

PUBLIC HEALTH & SAFETY COMMITTEE

Date and Time: Monday, September 21, 2015 at 5:15 pm, (Council Chambers)

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

Members Excused: Gisselman

Others Present: Alfonso, Hardel, Kujawa, Rayala, Groat, Ray Neupert

Minutes of previous meeting(s) (7/20/15 & 8/17/15)

Motion by Wagner, second by Kellbach to approve the minutes of previous meetings (7/10/15 & 8/17/15). Motion carried 4-0.

Consider various license applications.

Rayala noted the Change of Agent for Burns Post VFW, which is marked pending on the list, has been withdrawn by the applicant Sandra Mason because of a felony conviction on her record which she realized would result in a denial. The VFW was informed and they are submitting paperwork for another individual to appoint as agent.

Motion by Neal, second by Kellbach to approve or deny applications as recommended by staff and remove the Change of Agent (Sandra Mason) for VFW from the list. Motion carried 4-0.

Discussion and possible action regarding termination or non-renewal of PetData contract and adoption of in-house program. (Groat)

Maryanne Groat stated PetData sends out the renewal notices at the beginning of each licensing season to those that have current licenses. They work with the veterinarians who provide their database of individuals who bring in pets for vaccinations and they also provide online licensing as well as by phone and through the mail. She indicated we are spending approximately \$24,000 per year for those services. Groat stated the city recently purchased new permitting and licensing software for the Inspections Department and it has a module for clerk's type of licensing. This software will be used for our licensing and it has a pretty significant online component to it. She noted the city is still licensing about 45% of the pets at the counter at City Hall or via mail to us, and we pay \$3.90 per license whether it is done here or online. She suggested terminating the relationship with PetData and do it ourselves in-house. Alfonso noted the contract with PetData expires on its own on November 4, 2015, but suggested sending a courtesy letter informing them we were not going to exercise one of our two one-year options to renew.

Groat indicated she has a meeting with IT tomorrow at which time some testing could be done to make sure we all think it works well. Wagner suggested giving Weston a rebate on the \$3.90 per license charge to encourage them to go along with us. Rasmussen noted Weston has gone 100% PetData and doesn't sell licenses across the counter at all anymore. Wagner questioned if we would offer Weston residents the ability to either call us or go online for their pet licenses. Rasmussen suggested placing a link for Weston residents to access our system.

Groat stated if there was some uncertainty they could also decide to stay with PetData one more year to give time get the licensing program implemented and further along and contemplate it again next year.

Motion by Wagner, second by Neal to direct staff to continue to pursue an in-house pet licensing process and pending a positive outcome of research and interaction with Weston, forward it to Finance Committee at the proper time to make the change. Motion carried 4-0.

Discussion and possible action on accreditation process to be undertaken by the Wausau Fire Department (Kujawa)

Chief Kujawa stated she was bringing this resolution forward to the committee to take action on as directed following discussion last month. Neal asked for clarification on the fiscal impact number. Kujawa explained the dollar figures indicated are simply to pay CFAI to come in and do the accreditation process. Neal questioned if there was some tangible benefit or impact to the city in terms of our insurance or operations. Kujawa explained accreditation will require us to do a self-assessment; a community risk assessment; a standard of cover, looking very closely at our deployment strategies; and a strategic plan. All of this outcome based data results in benefits to the city insurance rating through CVMIC.

Motion by Neal, second by Kellbach to approve the resolution on accreditation process for the Wausau Fire Department. Motion carried 4-0.

Operations Report from Fire Department for August 2015

Kujawa commented on the Ponderosa Fire and the department working with other entities to find housing for the 26 displaced people very quickly. She noted new training on fire tactics helped save most of this structure.

Kujawa indicated they were looking for a new EMS Division Chief for hire in November as well as a Deputy Chief with a January 1st start date. She expressed appreciation of the new breathing apparatus and radios.

Tavern Activities / Compliance Checks / Law Enforcement Activities

Chief Hardel presented the Tavern Report for August 4, 2015 through September 4, 2015. (*See attached.*)

Hardel commented they were contacted by the Department of Criminal Investigations (DCI) regarding handling the officer involved shooting a few weeks ago. He indicated DCI has completely taken it over and we do not have any reports and are not briefed on anything that they know. They anticipated sending us the final reports at the end of the week for review along with the District Attorney's Office.

Neal questioned if there was a way of getting briefings/reports from the police that is less service call related and is more officer observation related. Rasmussen felt the demerit point system helps to identify issues with the establishments. Discussion followed on dealing with bars with problem clientele, proper management, and better follow up. Hardel indicated he could provide more information on tavern activities.

Wagner questioned the application for a Class A license by C & B Super Market, LLC, listing 640 S 3rd Avenue as the premise address, which is the former Pope's Hobbyland. It was his understanding this location was to be a laser tag business, which was recently approved by Plan Commission. Rayala indicated she would look into it.

Communications

None

Adjournment

Motion by Neal, second by Kellbach to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 6:08 pm.

