

MINUTES
PROTECTION & WELFARE COMMITTEE
March 11, 2013
City Hall, Room 207
5:00 p.m.

MEMBERS PRESENT: Ald. Steuer, Ald. Brunette, Ald. Boyce, and Ald. Tim De Wane
MEMBERS EXCUSED: None
MEMBERS ABSENT: None
OTHERS PRESENT: Jim Mueller–Asst. City Attorney, Capt. Bongle, and other interested parties.

1. Roll Call.

Ald. Steuer, Ald. Brunette, Ald. Boyce, and Ald. Tim De Wane were present.

2. Approval of the Agenda.

A motion was made by Ald. Boyce and seconded by Ald. Brunette to approve the agenda. Motion carried.

3. Approval of the minutes from the February 25, 2013 meeting.

A motion was made by Ald. Tim De Wane and seconded by Ald. Brunette to approve the minutes from the February 25, 2013 meeting. Motion carried.

4. Application for a "Class B" Combination License by Lori Coopman at 636 Lime Kiln Road. (Transfer from David DeGrave)

Atty. Mueller informed the Committee that one of the applicants for this license currently owns a tavern called Replays in De Pere that is currently subject to a quasi judicial hearing and enforcement action will be taken on their liquor license.

Captain Bongle stated that the police also have concerns with the applicants. They didn't submit their business plan until this past weekend, which didn't give the officers enough time to meet with the applicants and review the plan since this item is being discussed tonight. Also the Green Bay police did speak to the De Pere police and were informed that the license was up for review due to violations on a licensed bartender, and underage individuals served on separate occasions.

The applicants also own a tavern called Slammer in Green Bay and they received a citation for violating a stipulation agreement for serving all you can drink specials.

Ald. Steuer inquired if there was a time-line in place for submitting a business plan for review. Atty. Muller stated the Clerk's office informs applicants they need to contact a community service officer but isn't aware of a time-frame; however he will look into this. Capt. Bongle stated receiving the plan a week prior to the Protection & Welfare meeting would be acceptable.

Lori Coopman, 940 Rockwell Road, appeared and stated the reason the business plan was turned in at that time was due to the fact she was informed the community police officer she needed was on vacation until March 9. She didn't have his email address so therefore had no way of giving him the plan beforehand.

Kathy Broder, 12132 Velp Avenue, appeared and stated that she is the manager at Replay and it was in business for five years before they had any problems. There were two sting operations and they were cited for serving underage individuals. Both bartenders did check the identification cards of these individuals, and instead of looking at the calendar they have telling them if the person was of legal age they did the dates in their head incorrectly. The De Pere police will be holding a training session with their bartenders. She stated she is a financial backer for Bluebird Entertainment, Inc.

Ms. Broder stated that the all you can drink special at Slammers was inadvertently posted on Facebook. They have since taken the advice of the police and now bartenders no longer have access to post on this site. They pleaded no contest to this citation to avoid paying a bigger fine if they went to trial and were found guilty.

A motion was made by Ald. Tim De Wane and seconded by Ald. Brunette to approve the application for a "Class B" Combination License by Lori Coopman at 636 Lime Kiln Road with the approval of proper authorities. (Transfer from David DeGrave) Motion carried.

5. Notice of the change of agent for Bluebird Entertainment, Inc. at 1001 Main Street.

There were no objections from the Law or Police Departments.

A motion was made by Ald. Boyce and seconded by Ald. Brunette to approve the notice of the change of agent for Bluebird Entertainment, Inc. at 1001 Main Street with the approval of proper authorities. Motion carried.

6. Notice of the change of agent for Rumors, LLC at 420 N. Clay Street.

Atty. Mueller reported in the past the Law Department recommended denial for this applicant; however in April 2012 this Committee approved him for an operator license. The reason for denial was based on misdemeanor convictions

in 2005 for criminal trespass to dwelling, disorderly conduct and battery, all from the same incident.

Capt. Bongle stated the Police Department has the same misgivings as the Law Department; however Officer Van Handel met with applicant last week and went over the business plan which he deemed satisfactory.

Buddy Brass, 416 N. Platten, appeared and explained that in 2005 he handled a domestic situation in the wrong way and there hasn't been any further incidents.

Ald. Boyce inquired of Mr. Brass' experience in this field. Mr. Brass stated when he was a child his father owned a tavern that he worked in since he was a teenager.

A motion was made by Ald. Tim De Wane and seconded by Ald. Brunette to approve the notice of the change of agent for Rumors, LLC at 420 N. Clay Street with the approval of proper authorities. Motion carried.

7. Appeal by Ariel Pierson to the denial of her Operator License application.

Atty. Mueller stated this application was denied due to an outstanding warrant, however Ms. Pierson has since taken care of fine and the warrant has been cancelled. The convictions in Municipal Court were for minor offences, not criminal charges; therefore the Law Department recommends approval.

The Police Department had no objections.

A motion was made by Ald. Brunette and seconded by Ald. De Wane to approve the appeal by Ariel Pierson to the denial of her Operator License application. Motion carried.

8. Appeal by Kevin Vande Hei to the denial of his Operator License application.

Atty. Mueller stated the Law Department recommends denial due to a 2009 citation for underage age drinking which is a forfeiture offence, and for felony charges in 2008 for manufacturing and delivering marijuana.

The Police Department recommends denial for the same reasons.

Mr. Vande Hei did not make an appearance at this meeting.

A motion was made by Ald. Boyce and seconded by Ald. Tim De Wane to deny the appeal by Kevin Vande Hei to the denial of his Operator License application. Motion carried.

9. Request by staff to adopt resolution granting Brown County authority to enforce ordinance relating to animal waste management within the city limits of Green Bay.

Atty. Mueller stated that this item is based on a request Ald. Wiezbiskie submitted and has been discussed by this Committee in prior meetings.

Atty. Mueller recommended that instead of adopting Brown County's ordinance and putting it on our books, we adopt this resolution that gives Brown County the right to come into the City of Green Bay and enforce their ordinance within our City limits.

Brown County already does this for the Village of Hobart and agreed to enforce it for our City as well. State law has requirements for animal waste management; but it also states that Brown County cannot force their ordinance in Green Bay.

State law has requirements for animal waste management. The law also states that Brown County cannot force their ordinance in the City so we had to create our own; this resolution basically covers the requirements for the spreading and storage of manure and allowing the County to enforce it.

Atty. Mueller stated at the last meeting Ald. Tim De Wane wanted farmers to be notified this item was going to be discussed. Protocol is to have the City Clerk's office mail out a copy of the agenda to individuals who may wish to appear before this Committee. The Assessor's office sent an informational list of over 250 agricultural parcels to the Clerk's office, after reviewing the first 10 parcels it was discovered there was a different owner listed for each parcel. It would have been costly to notify each individual landowner; therefore it was decided to notify them through the media if this resolution is adopted.

Several types of media notification were discussed, as well as contacting the Brown County Land Conservation Department for their ideas on how to notify the landowners that would be affected. If a landowner is found not to be complying, a warning will be issued before a citation is given out.

A motion was made by Ald. Brunette and seconded by Ald. Boyce to approve contingent on notification of publication the request by staff to adopt resolution granting Brown County authority to enforce ordinance relating to animal waste management within the city limits of Green Bay. Motion carried.

A motion was made by Ald. Boyce and seconded by Ald. Tim De Wayne to adjourn the meeting at 5:30 p.m. Motion carried.

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