



OFFICIAL NOTICE AND AGENDA

Notice is hereby given that the Common Council of the City of Wausau, Wisconsin will hold a regular or special meeting on the date, time and location shown below.

Meeting of the: **COMMON COUNCIL OF THE CITY OF WAUSAU**
 Date/Time: **Tuesday, May 13, 2014 at 7:00 pm.**
 Location: **City Hall (407 Grant Street, Wausau WI 54403) - Council Chambers**
 Members: **Bill Nagle, Romey Wagner, David Nutting, Tom Neal, Gary Gisselman, Keene Winters, Lisa Rasmussen, Karen Kellbach, David Oberbeck, Sherry Abitz, Robert Mielke**

Call to Order

Pledge of Allegiance / Roll Call / Proclamations

Presentations:

Public Comment: (Pre-registered citizens for matters appearing on the agenda)
 Communications: (Mayor / Alderpersons / Department Heads or designee)
 Committee Reports: (All standing and non-standing committees, commissions or boards)

File #	CMT	Consent Agenda	ACT
14-0401		Minutes of previous meetings. (4/08/14 & 4/15/14)	
91-0917	P&T	Ordinance Amending Section 10.20.070 relating to handicapped parking stall designation at the corner of Jefferson Street and N. 3rd Street to coincide with the two currently marked spaces	Approved 5-0
10-1110	P&T	Ordinance designating a 15-minute parking stall adjacent to 311 Garfield Avenue beginning 42 feet east of the intersection of Garfield Avenue and 4th Avenue and extending east 22 feet.	Approved 5-0
10-0407	P&T	Ordinance Amending Section 10.20.070 relating to handicapped parking stall designation at the corner of Jefferson Street and N. 3rd Street to coincide with the two currently marked spaces	Approved 5-0
14-0504	PLAN	Resolution approving a conditional use at 811 North 3rd Avenue to allow for a community center, in a B2, Community Service District.	Approved 5-0
14-0505	PLAN	Resolution approving a conditional use at 835 South 66th Avenue to allow for an online consignment auction business with an outdoor staging area, in a M1, Limited Industrial District.	Approved 5-0
02-0423	PH&S	Resolution Authorizing live outdoor music prior to Wisconsin Woodchucks games at Athletic Park	Approved 5-0
14-0108	PH&S	Resolution Approving or Denying Various Licenses as Indicated	Approved 5-0
13-0612	PH&S	Ordinance Amending Section 5.62.030 Exemptions and Section 5.62.060 Restrictions on Vending	Approved 5-0

File #	CMT	Resolutions and Ordinances	ACT
14-0503		Confirmation of Mayor's Appointments.	
01-1213	FIN	Resolution Approving Project Fund Agreement and Application for Program/Fiscal Sponsorship between the City of Wausau and Community Foundation of North Central Wisconsin to fund the proposed Wausau Area Access Channel Production Fund	Approved 4-0
14-0507	P&T	Resolution Designating No Right Turn on Red signage for northbound 17th Avenue traffic at the W. Bridge Street intersection	Approved 5-0
14-0506	PLAN	Ordinance Rezoning 2105 North 2nd Street from M1, Limited Industrial District and 2102 North 2nd Street from M2, General Industrial District, to B2, Community Service District.	Approved 4-0
14-0506	PLAN	Resolution Approving a conditional use at 2105 North 2nd Street to allow for outdoor dining, in a B2, Community Service District.	Approved 4-0
14-0508	PH&S	Ordinance Creating Section 8.08.011 Keeping of honey bees	Approved 5-0
82-1252	PH&S	Ordinance Amending Section 1.01.025(c)(1)(B) Schedule of cash deposits to include keeping of honey bees violations	Approved 5-0
13-0309	PH&S	Resolution Authorizing the addition of fees to the City of Wausau Fees and Licenses Schedule adopted pursuant to Section 3.40.010(a) for Section 8.08.011 Keeping of honey bees	Approved 5-0
14-0509	PH&S	Ordinance Creating Chapter 5.19 Escorts and Escorts Services	Approved 5-0
14-0510	PH&S	Ordinance Creating Section 9.04.135 Prostitution – adopting state prohibition and prohibiting other related conduct	Approved 5-0
82-1252	PH&S	Ordinance Amending Section 1.01.025(c)(1)(B) Schedule of cash deposits to include violations of escort and escort services licensing requirements and prostitution violations	Approved 5-0
13-0309	PH&S	Resolution Authorizing the addition of fees to the City of Wausau Fees and Licenses Schedule adopted pursuant to Section 3.40.010(a) for Chapter 5.19 Escorts and Escort Services	Approved 5-0

Public Comment & Suggestions - (for matters not appearing on the agenda)
 Adjournment

Signed by James E. Tipple, Mayor

This Notice was posted at City Hall and faxed to the Daily Herald newsroom on 05/06/14 @ 3:00 pm. Questions regarding this agenda may be directed to the City Clerk.

Please note that, upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids & services. For information or to request this service, contact the City Clerk at (715) 261-6620.

OFFICIAL PROCEEDINGS OF THE WAUSAU COMMON COUNCIL
held on Tuesday, April 8, 2014, at 7:00 pm in the Council Chambers at City Hall.
Mayor Tipple presiding.

Roll Call

04/08/2014 7:08:29 PM

Roll Call indicated 11 members present.

<u>District</u>	<u>Aldersperson</u>	<u>Present</u>
1	Nagle, William P.	YES
2	Wagner, Romey	YES
3	Nutting, David E.	YES
4	Brezinski, Jim	YES
5	Gisselman, Gary	YES
6	Winters, Keene	YES
7	Rasmussen, Lisa	YES
8	Kellbach, Karen	YES
9	Oberbeck, David	YES
10	Abitz, Sherry	YES
11	Mielke, Robert	YES

Proclamations

- 1) Mayor Tipple proclaimed **April 8, 2014** as **National Service Recognition Day** and encouraged residents to recognize the positive impact of national service in our city and thank those who serve; and to find ways to give back to their communities.
- 2) Mayor Tipple proclaimed **April 6 – 12, 2014** as **Week of the Young Child** in the City of Wausau and encouraged all citizens to work to make a good investment in early childhood.

Public Comment (Pre-registered citizens for matters appearing on the agenda)

- 1) Deb Ryan, 702 Elm St, spoke regarding committees, commissions and boards and suggested getting new people as well as young people to serve on them.

Communications & Committee Reports

- 1) Mayor Tipple presented outgoing Alderman Jim Brezinski with a plaque recognizing and thanking him for his public service to the City of Wausau as Alderman of District #4 for the past 10 years.
- 2) Nutting acknowledged the students at NTC, specifically the Scholarships for Education and Economic Development, who are under obligation to complete 250 hours of volunteerism throughout the community each year. He noted the upcoming Ghidorzi Green & Clean to beautify our highways needs volunteers.

Consent Agenda

04/08/2014 7:28:50 PM

Motion by Mielke, second by Abitz to adopt all items on the Consent Agenda as follows:

14-0301 Minutes of the previous meetings. (03/25/14)

06-0310 Resolution of the Finance Committee authorizing cancellation of United HealthCare Services, Inc. Parking Agreement.

03-0306 Resolution of the Finance Committee authorizing the write off of certain uncollectible delinquent personal property tax accounts from the City's accounting records.

14-0108 Resolution of the Public Health & Safety Committee Approving or Denying Various Licenses as indicated.

Yes Votes: 11 No Votes: 0 Abstain: 0 Not Voting: 0 Result: PASS

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Nagle, William	YES
2	Wagner, Romey	YES
3	Nutting, David E.	YES
4	Brezinski, Jim	YES
5	Gisselman, Gary	YES
6	Winters, Keene	YES
7	Rasmussen, Lisa	YES

8	Kellbach, Karen	YES
9	Oberbeck, David	YES
10	Abitz, Sherry	YES
11	Mielke, Robert	YES

12-1205

04/08/2014 7:29:34 PM

Motion by Rasmussen, second by Mielke to adopt a Resolution of the Capital Improvements and Street Maintenance Committee postponing the street construction project of 2nd Avenue from Stewart Avenue to Elm Street and Clark Street from 2nd Avenue to the cul-de-sac.

Yes Votes: 11 No Votes: 0 Abstain: 0 Not Voting: 0 Result: PASS

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Nagle, William	YES
2	Wagner, Romey	YES
3	Nutting, David E.	YES
4	Brezinski, Jim	YES
5	Gisselman, Gary	YES
6	Winters, Keene	YES
7	Rasmussen, Lisa	YES
8	Kellbach, Karen	YES
9	Oberbeck, David	YES
10	Abitz, Sherry	YES
11	Mielke, Robert	YES

14-0404

04/08/2014 7:31:03 PM

Motion by Nutting, second by Winters to adopt a Resolution of the Finance Committee approving alleged claim for excessive assessment - GE Capital Franchise Financial Corporation (Applebee's)

Yes Votes: 0 No Votes: 11 Abstain: 0 Not Voting: 0 Result: FAIL

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Nagle, William	NO
2	Wagner, Romey	NO
3	Nutting, David E.	NO
4	Brezinski, Jim	NO
5	Gisselman, Gary	NO
6	Winters, Keene	NO
7	Rasmussen, Lisa	NO
8	Kellbach, Karen	NO
9	Oberbeck, David	NO
10	Abitz, Sherry	NO
11	Mielke, Robert	NO

14-0405

04/08/2014 7:32:40 PM

Motion by Nutting, second by Nagle to adopt a Resolution of the Finance Committee approving alleged claim for excessive assessment - Financial Way, LLC.

Yes Votes: 0 No Votes: 11 Abstain: 0 Not Voting: 0 Result: FAIL

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Nagle, William	NO
2	Wagner, Romey	NO
3	Nutting, David E.	NO
4	Brezinski, Jim	NO
5	Gisselman, Gary	NO
6	Winters, Keene	NO
7	Rasmussen, Lisa	NO
8	Kellbach, Karen	NO
9	Oberbeck, David	NO

10	Abitz, Sherry	NO
11	Mielke, Robert	NO

12-0313

04/08/2014 7:33:17 PM

Motion by Mielke, second by Wagner to adopt a Resolution of the Finance Committee approving alleged claim for excessive assessment - Sears Holdings Corporation.

Yes Votes: 0 No Votes: 11 Abstain: 0 Not Voting: 0 Result: FAIL

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Nagle, William	NO
2	Wagner, Romey	NO
3	Nutting, David E.	NO
4	Brezinski, Jim	NO
5	Gisselman, Gary	NO
6	Winters, Keene	NO
7	Rasmussen, Lisa	NO
8	Kellbach, Karen	NO
9	Oberbeck, David	NO
10	Abitz, Sherry	NO
11	Mielke, Robert	NO

08-0406

04/08/2014 7:33:58 PM

Motion by Kellbach, second by Nagle to adopt a Resolution of the Finance Committee approving alleged claim for excessive assessment - Walgreen Co. (105 Central Bridge Street).

Yes Votes: 0 No Votes: 11 Abstain: 0 Not Voting: 0 Result: FAIL

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Nagle, William	NO
2	Wagner, Romey	NO
3	Nutting, David E.	NO
4	Brezinski, Jim	NO
5	Gisselman, Gary	NO
6	Winters, Keene	NO
7	Rasmussen, Lisa	NO
8	Kellbach, Karen	NO
9	Oberbeck, David	NO
10	Abitz, Sherry	NO
11	Mielke, Robert	NO

14-0406

04/08/2014 7:34:30 PM

Motion by Nutting, second by Nagle to adopt a Resolution of the Finance Committee approving alleged claim for excessive assessment - Walgreen Co. (504 S. 17th Avenue)

Yes Votes: 0 No Votes: 11 Abstain: 0 Not Voting: 0 Result: FAIL

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Nagle, William	NO
2	Wagner, Romey	NO
3	Nutting, David E.	NO
4	Brezinski, Jim	NO
5	Gisselman, Gary	NO
6	Winters, Keene	NO
7	Rasmussen, Lisa	NO
8	Kellbach, Karen	NO
9	Oberbeck, David	NO
10	Abitz, Sherry	NO
11	Mielke, Robert	NO

Motion by Mielke, second by Gisselman to adopt an Ordinance of the Public Health & Safety Committee creating Section 2.20.045 Enforcement of certain property violations.

Rasmussen indicated she was the dissenting vote on this item in committee. She explained this plan was brought forward to the committee by four Council members who are looking to find an effective and efficient way to attack blight. The Inspection Department identified eight subject areas where they felt immediate citations would get great compliance. She stated last July we asked the department to implement several changes, measure the results and report to the committee, which they did. She felt this plan was premature because we don't yet have a year of results from these efforts. She did not agree with adding an extra layer of tickets and felt we should give the tools we have already implemented a chance to work. She indicated she would vote against it and was concerned with the police department taking on too much inspection work.

Abitz indicated she would also vote no because although she felt it was good policy overall, the person who has never received a warning in advance is going to be well taken aback by it.

Oberbeck commented our objective should be to solve the issue and not have any revenue because of it. He felt the same procedure could be done with walking up to the front door and telling them rather than send a letter. We should just educate and not add the \$30 fine. We already have the ordinances to enforce and don't need to create new ones.

Yes Votes: 8 No Votes: 3 Abstain: 0 Not Voting: 0 Result: PASS

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Nagle, William	YES
2	Wagner, Romey	YES
3	Nutting, David E.	YES
4	Brezinski, Jim	YES
5	Gisselman, Gary	YES
6	Winters, Keene	YES
7	Rasmussen, Lisa	NO
8	Kellbach, Karen	YES
9	Oberbeck, David	NO
10	Abitz, Sherry	NO
11	Mielke, Robert	YES

Motion by Brezinski, second by Mielke to adopt an Ordinance of the Public Health & Safety Committee Amending, Repealing and Creating the following sections of the Wausau Municipal Code to implement enforcement program for certain minor non-structural property code violations: Amending Section 1.01.025(c)(1)(B) and (C) Issuance of citations, Section 2.20.010 Purpose, Section 2.20.040 Uniform ordinance violation citation, Section 6.44.040 Solid waste containers, Section 6.44.060 Location of waste and recycling containers for collection, Section 6.44.080 Noncollectible materials, Section 6.44.100 Enforcement, Section 6.48.010 Mowing required, Section 6.48.020 Mowing by city, Section 8.08.220 Removal of animal excreta, Section 15.04.010 Created, Section 15.48.030 Permit required, Section 16.04.010 Housing code adopted, Section 16.04.020 Enforcement of BOCA Code by Marathon County, Section 16.04.035 Vehicles, Section 23.12.130 Off-street parking in yards, Section 23.12.133 Storage of recreational equipment in yards; Creating Section 6.48.040 Penalty; Repealing and recreating Section 6.44.090 Storing of refuse; Repealing Section 6.44.110 Penalties, Section 16.04.015 Section H-104.4 deleted, Section 16.04.016 Section H-301.7 A deleted

Yes Votes: 8 No Votes: 3 Abstain: 0 Not Voting: 0 Result: PASS

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Nagle, William	YES
2	Wagner, Romey	YES
3	Nutting, David E.	YES
4	Brezinski, Jim	YES
5	Gisselman, Gary	YES
6	Winters, Keene	YES
7	Rasmussen, Lisa	NO
8	Kellbach, Karen	YES
9	Oberbeck, David	NO
10	Abitz, Sherry	NO
11	Mielke, Robert	YES

Public Comment or Suggestions (for items not on the agenda).

None.

Adjournment Sine Die

04/08/2014 8:16:27 PM

Motion by Brezinski, second by Kellbach to adorn. Meeting adjourned at 8:15 p.m.

Yes Votes: 11 No Votes: 0 Abstain: 0 Not Voting: 0 Result: PASS

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Nagle, William	YES
2	Wagner, Romey	YES
3	Nutting, David E.	YES
4	Brezinski, Jim	YES
5	Gisselman, Gary	YES
6	Winters, Keene	YES
7	Rasmussen, Lisa	YES
8	Kellbach, Karen	YES
9	Oberbeck, David	YES
10	Abitz, Sherry	YES
11	Mielke, Robert	YES

James E. Tipple, Mayor
Toni Rayala, City Clerk

OFFICIAL PROCEEDINGS OF THE ORGANIZATIONAL MEETING OF THE WAUSAU COMMON COUNCIL

held on Tuesday, April 15, 2014, at 7:00 pm in the Council Chambers at City Hall.

Mayor Tipple presiding.

Mayor Tipple called the meeting to order at 7:00 pm. The Alderpersons were escorted in and seated by the Police and Fire Honor Guard Officers. Posting of the Colors was presented by VFW Burns Post 388 Honor Guard, followed by the Pledge of Allegiance. Mayor Tipple introduced the Council Elect for the 2014-2016 term and they were sworn in to office by the City Clerk.

Roll Call

04/15/2014 7:11:12 PM

Roll call indicated 11 members present.

<u>District</u>	<u>Aldersperson</u>	<u>Present</u>
1	Nagle, William P.	YES
2	Wagner, Romey	YES
3	Nutting, David E.	YES
4	Neal, Tom	YES
5	Gisselman, Gary	YES
6	Winters, Keene	YES
7	Rasmussen, Lisa	YES
8	Kellbach, Karen	YES
9	Oberbeck, David	YES
10	Abitz, Sherry	YES
11	Mielke, Robert	YES

Suspend the Rules

04/15/2014 7:11:38 PM

Motion by Rasmussen, second by Abitz to suspend the Council Rules.

Yes Votes: 11 No Votes: 0 Abstain: 0 Not Voting: 0 Result: PASS

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Nagle, William	YES
2	Wagner, Romey	YES
3	Nutting, David E.	YES
4	Neal, Tom	YES
5	Gisselman, Gary	YES
6	Winters, Keene	YES
7	Rasmussen, Lisa	YES
8	Kellbach, Karen	YES
9	Oberbeck, David	YES
10	Abitz, Sherry	YES
11	Mielke, Robert	YES

02-0432 Table

04/15/2014 7:24:52 PM

Motion by Rasmussen, second by Nutting to table voting adoption of the Council Rules and this issue would be brought back and decided at a Committee of the Whole.

Rasmussen felt Winters was proposing some significant changes to the rules and perhaps the process should have been started a while back. She stated we have not had time for the other 10 Council members to offer suggestions or alternatives to these proposals. She pointed out the proposals have not had legal review yet to ensure they work with other ordinances. She felt a Committee of the Whole should be scheduled to work on changes for either immediate or deferred implementation.

Winters stated he made sure everyone got an advance copy of his proposed amendments and the editorial he wrote regarding them, which has already appeared in the newspaper. He stated we don't have a lot of business tonight and urged the Council to take up these key things to get organized. Oberbeck agreed and felt we need to get our rules in place and move forward; there is no reason to wait.

Jacobson pointed out the Council rules are ordinance and don't go away with a new Council; therefore, rules would be in place whether they act or not.

Vote on the motion to table:

Yes Votes: 3 No Votes: 8 Abstain: 0 Not Voting: 0 Result: FAIL

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Nagle, William	NO
2	Wagner, Romey	NO
3	Nutting, David E.	YES
4	Neal, Tom	YES
5	Gisselman, Gary	NO
6	Winters, Keene	NO
7	Rasmussen, Lisa	YES
8	Kellbach, Karen	NO
9	Oberbeck, David	NO
10	Abitz, Sherry	NO
11	Mielke, Robert	NO

02-0432 Amendments to the Council Rules for 2014-2016:

Rule 1(D)

04/15/2014 7:27:22 PM

Motion by Winters, second by Wagner to create a Subsection D to Rule 1 of Standing Rules of the Common Council. "Transmission of Committee Business to the Council. Committee actions taken the three business days prior to a council meeting shall be held until the next meeting after the upcoming meeting unless two-thirds (2/3) of the council agree the matter should be taken up immediately for cause."

Yes Votes: 11 No Votes: 0 Abstain: 0 Not Voting: 0 Result: PASS

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Nagle, William	YES
2	Wagner, Romey	YES
3	Nutting, David E.	YES
4	Neal, Tom	YES
5	Gisselman, Gary	YES
6	Winters, Keene	YES
7	Rasmussen, Lisa	YES
8	Kellbach, Karen	YES
9	Oberbeck, David	YES
10	Abitz, Sherry	YES
11	Mielke, Robert	YES

Rule 13(C)

04/15/2014 7:42:38 PM

Motion by Winters, second by Nagle to amend Subsection C. Committee of the Whole. The mayor, the coordinating committee or council president may call for a meeting of the entire council as a committee of the whole for discussion and consideration of any matter. The mayor shall be an ex officio, non-voting member of the committee, and the council president shall be the chairperson of the committee of the whole.

Yes Votes: 9 No Votes: 2 Abstain: 0 Not Voting: 0 Result: PASS

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Nagle, William	YES
2	Wagner, Romey	YES
3	Nutting, David E.	YES
4	Neal, Tom	NO
5	Gisselman, Gary	YES
6	Winters, Keene	YES
7	Rasmussen, Lisa	NO
8	Kellbach, Karen	YES
9	Oberbeck, David	YES
10	Abitz, Sherry	YES
11	Mielke, Robert	YES

Rule 13(H) Original motion

04/15/2014

Motion by Winters, second by Mielke to Create Rule 13 Subsection H Coordinating Committee. The coordinating committee shall be composed of all the chairpersons of the standing committees and the chairperson of the Metro Ride Commission. The coordinating committee shall be chaired by the council president. The coordinating committee shall meet at least monthly to coordinate the agenda items to be taken up by the council and its committees. The coordinating committee may discuss rules of order and working procedures for the conduct of business by the council or its committees.

Rasmussen questioned if the Metro Ride chair could be allowed as part of the coordinating committee since it is made up of all the chairpersons of the standing committees, and the Metro Ride Commission is a non-standing committee.

Winters commented it has been his experience that Metro Ride, which is a fairly significant department, kind of floats out there by itself and he felt it really should be brought back into the fold.

Amendment to original motion on Rule 13(H)

04/15/2014 7:49:27 PM

Motion by Oberbeck, second by Rasmussen to amend the motion Creating Rule 13, Subsection H. Coordinating Committee. To remove ~~the Metro Ride Chairperson.~~

Yes Votes: 7 No Votes: 4 Abstain: 0 Not Voting: 0 Result: PASS

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Nagle, William	NO
2	Wagner, Romey	NO
3	Nutting, David E.	YES
4	Neal, Tom	YES
5	Gisselman, Gary	YES
6	Winters, Keene	NO
7	Rasmussen, Lisa	YES
8	Kellbach, Karen	YES
9	Oberbeck, David	YES
10	Abitz, Sherry	YES
11	Mielke, Robert	NO

Gisselman commented the rules as a whole already address rules of order and working procedures. He felt the committees should be defining their own working procedures and conduct of business as opposed to the coordinating committee.

Winters indicated he did not feel the coordinating committee needed to dive down into minor details, but there are bigger issues, that is what it should deal with. He felt the coordinating committee was important for deciding which pieces go where in regard to major legislation, such as Public Access. He indicated he did not have a problem with striking the last sentence of his proposed amendment.

2nd Amendment to original motion on Rule 13(H)

04/15/2014 7:56:31 PM

Motion by Oberbeck, second by Kellbach to amend the motion creating Rule 13, SubSection H. Coordinating Committee. To strike the last sentence: "~~The coordinating committee may discuss rules of order and working procedures for the conduct of business by the council or its committees.~~"

Yes Votes: 8 No Votes: 3 Abstain: 0 Not Voting: 0 Result: PASS

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Nagle, William	NO
2	Wagner, Romey	NO
3	Nutting, David E.	YES
4	Neal, Tom	YES
5	Gisselman, Gary	YES
6	Winters, Keene	NO
7	Rasmussen, Lisa	YES
8	Kellbach, Karen	YES
9	Oberbeck, David	YES
10	Abitz, Sherry	YES
11	Mielke, Robert	YES

Discussion followed as to the authority of the coordinating committee and/or how invasive it may be to standing committees.

Rule 13(H) As amended on Council floor

04/15/2014 8:08:58 PM

Motion by Winters, second by Mielke to Create Rule 13 Subsection H Coordinating Committee. The coordinating committee shall be composed of all the chairpersons of the standing committees. The coordinating committee shall be chaired by the council president. The coordinating committee shall meet at least monthly to coordinate the agenda items to be taken up by the council and its committees.

Yes Votes: 10 No Votes: 1 Abstain: 0 Not Voting: 0 Result: PASS

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Nagle, William	YES
2	Wagner, Romey	YES
3	Nutting, David E.	YES
4	Neal, Tom	YES
5	Gisselman, Gary	YES
6	Winters, Keene	YES
7	Rasmussen, Lisa	NO
8	Kellbach, Karen	YES
9	Oberbeck, David	YES
10	Abitz, Sherry	YES
11	Mielke, Robert	YES

Rule 13(F)

04/15/2014 8:16:55 PM

Motion by Winters, second by Nagle to amend Rule 13 Subsection F. Notice of Committee Meetings. The committee shall file notice of each committee meeting with the clerk. The notice shall comply with Section 19.84, Stats. In addition to compliance with state law, standing committee meeting times shall be posted to the city's online calendar by the first of each month in which the meeting is to occur.

- 1) The clerk shall call the first committee meeting of each term.
- 2) Committee members shall elect a chairperson and a vice chairperson at their first meeting.
- 3) Committee members shall determine at their first meeting a schedule of regular meeting times for matters referred to them for investigation and report and shall meet to consider items that may be deemed necessary upon the call of the chairperson or upon the call of a majority of the members of the committee. The chairperson may also schedule other such meeting times as he or she may deem necessary.

Yes Votes: 10 No Votes: 1 Abstain: 0 Not Voting: 0 Result: PASS

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Nagle, William	YES
2	Wagner, Romey	YES
3	Nutting, David E.	NO
4	Neal, Tom	YES
5	Gisselman, Gary	YES
6	Winters, Keene	YES
7	Rasmussen, Lisa	YES
8	Kellbach, Karen	YES
9	Oberbeck, David	YES
10	Abitz, Sherry	YES
11	Mielke, Robert	YES

Rule 13(D)

04/15/2014 8:27:14 PM

Motion by Winters, second by Abitz to Repeal and Recreate Rule 13 Subsection D. Subcommittees and Special Committees. The chairperson of any standing committee or of the Metro Ride Commission may appoint members to a subcommittee or citizens to a special committee with the consent of the council for the purpose of investigating issues before the committee and making recommendations on issues before the committee. The committee chairperson shall also name the chairperson of the subcommittee or special committee.

Yes Votes: 11 No Votes: 0 Abstain: 0 Not Voting: 0 Result: PASS

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Nagle, William	YES
2	Wagner, Romey	YES

3	Nutting, David E.	YES
4	Neal, Tom	YES
5	Gisselman, Gary	YES
6	Winters, Keene	YES
7	Rasmussen, Lisa	YES
8	Kellbach, Karen	YES
9	Oberbeck, David	YES
10	Abitz, Sherry	YES
11	Mielke, Robert	YES

Rule 6(B)

04/15/2014 8:29:12 PM

Motion by Winters, second by Oberbeck to amend Rule 6 Subsection B. Filing. To read as follows: Each proposed ordinance or resolution shall be filed in the office of the clerk no less than seven (7) days prior to that scheduled council meeting at which the measure is to be introduced. Council and standing committee packets must be prepared and available for distribution no less than six (6) days prior to that scheduled council or committee meeting, and the council packet must also contain all committee results for each measure to be considered. If for good cause the pre-filing is impossible or impractical, the presiding officer of council or chairperson of the committee may waive this requirement.