Attachment

Wausau Police Department



James E. Tipple
Mayor

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

Date 09-07-15
To Chief Hardel
From Lt. Mike Felder

Subject TAVERN REPORT August 4, 2015 through September 4, 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.

Licenses were not posted; Verified online as current. Advised to properly post.

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.

Cop Shoppe Pub, 701 Washington St.

- (1) *Event #150094575, 08-12-15 at 9:07 PM:* Received anonymous information that there was a vehicle in the tavern parking lot waiting for drugs. Officers responded within ten minutes and did not find a vehicle matching the description provided for the caller.
- (2) *Case #15-7644, 09-01-15 at 9:44 PM:* Officer was requested to respond to the tavern parking lot, where an already intoxicated male had parked his van and gone into the tavern. The caller was concerned that the male would come back out and drive. Officers made contact with the male in the tavern and through investigation determined that he had driven to the location while impaired. He was arrested for OWI.

Jalapeno's Restaurant and Bar, 300 Washington St. #100

- (1) *Case # 15-6842, 08-08-15 at 2:02 AM:* Officer, while on patrol, drove up to the intersection of N. 3rd St. and Washington St., to find several people in the road arguing and pushing each other. Investigation of the disturbance found that the crowd had been in the bar and moved outside after closing time. A fight ensued between two women. One of the women was arrested for Disorderly Conduct and Battery.

- (2) *Case # 15-7759, 09-05-15 at 2:14 AM:* Lieutenant, while patrolling the downtown area, was flagged down by patrons that had been involved in a fight in the bar. The victim reported having been punched several times inside the bar on the dance floor after bumping into someone. Suspect was not identified or located. One bouncer and two bartenders were on duty. Bouncer did not see the fight, and it was over and out of the bar before one of the bartenders could move through the crowd to notify the bouncer. Bouncer said he was busy trying to stop a male from leaving the bar with an open intoxicant.

Hiawatha Restaurant and Lounge, 713 Grant St.

- (1) *Event # 150096778, 08-17-15 at 7:03 PM:* Officers were dispatched to the parking lot of the bar for a report of a male standing in between cars in the parking lot masturbating. Officers were not able to effectively respond for approximately two hours, after which time they were not able to locate anyone. It is unknown if the suspect had been a bar patron, or just walking through the lot. There was no indication that the Officers made contact at the bar or asked the bar about the incident.

Intermission Bar, 325 N 4th St.

- (1) *Event # 150104679, 09-04-15 at 12:47 AM:* An unknown caller reported a fight at the tavern. Officers arrived and learned that the disturbance was between a patron and a bouncer. The patron had attempted to leave the bar with a beer, and was stopped by the bouncer, who told him to go inside or dump the beer out. The patron became confrontational and a “pushing match” ensued. Bar indicated that they wished the patron to be removed and banned. The patron understood and was released with his “coherent” friends.

Loppnow’s Bar, 1502 N 3rd St.

- (1) *Case # 15-6782, 08-05-15 at 9:19 AM:* Bartender served underage volunteer during Alcohol Compliance Operation. Bartender cited. Demerit Points assessed.

Malarky’s, 412 N 3rd St.

- (1) *Case #15- 6779, 08-05-15 at 8:54 PM:* Bartender served underage volunteer during Alcohol Compliance Operation. Bartender cited. Demerit Points assessed.

VFW Burns Post #388, 388 River Dr.

- (1) *Event # 150096560, 08-17-15 at 8:56 AM:* **Owner’s request** a K-9 sniff of property after suspecting a former employee of using or selling drugs in the business. K-9 alerted to the storage room, but no contraband was located. Officer noted that manager mentioned finding employees in there often for no reason.

Denmar Tavern, 601 W Thomas St.

- (1) *Event # 150099901, 08-24-15 at 5:54 PM:* A patron called the Police to complain that the bartender was not paying him after winning at bar dice. He was advised by Officers that it was not a criminal matter, and that he would have to pursue the matter through civil court. The male said he would hire an attorney and we would be hearing from him.
- (2) *Event # 150104687, 09-04-15 at 1:28 AM:* Officer driving past the tavern observed patrons exiting the tavern with bottles of beer. The patrons turned right around on seeing the squad car drive by. Officer made contact at the tavern, but was not able to determine who it had been that stepped outside. The bartender said he had yelled at them for taking the beer outside when they had come back in. No enforcement action taken.

Eagle’s Club, 1703 S 3rd Ave.

- (1) *Event # 15-6778, 08-05-15 at 8:31 PM:* Bartender served underage volunteer during Alcohol Compliance Operation. Bartender cited. Demerit Points assessed.

Roc’s Place, 810 S 3rd Ave.

- (1) *Event # 150092927, 08-09-15 at 12:50 AM:* Dispatch received a 9-1-1 call describing a fight that allegedly involved ten people, but no weapons. Contact was eventually made with one woman who admitted that another female had been trying to start a fight with her. She didn’t want to pursue any charges or anything done about the incident. Attempts to contact the other woman were unsuccessful. No enforcement action taken.

