

Item 23-0588: Request from [JoAnn F.] at [XXXXX] for a Terrace Occupancy Permit to keep an existing 3' fence in the street terrace along N. Wilmer Avenue

Item 23-0596: Special Event Application Denial Appeals - Smoshfest

Common Council

Wed, Jun 07, 2023, 7:00PM

Mayor Jake Woodford 23:02

So, this is item 23-0588 request from [JoAnn F.] at [XXXXX] for a terrace occupancy permit to keep an existing three-foot fence in the street terrace along North Wilmer Ave.

Mayor Jake Woodford 23:18

We have a motion and a second to approve. Open the floor for discussion. Alder Siebers.

Aldersperson William Siebers (District 1) 23:29

Thank you, Your Honor. In committee I voted against this. My concern was, considering that this fence is right up against the driveway of the neighbor, I just wanted to make sure for myself by driving over to this property that there was no obstruction to the site in terms of moving out of the driveway. In fact, I pulled up into the driveway and I backed out and I had absolutely no problems. There was no obstruction. So, I'm going to vote for it. I just wanted to explain my negative vote and why I'm going to vote for it tonight. Thank you.

Mayor Jake Woodford 24:15

Any further discussion? Hearing none, we have a motion and a second to approve. Please cast your votes. Motion passes 14 to zero and the item has been approved.

[Cut]

Mayor Jake Woodford 36:48

Alright with that we need a motion on the balance of the agenda. We have a motion and a second to approve. Is there any discussion on the balance? Oh, Alder Schultz?

[Aldersperson Schultz speaks off microphone.]

Mayor Jake Woodford 37:03

We can.

[Aldersperson Schultz speaks off microphone.]

Mayor Jake Woodford 37:23

Is this related to an abstention?

[Aldersperson Schultz speaks off microphone.]

Mayor Jake Woodford 37:33

And what was the item?

Alderson Alex Schultz (District 9) 37:35

The special event application denial appeals 23-0596 from Safety and Licensing?

Mayor Jake Woodford 37:44

I will—we'll take a separate vote. If, unless there are any objections from the Council. All right, we'll take that up as a separate vote Alder Schultz. Thank you. We'll treat that as a separate item, and we'll take this up now. It's item 23-0596. Special Event application denial appeals Smoshfest. We have a motion and a second to approve. All right, Alder Schultz, go ahead.

Alderson Alex Schultz (District 9) 38:17

Thank you, Chair. I wasn't going to separate this for a vote necessarily, but I just wanted to give staff an opportunity to comment since it's not common for us to move for a denial of a special application permit. And I thought given the context of that request and the failures of the applicant, I thought it might be worth just a couple of comments from staff on—particularly the whole Council and chambers, Common Council to understand why we recommended this denial.

Mayor Jake Woodford 38:47

Alder Schultz, do you have a specific question related to the item? I—there is a memo included in the materials that outlines the concerns of staff on this item. Do you have a specific question or item you'd like us to speak to?

Alderson Alex Schultz (District 9) 39:02

Nothing in particular, Your Honor. Just the fact that it's a it's an odd situation, and I just want to—I guess I just want to be certain that alderpersons understood why it came out of committee with this recommendation. I guess it's up to everyone to understand that, read their materials, but that's the only reason I wanted to separate it.

Mayor Jake Woodford 39:20

Understood. So, what I'll do is just as we go through discussion, if any alders have questions about the item and need more information, they should feel free to ask those questions during the discussion. Otherwise, I'd point all members and those in the public to the materials included in tonight's meeting. So, with that, Alder Schultz, if you don't have any other questions, I'll keep the discussion moving. Okay. Thank you. Alder Croatt.

Alderson Chris Croatt (District 14) 39:50

Thank you, Mayor. On this item, I was not—as chair of the committee, I was not at the last meeting. So, I didn't want to—I wasn't going to separate it out, but I did want to comment on it in that I wanted to thank the committee for their work. Based on the information provided, I would have been voting the same way as the recommendation that came through from committee. So, thanks to the committee for their work on reviewing the information provided by staff in regards to the deficiencies in the application and some of the other things listed in the memo. Thank you.

Mayor Jake Woodford 40:23

Any further discussion? Hearing none, we have a motion and a second to approve. Please cast your votes.

Mayor Jake Woodford 40:40

Motion passes 14 to zero. The special event application denial appeal denial from Safety and Licensing has been upheld.