



AGENDA OF THE PROTECTION AND POLICY COMMITTEE

MONDAY, FEBRUARY 21, 2022, 5:30 PM
Virtual Meeting. Public may join via Zoom.

A. Zoom Meeting Information.

- I. This item contains information on 2/21/2022 Protection and Policy Meeting.

B. Roll Call.

C. Approval of the Agenda.

D. Approval of Minutes.

- I. Approval of minutes from February 7, 2022.

E. Regular Business.

- I. Consideration with possible action on an application for an available "Class B" Combination license by Imperium Ballroom, LLC (Imperium Ballroom) at 1678 E. Mason with a license premises description as "alcohol will be stored @ storage room and alcohol will be in ballroom area."
2. Consideration with possible action on an application for a "Class B" Combination license by KLC SMC LLC at 1911 University Ave. with a licensed premises description as "bar, kitchen, basement" (Currently licensed as SV2, LLC).
3. Consideration, with possible action, on a resolution establishing polling locations for the Spring General Election, April 5, 2022.
4. Consideration with possible action on an effort to restore and ensure fair elections that are fully transparent and help instill trust in the process for citizens of Green Bay I am requesting we review, with possible actions/changes, these measures and others that may arise.
 - I) Ensure voting machines have no modems or internet

connectivity capability

- 2) Review the absentee ballot curing processes including what can be cured and by whom. We should keep a log book of the number of ballots cured and potentially keep a list of whose ballots were cured.
 - 3) Discontinue use of any drop boxes
 - 4) Draft an ordinance excluding outside money and 'advisors' for elections.
 - 5) No more voter navigators. This is the sole job of the clerk's office.
 - 6) No city driven, targeted, election campaigns. Driving or luring certain voters to the polls is not the job of the city and can be manipulated to target only certain audiences with similar views of the ones pushing people to the polls. This does not preclude any generic 'get out the vote' messaging as used in the past prior to the 2020.
 - 7) Any ideas/suggestions from staff, alders or citizens (Ald. Wery, District 8).
5. Consideration with possible action, to review the 2/15/22 election and issues that arose at Central Count with the legal public noticing and changes thereof and any other items that may arise regarding the administration of the election (Ald. Wery, District 8).
 6. Consideration with possible action on General Ordinance No. 06-22 to Repeal and Recreate Section 26-19(B) of the Green Bay Municipal Code relating to possession of marijuana, previously referred to staff for drafting at the Common Council meeting of December 21, 2021.
 7. Consideration, with possible action, on General Ordinance No. 07-22 to Create Section 26-19(e) of the Green Bay Municipal Code relating to penalties for storage of junked vehicles, previously referred to staff for drafting at the Common Council meeting of December 21, 2021.

F. Informational.

- I. Liquor Violation Report for February.

G. Public Hearings.

H. 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



2/21/2022 Protection and Policy Meeting

Zoom Meeting Information

Join Zoom Meeting

<https://us02web.zoom.us/j/85994132064>

Meeting ID: 859 9413 2064

Passcode: 300496

One tap mobile

+13017158592,,85994132064#,,,,*300496# US (Washington DC)

+13126266799,,85994132064#,,,,*300496# US (Chicago)

Dial by your location

+1 301 715 8592 US (Washington DC)

+1 312 626 6799 US (Chicago)

+1 929 205 6099 US (New York)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 669 900 6833 US (San Jose)

Meeting ID: 859 9413 2064

Passcode: 300496

Find your local number: <https://us02web.zoom.us/j/85994132064>

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.

