

MINUTES
PROTECTION & WELFARE COMMITTEE
Monday, February 23, 2015
City Hall, Room 207
4:00 p.m.

MEMBERS PRESENT: Ald. Wery, Ald. Tim De Wane, Ald. Steuer, and Ald. Scannell
MEMBERS ABSENT: None
OTHERS PRESENT: Patrick Leigl—Asst. City Attorney, Capt. Bongle-Police Department
Other interested parties.

MEMBERS: Ald. Wery, Ald. Tim DeWane, Ald. Steuer, and Ald. Scannell

1. Roll Call.
Ald. Wery, Ald. Tim De Wane, Ald. Steuer and Ald. Scannell were present.
2. Approval of the Agenda.
Request made by Ald. Steuer to move agenda item #6 after #4.

A motion was made by Ald. Wery and seconded by Ald. Steuer to approve the agenda as amended. Motion carried.
3. Approval of the minutes from the February 9 and February 12, 2015 meetings.

A motion was made by Ald. Scannell and seconded by Ald. Steuer to approve the minutes from February 9 and February 12, 2015 as presented.
Motion carried.
4. Request by the owners of Anduzzi's, 900 Kepler Drive, to hold an outdoor event July 24 to 26 and allow music until 1:00 a.m. On July 24 and 25.

No objections from Attorney Leigl of the City Attorney's Office who indicated his office was provided with a letter of security plans for this event.

No objections from Captain Bongle of the City Police Department

Ald. Wery opened the floor without objection.

Ald. Scannell asked the representative present from Anduzzi's if this event has been held in the past and was told that it has been and that the area will be secured.

Motion made by Ald. Scannell and seconded by Ald. Wery to return to regular order of business.

A motion was made by Ald. Scannell and seconded by Ald. Wery to approve the request by the owners of Anduzzi's, 900 Kepler Drive, to hold an outdoor event July 24 to 26 and allow music until 1:00 a.m. on July 24 and 25.

Motion carried.

5. Appeal by Patrick Ronsmans to the denial of his Public Vehicle Operator License application.

Attorney Leigl stated that the Legal Department has no objection to Mr. Ronsmans' application pointing out that although he has a felony on his record, there have been no citations since 1995 and it appears he has completed the rehabilitation process.

Captain Bongle of the Police Department agreed, noting there is no state restriction on the application for an operator's license as Mr. Ronsmans' felony was not alcohol related.

Ald. Wery opened the floor without objection.

Patrick Ronsmans – Mr. Ronsmans spoke to his issue stating that approval of his application will enable him to support himself and his family. He presented two letters of support, explaining he has been involved with children's activities in the area, indicating there are other residents of the city who would support his request. Ald. Steuer suggested that any other letters of support be added to his file.

Motion made by Ald. Steuer and seconded by Ald. Wery to return to regular order of business. Motion carried.

A motion was made by Ald. Steuer and seconded by Ald. Tim DeWane to approve the appeal by Patrick Ronsmans of his Public Vehicle Operator License application. Motion carried.

6. Request by Ald. Steuer to discuss with possible action Green Bay Municipal Ordinance 15.65 relating to waiting periods for permits to raze a building.

Ald. Steuer explained that he serves on the Historical Preservation Committee who has discussed the possibility of a poll to determine interest in a 30 day raze ordinance for buildings over 50 years old. Director Kim Flomm was present to address this issue expressing concern with the 50 year term, indicating that could cover over 50% of the buildings in the City, many of which are historical in nature. She referred to a list of 80 buildings, many of which are being renovated or planned to be renovated to their original integrity, opining that property owners may be frustrated with a 30 day limit.

Ald. Steuer explained that the City is looking to obtain Certified Government Status and he would like to move forward with the discussion by the HPC who are looking for a revision of the present ordinance language. Ald. Steuer proposed that the ordinance language be revised to study and include other components of a "historical building" and be added to the City data base.

Ald. Wery opened the floor without objection

Bill Meindl - Mission Road

Expressed support for moving ahead with revision of the present ordinance language, opining that the 50 year guideline is too broad and not consistent with the national guideline for historic buildings which is "50 years or older".

Motion made by Ald. Scannell and seconded by Ald. Tim DeWane to return to regular order of business. Motion carried.

A motion was made by Ald. Steuer and seconded by Ald. Scannell to refer back to staff the Green Bay Municipal Ordinance 15.65 relating to waiting periods for permits to raze a building. Motion carried.

