

PUBLIC HEALTH & SAFETY COMMITTEE

Date and Time: Monday, October 18, 2021 at 5:15 pm, (Council Chambers)

Members Present: Lisa Rasmussen (C), Pat Peckham, Dawn Herbst, Jim Wadinski, and Becky McElhaney

Others Present: Tara Alfonso, Nathan, Miller, Anne Jacobson, Matt Barnes, Jeremy Kopp, Mary Goede, Katie Rosenberg, Michelle Van Krey, Bill Hebert, Phil Rentmeester, Melinda Pauls, Xai Vang, Shawn Meyer, Attorney Cal Tillisch, Kylie Berg

Minutes of previous meetings. (9/20/21)

Motion by Herbst, second by Peckham to approve the minutes of the previous meeting on 9/20/21. Motion carried 5-0.

Consider approval or denial of various license applications.

Lisa Rasmussen stated there were denial recommendations for Camille Carlson, Luke DeRemer, and Michael Eller. It was noted that none of the individuals were present to appeal the recommendation.

Rasmussen noted there was also an application for a Class B Winery and a Class B Beer for Wine PLS, LLC which will be the new ownership of the Lil' Ole Winemaker Shoppe. Current owners Brian & Susan Larson are retiring.

Motion by Wadinski, second by Herbst to approve or deny license applications as recommended by staff. Motion carried 5-0.

HEARING: Appeal of Declaration of Chronic Nuisance Premises – 1407 Emter Street

Rasmussen explained the process for the Hearing. *View Part 1 of the meeting/hearing and testimony on YouTube:* <https://www.youtube.com/watch?v=E8nUpZYPcK4>

Attorney Tillisch, representing Kylie Berg, owner of 1407 Emter Street property, was called for testimony and was sworn in. She indicated she was an entrepreneur with multiple rental properties for over 20 years without incidents. She maintains two properties in Antigo and one in the City of Wausau. They are single family affordable homes at \$600 per month rent with long term tenants. She indicated she would like to obtain more single-family homes and was concerned about her future as a landlord with this designation.

Berg stated she acquired the 1407 Emter Street property in 2017 from her father as a gift and Kira Parker was the tenant that lived there with her daughter. She did not want to displace the family so Ms. Parker was given a probational period. She stated overall the first three years she was an ideal tenant and there were no complaints or issues. In 2020 when Covid hit Ms. Parker lost her job as a waitress. She believed when an ex-boyfriend then came into the picture the negative activity began. Berg stated Parker was arrested for drug activity, of which she was completely unaware, after a raid on the home. She immediately went through the eviction process and reclaimed the property, which sat vacant for a period of time.

Berg indicated Ms. Parker contacted her in the spring of 2021 that she had completed a program in a Rehab Facility, begging forgiveness and asking to be allowed to rent the property again. She believed Parker was remorseful and had turned herself around and indicated that she regretfully gave her a second chance. She stated when Parker was arrested again for drug activity she voluntarily surrendered her tenancy. Berg indicated she fully cooperated with the Police Department

Cross examination by Attorney Alfonso, representing the city and Attorney Miller, representing the committee.

Attorney Tara Alfonso, representing the City/PD, called witnesses Officer Shawn Meyer, Officer Xai Vang, and Lieutenant. Melinda Pauls for testimony and were sworn in. The witnesses provided testimony on the incidents and arrests of Kira Parker at the 1407 Emter Street and the subsequent designation of Nuisance Property.

Closing comments were made by Attorney Tillisch and Attorney Alfonso.

Motion by Wadinski to convene in **CLOSED SESSION** pursuant to Section 19.85(1)(a) of the Wisconsin Statutes: Deliberating concerning a case which was the subject of any judicial or quasi-judicial trial or hearing before that governmental body, seconded by Herbst. Roll Call Vote carried unanimously.

RECONVENED into Open Session for the purpose of making a determination on the declaration of Chronic Nuisance Premises – 1407 Emter Street.

Part 2 of the hearing following the Closed Session: <https://www.youtube.com/watch?v=S8YmXw8LdQs>

Rasmussen read the Findings of Fact and Conclusions of Law based upon the response and immediate action evicting the tenant by the owner, the committee does not believe this rises of level of Chronic Nuisance as contemplated by the Wausau Municipal Code. The committee disagrees with the determination that the property is a chronic nuisance, however, notes any future nuisance activity or designation will not be tolerated and will be enforced. The committee found the owner has met its burden of proof and the chronic nuisance declaration was rejected.

Discussion and possible action on Flood Evacuation Plan - Hollow Neighborhood

Phil Rentmeester, Emergency Management Marathon County Director, explained a few years ago we came to the committee with a Flood Safety Plan and were also working with the DNR for the City of Wausau to develop a plan specifically for an area known as the Hollow. The plan was approved by the committee and was taken forward to the DNR, however, they rejected the plan at that time because they wanted to see a few more things added to it.

Rentmeester stated over the course of the last couple of years revisions and improvements have been made to the plan with the Department of Public Works, and the Wausau Police Department, Wausau Fire Department. There has been a small exercise and we plan on another tabletop exercise this winter. He indicated the plan before them for consideration was the revised plan, however it is focused more on that one particular neighborhood. He felt it was a solid plan and they would use it for response throughout the city.

Bill Hebert stated the plan is a little more specific to the Hollow Neighborhood and we have a lot of interest redevelopment or reinvestment in the properties in this area. He indicated the neighborhood is south of Thomas Street and east of Cleveland Avenue, in the DPW facility area and there were approximately 120 properties that are within the floodplain. There are limits on what they can do with reinvestment, not just because their properties are in the floodplain but also because the city streets are below the floodplain, as well. In most areas the streets are only six to eight inches below the floodplain, but it would be impossible to raise the streets that high. The relief that the DNR grants municipalities is to do an Evacuation Plan for certain areas.

Rasmussen commented the plan has a really good layout of the interaction and the collaboration that needs to take place between the various departments and the residents, including the initiation of the Incident Command Structure if it becomes necessary. Hebert recommended approval of the plan.

Motion by Peckham, second by Wadinski to approve the Flood Evacuation Plan. Motion carried 5-0.

Consider the complaint filed regarding Allen Woller d/b/a 6th Street Pub and take possible action on issuance of a summons commanding Allen Woller d/b/a 6th Street Pub to appear before the Committee for a hearing pursuant to Wis. Stat. s. 125.12 and W.M.C. s. 5.64.076 to show cause why the Class "B" Beer & Liquor License issued should not be revoked or suspended.

Rasmussen stated it appears based on the interaction of the Police Department with the establishment it has been closed for a lengthy period of time.

Motion by Peckham, second by Herbst to moved forward with a hearing for revocation. Motion carried 5-0.
The special revocation hearing for 6th Street Pub was set for Monday, November 1, 2021 at 5:30 pm.

Operations Report from Fire Department for September 2021

Report placed on file.

Tavern Activities / Compliance Checks / Law Enforcement Activities

Deputy Chief Matt Barnes presented the Tavern Activities Report for September 1, 2021 through September 26, 2021. Barnes noted no demerit points assigned for the second month in a row. *Report placed on file.*

Adjourn

Motion by Wadinski, second by Peckham to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 7:06 pm.