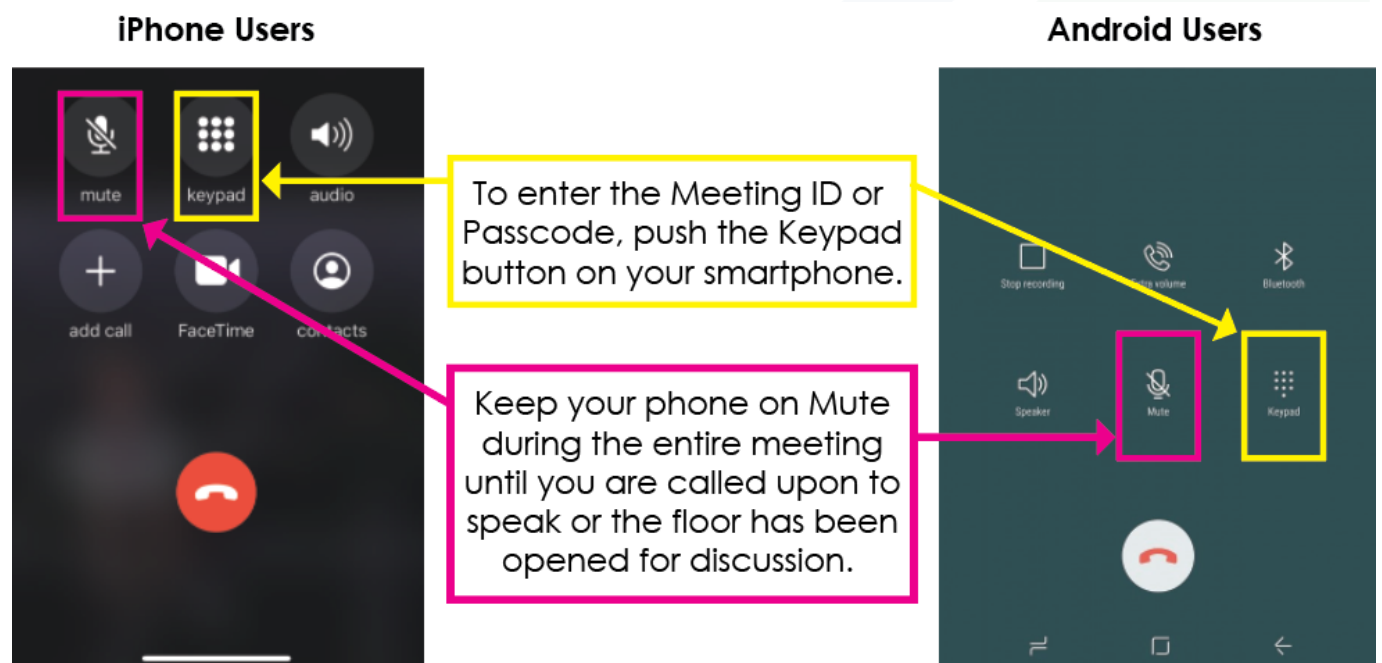
Additional Information

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

February 21, 2022

PREPARED BY

AGENDA ITEM # E.1

Consideration with possible action on an application for an available "Class B" Combination license by Imperium Ballroom, LLC (Imperium Ballroom) at 1678 E. Mason with a license premises description as "alcohol will be stored @ storage room and alcohol will be in ballroom area."

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. 1678EMASON_applicaition



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

MEETING DATE

February 21, 2022

PREPARED BY

AGENDA ITEM # E.2

Consideration with possible action on an application for a "Class B" Combination license by KLC SMC LLC at 1911 University Ave. with a licensed premises description as "bar, kitchen, basement" (Currently licensed as SV2, LLC).

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. ORG APPLICATION_1911 UNIVERSITY
2. LICENSE STIPULATION.MERRILLJ.372
3. BUSINESS SECURITY PLAN

**RESOLUTION ESTABLISHING POLLING LOCATIONS
FOR THE SPRING 2022 PRIMARY ELECTION
IN THE CITY OF GREEN BAY**

March 1, 2022

BY THE COMMON COUNCIL OF THE CITY OF GREEN BAY, RESOLVED:

In accordance with Wis. Stats. § 5.25, the Common Council of the City of Green Bay does hereby establish polling places for wards of the City of Green Bay, as shown in the attached Exhibit A, for the Spring 2022 General Election on April 5, 2022.

