

PUBLIC HEALTH & SAFETY COMMITTEE

Date and Time: Monday, January 20, 2014, at 5:15 pm, (Council Chambers)

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

Others Present: Alfonso, Hebert, Rayala, Giese Bliven, Goede

Minutes of previous meeting(s). (12/16/13)

Motion by Kellbach, second by Gisselman to approve the minutes of the previous meeting (12/16/13). Motion carried 5-0.

Property Maintenance & Housing Code Violation Enforcement Report – Inspections (Bill Hebert)

Bill Hebert stated they laid out the criteria of what forfeiture would be for a citation in 2014. The average service fee is \$30, so for each violation there would be a forfeiture of \$154; and an across the board \$50 ticket. There is an appeal process to the division supervisor, then to Municipal Court. He indicated the Attorney's Office was still reviewing some of the ordinance changes that would be necessary to accomplish this.

Hebert requested he be allowed to go to a quarterly report to the committee so that the next few months he can focus on implementation of rental licensing in the department. The committee agreed to allow quarterly reporting.

Winters commented one of the bigger issues is parking violations within the neighborhoods. He suggested creating a small brochure that discusses what can be done with cars that people don't know what to do with or are unable to remove. There are charities, such as Rawhide Boys Ranch or Wheels to Work, that will take donations of nonworking vehicles and fix them up for people in need. Some places will even pick up the vehicles. He suggested that the reverse side of the brochure could be used to sell advertising for tow trucks. The brochure could be sent along with our communication or ticket to a violator. Rasmussen felt there would be merit in creating an information piece that lists all available options. Wagner suggested a staffer to be placed along with the water bill that informs renters of what the restrictions are and how to avoid a citation.

Consider creating Section 10.01.012 Use of hand-held mobile telephones and mobile electronic devices while driving prohibited

Rasmussen stated action was deferred on this item last month until we could reconvene interested communities one more time and allow them to weigh in on the ordinance.

Alfonso reported the meeting was represented by the Town of Maine, Rib Mountain, Kronenwetter, Rothschild, and Everest Metro. Everyone was sent a notice with two alternatives and a comment sheet that explained the ordinance and the difference between the two alternatives. She indicated those present preferred alternative one which prohibits the use of a cell phone or other mobile electronic devices while a person is operating the vehicle, meaning it is not parked or in neutral along the side of the road, with certain exceptions. She explained state statute in the no texting law adopted as part of the inattentive driving statute, permits a driver to operate a GPS navigational system if it is integrated into the electrical system of the vehicle. This is something a municipality cannot be contrary to as state law. The question arose about whether to allow other devices that have navigational equipment on them, such as the portable plugged in units or iPod or iPhones that have navigational apps. There was consensus to adopt Alternative One with a change that allows use of apps for GPS if used in hands free or voice activated manner other than to turn it on and off. You would not be permitted to program the GPS while driving; you would have to pull over to the side of the road if not voice activated.

Wagner commented all but one of the attendees had already taken it to their town board or city council and we were in strong consensus that this would be good for the entire region. Alfonso noted these are all independent communities and will all consider the ordinance and make their own decision as to adoption of it.

Cpt Ben Bliven stated he agreed with the hands free GPS use, which makes it easier to enforce. He felt it was a reasonable ordinance that was very straight forward.

Motion by Wagner, second by Kellbach to approve the creation of Section 10.01.012 Use of hand-held mobile telephone and mobile electronic devices while driving prohibited, as presented. Motion carried 5-0.

Consider Amending Section 8.08.170 License regarding payment date.

Rasmussen stated this is a housekeeping item that will clarify the deadline for payment of the pet license fee.

Rayala explained the ordinance currently states that people can pay for a pet license in the same manner that they pay property taxes. Property tax allows for payment in three installments, the first one due on January 31st; however state statutes provides a March 31st deadline for dog licenses.

Motion by Winters, second by Gisselman to approve amending Section 8.08.170 License regarding payment date. Motion carried 5-0.

Consider Amending Section 6.48.010 Mowing required - exempting golf courses.

Rasmussen explained this ordinance would apply to any golf course wholly located within the city limits, not just Tribute Golf Course. Alfonso noted our ordinance prohibits noxious weeds in the city and this section just exempts mowing.

Motion by Kellbach, second by Winters to approve amending Section 6.48.010 Mowing required – exempting golf courses. Motion carried 5-0.

Consider various license applications.

Rasmussen indicated all licenses on the list have been recommended for approval.

Wagner commented the Winter Fest event from Wausau Area Events is only two weeks away and the application should have been submitted a couple months in advance. He recalled the committee addressed the issue of filing late with Kari Rasmussen last year and asked that she be reminded.

Motion by Winters, second by Wagner to approve or deny various licenses as recommended by staff. Motion carried 5-0.

Tavern Activities / Compliance Checks / Law Enforcement Activities

Bliven presented the Tavern Report for December 4, 2013 thru January 5, 2014, highlighting notable incidents. (*See attached*) Report placed on file.

