



MINUTES OF THE COMMON COUNCIL

THURSDAY, APRIL 1, 2021, 4:15 PM
Virtual Meeting. Public may join via Zoom.

A. ZOOM MEETING INFORMATION.

- I. This item contains zoom meeting instructions and information.

2. This item contains zoom meeting instructions and information.

B. ROLL CALL.

C. PLEDGE OF ALLEGIANCE.

D. APPROVAL OF THE AGENDA.

E. COMMITTEE OF THE WHOLE

I. Consideration with Possible Action on a Resolution declaring a state of emergency and providing for face coverings within the City of Green Bay.

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

Passed on a voice vote.

Moved by Brian Johnson, seconded by Randy Scannell to Open the Floor

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, No- None, Abstain- None

Passed

Moved by John VanderLeest, seconded by Barbara Dorff to close the floor

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, No- None, Abstain- None

Passed

F. RESOLUTIONS.

I. Resolution declaring a state of emergency and providing for face coverings within the City of Green Bay.

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

Yes- Barbara Dorff, Bill Galvin, Brian Johnson, Mark Steuer, Randy Scannell, Veronica Corpus-Dax, Kathy Lefebvre, Lynn Gerlach, No- Chris Wery, Craig Stevens, Jesse Brunette, John VanderLeest, Abstain- None

G. ORDINANCES - FIRST AND FINAL READING FOR ADOPTION

I. General Ordinance No. 07-21

An Ordinance Creating Section 8.17, Green Bay Municipal Code, relating to required face coverings.

Moved by Ald. Randy Scannell, seconded by Ald. Kathy Lefebvre to adopt. 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, Abstain- None

H. ADJOURNMENT.

Moved by Ald. Randy Scannell, seconded by Ald. Kathy Lefebvre to adjourn . 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, No- None, Abstain- None

Minutes with Verbatim

- I call to order a special meeting of the common council for April 1st, 2021, clerk.
- [Clerk] 12 are present and voting your honor.
- All right, thank you. 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.
- Motion on the agenda.
- Motion to approve.
- Second.
- Motion has been made to approve the agenda by Alder Scannell that seconded by Alder Dorff. All in favor will signify by saying aye.
- [Council Members] Aye.
- Oppose nay?
- Aye.

- The ayes have it. The agenda has been approved. So just one big item here obviously for council today, it's a committee of the whole item consideration with possible action on a resolution declaring a state of emergency and providing for face coverings within the city of Green Bay. I had mentioned the other night at our regularly scheduled council meeting, that we might have a special meeting coming up. I did not anticipate that it would happen so rapidly. Did not foresee the court case working its way to a decision as quickly as it did with our state Supreme Court but that did occur. We don't have a statewide face covering requirement in place and so that's why we pulled together this meeting in short order. You know, under our city code, under state law, I have the ability to proclaim a state of emergency. Could have done that, but really felt it was much more appropriate to bring this to council for this decision. The other thing to note is that we do have a state of emergency in front of you. I'm gonna let Attorney Bungert, who is filling in for Attorney Chavez, talk about why that's necessary in order to have this ordinance in place 'cause that's a bit of a change from the last couple extensions of our face covering requirement. But just very briefly from my point of view, we are so close to the end of this pandemic. This is really the only tool that we have at our disposal as a city government. To continue to keep people safe especially those who don't yet have access to the vaccine. We have universal eligibility right on the horizon on Monday beginning for every person in the state who is 16 years old and above will have access to the vaccine very quickly here and just feel like this is appropriate action for us to take at least for the next month to allow for vaccines to continue to roll out, for that immunity to continue to rise and for us to get back to normal as quickly as possible. So with that, I will turn things over to Attorney Bungert to lay things out a little bit for us, offer us some of those legalities so that council has full understanding of what's before you.

- Yes. Thank you, mayor. Good evening council members. I guess I could begin with why the emergency declaration is a necessary component of what's before you tonight. So there are two statutory sections in play. There is a section 323.11 which grants local governments the authority to declare a state of emergency. Which then grants the local government body, so the council in this case the ability to take certain actions, give... Pass certain ordinances that they otherwise wouldn't be able to do in a non-emergent situation. So the declaration of emergency goes hand in hand with being able to enact the mask ordinance which is why we have these two items in front of you. We have the resolution to declare the emergency, declaring and stating facts that support the finding of an emergency, and that's all laid out in the whereas clauses and the resolution And then the action that the council is then taking. Pursuant to that declared emergency is enacting the mask ordinance with a stated expiration date for both of .

- Can I ask a question?

- Alder Dorff go ahead.

- So this state of emergency, does it only apply to the mask ordinance or does it also give other powers to the mayor at this time?

- It does create... So it's not limited to just the mask ordinance. The declaration of emergency allows measures such as the mask ordinance to be able to be enacted by the council. And so theoretically other powers can be taken by the mayor or by council with respect to the emergency, within the short period of time within the one month. However-

- Thank you.

- The same process still goes. So if there is something that comes up that necessitates executive action, if council can't be convened quickly enough, then that can be done by proclamation and then that is still subject to ratification, amendment, so forth by council. Ultimately it always comes back to council.

- Thank you.

- Okay.

- Alder Lefebvre.

- Yes, I have a question then. Does that mean that we need the emergency... Declaration of an emergency in order to have a mask mandate?

- Correct, yes. With further research and recently a opinion that was provided by the Wisconsin League of Municipalities, those two go hand in hand. So in order for a mask mandate to be appropriate, it necessitates the declaration of emergency. So it's more of a procedural question. So in order for the council to enact something such as a mask mandate, the state of emergency needs to be in place first.

- Thank you.

