

## **SPECIAL PUBLIC HEALTH & SAFETY COMMITTEE**

Date and Time: Tuesday, June 4, 2013, at 4:30 pm, (Board Room)

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

Others Present: Jacobson, Alfonso, Buchberger, Bliven, Groat, Tipple, Hebert, Rayala, Goede, Kari Rasmussen, Dawn Follendorf, Tyler Vogt, Karla Van Wagner, Mark Nienow, Tyler Reynolds, Alisha Glidinski, media.

### **Concerts on the Square Series - 4th Street Waiver Request (Wausau Area Events)**

Rasmussen stated Wausau Area Events is requesting a waiver of open intoxicants for the 400 block of 4<sup>th</sup> Street in front of the Grand Theater for the Wednesday night Concerts on the Square during the summer season. She explained the waiver would allow them to close 4<sup>th</sup> Street in front of the Grand so food vendors can be staged in that block and people will be able to enter the 4<sup>th</sup> Street right-of-way with an open intoxicant to purchase food and then go back to their seat. Jefferson, Scott and 3<sup>rd</sup> Streets would not be included in the waiver. Anne Jacobson stated they can use the waiver with a street privilege permit.

Motion by Gisselman, second by Wagner to approve the waiver for the 400 block of 4<sup>th</sup> Street between Scott and Jefferson for the hours of 4:00 – 8:30 p.m., on all Wednesday nights of the summer season. Motion carried 5-0.

### **Consider amendment to Section 5.64 Alcoholic Beverages to include the addition of sidewalk cafes**

Rasmussen the amendment allows Class B Beer & Liquor license holders to amend their premises to include tables and chairs outdoors on the sidewalk in front of their establishment, provided that they go through an approval process; have oversight and control of the area; and can see the area from their establishment.

Jacobson explained barriers around the area are not required, but will have a sign on the front door that states alcohol will only be consumed by patrons who seated at tables in the sidewalk café; alcohol must be served in single serve cups by the licensee's employees; it can only be served in the café when food service is available; and it can't be taken off the premises. Wagner suggested the committee should review the demerit points relative to sidewalk cafés at a future meeting.

Motion by Wagner, second by Winters to approve the amendment to Section 5.64. Motion carried 5-0.

### **Consider amendment to section 5.63 Obstructions within the Central Business District Public Right-of-Way to include the addition of sidewalk cafes**

Rasmussen stated this is the logistical side of the sidewalk cafe, the erection of tables and chairs in the right-of-way. Maryanne Groat stated currently the obstruction ordinance does not have a termination, so once a person obtains one it goes on indefinitely. This ordinance provides for those permits to be for a one year period. An obstruction permit for a planter or sandwich board sign will not have a fee associated with them. The sidewalk café will have a fee because there will be more administration involved. She indicated most communities use a March or April start, but the sunset date of existing is March 31, 2014 and they wouldn't be able to get a another one until July 1<sup>st</sup>. She suggested changing the expiration date to June 30, 2014 so it goes with the next licensing period.

Motion by Gisselman, second from Winters to approve with the expiration of existing permits on June 30, 2014. Motion carried 5-0.

### **Consider creation of Section 5.62 Mobile Vending**

Rasmussen stated this joint ordinance of PH&S and ED Committees is a product of long hard hours of the Mobile Food Vending Task Force.

Groat stated some of the initiatives were extending the time to be open a half hour past bar time. She stated we initially envisioned it just be in the downtown, but now is city wide; people can request a single location or they can roam about. There is a two block buffer zone for some special events, or one block, or no buffer, depending on the size of the event. They must be 75 feet from a business selling the same type of thing while they are open, so once the business closed then there would be no buffer zone in that area. She noted they must also be 200 feet from a school while they are in session for safety concerns.

Carla VanWagner, food vendor, stated she still did not like the 75 foot rule with the downtown being so small and felt 50 feet was more appropriate because 75 feet was blocking off half of downtown. Rasmussen explained that

along with the 75 foot buffer zone the vendors can work with the existing restaurant in the zone and if they don't have an issue with the vendor being closer they can agree together to allow it. She stated if you have a 50 foot buffer zone that does not necessarily prevent a vendor from setting up immediately across the street from the front door of a restaurant, but 75 feet does because of the width of the streets downtown.

Rasmussen noted after one year the Task Force will reconvene to review how it worked and can make changes if necessary.

Motion by Wagner, second by Kellbach to approve the creation of 5.62 Mobile Vending. Motion carried 4-1. (*Winters was the dissenting vote.*)

*Wagner and Gisselman exited the meeting.*

**Consider Special Event Application: "Future 400: A 400 Block Odyssey"**

Rasmussen stated the event is set for July 26, 2013 and has a lot of different activities. She questioned the organizer, Tyler Reynolds, as to whether the fire performances have been approved by the Fire Department. Reynolds stated the fire performances were done last year successfully and indicated he will be meeting with Dave Desantis regarding them again this year. Buchberger stated they will need to have fire extinguishers present and a review the details of the performance. Rasmussen stated Chief Hardel indicated he could not commit to staffing the event for free without overtime depending on his staffing level. Reynolds indicated he has spoken to the NTC Criminal Justice Club who are willing to do security, but they need to be supervised by at least two officers. Ben Bliven stated they could have the Community Service Officers be on site. Rasmussen suggested announcing and/or posting signs that open intoxicants are not allowed off the block. Tyler stated there will be wristbands for people to get discounts at participating businesses.

Motion by Winters, second by Kellbach to approve the Future 400 event contingent upon Fire and Police review and approval. Motion carried 3-0.

**Central Business District Obstruction Permit - Tyler Vogt, Townies, 412 N 3rd St**

Tyler Vogt, owner, provided a photo of where tables would be placed on the curb side outside his building.

Motion by Kellbach, second by Winters to approve the Obstruction Permit for Townies Grill, 412 N 3<sup>rd</sup> St. Motion carried 3-0.

**Adjournment**

Motion by Winters, second by Kellbach to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 6:30 p.m.