



AGENDA OF THE PROTECTION AND POLICY COMMITTEE

MONDAY, DECEMBER 13, 2021, 5:30 PM
Virtual Meeting. Public may join via Zoom.

A. Zoom Meeting Information.

- I. This item contains Zoom information and instructions and a link to the Virtual Comment Form.

B. Roll Call.

C. Approval of the Agenda.

D. Approval of Minutes.

- I. November 22, 2021

E. Regular Business.

- I. Consideration with possible action on appeal by La Tacoyota LLC regarding the denial of the Mobile Food License.
2. Consideration, with possible action, on an appeal by Kara Mason for a denial of her Operator's License.
3. Consideration with possible action on General Ordinance No. 31-21, amending General Ordinance No. 42-20, relating to Temporary Expansion of Licensed Premises.
4. Consideration, with possible action, on drafting a resolution in support of Afghan refugees (District 1, Ald. Barb Dorff).
5. Consideration with possible action to reexamine the municipal fine for possession of marijuana, held from the July 26, 2021 Protection and Policy meeting (District 4, Ald. Bill Galvin)..
6. Consideration with possible action on creating a gun violence task force to address all reasons for the recent surge of gun shots fired (District 9, Ald. Brian Johnson).

7. Consideration with possible action on the extension of the Temporary Extension of Licensed Premises program to December 2022 (District 9, Ald. Brian Johnson).

F. Informational.

- I. Liquor Violation Report

G. Adjournment.

- 1) THIS MEETING IS RECORDED: THE VIDEO OF THIS MEETING AND MINUTES ARE AVAILABLE ONLINE AT www.greenbaywi.gov
- 2) ACCESSIBILITY: Any person wishing to attend who requires special accommodation because of a disability, should contact the City Safety Manager at 920-448-3125 at least 48 hours before the scheduled meeting time so that arrangements can be made.
- 3) QUORUM: Please take notice that a majority or quorum of the Common Council will attend this Protection and Policy committee meeting and will constitute a meeting of the Common Council for purposes of discussion and information gathering relative to this agenda.
- 4) REPRESENTATION: The party requesting the communication, or their representative, should be present at this meeting.
- 5) FOR ALL LICENSING ISSUES, the Committee may convene in closed session pursuant to §19.85 (1)(b) and/or §19.85 (1)(f) Wis. Stats., for the purpose of considering information with respect to licensing for a person, including financial, social, or personal information. The Committee will thereafter reconvene in open session pursuant to Section 19.85(2), Wis. Stats., to take action on items discussed in closed session, if appropriate, and to consider the remainder of the agenda.

Virtual Meeting Instructions



December 13, 2021 P&P

Zoom Meeting Information

Celestine Jeffreys is inviting you to a scheduled Zoom meeting.

Topic: 12-13-2021 Protection & Policy Meeting

Time: Dec 13, 2021 05:30 PM Central Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/82871597680>

Meeting ID: 828 7159 7680

Passcode: 379733

One tap mobile

+19292056099,,82871597680#,,,,*379733# US (New York)

+13017158592,,82871597680#,,,,*379733# US (Washington DC)

Dial by your location

+1 929 205 6099 US (New York)

+1 301 715 8592 US (Washington DC)

+1 312 626 6799 US (Chicago)

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

Meeting ID: 828 7159 7680

Passcode: 379733

Find your local number: <https://us02web.zoom.us/j/82871597680>

Public Comments

If you wish to speak at this public meeting or leave a comment, please fill out the online [Comment Form](#) prior to the meeting.

