

MINUTES
PROTECTION & WELFARE COMMITTEE
Thursday, June 13, 2013
City Hall, Room 207
5:00 p.m.

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

NOTE: Item #4 was taken after item #27

1. Roll Call.

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

2. Approval of the Agenda.

A motion was made by Ald. Tim De Wane and seconded by Ald. Boyce to approve the agenda as amended. Motion carried.

3. Approval of the minutes from the May 13, 2013 meeting.

A motion was made by Ald. Tim De Wane and seconded by Ald. Boyce to approve the minutes from the May 13, 2013 meeting. Motion carried.

4. Request by the Police Department to amend Green Bay Municipal Code 6.07 relating to the regulation of junk dealers.

Atty. Mueller stated he was contacted by the Police Department to create an ordinance that regulates junk dealers in our community. The purpose of this ordinance is due to an increase in stolen property such as scrap metal and catalytic converters. This code requires dealers to report these transactions electronically to the Police Department. The draft ordinance originally was for dealers who had 200 regulated transactions per year; however Chief Molitor would like to amend that number to 50.

Atty. Mueller described the difference between a junk dealer and a junk collector and stated it will not have any effect to a collector. The only change is for reporting transactions for junk dealer with over 50 transactions per year.

Ald. Boyce stated he has several issues with the draft ordinance and would like to see some segmentation. He inquired if Brown County can be involved with this ordinance.

Atty. Mueller responded that he can reword the ordinance to clarify and separate the dealers from collectors.

Capt. Ebel stated there is a gap in the ordinance that needs to be fixed. Trailers are being stolen and scrapped, dealers could be purchasing these items without having proof from the seller that they are the owner. There are currently no transactions for these being sent to the Police Department.

A motion was made by Ald. Boyce and seconded by Ald. Tim De Wane to refer to staff the request by the Police Department to amend Green Bay Municipal Code 6.07 relating to the regulation of junk dealers. Motion carried.

5. Request by Ald. Moore to create a commercial building maintenance code.

Atty. Mueller stated there isn't currently a code in place for commercial building maintenance. He gave a quick review of the sections of the code that were included in the handout packet. He stated that the building inspectors will be the enforcers of this code.

Ald. Steuer stated that he shares the communities concerns regarding deteriorated buildings in the community and is pleased with this draft ordinance.

A motion was made by Ald. Tim De Wane and seconded by Ald. Boyce to approve the request by Ald. Moore to create a commercial building maintenance code. Motion carried.

6. Application for a Direct Sellers Permit from Young Life Green Bay (food cart).

There were no objections from the City Attorney's Office and Police Department.

Ald. Steuer opened the floor without objection.

George Kirk Foote, Director of Young Life Green Bay, appeared and stated that the hot dog cart is operated by a St. Norbert student as well as middle and high school students as a way to earn money to attend summer camp. The food is sold right outside their building located at 226 N. Adams Street. They prepare the food and clean and store the cart in a local church which has been approved by the Brown County Health Department. They usually sell the food during the lunch hour and during downtown events. It is their second summer doing this.

Atty. Mueller stated they are complying with the rules set forth.

A motion was made by Ald. Tim De Wane and seconded by Ald. Boyce to approve the application for a Direct Sellers Permit from Young Life Green Bay (food cart). Motion carried.

7. Application for a "Class B" Combination license by TREL, LLC at 2266 Main Street. (Transfer from Bay Star, Inc.)

There were no objections from the City Attorney's Office and Police Department.

A motion was made by Ald. Boyce and seconded by Ald. Tim De Wane to approve the application for a "Class B" Combination license by TREL, LLC at 2266 Main Street with the approval of proper authorities. (Transfer from Bay Star, Inc.) Motion carried.

8. Application for a "Class B" Combination license by Dawn Van Pay at 1610 Cass Street. (Transfer from Steve Van Pay)

There were no objections from the City Attorney's Office and Police Department.

A motion was made by Ald. Tim De Wane and seconded by Ald. Boyce to approve the application for a "Class B" Combination license by Dawn Van Pay at 1610 Cass Street with the approval of proper authorities. (Transfer from Steve Van Pay) Motion carried.

