

**\*\*All present are expected to conduct themselves in accordance with the City's Core Values\*\***



## **OFFICIAL NOTICE AND AGENDA**

of a meeting of a City Board, Commission, Department, Committee, Agency, Corporation, Quasi-Municipal Corporation, or sub-unit thereof.

Meeting of the: **PUBLIC HEALTH & SAFETY COMMITTEE**  
Date/Time: **Monday, October 17, 2016 @ 5:15 pm**  
Location: **City Hall (407 Grant Street) - Council Chambers**  
Members: Lisa Rasmussen {c}, Karen Kellbach, Romey Wagner, Becky McElhaney, Pat Peckham

### **AGENDA ITEMS FOR CONSIDERATION/ACTION**

- 1 Minutes of previous meeting(s). (8/15/16 & 9/19/16)
- 2 Consider various license applications.
- 3 Discussion on Emergency Management and Emergency Response Plans (Presented by Phil Rentmeester, Director of Marathon County Emergency Management)
- 4 Discussion and possible action regarding recommendation of the Liquor License Review Subcommittee for the available Class B Beer & Liquor License # 28
- 5 Discussion and possible action regarding ordinance amending Section 8.08.001 Definitions (f) adding "Market place" and amending Section 8.08.010 Certain creatures forbidden
- 6 Discussion and possible action on a resolution authorizing the addition of fees to the City of Wausau Fees and Licenses Schedule (Permits for sale of live poultry or farm raised game birds at a marketplace)
- 7 Operations Report from Fire Department for September 2016
- 8 Tavern Activities / Compliance Checks / Law Enforcement Activities
- 9 Communications  
Adjournment

Lisa Rasmussen, Chair

**This Notice was posted at City Hall and faxed to the Daily Herald newsroom on 10/14/16 @ 9:00 am.**

**IMPORTANT: THREE (3) MEMBERS NEEDED FOR A QUORUM:** If you are unable to attend the meeting, please notify Toni by calling (715)261-6620 or via email [toni.rayala@ci.wausau.wi.us](mailto:toni.rayala@ci.wausau.wi.us)

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.

Other Distribution: Media, Council (Nutting, Neal, Gisselman, Gehin, Smith, Abitz), Mielke, \*Rayala, \*Hardel, \*Kujawa, \*Alfonso, Jacobson, Hebert, Duncanson, Groat, Joan Theurer, Tim Thomas, Dick Holster, Melissa Dotter, Phil Rentmeester

## **PUBLIC HEALTH & SAFETY COMMITTEE**

Date and Time: Monday, August 15, 2016 at 5:15 pm, (Council Chambers)

Members Present: Rasmussen, Wagner, Kellbach, McElhaney, Peckham

Others Present: Rayala, Hardel, Goede, Mielke, Klug, Elizabeth Field

### **Minutes of previous meeting(s). (6/20/16)**

Motion by Peckham, second by Kellbach to approve minutes of a previous meeting (6/20/16). Motion carried 5-0.

### **Consider various license applications**

Rasmussen noted there were no denial recommendations.

Motion by Wagner, second by Peckham to approve the various licenses on the list as recommended by staff. Motion carried 5-0.

### **Update regarding Class B Beer & Liquor license for Val-Roc, LLC**

Goede read an email from Valerie Charneski indicating she has ordered the stock and the health inspection is scheduled for August 26<sup>th</sup>.

### **Request for waiver of fence requirement for Apiary (Beekeeper) permit (Renee Tesch)**

Rasmussen stated we have allowed this before when the beekeeper can implement it without the required fencing and in this case the bees are on the rooftop, so no fence needed. Rayala noted the humane officer has inspected and signed off on this.

Motion by Wagner, second by Peckham to approve the waiver. Motion carried 5-0.

### **Discussion and possible action regarding amendment to Wausau River District Central Business Obstruction Permit**

Rasmussen explained Main Street has applied for a permit to place a piano outdoors for public use. She noted this has already gone through Inspections and Engineering and have worked with Lindman on the placement. Peckham indicated one piano was ready and they were looking for another. It will be placed downtown seasonally. Wagner commented he saw this in Denver and it was the coolest thing to happen in Wausau in a long time. He added they don't need to be removed in winter, just covered, and the people can play and sing Christmas carols.

Motion by Wagner, second by Peckham to approve the obstruction permit for the piano. Motion carried 5-0.

### **Discussion and possible action regarding amending Section 9.04.025 Consumption or possession of intoxicants on streets and amending Section 9.20.020 Regulation of persons**

Rasmussen stated this is a housekeeping item; we restricted open consumption on The 400 Block to hours after 4:00 pm., and following implementation it was requested we allow event organizers who do not want open intoxicants brought in the ability to not allow carry-ins at their event.

Motion by Wagner, second by Kellbach to approve the amendments. Motion carried 5-0.

### **Operations Report from Fire Department for August 2016**

Report placed on file.

### **Tavern Activities / Compliance Checks / Law Enforcement Activities**

Chief Hardel presented the Tavern Reports from June 13, 2016 through July 14, 2016 and from July 14, 2016 through August 10, 2016 (*See attached.*)

Hardel stated the Cabaret bar had a fire and was assessed 50 demerit points because of what precipitated the fire. He explained there was a conflict between a couple of patrons a few days before in which a fight occurred inside the bar and moved outside. The bartender witnessed a knife being pulled out during the fight and threatened to call 911, but never actually did. He stated it is our expectation these types of incidents be reported in a timely fashion and it may even have prevented the fire.

Hardel stated the last couple years we have had concerns with the VFW beer tent at the fair. We conducted another compliance check this year and they served a minor one of the nights. He indicated Lt. Graham went and spoke with the Fair Board and with the VFW agent. The conversation went well and they guaranteed us it would not happen again; they were warned there would probably be another compliance check and to be prepared, but they failed again. On the first night the security personnel they hired failed and on the second night the person served did not have a wristband, which was the fault of the security personnel and the bartender for serving. He indicated there was a follow-up conversation with Dan Southworth from VFW and he was very apologetic. He felt the administration is very different from previous years and is very cooperative with us. He read a letter of apology from Dan Southworth of VFW. Rasmussen commented we required the VFW to hire private security this year, so VFW is going to deal with that company and its failure.

### **Communications**

Peckham stated Ashlee Bishop, Humane Officer, is considering establishing a Facebook page for animal control for people to report animals running loose. Many people are currently commenting on Facebook about animal issues. Hardel encouraged people to call the non-emergency number.

### **Adjourn**

Motion by McElhaney, second by Peckham to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 5:40 pm.

## **PUBLIC HEALTH & SAFETY COMMITTEE**

Date and Time: Monday, September 19, 2016 at 5:15 pm, (Council Chambers)

Members Present: Rasmussen, Wagner, Kellbach, McElhaney, Peckham

Others Present: Rayala, Hardel, Bishop, Rentmeester, Kujawa, Goede, Mielke, Danielle Welter, Jennel Bronson, Chungsou Her.

### **Minutes of previous meeting(s). (6/15/16 & 7/18/16)**

Motion by McElhaney, second by Peckham to approve the minutes of the previous meetings (6/15/16 & 7/18/16).  
Motion carried 5-0.

### **Consider various license applications**

Rasmussen stated the Operator License application for Danielle Welter has been recommended for denial due to background information indicating four OWI convictions and a felony possession of THC.

Danielle Welter addressed the committee stating her first two OWIs were in 2009, her third in 2011 and her fourth in 2012. When she was stopped for her second OWI she was caught with a joint and that is where the possession charge came from. She indicated she served nine months in jail; completed three years of probation; attended Mothers against Drunk Drivers meetings; took the driver's safety plan; had intensive outpatient therapy at ATTIC as well as a Relapse Prevention Program. She stated she has had no other issues since all her trouble and has graduated from UW Stevens Point with a Bachelor's Degree in Psychology. She indicated she has held a manager's position at the Milwaukee Burger Company for the last two years and is also currently enrolled to obtain her Masters in Community Mental Health & Wellness. She understood that she did not make wise decisions in the past but is doing her best to do what she can to make up for them.

Wagner questioned if it was a condition of her manager's position to obtain an Operator's License. Welter stated it is needed because she could be the only one in the building and otherwise would have to have someone else stay with her. She would like to take over as bar manager.

Chief Hardel commended her for receiving the training and education that she has to make changes, but questioned what her personal alcohol use currently was. She stated she has learned a lot of tools to help her with healthy coping skills. She commented she may go home and have a glass of wine, but does not drink how she used to. Hardel felt it was fairly recent since the fourth OWI conviction and he still stood by his recommendation. He indicated he would have been more encouraged had she quit drinking completely.

Peckham commented he liked the fact that she went to college and that four years was a long time at her age; he requested Ms. Welter's application be removed from the list and considered separately.

Rasmussen stated there was also a denial recommendation by the Humane Officer for a Pet Fancier License for Jennel Bronson, due to some recent citations.

Jennel Bronson addressed the committee stating she went to court and assumed everything would be dismissed because she has now gotten her dogs licensed and all the paperwork in order. She indicated she has another court date coming up. She felt Officer Bishop was being vindictive because she wasn't feeling well when Bishop visited and she was not nice to her. She stated she does rescue pit bulls and has been for 18 years. She admitted she forgot to license her dogs on time, but has a learning disability which affects her memory.

Rasmussen pointed out she was not truthful on the application when she marked no for whether she had received any citations. She also was concerned about the fact that she is running a daycare out of her home and having rescue animals in the home. Bronson said the dogs are well behaved and not aggressive.

Officer Bishop stated the Humane Society provided her with information from a Facebook post made by Bronson that indicated she wanted to breed pit bulls. She pointed out Bronson is not registered for rescuing dogs.

Motion by Wagner, second by Peckham to approve or deny the licenses as recommended by staff, with the exception of Danielle Welter to be voted on separately. Motion carried 5-0.

Motion by Peckham, second by McElhaney to approve Danielle Welter for a one year Operator's License.

Rasmussen and Wagner stated they also would have been more inclined to grant a license if she was not drinking at all and that more time was needed before they could approve her for a license. Motion failed 1-4.

**Request for consideration of an adjustment and/or extension pertaining to pet licensing fees. (Doug & Patti Todd)**

Rayala explained the Todd's are applying for a pet fancier license for their dogs. The veterinarian is asking that they postpone the altering of the pets until they are older and has it scheduled for October 19th. If he pays now he has to pay the higher unaltered fees of \$120, but if he waits until they are fixed and microchipped to license, he will incur the late fees of \$360. He is requesting to be allowed to pay the altered/microchipped fees now and has a letter from his veterinarian stating he will not do the procedure at their current age. Rayala stated they could license for the lower fees now and have him to bring in the proof of altering and microchipping upon completion.

Motion by Wagner, second by Peckham to charge Doug & Patti Todd the lower fees for altered/microchipped pets and direct them to bring in proof of the procedures by November 1, 2016. Motion carried 5-0.

**Discussion & possible action on Reserve Class B Beer & Liquor license application for Van-Smiling Eyes, LLC dba WOW Family Entertainment Center, regarding the premise description and arcade area.**

Rasmussen noted our Class B quota has been met and all the available regular licenses are in use, so now any businesses that needs a Class B license applies for a reserve which carries a \$10,000 fee. Wagner questioned if any reserves had been issued. Rayala stated 3 out of the 11 reserves the City of Wausau is allowed are currently in use, so there are 8 available. Wagner questioned if the \$10,000 is ever refundable and Rayala stated the law does not permit a municipality to refund the money. Goede noted this applicant has not yet paid the fee and should a regular license become available before he obtains a license, he will apply for it instead. Rayala stated there is another recent application for a reserve coming forward and other businesses that would most likely compete for an available license. Rasmussen stated the Liquor License Review Subcommittee would make a recommendation to the full committee on who to award a regular available license.