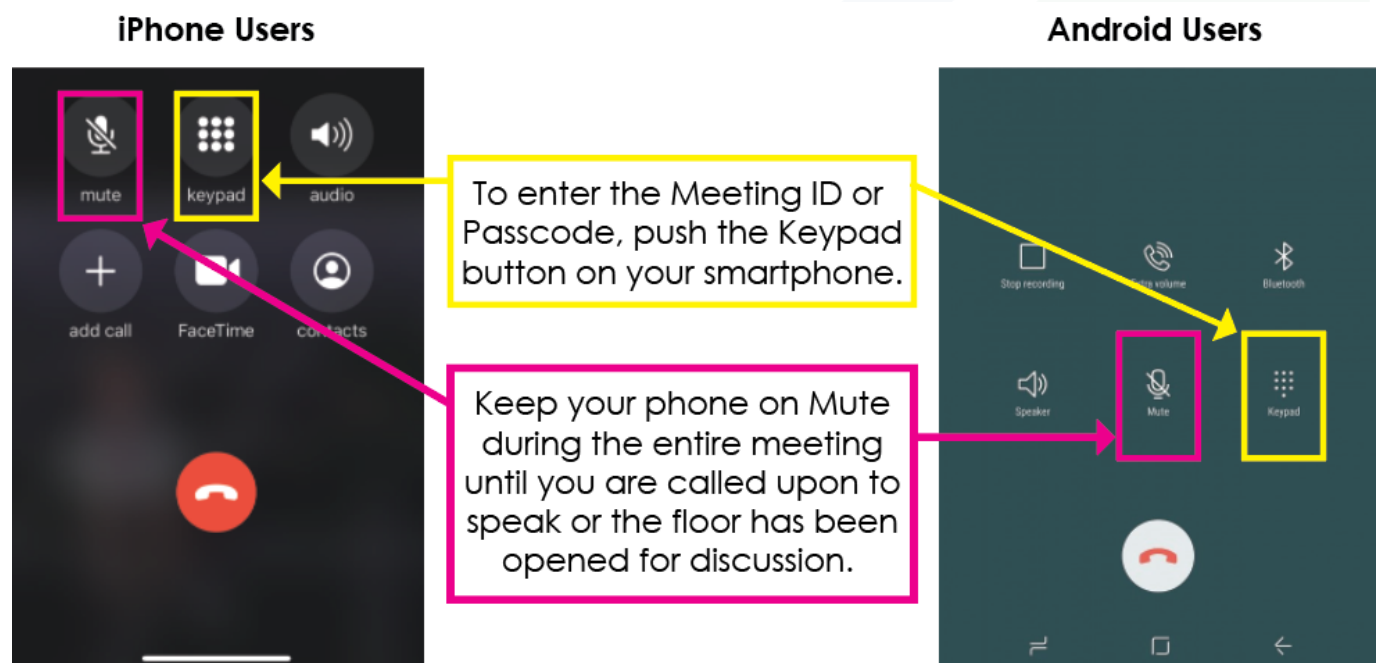
Additional Information

1. Wisconsin Open Meetings Law still applies
 - a. Persons interested in speaking to an item must give their name and address
 - b. Committee/Commission/Board members will still follow *Roberts Rules of Order*
2. Please log into the Zoom meeting 10 minutes before the meeting starts to ensure proper technology is working.
 - a. If you are a Board Member, please log into [CivicClerk](#) with a computer, laptop, or tablet device.
3. Once you are in the meeting please mute yourselves.
 - a. You may unmute yourself when you are called upon to speak.
4. Waiting room
 - a. When you call in, all callers/participants will be placed in a “waiting room.”
 - b. Persons on the agenda will be admitted to the meeting, and then once the item is concluded, the host will permanently mute you from the meeting (you can still hear the meeting).
5. Using Zoom with a tablet or computer
 - a. Tablet - Download the app either with the Apple Store or the Play Store
 - b. Computer - You may download the app or click on the link to open Zoom in your web browser.
6. Registering
 - a. The host may ask you to register for the meeting. A registration link will be sent to you along with the invite. You'll receive another email confirming that you're registered for the meeting.
 - b. If you're using a phone, your registration will still be tied to an email.
7. Raising your hand
 - a. Committee members—you can either use CivicClerk and request to speak or you can “raise your hand” in the zoom meeting (you'd need to use a computer or tablet) to let the host know you'd like to speak. You can also un-mute yourselves and start speaking.
 - b. Persons on the agenda—you can “raise your hand” but you'd need to use a computer. You will be allowed to speak, per Wisconsin Open Meetings Rules, once the committee has “opened the floor for interested parties to speak.” Once the committee is finished with your agenda item, the host will mute you permanently, unless the committee opens the floor again.
8. What devices should I use?
 - a. Smart phone (please see more detailed instructions on page 3)
 - b. Land line
 - c. Tablet—well in advance of the meeting, please download the Zoom Meeting app before you join a meeting by using either the Apple Store or the Play Store. You will be asked to input your name, thus identifying you for the meeting. You may also be asked to verify your email.
 - d. Computer—well in advance of the meeting, please download the Zoom Meeting app, but you can also click on a link to open the Zoom Meeting in your browser. You will be asked to input your name, thus identifying you for the meeting.
 - e. For tablet and computer users—if you download the app you may be asked to verify your email.

