



MINUTES OF THE PROTECTION AND POLICY COMMITTEE

MONDAY, OCTOBER 26, 2020, 5:30 PM
Virtual Meeting.
Public may join via Zoom.

A. ZOOM MEETING INFORMATION.

I. This item contains information and instructions on the Zoom virtual meeting.

B. ROLL CALL.

Present: Mark Steuer, Craig Stevens, Kathy Lefebvre, Excused: John VanderLeest
Also Present: Deputy City Attorney Joanne Bungert, Lieutenant Steve Mahoney, Chief of Staff
Celestine Jeffreys

C. APPROVAL OF THE AGENDA.

Moved by Ald. Kathy Lefebvre, seconded by Ald. Craig Stevens to approve. Motion carried.
Yes- Craig Stevens, Mark Steuer, Kathy Lefebvre, No- None, Abstain- None

D. APPROVAL OF MINUTES.

I. Approval of the minutes from the October 12, 2020 Protection & Policy Committee Meeting.

Moved by Ald. Craig Stevens, seconded by Ald. Kathy Lefebvre to approve. Motion carried.
Yes- Craig Stevens, Mark Steuer, Kathy Lefebvre, No- None, Abstain- None

E. REGULAR BUSINESS.

I. Consideration with possible action on an appeal by Daniel Schenk regarding the denial of his operator's license.

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

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

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

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

Moved by Ald. Craig Stevens, seconded by Ald. Kathy Lefebvre to approve an appeal by Daniel Schenk regarding the denial of his operator's license. Motion carried.

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

F. INFORMATIONAL.

I. The Liquor Violation Report for October 26, 2020.

Moved by Ald. Kathy Lefebvre, seconded by Ald. Craig Stevens to receive and place on file the Liquor Violation Report for October 26, 2020. Motion carried.

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

G. ADJOURNMENT.

Moved by Ald. Craig Stevens, seconded by Ald. Kathy Lefebvre to adjourn at 5:47 p.m. Motion carried.

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

VERBATIM MINUTES

- Recording.

- Okay? All right.

- I will list Alder Vander Leest as excused.

- Excused, yeah, that's fine.

- And we can begin.

- All right, welcome to, all right, welcome to Protection and Policy for October 26th, 2020, I would ask for an Approval of the Agenda.

- We have to do roll call first.

- Oh, I'm sorry. Yeah, I should do that, but wow. I'm dropping the ball. Roll call. Alder Steuer is here. Alder Stevens?

- Here.

- [Kathy] Alder Lefebvre?

- Here.

- And Alder Vander Leest is excused. Now can we move on now?

- Yes, now we can move on to the approval.

- All right, I'll do better next time. The Approval of the Agenda. Do we have a motion for that?

- [Kathy] I'll move.

- Second.

- Moved by Lefebvre, seconded by Stevens. All in favor, please say aye?

- [All] Aye.

- All opposed? That passes unanimously.

- And minutes.

- Okay, Approval of the Minutes?

- Motion to approve.

- Motion by Stevens.

- Second.

- Do we have a second, second by Lefebvre? All in favor, please say aye?

- [All] Aye.

- All opposed? That passes unanimously.

- All right, item number one.

- Okay, number one. Consideration with possible action on an appeal by Daniel Schenk regarding the denial of his operator's license. Staff.

- Yes, staff's recommendation is to deny the appeal on the basis that the applicant is a convicted felon and habitual law offender for offenses that substantially relate.

- Okay, and Police?

- Yes, and the denial--

- Oh, I'm sorry.

- I'm sorry, the denial memo should be in your packet. That list.

- Yes. Yes, I got that.

- Okay.

- And Police?

- Police concur with Law.

- Okay. All right. Committee, do you have any questions? Otherwise I would open the floor.

- Questions.

- What's that?

- No questions.

- No questions, okay. Well, I would entertain a motion to open the floor. So Mr. Schenk could speak on his behalf.

- Motion to open the floor.

- Okay, by Stevens.

- Second.

- Second by Lefebvre. All in favor, please say aye?

- [All] Aye.

- Okay. The floor is now open. Daniel, please state your name and address for the record. And then you can speak on your behalf as to why you feel that you should be getting this license. And then also we may ask you some questions. So go ahead.

