't call for a through street.

- Okay. That's what I wondered. Okay.

- [Dave] It would just be a driveway accessing it. However, if the property were to be subdivided and roadway dedicated to the City, that roadway could continue as part of a subdivision plan.

- Okay. I know several people have called me. This is not my district. And I empathize with their concerns. And I also know that we have to follow state law. Right now there isn't a developer. There isn't a development. It's just up, the owners want to put it up for sale, and they can't put up such a big piece for sale. They want to, it's changing the boundary. They're asking to change the boundary. But I did listen to Plan, and I did hear that the people in the neighborhood could find out whether or not something is going to be happening. And I'm sure that they are interested enough that they would be trying to find out. On a monthly basis, they could ask if something's happening. And they would be able to find out if there's a development going in there. And at that time, they may be able to speak with the developer. I don't know that there's a legal basis for me to vote no on this. I looked, because I do empathize very much with the Schwalbes, and I just, I don't know that there's a legal basis for me to vote no. Thank you.

- Thank you, Alder. Attorney Chavez, can you speak to the point that Alder Dorff is making?

- [Vanessa] I tend to agree with that. We don't have a lot of flexibility as to what it is that. Like this. And that has already been identified, what the City is to consider is, it's pretty clear.

- Okay. Thanks, Attorney Chavez. Any further comments or questions on this item?

- Mr. Mayor, I believe what Alder Dorff is referring to was Wisconsin Act 67, which basically states that it's on the municipality to prove why the development wouldn't work in an area, legally prove why it wouldn't work, have evidence there. And I think that was approved in 2017 or 2018.

- Right.

- I don't have, I just want to say that I don't have an issue with the area being developed, but I do empathize with what the citizens in that, the residences in that area are dealing with when it comes to traffic. So that's my main concern.

- Absolutely. Okay. We do have a motion and a second in front of us. If there's not further discussion, all in favor will signify by saying aye?

- [All] Aye.

- Mayor?

- Could you clarify that motion? Could you clarify that motion, Mayor?

- Yes, so it's to amend the boundaries Zoning Ordinance 9-03 Planned Unit Development for the property located in the 200 block of Highland Park Avenue, Tax Parcel 21-1229, Public Hearing held 9-28-20.

- Could we use the board on that please?

- Sure.

- Thank you. In other words, when we're amending the, they're able to go forward with their sale, is that correct?
- Yep.
- Thank you.
- Mine's not coming up. I'll just do a verbal vote.
- Do I have any basis for abstention, Attorney Chavez?
- [Vanessa] Abstentions are entirely at the discretion of an individual alder. Abstentions generally are reserved for when somebody feels that there's a conflict of interest or something to that effect, which would preclude them from deciding something in an unbiased fashion. But outside of that, there is no requirement or there is no enforceable requirement that an alder give a reason to abstain.
- So based on a personal friendship with the people involved, would that be a reason?
- [Vanessa] That is up to your independent judgment.
- I have never abstained ever before. I've got to go with, I can't abstain. Thank you. Nevermind.
- [Kathy] Mayor, I feel the same--
- Alder Steuer?

- As Alder Dorff.

- Alder Lefebvre, what was that?

- [Kathy] I felt the same as Alder Dorff, but there's no way I can abstain. I don't know the people, but I do feel that this was something that we had no control over tonight. I apologize to the people there, but I had to vote yes.

- [Kim] Alder Steuer, did you want to voice vote?

- Yes, I'm gonna vote no.

- And that is approved nine to three. Onto the Report of the Park Committee.

- Mayor, if I could offer, I'd like to offer up a motion to reconsider item M-6.

- Okay.

- [Chris] I'll second that.

- Seconded by Alder Wery. Go ahead, Alder Johnson.

- I think we have to do the vote to reconsider, but essentially I just want to offer up one additional amendment.

- All in favor of reconsideration will signify by saying aye?

- [All] Aye.

- Nay? The ayes have it. And we are reconsidering.

- Thank you, Mayor. In addition to what was previously passed, I would just like to add one additional amendment that CN be required to pay in full any outstanding invoices owed to the City of Green Bay as the result of maintaining properties within the city.

