

****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, November 21, 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). (10/17/16)
- 2 Consider various license applications.
- 3 Formal expression of concern - Cop Shoppe LTD, d/b/a Cop Shoppe Pub, 701 Washington Street.
- 4 Discussion and possible action regarding ordinance repealing and recreating Section 16.04.030 Residential Rental Contact Registration.
- 5 Discussion and possible action regarding ordinance creating Section 12.56.115 Prohibiting dead, dying or diseased trees on private property
- 6 Discussion and possible action regarding ordinance amending Section 1.01.025(c)(1)(B) Schedule of cash deposits
- 7 Operations Report from Fire Department for October 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 11/17/16 @ 11:30 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

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

PUBLIC HEALTH & SAFETY COMMITTEE

Date and Time: Monday, October 17, 2016 at 5:15 pm, (Council Chambers)

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

Others Present: Alfonso, Rayala, Bliven, Rentmeester, Kujawa, Goede, Mielke, Neal

Minutes of previous meeting(s). (8/15/16 & 9/19/16)

Motion by Peckham, second by McElhane to approve the minutes of the previous meetings (8/15/16 & 9/19/16).

Motion carried 5-0.

Consider various license applications

Rasmussen stated there were three Operator's License applications recommended for denial by Chief Hardel: Ashley Miller, Khamthaneth Rattanasack, and Andrea Schroeder. It was noted that none of these persons were present.

Rasmussen stated the Liquor License Review Subcommittee met today at 3:30 pm., to review plans and hear testimony for each of the establishments that applied for the available regular Class B Beer & Liquor License. She noted there was no representative in attendance from AMG-American Management Group, LLC, dba Rosati's. Representatives appeared from Van-Smiling Eyes, LLC, dba WOW Family Entertainment Center; MASA WI, Inc., dba MASA; and Third Peak Hospitality, LLC, dba Crostini Bar. Following deliberations in open session the subcommittee recommends to this committee that the license be awarded to Third Peak Hospitality, LLC, dba Crostini Bar, located at 307 N 3rd Street.

Rasmussen noted Mr. Greenwood will need to consult with the Police Department and the Clerk's Office to ensure the premise description for WOW Family Entertainment Center is indicated correctly, because if it is his intention to serve alcohol throughout the entire establishment, he will not be able to admit unaccompanied minors.

Peckham questioned whether the liquor license for WOW Family Entertainment Center will be allowed under the same exception as a bowling alley. Alfonso explained there were two issues; one having to do with allowing underage persons on premise, the other is whether we consider them a recreation premises for purposes of conducting more than one business on the premise. Rasmussen stated Mr. Greenwood clarified in the subcommittee meeting that he is one business operation without separate entities, so we feel it meets the definition of a "recreation center." The business is approved for a reserve license, but the delineation of the premise is in the description. Alfonso clarified if he licenses the entire premise he may not allow in any minors unaccompanied by parent or guardian into the facility. If he only licenses the bar and restaurant/deck, then underage persons can come into the arcade and laser tag portion of the building but alcohol would not be permitted in those areas. Bliven indicated he would work with the owner and Clerk's Office to determine the premise description.

Motion by Kellbach, second by McElhane to approve or deny licenses as recommended by staff. Motion carried 5-0. *Rasmussen indicated Third Peak Hospitality LLC would be voted on separately.*

Discussion on Emergency Management and Emergency Response Plans (Presented by Phil Rentmeester, Director of Marathon County Emergency Management)

Phil Rentmeester reviewed the documents from their packets, the first being State Statute 323 outlining requirements for all municipalities to have emergency managers and emergency response plans. The second document was a Wausau Municipal ordinance dealing with civil defense, however, it appoints and designates the Marathon County Emergency Management Director as the emergency manager for the city. This was a joint ordinance with the county from 1977. The third document is a repeal and recreate of the Marathon County ordinance for emergency management, effectively repealing the one from 1977. The final document is the emergency management ordinance for Marathon County. He asked the committee to take action to appoint an emergency manager to begin working on the emergency response plan, which will have to be approved by the City Council and the Marathon County Board.

Wagner questioned why the ordinance was repealed. Rentmeester responded because it was out of date, referencing many documents out of State Statutes 166 that dealt with civil defense and emergency management, but that was recreated about four or five years ago with State Statute 323.

Rasmussen questioned if there was a template or draft ordinance that could be adopted by municipalities. Rentmeester indicated he could provide the one the county has. Kujawa questioned if there would be a cost to this agreement with the county. Rentmeester was not aware of any cost. Consensus was for Rentmeester to work with Alfonso on the ordinance and cooperative agreement and bring this back to committee for formal action.

Discussion and possible action regarding recommendation of the Liquor License Review Subcommittee for the available Class B Beer & Liquor License # 28

Rasmussen stated Third Peak Hospitality LLC, dba Crostini Bar, was the applicant chosen by the subcommittee for the available regular Class B Beer & Liquor license based on a number of screening criteria.

Wagner indicated he would abstain from voting because the applicant was one of his clients and he wrote his business plan.

Motion by Peckham, second by Kellbach to approve the available regular Class B Beer & Liquor license (#28) for Third Peak Hospitality LLC. Motion carried 4-0, with one abstention.

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

Rasmussen reviewed that the World Market on occasion would like to conduct market days whereby they could sell live fowl (poultry) on site brought in by local farmers. The operation is conducted outside and any unsold fowl are taken back to the farm. She noted that Peckham, Wagner and a Health Department representative surveyed the location.

Motion by Wagner, second by Peckham to approve the ordinance amending 8.08.001 and 8.08.019 enabling the sale of live fowl. Motion carried 5-0.

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)

Rasmussen stated this is related to the previous ordinance and now the committee will need to set the fee. Typically the fee is set to reasonably cover the cost of issuing the permit. Alfonso stated the license period would be from April 1st – November 1st with an annual renewal. Rayala suggested a fee of \$25 to cover costs of administering the permit.

Motion by Wagner, second by Peckham to approve a fee of \$25 and authorize the addition of the fee to the City of Wausau Fees and License Schedule. Motion carried 5-0.

Operations Report from Fire Department for September 2016

Following discussion regarding the report it was placed on file.

Tavern Activities / Compliance Checks / Law Enforcement Activities

Cpt. Bliven presented the Tavern Report – September 8, 2016 – October 8, 2016. (*See attached*)

Rasmussen commented there seemed to a lot of police activity at Mountain Lanes Family Fun Center and questioned whether we are to the point of having a discussion with the new owners. Bliven stated there has been a number of calls there over the past month or so, however, the employees have done a good job of contacting us when we need to be contacted. He also pointed out the owners hired private security to try to help minimize the issues they have been having. He commented they had a pretty good rapport with them and they are doing a good job. He indicated he could ask Lt. Mike Felder to have a conversation with the owners to make sure they understand the concerns and report back next month.

Rasmussen stated the Cop Shoppe Pub, based on the incident in September, as accumulated 125 demerit points. She explained when an establishment gets to 100 points within a 12 month period we summon the owner before the committee for a formal expression of concern. We have a dialogue with the management of the tavern and allow them to talk with us about the incidents and what they plan to do to make things better.

Communications

Rasmussen indicated Chief Hardel has requested some research be done on the criteria for denial recommendations and to meet with him and Alfonso to discuss them. There have been a number of appeals in committee that were upheld and were subsequently overturned at Council. If the Chief feels we need to have a larger discussion to review and/or amend the criteria, it will come to the committee at a future meeting.

Adjourn

Motion by Peckham, second by McElhaney to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 6:00 pm.

CLERK'S REPORT TO PUBLIC HEALTH & SAFETY COMMITTEE

November 21, 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. There are no denial recommendations for Operators Licenses or Public Transport Driver Licenses this month.
2. Davanh Restaurant, LLC, has applied for a Class B Beer License for the restaurant premise, 316 Sherman Street, and a Dance Hall License for weddings and parties.
3. Davahn Restaurant, LLC, is also applied for a Tavern Entertainment license and requested: Karaoke, DJ, Dance Floor, and Bands with 3 musicians or more. Bill Hebert has temporarily denied the application based on the UDD zoning, stating they will have to take this through Plan Commission and Council before he will approve. He indicated he informed owner Yeng Her of this requirement.
4. There is one Temporary Class B Retailer (Picnic) License application from the Marathon County Youth Hockey organization for Leinenkugel's Classic Pond Hockey, 1201 Stewart Ave, on January 13, 2017.
5. Change of Agent for Schierl Sales Corp, dba The Store, 308 Stewart Ave.
6. Christmas Tree License applications are being received for Christmas Tree Sales for the holiday season. *They will be issued in advance of Council so as to allow for sales.*

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: November 17, 2016

(715) 261-6621

HEALTH AND SAFETY LIST
ALL LICENSES
NOVEMBER 21, 2016REPORT ID: LRS530I
RUN DATE: 11/17/16
RUN TIME: 12:09:47

<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>
DAVANH RESTAURANT, LLC 316 SHERMAN ST WAUSAU, WI 54401	2016	10/19/2016	7/01/2016	6/30/2017		DAVANH RESTAURANT	CLASS B BEER	✓	___	___	___
MARATHON COUNTY YOUTH HOCKEY C/O CVB 219 JEFFERSON ST WAUSAU, WI 54403	2017	11/01/2016	1/13/2017	1/15/2017		LEINENKUGEL'S CLASIC TEMP CLASS B RETAILER		✓	___	___	___
CARLSON, FLYNN A 720 STEUBEN ST WAUSAU, WI 54403	2016	10/20/2016		6/30/2017		THE GLASS HAT	OPERATOR NEW	✓	___	___	___
CLARINGBOLE, WILLIAM R 6015 LAKESHORE DR WAUSAU, WI 54401	2016	11/09/2016		6/30/2017		THE PLAZA HOTEL	OPERATOR NEW	✓	___	___	___
FINK BEDNORSKI, ABBI C 1304 JONQUILL LN WAUSAU, WI 54401	2016	10/21/2016		6/30/2017		LOPPNOW'S SPORTS BAR	OPERATOR NEW	✓	___	___	___
GRAY, VANESSA D 936 S 10TH AVE WAUSAU, WI 54401	2016	11/02/2016		6/30/2017		THE PLAZA HOTEL & SU	OPERATOR NEW	✓	___	___	___
HOUGHTON III, GEORGE A 1115 PARCHER ST WAUSAU, WI 54403	2016	10/14/2016		6/30/2017		WAUSAU CURLING CENTE	OPERATOR NEW	✓	___	___	___
LEE, DER 613 IMM ST WAUSAU, WI 54401	2016	10/18/2016		6/30/2017		WALGREEN'S STORE #07	OPERATOR NEW	✓	___	___	___
LOR, ANGELA 1300 N 9TH AVE APT 5C WAUSAU, WI 54401	2016	11/14/2016		6/30/2017		CHRISTINE'S	OPERATOR NEW	✓	___	___	___
MADDEN, BRIANNA M 305 E KENT ST WAUSAU, WI 54403	2016	10/25/2016		6/30/2017		R STORE #8	OPERATOR NEW	✓	___	___	___
MYERS, BENJAMIN D 1009 AUGUSTA AVE WAUSAU, WI 54403	2016	10/18/2016		6/30/2017		COP SHOPPE PUB	OPERATOR NEW	✓	___	___	___
OXENDINE, KELLY A 110 N 120TH AVE #318 MARATHON, WI 54448	2016	10/25/2016		6/30/2017		DEN MAR TAVERN	OPERATOR NEW	✓	___	___	___
SAZAMA, VERONICA A 721 MCCLELLAN ST WAUSAU, WI 54403	2016	11/04/2016		6/30/2017		R STORE #5	OPERATOR NEW	✓	___	___	___

