



MINUTES OF THE PROTECTION AND POLICY COMMITTEE

MONDAY, FEBRUARY 8, 2021, 5:30 PM
Virtual Meeting. Public may join via Zoom.

A. ZOOM MEETING INFORMATION.

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

B. ROLL CALL.

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

Also present: Deputy City Attorney Joanne Bungert, Lt. Steve Mahoney, Lt. Nate Allen, Ald. Barbara Dorff, Ald. Jesse Brunette, Resiliency Coordinator Melissa Schmitz

C. APPROVAL OF THE AGENDA.

Moved by Ald. Kathy Lefebvre, seconded by Ald. Craig Stevens to amend and take up Item number 4 before item number 1. Motion carried.

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

Moved by Ald. Kathy Lefebvre, seconded by Ald. Craig Stevens to approve as amended. Motion carried.

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

D. APPROVAL OF MINUTES.

I. Approval of the minutes from the January 25, 2021 Protection & Policy Committee Meeting.

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

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

E. REGULAR BUSINESS.

1. Consideration with possible action on a request by The Sardine Can at 128. S Broadway Ave. to extend their license premises to parking lot for one day special events on June 9, 2021, June 30, 2021, July 21, 2021, August 11, 2021 and September 1, 2021.

Moved by Ald. Craig Stevens, seconded by Ald. John VanderLeest to approve a request by The Sardine Can at 128. S Broadway Ave. to extend their license premises to parking lot for one day special events on June 9, 2021, June 30, 2021, July 21, 2021, August 11, 2021 and September 1, 2021, subject to complaint. Motion carried.

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

2. Consideration with possible action on a request by Gerczak's Liquor & Catering, LLC at 1244 Velp with a license premises description as "1 room retail store-liquor on shelves, beer cave, fridge units, backroom (app 300 sq feet) (Previously licensed as J&D Gerczak Liq & Catering, LLC).

Moved by Ald. Craig Stevens, seconded by Ald. John VanderLeest to approve an application for a "Class A" Liquor and Class "A" Beer license by Gerczak's Liquor & Catering, LLC at 1244 Velp with a license premises description as "1 room retail store-liquor on shelves, beer cave, fridge units, backroom (app 300 sq feet) (Previously licensed as J&D Gerczak Liq & Catering, LLC). Motion carried.

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

3. Discussion with possible action on a resolution for the City of Green Bay to adopt the Brown County All-Hazard Mitigation Plan.

Moved by Ald. John VanderLeest, seconded by Ald. Craig Stevens to approve a resolution for the City of Green Bay to adopt the Brown County All-Hazard Mitigation Plan. Motion carried.

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

4. Consideration with possible action on a request by Ald. Lefebvre to look at varying aspects of Green Bay's license alcohol establishments with a discuss on a moratorium.

Moved by Ald. Kathy Lefebvre, seconded by Ald. Craig Stevens to refer to staff to bring back an updated map and data listing all licensed establishments, type of license and location in applicable moratorium areas and for the Police Department to provide a report with data to include calls for service city wide to licensed establishments from 2018 through the end of the summer of 2021.

5. A request by Ald. Wery to receive update, with possible action, on additional changes to the

massage spa ordinance.

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

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

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

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

Moved by Ald. Kathy Lefebvre, seconded by Ald. Craig Stevens to refer to staff to continue working with state representatives and the Military Business District to enact additional regulations for massage spa ordinance.

Ald. Kathy Lefebvre left the meeting after the conclusion of this item; Quorum was maintained.

6. A request by Ald. Brunette for discussion with possible action on forwarding the Face Covering Ordinance to the Brown County Health Department for review.

Moved by Ald. Craig Stevens, seconded by Ald. John VanderLeest to receive and place on file a request by Ald. Brunette for discussion with possible action on forwarding the Face Covering Ordinance to the Brown County Health Department for review. Motion carried.

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

F. INFORMATIONAL.

I. The Liquor Violation Report for February 8, 2021.

Moved by Ald. Craig Stevens, seconded by Ald. John VanderLeest to receive and place on file The Liquor Violation Report for February 8, 2021. Motion carried.

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

G. ADJOURNMENT.

Moved by Ald. John VanderLeest, seconded by Ald. Craig Stevens to adjourn at 6:44 p.m. Motion carried.

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

VERBATIM MINUTES

- Recording, but if you want to let me know when you will hit the recording, I can do that on CivicClerk. I think somebody's muted.

- I just hit the recording.

- Okay, just hold on. Okay. We are rolling. We can start with opening the meeting.
- Okay. Welcome to Protection and Policy Committee Meeting for February 8th, 2021. I will check for the roll call. Alder Steuer, I am here. Alder Lefebvre?
- Here. Alder Stevens?
- Here.
- Alder Vander Leest? He is muted
- He's muted.
- I think he's here. Alder Vander Leest?
- Whoops. Yeah, he was unmuted and then just muted again.
- Well, regardless.
- Okay.
- All right. I'm gonna say we're all present and accounted for.
- Okay. Okay. Approval of the Agenda.

- Motion to approve.

- Motion to approve.

- Oh, there he is.

- Let's see Alder Lefevre. You wanted to change something?

- Yes, I wanted to move mine. Let's see, it's number four, up to number one, please.

- Okay, so that's your motion. Do we have a second?

- Second.

- Second by Stevens. Any other discussion? All in favor, please say aye?

- [All] Aye.

- All opposed? That passes unanimously.

- And we need a motion to approve as amended.

- Okay.

- I'll make the motion to approve as amended.
- Motion by Lefebvre, seconded by Stevens. All in favor, please say aye?
- [All] Aye.
- All opposed? That passes unanimously.
- Okay. And Approval of the Minutes.
- Move to approve.
- Motion by Stevens, do we have a second?
- [John] Second.
- Second by Vander Leest. Any other discussion? All in favor, please say aye?
- [All] Aye.
- All opposed? That passes unanimously.
- All right. We are on to item number four.

- All right. Consideration with possible action on a request by Alder Lefebvre to look at varying aspects of Green Bay's license alcohol establishments with the discussion on a moratorium. Alder Lefebvre?