Yes Votes: 11 No Votes: 0 Abstain: 0 Not Voting: 0 Result: PASS

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Nagle, William	YES
2	Wagner, Romey	YES
3	Nutting, David E.	YES
4	Neal, Tom	YES
5	Gisselman, Gary	YES
6	Winters, Keene	YES
7	Rasmussen, Lisa	YES
8	Kellbach, Karen	YES
9	Oberbeck, David	YES
10	Abitz, Sherry	YES
11	Mielke, Robert	YES

02-0432 Council Rules

04/15/2014 8:30:29 PM

Motion by Mielke, second by Rasmussen adopting the Council Rules for 2014-2016 as amended on the Council floor.

Yes Votes: 11 No Votes: 0 Abstain: 0 Not Voting: 0 Result: PASS

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Nagle, William	YES
2	Wagner, Romey	YES
3	Nutting, David E.	YES
4	Neal, Tom	YES
5	Gisselman, Gary	YES
6	Winters, Keene	YES
7	Rasmussen, Lisa	YES
8	Kellbach, Karen	YES
9	Oberbeck, David	YES
10	Abitz, Sherry	YES
11	Mielke, Robert	YES

02-0433 Elections to Council President

Nutting nominated Dave Oberbeck for Council President; Abitz nominated Lisa Rasmussen; Neal nominated Romey Wagner.

Wagner stated a big issue in the next two years moving forward is economic development. He pointed out that his qualifications through what he does in the private sector running the EEC helping people to get into business and working with the Economic Development Committee to bring jobs into town is something that he could bring to the Council presidency. He commented Lisa Rasmussen has done a wonderful job the past two years opening the communication with the Mayor's Office and he would like to take that one step further in order to get a closer look at what the Mayor's job is. He indicated he will look into a city administrator as a

possible form of government. He pledged to work with Mayor and would like weekly communication and dialogue with media as well. He felt it will be important to utilize the Coordinating Committee to help plan communication from the Council to the people and provide transparency. He favored public access coverage of all the standing committee meetings.

Rasmussen felt the role of Council President is to be a liaison between the Council, the Mayor's Office and the community and sometimes that is a tough balancing act. The president cannot be a polarizing figure in such that he or she divides the Council or damages any of those relationships. She commented when she came on the Council in 2008 it was almost irreparably divided and through the exercise of our core values initiative she was able to bridge those gaps and create relationships within the Council that allows us to function as a team. She pledged to continue to build and maintain the bridges that have been built these past few years.

Oberbeck stated he has always striven to be involved with all aspects of the community, from the near west side, to Thomas Street, to all the other items that need a vision for the city. He felt a Council President needs to be a team member, bring ideas, be flexible and be able to listen. He commented as an architect that is what he does; he puts together all the ideas and makes the vision happen.

A vote was taken by secret ballot. Romey Wagner was elected as Council President for the 2014-2016 term.

02-0433 Election to Plan Commission 04/15/2014 8:50:51 PM

Abitz nominated Robert Mielke to the Plan Commission; Mielke declined; Rasmussen nominated David Oberbeck; Abitz nominated Keene Winters.

Oberbeck noted the chair of Park & Rec is already on Plan Commission, so it will depend upon who is chosen for chair under our new rules. Rasmussen stated if the person elected tonight subsequently ends up being selected as chair of Park & Rec, we can elect someone else at the next Council meeting.

The first vote did not elect by 2/3 vote. Winters withdrew his nomination.

Motion by Winters, second by Rasmussen to cast a unanimous ballot for David Oberbeck to the Plan Commission for the 2014-2016 term.

Yes Votes: 11 No Votes: 0 Abstain: 0 Not Voting: 0 Result: PASS

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Nagle, William	YES
2	Wagner, Romey	YES
3	Nutting, David E.	YES
4	Neal, Tom	YES
5	Gisselman, Gary	YES
6	Winters, Keene	YES
7	Rasmussen, Lisa	YES
8	Kellbach, Karen	YES
9	Oberbeck, David	YES
10	Abitz, Sherry	YES
11	Mielke, Robert	YES

02-0433 Election to WWW Commission 04/15/2014 8:52:13 PM

Motion by Rasmussen, second by Abitz to nominate and cast a unanimous ballot for Keene Winters to the Wausau Water Works Commission for 2014-2016 term.

Yes Votes: 11 No Votes: 0 Abstain: 0 Not Voting: 0 Result: PASS

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Nagle, William	YES
2	Wagner, Romey	YES
3	Nutting, David E.	YES
4	Neal, Tom	YES
5	Gisselman, Gary	YES
6	Winters, Keene	YES
7	Rasmussen, Lisa	YES
8	Kellbach, Karen	YES
9	Oberbeck, David	YES

10	Abitz, Sherry	YES
11	Mielke, Robert	YES

14-0403 amendment

04/15/2014 8:56:39 PM

Motion by Oberbeck, second by Abitz to amend the Mayor's Appointments to remove the chairperson designations until the committees choose their chairs; to review the composition of the Administrative Review Board; and if the Economic Development Committee selects Wagner as chairperson, the Development Agreement will be changed to the Vice Chair to serve on the EEC Board.

Oberbeck stated Winters, Nagle and himself were appointed to the Administrative Review Board; however, the website indicates the Administrative Review Board shall consist of the chairs of PH&S and CISM and a citizen. Mayor Tipple stated he was unaware of that at the time he will look into it. He noted the board has not met in the last 10 years that he has been in office.

Yes Votes: 11 No Votes: 0 Abstain: 0 Not Voting: 0 Result: PASS

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Nagle, William	YES
2	Wagner, Romey	YES
3	Nutting, David E.	YES
4	Neal, Tom	YES
5	Gisselman, Gary	YES
6	Winters, Keene	YES
7	Rasmussen, Lisa	YES
8	Kellbach, Karen	YES
9	Oberbeck, David	YES
10	Abitz, Sherry	YES
11	Mielke, Robert	YES

14-0403

04/15/2014 8:57:15 PM

Motion by Abitz, second by Oberbeck to confirm the Mayor's appointments to Boards, Commissions, and Committees, as amended.

Yes Votes: 10 No Votes: 1 Abstain: 0 Not Voting: 0 Result: PASS

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Nagle, William	YES
2	Wagner, Romey	YES
3	Nutting, David E.	YES
4	Neal, Tom	YES
5	Gisselman, Gary	YES
6	Winters, Keene	NO
7	Rasmussen, Lisa	YES
8	Kellbach, Karen	YES
9	Oberbeck, David	YES
10	Abitz, Sherry	YES
11	Mielke, Robert	YES

02-0434

04/15/2014 8:57:55 PM

Motion by Abitz, second by Neal to adopt a resolution designating official newspaper.

Yes Votes: 11 No Votes: 0 Abstain: 0 Not Voting: 0 Result: PASS

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Nagle, William	YES
2	Wagner, Romey	YES
3	Nutting, David E.	YES
4	Neal, Tom	YES
5	Gisselman, Gary	YES
6	Winters, Keene	YES
7	Rasmussen, Lisa	YES
8	Kellbach, Karen	YES
9	Oberbeck, David	YES

10 Abitz, Sherry YES
11 Mielke, Robert YES

02-0435

04/15/2014 8:59:02 PM

Motion by Mielke, second by Nutting to adopt a resolution designating public depositories.

Yes Votes: 11 No Votes: 0 Abstain: 0 Not Voting: 0 Result: PASS

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Nagle, William	YES
2	Wagner, Romey	YES
3	Nutting, David E.	YES
4	Neal, Tom	YES
5	Gisselman, Gary	YES
6	Winters, Keene	YES
7	Rasmussen, Lisa	YES
8	Kellbach, Karen	YES
9	Oberbeck, David	YES
10	Abitz, Sherry	YES
11	Mielke, Robert	YES

Adjournment

04/15/2014 9:00:09 PM

Motion by Mielke, second by Nutting to adjourn. Meeting adjourned at 9:00 p.m.

Yes Votes: 11 No Votes: 0 Abstain: 0 Not Voting: 0 Result: PASS

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Nagle, William	YES
2	Wagner, Romey	YES
3	Nutting, David E.	YES
4	Neal, Tom	YES
5	Gisselman, Gary	YES
6	Winters, Keene	YES
7	Rasmussen, Lisa	YES
8	Kellbach, Karen	YES
9	Oberbeck, David	YES
10	Abitz, Sherry	YES
11	Mielke, Robert	YES

James E. Tipple, Mayor
Toni Rayala, City Clerk

CITY OF WAUSAU, 407 Grant Street, Wausau, WI 54403

ORDINANCE OF PARKING & TRAFFIC COMMITTEE

Amending Section 10.20.070 relating to handicapped parking stall designation at the corner of Jefferson Street and N. 3rd Street to coincide with the two currently marked spaces

Committee Action: Approved 5-0

Ordinance Number:

Fiscal Impact: None

File Number: 91-0917

Date Introduced: May 13, 2014

The Common Council of the City of Wausau do ordain as follows:

Add ()

Delete ()

Section 1. That Section 10.20.070 of the Wausau Municipal Code is hereby amended to provide as follows:

Handicapped parking stalls on Third Street ~~First stall north of Jefferson and first stall north of Scott~~ Street.

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 3. This ordinance shall be in full force and effect on the day after its publication.

Adopted:
Approved:
Published:
Attest:

Approved:

James E. Tipple, Mayor

Attest:

Toni Rayala, Clerk

Parking and Traffic Committee Meeting Minutes

Date of Meeting: Thursday, April 17, 2014, 5:30 pm., in the Birch Room at City Hall
Members Present: Abitz{C}, Kellbach, Winters, Mielke, Nutting
Others Present: Lt. Pekarske, Alfonso, Wagner, Lang, Candace & Craig Johnson, Pat Jozwiak

In accordance with Chapter 19, Wisconsin Statutes, notice of this meeting was posted and sent to the Daily Herald in the proper manner. It was noted that there was a quorum present and the meeting was called to order by Chairperson Abitz at 5:33 pm.

(5) Discussion and possible action: to amend W.M.C. 10.20.070 relating to handicapped stall designation at the corner of Jefferson Street and N 3rd Street to coincide with the two currently marked spaces.

Discussion: This is a housekeeping issue. This item was discovered when updating the location of handicap stalls in the downtown area. The three parking stalls located in this area were converted into two stalls; one stall became a van accessible area. However ordinance was never updated to reflect the change.

Motion by Winters to amend W.M.C. 10.20.070 relating to handicapped stall designation at the corner of Jefferson Street and N 3rd Street to coincide with the two currently marked spaces, second by Mielke. Motion approved 5-0.

CITY OF WAUSAU, 407 Grant Street, Wausau, WI 54403

ORDINANCE OF PARKING & TRAFFIC COMMITTEE

Designating a 15-minute parking stall adjacent to 311 Garfield Avenue beginning 42 feet east of the intersection of Garfield Avenue and 4th Avenue and extending east 22 feet

Committee Action: Approved 5-0

Ordinance Number:

Fiscal Impact: None

File Number: 10-1110

Date Introduced: May 13, 2014

The Common Council of the City of Wausau do ordain as follows:

Section 1. Section 10.20.080(b) of the Wausau Municipal Code is hereby amended as follows:

15-minute parking stall adjacent to 311 Garfield Avenue beginning 42 feet east of the intersection of Garfield Avenue and 4th Avenue and extending east 22 feet, Monday through Friday, 6 a.m. to 6 p.m.

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 3. This ordinance shall be in full force and effect from and after its date of publication.

Adopted:
Approved:
Published:
Attest:

Approved:

James E. Tipple, Mayor

Attest:

Toni Rayala, Clerk

Parking and Traffic Committee Meeting Minutes

Date of Meeting: Thursday, April 17, 2014, 5:30 pm., in the Birch Room at City Hall
Members Present: Abitz{C}, Kellbach, Winters, Mielke, Nutting
Others Present: Lt. Pekarske, Alfonso, Wagner, Lang, Candace & Craig Johnson, Pat Jozwiak

In accordance with Chapter 19, Wisconsin Statutes, notice of this meeting was posted and sent to the Daily Herald in the proper manner. It was noted that there was a quorum present and the meeting was called to order by Chairperson Abitz at 5:33 pm.

(4) Discussion and possible action: Create and sign a 15-minute parking space in the 300 block of Garfield Avenue on the south side of the roadway in front of 311 Garfield Ave.

Discussion: Catholic Charities and the Warming Center are located near 311 Garfield Avenue. When Catholic Charities has meetings, they park in front of the residential homes and then there is no parking for the in-home daycare.

Discussion among Committee members to install a 15 minute parking sign in front of 311 Garfield Avenue's walkway.

Pekarske stated that Allen said to use with caution, as with the previous item, the City does not recommend making an ordinance given the fact it is a private residence for a daycare, as the home could be sold and the business terminated at any time.

Motion by Winters to install 15 minute parking sign for one spot in front of 311 Garfield Avenue's walkway Monday – Friday from 6AM to 6PM, second by Kellbach. Motion approved 5-0.

CITY OF WAUSAU, 407 Grant Street, Wausau, WI 54403

ORDINANCE OF PARKING & TRAFFIC COMMITTEE

Amending Section 10.20.070 relating to handicapped parking stall designation at the corner of Jefferson Street and N. 3rd Street to coincide with the two currently marked spaces

Committee Action: Approved 5-0

Ordinance Number:

Fiscal Impact: None

File Number: 10-0407

Date Introduced: May 13, 2014

The Common Council of the City of Wausau do ordain as follows:

Add ()

Delete ()

Section 1. That Section 10.20.070 of the Wausau Municipal Code is hereby amended to provide as follows:

Two Handicapped parking stalls, corner of Jefferson Street and N. 3rd Street using the first three stalls north of Jefferson Street on **the west side of** N. 3rd Street.

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 3. This ordinance shall be in full force and effect on the day after its publication.

Adopted:

Approved:

Published:

Attest:

Approved:

James E. Tipple, Mayor

Attest:

Toni Rayala, Clerk

Parking and Traffic Committee Meeting Minutes

Date of Meeting: Thursday, April 17, 2014, 5:30 pm., in the Birch Room at City Hall
Members Present: Abitz{C}, Kellbach, Winters, Mielke, Nutting
Others Present: Lt. Pekarske, Alfonso, Wagner, Lang, Candace & Craig Johnson, Pat Jozwiak

In accordance with Chapter 19, Wisconsin Statutes, notice of this meeting was posted and sent to the Daily Herald in the proper manner. It was noted that there was a quorum present and the meeting was called to order by Chairperson Abitz at 5:33 pm.

(5) Discussion and possible action: to amend W.M.C. 10.20.070 relating to handicapped stall designation at the corner of Jefferson Street and N 3rd Street to coincide with the two currently marked spaces.

Discussion: This is a housekeeping issue. This item was discovered when updating the location of handicap stalls in the downtown area. The three parking stalls located in this area were converted into two stalls; one stall became a van accessible area. However ordinance was never updated to reflect the change.

Motion by Winters to amend W.M.C. 10.20.070 relating to handicapped stall designation at the corner of Jefferson Street and N 3rd Street to coincide with the two currently marked spaces, second by Mielke. Motion approved 5-0.

RESOLUTION OF THE PLAN COMMISSION

Approving a conditional use at 811 North 3rd Avenue to allow for a community center, in a B2, Community Service District.

Committee Action: Approved 5-0

Fiscal Impact: None.

File Number: 14-0504

Date Introduced: May 13, 2014

WHEREAS, on April 15, 2014, the Plan Commission held a public hearing to consider a request from Michelle, Hazuka, Community Corner Clubhouse for a conditional use at 811 North 3rd Avenue to allow for a community center; and

WHEREAS, the proposed location is similar to their existing location, particularly in that it is a small-scale commercial property on 3rd Avenue located amongst a mix of commercial and residential properties; and

WHEREAS, the proposed location will have a larger off-street parking area, would allow the program to expand to an average daily attendance of 30 peoples, from the current daily average of 20 to 25 people; and

WHEREAS, employees of the current clubhouse include four full time staff, one part time peer specialist, and several volunteers; and

WHEREAS, the parking lot directly north of the building would be used for off-street parking and contains 19 spaces; and

WHEREAS, staff does not feel that the proposed use will generate of a significant amount of negative side effects so as to impact the surrounding property owners or the general public; and

WHEREAS, staff is not aware of any issues or detrimental effects this use has had in its current location, which is in a similar area; and

WHEREAS, the existing building will be changed very little to accommodate the proposed use; now therefore

BE IT RESOLVED that the Common Council of the City of Wausau hereby approves a conditional use at 811 North 3rd Avenue to allow for a community center, as presented.

Approved:

James E. Tipple, Mayor

Department of Public Works
Planning Division



Brad Lenz, AICP
City Planner

STAFF REPORT

TO: City of Wausau Plan Commission

FROM: Brad Lenz, City Planner *BL*

DATE: April 4, 2014

GENERAL INFORMATION

APPLICANT: Michelle Hazuka, Community Corner Clubhouse

LOCATION: 811 N. 3rd Avenue

EXISTING ZONING: B2, Community Service District

REQUESTED ZONING: Conditional Use

PURPOSE: To allow for a community center with an adult mental health program. In the B2 District, community centers may be allowed by conditional use approval. The zoning code defines a community center as a facility where support services for the needy are provided, including space for social services, meetings, and educational/vocational programs (See chapter 23.02.091.1 for the exact definition). Staff feels the proposed use is consistent with the definition of a community center and therefore may be allowed through conditional use approval.

EXISTING LAND USE: Vacant commercial building

SIZE OF PARCEL: 0.19 acres

SURROUNDING LAND USE AND ZONING:

North: Parking lot; B2, Community Service District

South: Single family home; B2

East: Single family homes; R3, Two Family Residence District

West: Single and two family homes; R3

(See attached *Zoning Map*)

ANALYSIS AND RECOMMENDATION

From Wausau Municipal Code 23.72.060, no conditional use shall be recommended by the city plan commission unless the commission finds:

(a) That the establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare;

(b) That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood;

(c) That the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district;

(d) That adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided;

(e) That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets; and

(f) That the conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as the regulations may, in each instance, be modified by the common council pursuant to the recommendations of the city plan commission.

Attached to this report is a description of the Community Corner Clubhouse (CCC) and how they intend to use the property at 811 N. 3rd Avenue. As stated in the description, the CCC is a program of North Central Health Care that has been in operation for 18 years. Their current location is a few blocks south of the subject property on 3rd Avenue.

The proposed location is similar to their existing location, particularly in that it is a small-scale commercial property on 3rd Avenue located amongst a mix of commercial and residential properties. The new location, with a larger off-street parking area, would allow the program to expand to an average daily attendance of 30 people, from a current daily average of 20 to 25 people. Employees of the current clubhouse include four full time staff, one part time peer specialist, and several volunteers. Interns from area colleges and universities also use the program.

The parking lot directly north of the building would be used for off-street parking. The attached site plan shows that this parking lot contains 19 spaces. Off-street parking regulations in the B2 district require one parking space for each two hundred square feet of gross floor area in excess

of two thousand square feet. In this case, for the approximately 3600 square foot building, only eight (8) spaces are required to meet the zoning standard.

Staff does not feel that the proposed use will generate a significant amount of negative side effects so as to impact the surrounding property owners or the general public. Staff is not aware of any issues or detrimental effects this use has had in its current location, which is in a similar area.

The existing building will be changed very little to accommodate the proposed use. Internal rooms, including a kitchen, are proposed to be added. Adequate public facilities are in place to continue to serve the property and the proposed use.

Staff recommends approval of the conditional use as proposed.

PC report 811 n 3rd ave.doc

PLAN COMMISSION

Time and Date: The Plan Commission met on April 15, 2014, at 5:00 p.m. in the Common Council Chambers of Wausau City Hall.

Members Present: Mayor Tipple, Marquardt, Radtke, Valitchka, Oberbeck, Nutting (arrived at 6:25 p.m.)

Others Present: Lenz, Hebert, DeSantis, Woldt, Close, Peters, Hazuka, Uttech, Neal, Luecher, Hinner, Lorio, Gisselman, Salzman, Kreager, Ghidorzi, Guld, Engen

In compliance with Chapter 19, Wisconsin Statutes, notice of this meeting was posted and transmitted to the *Wausau Daily Herald* in the proper manner.

Mayor Tipple called the meeting to order at approximately 5:00 p.m. noting that a quorum was present.

PUBLIC HEARING: Approve a conditional use at 811 North 3rd Avenue to allow for a community center, in a B2, Community Service District (Hazuka).

Michelle Hazuka, 319 North 3rd Avenue, said the program has been run for 18 years and this will be their 4th move. They have grown to capacity at the current space and are looking to relocate. They have had a hard time finding a place that would fit their needs. Uttech told them about a 7,000 square feet space is available and they are currently going through building negotiations. The move would be made in mid-late summer.

Cary Uttech, said that he owns the Christian Book Store property and is looking for someone to lease the space. The area will fit the proposed use. There are 3,500 square feet on the main level and 3,500 square feet in the basement.

Barbara Neal said that she is a member of the clubhouse and it is more than a business. It is a valuable member of the community. This is a benefit to the community, not a detriment.

Arnold Luechau, 724 North 3rd Avenue, said he owns a business a block away and wants to know what this is all about and what will happen. Hazuka said that the program is affiliated the North Central Healthcare providing outpatient services for mental health issues. There are typically 20-30 people a day who are assisted from 8:00-5:00 and they are not open on the weekends. It is a nationally accredited program.

Mayor Tipple closed the public hearing.

Mayor Tipple read an email from Joe Ruelle.

Lenz said that he received a couple questions from neighbors about the program, but there wasn't any formal opposition. The community center matches the definition in the zoning code and this location would be in a similar area as their current facility. It will be located on the same street, just a move to better suit the business. There will be plenty of off-street parking. Staff is not aware of other issues from the current location, other than the recent email. Staff recommends approval.

Valitchka asked Uttech about plans in the negotiations to address the painting. Uttech said that the email was regarding the current place of business. The new business location is landscaped with a metal building and is in good shape. Valitchka asked if there are plans for new signage. Hazuka said that the signs were donated and new signage is being looked into.

Mayor Tipple asked if staff would approve the signage. Lenz answered that a permit would be needed, but it is a commercial district and staff could approve it.

Radtke motioned to approve the conditional use at 811 North 3rd Avenue to allow for a community center, in a B2, Community Service District. Valitchka seconded, and the motion carried unanimously 5-0. The

item will go to Common Council on May 13, 2014.

Brad Lenz

From: Joe Ruelle <JRuelle@lywam.org>
Sent: Tuesday, April 15, 2014 9:46 AM
To: Brad Lenz
Subject: PROPOSED ZONING CHANGE: 800 BLOCK OF 3RD AVE

Hi Brad & Committee Members,

Unfortunately I am unable to attend the proposed zoning change on the 800 block of 3rd Ave tonight, April 15th, 2014.

Please consider the following items in this zoning change request:

1. Please paint the exterior of the building and landscape the lawn area with flowers. The exterior of the present site of the Community Center is in poor condition and I am concerned that the building across from my house will end up looking like that too.
2. The signage on the current Community Center is also decaying and shows there is no pride in the Community Center name or reputation. I do not want to see urban blight migrate into our neighborhood.
3. Parking by Community Center patrons on the street in front of my house @ 818 N. 3rd Ave would be a problem. Backing out onto 3rd Avenue now is a challenge. I heard that this on street parking area may become a bicycle lane and may not be available for on-street parking?
4. This will affect the resale value of homes in this area. A business should be in this site. Does Marathon County not own another facility that has kitchen facilities already in place that could be used?

Thank you for considering my concerns in your decision. And to be clear..., I do "not" want this Community Center across the street from my home because of how their current site looks and the lack of upkeep.

Sincerely, Joe Ruelle

818 N. 3rd Avenue
Wausau, WI
(715) 370-6500

Community Corner Clubhouse has 4 full time staff, one part time grant funded peer specialist, and several volunteers. CCC also works closely with area colleges and universities in placing student internships from Human Services and nursing programs. CCC generally places 3-4 interns per semester.

Community Corner Clubhouse is a program of North Central Health Care and has been in operation for 18 years.

Clubhouse current active membership is 114. We typically have 20-25 people attend per day -not including the 6 staff that work here.

We are open Monday- Friday and our typical business hours are 8-4pm.

Community Corner Clubhouse (CCC) is an international certified (ICCD Clubhouse) psychosocial rehabilitation program for adults diagnosed with a mental health / and or addiction problem. The goal of the program is to contribute to the recovery of individuals through use of a therapeutic environment that includes responsibilities within the Clubhouse (e.g., clerical duties, reception, food service, transportation, financial services), as well as through outside employment, education, meaningful relationships, housing, and an overall improved quality of life.

The Clubhouse offers people who have mental illness hope and opportunities to achieve their full human potential. They provide:

- A place where people with serious mental illness – who are known as “members” – participate in their own recovery process by working and socializing together in a safe and welcoming environment.
- An organization that operates on proven standards coordinated by ICCD and effective in over 300 Clubhouses worldwide since 1989.
- A community-based approach that complements available psychiatric treatment. Clubhouse provides a holistic, inspiring and cost-effective solution for people living with mental illness.

Clubhouse currently provides immediate access to interventions regarding mental health/ AODA issues. Participation to the program is voluntary and does not have time limits. This allows for flexibility of services as the consumers life issues change but also allows for continued access to programming after initial needs have subsided thus reducing gaps in service.

Many of the clients Clubhouse serve would not meet criteria for other mental health or AODA programs based on functional screen or other program eligibility requirements. There are also significant wait lists of other comparable programs- some as long as several months. Many mental programs across the state have very long wait times to access services. This unmet need of clients increases situations for more costly services such as crisis services or hospital services.

The proposed renovations include making the space work for our program such as adding a kitchen on the first floor and dining room/meeting room and computer use area. Our goal is to increase our impact and serve more people- our goal for this year is to increase our average daily attendance to 30 per day.

All renovations will have oversight from the Uttech family, a general contractor and also HCC facility director Terry Kaiser. All renovation completed are required to up to code and will meet strict specifications due to Joint Commission Accreditation.