HEALTH AND SAFETY LIST
ALL LICENSES
NOVEMBER 21, 2016

REPORT ID: LRS5301
RUN DATE: 11/17/16
RUN TIME: 12:09:47

<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>
SHIELDS-CAPTAIN, TAYLOR B T4510 TOWNHALL RD WAUSAU, WI 54403	2016	11/07/2016		6/30/2017		NOODLES & COMPANY	OPERATOR NEW	✓	___	___	___
SPATZ, PATRICIA L 109 STEWART PL WAUSAU, WI 54401	2016	11/04/2016		6/30/2017		WAUSAU ELKS CLUB 248	OPERATOR NEW	✓	___	___	___
STEVENS, DYLAN J 928 WOODLAWN RD WAUSAU, WI 54403	2016	10/28/2016		6/30/2017		PICK 'N SAVE #6405	OPERATOR NEW	✓	___	___	___
STRODTHOFF, ERIN N 414 N 5TH AVE WAUSAU, WI 54401	2016	10/18/2016		6/30/2017		KWIK TRIP #851	OPERATOR NEW	✓	___	___	___
VOGEL, TREVOR A 403 WEST ST WAUSAU, WI 54401	2016	11/07/2016		6/30/2017		THE PLAZA HOTEL	OPERATOR NEW	✓	___	___	___
VOIGT, CORY A 610 BROOKS PL WAUSAU, WI 54401	2016	10/28/2016		6/30/2017		PICK 'N SAVE #6405	OPERATOR NEW	✓	___	___	___
O'KEEFE, STEVEN J 512 S 52ND AVE WAUSAU, WI 54401	2016	10/17/2016		6/30/2018		WAUSAU CURLING CENTE	OPERATOR - LAPSED RENEWAL	✓	___	___	___
SCHIERL SALES CORPORATION 2201 MADISON ST STEVENS POINT, WI 54481	2016	10/31/2016				THE STORE #62	CHANGE OF AGENT / OFFICER	✓	___	___	___
NYBERG JEFFREY 435 OLD HWY 51 MOSINEE, WI 54455	2016	11/10/2016	11/20/2016	12/24/2016		WHITEHOUSE ENTERPRIS	CHRISTMAS TREE	✓	___	___	___
WANISH, NATHANIEL J 6104 N STATE HWY 52 WAUSAU, WI 54403	2016	10/26/2016	11/25/2016	12/24/2016		NATHANIEL WANISH	CHRISTMAS TREE	✓	___	___	___
DAVANH RESTAURANT, LLC 316 SHERMAN ST WAUSAU, WI 54401	2016	10/26/2016	7/01/2016	6/30/2017		DAVANH RESTAURANT	DANCE HALL	✓	___	___	___
DAVANH RESTAURANT, LLC 316 SHERMAN ST WAUSAU, WI 54401	2016	10/26/2016	7/01/2016	6/30/2017		DAVANH RESTAURANT	TAVERN ENTERTAINMENT	X	✓	___	___
BREITENFELDT, ZACHARY M 1331 PROSPECT AVE WAUSAU, WI 54403	2016	10/21/2016	7/01/2016	6/30/2017		A-1 CAB & DELIVERY	PUBLIC TRANS DRIVER-RENEW	✓	___	___	___
BLUNT, CHARLES J 1950 COUNTY RD XX ROTHSCHILD, WI 54474	2016	11/08/2016	7/01/2016	6/30/2017		NORTHWOODS CAB	PUBLIC TRANS DRIVER-NEW	✓	___	___	___

*DENIED
PENDING Penn Comm
& Council Action*

\$250⁰⁰

CITY OF WAUSAU LICENSE APPLICATION - Tavern Entertainment

Submit the completed application along with the license fee to the City Clerk at 407 Grant Street, Wausau, WI 54403

Date of Application: 10-27-16 Licensing Year: 2016

Name of Business: Alavanh Restaurant LLC Ownership Type: LLC

Business Address: 316 Sherman St. Business Phone: 715-298-6115

What is the Zoning at this location? UDD Type of Alcohol License at Premise: CLASS B BEER

Location of Performances: 316 SHERMAN ST

Check all that apply:

- Karaoke
 - Disc Jockey
 - Comedian or Game Show
 - Dance Floor for Patron Dancing
 - Bands with 3 Musicians or Less
 - Bands with 3 Musicians or More
 - Adult Cabaret Dancing
 - Other (Please describe fully) _____
- (Adult Cabaret Dancing is only permitted in M-1 Zones and also requires licensing for Adult Oriented Entertainment as described in Municipal Code Chapter 5.18)

I hereby certify the foregoing answers are true and correct and that all members, officers and owners of the business has and will comply with all regulations for operation of this license as set forth in the laws of the State of Wisconsin, the Municipal Code and the rules and regulations of the various regulatory agencies and commissions the City of Wausau pertaining to the supervision of activities permitted under the license for which this application is made. I understand this license may be revoked by the issuing authority according to the law.

Please Submit this Application along with permit fee to:

BY (Print Name): YENG HER
TITLE: _____

CITY CLERK
407 GRANT ST
WAUSAU WI 54403

For Office Use:

Restriction/Conditions: ZONING APPROVAL REQUIRED

Staff Recommendation: DENY UNTIL PLAN COMMISSION & COUNCIL ACTION

Reviewed by: [Signature]
Zoning Administrator [signature required]

RESOLUTION OF THE PLAN COMMISSION

Approving the General Development Plan and Precise Implementation Plan at 316 Sherman Street, 830 South 3rd Avenue, 821 South 5th Avenue and 828 South 3rd Avenue to allow for a food and merchandise market, restaurant, deli, storage, outdoor dining area.

Committee Action: Approved 6-0

Fiscal Impact: None.

File Number: 15-0709

Date Introduced: May 10, 2016

WHEREAS, the Plan Commission met on April 19, 2016 to consider a request by Choungsou S. Her to approve the general development plan and precise implementation plan for 316 Sherman Street, 830 South 3rd Avenue, 821 South 5th Avenue and 828 South 3rd Avenue to allow for a food and merchandise market, restaurant, deli, storage, and outdoor dining area; and

WHEREAS, the current zoning proposal unifies four parcels with three different zoning classifications; and

WHEREAS, the proposed uses are generally permitted within the existing zoning districts, but conditional uses would be required for outdoor activity and for parking lots not located on the principal lot; and

WHEREAS, the business utilizes existing structures to provide uses that are compatible with surrounding properties; now therefore

BE IT RESOLVED that the Common Council of the City of Wausau hereby the General Development Plan and Precise Implementation Plan at 316 Sherman Street, 830 South 3rd Avenue, 821 South 5th Avenue and 828 South 3rd Avenue to allow for a food and merchandise market, restaurant, deli, storage, outdoor dining area, as submitted.

Approved:



Robert B. Mielke, Mayor

OFFICIAL PROCEEDINGS OF THE WAUSAU COMMON COUNCIL
held on Tuesday, May 10, 2016, at 7:00 pm in the Council Chambers at City Hall. Mayor Mielke
presiding.

Item # 051612

15-0709 Plan for 316

05/10/2016 8:38:58 PM

Motion by Neal, second by Smith to adopt a Resolution of the Plan Commission approving the General Development Plan and Precise Implementation Plan at 316 Sherman Street, 830 South 3rd Avenue, 821 South 5th Avenue and 828 South 3rd Avenue to allow for a food and merchandise market, restaurant, deli, storage, outdoor dining area.

Yes Votes: 11

No Votes: 0

Abstain: 0

Not Voting: 0

Result: PASS

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Peckham, Patrick	YES
2	Wagner, Romey	YES
3	Nutting, David	YES
4	Neal, Tom	YES
5	Gisselman, Gary	YES
6	McElhaney, Becky	YES
7	Rasmussen, Lisa	YES
8	Kellbach, Karen	YES
9	Gehin, Joe	YES
10	Abitz, Sherry	YES
11	Smith, Dennis	YES

ORDINANCE OF THE PLAN COMMISSION

Rezoning 316 Sherman Street and 830 South 3rd Avenue from B1, Neighborhood Shopping District, 821 South 5th Avenue from M1, Limited Industrial District, and 828 South 3rd Avenue from B2, Community Service District, to UDD, Unified Development District and approve the General Development Plan to allow for a food and merchandise market, restaurant, deli, storage, and outdoor dining area.

Committee Action: Approved 6-0

Ordinance Number: 61-4057-632

Fiscal Impact: None.

File Number: 15-0709

Date Introduced: May 10, 2016

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

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

- I) 1) Kickbusch Addition East 37 feet of South 120 feet of Lot 20, Block 2, Also Porter Bros. Addition West 48 feet of Lot 11, West 50 feet of Lot 12 & West 90' of Lot 13, Block 2, As Described as Lot (1) of Certified Survey Map Volume 27-78, Except West 90 feet of North 52 feet of Lot 13, Block 2 of Porter Bros. Addition, MORE COMMONLY KNOWN AS 316 SHERMAN STREET
- 2) Porter Bros. Addition, Lots 8 & 13, Except West 90 feet of Lot 13, Block 2; Also Vac. Alley, MORE COMMONLY KNOWN AS 830 SOUTH 3RD AVENUE

now comprising a part of B1, Neighborhood Shopping District, according to the Zoning Ordinance of the City of Wausau is hereby rezoned to UDD, Unified Development District, and the general development plan is approved to allow for a food and merchandise market, restaurant, deli, storage, and outdoor dining area.

- II) 1) Kickbusch Addition, All Lots 18, 19 & 20, Except South 120 feet of Said Lots and Except Parcel as Described in Volume 189 of Deeds Page 583 Street & Except Railroad Right-of-Way, Block 2, As Shown on Certified Survey Map Volume 7, Page 235, MORE COMMONLY KNOWN AS 821 SOUTH 5TH AVENUE

now comprising a part of M1, Limited Industrial District, according to the Zoning Ordinance of the City of Wausau is hereby rezoned to UDD, Unified Development District, and the general development plan is approved to allow for a food and merchandise market, restaurant, deli, storage, and outdoor dining area.

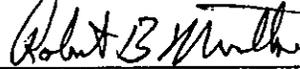
- II) Porter Bros. Addition, Lots 7 & 14 & South 50 feet of Lots 6 & 15, Block 2, Including Vac Alley, As Shown on Certified Survey Map Volume 14, Page 133, Also West 90 feet of North 52 feet of Lot 13, Block 2, MORE COMMONLY KNOWN AS 828 SOUTH 3RD AVENUE

now comprising a part of B2, Community Service District, according to the Zoning Ordinance of the City of Wausau is hereby rezoned to UDD, Unified Development District, and the general development plan is approved to allow for a food and merchandise market, restaurant, deli, storage, and outdoor dining area.

- Section 2. This change in zoning shall be designated on the official city zoning map.
- Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.
- Section 4. This ordinance shall be in full force and effect from and after its date of publication.

Adopted: 5/10/16
Approved: 5/11/16
Published: 5/13/16
Attest: 5/11/16

Approved:



Robert B. Mielke, Mayor

Attest:


Toni Rayala, Clerk

PLAN COMMISSION

Time and Date: The Plan Commission met on Tuesday, April 19, 2016, at 5:00 p.m. in the Common Council Chambers of Wausau City Hall.

Members Present: Mayor Tipple, Gisselman, Atwell, Bohlken, Lindman, Oberbeck

Others Present: Lenz, Hebert, Wagner, Higginbotham, Tobalsky, Krueger, Hoelter, Williams, Werth

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

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

PUBLIC HEARING: Discussion and possible action on rezoning 316 Sherman Street and 830 South 3rd Avenue from B1, Neighborhood Shopping District, 821 South 5th Avenue from M1, Limited Industrial District, and 828 South 3rd Avenue from B2, Community Service District, to UDD, Unified Development District, and approve a General Development Plan to allow for a food and merchandise market, restaurant, deli, and storage.

Romey Wagner, 3500 Golf View Drive, said the property has been wonderfully cleaned up. This is the Wausau World Market and this item is a housekeeping issue. Mr. Her is available for any questions. Wagner encouraged the commission to attend the grand opening.

Mayor Tipple closed the public hearing.

Lenz said a map is included in the packet and the parcels are highlighted on the map. There is a mix of zoning districts in the area. To unify the parcels to function as one, staff felt the Unified Development District would be appropriate. 830 South 3rd Avenue was recently purchased for a parking lot and would require a conditional use, if the zoning remained unchanged. Outdoor dining would also require a conditional use. With the UDD zoning, these uses would be approved with the plans. The current uses for the market and store are permitted in the existing zoning districts. Staff recommends approval.

Atwell asked if the modifications for parking and outdoor dining are already included. Lenz said that parking would be an accessory use, but outdoor dining should be specified in a motion, if that is desired. There are two items for these parcels on the agenda. The first is for the rezoning and approving the general development plan. The second is to approve the precise implementation plan. Mayor Tipple said that motion should include outdoor dining to be specific.

Atwell motioned to rezone 316 Sherman Street and 830 South 3rd Avenue from B1, Neighborhood Shopping District, 821 South 5th Avenue from M1, Limited Industrial District, and 828 South 3rd Avenue from B2, Community Service District, to UDD, Unified Development District, and approve a General Development Plan to allow for a food and merchandise market, restaurant, deli, storage, and outdoor dining area. Bohlken seconded, and the motion carried unanimously 6-0. This item will go to Common Council on May 10.

Discussion and possible action on approving the Precise Implementation Plan at 316 Sherman Street, 830 south 3rd Avenue, 821 South 5th Avenue, and 828 South 3rd Avenue to allow for a food and merchandise market, restaurant, deli, and storage.

Oberbeck asked if there would be an additional plan to cover the entire site, and if there are any stormwater requirements? He also asked if there is any thought of softening the area since it is mostly asphalt? Lindman said that the stormwater management plan has been addressed. Hebert said that at this point the rear side (5th Avenue side) is not being addressed. Lenz said there is a new landscaping plan that was handed out earlier. Hebert said that the existing building at 821 South 5th Avenue is being utilized and it was existing gravel.

Gisselman motioned to approve the Precise Implementation Plan at 316 Sherman Street, 830 south 3rd Avenue, 821 South 5th Avenue, and 828 South 3rd Avenue to allow for a food and merchandise market, restaurant, deli, storage, and outdoor dining area. Bohlken seconded, and the motion carried unanimously 6-0. This item will go to Common Council on May 10.



