

## **PUBLIC HEALTH & SAFETY COMMITTEE**

Date and Time: Monday, June 16, 2014, at 5:15 pm, (Council Chambers)

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

Others Present: Alfonso, Hagenbucher, Kujawa, Rayala, Goede, Brandon Behrens, Kathleen Williams, Jon Euting, Dick LeClair, Traci Krause, Jeff Lindell

### **Public Comment on matters appearing on the agenda.**

None.

### **Minutes of previous meeting(s) (5/19/14, 5/27/14, & 6/05/14).**

Motion by Kellbach, second by Gisselman to approve the minutes of the previous meetings (5/19/14, 5/27/14, & 6/05/14). Motion carried 5-0.

### **Hearing on Rent Abatement Application of William F. Schillinger concerning 2502 N 6th Street, Apt 2.**

*Postponed to next meeting.*

### **Closed Session pursuant to Section 19.85(1)(a) of the Wisconsin Statutes for the purpose of considering the following: Deliberating concerning a case which was the subject of any judicial or quasi-judicial trial or hearing before the governmental body.**

*Postponed*

### **Reconvene in Open Session, announce results of deliberations on Hearing on Rent Abatement Application.**

*Postponed*

### **Consider request to amend premise description (Major Prank - BB Jacks LLC)**

Rayala explained this request was reviewed at the Liquor License Subcommittee as well as the Plan Commission for appropriate zoning. They are building an outdoor patio for dining on the north side of the building.

Motion by Neal, second by Wagner to approve the premise amendment for BB Jacks. Motion carried 5-0.

### **Consider various license applications.**

Rasmussen indicated Brandon Behrens was denied for an Operator's License last month, at which he was not present. It was later determined that the letter informing him of the meeting had a typographical error on the date, so he is being given another opportunity to address the committee.

Brandon Behrens stated he is trying to be a productive member of society; he has stayed out of trouble and he felt he deserves a chance to prove it to them. Rasmussen stated the chief's recommendation for denial was based on the totality of his record, of which some of the violations are extremely serious. Behrens responded over the last two years he has been trying to better himself and he was thankful that Chapter 2 was willing to give him the opportunity to do so with this job. Rasmussen pointed out he can still work there without a license provided another licensed person is supervising. She felt more time needed to pass with a clean record before she would feel comfortable approving a license for him to serve alcohol by himself.

Wagner questioned the status of the four felony charges listed. Behrens stated they are all still pending and he doesn't have court until August 2015. Cpt. Hagenbucher questioned why he did not disclose the violations on the application where it asks if there are any charges pending and he marked no. Behrens explained he wasn't trying to falsify or lie; he just skimmed though the application, not reading it carefully. Hagenbucher noted he was out on bond under an absolute sobriety order and felt serving alcohol in a bar might be difficult for him. Behrens stated it wasn't a problem for him because he did not drink and just goes to work and goes home.

Rasmussen stated Joanne Gallo was applying for a Mobile Vendor license for her food cart. Rayala stated Gallo is working out of a kitchen at the YWCA and just received her Marathon County Health Department license. She indicated she applied for a Seller's Permit number but has not yet received it. Wagner questioned if Brooklyn Taste, LLC registration was confirmed. Ms. Gallo stated the LLC was setup and she had an EIN. Rayala stated all requirements must be met before the license would be issued.

Rasmussen referred to a new special event MCT: Symphonic Rock on the Block, which has presented some objections from the Park Department, Chief Hardel and engineering staff. She explained the organizer was looking to affix their light and sound equipment to the support beams underneath the canopy of the stage on the 400 Block. Engineering determined the weight of the equipment is equivalent to a small automobile and without an engineering study for the structural integrity of the canopy they will not approve the attachment of the equipment.

