

Item 24-1126: Operator License for Kelly Arndt

Safety and Licensing Committee

Wed, Dec 11, 2024 5:30PM

Alderman Chris Croatt (District 14) 01:11

We have no public hearings or appearances listed. We'll move right into our action items, and we'll start with 24-1126 which is the operator license for Kelly Arnt. Miss Arnt, are you here? Okay, thank you. You will have an opportunity to address the committee, but what I'd like to do is start out with some comments from city staff and the police department, and then you'll be able to make some comments.

[Kelly speaks off microphone.]

Alderman Chris Croatt (District 14) 01:46

Okay. Okay. Thank you for coming. Attorney's Office? District four should be on.

Zak Buruin (Assistant City Attorney) 01:59

If that's ultimately the decision, I don't think there's anything wrong with that, but I've noted in the memorandum that I've supplied to the committee that it's my position that—it's the attorney's office position—that at this time, there's no disqualification criteria present so there is a requirement to grant the license. A rescheduling would delay that.

Alderman Chris Croatt (District 14) 02:21

Okay.

Zak Buruin (Assistant City Attorney) 02:22

But I think if the committee were to act today, there is the requirement to effectively recommend the granting of the license. So, if she wants to reschedule, we can, but with that in mind, maybe that changes her decision.

Alderman Chris Croatt (District 14) 02:34

Okay, so thank you for sharing that. Since the agenda was published and the attachments were included, has anything changed with any of the information?

Zak Buruin (Assistant City Attorney) 02:44

No. The cases in question that are of potential concern down the road are still pending. If and when they come to some type of fruition that would affect licensing eligibility, we would need to address it at that time, but there's nothing that is ripe to address at this point.

Alderman Chris Croatt (District 14) 03:01

Okay, because the original packet information included a recommendation or request from the police department to deny this license.

Zak Buruin (Assistant City Attorney) 03:08

There was a miscommunication, I believe, between Lieutenant Goodin and myself regarding the status of those matters. So, with that clarification and the additional information regarding the pending status of those matters, it is the legal opinion here that it is premature to deny, because we don't know what's going to happen with those, and they are still pending.

Alderson Chris Croatt (District 14) 03:27

Okay, thank you for that clarification. Before we get a motion, Alder Hartzheim, you had your hand up right away. 13 should be on.

Alderson Sheri Hartzheim (District 13) 03:37

Thank you, chair. It's my understanding, through some individual research of my own that one of these cases has been resolved. Is there any other update from the attorney?

Alderson Chris Croatt (District 14) 03:46

That's actually why I asked if there's been any updates to the information since the packet was generated. And give the attorney a minute to.

Alderson Chris Croatt (District 14) 04:13

Just give us a minute, and then you might not have to come back.

Zak Buruin (Assistant City Attorney) 04:16

I do see that one was apparently resolved since the last time I had checked, which I thought was quite recently here.

Alderson Chris Croatt (District 14) 04:38

Okay. With that said, does that change your—change the opinion and options for the committee?

Zak Buruin (Assistant City Attorney) 04:50

I would be uncomfortable opining off the cuff here regarding that. I would want to do another quick look through the relevant statute so it—I could attempt to do that here, but off the cuff, I don't know that I'd be giving the committee the best information that I could.

Alderson Chris Croatt (District 14) 05:08

The—

Alderson Alex Schultz (District 9) 05:08

Motion to hold.

Alderson Chris Croatt (District 14) 05:09

Yeah, I was gonna say the other option would be to hold this at not only the request of the applicant, but to get clarification on the information. So, we do have a motion—is that a motion to hold? Is there a second?

Alderson William Siebers (District 1) 05:20

Second.

Alderson Chris Croatt (District 14) 05:21

And would the motion be until the next regularly scheduled safety and licensing committee meeting?

Alderson Alex Schultz (District 9) 05:25

Yes.

Alderman Chris Croatt (District 14) 05:26

Okay, and, Clerk Lynch, that date would be? Okay, so there's a motion on the table to hold this item until January 8. Get a thumbs up from the applicant. That gives the attorney's office some time to do some additional checking and verification. Anything else from the attorney's office?

Zak Buruin (Assistant City Attorney) 05:48

No.

Alderman Chris Croatt (District 14) 05:49

Okay, anything else from committee members? Alder Doran?

Alderman Chad Doran (District 15) 05:51

Um well, I guess I just want to clarify with the attorney's office, because the recommendation was that we had to approve. Now, sort of knowing additional information, are we—are we okay to hold it in for that time period? That won't cause any issues, I guess?

Zak Buruin (Assistant City Attorney) 06:08

It should not. The new information, I think, requires a little bit more reevaluation, and since the applicant's requesting it as well, I don't see any issue with that. There's—from what I can tell falls into somewhat of a potentially ambiguous location in the statutes that I would want to look at a little bit more closely.

Alderman Chris Croatt (District 14) 06:27

Okay, let's, let's take the time to get the information verified, correct, and in front of us, and the applicant is okay with that. So any other comments on the motion to hold until our next meeting? All right, seeing none, all those in favor of holding until January 8, signify by saying aye. All opposed? Okay, five zero. That will be held until 1/8/25. Okay, thank you for coming. Get well.