

****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, April 20, 2020 @ 5:15 pm**
Location: **City Hall (407 Grant Street) - Council Chambers**
Members: Lisa Rasmussen {c}, Dawn Herbst, Linda Lawrence, Becky McElhane, Pat Peckham

AGENDA ITEMS FOR CONSIDERATION / ACTION

- 1 Minutes of previous meeting (2/24/20 & 3/16/20).
- 2 Consider approval or denial of various license applications.
- 3 Consider request for approval of a variance to Chicken Keeping License - Theran Peterson
- 4 Communications
Adjournment

Lisa Rasmussen, Chair

***Due to the COVID-19 pandemic, this meeting is being held in person and via teleconference. Members of the media and the public may attend in person, subject to the social distancing rules of maintaining at least 6 feet apart from other individuals, or by calling 1-408-418-9388. The Access Code is: 293 691 430. The Password is: zMyP5d3Smd2 (96975337 from phones)**

Individuals appearing in person will either be seated in the Council Chambers or an overfill room, subject to the social distancing rules. Space available will be on a first come, first served basis. All public participants' phones will be muted during the meeting. Members of the public who do not wish to appear in person may view the meeting live over the internet by <https://waam.viebit.com/?folder=ALL>, on the City of Wausau's YouTube Channel <http://www.tinyurl.com/WAAMedia>, live by cable TV, Channel 981, and a video is available in its entirety and can be accessed at <https://tinyurl.com/WausauCityCouncil>. Any person wishing to offer public comment who does not appear in person to do so, may e-mail leslie.kremer@ci.wausau.wi.us with "PH&S public comment" in the subject line prior to the meeting start. All public comment, either by email or in person, will be limited to items on the agenda at this time. The messages related to agenda items received prior to the start of the meeting will be provided to the Chair.

This Notice was posted at City Hall and faxed to the Daily Herald newsroom on 4/17/20 @ 3:00 pm

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

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 (ADA), the City of Wausau will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs or activities. If you need assistance or reasonable accommodations in participating in this meeting or event due to a disability as defined under the ADA, please call the ADA Coordinator at (715) 261-6590 or ADAServices@ci.wausau.wi.us to discuss your accessibility needs. We ask your request be provided a minimum of 72 hours before the scheduled event or meeting. If a request is made less than 72 hours before the event the City of Wausau will make a good faith effort to accommodate your request.

Other Distribution: Media, Council (Nutting, Neal, Gisselman, Martens, Smith, Thao), Mielke, *Bliven, *Kujawa, *Alfonso, *Kremer, Jacobson, Hebert, Polley, Groat, Joan Theurer, Karen Zeller, Dick Holster, Melissa Moore

PUBLIC HEALTH & SAFETY COMMITTEE

Date and Time: Monday, February 24, 2020, at 5:15 pm, (Council Chambers)

Members Present: Rasmussen, Herbst, Peckham, Lawrence, and McElhaney

Others Present: Alfonso, Goede, Kremer, Kujawa, Barnes, Baeten, Barr, Mielke

Minutes of previous meetings. (1/20/20)

Motion by Peckham, second by Herbst to approve the minutes of the previous meeting on 1/20/20. Motion carried 3-0.

Consider approval or denial of various license applications

Rasmussen stated there is one Public Transport Driver License application recommended for denial for Elliott Adams. It was noted Mr. Adams was not present to appeal.

Lawrence was concerned with the inflatable Bouncy Houses on The 400 Block for the Family Fitness Fest because they have been known to blow off the ground in a strong wind. Chief Kujawa indicated Dave DeSantis inspects for this event and if the wind is a certain miles per hour they cannot be used.

Motion by Peckham, second by Herbst to approve or deny various licenses as recommended by staff. Motion carried 5-0.

Consider special event application for "Wausau After Dark" and request for waiver of 9.04.025 Consumption or possession of intoxicants on streets - June 25, July 23, and August 27, 2020 (Wausau Events & Wausau River District)

Rasmussen stated this is a new event replacing Marketplace Thursdays. Along with the application comes a request to close 3rd Street for approximately three blocks for five hours in the evening. The plan is to check IDs and to wristband participants.

Rasmussen noted there was a question as to whether placement of the beer stand on 3rd Street would cause confusion between taverns and sidewalk cafes. She noted The Mint, Malarkey's, City Grill and Back When have sidewalk cafes, and Ciao may apply for one. It is a problem if people leave those seating areas with open containers or walk out of a licensed establishment with one; it will be important that there is clarity for event participants.

