AGENDA OF THE PROTECTION AND POLICY COMMITTEE

MONDAY, JANUARY 9, 2023, 5:30 PM
In person at City Hall Room 207 Virtual attendance also available via Zoom.

A. Zoom Meeting Information.

1. This item contains a document providing virtual meeting instruction and the comment form link.

B. Roll Call.

C. Approval of the Agenda.

D. Approval of Minutes.

1. Approval of the minutes from December 12, 2022.

E. Regular Business.

1. Consideration with possible action on an application for a "Class B" (Wine Only) Winery license for SIP LLC at 345 S. Adams St. with a license premises description as "INS BLDG (2NDFLR LOUNGES/RMS ON MAIN FL/1/2 CELLAR SP&BARREL AREA,PORCH/PRK LOT/FRONT LAWN, subject to the approval of the proper authorities and requires a waiver in the 6' fencing ordinance (Previously licensed as Von Stiehl Winery, LTD).

2. Consideration with possible action on an application for a Reserve "Class B" Combination License for Vast Properties Group, LLC at 401 N. Washington St. with a license premises description as "STE 2: 2LG RMS,1400SQ FT EACH, SHELVING, BTHRM, MECHANICAL RM, OFFICE W/JANITORIAL SINK," subject to the approval of the proper authorities.

3. Consideration with possible action on a request by Footbowl LLC (1st and Bowl) at 301 N. Washington St. to approve a change to the business security plan for the possibility of allowing patrons under 21 into the establishment based on its determination of exemption as a bowling center.

4. Consideration, with possible action, on an appeal for the denial of Demardo Echols' operator's licence.

5. Consideration with possible action on a request by Stephen Preisler at 826 S. Baird St. to appeal invoices (previously discussed at the 12/12/2022 Protection & Policy Committee Meeting).

6. Consideration, with possible action, on a request by Ald. Wery (District 8), "To request a written and verbal report of the 11/1/22 election. Explain the Early Absentee Voting handling of ballots. What is the chain of custody procedure until election day counting?"

F. Informational.

1. The Liquor Violation Report

2. The Clerk's Office Liquor Licensing 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

Protection and Policy 2023 01-09

Zoom Meeting Information

Join Zoom Meeting
https://us02web.zoom.us/j/87331578004

Meeting ID: 873 3157 8004
Passcode: 468833
One tap mobile
+13092053325,,87331578004#,,,,*468833# US
+13126266799,,87331578004#,,,,*468833# US (Chicago)

Dial by your location
- +1 309 205 3325 US
- +1 312 626 6799 US (Chicago)
- +1 646 931 3860 US
- +1 929 205 6099 US (New York)
- +1 301 715 8592 US (Washington DC)
- +1 305 224 1968 US
- +1 253 205 0468 US
- +1 253 215 8782 US (Tacoma)
- +1 346 248 7799 US (Houston)
- +1 360 209 5623 US
- +1 386 347 5053 US
- +1 507 473 4847 US
- +1 564 217 2000 US
- +1 669 444 9171 US
- +1 669 900 6833 US (San Jose)
- +1 689 278 1000 US
- +1 719 359 4580 US

Meeting ID: 873 3157 8004
Passcode: 468833
Find your local number: https://us02web.zoom.us/u/kbz7AnrmZM

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.

