

TOWN OF GREEN BAY PLANNING COMMISSION MINUTES

DATE: 12/20/16⁶_{SEP}

TIME: 7:07 p.m.

PRESENT: Bob Boncher, Mike Gilson, Dawn Goodman, Gary Jonet, John Metzler, Jason Miller, Jack Salewski
Others Present: None.

APPROVAL OF LAST MEETING'S MINUTES: John Metzler opened the meeting and asked if the meeting notice was properly posted in 3 places. Dawn Goodman confirmed it was. The November 15, 2016 meeting minutes were reviewed. Jason Miller made a motion to accept the minutes as presented. Gary Jonet seconded the motion. All 7 members approved.

Old Business: (7:08-7:09) Review of Culvert Standards. John Metzler explained why he had asked for a review of the Culvert Standards by the Planning Commission (mainly the cost of the Culvert and the Board of Review fee) and stated he was satisfied with the Planning Commission's review of it all at the October 2016 meeting and nothing more need be said or done. All PC members agreed and the matter was then closed.

ISSUE #1: Continue development of a Parade and/or Special Events Ordinance policy. (7:09pm to 8:01 pm).

John Metzler reviewed why it was back for review.

1. He stated a number of Town residents and church representatives *did not understand the proposed ordinance* for Special Events. In particular, he thought the language about fees were misunderstood and should possibly be modified.
2. Dawn Goodman stated the residents and church representatives also asked that there be *clarification and guidelines spelled out more*, giving the example some had mentioned that there was no penalty if someone did not get a permit.
3. John Metzler stated that the actual *cost was another issue*:
 - a) Dawn Goodman agreed that there had been concerns that the **cost was too much**;
 - b) some objections were that it was *too hard to know ahead how many participants* would be at an event so how could they know how much to pay;
 - c) and others considered *any fee unfair*.

Dawn Goodman reviewed the optional fee guidelines part of the proposed ordinance and stated that the Town representative(s) issuing the permit, (probably Town Clerk Debbie Mercier), would need some specified guidelines to base a fee upon. She stated that having guidelines or a fee structure could prevent accusations of discrimination (for eg. if one group is charged and another is not, or a fee for one event was thought to be excessive compared to another fee charged for a different event).

John Metzler questioned if it might be possible to just have *one cost/fee for all events*.

Jason Miller stated that the proposed ordinance does not state anything about if an event will be making money or not. He stated that objectors had issues with the classifications listed in the proposed fee structure also, stressing that it just needs to state if it is *a public or private event held on Town property*, if it obstructs the Town roadway, then it affects people here.

Bob Boncher stated that then would be clarifying things better by adding that to the Ordinance. He gave the example if people are paying to march in a parade, then they need to pay for a permit. Even if they are not, they would just get a permit but not be charged.

John Metzler questioned if it should be specified parade or special event

Jason Miller stated that it should be clarified that it is not on personal property.

Mike Gilson started reviewing the size of events in the optional fee structure area.

Jason stated he thought ***there should just be a \$250 permit*** if it's a paid event and not use the sliding fee structure. At least start with that and come back to it for review if/when activities start to increase or change. He stated that the sliding fees may be part of the reason people find the proposal objectionable because one year the fee would be \$100 but then it could go up the next year because the event has become more popular. He suggested \$250 would be a good starting point because it would cover the review and processing time of whomever will handle the permit process ***and then there would not have to be the classifications***. There was agreement that the classifications were not easy to understand and even not liked (esp. wording about events being closed/open to certain groups).

Mike Gilson stated that he thought it should start with \$100 for everything.

John Metzler then brought up how supervisor Ryan DeBroux had stressed the importance of ***having the information about an event for the purposes of the fire department and others (sheriff department, emergency responders, etc)***., so that there can be planning to provide enough services for it, but also to have alternative ways around the event should an emergency occur in the surrounding area.

John Metzler stated that it's hard for those reading the current proposed ordinance language to understand if they do or do not need to pay a fee and/or get a permit.

Jason Miller stated that then we could go back to the Ordinance language without the additional wording for the cost determination of the open ended fee determination of \$100-\$500 stipulation and the Permit application fee structure. He stated that it should just have a fair fee that everyone would be charged if their event is coming in.

Jason Miller suggested the wording in the Special Event Definition be changed to have only the following wording: ***“Any planned occurrence which changes the approved use of any Town property.”***

Dawn Goodman stated she thought it was important to ***keep in the wording “or any event on the public right-of-way” because it helped to further clarify the matter***. She reminded the PC members that Bob Boncher, who had been in police enforcement and helped the City of Green Bay with their Event policy development had thought it was important to include that in past discussions on the matter. Bob Boncher agreed. There was then debate about what the public right-of-way included: Town vs. County roadways.

John Metzler suggested that the definition also include if the event is one participants that pay to be part of or not paid. He said that adding more would make it too complicated. Bob Boncher agreed.

Then the group discussed what the fee amount should be. Gary Jonet pointed out that whomever was accepting the permit would also have to spend time clarifying all of the stipulations on the form are being met. \$100 would really not cover the time and work it could involve. \$250 would be more appropriate. He stated and Dawn Goodman confirmed, that Town Clerk Debbie Mercier (during a past discussion at a Town meeting), had stated that she probably would not have time to do all the currently proposed work it involved (clarifying the County Permits are obtained, valid insurance, etc). There were suggestions that Gary Jonet could collect the fee, like he does for Building Permits, but he stated he did not want to do so either. There were suggestions that the Planning Commission could do so. Dawn Goodman questioned if the Planning Commission Secretary could collect the fee. Gary Jonet said it had not been done in the past. Then the possibility of the Town Constable collecting the fee and permit was discussed.

