

TOWN OF GREEN BAY PLANNING COMMISSION MINUTES

DATE: 1/17/17

TIME: 7:01 p.m.

PRESENT: Mike Gilson, Dawn Goodman, Gary Jonet, John Metzler, Jason Miller

ABSENT: Bob Boncher (due to illness); Jack Salewski (weather issues) **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 December 20, 2016 meeting minutes were reviewed. Jason Miller made a motion to accept the minutes as presented. Gary Jonet seconded the motion. All 5 members approved.

ISSUE #1: Continue development of a Parade and/or Special Events Ordinance policy. (7:02pm to 7:58 pm).

At the start of the meeting, PC Secretary Dawn Goodman handed out information for the PC members to review which included a sheet of pertinent information she gathered from surrounding municipalities (City of Green Bay's definition of Special Events; City of De Pere's definitions & regulations) and also actual Event Application Forms/Permits from a number of area municipalities (Village of Ashwaubenon, City of De Pere, City of Green Bay, City of Sturgeon Bay, Town of Ledgeview, the Town of Egg Harbor, Town of Gibraltar).

John Metzler stated that he believed a permit was necessary for the safety of the Town. He gave the examples of the Town of Ledgeview (he liked it but was afraid that enforcing all of the regulations might be a challenge and if something was not done properly liability issues could arise). He also liked the City of DePere. He said he really liked the Village of Ashwaubenon (there are a lot of areas not applicable due to the size of our Town and the lack of personnel we have to enforce it). He liked their fee options (\$25 for non-profit, \$50 other) but speculated it might not be enough to cover costs of processing. He suggested \$200 might be a better fee. He also stated he liked that the Town of Egg Harbor had a stipulation that included triple fee for holding the event without a permit. He also stated he felt it was still important to include some sort of statement/question specifying if participants paid a fee to take part in the event.

Dawn Goodman passed the City of Green Bay's latest information and Application around & explained that the application form had changed a number of times since the PC had started exploring having a Special Event Permit. The original permit application the PC was going to use was based mainly on the Green Bay application with mostly the wording changed to be more fitting for the Town's purposes. Reviewing the newest version of the City of Green Bay, Dawn suggested that it was still "overkill" for the Town's purposes, keeping in mind feedback from the Board and residents at past meetings. She concluded all concerned wanted it to be kept simple. She suggested that application form no longer be used at all and an entirely new, simpler one be done.

Jason Miller stated that he agreed with John that the Village of Ashwaubenon had a good model and that considering the size of the community, it was a simpler, easier application. He then speculated that going the route of the Town of Gibraltar, where they get the application and submit it to the Town and their Board accepts it or denies. He also liked the 45 day time period Ashwaubenon requires because it gives everyone concerned enough time.

Dawn Goodman stated that the simple 2 tier fee that includes Non-Profit and Other were what the PC had wanted based on their past discussions.

Jason Miller stated that if it was found that the fees were not enough, it could always be changed at a later date.

John Metzler questioned what is considered "Non-profit". Various PC members gave him examples. (churches,

charitable groups, etc.). He also wanted to review what status the groups currently having events in the Town currently are. That was reviewed again.

John Metzler then suggested to make it simpler, just have one fee, perhaps \$50. Gary Jonet agreed. Jason Miller stated that no matter what the fee is, some group (esp. non-profits) will probably object to it, especially if they are not making money off of the event.

Then there was debate whether the fee should be any different between a for-profit vs. non-profit organization; could there be issues of discrimination or favoritism, etc. in those situations.

Dawn Goodman cited as a cautionary situation the Village of Hobart having issues enforcing their Special Event Ordinance in September regarding the Oneida Nations's Big Apple Fest (Oneida Nation went to Federal Court about it). She read from two news stories that covered the situation (WLUK and WBAY).

Gary Jonet pointed out that the lawsuit involved an actual Special Events Ordinance, whereas the PC was going to put together just a simpler "Application with a fee".

Jason and Gary suggested that the Town avoid having anything too complicated (for example: having the Fire Chief going out to inspect Tents at an event, such as some communities require).

Jason stressed again that it should be a simple process: the person obtains the application, brings it filled out to the Town Clerk, it is reviewed and decided on at the Town Meeting, and the fee is paid at that time if approved. The only extra work involved would be a penalty fee if the event in question does not pay the fee—then the triple fee would theoretically pay for the time involved in that penalty process.

Then there was debate whether non-profits should pay any fee or be exempt.

Then there was debate about the information required: what roadways closed, etc.

Then questions arose about the requirement for proof of insurance, exemptions and indemnification. Dawn Goodman stated that it is a standard requirement with most of the municipalities. Gary Jonet questioned that issuing a permit actually opens the Town up for potential liability issues. John pointed out that even Ashwaubenon's simple application has a statement about a million dollar insurance policy being required.