- And just so counsel knows, this was news to me because we had... We let that state of emergency fall away at the end of last year and instead just move forward with the extension of the mask requirement. And that's what I was anticipating that we would be able to do but after talking to Attorney Bungert and Attorney Chavez and Attorney Mather yesterday, it became very clear that this was necessary in order to have the requirement. Alder Steuer.

- Thank you your honor. Attorney Bungert, maybe we will be talking about this a little bit later, but as far as if we vote to uphold this mask ordinance, will this leave the city open to any potential liability or lawsuits? The way it's set up?

- As far as in what context? As far as constitutionality?

- Yes.

- I mean, I think partly... You know I'm reading different emails and I've got... We've gotten many emails on both sides of the fence so all this others. The other folks that are out there saying that, "Well, you're leaving yourself open for liability and lawsuits." I just want either squelch to that or just find out what take us from .

- Sure. Well, it's a little difficult to answer that and such a generality.

- Yeah.

- With any action that... I mean, hypothetically that counsel takes or doesn't take, in theory you can leave it open to liability, but with respect to constitutionality and whether the council has the authority to enact something like this, absolutely. I think most, following the news media, I've seen obviously different criticisms of what's happening across the state and other municipalities and I think maybe to put it contextually in light of the Supreme Court decision, that decision that came down that struck down the mask, the statewide mask mandate does not apply to local authority. That focused solely on the governor's authority under a different statutory section. The ability to declare a state of emergency for the governor is quite different than the ability for a local government to do so. And the opinion hinged on the fact that the governor enacted successive emergency declaration, when the statute provides that he only has the authority to do that unilaterally as the executive for a 60-day period and any extension thereof required legislators' approval which wasn't sought. So as a consequence, because those declarations were unlawful, the mask mandate was considered void. The Supreme Court did not weigh in or discuss or rule or hold or reason in any way that mass mandates are unconstitutional or are themselves unlawful. It's focused solely on the authority of the governor to declare emergencies in the way that he did and then whether those subsequent orders, issued emergencies were valid. And the court determined in that context, they were not. But again, there are marked differences in the broad authority given to local governments. And I think they actually... The majority opinion noted that the powers that are granted to the governor are quite limited, in comparison to the powers that are granted to a local government. In the fact that is declaring the state of emergency though says, just the executive. And so that's the distinction. So I hope that kind of answers your question. Like the biggest thing that is on people's minds in light of the Supreme Court decision. But at that does not affect the council's authority to do this. It is

supported in law and all the facts that are stated in the resolution support the finding of an emergency on the mask mandate as a logical order stemming from that emergency to protect the public.

- Well, that does clarify a bit. I was checking on the legality of the state versus the local, and that does help quite a bit. But, I think the discussion will also go to the county eventually as far as the responsibility. I think that the county should... That's good for now, I appreciate your thoughts. Thank you.

- Alder Lefebvre for a second time.

- No, I.. This is general. I just want to know... Everybody know I have a 5:30 Brown County Board Meeting that I have to be to, so I hope this isn't gonna take too long. Thank you.

- Yeah I just... I guess then I'll make a motion to move forward with the resolution, declaring a state of emergency and providing for face coverings within the city of Green Bay. I'll move that. So it means we really start talking about it.

- Motion to approve made by Alder Dorff. Was that a second from Alder Scannell? Seconded by Alder Scannell for the discussion.

- I have a few . Okay, so I've really gotten some very good emails and phone calls from both sides. And I mean, the tone has so improved since last July. I didn't get violence threats against my family. People are more reasonable. They have good reasons on both sides of this argument. They're sincere in what they believe. And I have to say, I don't care much for wearing masks, it steams up my glasses, it's harder to smile at people, it makes me feel isolated. They get really hot and I... It got right. So if this was all the "Barb Show" and it was just all about me, then with that, we don't need masks. But it's not just only about me. It's about a lot of other people too. And had this resolution not said that it was gonna end me fifth, that is what I wanted to propose. I didn't know that it would say that and it does say that. The reason I would have proposed that is because starting Monday as the mayor stated, people will have the option of resitting to get the vaccine if they so choose. And it gives them a month to get two doses. So we've gone this long with masks and I think it's a good compromise that everything else being equal, we could do it one more month. We could try to keep people safe other than ourselves. I think most of us on council actually have gotten the vaccine already. And so that would be... What I would be the reason that I would support it at this time. And I do also think there are people here that would... Are gonna want to talk but maybe more alders should talk to you.

- Should we vote on this before we continue to discussion? Or does it...

- Alder-

- I don't mind. Never mind-

- Yeah that's okay. Any other comments from alders?

- Are there people here who wish to speak to this item?

- It looks like we have a couple hands raised.

- Motion to open the floor.

- Second.

- I think Alder Galvin wanted to speak first.

- If I could interrupt-

- Sure Alder Galvin. Go ahead and then we'll-

- I wasn't able to log in through the city website icon. I had to go back to an email and get that type it in. And I was... I thought in a cynical broad view, but now I'm completely locked out of that. I'm just wondering if there's an IT problem going on or if it's something on my end. Even trying to look up material here, that would be in for this meeting and I can't get in. So just if someone could say something to Mike Hronek or something. Take a look at it and just let me know later on. Thank you.

- [Mike] I am here and I will take a look at it.

- Thanks Director Hronek All right with that, we do have a motion from Alder Johnson, seconded by Alder Scannell to open the floor. All in favor signify by saying aye.

- [Council Members] Aye.

- Oppose, nay? The ayes have it.

- If we could we limit that to one minute?

- I would vote three minutes.

- Three minutes.

- There's nothing on, and I don't think the...

- Yes Randy.

- Might we make it 10 seconds?

- Alders.

- 10 seconds.