- Yes. I know I have only been on, now this is my third year on the city council. So a lot of this happened before I was on the council. But my concern is University Avenue, it's my main concern. But I don't know, there may be some other areas. I did see the map, but that was awhile ago, and I apologize today, I've had several things going on that I didn't get a chance to find that map again. But, I think if we did look at the map, I know University Avenue seems to have so many establishments that either sell or dispense in-person, bars, grocery stores, gas stations, that do sell alcohol. And I just think that when that was happening I think they should have been looking at the area, the impact of all the alcohol concentrated in one area. Years ago, they all complained about Broadway, all the bars and so much drinking going on at the bars, so they said we're gonna start cleaning this up. And so now we kind of moved it to another area. So I'm just concerned about, we gotta really watch where we are putting these establishments. I'm not against business. And I'm not a prude about drinking. I have a beer once in a while. But I'm not a drinker. But I do understand, yes, some people want to have a drink. That's fine. But I just think that we need to really look at what we're doing, where we're putting these establishments, because yeah, we just gotta watch our concentrations. So that's why I kind of, I don't know if I worded it right, a moratorium, kind of like in one area. Right now it'd be University Avenue. But there might, some of the other alders might have some other areas that they're really concerned about. And I would like us to look at all the areas that we do have these establishments. And is there some concern with those areas? And I know we just approved, was that the one on Dousman, not Dousman, Walnut, right? And it's not right by a school, but it's not far from a school. And there's a big neighborhood around there too. So I know they were concerned about once before on a gas station with serving alcohol. So these are, I know people do have some concerns about this and I think we just have to look at it, and we have to be careful what we are doing.

- Thank you for that. Alder Dorff, and I was, go ahead, Alder Dorff.

- I just wondered if one thing that is possibly taken into consideration would be the number of police calls or actually the data around if there are problems within that area. And is that something that can be easily collected or not easily collected, I don't know? Would Lieutenant Mahoney or Lieutenant Allen be able to tell us? Are there concerns, like for example on University Avenue, where Alder Lefebvre is talking about?

- Without looking at the data or knowing, just from knowing what our community police officers deal with and even the road officers, I haven't heard of a lot of calls on University. It's not saying they're

not there. I just haven't heard about them. And then in terms of collecting the data, yes. We have a couple of crime analysts. We would just need parameters where it's from Webster Avenue out to the 54 57 interchange, parameters in terms of geography and also time. If you want it over the past year or over the past two years, just this past summer. So those are the parameters that we can give our crime analysts, where they could pull the data. And then it could start being analyzed. 'Cause just because there was a, quote, police call there, does not mean it's alcohol related or might not even be the establishment. In the downtown district, I can't tell you how many times someone calls in saying, hey, I'm right across from, I'll use the old El Presidente, well, then it gets put in dispatch that we were at El Presidente when in actuality we weren't. So just based on numbers of calls, that's why our analysts would go through and say, hey, these calls that were truly the ones where police were there because of this establishment, not just because they were using an address that when they looked up when they called us that they said that.

- Alder Lefebvre, let me ask you this, and Alder Dorff, was there anything else? Otherwise I'd like to say--

- Well, it was just like if we're gonna do this, can we base it on some data, that's all.

- Of course, and I agree with you. I think in the past there were maps that I, I actually have some in a file somewhere. I can't dig them all out. But it would be nice to maybe have. Updated with the data behind it. And maybe we could look over the last two years, 2019, 2020, something like that, where we would have an updated map showing, first of all, the establishments. And then secondly, if there were a number of legitimate police calls, as opposed to the ones you were talking about before, Lieutenant. I would think that the records are there. I would think that you would have that information. I think I know where Alder Lefebvre is going, and I know it's like anything else. We have businesses, they are legitimate businesses in the city, so we gotta be careful on that. But we also expect to have good neighbors with our establishments. So I, maybe that's something, maybe our committee could talk about it. I'd like to see updated map with research. And then also the number of police calls that are there. That way, I think we would that data that Alder Dorff was talking about. And then we could look forward to maybe having a report or something that we could have to this committee, and then we could deal with it after that. But right now it's kind of hearsay. We don't have all that in front of us right now. But, I think this could be a good start.

- Alder Lefebvre?

- Mr. Chairman? I think it was in 2019 that we were given all the statistics of what type of business, what type of alcohol, I think, the license that they had and where they were located. So that's not that long ago. I think we haven't really added, we might've added one or two, but maybe they would

just look at that. But, so I think they can go back in the files. And I don't want them having to say, oh, we gotta start over, you know, do all this work again. But one thing too, I think last year and going into this year, abbreviation, it's not a normal situation, because some of these bars maybe are closed, not as many people are driving. So we can't really go by that, by last year, and then the beginning of this year, what's happening. So yeah, we're gonna have a little trouble with that. So it's kinda like making the committee think about it. I'm saying, let's see maybe, it doesn't have to be something that you were gonna do right away. Let's get some more, if there are some new places to be added to that map, maybe that can be done, let's get that, and then let's just take a look at it. And then once, I think once the pandemic is pretty much over I think then we're gonna start getting into where people are gonna be driving more and you're gonna have more people that might be under the influence out there. Because it's only been what, was it last month? There was one drunk driving accident. Was that on Main Street? It wasn't University, was it, or was it Main? Someone, he ran into a pole.

- Hard to say.

- And it wasn't his first one either. He was, I don't know, this was multiples for him. So it does happen, but not as much now because not as many people are driving, going out.

- Well, I think for what you want to do, though, I think having the data and the research behind it, I think that would be good. And you make a good point that last year it was kinda hodgepodge as far as with the pandemic and everything. Kind of skewed statistics. But you could even go back to 2018, maybe 2018, 2019. Take a look at the data that we have. Look at the establishments that are there. And you could also have a feeling of which ones have gone out, and that's why if you have it over a period of a couple of years, you can see what's existing, you can see what has gone away, et cetera. And I agree in the sense that we have, we have concentrated areas of establishments. You've got your University. You've got your downtown area. You've got Broadway You've got Lime Kiln. You've got East Mason. There's a number of locations where probably three quarters of all the establishments are on these four or five corridors, at least in my estimation. So, I think, we have to be aware of that. But, I would suggest Alder Lefebvre that maybe we could refer this to staff to gather that data and then report back us. Lieutenant Mahoney, what's your take?

- I was gonna suggest, yes, we could pull data from the past couple of years. I would also suggest that we look at our data now, since hopefully we're coming close to the end of the pandemic and then also pulling data at the end of summer. I know with the vaccine and hopefully things getting a little more back to normal that I do believe that the data this summer would be more accurate. I do agree last year was a very unique year, last summer. But then we can look at our data throughout this summer and probably get a more accurate representation of what truly is going on.

- Okay. Including the establishments too, I would hope.

- Yeah.

- Yep.

- Okay.

- Can I ask--

- [John] Mark, I'd like to make a comment?

- Whoops, go ahead. Go ahead, John.

- Yeah, go ahead, John.

- [John] University Avenue is a long corridor. And it doesn't seem like we have a lot of problems as far as, with the establishments that are there. Most of them've been in business for many years and as far as the gas stations and able to sell liquor and things, we kind of opened that up to make it more of an even playing field. And I think that's, to be thought about as well, that as far as drunk driving, people know that you're not to be driving when you've been drinking. And the people that don't, they get arrested. But I think overall we got a pretty good track record on that corridor And same way with Broadway. And I think we've done real well with that. I think the Tavern League has been a big help in working with, as far as when they have New Years and different events. I think most of the taverns are pretty active as far as trying to do the right thing. And if we just find the ones that aren't we can address those people in that manner. And I think overall we've done pretty well in the city of Green Bay. That's my take on it. And as far as having a moratorium, mainly these are businesses that are coming in and they request a liquor license so that they can be competitive, if it's a restaurant or a new bar or whatever. We only give out so many license. I don't know how many, that's about it. We could give out so many and we don't add any more to it, I don't think. We could ask our attorney about that and just see what her take is on it. Thank you, that's my comments.

