

PUBLIC HEALTH & SAFETY COMMITTEE

Date and Time: Monday, April 20, 2015, at 5:15 pm, (Council Chambers)

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

Others Present: Alfonso, Hardel, Hebert, Kujawa, Rayala, Goede, Mielke, Deb Ryan, Shannon Thomas, Erin Sobjeck, Susan Haug

Minutes of previous meeting(s) (3/16/15)

Deb Ryan, 702 Elm St, addressed the committee stating that she objected to the minutes because she was not listed as being present at the meeting and comments she made on refuse and recycling were not reflected. Rayala explained there were many people present for that meeting so the audience members were not individually listed. She noted it was not a public hearing and therefore did not require including public comment; legally only motions and votes are required in minutes. Neal suggested correcting the minutes to show Deb Ryan as present and to listen to the recording and add any point she may have made. Rayala indicated the minutes would be brought back to the next meeting.

Consider various license applications.

Rasmussen indicated there was one Operator's License recommended for denial for Erin Sobjeck.

Erin Sobjeck, 725 ½ S 5th Ave, addressed the committee stating she has been working from 8AM – 11PM from 7 to 26 days in a row doing two to three jobs and would like time to be able to go back to school. If she bartended she would have more time to attend school during the day and still make money to pay her bills. She stated she has had an Ignition Interlock Device on her car since March 2013 and does not intend to ever make that mistake again.

Hardel explained the reason for the denial was two OWI convictions within the past five years; her first one was in September 2010 and the second in February 2013. He noted the first offense will fall off or outside of the five year parameter in September of this year. He questioned if she is allowed to drink where she currently bartends. Sobjeck responded that she chooses not to. Hardel indicated he would support whatever the committee decided to do since she was very close to having the first conviction drop off. Wagner questioned the time periods for licensing and renewal. Goede explained the current license would expire June 30, 2015 and she would renew for a two year period of July 1, 2015 – June 30, 2017. Wagner suggested the renewal be for only one year as a kind of probationary period and the following renewal could be for two years.

Motion by Wagner, second by Neal to approve the Operator's License for Erin Sobjeck for the year ending June 30, 2015 and renew as a One Year Restricted. Motion carried 4-1. (*Rasmussen was the dissenting vote.*)

Rasmussen requested they vote on the Temporary Class B Retailers (Picnic) license for Marathon County Historical Society separately from the other licenses as well because Gisselman intended to abstain.

Motion by Wagner, second by Kellbach to approve the picnic license for the Marathon County Historical Society. Motion carried 4-0-1, with one abstention. (*Gisselman abstained due to his association with the Historical Society.*)

Rayala indicated Shannon Thomas was present to answer any questions or concerns the committee may have regarding issues with The Event for Equality. Rasmussen questioned if Ms. Thomas had collaborated with the Police Department over the problems at last year's event. Thomas indicated that she did meet with the Police Department and will ensure the music and event is family-friendly. Hardel stated Cpt Barnes met with Ms. Thomas and all of the concerns from last year were addressed.

Motion by Neal, second by Kellbach to approve the rest of the licenses on the list. Motion carried 5-0.

Consider request of Wisconsin Woodchucks for Pre-Game Outdoor Bands for 2015 Season at Athletic Park.

Rasmussen explained the Woodchucks are requesting the same thing they had last year with pre-game bands.

Gisselman stated he did not receive any complaints or hear of any problems and did not oppose the request.

All the bands will perform on Saturdays from 5:00pm to 7:00pm at Athletic Park; the game's first pitch is 7:05 pm. They are also requesting an Opening Day performance on Friday May 29th starting at 5:00pm to 7:00pm.

Motion by Gisselman, second by Neal to approve Pre-Game Outdoor Bands for the Woodchucks for 2015. Motion carried 5-0.

Discussion and possible action on amending Section 8.08.120(c) Pet Fancier Permit

Alfonso explained a citizen contacted the city who would like to be able to foster dogs and cats for the animal shelter and other non-profit organizations under the Pet Fancier Permit. She explained the issue is that the dog and cat license requirement makes this difficult because people who are fostering pets don't have the animals long term and therefore don't want to license them. She stated that Human Officer Bishop indicated she had no objection to excluding people who are fostering animals from this requirement. She noted they would still have to prove evidence that the animals are vaccinated.

