

## **PUBLIC HEALTH & SAFETY COMMITTEE**

Date and Time: Monday, April 15, 2013, at 5:15 pm, (Council Chambers)

Members Present: Rasmussen (C), Gisselman, Winters, Kellbach

Members Excused: Wagner

Others Present: Alfonso, Buchberger, Hardel, Rayala, Goede, John Daniels- Parks, Nina Snodgrass, Roy Heilmeier-2510 Restaurant, Pat Roberts

### **Minutes of a previous meeting. (3/18/13)**

Withdrawn – not ready.

### **Pet licensing update – Clerk**

Rayala reviewed the summary update through March 31, 2013. She noted there may be some changes for the data coming out in April for the months of January thru March. She received an email from Petdata explaining they had not been aware there was a Township of Wausau, so they will be pulling that data out with the new GIS information. Rayala commented there were a few glitches with the City Watch phone calls to residents which generated complaints regarding multiple calls as well as calls on Easter, but overall it resulted in an impressive renewal response. She pointed out March was close to triple the licenses compared to 2011. Winters questioned the status of veterinarians turning in the vaccination data. Rayala reported she just paid the quarterly stipend and the City of Wausau vets have turned in their information, as well as a mobile clinic. Rasmussen questioned if the Humane Society was reporting and Rayala indicated she had not received anything from the Humane Society but would find out if they contracted out to veterinarians for vaccinations.

Rasmussen requested that once the deadline for on-time licensing had passed for Petdata to report on how many follow-ups they did based on vaccinations that were administered to animals that were not licensed. She also would like to see a listing of households that are not currently in compliance with licensing that have vaccinated and at that point we can initiate some follow-up. Winters commented we are also interested in the raw numbers by years in terms of what we have in total vaccinated pets reported by the veterinarians, because there is a growing concern that we have a lot of pets that are not vaccinated. Rasmussen agreed this may be another larger health issue.

### **Consider request for waiver of 3.06.010(a) Payment of taxes, claims forfeitures, judgments prior to issuance of license or permit, due to extraordinary financial hardship. (Nina Snodgrass - Operator New)**

Nina Snodgrass addressed the committee stating she has a six year old daughter and has been waitressing at the Elks Lodge for the last two years. She was given an opportunity to start bartending at the Lodge as well, so she took the Responsible Beverage Course to get her license. She stated she was not aware of an outstanding ambulance bill that was apparently from when she was 19 years old because she had not received any notices about it. She indicated she has now set up a \$25 monthly payment plan; the outstanding bill was \$558 and she has made the first payment of \$25 on it. The additional bartending job will open more doors for her and allow her make more money. Rasmussen questioned if she felt she could pay the bill off in one year and Snodgrass indicated that she could.

Motion by Gisselman, second by Winters to grant the waiver of payment. Motion carried 4-0.

### **Consider request to amend premise description for outdoor dining area (Indiger LTD, d/b/a 2510 Restaurant)**

Roy Heilmeier, owner of 2510 Restaurant, stated they were proposing to have an outdoor dining area of approximately 1700 square feet on the south side of the building on Stewart Avenue. Rasmussen questioned if there would be any kind of entertainment outdoors. Heilmeier indicated he did not intend to have outdoor entertainment, but they may pipe out soft music from the inside. Rasmussen noted that they would need to check the zoning because certain classes require that all operations take place indoors and if that is the case, they would need to petition for a change through Plan Commission. Heilmeier questioned what type of fencing would be required for the service of alcohol. Chief Buchberger stated the Fire Department will need to take a look at the diagrams to determine the size, where the gates will be located, capacity, and where the egress is out of the area. Rasmussen questioned what he anticipated for seating capacity. Heilmeier estimated 12 tables for about 50 people.

Motion by Gisselman, second by Winters to approve the premise description amendment for 2510 Restaurant contingent upon the appropriate zoning and approval by the Fire Department. Motion carried 4-0.

**Amend Sections 5.52.020 Purpose, 5.52.090, Records required and 5.52.110 Daily reports to police relating to Pawnbrokers, Secondhand Article Dealers and Secondhand Jewelry Dealers.**

Alfonso explained the Attorney's Office received a request for the addition of tribal I.D.s as an acceptable form of identification for pawnbrokers to accept from people coming in to pawn items. She indicated this has been added to the ordinance; however, they will also have to get a clear imprint of the customer's right index finger.

Alfonso indicated the Police Department is switching to different reporting software for pawnbrokers. They were using the Automated Pawn System (APS) but have found software, called Leads Online that will perform better and be cheaper. She stated instead of referring to the specific name of the software in the ordinance it will just state the software that the Police Department directs or designates and that is what the pawnbroker will have to use. Rasmussen noted it reduces the days for reporting from 60 days to 14 days.