- Good points. Good points, John, thank you.

- I want also--

- Attorney Bungert?

- Whoops--

- Oh.

- I also to ask the attorney, Attorney Bungert, are we running into state regulations too? That's one of our problems too, I think.

- As far as, I'm not sure I'm following the question.

- Well, trying to put a moratorium in? Are we running into legal problem with the state?

- As far as my understanding is, I don't believe there are state regulations prohibiting a city from doing a moratorium. A municipality has rather broad discretion, as far as granting the license or not granting the license for new applicants, so long as that action isn't discriminatory or arbitrary. But a municipality has the authority to generally say, "We just don't want any more bars. "So we're not granting any more liquor licenses", regardless of type of type of establishment. That's when you can start becoming where there could be discriminatory practices, even if unintentional. But generally, a municipality can say, "We don't want any more bars because we feel we have enough. "It's a public safety concern, health concern", whatever that reasoning may be. It just has to be rational, reasonable, non-discriminatory.

- Mm hm.

- Yeah.

- Yeah, I was looking, whoops, I'm sorry.

- No, it's okay. We do have a number of moratoriums in place that are set by resolution. There are couple that were set by charter ordinance, that kind of collectively say, as a city, stating that in a particular corridor, intersection, we don't want any, it's a restaurant. So when licenses are changing over, so long as the the current location was already licensed, a new tavern could go in. Otherwise there was a collective push to kind of support more restaurants. So that it's a restaurant with serving alcohol versus a traditional tavern that just served alcohol. So that's certainly the city has done that in the past. As part of that update, we can also maybe provide a copy of all of the moratoriums that we currently have in place by resolution and by the ordinance. And maybe we can also add that highlighting somehow, into the map itself, so that you can visually see where moratoriums are in place currently.

- I would like to see also the delineation of the taverns versus the restaurants per se. I don't know if we have that, but it--

- Yeah, that was included, Mark.

- All right.

- I'm not sure if we have that. Just generally speaking--

- You could just seek, look at it, correct?

- A quick filter by the name. But otherwise the distinction we really have, unless they're in a moratorium, the only distinction we would have is whether it's a class B or a class A and what type of license they have. But we can look and see how far we can categorize that.

- Does that help, Alder Lefebvre? I think with the moratorium that Attorney Bungert mentioned I think, we can't really do that much right now. But we need to gather the data and then put it on. So I appreciate that, but I think that's a good start. Okay?

- Yeah. Maybe there won't even be a moratorium. I just wanted us to be aware, to look at this, and to be aware where we seem to be concentrating some of these areas with quite a bit of alcohol.

- Well having that on there would help.

- It can cause a problem and yeah.

- Having the moratorium list on there would help and we can focus on it. So would you want to make a motion to that effect, Alder Lefebvre?

- Yes, I will make a motion that we have staff to furnish us with a map of areas, including where there are moratoriums, and the type of business, if restaurant or bar whatever it is, gas stations, that sell alcohol. Is that right?

- With the research behind it, it would be probably a GIS type of map, so you'd have the data behind it.

- Yes, and then also that would also direct the police department to look at, to do a study on the summer, right? I was thinking about the summer. And we can look at 2018, 2019, see what we see. And then look at this summer and compare them. Would that be right?

- I would like to see if we could go back to 2018, if we could. Lieutenant Mahoney, is that a feasibility?

- Yes. We'd be able to go back that far. My question is, are you wanting to know the data citywide or are you still looking at the University?

- I guess, yeah. I guess, yeah.

- Citywide. Because it's not just University Avenue. There's other areas that have concerns too. So I think we've got to look at it citywide, I would say.

- Okay. And once again, because our data's broken down on how it's reported, I'm assuming any and all alcohol violations, I'm assuming you would also want disturbances caused by, like say there's a fight at a bar. That would come in as a disturbance. It would not come in as an alcohol violation. And that's also the type of stuff you would want?

- I would think if you could pull it on there. Things of the order that are directly related to the establishment. Like I said, if it's a disturbance, if it's alcohol related drinking. I don't know, there's probably six or eight different things that you could list under there. I don't know if there's a good way to maybe succinctly put it together, where you could just say, I don't know, do we need to have eight different, eight different categories? I'd almost like to have it simplified somewhat, so that's just a disturbance of some sort. What do you think?

- I guess that's classified as a disturbance. Obviously we would probably classify the alcohol violation separate. And I know that's the highlight of every P and P meeting, the alcohol report.

- Sure.

- So we could do that separate. And we can classify everything else back as a disturbance

- Just other. How 'bout just alcohol related and other? Something like that?

- I also know that, and I don't know how many years ago we started tracking back for OWIs, that part of OWI question, if we choose the answer. It's the last known place a drink. So we do try and track that data to see if certain establishments, if we get a high number of OWIs coming from there. Just see if there's something we can work with that establishment about why that is happening.

- Is that something that you'd want to share on a document like that, or is that more behind the scenes?

- At that point, we don't mind sharing it, 'cause our goal is to reduce the OWIs. So it's kinda like when we do our OWI enforcement, we tell people exactly where we're at, when we're at, and what we're doing.

- Well, that might be another, you could have alcohol related, but OWI is alcohol related, but it would be nice to almost separate that out. Because sometimes you might just have underserved alcohol drink or whatever. But an OWI is another category. So I'd almost like to see that, just the alcohol related, the OWI, and then also other, other disturbances.

- Yep, well, we could definitely work on getting that data and then also track it throughout this summer to see how this summer plays out. Since yeah, I agree, 2020 was probably the anomaly where our data wouldn't be totally accurate.

- Yeah. If you can do that and then it might be one of those things where you can report back to us or, with the alcohol reports, the disturbances, that type of thing. You could also report out, maybe after a while. But I think right now this is a good start. Alder Lefebvre, I appreciate you bringing it forward. And I think, let's give you folks a little bit of time to put that together. Maybe you could report to us at next P and P meeting as far as where you're at with that. I don't know if we need it like in a month, but I'm just saying that we realize how busy you are. But if you could just kind of give us a heads up as far as how far you are along with it, that would be great.

- Yep, myself or Lieutenant Allen will definitely do that.

- Okay. All right. So we had a motion, Alder Lefebvre, and did that motion make sense, Attorney Bungert?

- Yeah.

- Okay. Do we have a second?

- I'll second it.

- Second by Stevens. Any other discussion? All in favor, please say aye?

- [All] Aye.