Adopted March ____, 2022

Approved March ____, 2022

Mayor

Clerk

LM

Attachment – Exhibit A

Exhibit A

Polling Locations: Spring General Election April 5, 2022

ward	city	county	Location name	Location address
1	1	1	UWGB	2420 Nicolet Dr.
2	1	1	UWGB	2420 Nicolet Dr.
3	1	1	UWGB	2420 Nicolet Dr.
4	1	1	Christ of the Bay	450 Laverne Dr.
5	1	1	Christ of the Bay	450 Laverne Dr.
6	2	2	Froebel Early Learning	3542 Finger Rd.
7	2	2	Froebel Early Learning	3542 Finger Rd.
8	2	3	Froebel Early Learning	3542 Finger Rd.
9	3	2	St. Bernard's Church	2040 Hillside Ln
10	3	5	St. Bernard's Church	2040 Hillside Ln
11	3	3	Central Assembly Church	831 Schoen St.
12	3	3	Central Assembly Church	831 Schoen St.
13	4	3	First United Church	509 S. Webster Ave.
14	4	4	Union Congregational Church	716 S. Madison St.
15	4	4	Neighborworks	437 S. Jackson Ave.
16	5	2	Triangle Hill Park Shelter	500 Beverly Rd.
17	5	5	Triangle Hill Park Shelter	500 Beverly Rd.
18	5	5	Atonement Church	2132 Deckner Ave.
19	5	5	Atonement Church	2132 Deckner Ave.
20	6	6	Wildlife Sanctuary DRC Learning Ctr	1660 E. Shore Dr.
21	6	6	Green Bay Labor Temple	1570 Elizabeth St.
22	6	6	Wildlife Sanctuary DRC Learning Ctr	1660 E. Shore Dr.
23	7	6	Wildlife Sanctuary DRC Learning Ctr	1660 E. Shore Dr.
24	7	4	Green Bay Metro	901 University Ave.
25	7	4	Green Bay Metro	901 University Ave.
26	7	7	Salvation Army	610 Union Ct.
27	7	7	First Presbyterian Church	200 S. Ashland Ave.
28	8	9	Redeemer Church	210 S. Oneida St.

29	8	9	Seventh Day Church	1414 Shawano Ave.
30	8	8	St. Joseph's Church	936 9th Street
31	8	10	Calvary Church	1301 S. Ridge Rd.
32	8	10	Calvary Church	1301 S. Ridge Rd.
33	9	8	Neighborworks	437 S. Jackson Ave.
34	9	8	Redeemer Church	210 S. Oneida St.
35	9	8	Trinity Church	330 S. Broadway
36	9	8	St. Joseph's Church	936 9th Street
37	10	7	St. Paul's Church	341 Wilson Ave.
38	10	7	St. Jude's Church	1420 Division St.
39	10	9	St. Jude's Church	1420 Division St.
40	10	9	Seventh Day Church	1414 Shawano Ave.
41	11	9	Botanical Gardens Cornerstone Rm	2600 Larsen Rd.
42	11	10	Living Hope Church	1840 W. Mason St.
43	11	10	St. Elizabeth Ann Seton Church	2771 Oakwood Dr.
44	11	11	Bridge Point Church	2421 W. Point Rd.
45	12	11	Botanical Gardens Cornerstone Rm	2600 Larsen Rd.
46	12	11	Church of Christ	2683 W. Point Rd.
47	12	11	Botanical Gardens Cornerstone Rm	2600 Larsen Rd.

From: noreply@civicplus.com
To: [Celestine Jeffreys](#)
Subject: Online Form Submittal: Alders' Petitions and Communications
Date: Thursday, February 17, 2022 4:43:37 PM

Alders' Petitions and Communications

Name	Chris Wery
Committee Name	Protection and Policy Committee
Text of Communication	In an effort to restore and ensure fair elections that are fully transparent and help instill trust in the process for citizens of Green Bay I am requesting we review, with possible actions/changes, these measures and others that may arise. 1) Ensure voting machines have no modems or internet connectivity capability 2) Review the absentee ballot curing processes including what can be cured and by whom. We should keep a log book of the number of ballots cured and potentially keep a list of whose ballots were cured. 3) Discontinue use of any drop boxes 4) Draft an ordinance excluding outside money and 'advisors' for elections. 5) No more voter navigators. This is the sole job of the clerk's office. 6) No city driven, targeted, election campaigns. Driving or luring certain voters to the polls is not the job of the city and can be manipulated to target only certain audiences with similar views of the ones pushing people to the polls. This does not preclude any generic 'get out the vote' messaging as used in the past prior to the 2020. 7) Any ideas ideas/suggestions from staff, alders or citizens. Respectfully submitted, Alderman Chris Wery

Email not displaying correctly? [View it in your browser.](#)

From: noreply@civicplus.com
To: [Celestine Jeffreys](#)
Subject: Online Form Submittal: Alders' Petitions and Communications
Date: Thursday, February 17, 2022 4:35:43 PM

Alders' Petitions and Communications

Name	Chris Wery
Committee Name	Protection and Policy Committee
Text of Communication	Review, with possible action, the 2/15/22 election and issues that arose at Central Count with the legal public noticing and changes thereof and any other items that may arise regarding the administration of the election. Respectfully, Alderman Chris Wery

Email not displaying correctly? [View it in your browser.](#)



