



AGENDA
VILLAGE OF ASHWAUBENON
PUBLIC WORKS & PROTECTION COMMITTEE
TUESDAY, OCTOBER 6, 2020

ALLISON WILLIAMS

JOANN EUCLIDE

GARY PAUL
DONOVAN MILLER

Regular Meeting
6:30 PM

Village Hall Boardroom
2155 Holmgren Way, Ashwaubenon, WI 54304

Phone (920) 492-2301
www.ashwaubenon.com

1. Call to Order
2. Roll Call

Attendee Name	Present	Absent	Late	Arrived
Village Trustee Gary Paul	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Joann Euclide	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Village Trustee Allison Williams	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Donovan Miller	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

3. Pledge of Allegiance
4. Action on Agenda
5. Action on Minutes
 - a. Public Works & Protection Committee - Regular Meeting - Sep 1, 2020 6:30 PM
6. Comments from the Public
 - a. Must be limited to items not on the agenda
 - b. Must state name and address
 - c. Limited to five minutes
 - d. Board's role is to listen and not discuss the item
 - e. Personnel issues cannot be discussed (nor individuals named)
 - f. Board is not able to take action at this meeting
7. Action Items
 - a. Action on Appeal of Denied Operator's License - Krista M. Jost
 - b. Action to Amend Licensed Premise Description - T. Bacon's BBQ LLC dba T. Bacon's BBQ
8. Items for Next Agenda
9. Adjourn

Directions for accessing this meeting are on the next page

VOA - Public Works & Protection Committee - 10/6/2020
Tue, Oct 6, 2020 6:30 PM - 9:00 PM (CDT)

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As a result of COVID-19, physical attendance and/or participation may be regulated consistent with the guidelines and practices recommended by governmental health agencies. Attendance and/or participation may also occur electronically or virtually through the access information contained on the Agenda. Any comments regarding Agenda items may be submitted to pmoynihan@ashwaubenon.com if there are any concerns regarding appearing in person.

Notice is hereby given that a quorum of the Village Board may be present during this meeting, although no Village Board action will be taken. This meeting is noticed as a meeting of the Village Board pursuant to Badke vs. Village of Greendale.

Attention Board Members:
Please notify Terri at 492-2301 if you are unable to attend.



MINUTES
VILLAGE OF ASHWAUBENON
PUBLIC WORKS & PROTECTION COMMITTEE
TUESDAY, SEPTEMBER 1, 2020

ALLISON WILLIAMS
MICHAEL MALCHESKI

JOANN EUCLIDE

GARY PAUL
DONOVAN MILLER

Regular Meeting
6:30 PM

Village Hall Boardroom
2155 Holmgren Way, Ashwaubenon, WI 54304

Phone (920) 492-2301
www.ashwaubenon.com

1. Call to Order

The September 1, 2020 Public Works and Protection meeting was called to order by Mike Malcheski.

2. Roll Call

Attendee Name	Present	Absent	Late	Arrived
Gary Paul	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Michael J. Malcheski	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Joann Euclide	<input type="checkbox"/> Remote	<input type="checkbox"/>	<input type="checkbox"/>	
Allison Williams	<input type="checkbox"/> Remote	<input type="checkbox"/>	<input type="checkbox"/>	
Donovan Miller	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Others: Patrick Moynihan, Tony Wachewicz, Mary Kardoskee and Jason Wertel

3. Pledge of Allegiance

The Pledge of Allegiance was recited.

4. Action on Agenda

Motion to approve the September 1, 2020 Public Works and Protection agenda.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Gary Paul, Village Trustee
SECONDER:	Donovan Miller
AYES:	Gary Paul, Michael J. Malcheski, Joann Euclide, Allison Williams, Donovan Miller

5. Action on Minutes

Motion to approve the August 4, 2020 Public Works and protection minutes.