- All opposed? That passes unanimously. Thank you again, Alder Lefebvre, for that.

- All right. We are on, back to item number one.

- Number one. Okay. Consideration with possible action on a request by The Sardine Can at 128 South Broadway Avenue to extend their licensed premises to parking lot for one day special events on June 9th, 2021, June 30th, 2021, July 21st, 2021, August 11th, 2021, and September 1st, 2021. Staff?

- The Law Department has no objection, but will defer to the Police Department for any safety and security issues.

- Okay, Lieutenant?

- The PD has no objection. We've worked with Mr. Benkelman, the owner, in the past on these events. Their security is always done very well. He invites us and we always go late spring, mid to late

spring, where we meet with all the staff, our community, police, and kind of outline what we're expecting for the summer. Answer any of their questions. Help them have a successful summer. So the Police have no objection with any of these events being out in their parking lot.

- Okay.

- Motion to approve.

- Okay. I just wanted to make a point. I know that we've, over the years, there have been some concerns over time, but I appreciate the comments from police and staff on this because there's always concern about noise in the neighborhood and et cetera. And I, as long as the owners are working well with the police in that, I feel confident with that.

- Yes, in fact, I know with their bands, they always cut off the bands 15 minutes before the noise time. The past two summers, our calls for service in that area have been, they just plummeted. The Sardine Can has been very proactive with working with us, with working with the neighborhood, and Mr. Benkelman, the owner, he emails myself or Lieutenant Allen, probably monthly during the summer asking if there's any issues. So if something pops up, he's on it right away and it's taken care of.

- Well, thank you for that, Mr. Benkelman.

- Mr. Chairman?

- Yes?

- I was gonna say too, my husband and I, we bike, but last year we didn't do a lot of biking. But we would bike by there coming down on the side street, is that Howard or I forgot which one it is we come down onto Broadway and they've had people out in their patio and music and that and it was never loud, of course this is during the day, maybe early evening. But they've always, it looked always like they're having a good time and it was fine, that they did a really good job from what I could see.

- Okay. Well, great. Okay. We have a motion by Stevens. Do we have a second?

- I'll second it.

- Second by Vander Leest. Any other discussion? All in favor, please say aye?

- [All] Aye.

- All opposed? Okay. Good luck with that. And let's continue the good work. All right.

- Thank you.

- Thank you.

- All right, item number two.

- Number two. Consideration with possible action on a request by Gerczak's Liquor and Catering, LLC, at 1244 Velp, with a license premises description as one room retail, store liquor on shelves, beer cave, fridge units, backroom A-P-P 300, approximately 300 square feet. Previously licensed as J and D Gerczak Liquor and Catering, LLC. Staff?

- Law Department has no objections.

- Police?

- The Police concur.

- Okay.

- Motion to approve.

- Motion by Stevens. Do we have a second?

- Second

- Second by Vander Leest. Any other discussion? All in favor, please say aye?

- [All] Aye.

- All opposed? That passes unanimously.

- Okay, item number three.

- Through the . Three, discussion with possible extra on a resolution for the City of Green Bay to adopt the Brown County All-Hazard Mitigation Plan. Staff, first of all, can I ask, I know Brown County, and I started reading through it. It's quite a lengthy document.

- It is. It is.

- Oh, okay. Well, we'll open the floor in a second, but I'm just wondering who on city staff brought this forward or on council did, or was it just seamless? I just wanted to know as far as how that was brought forward before the city council? Or is that just a normal type of thing?

- Alder Steuer, I'll defer to Melissa who's on staff.

- Okay, all right. Well, so we need a motion to open the floor.

- No, Alder, she's staff.

- Oh, she's on staff.

- Yeah.

- All right, even with the County.

- Apologies, Melissa, I don't recall your title, it's the Sustainability...

- No.

- I'm sorry.

- I'm sorry, Melissa.

- She's new. She's our new person.

- Oh boy. See, we don't get out enough. We need to get out more. Melissa, my apologies. Good to see you.

- Good to see you. Good to see everyone.

- Yes, well please just kind of fill us in a little bit on this plan.

- Sure.

- Thank you.

- So, I'm the resiliency coordinator. I started three and a half months ago. And I am working on sustainability issues as well, Joanne, so you're not wrong on that. But I'm working a lot on resiliency planning in regards to stormwater flood management, just as a little background to why I'm the person here tonight. Brown County updated their All-Hazards Mitigation Plan. This usually happens every five years. They just recently completed their update. And the Brown County Board of Supervisors adopted the plan January 20th. After they adopted their plan, they sent it out to all the participating villages and municipalities so that it could go before their committees and council for adoption. There's a couple of reasons why this is important that the city adopt this. Primary reason is that it creates eligibility for the City of Green Bay to apply for certain federal and state funds for hazard mitigation. FEMA grants, and Wisconsin, I want to say, it's W-E-M, Wisconsin Emergency Management funding, as well. So the plan includes specifically, and I know there was a lot to look over, there's five chapters in the plan. Chapter four is probably the most important as far as the action items that the city's identified for specific mitigation actions and strategies. And that's on page 29 of chapter four. In there there's lots of different potential plans for stormwater flood management within the city.

- Okay.

- Okay. There's a lot of different departments that this plan affects and that fed into it besides stormwater. There's all, every municipality and village that participated in this update identified severe weather incidences as their top hazard concern. So there's tornado, there's fire, there's high winds that create the back-flooding from the Fox River. So there's a lot of different hazards identified in that plan. I guess that was the main thing. We are in the midst of, we applied for a FEMA grant, we submitted it last week for the city, and it is for East River Resiliency, for property acquisition along the East River for highly impacted homes that have continually flooded. So we've already submitted

the grant. But adoption of the plan is, that's also contingent. So there is, and that's probably not the only grant that I'm going to help the city apply for, as far as resiliency and flood management.

- Well, excellent job.

- Melissa, I'll get to you, Alder Dorff, but Melissa, I was just gonna ask, I know you're working on a number of things through and that and I suppose it's, we don't always, the Sustainability Commission, we don't always get notes or minutes on that as much. I would like, how, unless somebody else can suggest something, is understanding some of that ahead of time before we have meetings and that, the work you're working on, is that easily shared? Is it on the city web or Alder Dorff?

- It's on the city website.

- I've gone to the meetings, so yeah.

- All right, that's all I need to know.

- They're, you can watch them. You can watch them.

- After I'm done baking, anyway, no, that's great. All right. Anybody else? Alder Dorff or any of the other alders? Go ahead, Alder Dorff.

- I just, the one question, and I looked it over, I can't say I read every word, but I didn't see anything about biological hazards, like a pandemic. And we're in one. So I'm wondering, I know that's one of the four areas, and I saw the meteorological and I saw the, oh, let's see, what is it? The hydrological with water, meteorological. But I didn't see... So is that supposed to be part of it?