Motion by Kellbach, second by Neal to approve the amendment to Section 8.08.120(c). Motion carried 5-0.

Discussion and possible action on amending Section 8.08.170 Licenses.

Alfonso stated this relates to the previous amendment exempting dogs and cats from the license requirement under the license and pet fancier section of the code for foster care.

Motion by Wagner, second by Gisselman to approve the amendment to Section 8.08.170. Motion carried 5-0.

Discussion and possible action on amending Section 8.08.011(g) Definitions

Alfonso stated this relates to the previous amendments defining temporary foster care.

Motion by Neal, second by Wagner to approve the amendment to Section 8.08.011(g). Motion carried 5-0.

Property Maintenance and Inspection Report

Bill Hebert stated the first quarter they focused on implementing the residential rental licensing ordinance. He indicated they completed approximately 400 inspections through the time of this report. Most of the issues were typically carbon monoxide and smoke alarms, handrail, guardrail and occasional electrical or plumbing. He felt the landlords and the tenants, for the most part, have been very cooperative. He stated they were falling a little behind on the goal that was set for anticipated number of inspections, so they are considering working with Community Development to utilize some of their personnel to assist with some inspections. *(Report placed on file.)*

Operations Report from Fire Department for March 2015

Chief Kujawa stated they will be taking delivery of their new engine this evening. She noted firefighter/medic, Nick Gering, was given the Americanism Award through the VFW, which is awarded to individuals that show professionalism in their jobs, and outstanding performance.

Tavern Activities / Compliance Checks / Law Enforcement Activities

Har-del presented the Tavern Report for March 7, 2015 through April 9, 2015. *(See attached.)* Har-del noted Lt Michael Felder will be taking over the Tavern Activities Report for Lt. Todd Baeten. *(Report placed on file.)*

Ofc. Nick Stetzer, Wausau Police Department and Paula Schultz, facilitator for the Marathon County Restorative Justice Program, addressed the committee to explain the program. Stetzer stated it is designed to educate teen drivers, who are cited for violation of a red flashing light, running a stop sign/light, etc., by offering this program to as an alternative to just paying a fine. The program consists of an hour meeting with an officer and the facilitator, where they discuss the violation and what harm was caused by it or what potentially could have happened. They also discuss the interaction they had with law enforcement in an attempt to build a positive relationship with the person and the police. After the hour meeting they will have to complete specified hours of community service and an write an essay to the judge, facilitator and officer. He stated they ask that they write about their experience receiving the citation, dealing with the officer and what they learned from the program. Stetzer indicated there have been a lot of good comments from parents and teens. He noted they had 52 teens in the program so far with an 83% success rate. Rasmussen commented she was glad they took the initiative to test this as a pilot program and questioned if an ordinance change was necessary to keep it going.

Alfonso stated the Restorative Justice Program will need to be approved by Council like the Peer Court was, because the citation is dismissed if they successfully complete the program. The Council can decide if they want to stick it

to probationary drivers or give these young people a chance. She pointed out when operating under a probationary license, the first citation carries the appropriate points, but the second citation doubles them. Parents are typically in a panic because of the insurance and the kids are in a predicament because of doubling points. She indicated she was very much in favor of the program.

Motion by Neal, second by Kellbach to support and recommend continuance of the Restorative Justice Program to the Common Council. Motion carried 5-0.

Presentation by local volunteer group for Trap, Neuter, Return cat management and discussion of related plan and concept.

Amie Leanoff, Community Cat Action Team (CCAT), presented a proposal for the reduction of feral cat population in the Wausau Metro area. The presentation highlighted the vision statement, issue, proposed model, long-range plan, funding, target areas and requested cooperation from the city through some ordinance amendments. (*Proposal on file with Clerk's Office and online on Calendar in committee packet, audio also available upon request.*) Committee discussion followed.