Minutes Acceptance: Minutes of Sep 1, 2020 6:30 PM (Action on Minutes)

RESULT: APPROVED [UNANIMOUS]
MOVER: Donovan Miller
SECONDER: Michael J. Malcheski, Village Trustee
AYES: Gary Paul, Michael J. Malcheski, Joann Euclide, Allison Williams, Donovan Miller

6. Comments from the Public

No comments from the public.

7. Action Items

- a. **Action on Class B Beer License for Jay Paul LLC dba Chili John's**
Motion to recommend to Village Board to approve the Class B license for Chili Johns.

RESULT: RECOMMEND APPROVAL AT VILLAGE [UNANIMOUS]
MOVER: Allison Williams, Village Trustee
SECONDER: Gary Paul, Village Trustee
AYES: Gary Paul, Michael J. Malcheski, Joann Euclide, Allison Williams, Donovan Miller

- b. **Action Regarding Ordinance #09-1-20 Amending Sections of 4-1-5, Keeping of Livestock and Poultry**

The specific request is to change the ordinance language "from within 10 feet of the applicant's property lines" to "from within 100 feet of the coop. In addition to the requested change, Village staff has identified a few other changes to clarify application timelines (annually by 12/31), the maximum number of chicken permits Village-wide in the R-1 zoning district (4), and the total number of chickens allowed per permit (4).

Motion to recommend to Village Board to approve Ordinance NO. 09-1-20 amending Sections of 4-1-5, Keeping of Livestock and Poultry Regulated, Chapter 4, Animals, Article 1, in General, of the Village of Ashwaubenon Municipal Code.

RESULT: RECOMMEND APPROVAL AT VILLAGE [UNANIMOUS]
MOVER: Gary Paul, Village Trustee
SECONDER: Donovan Miller
AYES: Gary Paul, Michael J. Malcheski, Joann Euclide, Allison Williams, Donovan Miller

- c. **Action on Ordinance 09-2-20 Amending Ashwaubenon Municipal Code Section 4-1-4 Regarding Number of Pigeons Allowed**

Motion to recommend to Village Board to approve Ordinance No. 09-2-20 amending Section 4-1-4 (A) Number of Pigeons allowed, Chapter 4, Animals, Article 1, in General of the Village of Ashwaubenon Municipal Code to include total number of pigeons allowed per permit (12) and the maximum number of pigeon permits Village-Wide is 4.

Minutes Acceptance: Minutes of Sep 1, 2020 6:30 PM (Action on Minutes)

RESULT: RECOMMEND APPROVAL AT VILLAGE [UNANIMOUS]
MOVER: Gary Paul, Village Trustee
SECONDER: Donovan Miller
AYES: Gary Paul, Michael J. Malcheski, Joann Euclide, Allison Williams, Donovan Miller

d. Action on Ordinance 09-4-20 Repealing and Recreating Ashwaubenon Municipal Code Section 3-2-110 Social Host Ordinance

The proposed revision to the Village's Social Host Ordinance is to be consistent with Chapter 125 concerning underage alcohol provisions as a result of a Wisconsin Appellate Court case. The case invalidated an ordinance that was very similar to the Village's current ordinance since it was inconsistent with state law concerning the underage consumption of alcohol and penalties. The proposed ordinance repeals and recreates the current ordinance so that it is in line with the Court's decision to require the actual knowledge or failure to prevent the consumption of alcohol by an underage person and maximum penalties as required by Wisconsin Statute Chapter 125.

Motion to recommend to Village Board to approve Ordinance No. 09-4-20 Repealing and Recreating Sec 3-2-110, Social Host, Chapter 3, Alcohol Beverages, Article 2, License, of the Village of Ashwaubenon Municipal Code.