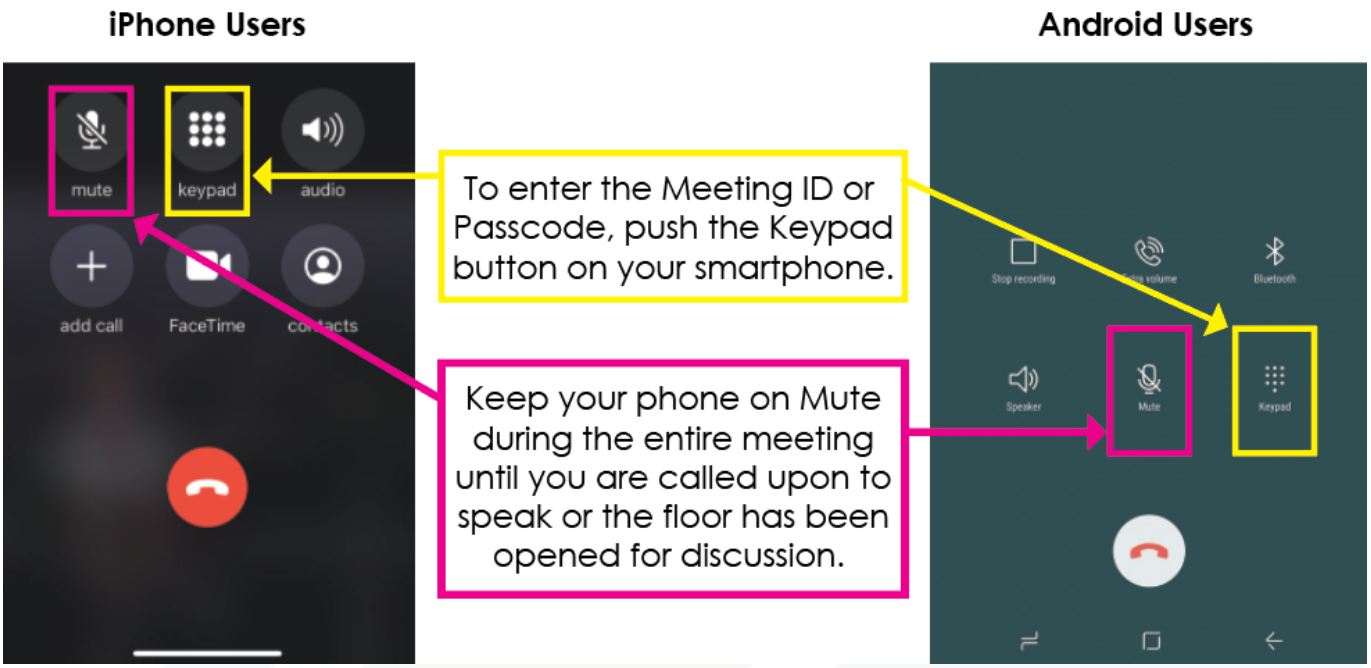
Additional Information

1. Wisconsin Open Meetings Law still applies
    a. Persons interested in speaking to an item must state their name and address for the minutes.
    b. Committee/Commission/Board members will still follow *Roberts Rules of Order Newly Revised 12th edition*.
2. Please log into the Zoom meeting at least 10 minutes before the meeting begins to ensure a proper connection and that your 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 yourself.
    a. You may unmute yourself when you are called upon to speak.
4. Waiting room
    a. When you call in or connect via web or Zoom app, you will be placed in a "waiting room."
    b. The meeting host will then admit you to the meeting, and mute you upon entrance (you will still be able to hear and or otherwise observe the meeting).
5. 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 be tied to an email.
6. Raising your hand
    a. Committee/Commission/Board members—you can either use CivicClerk and request to speak or you can also utilize the "raise your hand" tool in the Zoom platform (you'd need to use a computer or tablet) to let the host know you would like to speak. You can also un-mute yourself and start speaking.
    b. Persons with items on the agenda or other interested parties —you can also utilize the "raise your hand" tool on the Zoom platform via computer or mobile device. You will be allowed to speak once the committee, commission, or board has moved to "open the floor for interested parties to speak." Once discussion on your agenda item has concluded, the host will mute you, unless the committee opens the floor again.
7. What devices should I use?
    a. Smart phone (please see more detailed instructions on page 3)
    b. Land line
    c. Tablet— in advance of the meeting, please download the Zoom Meeting app by using either the Apple Store or the Play Store. You will be asked to input your name, to identify you for the meeting.
    d. Computer— you can access the meeting through a web browser by clicking on the meeting link, or through the Zoom Meeting app. If using the app, please download it in advance of the meeting. You will be asked to input your name, to identify yourself for the meeting.
    e. For tablet and computer users--if you download the app you may be asked to verify your email.

8. Zoom etiquette
    a. Muting yourself when you're not speaking 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 state your name and address before you speak. Zoom meeting hosts can see only your telephone number and will ask you to identify yourself.
9. Closed session
    a. Persons in the Zoom meeting will be put into a waiting room while the committee/commission/board 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.
10. Persons interested in attending anonymously or listening to the meeting may call in by dialing *67 followed by the phone number in the Zoom Meeting Information box.