STAFF REPORT

TO: City of Wausau Plan Commission
FROM: Brad Lenz, City Planner
DATE: April 13, 2016

GENERAL INFORMATION

APPLICANT: Chungsou Her
LOCATION: 828 & 830 S. 3rd Avenue; 821 S. 5th Avenue; and 316 Sherman Street
EXISTING ZONING: B1, Neighborhood Shopping District; B2, Community Service District; and M1, Limited Industrial District
REQUESTED ZONING: UDD, Unified Development District
PURPOSE: To approve the general development plan and precise implementation plan for a food and merchandise market, restaurant, deli, and storage facility.
SIZE OF PARCELS: 2.08 acres

SURROUNDING ZONING AND LAND USE:

North: Railroad right-of-way.
South: R3, Two Family Residence District; and B1.
One- and two-family homes.
East: B1 and B2; Commercial warehousing, and a two-family home.
West: R2, Single family residence district; and R3.
Vacant commercial land.

(See attached Zoning Map)

ANALYSIS

From Wausau Municipal Code 23.65.040, the approval of a unified development proposal shall be based upon determination as to compliance with the following criteria:

- a) *That the proposed development is consistent with the spirit and intent of these regulations, has been prepared with competent professional advice and guidance and produces significant benefits in terms of improved environmental design to justify the application of the unified development concept;*
- b) *That the site development plan reflects sensitive consideration of the physical nature of the site with particular concern for conservation of natural features, preservation of open space and careful shaping of terrain to minimize scarring, and insures proper drainage and preservation of natural terrain wherever appropriate;*
- c) *That the general character and intensity of use of the development produces an attractive environment appropriate to the uses proposed, and is compatible with existing development in the surrounding area and with general community development plans and policies;*
- d) *That the development can be provided with appropriate municipal services and would not conflict with or cause overload on such facilities as schools, highways, police, fire or utility services;*
- e) *That proposed design standards provide adequately for practical functioning and maintenance, based on actual functional need, in terms of circulation, parking, emergency services, delivery services and snowplowing;*
- f) *That adequate provision has been made to insure proper maintenance and preservation of any common areas provided for the recreation and esthetic enhancement of the development.*

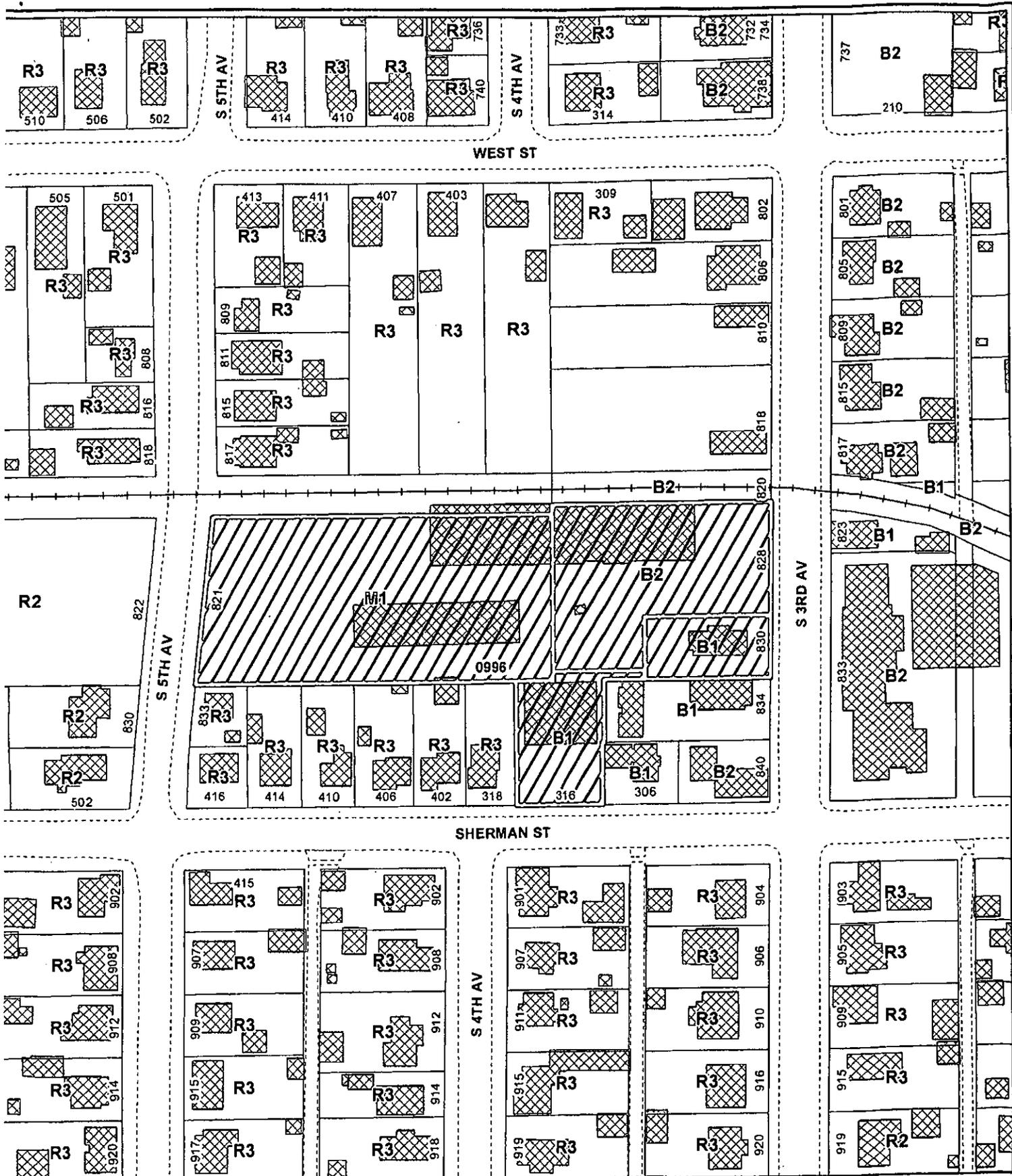
In addition to criteria for assessing unified development proposals, the plan commission shall also make a recommendation to change the zoning classification of property based upon the evidence presented in each of the following matters, where applicable:

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

The current zoning proposal unifies four parcels with three different zoning classifications. The parcels would be used together for the Wausau World Market. The proposed uses would generally be permitted within the existing zoning districts, but conditional uses would be required for outdoor activity and for parking lots not located on the principal lot (as in the case of 830 S. 3rd Avenue). Making the multiple

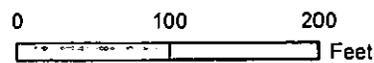
parcels one Unified Development District allows the market to function as a single unit across property lines without the fixed standards of each zoning district applying to each parcel.

The plan for the market was reviewed and accepted by the City last year – financial incentives were provided. The plan as presented generally meets the above standards for a Unified Development District and a zoning change. The business utilizes existing structures to provide uses that are compatible with surrounding properties.



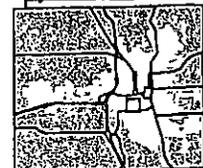
Map Date: April 4, 2016

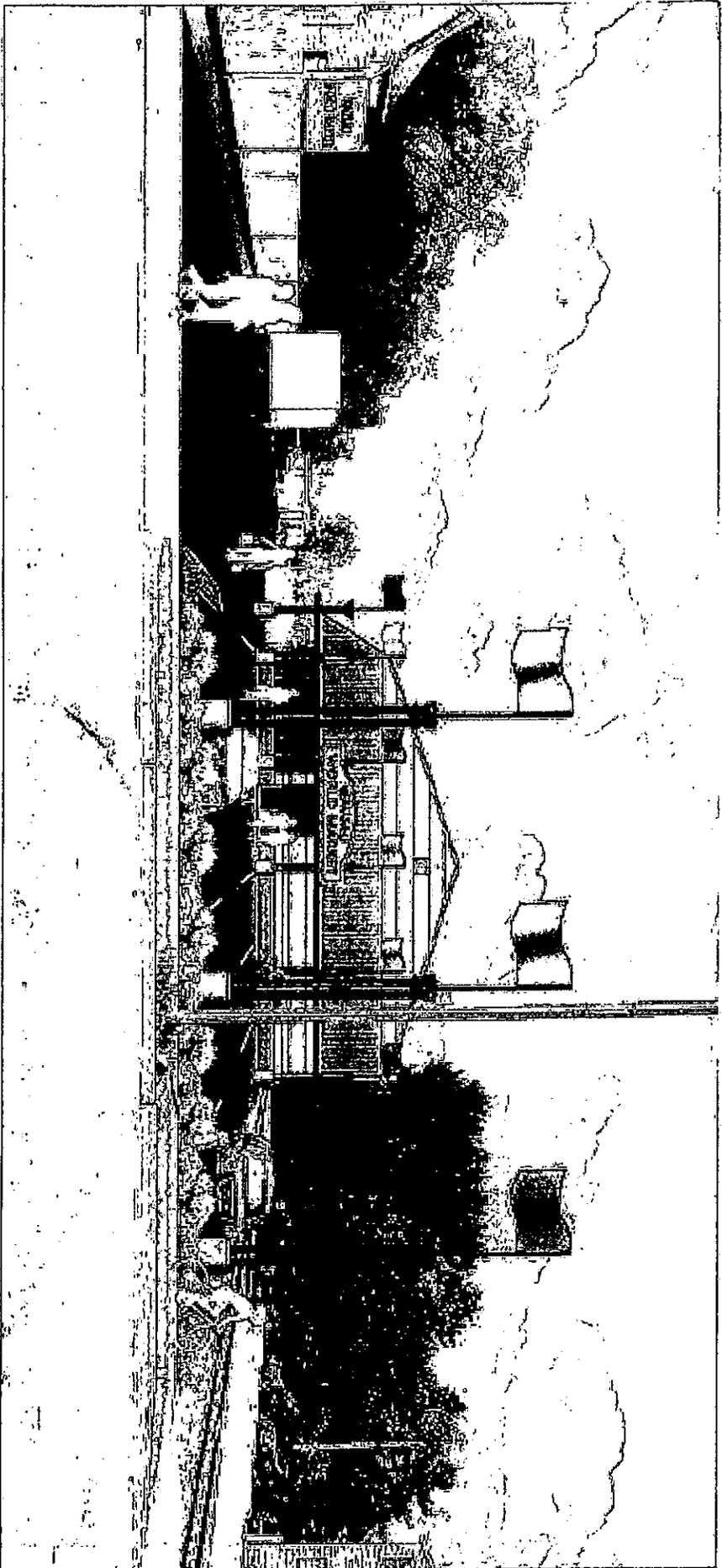
City of Wausau
Marathon County Wisconsin



- Area of Interest
- Building

Map Location





Preliminary East Elevation



Wausau World Market
Wausau, WI

Mudrovich
Architects



TO: Economic Development Committee Members
FROM: Tammy Stratz
DATE: May 27, 2015
SUBJECT: Wausau World Market

Background:

The property located at 828 & 821 S. 3rd Avenue (formerly E-Z Rental) has been for sale for some time. Chungsou Her and his family intends to purchase the property and rehabilitate it to house the new Wausau World Market. This market will consist of 25 stalls for individual vendors to sell their produce, two kitchens/delis/restaurants, two bathrooms, and office space. The parking lot will be re-paved and the rear warehouse building will continue to offer storage for the vendors. Mr. Her has started a list of interested vendors waiting to rent space from him. This market will be open year round and will provide an opportunity for all nationalities to sell their produce/wares.

Mr. Her has secured financing through Abby Bank and is working with both McDevco and the Hmong Chamber of Commerce for additional financing. He has approached the city for the final gap financing to make this project complete. (See the attached TIF application for complete numbers.)

