

SPECIAL PUBLIC HEALTH & SAFETY COMMITTEE

Date and Time: Tuesday, November 2, 2020, at 5:15 pm, (Council Chambers)

Members Present: Rasmussen (C), Herbst, Peckham, Wadinski, and McElhaney

Others Present: Jacobson, Groat, Rosenberg, Bliven, Kujawa, Lindman, Polley, Rubow, Van Krey, Martens, Watson, Neal, John Robinson, Joan Theurer

Discussion and possible action regarding COVID-19 related mask requirement city wide.

Rasmussen stated they were collecting public comment by email, the city's e-feedback form on the website, and phone. She stated for safety reasons they were not accepting in person comment and public comment was not on the agenda. This is a working session of the committee and it will make a recommendation to the Common Council for final action on Tuesday, November 10, 2020.

Presentations were made by and Joan Theurer, Marathon County Health Department and the Chairman of the Board of Health, Marathon County Supervisor John Robinson. The presentations and meeting discussion can be accessed on YouTube: <https://www.youtube.com/watch?v=nwS289tOPPc>

Rasmussen stated there were two options before the committee, the first one being a resolution which is a mandate issued by the Common Council to wear masks. She noted a resolution does not carry enforcement provisions or penalties. The second option is an ordinance for the same that would offer enforcement options and a range of penalties. The responding officer has the discretion to give a warning or a citation. She stated it is not our goal, especially with the ordinance, to put an undue strain on law enforcement. It is our hope that members of the public would not turn to using it as a means to report individual violations and create a volume of police calls over singular violations.

Ben Bliven, Police Chief, stated law enforcement is already stretched thin with a lot of obligations in day to day operations with calls for service, 911 calls, domestic violence, traffic enforcement, as well as experiencing a scourge of mental health issues and AODA issues. He stated they did not have the capacity to enforce an ordinance. If it was put in place it would be a low priority to the department. He indicated the other concern he had was that the dispatch center which also has a capacity issue and that citizens will be calling the non-emergency number to report other citizens not wearing masks. There are a lot of exemptions for medical and other issues and one citizen doesn't know whether the other fits into one of those. He noted if there is a business that enforces masks at their establishment and someone refuses to leave, they can call the department; an ordinance is not needed for us to mediate that situation and assist business. He commented there are a lot of protests and his biggest concern was putting law enforcement in the middle of this debate in terms of building trust with people in our community.

Rasmussen stated if the Governor's Order is not renewed we are left with no policy that obligates the wearing of a mask anywhere. She indicated feedback from her district so far that were in favor of the mask mandate outweighed those against it 2 to 1.

Mayor Rosenberg commented this is an effort to keep our workforces safe and the community safe. She stated she called other Mayors to discuss what they were doing. One thing was to have the businesses enforce it in their establishments and those that have licenses or receive funds, loans, grants or incentives from the city are expected to comply with the order.

Peckham questioned why in both the ordinance and the resolution there is a clause that requires people if outside of their own home to have in their possession a face covering. Someone could be just out to walk their dog or visit the cemetery. Attorney Jacobson stated she copied the Green Bay ordinance, but thought it further clarified that they are not needed in your own home but will be needed when you leave. Peckham felt they should put forth the least extreme version and did not want to come across as being overly intrusive. Jacobson stated they could strike this. *Discussion followed.*

Herbst commented feedback from her district was 3 to 1 against the mandate. Rasmussen encouraged more feedback from within the districts. She noted she has received a volume from outside the Wausau area and felt that needs to be weighted accordingly because we are looking at policy to serve Wausau's residents. Peckham commented the e-forms sent to the clerk that he has tracked so far were 4 to 1 in favor.

Motion by Peckham, second by Herbst to approve a resolution, removing the carrying of a mask requirement; to go into effect upon the lapse of the state mandate and to remain in place until January 31, 2021 unless the Council decides to terminate it earlier. Motion carried 3-2. (*McElhaney and Wadinski were the dissenting votes.*)

Adjourn

Motion by Herbst, second by Peckham to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 6:08 pm.