9. Zoom etiquette
 - a. Muting yourselves when you're not talking will prevent your background noise from interfering with others' ability to listen to and participate in the meeting.
 - b. If you're using a telephone, please identify yourself with your phone number and name before you speak. Zoom meeting hosts can see only your telephone number and will ask you to identify yourselves.
10. Closed session
 - a. Persons in the Zoom meeting will be put into a waiting room while the committee meets in Closed Session. Participants will be admitted back into the Zoom meeting once the committee reconvenes in Open Session.
 - b. Persons watching a Common Council meeting live on YouTube will see a gray screen with the City logo during closed session.
11. Persons interested in attending anonymously or listening to the meeting may call in by dialing *67 followed by the phone number above.

Calling into the Zoom meeting using a smartphone

1. Dial the phone number listed at the beginning of this document.
2. When prompted, enter the Meeting ID number followed by #
3. Once you are in the meeting, notify the meeting host that you are in and state your name.
4. If you do not need to talk, please make sure your phone is on **Mute**
 - a. If you're using a smartphone, look at your screen and click the Mute button





Report to the
Protection and Policy Committee
of the City of Green Bay

MEETING DATE

December 13, 2021

PREPARED BY

AGENDA ITEM # E.1

Consideration with possible action on appeal by La Tacoyota LLC regarding the denial of the Mobile Food License.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. application
2. appeal letter
3. Denial Memo 11 22 21 ContrerasQuintan



Report to the
Protection and Policy Committee
of the City of Green Bay

MEETING DATE

December 13, 2021

PREPARED BY

AGENDA ITEM # E.2

Consideration, with possible action, on an appeal by Kara Mason for a denial of her Operator's License.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. 2021-11-22 Kara Mason OL Appeal Paperwork
2. 2021-12-13 Kara Mason Appeal Email
3. Denial Memo 11 22 21 Mason



Report to the
Protection and Policy Committee
of the City of Green Bay

MEETING DATE

December 13, 2021

PREPARED BY

AGENDA ITEM # E.3

Consideration with possible action on General Ordinance No. 31-21, amending General Ordinance No. 42-20, relating to Temporary Expansion of Licensed Premises.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. DRAFT GO 31-21 Amend GO 42-20 Sunset Provision - Temp Expansion

GENERAL ORDINANCE NO. 31-21

**AN ORDINANCE AMENDING
GENERAL ORDINANCE NO. 42-20
RELATING TO TEMPORARY EXPANSION OF PREMISES**

SECTION 1. Section 2 of General Ordinance No. 42-20 is hereby amended as follows:

Section 2. Sunset Provision. This ordinance is hereby repealed effective ~~December 31, 2021~~ **December 31, 2022**.

SECTION 2. All ordinances, or parts of ordinances, in conflict herewith are hereby repealed.

SECTION 3. Effective date. This ordinance shall take effect on and after its passage and publication.

Dated at Green Bay, Wisconsin, this _____ day of _____, 2021.

APPROVED:

Mayor

ATTEST:

Clerk

ljm

12/21/2020



Report to the
Protection and Policy Committee
of the City of Green Bay

MEETING DATE

December 13, 2021

PREPARED BY

Celestine Jeffreys, Clerk

AGENDA ITEM # E.4

Consideration, with possible action, on drafting a resolution in support of Afghan refugees (District I, Ald. Barb Dorff).