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

MEETING DATE

February 21, 2022

PREPARED BY

Celestine Jeffreys, Clerk

AGENDA ITEM # E.6

Consideration with possible action on General Ordinance No. 06-22 to Repeal and Recreate Section 26-19(B) of the Green Bay Municipal Code relating to possession of marijuana, previously referred to staff for drafting at the Common Council meeting of December 21, 2021.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. 2022-02-21 Marijuana City Stats
2. 2022-02-21 Memo of Offense Penalties
3. 2022-02-21 DRAFT 2 GO 06-22 Repealing and Recreating 26-19(b) Marijuana

School	2016	2017	2018	2019	2020	2021*
TRUE	24	27	41	61	20	44
FALSE	321	321	400	347	344	332
TOTAL	345	348	441	408	364	376

* Through 12/22/21

Age	2016	2017	2018	2019	2020	2021	Total	Per Total
			1				1	0.04%
11		1					1	0.04%
12	1	2	3	5	1	5	17	0.74%
13	4	6	10	16	3	9	48	2.10%
14	4	6	11	13	8	11	53	2.32%
15	16	12	26	15	16	25	110	4.82%
16	18	33	38	23	26	15	153	6.70%
17	21	29	34	32	27	28	171	7.49%
18	30	35	42	30	38	25	200	8.76%
19	31	28	36	38	33	29	195	8.55%
20	19	20	36	29	29	19	152	6.66%
21	20	19	30	13	24	17	123	5.39%
22	21	22	12	24	19	20	118	5.17%
23	23	14	10	17	9	20	93	4.08%
24	16	7	13	12	10	11	69	3.02%
25	7	9	17	11	17	14	75	3.29%
26	11	12	8	5	7	11	54	2.37%
27	9	6	10	15	9	8	57	2.50%
28	8	7	4	16	6	8	49	2.15%
29	6	4	11	13	8	11	53	2.32%
30	7	5	5	7	8	7	39	1.71%
31	5	9	8	5	3	14	44	1.93%
32	10	3	3	6	4	9	35	1.53%
33	2	4	6	7	2	7	28	1.23%
34	3	3	4	3	5	5	23	1.01%
35	5	1	8	3	2	3	22	0.96%
36	5	3	4	4	5	5	26	1.14%
37	6	6		2	3	3	20	0.88%
38	4	5	7	2	4	3	25	1.10%
39	2		3	4	3	3	15	0.66%
40	2	4	2	5	4	1	18	0.79%
41	2	4	2		7	2	17	0.74%
42	1	3	2	5	1	2	14	0.61%
43	1	1		1	1	2	6	0.26%
44	2	2		2	1	1	8	0.35%
45	2	2	5	1	1	4	15	0.66%
46			2	1		1	4	0.18%
47	1		1	2	3		7	0.31%
48	2	3	2		1	1	9	0.39%
49	1	3	1		2	1	8	0.35%
50	3	1		2		6	12	0.53%
51	1	3	1			4	9	0.39%
52		1	3		2		6	0.26%
53	1	1		2			4	0.18%
54	3		2	2		1	8	0.35%
55	2	1	2			1	6	0.26%
56		1	2	2	2	1	8	0.35%
57	1		2	2			5	0.22%

58	1	3		4		1	9	0.39%
59	1		1		2	1	5	0.22%
60	1		2	2	2		7	0.31%
61		2	1	2	1		6	0.26%
62	1			1			2	0.09%
63			2	1			3	0.13%
64			1		1		2	0.09%
65		1	2		2		5	0.22%
67	1		1			1	3	0.13%
69		1			1		2	0.09%
70					1		1	0.04%
72			1	1			2	0.09%
74	1		1				2	0.09%
TOTAL	345	348	441	408	364	376	2282	

Race	Sex	2016	2017	2018	2019	2020	2021	TOTAL
ASIAN	FEMALE	2	2	3	1		2	10
ASIAN	MALE	3	2	6	7	1	4	23
TOTAL		5	4	9	8	1	6	33
BLACK	FEMALE	19	21	25	23	22	24	134
BLACK	MALE	48	59	89	84	81	93	454
TOTAL		67	80	114	107	103	117	588
HISPANIC	FEMALE	12	9	37	19	19	25	121
HISPANIC	MALE	52	62	60	72	57	54	357
TOTAL		64	71	97	91	76	79	478
INDIAN	FEMALE	17	13	24	16	18	31	119
INDIAN	MALE	24	13	15	25	32	22	131
TOTAL		41	26	39	41	50	53	250
UNK	FEMALE						1	1
UNK	MALE						1	1
TOTAL		0	0	0	0	0	2	2
WHITE	FEMALE	57	67	81	52	62	49	368
WHITE	MALE	111	100	101	109	72	70	563
TOTAL		168	167	182	161	134	119	931

