

MINUTES
PROTECTION & WELFARE COMMITTEE
Monday, December 17, 2012
City Hall, Room 207
5:00 p.m.

Members Present: Ald. Steuer, Ald. Brunette, Ald. Boyce, and Ald. Tim DeWane
Members Excused: None
Members Absent: None
Others Present: Jim Mueller, Asst. City Attorney, Capt. Galvin, Ald. Joe Moore, Ald. James Warner, other interested parties

1. Roll Call

Ald. Steuer, Ald. Brunette, Ald. Boyce, and Ald. Tim DeWane were present.

2. Approval of the Agenda

Ald. Brunette asked that #10 be moved forward.

A motion was made by Ald. Brunette and seconded by Ald. Tim DeWane to approve the Agenda as amended. Motion carried.

3. Approval of the minutes from the November 26, 2012, and December 10, 2012 meetings

A motion was made by Ald. Tim DeWane and seconded by Ald. Brunette to approve the minutes from the November 26, 2012 and December 10, 2012 meetings and to amend the motion on item #7 from the November 26, 2012 minutes to read: "A motion was made by Ald. Boyce and seconded by Ald. Brunette to approve the renewal application for a Direct Seller's Permit by Thomas Kulhanek. (Hot Dog Cart). Motion carried.

(#10 taken at this point on the agenda, although shown in proper format here.)

4. Application for a "Class B" Combination License by Justin Sobieraj at 1542 University Avenue (postponed from October 22, 2012 and November 26, 2012 meeting). (Transfer from Kathy Broder)

Atty. Mueller explained that this matter is coming back to Committee with a further recommendation for denial by the Law Department based on the involvement Mr. Sobieraj has with Beto Serrano.

Capt. Galvin stated that the Police Department agrees with this recommendation.

Chairman Steuer opened the floor without objection.

Justin Sobieraj, 984 Pine Crest Road, appeared and reiterated that he has no involvement with Mr. Serrano, indicating he would be willing to sign an affidavit in this regard. He indicated that Mr. Serrano owned the property before him and he knows of him through the bar industry.

When asked by Ald. Boyce if he has had detailed discussions with Mr. Serrano, he indicated he has not, however, he did have one phone conversation with him and met with him briefly to sign a business plan.

Captain Galvin opined that Mr. Sobieraj is not being fully honest, informing the Committee that both Mr. Sobieraj and Mr. Serrano showed up to sign the deal together. The business plan appears to have been altered and it is speculated that intentions are not lawful indicating that Mr. Serrano is trying to stay behind the scene because of a pending divorce action. Mr. Sobieraj stated he does not want to associate himself with Mr. Serrano, that he just wants to run a successful business in Green Bay.

Ald. Brunette indicated he was not in favor of approval due to the advice of both the Law and Police Departments.

A motion was made by Ald. Tim DeWane and seconded by Ald. Boyce to deny the application for a "Class B" Combination License by Justin Sobieraj at 1542 University Avenue (postponed from October 22, 2012 and November 26, 2012 meeting). (Transfer from Kathy Broder) Motion carried.

5. Application for a "Class B" Combination License and an Adult Entertainment License by B.J.R.N., LLC at 418 N. Monroe Avenue. (Transfer from DAFI, Inc.) (Postponed from the November 26, 2012 meeting.)

After confirming that no one was present to address this item, Atty. Mueller recommended denial.

A motion was made by Ald. Brunette and seconded by Ald. Boyce to deny the application for a "Class B" Combination License and an Adult Entertainment License by B.J.R.N., LLC at 418 N. Monroe Avenue. (Transfer from DAFI, Inc.) (Postponed from the November 26, 2012 meeting) Motion carried.

6. Application for one of five available "Class B" Combination License by Chip Stacks, Inc. at 414-418 Dousman Street.

Atty. Mueller noted no objections from the Law Department pointing out that this establishment has completed very nice historic restoration work.

A motion was made by Ald. Brunette and seconded by Ald. Tim DeWane to approve the application for one of five available "Class B" Combination License by Chip Stacks, Inc. at 414-418 Dousman Street with the approval of the proper authorities. Motion carried.