Susan Haug, Ringle, author of the Bird City application for the City of Wausau, addressed the committee to point out the average feral cat kills 100 birds per year and 33 species have become extinct worldwide. She noted she loves cats and owns one herself. She commented she did not believe TNR was effective and that it would take 7-10 years to control the feral cat population. Leanoff responded the alternative the bird conservancy recommends is basically widespread mass trapping and eradication, which she felt was something that would be a very difficult sell for the community.

Rasmussen indicated this would be brought back to a future meeting for committee action.

Communications

None

Adjournment

Motion by Neal, second by Kellbach to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 6:15 p.m.

Attachment

Wausau Police Department



James E. Tipple
Mayor

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

Date **04-09-15**
To **Chief Hardel**
From **Lt. Mike Felder**
Subject TAVERN REPORT March 7, 2015 through April 9, 2015

ROUTINE TAVERN INSPECTIONS (No violations unless noted)

Malarkey's, 412 N. 3rd St.
North End Pub, 1002 N. 3rd Ave.
Oz, 320 Washington St.
Our Clubhouse, 738 S. 3rd Ave.
Player's, 4411 Stewart Ave.
Polack Inn, 1206 N. 3rd Ave.
Roc's Place, 810 S. 3rd 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.

- 03-11-15 Event #150028588 Report made that there was no licensed bartender on the premises. Officers responded and found that there was a licensed bartender on scene. Bar check completed at that time.

NOTABLE INCIDENTS THAT OCCURRED AT TAVERNS TO WHICH POLICE WERE DISPATCHED.

Cop Shoppe, 701 Washington St.

- 1) *Event #150029420, 03-13-15 at 8:03pm:* Officers were dispatched for a report of possible methamphetamine use in a car parked behind the bar. Officers made contact with two people in a car. K-9 alerted to the car and a search located small particles of marijuana in the vehicle. Owner attributed it to the previous owner. Not enough to arrest. Neither person had a valid driver's license, and waited for a licensed driver.

Glass Hat, 1203 N. 3rd Ave.

- 1) *Event #150032786, 03-21-15 at 10:48 PM:* Male came out of crowd in front of bar, stood in the middle of the road and "flipped off" passing Officer. Officer knew male and thought him to be on Probation. Male was located, had cleared Probation and was released.
- 2) *Case #15-2316, 03-21-15 at 2:26 AM:* Officer flagged down by BOUNCER, who advised of a fight having been stopped in the bar. The suspect was located by Officer and arrested for Probation hold and Disorderly Conduct. A 4th degree sexual assault was also reported and is currently being investigated. Bar employees are assisting as they can.

Intermission, 325 N 4th St.

- 1) *Case #15-1924, 03-09-15 at 11:51 PM:* Refused RP report of a woman at the bar with warrants. The woman was located and arrested on the warrants.
- 2) *Event #150030780, 03-17-15 at 1:43 AM:* Report that there was a male at the bar “trying to fight everyone.” A male was located outside the bar and was upset and emotional, but not causing any more problems. No one wished to pursue any charges, so the male was released to a responsible person.

Pollock Inn, 1206 N 3rd St.

- 1) *Event #150038011, 04-03-15 at 11:29 PM:* Officer called out with a heated argument in front of the tavern. Officer reported that there was no problem (parties separated).

VFW Burns Post #388, 388 River Dr.

- 1) *Case #15-1856, 03-07-15 at 10:23 PM:* Anonymous complaint that there were underage people being served in the tavern. It was discovered that there was a private party being held. K-9 sniff of vehicles in the parking lot alerted to one vehicle. A male was found passed out in the vehicle. Marijuana was located in the vehicle and also in possession of the male. Bar was checked and no underage persons located.
- 2) *Event #150028588, 03-11-15 at 9:10 PM:* Received a report that there was no licensed operator at the tavern. Officers responded and the complaint was unfounded. There was a licensed operator at the tavern.
- 3) *Event #150032221, 03-20-15 at 4:42 PM:* Tavern called requesting assistance in removing an employee they had just fired. She was “stubborn” but left at Officer’s direction.
- 4) *Event #150033873, 03-24-15 at 9:04 PM:* Report of a male in a vehicle in the parking lot of the tavern “messed up on pills.” Officers were unable to locate.
- 5) *Case #15-2537, 03-28-15 at 2:11 PM:* Report that male from #5 was going to be at the tavern, dropping off a family member that works there. The male reportedly had warrant for his arrest. The male was located at arrested prior to making it to the tavern.