Ron Aderholdt, organizer, stated that he and his son, who heads the band, take care of all of the production for MCT. He indicated he has been in contact with Ken Krueger who also informed him of the issues with the weight and the need for an engineering study. (The event is scheduled for July 26, 2014.) Rasmussen did not believe there was time for a study prior to the event and questioned whether there was a way to get the equipment to function without hanging it. Aderholdt indicated there was a way for them to support most everything from the ground. He noted that Ken Krueger told him other bands have attached light bars to the structure, although he did not give him the exact weight. Aderholdt proposed two hangings of 130 lbs. each rather than the 2500 lbs. total weight. Wagner commented he trusted Aderholdt's expertise with these concerts and felt that was sufficient.

Hagenbucher stated this concert is scheduled to play until 11:15 pm., and he indicated the chief was very concerned that it was too late and will generate noise complaints. He noted the last band played until 10 or 10:30 pm, and they received complaints about it. Rasmussen questioned if they could conclude by 10:30 to appease the downtown residents. Aderholdt stated they would rather stick to the schedule if possible because of the amount of set up time they need and the show consists of lighting effects which requires darkness. Rasmussen questioned if laser lighting would cause safety problems for the motorists. Aderholdt stated he gets FFA approval which he can provide to the city and safety is his first priority. He indicated he would do a pre-aim of the light beams ahead of time. Rasmussen suggested he coordinate the setup of the light show with the Police Department, Parks Department and Engineering.

Gisselman questioned why this venue, because he felt the 400 Block may be too small for this event. Aderholdt stated the 400 Block represents one of the nicest outdoor amphitheaters available. It represents the pinnacle of an outdoor event. Rasmussen reiterated it needs to end at 10:30 pm., and an announcement made from the stage that people can't leave the block with open intoxicants.

Motion by Neal, second by Kellbach to approve or deny license applications as recommended and with conditions as presented for MCT: Symphonic Rock on the Block event. Motion carried 5-0.

**Consider keeping Marathon Park East Gate Hall (Youth Building) as poll site for Districts 3 & 10 and also Districts 9 & 11 for the 2014 election year.**

No discussion.

Motion by Wagner, second by Kellbach to approve keeping Marathon Park East Gate Hall as the poll site for District 3 & 10 as well as Districts 9 & 11 for the 2014 elections. Motion carried 5-0.

**Discuss whether to reconsider creation of pet fancier permits.**

Rasmussen stated the roadblock previously for pet fancier permits was that we did not have Animal Control in effect and we were not showing results in terms of animal call enforcement or animal management. She questioned if the committee wanted to reconsider pet fancier permits now that we have hired a Humane Officer and have a program functioning. The consensus was to put it on the August agenda and have the Humane Officer, Ashlee Bishop, present to participate in the discussion.

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

Cpt. Hagenbucher presented the Tavern Report from May 7, 2014 to June 3, 2014. (See attached)

Hagenbucher referred to the issue with the owner of Sidetracked, who was involved in an accident in which an 11 year old was driving his vehicle for him. He indicated he heard that Sidetracked was now closed and will not be reopening.

Rasmussen stated the Franklin Elementary School has had to go into lockdown for neighborhood incidents a few times this year. She indicated Wausau School District Superintendent Kathleen Williams and Franklin School

Principal Jon Euting were present and they wished to comment. She noted they will be making a formal presentation at the Council meeting in July.

Kathleen Williams stated they were reaching out for help with an ongoing problem with a property in the Franklin attendance area. Jon Euting stated over the course of the year there has been growing concern with police activities within the school vicinity and in particular from this one address. Cleanup has had to be done around the school and playground daily to pick up things that we would not want our kids accessing or stepping on. Rasmussen indicated she hoped to have dialogue with the Mayor to see if there is some collaboration he could create between the city and school district to build a task force that is centered around safe schools and safe neighborhoods together. Dick LeClair, neighbor, stated the building in question, 1311 5<sup>th</sup> Street, would not meet zoning codes and should be torn down. Traci Krause, neighbor, commented on the issues with the tenants of the property and drug dealing activity.

#### **Operations Report from Fire Department**

Chief Kujawa presented the May report from the Fire Department and it was placed on file.

#### **Communications**

Rayala updated the committee that the Labor Temple has paid all outstanding debts to the city and their liquor license will be released.

#### **Adjournment**

Motion by Wagner, second by Neal to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 6:35 pm.

