

MINUTES
PROTECTION & WELFARE COMMITTEE
Monday, January 25, 2016
City Hall, Room 207
5:00 p.m.

MEMBERS PRESENT: Ald. Wery, Ald. Steuer, and Ald. Scannell
MEMBERS EXCUSED: Ald. Tim De Wane
MEMBERS ABSENT: None
OTHERS PRESENT: Kristen Bohnert–Asst. City Attorney, Capt. Laux, Ald. Nennig and other interested parties.

1. Roll Call.

Ald. Wery, Ald. Steuer and Ald. Scannell were present. Ald. Tim De Wane was excused.

2. Approval of the Agenda.

A motion was made by Ald. Scannell and seconded by Ald. Steuer to approve the agenda. Motion carried.

3. Approval of the minutes from the January 12, 2016 meeting.

A motion was made by Ald. Scannell and seconded by Ald. Steuer to approve the minutes from the January 12, 2015 meeting. Motion carried.

4. Application for a “Class B” Combination License by Mary Besaw at 2148 University Avenue. (Transfer from Lee and Lee Inc.)

Atty. Bohnert stated it is the City Attorney's Office understanding that Robert Younger would be operating the business for Mary Besaw. Atty. Bohnert reported the City Attorney's Office is recommending denial based on Mr. Younger's criminal record and the high number of calls for police assistance to Buddha's, the bar Mr. Younger operates in De Pere.

Capt. Laux stated the Green Bay Police Department (GBPD) agrees with the City Attorney's Office and also recommends denial.

Officer Robert Matheny appeared and stated that he has been a police officer for 26 years. Officer Matheny reported that Capt. Laux contacted him on December 10, 2015 to review a business plan for a liquor license that Mary Besaw applied for. Officer Matheny stated during a conversation with Ms. Besaw regarding the business plan, she informed him that she did not plan on being an active participant for this business. This violates federal and state laws and is referred to as a 'straw purchase'. Ms. Besaw also shared that she was granted the liquor license in De Pere and didn't have intentions to participate in that business either.

Officer Matheny contacted the De Pere Police Department and discovered there were 54 calls for police assistance at Buddha's location; when he confronted Ms. Besaw regarding this she stated that Mr. Younger told her that there were only a couple of calls and was very surprised to hear how high the number actually was. Officer Matheny stated that two-thirds of the calls were actually attributed to the bar itself; and it would take up a significant amount of police time if the same thing happened if they were granted a license in Green Bay.

Ald. Steuer stated he was concerned with the amount of calls and questioned why an individual would apply for a liquor license if they had no intention of operating the bar. Officer Matheny replied that he was informed by Ms. Besaw that it would be easier for her to be granted the license than it would for her grandson.

Ald. Wery opened the floor without objection.

Robert Younger, 3491 Aerts Lane, De Pere, appeared and stated there are nine or ten bars and a large parking lot in the same area as Buddha's and whenever someone calls for police assistance they say they are in front of Buddha's and that's why there is such a high number of calls at that address. Mr. Younger stated that there are very few calls related to the bar itself.

Mr. Younger reported that there was an underage individual who wasn't allowed inside the bar on Halloween and he retaliated by calling the police department three times that night. Mr. Younger said when something occurs beyond their control they will call for police assistance like they are supposed to. Mr. Younger also stated that Ms. Besaw does work very closely with him.

Mary Besaw, 3412 S. Clay Street, appeared and stated that she trusts Mr. Younger and opinioned that when people call to complain somehow they refer to the address at Buddha's, even if they're calling to complain about cigarettes littered on the sidewalks. Mr. Younger stated that almost every night there is a police car outside one of the neighboring bars.

Ald. Steuer stated that he understands the City Attorney's Office recommends denial based on the number of police calls to Buddha's, and asked what the criminal record against Mr. Younger entailed.

Atty. Bohnert stated that the criminal background check was done on Mr. Younger based on the information from Officer Matheny when Ms. Besaw reported she was applying for Mr. Younger.

Ald. Steuer stated that this Committee does believe in giving individual's second chances and asked Mr. Younger if he could explain his criminal record.