Deputy Chief Barnes stated Chief Bliven and Blake Opal-Wahoske of the River District had a conversation several weeks ago about this event in general. There was also a conference call this afternoon with the Chief, Blake, Madison Nowak of Wausau Events, and himself to address many of these issues. He indicated the Chief and himself were not fundamentally opposed to the idea, but the Police Department will have to work with the organizers to be able to address the concerns. There will need to be planning done by both the event planners and city departments, however, they were requesting the committee approve the concept.

Alfonso questioned if this would interfere with the valet parking downtown which was recently approved and being used by Ciao and Jalapeno's on Thursday nights. Rasmussen also questioned if it would be an issue for Metro Ride which runs until 6:00 PM and/or emergency access for the Fire Department. Deputy Barnes did not believe they would be able to shut down the intersection of 3rd and Scott Street. He stated they will do an analysis and work with Wausau Events to determine what type of staffing is necessary for pedestrian crossing if the intersections are not closed. He reiterated they believed the event was doable, but there is a lot of work that yet needs to go into the planning.

Madison Nowak, Wausau Events, stated they wanted to allow participants to travel up and down 3rd Street. She indicated they are working with Wausau River District who are encouraging the brick & mortar shops to be out on street, whereas the restaurants can still be functioning. The Wausau River District will be hosting business meetings a couple times before this happens to discuss what is allowed and not allowed in or out of the premises. She noted the valet parking is looking to participate with the event. There will be signage at all of the boundaries that alcohol cannot go beyond this point and private security has been hired as well. She stated the beer stand will be located on the city square plaza at 3rd and Scott Street. The event is running from 6:00 PM – 8:00 PM, but the application states 4:00 PM – 9:00 PM to include setup and removal. She pointed out participants cannot take the beer inside any of the brick & mortar businesses, so some of them will have booths/merchandise outside of their locations.

Motion by Peckham, second by Herbst to approve the Wausau After Dark event contingent upon coordination of efforts between, Police, Fire and DPW; and approve a waiver for consumption or possession of intoxicants on streets for the event. Motion carried 5-0.

Discussion and possible action on necessary staffing levels for special events and CSO Summer Program considerations related to same.

Deputy Chief Matt Barnes felt it was important for the committee to understand the challenges in the current state of the city's special events. He indicated the recent Balloon Rally/Rib Fest attracted approximately 20,000 people and it was fortunate there were no significant negative events. He noted last year the Police Department had the benefit of a BEAT Grant, which was \$90,000 of Federal funds administered through the state that was used for community policing events. The state has decided not to pursue that grant this year, so those funds are not available. He felt it would be appropriate to have about a dozen police officers and a dozen Community Service Officers (CSO) in addition to our emergency police staff for an event this size. He noted they are currently struggling to recruit and get people to volunteer as emergency police. There are also events that go on at the same time in the summer that stretch the police resources.

Barnes stated potentially there will be a real change in special events applications and the criteria in which we would need an emergency management plan, which might include how many police officers and CSO's needed and identifying the emergency medical services. There is a need to be more strategic about creating lanes to open up through crowds for emergency vehicles, as well as in the neighborhoods surrounding events. More officers are needed to staff events and ways to fund them. *Lengthy discussion followed.*

Barnes stated it is necessary to hire both additional CSO's and additional part-time police officers, not just CSO's because the CSO's need leadership, oversight and supervision. Rasmussen suggested the request for both be submitted together for eight extra CSOs and the part-time officers for summer events. She thought the fund source for this year was likely to come from either budget/cost savings in other areas or 2019 surplus; but for 2020 and beyond she would like a discussion in Finance Committee for a percentage of it to be considered from room tax.

Motion by Peckham, second by McElhane to direct staff to continue to pursue the plan to identify staff requirements per size of event and work through redeveloping the expectations of special event applications and forward to the Finance Committee. Motion carried 5-0.

Operations Report from Fire Department for January 2020

No discussion; place on file.

Tavern Activities / Compliance Checks / Law Enforcement Activities

Deputy Chief Barnes presented the Tavern Report for January 1, 2020 through February 1, 2020 (*See attached*).

Barnes stated there were two incidents on the report at Roc's Place, one including the discharge of a firearm in their parking lot and one including a threat to return with a firearm, although the individual did not return with one. He indicated Chief Bliven had a conversation with owner, Tim Nawrocki, about expectations and the need for him to maintain control of the patrons in his bar. Barnes noted in looking back over the last 24 months there have been 23 fights of at least verbal altercations and/or physical fights at that location that police had to respond to and 3 different incidents involving firearms. They are calling police and working with us so points are not assessed and therefore the bar does not get flagged to come before PH&S. He indicated the Chief wanted this brought to their attention in case they would like to speak to the owner.

