

PUBLIC HEALTH & SAFETY COMMITTEE

Date and Time: Monday, March 21, 2022, at 5:15 pm, (Council Chambers)

Members Present *in Person*: Lisa Rasmussen (C), Dawn Herbst, and Becky McElhaney; *by WebEx*: Pat Peckham

Members Excused: Jim Wadinski

Others Present: Tara Alfonso, Matt Barnes, Jeremy Kopp, Kaitlyn Bernarde, Mary Goede

Minutes of previous meeting. (2/21/22)

Motion by Peckham, second by Herbst to approve the minutes. Motion carried 4-0.

Consider approval or denial of various license applications.

Lisa Rasmussen stated there was one denial recommendation for an Operator's License: Jason Brown.

Jason Brown, 3725 Weston Pines Ln, Apt 202, addressed the committee stating his record was accurate but he needed the license for his job at the Holiday Gas Station because all fulltime employees were expected to be licensed to close at 10:00 pm. He acknowledged his background but pointed out it was from back in 2014 and that is over. He stated he really loves his job and wants to stay fulltime but his boss told him if he did not get the license he would be dropped down to parttime. He stated parttime would not be enough money to pay his bills.

Rasmussen commented the problem was that there is no difference between a license for working at a convenience store or a bartender at a tavern. The license is city wide and can be used at any type of liquor licensed establishment.

Deputy Chief Matt Barnes indicated the denial recommendation came from Chief Ben Bliven, but as he looked at the rationale behind it, he saw the record is very consistent with other denial recommendations. He felt there were significant concerns based on the history.

Becky McElhaney questioned if it was a state law or local ordinance that there was not an option for a license exclusively at convenience store/gas stations. She commented it seems most appeals for denial were from individuals that were working at gas station convenience stores and did not intend to bartend. Attorney Tara Alfonso stated it was state law the Operator's license applies to both bars and retail outlets.

Motion by Peckham, second by Herbst to approve or deny licenses as recommended by staff. Motion carried 3-1.

Rasmussen informed Mr. Brown his license was denied but he had the right to appeal to the full Common Council on April 12th.

Consider premise amendment for permanent outdoor beer garden - The Glass Hat, 1203 N 3rd Street (R.E.M.B.S. LLC, Gisela Marks)

Rasmussen referred to the pictures submitted in the packet for the outdoor area at the Glass Hat. Gisela Marks, owner, indicated the area was used last summer under the temporary permit without any issues and would like to make it a permanent part of the licensed premise.

Deputy Chief Matt Barnes commented the only issue they typically have with outdoor beer gardens is disturbing the peace complaints, so it is important to be respectful of the neighbors. Gisela Marks commented all her neighbors have indicated support and the house right next door is not occupied. She pointed out she had a privacy fence built on that side as well. She stated she and her staff have been very careful with their neighbors. She indicated she may want to have outdoor music/bands for the summer. Rasmussen suggested she present a plan for this outdoor entertainment and bring it to another meeting for consideration.

Motion by Herbst, second by Peckham approve the premise amendment for The Glass Hat for an outdoor beer garden. Motion carried 4-0.

Discussion and possible action on Creating temporary ordinance Chapter 5.90 Relaxing Certain Code Requirements during COVID-19 Pandemic and Recovery for a period expiring on October 31, 2022, 11:59 pm to provide for COVID-19 temporary outdoor seating areas for restaurants, bars and taverns, authorize City staff review and approval of temporary outdoor seating areas and temporary expansion of licensed

premises; temporarily amending Section 9.04.025 Consumption or possession of intoxicants on streets; temporarily amending Special Events Policies and Procedures

Rasmussen stated this is the same ordinance passed last season to enable expansion of premises for restaurants for outdoor seating and sidewalk café areas for special events like Dining on the Street. She commented the pandemic is waning but is not gone, and Main Street and Wausau Events are interested in have events again. She pointed out this is temporary, not permanent, and will expire October 31, 2022.

Motion by Peckham, second by McElhaney to approve the temporary ordinance. Motion carried 4-0.

Rasmussen indicated the ordinance can be reviewed at the end of the season and consider if we can conduct these types of activities without a whole lot of difficulty because there is some interest within the business district to have some of these provisions be permanent.

Discussion and possible action on Amending Section 16.04.037 Rent abatement

Rasmussen stated this a housekeeping item to correct a scrivener's error (typo).

Motion by Herbst, second by McElhaney to approve the amendment. Motion carried 5-0.

Operations Report from Fire Department for February 2022

Deputy Chief Jeremy Kopp noted the EMS calls were average, but February was above average on the fire calls.

Report placed on file.

Tavern Activities Report – February 1, 2022 through February 28, 2022

Report placed on file.

Communications

Deputy Clerk Mary Goede stated she received an email from Mark Craig, Compass Properties, regarding a barbershop business going into Washington Square for which the owner wants to obtain a liquor license, and that as landlord he was opposed to having a liquor license there. Goede stated she had previously explained by phone to the owner that this type of business was not eligible to hold a Class B license to serve alcohol. He is now considering applying for a Class A license because this type of license is allowed to provide samples in certain amounts between certain hours. This was intended for liquor stores and grocery stores to provide samples for customers coming in to purchase alcohol. The committee can legally issue a Class A license to this business, however, she asked them to consider it may set a precedent whereby all the other salons and spas may follow suit.

Pat Peckham stated this was his last meeting for Public Health & Safety Committee and was proud to serve on it for the last six years. Rasmussen thanked him for his service and insight to the committee.

Deputy Barnes stated the Police Department has been having meetings with Mark Craig and his staff addressing some of the issues in the downtown area related to homelessness and loitering. He stated Mr. Craig is requesting an additional CSO presence in the area of Washington Square and the ramps.

Adjourn

Motion by Herbst, second by McElhaney to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 5:42 pm.