



## Minutes

### Committee #3

#### Transportation, Construction, Public Safety and Traffic

Committee #3 met Wednesday, March 25, 2015 at 4:30 pm in the City Hall Council Chambers, 30 West Central Street, Chippewa Falls, WI.

Council/Committee Members present: Mike Hanke, Paul Olson, Edward Martin, Amy Mason, and Mayor Hoffman.

Others present: Police Chief Wendy Stelter, Finance Manager/Treasurer Lynne Bauer, Fire Chief Mike Hepfler, Firefighter Greg Bowe, Tyler Horel of Kwik Trip, and City Clerk Bridget Givens.

The meeting was called to order at 4:30 pm.

**1. Discuss Ordinance §12.03(4)(f) of the Chippewa Falls Municipal Code, Amending the Restrictions on Class "A" Intoxicating Liquors Code Section, relative to a communication received from Tyler Horel of Kwik Trip, Inc. Possible recommendations to the Council.**

Tyler Horel informed the Committee that Kwik Trip would like to open another store in the City of Chippewa Falls, but as a company, they have chosen to only build stores where they can include a beer cave. Due to a recent ordinance revision, single or loose container alcoholic beverage sales are no longer prohibited. As such, a beer cave would be permissible.

Discussion then ensued regarding the requirement that premises which hold a combination Class "A" (beer) and "Class A" (liquor) license may not offer alcoholic beverages for sale or display within 50 feet of any entry or exit door unless sales are from a separate secure portion of the store. Kwik Trip would like to keep the liquor behind their counter in locked, glass cabinets and questioned if this would be considered a secured area.

The Committee directed the Clerk to solicit input from the Police Chief to determine any concerns she may have with Kwik Trip's proposed placement of liquor. Pending her input, Attorney Ferg should amend the ordinance, specifically, (4) 3. (c) to change the language in a way that would allow sales to take place within 50 feet of an entry or exit door as long as they are from a secured portion of the store. The ordinance will be brought back to Committee #3 for review.

No action taken.

**2. Discuss what neighboring communities pay for ambulance services provided by the City. Possible recommendations to the Council.**

Fire Chief Hepfler provided a handout regarding per capita rates and ALS intercept rates and provided details thereon. Discussion was had regarding the per capita rates that are charged to the outlying townships and how changes to those rates could potentially be implemented. Finance Manager/Treasurer Bauer and Fire Chief Hepfler determined the EMS rate paid by City residents is roughly \$107.28 per capita. The township per capita rate for 2015 is \$22.03. Councilor Hanke indicated he would like to see these figures more balanced. Dialogue would have to be opened with the townships utilizing the City's EMS services regarding the potential of negotiating the per capita rates.

**Motion by Olson/Martin** to recommend Committee #1 consider a proposed increase in call rates and that the City continue to explore increasing the per capita rates for the townships. **All present voting aye, motion carried.**

- 3. Consider Sidewalk Use Permit from the Chippewa Falls Public Library to place a sign on the sidewalk in front of the Library advertising special events and programs from April 1, 2015 - November 1, 2015. Possible recommendations to the Council.**

**Motion by Martin/Hanke** to recommend the Council approve a Sidewalk Use Permit from the Chippewa Falls Public Library to place a sign on the sidewalk in front of the Library advertising special events and programs from April 1, 2015 - November 1, 2015. **All present voting aye, motion carried.**

#### **4. Adjournment**

**Motion by Olson/Martin** to adjourn at 5:07 pm. **All present voting aye, motion carried.**

Minutes submitted by:  
Mike Hanke, Chair

AN ORDINANCE AMENDING THE RESTRICTIONS  
ON CLASS "A" INTOXICATING LIQUORS CODE  
SECTION, SECTION §12.03(4) (f) OF THE  
CHIPPEWA FALLS MUNICIPAL CODE

THE CHIPPEWA FALLS COMMON COUNCIL DO ORDAIN AS FOLLOWS:

1. That §12.03(4) (f) OF THE CHIPPEWA FALLS MUNICIPAL CODE, which presently provides as follows:

**12.03 INTOXICATING LIQUOR, FERMENTED MALT BEVERAGES AND TOBACCO.**

•••

(4) LICENSE RESTRICTIONS.