9. Application for one of eight available "Class B" Combination licenses by Nhia Kong at 1583 Main Street.

Atty. Mueller stated the applicant has met with the Community Police Officer and there are a few security issues he has questions about.

Ald. Steuer made a motion to open the floor without objection.

Nhia Van Kong, 1583 Main Street, appeared and responded to Atty. Mueller's inquires that the ID scanner and camera have been ordered and will be installed on June 17th, it is her understanding the Community Police Officer will be there on June 18th to inspect it.

Atty. Mueller recommended approving the application contingent upon approval of the Police Department.

A motion was made by Ald. Boyce and seconded by Ald. Tim De Wane to approve the application for one of eight available "Class B" Combination licenses by Nhia Kong at 1583 Main Street contingent upon the Police Department's approval of the security system and with the approval of proper authorities. Motion carried.

10. Request by the owners of Party Line Tavern LLC, 601 Bellevue Street, to hold an outdoor event on August 17 and to allow music until 11:30 p.m.

Atty. Mueller reported this request was granted last year and complaints regarding loud music were received by the Police Department; therefore they are requesting the music end at the usual cut off time of 10:00 p.m. The Committee does have the option of granting a time extension.

Ald. Steuer opened the floor without objection.

Mike La Plante, 601 Bellevue Street, appeared and stated this is their third yearly request. Mr. La Plante admitted he was aware it was loud last year and that the sound guy didn't comply with his orders to lower the sound. He will not be using this individual again and doesn't anticipate there will be any issues this year. This event is a fundraiser for Corey's Heart Run.

Atty. Mueller reminded the Committee that outdoor event requests approvals are contingent upon complaints being received at which time the Police Department has the right to shut down the outdoor event.

Ald. Steuer suggested that Mr. La Plante notify neighbors of the event. Mr. La Plante agreed and stated he could send them a letter and include that the event is for a fundraiser. Ald. Steuer inquired if Mr. La Plante would be willing to give a copy of the letter to this Committee as a show of good faith if he requests this again next year.

A motion was made by Ald. Tim De Wane and seconded by Ald. Boyce to approve the request by the owners of Party Line Tavern LLC, 601 Bellevue Street, to hold an outdoor event on August 17 and to allow music until 11:30 p.m. The approval of the request is subject to complaint. Motion carried.

11. Request by owner of Brewski's on Broadway, 1110 S. Broadway, to hold an outdoor event on July 27.

Atty. Mueller reported he had a few questions regarding the event.

Ald. Steuer opened the floor without objection.

Randy Trembl, 1100 S Broadway, appeared. In response to Atty. Mueller's questions Mr. Trembl stated the event will be from 10:00 a.m. until 10:00 p.m. It will be located in a fenced off area in the parking lot which can be accessed from within the bar and the sidewalk. Security will be in place and there will not be a live band. He has done events like this hundreds of times without any complaints.

Atty. Mueller stated the City Attorney's Office had no objections and suggested the next time Mr. Trembl requests an outdoor event he include all the information that he was just asked.

A motion was made by Ald. Boyce and seconded by Ald. Tim De Wane to approve the request by owner of Brewski's on Broadway, 1110 S. Broadway, to hold an outdoor event on July 27. The approval of the request is subject to complaint. Motion carried.

12. Request by owner of Molly McGee's Irish Pub, 401 S. Washington Street, to hold an outdoor event on July 20 or August 24.

Atty. Mueller reported he had a few questions regarding the event.

Ald. Steuer opened the floor without objection.

Tim Geraty, 401 S. Washington Street appeared. In response to Atty. Mueller's questions Mr. Geraty confirmed the date will be August 24. The second annual event will be run by the Green Bay Racquet Club with proceeds going to disabled veterans. The event is from 1:00 p.m. to 10:00 p.m. and will be held in the fenced in parking lot. There is outdoor entrance to the lot that will have security in place. There will be a live band playing from 7:00 p.m. until 10:00 p.m.

Atty. Mueller stated the City Attorney's Office had no objections.