- Second, yes.

- All right, the item has been further amended. Any discussion on that? Or the motion has been made, it's been seconded. Any discussion on it? All in favor of the amendment will signify by saying aye?

- [All] Aye.

- Opposed, nay? The ayes have it. That item has been amended. I'll entertain a motion to adopt as amended?

- So moved.

- Move to adopt.

- Move to adopt as amended.

- Made by Alder Dorff, seconded by Alder Scannell. All in favor will vote by saying aye?

- [All] Aye.

- Nay? The ayes have it. That item has been approved. Onto Park Committee.

- Motion to approve.

- Second.

- Motion made Alder Scannell, seconded by Alder Corpus-Dax, to approve Report O. which is the Report of the Park Committee from the meeting on September 30, 2020. Any items to be handled separately?

- [Brian] Seven.

- Number six.

- Six, seven, any others? Hearing none others, all in favor of approving the remainder of that report, please signify by saying aye?

- [All] Aye.

- Nay? The ayes have it. The report has been approved with the exception of items six and seven. What are your wishes regarding item six?

- Motion to approve.

- Second.

- Motion made by Alder Scannell, seconded by Alder Dorff. Who is it who pulled out item six?

- Steuer.

- Alder Steuer, go ahead.

- Thank you. Thank you, Mayor. This is for Director Ditscheit. With a look at the potential Great Lakes Restoration Initiative Funding for 2021, what City departments are involved in grant writing and seeking other funding sources? I know Parks is, but is there anybody else that's gonna be working on this?

- It would mainly be Parks, because the bulk of the projects were Park related projects. But I believe there was one project there that might have assistance from Public Works, and that was the Tank Farm Marsh project.

- Okay. I did notice that in this presentation that was given at Parks that I was interested in the Sheboygan area, that they had Sheboygan River and the South Pier, which had coal piles at the end of it and a number of other industrial uses, and that, over a 20 year period, they basically have repurposed that area. It's got a boardwalk, a business class resort, condos, and shops, equating out the \$37 million in investment, and increases in tourism spending, border revenues and such. Now I noticed, similarly, I was looking at the Green Bay Metro Boat Launch and Alder Johnson is also involved in some things along that area. We're also talking about maybe moving the coal piles. So it just kind of opens up a couple of things here as far as the direction of the city of Green Bay. So I guess I just would like, I'm just making an observation. I'm not asking for any action on this. But I just think that we need to be cognizant of some of these potential projects that are going on and to look at other communities, what they're doing. I think Sheboygan did a fantastic job. So I would hope that we could look at what they've done and hopefully incorporate some of that into our planning as well. That's all. Thank you.

- Comments? Seeing none, all in favor will signify by saying aye?

Minutes of the Common Council

- [All] Aye.

- [Eric] Nay? The ayes have it. The item has been approved. Onto item seven. Alder Johnson?

- Motion to approve.

- [Brian] Second.

- [Eric] Alder Johnson, you have the floor.

- Thank you, Mayor. Director Ditscheit, if you could just clarify for me, does this easement provide sufficient enough space for us to create some curvature to that trail versus the 90 degree angle that currently exists when the old trail meets up with that property?

- Yes, that's 100% of the reason of acquiring this trail easement, is so that we can get a more, a better alignment for trail so it's not quite so abrupt. If we don't approve this easement, we would have basically two 90 degree turns in that Fox River trail.

- Perfect. That's all I needed to hear. Thank you.

- Thanks, Alder. Seeing no other comments, all in favor of the item will signify by saying aye?

- [All] Aye.

- Opposed, nay? The ayes have it. The item has been approved. Onto Personnel Committee.

- Motion to approve.

- Second.

- Second.

- Made by Alder Scannell, seconded by Alder Corpus-Dax to approve Report P, which is the Report of the Personnel Committee from the meeting on September 29, 2020. Any items here to be handled separately? Hearing none, all in favor of approving that report, please signify by saying aye?

- [All] Aye.

- Nay? The ayes have it. The report has been approved. TB&P?