BACKGROUND**RECOMMENDATION****FISCAL IMPACT****ATTACHMENTS**

- I. 2021-12-07 Dist I to P and P



Alders' Petitions and Communications

Name:

Committee Name:

Today's Date:

Text of Communication:

Upon completing this form, please email it to the City Clerk.



Report to the
Protection and Policy Committee
of the City of Green Bay

MEETING DATE

December 13, 2021

PREPARED BY

Jennifer Lueskow, Clerk

AGENDA ITEM # E.5

Consideration with possible action to reexamine the municipal fine for possession of marijuana, held from the July 26, 2021 Protection and Policy meeting (District 4, Ald. Bill Galvin)..

BACKGROUND**RECOMMENDATION****FISCAL IMPACT****ATTACHMENTS**

- I. Memo - review of offense penalties



MEMORANDUM

TO: Protection and Policy Committee

FROM: Law Department

DATE: December 9, 2021

RE: Review of Penalties for Chapter 26 Violations

- I. During the July 26, 2021 Protection and Policy meeting, Ald. Galvin brought forward concerns regarding civil forfeiture penalties following marijuana-related offenses.
- II. Rather than focusing on a single ordinance, the Law Department has reviewed all of the offenses included in Chapter 26 of the City of Green Bay Municipal Code. This review was conducted in order to identify violations in which the penalties section creates penalties that are potentially inconsistent or inequitable when comparing the severity of the offenses.
- III. The following list of offenses have been identified to review penalties, as the current maximum penalties would be disproportionate to the penalties of other offenses.
 - a. §26-3(9) Wis. Stats. § 175.25, Illegal Storage of Junked Vehicles
 - Current maximum penalty is \$500 forfeiture (\$691 inclusive of costs)
 - Statutory penalties include fine of \$10-\$50 per day
 - b. §26-3(15) Wis. Stat. § 287.81 Littering
 - Current maximum penalty is \$500 forfeiture (\$691 inclusive of costs)
 - Statutory penalty provides for a \$500 maximum penalty unless littered item is a “large item” such as an appliance, furniture, tires, a vehicle, a boat, an aircraft, building materials, or demolition waste
 - c. §26-3(34) Wis. Stat. § 943.13 Trespass to Land
 - Current maximum penalty is \$500 forfeiture (\$691 inclusive of costs)
 - The current default forfeiture amount is at \$100 (\$187 inclusive of costs)
 - Trespass to Dwelling is a separate offense with higher penalties
 - d. §26-3(64) Wis. Stats § 947.01 Disorderly Conduct
 - Current maximum penalty is \$1000 forfeiture (\$1321 inclusive of costs)
 - Typically used for low severity disturbances

- e. §26-4 Prowling
 - Current maximum penalty is \$500 forfeiture (\$691 inclusive of costs)
 - Any other observed bad behavior could be cited independently
 - f. §26-5 Loitering
 - Current maximum penalty is \$500 forfeiture (\$691 inclusive of costs)
 - Similar rationale as Trespass to Land for prompting review
 - g. §26-12 Animal Trespassing
 - Current maximum penalty is \$500 forfeiture (\$691 inclusive of costs)
 - The current default forfeiture amount is at \$100 (\$187 inclusive of costs)
 - h. §26-19(b) Specific Penalties – Possession of Marijuana
 - Current maximum penalty is \$500 forfeiture (\$691 inclusive of costs)
 - Currently, the default forfeiture amount is \$350 (\$502 inclusive of costs)
 - Survey of other NE Wisconsin municipalities revealed the following penalties:
 - Fond du Lac currently \$439 inclusive of costs for adults, \$187 for juveniles ages 14-16, and \$90 for juveniles age 12-13
 - Neenah currently \$187 inclusive of costs
 - Appleton currently at 1st - \$389.50, 2nd \$452.50 3rd \$515.50 inclusive of costs
 - De Pere currently at 1st \$439, 2nd \$565, 3rd \$754 inclusive of costs
- IV. Law Department's recommendation would be to reduce the maximum forfeiture for Storage of Junked Automobiles under §16-3(9) to match the statutory penalties of no less than \$10 per day (\$73.60 inclusive of costs) and no more than \$50 per day (\$124 inclusive of costs), with each separate day considered a separate violation. City penalties should be consistent with, and not exceed, those specified by state statutes. Law Department's recommendation would be to reduce the maximum forfeiture of each of the remaining offenses listed above to \$250 (\$376 inclusive of costs).