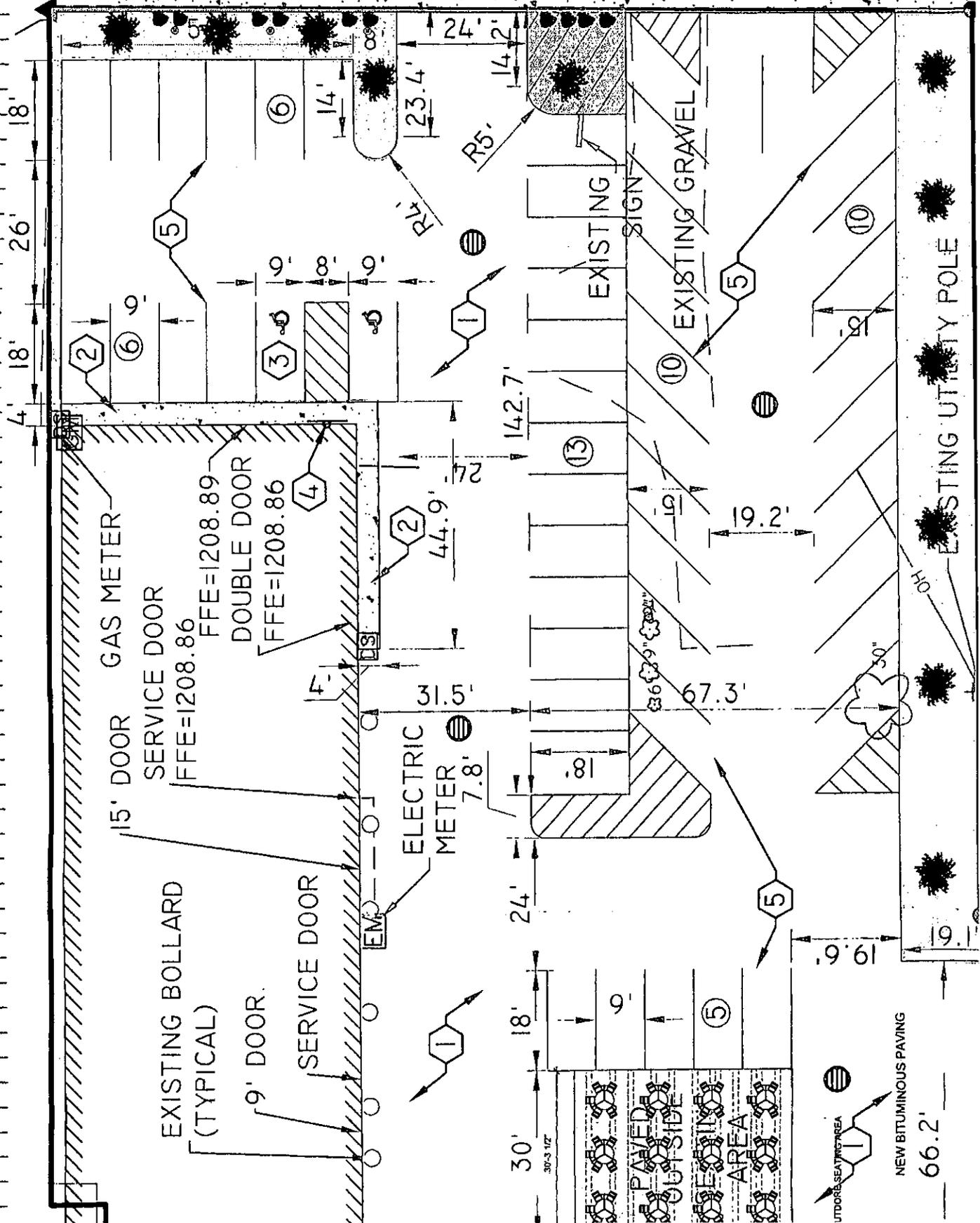
- The current buildings are valued at almost \$550,000.
- The proposed renovations (which include parking lot and signage) total approximately \$600,000.
- Wausau World Market has requested \$125,000 in TIF (#6) financing as follows:
 - \$100,000 - 15 year loan charging the current interest rate.
 - \$25,000 forgivable loan - \$5,000 forgiven each year for 5 years - provided that the business is operational and is paying real estate taxes at a rate of more than \$13,500/year.

The Economic Development Committee is being asked to consider this project to promote a new business opportunity on the West side of the City. Not only will it clean up a blighted property, but it will spur small business opportunities.

S. 3RD AVE

CURBCUT

CURBCUT



GAS METER

SERVICE DOOR
FFE=1208.86

DOUBLE DOOR
FFE=1208.86

SERVICE DOOR
FFE=1208.86

ELECTRIC
METER
7.8'

EXISTING
SIGN

EXISTING GRAVEL

EXISTING UTILITY POLE

EXISTING BOLLARD
(TYPICAL)

9' DOOR

SERVICE DOOR

15' DOOR

30'
30'-3 1/2'

PAVED
OUTSIDE
AREA

INDOOR SEATING AREA

NEW BITUMINOUS PAVING

66.2'

OFFICIAL PROCEEDINGS OF THE WAUSAU COMMON COUNCIL
held on Tuesday, May 10, 2016, at 7:00 pm in the Council Chambers at City Hall. Mayor Mielke
presiding.

Item # 051611 15-0709 Rezoning 316

Motion by Nutting, second by Wagner to adopt an ordinance of the Plan Commission rezoning 316 Sherman Street and 830 South 3rd Avenue from B1, Neighborhood Shopping District, 821 south 5th Avenue from M1, Limited Industrial District, and 828 south 3rd Avenue from B2, Community Service District, to UDD, Unified Development District and approve the General Development Plan to allow for a food and merchandise market, restaurant, deli, storage, and outdoor dining area.

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

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Peckham, Patrick	YES
2	Wagner, Romey	YES
3	Nutting, David	YES
4	Neal, Tom	YES
5	Gisselman, Gary	YES
6	McElhaney, Becky	YES
7	Rasmussen, Lisa	YES
8	Kellbach, Karen	YES
9	Gehin, Joe	YES
10	Abitz, Sherry	YES
11	Smith, Dennis	YES

Toni Rayala – City Clerk
Mary Goede – Deputy City Clerk



TEL: (715) 261-6620
FAX: (715) 261-6626

CITY CLERK – CUSTOMER SERVICES

VIA CERTIFIED MAIL

October 24, 2016

Cop Shoppe LTD
Attn: Tami Ness- Agent
701 Washington Street
Wausau, WI 54403

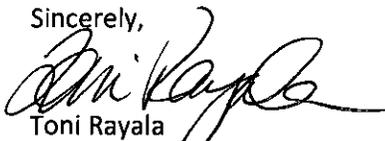
RE: Letter of Concern for Cop Shoppe Pub

Dear Ms. Ness,

The Public Health & Safety Committee has given me the directive to write to you expressing their concern regarding the operation of your establishment. At October's Public Health & Safety Committee meeting Captain Benjamin Bliven presented the tavern activities report and on that report Cop Shoppe Pub was flagged due to reports tavern open after hours and failure to summon police (injury & weapon).

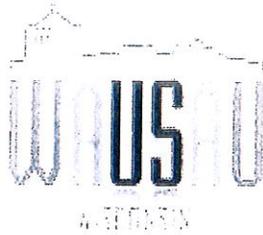
As a whole, the committee voiced their concerns with these issues. They have asked me to remind you of your responsibility to abide by state and local laws involving the sale of alcoholic beverages. Additionally, as per the City Municipal code the committee shall call before it the licensee for purposes of a formal expression of concern. The Committee has requested your attendance at the next regularly scheduled Public Health & Safety meeting set for November 21, 2016 at 5:15 pm at City Hall in Council Chambers. At this meeting the Committee will be expecting dialogue from management of your establishment and working cooperatively with the police department. Please call my office at 715.261.6620 to confirm your planned attendance. Lastly, know that continued violations could result in non-renewal or revocation of your license.

Sincerely,



Toni Rayala
Wausau City Clerk

Enclosures: Excerpt from City ordinance & Tavern Activity report
Cc w/o Enc: PH & S Committee Members
Tara Alfonso, Assistant City Attorney
Benjamin Bliven, Captain
Rod Carlson, President of Cop Shoppe, LLC



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. 6th 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.**

Chapter 5.64

ALCOHOLIC BEVERAGES⁴

Sections:

- 5.64.010 State statutes adopted.
- 5.64.020 When license required.
- 5.64.030 Separate license required for each place of sale.
- 5.64.034 Restriction on servers.
- 5.64.035 Alcohol licensing and serving of alcoholic beverages – sidewalk cafes
- 5.64.040 Hearing.
- 5.64.050 License fees.
- 5.64.055 Late filing fees.
- 5.64.060 Restrictions generally.
- 5.64.065 Sale of Class "B" packaged goods.
- 5.64.070 Corporations.
- 5.64.075 Violations by agents and employees.
- 5.64.076 Revocation and suspension of licenses.
- 5.64.077 Nonrenewal of licenses.
- 5.64.078 Point values for alcohol beverage violations and revocations and suspensions.
- 5.64.080 Effect of revocation of license.
- 5.64.084 Provisional retail licenses.
- 5.64.085 Provisional operator's licenses.
- 5.64.090 Inspection of application and premises.
- 5.64.110 Health and sanitation.
- 5.64.120 Tax delinquencies.
- 5.64.130 Obstructing view of premises.
- 5.64.140 Closing hours.
- 5.64.150 Enclosure required—Picnic license.
- 5.64.160 Abandonment or Non-use of License.
- 5.64.170 Repossession of license or permit.
- 5.64.180 Penalty for violation.

5.64.010 State statutes adopted. All provisions of Chapter 125 of the Wisconsin Statutes relating to the sale, regulation and licensing of alcoholic beverages, as they are now written or may be subsequently amended, repealed, created, or recreated or renumbered, except sections 125.09(6), 125.14(2), (3), (4), 125.56(2), 125.60, 125.61, 125.62, and 125.66(3), exclusive of any provisions relating to the penalty to be adopted or the punishment for violation of such statutes, are adopted and made a part of this section by reference. Sections 125.07(4)(c), (cd), (cg), (cm), (d) providing penalties for violations of sections 125.07(4)(a) and 125.07(4)(b) are specifically adopted as they are now written or may be subsequently amended, repealed, created or recreated or renumbered and

⁴ For statutory provisions regulating intoxicating liquor generally, see §125, Wis. Stats.

incorporated herein by reference. A violation of any such provisions shall constitute a violation of this section. (Ord. 61-4493 §2, 1998; Ord. 61-4760 §1, 1991; Ord. 61-4529 §1, 1983.)

5.64.020 When license required. No person, except as provided by section 5.64.010, shall distribute, vend, sell, offer or keep for sale at retail or wholesale, deal or traffic in, or, for the purpose of evading any law or ordinance, give away any intoxicating liquor or fermented malt beverage, or cause the same to be done, without having procured a license or permit as provided in this section, nor without complying with all the provisions of this section and all statutes, ordinances and regulations of the state and city applicable thereto. (Prior code §9.02 (2(a).)

5.64.030 Separate license required for each place of sale. A separate license shall be required for each stand, place, room or enclosure or for each suite of rooms or enclosures which are in direct connection or communication where intoxicating liquor or fermented malt beverages are kept, sold or offered for sale; and no license shall be issued to any person for the purpose of possessing, selling or offering for sale any intoxicating liquor or fermented malt beverage in any dwelling house, flat or residential apartment. (Prior code §9.02(2)(b).)

5.64.034 Restrictions on servers. (a) Prohibition. It shall be unlawful for a licensee or an agent or employee of the licensee to serve or supervise the service of alcohol beverages in a licensed premises while under the influence of an intoxicant, a controlled substance, a controlled substance analog or any combination of an intoxicant, a controlled substance and a controlled substance analog. Controlled substance and controlled substance analog shall have the meaning as these terms are defined in section 9.04.026. Under the influence means not only all the well-known and easily recognized conditions and degrees of intoxication, but any abnormal mental or physical condition which is the result of indulging to any degree in alcohol beverages and which tends to deprive a person of the clearness of intellect and control of himself or herself which he or she would otherwise possess.

(b) Presumption. A test of the person's breath, blood, or urine, including a preliminary breath test, that shows the person has an alcohol concentration of 0.04 or more is prima facie evidence that he or she is under the influence. Law enforcement officials shall be allowed to ask for a preliminary breath test upon reasonable suspicion. Refusal to submit to a requested test may be considered by the Common Council as grounds for revocation, non-issuance, or non-renewal of the server's operator's license.

(c) Effect of Violation on Premises. If the principal business of the licensed premises is the sale of alcohol beverages, law enforcement officials will order it closed until such time as another licensed server or the licensee who is not in violation of this section shall take charge of such premises. It shall be a violation of this subsection for any licensed premises to be open contrary to such order of law enforcement officials. (Ord. 61-5604 §1, 2014, File No. 14-0107)

5.64.035 Alcohol Licensing and Serving of Alcohol Beverages. (a) Alcohol beverages are not allowed on the public sidewalk at any time. Such activity is governed by 5.64 of the city code of ordinances and by state laws. Notwithstanding the foregoing, the sale and service of alcohol beverages by full service restaurants located in the central business district may be permitted

provided an expansion of the premises is approved by the City Council for the area described in the sidewalk cafe permit.

(b) A request for expansion of the licensed premises to include a sidewalk cafe shall be made in writing to the city clerk. The request shall include the completed application along with the additional required documents per 5.63.040.

(c) In addition, the following standards, criteria, conditions and restrictions shall apply:

(1) The entire outdoor area utilized for service and consumption of food and beverages shall be visible from the restaurant establishment.

(2) Alcoholic beverages must be sold and served by the licensee or licensee's employees who have operator's licenses and sold, served and consumed by patrons seated at tables in the sidewalk cafe.

(3) Alcohol beverages may only be served at the sidewalk cafe when food service is available through the licensed establishment.

(4) The service and consumption of alcohol beverages in the sidewalk cafe shall be limited to the hours of operation of the sidewalk cafe.