- I think there's a section, and I don't know what chapter it's in, Alder Dorff. But there is a section on public health hazards.

- Okay, good.

- It may fall into that.

- I'll look it over.

- Because there are several different categories of hazards. Manmade, fire, drought, coastal hazards, flooding. And I think public health hazards were included with that. And then also some of the terrorism type hazards as well. It's a very comprehensive plan.

- Okay, I just want to make sure that that was in there somewhere. And I had not noticed it when perusing it. So thank you for sharing that, appreciate it.

- So are we pretty comprehensive on all the disaster type scenarios that we have? I think over time some things may be added, even as time goes on as well. But do you feel in your estimation--

- Right, and that's why it needs to be updated every five years.

- Okay. So we're at the--

- The steering committee's, yep.

- Yep, go ahead.

- The steering committee is comprised of many different experts, levels of, people from different backgrounds that weigh in on the plan.

- Mark, I make a motion to approve.

- Okay.

- I second.

- Second.

- Well, let's get right to the chase, all right. All right, we have a motion by Vander Leest, seconded by, or was it the other way around?

- Alder Stevens.

- Alder Stevens, thank you, and seconded by Vander Leest. Okay.

- No.

- Very good job, Melissa. All in favor, please say aye?

- [All] Aye.

- All opposed? Thank you for that. We'll definitely look that over. And like I said, I don't know if there's, every five years you're saying, it's normally kind of upgraded, is that what you said?

- Every five years it should be updated, and the County, they've committed to starting that process two years prior to the five-year expiration date.

- Okay. So the last one was at 2015 then?

- Well, no, it was actually 2012, and they got a little behind schedule.

- Okay. All right. Well good, well you're here to help push that along. I guess.

- We'll see.

- All right, well, thank you for that. Thank you for your insights. All right, we're good for that. We voted, right?

- Yes we did.

- Yes.

- Okay, so we did, all right. I'm ready for the next one. Yes? Oh.

- Sorry, I was muted.

- Oh, you were muted. Okay. I thought it was--

- I unmuted myself.

- I thought it was me, oh my Lord. Okay. Good. All right. Number five, are we ready?

- Yes.

- Okay, all right. A request by Alder Wery to receive, update, with possible action on additional changes to the massage spa ordinance. I don't know if Alder Wery is here, but I know that Military Avenue and probably Leah Weycker is here as well. So I don't know if you want to join, if you wanted to just start? Is there anything that you could lend to this and then we could open for Leah.

- Yep, I don't have any updates. I know that staff is working towards it. I think we were waiting as well for the ordinance to pass, which I think it passed the second reading last council. I didn't attend council, so I'm not, I apologize, I don't remember.

- I think it was recent, yes.

- So I think those changes that brought us up to current authorities that were granted recently under state statutes are now available to us. Last discussions of the committee were to kind of create a more comprehensive regulatory scheme as far as businesses and review of said businesses and so forth, which kind of requires conversations between Law Department and other departments, PD inspections, and so forth. And so at this point, we're still working towards that and don't have anything to present, so I would--

- I guess one thing I wanted to, I know we're focusing a little bit on Military Avenue here, but I would also like to look at this citywide as well. I'm sure there's other areas that would have pockets or issues as well.

- Sure. The over, right, the view or the revamping of the ordinance or looking into additional regulations and things that are available to the city will be from a citywide perspective, not specifically to any one area.

- Right, but I know we've been focusing a lot on Military lately Committee, do you have any specific questions? Otherwise I'd like to hear from Leah Weycker. Do we need to open the floor for Leah or is she City?

- Yes, no, we need to open the floor.

- Okay.

- Motion to open the floor, Mark.

- Motion, okay, by Vander Leest. Seconded by who?

- Lefebvre.

- Lefebvre, okay. All in favor, please say aye?

- [All] Aye.

- All opposed? All right, the floor is now open. And Leah, are you there?

- [Leah] I am here, thank you.

- There you go. It just says Military Avenue, but I figured, just took a stab that it'd be you. And I was right. Anyway, we read some of your recent emails. And you've done a lot of work on this. I will admit, you care about the district very much. And so we appreciate your efforts there. I know Alder Wery has worked on this as well. I know I worked with you on this over a period of time as well. And the emails that you did send us recently, you might want to paraphrase those a little bit and just talk about your feeling that we're doing well, but we could do better. So the floor is yours.

- [Leah] Great. Thank you. Yeah, I think I sent several of you an email outlining some of the more recent information I got since our last discussion. I had given a sample of the Milwaukee ordinance to the legal department. But I was told that we weren't able to use something similar. But I did find the legislation that allows cities to do that. It was Act 41, authored and adopted in 2019, actually. So it's been on the books for quite awhile, are allowed to regulate the establishments versus just the massage therapists themselves. So I guess my hope today is that you direct staff to have these meetings across departments with the police department, with legal department, with inspections, and possibly with the Brown County Health Department to get to the bottom of this. I've been working on this since 2015. And it is my promise to my board that I will continue this until we see some action.

- We just want to get back to all the other things you'd like to do more so. So I agree with you on this. Committee, do you have any questions at all? Or like I said, Leah has been putting a lot of time and effort into this. Alder Vander Leest, you're a business person on Military Avenue and you even talked about situations that you've had happen over a period of time. It's out there. We're frustrated, sometimes because maybe police or inspections couldn't go in as much as we would like. We were going after the individual establishment, but I like the tenor that Leah Weycker has brought forward, that we need to look at maybe what the state's doing, what Milwaukee is doing. It's an issue. And it's not welcome here. We don't want that. We want legitimate businesses. We don't want these situations affecting legitimate businesses. So I'm all in favor of bringing this back to staff in a timely manner and try to do as much as we can quickly. Alder Vander Leest, did you want to say something?

- Yes. The hours of operation that some of these establishments incur, is there a time set as far as their hours, or how do they regulate that part of it? I've got some complaints that a lot of activity around midnight and things like that, as far as the late hour activities and that type of--

- They're pretty quiet about it in that sense. I don't think they want to advertise in a way.

- [Leah] Actually the posted hours are 10 o'clock for most of them, but they don't go by their own posted hours. So this ordinance that I'm hoping we can look at and the state representative that authored it, is willing to meet with the legal department and his staff to talk about why Green Bay thinks they can't implement something like this. Hours of operation would be definitely something we could address if we had it legally on the books.

- Yeah.

- Definitely.

- [Leah] Currently we can't address it because they can be open any hours they want.

- Leah, who's the name, the name of the state rep that's working on this, Sanfelippo?

- [Leah] Yeah, yep.

- Okay, and I definitely want--

- [Leah] This was a similar issue in his community of, I believe, near Burlington, Wisconsin, and that's how this legislation came about because the hands were tied. But that ended in 2019. And we're just not up-to-date enough to have to, to be using that legislation.