Goede explained this was placed on the agenda for review of the premise description on the application so that they are aware that it includes an outdoor deck area as well as the bar/restaurant and entire arcade facility. Rasmussen noted when Mr. Greenwood presented this plan to the ED Committee, it included an outdoor beverage service area on his riverfront patio. She felt it will be important for him to have a plan to control the area to prevent minors from drinking. Hardel felt with proper management it will be fine. He questioned if there was going to be fencing of the outside area. Rasmussen stated some type of containment may be necessary to be fair to others who had restrictions on their outdoor areas.

**Discussion & possible action on ordinance or ordinance amendment permitting sale of fowl for food consumption purposes within city limits.**

Rasmussen stated we had Tara Alfonso research this because we wanted to know more about the potential for the World Market to offer the sale of live birds on set specific market days. In the packet is a draft ordinance which provides that the vendors would bring in the birds to sell and take what is not sold back with them; they would not be allowed to be housed on premise fulltime. She commented while this certainly adds to a robust marketplace environment, if we do it wrong there could be some serious pushback. She indicated a suggestion of Tara Alfonso and Dale Grosskurth, of the Health Department, is a site visit at the market to determine what Mr. Her is trying to do and where. She suggested that Wagner accompany them and help figure out a way to properly craft an ordinance.

Rasmussen stated the people that are purchasing live birds already are purchasing them from farmers and taking them to one of two sites to be processed. In the draft, rather than going to a farm to purchase, the farmers would bring them in on market day and sell them direct. Wagner felt it was a very good idea to involve the Health Department and questioned what the fee for the license should be and whether we should control the number of them issued in the city. Rasmussen pointed out that the sale would take place on site, but not the processing. Chungsou Her stated someone who lives in the country may want to purchase a bird to take it home and raise it, not always necessarily to process and eat right away.

Consensus was a site visit was necessary and Wagner agreed to go along and report back to the committee next month.

**Discussion & possible action regarding relocating Districts 3 and 10 polling place from Wisconsin National Guard Armory of Wausau back to Marathon Park East Gate**

Rayala stated we had to move the poll site from Marathon Park East Gate to the Armory for the August election and now we can get back into East Gate building. Since the Presidential turnout is so high we are splitting the districts between the Armory and the Marathon Park East Gate. She indicated she had everything ready to notify the voters of the districts.

Motion by Kellbach, second by Peckham to approve the poll place change. Motion carried 5-0.

**Operations Report from Fire Department for August 2016**

Chief Kujawa stated last year she applied for an \$85,000 firefighter grant for technology in the fire vehicles, but unfortunately we did not receive it. She indicated she went to the Northcentral Fire Chiefs Association meeting last week and learned there were \$ 2.2 billion worth of applications, but the grant was funded at \$480 million. No one in north central Wisconsin received an AFG grant this year. The grant was high priority and written appropriately; the problem was they just ran out of money. She commented technology in the fire trucks has to happen soon because we are about 20 years behind that technology. *Report placed on file.*

**Tavern Activities / Compliance Checks / Law Enforcement Activities**

Chief Hardel presented the Tavern Reports from August 10, 2016 through September 7, 2016 (*See attached.*)

Hardel stated there was a stabbing at the Cop Shoppe recently and he was very dissatisfied with the actions of the bartender. The incident occurred at approximately 2:50 a.m., but the conflict really started about 1:00 a.m., ongoing until 2:00 a.m., inside the bar; he felt the bartender should have contacted police during this time. The incident actually happened outside in the parking lot and the victim of the stabbing was let back in by the bartender who then locked the door. He indicated he was however, very pleased with the owner, Rod Carlson, who was unhappy about the actions of his bartender. Mr. Carlson came down to PD and turned over all the security cameras immediately, which provided the information we needed.

Hardel commented the Wausau Police had an appreciation picnic on The 400 Block that was very well attended and exceeded his expectations. It was our way of thanking the community and we intend to make it an annual event.

**Communications**

Rasmussen stated the Police Department will be hosting the Council and the Mayor in the Community Room at PD on Thursday at 4:30 pm., starting with a meal followed by a program.

Phil Rentmeester, Director of Emergency Management, Marathon County, stated he would like to be placed on the next agenda to talk to them about emergency managers and emergency response plans.

Wagner stated he wanted to remind everyone in the community and on the committee about the dedication of the Hmong soldier's war memorial statue on Saturday, at 10:00 a.m., at the Courthouse.

**ADDENDUM ITEM: Discussion and possible action of revocation, refusal to issue or non-renewal of Class B Beer and Liquor license for Val-Roc LLC, d/b/a Sweets on Third, located inside the Dudley Tower, pursuant to Wis. Stats. 125.12 and W.M.C. s. 5.64.160 Abandonment of Premises, following expiration of allotted time extension to open for business in new location. (Valerie Charneski - agent)**

Rasmussen reviewed we have extended the time period for Val-Roc, LLC, dba Sweets on Third, to be open business a couple of times since it was unable to open in the original location that was next to Downtown Grocery. The license was granted by Council in October of 2015, but never issued due to a fire and two 90 day extensions were subsequently granted. Ms. Charneski was then allowed until the end of the license year, June 30, 2016, to get back into the building and begin operating, however, due to a landlord and building owner dispute, that did not happen. Charneski approached the committee for more time with a plan to move to the Dudley Tower and at the last meeting indicated the health inspection would take place August 26<sup>th</sup> and that stock had been ordered. Rasmussen stated a police officer went the Dudley Tower on Friday to determine the status of the space and reported that nothing is ready to start there.

Rasmussen stated Ms. Charneski indicated at the subcommittee meeting in May that she would voluntarily surrender the license if she were unable to get into operation. This would allow the city to make the license available to several other businesses that are waiting and are ready. She explained the “Abandonment or Non-Use of License” ordinance was written to prevent entities from sitting on a license. This license has been tied up for nearly a year. Ms. Charneski can reapply for a license in the future when she is operating the sweets and coffee business in a premise. The committee can direct the Attorney’s Office to request the surrender of the license and if she refuses we will have to hold a revocation hearing.

Wagner commented he was sympathetic through the issue with the fire and disputes regarding the re-entry to the building, but we are a year into this now and he was not in favor of extending any more time. Rasmussen noted she is now in violation of the ordinance to be open for business. McElhaney commented the last update implied she was nearly ready to open and was only awaiting an inspection. She felt now that we find out nothing has been done in the space in the tower that the committee has been misled.

Motion by Wagner, second by McElhaney to request the voluntary surrender of the Class B Beer & Liquor license granted to Val-Roc, LLC and if refused, begin the revocation process. Motion carried 5-0.

**Adjourn**

Motion by McElhaney, second by Peckham to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 6:50 pm.

## ***CLERK'S REPORT TO PUBLIC HEALTH & SAFETY COMMITTEE***

October 17, 2016 Meeting

### **AGENDA ITEM**

---

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. Three Operator Licenses recommended for denial: **Ashley Miller** – 2009 Felony Conviction of Possession W/Intent Cocaine; **Khamthaneth Rattanasack** – Numerous felony convictions for burglary, Felon possession – firearm, possession W/Intent Psilocin; and **Andrea Schroeder** – Five OWI convictions – 1995, 1998, 1999, 2004, and 2011.
2. Class B Beer/ Class C Wine license for Raviolis LLC, dba Raviolis Restaurant, 2105 Grand Ave (formerly the Eagle's Nest Restaurant).
3. MASA WI, Inc., dba MASA (Japanese Restaurant), 1800 Stewart Ave, has applied for a Reserve Class B Beer & Liquor license and is competing for the available regular license.
4. Third Peak Hospitality LLC, dba Crostini Bar, 307 N 3<sup>rd</sup> St, (formerly St. Claire's Menswear), is on the list for a Reserve Class B Beer & Liquor license and is competing for the available regular license.
5. AMG – American Management Group Inc., dba Rosatis Pizza, 210 S 1<sup>st</sup> Ave (formerly Pizza Hut), currently holds a Class B Beer/Class C Wine license and is competing for the available regular Class B Beer & Liquor License.
6. Van-Smiling Eyes, LLC, dba WOW Family Entertainment Center, was approved last month for a Reserve Class B Beer & Liquor and is competing for the available regular license.

### **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: October 14, 2016

(715) 261-6621

HEALTH AND SAFETY LIST  
ALL LICENSES  
OCTOBER 17, 2016REPORT ID: LRS530I  
RUN DATE: 10/14/16  
RUN TIME: 9:55:52

<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>
RAVIOLIS, LLC 2105 GRAND AVE WAUSAU, WI 54401	2016	9/26/2016	7/01/2016	6/30/2017		RAVIOLIS	CLASS B BEER/CLASS C WINE	✓			
MASA WI, INC 3208 TIBURON DR EAU CLAIRE, WI 54401	2016	9/19/2016	7/01/2016	6/30/2017		MASA	RESERVE CLASS B BEER/LIQU			✓	
THIRD PEAK HOSPITALITY, LLC TROY DAVIS 117 EAU CLAIRE BLVD WAUSAU, WI 54403	2016	10/12/2016	7/01/2016	6/30/2017		CROSTINI BAR	RESERVE CLASS B BEER/LIQU			✓	
ALLEN, TRACY A 922 S 7TH AVE WAUSAU, WI 54401	2016	9/19/2016		6/30/2017		KRIST FOOD MART #89	OPERATOR NEW	✓			
BAILEY, ANDREW J 2001 EAGLE VALLEY LN WAUSAU, WI 54401	2016	10/03/2016		6/30/2017		BUNKERS/TRIBUTE GOLF	OPERATOR NEW	✓			
BARTZEN, TIFFANY A 4717 MESKER ST WESTON, WI 54476	2016	10/10/2016		6/30/2017		THE PLAZA HOTEL & SU	OPERATOR NEW	✓			
CAMP, BRENDA R 2307 BUCKHORN AVE SCHOFIELD, WI 54476	2016	9/23/2016		6/30/2017		R-STORE #31	OPERATOR NEW	✓			
EKUM, BREANNA J 709 5TH ST MOSINEE, WI 54455	2016	9/29/2016		6/30/2017		KRIST FOOD MART #89	OPERATOR NEW	✓			
GAJEWSKI, ELIZABETH C 1108 1/2 S 6TH AVE WAUSAU, WI 54401	2016	9/15/2016		6/30/2017		HOLIDAY GAS	OPERATOR NEW	✓			
GILIO JR, JERRY A 1300 N 9TH AVE APT 3 WAUSAU, WI 54401	2016	9/19/2016		6/30/2017		VARIOUS	OPERATOR NEW	✓			
GRUEBER, PERRY 1019 SAINT AUSTIN AVE WAUSAU, WI 54401	2016	10/11/2016		6/30/2017		WAUSAU CURLING CENTE	OPERATOR NEW	✓			
HALE, DEBORAH A 1115 JACKSON ST WAUSAU, WI 54403	2016	9/30/2016		6/30/2017		R STORE #8	OPERATOR NEW	✓			
JUEDES, KYLE C 223 DISCHER ST APT 17 SCHOFIELD, WI 54476	2016	10/11/2016		6/30/2017		KWIK TRIP #851	OPERATOR NEW	✓			

