

MINUTES
PROTECTION & WELFARE COMMITTEE
Monday, October 27, 2014
City Hall, Room 207
5:00 p.m.

MEMBERS PRESENT: Ald. Tim De Wane, Ald. Steuer, and Ald. Scannell,
Ald. Tom DeWane for Chris Wery

MEMBERS EXCUSED: Ald. Wery

OTHERS PRESENT: Patrick Leigl–Asst. City Attorney, Capt. Bongle, and other interested parties.

NOTE: Items #7 and #8 were moved to follow item #3

1. Roll Call.

Ald. Tim De Wane, Ald. Steuer and Ald. Scannell were present. Ald. Tom DeWane was in for Ald. Wery.

2. Approval of the Agenda.

A motion was made by Ald. Scannell, seconded by Ald. Tom De Wane to approve the agenda as modified. Motion carried.

3. Approval of the minutes from the October 13, 2014 and October 20, 2014 meetings.

A motion was made by Ald. Steuer seconded by Ald. Scannell to approve the minutes from the October 13, 2014 and October 20, 2014 meetings. Motion carried.

4. Application for one of nine available “Class B” Combination Liquor License by Chanmina LLC at 1423 S. Broadway.

Attorney Leigl stated the Law Department has no objections and would defer to the Police Department.

Capt. Bongle explained that this request has followed the normal process and that police officers have met with the potential owner, finding their business plan and application to be satisfactory. Capt. Bongle did point out two concerns:

- a. There is an outstanding debt owed to the Brown County Health Department by the previous owner. There has been no success in contacting this individual.
- b. The neighborhood is located on South Broadway, south of Mason Street and is in an area cut off from other parts of the city by the Fox River and city limits. There are no retail stores and only one restaurant in the area, and there are 14 licensed taverns in a 7 mile stretch. He opined that the area may be over-saturated with this type of business. The previous owner went delinquent and was asked to surrender his license.

Ald. Tim De Wane opened the floor without objection.

Randall DeGreef – 6728 Ridge Royale Drive, appeared and addressed the concerns regarding the South Broadway area, stating his plan is to purchase the property and he will be committed to the business. The property is located north of the Georgia Pacific Mill where he is employed. He plans to take care of the outstanding debt owed to the Health Department.

When asked if there are a high number of police calls to this area, Capt. Bongle indicated that it is disproportionate to the rest of the city and can have a high percentage of calls.

Ald. Tim De Wane returned to regular order of business.

Ald. Steuer inquired if 14 licenses in this area is more or less than standard. Capt Bongle replied that the issue is that there is no supporting infrastructure (restaurants/businesses, etc.) as compared to that in the Washington Street area. It is basically light industrial with some rental properties.

Further discussion by the Committee resulted in the consensus to allow Mr. DeGreef to move forward and be given an opportunity to succeed with his business endeavor.

A motion was made by Ald. Tom De Wane and seconded by Ald. Scannell to approve the application for one of nine available “Class B” Combination Liquor License by Chanmina LLC at 1423 S. Broadway. Motion carried.

5. Request by Ald. Moore to amend the Green Bay Municipal Ordinance 16.11(2)(C)(2) of the Plumbing Code.

Steven Grenier, Director of Public Works, appeared to address this issue and explained the requirements of Municipal Ordinance 16.11 (2)(C)(2). He noted it involves a mandatory connection of a sump pump to a storm sewer and the appeals process will require written supporting documentation. He noted it is unlikely that a professional engineer would put in writing that a sump pump will never be needed in a residence. Mr. Grenier stated that occasionally a soil scientist is asked to make a determination of surrounding soils. In order to strike this section from the ordinance on behalf of property owners, an amendment would be required. Mr. Grenier offered to work with the City Attorney's Office to discuss the removal of the “professional engineer” requirement.

When asked about the history by Ald. Steuer, Mr. Grenier clarified that many times this type of mandatory connection will come up during a property transaction. When asked about the financial impact, Mr. Grenier explained that in order to make a connection to an average house which is 40’ away from the road, the owner would be required to install 40’ of pipe in the ground, make a cut into the street, and then restore the pavement which could involve several thousand dollars. Mr. Grenier stated that amending the language would expedite a property transaction and there would be no effect in any flood plain areas.

Mr. Grenier indicated there needs to be an additional change to the language in the proposed amended ordinance.

A motion was made by Ald. Tim De Wane and seconded by Ald. Scannell to approve the request by Ald. Moore to amend the Green Bay Municipal Ordinance 16.11(2)(C)(2) of the Plumbing Code, with the condition that staff amends the language prior to the Common Council Meeting. Motion carried.

6. Notice of the change of agent for Kokoro, LLC at 301 N. Adams Street (postponed from the October 13, 2014 meeting).

Attorney Leigl indicated that the City Attorney's Office has no objection with a change of agent however he stated the individual who is applying has two OWI's and three citations for serving underage individuals, he was found guilty on one of these charges, the other two were dismissed. He additionally has another citation for premises being open after hours. This item was held up from the last meeting because the applicant didn't appear.

Capt. Bongle noted that the department has concerns as it is only one month since the last offense.

No one appeared for this item.

Ald. Tom DeWane agreed with Capt. Bongle and stated he would deny this item.