RESULT: RECOMMEND APPROVAL AT VILLAGE [UNANIMOUS]
MOVER: Gary Paul, Village Trustee
SECONDER: Joann Euclide
AYES: Gary Paul, Michael J. Malcheski, Joann Euclide, Allison Williams, Donovan Miller

e. Action on Ordinance No. 09-3-20 Repealing and Recreating Ashwaubenon Municipal Code Section 2-8-768 regarding Abandoned or Unclaimed Property

Ashwaubenon Public Safety is requesting a revision to our current ordinance concerning lost and unclaimed property that does not allow for disposal except for sale at a public auction. State statutes allow for other methods of property disposal provided that the municipality adopts an ordinance that specifies the methods of disposal other than an auction. This proposed ordinance allows public safety to dispose of property that it has in its possession as evidence after it is no longer needed and consistent with state law. The additional disposal options proposed in the ordinance are donation, diversion or destruction.

Motion to recommend to Village Board to approve Ordinance NO. 09-3-20 Repealing and Recreating Sec. 2-8-768, Notification to the Public Safety Department of found valuables or money, Chapter 2, Administration, Article 8, Abandoned or Unclaimed Property of the Village of Ashwaubenon Municipal Code.

Minutes Acceptance: Minutes of Sep 1, 2020 6:30 PM (Action on Minutes)

RESULT: RECOMMEND APPROVAL AT VILLAGE [UNANIMOUS]
MOVER: Donovan Miller
SECONDER: Allison Williams, Village Trustee
AYES: Gary Paul, Michael J. Malcheski, Joann Euclide, Allison Williams, Donovan Miller

8. Items for Next Agenda

There are no items for next agenda.

9. Adjourn

Motion to adjourn the September 1, 2020 Public Works and Protection meeting at 6:56 pm.

RESULT: APPROVED [UNANIMOUS]
MOVER: Gary Paul, Village Trustee
SECONDER: Donovan Miller
AYES: Gary Paul, Michael J. Malcheski, Joann Euclide, Allison Williams, Donovan Miller

Minutes Acceptance: Minutes of Sep 1, 2020 6:30 PM (Action on Minutes)



Public Works & Protection Committee

October 6, 2020 06:30 PM

Agenda No. a

Department: Clerk
Initiator: Patrick Moynihan
Category: License / Permit
Appearance: Yes

Action on Appeal of Denied Operator's License - Krista M. Jost

FULL EXPLANATION: Attached is a communication from Krista M. Jost who is appealing her denied Operator's License application. Also included is her original application and letters of reference from various individuals. Ms. Jost will be in attendance at the meeting and speak in regards to her denial.

MONETARY IMPACT: NA
BUDGETED: NA
RECOMMENDATION:

ATTACHMENTS:

- Krista M. Jost (PDF)

Patrick Moynihan Jr.

From: Krista Jost <kristajost84@gmail.com>
Sent: Tuesday, September 29, 2020 9:46 AM
To: Patrick Moynihan Jr.
Subject: Krista Jost appeal

Good morning,

I am writing because I was denied my bartending license in your city. I am hoping to get this decision over turned for many reasons. I have made a mistake in the past, over 10 years ago now. That mistake has costed me so much in my life already, I couldn't finish EMT training, lost jobs, mental stability, etc. I can honestly say that my past has made me a better person, if that makes any sense. It's stopped me from doing anything further. I was young and dumb with zero guidance. I have grown in ways I didn't know was possible for me. Including becoming a key holder/manager at one of the biggest establishments in Ashwaubenon. It's helped me even become a better parent because I didn't want her to deal with anything I've had to deal with. I've shown her a better way and I've worked hard to do so. My daughter is now in basic training to become a Marine. I know how to be responsible with serving. Example, just last week a regular customer was at our establishment after a work meeting. She had way to many and said "she was going home" I asked her "who was driving?" She didn't say much so I took her phone off the counter, opened with her face recognition, opened the Uber app and ordered the Uber. She gave me her car keys and came and got them the next day. I honesty think this is a mistake and really hope you understand my perspective and see I work hard and deserve this. My past has haunted me enough. I'm nothing of who I was 10 years ago.