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 wish to speak, 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	PREPARED BY
January 9, 2023	

AGENDA ITEM # E.1

Consideration with possible action on an application for a "Class B" (Wine Only) Winery license for SIP LLC at 345 S. Adams St. with a license premises description as "INS BLDG (2NDFLR LOUNGES/RMS ON MAIN FL/1/2 CELLAR SP&BARREL AREA,PORCH/PRK LOT/FRONT LAWN, subject to the approval of the proper authorities and requires a waiver in the 6' fencing ordinance (Previously licensed as Von Stiehl Winery, LTD).

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. APPLICATION-345 S ADAMS ST
2. STIPULATION AGREEMENT.CARLSONC.374-345 S ADAMS ST BUSINESS PLAN
3. WINERY QUALIFICATIONS 345 S ADAMS

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

MEETING DATE	PREPARED BY
January 9, 2023	

AGENDA ITEM # E.2

Consideration with possible action on an application for a Reserve "Class B" Combination License for Vast Properties Group, LLC at 401 N. Washington St. with a license premises description as "STE 2: 2LG RMS,1400SQ FT EACH, SHELVING, BTHRM, MECHANICAL RM, OFFICE W/JANITORIAL SINK," subject to the approval of the proper authorities.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. Wisconsin Alcohol Server Seller Certificate - 2022-401 N WASHINGTON ST
2. SIGNED STIPULATION AGREEMENT.CARLSONC.374-401 N WASHINGTON ST.
3. APPLICAITON-401 N WASHINGTON ST.
4. 401N WASHINGTON (300')

Jaime Fuge

From: Jon LeRoy
Sent: Wednesday, October 26, 2022 3:45 PM
To: Jaime Fuge; Paul Van Calster
Subject: RE: 300'

Follow Up Flag: Follow up
Flag Status: Flagged

401 N Washington is not within 300 feet.

From: Jaime Fuge <Jaime.Fuge@greenbaywi.gov>
Sent: Wednesday, October 26, 2022 10:13 AM
To: Paul Van Calster <Paul.VanCalster@greenbaywi.gov>; Jon LeRoy <Jon.LeRoy@greenbaywi.gov>
Subject: 300'

Would 401 N Washington St. within 300 feet of a church, school or hospital?

Thank you,

Jaime Fuge
Deputy City Clerk
Clerk's Office
920.448.3010
greenbaywi.gov/Clerk

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

MEETING DATE	PREPARED BY
January 9, 2023	

AGENDA ITEM # E.3

Consideration with possible action on a request by Footbowl LLC (1st and Bowl) at 301 N. Washington St. to approve a change to the business security plan for the possibility of allowing patrons under 21 into the establishment based on its determination of exemption as a bowling center.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. COMMUNICATION-1ST AND BOWL
2. Security Plan Updated 1-4-23
3. Security Plan Updated 11-14-22 (002)
4. 3119AlcoholBeverageRegulations-Underage

Underage Persons

Alcohol Beverage Laws

Fact Sheet 3119 **revenue.wi.gov**

This fact sheet provides information about Wisconsin alcohol beverage laws for underage persons. The legal drinking age in Wisconsin is 21 years of age or older. An "underage person" is any person under the age 21.

Possession and Consumption of Alcohol Beverages by Underage Persons

Possession, consumption, purchase, or procurement of alcohol beverages by an underage person is illegal, unless an exception applies. An underage person that is accompanied by a parent, guardian, or spouse of legal drinking age may possess, consume, purchase, or procure alcohol beverages. Additionally, alcohol beverages may be sold or served to accompanied underage persons in any licensed premises, at the discretion of the licensee.

Underage Persons Entering a Licensed Premises

Underage persons not accompanied by a parent, guardian, or spouse of legal drinking age are prohibited from attempting to enter, entering, or being on any premises for which a retail alcohol beverage license or permit has been issued. However, there are many exceptions to this prohibition. Below are some exceptions. Find a complete list of exceptions in sec. 125.07(3)(a), Wis. Stats.