A motion was made by Ald. Tom De Wane and seconded by Ald. Scannell to deny the notice of the change of agent for Kokoro, LLC at 301 N. Adams Street (postponed from the October 13, 2014 meeting). Motion carried.

7. Review and discuss the request by Ald. Wery to amend the Green Bay Municipal Ordinance 33.08(2) regarding restrictions on alcohol license locations.

Discussion included amending the language, consensus was to hold for Ald. Wery's guidance since this is his request.

A motion was made by Ald. Tom De Wane and seconded by Ald. Steuer to postpone until the next meeting the request by Ald. Wery to amend the Green Bay Municipal Ordinance 33.08(2) regarding restrictions on alcohol license locations.

8. Request by Ald. Wery to review, with possible action, the taxicab licensing ordinance, Section 6.21 (postponed from the October 13, 2014 meeting).

Discussion included amending the language, consensus was to hold for Ald. Wery's guidance since this is his request. A request was made by Ald. Steuer for a copy of the Taxicab Licensing Ordinance - Section 6.21.

A motion was made by Ald. Tom De Wane, seconded by Ald. Scannell to postpone until the next meeting the request by Ald. Wery to review, with possible

action, the taxicab licensing ordinance, Section 6.21 (postponed from the October 13, 2014 meeting).

9. Review timeline for liquor license applicants as it pertains to their security plan (held up from the September 22, 2014 and October 13, 2014 meetings).

The City Attorney's Office referred to the checklist application which is required by the Clerk's Office, opining that it provides sufficient information.

Capt. Bongle agreed stating the present checklist follows a good process if it is followed. He noted that on some occasions the applicant has come to Committee without completion of the form.

Ald. Steuer pointed out that in the past there have been situations with applicants not having all information in place, stating it is important that at the beginning of the process the applicant understand the requirements.

Ald. Tom DeWane stated he has heard complaints that the community police officer is not always available resulting in delays. Capt. Bongle argued that this may not be entirely accurate, stating that if the community police officer is not available the applicant is also given the District Captain's phone number to contact.

A motion was made by Ald. Steuer and seconded by Ald. Tom De Wane to postpone until the next meeting the timeline for liquor license applicants as it pertains to their security plan (held up from the September 22, 2014 and October 13, 2014 meetings).

10. Appeal by Carissa Meaner to the denial of her Operator License application.

The City Attorney's Office objects to granting an Operating License to the applicant based on her prior record.

Capt. Bongle stated he would like to have more time pass before granting this application, noting that several charges (drug possession, keeper of a drug house, behavioral issues) still involve court proceedings. If charges are determined felonies, the applicant would be ineligible for an operator's license. His recommendation is to deny.

Ald. Tim De Wane opened the floor without objection.

Carissa Meunier, 822 Pine Street, appeared stating several of the charges against her have been amended. Ms. Meunier stated she needs the operator's license to keep her job.

Capt. Bongle stated even though the charges are pending or may have changed, it is important to know that Ms. Meunier is not using, if she has completed any programs, or has any letters in her defense.

Ald. Tom DeWane clarified that Ms. Meunier's probationary license has expired and she will not be able to sell alcohol if this request is not approved.

Ald. Tom DeWane addressed the pending allegations, one being the intent to deliver, pointing out that Ms. Meunier's place of employment offers this potential (Astor Park Mini-Mart).

When asked by Ald. Steuer when Ms. Meunier began her employment, she responded at the beginning of August. The owner of the store, Mike Waldo, did provide a letter in her defense.

Ald. Tim De Wane opened the floor without objection.

Ald. Steuer asked if Ms. Meunier is granted a license to work and is found guilty of the charges would the matter come back to this Committee. Attorney Leigl pointed out that Ms. Meunier is not being told that she cannot work, only that she cannot sell alcohol by herself. He also clarified that charges are pending in Circuit Court, while the Municipal Court charges involve forfeitures.

Ms. Meunier again expressed her need to keep her job, explaining that the owner does not have a license to sell alcohol. Attorney Leigl indicated this is highly unlikely as it is a requirement that the owner holds a license.

Ald. Tim De Wane returned to regular order of business.

A motion was made by Ald. Scannell to deny the appeal by Carissa Meunier to the denial of her Operator License application. Ald's. Tom De Wane, Tim De Wane and Steuer voted nay. There was no recommendation to the appeal by Carissa Meunier to the denial of her Operator License application.

Ald Steuer stated as the charges are pending and could be deemed misdemeanors, he would approve Ms. Meunier's appeal for an operating license.

Ms. Meunier was advised that this decision will be finalized at the City Council meeting on Monday, November 3, 2014, at 7:00 p.m.

11. Update from Law Department and Police Department regarding the efforts of bars on Washington to address their police calls issues (held up from the September 22, 2014 meeting).

Attorney Leigl stated it does not appear there have been any new police calls.

Capt. Bongle read a communication from the District Capt. who stated he has met with bar owners regularly. They have agreed to work together and have a coordinated response. There have been no calls since early summer.

A motion was made by Ald. Tom De Wane and seconded by Ald. Steuer to receive and place on file the update from Law Department and Police Department regarding the efforts of bars on Washington to address their police calls issues (held up from the September 22, 2014 meeting). Motion carried.

A motion was made by Ald. Tim De Wane and seconded by Ald. Scannell to adjourn the meeting at 6:05 p.m. Motion carried.

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