(5) The permittee shall not allow patrons of the sidewalk café to bring alcohol beverages into the sidewalk cafe, nor to carry open containers of alcohol beverages about in the sidewalk cafe area, nor to carry open containers of alcohol beverages served in the sidewalk cafe outside the sidewalk cafe area.

(6) The licensee may only serve alcohol in single service cups for consumption in the sidewalk cafe.

(7) The permittee shall display a 8"x11" sign on the restaurants front door or other prominent location communicating that alcohol may only be consumed by patrons seated at tables in the sidewalk cafe.

(8) The bar from which the alcohol beverages are dispensed shall be located inside the establishment and shall not be located in the sidewalk cafe area.

(9) The license holder shall, in addition to all other requirements of the law, the city liquor license, and this section, take reasonable steps to ensure that alcohol beverages are consumed only by patrons of the establishment who are of legal drinking age, and not by passersby or persons who are not of age or who are obviously intoxicated and beverages are not removed from the premises. Failure to take reasonable steps and use them at all times in the sidewalk cafe is grounds for suspension or revocation of the sidewalk cafe permit.

(10) In the event a sidewalk cafe permit is suspended or revoked under section 5.63.100, service of alcohol in the sidewalk cafe area shall not be permitted.

(11) Approval by the common council of the sidewalk cafe as part of the license premise shall not be granted or renewed under this section without a valid sidewalk cafe permit. (Ord. 61-5575 §1, 2013, File No. 13-0611)

5.64.040 Hearing. Opportunity shall be given by the common council to any person to appear for or against the granting of any license. (Prior code §9.02(2)(c).)

5.64.050 License fees. The fees for licenses issued under this chapter shall be as specified in section 3.40.010(a). All fees deposited with the city treasurer for licenses covered by this chapter shall be nonrefundable. Fees for licenses must be paid fifteen (15) days prior to issuance. Licenses not paid within sixty (60) days of approval are deemed expired. (Ord. 61-5553 §14 (part), 2013, File No. 13-0309; Ord. 61-5133, 2001, File No. 01-1008; Ord. 61-4795 §1, 1993; prior code §9.02(3).)

5.64.055 Late filing fees. The city shall charge a late filing fee as specified in section 3.40.010(a) for alcoholic beverage license applications filed after the filing deadline as provided in Wisconsin Statutes 125.51(1)(c)1. (Ord. 61-5553 §15 (part), 2013, File No. 13-0309; Ord. 61-5075 §1(part), 2000.)

5.64.060 Restrictions generally. In addition to the requirements imposed by provisions of the Wisconsin Statutes adopted by reference in section 5.64.010, the restrictions in this chapter shall apply to the issuance of licenses or permits. (Prior code §9.02(4)(part).)

5.64.065 Sale of Class "B" packaged goods. (a) Sale Restrictions. Pursuant to Section 125.51(3)(b) of the Wisconsin Statutes, no person may sell intoxicating liquor in an original unopened package, container or bottle for consumption away from the premises in excess of four liters at any one time on any premises for which any Class "B" intoxicating liquor license or combination Class "B" alcohol beverage license has been issued. However, packaged goods sales of fermented malt beverages and wine from such premises may be made in any quantity.

(b) Hours of Sale. Between the hours of twelve midnight and eight a.m., no person may sell packaged goods from any Class "B" licensed premises. (Ord. 61-4631 §1, 1988.)

5.64.070 Corporations. No license shall be granted to any corporation when more than fifty percent of the voting stock interest, legal interest, or beneficial interest is held by any person or persons not eligible for the license under this section. (Ord. 61-4529 §2, 1983.)

5.64.075 Violations by agents and employees. A violation of this chapter by an authorized agent or employee of a licensee shall constitute a violation by the licensee. (Ord. 61-5449 §1, 2010; Ord. 61-4529 §3, 1983.)

5.64.076 Revocation and suspension of licenses. Whenever the holder of a license under this chapter violates any provision of this chapter, proceedings for the revocation or suspension of such license may be instituted in the manner and under the procedure established by Section 125.12

of the Wisconsin Statutes, and the provisions therein relating to granting a new license shall likewise be applicable. (Ord. 61-4708 §1(part), 1990.)

5.64.077 Nonrenewal of licenses. Proceedings for the refusal to renew a license issued under this chapter may be instituted in the manner and under the procedure established in Section 125.12 of the Wisconsin Statutes. (Ord. 61-4708 §1(part), 1990.)

5.64.078 Point values for alcohol beverage violations and revocations and suspensions.

(a) Purpose and definitions.

(1) The purpose of this subsection is to administratively interpret those portions Chapter 5.64 of the Wausau Municipal Code relating to establishing an alcohol beverage demerit point system to assist in determining which license holders should be subject to suspension or revocation procedures.

(2) The Public Health and Safety Committee of the City of Wausau Common Council is the committee which reviews alcohol licenses.

(b) Point schedule. The scale of demerit points is listed according to the type of alcohol beverage violation. This demerit point system is used to identify habitually troublesome license holders for the purpose of recommending suspension or revocation of their alcohol beverage licenses.

Type of Violation	Point Value
Sale or serve underaged person 2-5 (50) 6-10 (75) 10 (100) WMC 5.64.010 [125.07(1)]	1 = 25
Sale or serve intoxicated person WMC 5.64.010 [125.07(2)]	25
Underaged person on premises WMC 5.64.010 [125.07(3)]	25
No-alcohol night violations WMC 5.24 & 5.25	25
Failure to be licensed WMC 5.64.010 [125.09(1) & 125.66(1)]	50
Altering premises or changing location without permission WMC 5.64.010 [125.04(12) & 125.51(3)(d)]	25
False statement on application WMC 5.04.060(a)(1)	75
Transfer of license without permission WMC 5.64.010 [125.04(12)]	25

Type of Violation	Point Value
Failure to frame and post license WMC 5.64.010 [125.04(10)]	25
Conducting unlawful business WMC 5.64.010 [125.12(2)]	50
No licensed bartender WMC 5.64.010 [125.68(2)]	50
Server under the influence WMC 5.64.034(a)	25
Failure to close licensed premises WMC 5.64.034(3)	25
Sell fermented malt beverage after hours WMC 5.64.010 [125.32(3)(am)]	50
Open after hours WMC 5.64.140	25
Sell intoxicating liquor after hours 5.64.010 [125.68(4)(c)3]	25
Violation of any provision of alcohol licensing and serving of alcohol beverages (sidewalk cafes) provided in Sec. 5.64.035 which is not otherwise specifically provided for in this subsection WMC 5.64.035	50
Leaving with open container	25
Adult entertainment without permit WMC 5.20.020(a)	50
Nude or semi-nude entertainer or employee visible outside WMC 5.20.050(b)(1)	75
Refusal to cooperate with Fire Chief, Police Chief, or designee	75
Exceeding posted occupancy	50
Exceeding posted occupancy by more than 30 %	75
Operating while license is suspended	100
Unauthorized transfer or use of license	75
Owner or employee selling controlled substances on premises	75
Illegal drug paraphernalia on premises	50
Failure to maintain orderly premises, disorderly conduct within premises, failing to summon police or intervene to	50

Type of Violation	Point Value
prevent future violations, subject of noise complaints	
Penalty enhancer for severe offenses: Enhanced penalty for conduct which results in <ol style="list-style-type: none"> 1) Bodily harm to any individual 2) Creates a substantial risk of death or bodily harm 3) Involves the use of a firearm or other dangerous weapon Demonstrates an ongoing disregard for the requirements of state law or municipal ordinances	50

(c) Violations, how calculated. In determining the accumulated demerit points against a license within twelve (12) months, the City shall use the date each violation was committed as the basis for the determination.

(d) Suspension or revocation of license.

(1) The Public Health and Safety Committee shall call before it for purposes of a revocation or suspension hearing all licensees who have accumulated 100 points in a twelve-month period as a result of court imposed convictions or who have had referred to it reports from the City Attorney which, if believed, would result in 100 demerit points in twelve (12) months.

(A) Formal expression of concern. In those instances in which a licensee has accumulated less than 100 demerit points as determined by the City Attorney, and additional violations on one date would result in the accumulation of at least 100 points but not more than 200 points, the Public Health and Safety Committee shall call before it the licensee for purposes of a formal expression of concern. If the licensee appears, no discussion of the alleged facts underlying the assessment of demerit points shall be permitted unless the licensee requests such discussion but only if the licensee is advised that any statements made by the licensee and/or her/his representatives regarding the alleged facts may be considered by the Public Health and Safety Committee in any subsequent suspension/revocation hearing which may result from the alleged violations which are the subject of the formal expression of concern. If the licensee fails to appear after service of the notice to appear, the matter shall be scheduled for a suspension/revocation hearing. Service of the notice to appear shall be by first class mail sent to the agent, if the licensee is a corporation or a limited liability company, to the licensee if an individual, or to any partner if the licensee is a partnership. If the notice is returned by the Post Office as undeliverable, the notice may be left with any employee found on the licensed establishment at least 24 hours before the date and time of the scheduled appearance before the Public

Health and Safety Committee. A formal expression of concern in lieu of the assessment of demerit points may only occur once within a one-year period.

This ordinance amendment shall apply only to violations that would trigger a formal expression of concern which occur after this ordinance is adopted.

(B) Any alcohol beverage violation not enumerated herein may still subject the license holder to suspension or revocation of the license pursuant to Wis. Stat. 125.12 procedure.

(C) Any suspension or revocation longer than ten (10) days shall result in a license eligible for immediate reissuance.

(2) If the demerit point accumulation, calculated from the date of violation, meets or exceeds: 150 points in a 12-month period, the suspension shall be for three (3) business days; 175 points in a 12-month period, the suspension shall be for seven (7) business days; 200 points in a 12-month period, the suspension shall be for twelve (12) months. If the license(s) is revoked, no other license shall be granted to such licensee for a period of twelve (12) months from the date of revocation. The period of suspension shall be the number of days the establishment is regularly open for business.

(3) Pursuant to Wis. Stat. 125.12 procedure, the license or permit issued under this chapter to a person for:

(A) bartending, shall be suspended for 14 days, if the committee finds that the person committed a violation within 6 months after committing one previous violation;

(B) bartending, shall be suspended for 12 months, if the committee finds that the person committed a violation within 12 months after committing 2 other violations;

(C) operating, shall be suspended for 3 days, if the committee finds that the person committed a violation within 6 months after committing one previous violation.

(4) Only once in each 12-month period, for any violation of 50 points, 25 points can be earned back if the tavern owner at his/her expense sends the offending bartender to responsible beverage course and the bartender completes the course; however, upon appeal, the committee may reduce points after a public hearing before the Public Health and Safety Committee.

(5) The procedure to be used for suspension or revocation shall be that found in section 5.64.076.

(6) Penalties. In this section, "violation" means a violation of this subsection if the violation results in court-imposed conviction or is the subject of a report referred to the public health and safety committee, which, if believed, would result in 100 demerit points in twelve (12) months. For purposes of determining previous violations, the period shall be measured from the dates of violations that resulted in an imposition of a forfeiture or a conviction. For the purpose of determining whether or not a previous violation has occurred, if more than one violation occurs at the same time, all those violations shall be counted as one violation. The assignment of points is delegated to the Chief of Police or his designee.

(e) Severability. The several terms and provisions of this section shall be deemed severable, and any provision hereof or the application hereof to any person or circumstances is held invalid remainder of the section and the applicability of such provisions to other persons circumstances shall not be affected thereby. (Ord. 61-5608 §1, 2014, File no. 03-0425; Ord. 61-5582 §1, 2013, File No. 03-0425; Ord. 61-5501 §1 & 2, 2012, File No. 03-0425; Ord. 61-5484 §1 & 2, 2011, File No. 03-0425; Ord. 61-5224 §1, 2004, File No. 03-0425; Ord. 61-5202, 2003, File No. 03-0425.)

5.64.080 Effect of revocation of license. No license shall be issued for any premises if a license covering such premises has been revoked within six months prior to application. No license shall be issued to any person who has had a license issued pursuant to this chapter revoked within twelve months prior to application. (Prior code §9.02(4)(b).)

5.64.084 Provisional retail licenses. The city clerk may issue provisional retail licenses in accordance with Section 125.185 of the Wisconsin Statutes, and the requirements of this section. Such licenses shall be issued within ten days of application.

(a) Provisional retail licenses may be issued only to persons applying for Class "A" beer, Class "B" beer, Class "A" liquor, Class "B" liquor, or Class "C" wine authorizing only the activities allowed that type of license.

(b) The fee for the provisional retail license shall be as specified in section 3.40.010(a) of this code.

(c) The provisional retail license shall expire sixty days after issuance or when the person is issued a retail license described in section 5.64.020. The provisional retail license may be revoked by the city clerk or police chief if it is discovered that the holder of the license made any false statement in the application for the license.

(d) Prior to issuing the provisional retail license, the police chief, or his/her designee, shall conduct a background check on the applicant. Such a background check shall occur within ten days of application under this section. The city clerk shall not issue the provisional license until receiving the results of any background check.