Rasmussen commented excessive fighting and especially incidents with firearms are concerning to the committee and recommended summoning the owner to appear before the committee for discussion.

Barnes stated M&R Station will be hitting 100 demerit points by their next meeting. He explained the owner, Rick Gordon, was called in to the Police Department by Chief Bliven to address his lack of cooperation and attitude with police officers who have responded to his establishment. Barnes noted there was a recent OWI in the parking lot and when an officer went to retrieve the video from the owner, Gordon was dismissive, disrespectful and uncooperative. Committee consensus was to summon both owners before the committee in April with a formal letter of concern.

Communications

None

Adjourn

Motion by Herbst, second by Peckham to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 6:30 pm.

PUBLIC HEALTH & SAFETY COMMITTEE

Date and Time: Monday, March 16, 2020, at 5:15 pm, (Council Chambers)
Members Present: Rasmussen, Herbst, Peckham, Lawrence, and McElhaney
Others Present: Alfonso, Kremer, Barteck, Bliven, Mielke, Goede

Minutes of previous meetings. (2/24/20)

Withdrawn.

Consider approval or denial of various license applications

Rasmussen stated there were two denial recommendations for Operator's Licenses: Donna Brown and Justin Zastrow. It was noted neither person was present for appeal.

Rasmussen stated the Liquor License Review Subcommittee considered and recommends approval of the application for a Class B Beer License for Rachel Radtke, dba Kin & Kind, 2108 Grand Avenue. The business will serve beer only and be open 4PM – 10PM; no live music; no outdoor area.

Goede indicated the organizer of the Ironbull special event was present to address questions regarding the closure of 4th Street in front of the Grand Theater for their event on The 400 Block. The Grand Theater indicated they objected to the closure due to a sold-out show that evening. Andrea Larson, organizer, indicated she spoke with the Grand and are amending the request closure only of Jefferson Street instead of 4th Street.

Motion by Lawrence, second by Herbst to approve or deny various licenses as recommended by staff and to approve the Ironbull event with closure of Jefferson Street only. Motion carried 5-0.

Consider request for approval of a variance to Chicken Keeping License to allow for a 5' x 10" coop. (Bethany Stookey, 1614 Emerson St)

Rasmussen noted the pictures of the coop are in their packets and there is no opposition from the neighbors. Lawrence questioned how many chickens were allowed? Bethany Stookey stated she had four chickens.

Peckham commented he felt the 4' x 6' coop size requirement was a little small and suggested revising the restriction sometime in the future.

Motion by Peckham, second by McElhaney to approve the variance to the Chicken Keeping License for Bethany Stookey, 1614 Emerson St. Motion carried 5-0.

Discussion and possible action regarding Formal Letter of Concern - Roc's Place, 810 S 3rd Ave, Timothy Nawrocki, owner

Withdrawn and deferred to future meeting.

Discussion and possible action regarding Formal Letter of Concern - M&R Station, 818 S 3rd Ave, Richard Gordon, owner

Withdrawn and deferred to future meeting.

Discussion and possible action on legislation passed under SB 203 allowing delegation of operator license approval to city clerk or their designee

Rasmussen explained this would eliminate the wait period for obtaining an Operator (Bartender) License. It allows the PH&S Committee to delegate the approval of bartender licenses to the Clerk or the Clerk's designee for licenses that have been recommended for approval by the Police Chief. If an application is recommended for denial, they would still have an opportunity to appeal the recommendation before the committee.

Deputy Clerk Mary Goede explained when a bartender applies they must wait until after a background check has been completed and reviewed. If there is nothing on the record an approval by the Police Chief is entered and the license goes on a list for the next PH&S meeting and from there is forwarded to the full Council on the Consent Agenda. This process can take approximately a month and a half, so a 60 Day Provisional License needs to be issued to allow the individual to work until it goes through these formalities.

Motion by McElhaney, second by Herbst to approve and direct the Assistant City Attorney to prepare an ordinance allowing delegation of Operator's License to the City Clerk or their designee. Motion carried 5-0.

Operations Report from Fire Department for February 2020

Deputy Fire Chief Barteck commented they stand ready to respond to community needs and are preparing worst case scenario plans should they be needed. He stated they are asking the community members to look to valid resources for their information in reference to COVID-19. He indicated they are referring people to the Marathon County Health Department, the CDC, and both Aspirus Health and the Marshfield Clinic System have posted hotline numbers. He stated visitors will not be allowed into the Fire Department for a period of time and they currently are not accepting the candies and snacks that people often bring in to thank us for our service to the community.