- Alders, I appreciate your comment. Alder Scannell I think we'll stick with the customary three minutes but to your point, there aren't gonna be a whole lot of original arguments that we're gonna hear this evening. So be

concise, get to the point, and make sure that we can move on to all the residents that we have here. So with that, I'll turn things over to either the clerk or the deputy clerk to identify people, and then we'll get going.

- [Jeffreys] Yes. Thank you, mayor. This is Clerk Jeffreys speaking. Just getting myself set up here. Okay so I have Kimberly Vogt. Please unmute yourself and state your name and address for the committee, the council.

- [Kimberly] Hello, my name is Kimberly Vogt. I live at 3071 Gothic Court, here in Green Bay. Where to begin? Well, I'm gonna start with... I think it's repugnant that you have done this emergency meeting without notification to I know a lot of people would be interested in voicing their opinion, whether it's a minute, 10 seconds or three minutes. I think the point is we are a year into this. The governor has been struck down and told that enough is enough. We are at a point where people are going to wear masks. They're going to wear masks. And if they are not going to wear a mask, they are not going to wear a mask. I can bring all the data, I sat on all of the Zoom calls and it went in one of your ears and out of the other. I think the fact that this was done on a holiday weekend and we don't even have all the alders available, that again is repugnant. So at this point, we're a year in, this is not an emergency mandate. You should have called this, you should have notified the public and more people should have been able to be on this call to make their claims, to make their opinions heard. So again, I didn't have time to download all the documentation on how the death tolls are down and how this isn't affecting our children and how half people are being vaccinated and I don't really think you care. But as a resident and a voter in this district, I want my voice heard, enough is enough. If you feel you need to wear a mask, wear a mask. And if you do not wanna wear a mask, people are not going to wear a mask. So I found that cowardly that you did not let the public know ahead of time of this and you did this at 4:15 on a holiday weekend and I say, shame on you. And I think giving the mayor more emergency power, which is not limited to this is a mistake. And I guess I will yield the rest of my time. But that is what I have to say enough is enough.

- [Jeffreys] Thank you, Ms. Vogt.

- Vogt, if I can ask a question.

- [Kimberly] Yes.

- Do you believe in science?

- [Kimberly] I believe in science. Have you read any of the science? Have you done-

- That's all I need to know.

- [Kimberly] You and I have gone back and forth and I have looked at all the data and I am on all the websites so we can see you-

- Thank you. thank you very much.

- [Kimberly] Do you believe in the science, sir?

- Your honor if you could explain the rules of how we operate here.

- Yeah. That's a great point. We don't have back and forth typically between residents and alders, so-

- [Kimberly] You asked me a question, if I believed in the science, I answered it and I asked him the same question.

- Yup. Appreciate your comments ma'am.

- [Jeffreys] Next we have Cassandra H. Cassandra H, please unmute yourself and state your name and address for the council. Cassandra H.

- [Cassandra] Hello?

- [Jeffreys] Yes hello. Go ahead and state your name and address for the council.

- [Cassandra] This is Cassandra I 142 Lock Drive.

- [Jeffreys] Go ahead.

- [Cassandra] Hi, I think I shared my story with most of you but I just wanted to share something that happened recently with us. On Sunday, March 14th, my daughter attended her first dance competition of the year and the director made the decision that all the dancers at her studio would be dancing and mask on stage. Even when that decision made some people unhappy, everyone on her team felt healthy, passed the health checks, didn't have any symptoms. Two days later, we got a call that she would need to quarantine and be tested as she was deemed a close contact with a confirmed positive case. Dancing with a girl on her team whose family had no symptoms on Sunday now were COVID positive. At that point thankfully, she and lucky enough to receive her first dose of Pfizer, but no one on her team had. We tested her twice, she tested negative. Not one girl on the team tested positive because masks work. Could have... This could have ended so differently if the studio director hadn't been willing to boldly take the stand that she... Our daughter does have epilepsy and the neurologist confirmed that the kids who got COVID who had epilepsy really struggled with breakthrough seizures for several months afterwards. So we've really worked to keep her safe and my husband has type 1 diabetes. Most of you know me and know this as well. So he's at a higher risk for developing a severe case. I'm so grateful that all three of us have now received both doses of Pfizer. On Monday, the state's gonna open up eligibility to everyone, 16 and older. So we're the city of Green Bay. I'll put it in football terms. We're on the 10-yard line, fresh set of downs, newest star quarterback, Pfizer, Moderna, Johnson. It's up to us to be the offensive line. Get our team to the end zone. Don't let this last year be in vain. Of course so close to Farmer's Markets festivals. Dining out, fans and stands. Most importantly, for unions with our loved ones. I can't wait to see my family. I wish you all well, even those who may disagree with my stance. Thank you. I'll yield my time.

- Just a question.

- [Cassandra] Sure.

- Again, do you believe in science?

- [Cassandra] Absolutely.

- Okay. Thank you.

- [Jeffreys] Thank you Ms. Cassandra. I forgot your last name. Ms. Walschinski, please unmute yourself and state your name and address for the council.

- [Lea] Hi, this is Lea Walschinski. 2733. Just wanted to thank everyone for allowing me to speak and for Alderman Dorff for inviting me to be a part of this. I've never spoken at a meeting. So this... I might be wordy and I apologize upfront. So I have a husband who has cancer and a daughter who is eight, who has Spinavita and a wonderful son who is just my son. He's more than that. But of course, this past year has been a struggle for our family, even though my husband and I are very fortunate to have both doses of the Pfizer he is still vulnerable. I have spoken to his oncologist at length, and they are still advising that he should mask and that others around him should mask. Even the people who are vaccinated, still need to mask around him because they still do not know how the transmission is with people who are vaccinated. The science isn't there yet. And my daughter, she's eight. She cannot be vaccinated yet. They don't have the science for that, they don't have the tests yet. I would love to take her places where people are masked and that she can have a good time and not be stuck inside. I've been stuck inside for so very long because of everything that has gone on. I would have loved to have so much more support in this past year. I urge you to vote yes for the mask mandate because we still safe. There's so many unknowns. There's still a variants that have doubled in the last week that DHS posted it. There are warning signs that another surge is about to begin. It's supported in law. The president supports it and strongly encouraging it. So please follow it, please follow the science, follow the everything. Thank you for everything. For my... For your time and letting me speak. I'll yield the rest of my time.