An unaccompanied underage person may enter a retail licensed or permitted premises that is a:

- hotel
- grocery store
- bowling center
- movie theater
- painting studio, as defined in sec. 125.02(11m), Wis. Stats.
- billiards center having on the premises 12 or more billiards tables that are not designed for coin operation and that are 8 feet or longer in length
- indoor golf simulator facility
- outdoor volleyball court that is contiguous to a licensed establishment
- service station
- vessel (boat), see vessel requirements found in secs. 125.27(2), and 125.51(5)(c), Wis. Stats.
- private tennis or soccer club
- curling club
- ski chalet
- golf course and golf clubhouse

- railcar
- regularly established athletic field
- racetrack licensed under Chapter 562 of the Wisconsin Statutes
- center for visual or performing arts or
- municipal or county-owned public facility (arena, coliseum, related exposition facilities), as defined in sec. 125.51(5)(b)(1)(d), Wis. Stats.
- Class "B" beer, "Class B" liquor, or "Class C" wine premises where the "principal business" conducted is that of a restaurant
- "Class A" liquor or Class "A" beer premises and the underage person is present to purchase items other than alcohol beverages
- dance hall attached to a Class "B" beer or "Class B" liquor premises for the purpose of attending a banquet, reception, dance, or other similar event
- temporary Class "B" beer premises, if authorized by the municipality
- temporary "Class B" wine premises under the terms found in sec. 125.51(10)(b), Wis. Stats., commonly referred to as a "wine walk", and all of the following apply:
    - The municipality authorizes the licensee to permit underage persons on the licensed premises for the purpose of acting as designated drivers;
    - The licensee permits, on the licensed premises, unaccompanied underage persons to be present only for the purpose of acting as designated drivers and provides a means of identification, such as a wrist band, to identify these underage persons as designated drivers; and
    - The underage person is present on the licensed premises to act as a designated driver and displays the identification provided by the licensee.

Employment of Underage Persons

An underage person may possess or handle alcohol beverages in the course of employment during working hours if employed by any of the following:

- brewer or brewpub
- beer wholesaler
- alcohol beverage warehouse
- winery
- liquor manufacturer/rectifier (distillery)
- liquor wholesaler
- facility for the production of alcohol fuel
- retail licensee or permittee, if the underage person is at least 18 years of age and is a licensed operator (bartender), working under the immediate supervision of a licensed operator, or an immediate family member of the licensee or permittee

Note: Additional exceptions to underage persons possessing alcohol beverages in the course of employment is in sec. 125.07(4)(bm), Wis. Stats.

Employment of "Minors" (Under the Age of 18 Years)

The Department of Workforce Development regulates employment of minors. Minors 14 to 17 years of age may be employed in places where alcohol beverages are present provided the minors are not serving, selling, dispensing, or giving away alcohol beverages or acting as bouncers, crowd controllers, or identification checkers (sec. DWD 270.12(15), Wis. Adm. Code). Underage children of an alcohol beverage licensee or permittee are also subject to these regulations.

Any Questions?

If you are unable to find an answer to your question about alcohol beverage regulations for underage persons on the department's website, you may email, write, or call the department.

Visit our website: revenue.wi.gov

Email: DORAlcoholTobaccoEnforcement@wisconsin.gov

Write: Wisconsin Department of Revenue
Alcohol & Tobacco Enforcement
P.O. Box 8933
Madison, WI 53708-8933

Telephone: (608) 264-4573

Applicable Laws and Rules

This document provides statements or interpretations of the following laws and regulations enacted as of August 15, 2022: secs. 125.02, 125.04, 125.07, 125.32, 125.51, and 125.68, Wis. Stats., and sec. DWD 270.12(15), Wis. Adm. Code.

Laws enacted and in effect after this date, new administrative rules, and court decisions may change the interpretations in this document. Guidance issued prior to this date, that is contrary to the information in this document is superseded by this document, according to sec. 73.16(2)(a), Wis. Stats.

Created August 15, 2022

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

MEETING DATE	PREPARED BY
January 9, 2023	

AGENDA ITEM # E.4

Consideration, with possible action, on an appeal for the denial of Demardo Echols' operator's licence.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. 2022-12-27 Echols Appeal Op Lic Ltr
2. APPLICATION

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

MEETING DATE	PREPARED BY
January 9, 2023	

AGENDA ITEM # E.5

Consideration with possible action on a request by Stephen Preisler at 826 S. Baird St. to appeal invoices (previously discussed at the 12/12/2022 Protection & Policy Committee Meeting).

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. Photographs
2. Invoices
3. LF Preisler
4. PRESENCE REQUESTED

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

MEETING DATE	PREPARED BY
January 9, 2023	

AGENDA ITEM # E.6

Consideration, with possible action, on a request by Ald. Wery (District 8), "To request a written and verbal report of the 11/1/22 election. Explain the Early Absentee Voting handling of ballots. What is the chain of custody procedure until election day counting?"