Motion by Winters, second by Kellbach to approve the amendments related to the Pawnbroker ordinance. Motion carried 4-0.

**Discussion and possible action on request to Marathon County to adopt mandatory monthly rabies vaccination reporting requirements countywide for the purpose of pet licensing.**

Rasmussen explained that monthly reporting of vaccination data by veterinarians to the City of Wausau has resulted in a valuable follow up effort that has identified a lot of households that have vaccinated yet have failed to license animals. She felt that effort could only be increased and intensified if it went countywide. The proposed resolution is the City of Wausau's request to Marathon County to consider adopting a similar provision requiring that all veterinarians in the county report vaccinations that are issued by their clinics on a monthly basis to the county. This would allow all municipalities and townships to undertake the same type of follow up or if they participate in the Petdata system, would be allowed to enable Petdata to do the follow up.

Kellbach indicated she has spoken to a few of the other County Board Members about this and there is some resistance, so more information needs to get out there. Rasmussen suggested Dale Grosskurth, from the Health Department who was at the roundtable when we worked on the vicious and dangerous dog issue, be a contact.

Rasmussen commented all we can do is ask the county to follow our lead. She felt it was worth our time to at least ask because it levels the playing field for all the veterinarians and all the clinics as well as for all pet owners. You won't have rural and urban expectations being different and through follow up, dog licenses sold equals revenue for townships, municipalities, county and the humane society.

Motion by Winters, second by Gisselman to approve the resolution making the request to Marathon County. Motion carried 4-0.

**Hazmat Contract Agreement (Buchberger)**

Chief Buchberger updated the committee that he has received a draft copy of the contract from Wisconsin Emergency Management (WEM) and it is under review by the Attorney's Office. The changes have been highlighted, of which a great many are additional reports that we have to make and when we have to make them. He stated we used to receive one payment per year and now they will pay on a quarterly basis. It is stipulated that we work in cooperation with Oneida County in fielding a team. He stated WEM is going to pay each of us our portion of the money that has been allocated, so we have to come to an agreement of how much each of us will get. He indicated he will be meeting with Oneida County this Friday to discuss this. The total amount of money for both is a little over \$104,000 and he felt he could not go lower than \$78,000, which would leave approximately \$26,000 for Oneida, without requiring a major amount of monetary help from the city. Winters questioned what Oneida might expect to receive. Buchberger stated other county teams in the state matrix are being given \$20,000 to \$25,000. He felt if they worked with Oneida County to give them that much it would be in line with what the other county teams were getting.

**Consider various license applications.**

Rasmussen indicated there was one application for a Public Transport Driver license by Joana Garza that was recommended for denial by Chief Hardel. It was noted that Joana Garza was not present to appeal the recommendation.

Rasmussen referred to the special event application for the Riverview Technology Run, noting that last year there was an issue brought up after the event regarding organizers spray painting the streets in Riverview with arrows and messages to the runners. She suggested a reminder be sent to them that they are not to paint on the streets because it was difficult to remove and there were complaints from the residents. Chief Hardel indicated he would contact the organizers to remind them.

Rasmussen stated Wausau Area Events is putting on Rock The 400 Block in conjunction with Mid Wisconsin Beverage (Pepsi) this year. She noted they are requesting the closure of 3<sup>rd</sup>, 4<sup>th</sup> and Jefferson Streets. Hardel indicated there was a meeting a couple weeks ago because before he would approve closure of 3<sup>rd</sup> Street he wanted to know if the businesses along 3<sup>rd</sup> Street were supportive of that. He stated Kari Rasmussen, WAE, went and received a signoff sheet for every business on 3<sup>rd</sup> Street in the 400 block that supported the closure of 3<sup>rd</sup> Street for the event. They also decided they didn't need to close it until later in the day, so the businesses will still have their normal traffic during the day and the closure would take place around 4:00 or 5:00 p.m. She also made contact with the Grand Theater and since there is no conflict or function scheduled on that particular date they do not oppose the closure of 4<sup>th</sup> Street. It was decided that only the parking lane would be closed on Jefferson Street for the support vehicles of the band. Hardel noted it is a Pink Floyd cover band from Iowa.

