

## **PUBLIC HEALTH & SAFETY COMMITTEE**

Date and Time: Monday, January 19, 2015, at 5:15 pm, (Council Chambers)

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

Others Present: Alfonso, Hardel, Kujawa, Rayala, Hebert, Nutting, Mielke, Groat, Goede, Dick Holster, Jon Radtke, Deb Ryan, Marie Schmidt, Mike Wadinski, Nicholas Thomas, John Hall, Jon Radtke, and media.

### **Minutes of previous meeting(s) (12/15/14)**

Motion by Kellbach, second by Neal to approve the minutes of the previous meeting (12/15/14). Motion carried 5-0.

### **Consider two requests 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. (Michael Wadinski and Nicholas Thomas)**

Michael Wadinski, 1229 S 6<sup>th</sup> Ave, addressed the committee stating he was a fulltime student and needed the license in order to work more hours; he currently works one day per week. The clerk noted he owed Municipal Court fines in the amount of \$1236. Wadinski indicated he would set up a payment plan, but needed the additional hours to do that. Wagner commented he has not incurred any new fines since 2008, which was good, but he felt they should get some follow up as to whether a payment plan is set up. Rasmussen indicated she would vote no because she did not feel he showed any mitigating circumstances that his financial hardship was any worse than anyone else's.

Motion by Gisselman, second by Neal to approve the waiver for Michael Wadinski. Motion carried 4-1.

Nicholas Thomas, 421 N 2<sup>nd</sup> Ave, addressed the committee stating he has been dealing with child support and rent and therefore has been unable to pay his fines. The clerk indicated the Municipal Court fines were \$1463.60 and Rasmussen noted they appeared to be fairly recent from 2014. Wagner questioned why he did not appear for court dates for these violations and Thomas indicated he forgot. Rasmussen stated there were eight different violations, potentially three or four separate court dates that were missed, so she would vote no because some of these could have been avoided if he had attended his hearings.

Motion by Gisselman, second by Neal to approve the waiver for Nicholas Thomas. Motion failed 2-3.

### **Discussion with owner of Mountain Lanes as to status of current business operations. (Connie Nowicki)**

Connie Nowicki, 1401 Elm St, stated she has been in business approximately 22 years and everything was great up until 2013 when she became very ill and was hospitalized three times, with the last time resulting in a coma for 12 days. She has been in physical rehab for a year and her employees tried to continue running the lanes for a period of time, however, she decided to close for most of the summer. She commented she has been considering closing summers for a few years because she loses money in the summer, but didn't want people to think she was closed permanently. She indicated her staff opened a couple times in the summer for some scheduled parties. She stated she re-opened in September for league bowling, John Muir phy ed program as well as Horace Mann, although it is not open as much as she would like. She is in the process of hiring and training new staff.

### **Discussion and approval of RFP for refuse and recycling.**

Rasmussen stated the Coordinating Committee directed the Public Health & Safety Committee to review the Request for Proposal the city would like to release for refuse and recycling services. She indicated they assembled a focus group to obtain public input, consisting of a senior citizen, a representative from a young family, Meleesa Johnson – Marathon County Solid Waste, and Landlord, Dick Holster. She stated Finance Director Maryanne Groat took their input and incorporated it into the RFP. She indicated Groat would give the same presentation to the committee that she gave the focus group.

Groat's presentation included pictures from a couple neighborhoods in the city showing how antiquated and insufficient our current recycling containers are. She stated the consideration is going to a fully automated or a fully carted system for refuse and recycling. Also moving to a single stream for recycling, which means anything that is recyclable can be thrown into the one bin. Other things that a fully carted system would provide to the community are improvement of aesthetics in the neighborhoods and animal protection from tearing into garbage.

Groat clarified the city can provide any level of service regardless of whether it is on the levy, so we can be fully automated and have it be on the levy or fully automated with a separate charge; the service could also remain the same, but be a separate charge. Rasmussen questioned how a separate charge would be invoiced and Groat responded it would be shown as a separate charge on the tax bill.

Groat referred to the samples of carts/sizes on display in the Council Chambers. Discussion took place regarding automated versus the current method of pickup; the size of the various carts; and the effect on recycling. Groat stated she could bring back all proposals to them for review or they could put together a small group to go through them and make some recommendations. Neal felt the responses should be vetted and summarized for the committee. Rasmussen indicated the focus group could do that and then bring it to a special PH&S meeting.