M & R Station, 818 S 3rd Ave.

- (1) *Case #15-6785, 08-05-15 at 9:50 PM:* Bartender from Roc’s Place called to report seeing a male that had been wanted (Officers had previously gone to taverns in the area to distribute pictures of the wanted male) at M & R Station. The wanted male was located at M & R Station and taken into custody on (felony and misdemeanor) warrants. After arrest, he was found to be in possession of suspected cocaine.
- (2) *Event # 150092942, 08-09-15 at 1:56 AM:* **Owner called** to report being threatened by a patron after the owner tried to tell the patron that he could not drink outside the boundaries of the beer garden.

Owner did not wish to see an Officer at the time, so no Officers responded.

101 Pub, 101 N 3rd Ave.

- (1) *Case # 15-7231, 08-20-15 at 1:39 AM:* **Bartender called** to report a fight instigated by one male. The male had left prior to Officer arrival, but investigation led to a referral of a charge of Domestic Disorderly Conduct. The male came to the bar with a new girlfriend, and encountered his old girlfriend (and mother of his child). He proceeded to get into an argument, yelling and cussing at her, over visitation for the child.
- (2) *Event # 15-7373, 08-25-15 at 11:02 AM:* Anonymous caller contacted Dispatch to report a male at the bar that wasn't supposed to be there and he was drunk. The caller later added that the male was also suicidal. Officers arrived and took the male into custody for a Probation Hold.

Campus Pub, 1110 Campus Dr.

- (1) *Case #15-6784, 08-05-15 at 9:43 PM:* Bartender served underage volunteer during Alcohol Compliance Operation. Bartender cited. Demerit Points assessed.

Labor Temple, 318 S 3rd Ave.

- (1) *Case #15-6270, 08-08-15 at 9:21 PM:* Anonymous caller reported that a nineteen year old male that was wanted for Retail Theft was in the bar. Officers arrived approximately fifteen minutes later and were told that the male they were looking for was now in a van near Kentucky Fried Chicken. The male was located and arrested for the Retail Theft charge. Officers made no notation that the male had been drinking or had been in the bar.
- (2) *Event #150101377, 08-27-15 at 9:45 PM:* Anonymous caller reported that there was an underage woman in the bar. The caller provided a name of the woman. Officers responded and did not locate anyone in the tavern that was underage.
- (3) *Event # 150101384, 08-27-15 at 10:01 PM:* Officer observed a patron exit the tavern yelling and cursing. The male got into a vehicle, but did nothing to put it in motion. The male submitted to a PBT, which registered .147% BrAC. The male assured the Officer that he would not drive. A cab was called for the male, and he returned to the tavern to await its arrival.

Showtime Gentlemen's Club, 1709 Merrill Ave.

- (1) *Event # 150090971, 08-04-15 at 5:02 PM:* **Employee called** to report a male that was refusing to leave the tavern. The male left the inside of the tavern prior to Officer's arrival. The male was located loitering outside the tavern, and Officers were called again. The male was sitting on the sidewalk, and wouldn't respond to the employee's requests to leave the property. The male eventually lay down on the sidewalk. Officers located the male and transported him to his residence.

CONVENIENCE/GROCERY STORE INSPECTIONS (No violations unless noted)

None.

RESTAURANT INSPECTIONS (No violations unless noted)

None.

ALCOHOL BEVERAGE DEMERIT POINTS ASSESSED

- **Loppnow's, Malarky's, Campus Pub, VFW Beer Tent and Eagle's Club** all sold to underage volunteers during August Alcohol Compliance checks (August 5, 2015). 25 Demerit Points each. **Quality Foods IGA (E. Wausau Ave.), CVS Pharmacy, Walgreen's (S. 17th Ave.), Roc's Place, Wausau Noon Optimists Beer Tent and Lion's Club Beer Tent** all successfully denied sales to the underage volunteers.
- **It's Our Clubhouse and Yours** was assessed 100 points for Failure to Maintain an Orderly Premises (50) with the enhancer that it was a severe offense (50, substantial risk of death or bodily harm and involved the use of a firearm). They currently have 175 Demerit Points.
- **Applebee's** failed to have their license posted for the second time checked. Citation to be issued to manager. 25 Demerit points assessed.
- **Loppnow's** assessed points for allowing open alcohol container to leave the premises. 25 Demerit Points, for a current total of 50.
- **Milwaukee Burger Company** had an employee/manager admit he had been drinking with another manager after closing time. He was found in the parking lot sleeping in a running vehicle, and arrested for suspicion of OWI. 25 Demerit Points assessed for Sell Intoxicating Liquor After Hours.

- **It's Our Clubhouse and Yours** had 50 Demerit Points fall off due to time, to go back to a total of 125 Demerit Points.
- **Oz** had 25 Demerit Points fall off due to time, to go to a total of 0 (zero) Demerit Points.
- **Pollock Inn** had 25 Demerit Point fall off due to time, to go to a total of 25 Demerit Points.
- (See attached report)

Respectfully submitted,
Lt. Michael Felder