- Hey, again, a question your honor. Do you believe in science?

- [Lea] Oh, yes. I guess.

- Could... My point mayor. I mean, if-

- Alder Johnson go ahead.

- Could either be a little bit more precise rather than a nebulous, do you believe in science, or if his attempt is to simply make a point, if he could do that during his time when he speaks.

- I am doing this for a purpose. It is my question. And it's what I want to ask and what I need to know for my purposes.

- And can we please be a little bit more precise than do you believe in science-

- Alder Johnson, I appreciate your point but alders have the ability to ask questions.

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- Even if they're dumb.

- [Jeffreys] Thank you, Ms. Walschinski. Next we have Lucy's iPad. Lucy's iPad, please unmute yourself and state your name and address for the council.

- [Lucy] My name is Lucy Conan. I live at 812 Colonial Avenue. And I just want to give to you the stats from the MacGyver Institute as of March 31st, 2021. So the new COVID cases have dropped 93% since the middle of November. New hospitalizations have dropped 78% since the peak back in November. Statewide hospitalizations have dropped 89% since November 17th. The number of deaths have dropped 94% since the peak ending December 22nd. 30.3% of residents in Wisconsin have been vaccinated at least one dose. 17.9% have completed the series. As of March 31st, 2021, 3 million Wisconsinites have been tested for COVID. 2,700,000 have tested negative, which is 83%. 577,000 have tested positive, which is only 17%. Of those 577,000 who tested positive, 98% have recovered. And those who were positive, 2,598 have been hospitalized, which is 4.8%. On March 21st, oh excuse me, March 16th, the DHS reported an average of 2.8% of all the tests that come back are positive. It has been under 3% for the last month and a half. So this is the science. This is not a state of emergency and it grieves my heart to hear the fear in people when they cannot go out and see family members, they are afraid for their children. I mean, I've worked in the hospital system. I have seen more children committing suicide between the adolescent age of 12 or nine and 12 years old. I have never seen that before, till this year. So you people need to think beyond your own personal interest in this and you need to think of the community because this grieves me. We are not in a state of emergency. The Wisconsin Supreme Court has issued that what the governor has been doing is not legal. He has gone beyond the scope of his authority and I feel like you as a council are also going beyond your scope of authority. This is outrageous. If you wanna wear mask, fine but you do not make businesses. You do not make citizens of Green Bay forced to do this. It even says on the box of the masks, that mask do not prevent COVID-19. So this just is outrageous to me. So thank you for letting me speak.

- Again, your honor. Do you believe in science?

- [Lucy] And you need to expound on that? What do you mean, do I believe in science?

- It's yes or no.

- [Lucy] I have seen... No, not yes or no because it is an open-ended question. And didn't you... It's like-

- or not. I mean.

- Alder Scannell.

- If you cannot answer yes or no know this-

- [Lucy] I-

- Alder Scannell.

- Yes.

- Let her resonate and answer the question.

- Okay.

- [Lucy] And I wanna tell you something. I am very disappointed in this council. Since COVID started I started to attend these Zoom meetings. I'm embarrassed. I'm embarrassed at the eye-rolling. I'm embarrassed at the heavy sighing. I'm embarrassed at the disgust you have for the people of Green Bay. It's outrageous. I can't believe that you are adults and you have to make these huge decisions, city and you do not even consider the people that you have to deal with here.

- Okay ma'am. You did have your three minutes-

- [Lucy] Well, he asked me a question. So I'm responding. Okay?

- Your answer is very germane to his question but I appreciate your comments.

- [Lucy] Well, his question is not... I mean, do I believe in science? He needs to elaborate on that. If he wants an answer, he needs to ask. What kind did of science?

- Thank you for your comments, ma'am.

- And the science? Thank you for your answer. It wasn't helpful, but appreciate it.

- [Jeffreys] Okay, thank you.

- [Lucy] You are one of the council members that say very much very bitter man that shouldn't even be in a position of authority.

- Your honor.

- [Kimberly] I agree with you. Your attitude and you disgust for people and the way you challenge us as

- [Jeffreys] So I've just muted everyone, mayor.

- Thank you.

- [Jeffreys] Do... So alders please unmute yourself. Next we have Beth. Beth, please unmute yourself and state your name and address for the council.

- [Beth] Yup, it's Beth Solloway, and then it's 1276 Kellogg Street.

- [Jeffreys] Thank you very much. Go ahead and share your thoughts.

- [Beth] Hi everyone. While I understand everyone has their own opinion on COVID and everything these days. I've heard many several stories of people stating why, how COVID has personally affected them and their families. And a lot of them have ended in death. Just recently I did lose my grandpa. Wasn't to COVID. He just had passed away and what the hardest part was is for the past year, he is in assisted living. So I was rarely able to actually see him. He was able to come and live with us during a portion of last year due to something happening at their home that they were at. But when they went back, I didn't get to see him. Once he had went back in August, he got to maybe come out for a holiday possibly and then was the quarantine for another, almost 30 days after every time. And it just breaks my heart because I pretty much got that last year ripped away from him and it's really hard. The thing that I would like to point out though is he did live with me and my family for about three or four months, both him and my grandma did. I personally do not wear masks anywhere that I go. I was still going anywhere and everywhere during this period of time and I never had brought it home. So all I sympathize for people that wanna see their loved ones and that are scared of bringing it places. If I didn't have those three months to have my grandpa live with me, I would be in such worse shape than I am now and I'm thankful that I've had that time during that. But if something were to happen at their nursing home or they were able to leave for those three months, and come live with us, I can only imagine how that would even just... So I'm not here to bring facts or anything, but I'm kinda here to bring a story where I was thankful for the fact that I was able to see them and also that whole entire time that me and my family we were all on masks. And we still went and did everything as we pleased. Even my grandparents went and did everything as they please which is obviously everyone's own opinion. And to answer the question, I know I'm gonna get asked, yes, I believe in science, but also we need to realize that there's two types of medicine, where there's western medicine and holistic medicine. And holistic medicine has been forever getting ignored during this whole entire COVID time. And I think that needs to be recognized, but yes I do believe in science. I yield my time.