ZONING IN THE VICINITY OF
811 North 3rd Avenue

R2 – Single Family Residence District
B2 – Community Service District

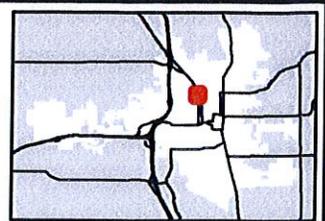


Date: 31 Mar 2014

City of Wausau
Marathon County Wisconsin

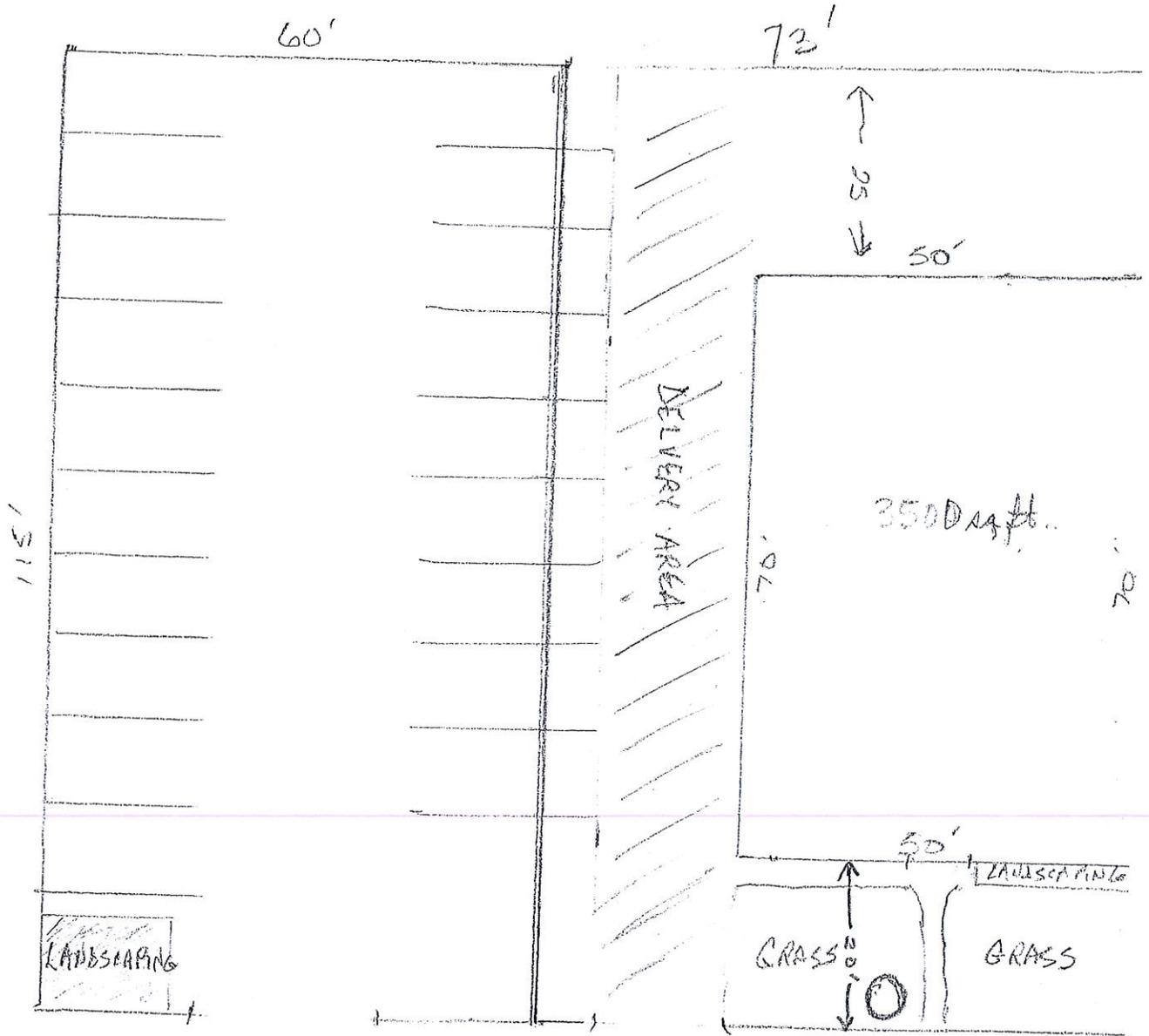


-  Building
-  Road Paved
-  Petitioner's Property



815 NO. 3RD AVE

811 NO. 3RD AVE



RESOLUTION OF THE PLAN COMMISSION

Approving a conditional use at 835 South 66th Avenue to allow for an online consignment auction business with an outdoor staging area, in a M1, Limited Industrial District.

Committee Action: Approved 5-0

Fiscal Impact: None.

File Number: 14-0505

Date Introduced:

May 13, 2014

WHEREAS, on April 15, 2014, the Plan Commission held a public hearing to consider a request from Jody Close, Smith Sales LLC, for a conditional use at 835 South 66th Avenue to allow for online consignment auction location with an outdoor staging area; and

WHEREAS, staff does not feel that the proposed online auction business will generate a significant amount of traffic, noise or other negative side effects so as to impact the surrounding property owners or the general public; and

WHEREAS, the petitioner shows 12 off-street parking stalls for customers, and anticipates a maximum of 10 customers at one time; and

WHEREAS, normal business hours will be form 8 a.m. to 5 p.m. Monday to Friday, and 8 a.m. to noon on Saturday; and

WHEREAS, the existing building will be changed very little to accommodate the proposed use; and

WHEREAS, the existing building is in conformance to the regulations of the zoning district, and staff feels the proposed use adheres to other regulations of the district; now therefore

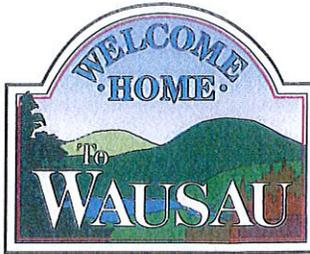
BE IT RESOLVED that the Common Council of the City of Wausau hereby approves a conditional use at 835 South 66th Avenue to allow for an online consignment auction location with an outdoor staging area, with the following conditions:

- 1) Screening would not be needed, and
- 2) The parking area for vehicles will need at least a gravel surface

Approved:

James E. Tipple, Mayor

Department of Public Works
Planning Division



Brad Lenz, AICP
City Planner

STAFF REPORT

TO: City of Wausau Plan Commission
FROM: Brad Lenz, City Planner *BL*
DATE: April 4, 2014

GENERAL INFORMATION

APPLICANT: Jody Close, Smith Sales LLC

LOCATION: 835 S. 66th Avenue

EXISTING ZONING: M1, Limited Industrial District

REQUESTED ZONING: Conditional Use

PURPOSE: To allow for online consignment auction business with an outdoor staging area. In the M1 District, manufacturing, processing, storage or commercial uses determined by the plan commission to be of the same general character as uses permitted in the district and found not to be obnoxious, unhealthful or offensive by reason of the potential emission or transmission of noise, vibration, smoke, dust, odors, toxic or noxious matter, glare or heat, or fire or explosive hazards, may be allowed subject to conditional use approval.

EXISTING LAND USE: Storage warehouse

SIZE OF PARCEL: 5.18 acres

SURROUNDING LAND USE AND ZONING:

North: Distribution warehouse; M1, Limited Industrial District
South: Sunny Vale Park; R1, Single Family Residence District
East: Storage Warehouse; M2, General Industrial District

West: Manufacturing; M1

(See attached *Zoning* Map)

ANALYSIS AND RECOMMENDATION

From Wausau Municipal Code 23.72.060, no conditional use shall be recommended by the city plan commission unless the commission finds:

- (a) That the establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare;
- (b) That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood;
- (c) That the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district;
- (d) That adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided;
- (e) That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets; and
- (f) That the conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as the regulations may, in each instance, be modified by the common council pursuant to the recommendations of the city plan commission.

Staff does not feel that the proposed online auction business, will generate a significant amount of traffic, noise, or other negative side effects so as to impact the surrounding property owners or the general public. As noted above, the subject property is bordered on three sides by industrial property. On the fourth side, across the railroad tracks to the south, lies Sunny Vale Park.

Zoning regulations pertaining to screening will help mitigate potential impacts on the park. In the M1 district, within five hundred feet of a residence district, storage must be effectively screened by a solid wall or fence (including solid entrance and exit gates) not less than six feet or more than eight feet in height. Staff recommends that storage areas on the subject property be screened to the south, following the standards in the code.

The surface material for areas of outdoor parking shall follow regulations of the Wausau Municipal Code and be enforced by the Chief Inspector / Zoning Administrator.

The petitioner shows 12 off-street parking stalls for customers, and anticipates a maximum of 10 customers at one time. Normal business hours will be from 8 a.m. to 5 p.m. Monday to Friday, and 8 a.m. to noon on Saturday. The need for more parking is not expected, but it appears the lot could accommodate more off-street parking, if necessary. Parking for employees will be located in the rear of the building.

The existing building will be changed very little to accommodate the proposed use. Internal walls will be added to separate tenant spaces within the building. Adequate public facilities are in place to continue to serve the property and the proposed use.

The existing building is in conformance to the regulations of the zoning district, and staff feels the proposed use adheres to other regulations of the district, including permitted uses. Permitted uses in the district that staff feels are similar in character to the proposed use (thereby allowing the conditional use application) include: contractors' shops and yards, cartage and express facilities; and various wholesale establishments.

Staff recommends approval of the proposed conditional use, with the condition that an effective screen of 6 to 8 feet be provided on the south side of the outdoor storage area.

PLAN COMMISSION

Time and Date: The Plan Commission met on April 15, 2014, at 5:00 p.m. in the Common Council Chambers of Wausau City Hall.

Members Present: Mayor Tipple, Marquardt, Radtke, Valitchka, Oberbeck, Nutting (arrived at 6:25 p.m.)

Others Present: Lenz, Hebert, DeSantis, Woldt, Close, Peters, Hazuka, Uttech, Neal, Luecher, Hinner, Lorio, Gisselman, Salzman, Kreager, Ghidorzi, Guld, Engen

In compliance with Chapter 19, Wisconsin Statutes, notice of this meeting was posted and transmitted to the *Wausau Daily Herald* in the proper manner.

Mayor Tipple called the meeting to order at approximately 5:00 p.m. noting that a quorum was present.

PUBLIC HEARING: Approve a conditional use at 835 South 66th Avenue to allow for an online consignment auction location with an outdoor storage area, in a MI, Limited Industrial District (Close).

Brad Woldt said that Homemakers Building Supply has downsized and is looking to lease out half of their building.

Jody Close said that he has 4 locations and would like to expand to this new location. There will be online auctions, about 1 auction per month. It is not a live auction, but the items can viewed.

Wayne Peters said that he worked with Jody to find an alternative location. This is zoned industrial and there are other uses such as heavy equipment sales and outdoor displays. The area is an industrial area with no residential homes. The online auctions do not draw a big crowd. Someone can go in person to view the items, but bid from home. Winners are notified and arrangements are made. There is not a lot of traffic; there are probably 3-4 customers at a time. There are monthly cycles for equipment and household items. Peters said he is an advocate of this type of auction because it makes a lot of sense. The auctions bring favorable prices for the seller.

Mayor Tipple closed the public hearing.

Lenz said that this particular use is not listed in the zoning code, but similar uses are permitted, so this can be approved by conditional use. In the code, screening would be required because there is residential zoning within 500 feet. Staff would recommend a condition of screening for outdoor storage to the south side of the property. Lenz said that the Inspections Department has been in contact with Close for the paving on the outdoor storage area. Staff recommends approval with the condition that screening is installed.

Close asked what the screening would be. Lenz answered that it would be a fence or landscaping with 50% opacity. Close said that would defeat the purpose since the items would be for public display. Lenz said that the south side, the side near the park, would need to be screened. The side facing the street would still be visible. Lenz said the property borders a residential zoning district and even though it's not used for residential homes, screening is required by code.

Close asked if it was acceptable to install a chain-link fence with slats in. Hebert answered yes. Mayor Tipple said that on the map, R1 zoning indicates where the screening would need to be. Peters said that part of the area is blacktop already. Close said that people won't be able to see the merchandise.

Valitchka asked if they were aware of the fencing requirements before applying. Peters said he is not clear on where the fence has to be. Close asked if there would be a height limit for the screening. Hebert answered that the minimum to maximum height would be 6-8' for a fence. Valitchka asked what the current surface is that items would be stored on outside. Close answered that it is grass and sod. Valitchka asked if there is an area of pavement from the parking lot to the west. Close answered to the

north. Mayor Tipple asked if it will need to be paved. Lenz thought the grass area should be paved if it is going to be used for storage, but there is currently a paved area that was believed to be the original storage area. Close said the equipment will tear up the pavement. Valitchka asked if it were a concrete slab, would it get torn. Close answered no. Valitchka said it will be awfully expensive to pave the entire storage area and the fencing will be fairly well removed from Sunnyvale.

Valitchka motioned approve the conditional use at 835 South 66th Avenue to allow for an online consignment auction location with an outdoor storage area, in a M1, Limited Industrial District with the conditions that screening from the south would not be required and the outdoor storage area could remain turf at this time. Radtke seconded.

Marquardt asked what types of equipment would be brought in that would tear up asphalt, but not tear up grass. Close answered farm and construction equipment. Marquardt said the equipment will tear up the topsoil also. Close responded that is easier to maintain. Close said that all his other sites are gravel and sod. Mayor Tipple asked if gravel would be more palatable than the grass. Valitchka said that he was introducing a sense of reasonableness. It was intended not to require a large paved surface at this time. Mayor Tipple said that it could be checked in 6 months or 1 year. Lenz said that it could be monitored, but the city tries to enforce parking on paved surfaces in other areas of the city. Lenz said that he is not sure if engineering has looked into this in enough detail to know what will happen with rainwater and drainage.

Oberbeck said that he is concerned with storm water and how things will be tracked onto the adjacent roadway. The construction sites call for pads to keep the dirt and gravel of the roads. This needs to be addressed. Where is the equipment loaded and unloaded? At the minimum, it should be on a gravel surface. The storm water needs to be looked at also.

Hebert asked about how much of the storage area will be regularly used. Close answered that anything that is rubber doesn't hurt the pavement, but the bigger stuff would. The bigger items would go on the grass. Hebert asked how much of the grass area will be used for storage. Close answered ¼ this year. Hebert asked if equipment is moved in and out with each auction. Close said yes, it is rotated. Hebert asked if the gate is open during the day for viewing. Close answered yes and there is a walkway available for after hours. The yard will be closed after dark. Hebert said that he would recommend keeping the screening on the south side and to allow the unpaved area as an overflow area for equipment. Valitchka said he would like to amend the motion to require screening on the south side and allow the grass as an overflow storage area. Radtke accepted the change to the motion.

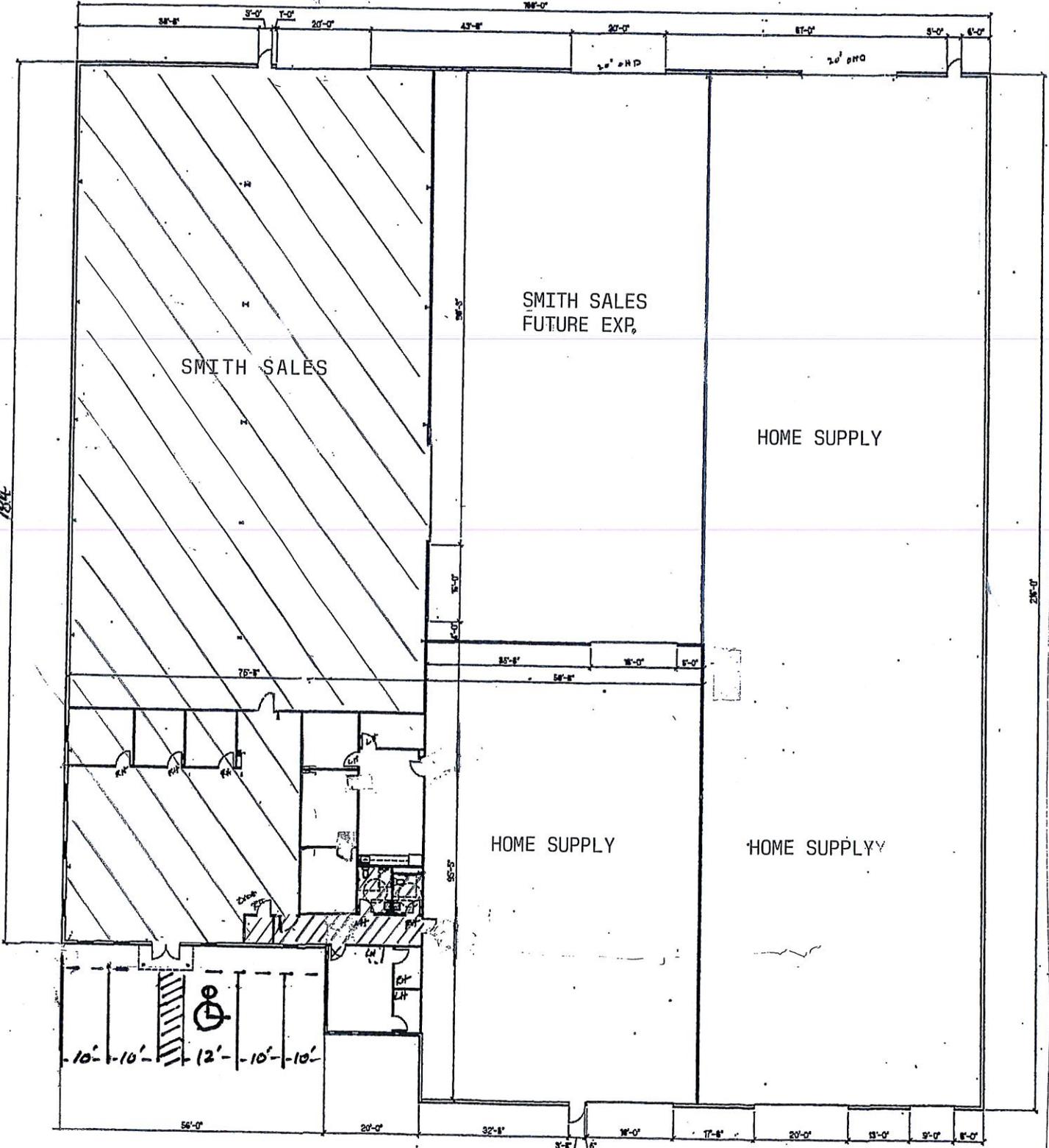
Oberbeck said the fencing does not seem to be real effective and it is set back away from the area. Oberbeck said he is not sure of the intent and the softball diamonds are not going away. Lenz said the recommendation is coming straight from the ordinance. Conditions can be applied to protect the public interest but they may not apply in all cases. Oberbeck asked if vehicles parked on the grass would have motors. Close answered yes. Oberbeck said that contaminants could leak into the grass area and there could be environmental issues. The city requires a paved or all-weather surface for motor vehicle parking. Close said the business slows down in the winter. There will be very little of the grass area used in the winter. Oberbeck said he would like to see the use of an all-weather surface and cannot support this without a surface other than the grass. The motioned failed 1-4.

Valitchka asked Close if he was unaware of the fencing and surface requirements. Close was said he was not aware of the surface requirements but was aware of the fencing requirement.

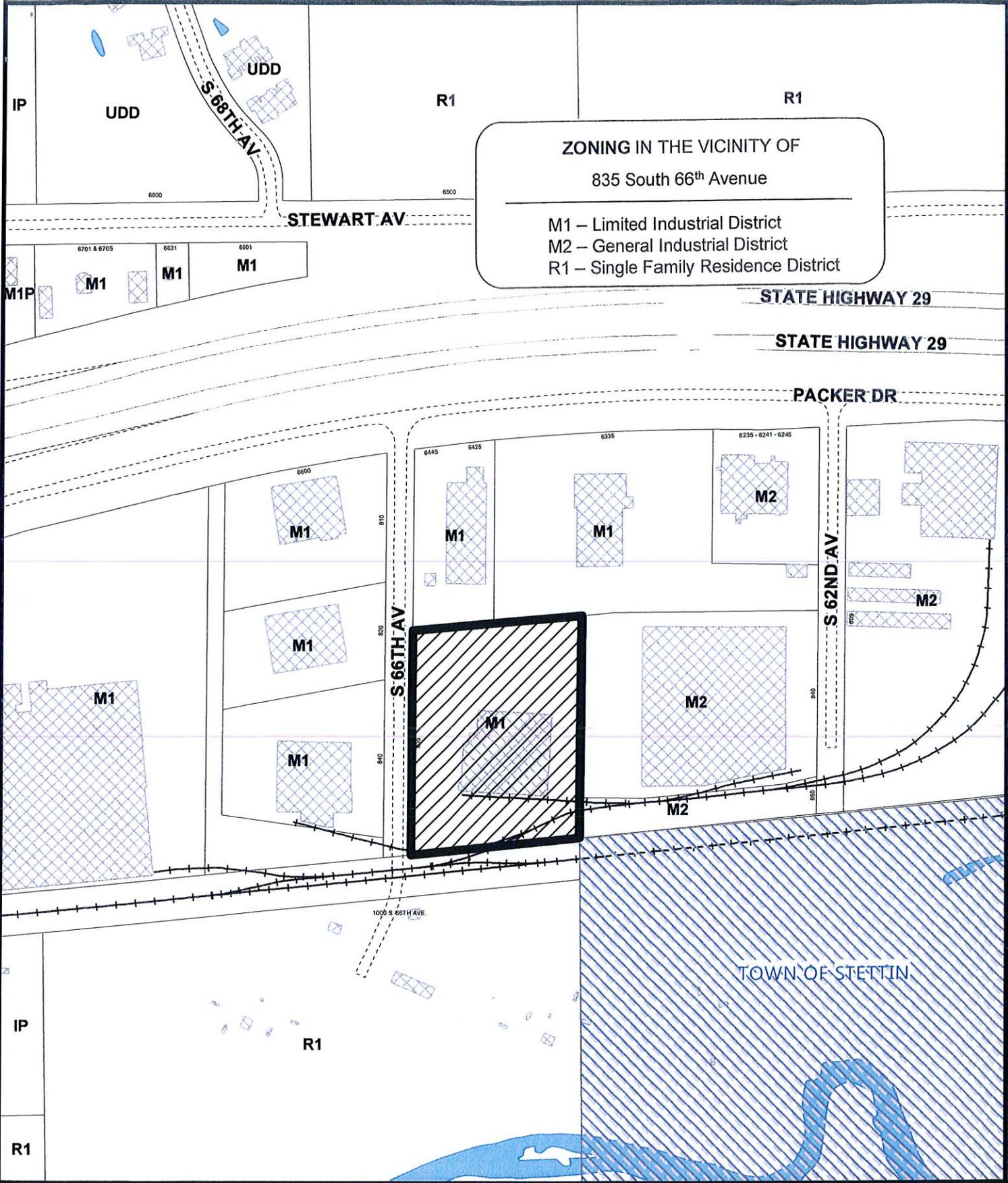
Radtke motioned to approve the conditional use at 835 South 66th Avenue to allow for an online consignment auction location with an outdoor storage area, in a M1, Limited Industrial District with the conditions that screening would not be needed, and the parking of vehicles will need to have a minimum

of a gravel area. Oberbeck seconded, and the motion carried unanimously 5-0. This item will go to Common Council on May 13, 2014.

- Smith Sales proposes to lease space identified by large backslash. Hall & baths (indicated with small front slash), become "common area", accessible to both tenants. Changes required to separate spaces as follows:
- 1.) Install a sliding or OH door in present wall between warehouses to allow joint access to loading dock;
 - 2.) Close 2 office doors opening to showroom, and move them to open on Home Supply side;
 - 3.) Install a lockable door on N side of common hallway leading to rest rooms.
 - 4.) Install chain link fence around vacant lot on the North side – see attached aerial photo.
- Changes to Home Supply side are not shown, except office door changes.



1 MASTER FLOOR PLAN
 A1 SCALE: 1" = 30' 1/4"



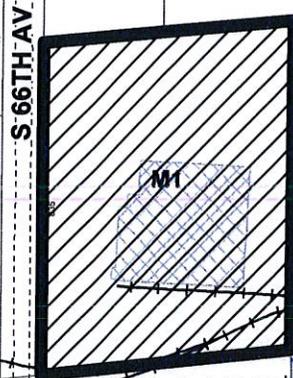
ZONING IN THE VICINITY OF
 835 South 66th Avenue

M1 – Limited Industrial District
 M2 – General Industrial District
 R1 – Single Family Residence District

STATE HIGHWAY 29

STATE HIGHWAY 29

PACKER DR

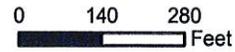


TOWN OF STETTIN

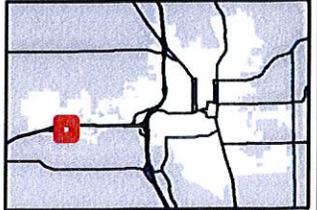


Date: 31 Mar 2014

City of Wausau
 Marathon County Wisconsin



-  Building
-  Road Paved
-  Petitioner's Property



RESOLUTION OF PUBLIC HEALTH & SAFETY COMMITTEE

Authorizing live outdoor music prior to Wisconsin Woodchucks games at Athletic Park

Committee Action: Approved 5-0

Fiscal Impact: None

File Number: 02-0423

Date Introduced: May 13, 2014

RESOLUTION

WHEREAS, a portion of 5th Street adjacent to Athletic Park was recently vacated and adjacent properties were acquired and donated to the city for a park; and

WHEREAS, along with the remodeling of Athletic Park additional pre-game activities have been planned; and

WHEREAS, according to the Athletic Park Use Agreement, Wisconsin College Baseball, LLC has exclusive use of the neighborhood park for promotional events; and

WHEREAS, Mark Macdonald, owner of the Wisconsin College Baseball, LLC, has requested authorization of live outdoor pre-game music at Athletic Park in the park area for the following dates

May 30 and 31
June 7, 20, 21
July 5
August 2

between the hours of 5:30 p.m. and 7:00 p.m.; and

WHEREAS, your Public Health and Safety Committee, at their April 21, 2014 meeting, discussed and approved the request to allow live outdoor music at Athletic Park.

NOW THEREFORE, BE IT RESOLVED the Common Council of the City of Wausau does hereby approve authorizing live outdoor music at Athletic Park in the park area for the above dates.

Approved:

James E. Tipple, Mayor

PUBLIC HEALTH & SAFETY COMMITTEE

Date and Time: Monday, April 21, 2014, at 5:15 pm, (Council Chambers)

Members Present: Rasmussen (C), Gisselman, Kellbach, Neal, Wagner

Others Present: Alfonso, Bliven, Hebert, Rayala, media.

Request to allow live outdoor music prior to Wisconsin Woodchucks games at Athletic Park (Mark Macdonald)

Rasmussen referred to the list of dates provided in their packets, noting the time for the music would be between 5:30 and 7:00 pm., before ballgames. Bliven did not feel there would be issues with noise since it is early evening. Rasmussen commented the neighborhood has been very supportive of Athletic Park and its activities overall.

Gisselman stated the music will be coming from the Neighborhood Park next to Athletic Park. He indicated he knew of one neighbor who was concerned about noise. Rasmussen noted they could try it and if it becomes a problem for the neighbors we can talk with Mark Macdonald to manage any issues.

Motion by Neal, second by Kellbach to approve the request for live music. Motion by 5-0.

