

PUBLIC HEALTH & SAFETY COMMITTEE

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

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

Others Present: Alfonso, Barnes, Duncanson, Kujawa, Rayala, Goede

Minutes of previous meeting(s) (5/18/15)

Withdrawn

Consider various license applications.

Rasmussen stated the Liquor License Review Subcommittee met just before this meeting and considered the license applications for a Class B Beer & Liquor license for Yer Yang for a premise located at 936 S 3rd Avenue, that she will be renovating into an upscale sports bar to be named Christine's; and a Class B Beer & Liquor license for U Paint & Party LLC, located at 2108 N 7th Street, which is a painting studio that is requesting the full license. She indicated the subcommittee recommended unanimous approval on Christine's and U Paint & Party was approved 4-2. She questioned if the committee wanted to act on those applications tonight with the rest of the licenses or wait until next month to ask questions. Motion by Neal to add these two applications to the list for consideration tonight, seconded by Kellbach.

Rasmussen stated there were three applicants for renewal of their Operator's licenses that were recommended for denial: Ashley Schmidt, Anthony Schneider, and Rebecca Weber. She noted that none of the individuals were present to address the committee. Goede stated there had not been enough time to notify Rebecca Weber of the denial recommendation for tonight's meeting and that her application has been pulled out of the group and will be brought back to the July meeting.

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

Discussion concerning possible modification to alcohol policy on the 400 Block

Rasmussen stated there have been some issues with alcohol consumption on the 400 Block and a number of 3rd Street business owners in the River District have brought the matter to the attention of the Police Department. A meeting was held with them to get some feedback as to what is happening.

Lt Barnes stated the Police Department's mission is to strive for excellence by partnering with the community to enhance the quality of life. He indicated he contacted the River District and they agreed to work with us to communicate to all the local downtown businesses and host a meeting to address this issue or any others. There was discussion regarding situations that have happened as a result of intoxicated individuals on The 400 Block, especially during the day. Customers were coming in complaining about it and it was having a negative impact on their business. Some of the solutions to the problem discussed were limiting alcohol to only during special events and secure tables in place so they cannot be moved together. He reiterated most, if not all, of the complaints regarding behaviors on the 400 Block were associated with the daytime consumption of alcohol. He noted there is work within the capital improvements budget to put some surveillance cameras there as requested by the River District. CSO's are also working in the area as well.

Rasmussen questioned if individuals causing problems could be banned from using the park in 30 day increments. We also have a public intoxication ordinance with which they can be cited. Barnes stated very few park bans have been handed out because many of the complaints don't meet the criteria for us to take action, which is also true for the public intoxication ordinance.

Rasmussen stated the committee has options, such as issue a policy change to confine open intoxicants on the block to organized events only. The challenge we face with that is to define what is an organized event and if it would be for a Class I and Class II event, but this would really limit what takes place on the block. Another option suggested was to allow open intoxicants on the block only after 4:00 PM. Neal stated this type of action would preclude people from enjoying picnic lunches and informal gatherings on the block with wine and/or beer, as his family has done and he would not want that. He did not believe all the behavior happening there was alcohol related, sometimes it is just bad behavior of a person or they may appear different due to disability or mental illness.

Elizabeth Field, River District Director, agreed with Neal and indicated she has noticed that since the media coverage of this issue the group has dispersed considerably. She has observed quiet groups enjoying the comradery on this space and felt this was what the park was meant for. She did not think the drinking hours or the policy was a problem, rather it was behavioral. She felt surveillance cameras in plain view and signs with a number to call for a CSO if someone felt it necessary would be effective.

Tyler Vogt, owner of Malarkey's, also agreed with Neal and Field and questioned how he could contact a CSO if there was a problem. Barnes indicated they should call the non-emergency phone number and a dispatcher can send one out. Vogt felt we already had rules for public intoxication and park bans and did not believe we needed any additional rules.

Bill Duncanson, Parks Director, explained park bans or technically "regulation of persons" in the park ordinances is a threshold that is less than disorderly conduct; it actually refers to individuals whose behavior diminishes the ability of others to enjoy themselves in the parks. He pointed out in downtown Wausau we have situation where we have halfway houses, homeless shelters, and facilities for residents with mental illness. He felt mental health was what was driving a number of these people. He stated he spoke with the Executive Director of the Northcentral Health Care Facility, who indicated he would like to make his staff available to see if there are ways they can talk to some of these people who spend time downtown.

Gisselman commented he would be against limiting the citizens of Wausau from enjoying the park to the fullest extent. Rasmussen suggested letting the CSO's handle situations this summer and consider installation of cameras, possibly through the CIP process.