Motion by Neal, second by Gisselman to approve the RFP as presented subject to legal review. Motion carried 5-0.

**Consider various license applications.**

Rasmussen noted JK Gumbo of Wisconsin LLC applied for a Class B Beer & Liquor license and was recommended for approval by the Liquor License Review Subcommittee which reviewed the Plan of Operation.

Rasmussen indicated there was an application from John Hall, d/b/a 3<sup>rd</sup> Avenue Treasures for a Pawn Broker License, who was present to answer questions. She questioned how long the business has been in operation. Hall stated he opened a consignment shop in September but it wasn't making money because people don't want to consign items anymore. He indicated the customers were requesting cash or pawn loans, so he learned he needs the license. Rayala questioned if he had any employees and Hall responded that he no longer did and would be the only one working for the present time.

Motion by Neal, second by Kellbach to approve or deny license applications as recommended by staff. Motion carried 5-0.

**Discussion and possible action on creating Section 9.04.027, Quadricycles (prohibition of alcohol consumption on).**

Alfonso indicated she was asked to bring this to committee by Chief Hardel. She explained the state passed a law recently allowing alcohol consumption on quadricycles and excluded any pre-existing ordinances that prohibit it, so we would have to pass a new ordinance if we don't want them.

Neal indicated he did some research and has seen them in some other communities. They appear to be gaining popularity and have been made legal, but the state has given municipalities the power to accept or reject them. He was concerned about disallowing them just because we don't like them. Some complaints he found about them were that they were noisy and/or littering. He felt they should look into it further before taking action on this.

Chief Hardel commented it is illegal to operate a vehicle while you are drinking; it is illegal to drink in a vehicle as a passenger; it is illegal to walk around the downtown with open intoxicants, other than The 400 Block; and this will just bring more confusion. He did not believe a pedal-pub was safe to be on our city streets. Wagner agreed it would be confusing as to how to liquor license it, what the territory or mapping would be or how it could fit in with our current regulations. Chief Kujawa pointed out that they already deal with injuries of people that fall off of stationary bar stools and she could not imagine the injury rate for something that is moving with alcohol on board. She noted the head injuries could be deadly.

Neal felt they should be proactive and look at how we could possibly have them and where. Rasmussen stated we need some sort of policy so that the Clerk's Office can answer inquiries as event season approaches. Neal suggested researching the safety issues and what areas may or may not be safe to allow them. Alfonso suggested involving Bill Duncanson regarding use in the parks. She indicated she could look to see what other communities were doing with them. Consensus was to defer action to gather more information.

**Discussion and possible action on amending Section 1.01.025(c)(1)(B), Schedule of cash deposits.**

*Withdrawn.*

**Discussion and possible action on amending Section 16.04.039, Residential Rental Licensing regarding term of license.**

Alfonso explained because of the way we deferred implementing rental licensing this summer due to the lawsuit, we would like to change the license period to run from December 1<sup>st</sup> to November 30<sup>th</sup> rather than July to June, in order to allow applicants a full year.

Motion by Wagner, second by Kellbach to approve the amending to Section 16.04.039. Motion carried 5-0.

**Amend Section 6.48.010 Mowing required, to include public parkland**

Rasmussen stated at the budget sessions Council decided less moving in parks was something they wanted and it was determined there were environmental benefits as well. The ordinance needs to be amended in order for the Park Department to accomplish this and have longer grass in certain areas.

Motion by Kellbach, second by Gisselman to approve amending Section 6.48.010. Motion carried 5-0.

**Quarterly Property Maintenance Inspection Report**

Bill Hebert summarized the report noting in 2013 they had only one property inspector; in 2014 a second inspector was added and the assistance of CSO's. Officers communicated with residents the first few months and then began with immediate citations after July. 200 tickets were issued, but only 68 that were paid and 28 that were appealed. Staff has been instructed to follow up with a municipal ticket if they are not paid within the timeline or appealed. Discussion followed regarding property violations, education, discretion and tickets.

**Operations Report from Fire Department for December 2014**

Chief Kujawa presented the report and noted she learned the Wausau Fire Department actually has a 65.4% cardiac arrest save rate, as opposed to the 40% she previously reported.