CITY OF WAUSAU, 407 Grant Street, Wausau, WI 54403

RESOLUTION OF THE PUBLIC HEALTH & SAFETY COMMITTEE

Approving or Denying Various Licenses as Indicated

Committee Action: Approved 5-0

Fiscal Impact: None

File Number: 14-0108

Date Introduced: May 13, 2014

RESOLUTION

WHEREAS, your Public Health and Safety Committee considered certain license applications at its April 21, 2014 meeting and has made recommendations that are attached hereto in the meeting minutes and recommends these actions to the Council for its approval, now therefore

BE IT RESOLVED by the Common Council of the City of Wausau that the City Clerk be hereby authorized to issue the licenses on the attached list, incorporated as part of this resolution, according to recommendations made by the Public Health & Safety Committee and upon successful completion and acceptable proof that all applicable state and municipal regulations and requirements have been met by the applicants.

Approved:

James E. Tipple, Mayor

CLERK'S REPORT TO PUBLIC HEALTH & SAFETY COMMITTEE

April 21, 2013 Meeting

AGENDA ITEM #16

Approve or deny various licenses as indicated on the attached summary report of all applications received.

ADDITIONAL INFORMATION

Applications as listed have or will have a background check run by staff and reviewed by the Police Chief or his designee. Applications marked pending will have a status update at the meeting. In accordance with city ordinance, **all permits approved are held for debts owed to the city until the debt is paid in full.**

1. An application for a Class B Beer & Liquor license was submitted by Its Our Clubhouse, LLC, premise location is 738 S 3rd Avenue, (formerly Alibi Bar which went out of business in August 2012) will be considered by the Liquor License Review Subcommittee just prior to the meeting. Bryan Morel and Jolene Finger are owners and they are requesting a Provisional Retail Liquor License to get up and running as soon as possible.
2. All the Operators and Public Transport Drivers on the list have been recommended for approval; no denial recommendations.
3. Mobile (Street) Vendor renewals are included as well as a Change of Agent for Pick N Save,
4. Special event applications included in committee packets for: the Memorial Day Parade, WAE Road Knights & Car Show, Frontier Fest, Rock the 400 Block, DC Everest HS Band Concert, NTC Timberwolf Run, Fantastic 5K, and Event for Equality.

STAFF RECOMMENDATION

Staff recommendation is to approve or deny as indicated on the summary report including those that may be introduced at the meeting. Please let me know if you have any question regarding any license applications listed.

Mary Goede, Deputy Clerk

Date of Report: April 16, 2014

(715) 261-6621

PUBLIC HEALTH & SAFETY COMMITTEE

Date and Time: Monday, April 21, 2014, at 5:15 pm, (Council Chambers)

Members Present: Rasmussen (C), Gisselman, Kellbach, Neal, Wagner

Others Present: Alfonso, Bliven, Hebert, Rayala, media.

Consider various license applications.

Rasmussen reviewed the list of special event applications. Wagner commented that some signatures on the special event authorization forms were indistinguishable. He requested the form be modified to add a line to print the name and identify the department of the person reviewing the application.

Motion by Gisselman, second by Neal to approve or deny various applications as recommended by staff. Motion carried 5-0.

Discussion and Evaluation of Mobile Food Vendor Permit process and review of 2014 Mobile Vendor applications.

Rasmussen commented food vending is incredibly popular, whether it is during events or downtown. She indicated they had applications from CJ's and Urban Street Bistro before them tonight. Rayala stated one of the things she will be changing is when the renewal applications are sent out, as this year they went out a little late and will need an earlier renewal schedule than the other licenses.

Clint Schultz, Urban Street Bistro, commented for the first season everything went very well and they were thrilled with how it was received by the public in general. He anticipated there may be a few more applicants this year now that people are getting a feel for how it works. Gisselman questioned how the winter market went for him this year and Schultz stated it was fabulous and also established a presence for the farmers as a place to sell their goods in the winter.

Motion by Wagner, second by Gisselman to approve the Street Vendor renewal applications. Motion carried 5-0.

Request for permission to serve alcohol in the grandstand/food court area - Wausau Area 4th of July Celebration.

Rasmussen stated this is an annual request to allow alcohol in the grandstand and food court area. It has been allowed because the grandstand area is a fenced area.

Tim Madison indicated one of the things they were looking at doing different this year was to move the beer tent from the midway into the grandstand area and moving the food vendors out to the midway. This way they would not have to serve in two separate areas. The beer tent on the midway requires fencing and more security to keep beer from going out onto the midway. He felt that keeping it all in one area will be easier for them and for the police. He stated they will still be wrist banding and they have a paid security company. He noted they do not allow beer in the grandstands during the fireworks shows.

Motion by Wagner, second by Kellbach to approve the request to allow alcohol in the grandstand area. Motion carried 5-0.

HEALTH AND SAFETY LIST
ALL LICENSES
APRIL 21, 2014REPORT ID: LRS530I
RUN DATE: 5/02/14
RUN TIME: 16:19:34

<u>NAME</u> <u>ADDRESS</u>	<u>RECORD</u> <u>YEAR</u>	<u>APPLICATION</u> <u>DATE</u>	<u>EVENT START</u> <u>DATE</u>	<u>EXPIRATION</u> <u>DATE</u>	<u>REVOCAION</u> <u>DATE</u>	<u>BUSINESS NAME</u>	<u>LICENSE TYPE</u>	<u>APR</u>	<u>DEN</u>	<u>PEN</u>	<u>OWES</u> <u>DEBT</u>
ITS OUR CLUBHOUSE LLC 738 S 3RD AVE WAUSAU, WI 54401	2013	4/15/2014	7/01/2013	6/30/2014		ITS OUR CLUBHOUSE	AMUSEMENT DEVICES	___	___	___	___
ITS OUR CLUBHOUSE LLC 738 S 3RD AVE WAUSAU, WI 54401	2013	4/15/2014	5/14/2013	6/30/2014		ITS OUR CLUBHOUSE	CLASS B BEER & LIQUOR	___	___	___	___
BUNGERT, KIMBERLY C 221 SCOTT STREET APT 612 WAUSAU, WI 54403	2013	4/04/2014		6/30/2014		KWIK TRIP #601	OPERATOR NEW	___	___	___	___
CONFER, VALERI L 1003 DAHLIA LANE WAUSAU, WI 54401	2013	4/02/2014		6/30/2014		NEW CITY GRILL/JEFFE	OPERATOR NEW	___	___	___	___
CURTIS, KENNETH R 1140 W BRIDGE STREET APT 2B WAUSAU, WI 54401	2013	4/11/2014	4/11/2014	6/30/2014		THE STORE #62	OPERATOR NEW	___	___	___	___
DARELIUS, DAVID W 1908 ROSECRANS ST WAUSAU, WI 54401	2013	4/07/2014		6/30/2014		INTERMISSION	OPERATOR NEW	___	___	___	___
ELLIOTT, ABBEY 119 E CHELLIS ST WAUSAU, WI 54401	2013	3/28/2014		6/30/2014		THE STORE #62	OPERATOR NEW	___	___	___	___
FREESE, DEBRA 1300 N 9TH AVE APT 2E WAUSAU, WI 54401	2013	3/26/2014		6/30/2014		KRIST FOOD MART	OPERATOR NEW	___	___	___	___
HOLLOWAY, CRAIG 1010 S 50TH AVE APT 12 WAUSAU, WI 54401	2013	4/03/2014		6/30/2014		KWIK TRIP #601	OPERATOR NEW	___	___	___	___
KILISHEK, KALI L 1116 NORTHPOINT DRIVE APT D15 STEVENS POINT, WI 54481	2013	3/26/2014		6/30/2014		BUFFALO WILD WINGS G	OPERATOR NEW	___	___	___	___
KROLICKI, THADDEUS J 1616 FRANKLIN STREET WAUSAU, WI 54403	2013	3/20/2014		6/30/2014		MILWAUKEE BURGER COM	OPERATOR NEW	___	___	___	___
MARCELL, JOSEPH T 2092 CTY RD XX ROTHSCHILD, WI 54474	2013	4/01/2014		6/30/2014		R STORE #8	OPERATOR NEW	___	___	___	___
MARTINY, COLLEEN F 607 LINCOLN AVE WAUSAU, WI 54403	2013	3/18/2014		6/30/2014		WAUSAU BP	OPERATOR NEW	___	___	___	___

HEALTH AND SAFETY LIST
ALL LICENSES
APRIL 21, 2014REPORT ID: LRS530I
RUN DATE: 5/02/14
RUN TIME: 16:19:34

<u>NAME</u> <u>ADDRESS</u>	<u>RECORD</u> <u>YEAR</u>	<u>APPLICATION</u> <u>DATE</u>	<u>EVENT START</u> <u>DATE</u>	<u>EXPIRATION</u> <u>DATE</u>	<u>REVOICATION</u> <u>DATE</u>	<u>BUSINESS NAME</u>	<u>LICENSE TYPE</u>	<u>APR</u>	<u>DEN</u>	<u>PEN</u>	<u>OWES</u> <u>DEBT</u>
NELSON, AMANDA J 6203 DAWN ST WESTON, WI 54476	2013	4/04/2014		6/30/2014		MILWAUKEE BURGER COM	OPERATOR NEW	___	___	___	___
NELSON, BRANDON K 1300 N 9TH AVENUE APT 9J WAUSAU, WI 54401	2013	3/19/2014		6/30/2014		KWIK TRIP #322	OPERATOR NEW	___	___	___	___
SALZMAN, GINA M N3882 LILY LN HATLEY, WI 54440	2013	4/08/2014		6/30/2014		R-STORE #31	OPERATOR NEW	___	___	___	___
SANDRINI, KATELIN M 1109 S 4TH AVE WAUSAU, WI 54401	2013	3/13/2014		6/30/2014		TREMOR'S BAR	OPERATOR NEW	___	___	___	___
SEUBERT, TORI J 2816 LYNX RD WAUSAU, WI 54401	2013	3/28/2014		6/30/2014		CAMPUS PUB	OPERATOR NEW	___	___	___	___
ST CLAIR, AMBER M 1002 S 5TH AVENUE APT A WAUSAU, WI 54401	2013	3/25/2014		6/30/2014		WAGNER SHELL 4611	OPERATOR NEW	___	___	___	___
TARRAS, MAXWELL S 833 1ST STREET ROTHSCHILD, WI 54474	2013	3/13/2014		6/30/2014		KWIK TRIP #322	OPERATOR NEW	___	___	___	___
THEISEN, RONALD D N3176 PARKWAY RD ANTIGO, WI 54409	2013	4/02/2014		6/30/2014		WALGREENS #13371	OPERATOR NEW	___	___	___	___
THORP, SANDRA M T790 GIETSCH ROAD WAUSAU, WI 54401	2013	4/11/2014		6/30/2014		KWIK TRIP #601	OPERATOR NEW	___	___	___	___
WILLHITE, ADAM D 1212 GRAND AVENUE APT 31 WAUSAU, WI 54403	2013	3/31/2014		6/30/2014		SIDETRACKED	OPERATOR NEW	___	___	___	___
WIRKUS, CASSANDRA 2516 N 76TH AVE WAUSAU, WI 54401	2013	4/07/2014		6/30/2014		KWIK TRIP #322	OPERATOR NEW	___	___	___	___
ZYWICKI, JOHN D 1448 GRAND AVE SCHOFIELD, WI 54476	2013	3/26/2014		6/30/2014		WALGREENS #13371	OPERATOR NEW	___	___	___	___
BIESEL, FRANK R 1703 HEUSS AVE WESTON, WI 54476	2014	4/15/2014	7/29/2014	8/03/2014		WISCONSIN VALLEY FAI	OPERATOR TEMPORARY	___	___	___	___

HEALTH AND SAFETY LIST
 ALL LICENSES
 APRIL 21, 2014

 REPORT ID: LRS530I
 RUN DATE: 5/02/14
 RUN TIME: 16:19:34

<u>NAME</u> <u>ADDRESS</u>	<u>RECORD</u> <u>YEAR</u>	<u>APPLICATION</u> <u>DATE</u>	<u>EVENT START</u> <u>DATE</u>	<u>EXPIRATION</u> <u>DATE</u>	<u>REVOCAION</u> <u>DATE</u>	<u>BUSINESS NAME</u>	<u>LICENSE TYPE</u>	<u>APR</u>	<u>DEN</u>	<u>PEN</u>	<u>OWES</u> <u>DEBT</u>
GAUERKE, BERNARD E 4707 AUGUSTINE AVE WESTON, WI 54476	2014	4/15/2014	7/29/2014	8/03/2014		WISCONSIN VALLEY FAI	OPERATOR TEMPORARY	___	___	___	___
MEVERDEN, HENRY F 811 13TH DR WAUSAU, WI 54403	2014	4/15/2014	7/29/2014	8/03/2014		WISCONSIN VALLEY FAI	OPERATOR TEMPORARY	___	___	___	___
MISSETT, PAUL 915 S 9TH AVE WAUSAU, WI 54401	2014	3/27/2014	6/06/2014	6/08/2014		SUMMERFUN FESTIVAL 2	OPERATOR TEMPORARY	___	___	___	___
PETTIT, JACK M 1967 THOMAS STREET APT #5 MOSINEE, WI 54455	2014	4/15/2014	7/29/2014	8/03/2014		WISCONSIN VALLEY FAI	OPERATOR TEMPORARY	___	___	___	___
SOUTHWORTH, DANIEL G E20883 ST HWY 52 ANIWA, WI 54408	2014	4/15/2014	7/29/2014	8/03/2014		WISCONSIN VALLEY FAI	OPERATOR TEMPORARY	___	___	___	___
SYDOW, ROGER W 3820 N 14TH ST WAUSAU, WI 54403	2014	4/15/2014	7/29/2014	8/03/2014		WISCONSIN VALLEY FAI	OPERATOR TEMPORARY	___	___	___	___
GREIG, CALE T 1016 HENRIETTA ST WAUSAU, WI 54403-1970	2013	4/04/2014		6/30/2015		MILWAUKEE BURGER COM	OPERATOR LAPSED	___	___	___	___
KURTH, GRACE E 1300 N 9TH AVE APT 5K WAUSAU, WI 54401	2013	3/17/2014		6/30/2015		PINE RIDGE MOBIL	OPERATOR LAPSED	___	___	___	___
LABARGE, JENNIFER L 2066 PAINTBRUSH DR KRONENWETTER , 54455	2013	3/14/2014		6/30/2015		JIM'S CORNER PUB	OPERATOR LAPSED	___	___	___	___
ST CLAIR-HAYNES, VICKI M 121 N 2ND AVE WAUSAU, WI 54401	2013	4/14/2014		6/30/2015		THE PLAZA HOTEL & SU	OPERATOR LAPSED	___	___	___	___
WHITE, CORY L 902 S 4TH AVE WAUSAU, WI 54401	2013	4/10/2014		6/30/2015		VARIOUS	OPERATOR LAPSED	___	___	___	___
ULTRA MART FOODS LLC SUB ROUNDYS SUPERMARKETS PO BOX 473 MS 2650 MILWAUKEE, WI 53201-0473	2013	3/31/2014		6/30/2014		PICK 'N SAVE #6405	CHANGE OF AGENT / OFFICER	___	___	___	___
AMAIZING VENTURES LLC 4913 SHERMAN ST WAUSAU, WI 54401	2014	3/28/2014	4/01/2014	3/31/2015		CJ'S GRAB & GO	MOBILE VENDOR - 1 YEAR	___	___	___	___

ORDINANCE OF PUBLIC HEALTH & SAFETY COMMITTEE

Amending Section 5.62.030 Exemptions and Section 5.62.060 Restrictions on Vending

Committee Action: Approved 5-0

Ordinance Number:

Fiscal Impact: None

File Number: 13-0612

Date Introduced: May 13, 2014

The Common Council of the City of Wausau do ordain as follows:

Add ()
Delete (——)

Section 1. That Section 5.62.30 Exemptions, is hereby amended to read as follows:

5.62.030 Exemptions. The following are exempt from the provisions of this chapter **mobile vendors may vend without a license:**

- (a) A person, on behalf of a charitable organization, selling individually wrapped, sealed food items that are prepared and packaged by a licensed processor.
- (b) Mobile vendors vending from mobile vending units that are approved participants of a Special Event under the city's Special Events Policy and Procedures.
- (c) Mobile vendors vending from mobile vending units located on private property with the approval of the property owner or its authorized agent.

Section 2. That Section 5.62.060 Restrictions on Vending, is hereby amended to read as follows:

5.62.060 Restrictions on Vending. **The following restrictions apply to all mobile vendors operating within the City:**

- (a) Vending shall only be permitted between the hours of 7:00 a.m. and that time which is 30 minutes after closing hours for Class "B" licensed alcohol premises as provided in Wis. Stat. §125.32(3).

....

- (k) The licensee **or other operator of a mobile vending unit** shall be present with the mobile vending unit at all times during which products are displayed or sold, except that a licensee **or other operator** may leave his/her vending location and mobile vending unit unattended during lawful vending hours for a maximum of 60 minutes per day, provided the mobile vending unit does not impede pedestrian or vehicular access or traffic.

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. This ordinance shall be in full force and effect on the day after its publication.

Adopted:
Approved:
Published:
Attest:

Approved:

James E. Tipple, Mayor

Attest:

Toni Rayala, Clerk

PUBLIC HEALTH & SAFETY COMMITTEE

Date and Time: Monday, April 21, 2014, at 5:15 pm, (Council Chambers)

Members Present: Rasmussen (C), Gisselman, Kellbach, Neal, Wagner

Others Present: Alfonso, Bliven, Hebert, Rayala, media.

Ordinance amending Section 5.62.030 Exemptions, and Section 5.62.060 Restrictions on Vending.

Rasmussen explained the amendment changes some of the language to clarify when mobile vendors can vend without a license. Alfonso stated the second set of changes was proposed because some people seemed confused as to whether the ordinance applied to them when they were vending at a special event or private property. This clarifies that anyone vending is subject to these rules whether they do or don't have a license, are exempt, are on private property, or on The 400 Block.

Motion by Kellbach, second by Neal to approve the amendments to the ordinance on vending. Motion carried 5-0.

CONFIRMATION OF MAYOR'S APPOINTMENTS

to Boards, Commissions and Committees: *BID Board, Board of Review, Building Advisory Board, N2N Committee, Plan Commission, and Police & Fire Commission*

File Number: 14-0503 **Date Introduced:** May 13, 2014

BID Board

Alfred Nakhla (4)	303 S 1st Ave	Term Exp 12/31/16	715-845-4301
*Reappointment (Business)			
Mark Craig (3)	PO Box 6158	Term Exp 12/31/16	715-849-8480
*Reappointment (Business)			
Maryanne Groat (3)	407 Grant St	Term Exp 12/31/16	715-261-6645
*Reappointment (Government)			
Deb Rice (1)	230 N 5th Ave	Term Exp 12/31/15	715-845-6500
*Replacing Randy Vehasselt (Property Owner)			
Ryan Treu (1)	300 3rd St, Ste 305	Term Exp 12/31/16	715-845-5055
*Replacing Theres Shepherd (Business)			

Board of Review

Dennis Nicoliasen (1)	1813 Crestview Dr	5 Yr Term Exp 4/30/19	715-675-7991
*Replacing Don Haney			

Building Advisory Board

Dave Brandenburg (1)	3802 Topaz Dr	5 Yr Term Exp 10/31/18	715-675-3388
*Master Plumber replacing Ed Genrich			

N2N Committee

Reappointments:

Jon Radtke (5)	703 Franklin St	2 Yr Term Exp 4/30/16	715-848-3755
Tom Holster (2)	3504 Franklin St	2 Yr Term Exp 4/30/16	715-848-1402
Janet Herring (2)	615 1/2 N 3rd St	2 Yr Term Exp 4/30/16	715-845-9435
Richard Holster (2)	2808 Franklin St	2 Yr Term Exp 4/30/16	715-848-1402

Plan Commission

Bruce Bohlken (1)	409 Ross Ave	3 Yr Term Exp 4/30/17	715-551-8659
*Reappointment			
Jim Rosenberg (1)	1806 Plato St	3 Yr Term Exp 4/30/17	715-842-8898
*Replacing Jean Radtke			

Police & Fire Commission

William Graef (2)
*Reappointment

1615 Woodland Ridge Rd

5 Yr Term Exp 4/30/19

715-675-6567

- (N) Individual is filling the unexpired term of a former member
- (#) Individual is in their own full term

Approved:

James E. Tipple, Mayor

RESOLUTION OF FINANCE COMMITTEE

Approving Project Fund Agreement and Application for Program/Fiscal Sponsorship between the City of Wausau and Community Foundation of North Central Wisconsin to fund the proposed Wausau Area Access Channel Production Fund

Committee Action: Approved 4-0

Fiscal Impact: Uncertain

File Number: 01-1213

Date Introduced: May 13, 2014

RESOLUTION

WHEREAS, currently Public Access is funded through the city budget; and

WHEREAS, the city has entered into an agreement with Marathon County for the production of meetings at a rate of \$2,500 per year, ending December 31, 2014; and

WHEREAS, the city has entered into a one-year agreement with the Wausau School District Board of Education and Administration for the production of meetings not to exceed \$5,550, ending December 31, 2014; and

WHEREAS, the Public Access employees have been tasked with seeking funding, in addition to the city budget, to fund the activities of the channel; and

WHEREAS, the Public Access employees would like to seek the help of the Community Foundation for funding and grant writing for the channel; and

WHEREAS, your Finance Committee, at their April 22, 2014 meeting, approved the filing of the Project Fund Agreement and Application for Program/Fiscal Sponsorship with the Community Foundation of North Central Wisconsin to help fund the proposed Wausau Area Access Channel Production Fund.

NOW THEREFORE, BE IT RESOLVED the Common Council of the City of Wausau does hereby approve applying for a Project Fund Agreement and Application for Program/Fiscal Sponsorship with the Community Foundation of North Central Wisconsin to help fund the proposed Wausau Area Access Channel Production Fund and authorizes and directs the appropriate city officials to execute the same.

Approved:

James E. Tipple, Mayor

FINANCE COMMITTEE

Date and Time: Tuesday, April 22, 2014 @ 5:00 pm., Board Room

Members Present: Nagle (C), Oberbeck, Nutting, Winters

Members Excused: Kellbach

Others Present: Tipple, Groat, Jacobson, Giese, Loy, Rasmussen, Wagner, Mielke, Neal, Dickinson, Rayala, media

Approval of Project Fund Agreement and Application for Program/Fiscal Sponsorship between the City of Wausau and Community Foundation of North Central Wisconsin to fund the proposed Wausau Area Access Channel Production Fund

Dave Dickinson explained this was an attempt to go out and find some 501c3 money for productions. There is a process in which we first have to apply to the Community Foundation and if we are accepted it would establish a pass through fund and they would become our 501c3. They would help us organize grant writing and to seek funds which would be dedicated to specific productions or whatever the 501c3 grant specifies. He felt it was a good idea and that it would help smooth out our funding issues because currently by the time we get funding the events are already occurring.

Winters suggested that the Coordinating Committee take this up to talk about having a mechanism to decide which programs to fund or not fund with undesignated monies. 8

Motion by Winters, second by Oberbeck to authorize the Project Fund Agreement and Application for Program/Fiscal Sponsorship. Motion carried 4-0.



APPLICATION FOR PROGRAM/FISCAL SPONSORSHIP

ORGANIZATION INFORMATION

1. Individual, organization, or group submitting request:

Name: David Dickinson/on behalf of

Organization: City of Wausau - Public Access

Mailing Address: 407 Grant Street

Wausau, WI 54403-4783

Phone: 715-261-6550 FAX: Email: david.dickinson@ci.wausau.wi.us

Contact Person: David Dickinson

2. For what period of time is the Community Foundation being asked to serve as fiscal sponsor?

Begin date: March, 2014 End date: March, 2016

How did you arrive at the end date?

3. Has your city group incorporated as a separate legal entity responsible for its own actions? (Attach relevant correspondence) [X] Yes [] No

The City of Wausau is a municipal corporation

4. Does your program plan to become recognized as nonprofit by the IRS by obtaining its own 501(c)(3) status? [] Yes [X] No

If you answered no above, why not? Employees of the City of Wausau operate the channels.

If you answered yes above, what has been done to date in preparation for securing 501(c)(3) status? (Attach relevant correspondence)

5. Do you have liability insurance? Yes, through Cities and Villages Mutual Insurance Corporation

6. Would other fiscal sponsors be involved in your program in addition to the Community Foundation? If so, why? 1. City of Wausau budget \$47,190 2. Contracts for producing meetings: a. County of Marathon \$2500/yr., 2 yrs. ending 12/14 b. Wausau School Board \$25/hr., 1 yr. ending 12/14 c. Independent Producers @ \$50/yr. Name(s)

PROJECT DESCRIPTION

1. What specific, measurable charitable or education outcomes does your group hope to bring about and when? (The lives of how many people will be better and in what specific measurable ways?)
2. Who is serving on the Advisory or Steering Committee for this project? (Please attach list) What other groups or organizations have been involved in planning this effort?
3. The Community Foundation's primary service area includes the greater Wausau and Marathon County area. What geographic "community(ies)" do you expect to benefit?
4. The Community Foundation strives to work with all sectors of the community. What specific groups of citizens do you expect to benefit?
5. A primary objective of the Community Foundation is to encourage endowment building. If your plans include an endowment-building component to help assure long-term attention to your charitable objectives, please describe them.

COMMUNITY FOUNDATION OF NORTH CENTRAL WISCONSIN SERVICES REQUESTED

1. How much money do you anticipate being contributed to this fund within twelve months after the first deposit has been made: \$ _____
How much over the life of the fund: \$ _____
2. When do you expect the first deposit to be made (month/year): ____/____
3. What funds do you anticipate raising for this program, and why do you think these funds will be contributed? How do you plan to raise the money? Will you hold events?
4. Please attach your budget. How many receipts for expenses or requests for grants from the fund do you think the community foundation will be asked to process?
_____ per month or _____ per year.
5. When do you expect to ask the Community Foundation to pay the first expense or grant?
6. Who will submit invoices or requests for grants to the community Foundation for payment from the fund, and why does that person or persons have this authority?
7. If you need services from the community Foundation beyond accepting, receipting, managing or disbursing funds, please indicate what those services are.
8. If the Community Foundation does not serve as fiscal sponsor for this effort, indicate which other non-profit, governmental or religious organization(s) could be a likely candidate to do so, and your reasons for not making this request to them.
9. If you have a written plan of activity for your program, please attach it to this application. If not, explain why?

PROJECT DESCRIPTION

The City of Wausau employs two part-time individuals to operate its public access channels, known as Wausau Area Access Channels (WAAC).