- Motion to approve.

- Second.

- Second.

- Motion made by Alder Scannell, seconded by Alder Stevens, to approve Report Q, which is the Report of the Traffic, Bicycle, and Pedestrian Commission from the meeting on September 21, 2020. Any items here to be handled separately?

- [Kathy] Number three.

- Number three. Any others? Hearing none others, all in favor of approving the remainder of that report please signify by saying aye?

- [All] Aye.

- Opposed, nay? The ayes have it. The report has been approved with the exception of item three.

- Motion to approve.

- Second.

- Second.

- Made by Alder Scannell, seconded by Alder Dorff. This item was pulled by Alder Lefebvre. Alder?

- [Kathy] Yes, somehow I missed the notification on CivicClerk, not Civic, on the City website, so I did not attend the meeting. But I just want to mention that I guess I would not be against the 35, but I do not want it at 40 because we tend to have people who go five up to 10 miles over.

- Point of order.

- And I think we--

- It's not 40, it's 35. There's no, point of order.

- [Kathy] Yes, I know, but also if you look in, but, no no, if you look in, one of the recommendations was 40. Now it says 35, so I'm saying--

- That's not what's being, that's not the item.

- [Kathy] Would you let me finish?

- Point of order.

- Would you let me finish?

- Alder Scannell--

- [Kathy] I am not arguing the 40. I'm just saying, I'm glad they put it down to 35. I do not want it any more than that. But I actually would like at 30, because if you really look at the statues, when you take your driver's license, this is so that anywhere in Wisconsin, if you're driving and you don't see a speed limit, if it's residential, which we're going into residential, is 25 to 30 is the speed. So I will accept a 35. And I just want to mention that. I'm sorry I missed the meeting. I can see where, because I have noticed, when it changes from 35 to 25, I have to watch my speed limit because the way the road is built, yes, it tends, people, I don't see anybody going 25, because the way the road is built. I also find myself, catching myself going over 30 at times. So I just wanted to mention that. I don't think there'll be a problem if we keep it at 35 and I would like that some enforcement, if people are going over 40, that we get enforcement and we give out some warnings, let people know, please not speed on that street. Thank you.

- Thanks, Alder. All in favor of the item will signify by saying aye?

- [All] Aye.

- Opposed, nay? The ayes have it. We are onto Sustainability.

- Motion to approve.

- Second.

- Second.

- Motion made by Alder Scannell, Seconded by Alder Corpus-Dax, to approve Report R, which is the Report of the Sustainability Commission from the meeting on September 16, 2020. Any items here to be handled separately? All in favor of approving that report, please signify by saying aye?

- [All] Aye.

- The ayes have it. That item has been approved. Ad Hoc Committee on Elections?

- Motion to approve.

- Second.

- [Kathy] Second.

- Motion made by Alder Scannell, seconded by Alder Corpus-Dax, to approve Report S, which is the Report of the Ad Hoc Committee on Elections from the meeting on September 10, 2020. All in favor will signify by saying aye?

- [All] Aye.

- Nay? The ayes have it. The report has been approved. Onto TID Joint Review Committee?

- Motion to approve.

- [Barb] Second.

- Motion made by Alder Scannell, seconded by Alder Dorff, to approve Report T, which is the Report of the Tax Incremental Districts Joint Review Committee from the meeting on September 22nd, 2020. Any items here to be handled separately? Hearing none, all in favor of approving that report, please signify by saying aye?

- [All] Aye.

- Nay? The ayes have it. The report has been approved. Finance?

- Motion to approve.

- [Barb] Second.

- Motion made by Alder Scannell, seconded by Alder Dorff, to approve Report U, which is the Report of the Finance Committee from the meeting on September 29, 2020. Any items here to be handled separately? Hearing none, all in favor of approving that report, please signify by saying aye?

- [All] Aye.

- Opposed, nay? The ayes have it. The report has been approved. Onto Resolutions.

- Motion to suspend the rules.

- [Barb] Second.

