

Public Participation
Item 24-1496: Operator License for Katherine Neubert
Common Council

Wed, Feb 05, 2025 7:00PM

Mayor Jake Woodford 10:21

I have no further business to present this evening, so we come now to time of public participation. As a reminder, public participation is limited to a maximum of five minutes per person, and we ask that you keep your comments concise and to the point and only related to items that appear on the agenda. We have one member of the public who signed up to speak, and that is Katherine Neubert. Welcome Katherine. And again, if you'd state your name and address for the record.

Katherine Neubert (Applicant) 10:51

My name is Katherine Neubert, [XXXXX] Appleton, Wisconsin, 54913. I am talking about my operator's license, or—it's recommended for approval. I was asked to try to bring any other additional documents from my probation officer, and I was told that they don't provide those. There used to be a, like, a discharge letter, I think is what it was called. They stopped doing that, I believe in '21 and they do not—no longer write, or are able to write recommendation letters in any way, shape, or form. So, the document. I provided is all that I can provide.

Mayor Jake Woodford 11:41

Okay, thank you. And is there anything else you want to add?

Katherine Neubert (Applicant) 11:49

I mean, not really. I don't know.

Mayor Jake Woodford 11:51

Okay.

Katherine Neubert (Applicant) 11:51

I mean, I do hold my operator's license in the town of Hortonville. I know that I got a DWI. I have definitely learned my lesson. I will not be getting another one. I did do—take all the steps. I did my AODA assessment. I did, actually did two different ones. I did my safe driving. I had attended a drivers course or drinking course at the Tech after my second one. Yeah, I've definitely learned my lesson, and I will not be doing that ever again.

Mayor Jake Woodford 12:24

Well, thank you. I'm sure the Council will take that into consideration when they take up the item. Thank you.

Mayor Jake Woodford 12:32

Is there anyone else who wishes to speak on an item that appears on the agenda? Hearing none. We'll close public participation.

[Cut]

Mayor Jake Woodford 15:01

Let's get started with the item from safety and licensing. This is 24-1496, operator license for Katherine Neubert. A motion. All right. Got a motion and a second to approve. Open the floor for discussion. Alder Croatt.

Aldersperson Chris Croatt (District 14) 15:23

Thank you, Mayor. Just a couple things on this, and I'm hoping to get some clarification from the Attorney's Office. I know Attorney Buruin was the one that was working on this, and is not here tonight, but hopefully Attorney Behrens can help provide some guidance for this body and myself. I was the one vote out of committee to vote against the approval, and one of the reasons for that was—well, besides the recommendation from the Appleton Police Department to deny the license, there was, I would say, a bit of uncertainty as to the documentation provided for rehabilitation and whether or not this—the committee and this body—are required to approve the license. If we could just maybe get some clarification on the legal guidance part of it?

Mayor Jake Woodford 16:16

Attorney Behrens.

Attorney Christopher Behrens 16:19

I'll try to repeat the conversation we had prior to the meeting. And while I don't have those documents and I haven't reviewed them, I did talk with Attorney Buruin about this earlier today, and I believe what he communicated to the committee, whether it was clearly received or not, was that the information that was provided, while it may not have met every technical aspect of what is typically looked for in the documents, it was his opinion that they were substantially compliant and therefore could be accepted as meeting the requirement, which you could then interpret as an approval would be appropriate. Now, given that there's some gray area in that, if you choose to vote against it, I guess it's your prerogative to do that. Should it be challenged, that'll be up to our office then to defend it.

Aldersperson Chris Croatt (District 14) 17:07

Okay. Thank you. I'm not one to typically go against the guidance from your office, but I also put a lot of weight into the recommendation from our police department and the applicant's record. So, I just wanted to be sure that we were—we had, we had options or we didn't, and everyone was understanding what those were. Thank you.

Mayor Jake Woodford 17:32

Further discussion. Alder Doran.

Aldersperson Chad Doran (District 15) 17:38

Thank you, just to sort of follow up on that for, if possible, even further clarification. My understanding from the committee meeting was that if we if, if the recommendation was that we were to accept the documentation as proof of rehabilitation, that the question was whether or not there was something else that could be brought forward and whether this sufficed. It sounded like this document sufficed to serve the purpose that would then require us to approve the license. I guess that's the part I'm trying to clarify.

Mayor Jake Woodford 18:13

Attorney Behrens.

Attorney Christopher Behrens 18:14

I'm not sure if I can offer you further clarification on that, but from what I understand from the public comment tonight, perhaps something additional was asked for maybe to provide some reassurance to the committee. The applicant's indicated she tried, but wasn't able to get that. So, you have to decide then if whether what you have before you is sufficient or not. Just to restate, again—and Aldersperson Croatt, how you vote—you're not voting against—we're not telling you how to vote. We're simply providing advice on what was presented. And it was

Attorney Buruin's opinion that the information that was prevented—presented was sufficient to support approval of the application.

Aldersperson Chad Doran (District 15) 18:59

Okay, thank you. And then, if I may just follow up. I guess on the flip side of that, should the Council decide to deny the license and it would be challenged, that would, that would just become a like a court challenge, I guess that the city would then be required to defend the Council's decision on?

Attorney Christopher Behrens 19:17

We would respond to any challenge. Yeah. Correct.

Aldersperson Chad Doran (District 15) 19:22

Okay, thank you.

Mayor Jake Woodford 19:25

Further discussion. We have a motion and a second to approve. Please cast your votes. Alder Alfheim votes, aye. That motion passes 12 to two. Item has been approved.