7. Application to keep three dogs and three cats at 503 Scott Drive.

Atty. Mueller stated that the Law Department recommends approval based on an inspection and approval by the Humane Officer.

Capt. Galvin of the Police Department indicated there have been no calls or complaints; therefore, the Police Department has no objections.

Lori Buresh of 503 Scott Drive was complimented for her professional communication.

A motion was made by Ald. Brunette and seconded by Ald. Boyce to approve the application to keep three dogs and three cats at 503 Scott Drive with the stipulation that upon the death of one of the dogs the applicant must appear back before this Committee for permission to keep more than two dogs. Motion carried.

8. Appeal by Jamie Croxford to the denial of her Operator License application.

Atty. Mueller summarized the history of applicant during the period of 2001 to 2009 highlighting several charges of disorderly conduct, criminal damage to property, trespassing, and DUI's, several of which resulted in forfeiture and misdemeanor charges.

Ald. Steuer opened the floor without objection.

Jamie Croxford, 1763 Edison Street, appeared and addressed the above charges, explaining that although she understands the implications of her past record, she has attempted to change and presently has an offer of employment as a cashier at a gas station. Without a liquor license she will be unable to maintain employment. She is being taught all aspects of the business and has a good chance of moving forward as a full-time employee. She has received treatment for her past alcohol problems and has changed her lifestyle.

Ald. Brunette indicated that Ms. Croxford appears sincere and recommended approval with receipt of a letter from the employer stating that Ms. Croxford will be considered for promotion. It was also requested that the employer be present at the January City Council meeting.

A motion was made by Ald. Brunette and seconded by Ald. Tim DeWane to approve the appeal by Jamie Croxford to the denial of her Operator License application contingent on a letter from her employer to the Law Department referencing possible promotion before the January Common Council meeting. Motion carried.

9. Appeal by Desia Tallmadge to the denial of her Operator License application.

Atty. Mueller explained there has been a previous denial to this application due to an arrest and conviction record including two separate counts of battery in 2010, along with possession of drug paraphernalia and drugs in 2004, and an OWI 2nd in 2004. In addition to these charges, there is a concern from the Law Department due to recent battery charges.

Capt. Galvin stated that the Police Department shares these concerns.

Ald. Steuer opened the floor without objection.

Desia Tallmadge, 2224 Carstensen Lane, stated that she and her family recently located to this area from St. Paul. She is employed at the casino, indicating that her life has changed and at this time she is the only family member employed. She stated that the customers seem to like her, she has employer's support and they are aware of her situation.

Ald. Brunette asked the nature of the two counts of battery and Ms. Tallmadge indicated they involved self-defense when someone tried to choke her.

Ms. Tallmadge stated she has not been involved in drug activity since the 2004 charges, which she indicated resulted from peer pressure. During a period in jail, she decided what she had to do to live a successful life and has tried to be a role model. At this time she has children and responsibilities to her family. She would like to go back to school and work in other capacities for the Oneida Tribe. She presently works 4 p.m. to midnight daily.

When asked by Ald. Boyce the nature of her drug experience, Ms. Tallmadge indicated it was marijuana – nothing else.

Ald. Brunette pointed out that Ms. Tallmadge works for a reputable employer who is aware of this situation and has set guidelines.

A motion was made by Ald. Brunette and seconded by Ald. Tim DeWane to approve the appeal by Desia Tallmadge to the denial of her Operator License application. Motion carried.

10. Request by Ald. Moore to present and finalize a resolution allowing the Chief of Police to designate certain Community Service Interns authority to issue certain citations.

A resolution was distributed by Atty. Mueller.

Ald. Brunette noted that the City Council has expressed a concern that non-sworn officers would be issuing citations and Capt. Galvin explained that the interns are being trained to assess situations and will know when to step away and call the police. They will not be involved with traffic issues and will know their limitations.

A motion was made by Ald. Brunette and seconded by Ald. Tim DeWane to approve the resolution as presented in regards to the request by Ald. Moore to present and finalize a resolution allowing the Chief of Police to designate certain Community Service Interns authority to issue certain citations. Motion carried.

A motion was made by Ald. Tim DeWane and seconded by Ald. Brunette to adjourn the meeting at 5:45 p.m. Motion carried.

rgk