1. We hope to help local non-profit, church and sports organizations to publicize and broadcast their events and raise awareness of local area events. We hope to tape, produce, and broadcast events of local interest beyond which our budget allows. By broadcasting to our northcentral Wisconsin audience, we raise awareness more globally of events of interest in the greater Wausau area.
2. Mayor Tipple oversees the department. Secondly, the employees serve at the request of non-profit organizations or the organizers of events and seek their advice as to how they wish to document their events by video. We have in the past produced events for the River Valley Harmonizers, broadcasting their concerts, Melissa Dotter through the Health Department to raise awareness of alcohol and other drug abuse for broadcast on her youtube channels and ours, and local hockey events through parents organizations.
3. We expect to benefit the viewing area covered by a diamond-shaped area from Minocqua to Westfield and Shawano to Thorp (see attached map for coverage area).
4. We expect to benefit anyone wishing to broadcast their events on public access television, including local softball and soccer leagues, Wausau Music Conservatory, other church organizations, the Marathon County Historical Society, the Whitewater Kayak Course. In addition to benefitting the public through broadcasting of programming on the public channel, we would also like to partner to produce programming that could be broadcast on the government/education channel. Anyone with internet access or Charter cable capability would benefit from the programming produced and broadcast on both channels.
5. Because we are a department of the City of Wausau, a municipal corporation, we have no endowment building or charitable objectives.

COMMUNITY FOUNDATION OF NORTH CENTRAL WISCONSIN SERVICES REQUESTED

- 1-3. It is difficult to anticipate the amount of contributions that may be made on behalf of a particular project or for a particular purpose (sports, music, hobby) within 12 months. We anticipate that those wishing to retain anonymity in their donations will make donations for productions, when donating directly to the City does not allow for that.
4. Please see attached budget. 4-6.
7. We would gladly accept help with marketing, and writing grants to help fund the channels, as well as locating sponsors.

8. We have been tasked with seeking funding in addition to the city budget to fund the activities of the channel.
9. See attached written plan of activity.

If it serves as your fiscal sponsor, the Community Foundation must ensure that the outcomes of your program are consistent with the purposes of the Community Foundation of North Central Wisconsin. By signing this request, you are agreeing to provide the Community Foundation with minutes of your board or steering committee meetings, and to respond in writing to periodic questions from the Community Foundation regarding activities of your program. We reserve the right to request additional information.

Signature: _____ Date: _____

Title: Mayor, City of Wausau

Proposed Name of Fund: City of Wausau Public Access Production Fund



Project Fund Agreement

Community Foundation of North Central Wisconsin (CFONCW) may provide administrative services to charitable activities regardless of whether or not a legal entity exists.

- If a legal entity exists, proper documentation is required (articles of incorporation, bylaws, tax-exempt ruling, etc.)
• If no legal entity exists, a written statement of purpose, individuals involved, those benefited and other pertinent information is required.

The role of CFONCW is to administer these funds. Administrative services include:

- Receiving donations;
• Maintaining records and reporting to fund raisers;
• Carrying out correspondence with fund raisers, donors, vendors, and others;
• Properly acknowledging donations of all sizes;
• Investing funds in short term, cash equivalent securities;
• With proper authorization, disbursing funds to a legal entity, if one exists, or if none exists, to vendors, etc. to the project.

Services are rendered on a project basis to be completed within schedule or reasonable time frame.

The Community Foundation will charge 1.5% on all gifts and retain earnings from the fund as a fee for its services.

Notwithstanding anything herein to the contrary, the Fund shall at all times be held and administered in accordance with the provisions of the Articles and Bylaws of the Foundation which are hereby accepted and agreed to by the undersigned, including those provisions relating to amendment, termination and variance from donors' direction. The undersigned acknowledges that under the provisions of the Articles and Bylaws, and as required by regulations promulgated pursuant to the Internal Revenue Code of 1986, as amended, the Foundation has explicit authority to redirect the assets of any fund it administers. However, the Community Foundation does not anticipate exercising such authority unless, in the opinion of the Board of Directors, the purposes for which the fund was established become unnecessary, incapable of fulfillment, or inconsistent with the needs of the community.

Accepted by: _____ James E. Tipple, Mayor Date: _____
Signature Print Name

On behalf of: City of Wausau Public Access Production Fund
Name of Fund

Accepted by: _____ Toni Rayala, City Clerk Date: _____
Signature Print Name

On behalf of: Community Foundation of North Central Wisconsin

Person(s) designated to authorize disbursements from the fund:

Signature Print Name

Signature Print Name

The City of Wausau's Wausau Area Access Channels (WAAC) would like to build on our past practice of finding community organizations and events that can benefit from our ability to record, produce and broadcast to a large area in Central Wisconsin. We hope to engage the Community Foundation in identifying donors interested in funding the production of specific programming, and in some special instances, fund off site equipment. While the City of Wausau budgets for the administrative costs of operating the WAAC channels, it is producers that fund specific programs. Our hope is to establish a fund to help pay production costs for a number of events.

We have in the past broadcast whitewater kayaking, organ concerts, River Valley Jazz events, Marathon County Court informational videos, high school sports, Badger State Games and curling events, to list a few.

The diverse nature of these productions makes it difficult to write an all-encompassing plan of action. The curling coverage that WAAC has produced in the past would serve as a good example of how our future productions could benefit from the proposed funding model.

A good example of nonproduction off site equipment funding would involve the new curling facility which has a unique one-time requirement. WAAC would require approximately \$3,800 to install infrastructure and wiring in the building for future recording and broadcasts. This infrastructure could be used by any broadcaster and the cost could possibly be shared.

For productions of curling events, the ideal model for funding would involve grants and donations procured well in advance of the curling season. Once funding has been agreed upon and procured, WAAC can organize staff and plan shooting schedules for bonspiels that are on the calendar for the curling season. We would anticipate that all productions would be recorded "live" and broadcast at a later time on our channels and our video on demand site. Additionally DVDs of the events are produced and sold for a nominal fee to participants that have travelled to our community.

All members of our production crew would be (City) WAAC employees or trained volunteers. The cost of production would be reported for each event. Upon completion, an invoice would be submitted to the Community Foundation.

The fund is intended to apply to all productions. It is assumed that some donors or grants will require that specific funds apply to specific events. WAAC will abide by any cost limitations or restrictions placed on donations or grants by donors.

Any additional underwriting or sponsorships needed outside of Community Foundation funding will follow PBS underwriting guidelines.

Wausau Area Access Channels 2014 Account Numbers and Budget Amounts

	<u>Administration Budget</u>	<u>Production Budget</u>
Personnel		
152 2591250 Wages - Programmers	\$15,000.00	
Wages - Production		\$6,000.00
	\$15,000.00	\$6,000.00
Contactual Services		
152 2592490 Repair / Maintenance	\$2,000.00	\$1,850.00
Nexus Streaming Subscription	\$3,000.00	
City County Data Service Fees	\$2,125.00	
	\$7,125.00	\$1,850.00
Supplies & Expense		
152 2593120 Office Stationary / Forms	\$100.00	
152 2593121 Paper	\$100.00	
152 2593130 Printing / Duplication	\$200.00	
152 2593190 Other Office Supplies	\$125.00	\$150.00
152 2593240 Membership Dues	\$550.00	
152 2593350 Meals	\$195.00	
152 2593360 Lodging	\$400.00	
152 2593390 Meeting Expenses	\$400.00	
152 2593490 Other Operating Supplies	\$1,000.00	
	\$3,070.00	\$150.00
Capital Outlay		
152 2598132 TV Production Equipment	\$9,000.00	
152 2598190 Other Capital Equipment	\$4,995.00	
	\$13,995.00	\$0.00
	\$39,190.00	\$8,000.00
Revenue Accounts		
152 2581110 Cable Franchise Fee	\$15,000.00	
152 2588332 Sale of Program copies		
152 2588410 Private Orgs & Industry Donations		
152 2588413 Operating Money from Cable Co.		
152 2588414 Capital Equipment Money from Cable Co.		
152 2588419 Friends of WAAC Donations		
152 2588442 WAAC Program Production Donations		
Revenues from Wausau City Council		\$1,500.00
Revenues from County Board		\$2,500.00
Revenues from School Board		\$1,500.00
Revenues from Other Productions		\$3,500.00
	\$15,000.00	\$9,000.00

RESOLUTION OF PARKING & TRAFFIC COMMITTEE

Designating No Right Turn on Red signage for northbound 17th Avenue traffic at the W. Bridge Street intersection

Committee Action: Approved 5-0

Fiscal Impact: None

File Number: 14-0507

Date Introduced: May 13, 2014

RESOLUTION

WHEREAS, a homeowner in the adjacent area of 17th Avenue and W. Bridge Street expressed safety concerns regarding backing out of her driveway onto W. Bridge Street due to the high volume of traffic; and

WHEREAS, your Parking and Traffic Committee, at their March 20, 2014 meeting, discussed the matter and the possibility of installing a no right turn on red sign; and

WHEREAS, your Parking and Traffic Committee recommended this matter be further studied by staff; and

WHEREAS, your Parking and Traffic Committee, at their April 17, 2014 meeting, discussed the staff recommendations and approved the installation of a no right turn on red for northbound 17th Avenue traffic at W. Bridge Street between 6 AM and 6 PM.

NOW THEREFORE, BE IT RESOLVED that the Common Council does hereby approve the installation of a no right turn on red sign for northbound 17th Avenue traffic at W. Bridge Street between 6 AM and 6 PM.

Approved:

James E. Tipple, Mayor

Parking and Traffic Committee Meeting Minutes

Date of Meeting: Thursday, April 17, 2014, 5:30 pm., in the Birch Room at City Hall
Members Present: Abitz{C}, Kellbach, Winters, Mielke, Nutting
Others Present: Lt. Pekarske, Alfonso, Wagner, Lang, Candace & Craig Johnson, Pat Jozwiak

In accordance with Chapter 19, Wisconsin Statutes, notice of this meeting was posted and sent to the Daily Herald in the proper manner. It was noted that there was a quorum present and the meeting was called to order by Chairperson Abitz at 5:33 pm.

(2) Discussion and possible action: To adjust the traffic signal timing or install “No Right Turn on Red” signage for northbound 17th Avenue traffic at the W. Bridge Street intersection.

Discussion: This topic was discussed at previous meetings and the City staff was asked to bring back recommendations.

Lt. Pekarske stated that he and Allen researched and observed this area at the end of March and beginning of April between 0700-0800, 1200-1300, and 1500-1600. There was a 10 to 20 second traffic gap approximately every 2 minutes during light cycles. North/South green and then East/West turn arrow provides ample traffic gaps with little to no traffic eastbound traffic on Bridge Street. The DOT guidelines are based upon research and best practice for traffic safety and flow of traffic and does not support a “No right on red” at this location. Bridge Street has been and will continue to be a major thoroughfare through the city. Any changes will have significant impact on the flow of traffic at this intersection effecting thousands of motorists daily and potentially back up traffic on 17th Avenue. Based upon the observational data of the intersection, combined with the DOT guidelines for “No right turn on red” signs, it is recommended that no change be made as during the day there is adequate traffic gaps to safely enter EB Bridge Street and the roadway and intersections are designed to handle high volumes of traffic in a safe and efficient manner with their current markings.

Nutting asked if during the observation, did anyone pull into the driveway and back out? Pekarske stated no.

Committee members discussed various time frame limits, more police presence in the area, or bringing the speed trailer to the area. Pekarske indicated that this particular area would be difficult to enforce due to the area layout and volume of traffic. Wagner stated that he has talked numerous times with the resident that is having difficulty getting out of her driveway and feels that this is a safety issued for the four residents on W. Bridge Street, along with those who are trying to enter Bridge St. from 12th Avenue as well.

Wagner stated that he is an advocate of the study, however, the study is for the majority and common sense says that it is not safe for the few residents. He would like to try the signage and see it fail than not do anything at all. He understands this is not an easy solution.

Pekarske stated that the DOT safety engineers do not recommend a trial and error use of street signs because thousands of motorists pass through every day and motorists should not be looking for constant changing of signs.

Abitz asked ACA Alfonso if there are any liability issues with putting up the sign. Alfonso stated that the city is bound by MUTCD guidelines and Allen stated this was not in the MUTCD. However, Alfonso reminded the committee members that anyone can sue the city at any time. Pekarske reminded the Committee of a situation in the Town of Rib Mountain which resulted in a law suit.

Motion made by Nutting, to install the “No Right Turn on Red” sign for the northbound 17th Avenue traffic at the W. Bridge Street intersection, second by Mielke. After further discussion, the motion was amended to install the “No Right Turn on Red” sign for the northbound 17th Avenue traffic at the W. Bridge Street intersection between 6AM and 6PM. No objections to the amendment, the Motion approved 5-0.

ORDINANCE OF THE PLAN COMMISSION

Rezoning 2105 North 2nd Street from M1, Limited Industrial District and 2102 North 2nd Street from M2, General Industrial District, to B2, Community Service District.

Committee Action: Approved 4-0

Fiscal Impact: None.

File Number: 14-0506

Date Introduced: May 13, 2014

The Common Council of the City of Wausau do ordain as follows:

Section 1. **That the site of lands described as follows:**

*Dunbar & Browns Addition to Their Riverview Addition, Part of Lot 5 & All of Lot 6, Block 6, As Described as Lot 1 of CSM Volume 52, Page 67 (12179), **MORE COMMONLY KNOWN AS 2105 NORTH 2ND STREET***

now comprising a part of M1, Limited Industrial District, according to the Zoning Ordinance of the City of Wausau is hereby rezoned to B2, Community Service District

*North 254' of that Part on NW, NW Lying Easterly of the Railroad Right-of-Way Westerly on 2nd Street & Southerly of Wausau Avenue, Section 25, Township 29 North, Range 7 East, **MORE COMMONLY KNOWN AS 2102 NORTH 2ND STREET***

now comprising a part of M2, General Industrial District according to the Zoning Ordinance of the City of Wausau is hereby rezoned to B2, Community Service District

Section 2. This change in zoning shall be designated on the official city zoning map.

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. This ordinance shall be in full force and effect from and after its date of publication.

Adopted:
Approved:
Published:
Attest:

Approved:

James E. Tipple, Mayor

Attest:

Toni Rayala, Clerk



Department of Public Works
Planning Division

Brad Lenz, AICP
City Planner

STAFF REPORT

TO: City of Wausau Plan Commission
FROM: Brad Lenz, City Planner *BL*
DATE: April 4, 2014

GENERAL INFORMATION

APPLICANTS: Elizabeth Hinner, THRIVE foodery;
City of Wausau

LOCATIONS: 2105 N. 2nd Street;
2102 N. 2nd Street

EXISTING ZONING: M1, Limited Industrial District;
M2, General Industrial District

REQUESTED ZONING: B2, Community Service District

PURPOSE: To allow for a restaurant with outdoor dining, and commercial uses
in a building owned by the Community Development Authority.

EXISTING LAND USE: Vacant commercial building

SIZE OF PARCEL: 0.63 acres combined

SURROUNDING LAND USE AND ZONING:
North: Manufacturing; M2, General Industrial District
South: Distribution warehouse; M1, Limited Industrial District
East: Single family homes; R3, Two family Residence District
West: Vacant industrial building; M2

See attached Zoning Map

ANALYSIS AND RECOMMENDATION

The proposed rezoning request is for two parcels of land on the east and west sides of 2nd Street, just south of Wausau Avenue. The eastern property is privately owned, and is slated for a new restaurant/foodery. The western parcel is owned by the Community Development Authority, and is being rezoned to potentially redevelop with a commercial use in the future. Together, the parcels meet the minimum land area required for a zoning map amendment.

Per the Wausau Municipal Code, the plan commission shall make a recommendation to the Common Council on a zoning change based upon the evidence presented in each of the following matters where applicable:

- (a) Existing use of property within the general area of the property in question and the effect the proposed rezoning is likely to have on these land uses;
- (b) The compatibility of the land uses which would be permitted by the zone change with the existing or planned land uses within the general area of the property in question;
- (c) The zoning classification of property within the general area of the property in question;
- (d) The suitability of the property in question to the uses permitted under the existing zoning classification;
- (e) The trend of development, if any, in the general area of the property in question, including changes, if any, which have taken place since the day the property in question was placed in its present zoning classification;
- (f) Whether the proposed zone change is generally consistent with the goals, objectives and policies identified in the City of *Wausau Comprehensive Plan*
- (g) The nature and extent of the input received at the public hearing regarding the proposed zone change;
- (h) The precedence, if any, that approval of the requested zoning could have on similar requests made elsewhere in the city; and
- (i) If the property was recently annexed, the zoning classification of the property prior to annexation.

Below are staff comments on the above standards for zoning map amendments.

The attached zoning map shows a mix of industrial and residential zoning districts in the area of the proposed zoning map amendment. Within these zoning districts is a mix of land uses, including single family homes, an athletic field, retail stores (e.g., music, sporting goods), and industrial businesses. Generally, industrial districts are less compatible with residential districts than are commercial districts. Commercial zoning for the subject parcels is not likely to have a substantial impact on surrounding properties as there are existing commercial businesses in the area and the existing residential areas are likely to be more compatible with the uses allowed in the B2 district than in the M1 and M2 districts.

The property is suitable for a commercial use, given its proximity to a redeveloping Athletic Park and the riverfront. As noted by the petitioners, it is also near the central business district and Bridge Street, which is a major thoroughfare. In 2012, a conditional use was approved for a retail sporting goods store at 106 E. Wausau Avenue. The City is planning to add sidewalks on

the north side of Wausau Avenue to connect Athletic Park to the riverfront. The two properties proposed for rezoning can further add to the redevelopment efforts in the area.

On-site parking for the building at 2105 N. 2nd Street is minimal, especially for a commercial use, but off-street parking is available in the surrounding area to serve the property. The petitioners are proposing a parking lot at 112 E. Wausau Avenue. See attachments for renderings of the parking lot. According to Wausau Municipal Code 23.26.160, buildings may be served by parking facilities located on land other than the zoning lot on which the building is located, provided such facilities are within five hundred (500) feet walking distance of a main entrance to the use served. The proposed parking lot would be located well within the 500-foot buffer.

The number of parking stalls required for a restaurant is based upon its capacity in persons. Off-street parking stalls shall be provided for thirty percent (30%) of the building's capacity (WMC 23.28.080). In this case, staff is estimating the building occupancy to be approximately 100 persons, which would require 30 off street parking spaces. With a parking lot at 112 E. Wausau Avenue, and minimal on-site parking spaces, the parking standard can be met.

Regarding consistency with the Comprehensive Plan, as is the case with most rezonings, the plan does not give specific recommendations for individual parcels. Some guidance, however, can be found in the plan's goals, objectives, and policies. Under the community growth goal to expand Wausau's tax base, employment opportunities, and industrial mix (Community Growth Goal 2, page 16), the first policy is that the City "supports and encourages redevelopment and reinvestment in underutilized properties to strengthen the City's tax base, enhance its environmental quality, and foster opportunities for new jobs..." The proposed rezoning does not seem to contradict other areas of the comprehensive plan.

At the time of this report, the Planning office had received a couple of questions from neighbors about the proposed rezoning, but no formal opposition was made.

Staff is not concerned about the precedence of the rezoning request, because (a) the area already contains other commercial uses, (b) industrial uses in the central city have been giving way to other uses, (c) this area is redeveloping into a more active commercial area, and (d) historical uses of buildings sometimes need to change in order for the buildings themselves to be preserved.

Staff recommends approval of the zoning map amendment.

PLAN COMMISSION

Time and Date: The Plan Commission met on April 15, 2014, at 5:00 p.m. in the Common Council Chambers of Wausau City Hall.

Members Present: Mayor Tipple, Marquardt, Radtke, Valitchka, Oberbeck, Nutting (arrived at 6:25 p.m.)

Others Present: Lenz, Hebert, DeSantis, Woldt, Close, Peters, Hazuka, Uttech, Neal, Luecher, Hinner, Lorio, Gisselman, Salzman, Kreager, Ghidorzi, Guld, Engen

In compliance with Chapter 19, Wisconsin Statutes, notice of this meeting was posted and transmitted to the *Wausau Daily Herald* in the proper manner.

Mayor Tipple called the meeting to order at approximately 5:00 p.m. noting that a quorum was present.

PUBLIC HEARING: Rezone 2105 North 2nd Street from M1, Limited Industrial District and 2102 North 2nd Street from M2, General Industrial District to B2, Community Service District (Hinner).

Elizabeth Hinner, 2105 North 2nd Street, said that she would like to change the zoning to B2 with a conditional use for an outdoor dining area. The location is kitty-corner to Athletic Park. A residential area is to the east, which is to the side and back of the property. Hinner showed a rendering of the exterior of the building. The property was the Children's Theatre and prior to that it was Marathon Press. The property will be maintained and updated. A rendering showing 6 tables for an outdoor dining area was presented.

Gary Gisselman, Alderperson for District 5, said that he is a neighbor of the project and looks forward to the project. This will be a nice sprucing up of the neighborhood and will help revitalize this part of Wausau, especially the Wausau Avenue area. Gisselman said he looks forward to the new neighbors and will be a great addition.

Mayor Tipple closed the public hearing.

Lenz said that there will be 2 items on the agenda for this project. The first item will be to rezone this property and a property owned by CDA, from manufacturing to commercial. He said commercial zoning would be more complementary to the area, than the current industrial zoning.

Oberbeck motioned to rezone 2105 North 2nd Street from M1, Limited Industrial District and 2102 North 2nd Street from M2, General Industrial District to B2, Community Service District. Marquardt seconded, and the motion carried unanimously 4-0. Valitchka abstained from voting on this item. This item will go to Common Council on May 13, 2014.

Company Description

With Thrive foodery we are creating a chef owned community driven restaurant that will successfully please our guests and make a positive contribution to our neighborhood and the area economy.

Our concept and success will be based on listening to our community needs and fulfilling them with menus and preparations that will evolve depending on local farm offerings and seasonal changes. Dinning at our “kitchen bar” will offer guests an open and honest approach to food preparation. Our open kitchen design will provide interaction with the chefs that will offer our guests the experience to learn different cooking techniques and styles as well as give them the opportunity to sample the dishes created.

The bar area will feature local Wisconsin microbrews and unique infused vodkas.

As an expansion of the restaurant, our foodery concept involves mixing a contemporary restaurant with a small locally sourced market. Our guests will not only have the opportunity to purchase locally sourced products but will also be able to purchase these products in a ready prepared state straight from our kitchen.

Our redesign concept involves repurposing an existing warehouse structure. For our interior design we plan to include a private dining area that can be reserved for business meetings and social gatherings. As a warmer weather bonus, a once industrial loading dock will be transferred into a outdoor dining area. We plan to use locally sourced materials as well as locally employed craftsman of all trades to help with this transformation.

Vision Statement

THRIVE foodery will be a sustaining restaurant committed to the economic support and growth of our community.

Mission Statement

THRIVE foodery will be honest in everything we do for our guests, our employees, in the preparation of our food and with our local producers and vendors.

Goals and Objectives

THRIVE foodery’s primary goal is to provide Wausau and the surrounding area with a unique approach to food preparation and presentation, and operation of a restaurant business.

As experienced operators in the community, our objectives include:

- Utilizing our contacts with area farms to source products that are high in quality and support our local economy.
- Creating a new standard for food preparation that embraces honesty and transparency
- Be aware of the evolving market research that supports our concept and reflects upon:
 - The changes in what people are looking for from restaurants
 - The influences and popularity for food based reality shows.
 - Public demand for locally sourced and honest food and its preparation.

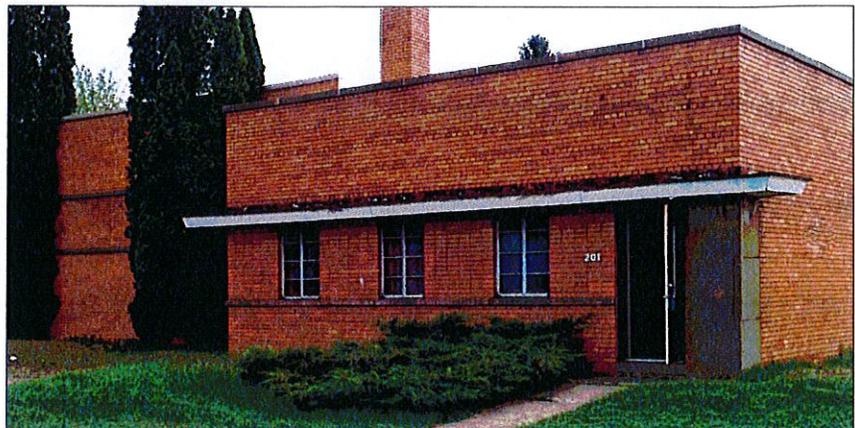
To achieve these objectives, we will employ the following strategies:

- **Local Products** – We will shop local markets, build on our relationships with local farms and purveyors to seasonally change menus depending on availability.
- **Customer Service** – All team members will be consistently motivated to go beyond accepted service standards and give our guests a unique and satisfying personal experience.
- **Innovation** - We will maintain an open-minded approach and continue to be innovators, not imitators. It is vital that we accept potential social influences and market trends and keep our guests' best interests in mind when considering menu changes.
- **Community Involvement** – We take great pride in contributing to local area events and non-profit organizations. We will give of our time, we will mentor, and we will donate the product of our work. Consistent participation in this fashion will cultivate a mutually beneficial relationship with the community. That will be important to us and our brand recognition.

Location and Building

Our evaluation of the real estate market and economic development trends led us to purchase a former commercial building at 201 E. Wausau Avenue (See photo). It is on the industrial edge of an established residential neighborhood two blocks from the Wisconsin River. It increases the potential for our local restaurant foodery concept.

The building is located one block each from Athletic Park baseball stadium and the River Edge Parkway, and eight blocks from the central business district (accessible by the River Edge Parkway or sidewalk).



Future Home of THRIVE foodery

THRIVE foodery will be four blocks north of Bridge Street which is an arterial thoroughfare providing connections to major inter-urban routes and is a preferred exit off I 39/USH 51 into the city center.