Tavern Activities / Compliance Checks / Law Enforcement Activities

Police Chief Bliven presented the Tavern Report for February 1, 2020 thru February 29, 2020 (*See attached*).

Chief Bliven commented the Police Department has spent a lot of time in the last few days meeting with the Fire Department talking about solutions and issues in reference to COVID-19. He indicated he has given direction to his staff to handle calls over the phone, to not go into people's homes if it is not necessary, but they will definitely respond to any violent situation. Domestic violence are mandatory arrests and those people must be taken into custody, as well as violent felony offenders. Most other cases will be issued summons and have them appear in court at least 3 months out.

Communications

None

Adjourn

Motion by Herbst, second by McElhaney to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 5:35 pm.



PHS Date 04/20/2020

License ID	License Typ	Name	Address	Details	Business	Begin Dt	End Dt	Police	PHS	Council
133463	9010 - Bartender/Operator New	NUTTER, DAHNE	2634 ELMWOOD BLVD WAUSAU WI 54403		PEKING RESTAURANT	03/18/2020	06/30/2020			
133345	9010 - Bartender/Operator New	SPAULDING, JESSICA	56 15TH ST CLINTONVILLE WI 54929		EAGLES CLUB	03/13/2020	06/30/2020	Yes		
118305	9012 - Bartender/Operator 2-Yr Lapsed	BLOCK, TAYLOR	128 MYRON ST WAUSAU WI 54401		THE STORE #62	03/17/2020	06/30/2021	Yes		
133944	9013 - Bartender/Operator Temporary	KURTZWEIL, JODI	817 HENRIETTA ST WAUSAU WI 54403		HOLY NAME SUMMERFUN 2020				Yes	
133808	9013 - Bartender/Operator Temporary	LANG, KELLY	2212 W. WAUSAU AVE WAUSAU WI 54401		HOLY NAME SUMMERFUN 2020					
133648	9026 - Class I	FRAHM, SASHA	1803 STEWART AVE APT 13 WAUSAU WI 54401	SUMMER RACE/EVENT SERIES on June 13, July 17/18, August 1, August 8/9, August 13/14, August 15/16 & Rec Releases (See notes) Organized by WAUSAU KAYAK/CANOE CORPORATION						
132617	9026 - Class I	MARTIN, FR. SAMUEL	1104 S 9TH AVE WAUSAU WI 54401	HOLY NAME SUMMERFUN 2020 on 06-05-2020, 06-06-2020, 06-07-2020 Organized by HOLY NAME OF JESUS PARISH						



PHS Date 04/20/2020

License ID	License Typ	Name	Address	Details	Business	Begin Dt	End Dt	Police	PHS	Council
133015	9027 - Class II	OPAL-WAHOSKE, BLAKE	316 SCOTT ST WAUSAU WI 54403	JAZZ ON THE RIVER on EACH SUNDAY						
132566	9034 - Mobile Food Vendor	GUILLAUME, CRAIG	1005 S 16TH AVE WAUSAU WI 54401		A - Z ICE CREAM	04/13/2020	03/31/2021			
132574	9035 - Mobile Food Vendor (6 Months)	,	2600 RICE ST STEVENS POINT WI 54481		RIVERDOGS					
133017	9069 - Temporary Class B Retailer (Picnic)	,	710 N 6TH AVE WAUSAU WI 54401		ST ANNE PARISH					
132616	9069 - Temporary Class B Retailer (Picnic)	MARTIN, FR. SAMUEL	1104 S 9TH AVE WAUSAU WI 54401		HOLY NAME OF JESUS PARISH					
132976	9080 - Public Transport Driver New	LEHFELDT, NANCY	1917 N 10TH AVE APT 11 WAUSAU WI 54401		NORTHWOODS CAB	03/10/2020	06/30/2020	Yes		

Total Licenses

11

Property Address: 416 Eau Claire Blvd.

Property Owners: Theran and Meg Peterson

Site Plan:



Site Plan Notes:

- Chicken coop/run designated with red rectangle (~5 ft x 10ft footprint)
- ~ 5 ft east of existing garage structure, ~3 ft west of existing garden fence
- ~ 12 ft south of northern edge of property

Chicken Coop/Run Notes:

- Footprint is approximately 50 ft²; 26 ft² larger than the maximum stated on the City of Wausau application
- We are applying for a variance to accept this larger coop/run size because we are maintaining all other code requirements, and have adequate space to place the larger coop/run

Chicken Coop/Run:

Below are pictures of an approximate rendition of the coop plan to be built on site.