- Made by Alder Scannell, seconded by Alder Dorff, to suspend the rules to take up items one through four with one roll call vote. All in favor of that motion, please signify by--

- Mr. Mayor? Point of order.

- Alder Johnson?

- Just on item number four, do we need to modify that, given the amendments that were made on the agenda item?

- Attorney Chavez?

- [Vanessa] As long as you are noting that it would be as amended, it will be fine.

- We are adopting that as amended.

- [Brian] Okay. Thank you.

- Thank you, Alder. All in favor of the motion to suspend and take them all in one roll call vote will signify by saying aye?

- [All] Aye.
- Opposed, nay? The ayes have it. The rules have been suspended. I'll entertain a motion--
- Motion to adopt.
- As amended.
- Adopt as amended.
- As amended.
- Motion has been made.
- Second.
- To adopt as amended. That was made by Alder Scannell, seconded by Alder Johnson. Please use the board.
- I'm gonna have to do a verbal, it's yes.
- Adopted unanimously. We're onto Ordinances, First Reading. I think, I would imagine we want to pull out item four? Otherwise take the rest in one roll call vote?
- Motion to suspend the rules for all, except number four.

- Second.

- Second.

- Motion made to suspend the rules, take up one through three and five through seven, with one roll call vote. The motion was made by Alder Scannell, seconded by Alder Corpus-Dax. All in favor of that motion, please signify by saying aye?

- [All] Aye.

- Nay? The ayes have it. The rules are suspended. Motion to advance?

- Motion to adopt.

- Second.

- Oh, I'm sorry, to advance, to advance.

- Advance.

- Motion made by Alder Scannell, seconded by Alder Dorff, to advance items one through three and five through seven. All in favor will signify by saying aye?

- [All] Aye.

- The ayes have it. And those have been advanced to Final Adoption.

- Motion to adopt item four.

- Second.

- Second.

- [John] Mayor, one question. On the general ordinance number four. My, didn't come up. Do we take a roll call on that one? On number four?

- Yep, we can right here. Yep, we can right here. Alder Dorff made the motion to advance and that was seconded by?

- Galvin.

- Alder Galvin. And we will use the board.

- I'm gonna have to, I will say yes.

- [John] Mine hasn't up yet, Mayor. On number four, I'll be a nay. 'Cause I think it needs a lot more work.

- That item is advanced nine to three. Onto Petitions and Communications. We've got Alder Steuer?

- Thank you, your Honor. I've got two. One is to the Mayor's Office. To have the Mayor's Office create a virtual comment forum for council and committees. To Community Development or Law, both, both of them could weigh in on this. To involve City staff, apartment owners, apartment renters, apartment association owners, and other housing related entities to work on and create a City housing ordinance that will work for owner and renter alike, with possible action. Thank you.

- Thanks, Alder. Any others?

- Mayor?

- Alder Johnson. Go ahead.

- Thank you, Mayor. I have two as well. The first is to refer to the October 13th meeting of the RDA, an update by City staff on the negotiation status of the purchase of the Pulliam power plant and the actions necessary for the City of Green Bay to execute a development agreement with Brown County WPS and any other interested parties as necessary to secure 1.2 million in grant funding from the State of Wisconsin to conduct a preliminary concept plan. And Clark Teske, I'll send you the text on both of these.

- Thank you.

- The second one is to refer to Protection and Policy a request for the Green Bay Police Department to provide a report on the surge of recent gun violence and other violent crimes in our community, a candid conversation around data, community comparisons, policing strategies, and support needed by Council and our community, to understand and respond to the growing number of incidents, is encouraged.

- Any others? I'll entertain a motion to refer?

- Motion to refer.

- Motion made by Alder Scannell.

- Second.

- Seconded by Alder Brunette, to refer all late Petitions and Communications to the proper authority. All in favor the motion please signify by saying aye?

- [All] Aye.

- The ayes have it. Petitions and Communications have been referred.

- Motion to adjourn.

- Second.

- Second.

- Motion made by Alder Scannell, seconded by Alder Lefebvre. All in favor, please signify by saying aye?

- [All] Aye.

- Nay?

- Bye.

- We are adjourned.