HEALTH AND SAFETY LIST  
ALL LICENSES  
OCTOBER 17, 2016REPORT ID: LRS5301  
RUN DATE: 10/14/16  
RUN TIME: 9:55:52

<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>
KOPPELA, SAMUEL C 805 FLIETH ST APT 28A WAUSAU, WI 54401	2016	9/22/2016		6/30/2017		WALGREEN'S STORE #07	OPERATOR NEW	✓			
LAUB, SCOTT T 1615 N 1ST AVE WAUSAU, WI 54401	2016	9/23/2016		6/30/2017		CRUSIN 1724	OPERATOR NEW	✓			
MILLER, ASHLEY J 1837 PARDEE ST WAUSAU, WI 54401	2016	9/19/2016		6/30/2017		R-STORE #34	OPERATOR NEW		X		DENIED
OLSON, NICHOLAS R 914 STEWART AVE WAUSAU, WI 54401	2016	9/22/2016		6/30/2017		HOLIDAY GAS	OPERATOR NEW	✓			
RANER, MATTHEW E 1500 N 1ST ST WAUSAU, WI 54403	2016	9/30/2016		6/30/2017		WALGREEN'S STORE #07	OPERATOR NEW	✓			
RATTANASACK, KHAMTHANETH 810 DUNBAR ST WAUSAU, WI 54403	2016	9/15/2016		6/30/2017		MOUNTAIN LANES FAMIL	OPERATOR NEW		X		DENIED
ROLOFF, JORDAN M 326 PARK AVE WAUSAU, WI 54403	2016	9/21/2016		6/30/2017		MALARKEY'S PUB	OPERATOR NEW	✓			
RUSSOW, KARLA M 2812 N 6TH ST WAUSAU, WI 54403	2016	10/11/2016		6/30/2017		KWIK TRIP #601	OPERATOR NEW	✓			
SANCHEZ, LUIS D 7606 GUSMAN RD WESTON, WI 54476	2016	10/07/2016		6/30/2017		KWIK TRIP #851	OPERATOR NEW	✓			
SCHROEDER 113 S 2ND AVE WAUSAU, WI 54401	2016	10/05/2016	ANDREA	6/30/2017		R STORE #5	OPERATOR NEW		X		DENIED
TORRES, JESSICA M 3900 WESTON PINES LN APT 101 WESTON, WI 54476	2016	9/15/2016		6/30/2017		THE STORE #62	OPERATOR NEW	✓			
TREPANIER, TRAVIS J 2643 MEADOWLARK DR MOSINEE, WI 54455	2016	9/14/2016		6/30/2017		WESTWOOD CONFERENCE	OPERATOR NEW	✓			
XIONG, GAOLY 1217 CEDAR ST WAUSAU, WI 54401	2016	10/11/2016		6/30/2017		HIAWATHA LOUNGE	OPERATOR NEW	✓			

HEALTH AND SAFETY LIST  
ALL LICENSES  
OCTOBER 17, 2016REPORT ID: LRS530I  
RUN DATE: 10/14/16  
RUN TIME: 9:55:52

<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>REVOCATION</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>
YANG, TRUE 1832 NORWAY LN KRONENWETTER , WI 54455	2016	9/16/2016		6/30/2017		MOUNTAIN LANES FAMIL	OPERATOR NEW	✓			
BORDEAU, NICOLE M 1722 PORTER ST WAUSAU, WI 54401	2016	9/16/2016		6/30/2018		TRIG'S WAUSAU	OPERATOR - LAPSED RENEWAL	✓			
BRADFORD, LYNSI J 5157 N 28TH AVE APT 7 WAUSAU, WI 54401	2016	9/21/2016		6/30/2018		DAY'S BOWL-A-DOME	OPERATOR - LAPSED RENEWAL	✓			
COOPER, ANGELA 1102 1/2 S 8TH AVE WAUSAU, WI 54401	2016	9/27/2016		6/30/2018		THE STORE #62	OPERATOR - LAPSED RENEWAL	✓			
DALBEC, MARY M 523 N 4TH AVE WAUSAU, WI 54401-0611	2016	9/23/2016		6/30/2018		M&R STATION	OPERATOR - LAPSED RENEWAL	✓			
EFFERTZ, DEIDRA L 10709 TESCH LN APT #63 ROTHSCHILD, WI 54474	2016	10/13/2016		6/30/2018		CHEER'S BAR	OPERATOR - LAPSED RENEWAL	✓			
KOMOROWSKI, NATHAN W 5047 N 28TH AVE APT 13 WAUSAU, WI 54401	2016	9/27/2016		6/30/2017		CRUSIN 1724	OPERATOR - LAPSED RENEWAL	✓			
OLESON, CHRISTIE M 708 FULTON ST APT 102 WAUSAU, WI 54403	2016	10/03/2016		6/30/2018		ROC'S PLACE	OPERATOR - LAPSED RENEWAL	✓			
ROBL, COLLEEN P N2446 STATE HWY 17 MERRILL, WI 54452	2016	9/30/2016		6/30/2018		KWIK TRIP #322	OPERATOR - LAPSED RENEWAL	✓			
WOLD, HALEY 706 5TH ST MOSINEE, WI 54455	2016	9/16/2016		6/30/2018		WHISKEY RIVER BAR &	OPERATOR - LAPSED RENEWAL	✓			
BACA, MELANIE 208 S 6TH AVE WAUSAU, WI 54401	2016	10/10/2016	1/01/2016	12/31/2017		MELANIE BACA	PET FANCIER PERMIT			✓	
SCHWAMMAN, CINDY 1721 W GARFIELD AVE WAUSAU, WI 54401	2016	10/03/2016	1/01/2016	12/31/2016		CINDY SCHWAMMAN	PET FANCIER PERMIT	✓			
HINTZE, RONALD S 6300 BIRCH ST APT 221 SCHOFIELD, WI 54476	2016	9/23/2016	7/01/2016	6/30/2017		A-1 CAB & DELIVERY	PUBLIC TRANS DRIVER-NEW	✓			

TOTAL LICENSES

39

**323.13 EMERGENCY MANAGEMENT**

Updated 13-14 Wis. Stats. 4

a requirement that local unit of government emergency management programs adopted under s. 323.14 (1) (a) 1. and (b) 1. utilize the incident command system during a state of emergency declared under s. 323.10 or 323.11 or in any other multi-jurisdictional or multi-agency emergency response. The standards for fire, rescue, and emergency medical services shall include the adoption of the intergovernmental cooperation Mutual Aid Box Alarm System as a mechanism that may be used for deploying personnel and equipment in a multi-jurisdictional or multi-agency emergency response. The standards for agencies that manage public works shall include the suggestion that the local unit of government, or a federally recognized American Indian tribe or band in this state, adopt the mutual assistance agreement created by the division for the intergovernmental collaboration of public works personnel, equipment, and resources in a multi-jurisdictional or multi-agency emergency response. The adjutant general shall consult with representatives of public works professional associations and organizations regarding the content of that agreement.

(dm) If the adjutant general finds that a local unit of government has not developed, adopted, and implemented an emergency management plan as required under s. 323.14 (1), refuse to approve grants of funds or items of equipment awarded under this chapter to the local unit of government until the local unit of government does so. If the local unit of government fails to use the funds or items of equipment granted in accordance with the agreement under which the grant was made, the adjutant general may refuse to make any additional grants to the local unit of government until it has complied with the conditions of the prior grant, and he or she may start recovery proceedings on the funds and items of equipment that have not been used in accordance with the conditions of the grant.

(e) Provide assistance to the Wisconsin wing of the civil air patrol from the appropriation under s. 20.465 (3) (f) for the purpose of enabling the patrol to perform its assigned missions and duties as prescribed by U.S. air force regulations. Expenses eligible for assistance are aircraft acquisition and maintenance, communications equipment acquisition and maintenance and office staffing and operational expenses. The civil air patrol shall submit vouchers for expenses eligible for assistance to the division.

(f) No later than 90 days after a state of emergency relating to public health is declared and the department of health services is not designated under s. 323.10 as the lead state agency to respond to that emergency and no later than 90 days after the termination of this state of emergency relating to public health, submit to the legislature under s. 13.172 (2) and to the governor a report on all of the following:

1. The emergency powers used by the department of military affairs or its agents.
2. The expenses incurred by the department of military affairs and its agents in acting under the state of emergency related to public health.

(2) ONGOING POWERS. The adjutant general may do all of the following:

(a) Divide the state into emergency management regions composed of whole counties, subject to approval by the governor, and modify the boundaries of those regions as changed conditions warrant.

(b) Appoint a director of emergency management for each region under par. (a) under the classified service on either a part-time or full-time basis, or ask the governor to designate any state officer or employee as acting regional director on a part-time basis.

(c) Designate and post highways as emergency management routes closed to all but authorized vehicles when required for training programs and exercises.

(d) Prescribe traffic routes and control traffic during a state of emergency.

(e) Organize and train state mobile support units to aid any region during a state of emergency. The units may participate in training programs and exercises within or outside the state.

(f) Request the department of health services to inspect or provide for the inspection of shipments of radioactive waste, obtain and analyze data concerning the radiation level of shipments of radioactive waste and issue reports concerning these shipments and radiation levels. The adjutant general may assess and collect and receive contributions for any costs incurred under this paragraph from any person who produced the radioactive waste which is the subject of the activity for which the costs are incurred. In this paragraph, "radioactive waste" has the meaning given in s. 293.25 (1) (b).

(g) Assess and collect and receive contributions for any costs incurred by state agencies to establish and maintain radiological emergency response plans related to nuclear generating facilities.

(h) Make payments for disaster assistance under ss. 323.30 and 323.31.

Cross-reference: See also chs. WEM 7 and 8, Wis. adm. code.

History: 2009 a. 42 ss. 80 to 83, 85 to 94, 120, 290 to 293; Stats. 2009 s. 323.13.

**323.14 Local government; duties and powers.**

(1) ONGOING DUTIES. (a) 1. Subject to subd. 3., each county board shall develop and adopt an emergency management plan and program that is compatible with the state plan of emergency management under s. 323.13 (1) (b).

2. Each county board shall designate a head of emergency management. In counties having a county executive under s. 59.17, the county board shall designate the county executive or confirm his or her appointee as county head of emergency management. Notwithstanding sub. (2) (b), an individual may not simultaneously serve as the head of emergency management for 2 or more counties.

3. Each county board shall designate a committee of the board as a county emergency management committee. The chairperson of the county board shall designate the chairperson of the committee. In counties having a county executive under s. 59.17, the committee shall retain policy-making and rule-making powers in the establishment and development of county emergency management plans and programs.

(b) 1. The governing body of each city, village, or town shall develop and adopt an emergency management plan and program that is compatible with the state plan of emergency management adopted under s. 323.13 (1) (b).

2. The governing body of each city, village, or town shall designate a head of emergency management services.

(2) ONGOING POWERS. (a) The governing body of a local unit of government may appropriate funds and levy taxes for its emergency management program under sub. (1).

(b) Local units of government may cooperate under s. 66.0301 to furnish services, combine offices, and finance emergency management programs.

(c) Local units of government may contract for emergency management services with political subdivisions, agencies, and federally recognized American Indian tribes and bands of this state, and, upon prior approval of the adjutant general, with such entities in bordering states. A copy of each agreement shall be filed with the adjutant general within 10 days after execution of that agreement.

(3) DUTIES DURING AN EMERGENCY. (a) If the governing body of a local unit of government declares an emergency under s. 323.11 and intends to make use of volunteer health care practitioners, as specified in s. 257.03, the governing body or its agent shall, as soon as possible, notify the department of health services of this intent.

(b) During a state of emergency declared by the governor, a local unit of government situated within the area to which the governor's executive order applies may employ personnel, facilities,

Chapter 2.64

CIVIL DEFENSE

Sections:

- 2.64.010 Joint action ordinance adopted.
- 2.64.020 Emergency government director.