•••

- (f) Restriction on Class "A" Licenses. It is the intent of the City Council and purpose of this provision to provide for a high level of supervision and security in the storage and retail sale of intoxicating beverages under a Class A Intoxicating Liquor license and Class A Fermented Malt Beverage license. Purposes include, but are not limited by enumeration, to restrict access of minors, prevent shoplifting, provide for only licensed clerks or those directly under the supervision of the licensee, to supervise checkout areas so that proper identification and age of purchaser is made by sales clerks. Grocery stores, if otherwise properly licensed, may sell such beverages for consumption away from the premises only on the following conditions:
  1. Retail sales are contained in separate secure portion of the facility which has a separate public access door to the outside. There may be only one lockable customer entrance, not to exceed 10 feet in width, between secured portion and the rest of the grocery store.
  2. Separate checkout facilities are used in the area specified in 1. above.
  3. Properly licensed salespeople only are operating and supervising sales and checkouts.

**ORDINANCE NO. 2015-07**

4. Storage of such beverages, if not in the separate, secured portion itself, may be in another portion of the licensed premises which is not accessible to the public. Such storage must be in a locked, secured area and be accessible only by the licensee or under the licensee's supervision. Any transfer from storage to retail areas must be conducted under the supervision of licensee and in such person's immediate possession.
5. Premises which hold a combination Class "A" (beer) and "Class A" (liquor) license may display and sell alcoholic beverages outside of the secured and separate area if the following restrictions and limitations are met:
  - a. Less than 50% of total gross sales from the secured portion and the off-secured portion combined are registered in the off-secured portion. The licensee must maintain a secure portion or area consistent with the ordinance. This secure portion must serve as the primary area for alcohol sales and the majority of alcoholic beverages displayed and sold on the entire premises must be from the secure portion area.
  - b. The primary alcohol sales area, the secure portion, must be locked and secure when alcohol sales are prohibited by ordinance or state law to prevent the public from entering during those hours.
  - c. Coolers used for the sale and/or display of alcoholic beverages which are located outside of the secured area must be securely locked during all hours in which such products are prohibited from sale. Alcoholic beverages not secured in coolers must have notices prominently and unmistakably displayed to notify customers and patrons of prohibited sales times and hours.
  - d. Any alcoholic beverages which are displayed or offered for sale outside of the secured portion may not be located or displayed within 50 feet of any entry or exit door which is used by the public.
  - e. Camera and recording equipment is required. All check-out and register areas together with all areas where alcoholic beverages are displayed for sale

ORDINANCE NO. 2015-07

outside of the secured portion must be monitored by an electronic camera with all activities recorded; and

1. Such equipment must be operation at all times during which the business is open and provide a clear view of the area and the activity within the area with sufficient detail to aid in an investigation; and
  2. All digital recordings required under this section shall be retained for a minimum of 21 calendar days. The recordings required hereunder shall be made available to law enforcement at any time.
- f. Cash register system requirements must be met. All cash registers must be set up in an operation mode which:
1. Prompts employees to check and/or determine the appropriate age of the customer/buyer/procurer during the transaction process;
  2. Requires age verification to complete the transaction; and
  3. Prevents all underage employees from completing alcohol beverage transactions by requiring a person of legal age to complete the transaction.
- g. Retailers must file a formally documented procedure that includes a progressive discipline procedure for employees that unlawfully sell fermented malt beverages to underage persons. This policy shall be part of the application and taken into consideration by the Council in determining whether or not to grant a license(s).
6. The following restrictions shall apply to anyone applying for a Class A Fermented Malt Beverage License.
- a. Cold beer must be sold out of coolers and coolers must be locked from 9:00 p.m. to 8:00 a.m.

**ORDINANCE NO. 2015-07**

- b. Warm beer cannot be displayed on the sales floor, in bulk or otherwise, but can be sold on request from secure back area of store.
- c. No sales of single or loose container alcoholic beverages are allowed unless from a secure room according to restrictions listed above in subsection 12.03 (4)(f).
- d. Only properly licensed salespeople shall operate and supervise sales and checkouts.
- e. Advertising of alcoholic beverages shall be only allowed in the nonsecured portion of the grocery store to the following extent:
  - 1. Weekly grocery newspaper ad with liquor ad included can be posted in-store, one location at front of store and/or these can be available to customers.
  - 2. In-store hand bill with liquor ad may be available for customer pickup at courtesy counter area only.
  - 3. Signs in liquor window adjoining nonsecured area. Limited to neon only without price marquee, ie. no pricing information in or on window.
  - 4. Sign in liquor entrance. Limited to one 18" X 36".
- f. Retailer must file formally documented procedure that includes a progressive discipline procedure for employees that unlawfully sell fermented malt beverages to underage persons. This policy shall be part of the application and taken into consideration by the Council in determining whether or not to grant a Class A fermented malt beverage license.

be amended to provide as follows:

**12.03 – INTOXICATING LIQUOR, FERMENTED MALT BEVERAGES AND TOBACCO.**

•••

(4) LICENSE RESTRICTIONS.