- It's Daniel Schenk, 2983 Holgrem Way, Apartment 16, Green Bay, Wisconsin, 54304.

- Okay. All right, just go ahead. We have a chance to look at your record here and we'll be asking a few questions about it. But I just want to want to hear from you, as far as why you feel that you deserve this?

- I guess I'm not really sure how to go about this, but I do have numerous letters of recommendation from professional entities, such as far as my boss, my other managers and some employees as well for any water that may hold, as well as my most recent discharge paperwork for probation, as it stated in the paper, or on the letter that I was sent, that that might help. I do understand that I have committed a few offenses when I was younger throughout my teen years, up until I was about 17 or 18, I personally do believe that a substantial amount of time has passed since those offenses have occurred. And I do believe that a lot of it, if not a good majority of it has been rehabilitated throughout years of growing up. I have a seven year old daughter and I mean her all alone, having her at 18, going into 19, kind of put a different perspective on life. And that's really where I started actually changing my ways. I'm not here to make any excuses. I'm simply here to try to convince you of why I think I deserve to hold a license such as that one of the main reasons is being that I do currently work at a bar, and he is short-staffed and he's looking to put somebody on full-time, was hoping to be me, that would require opening and closing the bar, which would also require me to be the only person there, therefore I would need that license as there would be nobody else behind the bar to support me that I would also have a license. I guess it's really boiling down to the predicament that I've been in for the last couple of years, taking on a 50-50 placement and custody with my daughter a year ago. And it hasn't been easy. She goes to school in Oconto. I live in Green Bay. And some of the other situations that are going on in the current job that I have full-time during the day has given me the ability to just leave when I need to, to go get her from school, bring her to school. And over the summer, what I did was, sight out this job at the bar, which has really helped a lot income-wise. And I think more opportunities could arise if I were to be able to partake in different positions within the bar scene, such as bartending behind the bar and being able to accept his want for me to be able to do the positions that would require me to hold a license. Like I mentioned previously, I feel like I'm far beyond the person that I was seven, eight, nine, 10 years ago. I'm kind of open to any questions that you guys would have that might convince you as well.

- Okay. Go ahead, Alder Stevens?

- I don't think anybody else is on this call, but you did say that you had a letter from your current employer.

- I do, I have multiple family references. Yes, one from my--

- I don't see it in my records. I was wondering if you could just read it to us.

- Yeah, absolutely.

- Daniel, I was gonna ask, what establishment would you be working at? I didn't see that.

- The name of the bar?

- Yes.

- The name of the bar is the Black Saddle Tavern and Oasis downtown on Washington.

- Okay.

- That's the one that I've been employed at for a couple of months.

- Okay.

- So I have one here from my branch financial manager who I work most closely with at my job due to my position there. It says, "To whom it may concern. "I wanted to write on behalf of Daniel T. Schenk "concerning his application "for Liquor and Intoxicated Beverage Operator's License. "I saw he was denied due to previous misdemeanor "and felony convictions. "I would like to address why I believe "he can perform the duties this license would allow him "despite his past issues. "Worked with Dan for several years now and known him longer. "I am the finance manager at Byrider in Green Bay, "where Dan is a salesperson working closely with me. "Over the years I have worked with him. "I have seen him improve both as an employee "and as a person. "I will not go over every detail, but suffice it to say "that enough to hold that responsibility. "I've also been able to witness Dan's success "in his non-work life as well. "COVID-19 has made life a bit different for us all. "There have been times where Dan has had no choice "but to have his daughter work with him. "The times she has been here, he has both done his job "and made sure she is well behaved doing her schoolwork. "I'm also aware of his struggles "and that he juggles a lot in his personal life, "yet still shows up to work on time every day. "The previously mentioned misdemeanors and felonies "happened in 2011, nearly a decade ago. "I think it is perhaps a bit short-sighted "to see only the past troubles of a young man "and not the progress made "or maturity of the man Dan is now. "It is my hope that decision "not to recommend Dan for this license "will be reconsidered given the time and success "he has had to better himself over the last nine years. "Sincerely, Joel Lyon", the finance manager at my job.

- Can we ask who, what the establishment is, that you're at?

- At my day job?

- Yes.

- Byrider in Green Bay, a used car dealership.

- Okay. All right. I'm sorry. Go ahead, Alder Stevens. Do you have something else?

- Did the bar owner draft a letter or no?