- [Jeffreys] Thank you very much, Beth. Ms. Salloway.

- Celestine.

- [Jeffreys] Oh yes, alder.

- Did you see the message that was sent that people can not see the timer so they don't know. And then there's that loud noise at the end?

- [Jeffreys] Oh, I... Oh, okay. So thank you very much Beth because I am downstairs doing the Zoom. I was hoping that the screen-share would be able to show the timer but...

- It is visible.

- [Beth] I was able to see it when I spoke.

- [Jeffreys] Okay. Thank you very much. Okay, great. Thank you. I'm glad to know it's working. Thank you alder. Thank you, Beth. Is there anyone else who would like to speak to this issue? Please unmute yourself and state your name and address for the council. Anyone else who would like to speak? All you need do is unmute yourself, either on computer or phone and just start speaking and state your name and address for the council.

- Entertain a motion.

- Motion to close the floor.

- Second.

- Motion has been made by Alder Vander, seconded by Alder Dorff to close the floor. All in favor signify by saying, aye.

- [Council Members] Aye.

- Oppose nay? Aye's have it. The floor is closed. Further discussion. Alder Leferbvre, this would be for third time.

- Okay, I would like to read... One of the people who sent me an email and I responded to her and then she sent a reply and I'd like to read what she said. I thought it was very eloquent. It's Holly. She said, "We seem to hear..." Oh, I'm sorry. "We seem to have strayed from the understanding that these hard-fought rights and freedoms should be used in service of, and responsibility to our communities and the less fortunate as harbored jurors have a more just and equitable place for all. And not as demarcations and walls around ourselves where our compassion and caring should cease." I think that's very eloquent. We said, I appreciate her response. And I believe that too. We gotta stop thinking about ourselves and we've gotta think about the other. And that's part of my Christian upbringing. To not... Trying to think what it is, but when I mask, yes I think it's gonna protect me, but I'm also masking for other people just in case I would get it. I don't wanna give it to someone else. And I think our freedoms, there are limits to our freedoms. Freedom doesn't mean that you can do whatever you want, you know constitution doesn't say that. It doesn't say that you can do harm to someone else. We have to think about other people. That's what this is about, other people. And please we are getting close to the end and I don't want us to slide back. Sure. Yeah you got the statistics. Someone had mentioned. Yes, it's true. In our community, we haven't lost a lot of people, but think of the families who did

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lose members of their family, friends, loved ones to the COVID. You're just counting them like they're nothing. I think even one life is worth doing something. We have to think of others. That is our Christian duty. Do not do unto others if you want them to do unto you. Please, I want people just take a deep breath. Let's all... I know we're all... I mean, I don't like wearing a mask. I have asthma. And I'll tell you when I leave a store whatever I get into my car, I take my mask off and I'm glad to get it off, but I wear it because I believe it's my responsibility to protect others and not to spread this disease around. And I'm very concerned this new variants that are out there if people wanna know, go on and find out. It's out there. This variant does affect children. It's starting to affect children and the children can definitely pass it on. And they're thinking that it's gonna become more deadlier. If we don't get people vaccinated and people don't wear their mask, this variant could take over. And even if vaccinations might not work, I don't wanna see that. So please, please think of everyone else. Think of your whole community not just yourself or your family, think of your community and let's keep them safe. Thank you.

- Thanks alder. Other comments? Alder Wery and Alder Johnson.

- Thank you, Mr. Mayor. Late last night, I sent out an email survey. I'm fortunate over the years to have built up about 700 people on my email list. So I quickly sent it out pretty late. Given the short notice, I'm happy and surprised to note that 218 people replied. Which is a pretty good response rate given the short notice. And as you'd imagined, it was evenly split. 108 were for demand, 110 against. And most people were very respectful and gave their opinion of why. There wasn't a slam dunk either way and we're all good friends and neighbors. With everybody who's replying to us. And let's just respect each other's decisions. Okay? Mask or not, vaccine or not, it's still a free country. Now let's act like it and be nice to each other. I do want to note, I was doing some searching online and I noticed Jacksonville, Florida, they had recently ended their mask mandates. So I wanted to look up their numbers of what they're dealing with compared to us. And there's 70 average of confirmed cases, about 13 out of 100,000. Ours I believe as of today according to the state is about 19. I think it was right around there. So 13 and 19. And if you go to the CDC's website, go to the CDC's website you'll see right here in red, that's high transmission. That would be over 100. Obviously we're not near that. The next one down is substantial transmission. That's over 50. So it's not the red, it's not the dark. The next one down moderate transmission is 10 to 49. And Jacksonville's at 13. We're at 19 with the very bottom of moderate. We're almost into the low transmission which is about as low as it goes. They use to have a lowest, but now it says no longer exists like they moved it into the blue. So we are on the borderline with the lowest possible. That's using CDC's website and science and fact. So yeah, I do believe in science and I guess I'm not for extending it any longer. I've heard from enough people that let people choose. And the number one things we should be doing is washing your hands. That's the number one thing that we should promote. Wash your hands, social distance. And if so inclined, get the vaccine. And then if you want wear a mask as well. But we shouldn't be mandating these things as a government. And we really have to take these powers carefully mandating them on people. Encourage people if you like, let people choose. If a business doesn't allow it or allows it, let them choose accordingly. This is a free country. So I'm against the emergency powers and against extended mandate, knowing full well we're all gonna catch grief for everybody on either hand, these are not easy decisions but let people decide for themselves.