Attachment

Wausau Police Department



James E. Tipple  
Mayor

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

**Date**            **06-03-14**  
**To**                **Chief Hardel**  
**From**            **Lt. Todd Baeten**  
**Subject** **TAVERN REPORT    May 07, 2014 through June 03, 2014**

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

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

**6<sup>th</sup> Street Pub**, 2002 N. 6<sup>th</sup> St.

**Baker's Retreat**, 1418 Lenard St.

**The Bar**, 1025 S. 3<sup>rd</sup> Ave.

**Bob & Randy's Bar**, 1515 N. 6<sup>th</sup> St.

**Cabaret**, 204 E. Rib Mountain Dr.

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

**Campus Pub**, 1110 W. Campus Drive

**Chapter Two**, 1810 Merrill Ave.

**The Chatterbox Bar**, 102 S. 2<sup>nd</sup> Ave.

**Cheers Bar**, 101 E. Thomas St.

**Cop Shoppe Pub**, 701 Washington St.

**Day's Bowl-A-Dome**, 1715 Stewart Ave.

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

**101 Pub**, 101 N. 3<sup>rd</sup> Ave., Case #14-4422, 05-21-14 at 9:00pm: Officers conducting alcohol compliance checks documented the selling of alcohol to underage person at 101 Pub. The bartender was issued a municipal citation for this violation.

**6<sup>th</sup> Street Pub**, 2002 N. 6<sup>th</sup> St., Event #140052593, 05-09-14 at 10:52pm: Officers were sent to 6<sup>th</sup> Street Pub for a report of loud noise coming from the open door. Upon arrival, officers spoke to the bartender and DJ, who agreed to turn down the music and shut the door and windows.

**Bob & Randy's Bar**, 1515 N. 6<sup>th</sup> St., Event #140053112, 05-10-14 at 10:36pm: A noise complaint was reported at Bob & Randy's Bar, consisting of loud music coming from inside. The tavern was contacted by MSNO dispatcher and advised to turn down the music or an officer would be dispatched to address the complaint. No further issue was reported.

**Chatterbox Bar**, 102 S. 2<sup>nd</sup> Ave., Event #140056341, 05-18-14 at 9:11pm: Officer responded to Chatterbox Bar to conduct a welfare check on an individual there after his mother had called with some concerns for him. The individual was located and was intoxicated. He requested a transport to HCC for a voluntary detox after being medically cleared at the hospital.

**Cheers Bar**, 101 E. Thomas St., Case #14-3996, 05-11-14 at 2:35am: Officers were dispatched to Cheers Bar for a report of a female that refused to leave, and was pounding on the door. The bartender had reported the female had accused him of stealing her money. The bartender had pointed out that her property was on a bench outside the bar. Responding officers learned that the female had two warrants for her arrest. She was transported to corrections.

**Cop Shoppe Pub**, 701 Washington St., Case #14-3989, 05-10-14 at 8:54pm: Officers were dispatched to the Cop Shoppe Pub after witnesses observed a vehicle enter the lot and driver fall to the ground upon exiting the vehicle. The driver was located inside and found to be intoxicated. He was arrested for OWI 4<sup>th</sup> offense.

**Glass Hat Bar**, 1203 N. 3<sup>rd</sup> St., Case #14-4278, 05-18-14 at 2:29am: Officer on routine patrol came across a male urinating on the side of the building at Glass Hat. He was issued a municipal citation for Disorderly Conduct.

**Glass Hat Bar**, 1203 N. 3<sup>rd</sup> St., Case #14-4417, 05-21-14 at 8:31pm: Officers conducting alcohol compliance checks documented the selling of alcohol to underage person at Glass Hat. The bartender was issued a municipal citation for this violation.

**Glass Hat Bar**, 1203 N. 3<sup>rd</sup> St., Event #140058878, 05-24-14 at 2:27am: Officer on patrol observed a male outside of Glass Hat with an open alcohol container. The male was given a verbal warning about liquor on the street.