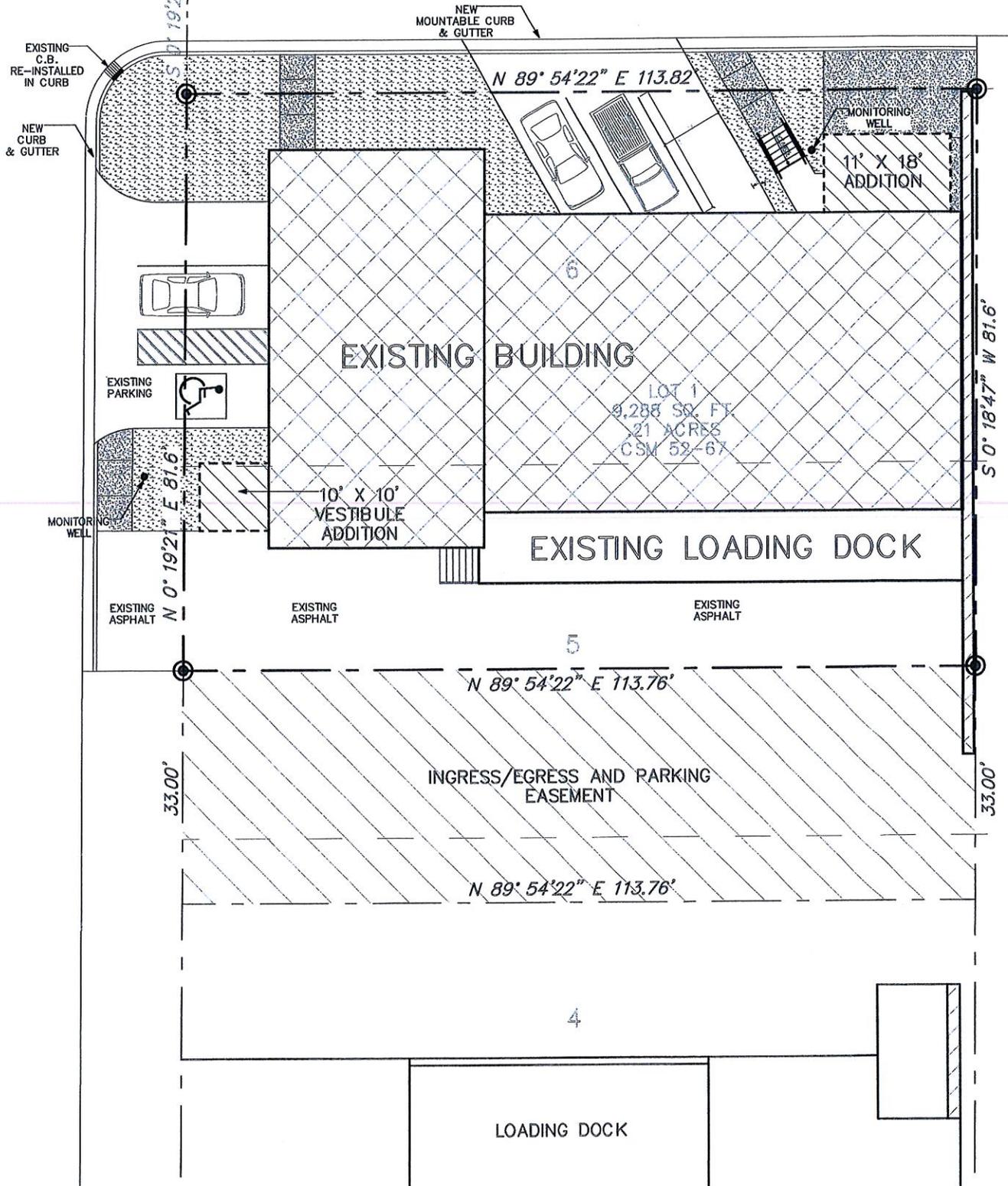
It is a 4,812 SF brick building that formerly housed a printing business and warehousing space. We envision converting the south side loading dock to patio use. Please refer to preliminary drawing attachment.

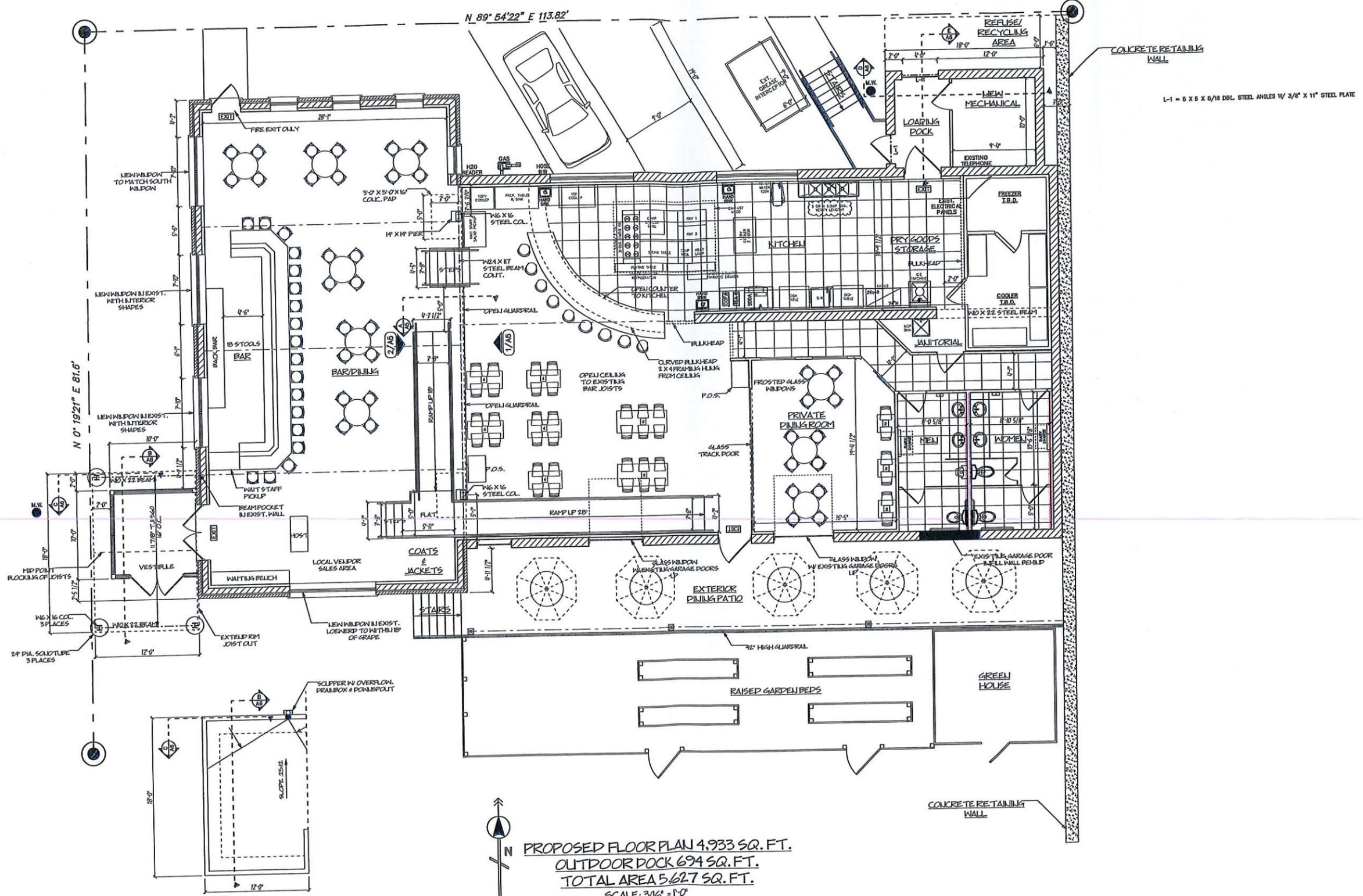
The parcel shares an easement for a parking lot with the adjacent property to the south. We have created a partnership with Great Lakes Cheese to lease a portion of their land to develop a 25 spot parking lot area for our guests.

WAUSAU AVENUE

N 89° 54'17" W 184.052'

SECOND STREET





L-1 = 6 X 6 X 5/16 DBL. STEEL ANGLES W/ 3/8" X 11" STEEL PLATE

N 0° 19' 21" E 81.6'

N 89° 54' 22" E 113.82'

ENTRY ROOF PLAN
SCALE: 3/16" = 1'-0"

PROPOSED FLOOR PLAN 4,933 SQ. FT.
OUTDOOR DOCK 694 SQ. FT.
TOTAL AREA 5,627 SQ. FT.
SCALE: 3/16" = 1'-0"
REVISED 03-20-2014

Marathon Technical Services LLC
2000 Lester Street
Weston, WI 54476-1750
Phone & Fax (715) 843-7292
www.mtsllc.net

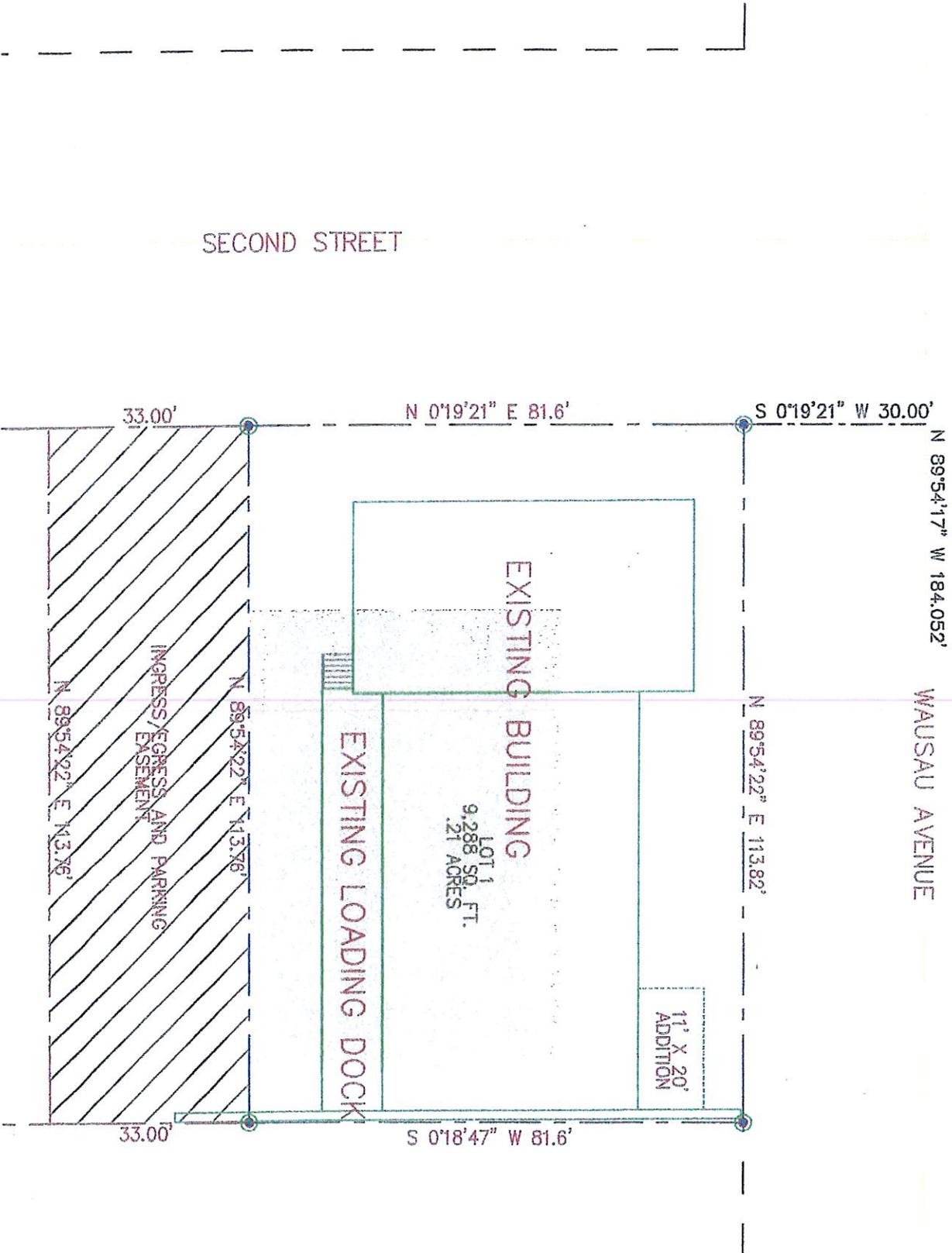
REVISION DATE
SUBMITTED 03/10/2014
DRAWN BY P.A.V.
APPROVED: N.S.L.
01/17/2014
02/07/2014

THRIVE FOODERY
PROPOSED NEW RESTAURANT
RUSSELL BLVD. ST.
WISCONSIN 54420

MTS
Consulting
Engineers
Marathon Technical Services LLC
2000 Lester Street
Weston, WI 54476-1750
Phone & Fax (715) 843-7292
www.mtsllc.net

3/16" = 1'-0"
SHEET NO.
A4.1

Existing Zoning - M1



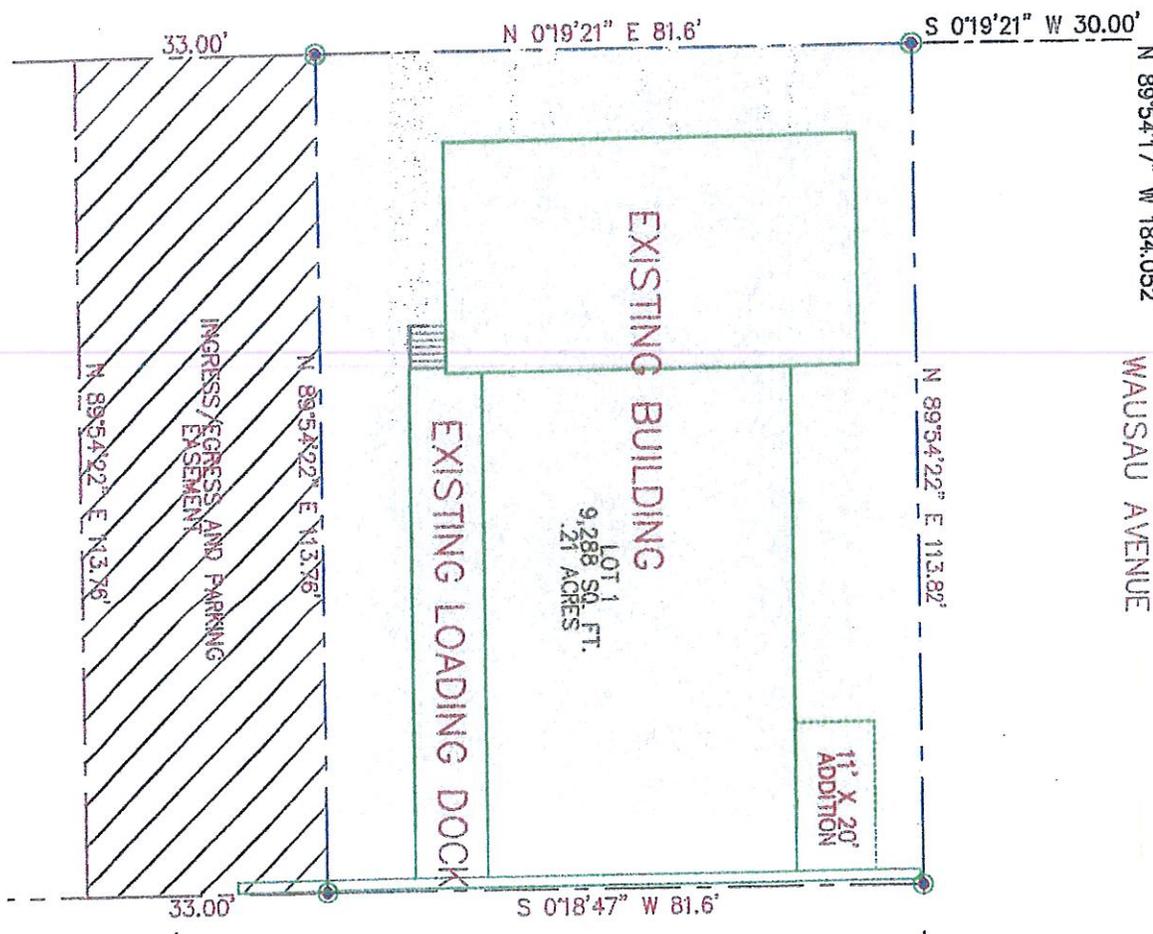
SECOND STREET

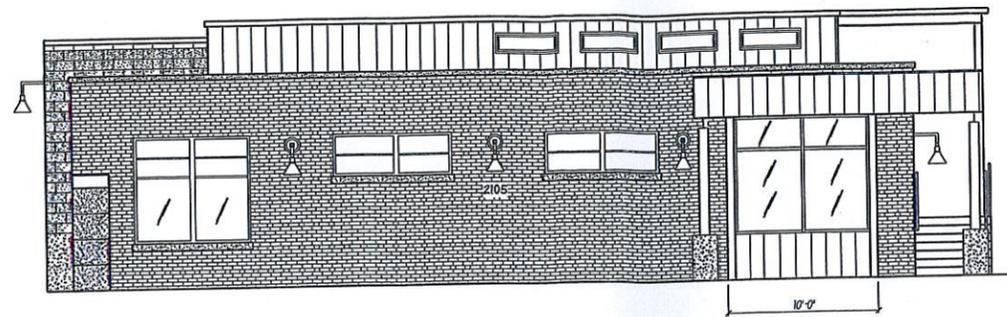
WAUSAU AVENUE

Proposed Zoning - B2

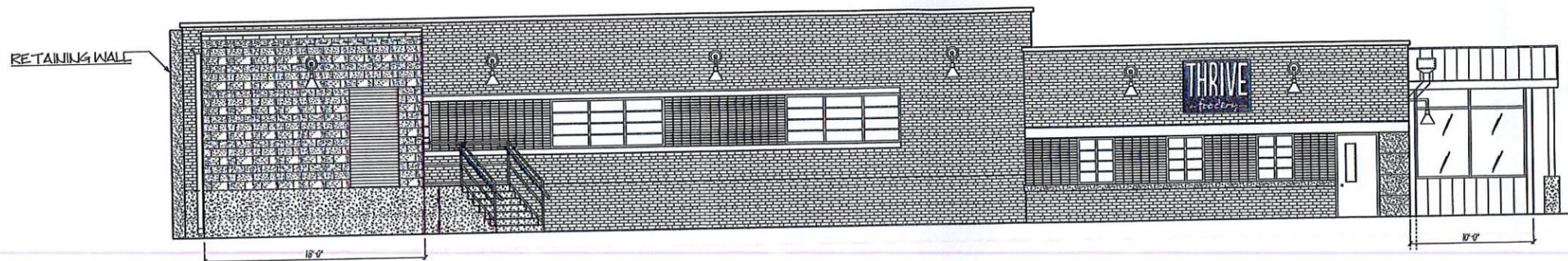
SECOND STREET

MAUSAU AVENUE

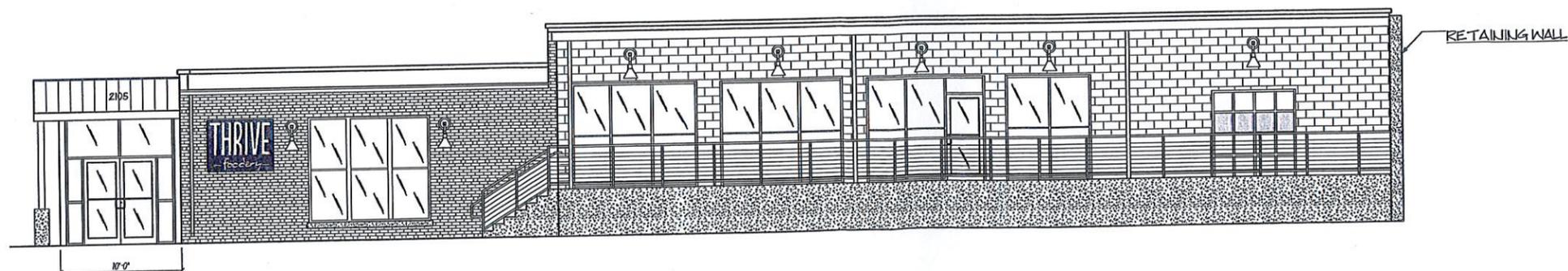




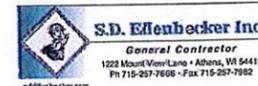
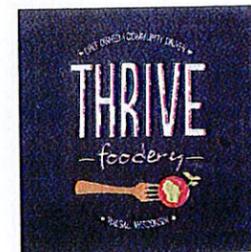
PROPOSED WEST ELEVATION
SCALE: 3/16" = 1'-0"



PROPOSED NORTH ELEVATION
SCALE: 3/16" = 1'-0"



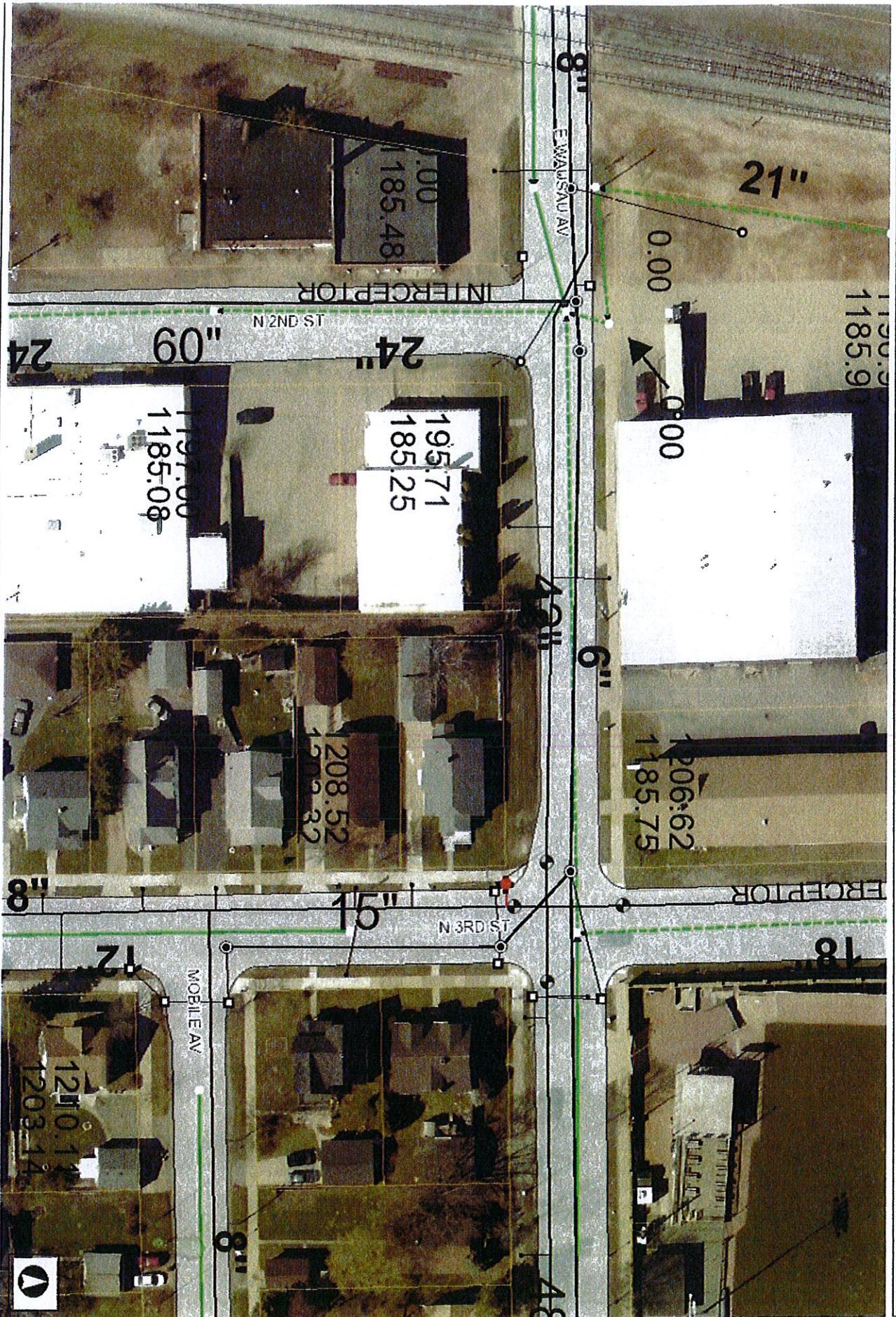
PROPOSED SOUTH ELEVATION
SCALE: 3/16" = 1'-0"



PRELIMINARY
NOT FOR CONSTRUCTION

MTS Consulting Engineers
Marathon Technical Services LLC
2000 Lester Street
Weston, WI 54476-1750
Phone & Fax (715) 843-7292
www.mtsllc.net

SURVEYED, OTHERS DESIGN BY P.L.A. APPROVED: A.S.B.	REVISION DATE 08/05/2014	Marathon Technical Services LLC 2000 Lester Street Weston, WI 54476-1750 Phone & Fax (715) 843-7292 www.mtsllc.net
THRIVE FOODERY PROPOSED NEW RESTAURANT 2105 N. WALD ST. WAUSAU, WI 54985		3/16" = 1'-0" SHEET NO. A2.1



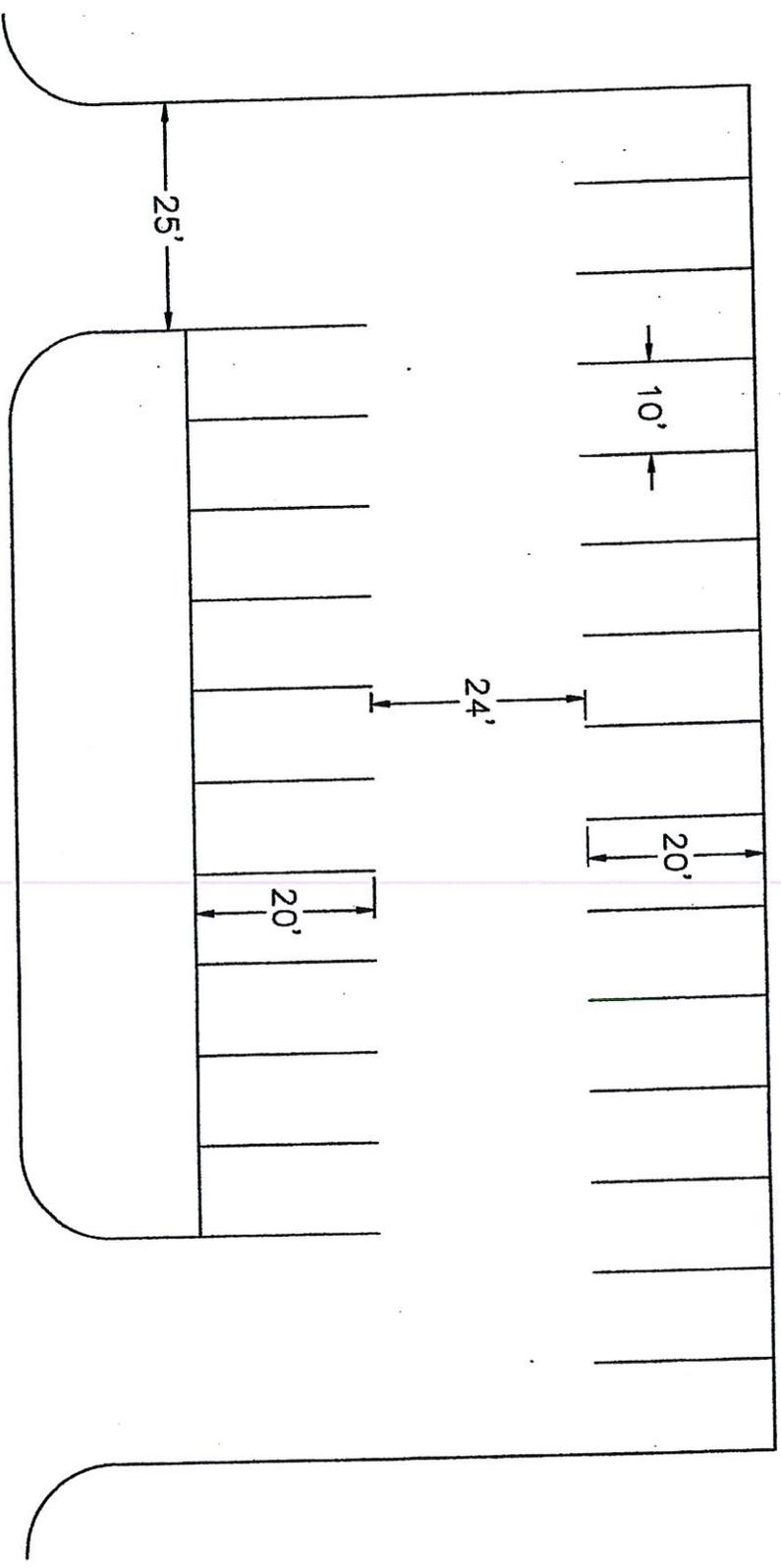
Legend

- Parcels
- * Manhole
- Inlet (W/C
- o Catch Ba
- * Downsp
- o Inlet/Bo
- o Overlark
- Open Dir
- Main
- Collector
- o Culvert
- Force
- Intercept
- Overflow
- Fire Hydr
- Water Va
- * Buttery
- * Curstop
- * Gate Val
- * Tapping
- Back Flo
- Hydrant L
- Fireline
- Hydrant L
- Water Mz
- Water Mz
- East Side
- East Side
- Speed 2
- Upper W
- West Side
- Manhole
- Gravily V
- * Collector
- * Intercept
- Force Ma
- Paved Rk
- Stream -
- Pond - Le
- Ortho (2C

Notes

DISCLAIMER: The information and depictions herein are for informational purposes and Marathon County-City of Wausau specifically disclaims accuracy in this reproduction and specifically administers and advises that if specific and precise accuracy is required, the same should be determined by procurement of certified maps, surveys, plats, Flood Insurance Studies, or other official means. Marathon County-City of Wausau will not be responsible for any damages which result from third party use of the information and depictions herein or for use which ignores this warning.