A motion was made by Ald. Boyce and seconded by Ald. Tim De Wane to approve the request by owner of Molly McGee's Irish Pub, 401 S. Washington Street, to hold an outdoor event on July 20 or August 24. The approval of the request is subject to complaint. Motion carried.

13. Request by Mark Beerntsen, 200 N. Broadway, to amend their liquor license to include the outdoor sale of wine during Farmer's Market on Wednesday nights.

Atty. Mueller reported he had a few questions regarding the event.

Ald. Steuer opened the floor without objection.

Mark Beerntsen, 200 N. Broadway appeared. Atty. Mueller stated that Beerntsen's already has a liquor license to sell wine for off premise consumption and inquired of the location that Mr. Beerntsen plans to sell from during the Farmer's Market. Mr. Beerntsen stated that Captain's Walk sells samples of their wine and he wants to have the same opportunity, to have consumers taste the wine and decide if they would like to purchase a bottle. He plans to set up in his parking lot.

Atty. Mueller stated the City Attorney's Office had no objections.

Ald. Boyce suggested a sign be in place notifying consumers that they cannot consume open bottles of wine during the Farmer's Market event. Mr. Beerntsen stated he could do this and wouldn't have a bottle opener available to patrons.

Mr. Beerntsen inquired if he would be able to sell during the Taste of Broadway as well. Atty. Mueller stated he would need to appear before this Committee again with that request.

A motion was made by Ald. Tim De Wane and seconded by Ald. Boyce to approve the request by Mark Beerntsen, 200 N. Broadway, to amend their liquor license to include the outdoor sale of wine during Farmer's Market on Wednesday nights with the approval of proper authorities. Motion carried.

14. Objection by Jim Hobbins to a "Dangerous Dog Citation".

Atty. Mueller wanted to clarify the correct objection would be for a dangerous dog 'declaration'. Under the City ordinance the Animal Control Officer has declared Mr. Hobbins' dog as a danger to the community. Mr. Hobbins has the right to appeal this determination before this Committee and the Animal Control Officer has the right to present the evidence of her determination. This Committee has the right to either uphold the determination or overturn it.

Ald. Steuer opened the floor without objection.

Nobody appeared for this item.

Atty. Mueller advised the Committee to uphold the dangerous dog declaration since Mr. Hobbins didn't appear to appeal the determination.

A motion was made by Ald. Tim De Wane and seconded by Ald. Boyce to deny the objection by Jim Hobbins to a "Dangerous Dog Declaration". Motion carried.

15. Request to keep three dogs at 413 Schwartz Street.

Atty. Mueller stated that the Police and Inspection Departments have approved the request therefore the City Attorney's Office has no objections.

Ald. Steuer opened the floor without objection.

Laura and Dan Doubek, 413 Schwartz Street, appeared and stated the dogs get along, their back yard is enclosed with a six foot fence and they have never received any complaints from their neighbors.

A motion was made by Ald. Boyce and seconded by Ald. Tim De Wane to approve the request to keep three dogs at 413 Schwartz Street 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.

16. Request to keep three dogs at 479 Earnhardt Court.

Atty. Mueller stated that the Police and Inspection Departments have approved the request therefore the City Attorney's Office has no objections.

Ald. Steuer opened the floor without objection.

Frank and Judi Schumacher appeared and stated the dogs get along, their back yard is enclosed with a five to six foot fence and they have never received any complaints from their neighbors.

A motion was made by Ald. Tim De Wane and seconded by Ald. Boyce to approve the request to keep three dogs at 479 Earnhardt Court 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.

17. Request to keep three dogs at 331 Windward Road.

Atty. Mueller stated that the Police and Inspection Departments have approved the request. There have been calls to this address for barking dogs although no citations or warnings have been issued. The owners have admitted to the Police that it was their dogs barking. Neighbors have not returned any letters of objection to the Animal Control Officer therefore the City Attorney's Office has no objections.

Ald. Steuer opened the floor without objection.

Tim Nixon, 331 Windward Road appeared and stated two of dogs are elderly and his wife didn't think they would be around too much longer and wanted another dog. As far as the barking complaint, one of the neighbors has complained about every dog in the neighborhood. There was a morning that their dog was barking back at another neighbor dog, but they stopped him right away.