Jim’s Corner Pub, 1244 S 9th Ave.

- 1) *Event #150035866, 03-29-15 at 4:48 PM:* A patron called to report that an ex-spouse had come to the tavern and taken her vehicle. Vehicle was registered in the “suspect’s” name, so complainant was advised that it was a civil matter.

Lumpy’s, 265 Chellis St.

- 1) *Event #150032305, 03-20-15 at 8:42 PM:* Anonymous report that a male was at the tavern drinking in violation of Probation rules. Officers responded but were unable to locate the male.

It’s Our Clubhouse and Yours, 738 S. 3rd Ave.

- 1) *Event #150028401, 03-11-15 at 4:47 PM:* OWNER CALLED, reporting a customer that broke items in the tavern. Owner just wanted patron talked to, no charges pressed, but was unable to identify the suspect at the time.
- 2) *Event #150028610, 03-11-15 at 11:11 PM:* OWNER CALLED, reporting an intoxicated out of control male outside the bar. When Officers arrived, OWNER reported that a male was confrontational with OWNER after he was asked to leave. The male had brought a liquor bottle into the tavern. He left prior to Officers arrival. However, once Officers were in the bar, odor of marijuana was detected. OWNER cooperated with clearing out the entire bar while K-9 went through. Container that had residual marijuana in it was located on the floor. OWNER allowed Officers to observe surveillance, which showed the patron drop the container on the floor while Officers were at the tavern. Male was confronted but not arrested as there was so little of the substance in the container.
- 3) *Event #150031194, 03-18-15 at 2:05 AM:* OWNER CALLED to report receiving threats from the boyfriend of a patron. Due to an uncooperative witness, account could not be substantiated.
- 4) *Case #15-2193, 03-18-15 at 4:13 AM:* Report of a hit and run that occurred in the parking lot. It was later determined that the suspect driver was a woman under 21 that had been in the tavern after hours. She denied having been drinking in the tavern after hours.
- 5) *Event #150040153, 04-09-15 at 3:38 PM:* OWNER CALLED to report a patron threatening to beat up the OWNER. A patron had been kicked out of the bar for urinating on the property on previous

occasions. A friend of the patron threatened owner. Both subjects were located and were warned not to return to the bar under threat of trespass.

Roc's Place, 810 S 3rd Ave.

- 1) *Event #150037220, 04-01-15 at 11:34 PM*: Anonymous report of 4-5 black males walking up and down the street, talking loudly and exchanging stuff with cars in the area. Officers located two black males that were in front of Roc's Place and admitted having been in the bar, but said nothing of the described activity was happening.
- 2) *Event #150037447, 04-02-15 at 3:27 PM*: A report was received that a male had been a patron at the bar the previous night and was selling marijuana, pills and methamphetamine. It was entered as an informational only. No follow-up completed.

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

- 1) *Event #150033150, 03-22-15 at 10:12 PM*: Male called to report that he had been kick out of the tavern and wanted to know why. Operator stated male was intoxicated and took back the last pitcher of beer the male had ordered and did not charge him. Male disagreed with the decision to stop serving him. Officer explained to male that the business has the right to do that under these circumstances.

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

- 1) *Event #150032669, 03-21-15 at 6:11 PM*: Medical Emergency called for a woman that had been drinking and fell while dancing on the bar.

101 Pub, 101 N 3rd Ave.

- 1) *Case #15-2495, 03-26-15 at 10:25 PM*: A male patron was cited after he was yelling profanities from the front of the bar at Officers conducting a traffic stop nearby.

Campus Pub, 1110 W Campus Dr.