•••

(f) Restrictions on Class "A" Licenses. It is the intent of the City Council and purpose of this provision to provide for a high level of supervision and security in the storage and retail sale of intoxicating beverages under a Class A Intoxicating Liquor license and Class A Fermented Malt Beverage license. Purposes include, but are not limited by enumeration, to restrict access of minors, preventing shoplifting, provide for only licensed clerks or those directly under the supervision of the licensee, to supervise checkout areas so that proper identification and age of purchaser is made by sales clerks. Businesses, stores, retail premises, and like premises, where the sale of intoxicating liquor and fermented malt beverages is less than 90% of total gross sales (hereinafter "premises" or "retailers"), if otherwise properly licensed, may sell such beverages for consumption away from the premises only on the following conditions:

1. Properly licensed salespeople only are operating and supervising sales and checkouts.
2. Storage of such beverages must be in a locked, secured area and be accessible only by the licensee or under the licensee's supervision. Any transfer from storage to retail areas must be conducted under the supervision of licensee and in such person's immediate possession.
3. Premises which hold a combination Class "A" (beer) and "Class A" (liquor) license may display and sell alcoholic beverages if the following restrictions and limitations are met:
  - a. There shall be no sales of intoxicating liquor or fermented malt beverages when alcohol sales are prohibited by ordinance or state law.
  - b. Coolers used for the sale and/or display of alcoholic beverages must be securely locked during all hours in which such products are prohibited from sale. Alcoholic beverages not secured in coolers must have notices prominently and unmistakably displayed to notify customers and patrons of prohibited sales times and hours.

**ORDINANCE NO. 2015-07**

- c. Any alcoholic beverages which are displayed or offered for sale may not be located or displayed within 50 feet of any entry or exit door which is used by the public, unless the sales are from a separate secure liquor and malt beverage portion of the store which has a separate public access door to the outside and is secured during non-sale hours.
- d. Camera and recording equipment is required. All check-out and register areas together with all areas where alcoholic beverages are displayed for sale must be monitored by an electronic camera with all activities recorded; and
  - 1. Such equipment must be operational at all times during which the business is open and provide a clear view of the area and the activity within the area with sufficient detail to aid in an investigation; and
  - 2. All digital recording required under this section shall be retained for a minimum of 21 calendar days. The recordings required hereunder shall be made available to law enforcement at any time.
- e. Cash register system requirements must be met. All cash registers must be set up and in an operational mode which:
  - 1. Prompts employees to check and/or determine the appropriate age of the customer/buyer/procurer during the transaction process;
  - 2. Requires age verification to complete the transaction; and
  - 3. Prevents all underage employees from completing alcohol beverage transactions by requiring a person of legal age to complete the transaction.
- f. Retailers must file a formally documented procedure that includes a progressive discipline procedure for employees that unlawfully sell fermented malt beverages to underage persons. This policy shall be part of the initial application and taken into consideration by the Council in determining whether or not to initially grant a license(s).

ORDINANCE NO. 2015-07

- g. Cold beer sold out of coolers must be locked from 9:00 p.m. to 8:00 a.m.
- h. Advertising of alcoholic beverages shall be only allowed on the premises to the following extent:
  - 1. Weekly grocery newspaper ad with liquor ad included can be posted in-store, one location at front of store and/or these can be available to customers.
  - 2. In-store hand bill with liquor ad may be available for customer pickup at counter areas.
  - 3. If there is a separate secure, liquor section with a window, neon signs may be placed on the window but without pricing information.
  - 4. If there is a separate entrance to a liquor section a sign maybe placed in the liquor entrance but limited to one.