A motion was made by Ald. Boyce and seconded by Ald. Tim De Wane to approve the request to keep three dogs at 331 Windward Road 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.

18. Request to keep four dogs at 1026 Eastman Avenue.

Atty. Mueller stated that the Police and Inspection Departments have approved the request therefore the City Attorney's Office has no objections.

Ald. Steuer opened the floor without objection.

Dawn Plonty, 1026 Eastman Avenue, appeared and stated the dogs are her family and help with her medical issues and don't cause any problems.

A motion was made by Ald. Tim De Wane and seconded by Ald. Boyce to approve the request to keep four dogs at 1026 Eastman Avenue with the stipulation that upon the death of two of the dogs the applicant must appear back before this Committee for permission to keep more than two dogs. Motion carried.

19. Request to keep four dogs at 1201 S. Fisk Street.

Atty. Mueller stated that the Police and Inspection Departments have approved the request therefore the City Attorney's Office has no objections.

Ald. Steuer opened the floor without objection.

Holly Ferron, 1201 S. Fisk, appeared and stated they have two St. Bernard's and two Yorkies. They were unsuccessful in finding another home for the Yorkies. She has a child with special needs who loves the dogs. They are in the process of replacing the four foot fence with a six foot one.

A motion was made by Ald. Boyce and seconded by Ald. Tim De Wane to approve the request to keep four dogs at 1201 S. Fisk Street with the stipulation that upon the death of two of the dogs the applicant must appear back before this Committee for permission to keep more than two dogs. Motion carried.

20. Appeal by Ashley Jackson to the denial of her operator license application (referred back from the May 13, 2013 meeting).

Atty. Mueller stated this appeal was postponed from the last meeting and doesn't believe Ms. Jackson is here tonight. The City Attorney's Office recommends denial based on Ms. Jackson's arrest and conviction record.

Capt. Ebel stated the Police Department also recommends denial.

Nobody appeared for this item.

A motion was made by Ald. Tim De Wane and seconded by Ald. Boyce to deny the appeal by Ashley Jackson to the denial of her operator license application (referred back from the May 13, 2013 meeting). Motion carried.

21. Appeal by Perry Bowman to the denial of his operator license application.

Atty. Mueller stated the City Attorney's Office recommends denial based on the arrest and conviction record which substantially relates to the licensed activity.

Atty. Mueller listed the following four felonies: 2008 possession with intent to deliver marijuana, 2005 false imprisonment, 2005 armed robbery, and 2005 take and drive vehicle without consent.

Capt. Ebel stated the Police Department also recommends denial.

Ald. Steuer opened the floor without objection.

Perry Bowman, 1154 Doty Street, appeared and stated he was younger when he received these charges. Back then he drank a lot. Since his last conviction he has received help and participated in alcohol classes. He has not been in trouble since 2008. He does have a letter of recommendation from his employer.

Atty. Mueller informed the Committee that the law states that a municipality cannot give an individual an operator license if they have felony convictions which substantially relate to the licensed activity. There is a case that states that the drug offences of the type he's been charged with substantially relate to the license of the sale of alcohol. Statute 125.04 (5)(b) states no license or permit related to alcohol beverages may, subject to certain state statutes, be issued under this chapter to any person who has habitually been a law offender or has been convicted of a felony unless that person has been duly pardoned. Only a Governor can pardon a felon.

Atty. Mueller reported that in the past this Committee granted felons a license because the type of offence didn't substantially relate to the licensed activity; however the drug conviction types that Mr. Bowman has been convicted of substantially relate to the license activity. There is no time frame to pass by before he can be granted one; it is the Committee's duty to deny it.

Mr. Bowman stated that he did ask his probation officer to write a letter of recommendation but was told he would be unable to provide that, even though he didn't object to Mr. Bowman applying for this type of license and it wouldn't affect his probation to sell alcohol. He stated he would lose his job if he isn't granted a license.