Mr. Younger stated he terminated a 17 year old male babysitter and in retaliation the young man told the police that Mr. Younger was having sexual contact with a 17 year old female babysitter; those charges were false and were dismissed. Mr. Younger stated he was charged for intimidating a witness when he confronted the young man about the statement he gave to the police. Mr. Younger admitted

that he doesn't have a clean record. Mr. Younger claimed that he has a degree in business management and political science and that he runs a construction business as well as the bar. He stated it is his intention to run a successful business with Ms. Besaw in Green Bay as well.

Ald. Scannell asked why Ms. Besaw applied for the license and she responded that they didn't believe Mr. Younger would be approved because of his background and that he is her grandson so she applied to help him out. Mr. Younger stated that Ms. Besaw helps him with the taxes and paperwork for Buddha's, as well as help him run the bar.

Ald. Wery inquired why Ms. Besaw informed Officer Matheny she wasn't going to be a part of operating the bar. Ms. Besaw stated she forwards the paperwork onto the accountant and that's all she really has to do with the bar. Ms. Besaw stated it was a simple procedure to get the license in De Pere and thought it would be the same for Green Bay.

Barbara Dorff, 3275 Pebble Beach Court, appeared and stated Mr. Younger is dating her daughter and she is here to attest to Mr. Younger's character. Ms. Dorff stated that she did look him up on CCAP and did have concerns about him at first but has come to the conclusion that he is a very hardworking, nice man. She knows that Mr. Younger has spent many long hours fixing up Buddha's.

Ald. Wery returned to regular business.

Ald. Steuer inquired if the GBPD or City Attorney's Office are familiar with other applicant's doing 'straw purchases'. Officer Matheny recalled that it happened once in the past. Atty. Bohnert stated that they wouldn't have known about this case if Ms. Besaw wasn't so candid and open with Officer Matheny, and that this is a very unique situation.

Ald. Scannell stated that we cannot violate federal and state laws and that he would vote to deny. Ald. Scannell also encouraged Mr. Younger to apply for the liquor license on his own since his last felony was 10 years ago and he has a good chance of having it approved.

Officer Matheny stated if this item will come back to this Committee then he would like an officer or captain from the De Pere Police Department present to testify to the police calls at Buddha's.

A motion was made by Scannell and seconded by Steuer to deny the application for a "Class B" Combination License by Mary Besaw at 2148 University Avenue. Motion carried.

5. Request by the owner of St. Brendan's Inn, 234 S. Washington Street, to hold outdoor events on March 12th, 13th and 17th, 2016.

There were no objections by the City Attorney's Office or the GBPD.

A motion was made by Scannell and seconded by Steuer to approve the request by the owner of St. Brendan's Inn, 234 S. Washington Street, to hold outdoor events on March 12th, 13th and 17th, 2016. The approval of the requests is subject to complaint. Motion carried.

A motion was made by Ald. Scannell and seconded by Ald. Steuer to adjourn the meeting at 5:25 p.m. Motion carried.

For all licensing issues, the Committee may potentially convene in closed session pursuant to §19.85 (1)(b) and/or §19.85 (1)(f) Wisconsin Statutes, for the purpose of considering information with respect to licensing for a person. The applicant has the right to demand that the meeting be held in open session. The applicant may also request that the meeting be held in closed session. The Committee may, thereafter, reconvene in open session pursuant to §19.85(2) Wisconsin Statutes to report any actions taken during the closed session and to consider all other matters on the agenda.

If there are any questions regarding the agenda, please call Dawn, City Clerk's Office, at 448-3010.

ACCESSIBILITY: Any person wishing to attend who, because of a disability, requires special accommodation should contact the City Safety Manager at 448-3125 at least 48 hours before the scheduled meeting time so that arrangements can be made.

Please take notice that it is possible that additional members of the Council may attend this committee meeting resulting in a majority or quorum of the Common Council. This may constitute a meeting of the Common Council for purposes of discussion and information gathering relative to this agenda.

The audio tape and minutes of this meeting will be available at www.greenbaywi.gov