- Well, I'd like to include our other state reps and assembly people in this as well. I think it's very important that we, locally I think we're committed, but I think we need the backing of our state reps on this. So Leah, whatever suggestion you have that way, like Sanfelippo, definitely doing that, but I would like to get our local state reps involved in this as well. I really feel that this is very important.

- [Leah] He was the author of the legislation, and that's why he offered to have legal department his staff, which I think would be a smart first move. And then they can decide where we go from there and how to include the police. And a lot of people, or I should say a lot of cities have their own health departments. Because we don't, that might be a little bit of a barrier for us, but it's not to say we couldn't include Brown County as health department. Or our police department maybe could look at things from a health perspective way, in addition to illegal behavior. But, I think Sanfelippo's staff would be perfect since they worked on this legislation and have drafted several ordinances with cities to deal with it.

- Well, I definitely like that. I was gonna ask Lieutenant Mahoney or Lieutenant Allen, if they're familiar with some of the other surrounding communities around green Bay and how they've dealt

with this or if they've had issues, or if you're focusing strictly on Green Bay, of course? But is this more of a, it doesn't stop right at the city limits, things that expand out a little bit. So I'm just wondering what your experience is with the police department on this type of thing?

- We started looking at this today. Let's see, we... I got together with our detectives to kind of get a down-low on what they're doing or what they've done with this in the past. I reached out to Rachel Maes, our City Attorney, and I spoke to her briefly. Basically our best angle for right now, until some of this stuff gets hammered out, is go and we'll do spot checks for licensing, make sure that all the massage therapists are licensed. And if that's not the case, we can shut those down. Between inspection and the health department, some of those falls kind of over on their side of the fence more than a law enforcement perspective. As far as if there's any prostitution or anything, that falls on us. I think our best bet is to kind of check in on the licensing for right now and see where we're at with those.

- Okay. Yeah. Probably, thank you for that Lieutenant Allen. Does anybody have any other questions for Leah? I guess Leah, one thing you were gonna mention is that many times some of these places are closed, but within an hour they might pop up somewhere else. So I think that's one of the issues that you see in your district. And I'm wondering if you've expressed that to the police as well?

- [Leah] Yeah, I have been emailing our community service officer. And I understand that he's getting a different position. Someone else will be coming on that I will hopefully meet. The last inspection that was done, out of the people that been inspected, there were four that had a second offense of non-licensed massage therapists. They were closed down and they reopened within an hour, the same location, same business. So our current method of citing them for having unlicensed massage therapists is not working. They did receive \$600 fine. Apparently that's not enough to make them move on, unless we have a coordinated effort where the police go into every week and do it. Maybe that 600 times 600 times 600, I don't know if that would help. But the women go between spas. So there's probably only one with a license that's moving between them. I have lots of information that I can share. Our neighboring businesses are watching this happen and are afraid, uncomfortable. As a business improvement district is a reason for the city to address this as soon as possible.

- Totally agree. This has been going on for quite some time. I guess, I appreciate all your efforts on this. But we need to, I think we can do better. So--

- Can, Mr. Chairman?

- Alder Lefebvre? Yeah, go ahead.

- Yeah, before I have to leave. I wanted to know, this is for Attorney Bungert, can the--

- Well, can you hold on a second, Alder Lefebvre? These are for a Leah Weycker. The floor is still open.

- Okay.

- So if you have any specific questions, otherwise we'll close the floor and then we can talk. Anybody else for Leah? Okay, we need a motion to close the floor.

- Motion to close the floor.

- By Stevens.

- Second.

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

- [All] Aye.

- All opposed? All right, go ahead, Alder Lefebvre?

- This is a question, yeah, for Attorney Bungert. As was mentioned by Leah, that they close them down and then an hour later they're up again. Could this go into our ordinance that the police can lock the building until there are proper licenses issued for that establishment?

- I'm not familiar with what kind of parameters we can put with respect to the regulation, but that's certainly something we can look into to see whether it's a possibility.

- Yeah, I would suggest that, because that would definitely chase them out. Yeah, just close down, and then they wait an hour and just open up again? So we're gonna ask our police to be constantly going in there. That's not, yeah. If we can do something like that, it would be much better. Thank you.

- I could ask the police too on this. It seems that, let's say we really focus on this area and we take care of it pretty well. Chances are they're gonna try to find other locations. But I think as a city, we have to be really determined behind this effort, not just on Military Avenue, but throughout the city. So as long as I'm here and I know the other alders, I think feel the same way, that we will keep pushing on this. And we need to work with our state reps. So I think with that being said, I don't know if we could entertain a motion to move forward? Alder Lefebvre, did you want to say something?

- Can I ask one more question?

- Sure.

- Can we, is there a limit on the fines that we can issue, the amounts?

- I'm not familiar with that as to whether we--

- Okay, that's something too, I think we should check into. Maybe 600 is not enough.

- [Leah] There is a limit.

- There is a limit?

- Yeah.

- Yes.

- Okay.

- Okay.

- I can tell you when the police issues a fine, there is a limit or a set number that's set by either ordinance or state law. And then there's a lot of court costs added onto it. We do have the authority, I'll use Ken Euers Park as an example. It's called maxing out the fine. We do have the authority right now, even if the fine, the actual fine, say, is \$200, and there's, say, \$250 in court costs to make it 450. That \$200, we could actually up the fine. There is some leeway where they need to get supervisor approval. And we do that out at Ken Euers Park where a fine out there is \$1,300. I could tell you, the problem we run into is the girls that are working at the establishment, the employees, fining them won't do anything. We are trying to track down the owners of the business and find the owners. Because fining the girls, the employees that are working there, I can tell you will do absolutely nothing. A, the City will never get that money from them. And B, it will not stop the operation. So that the police department with our spot checks that Lieutenant Allen said, we really want to go after the owner, either of the establishment, or even the property owner that's allowing the people, the establishment to be in there. If we could, without getting into our investigation, if we could connect the dots back to that person. So those are the challenges that we work with. But yes, if we do have the authority, where we could up the fine. We can't make it two, three, \$4,000, but we can up it, almost doubling what it is now.

- Okay, thank you.

- Okay. Well, with that being said, I, Leah Weycker mentioned that she'd like to see more involvement with the state, et cetera. So we've heard the testimony. Would one of the committee like to bring forward a motion?

- Let's see the motion would be to, yeah, I am unmuted. The motion would be for the law department, with, should we say Military Avenue for now, and the state, I forgot what his name is? Bring in--

- Sanfilippo.

- Yeah, bring him in to see if he can help us with writing this ordinance properly and where it becomes effective.

- So, could we do it in such a way to say, to work with some, I dunno if it's Representative Sanfilippo and the state, and in conjunction with our law department to craft an ordinance that will mimic the state ordinance or Milwaukee's ordinance. Does that make sense or not? Help me out, folks?

- Yeah.