Savanna Brunette, 1154 Doty Street, appeared and stated she is a part-time closer at the same business Mr. Bowman works at and due to the recent robberies in the area their boss feels more comfortable to have a man working the night shift.

Atty. Mueller reminded the Committee that Mr. Bowman can still sell alcohol as long as there is another licensed operator on the premises with him.

Ald. Steuer stated this Committee is committed to giving people second chances, but this case is overwhelming. Mr. Bowman reiterated that he hasn't had any

problems with the law since 2008 except for a few missed appointments with his parole officer.

A motion was made by Ald. Boyce and seconded by Ald. Tim De Wane to deny the appeal by Perry Bowman to the denial of his operator license application. Motion carried.

22. Appeal by Candice Blazer to the denial of her operator license application.

Atty. Mueller stated the City Attorney's Office recommends denial based on the arrest and conviction record which substantially relates to the licensed activity. Atty. Mueller listed the following felonies: 2009 two counts of possession of cocaine, 2008 possession of THC, 2007 possession of cocaine; misdemeanor charges in 2007 possession of drug paraphernalia, 2007 bail jumping, 2006 bail jumping, 2006 possession of cocaine, 2003 issue of worthless checks; and forfeiture charges in 2006 possession of drug paraphernalia and 2006 operating with a controlled substance.

Capt. Ebel stated the Police Department also recommends denial.

Ald. Steuer stated the Committee can work around an applicant that has charges for misdemeanors and forfeitures; however this applicant has three felony convictions and this makes the decision harder.

Atty. Mueller states he strongly recommends denial to this applicant.

Ald. Steuer opened the floor without objection.

Candace Blazer, 139 Cleveland Street, appeared and stated her last conviction was in 2009. Since that time she has received treatment, graduated from a drug course and is no longer on parole. She has become a responsible member of society and maintains employment and believes she deserves a second chance. She currently has two jobs. She needs this license in order to work on her own.

Ald. Steuer stated that Ms. Blazer seems to have a long history of criminal behavior and the last offense wasn't that long ago. According to the information received tonight from the City Attorney's Office regarding granting felons an operator license he wouldn't feel comfortable issuing this.

Ald. Boyce asked for clarification if Ms. Blazer could continue working serving alcohol. Atty. Mueller stated that she can continue serving alcohol as long as she is working at all times with another licensed operator, she cannot however work on her own if denied.

A motion was made by Ald. Boyce and seconded by Ald. Tim De Wane to deny the appeal by Candice Blazer to the denial of her operator license application. Motion carried.

23. Appeal by Sean Larsen to the denial of his public vehicle operator license application.

Atty. Mueller stated the City Attorney's Office recommends denial based on the arrest and conviction record which substantially relates to the licensed driving activity. In 2007 Mr. Larsen was convicted of three felony counts of forgery; 2007 misdemeanor possession of THC; 2006 forfeiture of operating while intoxicated, operating while suspended, vehicle operating after registration suspended or revoked; 2005 forfeiture operating without a valid license; and a misdemeanor in 1994 for negligent operation of a motor vehicle. Atty. Mueller reminded the Committee that this is for a cab operator license, not a bartender license. Traffic violations and forgery charges are relevant to this license.

Ald. Steuer inquired if the same denial situations exist in the State Statute for a cab driver license as they do for an operator license. Atty. Mueller replied there is a similar language in our code because the application process is governed by municipal code, not State law as it is with an operator's license. With Mr. Larsen's record he highly recommends denial because of the drug and numerous vehicle convictions.

Capt. Ebel stated the Police Department also recommends denial.

Sean Larsen, 599 Winding Waters Way, De Pere, appeared. Ald. Steuer inquired if Mr. Larsen had any other job opportunities. Mr. Larsen replied it is very difficult to find employment with his record. Ald. Steuer inquired how far apart the forgery charges were; Mr. Larsen responded that they were three months apart from each other. He had a gambling issue and was trying to get himself out of a hole. He has a family he is trying to support and will be on probation for one more year.