- He did. Unfortunately the most important one that I of course could have brought today is still with him. I did speak with him briefly about it and he said he was gonna write something up for me, but unfortunately was dealing with a couple of issues at the bar over the weekend and has been unable to get that to me.

- Well, I think your main employer did, the main guy did a good job.

- I have another one from my actual general manager and a couple of other professional references as well as family oriented references as well. But yeah.

- Well the one is good for me. I don't know what the other Alders, but thank you.

- For sure.

- Yeah, thank you.

- [Kathy] Yeah, fine with me.

- Alder Lefebvre, do you have any other questions?

- [Kathy] No, I think it's fine. Fine with me, and as the, his general manager had mentioned in the thing, I think the most serious was 2011, that's nine years ago.

- Right.

- [Kathy] So, okay, we can move on then. Yeah.

- Yeah, I don't have any other specific questions. I think, like I said, we're all about second chances. But a lot of it is how you come forward, and if you have letters of recommendation. You've gotta remember that if you are granted a license, it's on us too, because--

- Absolutely.

- We're trusting that you will do right and do well. And we, and that's important to us too. 'Cause it's important to all of us that way. It would help, in the future, of course, you weren't ready for it, but it always helps to have some of these letters ahead of time so that the committee can look at things. I'm not, I'm just saying that generally. We're always looking for as much information as we can get so that we can make a wise decision on the matter.

- Absolutely. My apologies for not being that well off in the beginning here.

- All right, so committee, go ahead, Alder?

- I'll make a motion to approve.

- [Kathy] We have to close, we have to close the, yeah.

- Motion to close the floor.

- Okay, by Stevens.

- Second.

- Second by Lefebvre. All in favor, please say aye?

- [All] Aye.

- All opposed? That passes unanimously. Okay, go ahead, Alder Stevens.

- Now I'll make the motion to approve.

- Okay.

- Second.

- Thank you, Daniel.

- By Stevens, seconded by Lefebvre. Any other discussion? All in favor, please say aye?

- [All] Aye.

- That passes unanimously. Daniel, this does go to City Council. Let me think, when will that be?

- The 10th.

- The 10th. So this is a recommendation. Generally speaking, it works out pretty well. Somebody might be able, would pull it, if they have a question. But I rarely ever see that happen. So I'm just saying that it will not be finalized until November 10th. But our Committee has passed it. So usually with committee work, that's usually the best way things work on that. So if that's okay with you, is there a timeframe for you that you're pressed on that? I think if you can wait till November 10th, unless Attorney Bungert, can you answer something on that matter? He has to wait until Council approves?

- Right. We have to wait until the Council recommendation or the report is approved. So that will be November 10th.

- I'm sorry. I don't mean to interrupt. I don't have a timeframe at all. The sooner the better, but I'd be more than happy with this decision to wait until that November 10th date for things to be finalized. I appreciate everything so much from all of you.

- Okay. All right. Good enough. All right. So that passes. Congratulations and good luck.

- Thank you so much. I appreciate all of you and for your time. And you have a wonderful day here.

- You take care.

- Thanks.

- Okay. Let me know when you're ready.

- Yep, we are onto--

- Information--

- Yes, you're onto the Liquor Violation Report.

- My favorite part of the report.

- The meeting, yeah.

- Yeah, or the meeting. Yeah. You know what I meant. Lieutenant, go-ahead.

- There are no violations during this timeframe. Unless you want me to talk for four hours.

- No no, what a beautiful--

- No.

- That's one of the nicest things you've ever said to me.

- There's a Bear's game tonight, come on.

- Okay. We need a motion to receive and place on file.

- [Kathy] I'll make a motion to--

- Second.

- Receive and place on file.
- Okay, by Lefebvre.
- Second.
- Second by Stevens. All in favor, please say aye?
- [All] Aye.
- All opposed? And now for the magic words. Go ahead.
- Motion to adjourn.
- By Stevens.
- Second.
- Second by Lefebvre. All in favor, please say aye?
- [All] Aye.
- Was that a record, 13 minutes maybe?
- Yeah.
- [Kathy] I think it is.
- I can't, when we get into our next meetings over the next month or two, I'll just close my eyes and remember this moment.
- [Kathy] Yes.
- All right, well take care everybody.
- [Kathy] The calm before the you know what.