It was finally suggested that the Permit could be processed during the Town Meeting in the same manner as the Liquor License for the picnics and events are processed: the applicant brings the signed and completed documentation and money to the meeting, pay Town Clerk Debbie Mercier and it is done.

There was discussion about having the application include an area that asked if it is a paid event.

There was discussion about if the number of participants needed to be included on the application. Gary Jonet said it was not necessary if it is a private event. Dawn Goodman vehemently disagreed stating if an event had a huge amount of people in the area, then it should be known for emergency response purposes at least. Gary Jonet stated that would already be taken care when the group applied to the County for its various permits/services.

John Metzler questioned what if the group does not come for a permit? What is the penalty? There was not any agreement as to what that would be.

The Brown County ordinance was reviewed but it was agreed that the penalty section involved more time and processing than the Town could realistically pursue.

Dawn Goodman also brought to the Planning Commission's attention Brown County's Chapter 33 Public Assemblages wording concerning exemptions: *32.02 License Required (6) This chapter shall not apply to any regularly established, permanent place of worship, stadium, athletic field, arena, auditorium, coliseum, or other similar permanently established place of assembly for assemblies which do not exceed by more than 250 people the maximum seating capacity of the structure where the assembly is held.*

Mike Gilson vehemently questioned why the Town is even pursuing an Event Permit if Brown County exempts all the above mentioned groups/situations.

Dawn Goodman pointed out that Town Chairman DeChamps stated he wanted it.

There was discussion about what events occur currently and that the Town is in a desirable area that lends itself to attracting increasing events, with increasing numbers of people due to such areas as the Shrine, the Bay, proximity to Door County, etc.

Jason Miller stated what it all comes down to really, is the permits are really about safety.

Gary Jonet stated that it is covered already by State & County regulations.

Bob Boncher stated we should still keep the application but not the fee structure rules.

Gary Jonet stated that he thought the original intention of having the Special Event Permit was to also collect some money from organization and their events coming through the area who were making money; as well as help pay for any inconveniences the Town incurred while the events took place.

Dawn Goodman pointed out that the Town is actually missing out on a potential source of revenue that most other municipalities take advantage of.

Mike Gilson stated vehemently that he did not agree with adding additional taxes in the Town, stating "I don't need another tax!".

Jason Miller stated that at some point we are all going to be affected by this issue (Special Events and their impact on the town) and the goal is for the Town to re-coop some money for the impact the events have in our area (he gave an example: emergency response services for calls to the events).

John Metzler stated that he thinks the purpose of the Permit is 2 fold: Public Safety and Money revenue, adding the main thing is SAFETY and KNOWLEDGE for the Town.

The "For Profit" events that currently take place were reviewed: the Bellin Women's Half Marathon; Snow Mobile Races; the Walk to Mary; and the new Aurora Bay Care Clinic Bayshore to Lakeshore Bicycle Event.

Jason questioned if there is any need to pursue the permit. He pointed out that currently there is no regulation that would prevent some group from bringing in a huge event and that the Town could be the target of terrorism or protests, etc. (eg: the recent Christmas Market attack overseas where the truck drove into the crowd, killing people).

Jason pointed out that our Town's size and limited personnel limit it as to how much it can require and enforce.

Bob Boncher stated he thought the PC should keep the application, cut out the fee structure and state: "***Any event that has a fee for its participants will pay \$200, etc....and the Church is exempt***".

Gary Jonet stated he did not think we should exempt anyone. He gave an example: a Church could suddenly decide to have a big march and it could block the roads, or cause other issues and there would then be no recourse for the Town.

Mike Gilson stated that an Impact Fee might be the way to go. Gary Jonet agreed that will be a possibility in the future.

John Metzler asked if the PC was all in agreement to have a permit so the Town has information from the groups.

Gary Jonet and Mike Gilson stated they were against it.

Dawn Goodman questioned how the Town would know if there is an event?

Gary Jonet stated it's the responsibility of the individual/group putting on the event to do so.

Mike Gilson was concerned about the Town's Liability during an event. Dawn Goodman pointed out that it is covered by the requirement on the Application for insurance and indemnification statement.

Jason Miller questioned if the Town really needed to worry about what is happening at an event?

Dawn Goodman stated it was necessary because the Town is growing and it owes it to our residents to know what is going on.

Various PC members stated it is up to a resident to know what is going on in their Town.

The group members stated various opinions and disorder occurred briefly.

John Metzler then brought the group back to order, stating it was his opinion that this item be Tabled at this time so more thought can be given to it and that it was obvious the PC couldn't come to a decision.

MOTION MADE BY Bob Boncher made a motion to Table the issue until more input from the Town Board at it's January 2017 meeting.

MOTION 2NDED BY: Mike Gilson. **AYES:** 7 **NAYS:** none. **ABSTAIN:** None. **MOTION CARRIED.**

Any Other Business: None

Date & Time of Next Planning Commission Meeting were set: Tuesday, January 17, 2017 at 7:00 pm *if it is found necessary to have a meeting*. **Motion to Adjourn Made by:** John Metzler, Jason Miller seconded. **AYES:** 7 **NAYS:** None. **Motion Carried. Time of Adjournment:** 8:02 p.m.

Planning Commission Chairperson

Planning Commission Secretary