THIS MAP IS NOT TO BE USED FOR NAVIGATION



SCALE
1" = 20'

PARKING TEMPLATE

SURVEYED:
DESIGNED:
DRAWN BY:
APPROVED:

REVISION DATE

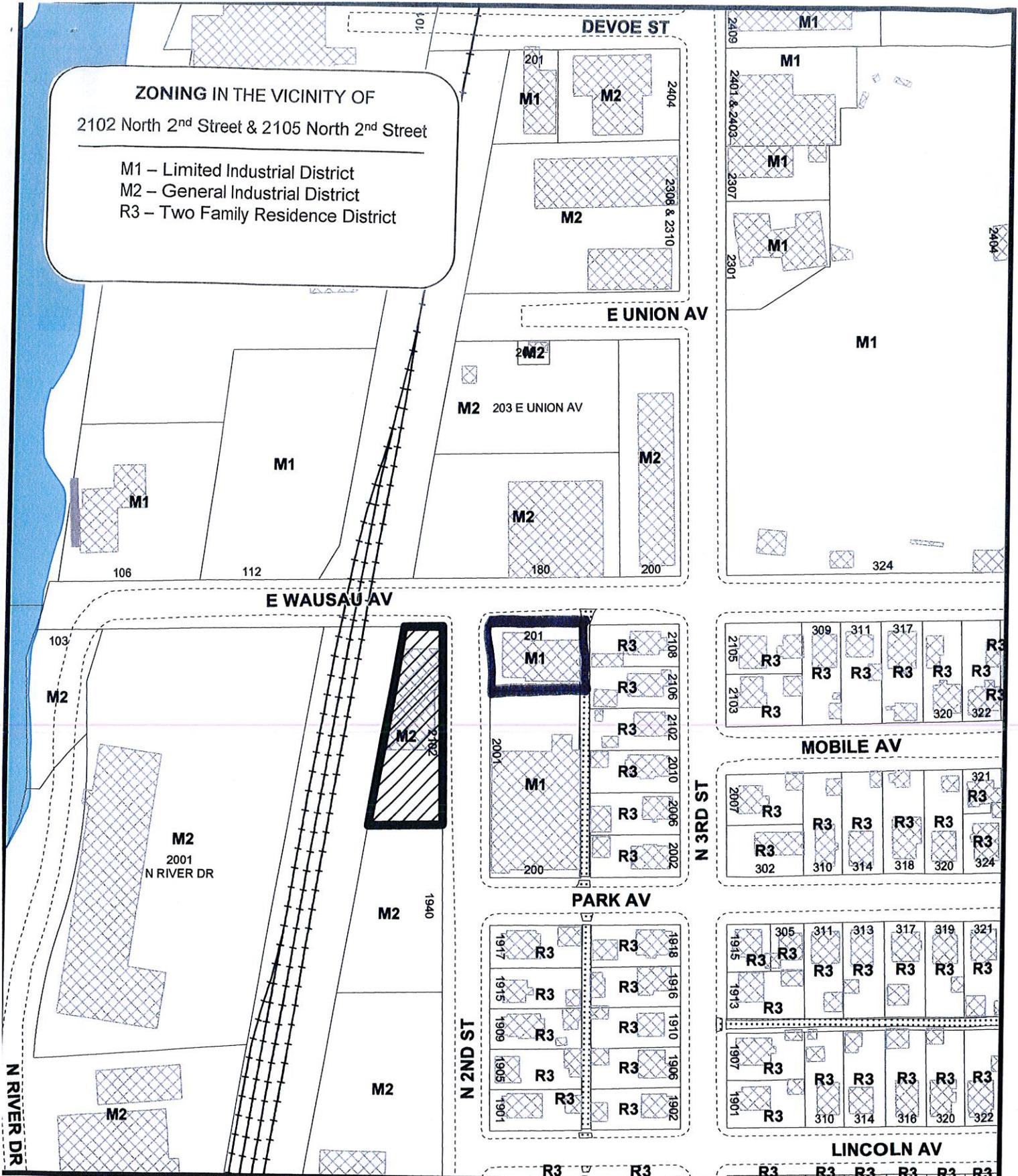
MARATHON TECHNICAL SERVICES LLC
CONSULTING ENGINEERS
2000 LESTER ST - WESTON, WI 54476
PHONE & FAX - (715)843-7292
WWW.MTSLC.NET

FIG 1

THRIVE
CITY OF WAUSAU, MARATHON CO.

ZONING IN THE VICINITY OF
 2102 North 2nd Street & 2105 North 2nd Street

- M1 – Limited Industrial District
- M2 – General Industrial District
- R3 – Two Family Residence District

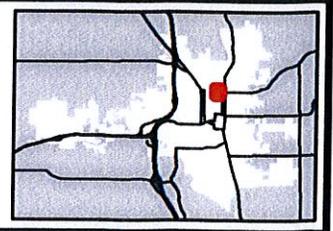


Date: 31 Mar 2014

City of Wausau
 Marathon County Wisconsin



- Building
- Road Paved
- Petitioner's Property



CITY OF WAUSAU, 407 Grant Street, Wausau, WI 54403

RESOLUTION OF THE PLAN COMMISSION

Approving a conditional use at 2105 North 2nd Street to allow for outdoor dining, in a B2, Community Service District.

Committee Action: Approved 4-0

Fiscal Impact: None.

File Number: 14-0506

Date Introduced: May 13, 2014

WHEREAS, on April 15, 2014, the Plan Commission held a public hearing to consider a request from Elizabeth Hinner, THRIVE Foodery, for a conditional use at 2105 North 2nd Street to allow for outdoor dining; and

WHEREAS, the outdoor dining use is not expected to be detrimental to the general public, or to surrounding property owners; and

WHEREAS, the current loading dock is covered by an overhang on the roof, and is screened to the east by a retaining wall; and

WHEREAS, the residential properties to the east are separated from the property by a retaining wall and a public alley; and

WHEREAS, the backs of several detached garages border the public alley and provide screening of the subject property to the homes fronting on 3rd Street; and

WHEREAS, having outdoor activity at the property is expected to increase safety in the area as there will more eyes on the streets; and

WHEREAS, adequate public facilities are in place to continue to serve the property and its new uses; now therefore

BE IT RESOLVED that the Common Council of the City of Wausau hereby approves a conditional use at 2105 North 2nd Street to allow for outdoor dining, as presented.

Approved:

James E. Tipple, Mayor

Department of Public Works
Planning Division



Brad Lenz, AICP
City Planner

STAFF REPORT

TO: City of Wausau Plan Commission
FROM: Brad Lenz, City Planner *BL*
DATE: April 4, 2014

GENERAL INFORMATION

APPLICANT: Elizabeth Hinner, THRIVE foodery
LOCATION: 2105 N. 2nd Street
EXISTING ZONING: M1, Limited Industrial District (currently petitioning for B2, Community Service District)
REQUESTED ZONING: Conditional Use
PURPOSE: To allow for outdoor dining in a B2, Community Service District. The petitioners are currently seeking a zoning change to B2 from M1 to allow outdoor dining at a restaurant. Restaurants are permitted in the M1 district, but the zoning code does not list outdoor dining as a potential conditional use. The rezoning to B2 and the conditional use for outdoor dining in the B2 are being requested concurrently.
EXISTING LAND USE: Vacant commercial building
SIZE OF PARCEL: 0.21 acres
SURROUNDING LAND USE AND ZONING:
North: Manufacturing; M2, General Industrial District
South: Distribution warehouse; M1, Limited Industrial District

East: Single family homes; R3, Two family Residence District
West: Vacant industrial building; M2

(See attached *Zoning Map*)

ANALYSIS AND RECOMMENDATION

From Wausau Municipal Code 23.72.060, no conditional use shall be recommended by the city plan commission unless the commission finds:

- (a) That the establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare;
- (b) That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood;
- (c) That the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district;
- (d) That adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided;
- (e) That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets; and
- (f) That the conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as the regulations may, in each instance, be modified by the common council pursuant to the recommendations of the city plan commission.

Below are staff comments on the above standards for conditional uses as they apply to the proposed use. The attachments from the previous application for a zoning map amendment apply to this application. The site plans in the attachments show that the existing loading dock will be converted to house approximately five (5) outdoor tables for dining.

The outdoor dining use is not expected to be detrimental to the general public, or to surrounding property owners. The current loading dock is covered by an overhang of the roof, and is screened to the east by a retaining wall. Access to the outdoor dining area will be from inside the restaurant and from exterior stairs to the west. The residential properties to the east are separated from the property by a retaining wall and a public alley. The backs of several detached garages border the public alley and provide further screening of the subject property to the homes fronting on 3rd Street.

Establishment of the conditional use is not expected to impede development of other properties in the area. Having outdoor activity at the property will increase safety in the area as there will be more eyes on the streets. The new restaurant may increase traffic to the area, but a restaurant is a permitted use in the existing zoning district (M1).

Adequate public facilities are in place to continue to serve the property and its new uses.

Staff recommends approval of the conditional use as proposed.

PC report 2105 n 2nd st.doc

PLAN COMMISSION

Time and Date: The Plan Commission met on April 15, 2014, at 5:00 p.m. in the Common Council Chambers of Wausau City Hall.

Members Present: Mayor Tipple, Marquardt, Radtke, Valitchka, Oberbeck, Nutting (arrived at 6:25 p.m.)

Others Present: Lenz, Hebert, DeSantis, Woldt, Close, Peters, Hazuka, Uttech, Neal, Luecher, Hinner, Lorio, Gisselman, Salzman, Kreager, Ghidorzi, Guld, Engen

In compliance with Chapter 19, Wisconsin Statutes, notice of this meeting was posted and transmitted to the *Wausau Daily Herald* in the proper manner.

Mayor Tipple called the meeting to order at approximately 5:00 p.m. noting that a quorum was present.

PUBLIC HEARING: Approve a conditional use at 2105 North 2nd Street to allow for outdoor dining, in a B2, Community Service District (Hinner).

Hinner said that the request for the conditional use would be for the outdoor dining area. A fence will be installed for screening near the alley. The chain linked fence will be replaced.

Mayor Tipple closed the public hearing.

Lenz said that the conditional use is technically for the outdoor dining area which is being converted from an existing loading dock. The restaurant itself is a permitted use in the present and proposed zoning districts. The chain link fence running along the east side is not necessarily required for screening. There is a retaining wall that blocks the loading dock from the alley to the east. He said the business hours will be until the dinner customers are finished, which will not be until bar time. Staff sees no issues with the outdoor dining area as proposed.

Radtke motioned to approve the conditional use at 2105 North 2nd Street to allow for outdoor dining, in a B2, Community Service District. Oberbeck seconded and the motion carried unanimously 4-0. Valitchka abstained from voting on this item. This motion will go to Common Council on May 13, 2014.

ORDINANCE OF PUBLIC HEALTH & SAFETY COMMITTEE

Creating Section 8.08.011 Keeping of honey bees

Committee Action: Approved 5-0

Ordinance Number:

Fiscal Impact: None

File Number: 14-0508

Date Introduced: May 13, 2014

The Common Council of the City of Wausau do ordain as follows:

Section 1. That Section 8.08.011 Keeping of honey bees, is hereby created to read as follows:

8.08.011 Keeping of honey bees

(a) Definitions. The following definitions shall apply in the interpretation and enforcement of this section.

- (1) “Apiary” means the assembly of one or more colonies of bees at a single location.
- (2) “Beekeeper” means a person who owns or has charge of one or more colonies of bees and has demonstrated to the Humane Officer that he or she has obtained formal education or sufficient practical experience to act as a beekeeper.
- (3) “Colony” means an aggregate of bees in a hive consisting principally of workers, but having, when perfect, one queen and at times many drones, including brood.
- (4) “Hive” means the shelter housing a colony of bees including the combs, honey, and pollen. Hive also includes the colony of bees where indicated by the context.
- (5) “Honey bee” means all life stages of the common domestic honey bee, *apis mellifera* species.

(b) Permit Required. No person shall keep honey bees in the city without being a beekeeper and obtaining a valid permit issued by the city clerk. A permit shall be valid until and unless revoked pursuant to subsection (e). The permit process requires submission of a completed application accompanied with a fee as provided in section

3.40.010(a). A late fee of two times the application fee along with the application fee as provided in section 3.40.010(a) shall be collected from every owner or keeper of honey bees if the owner or keeper fails to obtain a permit prior to acquiring the honey bees. Prior to issuance of a permit, the applicant shall submit to an inspection and demonstrate that all requirements of subsection (c) are met.

(c) Keeping of Honey Bee Hives. A permit authorizes the keeping of honey bee hives on a premises, provided the following requirements are met:

- (1) No more than two (2) hives are allowed on a premises.
- (2) No hive shall exceed twenty (20) cubic feet in volume.
- (3) Honey bees are limited to eastern European races of *apis mellifera*.
- (4) Honey bees may only be kept on a premises with a minimum lot size of one third (1/3) of an acre. Two adjacent and contiguous lots owned by the same owner may constitute one lot for the purposes of this subsection.
- (5) A minimum 6 foot high closed or semi-solid fence which is child proof from the outside, building, or combination thereof shall enclose the apiary. A flyway barrier is not required if the hive or hives are kept at least ten (10) feet off the ground.
- (6) A constant and adequate supply of water shall be provided within the enclosure. The water source shall be designed to allow honey bees to access water by landing on a hard surface. This provision shall not apply during the winter.
- (7) All honey bees shall be kept in hives with removable frames which shall be kept in sound and usable condition.
- (8) All hives and related structures that form the apiary shall be located a minimum of 25 feet from the all property lines and public sidewalks.
- (9) Hives shall be located a minimum of fifty (50) feet from dwellings, porches, gazebos, decks, swimming pools, permanently affixed play equipment and any other habitable area on any adjoining lots unless the owner of the adjoining property has provided written permission for closer hive placement.
- (10) No honey bees shall be kept on any premises which is a multi-tenant facility or contains two or more dwelling units.
- (11) Hives shall be actively maintained. Hives not under active human management and maintenance shall be dismantled or removed by the most recent permit holder.

(12) In any instance in which a hive exhibits unusually aggressive characteristics it shall be the duty of the beekeeper to destroy or re-queen the hive. Queens shall be selected from stock bred for gentleness and non-swarmling characteristics.

(13) In addition to compliance with the requirements of this section, no beekeeper shall keep a hive or hives that cause any unhealthy conditions or interfere with the normal use and enjoyment of human or animal life of others, any public property or property of others.

(d) Right of Entry.

(1) The Humane Officer or Chief Inspector of the Inspection and Zoning Division, or his or her designee may enter upon any property required to hold a permit in this section at all reasonable times to inspect the premises, obtain photographs or take any other action deemed necessary to properly enforce the provisions of this section.

(2) If the Humane Officer or Chief Inspector of the Inspection and Zoning Division, or his or her designee, finds any hive kept in violation of these requirements, in addition to any other remedy available under this code, may order the violation corrected within fourteen (14) days. If the permit holder fails to correct the violation within fourteen (14) days, the hive in violation may be destroyed and/or removed from the municipality by the city and the cost thereof shall be charged back to the property owner as a special charge pursuant to Wis. Stat. s. 66.0627.

(e) Permit revocation. A permit shall be subject to revocation upon failure to comply with any provisions of this section. Once a permit is revoked, a permit shall not be reissued.

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 3. This ordinance shall be in full force and effect from and after its date of publication.

Adopted:
Approved:
Published:
Attest:

Approved:

James E. Tipple, Mayor

Attest:

Toni Rayala, Clerk



COMMENTS REGARDING DRAFT ORDINANCE
W.M.C. §8.08.011, Keeping of honey bees

- This office has been requested to draft a proposed ordinance for discussion and possible action to permit the keeping of honey bees within the City of Wausau.
- A random survey of other communities shows the cities of Madison, Milwaukee and Appleton have ordinances permitting the keeping of honey bees.
- Madison’s ordinance permits the keeping of honey bees fairly readily provided the requirements of the ordinance are met. Madison has had its ordinance since about March, 2012. The City of Madison Clerk’s Office advised so far this calendar year it has issued 71 permits. A representative from the Inspection Office stated they do not receive too many complaints regarding bee keeping (the Zoning Code Officer stated they receive more complaints about chickens than bees). Last year it received approximately 3 or 4, one of which was unfounded. The City does not require any inspection prior to issuing a permit and operates on a “complaint only” basis. Honey bees may be kept as an accessory use in every zoning district and at multifamily dwelling units. The fee for a permit is \$10.00. A late fee of \$5.00 is charged.
- The City of Appleton only permits honey bee keeping in a Public Institutional District or on an “urban farm.” They currently have two (2) permits issued: one to Lawrence University and one to the city’s only “urban farm.” The city has not had any complaints regarding bee keeping in the City. The City of Appleton requires not only a pre-permit inspection but also requires notification to certain neighboring property owners of the pending application for a permit. If objections by neighboring property owners are received, a hearing is held to determine why the permit should or should not be issued. The fee for a permit is \$56.00. There is a one-time pre-permit inspection fee of \$138.00.
- The City of Milwaukee permits the keeping of honey bees in all zoning districts. The City requires a pre-licensing inspection and notice to certain neighboring property owners of the pending license application. It also requires a hearing to be held to determine if a license should be issued where an objection is submitted by a neighboring property owner. The City’s fee for a license is \$81.12 (which includes a small surcharge.) The licenses are issued on a one time basis (so there is no renewal requirement). This was a change made to the ordinance last year. The City has not received many complaints regarding bee keeping. The city has had its ordinance since 2010. It currently has 14 licenses outstanding. The Neighborhood Services representative stated that typically if an applicant has gone through the license process and the applicant meets the requirements of setbacks and the like, the city does not have much difficulty with bee keeping. The city explained they do strongly urge an applicant to meet and speak with

neighboring property owners before notice of the pending application is sent out so it is not a surprise to the neighbors when they receive it.

- The proposed draft ordinance for the City of Wausau provides for a minimum lot size of one third of an acre. It would permit bee keeping in all zoning districts upon compliance with the requirements of the ordinance.
- The draft ordinance proposed for the City of Wausau does not contain any notice requirement to neighboring property owners. It could, however, be amended to include one. It does propose an inspection process to ensure the requirements of the ordinance are maintained.
- One significant safety feature of the proposed ordinance is the requirement for a beekeeper to maintain hives behind a 6 foot high closed or semi-solid fence. This is also known as a “flyway barrier” which keeps bees leaving a hive from flying close to the ground until they locate a pollen source. Other materials can operate as a flyway barrier such as dense vegetation, however, the proposed ordinance has elected to propose fencing for enhanced safety of children and pets. Milwaukee, Appleton and Madison do not require the hives or apiary to be completely enclosed. Other safety features include 25 foot setbacks from property lines and public sidewalks and a 50 foot setback from dwellings, porches, gazebos, permanently affixed play equipment and the like.
- The penalty proposed for a violation of the ordinance is \$186.00 which includes all court costs. However, more significant than enforcement by citation is the right of the city to revoke a permit or to enter onto the property to remove or destroy a hive where any violation has not been corrected after a fourteen (14) day notice.
- The penalty as currently proposed does not contain a provision for increased forfeiture for subsequent violations. This is something that could be included if desired.
- The amount of the application fee is \$20.00. The Public Health & Safety Committee discussed whether the permit should be renewed annually and by vote of the Committee recommends that the permit should be a one-time permit unless and until revoked, similar to Milwaukee’s license.

PUBLIC HEALTH & SAFETY COMMITTEE

Date and Time: Monday, April 21, 2014, at 5:15 pm, (Council Chambers)

Members Present: Rasmussen (C), Gisselman, Kellbach, Neal, Wagner

Others Present: Alfonso, Bliven, Hebert, Rayala, media.

Ordinance Creating Section 8.01.011 Keeping of Honeybees.

Rasmussen explained the Bridge Community Clinic would like to raise honeybees to pollinate the Bridge Community Garden; however, our current ordinance regarding dangerous animals prevents them from doing so. She indicated Tara Alphonso researched the issue, talking with Milwaukee, Appleton, and Madison, as well as representatives from the Marathon County and Dane County Beekeepers Associations.

Laura Scudiere, Executive Director of Bridge Community Health Clinic, addressed the committee stating the community garden is a growing program from which we donated over a thousand pounds of fresh produce. They would like to have a couple of honeybee hives within the city limits. She noted they are not aggressive and would help pollinate the gardens. The community gardens would also like to sell the honey for sustainability. She indicated they supported the permit process for responsible beekeeping and thanked them for the consideration.

William Heipp, Vice President of the Marathon County Beekeepers Association, objected to the proof of formal education or sufficient practical experience requirement in the definition, stating it was too subjective. He did not believe a Humane Officer had the experience to make a decision on who does and does not have the qualifications to be a beekeeper. He disagreed with the definition of colony and hives and listed several other problems he had with the proposed ordinance which he felt had too many subjective terms. He questioned why it had to be an annual fee and felt it should be a one-time permit process. He indicated he would leave his notes with clerk for review by the committee and attorney. He believed the ordinance as written would expose the city to frequent and repeated lawsuits and asked that it be scrapped and they start over.

Bruce Paquette and Bob Bennis commented on the proposed ordinance. Bennis stated bees have different temperaments for different types. He felt lot size was important; the bigger the better to make sure the bees are far enough away from people and have a minimum amount of hives in town. He suggested going ahead and giving the ordinance a chance to work and amend it if necessary.

Wagner commented it is a very interesting thing to have bees in the city and it is important to give the beekeepers a chance. He did not want to put a financial burden on them, especially when he hears that a lot of bees die each year. He proposed trying it out with specific yard size and hive limits and go back and visit it after a season or two. He also proposed just a one-time fee to register the beekeepers, such as \$15. Rasmussen stated they could also consider something between an annual and a one-time fee, such as a five year permit as was done with the recreational fire pits.

Ben Bliven requested that the requirement in section d, number 2, to correct violations within 30 days be changed to 7 or 14 days because if we are receiving complaints it seems to be too long of a period to rectify a problem.

Motion by Neal, second by Gisselman to approve creating a Section for keeping of honeybees and revisit after one year and to amend section d(2) to 14 days. Motion carried 5-0.

CITY OF WAUSAU, 407 Grant Street, Wausau, WI 54403

ORDINANCE OF PUBLIC HEALTH & SAFETY COMMITTEE

Amending Section 1.01.025(c)(1)(B) Schedule of cash deposits to include keeping of honey bees violations

Committee Action: Approved 5-0

Ordinance Number:

Fiscal Impact: None

File Number: 82-1252

Date Introduced: May 13, 2014

The Common Council of the City of Wausau do ordain as follows:

Add ()

Section 1. That Section 1.01.025(c)(1)(B) Schedule of cash deposits, is hereby amended to read as follows:

1.01.025 Issuance of citations. . . .

(c) Schedule of cash deposits.

(1) A schedule of cash deposits is established as follows:

. . .

(B) For violations of all ordinances other than those governed by the aforescribed Uniform State Deposit Schedule and other than ordinances in Titles 15 and 16 of this code, the cash deposit schedule shall be as follows:

Municipal Ordinance Schedule of Deposits

<u>Ord. No.</u>	<u>Offense</u>	<u>Deposit</u>
<i>Animals</i>		
8.08.011	Keeping of honey bees violations	100.00
8.08.120	Number of animals-3 or more	75.00

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 3. This ordinance shall be in full force and effect from and after its date of publication.

Adopted:
Approved:
Published:
Attest:

Approved:

James E. Tipple, Mayor

Attest:

Toni Rayala, Clerk

PUBLIC HEALTH & SAFETY COMMITTEE

Date and Time: Monday, April 21, 2014, at 5:15 pm, (Council Chambers)

Members Present: Rasmussen (C), Gisselman, Kellbach, Neal, Wagner

Others Present: Alfonso, Bliven, Hebert, Rayala, media.

Ordinance Amending Section 1.01.025(c)(1)(B) Schedule of cash deposits to include keeping of honey bees violations.

Rasmussen explained this ordinance deals with the penalties for violations, which was set at a flat \$100. Alphonso noted with court costs added it would be \$187.

Motion by Gisselman, second by Kellbach to approve the ordinance amending Section 1.01.025(c)(1)(B). Motion carried 5-0.

RESOLUTION OF THE PUBLIC HEALTH & SAFETY COMMITTEE

Authorizing the addition of fees to the City of Wausau Fees and Licenses Schedule adopted pursuant to Section 3.40.010(a) for Section 8.08.011 Keeping of honey bees

Committee Action: Approved 5-0

Fiscal Impact: Uncertain

File Number: 13-0309

Date Introduced: May 13, 2014

RESOLUTION

WHEREAS, the Common Council of City of Wausau has adopted an ordinance at W.M.C. §8.08.011 permitting the Keeping of honey bees within the city limits upon obtaining a proper permit and compliance with a number of requirements as outlined in the ordinance, and

WHEREAS, effective implementation of the ordinance permitting the Keeping of honey bees requires the adoption of certain fees for the issuance of a permit, and

WHEREAS, the City of Wausau has adopted a comprehensive Fees and License Schedule at W.M.C. §3.40.010, and

WHEREAS, your Public Health & Safety Committee, at their April 21, 2014, meeting, recommends that the City adopt an application fee of \$20.00 and a late fee of two times the application fee in addition to the application fee to be charged under the newly adopted Keeping of honey bees ordinance and incorporate these as part of the City of Wausau Fees and Licenses Schedule.

NOW THEREFORE, BE IT RESOLVED, by the Common Council of the City of Wausau, that a permit fee of \$20.00 and a late fee of two times the application fee in addition to the application fee are hereby adopted and incorporated into the City of Wausau Fees and Licenses Schedule adopted pursuant to W.M.C. §3.40.010 for permits issued under the ordinance permitting the Keeping of honey bees.