Further discussion took place regarding if the fee should be waived for non-profit groups to avoid it cutting into any money they were hoping to raise with the event. Mike Gilson suggested that if the fee is kept lower, like \$25 that it would not be a hardship paying such a small amount. All agreed to keep it simple either \$25 or \$50.

There was debate and discussion about the time limit required. 45 days was agreed upon to suit time requirements of the Town and allow for issues that might arise/need to be addressed by the applicant if an application is denied.

The PC then started designing the application. The decided to use a combination of the Village of Ashwaubenon and the Town of Egg Harbor.

Mike Gilson stated the Applicant Certification area on the bottom of the Ashwaubenon application was too much and no one would want to have an event if they had to meet all of the requirements listed. Dawn Goodman suggested that not everything from that application needed to be included and that the PC go through it line by line, choosing what to include and exempt.

Gary Jonet questioned if the application could be simplified into a briefer, one page document and process similar to the Liquor License process the Town currently has.

Dawn Goodman suggested the Village of Ashwaubenon's application was already brief enough. Mike Gilson stated he did not think it was necessary to use it because the Town of Green Bay is *not* Ashwaubenon. Dawn

Goodman stated that Town does deal with events comparable to Ashwaubenon, Door County, etc.—she cited as examples the walks and events that bring in thousands of people at the Shrine events and the Bellin Half Marathon. She stated the PC needs to think beyond who we are as a Town and realize that we are looking at eventually having increasingly bigger events. Gary Jonet said the events at the Shrine do not even matter because they occur on private property. Dawn Goodman strongly suggested that it is short sighted to not take into consideration the Shrine and it's future plans for bringing in 500,000 visitors to the area in the future. John Metzler said that the Town could change the requirements/application at that time.

John then asked the PC to look at the Town of Egg Harbor's one page application as an alternative. After some review, all agreed that it would be a good form to utilize with some modifications which would include parts of the City of De Pere and Ashwaubenon's forms.

Dawn Goodman recommended there be a request for proof of insurance and/or exemptions and/or an indemnification statement. The PC members decided that could be added in the future if it was found to be necessary. She also noted that many municipalities have questions and/or stipulations about tents. The PC members decided that could be added in the future if it was found to be necessary.

All agreed to include the following on the Request:

Heading shall say: "Town of Green Bay Special Event Request"

Next line: "Submit to Town Clerk: Debbie Mercier, 5659 Delcore Rd, New Franken, WI 54229"

Next line: "This application must be completed and submitted with the fee 45 days prior to the event".

Next line (using the City of De Pere's description of Special Events): "Any public event, ceremony, demonstration, exhibition, march, pageant, parade, procession, race, show or other similar display which interferes with the usual flow or regulation of traffic upon the streets, sidewalks, or rights of way, or the usual use of parks or other public grounds. If your event will be held solely on private property, the event is not a "Special Event".

Next area include: "Requestor Name, Address, Phone #, Organization Name, Phone #".

All agreed to not include questions about it being a fund raiser, feeling that should not be a concern of the Town.

Under Event Information, include: "Event name, date(s) of event, time(s), site location and alternative site".

Under Event Description, include: "Please supply a brief description of the event and any additional information about the event that would be helpful to the Town of Green Bay in reviewing your request".

Next include: "Permit fee ---\$25 (Triple fee for holding event without permit.)"

Next line: "Once application is completed and returned to the Town Clerk, it will be reviewed by the Town Board for approval."

Next line should include spaces for: "Accepted and Not Accepted"

Next line should list: "Reason (if not accepted)"

Next line should include space for the Town Chairman's signature and the Date.

The PC asked that Dawn Goodman read back the application form's contents. She did so.

MOTION MADE BY Jason Miller made a motion to recommend to the Town Board that the Town of Green Bay create a “Town of Green Bay Special Event Request” with the following information (see attached Application form). **MOTION 2NDED BY:** Mike Gilson. **AYES: 5 NAYS: 0 MOTION CARRIED.**

There was speculation about whether or not this would need a Public Hearing again. Gary stated we would not need a new # assigned to it if there would be.

Old Business: There was no old business to discuss at this time.

Any Other Business: Note: Gary Jonet and Mike Gilson will be gone next month, so it is preferable there not be a February Planning Commission Meeting.

Date & Time of Next Planning Commission Meeting were set: Tuesday, February 21, 2017 at 7:00 pm *if it is found necessary to have a meeting.*

Motion to Adjourn Made by: Dawn Goodman, Jason Miller 2nded. **AYES: 5 NAYS: 0. Motion Carried.**
Adjournment time: 8:02 p.m.

Planning Commission Chairperson

Planning Commission Secretary