Report to the
**Protection and Policy Committee
of the City of Green Bay**

MEETING DATE

December 13, 2021

PREPARED BY

Celestine Jeffreys, Clerk

AGENDA ITEM # E.6

Consideration with possible action on creating a gun violence task force to address all reasons for the recent surge of gun shots fired (District 9, Ald. Brian Johnson).

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. 2021-12-10 Dist 9 to P and P



Alders' Petitions and Communications

Name:

Committee Name:

Today's Date:

Text of Communication:

Upon completing this form, please email it to the City Clerk.



Report to the
**Protection and Policy Committee
of the City of Green Bay**

MEETING DATE

December 13, 2021

PREPARED BY

Celestine Jeffreys, Clerk

AGENDA ITEM # E.7

Consideration with possible action on the extension of the Temporary Extension of Licensed Premises program to December 2022 (District 9, Ald. Brian Johnson).

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. 2021-12-10 Dist 9 to P and P--2



Alders' Petitions and Communications

Name:

Committee Name:

Today's Date:

Text of Communication:

Upon completing this form, please email it to the City Clerk.



Report to the
Protection and Policy Committee
of the City of Green Bay

MEETING DATE

December 13, 2021

PREPARED BY

Jennifer Lueskow, Clerk

AGENDA ITEM # F.1

Liquor Violation Report

BACKGROUND**RECOMMENDATION****FISCAL IMPACT****ATTACHMENTS**

1. Report December 13 2021
2. 21LiqVio
3. 20LiqVio

CITY OF GREEN BAY POLICE DEPARTMENT

TO: PROTECTION AND POLICY COMMITTEE

FROM: COMMUNITY POLICING

DATE: December 13, 2021

From November 22, 2021, to December 13, 2021, there have been 2 liquor violations, 3 ordinance violations, no DA referrals, no written warnings and no property referrals.

On December 2, 2021, it was learned that Club 920, 1583 Main Street, had been open for approximately 1 ½ months and the owner, Conrado (NMI) Lopez-Mendez, did not have a license to serve alcohol. The owner of Club 920, Conrado (NMI) Lopez-Mendez, was cited for 2 counts of Sale of Alcohol without a License.

On November 21, 2021, officers responded to XS Bar, 1100 Main Street, for a disturbance. Three bouncers, Dakota Dickinson; Jacob Harrison; Randall Karlin, Jr., were cited for Disorderly Conduct, for their actions in the disturbance.

Sincerely,

**LT. STEVE MAHONEY & LT. NATE ALLEN
DISTRICT POLICING**

sp

2021 LIQUOR VIOLATIONS

Subject's Name	Tavern Name And Address	Date/Type Violation	Status of Case
Jonathon R. Maus 21-211525 W2021-706-018	TNT Sports Bar & Grill 2511 W. Mason St.	3/8/21 Disorderly Conduct	Issued Written Warning
Troy M. Piontek 21-211525 W2021-706-020	TNT Sports Bar & Grill 2511 W. Mason St.	3/8/21 Disorderly Conduct	Issued Written Warning
Conrado (NMI) Lopez-Mendez 2126881555701	Club 920 1583 Main St.	11/6/21 Sale of Alcohol without a License	Court Date: 1/20/22
Conrado (NMI) Lopez-Mendez 2126882155701	Club 920 1583 Main St.	11/27/21 Sale of Alcohol without a License	Court Date: 1/20/22
Dakota A. D. Dickinson 2126643270201	XS Bar 1106 Main St.	11/23/21 Disorderly Conduct	Court Date: 1/11/22
Jacob W. Harrison 2126643252604	XS Bar 1106 Main St.	11/23/21 Disorderly Conduct	Court Date: 1/11/22
Randall J. Karlin, Jr. 2126643252605	XS Bar 1106 Main St.	11/23/21 Disorderly Conduct	Court Date: 1/11/22