2.64.010 Joint action ordinance adopted. Joint Action Emergency Government Ordinance No. 67 of the board of supervisors of Marathon County providing for a county-municipal joint action civil defense plan of organization was adopted by said county board on the 24th day of May, 1977. A copy of County ordinance No. 67 is made a part of this chapter by reference, and is ratified and accepted between the city of Wausau and the county of Marathon, as provided by Section III of said joint action ordinance. (~~Ord. 61-4344 §1(part), 1977.~~)

2.64.020 Emergency government director. The county/municipal emergency government director, appointed and employed by the Marathon County Board as provided in the ordinance referred to in section 2.64.010 is designated and appointed emergency government director for the city subject to the conditions and provisions as set forth in the Wisconsin Statutes, and the county joint action ordinance. (Ord. 61-4344 §1(part), 1977.)

**ORDINANCE #O-21-16**

**TO REPEAL AND RECREATE CHAPTER 6 OF THE GENERAL CODE OF ORDINANCES FOR  
MARATHON COUNTY: EMERGENCY MANAGEMENT**

**WHEREAS**, Chapter 6 of the General Code of Ordinances of Marathon County, entitled Joint-Action Emergency Government was enacted in 1993, pursuant to Ordinance # O-26-93, and has not been updated since 2002; and

**WHEREAS**, Wisconsin law have changed substantially since that time; and

**WHEREAS**, the Marathon County Emergency Management Director has undertaken the task of revising Chap.6 to conform to the state law and current practice in Marathon County; and

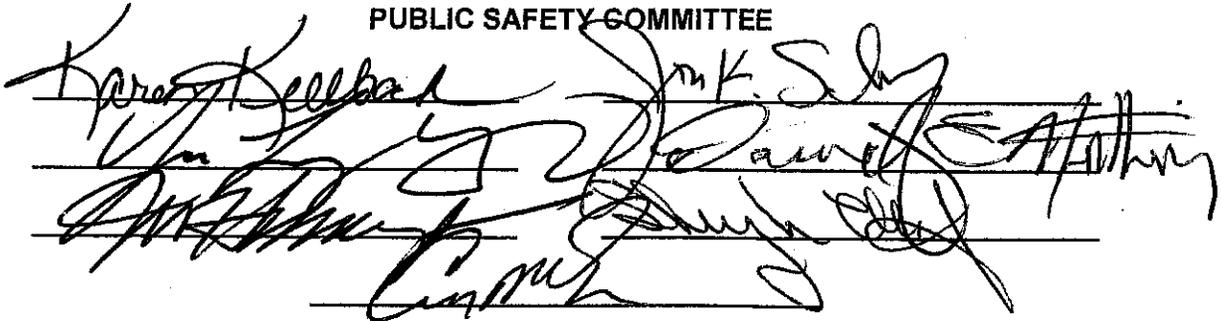
**WHEREAS**, on July 13, 2016, the Public Safety Committee voted to approve revisions and to forward to county board the draft as set forth in the Attachment hereto.

**NOW, THEREFORE**, the County Board of Supervisors of the County of Marathon does hereby ordain and resolve to: Repeal and Recreate Chap. 6 of the General Code of Ordinances to read as described in the Attachment hereto.

**BE IT FURTHER ORDAINED AND RESOLVED** that said ordinance shall take effect upon passage and publication as required by law.

Respectfully submitted this 23 day of August, 2016.

**PUBLIC SAFETY COMMITTEE**



**Fiscal Impact:** No anticipated budgetary impact for 2016.

## Chapter 6 - EMERGENCY MANAGEMENT

### EMERGENCY MANAGEMENT

#### Sec. 6.01. Policy and Purpose.

- (1) Office created. To ensure that the County will be prepared to cope with emergencies resulting from disasters, an office of Emergency Management is created to carry out the purposes in Chapter 323, Wisconsin Statute.
- (2) The governing body of any local unit of government may declare, by ordinance or resolution, an emergency existing within the local unit of government whenever conditions arise by reason of a riot or civil commotion, a disaster, or an imminent threat of a disaster, that impairs transportation, food or fuel supplies, medical care, fire, health, or police protection, or other critical systems of the local unit of government. The period of the emergency shall be limited by the ordinance or resolution to the time during which the emergency conditions exist or are likely to exist.
- (3) The County Board may declare, by resolution, a state of emergency for the County or any portion thereof in accordance with s.s. 323.11 of the Wisconsin Statutes. In the event an emergency occurs within Marathon County at a time when the County Board is unable to meet for the purpose of making such a declaration in order to access state emergency resources, fix liability for emergency response costs or authorize emergency repairs to county facilities, the following persons may declare a state of emergency:
  - (a) County Board Chair
  - (b) In the event the County Board Chair is unavailable, the Vice-Chair of the County Board.
- (4) Definitions. As used in this chapter:
  - (a) "Disaster" means a severe or prolonged, natural or human-caused, occurrence that threatens or negatively impacts life, health, property, infrastructure, the environment, the security of this county or a portion of the county, or critical systems, including computer, telecommunications, or agricultural systems.
  - (b) "Emergency" means a natural or man-made disaster that exceeds the capacity of the county to respond to in such a way as to save lives, preserve property, protect the environment, and to maintain social, ecological, economic, and political stability of Marathon County.
  - (c) "Emergency Management" means all measures undertaken by or on behalf of the State and its subdivisions to do any of the following:
    1. Prepare for and minimize the effect of a disaster or the imminent threat of a disaster.
    2. Make repairs to infrastructure or critical systems that are destroyed or damaged by a disaster.
  - (d) "Technical Rescue" involves, among other things, emergencies such as structural collapse, trench cave-in, confined spaces, industrial and agricultural machinery emergencies, and people trapped above or below grade level. Technical rescue incidents are often complex, requiring specially trained personnel and special equipment to complete the mission.

#### Sec. 6.02. County Emergency Management Committee.

- (1) How constituted. The Public Safety Committee of the County Board as created under its rules is hereby designated as the County Emergency Management Committee.

- (2) Duties of committee. The Public Safety Committee shall be an advisory and planning group that advises the County Emergency Management Director and the County Board on all matters pertaining to emergency management

Sec. 6.03. County Emergency Management Director.

- (1) There is hereby created the office of County Emergency Management Director.
- (2) Salary, term, appointment. County Emergency Management Director shall be a full-time position.
  - (a) Salary. The salaries of the Director and staff shall be as determined by the County Board.
  - (b) Term. The term of the Director shall be at the pleasure of the County Administrator.
  - (c) Appointment. The Director shall be appointed by the County Administrator subject to approval by the County Board.
- (3) Status. The Director shall be considered to be an employee of the County, entitled to all the rights, privileges and benefits County employees have. The Director shall report to the County Administrator.

Sec. 6.04. Sharing of Costs.

- (1) Office and staff.
  - (a) The County Board shall provide offices, office furniture, office assistance and such office supplies as may be necessary to carry out the functions of the Emergency Management Director.
- (2) Major equipment and services.
  - (a) Costs of equipment and services shall be borne 100 percent by Marathon County and shall be supplemented by federal matching funds when available. The Emergency Management Director shall budget for major equipment and service needs on behalf of Marathon County.
  - (b) In the event major equipment or services are to be shared with or given to other political subdivisions within Marathon County, such political subdivision shall pay for said equipment and services in proportion of their usage.
  - (c) Costs for major equipment and services which may be deemed to be necessary and expedient for the health, safety, protection, and welfare of persons and property within a local unit of government procured in an emergency as set forth below, shall be apportioned in accordance with the needs of that jurisdiction during the emergency.
  - (d) Where available, State and/or Federal disaster funds will be requested and applied to those costs.

Sec. 6.05. Heads of Emergency Management: Duties and Powers.

- (1) County Emergency Management. The Director, in his or her capacity as County Emergency Management Director, shall:
  - (a) Monitor and recommend any revisions to the county emergency management plan for county board action.
  - (b) Implement the emergency management plan adopted by the county board.

- (c) Perform other duties related to emergency management as required by the county board and emergency management committee.
  - (d) Ensure that emergency management plans require the use of the incident command system by all emergency response agencies, including local health departments, during a state of emergency declared under s. 323.10 or 323.11.
  - (e) Coordinate and assist in developing city, village, and town emergency management plans within the county, integrate the plans into the county plan, advise the department of military affairs of emergency planning in the county and submit to the adjutant general reports that he or she requires.
  - (f) Direct and coordinate emergency management activities throughout the county during a state of emergency.
  - (g) Direct countywide emergency management training programs and exercises.
  - (h) May enter into cooperative agreements under s.66.0301, stats, with cities, villages, or towns within Marathon County for emergency management services if approved by the governing body of both the county and city, village, or town.
- (2) City, Village, and Town Emergency Management. The head of emergency management in each city, village, and town shall:
- (a) Direct local emergency management training programs and exercises.
  - (b) Direct participation in emergency management programs and exercises that are ordered by the adjutant general or the county emergency management director.
  - (c) Advise the county emergency management director on local emergency management programs.
  - (d) Submit to the county emergency management director any report he or she requires.
  - (e) May enter into cooperative agreements under s.66.0301, stats, with Marathon County for emergency management services if approved by the governing body of both the county and city, village, or town.

Sec. 6.06. Utilization of existing services, personnel and facilities.

- (1) Policy. In preparing and executing the emergency government services program, the services, equipment, supplies and facilities of the existing departments and agencies of the County shall be utilized to the maximum extent practicable; and the head and personnel of all such departments and agencies are directed to cooperate with and extend such services and facilities as are required of them.
- (2) Said departments will fulfill emergency and non-emergency duties as assigned under the Marathon County Emergency Operations Plan. Nothing in this section shall be construed so as to limit the Emergency Management Director from immediately starting organizational and planning programs as required by the State of Wisconsin Emergency Operations Plan adopted by the county board.
- (3) County succession to command. To insure continuity of government, the following shall be the succession to leadership for Marathon County.
  - (a) County Administrator.
  - (b) County Board Chairperson.
  - (c) County Board Vice-chairperson.

Sec. 6.07. Other emergencies.

- (1) Joint action municipalities. If the Governor determines that an emergency exists growing out of a disaster, the County Emergency Management Director will activate and direct emergency management services at the appropriate level of government affected by the emergency.
- (2) Non-joint action municipalities. In the event of a disaster, the County Emergency Management Director will coordinate the municipalities affected and render such assistance as is required and available from County resources.

Sec. 6.08. Violations/Penalty.

Whoever intentionally fails to comply with an order issued by an agent of the state or of a local unit of government who is engaged in emergency management activities under this chapter, including training exercises, is subject to a forfeiture of not more than \$200.

Sec. 6.09. Reserved.

Sec. 6.10. Powers of law enforcement officers.

During any state of emergency declared by the governor or during any training program or exercises authorized by the adjutant general, any law enforcement officer, when legally engaged in traffic control, escort duty, or protective service, may carry out the functions anywhere in the state but shall be subject to the direction of the adjutant general through the sheriff of the county in which an assigned function is performed.

Sec. 6.11. Administration of claim for reimbursement due to hazardous substance emergency response.