7. Request by Staff to discuss an ordinance pertaining to UBER and other transportation network companies.

Attorney Leigl explained that at a special meeting held Thursday, February 19th, a motion was made for the Law Department to draft a memo related to this item. The Law Department has discussed options, agreeing there should be some kind of regulation for transportation network companies driving in the city, either to create an ordinance specifically for transportation network companies or for Uber and similar business to be regulated under the present taxi cab ordinance. Attorney Leigl provided information to the committee of other cities' transportation network company ordinances, one being the City of Milwaukee, who drafted their own ordinance which was eventually upheld by the Courts.

Ald. Steuer stated he has been told that Uber has been soliciting rides in the area and if this is so, they should be licensed as a taxi cab company. Attorney Leigl noted that Uber does not solicit, but is instead is privately called for rides using the mobile app.

When Captain Bongle was asked his opinion, he stated he really has no concern as Uber has a good business model, conducts background checks and have good insurance. It is not in the financial interest of a driver to hang out and wait for a customer as they are booked through a phone app. He stated he understands if Uber is parked at the airport, there may be impact on taxi cab drivers, although noted that Uber may have previously been called through a phone app and is waiting for a customer.

Ald. Scannell stated he does not see that the City enhances from either business, however, this committee is here to regulate safety. His question is whether to cease Uber services in the area until the City has a plan in place. Ald. Scannell indicated that Uber is similar to a taxi because it accepts payments for rides and they should be regulated like taxi cabs; however, there are a few areas in the taxi cab ordinance that transportation network companies like Uber could be exempted from.

Ald. DeWane agreed with Ald. Scannell that Uber should be regulated the same as taxi companies.

When asked by Ald. DeWane regarding state regulation, Attorney Leigl indicated that at this time there is none. Ald. Steuer asked for further discussion, pointing out it appears that Uber is a new way of doing business and should be regulated.

Discussion ensued that Uber operates similar to taxis and should go through the same licensing process regarding fees, background checks and vehicle inspection by the Green Bay Police Department. Ald. Scannell stated Uber should abide by the taxi cab ordinance.

Motion made by Ald. Scannell and seconded by Ald. Tim DeWane for Uber and all other transportation network companies to desist and follow Green Bay Ordinance 6.21 relating to Taxi Licensing. Motion carried. Nay: Ald. Steuer

8. Request by Staff to review with possible action the prior taxi cab ordinance to determine if it shall become readopted.

The prior ordinance along with a new draft was distributed to committee members by Attorney Leigl. Comments ensued of whether to repeal the old ordinance and adopt the new with main concerns related to hospitality issues, labeling on the exterior of taxi vehicles, surety issue language, control of complaints, etc.

Ald. Scannell noted that while Uber and other transportation network companies should be regulated under the taxi cab ordinance, he stated there are a few differences between these companies and taxi cabs that would grant them certain exemptions in the taxi ordinance.

The following motions were made by Ald. Scannell and seconded by Ald. Tim DeWane to make the following amendments to the Green Bay Taxi Ordinance:

- 1) Repeal 6.21(4)(b) relating to the hospitality training requirement.
 - a. Seconded by Ald. Tim DeWane
 - b. Motion Carried

- 2) Repeal Ordinance 6.21(3)(f)(5)(d) relating to displaying all fare rates on the exterior of the vehicle.
 - a. Seconded by Ald. Tim DeWane
 - b. Motion Carried

- 3) Add Ordinance 6.21(3)(f)(6)(c) relating to displaying all fare rates on the interior of the vehicle.
 - a. Seconded by Ald. Tim DeWane
 - b. Motion Carried

- 4) Amend language in Ordinance 6.21(6) that the common council may require the complainant to post surety of up to \$500; amending to, the common council may fine a complainant up to \$500.
 - a. Seconded by Ald. Tim DeWane
 - b. Motion Carried

- 5) Add language in ordinance 6.21 to recognize Transportation Network Companies
 - a. Seconded by Ald. Tim DeWane
 - b. Motion carried

- 6) Add language in ordinance 6.21(3)(f) exempting all Transportation Network Companies from displaying anything on the interior and exterior of the vehicle
 - a. Seconded by Ald. Tim DeWane
 - b. Motion Carried

- 7) Add language in ordinance 6.21(5)(b) exempting all Transportation Network Companies from providing receipts to customers upon demand.
 - a. Seconded by Ald. Tim DeWane
 - b. Motion Carried

A motion was made by Ald. Scannell and seconded by Ald. Tim DeWane to adjourn the meeting.