(e) The city clerk may not issue any provisional license under this section if such issuance will violate the city's quota under Chapter 125 of the Wisconsin Statutes.

(f) No person may hold more than one provisional retail license for each type of license applied for per year. (Ord. 61-5553 §16 (part), 2013, File No. 13-0309; Ord. 61-5012 §1, 1998.)

5.64.085 Provisional operator's licenses. (a) Pursuant to the authorization within Section 125.17 of the Wisconsin Statutes, there is created a provisional operator's license.

(b) The standards under which these licenses shall be issued shall be the same standards utilized for regular operator's licenses.

(c) The chief of the police department shall be authorized to issue a provisional operator's license.

(d) A provisional operator's license may be issued only to a person who has applied for a regular operator's license. A provisional operator's license may not be issued to any person who has been denied a regular operator's license by the city.

(e) The fee for a provisional operator's license shall be specified in section 3.40.010(a).

(f) A provisional operator's license expires sixty days after its issuance or when a regular operator's license is issued to the holder, whichever is sooner.

(g) The chief of the police department may revoke the license if he or she discovers that the holder of the license made a false statement on the application. (Ord. 61-5553 §17 (part), 2013, File No. 13-0309; Ord. 61-5050 §1, 1999; Ord. 61-4554 §1, 1984.)

5.64.090 Inspection of application and premises. The clerk shall notify the health officer, chief of police and director of inspections and electrical systems of all license and permit applications, and these officials shall inspect or cause to be inspected each application and premises to determine whether the applicant and the premises sought to be licensed comply with the regulations, ordinances and laws applicable thereto and the applicant's fitness for the trust to be imposed. These officials shall furnish to the common council in writing the information derived from such investigation. No license or permit provided for in this chapter shall be issued without the approval of a majority of the common council, and no license shall be renewed without a reinspection of the premises and report as required in this chapter. (Prior code §9.02(4)(c).)

5.64.110 Health and sanitation. No license shall be issued for any premises which do not conform to the sanitary, safety and health requirements of the Marathon County health department and to all such ordinances and regulations adopted by the city. (Ord. 61-5019 §2, 1998; prior code §9.02(4)(e).)

5.64.120 Tax delinquencies. No license shall be granted for operation on any premises upon which taxes or assessments or other financial claims of the city are delinquent or unpaid. (Prior code §9.02(4)(f).)

5.64.130 Obstructing view of premises. No premises licensed for the sale of intoxicating liquor at retail shall, during the days they are required to close or during the hours in which the sale

of liquor is prohibited, obstruct by the use of curtains, blinds, screens or in any other manner, a full and complete view of the interior from the outside. During the hours in which the sale of intoxicating liquor is permitted the premises shall be properly and adequately lighted. There shall be no partition, box, stall, screen, curtain or other device which shall obstruct the view of said room from the general observations of persons; provided, however, that partitions, subdivisions or panels not higher than forty-eight inches from the floor shall not be construed as in conflict with the foregoing; and provided, however, retail Class "B" licenses shall entitle the holder thereof to serve such beverages in a separate room at banquets or dinners. (Prior code §9.02(4)(g).)

5.64.140 Closing hours. Closing hours of Class "A" and Class "B" premises shall be as provided in Chapter 125 of the Wisconsin Statutes. (Ord. 61-5507 §1, 2012; Ord. 61-4529 §4, 1983.)

5.64.150 Enclosure required—Picnic license. (a) The license holder of a special Class "B" fermented malt beverage license (picnic license) shall cause to be installed around the main point of sale a fence or fences at least seven feet in height measured from ground level, or two fences at least four feet high and eight feet apart, in order to control ingress and egress of persons and consumption of fermented malt beverages; and shall station an adult at the entrance to the area for the purpose of checking age identification. The herein described fence regulations shall not apply to a licensed area within an enclosed building.

(b) No fermented malt beverage shall be served to or consumed by anyone outside of the fenced-in area.

(c) All license holders issued a special Class "B" fermented malt beverage license (picnic license) shall post in a conspicuous location at the main point of sale and at all entrances to the facility a sufficient number of signs disclosing that no fermented malt beverage shall be served to any underage person.

(d) A licensed operator shall be stationed at all points of sale at all times.

(e) Except as noted in paragraph (a), licensed events may apply for a waiver of the enclosure requirement by submitting an alcohol control plan to the public health and safety committee. The committee shall seek a recommendation from the police chief prior to taking action on the plan. In addition, the committee may place additional restrictions or conditions on the plan before granting a waiver. Each event requires a separate application for a waiver of the enclosure requirement.

(f) When the enclosure requirement is waived in accordance with (e) above, operators shall not sell alcohol beverage servings or containers larger than 20 ounces, nor shall multiple servings be sold to an individual on behalf of others without the operator ascertaining that those receiving the beverages are of legal age. A visible device or wristband that is tamper-resistant and nontransferable may be applied after the operator has ascertained that a purchaser and/or anyone receiving alcohol beverages are of legal age. (Ord 61-5373 §1, 2008, File No. 86-0442; Ord. 61-5318 §1, 2007, File No. 86-0442; Ord. 61-5271 §1, 2006, File No. 86-0442; Ord. 61-5261 §1,

2005, File No. 86-0442; Ord. 61-5247 §1, 2005, File No. 86-0442; Ord. 61-5225 §1, 2004, File No. 86-0442; Ord. 61-4591 §1, 1986.)

5.64.160 Abandonment of Premises. Any license to sell alcohol beverages authorized by this Chapter may be subject to revocation, suspension or non-renewal pursuant to the procedures in Wis. Stats. 125.12 under the following circumstances:

- (a) It has not been issued following granting by the governing body contingent upon compliance with city requirements.
- (b) The subject premises is not open for business with stock and equipment within 90 days of the granting of such license; the public health and safety committee, for good cause, may extend said 90 day period of time for an additional 90 days if all of the following conditions have been met:
 - (1) At the time of application, the real property sought to be licensed does not have a permanent structure on it; and
 - (2) At the time of application, the real property sought to be licensed is either owned by the applicant, or is under lease to the applicant for a period greater than one year from the date of application, or is subject to an accepted offer to purchase, not conditioned on a future event. The deed, lease or offer to purchase must be presented to the public health and safety committee for review; and
 - (3) At the time of application, the applicant submits a floor plan for the structure intended to be constructed on the real property, said floor plan specifying that portion of the structure which is to be licensed; and
 - (4) The applicant agrees in writing, as part of the application, to submit to the public health and safety committee within 90 days of granting of the license or licenses a copy of the building permit and, if the applicant is not the owner or lessee of the property at the time of the application, a copy of the deed showing present ownership of the real property by the applicant; and
 - (5) The applicant agrees in writing, as part of the application to be diligent in all efforts to get the structure built and stocked within 180 days of the granting of the license.
- (c) The subject premises is not open for business at least 50% of the days within any 12-month period, either within a licensing year, or overlapping two licensing years.
- (d) The licensee does not own or lease a premises from which business may be conducted.

- (e) The licensee suspends or ceases doing business for a period of at least thirty (30) consecutive days; the public health and safety committee, for good cause, may extend said period of time for 90 additional days. An establishment is deemed to have ceased regular operations when any of the following occurs:
 - (1) The alcohol beverage license is surrendered to the city clerk absent the issuance of a newly-granted license; or
 - (2) The establishment is no longer open to the public; or
 - (3) The establishment is open to the public only intermittently in an attempt to circumvent the provisions of this subsection; or
 - (4) The establishment fails to maintain open and active accounts with its food and/or alcohol distributors; or
 - (5) The alcohol beverage license holder fails to submit a renewal application to the city clerk before the last possible submittal date.

(Ord. 61-5479 §1, 2011, File No. 01-1008; Ord. 61-5133, 2001, File No. 01-1008.)

5.64.170 Repossession of license or permit. Whenever any license or permit under this chapter shall be revoked or suspended by the common council, mayor, chief of police or action of any court or section 5.64.160, it shall be the duty of the clerk to notify the licensee or permittee of such suspension or revocation and to notify the chief of police, who shall take physical possession of the license or permit wherever it may be found and file it in the clerk's office. (Prior code §9.02(6).)

5.64.180 Penalty for violation. The penalty for violation of any of the provisions of this chapter shall be a penalty as provided in section 1.01.110, provided that no penalty imposed shall exceed the maximum allowed by Chapter 125 of the Wisconsin Statutes. A separate offense shall be deemed committed on each day on which a violation occurs or continues. (Ord. 61-4529 §6, 1983; prior code §9.02(7).)

Office of the City Attorney

TEL: (715) 261-6590
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Anne L. Jacobson
City Attorney

Tara G. Alfonso
Assistant City Attorney

COMMENTS ON REPEAL AND RECREATION OF SECTION 16.04.030
RESIDENTIAL RENTAL CONTACT REGISTRATION

- Currently the City has an ordinance at W.M.C. §16.04.030 Appointment and Registration of Agents for Residents and Nonresidents Who Own Rental Dwelling Units in the City that requires any person who owns a rental dwelling unit in the City to maintain a current address with the Division of Inspections and Zoning for contact purposes. The current ordinance also requires any owner who lives outside of Marathon County to appoint and provide contact information for an adult person who may receive service of process.
- With the passage of 2013 Wisconsin Act 76 and 2015 Wisconsin Act 176, certain provisions in the current form of the ordinance are impermissible. These Acts, codified at Wis. Stat. §66.0104, impose certain limitations or prohibitions on municipalities with respect to ordinances placing requirements or limitations on residential landlords.
- The proposed repeal and recreation of the current City ordinance at W.M.C. §16.04.030 brings the ordinance in line with the provisions of 2013 Wisconsin Act 76 and 2015 Wisconsin Act 176.
- As recreated, the proposed City ordinance would require residential landlords to annually register rental contact information for each residential unit within the City. The contact information to be supplied is the owner's legal name, the name of an authorized contact person at the option of the owner, and an address and telephone number. Registration would need to be re-submitted in the event of a sale, transfer or conveyance of the property within 30 days of the sale, transfer or conveyance.

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

ORDINANCE OF PUBLIC HEALTH AND SAFETY COMMITTEE

Repeal and recreate Section 16.04.030 Residential Rental Contact Registration

Committee Action:

Ordinance Number:

Fiscal Impact:

File Number:

Date Introduced:

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

Section 1. That Section 16.04.030 Residential Rental Contact Registration, is hereby repealed and recreated to read as follows:

16.04.030 Residential Rental Contact Registration.

(a) Any person who owns any residential rental dwelling unit in the City of Wausau shall annually register, on forms provided by the City of Wausau Division of Inspection and Zoning (Department), rental contact information for each residential rental dwelling unit which will enable the Department to contact the owner, or at the option of the owner, an agent of the owner. Information shall include the owner's legal name, the name of an authorized contact person if applicable, an address and telephone number at which the owner or the authorized contact person may be contacted, and the address of the property for which the contact information applies.

(b) Registration forms shall be filed with the Department no later than March 31 each year and in the case of any sale, transfer or conveyance of a residential rental dwelling unit within 30 days of any such sale, transfer or conveyance. Residential rental contact information is not transferable.

(c) All residential rental dwelling units shall be registered prior to occupancy by a tenant.

(d) Residential rental dwelling unit means any independently rented living space whose term of lease is 30 days or greater. It does not include rest homes, convalescent homes, nursing homes, hospitals, assisted living centers, community based residential facilities, adult homes and other facilities licensed or certified by the Wisconsin Department of Health Services, or properties owned or operated by the City of Wausau or its Community Development Authority.

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

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

Adopted:
Approved:
Published:
Attest:

Approved:

Robert B. Mielke, Mayor

Attest:

Toni Rayala, Clerk

Office of the City Attorney

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



Anne L. Jacobson
City Attorney

Tara G. Alfonso
Assistant City Attorney

COMMENTS ON CREATION OF W.M.C. §12.56.115
PROHIBITING DEAD, DYING OR DISEASED TREES ON PRIVATE PROPERTY

- The City has several current ordinances relating to the condition of trees. These ordinances, however, relate to trees or limbs that interfere with public sidewalks, streets or public lands or obstruct clear view of traffic by motorists (e.g., W.M.C. §9.24.050(d) and (e)); prohibitions against injury to trees on public lands (e.g., W.M.C. §12.56.040); and, trees or shrubs carrying infections plant disease, injurious insects or endanger the life, health or safety of persons on public property (e.g., W.M.C. §12.56.100).
- The proposed ordinance creating W.M.C. §12.56.115 would prohibit certain conditions relating to trees that constitute a hazard to life or the safety of persons or property existing on private property. The proposed ordinance would permit the City Forester to cite property owners who permit such trees or parts of trees on their property that pose these risks to others such as neighboring property owners or residents.
- The proposed ordinance provides a forfeiture of \$150.00 which including court costs would be a total amount of \$250.00. Each day of violation would constitute a separate offense.
- While the City would assert the immunity provisions of Wis. Stat. s. 893.80(4)¹ in the defense against any claim that might be brought in the future by an individual who suffered damage as a result of a falling tree or limb that had been brought to the attention of the City through a complaint, the proposed ordinance would open the door to the potential of claims that currently does not exist and the attendant costs of defense of such claims.