- Thanks Alder. Alder Johnson and then I believe Alder Galvin. And just before you go Alder Johnson, and just to let Director Hronek know, I'm not able to reach this clerk website right now. So I don't know if others are experiencing the same problem but just heads up. Alder Johnson.

- Thank you, mayor. Just to confirm, I was having trouble with the platform. So as many of you know, I posed this ordinance when it was first introduced and yet I supported it the last time it was brought before council. And so the question is why and I mentioned this the last time, and for me it's because we removed the objectionable items with which I had a fundamental policy disagreement. Those three items were... The first was replacing the trespassing citation with the municipal forfeiture. I felt that was important and that still remains the case in this particular proposal today. The second item was so that we could... That I wanted us to eliminate the inequitable provision that would essentially hold hostage licenses of businesses that were not participants in enforcement of masks. And so that was removed. And then the third item is I had this desire for a higher government body to really pass this requirement so that we could prevent a series of patchwork ordinances that fluctuate from city to city. And of course that was allowed to happen as well. And so when we start to look at... I mean we've talked about some of the data, one of the bits of data that I wonder, and I did some quick research on this. 70% according to Marquette Poll, 70% of resident support face coverings. Some polls have suggested as high as 92% in other parts of the country, but more importantly, those surveys have actually concluded that 90% compliance has been achieved. And so that is one of the reasons why I've never supported stricter enforcement penalties that just disproportionately harm our working class and our poor families because people are voluntarily doing this. Now in the Wisconsin Supreme Court decision, I know several of us received these emails. I think it's important to reiterate what Attorney Bungert said. And that is the Supreme court decision really doesn't have any impact on us or today's discussion. But I do wanna point out a quote from Justice Hagadorn where he said, "The question in this case is not whether the governor acted wisely, it is whether he acted lawfully. We conclude he did not." And I wanna point that out because today we actually have the ability to act wisely and lawfully which is not something the governor had at his disposal. If you don't agree with The Supreme Court's decision, which I do agree with, but if you don't agree with it you need to talk to your state legislators. This is an action that needs to rest with the state legislature if we want a statewide mask mandate and the legislature has failed to act on this and as a result, we're here today. Now one of the things, and this has been mentioned a few times that many people have mentioned that the vaccine is widely available therefore we don't need to extend the mandate. And it's true that a lot of people now have it available to them. Not everybody does until next week. And then from there, you need that three-week period for someone to be able to obtain that second shot and of course, for the vaccine to take hold. And that is why I think a four-week extension is more reasonable. It then as it relates, this pertains that I think we ought to start discussing. And I don't do the debate about gating criteria, but we certainly have to have that discussion about like, what is the threshold when it's appropriate for us to remove the mandate. Now one of the things, interestingly I received my first shot today, and I was talking to the nurse and she said, "Hey, spread of the flu and colds have fallen drastically." Why? Because we're washing our hands. We're spreading apart, we're socially distanced, we're wearing face coverings. These practices work. If you look at this sign behind me, we're all in. Folks, Aaron Rogers doesn't throw a touchdown pass to the 10-yard line. He throws it into the end zone. As I mentioned, I received my vaccine today and I'm gonna tell you that processes was efficient and it was robust. There were a lot of people in that room today lining up to get their vaccine. Now, I personally feel that we have this obligation to practice compassion to ensure those who are not yet comfortable have an opportunity to catch up by securing... By being able to get their vaccine. And I want us... I'd like to encourage us to please exercise compassion with their name. Nobody's going to die by having to wear a mask for four more weeks. Somebody might, if they don't have the opportunity to get their vaccine before becoming infected. So please let's give this four more weeks but I also want to emphasize that four weeks will give everyone that ample opportunity to secure the vaccination. For those individuals who choose not to get their vaccination, then I think it's appropriate for us to start having that conversation about the elimination of the mandate. Thank you, mayor.

- Thanks Alder. Alder Galvin. And just for a Director Hronek, CiviClerk is back for me anyway.

- Mayor, just be me. Maybe I didn't affect that everybody.

- [Mike] Pardon me?

- [Woman] I mean as long as-

- I just wanted you to know Director Hronek that a CiviClerk is available to me again anyway.

- [Mike] Yeah, there was an issue 12 minutes ago at CivicPlus. It was a tiny helpdesk and it should be available now. Yes.

- Okay. Very good. Thanks for that.

- Alder Galvin.

- Your honor. I received many phone calls. I've had family members infected with this disease during this time period. Excuse me.

- Go ahead, Alder Galvin.

- All right. And thankfully everybody came through and without any harm being done to them. And I've been lucky enough to get my shots now. My grandson recently, who I haven't seen for over 16 months, but I think Alder Johnson's right. We're not there. We're on the 10-yard line and we're waiting to get into the end zone. 30% of Brown County residents have had at least one shot, 18% are fully vaccinated. But unfortunately the state has documented cases of the three variants, two which are considered to be even more contagious than the original COVID-19. One of them of the three is considered to be more lethal and harmful than the others. We're seeing nationwide an increase in COVID cases. Internationally, we're seeing an increase in COVID cases and countries starting to shut down again. I understand some of the people are concerned. They tell us not to be afraid. I put on my seatbelt every time I get in my car. I'm not afraid, but I put on my seatbelt. I don't text and drive. Not because I'm afraid but because I don't wanna harm myself or harm anyone else. If people choose not to mask they're not harming just themselves, they're potentially harming other people. Because as we have been able to document through science, you can be infected and not know it and thus be spreading the disease. I mean- Excuse me.