Jerry Van Straten, 1434 Buffalo Street, De Pere, appeared and stated he owns Tundra Valley Taxi and has known Sean for a little while now and is aware of his background. He believes Mr. Larsen has paid back society. He does part time landscaping, works hard and is a good person. Mr. Van Straten stated he himself had felonies and received a second chance.

Ald. Steuer inquired if he received that chance from this Committee; Mr. Van Straten replied that it was from a trucking company.

Ald. Steuer stated that Mr. Larsen has other alternatives and that there should be zero tolerance for driving a cab when it comes to drugs and forgery. Ald. Boyce

stated with Mr. Larsen's criminal history he doesn't believe he should be transporting people who may be under the influence.

A motion was made by Ald. Boyce and seconded by Ald. Steuer to deny the appeal by Sean Larsen to the denial of his public vehicle operator license application. Motion carried.

24. Appeal by Vernon Hooker to the denial of his public vehicle operator license application.

Atty. Mueller stated the City Attorney's Office recommends denial based on the arrest and conviction record which substantially relates to the licensed driving activity. He was convicted of the following felonies: 2010 forgery, 1997 three counts of forgery, 1997 theft of property greater than \$2,500, 1997 issue of worthless checks greater than \$1,000, 1997 fraud, 1997 bail jumping, and a forgery in 1992 for a total of nine felony convictions.

Ald. Steuer opened the floor without objections.

Vernon Hooker, 2870 Ramada Way, appeared and stated he would like to make his appeal dedicated upon courage. He agrees that the Attorney's office has a strong stance to deny, but the term substantially is a very ambiguous one relating to being a public chauffeur. He was guilty of these charges, however he has received treatment by counseling and therapy for gambling, and family services and his probation officer back him up. At previous positions he has handled tens of thousands of dollars for a sports service company at Lambeau Field, he worked at concession stands that involved alcohol and beer, oversaw inventory, etc. When asked if anyone is here to appear on his behalf Mr. Hooker replied that he attempted to enlist those to supersede over this particular scenario however he welcomes this opportunity to speak on his own behalf and believes he deserves a second chance. Because of his past he cannot move forward, he has learned from his past mistakes and needs this job to pay child support arrears. He doesn't believe the State statute applies to his case and he asks the Committee to look at his case in a moral and ethic scenario because he has learned how to obey the law and needs to progress and go forward.

Ald. Steuer stated that Mr. Hooker was very eloquent and appreciated that he attended tonight's meeting. The Protection and Welfare Committee does believe in giving individuals with misdemeanors or forfeitures a second chance; however Mr. Hooker has nine felony charges. He believes Mr. Hooker is a man of integrity and would be a valuable employee; however this Committee's concern is for the greater safety of entire community.

Mr. Hooker stated he works approximately ten hours a weekend at I-Hop and has recently been contacted by the sports company at Lambeau that they would like him to come back as a concession stand supervisor when the football season

resumes. He explained that 1997 was a bad year for him, he lost both his brother and mother and the 2010 forgery charges were for stealing checks from the son of a former girlfriend.

Ald. Boyce stated he does believe Mr. Hooker has courage but in this particular instance they have to follow the legal department's recommendation and suggested he attend the June 18 City Council meeting where he can present his case to them.

A motion was made by Ald. Steuer and seconded by Ald. Boyce to deny the appeal by Vernon Hooker to the denial of his public vehicle operator license application. Motion carried.

25. Applications for various liquor/beer licenses for the 2013-14 License Year (see attached).

There were no objections from the City Attorney's Office.

A motion was made by Ald. Tim De Wane and seconded by Ald. Steuer to approve the applications for various liquor/beer licenses for the 2013-14 License Year (see attached). Motion carried.

26. Request by Ray Salter to address the issue of loud noise from outdoor bands and enforcement of motorcycle noise.

Ald. Steuer opened the floor without objection.

Ray Salter, 106 S. Broadway #3, appeared and stated there is loud noise coming from the Sardine Can every Wednesday and Sunday night from their bands. The band's speakers face Broadway. He has made numerous complaint calls to the police department and their response is if you live downtown you have to put up with those kinds of noises. Mr. Salter stated that he has to close his windows and turn up his television in order to even hear it some nights. He owns the building.