- (1) In this section:
  - (a) Discharge means, but is not limited to, spilling, leaking, pumping, pouring, emitting, emptying or dumping.
  - (b) Hazardous substance means any substance or combination of substances, including any waste of a solid, semi-solid, liquid or gaseous form which may cause or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating reversible illness or which may pose a substantial present or potential hazard to human health or the environment because of its quantity, concentration or physical, chemical or infectious characteristics. This term includes, but is not limited to, substances which are toxic, corrosive, flammable, irritants, strong sensitizers or explosives as determined by the Wisconsin Department of Natural Resources.
  - (c) Local agency means an agency of a county, city, village or town, including a municipal police or fire department, a municipal health organization, a county office of emergency management, a county sheriff, an emergency medical service or a public works department.
- (2) A person who possesses or controls a hazardous substance that is discharged or who causes the discharge of a hazardous substance shall take the actions necessary to protect public health and safety and prevent damage to property.
- (3) If an action required under subsection (2) is not being adequately taken or the identity of a person responsible for a discharge of a hazardous substance is unknown and the discharge threatens public health or safety or damage to property, a local agency may take any emergency action that is consistent with the contingency plan for the undertaking of emergency actions in response to the discharge of hazardous substances established by the Department of Natural Resources under § 292.11(5), Wis. Stats., and that it considers appropriate under the circumstances.
- (4) A person who possessed or controlled a hazardous substance that was discharged or who caused the discharge of a hazardous substance shall, as provided under subsection (5), reimburse a local

agency for actual, reasonable and necessary expenses incurred under subsection (3).

- (5) (a) A local agency seeking reimbursement under subsection (4) shall submit a claim stating its expenses to the Marathon County Director of Emergency Management if the discharge occurred in Marathon County.
- (b) The Marathon County Director of Emergency Management shall review claims submitted under paragraph (a) and determine the amount of reasonable and necessary expenses incurred. The Director shall provide a person who is liable for reimbursement under subsection (4) with a notice of the amount of expenses he or she has determined to be reasonable and necessary that arise from one discharge and are incurred by all local agencies from which the Director of Emergency Management receives a claim.
- (c) If a person receiving a notice under paragraph (b) objects to the amount of expenses in the notice, the person may ask the Local Emergency Planning Committee to review the determination of the Director of Emergency Management. The Local Emergency Planning Committee may modify the determination and shall notify the person of the result of its review.
- (d) A person liable for reimbursement under subsection (4) shall pay the reimbursement directly to each local agency.

#### Sec. 6.12 Technical Rescue Services

- (1) To the extent that technical rescue services continue to be defined, the Marathon County Emergency Management Director shall have the authority to incorporate such services into the Emergency Management Plan and determine whether they should be provided.
- (2) Pursuant to Wisconsin Statute 323.72, the Marathon County Department of Emergency Management may contract with the State of Wisconsin Department of Military Affairs to provide a regional structure collapse team.

(July 13, 2016)



---

Office of the City Attorney

TEL: (715) 261-6590  
FAX: (715) 261-6808

---

Anne L. Jacobson  
City Attorney

Tara G. Alfonso  
Assistant City Attorney

REVISED COMMENTS ON AMENDMENT TO SECTION 8.08.010, CERTAIN  
CREATURES FORBIDDEN, PERMITTING SALE OF LIVE POULTRY AT  
MARKETPLACES

- Currently W.M.C. §8.08.010 prohibits bringing into, keeping, harboring, or maintaining farm animals within the city limits. For purposes of this ordinance, farm animals includes poultry and fowl normally raised on farms and used or intended for use as food such as chickens, ducks, and turkeys.
- The Wausau World Market has requested the Public Health & Safety Committee and the City's Common Council to consider permitting vendors at the Wausau World Market to sell live poultry.
- The proposed amendment to Section 8.08.010 would permit "marketplaces" to sell live poultry and other farm raised game birds on market days in accordance with certain provisions fashioned for the protection of the health and safety of the public, as well as the health and humane treatment of the animals. Marketplaces would include establishments such as the Wausau World Market, farmer's markets, and flea-type markets.
- The proposed amendment requires birds held for sale to be kept out of doors at the marketplace. Further, no birds may be kept or brought within 100 feet of any other outdoor area at the marketplace where food, produce, or other goods are held for sale or display. Birds may not be brought into any indoor areas which may be located on the premises of the marketplace.
- The amendment *does not* envision permitting establishments such as corporate/commercial retail grocery stores to sell live fowl or poultry.
- A permit would be required to be obtained by the sponsor of the marketplace or owner or lessee of the property on which the marketplace is located. As currently drafted, the permit would need to be renewed annually and a permit would only be valid for the period of April 1 to November 1 each year.
- The Committee would need to propose an amount to be charged, if any for the permit.
- There are not many State of Wisconsin laws or regulations governing the sale of live fowl. However, poultry and game birds sold or moved within Wisconsin must be enrolled with the Department of Agriculture Trade and Consumer Protect as Wisconsin tested flocks or Wisconsin associate flocs or with the National Poultry Improvement Program. In order to be enrolled, among other things, a bird owner must test annually for Salmonella pullorum, fowl typhoid, and in the case of turkeys, Mycoplasma gallisepticum. (Birds raised by individuals for their own use, or selling dressed poultry or eggs for eating, do not require testing).
- Additionally, State of Wisconsin law and regulations require a person keeping livestock at a location within the state to register the location as a "livestock premises" pursuant to

**ORDINANCE OF PUBLIC HEALTH AND SAFETY COMMITTEE**

Amending Section 8.08.001 Definitions (f) adding “Marketplace”  
Amending Section 8.08.010 Certain creatures forbidden

Committee Action:

**Ordinance Number:**

Fiscal Impact:

**File Number:**

**Date Introduced:**

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

Add (        )

Delete (  )

Section 1. That Section 8.08.001 Definitions, is hereby amended to read as follows:

8.08.001 Definitions.

...

(e) “Farm animal/poultry” means any warmblooded animal/fowl . . .

(f) “Marketplace” means a direct farm market where multiple growers can sell their goods directly to the consumer or other market in which multiple sellers convene and offer goods or services for sale at one ~~indoor or~~ outdoor location or premises.

~~(f)~~(g) “Owner” means any individual, partnership or corporation that has the right of property in an animal or who keeps, harbors, cares for, acts as its custodian, or who knowingly permits an animal to remain on or about his/premises/property for five or more consecutive days. For purposes of this chapter, any individual designated in writing by an authorized TNR program, who acts as a caregiver for a feral or stray cat that has been ear tipped and neutered as part of a TNR program shall not be deemed to be an Owner of such feral or stray cat; provided however, that such individual complies with the provisions of Section 8.08.05 and provides a copy of the written designation to appropriate City officials upon request.

...

Section 2. That Section 8.08.010 Certain creatures forbidden is hereby amended to read as follows:

...

(d) The prohibitions in subsection (a) and (b) of this section do not apply to the sale of live poultry or farm raised game birds (“Birds”) at a marketplace upon compliance with all of the following conditions:

(1) The sponsor of the marketplace, or the owner or lessee of property on which a marketplace is located, registers the location of the premises or marketplace as a livestock premises in accordance with Wis. Stat. §95.51 and the regulations and rules promulgated by the Wisconsin Department of Agriculture, Trade and Consumer Protection, Wis. Adm. Code ATCP ch. 17.

(2) The Birds are enrolled in the National Poultry Improvement Program, or with the Wisconsin Department of Agriculture, Trade and Consumer Protection as Wisconsin tested flocks or Wisconsin associated flocks pursuant to Wis. Adm. Code ATCP §10.40 or §10.41.

(3) The sponsor of the marketplace, or the owner or lessee of property on which a marketplace is located, obtains a ~~valid~~ permit issued by the city clerk, which shall be valid ~~until and unless revoked~~ only for a period of April 1 to November 1. The fee for such permit shall be as provided in section 3.40.010(a). Prior to issuance of a permit, the applicant shall submit to an inspection and demonstrate that the requirements of this subsection (d) are met or shall be met prior to the sale of any Birds. Permits shall be approved by the Public Health & Safety Committee prior to issuance. A permit shall be subject to revocation or suspension upon failure to comply with any provision of this subsection (d). Once a permit is revoked, a permit shall not be reissued to the holder.

(4) The transportation, care, and handling of Birds is not in violation of provisions of ~~title~~ ~~chapter~~ 8 of this Code, including but not limited to §8.08.020, mistreating animals, §8.08.050, transportation of animals, §8.08.130, providing proper food and drink, and §8.08.140, providing proper shelter.

(5) Birds shall not be transported to and from, kept, or maintained at the marketplace in overcrowded, unsanitary or inhumane conditions.

(A) All cages, cage pans, and pens must be made of a material that can be and shall be routinely cleaned and disinfected.

(B) Any cage or other carrier used to house Birds shall be of sufficient size to allow each Bird to stand upright in the cage without having its head protrude through the top of the cage. A Bird shall also be able to lie down, get up, spread its wings, move its head freely, turn around and rest. Cages shall be constructed to minimize the risk of injury or entrapment and constructed to minimize the soiling of Birds by fecal material from Birds in cages above.

(C) If floors and pens are used to house Birds, sufficient room shall be provided for each Bird to stand, lie down, get up, walk, spread its wings, move its head freely, turn around and rest, and be constructed of a surface that provides a suitable environment for the health of the Birds.

(D) Upon sale of any Bird, the Vendor shall place the Bird into a cage or other secure carrier provided by the Vendor for transport by the customer that meets the requirements of subsection (d)(5)(B) above.

(6) Stalls, booths, or other marketplace sales areas where Birds are held out for sale shall be kept in a clean and sanitary manner at all times. ~~Vendors shall keep Birds separate from other food, produce, or products held for sale or display. Sponsors of marketplaces~~ The sponsor of a marketplace and owners or lessees of property on which a marketplace is located, shall ensure that adequate hand wash facilities are available and utilized by Vendors to avoid the transmission of germs, bacteria, and disease. Sponsors of a marketplace and owners or lessees of property on which a marketplace is located which permit the sale of Birds shall maintain an effective and safe pest control program that eliminates or minimizes pests including rodents, flies, cockroaches and other insects.

~~(7)~~(7) ~~Vendors shall keep Birds held for sale at the marketplace out of doors. Birds shall not be located or permitted to be brought within 100 feet of any other outdoor area at the marketplace where food, produce, or other goods are held for sale or display. Birds shall not be brought into any indoor areas which may be located on the premises of the marketplace.~~

(8) No slaughter of Birds may occur within the City of Wausau. Birds must be taken to a sanitary facility and slaughtered in a humane manner outside of the City limits. After slaughter, no Bird may be hung, displayed, or dressed within public view in the City limits.

(9) Sponsors of the marketplace, or the owner or lessee of property on which a marketplace is located, shall ensure that every participating Vendor offering the sale of Birds prominently displays a sign of a minimum of 11 inches square advising customers purchasing Birds of the requirements of subsection (d)(7) and (d)(8). Vendors shall further provide, at the time of sale, each customer purchasing a Bird, a written notice of a minimum size of 3 by 5 inches advising customers of ~~such~~the requirements of subsection (d)(7) and (d)(8).

(10) Birds held for sale shall be transported to the marketplace on the day of sale. Birds shall not be permitted to remain on the premises of the marketplace after closing of the market for the day.

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:

---

Robert B. Mielke, Mayor

Attest:

---

Toni Rayala, Clerk

Wis. Stat. s. 95.51 and the regulations promulgated thereunder. For purposes of livestock premises registration, the definition of livestock includes poultry.

- Any person violating the provisions of the ordinance would be subject to a forfeiture not to exceed \$200.00 plus court costs (a total at this time of \$313.00) as the penalty structure of chapter 8.08 is currently structured. A different forfeiture, however, could be established. Furthermore, the permit for permitting sale of poultry would be subject to revocation or suspension. Once revoked, a holder would no longer be entitled to apply for or hold another permit for such activity.

**ORDINANCE OF PUBLIC HEALTH AND SAFETY COMMITTEE**

Amending Section 8.08.001 Definitions (f) adding “Marketplace”  
Amending Section 8.08.010 Certain creatures forbidden

Committee Action:

**Ordinance Number:**

Fiscal Impact:

**File Number:**

**Date Introduced:**

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

Add (  )

Delete (  )

Section 1. That Section 8.08.001 Definitions, is hereby amended to read as follows:

8.08.001 Definitions.

...