Thank you for your time,

Krista Jost

Attachment: Krista M. Jost (4407 : Action on Appeal of Denied Operator's License - Krista M. Jost)

Patrick Moynihan Jr.

From: fulcer777@new.rr.com
Sent: Tuesday, September 29, 2020 9:47 AM
To: Patrick Moynihan Jr.
Cc: 'kristajost84@gmail.com'
Subject: Krista Jost

Lori Fulcer
 816 Louise Rd.
 Neenah, WI 54956
 fulcer777@new.rr.com

9/29/2020

RE: Character Reference for Krista Jost

To Whom It May Concern,

I have known Krista Jost for 25+ years. She often volunteered for me when I led a local non-profit, International Children's Fund in Neenah, taking time out of her busy schedule as she worked three jobs while raising her daughter as a single parent.

During the time that I have known Krista, she has been honest and trustworthy. She is willing to go above and beyond what is expected of her. She is respectful of her superiors and gets along well with her co-workers.

I recalled several occasions when Krista would have a tight schedule but was always willing to lend a hand when asked. She is passionate about helping others and has a very strong work ethic. She was often given additional responsibilities and assumed a leadership role with volunteers while encouraging others on her team.

Krista has always demonstrated upright character while involved in her volunteer role. In addition to her volunteerism, she has been a mentor to numerous youth in the Fox River Valley, with one young lady recently getting her drivers license and graduating from high school with Krista's assistance. The young woman came to her after graduation and thanked her, saying that she never would have made it without her. Krista has used the mistakes of her past to make a difference in the lives of those she sees struggling. She shows compassion and strength and shares that with strong work ethic and determination, anything is possible. She has come full circle with her life and has proven to be an amazing woman.

It is my sincere hope that you take this letter into consideration and that you do not let the mistakes of her past affect her life today. I believe Krista to be honorable and a valuable member of our community.

Sincerely,

Lori Fulcer

Attachment: Krista M. Jost (4407 : Action on Appeal of Denied Operator's License - Krista M. Jost)

Date: 9/29/2020

To Whom It May Concern:

Dear Mr. Pat Moynihan

As a previous employer of Ms. Krista Jost, I observed tremendous responsibility and high moral standing in her over the course of her employment. I am confident that she has the skills and abilities necessary to shine in any job. Krista's pride in her costumer skills shows in her day to day behavior and therefore is an exemplary employee, and colleague. I never had a doubt in her abilities, nor person al behavior, as a bartender and shift leader. Krista had my upmost trust while working at Red & White, Inc. for me. I am honored, an it is with great pleasure, that I can recommend Krista receive her operator's (bartender's) license.

Krista's past does not define who she is now. I know that any employer will be proud to have her on their staff. Never did she fail a "sting" for serving anyone under the age and followed both the operator's guidelines, as well as our company's, when performing her duties. I have managed Krista in stressful and long events, dealing with rude and offensive customers, never once did she lose composer nor become unprofessional.

Krista was an asset to me at Red & White, Inc. and she will prove to be one in Ashwaubenon. She is a confident, hard working person who is bettering herself every day, and thus is and should be an example to anyone she comes across. We should all have her drive to succeed.

In the years of knowing and working with Krista Jost, I have developed a lasting respect for her work ethic and professionalism. Krista Jost has my highest recommendation; she will make a great and advantageous addition to any work environment.

If you have any further questions with regard to Kirsta's background or qualifications, please do not hesitate to call me at the number listed below.]

Sincerely,

Erika Jasmine Cortes, HR
Credit Specialist
Green Bay Packaging, Inc.
C:920.372.2508
O:920.433.5342

Etamayo1006@gmail.com

Attachment: Krista M. Jost (4407 : Action on Appeal of Denied Operator's License - Krista M. Jost)

To whom it may concern,

I am writing this letter in regards to Krista Jost and my time spent with her at Anduzzi's Sports Club. My name is Brett Larson and I lived in Green Bay for six years working at both Stadium View and Anduzzi's Sports Club. During my time knowing Krista I was the General Manager at Anduzzi's. I interviewed and hired Krista back in 2018 and she immediately rose to being one of my top bartenders during my tenure there.

