

PUBLIC HEALTH & SAFETY COMMITTEE

Date and Time: Monday, June 20, 2022, at 6:00 pm, (Council Chambers)

Members Present: Lisa Rasmussen, Chad Henke, Becky McElhaney; Doug Diny, Lou Larson

Others Present: Nate Miller, Ben Bliven, Jeremy Kopp, Kaitlyn Bernarde, Mary Goede

Minutes of previous meeting. (5/16/22)

Motion by Larson, second by McElhaney to approve the minutes of the previous meeting. Motion carried 5-0.

Consider approval or denial of various license applications

Lisa Rasmussen stated there is a denial recommendation for an Operator's Licensee for Christina Nutter.

Christina Nutter, 416 Elm St, stated the record was accurate but the offense was over 20 years ago, and she has completed everything required and was deemed a non-threat. She indicated her probation and parole was considered a success story. She commented this happened in 2001 and she is a different person than what she was back then. She noted she has obtained Operator's Licenses in other communities, and she is a single mom trying to pay her bills.

Chief Bliven indicated the reason listed for denial was the result of a second-degree sexual assault of a child conviction dating back to 1999 or 2000. That is a serious offense and one of the exempt offenses listed in our policy. He commented in addition to that there was a conviction for forgery in 2000, third offense OWI in 2017, second offense OWI in 2016. He noted typically a denial recommendation comes when someone has two OWI convictions in the last 5 years or 3 or more in the last 10 years. He did have information as to when the first offense occurred. He commented he has recommended approvals for individuals with felony convictions if they were a long time ago, however, he felt this conviction was of significance that it would be relative to the committee to make the decision.

Rasmussen stated the other denial recommendation was for a Public Transport Driver License for Jeremiah Jefferson. *It was noted that Jeremiah Jefferson was not present.*

Lou Larson requested that Christina Nutter and Jeremiah Jefferson's licenses be voted on separately from the rest of the list.

Motion by Larson, second by Henke to approve or deny various licenses as recommended by staff, except for Christina Nutter and Jeremiah Jefferson. Motion carried 5-0.

Larson commented he is not the same person he was 20 years ago and believed in giving people a second chance. Rasmussen felt although the more serious violation was over 20 years ago, there were still more than one OWI's since that time.

Motion by Diny, second by Larson to approve the Operator's License for Christina Nutter. Motion carried 3-2. *(Rasmussen and McElhaney were the dissenting votes.)*

Rasmussen noted Jeremiah Jefferson did not appear to appeal and his record was quite extensive.

Motion by Diny, second by Henke to approve the Public Transport Driver License for Jeremiah Jefferson. Motion failed 0-5.

Consider request for waiver of 9.04.025 Consumption or possession of intoxicants on streets - Wausau River District for Exhibitour, August 13, 2022

Rasmussen explained this will allow the participants of the wine walk to carry the wine outside from gallery to gallery.

Motion Larson, second by Diny to approve the waiver. Motion carried 5-0.

Consider Central Business District Obstruction Permit (Oz Night Club, 320 Washington St)

Rasmussen stated this item has been deferred twice to have the owner present to get some questions answered. She indicated Mr. William Jones, owner, was intending to participate today by WebEx due to being quarantined. Kaitlyn Bernarde stated Jones was not present on WebEx and she hadn't been able to contact him by phone.

Rasmussen did not feel they should approve it, noting that no other bar has tables outside for smoking and because this is the third time we have taken up the request.

Motion by Henke second by McElhaney to approve the Obstruction Permit for Oz. Motion failed 1-4.

Discussion and possible action regarding Formal Expression of Concern - Newch's Eatery, LLC, 1810 Merrill Ave

Rasmussen invited Newchee Lor, owner Of Newch's, to speak to the committee regarding the accumulation of 100 Demerit points and his plan to remediate the situation.

Newchee explained there was a private birthday party that he allowed to take place there. He stated he was not at the establishment at the time the party was taking place but arrived later in the evening after attending a wedding and tried to intervene in a fight and was punched. He commented they don't operate as a nightclub, his focus is the restaurant, but he allowed this party with music. He acknowledged it got out of control and that his manager was new and didn't know how to handle it. He stated he took responsibility for the situation and did not intend to let something like this to happen again. *Discussion followed.*

Presentation of Wausau's Alcohol Beverage Demerit Point System and Wisconsin Chapter 125 Overview

Nathan Miller, Assistant City Attorney, presented an overview of the Demerit Point System

Meeting video to watch presentations on YouTube: https://www.youtube.com/watch?v=l8_avCCEEAM or presentation in online packet at the link below beginning on page 17: https://www.ci.wausau.wi.us/Portals/0/Departments/Council/Archives/Standing%20Committees/Public%20Health%20and%20Safety%20Committee/2022/PHSC_20220620_Packet.pdf

Presentation of various licenses/permits issued and managed by the City of Wausau's Clerk's Office

Nathan Miller reviewed the various licenses and permits. See links above. (Beginning on page 27 of packet)

Discussion and possible action amending ordinance 2.18.050 Procedure

Miller explained recently the Municipal Judge was out on medical leave and the Court Clerk was out on vacation at the same time for a two-week period. It was found in our code that the court office "shall be open not less than three nor more than five days per week" making it difficult for the staff to take vacations. He noted the code also requires that night court be held on Wednesday evenings one or more times per month, but to the Attorney's Office collective knowledge this has never taken place. He indicated a former part-time clerk that no longer works for the city had to be called to fill in for 3 days to open mail and take care of time sensitive issues.

Miller stated the ordinance would be amended to state the court shall be open as determined by the Municipal Judge and approved at the Common Council. Our court is currently open Tuesday and Wednesday mornings for initial appearances, Thursday mornings for pre-trial conferences, and Wednesday and Thursday afternoons for trials, this is the schedule we'd like to continue to use.

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

Operations Report from Fire Department May 2022

Deputy Chief Jeremy Kopp commented it was EMS Week with citizens and businesses showing appreciation to the medics. He indicated three new paramedics started last month and more applications are coming in. *Report placed on file.*

Tavern Activities Report - May 1, 2022 through May 31, 2022

No Discussion, report placed on file.

Communications

None

Adjourn

Motion by Henke, second by Diny to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 7:40 pm.