**Glass Hat Bar**, 1203 N. 3<sup>rd</sup> St., Case #14-4830, 05-31-14 at 1:14am: Officers were dispatched to Glass Hat for a report of a fight. A female stated she had been punched in the nose by another female and was bleeding. Further investigation showed conflicting accounts regarding who instigated the fight. Both females indicated they wished to pursue charges. Investigation continues.

**Glass Hat Bar**, 1203 N. 3<sup>rd</sup> St., Event #140062599, 05-31-14 at 11:49pm: Officer on patrol observed three males outside of Glass Hat with open alcohol containers. The males were from out of town and were given verbal warning about liquor on the street. Glass Hat security was contacted and advised to keep a closer eye on this activity. The tavern had been quite busy.

**Intermission Bar**, 325 N. 4<sup>th</sup> St., Event #140054280, 05-13-14 at 10:23pm: Officer on patrol heard several patrons at Intermission Bar being extremely loud from two blocks away. The patrons and bartender were warned about the noise level.

**Jim's Corner Pub**, 1244 S. 9<sup>th</sup> Ave., Event #140062177, 05-31-14 at 2:54am: Officer responded to Jim's Corner Pub after the bartender reported she located a male "lurking" in the men's room. The bartender ran out the front door and the male ran out the back door. The male was not located.

**Labor Temple**, 318 S. 3<sup>rd</sup> Ave., Case #14-4275, 05-18-14 at 1:39am: Officer in the area of Labor Temple heard a verbal argument that sounded like it was escalating. A male was contacted as part of the investigation. The male was found to have a valid probation warrant. He was transported to corrections.

**Labor Temple**, 318 S. 3<sup>rd</sup> Ave, Event #140061535, 05-30-14 at 2:44am: Officers were dispatched to the Labor Temple to conduct a welfare check on a male who had been drinking in the bar throughout the evening, and seemed

to be preparing to sleep in a sleeping bag in the nearby bushes. The male was found to be homeless. Arrangements were made for the male to spend the night at a hotel, and the VA would be contacting him the next day.

**Lumpy's**, 265 Chellis St., Event #140056271, 05-18-14 at 6:21pm: Officers were dispatched to Lumpy's for a report of a fight outside between two females. Further investigation showed that the females had been drinking and neither one wished to pursue charges against the other.

**Lumpy's**, 265 Chellis St., Event #140059724, 05-26-14 at 2:08am: Officer responded to Lumpy's for a report of a male harassing a female there. Upon arrival, officer learned that a male had been harassing a female at her place of work there. Lumpy's management also did not want this male back on their property. A voice mail message was left for the male advising him to stay away from the reporting party and Lumpy's Bar.

**Oz**, 320 Washington St., Case #14-4831, 05-31-14 at 2:27: Officers were dispatched to Oz for a report of a fight outside. A clothing description of the suspect was given, and a male matching the description was located a short distance away. The male refused to comply with officer commands to stop and fled on foot. Officers gave chase and caught up with the male. The male began resisting and fighting with officers. One officer was injured in the struggle. The male was eventually secured and transported to corrections for Battery to Law Enforcement, Possession of Drug Paraphernalia, Disorderly Conduct, Resisting/Obstructing, and a probation violation.

**Paradox**, 932 S. 3<sup>rd</sup> Ave., Event #140059689, 05-26-14 at 12:53am: Officers were dispatched to Paradox for a report of a group of people fighting in the parking lot. Upon arrival, no fight was located. A couple in the parking lot confirmed that a male and female had been shouting at each other, but they had left in a vehicle prior to officer arrival.

**Roc's Place**, 810 S. 3<sup>rd</sup> Ave., Event #140053487, 05-11-14 at 10:50pm: Officers were dispatched to Roc's place for a report that a male had threatened the bartender. Upon arrival, it was learned the bartender had confronted the male after he attempted to take a \$10.00 bill belonging to somebody else off the bar. The male became angry and left the bar briefly, returning a short time later with a female believed to be his girlfriend. He reportedly had instructed his girlfriend to "beat" the bartender. They left after police had been contacted, and were unable to be located.