- So just generally, so we currently redid our ordinances, to reflect the granted authority that state legislation has provided. So at this point, I wouldn't want to direct staff to be, 'cause if research shows we, and I'm not familiar with what research ACA Mather has reviewed, so I don't want to speak on her behalf, as far as what parameters we have or what limitations are, but I wouldn't want there to be a motion to refer, for staff to be putting something together that's not gonna be possible. I think generally, if it just is a motion to refer to staff to be working with state counterparts and the Military Business District to continue working on providing additional regulations as applicable.

- Which would apply to all the city, right?

- Well--

- We do want to put that in? 'Cause we don't want to just limit.

- Well, all ordinances are citywide, we don't have--

- Okay.

- This wouldn't be a city--

- Okay, then that's my motion.

- I'll second.

- Okay, Lefebvre and seconded by Stevens. I was just gonna say, can we report on this? I don't know if each meeting or every other meeting? What's your take? I would like to get updates on this as much as possible. And I realize that, it's like time, month, two months, the sooner, the better. But what's a good time period to answer back to the committee as far as where they're at? What do you say, two months? Or a month? Anybody?

- I would say give them whatever time they need. As quick as they get the information report back to us at our next Protection and Policy Committee. I think the staff is aware of what's going on and they're moving forward with it. I'm sure that's what they're trying to do.

- So don't worry about a timeframe?

- No, just continued updates, I would think, huh?

- Yeah, they'd give us some updates.

- Okay, if we have questions, we can always bring those forward. But yeah, that's good. So we have a motion and a second. All in favor, please say aye?

- [All] Aye.

- All opposed? That passes. And thanks for all the input, Attorney Bungert and your office.

- Mark, did we close the floor?

- Yeah, we did close the floor.

- We did, yeah.

- Okay. Mr. Chairman, I think I'm gonna leave the meeting now and I'm gonna go to the next meeting.

- Okay, well, good luck.

- Okay, everybody have a good weekend. Good week and good weekend.

- All right.

- All the best to you too, Kathy.

- Thank you.

- Okay, let me know when you're ready, Attorney Bungert.

- Yeah, one second. I'm just recording the... All right, item number six.

- All right, number six. A request by Alder Brunette for discussion with possible action on forwarding the Face Covering Ordinance to the Brown County Health Department for review.

- Yes, thank you, Chairman. I had Attorney Mather forward me the ordinance that we passed in July originally I'll be honest, I didn't realize how short it was. For me it seemed like it was longer. The ordinance was several pages from my memory, but the ordinance itself is only 1.33 pages, a page and a third. So I guess when my point is, we passed it in July. A lot has changed. The effectiveness of certain sorts of face mask, I think that one said that it could be a homemade mask that's cloth in nature. I just would like the health department to review our ordinance. It's not gonna really change anything because we passed the ordinance to be effective all the way until March 31st. But it wouldn't hurt for the health department to give us things that may have changed in regard to COVID since July. For example, certain types of masks are more preferred. Certain types of places are exempt. That sort of thing. It's not groundbreaking stuff. It's just, I think it would be appropriate because we don't have a health department to have an outside view on our ordinance just to tell us if we should adjust it or change it to be consistent with what best practices are right now.

- So, Alder Brunette, did you talk to the County at all on this matter?

- No, I didn't.

- All right. Anybody, alders? Anybody else? Alder Dorff?

- No. I'm just curious. Is that something that our attorneys did or are capable of doing? It might take Brown County Health a really long time. They're really having trouble even doing contact tracing from my understanding of what's going on over there. But is that another alternative, or is that just nothing? We don't want to put another thing on the attorneys. Maybe that's, it's better not to.

- Yeah, if I could, or Brown County or Appleton or the Oneida tribe. They all have health departments. So if it's not Brown County, any health department. But to your point, Alder Dorff, I think the same would be their case as well. They're probably busy as well.

- So you're just looking for something that would be a little more definitive as far as what type of masks and some of the protocols that are out there?

- It wouldn't hurt. Again, I understand everyone's busy. But we have this ordinance in place. I think it was passed in July. That's a long time ago.

- Well now some places say you need a double mask. And you're right, I do agree with you in the sense that there are, I think we're all trying to do the right thing. We're doing the distancing and the hand washing and the et cetera, et cetera. A lot of us are doing that. But then there seems to be little variations that come into play and then it's like okay, how do we adjust to that? And I agree with you, Alder Brunette, that it would be nice to have at least a little bit of direction that way. So, Alder Dorff does bring up a good point. The Brown County Health Department is taxed a bit. But, it'd be nice to have something. So, Committee, what do you feel? Anybody?

- Can I make a comment, Mark?

- Go ahead, Alder Vander Leest.

- I think that any information that we can receive from the Brown County Health Department as far as, about the mask issue, it'll be like public information that whatever they say that, this is good to use. I guess that's what we'd kind of be looking for. It wouldn't have to be any, whatever's the best type mask. And I know they stress about washing hands and all that type of stuff and the social distancing. But if they have any suggestions on the proper mask to use, maybe they'll have more information. The state might have more information as well. And maybe Brown County could check on that. It wouldn't take very long to do that little information. Basically it would be a public service announcement for the whole community. So yeah, this is the good kind of mask. And they advertise on TV, they have Dr. Rai and they have other medical professionals that are giving all this information. I'm sure Bellin Health or Prevea would do the same. They could probably help us out in saying, "Yeah, this is a good kind of mask." They're the ones on the cutting edge. I would say the medical community is the one that we should talk to. And if it's the hospital or if it's the Brown County Health Department I'm sure that Dr. Rai would give us information. He's on TV all the time.

- Okay.

- My suggestion.

- Is there, well let me ask, maybe Alder Dorff, you would know this, maybe on our website, do we have things, I haven't looked at it recently, but might there be some information there already that is in place for this type of thing? Or not, on our city website? I don't think I've seen it.

- I don't think so, on our city website.

- And I'm not putting pressure on it. You can ask 10 different people their opinion on something like this, and you might get all little different answers. So I appreciate Alder Brunette bringing this forward. I don't think it's earth-shaking, but I think just having more information is good. I don't, Alder Brunette, in your estimation what would you like? How would you like?

- I'll give you one example. I'll give you one example on the ordinance. It says, under definition of a face covering, "means a manufactured or homemade cloth covering "that fully covers an individual's nose and mouth" so on and so forth. Well, at this stage, our understanding of COVID, is a homemade cloth covering sufficient? That it could be a handkerchief or something incredibly thin. So I understand why we want to have some flexibility in the ordinance to allow our constituents some flexibility so they don't get fined or cited if they don't comply. But right in the ordinance, if we're suggesting that homemade cloth face covering is sufficient, I don't know how true that is. I think, you know what I'm saying? So--

- Yeah, a little bit.

- So to answer your question, just a simple referral to the health department. If they don't take it up, I can, I have some ability to contact them and say, "Hey, as a city alder, "this is what the city agreed to." Of course it has to pass the city council. So I just think a simple referral to the Brown County Health Department to review the ordinance.