GRAND 2282

Per Total
0.44%
1.01%
1.45%
5.87%
19.89%
25.77%
5.30%
15.64%
20.95%
5.21%
5.74%
10.96%
0.04%
0.04%
0.09%
16.13%
24.67%
40.80%

MALE	ASIAN	BLACK	HISPANIC	INDIAN	UNKNOWN	WHITE	TOTAL
			1				1
11						1	1
12	1	5	2	2		2	12
13	1	6	6	3		8	24
14		8	10	7	1	10	36
15	1	29	20	9		15	74
16	2	25	29	11		34	101
17	3	31	30	7		41	112
18		34	49	9		47	139
19	3	35	39	14		36	127
20		31	27	10		31	99
21	2	24	21	7		29	83
22	1	23	30	7		24	85
23		20	15	4		21	60
24	1	19	11	4		17	52
25		21	13	6		16	56
26	2	16	9	3		11	41
27		14	4	1		18	37
28		10	7	1		14	32
29		14	4	5		12	35
30		12	4	2		12	30
31		10	5	1		11	27
32		9	3	3		9	24
33		2	1	2		13	18
34	1	5	2			5	13
35	2	2	2	1		3	10
36		4	1	1		9	15
37	1	2	2	1		6	12
38	1	4	1	2		8	16
39		5				3	8
40		4	2			5	11
41		1		1		10	12
42		5				2	7
43		2				2	4
44		2				3	5
45		2				6	8
46				1		3	4
47		2				2	4
48		3		1		3	7
49		2		1		3	6
50		1		2		4	7
51		1	2			3	6
52		1				3	4
53		1		1		2	4
54	1					7	8
55		2				3	5
56		1	1			2	4
57			1			3	4

FEMALE
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58		1	1			5	7
59						4	4
60			1			4	5
61		1				5	6
62						1	1
63						2	2
64		1				1	2
65			1			2	3
67		1				2	3
69						2	2
70						1	1
72				1		1	2
74						1	1
TOTAL	23	454	357	131	1	563	1529

65
74

ASIAN	BLACK	HISPANIC	INDIAN	UNKNOWN	WHITE	TOTAL
	1		2		2	5
1	6	8	5		4	24
1	1	8	2		5	17
	6	11	3		16	36
	9	12	13		18	52
1	7	14	8		29	59
1	14	7	16	1	22	61
1	9	17	4		37	68
	6	6	6		35	53
1	9	8	7		15	40
	5	6	6		16	33
1	10	4	4		14	33
	5				12	17
	5	1	4		9	19
	1	2	2		8	13
1	4	4	1		10	20
	4	1	1		11	17
1	3	3	3		8	18
	4				5	9
	3	1	3		10	17
	2		4		5	11
	3		2		5	10
1		1	3		5	10
	4				8	12
		2	4		5	11
	1	1	1		5	8
	1	1	2		5	9
	1	1	1		4	7
	1	1	1		4	7
			2		3	5
			2		5	7
	1				1	2
	2		1			3
	2				5	7
					3	3
					2	2
	1				1	2
			3		2	5
			3			3
					2	2
					1	1
					4	4
	1					1
					2	2
					1	1
		1			1	2
					1	1
					1	1

ALL	ASIAN
11	
12	1
13	2
14	1
15	1
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17	4
18	1
19	4
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22	1
23	1
24	1
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	2					2
					1	1
10	134	121	119	1	368	753

58	
59	
60	
61	
62	
63	
64	
65	
67	
69	
70	
72	
74	
	33

ASIAN

15-23 17
Perc 1.29%

BLACK	HISPANIC	INDIAN	UNKNOWN	WHITE	TOTAL
	1				1
				1	1
6	2	4		4	17
12	14	8		12	48
9	18	9	1	15	53
35	31	12		31	110
34	41	24		52	153
38	44	15		70	171
48	56	25	1	69	200
44	56	18		73	195
37	33	16		66	152
33	29	14		44	123
28	36	13		40	118
30	19	8		35	93
24	11	4		29	69
26	14	10		25	75
17	11	5		19	54
18	8	2		28	57
14	8	2		25	49
17	7	8		20	53
16	4	2		17	39
13	6	4		21	44
11	3	7		14	35
5	1	4		18	28
5	3	3		10	23
6	2	1		11	22
4	3	5		14	26
3	3	2		11	20
5	2	4		13	25
6	1	1		7	15
5	3	1		9	18
1		3		13	17
5		2		7	14
3				3	6
4		1		3	8
4				11	15
		1		3	4
2				5	7
3		1		5	9
3		1		4	8
1		5		6	12
1	2	3		3	9
1				5	6
1		1		2	4
				7	8
2				4	6
1	1			6	8
1	1			3	5