Winters questioned the parade route was for the Gay Pride Parade. Hardel stated their request was for lane closure all the way down Stewart Avenue across the river to The 400 Block. He indicated he asked Lt. Pekarske to meet with the organizer because he felt that was a little over the top for one float. He suggested Lt. Pekarske propose that they have staging in the River Drive area near VFW which could then be easily accommodated to The 400 Block. He did not like shutting down a lane and disrupting traffic on Stewart Avenue for that length of time. Winters suggested a police escort as is done with funerals, rather than closing the lane. Hardel stated if he commits to it and they are busy it will require overtime. Winters agreed Stewart Avenue should not be closed for one float. Hardel suggested they approve with a contingency of approval on the route by the Police Department.

Motion by Winters, second by Kellbach to approve or deny the various license applications as recommended by staff with a contingency that the Riverview Technology Run be advised not to paint on public streets; and the Gay Pride Parade would have to clear its route and traffic disruption with the Police Department. Motion carried 4-0.

#### **Tavern Activities / Compliance Checks / Law Enforcement Activities**

Hardel presented the Tavern Report from March 3, 2013 thru April 6, 2013. (*See attached.*)  
No discussion; report placed on file.

#### **Discussion and possible action on request to Marathon County for consideration of funding and enforcing clearly defined maximum holding periods for stray animals impounded at the Humane Society of Marathon County (HSMC) as contracts are reviewed and developed.**

Rasmussen explained this was in regard to extended boarding periods at the Marathon County Humane Society which is causing some major financial impacts to the Humane Society as well as the taxpaying public.

Winters indicated this issue came up through Bill Nagle in the Legislative Committee. He stated the county is currently negotiating with the Humane Society for a new contract. In the past, the design of that contract was to pay for seven days of sheltering, which is required by law. If we pick up a pet on the street, we are supposed to take it to the shelter where it will be kept for seven days to allow someone to claim it. After that period it is considered a stray animal and the Humane Society could choose to put it in their stock for adoption, in which case they would raise funds privately to keep it there, or it would have to be euthanized. What has happened is there has been an appeal by the Humane Society to provide services for longer, approximately three times as long. He commented at the end of March the Humane Society advertised a cat for adoption as the Pet of the Week, saying that the cat had been there since September. He pointed out that seven months or 210 days at \$19 a day, makes it an approximately \$4,000 cat. Considering all the needs of other animals, as well as needs for enforcement and licensing compliance in this area, he did not feel this was a good use of our resources. He proposed that they urge the county not to fund sheltering beyond the statutory requirement.

Rasmussen suggested a resolution be drafted asking Marathon County as they evaluate and consider either a new contract or an amended contract with the Humane Society for the management of stray animals, that they adhere to strict boarding requirements and maximums so that the public is not funding months and months of boarding time.

She commented the shelter self proclaims to have moved itself as close as it can possibly be to becoming a no-kill facility. She felt the public has to decide where their funding of that ceases.

Winters stated there is a concern that due to the pressure they are getting from this interest group that the County Board will just raise license fees on the municipalities and give it to them. He believed municipalities need to make their voices heard and should be part of the process having their needs considered.

Motion by Winters, second by Gisselman to approve a resolution urging the county to fund sheltering animals only up to the seven day statutory period. Motion carried 4-0.

**Consider amendment to Chapter 9.20, Park Regulations**

Rasmussen stated Park & Rec Committee has already approved this to clarify the Wausau Municipal Code regarding parks and parks enforcement. John Daniels, Parks Department, explained they were housekeeping changes to the WMC as a result of significant changes made to the Marathon County general code of ordinances. He noted the addition of law enforcement officer to the obstruction ordinance was suggested by one of the Sheriffs Deputies in order to deal with situations more effectively.

Motion by Gisselman, second by Kellbach to approve the amendment to Chapter 9.20, Park Regulations. Motion carried 4-0.

**Communications**

Winters stated he received a phone call on Friday from Brian Gumness informing him that the Greenheck Foundation would like to give the Animal Control Program \$10,000 towards the purchase of a vehicle.

**Adjournment**

Motion by Winters, second by Kellbach to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 6:30 p.m.

**Lieutenant Todd A. Baeten**  
**WAUSAU POLICE DEPARTMENT**  
515 GRAND AVENUE, WAUSAU WI, 54403  
Office (715) 261-7811 FAX (715) 261-7888

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**Date**           **04-06-13**