¹ Wis. Stat. s. 893.80(4) provides in relevant part: "No suit may be brought against anypolitical corporation, governmental subdivision or any agency thereof for the intentional torts of its officers, officials, agents or employees nor may any suit be brought against such corporation, subdivision or agency...or against its officers, officials, agents or employees for acts done in the exercise of legislative, quasi-legislative, judicial or quasi-judicial functions."

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

ORDINANCE OF PUBLIC HEALTH AND SAFETY COMMITTEE

Creating Section 12.56.115 Prohibiting dead, dying or diseased trees on private property.

Committee Action:

Ordinance Number:

Fiscal Impact:

File Number:

Date Introduced:

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

Section 1. That Section 12.56.115 Prohibiting dead, dying or diseased trees on private property, is hereby created to read as follows:

12.56.115 Prohibiting dead, dying or diseased trees on private property.

(a) No owner of real property shall permit a dead, dying, or diseased tree to remain on such real property in the city when such tree constitutes a hazard to life or the safety of persons or property, or harbors insects or disease which constitutes a potential threat to the health of other trees within the city. For purpose of this section, "dead, dying, or diseased tree" includes any portion of such tree, broken limb, or dead, diseased or broken trunk or any tree that is totally or partially uprooted.

(b) Any person violating the provisions of this section shall be subject to a forfeiture of \$150.00. Each day such violation continues shall constitute a separate offense.

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

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

Adopted:
Approved:
Published:
Attest:

Approved:

Robert B. Mielke, Mayor

Attest:

Toni Rayala, Clerk

ORDINANCE OF PUBLIC HEALTH AND SAFETY COMMITTEE	
Amending Section 1.01.025(c)(1)(B) Schedule of cash deposits	
Committee Action:	Ordinance Number:
Fiscal Impact:	
File Number: 82-1252	Date Introduced:

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

Add ()

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

1.01.025 Issuance of citations. . . .

(c) Schedule of cash deposits.

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

. . .

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

Municipal Ordinance Schedule of Deposits

<u>Ord. No.</u>	<u>Offense</u>	<u>Deposit</u>
12.52.020	Placing snow on street, alleys, etc.	\$10.00
12.56.115	Prohibiting dead, dying or diseased trees on private property	\$150.00
15.48.030	Unapproved signs	\$30.00

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

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

Adopted:
Approved:

Approved:

Published:

Attest:

Robert B. Mielke, Mayor

Attest:

Toni Rayala, Clerk

Summary of Fire and EMS Events For October 2016

1. Significant City Fire Events:

Date	Address	Type
10/02/16	1509 N. 5 th Street (1723)	Outside rubbish, trash or waste fire
10/11/16	I-39 N between MM193 & MM194 (1785)	Passenger vehicle fire
10/16/16	Int. of Merrill Avenue & E. Randolph Street (1826)	Grass fire
10/18/16	2435 Grand Avenue (1833)	Trash or rubbish fire, contained
10/20/16	515 Fulton Street (1845)	Building fire
10/23/16	112 ½ Adolph Street (1862)	Building fire
10/31/16	210 S. 1 st Avenue (1910)	Passenger vehicle fire

2. Township Fire Calls:

Date	Township	Address	Type
10/29/16	City of Antigo	201 Morse Street, Antigo (1896)	Chemical spill or leak
Total Mutual Aid Given			1
Tanker Response Only			0

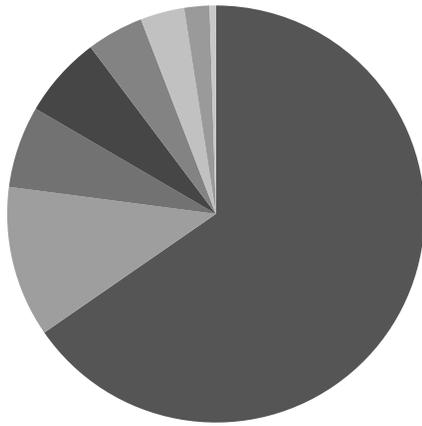
3. Significant EMS Events:

City	# of Runs	% of Runs	# of Runs - YTD
Berlin (Town of)	1	0.22%	16
Brokaw (Village of)	1	0.22%	4
Hewitt (Town of)	1	0.22%	15
Maine (Village of)	7	1.52%	77
Texas (Town of)	5	1.08%	28
Schofield (City of)	4	0.87%	4
Stettin (Town of)	0	0.00%	0
Wausau (City of)	434	94.14%	4,338
Wausau (Town of)	6	1.30%	48
Weston (Village of)	0	0.00%	7
Other	1	0.22%	8
Interfacility	1	0.22%	8
Total	461	100.00%	4,553

4. Fire Department Activities

NFIRS Incidents (Engine)	246.46 Hours
WARDS Incidents (Ambulance)	590.46 Hours
Non-Incident Activities (Station Maintenance/Wellness, Vehicle Check-off/Fire Pre-plan, Hazmat Outreach, Administration duties, Public Education, Committee and Staff Meetings)	1,528.37 Hours
Training	836.79 Hours

5. Other Fire Incident Responses:



- Rescue & Emergency Medical Service Incident (134)
- False Alarm & False Call (24)
- Good Intent Call (13)
- Service Call (13)
- Hazardous Condition (No Fire) (9)
- Fire (7)
- Special Incident Type (4)
- Overpressure, Rupture, Explosion (1)

CODE	DESCRIPTION	FREQ.	FREQ. %	EXPs	TOTAL MAN HOURS	AVERAGE RESPONSE TIME (min)
111	Building fires	2	0.98 %	0	16.97	3.50
118	Trash or rubbish fire, contained	1	0.49 %	0	1.87	6.00
131	Passenger vehicle fire	2	0.98 %	0	8.35	4.00
143	Grass fire	1	0.49 %	0	0.47	6.00
151	Outside rubbish, trash or waste fire	1	0.49 %	0	0.37	3.00
222	Overpressure rupture of boiler from air or gas	1	0.49 %	0	18.25	3.00
300	Rescue, emergency medical call (EMS) call, other	1	0.49 %	0	0.97	15.00
311	Medical assist, assist EMS crew	116	56.86 %	0	89.83	4.39
322	Vehicle accident with injuries	6	2.94 %	0	12.72	4.33
323	Motor vehicle/pedestrian accident (MV Ped)	1	0.49 %	0	0.47	2.00
324	Motor vehicle accident with no injuries	5	2.45 %	0	4.63	1.80
331	Lock-in (if lock out , use 511)	1	0.49 %	0	3.17	5.00
351	Extrication of victim(s) from building/structure	1	0.49 %	0	1.35	8.00
353	Removal of victim(s) from stalled elevator	1	0.49 %	0	3.03	3.00
381	Rescue or EMS standby	2	0.98 %	0	7.77	1.50
411	Gasoline or other flammable liquid spill	1	0.49 %	0	1.13	5.00
412	Gas leak (natural gas or LPG)	3	1.47 %	0	10.80	6.00
422	Chemical spill or leak	0	0.00 %	0		
424	Carbon monoxide incident	2	0.98 %	0	12.80	4.50
441	Heat from short circuit (wiring), defective/worn	1	0.49 %	0	1.30	3.00
445	Arcing, shorted electrical equipment	1	0.49 %	0	0.23	2.00
500	Service Call, other	2	0.98 %	0	0.90	4.00
510	Person in distress, other	1	0.49 %	0	0.37	6.00
511	Lock-out	4	1.96 %	0	2.23	7.25
531	Smoke or odor removal	1	0.49 %	0	0.73	2.00
541	Animal problem	1	0.49 %	0	0.43	6.00
561	Unauthorized burning	4	1.96 %	0	2.03	5.25
611	Dispatched & canceled en route	10	4.90 %	0	1.17	
622	No incident found at dispatch address	2	0.98 %	0	1.43	5.50
651	Smoke scare, odor of smoke	1	0.49 %	0	0.70	3.00
700	False alarm or false call, other	1	0.49 %	0	8.17	3.00

711	Municipal alarm system, malicious false alarm	1	0.49 %	0	9.32	3.00
714	Central station, malicious false alarm	1	0.49 %	0	1.13	7.00
733	Smoke detector activation due to malfunction	1	0.49 %	0	5.07	7.00
735	Alarm system sounded due to malfunction	3	1.47 %	0	13.40	3.33
736	CO detector activation due to malfunction	4	1.96 %	0	4.27	8.00
743	Smoke detector activation, no fire - unintentional	7	3.43 %	0	8.12	4.86
744	Detector activation, no fire - unintentional	1	0.49 %	0	0.93	5.00
745	Alarm system sounded, no fire - unintentional	5	2.45 %	0	10.68	4.20
911	Citizen complaint	4	1.96 %	0	1.93	5.50
Totals		204	100.00%	0	269.48	4.54
Total Mutual Aid Received - Fire		0				
Total Mutual Aid Received - EMS		0				

6. Personnel Hours off due to:

Catastrophic	0 Hours
Family/Medical Leave	304 Hours (12.66 days)
Sick Leave	48 Hours (2 days)
Worker's Compensation	0 Hours

7. Fire Inspection Events

Inspections Completed	Monthly	Year to Date
Inspections w/ no violations	241	2,498
Re-inspections Completed		
1 st Re-inspection	92	516
2 nd Re-inspection	22	140
3 rd Re-inspection	7	53
4 th Re-inspection	5	23
5 th Re-inspection	3	12
6 th Re-inspection	2	7
7 th Re-inspection	0	2
8 th Re-inspection	0	2
Varied Inspections		
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	0	14
Inspection – Fire Alarm	0	3
Inspection – Sprinkler System	1	11
Inspection – Permit	0	2
Inspection – Hazardous Operations	0	0
Inspection – License	0	2
Inspection – Electrical	0	0
Inspection – Special Event	1	29
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	0	5
Consultation – Fire Alarm	0	4
Consultation – Hazardous Operations	0	4
Consultation – Sprinkler System	0	1
Consultation – Permit	0	0
Consultation – License	0	0
Consultation – Knox Box	1	31
Consultation – Other	0	1
Legal Preparation	0	5
Legal – Court Appearance	0	2
Property Evaluation Reviews	1	24
Total Inspections	376	3,405
Fire Investigations	0	4
Inspection Department Activities	Staff Count	YTD Staff
Elderly Fire Safety Programs	0	3
Parade	0	8
School Programs	194	196
Smoke Detector/CO Programs	0	48
Public Education (tours, lectures, etc.)	8	89
Open Burn Complaints	0	15
Fire/EMS Presentation	33	127
Fire Drills/Pool Drills	6	47
Job Fairs	4	4
Inspections 1 & 2 Family Dwellings	1	9
CPR Training for Outside Agency	1	104
Special Event Inspections or Plan Meetings	1	38
Juvenile Fire Setter Intervention	1	13

8. Agenda Topics

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



Robert B. Mielke
Mayor

Jeffrey G. Hardel
Chief of Police

Wausau Police Department

Date 11/07/16
To Chief Hardel
From Lt. Mike Felder
Subject TAVERN REPORT October 9, 2016 through November 6, 2016

ROUTINE TAVERN INSPECTIONS (No violations unless noted)

101 Pub, 101 N. 3rd Avenue

6th Street Pub, 2002 N. 6th Street

Baker's Retreat, 1418 Lenard Street

The Bar, 1025 S. 3rd Avenue

Bob & Randy's Bar, 1515 N. 6th Street

Cabaret, 204 E. Rib Mountain Drive

Callon Street Pub, 209 Callon Street

Campus Pub, 1110 W. Campus Drive

The Chatterbox Bar, 102 S. 2nd Avenue

Cheers Bar, 101 E. Thomas Street

Cop Shoppe Pub, 701 Washington Street

Day's Bowl-A-Dome, 1715 Stewart Avenue

Bull Falls Brewery, 901 E. Thomas Street

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.