(e) “Farm animal/poultry” means any warmblooded animal/fowl . . .

(f) “Marketplace” means a direct farm market where multiple growers can sell their goods directly to the consumer or other market in which multiple sellers convene and offer goods or services for sale at one outdoor location or premises.

~~(f)~~(g) “Owner” means any individual, partnership or corporation that has the right of property in an animal or who keeps, harbors, cares for, acts as its custodian, or who knowingly permits an animal to remain on or about his/premises/property for five or more consecutive days. For purposes of this chapter, any individual designated in writing by an authorized TNR program, who acts as a caregiver for a feral or stray cat that has been ear tipped and neutered as part of a TNR program shall not be deemed to be an Owner of such feral or stray cat; provided however, that such individual complies with the provisions of Section 8.08.05 and provides a copy of the written designation to appropriate City officials upon request.

...

Section 2. That Section 8.08.010 Certain creatures forbidden is hereby amended to read as follows:

...

(d) The prohibitions in subsection (a) and (b) of this section do not apply to the sale of live poultry or farm raised game birds (“Birds”) at a marketplace upon compliance with all of the following conditions:

(1) The sponsor of the marketplace, or the owner or lessee of property on which a marketplace is located, registers the location of the premises or marketplace as a livestock premises in accordance with Wis. Stat. §95.51 and the regulations and rules promulgated by the Wisconsin Department of Agriculture, Trade and Consumer Protection, Wis. Adm. Code ATCP ch. 17.

(2) The Birds are enrolled in the National Poultry Improvement Program, or with the Wisconsin Department of Agriculture, Trade and Consumer Protection as Wisconsin tested flocks or Wisconsin associated flocks pursuant to Wis. Adm. Code ATCP §10.40 or §10.41.

(3) The sponsor of the marketplace, or the owner or lessee of property on which a marketplace is located, obtains a permit issued by the city clerk, which shall be valid only for a period of April 1 to November 1. The fee for such permit shall be as provided in section 3.40.010(a). Prior to issuance of a permit, the applicant shall submit to an inspection and demonstrate that the requirements of this subsection (d) are met or shall be met prior to the sale of any Birds. Permits shall be approved by the Public Health & Safety Committee prior to issuance. A permit shall be subject to revocation or suspension upon failure to comply with any provision of this subsection (d). Once a permit is revoked, a permit shall not be reissued to the holder.

(4) The transportation, care, and handling of Birds is not in violation of provisions of chapter 8 of this Code, including but not limited to §8.08.020, mistreating animals, §8.08.050, transportation of animals, §8.08.130, providing proper food and drink, and §8.08.140, providing proper shelter.

(5) Birds shall not be transported to and from, kept, or maintained at the marketplace in overcrowded, unsanitary or inhumane conditions.

(A) All cages, cage pans, and pens must be made of a material that can be and shall be routinely cleaned and disinfected.

(B) Any cage or other carrier used to house Birds shall be of sufficient size to allow each Bird to stand upright in the cage without having its head protrude through the top of the cage. A Bird shall also be able to lie down, get up, spread its wings, move its head freely, turn around and rest. Cages shall be constructed to minimize the risk of injury or entrapment and constructed to minimize the soiling of Birds by fecal material from Birds in cages above.

(C) If floors and pens are used to house Birds, sufficient room shall be provided for each Bird to stand, lie down, get up, walk, spread its wings, move its head freely, turn around and rest, and be constructed of a surface that provides a suitable environment for the health of the Birds.

(D) Upon sale of any Bird, the Vendor shall place the Bird into a cage or other secure carrier provided by the Vendor for transport by the customer that meets the requirements of subsection (d)(5)(B) above.

(6) Stalls, booths, or other marketplace sales areas where Birds are held out for sale shall be kept in a clean and sanitary manner at all times. The sponsor of a marketplace and owners or lessees of property on which a marketplace is located, shall ensure that adequate hand wash facilities are available and utilized by Vendors to avoid the transmission of germs, bacteria, and disease. Sponsors of a marketplace and owners or lessees of property on which a marketplace is located which permit the sale of Birds shall maintain an effective and safe pest control program that eliminates or minimizes pests including rodents, flies, cockroaches and other insects.

(7) Vendors shall keep Birds held for sale at the marketplace out of doors. Birds shall not be located or permitted to be brought within 100 feet of any other outdoor area at the marketplace where food, produce, or other goods are held for sale or display. Birds shall not be brought into any indoor areas which may be located on the premises of the marketplace.

(8) No slaughter of Birds may occur within the City of Wausau. Birds must be taken to a sanitary facility and slaughtered in a humane manner outside of the City limits. After slaughter, no Bird may be hung, displayed, or dressed within public view in the City limits.

(9) Sponsors of the marketplace, or the owner or lessee of property on which a marketplace is located, shall ensure that every participating Vendor offering the sale of Birds prominently displays a sign of a minimum of 11 inches square advising customers purchasing Birds of the requirements of subsection (d)(7) and (d)(8). Vendors shall further provide, at the time of sale, each customer purchasing a Bird, a written notice of a minimum size of 3 by 5 inches advising customers of the requirements of subsection (d)(7) and (d)(8).

(10) Birds held for sale shall be transported to the marketplace on the day of sale. Birds shall not be permitted to remain on the premises of the marketplace after closing of the market for the day.

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:

---

Robert B. Mielke, Mayor

Attest:

---

Toni Rayala, Clerk

**RESOLUTION OF THE PUBLIC HEALTH & SAFETY COMMITTEE**

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

Committee Action: Approved

Fiscal Impact:

**File Number:**

**Date Introduced:**

**RESOLUTION**

WHEREAS, the Common Council of the City of Wausau has adopted an amendment to W.M.C. §8.08.010, Certain creatures forbidden, permitting the sale of live poultry or farm raised game birds at a marketplace in accordance with certain provisions fashioned for the protection of the health and safety of the public, as well as the health and humane treatment of the animals; and

WHEREAS, effective implementation of the ordinance 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 its October 17, 2016, meeting, recommends that the City adopt a permit fee of \$\_\_\_\_\_ under the newly adopted amendment to the ordinance and incorporate this 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 \$\_\_\_\_\_ is 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 W.M.C. §8.08.010(d) permitting the sale of live poultry or farm raised game birds at a marketplace.

Approved:

\_\_\_\_\_  
Robert B. Mielke, Mayor

Summary of Fire and EMS Events  
For September 2016

**1. Significant City Fire Events:**

Date	Address	Type
09/18/16	500 Grand Avenue, Wausau (1624)	Cooking Fire, confined to container
09/19/16	704 N. 9 <sup>th</sup> Avenue, Wausau (1636)	Passenger vehicle fire

**2. Township Fire Calls:**

Date	Township	Address	Type
None			
<b>Total Mutual Aid Given</b>			<b>0</b>
<b>Tanker Response Only</b>			<b>0</b>

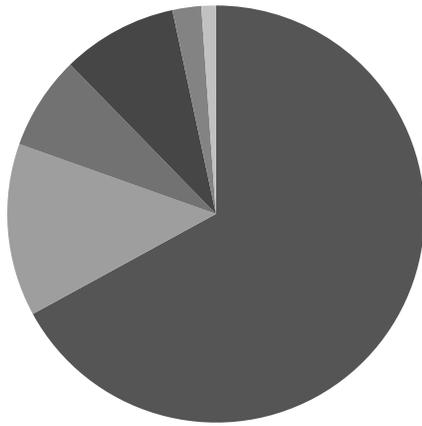
**3. Significant EMS Events:**

City	# of Runs	% of Runs	# of Runs - YTD
Berlin (Town of)	1	0.22%	15
Brokaw (Village of)	1	0.22%	3
Hewitt (Town of)	0	0.00%	14
Maine (Village of)	5	1.12%	70
Texas (Town of)	2	0.45%	23
Schofield (City of)	0	0.00%	0
Stettin (Town of)	0	0.00%	0
Wausau (City of)	431	96.85%	3,903
Wausau (Town of)	5	1.12%	42
Weston (Village of)	0	0.00%	7
Other	0	0.00%	7
Interfacility	0	0.00%	8
<b>Total</b>	<b>445</b>	<b>100.00%</b>	<b>4,092</b>

**4. Fire Department Activities**

NFIRS Incidents (Engine)	255.46 Hours
WARDS Incidents (Ambulance)	537.50 Hours
Non-Incident Activities (Station Maintenance/Wellness, Vehicle Check-off/Fire Pre-plan, Hazmat Outreach, Administration duties, Public Education, Committee and Staff Meetings)	1,866.50 Hours
Training	668.83 Hours

## 5. Other Fire Incident Responses:



- Rescue & Emergency Medical Service Incident (120)
- False Alarm & False Call (24)
- Good Intent Call (13)
- Service Call (16)
- Hazardous Condition (No Fire) (4)
- Fire (2)

CODE	DESCRIPTION	FREQ.	FREQ. %	EXPs	TOTAL MAN HOURS	AVERAGE RESPONSE TIME (min)
113	Cooking fire, confined to container	1	0.56 %	0	9.97	1.00
131	Passenger vehicle fire	1	0.56 %	0	11.90	4.00
300	Rescue, emergency medical call (EMS) call, other	2	1.12 %	0	1.12	4.00
311	Medical assist, assist EMS crew	101	56.42 %	0	61.88	4.06
322	Vehicle accident with injuries	8	4.47 %	0	15.93	4.75
324	Motor vehicle accident with no injuries	3	1.68 %	0	3.12	4.00
342	Search for person in water	4	2.23 %	0	20.35	1.00
365	Watercraft rescue	2	1.12 %	0	4.25	6.00
411	Gasoline or other flammable liquid spill	2	1.12 %	0	9.07	4.00
412	Gas leak (natural gas or LPG)	1	0.56 %	0	5.70	5.00
444	Power line down	1	0.56 %	0	1.67	7.00
500	Service Call, other	2	1.12 %	0	1.67	3.00
510	Person in distress, other	1	0.56 %	0	0.83	6.00
511	Lock-out	8	4.47 %	0	4.40	4.38
541	Animal problem	1	0.56 %	0	0.55	2.00
552	Police matter	1	0.56 %	0	3.50	15.00
561	Unauthorized burning	3	1.68 %	0	1.53	11.00
611	Dispatched & canceled en route	9	5.03 %	0	3.03	
622	No incident found at dispatch address	1	0.56 %	0	0.23	5.00
631	Authorized controlled burning	3	1.68 %	0	1.90	7.00
700	False alarm or false call, other	4	2.23 %	0	11.02	4.50
731	Sprinkler activation due to malfunction	1	0.56 %	0	6.93	8.00
733	Smoke detector activation due to malfunction	3	1.68 %	0	5.83	7.00
735	Alarm system sounded due to malfunction	4	2.23 %	0	22.07	4.25
736	CO detector activation due to malfunction	1	0.56 %	0	1.07	9.00
741	Sprinkler activation, no fire - unintentional	1	0.56 %	0	0.50	1.00
744	Detector activation, no fire - unintentional	3	1.68 %	0	8.68	4.67
745	Alarm system sounded, no fire - unintentional	5	2.79 %	0	15.02	4.60
746	Carbon monoxide detector activation, no CO	2	1.12 %	0	1.30	5.00
<b>Totals</b>		<b>179</b>	<b>100.00%</b>	<b>0</b>	<b>235.02</b>	<b>4.43</b>

<b>Total Mutual Aid Received - Fire</b>	0			
<b>Total Mutual Aid Received - EMS</b>	0			