1	1			7	9
				5	5
	2			5	7
1				5	6
				2	2
				3	3
1				1	2
2	1			2	5
1				2	3
				2	2
				1	1
		1		1	2
				2	2
588	478	250	2	931	2282

BLACK	HISPANIC	INDIAN	UNKNOWN	WHITE		
327	345	145	1	480	1315	57.62%
24.87%	26.24%	11.03%	0.08%	36.50%		



City of Green Bay Law Department
100 North Jefferson Street - Room 200
Green Bay, Wisconsin 54301-5026
www.greenbaywi.gov

Phone 920.448.3080
Fax 920.448.3081

MEMORANDUM

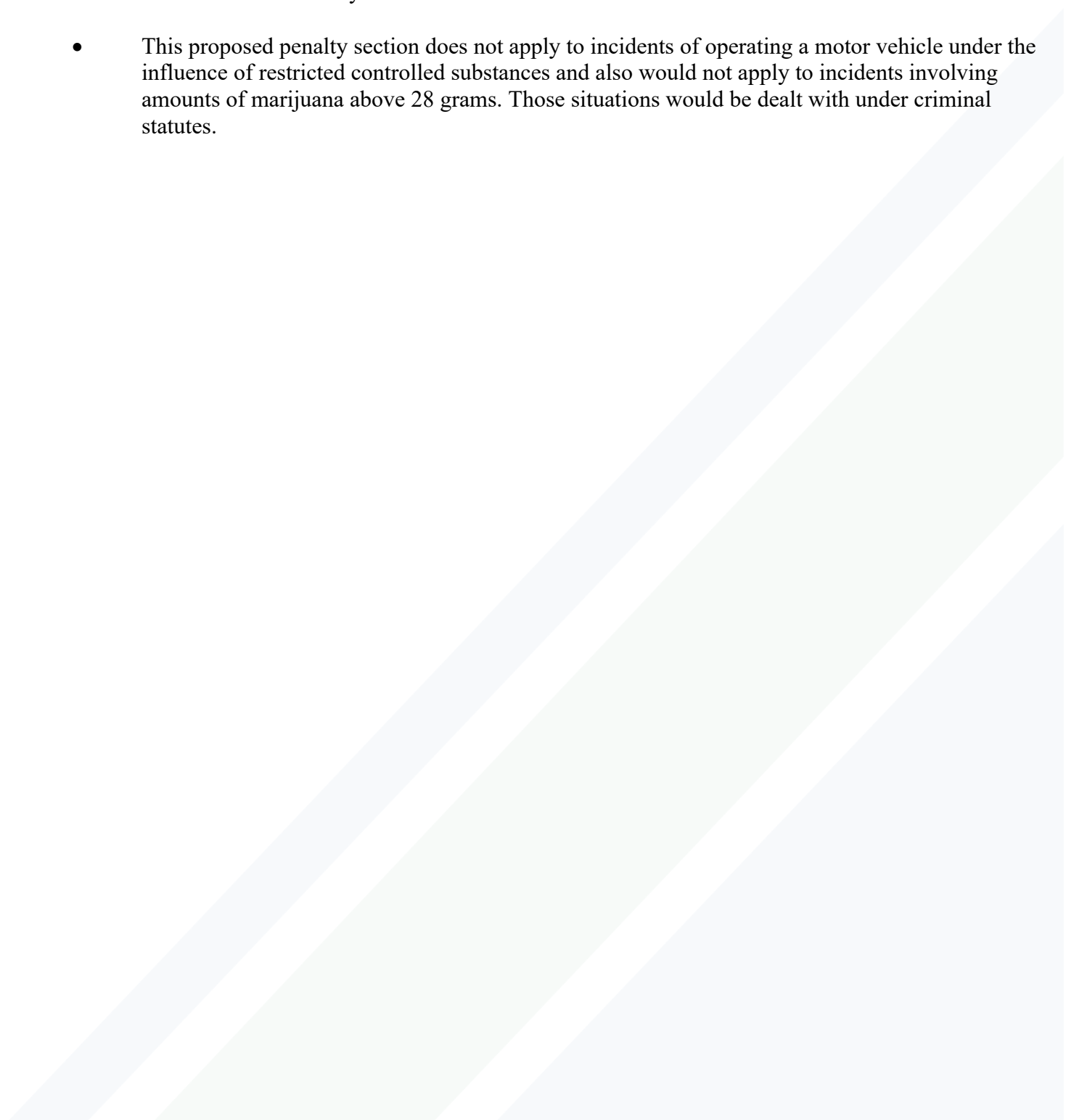
TO: Protection and Policy Committee

FROM: Law Department and Green Bay Police Department

DATE: February 21, 2022

RE: GO 06-22 Relating to Possession of Marijuana

- Our current ordinance sets the current maximum penalty at a \$500.00 forfeiture (\$691 inclusive of costs) for a possession of marijuana in an amount of 28 grams or less. The default forfeiture amount is \$350.00 (\$502 inclusive of costs) and there is no distinction in penalties for minors.
- The proposed ordinance amendment provides more defined distinctions between locations and offenders to set penalties at a more equitable level in context with the nature and the circumstances of the offense.
- The most significant change is structuring the penalties based on the circumstances of the offense. Specifically, it lowers the penalty to a \$0.00 forfeiture for possession of 28 grams or less of marijuana, as well as consumption, in a private space, like a private residence. A citation would still be issued and the full citation amount would come to \$61.00 inclusive of costs. Accordingly, a citation may still be issued for a simple possession, but the monetary consequence will be less burdensome and more proportional to the impact of the offense.
- Next, it similarly lowers the penalty for possession of 28 grams or less of marijuana in a public space, excluding vehicles in operation specifically, to the same forfeiture amount of \$0 (\$61.00 inclusive of costs). However, consuming marijuana in any amount in a public place, including a parked vehicle, carries a citation with a maximum forfeiture amount of \$500 (\$691 inclusive of costs).
- Possession of marijuana paraphernalia carries its own set of forfeiture amounts under the proposed amendment, which is not contemplated under our current possession of drug paraphernalia ordinance. This would mean that an individual may receive a simple possession of marijuana citation of \$0.00 under this amendment, but could also face a citation of a maximum forfeiture of \$1,000.00 for possession of the paraphernalia under the drug paraphernalia penalties. Accordingly, the proposed amendment sets forth a forfeiture amount for possession of marijuana paraphernalia, as defined in the ordinance, to be in line with the amount set for the possession of the marijuana itself.