Krista is committed to the highest level of customer service. She was always on time and made sure she always left the bar better than she found it. Leadership came easy for her as many new and younger bartenders would go to Krista with questions on how they too could become a top-level bartender.

As I got to know Krista she told me about her personal life and raising her two kids. She wanted to save as much money as possible so she could provide for her family and give them every opportunity to succeed. It was at this point I made sure that Krista was working those busy weekend shifts as much as possible.

I even talked to her about one day becoming a manager and she never thought she would want to make that transition, but knew someday she might want to take advantage of management benefits. I am glad to hear she is still in the service industry to this day as she works towards achieving her goals.

I now live in Milwaukee and work as a Bar Manager. I would without a doubt rehire Krista as she immediately makes an impact to any team that she is working on. Her focus, drive, and knowledge are all things that will take her far beyond whatever goals and admirations she has in front of her.

I strongly encourage you reconsider the status of her Bartender's License. Krista has been in the industry for over a decade and needs this license to continue her employment. You would really be helping her out and allowing her to continue employment. Also considering the state of hospitality after all Covid-19 has gutted this industry, the restaurant industry needs every talented employee they can get! Thank you for considering this recommendation and I hope you can find it in your conscious to reconsider granting Krista Jost a Bartender's License.

Sincerely

Brett Larson

Attachment: Krista M. Jost (4407 : Action on Appeal of Denied Operator's License - Krista M. Jost)



Village of Ashwaubenton
2155 Holmgren Wy • Ashwaubenton, WI 54304
P: 920.492.2302 F: 920.492.2328
www.ashwaubenton.com

2020-22-29

Office Use Only:
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Operator's License \$30.00 [X] mail
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Temporary License \$10.00 [] mail / Pickup

Application - Beverage & Intoxicating Liquor Operator's License

In accordance with Chapter 125 of the Wisconsin Statutes, I, the undersigned, do hereby respectfully make application to the Ashwaubenton Village Board for a Beverage and Intoxicating Liquor Operator's License for the year ending June 30, 20__.

Applicant Information

Name: Jost Krista Marie, Date of Birth: 54130
Home Address: 2703 Hards Bob Ashwaubenton, Phone Number: 920-323-5525
Drivers's License/ID #: [], State: WI, Maiden Name: Jost
Email Address: kristajost84@gmail.com
List any other name, alias, or birth-date used:
List previous place of residence (prior 5 years):
Business employed as Operator/Bartender: D2 on Armed Forces Dr

Applicant Criminal History

HAVE YOU EVER been arrested and/or convicted of a felony, misdemeanor, citation, or ordinance violation? [X] Yes / [] No

If YES, please list all convictions below. If more space needed, please use back of this application.

Table with 3 columns: Year, Offense / Arrest / Conviction, Arresting Agency. Row 1: 2010, possession of cocaine, Oshkosh Police.

Do you have any PENDING charges? [] Yes / [X] No

If YES, please list pending charges below. If more space needed, please use back of this application.

Table with 3 columns: Year, Offense / Arrest, Arresting Agency. (Empty rows)

I understand that submitting false information or failing to disclose any requested information may be cause for denial or revocation. I also understand the fee is not refundable, except partial reimbursement in cases where the Village may deny my application. I further certify that I am familiar with the laws and regulations pertaining to the sale of Fermented Malt Beverages and Intoxicating Liquor under Class "A" and Class "B" Licenses and I hereby agree, if granted said license, to obey all provisions of said laws, ordinances and regulations.