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- Clerk Jeffreys, can you mute all participants?

- [Jeffreys] So mayor, what I'll do is I'll mute everyone and then Alder Galvin, if you can please unmute yourself.

- Thank you, Clerk Jeffreys. So I mean, we've put a lot of time and effort and then other laws that restrict our freedoms. You can't smoke in buildings anymore. You can't smoke at the entrances, you can't smoke in restaurants. Drunk driving laws, all sorts of laws and rules and millions upon billions and trillions of dollars spent on research and preventive measures for all these different things I've been talking about. We're talking about a disease that has killed over 375,000 people in the United States in one year. If terrorists had killed 375,000 people in the U.S, our reaction would be much different than this. In some cases, blahzay who cares type attitude we've had from some people. We had 2000 people killed in a terrorist attack in the United States on 9/11 and the reaction was unbelievable compared to this. 50,000 soldiers killed in Vietnam, 200 and some thousand killed in World War II. Our countries came together during those times to try and overcome. And unfortunately we see politics has gotten into this. Instead of our concern for each other, we're more concerned about our political stance and I think it's sad and it's depressing. You know obviously, this disease, school's closed, children not able to see parents or grandparents. The lack of seeing your friends and neighbors, it's affected all of us just as it did during World War II or any number of other crises that this country has faced. And unfortunately, our reaction in this one has been so compared to how our country reacted in the past. And I agree we are almost there. Let's enact this thing. Let's see where we are in four weeks. They say we have to be at about 80% vaccinated to have the herd immunity. We seem to be rocking and rolling towards that number. Let's just hold the course for a little bit longer. I mean, if we save one life in this county, I think it's worth it. That's just one life. And they say already that had we been more stringent and put in more of the mask mandates around this country would have saved thousands of lives. How many grandparents would be there to see their grandchildren when this is all over in a short while? That won't be there now, because we fought so hard against just common sense rules to make us all safe. Thank you.

- Thank you, alder. And just a quick time check. I know all their Alder Lefebvre said she needs to jump off at 5:30, so don't wanna rush anybody, but if you're able to make your comments concise, we do have that limitation there.

- I apologize.

- No, no, no. That wasn't directed at you Alder Galvin. I just wanted to let folks know. Alder Scannell.

- I'll be concise. The reason I asked people if they believe the science or not is because it seems we have all kinds of scientific opinions here. So how does that happen if we all believe in science? So that's why I asked that question. I want to know... I wanted to make sure, I didn't want to assume that someone was making

these opinions and they didn't believe in science but they're just spouting off. And so how is it we have all these opinions? Well, it's because we're all playing scientist. We're all playing doctor. That's not believing in science. For me this is a very simple decision. And quite frankly, I understand those who of you will find my behavior frustrating. You are not experts in immunology in... You don't have a doctor's degree in these areas. So your opinion in this area doesn't count. Neither does the opinion of my fellow alders, neither does my opinion. And to expect me to make an opinion is crazy. I'm going to follow the CDC and their guidances, mask up, social distance, wash hands. And our local physicians, which we've have gotten . They all support the same thing. There the professionals that I'm gonna listen to. They're the guidance I need to follow. Because I don't have the expertise and I'm not gonna pretend to have the expertise to make a decision on my own. So for me, this is very simple. And as far as how long we should do this I think we do this until all the professionals say... They blow the whistle and say, "Okay, we can come all out." That's what I'll be looking forward to. So this is a job and none of us are qualified to be making decisions, medical decisions. So we have to often in this job, we're asked to make decisions that we're not qualified to do. It's just not possible to have engineering degrees and medical degrees and everything else. So we have to rely on other experts. And that's who I'm listening to, and that's what I'm doing. So I'm gonna vote to extend the mandate. Thank you.

- Thanks alder. Alder Steuer and then Alder Gerlach.

- Thank you your honor. Well, some good points have been made by the other council members. I have a few things that I had wanted to say. I think looking at the situation, this is kind of one of those situations where it's black or white. There's really nothing in between. And I feel that what Alder Johnson asked for, just looking at another four-week window to move forward, I'm a little leery of saying indefinitely. I've gotten my shots. I wear my mask. I originally voted against the mask mandate last July because I had an inundation of phone calls to that effect. And actually this time I probably had about three quarters of the calls and emails have been against it. So again, I got the letter from the doctors. I read that. Do we believe the doctors? You know do we believe the citizens? I'm not an expert either. I'm a cartographer. I drew maps. I get lost once in a while even though I drew maps, but regardless, that's another story. I'm an expert in some areas but I'm not in a lot of areas. And I have an opinion on a lot of things too. My son, he's 28 years old. I haven't seen him... I've seen him once in a year. It's killing me, okay. I just... My daughter is 24 and she is in town but we don't see her whole life because she hasn't got her shot yet. My son is getting his first shot. So for citizens or people that say that we don't care we are all alders, but we are citizens. We're human beings and we bleed and we cry and we have all the emotions that everybody else has. So I kind of resent... I resent that we don't... We take this lightly. We don't take it lightly at all. So I'm gonna say is that I would like to see us look at... Well, like Alder Johnson said, maybe going for another month and seeing where we fall into place. I'm thinking with four weeks, we can get most of the folks into the system. There is no guarantee. We don't have any guarantees on anything, but you know if I go into a store and somebody is not wearing a mask, I go away. I go to a different area. And some people say that well why don't you just wear a mask all the time? Well, you know what? Let's just use some common sense too. That's all. And that's a short and short supply I think. As alders we do care, as citizens we do care, as human beings we do care. So I think it's very important that we try to look at the greater good. I would like to see the county more involved in this and so if having a patchwork of 24 different communities with different ordinances, it would really be nice to have a concise county-wide set up. But we don't have it so it falls under the city and then we take the heat for it. And it's not right. So I'm all about moving forward, what the four-week, the four-week time period that Alder Johnson had and if that's one of the things that we can vote on I would be all for that. Thank you.