- Lastly, there is a separate section addressing persons under 21 years of age. In the proposed amendment, a person under 21 years of age who is in possession of marijuana in an amount of 28 grams or less, consumes marijuana, or is in possession of marijuana paraphernalia, may receive a citation with a forfeiture maximum of \$100 (\$187.00 inclusive of costs), regardless of private or public space designations.
 - These proposed changes do not have the effect of legalizing possession or use of marijuana. As indicated above, a citation for such offenses may still be issued. The changes are focused on forfeiture amounts only and based on the circumstances of the offense.
 - This proposed penalty section does not apply to incidents of operating a motor vehicle under the influence of restricted controlled substances and also would not apply to incidents involving amounts of marijuana above 28 grams. Those situations would be dealt with under criminal statutes.
- 

GENERAL ORDINANCE NO. 06-22

**AN ORDINANCE TO REPEAL AND RECREATE
SECTION 26-19(b),
GREEN BAY MUNICIPAL CODE,
RELATING TO POSSESSION OF MARIJUANA**

THE COMMON COUNCIL OF THE CITY OF GREEN BAY DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 26-19(b), Green Bay Municipal Code, is hereby repealed and recreated as follows:

(b) *Possession of marijuana.*

(1) *Definitions.* The following words, terms, and phrases, when used in this subsection, shall have the following meanings, except where the context clearly indicates a different meaning:

- (a) *Person* means any individual who has reached the age of 21 years.
- (b) *Private space* means an area to which the public at large is not invited or permitted, or an area otherwise not accessible by the public, such as a private residence.
- (c) *Public space* means any space to which the public is invited or in which the public is permitted, including motor vehicles parked and not in operation in public spaces.
- (d) *Consume* means to smoke, inhale, exhale, ingest, or otherwise introduce marijuana into the human body.
- (e) *Marijuana paraphernalia* includes, but is not limited to, any container used to store or conceal marijuana and/or any object(s) used, designed for use, or intended for use in ingestion, inhaling, or otherwise introducing marijuana into the human body, as described in Wis. Stats. § 961.571(1)(a)11., such as pipes, papers, and accessories,

(2) Any person in a private space in possession of marijuana in an amount not greater than 28 grams and/or marijuana paraphernalia, shall forfeit \$0.00, exclusive of court costs.