Applicant Signature: [Signature], Date: 9/9/2020

MUNICIPAL CODE SECTION 3-2-26(B) requires that every applicant must disclose on his or her application for any license with the Village of Ashwaubenton any and all amounts of money owed to the Village by him or her or by the previous owner of the premises to be licensed. Any applicant failing to disclose such debts may have his license denied or revoked.

I hereby certify that I do not have any outstanding debts owing the Village of Ashwaubenton.

Applicant Signature: [Signature], Date: 9/9/2020

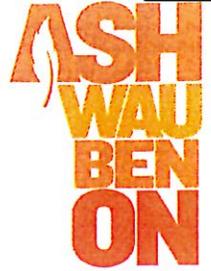
Remit application & fees to: Clerk-Treasurer, Village of Ashwaubenton, 2155 Holmgren Wy, Ashwaubenton, WI 54304

FOR OFFICE USE ONLY
License Approved: [] yes / [X] no Public Safety Signature: [Signature] Date: 9/15/20
Explanation, if denied: Felony - Drug Record - Last 10 yrs

Attachment: Krista M. Jost (4407 : Action on Appeal of Denied Operator's License - Krista M. Jost)

OFFICE OF THE CLERK-TREASURER
Patrick W. Moynihan, Jr.
Village Clerk-Treasurer
pmoynihan@ashwaubenon.com

FILE COPY



September 23, 2020

Krista M. Jost
2703 Haas Road
Kaukauna, WI 54130

Re: Operator's License

You recently applied for an operator's (bartender) license through the Village Clerk's office.

The Ashwaubenon Department of Public Safety has denied your application due to your criminal history of past arrests and/or convictions. **Therefore, you are not licensed to sell alcohol in the Village of Ashwaubenon.**

If you have any questions regarding this matter, you may contact the Chief of Public Safety, Brian Uhl at (920) 593-4460 or you may appeal to the Public Works and Protection Committee.

Sincerely,

A handwritten signature in blue ink that reads "Beth M. Stein".

Beth M. Stein
Deputy Clerk
Village of Ashwaubenon

cc: D2

Attachment: Krista M. Jost (4407 : Action on Appeal of Denied Operator's License - Krista M. Jost)



Public Works & Protection Committee

October 6, 2020 06:30 PM

Agenda No. b

Department: Clerk
Initiator: Patrick Moynihan
Category: License / Permit
Appearance: Yes

Action to Amend Licensed Premise Description - T. Bacon's BBQ LLC dba T. Bacon's BBQ

FULL EXPLANATION: Tom and Jennifer Bacon, owners of T. Bacon's BBQ, 2052 Holmgren Way, request approval to amend their license to allow the selling of beer/wine for outdoor events, mainly focused on Packer's home games. Attached is a brief synopsis of their plans and a rudimentary layout/drawing. The Bacon's will be in attendance to present their vision and entertain any questions that committee members may have.

MONETARY IMPACT: NA

BUDGETED: NA

RECOMMENDATION:

ATTACHMENTS:

- T Bacon Amend License Description (PDF)

**T. Bacon's BBQ LLC
2052 Holmgren Way
Ashwaubenon, WI 54304
(920)455-0345
Outdoor Events**

Village of Ashwaubenon,

T. Bacon's BBQ would like to host some outdoor events throughout the year. Packers home games would be our main focus.

We will put bike-rack around the perimeter of the parking lot with the dimensions shown on the attached diagram. We will hire our own security for ID checking and crowd control. There will be signage hung around the perimeter stating, "No alcohol beyond this point" and "ID's required". There will be one Entrance/Exit on the east end of the parking lot on Holmgren with a staff member checking ID's

Our plan is to sell food, beer and wine. We will also be having live bands and/or TV's playing the game.

We plan on running these occasional events under The Village's rules and guidelines to make them fun and safe.

We are looking forward to working in partnership with Ashwaubenon.

Sincerely,

Tom & Jennifer Bacon

T. Bacon's BBQ LLC

Bike-Rack

* Signage

Bar Van