Discussion followed on the different dynamics and audio energy that the degree of noise can be heard from. Suggestions were made to write the bar owner a letter asking him to face the speakers in a different direction to help with the acoustics or to give the owner a signed petition seeking to lower the sound levels so he understands the gravity of the situation.

Atty. Mueller explained that noise levels are done on a case by case level and are extremely complicated to prove. The previous noise ordinance was repealed because it couldn't actually be enforced for several reasons. A new noise ordinance was put into affect last year and is predicated upon a reasonableness standard. There has to be a reasonable standard in order for government to take

any action. This particular location is in the downtown area where noises come from many sources on a daily basis including traffic, trains, boats and people. The Police Department is given the discretion to use their professional opinion when it comes to loud noise complaints.

Ald. Boyce suggested that this Committee and staff continue to follow through on this complaint.

Mr. Salter also stated he would like something done regarding loud motorcycles, he can hear some of them from two blocks away. Capt. Ebel responded that every year officers are given a memo to remind them to hand out citations for loud motorcycles.

A motion was made by Ald. Tim De Wane and seconded by Ald. Boyce to receive and place on file the request by Ray Salter to address the issue of loud noise from outdoor bands and enforcement of motorcycle noise. Motion carried.

27. Request by the City Attorney's Office to repeal the following sections of the Green Bay Municipal Code:

Atty. Mueller stated in previous meetings he requested codes for repeal because the City can no longer enforce them or they were preempted by State law. These are codes from when the City had a health department, for example, the State now regulates tattoo establishments, not the City. Staff is currently revamping all 40 chapters and will continue to bring the ones that need to be repealed before this Committee.

- (a) Section 6.17 Retail Food Licensing
- (b) Section 6.175 Vending of Food
- (c) Section 6.18 Restaurant Licensing
- (d) Section 6.19 Bakery and Confectionery Licensing
- (e) Section 6.23 Public Swimming Pool Licensing
- (f) Section 6.24 Milk Distribution and Sale
- (g) Section 6.25 Bed and Breakfast Establishments
- (h) Section 6.26 Regulation of Massage Establishments, Massage Technicians, and Employees
- (i) Section 6.29 Tattoo Establishments

A motion was made by Ald. Steuer and seconded by Ald. Boyce to approve the request by the City Attorney's Office to repeal the following sections of the Green Bay Municipal Code. Motion carried.

- (a) Section 6.17 Retail Food Licensing
- (b) Section 6.175 Vending of Food
- (c) Section 6.18 Restaurant Licensing
- (d) Section 6.19 Bakery and Confectionery Licensing

- (e) Section 6.23 Public Swimming Pool Licensing
- (f) Section 6.24 Milk Distribution and Sale
- (g) Section 6.25 Bed and Breakfast Establishments
- (h) Section 6.26 Regulation of Massage Establishments, Massage Technicians,
and Employees
- (i) Section 6.29 Tattoo Establishments

A motion was made by Ald. Tim De Wane and seconded by Ald. Steuer to adjourn the meeting at 7:15 p.m. Motion carried.

:dmo

"CLASS A" LIQUOR & BEVERAGE

The Traveling Chef, LLC
The Traveling Chef
335 ½ N. Broadway

CLASS "B" BEVERAGE

Pedro Curiel
Taco Burrito
1697 E. Mason St.

Laborel, Inc.
Golden Basket
1350 S. Military Ave.

"CLASS B" COMBINATION

Sue Long, LLC
Billy Goat's Pub
709 S. Broadway

Strats, Inc.
Cliffhangers
2850 Humboldt Rd.

Saz's Cater, Inc.
Frozen Tundra Tailgate Zone
1265 Lombardi Ave.

Eat Invest GP, LLC
Julie's Cafe
1685 Main St.

Juan Maldonado
Taqueria Maldonado's
1737 Main St.

Timsan's, Inc.
Timsan's Japanese Steak House
1654 E. Mason St.

Confetti's, Inc.
Confetti's
217 E. Walnut St.

Baker & MacArthur, Inc.
The Loading Dock
1405 N. Webster Ave.