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

Hardel presented the Tavern Report for December 8, 2014 through January 04, 2015: (*See attached.*)

**Communications**

Rayala commented on procedure change for Pet Fancier permits in regard to applying for the permit before the applicant obtains the additional pet(s)

**Adjournment**

Motion by Neal, second by Gisselman to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 7:37 pm.

Attachment

Wausau Police Department



James E. Tipple  
Mayor

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

**Date**            **01-04-15**  
**To**                **Chief Hardel**  
**From**            **Lt. Todd Baeten**  
**Subject**        **TAVERN REPORT    December 8, 2014 through January 04, 2015**

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

**Malarkey's**, 412 N. 3<sup>rd</sup> St.  
**Mountain Lanes**, 1401 Elm St.  
**North End Pub**, 1002 N. 3<sup>rd</sup> Ave.  
**Oz**, 320 Washington St.  
**Our Clubhouse**, 738 S. 3<sup>rd</sup> Ave.  
**Paradox**, 932 S. 3<sup>rd</sup> Ave.  
**Player's**, 4411 Stewart Ave.  
**Polack Inn**, 1206 N. 3<sup>rd</sup> Ave.  
**Roc's Place**, 810 S. 3<sup>rd</sup> Ave.  
**Showtime Gentlemen's Club**, 1709 Merrill 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 TO WHICH POLICE WERE DISPATCHED.**

**101 Pub**, 101 N. 3<sup>rd</sup> Ave, Event #140152235, 12-28-14 at 2:56am: Officer was dispatched for report of a stolen purse. The reporting party believed the purse had been left hanging underneath her coat on her chair. Officer was later contacted by the victim and told the purse had been located.

**Campus Pub**, 1110 W. Campus Dr., Case #14-11150, 12-28-14 at 12:06pm: Officer responded for a report of two \$20.00 bills that were suspected to be counterfeit. This was found to be the case, and the reporting party believed they had been passed sometime during the previous evening. No suspect information available.

**Cheers Bar**, 101 E. Thomas St., Event #140152491, 12-28-14 at 8:22pm: Officer responded along with paramedics from Wausau Fire Department for a report of a patron that had fallen and hit his head. He was reportedly bleeding from the nose and spitting blood. He was treated at the scene by paramedics.

**Cop Shoppe Pub**, 701 Washington St., Case 14-10993, 12-20-14 at 10:49pm: Officer investigation a suspicious activity complaint at Cop Shoppe Pub made contact with a male who had been seen trying to get access to a vehicle in the parking lot. The male stated the vehicle belonged to his friend and they had been locked out of it. The male then proved two aliases to the officer. The officer was familiar with both of the individuals' whose names the male had used. The male was placed under arrest for Obstructing. It was also learned that the male had a warrant for his arrest. He was then transported to corrections.

**Glass Hat Bar**, 1203 N. 3<sup>rd</sup> St., Event #140149758, 12-21-14 at 2:20am: Offices responded to Glass Hat for a report of 6 or 7 males fighting in the parking lot. Suspects had left the area in a vehicle prior to officer arrival.

**Glass Hat Bar**, 1203 N. 3<sup>rd</sup> St., Case #14-11087, 12-26-14 at 1:51am: Officer on patrol observed an individual outside the bar with an open bottle of beer. Citation for Liquor on the Street was issued. Officer made contact with the bartender who advised they did not have a bouncer working the door that evening, and the incident happened during a busy time of serving last drinks and cleaning up.

**Glass Hat Bar**, 1203 N. 3<sup>rd</sup> St., Event #150000093, 01-01-14 at 5:04am: Officer responded along with paramedics from Wausau Fire Department for a report of a highly intoxicated female that had fallen while exiting the bar. She struck her face on the concrete and lost a few teeth. She was transported to Aspirus Wausau Hospital.

**Intermission Bar**, 325 N. 4<sup>th</sup> St., Event #140150901, 12-24-14 at 12:50am: Officers were dispatched to Intermission for a report of a male that was not welcome there. The male had been advised multiple times to not return. He was told he would be arrested for Trespassing if he returned.