**To**               **Chief Hardel**

**Subject TAVERN REPORT   March 03, 2013 thru April 06, 2013**

**ROUTINE TAVERN INSPECTIONS (No violations unless noted)**

**101 Pub**, 101 N. 3<sup>rd</sup> St.

**Callon Street Pub**, 209 Callon St.

**Denmar Tavern**, 601 W. Thomas St.

**Eagle's Club**, 1703 S. 3<sup>rd</sup> Ave.

**Intermission**, 325 N. 4<sup>th</sup> St.

**Players**, 4411 Stewart Ave.

**VFW Burns Post 388**, 388 River Dr.

**NOTABLE INCIDENTS THAT OCCURRED AT TAVERNS THAT POLICE WERE DISPATCHED TO**

**101 Pub**, 101 N. 3<sup>rd</sup> Ave., Case #13-2357, 03-04-13, 8:54pm: Male came into the bar and vomited. He was then escorted outside, where he continued to vomit and was unable to answer medical personnel's questions. Male was transported to the hospital for medical clearance, and was then committed on a 51.15. The male was transported to the North Central Health Care Center, and was also arrested for discharging bodily fluids (spitting) at a public safety worker.

**Campus Pub**, 1110 W. Campus Dr., Event #13-33584, 03-2-13, 2:07am: Officers responded for a report of a fight inside the bar. Upon being interviewed, the bartender had someone call the police while Campus Pub staff broke up a fight between patrons. All involved parties were gone prior to officer arrival.

**Domino Bar**, 740 Washington St., Case #13-3345, 03-30-13, 1:21am: Bar patron reported his jacket stolen. Officer investigating viewed surveillance video showing a male suspect taking the jacket and leaving the bar with another individual. Investigation continues.

**Fillmor**, 310 N. 4<sup>th</sup> St., Event #13-24601, 03-01-13, 10:29pm: Officers responded for an anonymous report of three males displaying guns on the dance floor. Approximately 100 patrons were present, with several matching the description of the suspects. Officers received consent to conduct pat-down searches of several individuals. All were cooperative, and no weapons were found. Fillmor owner and staff were advised of the complaint. No further information was able to be gathered due the information having been provided anonymously.

**Fillmor**, 310 N. 4<sup>th</sup> St., Case #13-2764, 03-15-13, 12:57am: Officer observed two males urinating in the alleyway next Fillmor. When confronted, they were initially dishonest, but then admitted responsibility. When Fillmor staff

came out to advise them they were no longer welcome back in, one of the males became disorderly. He was shouting profanities and banging on the glass window front of Fillmor. He resisted officers' efforts to restrain him, and was eventually handcuffed and transported to corrections for Disorderly Conduct.

**Fillmor**, 310 N. 4<sup>th</sup> St., Event #13-36811, 03-31-13, 1:06am: Officer observed a female vomiting in the street in front of Fillmor. Officer arranged for taxi to respond to bring the female to her Kronenwetter residence. While standing by with 15-20 individuals present, officers heard a male talking very loudly and using profanity to speak negatively about law enforcement. Male was very intoxicated, and was cautioned about the language. He was then escorted back inside by his girlfriend.

**Lumpy's**, 265 Chellis St., Case #13-2345, 03-01-13, 12:00am: Male reported he was at Lumpy's on this date and time when he was struck in the face by another male. Victim stated this attack was unprovoked. He later went to the dentist and learned his jaw was broken and some of his teeth were displaced. Suspect was later located and admitted to having been very drunk that night and remembering he had hurt somebody. Suspect was arrested for Substantial Battery and Strangulation. He was then transported to jail.

**Malarkey's**, 412 N. 3<sup>rd</sup> St., Case #13-2533, 03-09-13, 2:11am: Officer was driving past Malarkey's and observed two males swinging at each other. Several bystanders were trying to break up the fight. Both males were very intoxicated. One of the males became uncooperative with officers and needed to be restrained. He was arrested for Disorderly Conduct and Obstructing. The other male was only 20 years old, and was cited for Underage Alcohol Consumption and was also arrested for Disorderly Conduct. Bystanders stated that the males had not been drinking inside Malarkey's, and had come from another location before starting to fight in front of Malarkey's.

**Mountain Lanes**, 1401 Elm St., Event #13-24631, 03-02-13, 12:04am: Bartender at Mountain Lanes called for police assistance, reporting she was being harassed by approximately 15 males. The males were upset that the bartender had carded one of them, and were now refusing to leave. Officers arrived on scene and escorted the males off the property.

**Paradox**, 932 S. 3<sup>rd</sup> Ave., Case #13-2526, 03-08-13, 10:35pm: Officers investigating a report of a verbal altercation between a male and a female made contact with the male. He was intoxicated and underage. He advised he had been drinking inside Paradox after having been invited there by the bartender. He identified the bartender by name and said he had met her online a couple of months ago. Contact with the bartender at Paradox confirmed this account. Bartender claimed she did not know the male was only 19 years old. Bartender was cited for Selling Alcohol to Underage Persons.

Respectfully submitted,

Lt. Todd A. Baeten