- Thanks alder. That is the timeframe that we're operating with here. Alder Gerlach.

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- I wanna thank my colleagues for the the messages that they brought us in. And I'm happy to follow Alder Steuer because he kinda got into the territory that I'm gonna talk about. I spent hours and hours doing research on this. And I'm gonna spare you that because I don't think this is the moment now that we have to talk anymore about science. I absolutely know for a fact beyond any shadow of a doubt that the more people and the science supports this, the more people in our community who wear masks and wear them correctly and wear them consistently, the faster we'll put this behind us. But I just want to... If I could only and I know I can't, but if I could only help heal the rift between the people who are so angry, feeling that they are being forced to wear a mask and the people who are so angry because they have vulnerable loved ones and they want people to wear a mask to protect them. For me this has been a very difficult year. I have lived alone with a little dog for one year because I'm determined to do it right and to follow the rules. And I just wanna say that every week when I ordered my groceries and I drove to the store and the young person brought those groceries out and put them in my trunk, I loved that kid. I used to say to the manager when I give them a review and I put a note in, I'd say "Make sure you tell those young people they're not just earning a wage they're doing a service to their community." And I know this might just sound like something only an old lady would think of but the truth is, I loved those young kids for what they did. And now that I'm vaccinated and I'm not vulnerable. I could say I'm not gonna wear a mask but I do understand that I can contract the disease and give it to someone else and not even know it. And when I go into Costco now, and I see all those people wearing masks I am so grateful to them. And I just wear my mask now with joy. I hate the damn thing. I hate it. And my glasses fogged up and my nose runs and damn it I don't wanna do it anymore. But I will. I will. Because I do it now with joy because I really see the end to this. So I just wish that people could put their strong feelings aside and trust old people like us that have seen a lot in life. And we've had a lot of challenges and I can tell you this will end and it will end better. The more we can all get together and say, "Okay, fine. I'll do it because she said, it's gonna work. And he said, it's gonna work." We're right. We are right about this. Let's mask up. Let's get together. This is Titledown for heaven sake. We should behave differently than the rest of the world. We're special. So it's put to the point now of feeling joy and hope. And I hope everybody can just put aside their strong feelings and let's get together now and bring the ball into the end zone.

- Thanks alder. Any other comments on this item? Alder Corpus-Dax.

- Thank you mayor. I supported this mask mandate both times that it's come before us. I'm gonna be honest, I was questionable as to whether or not I was gonna support it again. Means about the legality. So I appreciate Attorney Bungert's explanation there. Yeah, I avoided seeing family and the family that I did get to see, I masked up, we mask up pretty much anytime we go out. I'm very fortunate in that our family hasn't been affected by this or my immediate family. I have had family members, my mom and some other family members have both... Have all been diagnosed with COVID and very thankful that it wasn't anything that landed anybody in the hospital. We've been very fortunate given the fact that we have kids who play extracurricular sports and they've done it since last summer. And that included indoor sports and the facility in which they play in, they ask people to wear masks. Players can, if they want to wear masks otherwise most... A majority of them have gone maskless and we've been very fortunate in that we haven't, as far as we know, haven't been exposed to it. That being said, again, I was questionable as far as whether or not I was going to support this again, mainly because was it going to land us in the court system. But again, hearing Attorney Bungert's explanation, put my mind at ease in that aspect. Seeing asking for is another four weeks. This is what we're asking for. I'm gonna support this... The extension. That's all.

- Thanks alder. Any final thoughts from council? We do have a motion and a second on the floor and then we do have a two- Yeah, we do have a resolution and an ordinance going on here, so-

- Yeah we don't need to.

- Okay. All those in favor will signify by saying aye.

- [Council members] Aye.

- Oppose, nay.

- [Council members] Nay.

- Nay.

- Nay's appear to have it.

- Nay.

- Thank you alder. So we are on to FI, which was the resolution. Resolution declaring a state of emergency and providing for face coverings within the city of Green Bay.

- Motion to adopt.

- There's been a motion made to adopt by Alder Scannell, seconded by Alder Dorff. If there's no objection, we will move to the board. And that is on the resolution.

- I think we gotta start it.

- That is on the resolution, FI.

- [Jeffreys] Alder Burnett.

- No.

- [Jeffreys] And Alder Johnson.

- Alder Johnson, you're still muted.

- Yes.

- Give me a second. It's eight to four.

- [Jeffreys] Yes.

- That is adopted. And then we were on to GI. Ordinances first and final reading for adoption. This is general ordinance number 07-21, an ordinance creating section 8.17, Green Bay municipal code relating to require your face coverings.

- Move to adopt.

- Second.

- Motion has been made to adopt, made by Alder Scannell, seconded by Alder Lefebvre. And we will use the board on that item as well.

- [Jeffreys] Thank you alders. Your vote has started. Alder Brunette just tell me how you're going to vote, unmute yourself.

- [Brunette] I vote no. No.

- [Jeffreys] Thank you. And please mute yourself.

- And that ordinance is adopted nine to three. Everybody's favorite item adjournment.

- Motion to adjourn.

- Second.

- Second.

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

- [Council members] Aye.

- Oppose nay. We are adjourned. Thanks so much everybody.

- Thank you Alder Johnson for a wonderful analysis.

- Yeah.