- 1) *Event #15-1825, 03-07-15 at 2:23 AM*: BUSINESS CALLED in reference to a fight occurring in the tavern. Male suspect left the scene prior to arrival. He was eventually identified and arrested for Substantial Battery and other charges.
- 2) *Case #15-2748, 04-04-15, at 2:15 AM*: Patron called to initially complain that someone backed into his truck (hit and run) and also slashed one of his tires. No suspects were developed and the male was given a self-report form to complete.

Showtime Gentlemen's Club, 1709 Merrill Ave.

- 1) *Event #150035989, 03-29-15 at 11:28 PM*: MANAGER CALLED requesting that an employee be searched for drugs. Supervisor on duty attempted phone contact with manager; however no answer or call back contact made. Officer did not respond.
- 2) *Event #150038260, 04-04-15 at 3:27 PM*: Female called reporting that she suspected that she had been drugged while at the tavern the previous night. Officer advised to contact the Department after getting a blood test and finding something suspicious. No further comments entered.

RESTAURANT INSPECTIONS (No violations unless noted)

2510 Restaurant , 2510 Stewart Ave.	Not Checked
Allister Deacon's , 300 N. 3 rd St. Ste. #103	Checked
Angelo's Pizza/Tuesday's Bar , 1206 N. 6 th St.	Not Checked
Applebee's , 2221 Stewart Ave.	
License was in back room; Advised to place in public view (Amanda S. Clark)	
Back When Café , 606 N. 3 rd St.	Not Checked
BB Jack's , 900 Golf Club Rd	Checked
Buffalo Wild Wings Bar & Grill , 1819 Stewart Ave.	Checked
Bunkers Bar & Grill , 1001 Golf Club Rd.	
Advised to have licenses in public view and framed (Stephanie Smith)	
Chang Garden , 102 Jefferson St.	Checked

Courtyard by Marriot , 100 S. 22 nd Ave.	Not Checked
El Jalapeno Bar & Grill , 300 N. 3 rd St. Ste. #101	Checked
Great Dane Pub & Brewing , 2305 Sherman St.	Checked
Greenwood Hills , 2002 Poplar Ln.	Checked
King Buffet , 358 S. 18 th Ave.	Not Checked
Mandarin , 150 E. Stewart Ave.	Not Checked
Milwaukee Burger Company , 2200 Stewart Ave.	
No license on premises, and no operator's license on premises; Both confirmed valid through City Hall.	
Advised manager and GM of need to have both on the premises (Christian Alwin)	
Mint Café , 422 N. 3 rd St.	Not Checked
New City Grill , 203 Jefferson St.	
Operator's license not on property; Confirmed valid through City Hall. Advised to have license on premises(Christopher Dennison)	
Noodles & Company , 1800 Stewart Ave.	
Found to be open and operating under (valid) Class B license with no licensed operators on the premises (Christin Riemer and Bobby Smith); Manager arrived w/in 15 minutes (Elizabeth Umnus).	
Peking Chinese Restaurant , 221 Scott St.	Checked
Plaza Hotel & Suites , 201 N. 17 th Ave.	Not Checked
Polito's Pizza , 311 N. 3 rd St.	
Operator's license was not on property; Confirmed valid through City Hall; Advised to have on premises (Dan Sosnowski – GM)	
Red Apple Social Club , 707 S. 3 rd Ave.	Not Checked
Red Eye Brewing Company , 612 Washington St.	Not Checked
Sam's Pizza , 111 Elm St.	Not Checked
Sawadee Thai Restaurant , 1720 Merrill Ave #500	Not Checked
Taqueria Tres Hermanos , 525 Fulton St.	Not Checked
Vino Latte , 700 Grand Ave.	Checked
Wausau Mine Company , 3904 W. Stewart Ave.	Not Checked
Whiskey River Bar & Grill , 5512 Stewart Ave.	Not Checked

ALCOHOL BEVERAGE DEMERIT POINTS ASSESSED

- VFW, Great Dane and Downtown Grocery all assessed points after serving underage person during March Alcohol Compliance checks

Respectfully submitted,
Lt. Michael Felder