Approved:

James E. Tipple, Mayor

PUBLIC HEALTH & SAFETY COMMITTEE

Date and Time: Monday, April 21, 2014, at 5:15 pm, (Council Chambers)

Members Present: Rasmussen (C), Gisselman, Kellbach, Neal, Wagner

Others Present: Alfonso, Bliven, Hebert, Rayala, media.

Resolution Authorizing the addition of fees to the City of Wausau Fees and Licenses Schedule adopted pursuant to Wausau Municipal Code §3.40.010(a).

Rasmussen stated this resolution is where we set the fee for the beekeeper permit.

Motion by Wagner, second by Neal to approve a one-time fee of \$20 which does not require renewal. Motion carried 5-0.

Motion by Neal, second by Kellbach to amend the beekeeper ordinance to remove the annual renewal provision. Motion carried 5-0.

ORDINANCE OF PUBLIC HEALTH & SAFETY COMMITTEE

Creating Chapter 5.19 Escorts and Escorts Services

Committee Action: Approved 5-0

Ordinance Number:

Fiscal Impact: None

File Number: 14-0509

Date Introduced: May 13, 2014

The Common Council of the City of Wausau do ordain as follows:

Section 1. That Chapter 5.19, Escorts and Escort Services is hereby created to read as follows:

5.19.010 Definitions. The following definitions shall apply in the interpretation and enforcement of this chapter:

(a) “Escort” means any person who, for a fee, commission, salary, hire, profit, payment, or other monetary consideration, accompanies or offers to accompany another person to or about social affairs, entertainment or places of entertainment or places of amusement or consorts with another person about any place of public resort or within any private quarters or agrees to privately model lingerie, perform a striptease or perform in a nude or semi-nude state for any person or persons.

(b) “Escort Service” means service provided by any person who, for a fee, commission, salary, hire, profit, payment, or other monetary consideration, furnishes or offers to furnish names of persons who may accompany any person to or about social affairs, entertainment or places of amusement, or who may consort with a person about any place of public resort or within any private quarters or agree to privately model lingerie, perform a striptease or perform in a nude or semi-nude state for another person or persons.

(c) “Person” means any individual and is also extended and applied to associations, clubs, societies, firms, partnerships and bodies politic and corporate.

5.19.020 Exemptions. This section does not apply to businesses, agencies and persons licensed by the State of Wisconsin or the City of Wausau pursuant to a specific statute or ordinance, or employed by a business so licensed and which performs an escort or an escort service function as a service merely incidental to the primary function of such profession, employment or business and which do not hold themselves out to the public as an escort or an escort service.

5.19.030 License required. (a) No escort shall operate or provide service in the City of Wausau without first obtaining an escort service license issued by the City of Wausau.

(b) No person shall escort in the City of Wausau unless employed by an escort service licensed by the City of Wausau and properly registered pursuant to this code.

(c) Any person, partnership or corporation that desires to operate or provide services from more than one (1) location must have a license for each location.

(d) No license or interest in a license may be transferred to any person, partnership or corporation.

(e) No person may advertise indicating that an escort service is available in the City of Wausau unless that service possesses a valid license. No escort service may in any manner advertise its services as licensed by the City of Wausau.

(f) No escort service shall provide a person with the actual services of an escort at its establishment address except when the escort service has met the standards and requirements of adult-oriented establishments and is in possession of an adult-oriented establishment license as required in chapter 5.18.

5.19.040 Application for license. (a) Any person desiring to secure a license under this chapter shall make application to the city clerk.

(b) The application for a license shall be made on a form approved by the city clerk. An applicant for a license (which shall include each partner and limited partner of a partnership applicant, each officer and director of a corporate applicant, each stockholder holding ten percent (10%) or more of the stock or beneficial ownership and every other person who is interested directly in the ownership or operation of the business) shall furnish the following information under oath:

- (1) Name and address, including all aliases;
- (2) Written proof that the individual is at least eighteen (18) years of age;
- (3) All residential addresses of the applicant for the past ten (10) years;
- (4) The business, occupation or employment of the applicant for ten (10) years immediately preceding the date of application;
- (5) Whether the applicant previously operated in this or any other state, county or municipality under an escort service license or similar business license; whether the applicant has ever had such a license revoked or suspended, the reason therefore and the business entity or trade name under which the applicant operated that was subject to the suspension or revocation;
- (6) All convictions and pending charges of felony, misdemeanor or ordinance violations, except minor traffic violations;
- (7) Fingerprints and photograph registration with the Wausau Police Department;

(8) The address of the escort service to be operated by the applicant;

(9) If the applicant is a corporation, the application shall specify the name of the corporation, the date and state of the incorporation, the name and address of the registered agent and all officers and directors of the corporation.

(c) Additional information. Each service shall furnish the following information under oath at the time of application:

(1) The trade name of the escort service. An escort service may operate under only one (1) trade name per license.

(2) The complete address of the proposed business location with a copy of the deed, lease, or other document pursuant to which the applicant occupies or will occupy such premises.

(3) The service's Federal Employer Identification Number.

(4) A written plan setting forth:

(A) Description of the nature of business to be conducted and services to be offered;

(B) Hours that the service will be open to the public;

(C) Copies of contracts to be used with escorts and customers;

(d) The completed application shall be accompanied with the fee as provided in section 3.40.010(a). A late fee of two times the application fee, along with the application fee as provided in section 3.40.010(a) shall be collected for every late application.

(e) A copy of a completed application shall be forwarded to the chief of police or his or her designee for investigation of the applicant for compliance with the standards under section 5.19.050 and the information provided under section 5.19.040 and for his or her recommendation concerning the application for license. No license shall be issued until the chief of police or his or her designee has investigated the applicant's qualifications to be licensed as set forth in this chapter. After completion of the investigation, the application shall be referred to the public health and safety committee of the common council who shall approve or disapprove the same and return the application to the city clerk.

5.19.050 Standards for license issuance. (a) To receive a license to operate an escort service, an applicant must meet the following standards:

(1) If the applicant is an individual:

(A) The applicant shall be at least eighteen (18) years of age;

(B) Subject to Ch. 111, Wis. Stats., the applicant shall not have been

convicted of or pleaded *nolo contendere*, or no contest, to a felony or any crime involving moral turpitude, prostitution, obscenity or other crime of a sexual nature in any jurisdiction;

(C) The applicant shall not have been convicted of a felony, misdemeanor or ordinance violation which substantially relates to the licensed activity;

(D) The applicant shall not have been found to have previously violated this ordinance within five (5) years immediately preceding the date of the application.

(2) If the applicant is a corporation:

(A) All officers, directors and others required to be named under section 5.19.040 shall be at least eighteen (18) years of age;

(B) Subject to Ch. 111, Wis. Stats., no officer, director or other person to be named under section 5.19.040 shall have been convicted of or pleaded *nolo contendere*, or no contest, to a felony or any crime involving moral turpitude, prostitution, obscenity or other crime of a sexual nature in any jurisdiction;

(C) No officer, director or other person required to be named under section 5.19.040 shall have been convicted of a felony, misdemeanor or ordinance violation which substantially relates to the licensed activity.

(D) No officer, director or other person required to be named under section 5.19.040 shall have been found to have previously violated this ordinance within five (5) years immediately preceding the date of the application.

(3) If the applicant is a partnership, joint venture or any other type of organization where two (2) or more persons have a financial interest:

(A) All persons having a financial interest in the partnership, joint venture or other type of organization shall be at least eighteen (18) years of age;

(B) No persons having a financial interest in the partnership, joint venture or other type of organization shall, subject to Ch. 111, Wis. Stats., have been convicted of or pleaded *nolo contendere*, or no contest, to a felony or any crime involving moral turpitude, prostitution, obscenity or other crime of a sexual nature in any jurisdiction;

(C) No persons having a financial interest in the partnership, joint venture or other type of organization shall have been convicted of a

felony, misdemeanor or ordinance violation which substantially relates to the licensed activity;

(D) No person having a financial interest in the partnership, joint venture or other type of organization shall have been found to have violated any provision of this ordinance within five (5) years immediately preceding the date of the application.

(b) If any charges are currently pending which, if resulting in a conviction, would disqualify the applicant pursuant to subsection (a) above, the public health and safety committee may postpone action on the application until such time as the charge is resolved.

5.19.060 Renewal of license. (a) Every license issued pursuant to this chapter will terminate on December 31st following its issuance, unless sooner revoked. Application for renewal shall be on a form provided by the city clerk.

(b) No renewal application will be considered filed in the office of the city clerk unless it is accompanied by the fee set forth in subsection 5.19.040.

5.19.070 Denial of application. (a) If upon review of an application, the public health and safety committee recommends denial of the license the city clerk shall notify the applicant by mail of the denial and the reason therefor and remit one-half of the license fee paid to the applicant, retaining the remainder of the fee as reimbursement to the city for the cost of the investigation. The letter shall also inform the applicant of his or her right to appear before the public health and safety committee.

(b) The public health and safety committee shall hear any person for or against the granting of the license and shall report its recommendation to the common council which shall grant or deny the license.

5.19.080 Suspension, revocation, or non-renewal license. (a) Any license issued under this chapter may be suspended for not less than ten (10) days nor more than ninety (90) days or revoked by the public health and safety committee after notice and an opportunity to be heard in accordance with the procedures set forth in section 5.04.060(b) for reasons set forth in section 5.04.060(a) or as follows:

(1) Violation by the licensee, his or her agent, or employee of any law of the United States or State of Wisconsin relating to the particular trade, occupation, or business so licensed.

(2) Violation by the licensee, his or her agent, or employee of this chapter or any city ordinance relating to the particular trade, occupation, or business so licensed, including but not limited to all plumbing, building, electrical, and heating codes and parking lot regulations.

(3) Violation by the licensee, his or her agent, or employee of any statute, ordinance or law when the circumstances of the violation, arrest, or conviction substantially relate to the licensed activity.

(b) The same provisions shall apply to denial of an application for renewal of a license under this chapter.

(c) Any violation of the requirements of this chapter shall be grounds for revocation of a license issued under this chapter.

(d) Appeal of the decision of the public health and safety committee shall be made as provided in chapter 2.21 of this code.

5.19.090 Responsibilities of the operator. (a) The operator of an escort service shall maintain a register of all employees or independent contractors, showing the name and aliases used by the employee, home address, birth date, sex, telephone numbers, social security number and the date of employment and termination. The above information on each employee shall be maintained in the register on the premises for a period of three (3) years following termination.

(b) Every escort and escort service shall:

(1) Provide to each patron a written contract and receipt of payment for services. The contract shall clearly state the type of services to be performed; the length of time such services shall be performed, the total amount of money such services shall cost the patron, and any special terms or conditions relating to the services to be performed.

(2) Maintain a legible written record of each transaction of any escort furnished to or arranged for on behalf of any person or customer. The record shall show the date and hour of each transaction, the name, address and telephone number of the person requesting an escort, and the name of every escort furnished.

(3) The record required by subsections (1) and (2) shall be kept available and open for inspection by the Wausau Police Department during business hours.

(c) The operator of an escort service shall make the register of employees, along with any other records required to be maintained under this chapter, available immediately for inspection by police upon demand of a member of the Wausau Police Department at all reasonable times.

(d) Every act or omission by an employee constituting a violation of the provisions of this ordinance shall be deemed the act or omission of the operator if such act or omission occurs either with the authorization, knowledge or approval of the operator, or as a result of the operator's negligent failure to supervise the employee's conduct. The operator shall be punishable for such act or omission in the same manner as if the operator committed the act or caused the omission.

(e) Any act or omission of any employee constituting a violation of the provisions of this ordinance shall be deemed the act or omission of the operator for the purposes of determining whether the operator's license shall be revoked, suspended or renewed.

(f) No person shall escort or agree to escort a person under the age of eighteen (18) years.

5.19.100 Registration of employees. (a) All operators or employees working for any escort service and independent contractors shall, prior to beginning employment or contracted duties, be required to register with the city clerk. During the registration process, the person shall:

(1) Provide his or her name, address, birth date, any aliases used, telephone numbers, date of employment and name of employer;

(2) Submit to photographs, fingerprinting, and background investigation by the Wausau Police Department.

(b) Upon registration, the Wausau Police Department will provide to each registered employee or independent contractor an identification card, provided by the city clerk, containing the employee's or independent contractor's photograph identifying the persons as such, which shall be kept available for production upon request.

(c) The registrant shall pay a fee as provided in section 3.40.010(a).

(d) Any escort employed by more than one (1) escort service shall submit a separate registration for each service by which the escort is employed.

(e) All registration cards shall expire on December 31 of the year of issuance.

5.19.110 Penalties. Any person found to have violated any provisions of this chapter shall, upon conviction be subject to a forfeiture of not less than two thousand dollars (\$2,000) and not more than five thousand dollars (\$5,000).

5.19.120 Severability. If any provisions of this ordinance are deemed invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the other provisions of the same.

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 3. This ordinance shall be in full force and effect from and after its date of publication.

Adopted:
Approved:
Published:
Attest:

Approved:

James E. Tipple, Mayor

Attest:

Toni Rayala, Clerk



COMMENTS REGARDING DRAFT ORDINANCE
W.M.C. chapter 5.19, Escorts and Escort Services
And W.M.C. §0.04.135, Prostitution

- This office has been requested by the Wausau Police Department (“WPD”) to draft a proposed ordinance for discussion and possible action to establish a licensing requirement for escorts and escort services operating within the City of Wausau and an ordinance prohibiting prostitution.
- State statute pursuant to Wis. Stat. §66.0107(1)(2) permits a municipality to prohibit conduct which is the same as or similar to that prohibited by chs. 941 to 948. The Wisconsin Statutes relating to prostitution and related behavior are set forth in chapter 944.
- According to the WPD, they would like some additional tools to help them reduce the prostitution that is occurring in the City. Citation of individuals for municipal forfeitures would in many situations be more effective than misdemeanor arrests, which have a more stringent burden of proof and take considerable more effort to prosecute.
- The WPD at the March, 2014 Public Health & Safety Committee Meeting indicated that other local communities were considering enacting similar ordinances. At this time, the City of Schofield has already enacted similar ordinances.
- The Town of Grand Chute and the City of Appleton are communities which have enacted similar escort licensing programs and after which the proposed City of Wausau ordinance is modeled.
- The proposed forfeiture under the ordinances is a range of \$2,000.00 to \$5,000.00. This is the same forfeiture in the City of Schofield ordinance and the Village of Weston proposed ordinance.
- A proposed licensing fee would be \$500.00; that is the fee in the City of Appleton and the Village of Grand Chute (\$500.00 for an escort service license and \$500.00 per employee registration). Both of these communities also charge a \$7.00 investigation fee.

PUBLIC HEALTH & SAFETY COMMITTEE

Date and Time: Monday, February 17, 2014, at 5:15 pm, (Council Chambers)

Members Present: Rasmussen (C), Gisselman, Kellbach, Winters, Wagner

Others Present: Alfonso, Hebert, Rayala, Hardel, Barnes, Goede, and other interested parties in audience.

Discussion and possible action on update from Wausau PD surrounding prostitution investigations and their discussions with neighboring law enforcement agencies

Lt. Barnes stated this was an opportunity for him to ask the Council to give him some tools to help reduce the prostitution that is occurring within the city. He indicated the police department has begun stings to arrest prostitutes working within the city, as well as stings to arrest the customers, or the Johns. He stated they have been successful, but it is a lot of work to make misdemeanor arrests in an effort to make it clear that it is not okay to advertise online. He commented it is as easy as ordering pizza to call them up, tell them what you want and have them deliver themselves. In looking at the models presented by other communities that have dealt with the problem and are having success, it is not the arrest for the misdemeanor charge that has caused a change in behavior; it is the use of municipal ordinance violation citations. He indicated he attended a meeting that was hosted at the Police Department with representatives from the Sheriff's Department, Everest Metro PD, and Rothschild PD. It is our intention to work cooperatively because the prostitutes working in Wausau also work in Weston, Kronenwetter, Rothschild and Rib Mountain, and we all want get on board and enforce things the same way to try to reduce it in our county, not just our city.

Barnes indicated examples of communities that use ordinance violation model are Grand Chute and Appleton. He explained they have enacted an escort licensing process. In order to function as an escort and advertise your services as an escort you need a license from the city, which also requires you to work for a licensed escort service. He indicated to date nobody has applied for any of those licenses within Appleton or Grand Chute, but because it is required anyone advertising their services as an escort for companionship only, is in violation when they post the advertisement online, allowing officers to take action with less of a sting set up, with less evidence to prove that prostitution is occurring. If probable cause does not exist when conducting a sting because they didn't say the right words, it allows officers to issue a citation because they advertised.

Barnes indicated at the meeting they decided to reduce the fine significantly less than the other communities in order to be effective; instead of \$2600 we propose the fine be \$1600 for operating without a license and being an escort, with the second offense being \$2600. They would also adopt an ordinance for Johns, during a sting when the Johns show up, in lieu of arresting them for a misdemeanor violation, taking them to jail and having them bond out in 20 minutes, they issue a \$1600-\$2600 citation, which surprisingly have been paid rather rapidly to avoid that arrest. There has been significant revenue generated, but more importantly they have found a reduction in the amount of prostitution that is occurring. It has also allowed them to conduct more stings which have caused the customers looking for these services to think again before looking in their own communities. He stated they felt it was important that if any one of our municipalities were to adopt this concept, we should all do it because if one municipality doesn't, that becomes the place for this to occur.

Winters felt the process used for the cell phone ban ordinance was a good process and could be used with this issue as well. He noted the only thing he would change is to put into the ordinance a later start date to allow the other communities time to join us with the start date. Barnes stated the investigations would be collaboration and the enforcement would be equal and collaborative. Winters suggested they convene a meeting with other communities. Rayala questioned who they would like to invite. Barnes stated Chief Jeremy Hunt, Rothschild PD; Cpt Clay Schultz, Everest Metro PD; Gary Schneck, Sheriff's Department. Winters suggested they include Kronenwetter and Mosinee representatives as well. Rasmussen asked Kellbach, member of the County's Public Safety Committee, to share this with them.

PUBLIC HEALTH & SAFETY COMMITTEE

Date and Time: Monday, April 21, 2014, at 5:15 pm, (Council Chambers)

Members Present: Rasmussen (C), Gisselman, Kellbach, Neal, Wagner

Others Present: Alfonso, Bliven, Hebert, Rayala, media.

Ordinance Creating Chapter 5.19 Escorts and Escort Services, establishing licensing requirements.

Rasmussen stated this was introduced at a previous meeting by Lt Barnes as a tool for the police to use to address the proliferation of online solicitation. In a couple of other communities he located a mechanism like this where the burden of proof is less.

Gisselman questioned what the burden of proof issue was. Lt. Barnes explained in criminal court a prostitution charge is a Class A Misdemeanor and the burden of proof is beyond a reasonable doubt. In municipal court, which is a civil court, it is clear and convincing, which is a lesser burden. He stated the escort ordinance and the citations that would be written for it is different from prostitution. It allows us to differentiate between those individuals using online mechanisms for advertising for prostitution versus those who use it to try to run a legal business. He noted he has not yet seen one that actually represents as a legal escort service. This will allow the city to say you can't advertise yourself as an escort unless we know who you are and that you are a legal business.

Lt. Barnes stated the fine of \$2,000 helps to pay for the investigations of prostitution which are very expensive. Alphonso pointed out that the criminal court could impose a fine for prostitution of up to \$10,000 for the Class A Misdemeanor for prostitution. They felt the fine was reasonable and justifiable in light of the significant cost the department incurs. Barnes guaranteed that this will make it a lot harder to hire a prostitute in the City of Wausau and the risk being taken in doing so will be much higher.

Motion by Wagner, second by Kellbach to approve the ordinance creating Chapter 5.19 Escorts. Motion carried 5-0.

CITY OF WAUSAU, 407 Grant Street, Wausau, WI 54403

ORDINANCE OF PUBLIC HEALTH & SAFETY COMMITTEE

Creating Section 9.04.135 Prostitution – adopting state prohibition and prohibiting other related conduct

Committee Action: Approved 5-0

Ordinance Number:

Fiscal Impact: None

File Number: 14-0510

Date Introduced: May 13, 2014

The Common Council of the City of Wausau do ordain as follows:

Section 1. That Section 9.04.135 Prostitution, is hereby created to read as follows:

9.04.135 Prostitution.

(a) Adoption of state law regarding prostitution. The provisions of Wisconsin Statutes section 944.30 prohibiting prostitution, exclusive of the penalty, are hereby adopted by reference and made an offense punishable as a violation of this code.

(b) Offering or engaging in sexual contact for compensation. It shall be unlawful and prohibited for any person to pay a fee or receive a fee, directly or indirectly, or to offer or ask for anything of value, for touching or offering to touch the sexual parts of another either directly or by employing a mechanical or electrically operated device for the purpose of arousing or gratifying the sexual desire of either party.

(c) Penalties. Any person found to have violated any provisions of this section shall be subject to a forfeiture of not less than two thousand dollars (\$2,000) and not more than five thousand dollars (\$5,000).

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 3. This ordinance shall be in full force and effect from and after its date of publication.

Adopted:
Approved:
Published:
Attest:

Approved:

James E. Tipple, Mayor

Attest:

Toni Rayala, Clerk

PUBLIC HEALTH & SAFETY COMMITTEE

Date and Time: Monday, April 21, 2014, at 5:15 pm, (Council Chambers)

Members Present: Rasmussen (C), Gisselman, Kellbach, Neal, Wagner

Others Present: Alfonso, Bliven, Hebert, Rayala, media.

Ordinance Creating Section 9.04.135 Prostitution, adopting state prohibition and prohibiting other related conduct.

Rasmussen stated this is related to the escort ordinance and basically adopts state statutes onto the local level and imposes the same penalties.

Motion by Kellbach, second by Neal to approve the ordinance creating Section 9.04.135 Prostitution. Motion carried 5-0.

ORDINANCE OF PUBLIC HEALTH & SAFETY COMMITTEE

Amending Section 1.01.025(c)(1)(B) Schedule of cash deposits to include violations of escort and escort services licensing requirements and prostitution violations

Committee Action: Approved 5-0

Ordinance Number:

Fiscal Impact: None

File Number: 82-1252

Date Introduced: May 13, 2014

The Common Council of the City of Wausau do ordain as follows:

Add ()

Section 1. That Section 1.01.025(c)(1)(B) Schedule of cash deposits, is hereby amended to read as follows:

1.01.025 Issuance of citations. . . .

(c) Schedule of cash deposits.

(1) A schedule of cash deposits is established as follows:

. . .

(B) For violations of all ordinances other than those governed by the aforescribed Uniform State Deposit Schedule and other than ordinances in Titles 15 and 16 of this code, the cash deposit schedule shall be as follows:

Municipal Ordinance Schedule of Deposits

<u>Ord. No.</u>	<u>Offense</u>	<u>Deposit</u>
<i>Other Common Violations</i>		
5.19.030 through 5.19.100	Escorts and escort services violations	2,000.00
5.60.010	Sell door to door no permit	50.00
. . . .		
9.04.100	Obscene language	50.00
9.04.135	Prostitution	2,000.00
9.08.010	Carry or discharge of firearm, or BB	100.00

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 3. This ordinance shall be in full force and effect from and after its date of publication.

Adopted:
Approved:
Published:
Attest:

Approved:

James E. Tipple, Mayor

Attest:

Toni Rayala, Clerk

PUBLIC HEALTH & SAFETY COMMITTEE

Date and Time: Monday, April 21, 2014, at 5:15 pm, (Council Chambers)

Members Present: Rasmussen (C), Gisselman, Kellbach, Neal, Wagner

Others Present: Alfonso, Bliven, Hebert, Rayala, media.

Ordinance Amending Section 1.01.025(c)(1)(B) Schedule of cash deposits to include violations of escort and escort services licensing requirements and prostitution violations.

Rasmussen noted this is for the penalties portion for the escort and prostitution violations. Wagner questioned how they chose the fine amounts. Barnes explained the fines are what are being used in the Village of Weston and City of Schofield and we want to be the same as them.

Motion by Kellbach, second by Wagner to approve the ordinance in reference to the schedule of cash deposits.
Motion carried 5-0.

RESOLUTION OF THE PUBLIC HEALTH & SAFETY COMMITTEE

Authorizing the addition of fees to the City of Wausau Fees and Licenses Schedule adopted pursuant to Section 3.40.010(a) for Chapter 5.19 Escorts and Escort Services

Committee Action: Approved 5-0

Fiscal Impact: Uncertain

File Number: 13-0309

Date Introduced: May 13, 2014

RESOLUTION

WHEREAS, the Common Council of the City of Wausau has adopted an ordinance at W.M.C. chapter 5.19 establishing a licensing requirement for escort and escort services operating in the City of Wausau, and

WHEREAS, effective implementation of the ordinance establishing the licensing requirement for escort and escort services requires the adoption of certain fees for the issuance of a license and registration of operators or employees working for any escort service and independent contractors, and

WHEREAS, the City of Wausau has adopted a comprehensive Fees and License Schedule at W.M.C. §3.40.010, and

WHEREAS, your Public Health & Safety Committee, at its April 21, 2014, 2014, meeting, recommends:

- (a) that the City adopt an application fee of \$500.00 and a late fee of two times the application fee in addition to the application fee to be charged under the newly adopted ordinance; and,
- (b) that the City adopt a registration fee for all operators or employees working for any escort service and independent contractors of \$500.00 ; and,
- (c) that these fees be incorporated as part of the City of Wausau Fees and Licenses Schedule.

NOW THEREFORE, BE IT RESOLVED, by the Common Council of the City of Wausau, that an application fee of \$500.00 and a late fee of two times the application fee in addition to the application fee, and a registration fee for all operators or employees working for any escort service and independent contractors of \$500.00 are hereby adopted and incorporated into the City of Wausau Fees and Licenses Schedule adopted pursuant to W.M.C. §3.40.010 in connection with the ordinance establishing licensing requirements for escort and escort services operating in the City of Wausau.

Approved:

James E. Tipple, Mayor

PUBLIC HEALTH & SAFETY COMMITTEE

Date and Time: Monday, April 21, 2014, at 5:15 pm, (Council Chambers)

Members Present: Rasmussen (C), Gisselman, Kellbach, Neal, Wagner

Others Present: Alfonso, Bliven, Hebert, Rayala, media.

Resolution establishing and incorporating license, late, and registration fees for W.M.C. ch. 5.19 Escorts and Escort Services, into the City of Wausau comprehensive Fees and License Schedule at W.M.C. s.3.40.010.

Alfonso stated this is a resolution establishing the fees for the actual license for the escort services. She noted she called Grand Chute and Appleton to ask them what their fees were because although Schofield and Weston have passed the ordinance, they have not decided on their fees yet. She indicated Grand Chute and Appleton have \$500 for the escort service and \$500 for each employee that registers. She noted she informed Weston of the fee.

Motion by Wagner, second by Neal to approve the \$500 fee for licensing of escort services and escorts. Motion carried 5-0.