Communications

Rasmussen stated the Mayor vetoed the restriction on servers ordinance that came from this committee and it will appear back on the Council agenda January 28th for a vote to override the veto.

The chronic nuisance landlord designation appeal that was anticipated for this agenda was withdrawn by the landlord.

Rasmussen stated an applicant for rent abatement may be coming before the committee if the issue still exists after the landlord has been given the appropriate period of time to remediate.

Adjournment

Motion by Kellbach, second by Winters to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 6:00 pm.

Attachment

Wausau Police Department



James E. Tipple
Mayor

Jeffrey G. Hardel
Chief of Police
(715) 261-7801

Date **01-05-14**
To **Chief Hardel**
From **Lt. Todd Baeten**
Subject **TAVERN REPORT December 04, 2013 thru January 05, 2014**

ROUTINE TAVERN INSPECTIONS (No violations unless noted)

Lumpy's, 265 Chellis St.

Malarkey's, 412 N. 3rd St.

North End Pub, 1002 N. 3rd Ave.

Oz, 320 Washington St.

Paradox, 932 S. 3rd Ave.

Polack Inn, 1206 N. 3rd Ave.

Roc's Place, 810 S. 3rd Ave.

Showtime Gentlemen's Club, 1709 Merrill Ave.

Sidetracked Bar, 818 S. 3rd Ave.

Tremor's Sports Bar, 516 W. Thomas St.

Treu's Tic Toc Club, 1201 W. Thomas St.

VFW Burns Post 388, 388 River Dr.

NOTABLE INCIDENTS THAT OCCURRED AT TAVERNS THAT POLICE WERE DISPATCHED TO

Callon Street Pub, 209 Callon St., Case # 13-12137, 12-07-13 at 8:59pm: Officers were dispatched to Callon Street Pub for a report of a fight. Male suspect had left the scene prior to officer arrival. He was located across the street. Investigation led to the arrest of the male for Disorderly Conduct and a probation hold.

Cheers Bar, 101 E. Thomas St., Event #130147528, 12-18-13 at 8:21pm: Officer responded to Cheers for a report of harassing text messages being sent. Reporting party stated her father had sent several text messages to her at work threatening to call Social Services on her for leaving her 12yoa son at home alone. The father was told to not contact his daughter again.

Cop Shoppe Pub, 701 Washington St., Event #130146052, 12-14-13 at 8:42pm: Officers responded to the Cop Shoppe for a report of a male passed out in a vehicle in the parking lot. Upon arrival officers discovered a male and female sitting in a vehicle. The vehicle was not running and had not been recently operated. The male was intoxicated and was told he would need to make some other arrangements to get home other than driving. The male then stated he would walk home, and went on his way.

Domino Bar, 740 Washington St., Event #130146094, 12-14-13 at 11:35pm: Officer was dispatched to the Domino Bar for a vehicle lock-out.

Domino Bar, 740 Washington St., Event #130149688, 12-24-13 at 3:59am: Officer was dispatched to the Domino Bar for a report of a theft from a vehicle. The reporting party stated that several small items were taken from her unlocked vehicle, including gift cards, tanning lotions, and shirts. She declined to pursue charges.

The Fillmor, 310 N. 4rd St., Case #13-11704, 11-22-13 at 9:21pm: Officers were dispatched the Fillmor for a report of an intoxicated male that had fallen down and was now being uncooperative and refusing to leave the bar. The male was arrested for Disorderly Conduct and transported to jail.

The Fillmor, 310 N. 4rd St., Case #13-12118, 12-06-13 at 11:14pm: Officers were dispatched to the Fillmor for a report of two males fighting in the alley to the north of the building. A male was located on the ground in the alley. He had sustained a broken ankle when he fell after being struck by another male. The suspect had fled prior to officer arrival. Investigation continues.

Glass Hat, 1203 N. 3rd St., Case #13-12119, 12-07-13 at 2:33am: Officer responded to the Glass Hat for a report of a hit and run crash. A female reported her vehicle was struck while parked outside the Glass Hat. No suspect vehicle information was available.

Glass Hat, 1203 N. 3rd St. Event #130145708, 12-14-13 at 2:45am: Officer was driving in the area of the Glass Hat and observed a female stumbling southbound on N. 3rd St. She had fallen in the snow several times. The female was intoxicated, and was given a ride to a friend's house and left in the care of the friend.

Glass Hat, 1203 N. 3rd St., Case #14-00004, 01-01-14 at 4:41am: Officers were dispatched to the Glass Hat for a report of a fight, in which patrons were assaulting the bouncers. The suspects had left the area in a dark blue Chevy Suburban prior to officer arrival. Investigation continues.

Hiawatha Restaurant & Lounge, 713 Grant St., Case #13-12529, 12-23-13 at 2:21am: Officers were dispatched to Hiawatha for a report of a male threatening to go home and shoot himself with a loaded .45 handgun he has there. The male was transported to HCC on an emergency detention basis.