(3) Any person in a public space in possession of marijuana in an amount not greater than 28 grams and/or marijuana paraphernalia, shall forfeit \$0.00, exclusive of court costs.

(4) Any person who consumes marijuana in a private space shall forfeit \$0.00, exclusive of court costs.

(5) Any person who consumes marijuana in a public space shall forfeit not less than \$1.00 nor more than \$500.00. The Municipal Court may order community service in lieu of or in conjunction with a forfeiture of up to \$500.

(6) Any person under the age of 21 years who possesses marijuana in an amount of 28 grams or less, consumes marijuana, or possesses marijuana paraphernalia, shall forfeit not less than \$1.00 nor more than \$100.00. The Municipal Court may order community service in lieu of or in conjunction with a forfeiture of up to \$100.00.

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 _____, 2022.

APPROVED:

Mayor

ATTEST:

Clerk

rem

3/1/2022

GENERAL ORDINANCE NO. 07-22

**AN ORDINANCE TO CREATE SECTION 26-19(e),
GREEN BAY MUNICIPAL CODE,
RELATING TO SPECIFIC PENALTIES FOR ILLEGAL STORAGE OF JUNKED
VEHICLES**

WHEREAS, the City of Green Bay Common Council has adopted Section 175.25 of the Wisconsin Statutes under Green Bay Municipal Code Section 26-3(9); and

WHEREAS, the penalties provided under Section 175.25 of the Wisconsin Statutes include a financial penalty of not less than \$10.00, nor more than \$50.00 for each offense, with each day of junk, as defined by statute, being stored contrary to statutory provisions constituting a separate and distinct offense; and

WHEREAS, the Common Council of the City of Green Bay has an interest in ensuring that municipal civil forfeitures conform with, and do not conflict with, statutorily established penalties for adopted statutory violations; now, therefore,

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF GREEN BAY:

SECTION 1. Section 26-19(e), Green Bay Municipal Code, is hereby created to read:

(e) *Illegal Storage of Junked Vehicles.* Notwithstanding Section 26-18, any person who shall violate Section 26-3(9) shall forfeit not less than \$10.00 and not more than \$50.00 for each offense. Each day that junked vehicles are stored contrary to Section 175.25 of the Wisconsin Statutes shall constitute a separate and distinct offense.

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 _____, 2022.

APPROVED:

Mayor

ATTEST:

Clerk

rem

3/1/2022



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

MEETING DATE

February 21, 2022

PREPARED BY

AGENDA ITEM # F.I

Liquor Violation Report for February.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. Report February 21 2022
2. 21LiqVio
3. 20LiqVio

CITY OF GREEN BAY POLICE DEPARTMENT

TO: PROTECTION AND POLICY COMMITTEE

FROM: COMMUNITY POLICING

DATE: February 21, 2022

From February 7, 2022, to February 21, 2022, there have been no liquor violations, no DA referrals, no ordinance violations and no property referrals.

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; Pre-trial 2/23/22
Conrado (NMI) Lopez-Mendez 2126882155701	Club 920 1583 Main St.	11/27/21 Sale of Alcohol without a License	Court Date: 1/20/22; Pre-trial 2/23/22
Dakota A. D. Dickinson 2126643270201	XS Bar 1106 Main St.	11/23/21 Disorderly Conduct	Court Date: 1/11/22; Guilty by Default, \$376
Jacob W. Harrison 2126643252604	XS Bar 1106 Main St.	11/23/21 Disorderly Conduct	Court Date: 1/11/22; Guilty by Default, \$376
Randall J. Karlin, Jr. 2126643252605	XS Bar 1106 Main St.	11/23/21 Disorderly Conduct	Court Date: 1/11/22; Pre-trial 1/19/22
Conrado (NMI) Lopez-Mendez	Club 9Twenty 1583 Main St.	12/6/21 Sale of Alcohol without a License	Court Date: 1/20/22; Pre-trial 2/23/22

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; 3/9/22
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