## 6. Personnel Hours off due to:

Catastrophic	0 Hours
Family/Medical Leave	432 Hours (18 days)
Sick Leave	3.5 Hours
Worker's Compensation	0 Hours

## 7. Fire Inspection Events

<b>Inspections Completed</b>	<b>Monthly</b>	<b>Year to Date</b>
Inspections w/ no violations	386	2,257
<b>Re-inspections Completed</b>		
1 <sup>st</sup> Re-inspection	45	424
2 <sup>nd</sup> Re-inspection	15	118
3 <sup>rd</sup> Re-inspection	9	46
4 <sup>th</sup> Re-inspection	4	18
5 <sup>th</sup> Re-inspection	3	9
6 <sup>th</sup> Re-inspection	1	5
7 <sup>th</sup> Re-inspection	2	2
8 <sup>th</sup> Re-inspection	2	2
<b>Varied Inspections</b>		
Plan Review – General	0	0
Plan Review – Site	0	0
Plan Review – Sprinkler System	0	0
Plan Review - Architectural	0	1
Inspection – General	0	0
Inspection – Site	0	4
Inspection – Fire Protection	1	14
Inspection – Fire Alarm	0	3
Inspection – Sprinkler System	0	10
Inspection – Permit	0	2
Inspection – Hazardous Operations	2	0
Inspection – License	1	2
Inspection – Electrical	0	0
Inspection – Special Event	4	28
Inspection – Tank	0	1
Investigation – False Alarm	0	1
Investigation – Other	0	2
Investigation – General	0	1
Referral/Complaint – Citizen	0	0
Referral/Complain – Building	0	0
Consultation – Assembly	0	0
Consultation – Site	0	3
Consultation – Building	0	0
Consultation – General	0	1
Consultation – Fire Protection	1	5
Consultation – Fire Alarm	1	4
Consultation – Hazardous Operations	0	4
Consultation – Sprinkler System	0	1
Consultation – Permit	0	0
Consultation – License	0	0
Consultation – Knox Box	0	30
Consultation – Other	0	1
Legal Preparation	2	5

Legal – Court Appearance	2	2
Property Evaluation Reviews	4	23
<b>Total Inspections</b>	<b>485</b>	<b>3,029</b>
<b>Fire Investigations</b>	<b>0</b>	<b>4</b>
<b>Inspection Department Activities</b>	<b>Staff Count</b>	<b>YTD Staff</b>
Elderly Fire Safety Programs	0	3
Parade	8	8
School Programs	2	2
Smoke Detector/CO Programs	4	48
Public Education (tours, lectures, etc.)	2	81
Open Burn Complaints	1	15
Fire/EMS Presentation	28	94
Fire Drills/Pool Drills	5	41
Job Fairs	0	0
Inspections 1 & 2 Family Dwellings	3	8
CPR Training for Outside Agency	0	103
Special Event Inspections or Plan Meetings	0	37
Juvenile Fire Setter Intervention	1	12

## 8. Agenda Topics

- a.
- b.
- c.
- d.



Robert B. Mielke  
Mayor

Jeffrey G. Hardel  
Chief of Police

Wausau Police Department

**Date** 10/11/16  
**To** Chief Hardel  
**From** Lt. Mike Felder  
**Subject** TAVERN REPORT September 8, 2016 through October 8, 2016

**ROUTINE TAVERN INSPECTIONS (No violations unless noted)**

---

**Malarkey's**, 412 N. 3rd St.

**M & R Station**, 818 S. 3<sup>rd</sup> Ave,

**North End Pub**, 1002 N. 3rd Ave.

**Mountain Lanes/Jump On It**, 1401 Elm St.

**Oz**, 320 Washington St.

**Player's**, 4411 Stewart Ave.

**Polack Inn**, 1206 N. 3rd Ave.

**Roc's Place**, 810 S. 3rd Ave.

**Showtime Gentlemen's Club**, 1709 Merrill Ave.

Officers located an expired license, and were questioning the bartender about it. The bartender went to a back office to see if she could locate a more recent license. While in the back, she called the owner, who became upset with Officers over having been contacted, even though the Officers hadn't requested it. Upon looking at the license more closely, the expired license was an Entertainment License for a jukebox, which the bar no longer had. In the end, there was no violation, but the owner was very unpleasant with the Officers over the phone. The bartender was described as being very cooperative and understanding. The Officers were also hassled by one of the "entertainers," who complained about the Officers not having anything better to do.



Wausau Police Department

Robert B. Mielke  
Mayor

Jeffrey G. Hardel  
Chief of Police

**Tremor's Sports Bar**, 516 W. Thomas St.

**Treu's Tic Toc Club**, 1201 W. Thomas St.

**VFW Post 388**, 388 River Dr.  
Not open.

---

**CONVENIENCE/GROCERY STORE INSPECTIONS (No violations unless noted)**

---

**None.**

---

**RESTAURANT INSPECTIONS (No violations unless noted)**

---

**None.**

---

**NOTABLE INCIDENTS AT TAVERNS TO WHICH POLICE WERE DISPATCHED.**

---

**6<sup>th</sup> Street Pub**, 2002 N 6<sup>th</sup> Street

- (1) *Event #160112878, 09/10/16 at 12:55 AM:* A named, citizen reporting person called to complain that there were people outside the bar that were urinating. Officers responded and the reporting person pointed out one of the patrons that had been urinating. The male denied it, and claimed the reporting person had recently been kicked out of the bar and was trying to get people in trouble. The suspect was warned about that activity. Officer also noted that the reporting person was intoxicated.
- (2) *Event #160123087, 10/03/16 at 1:42 AM:* An anonymous caller reported there were two people that kept getting out of a truck parked in the bar parking lot. They had been there for hours, and had urinated in the neighbor's yard. The caller alleged that they may have been minors. Officers did make contact with a reporting party, who further complained that one of the males in the truck had urinated by his wife's car, so he went out and yelled at him. He requested extra patrol. Officers spoke with the bartender, who admitted to kicking out an intoxicated male, but said there was no disturbance that he was aware of. The intoxicated male and a friend of his were both of legal drinking age.



Wausau Police Department

Robert B. Mielke  
Mayor

Jeffrey G. Hardel  
Chief of Police

- (3) *Event #160123517, 10/04/16 at 12:23 AM:* Officers responded to the bar to speak with the bartender about the recent calls for service and complaints. The bartender did mention that he had recently kicked out the neighbor, and guessed that would be the reason for the uptick in nuisance calls. The bartender assured the Officers that he would monitor the noise levels, make sure he is not over-serving, and try to monitor the activity outside the bar.

**Bob and Randy's (B&R) Bar, 1515 N. 6<sup>th</sup> Street**

- (1) *Event #160112366, 09/08/16 at 11:51 PM:* The **bartender** called to report a theft of a patron's money by another patron. When Officers arrived (within four minutes) the suspects and the victim had left, so no one was there to file the complaint. In the meantime, the bartender also reported someone pulling the pipes for a urinal out of the wall. Upon inspection, the piping was repaired, leaving only some screw holes in the drywall to fix. They were advised to call for a formal report if they wanted and had developed a suspect from video surveillance.

**Cop Shoppe Pub, 701 Washington Street**

- (1) *Case #16-8746, 09/10/16 at 3:01 AM:* Officers were called to the Cop Shoppe Pub in reference to a report of a stabbing. Officers made contact with an on-duty bartender, an off-duty bartender and a stabbing victim through their response. The suspect was arrested the following day. Officers/Detectives investigating the incident developed a timeline of events that indicated the patrons were in the bar a minimum of a half-hour after bar closing time. Furthermore, it was obvious that there was sufficient time for the on-duty bartender to call the Police regarding a difficult patron, long before the situation devolved into a stabbing incident. As a result, the bartender received a citation for being open after hours. **The tavern will be assessed Demerit Points for both being open after hours (25 Demerit Points), and failing to summon Police (with the enhancer for conduct which results in Bodily Harm to Any Individual and Involves the Use of a Dangerous Weapon; 100 Demerit Points).**
- (2) *Case #16-8879, 09/13/16 at 11:40 PM:* Officers responded to a call from a family member that there was a person at the bar that was feeling depressed. Officers responded and arrangements were made to have the male seek treatment from a mental health facility. This incident **did not involve the bar**, other than it was where the male was when he decided to call.

**Domino Bar, 740 Washington Street**

- (1) *Case #16-9462, 09/29/16 at 7:12 PM:* An Alcohol Compliance Check was conducted at the tavern. The bartender sold an alcoholic beverage to the underage person and was cited for the violation. Furthermore, the bartender had a warrant for her arrest and was taken into custody. The owner was on scene and took control of the tavern so it was not necessary to close it. **The bar was assessed 25 Demerit Points for Sell to Underage Person.**



Wausau Police Department

Robert B. Mielke  
Mayor

Jeffrey G. Hardel  
Chief of Police

**Glass Hat Bar, 1203 N. 3<sup>rd</sup> Street**

- (1) *Case #16-9247, 09/24/16 at 6:36 PM:* A bar patron called reporting that he had left the bar the previous night and left his car parked in the parking lot. Upon returning the next day to pick it up, the vehicle was gone. On 10/06/16, the vehicle was located in the parking area of the Dudley Building and returned to the owner. No suspect had been developed.
- (2) *Case #16-9263, 09/25/16 at 1:33 AM:* A **bouncer, employed by the bar**, reported being injured the night before while attempting to stop a patron from leaving the bar with an open alcoholic beverage. A suspect was developed and the investigation is ongoing.

**Limerick's Public House, 121 Scott Street**

- (1) *Event #160116051, 09/16/16 at 11:03 PM:* A **bar employee** called to report a suspicious person outside the bar. At the same time, the suspicious person saw an Officer driving by and flagged him down. The bartender reported the male had been riding a bicycle passed the bar several times. He also stopped and peered in. This behavior was disturbing the people inside the bar, and the employees, as they did not know the male's intentions. The male was questioned, and said he was just riding around at night. He admitted to looking into the bar, but that he was just curious. He was willing to leave the area.

**Loppnow's, 1502 N. 3<sup>rd</sup> Street**

- (1) *Event# 160120802, 09/27/16 at 11:09 PM:* Bar owner called reporting that there was a fight between three males and a female outside the bar. One male had a bloody head. Officers responded and located all but one male, who left the scene when he saw Officers arriving. Everyone denied a physical altercation, and no one, including the bartender wanted any charges pursued. All information gathered indicated that there was nothing that happened inside the bar. No further Law Enforcement action was taken.

**Malarkey's, 412 N. 3<sup>rd</sup> Street**

- (1) *Case #16-9371, 09/27/16 at 3:00 PM:* Bar owner called about two males that were trying to scam the gaming machines with a \$20.00 bill with tape on it. The males were stopped and identified, but the bar owner did not want to pursue any charges. One male was issued a traffic citation. They were warned about their activities and banned from the bar. No further Law Enforcement action was taken.



**Christine's Bar, 936 S. 3<sup>rd</sup> Avenue**

- (1) *Case #16-9052, 09/19/16 at 1:08 AM:* A refused complainant called the Police to report that there was yelling outside the bar about a gun. Officers responded and made contact with patrons and a bartender. The reporting person called back and said a "Wong" or "Long" was supposed to have the gun. The caller reported only hearing this information, not actually seeing a weapon. When questioned, the bartender reported that a male named "Long" had been causing a disturbance because his wife was there with younger men. The suspect pushed some people, then left with the threat that he would return with his gun. Officers located the suspect at his residence and he was arrested for a domestic incident. The bartender was advised that she should be calling the disturbance in to Police. She was the only employee working at the time and the likelihood that she would have been able to control a larger disturbance would dictate that she should have called the Police sooner.