- Okay, thank you for that. Alder Dorff?

- I just looked on the website and we have actually 55, you can get 55 different results when you ask about masks. "Why do we have a mask ordinance? "What do I do if someone at my business doesn't have one on? "Where can I get a mask? "How can I eat a restaurant with a mask on? "Do I need to wear a mask?" And then it's about voting. There's a lot, actually, a lot of information on our website about masks. It's just not, like in one place. You have to put the word mask in. And then you can come up with a whole bunch of things. But I don't know... See, I wonder if, is this something we can ask the health department, but what specific question are we asking them? I guess, I'm confused.

- Well I think Alder Brunette kind of brought up, I kind of agree with him. I've got four different kinds of masks at home. I've got different cloth masks and the material and the N95. I've been told to wear two masks because of the variants that are out there. So after a while, it's like, and then you got to wash them every day or every, you know. Some people wash them. Some people don't. Some people have it below their nose. Some people cover it. Some people don't wear masks. So, I'm trying to be a good citizen that way, myself. And I just would like to see some consistency. So with the cloth, I've been told, I've had neighbors make masks, hundreds and hundreds and give them out. Thank you so much, thank you so much. A lot of people have done that. But then some people might say, well, maybe the material isn't as good as it could be.

- You mean are we gonna do that, in our ordinance?

- I don't know. I don't know.

- I kinda disagree.

- Go ahead, Alder Stevens?

- I think the ordinance was designed by, I don't think it needs to be changed. We all know what type of mask protects you the most. It's up to the individual to choose which mask they choose. So I don't think we should be bothering another company or outfit to tell us what we already know.

- Well, I agree to a point, but I think, well. Attorney Bungert, I'd like you to weigh in a little bit. Then I'll get back to you Alder Stevens. Attorney, what's your take?

- Yes. Thank you, Chair. So my understanding with crafting the ordinance last summer, it was done based on reaching out to the municipal listserv and discussing with other municipalities that had face coverings or face covering ordinances in place or were seeking them and looking to the CDC guidelines, Brown County Health Department guidelines, other health departments, guidelines for the state, as far as what their medical professional opinions as far as what was the recommendation with respect to face coverings, and how they should be, their general . From an ordinance perspective and from an enforcement perspective, we can't really go down the road of requiring type or whether it's manufactured. It was structured in a way so as to be readily and equally applicable to all citizens and something that will be more easily enforced as to either you're wearing a face covering or you're not wearing a face covering versus looking into the sufficiency of the face covering.

- I have something exciting I just found.

- Yeah, go ahead, Alder Dorff.

- Look at this, or maybe you can't see it. This is from Brown County Public Health. And it tells you how to make a face covering, how to make a mask, and it even talks about bandana, old t-shirts, square cotton cloth, rubber bands, or hair ties, scissors, if you're cutting your own cloth. And this is actually right from, you probably can't see it, but Public Health, Brown County So they actually have directions on how to make a mask.

- Alder Brunette?

- Yeah, thank you, Attorney Bungert and Barb, that was perfect, or Alder Dorff. I'm fine with a receive and place on file if that's, the information's out there. But I think this is kind of one of the core faults with the ordinance, in my opinion, if it's about public safety rather allowing a person to comply. What I mean by that is the ordinance, if it says cloth is fine or it doesn't specify a certain type of mask it really is just to allow compliance. Even if the compliance isn't good from a public health standpoint. To say, okay any piece of cloth fabric so a person doesn't get cited, that's great that they don't get cited, which I don't want them to be cited, but if it's not really helping the spread or preventing the spread, 'cause a a cloth mask could be anything. It could be very thin. It could be something that's got tons of holes in it. So that's what I'm getting at.

- I have a question.

- Alder Stevens?

- Well, I agree with Jesse that this should be received and placed on file. And the reason why I think that is, they had the option to do a mask mandate in Brown County, but they chose not to do it. So by us bringing this forward and giving it to them, I don't think it's, it's not gonna go anywhere. I think we've done our due diligence on doing our own mask ordinance mandate. And I think we did a really good job at it. So if the County is not stepping up to the plate, I don't think it would be feasible for us to waste our time or the County's time.

- If we--

- Okay, Alder Brunette?

- If I could, Chairman? If we extend ours past, or vote to extend ours past March 31st, I do think we need to look at revising it. So I'm fine. Having said that, our ordinance is in place until the 31st of March. I'm fine with the receive and place on file and we can revisit redrafting it if necessary. if we go longer forward.

- I agree with that.

- And I agree with Jesse too. That'll give all the alders time to look at it.

- Yeah, I think other things may change over the next couple of months. So yeah, we need to be able to adjust that way. So I thank you, Alder Brunette, for bringing this forward. But Alder Stevens you've made a motion?

- Correct

- To receive and place on file. Do we have a second?

- I'll second?

- Second by Vander Leest. Any other discussion? All in favor, please say aye?

- [All] Aye.

- All opposed? Thank you again. All right. My favorite part's coming up. When we're ready.

- Yeah, we are ready. Liquor Violation Report.

- Lieutenant? This is your moment.

- I know it's what everyone eagerly anticipated. We've had no violations during the timeframe.

- What a beautiful area.

- Good job, Lieutenant Mahoney.

- We're all drinking the grape juice. That's fantastic. All right. A motion to receive and place on file? One of you folks.

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

- Okay, I'll give it to Stevens, seconded by Vander Leest. Any other discussion? All in favor, please say aye?

- [All] Aye.

- Thank you for all your input, Lieutenants.

- Thank you.

- Thank you.

- And good luck with, we'll stay in touch with you folks too, as far as the other things we were talking about today. But thanks for all the hard work.

- Okay, thank you.

- Lieutenant, are you retiring?

- Who?

- I'm asking Lieutenant Mahoney if he's retiring.

- No, we did some restructuring here at the PD. So we now have two lieutenants in our Community Police Division. I'll be covering the East side and Nate will be covering the West side.

- Well, that's nice.

- Yeah, you guys are stuck with me.

- Well keep up the good work.

- Well, John you'll have to behave now, where Nate's on the West side? Nate, you're on the West side now?

- Yeah yeah.

- All right, John, you've gotta behave.

- Well, we will.

- Nate, I spoke to you.

- Who?

- Oh, Lieutenant.

- Yeah, I spoke to you the other day about, coming up the street.

- Okay, got it.

- But yeah.

- Perfect.

- Good job, gentlemen.

- Well, good, good discussion. Anything else, or are we ready here to adjourn?

- Move to adjourn.

- Motion by Vander Leest. Do we have a second? By Stevens. Any other discussion? All in favor, please say aye?

- [All] Aye.

- Great meeting all. It's always enjoyable with you folks.

- Have a good night.

- Thanks, Mark.

- All right. Take care.

- Bye now.