6th Street Pub, 2002 N 6th Street

- (1) *There were no specific incidents that required Police response; however Officers conducted three extra patrols at the tavern due to some of the more recent past calls at this location. Those extra patrols did not lead to any other activity.*

Cop Shoppe Pub, 701 Washington Street

- (1) *Event #160126107, 10/09/16 at 11:57 PM: Officers responded to a call from a patron about a verbal argument. Officers spent time speaking with the caller, who got into an argument with the bar manager and his girlfriend. The male had some questionable conduct inside the bar and went outside to smoke. The female went out to speak with him and an argument ensued. The manager then also came out and from that point denied the male entry back into the bar. Officers were able to get the patron to leave after bargaining for the male to get a \$1 refund for the soda he had bought and not finished. Officers attempted to counsel the manager and his girlfriend (who is also a bartender), but it was contentious to begin with. In the end, the manager expressed his willingness to work with the Police even though he doesn't want the Police at his bar every night because it is bad for business.*

Glass Hat Bar, 1203 N. 3rd Street

- (1) *Case #16-10341, 10/21/16 at 11:58 PM: Two women were arrested after causing a disturbance inside and outside the bar. From the manner in which the call was entered, it appears the Officer came across the incident while patrolling the area. The Officer noted that the bartenders and bouncers were very cooperative with the Officers.*
- (2) *Case #16-10573, 10/29/16 at 2:13 AM: Officer observed a male urinating into a storm drain outside the front of the bar (just to the south and east of the main entrance, on Langsdorf St.-the bouncer was inside the doorway and could not observe the location the male was standing) while conducting a random check of the business due to the busy Halloween weekend. The male was issued a citation.*



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- (3) *Event #160134201, 10/29/16 at 2:22 AM:* Officers were still in the area from the previous incident when they observed a male outside the business in the back parking lot with an open cup of an alcoholic beverage. The male was counseled regarding open intoxicant laws and released with a warning.

Hiawatha Lounge, 713 Grant Street

- (1) *Case #16-10153, 10/17/16 at 10:04 PM:* A **bar employee** called to report an unruly patron that was refusing to leave. Officers arrived to witness the male touch another patron, who protested. The male's response was to stand up and act aggressively in a posture likely to induce a fight. Officers escorted the male from the premises and arrested him for Disorderly Conduct.
- (2) *Case #10-10496, 10/26/16 at 6:38 PM:* Officers conducted an alcohol compliance check at the bar. The bartender sold an alcoholic beverage to the underage volunteer and was issued a citation. **Twenty-five (25) Demerit Points were assessed to the bar for this violation.**

Intermission, 325 N. 4th Street

- (1) *Event #160133670, 10/27/16 at 11:49 PM:* Officer was patrolling the area when he observed what appeared to be a fist fight ongoing on the sidewalk just south of the bar. Three male were detained and questioned, however they only admitted to being involved in an overly aggressive water fight with each other. They were released with no Law Enforcement action taken.

Limerick's Public House, 121 Scott Street

- (1) *Event #160128232, 10/15/16 at 12:27 AM:* A **bar employee** called to report a person outside the bar that was staggering and appeared to need assistance. The male was taken to the Health Care Center for observation.
- (2) *Event #160134121, 10/28/16 at 10:09 PM:* A bar employee called to report witnessing four girls outside the bar in the construction area messing around with the barrels. Officers located the girls and could not find any crime or other violation and they were released.

Loppnow's, 1502 N. 3rd Street

- (1) *Event# 160131708, 10/22/16 at 9:00 PM:* An anonymous caller reported suspicious activity after seeing a male walking around outside the bar, looking into parked vehicles. Officers responded and located a male that matched the description given. He denied looking into any cars and claimed it could have been his ex-girlfriend calling in a hoax complaint, since he had just seen a few minutes prior to the being stopped by Police. No Law Enforcement action was taken.



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Malarkey's, 412 N. 3rd Street

- (1) *Event #160131825, 10/23/16 at 4:41 AM:* **Bar owner** called after locating a jacket with a pistol in it. Officers responded and collected the jacket and the gun. The gun was not stolen. Later the next day, the owner (who DOES have concealed carry permit) explained that he had left his gun and the jacket in a friend's car. The friend left before he did, and unbeknownst to the owner, brought the jacket with the gun into the bar. The owner left the bar not knowing that the jacket was in the bar. Officers were unable to prove that anyone intentionally brought the weapon into the bar while drinking. Although incredibly careless, no criminal charges were filed.

Oz, 320 Washington Street

- (1) *Event #160133325, 10/27/16 at 1:42 AM:* A male patron called the Police, requesting extra patrol because of several issued he had. He only wanted an Officer in the area. No Law Enforcement action was taken.
- (2) *Case #16-10857, 11/06/16 at 8:24 PM:* A male called to report his cell phone had been stolen at either the Grand Theater or the Oz bar. The phone was later located and turned in to Sprint.

Pollock Inn, 1206 N. 3rd Street

- (1) *Case #16-10048, 10/15/16 at 12:44 AM:* Officers responded to a report made by a female patron about a male that was harassing and possibly threatening her. Officers learned that the female was on probation and wasn't supposed to be drinking or be at a bar. No foundation was found for her complaint (bartenders were asked and did not corroborate her description of suspect or events), and she was arrested for violating her conditions of probation.

Bull Falls Brewery, 901 E. Thomas Street

- (1) *Event #160131730, 10/22/16 at 9:56 PM:* A business employee called about a suspicious male walking around in the parking lot. Officers responded and located some people matching the description in the nearby laundromat. They were advised to stay away from the Brewery.
- (2) *Case #16-10600, 10/29/16 at 5:34 PM:* A patron called to report a hit and run crash that occurred in the parking lot. A crash report was completed. No suspects were developed.

Christine's Bar, 936 S. 3rd Avenue

- (1) *Event #160137189, 11/05/16 at 2:32 AM:* Officer observed a disturbance involving several people in the parking lot of Baesman's, which is used as a parking lot for bar patrons. Officers attempted to stop, and everyone started leaving. Officers were able to stop and question some. None of them related anything criminal and refused to pursue anything against anyone else. All were released and no Law Enforcement action was taken other than to get the rest of the people to leave peacefully.



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Lumpy's Bar, 265 Chellis Street

- (1) *Event #160132100, 10/23/16 at 10:55 PM:* A bar employee called to report seeing a suspicious vehicle circling the block and stopping outside the bar. Officers responded and located the vehicle. In questioning the operator about his action, he was initially not truthful. He eventually admitted he was there to meet someone else, who happened to owe him \$10.00. A consent search of the van and the operator located no weapons or contraband, and no other crime could be attributed to the male, so he was advised to leave the area. No further Law Enforcement action taken.

Roc's Place, 810 S. 3rd 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) *Case #16-9826, 10/09/16 at 12:57 AM:* An anonymous caller reported that there was a male in the bar that was drinking in violation of his rules of probation. Officers responded and located a male in the bar that was drinking and was on probation. The male was arrested for probation violation.
- (2) *Case #16-9998, 10/14/16 at 1:12 AM:* A bar employee called to report a male being violent in the bar and provided a description. Officers arrived and observed a male matching that description walking up the sidewalk throw a beer bottle towards a woman that was walking ahead of him. The male was not very cooperative during questioning, but was found to have a warrant for his arrest. The bar employees confirmed that the male that was stopped was the same male that was causing problems. They also attempted to keep him from leaving the bar with the beer, which is why he threw it. The male was found to have a valid warrant for his arrest. The male was issued a citation for having liquor on the street, and arrested for the warrant.
- (3) *Case #16-10000, 10/14/16 at 2:24 AM:* While Officers were at the bar investigating the above complaint, they heard a crash in the parking lot. The striking vehicle left the scene and Officers were not able to stop the correct vehicle. A crash report was completed.
- (4) *Event #160131810, 10/23/16 at 2:16 AM:* An anonymous call was received reporting that there was a fight in the parking lot. On arrival of Officers, it was learned that the responsible persons had already left and that it was a verbal dispute only. No further Law Enforcement action was taken. ****See note below w/ M & R Station.**
- (5) *Case #16-10500, 10/26/16 at 7:28 PM:* Officers conducted an alcohol compliance check at the bar. The bartender served an alcoholic beverage to the underage volunteer. The bartender was issued a citation. **The bar has been assessed twenty-five Demerit Points for this violation.**



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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. 3rd Avenue

- (1) *Event #160128309, 10/15/16 at 4:09 AM:* An anonymous caller reported that there was a black male outside the bar pounding on the door and yelling. Officers responded but were unable to locate anyone in the area.
- (2) *Case #16-10614, 10/30/16 at 2:07 AM:* An anonymous caller reported that there was a woman at the bar that was not supposed to be drinking. Officers located a woman that was on criminal bond, with a restriction that she was not supposed to be drinking. She was arrested for Bail Jumping.
- (3) *Case #16-10862, 11/06/16 at 11:25 PM:* A caller who refused to identify themselves reported that there was a couple that had been asked to leave the bar were refusing to leave and verbally arguing. Officers located the couple and after investigating the incident, decided to arrest the male for Domestic Battery and Domestic Disorderly Conduct. The male had allegedly pushed the woman and dragged her around the parking lot, injuring her hands and elbows.

****NOTE:** On 10/23/16, Officers had responded to Roc's Place for a report of a fight. During the investigation of that incident, Officers had contact with the owner of M & R Station, Rick Gordon. Mr. Gordon was upset that Officers were talking to him and was very confrontational. He also appeared to be intoxicated (he apparently had someone else tending bar).

101 Pub, 101 N. 3rd Avenue

- (1) *Event #160126021, 10/09/16 at 7:05 PM:* An anonymous call was received reporting that there was a male there that had way too much to drink and was verbally accosting people. Officers located the male and made sure a safe ride was arranged for him to leave.
- (2) *Event #160127223, 10/12/16 at 6:38 PM:* A citizen called to report that an intoxicated male had just parked his car and staggered into the bar. Officers responded but were unable to locate the vehicle. It had apparently left prior to their arrival in the area.



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Mountain Lanes/Jump On It, 1401 Elm Street

- (1) *Case #16-10620, 10/30/16 at 9:00 AM:* An alarm was received from the security company. Officers responded and located a male claiming to be one of the owners locked out of the business. A false alarm form was completed.
- (2) *Case #16-10638, 10/30/16 at 9:02 PM:* Another alarm was received from the alarm company, reported to be a panic alarm. Contact was made with an employee who reported that it was accidental. Another false alarm report was completed.
- (3) *Case #16-10659, 10/31/16 at 2:23PM:* The **owners** contacted the Police to report a fraud. I have no details on this incident as there were no comments entered into the call and the report had not yet been completed.
- (4) *Case #16-10675, 11/01/16 at 3:23 AM:* Another alarm was received for the business. Officers responded and documented that there was a broken window located, but thought it to be old damage. The rest of the building was secure, and the listed key holders did not answer phone calls or respond to the location. Another false alarm report was completed.
- (5) *Case #16-10691, 11/01/16 at 11:18 AM:* A **bar employee** called to report a burglary to the business. All the cash registers and game machines had been broken into. A report was completed and evidence was collected. No named suspects have been developed as of yet.

Showtime Gentlemen's Club, 1709 Merrill Avenue

- (1) *Event #160134608, 10/30/16 at 2:58 AM:* An anonymous call was received reporting that there was an intoxicated woman staggering with a male. The caller thought it seemed that the woman did not want to be with the male while he was trying to keep her walking. They were last seen across the street from Showtime, walking towards Briq's. Officers responded and made contact with the couple, who were husband and wife. The woman was intoxicated and had fallen, injuring her head. She refused any medical treatment, but a cab would not take them because of the injury. Officers gave them a ride home and the husband assured Officers that he would monitor the intoxicated woman. There was no real indication that this had to do with the bar, other than a landmark for their location and that the woman was described as wearing lingerie-type clothing.

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ALCOHOL BEVERAGE DEMERIT POINTS ASSESSED

- **101 Pub, Buffalo Wild Wings, and Player's** dropped Points, down to 0, as a time drop off.
- An Alcohol Compliance Check was conducted on 10/26/16. The results are as follows:
 - Passed: **Tremor's, Applebee's, Cabaret, Cop Shoppe, Loppnow's, and Wausau Mine Company**
 - Failed: **Kohlman and Lee's IGA, Walgreen's #13371 (17th Avenue), Hiawatha, and Roc's Place**
 - Failing businesses were issued citations and twenty-five (25) Demerit Points
- (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						
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						
Bunker's	Sheila Koth/Waitress	12/10/2015	5.64.010/125.07(1)	Sell to Underage Person	25	15-10729
					Total	0
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	0
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	
Hiawatha	Julie P. Her/Bartender	10/26/2016	5.64.010/125.07(1)	Sell to Underage Person	25	16-10496
					Total	2
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	25	16-6184	
					Total	2	
Loppnow's Bar					Total		
Lumpy's	Jennifer Kniess/Bartender	1/20/2016	5.64.010/125.07(1)	Sell to Underage Person	25	16-694	
					Total	:	
Kohlman and Lee's IGA	Lue F. Thao/Clerk	10/26/2016	5.64.010/125.07(1)	Sell to Underage Person	25	16-10499	
					Total	2	
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	25	15-10732	
					Total	:	
Player's					Total		
R Store #34					Total		
Red Eye Brewing Company	Leng Vue/Operator	12/10/2015	5.64.010/125.07(1)	Sell to Underage Person	25	15-10727	
					Total	:	
Roc's Place	Susan M. Lecher/Bartender	10/26/2016	5.64.010/125.07(1)	Sell to Underage Person	25	16-10500	
					Total	:	
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	25	16-691	
					Total	:	
Wausau BP					Total		
Walgreen's #13371	Mary G. Ewald/Clerk	10/26/2016	5.64.010/125.07(1)	Sell to Underage Person	25	16-10503	

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	16-8513
					Total	5	