**Den Mar, 601 W. Thomas Street**

- (1) *Case #16-9531, 09/30/16 at 9:47 PM:* A bar patron called to report a harassment type situation. She saw him at one bar, so she left. He then followed her to this bar, at which time she called. The male actually has a restraining order against the female, but was warned not to follow her around town. An informational report was going to be completed by the Officer for the sake of documenting the contact between the two.
- (2) *Event #160124469, 10/06/16 at 3:21 AM:* **Bartender** called after closing to report that there had been a male walking around the bar, knocking on the windows. The male was gone by the time Officers arrived. No further Law Enforcement action taken.



Robert B. Mielke  
Mayor

Jeffrey G. Hardel  
Chief of Police

Wausau Police Department

### **Roc's Place**, 810 S. 3<sup>rd</sup> Avenue

**\*\*NOTE:** Management at Roc's Place has asked Officers to conduct regular walk-throughs of the business in an attempt to prevent problems. This heightened awareness has led to Officers contacting people without the bar calling. There were also several walk-throughs conducted in which there were no problems at all.

- (1) *Event #160119118, 09/24/16 at 1:20 AM:* Bartender called to report the need for an ambulance. An intoxicated female had come to the bar and went into the bathroom, where she fell and hit her face. She was bleeding from the nose. The bartender said she had not been served at the bar. Officers were unable to locate anything further that would indicate a fight or that she had been assaulted. The woman received medical treatment. No Law Enforcement action was taken.
- (2) *Event #1601195827, 09/25/16 at 12:53 AM:* A caller who refused to identify themselves called to report that a woman that was on probation, and not to be drinking, was at the tavern. Officers responded and were not able to locate her. A second call was received, reporting that she was supposed to be leaving in a particular vehicle; however Officers, who were nearby, were not able to locate the described vehicle. No further Law Enforcement action was taken.
- (3) *Event #160122677, 10/02/16 at 1:45 AM:* A caller who refused to identify themselves called to report underage people in the bar. Officers responded and were not able to locate anyone who appeared underage in the bar. The bartender stated he had just kicked some people out and it was believed that they may have called in retaliation.

### **Tremor's Sports Pub**, 516 W. Thomas Street

- (1) *Event #160115609, 09/16/16 at 12:33 AM:* A caller that refused to identify themselves reported that there were "kids" coming in and out of the bar "acting strange." The caller said there were two males and a female, and that one had lights on his pedal bike. Officers responded and made contact with a male and female who were adjusting the lighting on their bikes. Both were of legal drinking age, and were released shortly after contact had been made. No further Law Enforcement action was taken.

### **M & R Station**, 818 S. 3<sup>rd</sup> Avenue

- (1) *Case #16-8820, 09/12/16 at 1:02 PM:* **Bar owner** called to report the theft of a patron's purse. An Officer responded and took the complaint.
- (2) *Event #160125707, 10/08/16 at 10:06 PM:* **Bar owner** called to complain about a female patron that was starting fights, pushed another female patron down, and was yelling and screaming. Officers made contact with the woman, after which the bar only wanted her removed. The woman was escorted from the property and told not to return under threat of arrest.



Wausau Police Department

Robert B. Mielke  
Mayor

Jeffrey G. Hardel  
Chief of Police

**Cruisin1724**, 1724 Merrill Avenue

- (1) *Event #160119560, 09/24/16 at 11:33 PM:* A caller that refused to identify themselves called to complain about the noise from the live band playing at the bar. An Officer responded and listened/monitored the noise level for a period of time, including in the nearby blocks (which was stated in the complaint) and could not hear the music unless he was directly in front of the bar. No action was taken at the time.

**Labor Temple**, 318 S. 3<sup>rd</sup> Avenue

- (1) *Event #160116107, 09/17/16 at 2:36 AM:* A caller that refused to identify themselves called to report suspicious activity. The caller said there were sounds coming from a van in the parking lot that was either two people having sex, or a sexual assault in progress. Officers made contact with the two occupants of the van and found the activity, although inappropriate, consensual. The two intoxicated individuals were given a ride to one of their residences.

**Mountain Lanes/Jump On It**, 1401 Elm Street

- (1) *Event #160112961, 09/10/16 at 8:45 AM:* A **bar employee** called to request extra patrol. She stated there had been a verbal argument in the early morning hours (from the previous night). The Officer provided the employee with the non-emergency number for her convenience.
- (2) *Event #160116057, 09/16/16 at 11:30 PM:* A caller that refused to identify themselves called to report a “big fight...gang related...no weapons...Asians.” Several Officers responded, but nothing was located. A bar employee stated that a verbal argument had started, but all involved people left when asked to do so.
- (3) *Event #160122263, 10/01/16 at 2:16 AM:* A 9-1-1 call was received reporting that there was a fight. Again, several Officers and Deputies responded and found no active fight. They discovered that the bar has hired private security to assist in controlling the property. Officers were advised that there had been a verbal altercation, however the involved people left.
- (4) *Case #16-9778, 10/07/16 at 9:27 PM:* A **bar employee** called to report that there was a man in the bar that was trying to sell drugs. The bouncers were trying to remove him from the premises, and he was fighting with them. Officer arrived and with assistance from the bouncers, took the male into custody. A bag of suspected methamphetamine was located and purported to have been left in a pocket of the pool table. The substance was recovered and turned over to the Officers. The substance later field-tested positive for methamphetamine. The male was arrested and taken to Jail.



Wausau Police Department

Robert B. Mielke  
Mayor

Jeffrey G. Hardel  
Chief of Police

**Showtime Gentlemen's Club, 1709 Merrill Avenue**

- (1) *Event #160113662, 09/11/16 at 9:19 PM:* Dispatch requested Officers to check the bar for a suspect that may have been working there. An outside Law Enforcement Agency had requested the check for a woman that was suspected in stealing a car. She may have been employed as a dancer. Officers checked the bar and were unable to locate the vehicle or the suspect.
- (2) *Case #16-9228, 09/24/16 at 2:39 AM:* A named citizen reported witnessing a hit and run crash in the parking lot of the bar. Officers responded and investigated the crash. Contact was made with both the victim and suspect, and a crash report was completed.
- (3) *Event #160120792, 09/27/16 at 10:19 PM:* The bar manager called to report that two dancers were fighting. On arrival, the offending dancer had left the property. The victim and bar did not want to pursue charges. The suspect was later contacted and advised that she was no longer allowed on the property. No further Law Enforcement action was taken.

**ALCOHOL BEVERAGE DEMERIT POINTS ASSESSED**

- **Applebee's, Day's Bowl-A-Dome, M & R Station, Pick N Save and Wausau PB** dropped Points, down to 0, as a time drop off.
- **Intermission** dropped down to fifty (50) Demerit Points after a time fall off for 25 other Points.
- **Cop Shoppe Pub** had an incident that involved an altercation in which a patron was stabbed, after closing hours. The bar was **assessed 125 Demerit** Points for Open After Hours and Fail to Summon Police for Conduct that Resulted in Injury to Any Person and a Dangerous Weapon.
- An Alcohol Compliance Check was conducted on 09/29/16. The results are as follows:
  - Passed: **Christine's Bar, Wausau Labor Temple, 101 Pub, Cruisin 1724, Pine Ridge Mobil, Bob & Randy's Bar, Kwik Trip #735 (6<sup>th</sup>/E Wausau).**
  - Failed: **Domino Bar**
  - Domino Bar bartender also had a warrant for her arrest; however the owner was present and able to keep the bar open. Demerit Points (25 Demerit Points) are assessed for the sale to the underage person.
- (See attached report)

Respectfully submitted,  
Lt. Michael Felder

**ALCOHOL BEVERAGE DEMERIT POINTS ASSESSED TO TAVERNS/STORES**

Establishment	Defendant/Relationship	Date of Violation	Ord. Section/Statute Number	Type of Violation	Point Value*	Case #
101 Pub	Stephanie Hale/Bartender	10/28/2015	5.64.010/125.07(1)	Sell to Underage Person	25	15-9452
					Total	
Baker's Retreat	Greg Atchinson/Bartender	1/20/2016	5.64.010/125.07(1)	Sell to Underage Person	25	16-692
					Total	2
Applebee's Restaurant					Total	
Buffalo Wild Wings	Deanna Kielman/Operator	10/28/2015	5.64.010/125.07(1)	Sell to Underage Person	25	15-9443
					Total	
Bunker's	Sheila Koth/Waitress	12/10/2015	5.64.010/125.07(1)	Sell to Underage Person	25	15-10729
					Total	
Cabaret	Leah White/Bartender	7/24/2016		Fail to Summon Police	50	16-7510
					Total	5
Campus Pub	Seth Schultz/Bartender	6/28/2016	5.64.010/125.07(1)	Sell to Underage Person	25	16-6180
					Total	
Cheers Bar					Total	
Christine's Bar	Mai Xiong/Bartender	12/10/2015	5.64.010/125.07(1)	Sell to Underage Person	25	15-10734
	Choua Lor/Bartender	9/5/2016	5.64.140/125.32(3)(a)	Tavern Open After Hours	25	Event #160110665
					Total	50
Cop Shoppe Pub	Jillian Graham/Bartender	9/10/2016	5.64.140/125.32.(3)(a)	Tavern Open After Hours	25	16-8746
	Jillian Graham/Bartender	9/10/2016		Fail to Summon Police (Injury & Weapon)	100	16-8746
					Total	12
Crossroad's County Market					Total	
Cruisin 1724					Total	
Days' Bowl-a-Dome					Total	
Domino Bar	Arianne Pineda/Bartender	9/29/2016	5.64.010/125.07(1)	Sell to Underage Person	25	16-9462
					Total	2
Eagle's Club					Total	
Glass Hat					Total	
Intermission Bar	Katherine C. Hoenisch/Bartender	5/10/2016	5.64.010/125.68(2)	No Licensed Bartender	50	16-4443
	James W. Kruesel/Owner	5/10/2016	5.64.010/125.68(2)	No Licensed Bartender		16-4443
					Total	5
Jim's Corner Pub					Total	

Limmerick's Public House	Jody Cunningham/Bartender	6/28/2016	5.64.010/125.07(1)	Sell to Underage Person	Total	25 2	16-6184
Loppnow's Bar							
Total							
Lumpy's	Jennifer Kniess/Bartender	1/20/2016	5.64.010/125.07(1)	Sell to Underage Person	Total	25 :	16-694
M & R Station							
Total							
Malarkey's Pub							
Total							
Milwaukee Burger Company							
Total							
North End Pub							
Total							
Pick N' Save #6405							
Total							
Pine Ridge Mobil	Jamie Duginski/Operator	12/10/2015	5.64.010/125.07(1)	Sell to Underage Person	Total	25 :	15-10732
Player's	Michael J Pliskie/Bartender	10/28/2015	5.64.010/125.07(1)	Sell to Underage Person	Total	25 :	15-9448
R Store #34							
Total							
Red Eye Brewing Company	Leng Vue/Operator	12/10/2015	5.64.010/125.07(1)	Sell to Underage Person	Total	25 :	15-10727
Thrive Foodery							
Total							
Tobacco Outlet Plus #501							
Total							
Trig's Wausau	Melissa Denfeld/Operator	1/20/2016	5.64.010/125.07(1)	Sell to Underage Person	Total	25 :	16-691
Wausau BP							
Total							
Wausau Labor Temple							
Total							
Wausau Mine Company							
Total							
Whiskey River Bar & Grill	Eric Den Otter/Operator; Todd Wold/Owner	9/30/2016	5.64.010/125.68(2)	No Licensed Bartender on Premises	Total	50 5	16-8513