Labor Temple, 318 S. 3rd Ave, Event #130143200, 12-08-13 at 2:39am: Dispatch had broadcast an ATL for a vehicle at Labor Temple possibly being driven by an intoxicated driver. The vehicle was located in the parking lot. The owner of the vehicle was present, talking to a female. He appeared intoxicated, and was advised against driving anywhere. He was given a ride home from the female.

Labor Temple, 318 S. 3rd Ave, Event #130150879, 12-27-13 at 12:21pm: Officers responded to the Labor Temple for a report a break-in. It did not appear that anything was missing. Extra patrol was requested.

Loppnow's Bar, 1502 N. 3rd St., Case #13-12166, 12-08-13 at 10:58pm: Officer responded to Loppnow's for a report of a theft. Female reported her purse had been stolen sometime during the evening. No suspect

Lumpy's, 265 Chellis St., Event #130143516, 12-08-13 at 1240am: Officers responded to Lumpy's along with EMS personnel from Wausau Fire Department for a report of a female that had lost consciousness and struck her head. She has a history of medical issues, and was given a ride home by her husband.

Mountain Lanes, 1401 Elm St., Event #130141832, 12-05-13 at 12:45am: Officer was dispatched to Mountain Lanes for a report of suspicious activity. Property staff was cleaning the bathroom and found what they believed was illegal drugs on the sink counter. A yellow powder was located and collected for testing. Investigation continues.

North End Pub, 1002 N. 3rd Ave., Event #130144722, 12-11-13 at 4:48pm: Officers were dispatched to North End Pub for a report of a male refusing to leave the premises. Upon arrival, officers were able to convince the male to leave, and arranged for a cab to respond to the bar to pick the male up.

Oz, 320 Washington St., Case #13-12731, 12-31-13 at 7:14am: Officers were sent to the Oz for a Criminal damage to Property complaint. The damage was to several video gaming machines that were being stored in a hallway outside the Fillmor and Oz Bar. The games were flipped over and the screens were broken. Owner gave two suspects to be interviewed. Investigation continues.

Paradox, 932 S. 3rd Ave., Event #140000013, 01-01-14 at 1:00am: Officer responded to a complaint of loud music coming from Paradox. Reporting party just wanted officer to request that the music be turned down. Contact was made with the owner, and the music was turned down.

Polack Inn, 1206 N. 3rd St., Event #130152588, 12-31-13 at 11:25pm; Officers responded to Polack Inn along with EMS personnel from Wausau Fire Department for a report of an unconscious male who was barely breathing. It was learned that the male had consumed alcohol tonight, and may have also taken prescription medication. He was transported to the hospital, and efforts were made to contact family members.

Polack Inn, 1206 N. 3rd St., Case #14-00005, 01-01-14 at 5:17am: Officers were dispatched to the area of the Polack Inn for a report of a fight in which a male struck two females. It was further advised that witnesses had chased the after the male as he fled the area on foot. The male was later located and arrested for Battery and Disorderly Conduct.

Roc's Place, 810 S. 3rd Ave., Case #13-11348, 12-12-13 at 1:58am: Officers made contact with a few males outside of Roc's Place that appeared to be having some type of confrontation. Investigation showed that two of the males have warrants for their arrest. It was also discovered that there still a few patrons inside the bar after hours. Contact was made with the bartender, who stated they were just going to help him clean up. He stated that he had been bartending for 20 years and was not aware that he could not have people in the bar after hours to clean with him. The bartender was cited for being Open After Hours, and a citation was mailed to the owner.

Sidetracked Bar, 818 S. 3rd Ave., Case #14-00047, 01-03-14 at 1:35am: Officers were dispatched to Sidetracked Bar for a report of a fight that had escalated to shots being fired. One male was transported to Aspirus Wausau Hospital and later died from his injuries. The shooting suspect was located later at a different location. Investigation continues.

Tremor's Sports Bar, 516 W. Thomas St., Event #130132177, 11-10-13 at 2:50am: Officers responded to Tremor's for a report from the bartender of an intoxicated male beating on the locked front door with a skateboard. The male had left the area prior to officer arrival. The bartender said the male had asked for a cigarette and became angry when she did not give him one. The bartender requested extra patrol around the area.

VFW Burns Post #388, 388 River Dr., Case #13-11928, 11-30-13 at 11:30pm: Officers were dispatched for a report of a fight in the bar. Upon arrival contact was made with a female who stated she had been struck in the chest by a male in the bar. The male was located and confirmed that there had been an altercation, in which drinks were thrown. He denied striking the female. The female did have some visible bruising. The male was arrested for Battery.

ALCOHOL LICENSE CHECKS AT RESTAURANTS

Restaurant checks were conducted this month. No license issue or violation noted.

ALCOHOL BEVERAGE DEMERIT POINTS ASSESSED

Respectfully submitted,

Lt. Todd A. Baeten