DATED this 17th day of March, 2015

COUNCIL PRESIDENT:  /s/ George Adrian

FIRST READING:  March 3, 2015

SECOND READING:  March 17, 2015

APPROVED:  /s/ Gregory Hoffman  
Gregory S. Hoffman, Mayor

ATTEST:  /s/ Bridget Givens  
Bridget Givens, City Clerk

PUBLISHED: \_\_\_\_\_

**PER CAPITA RATES & ALS INTERCEPT RATES FOR:  
Campbellsport Fire, Wausau Fire, Menomonie Fire, Ashland Fire & Antigo Fire  
February 17, 2015**

- **Campbellsport Fire:** \$10.00 per capita/EMS - renewed annually. Charged an intercept rate of \$300.00 by Fond du lac and West Bend regardless of supplies.
- **Wausau Fire:** \$2.00 per capita/EMS. \$150.00 charge for intercepts.
- **Menomonie Fire:** 2015 - \$19.75, 2016 - \$20.00, 2017 - \$20.25 per capita/EMS. \$200.00 intercept charge the service straight up.
- **Ashland Fire:** \$71.77 per capita/EMS. 50% of the received portion of the ambulance billed at the ALS rate and supplies.
- **Antigo Fire:** The annual projected operating cost for the year minus the projected revenues and split the difference 50% to the city and 50% to the townships covered. The 10 townships split their cost through an excel spreadsheet by their population, last 4 years average of EMS runs and equalized value. \$175.00 closest facility and additional \$150.00 to a different hospital than the local. (STEMI)
- **Chippewa Falls Fire:** 2014 @ \$21.86 per capita/EMS. 50% of the received portion of the ambulance billed at the ALS rate and supplies.

<b>Description Charge</b>	<b>Present rates</b>	<b>Average rates</b>	<b>Proposed rates</b>
BLS - Resident	\$725.00	\$874.29	\$825.00
BLS - Non resident	\$800.00	\$985.71	\$950.00
ALS1 - Resident	\$825.00	\$1,006.43	\$925.00
ALS1 Non resident	\$900.00	\$1,117.86	\$1,050.00
ALS2 Resident	\$925.00	\$1,127.86	\$1,125.00
ALS2 Non resident	\$1,000.00	\$1,239.29	\$1,250.00
SCT Resident	\$925.00	\$1,187.50	\$1,000.00
SCT Non resident	\$1,000.00	\$1,287.50	\$1,250.00
Mileage - Resident	\$14.50	\$16.50	\$16.00
Mileage - Non resident	\$15.00	\$16.79	\$17.00
Oxygen	\$70.00	\$71.57	\$71.00
Spinal Immobilization	\$125.00	\$153.14	\$150.00
ALS Scene care/Resident	\$825 + supplies	\$933.71	\$900.00
ALS Scene care/Non resi.	\$900 + supplies	\$1,045.86	\$1,000.00
Standby per hour	\$100/hour	NA	\$135/hour

**Rate: \$21.86** Anson = 2100 - \$45,906.00 Eagle Point = 3034 - \$66,323.24 Tilden = 753 - \$16,460.58

**CHIPPEWA FALLS FIRE & EMERGENCY SERVICES EMS RESPONSES FOR THE  
TOWNSHIPS OF ANSON, EAGLE POINT & TILDEN**

<b>YEAR</b>	<b>ANSON</b>	<b>EAGLE POINT</b>	<b>TILDEN</b>
2010	67	114	20
2011	62	128	24
2012	62	163	38
2013	78	157	37
2014*	76	108	46

\* responses thru 12-01-2014

**Ambulance fees for the townships were charged out at the "Resident" rate.**  
(since 11-01-2009)

<b>Basic Life Support:</b>	\$725
<i>Nonresident</i>	\$800
<b>Advanced Life Support:</b>	\$825
<i>Nonresident</i>	\$900
<b>Advanced Life Support 2:</b>	\$925
(3 or more medications or ALS procedures)	
<i>Nonresident</i>	\$1000
<b>Specialty Care Transport (SCT):</b>	\$925
(nurse, paramedic or specialty care doing procedures)	
<i>Nonresident</i>	\$1000
<b>Mileage &amp; Procedures:</b>	
Scene location to receiving facility	\$14.50/mile
<i>Nonresident</i>	\$15.00
Oxygen	\$70
Spinal immobilization	\$125
<b>On scene care/no transport:</b>	
➤ Lifting assistance, hospice care vital signs/assessment	\$0
➤ BLS treatment	\$175 + supplies
➤ ALS treatment	\$825 + supplies
<i>BLS - resident and non the same</i>	\$175.00 + supplies
<i>ALS - nonresident</i>	\$900.00 + supplies