2020 LIQUOR VIOLATIONS

Subject's Name	Tavern Name And Address	Date/Type Violation	Status of Case
Vicente (NMI) Gomez-Hernandez 2020-202540 W2020-558-012	Old School Bar 301 S. Broadway St.	3/4/20 Disorderly House/Failure to Maintain Order	Issued Written Warning
Miguel A. C. Rodriguez, Jr. 20-202690 DA referral	XS Bar 1106 Main St.	3/8/20 Battery-Simple (2 counts)	Initial Appearance via Zoom 9/29/20; Court Date scheduled 11/17/20; initial appearance 1/19/21 adjourned; preliminary hearing 2/18/21; Court Date 3/18/21; Pleads Not Guilty; Court Date: 4/16/21; Plea hearing: 5/20/21 6/24/21 7/23/21 8/19/21 9/17/21 10/4/21 10/22/21; Guilty due to No Contest Plea
Miguel A. C. Rodriguez, Jr. 20-202690 DA referral	XS Bar 1106 Main St.	3/8/20 Disorderly Conduct	Initial Appearance via Zoom 9/29/20; Court Date scheduled 11/17/20; initial appearance 1/19/21 adjourned; preliminary hearing 2/18/21; Court Date 3/18/21; Pleads Not Guilty; Court Date: 4/16/21; Plea hearing: 5/20/21 6/24/21 7/23/21 8/19/21 9/17/21 10/4/21 10/22/21; Guilty due to No Contest Plea
Nadine K. Crowley 20-203070 DA referral	Turn it Up Tap 1689 E. Mason St.	3/19/20 Violation of Law Relating to Health	No Court Date scheduled at this time; 3/24/20 No Prosecution
Kristine M. Dhein 20-203070 DA referral	Turn it Up Tap 1689 E. Mason St.	3/19/20 Violation of Law Relating to Health	Court Date: 6/25/20; Dismissed on Prosecutor's Motion
Rhonda L. Duesing 20-203070 DA referral	Turn it Up Tap 1689 E. Mason St.	3/19/20 Violation of Law Relating to Health	No Court Date scheduled at this time; 3/24/20, No Prosecution
William J. Baker 20-204541 2020454150301	Baker's Pub 1699 E. Mason St.	5/19/20 Violation of Stipulation/Agreement	Court Date: 7/9/20; Pre-trial 7/14/20; 8/19/20 Guilty, \$124

Maxwell C. Barnowsky 20-206651 2020665159402	Black Saddle Bar 201 N. Washington St.	7/18/20 Allowing Underage to Enter a Licensed Premises	Court Date: 9/2/20; Guilty, \$376
Lucy M. Wiese 20-206651 2020665159401	Black Saddle Bar 201 N. Washington St.	7/18/20 Underage Loitering in a Tavern	Court Date: 9/2/20; Guilty, \$376
Betty J. Micolichuk 20-207775 W2020-690-015	The Getaway Bar 631 Bellevue St.	8/17/20 Bartending without an Operator's License	Issued Written Warning
Kaveh R. Barakhshan 20-209185 DA referral	Crown and Commons Bar 1139 Main St.	9/24/20 Obstructing an Officer-Misleading Case Investigation	No Court Date schedules at this time
Kaveh R. Barakhshan 20-209185 2020918541201	Crown and Commons Bar 1139 Main St.	9/24/20 Disorderly House/Failure to Maintain Order	Court Date: 11/11/20; Pre-trial 11/17/20; rescheduled for 2/17/21; 2/23/21; 7/21/21
Cody A. Cohan 20-209185 W2020-412-030	Crown and Commons Bar 1139 Main St.	9/24/20 Bartending without an Operator's License	Issued Written Warning