**Roc's Place**, 810 S. 3<sup>rd</sup> Ave., Case #14-4861, 06-01-14 at 2:12am: Officers were dispatched for a report of a man with a gun at the bar. Officers learned that a male had pointed a handgun at another male after being told it was time to get going. The male with the gun then left. Investigation continues.

**Showtime Gentlemen's Club**, 1709 Merrill Ave., Case #14-4382, 05-21-14 at 11:54pm: Officers were dispatched for a report of a dancer "getting out of hand." The dancer was located and arrested for a warrant. She was transported to corrections without incident.

**Sidetracked Bar**, 818 S. 3<sup>rd</sup> Ave., Case #14-4525, 05-23-14 at 6:09pm: Officer responded to the 800 block of S 3<sup>rd</sup> Ave for a report of a one-vehicle traffic collision, in which all occupants had left prior to officer arrival. Information was gathered that a male occupant from the vehicle had entered Sidetracked Bar. Blood smears were located on the door to the basement. The owner of Sidetracked was located in the basement. He was bleeding from cuts to his head, and was found to have a couple of broken bones. When asked why he was in the basement, he said he was just looking for a place to sit down. It was later learned that the male had instructed his 11 year-old daughter to drive his vehicle to the bar when she crashed into a tree. The male is being referred for Endangering Safety – 2<sup>nd</sup> degree, OWI, and Permitting an Unlicensed Person to Drive.

#### **RESTAURANT INSPECTIONS (No violations unless noted)**

**2510 Restaurant**, 2510 Stewart Ave.

**Allister Deacon's**, 300 N. 3<sup>rd</sup> St. Ste. #103

**Angelo's Pizza/Tuesday's Bar**, 1206 N. 6<sup>th</sup> St.

**Applebee's**, 2221 Stewart Ave.

**Back When Café**, 606 N. 3<sup>rd</sup> St.

**BB Jack's**, 900 Golf Club Rd

**Buffalo Wild Wings Bar & Grill**, 1819 Stewart Ave.

**Chang Garden**, 102 Jefferson St.

**Courtyard by Marriot**, 100 S. 22<sup>nd</sup> Ave.

**Elk's Club**, 414 Scott St.

**El Jalapeno Bar & Grill**, 300 N. 3<sup>rd</sup> St. Ste. #101

**Great Dane Pub & Brewing**, 2305 Sherman St.

**Greenwood Hills**, 2002 Poplar Ln.

**King Buffet**, 358 S. 18<sup>th</sup> Ave.

**Mandarin**, 150 E. Stewart Ave.

**Milwaukee Burger Company**, 2200 Stewart Ave.

**Mint Café**, 422 N. 3<sup>rd</sup> St.

**New City Grill**, 203 Jefferson St.

**Noodles & Company**, 1800 Stewart Ave.

**Peking Chinese Restaurant**, 221 Scott St.

**Pizza Hut**, 210 S. 1<sup>st</sup> Ave.

**Plaza Hotel & Suites**, 201 N. 17<sup>th</sup> Ave.

**Polito's Pizza**, 311 N. 3<sup>rd</sup> St.

**Red Apple Social Club**, 707 S. 3<sup>rd</sup> Ave.

**Red Eye Brewing Company**, 612 Washington St.

**Sam's Pizza**, 111 Elm St.

**Sawadee Thai Restaurant**, 1720 Merrill Ave #500

**Taqueria Tres Hermanos**, 525 Fulton St., Case #14-3870, 05-07-14 at 5.29pm: Officer conducting scheduled restaurant check at Taqueria Tres Hermanos discovered there was not a licensed server on site. A municipal citation for No Licensed Bartender on Premises was issued to the restaurant owner. A warning for this had been given a few months earlier by the same officer.

**Vino Latte**, 700 Grand Ave.

**Wausau Mine Company**, 3904 W. Stewart Ave.

**Westwood Conference Center**, 1800 W. Bridge St.

**Whiskey River Bar & Grill, 5512 Stewart Ave.**

**ALCOHOL BEVERAGE DEMERIT POINTS ASSESSED**

Respectfully submitted,  
Lt. Todd A. Baeten