**Labor Temple**, 318 S. 3<sup>rd</sup> St., Case #15-0023, 01-01-15 at 2:58am; Officers were dispatched to Labor Temple for a report of a fight in the parking lot. Upon officer arrival a red van was observed leaving the area. Witnesses advised that one of the parties involved in the fight was in the van. A traffic stop was conducted and the male involved was contacted. He was found to have a warrant for his arrest. The male was taken into custody and transported to corrections. The other individual involved in the fight was still on scene at the bar. He did not want to pursue charges.

**Loppnow's Bar**, 1502 N. 3<sup>rd</sup> St., Event #140152234, 12-28-14 at 2:28am: Officer was advised by a bar patron that a male inside had fallen on the floor and was unconscious. The male was intoxicated and fell as he was walking. He was helped off the ground and the bartender said he usually is very intoxicated and she brings home. The bartender said she would bring him home.

The bartender was told someone would have to watch over him tonight due to his level of intoxication. The male refused a PBT and medical attention.

**Roc's Place**, 810 S. 3<sup>rd</sup> Ave., Event #150000051, 01-01-15 at 1:38am: Officer was dispatched to Roc's for a requested welfare check of an intoxicated female who had been told to leave the bar. She reportedly did not have a ride home. Officer assessed the welfare of the female and gave her a ride to her residence.

**Roc's Place**, 810 S. 3<sup>rd</sup> Ave., Event #150000102, 01-01-15 at 6:25am: Officers to Roc's Place for a report of a male that came into the bar covered in blood. The male stated he had been assaulted by another individual at a different location. The male denied medical attention and stated he did not want to pursue charges. He left the scene in a cab that was called for him.

**Showtime Gentlemen's Club**, 1709 Merrill Ave., 01-03-15 at 1:29am: Officers were requested to respond to Showtime by an employee who stated there were 10-15 males inside either under the influence of drugs or dealing drugs. No evidence of this was discovered.

**Tremor's Sports Bar**, 516 W. Thomas St., Event #150001164, 01-04-15 at 12:29am: Officers responded to Tremor's for a report of fight. A patron alleged the bartender choked him and kidnapped him. The initial information from the bartender was that the patron and his friends were making a mess in the bar and she was trying to get them to leave. She stated they called her a racist and a "bitch." She said she shoved the patron toward the door by pushing his chest. The patron denied injury, and the officer advised he would speak with the manager to try to obtain and video surveillance footage of the incident. Investigation continues.

#### **CONVENIENCE / GROCERY STORE INSPECTIONS (No violations unless noted)**

**Kwik Trip #601**, 3853 N 6th St  
**Kwik Trip #735**, 2203 N 6th St  
**Wausau BP**, 802 E Wausau Ave  
**Kwik Trip #728**, 200 E. Kent St.  
**Fast Break Mobil**, 320 W Thomas St  
**BMW Fuel Mart LLC**, 102 N 3rd Ave  
**Kwik Trip #322**, 1400 W Campus Drive  
**Pine Ridge Mobil**, 1205 Merrill Ave  
**Quality Foods**, 730 E Wausau Ave  
**Downtown Grocery**, 607 3rd St  
**R Store #6**, 103 N 6th St  
**R Store #8**, 1511 N 3rd St  
**R Store #5**, 2300 Grand Ave  
**Townline Market**, 916 Townline Rd  
**Kohlman's IGA**, 725 S 3rd Ave  
**Tobacco Outlet Plus #559**, 1041 S 3rd Ave  
**Crossroads County Market**, 220 S 18th Ave  
**R Store #7**, 2007 W Stewart Ave  
**Trigs Food and Drug**, 110 S 17th Ave

**Wagner Shell**, 4611 Stewart Ave  
**Walgreen's Store #07009**, 105 Central Bridge St  
**Citgo Quik Food Mart**, 1122 Merrill Ave  
**CVS Pharmacy**, 102 Central Bridge St  
**Pick N Save River Edge**, 205 Central Bridge St  
**R Store #31**, 207 Central Bridge St  
**R Store # 34**, 2601 N 20th Ave  
**The Store #62**, 308 Stewart Ave  
**Tobacco Outlet Plus #501**, 109 S 17th Ave  
**Walgreen's Store #13371**, 504 S 17th Ave

## **ALCOHOL BEVERAGE DEMERIT POINTS ASSESSED**

Respectfully submitted,  
Lt. Todd A. Baeten