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. 2022-11-28 Dist 8 to P and P

From: noreply@civicplus.com
To: Celestine Jeffreys
Subject: Online Form Submittal: Alders" Petitions and Communications
Date: Wednesday, November 16, 2022 8:18:04 PM

Alders' Petitions and Communications

Name	Chris Wery
Committee Name	Protection and Policy Committee
Text of Communication	Request a written and verbal report of the 11/1/22 election. Explain the Early Absentee Voting handling of ballots. What is the chain of custody procedure until election day counting? Respectfully Submitted, 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	PREPARED BY
January 9, 2023	

AGENDA ITEM # F.1

The Liquor Violation Report

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. Report January 9 2023
2. 23LiqVio
3. 22LiqVio

CITY OF GREEN BAY
POLICE DEPARTMENT

TO: **PROTECTION AND POLICY COMMITTEE**

FROM: **COMMUNITY POLICING**

DATE: **January 9, 2023**

From December 12, 2022, to January 9, 2023, there have been no liquor violations, no DA referrals, no ordinance violations and no property referrals.

Sincerely,

LT. STEVE MAHONEY & LT. ERIN BLOCH
DISTRICT POLICING

sp

2023 LIQUOR VIOLATIONS

Subject's Name	Tavern Name And Address	Date/Type Violation	Status of Case

2022 LIQUOR VIOLATIONS

Subject's Name	Tavern Name And Address	Date/Type Violation	Status of Case
Kaveh R. Barakhshan 22-223422 W2022-374-062	**Crown & Common 1139 Main St.**	**5/11/22 Allowing/Serving an Underage Person**	**Issued Written Warning**

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

MEETING DATE	PREPARED BY
January 9, 2023	

AGENDA ITEM # F.2

The Clerk's Office Liquor Licensing Report

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. 1.9.2023 CLERK'S OFFICE LIQUOR LICENSING REPORT

Licenses Granted By Common Council, but not yet Issued as of (1/4/2023):

COMPANY NAME	TRADE NAME	ADDRESS	TYPE	APPROVER	LICENSE GRANTED
Confetti's, Inc. (Renewal)	Confetti's	217 E. Walnut St.	"Class B" Liquor & Class "B" Beer License	Inspections	License Start Date of 7/1/2022
Taqueria Maldonado's Main Street LLC (Renewal)	The Razz by Maldonado's	400 Schoen St.	"Class B" Liquor & Class "B" Beer License	Inspections	License Start Date of 7/1/2022 (Council Granted Extension on 9-20-2022 to anticipated opening date end of November).
1001 Club, LLC	1001 Club	1001 Main St.	"Class B" Liquor & Class "B" Beer License	Inspections	Granted 9/20/2022 with waiver in 60-day opening requirement (anticipated opening Nov. 30)
Catering With Taste, Inc.	Catering With Taste	618 Gray St.	"Class B" Liquor & Class "B" Beer License	Inspections	Granted 9/20/2022
R&D and Restaurant Holdings LLC	Delilah's	115 N. Adams	"Class B" Liquor and Class "B" Beer License	Inspections	Granted 12/6/2022
Allegedly LLC	Allegedly	2056 Main St.	Class "B" Beer License	Inspections	Granted 12/20/2022

Summary of Licenses Granted and Issued for Available Liquor Licenses:

The City of Green Bay has a quota of 172 Class B Combination Liquor and Beer licenses under state law.

The City of Green Bay issued 167 of the 172 available Class B Combination Liquor and Beer licenses.

The City granted 5 licenses that have not yet been issued (see page 1).

The Clerk's Office cannot take any more applications for available liquor licenses at this time.

The City of Green Bay set forth by resolution that available liquor licenses are considered to those who apply with fully completed applications and first in time.

Liquor License Checklist:

(https://greenbaywi.gov/264/Liquor-Sales---New-Establishments)

The Clerk's Office shall only accept the number of applications that we have available licenses.

Summary of Licenses Granted and Issued for Reserve Liquor Licenses:

The City of Green Bay has a quota of 23 Class B Combination Liquor and Beer Reserve licenses under state law.

The City of Green Bay has 1 Class B Combination Liquor and Beer Reserve issued.

The City of Green Bay has 1 Class B Combination Liquor and Beer Reserve license pending.

The difference between a Reserve and available liquor license is that a reserve is at a cost of a one-time non-refundable $10,000 issuance fee (plus license fee). The license shall not be transferred or surrendered.