Repeal of Ordinance of W.M.C. s. 9.04.100 referencing Obscene language

AND

Amend Section 1.01.025(c)(1)(B) Schedule of cash deposits

Alfonso explained 9.04.100 was an ordinance that she noticed in our code that she felt was unconstitutional and wanted to get it off the books and 1.01.025 is in reference to the fine that goes with it.

Motion by Neal, second by Kellbach to approve the repeal 9.04.100 and the amendment of 1.01.025. Motion carried 5-0.

Amend Section 9.04.010 State statutes adopted designating the titles of state statutory sections

Alfonso explained this is another housekeeping item; the Municipal Code adopts a number of State Statutes but have never included the titles. An officer suggested to her that it would be very helpful to the police department to show the names of the statutes.

Motion by Kellbach, second by Neal to amend Section 9.04.010 designating the titles. Motion carried 5-0.

Operations Report from Fire Department for May 2015

Kujawa noted the department provided mutual aid (MABAS) to Schofield for a building fire. She stated last week we hosted an accreditation class with an instructor from North Carolina who came and taught three of our people along with 15 from all areas of the country. She stated the Fire Department was teaming up with the American Red Cross this Saturday with Home Fire Preparedness Campaign, which consists of going into homes in the city and putting up smoke detectors and going through a home safety checklist.

Tavern Activities / Compliance Checks / Law Enforcement Activities

Barnes presented the Tavern Report for May 11, 2015 through June 3, 2015. (See attached)

Rasmussen commented there appeared to be an inordinately high number of failed compliance checks during the month of May. One other time this happened we sent out a letter to license holders reminding them of their obligation to check IDs. Barnes indicated 9 out of 10 failed and noted another compliance check was done just the other night and 6 out of 8 failed. He indicated a letter will be going out again reminding owners and their employees of their responsibilities.

Communications

None.

Adjournment

Motion by Neal, second by Gisselman to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 6:17 pm.

Attachment

Wausau Police Department



James E. Tipple
Mayor

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

Date 06-05-15
To Chief Hardel
From Lt. Mike Felder
Subject TAVERN REPORT May 11, 2015 through June 3, 2015

ROUTINE TAVERN INSPECTIONS (No violations unless noted)

Denmar Tavern, 601 W. Thomas St.
Domino Bar, 740 Washington St.
Eagle's Club, 1703 S. 3rd Ave.
Glass Hat, 1203 N. 3rd St.
Hiawatha Restaurant & Lounge, 713 Grant St.
Intermission, 325 N. 4th St.
Jim's Corner Pub, 1244 S. 9th Ave.
Cruisin, 1724 Merrill Ave.
Labor Temple, 701 Washington St.
Limerick's Public House, 121 Scott St.
Loppnow's Bar, 1502 N. 3rd St.
Lumpy's, 265 Chellis St.
Whiskey River Bar and Grill, 5512 Stewart Ave.

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

Domino Bar, 740 Washington St.

- 1) *Case #15-4135, 05-18-15 at 4:45 PM:* Officers responded to an anonymous report of drug dealing activity in the parking lot of the bar. One vehicle involved was a Pontiac. Officers responding observed a similar vehicle in the lot, and observed it leave. A traffic stop of the vehicle shortly thereafter led to a K-9 sniff and subsequent alert. A twenty-three year old male was arrested for Possession of Drug Paraphernalia and a Probation Violation. A twenty-four year old female was arrested for Possess Drug Paraphernalia.

2)

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

- 1) *Case #15-4322, 05-24-15 at 2:28 AM:* Victim called dispatch to report that during an argument with an ex-boyfriend in the parking lot of the bar, he pulled a handgun and threatened to shoot her with it. While taking the report, the victim mentioned that the same suspect had also pulled a gun on someone in the bar the previous weekend, that was not reported to Police. A bouncer (Dennis Pliske) and a bartender (Kasey Schill, who is also the suspect's girlfriend) also confirmed this past incident with the Officer. Mr. Morel claimed no knowledge of the previous incident, and was working with Officers to provide video footage of the more recent incident. The suspect was later arrested at a residence in Rothschild, with assistance from the Marathon County SWAT team.

CONVENIENCE/GROCERY STORE INSPECTIONS (No violations unless noted)

None

RESTAURANT INSPECTIONS (No violations unless noted)

None

ALCOHOL BEVERAGE DEMERIT POINTS ASSESSED

- **Kwik Trip #601** (6th St/Marquardt Rd), **Pine Ridge Mobil**, **Crossroads County Market**, **Tobacco Outlet Plus #501** (17th Ave), **Thrive Foodery**, **Cruisin**, **North End Pub** and **Jim's Corner Pub** all assessed points after serving underage person during May Alcohol Compliance checks (May, 20, 2015)

Respectfully submitted,
Lt. Michael Felder