

PUBLIC HEALTH & SAFETY COMMITTEE

Date and Time: Tuesday, November 17, 2015 at 5:15 pm, (Board Room)

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

Members Excused: Gisselman

Others Present: Alfonso, Hagenbucher, Kujawa, Rayala, Goede, Lindsey Lewitzke, Jamie Hoover, media

Minutes of previous meeting(s) (10/19/15)

Motion by Neal, second by Wagner to approve the minutes of the previous meeting (10/19/15). Motion carried 4-0.

Consider various license applications.

Rasmussen stated there were two license applications recommended for denial: Russell Rachu for an Operator's License and Melany DeHaven for a Public Transport Driver License. It was noted that neither applicant was present.

Motion by Kellbach, second by Wagner to approve or deny the licenses on the list as recommended by staff.

Motion carried 4-0.

Discussion and possible action regarding the recommendation of the Liquor License Review Subcommittee for the available Class B Beer & Liquor License.

Rasmussen stated the subcommittee reviewed two applications for the one available Regular Class B Beer & Liquor License: Downtown Grocery.Com, LLC and Navieve Fromagerie, LLC. She indicated the recommendation of the subcommittee was to award the license to Navieve Fromagerie, a cheese shop, because they are currently open and ready to use the license, whereas Downtown Grocery still has a period of restoration to endure. It was noted that if another regular license becomes available they can reapply.

Motion by Wagner, second by Neal to approve the application of Navieve Fromagerie, LLC, for a Class B Beer & Liquor License. Motion carried 4-0.

Discussion and possible action regarding pet license fees to provide for an exception to the higher license fee for an unaltered pet if a veterinarian certifies that it is ailing or too old for the procedure.

Jamie Hoover, 1024 Henrietta St, addressed the committee stating she got a puppy this spring and also has an older dog. She had the puppy fixed and intended to get both done at the same time, however, the veterinarian told her if she wanted to fix the older dog there would be additional fees for blood work to see if the animal was capable because the dog is six years old. She indicated it was an additional approximately \$200 for blood work or she would have to sign a waiver stating if her dog died on the table the vet would not be liable. She explained because of the age of the animal it is higher risk going under anesthesia. She felt there should be an exception to the higher license fee for a unaltered pet in these circumstances.

Wagner felt this was a good reason for allowing the lower fee and it was the compassionate thing to do. Rasmussen felt the committee should make a recommendation to Finance Committee to establish a medical exemption, for altering a pet and set a separate fee. Rayala stated the veterinarian can provide a letter of proof for the medical exemption.

Motion by Wagner, second by Neal to recommend to Finance Committee that a license fee tier be established between \$60 and \$10 for medical exempted animals. Motion carried 4-0.

Discussion and possible action regarding an ordinance amending Section 9.04.034(b) Penalties for misuse of E9-1-1, Regulated Use.

Alfonso explained a police officer had called and said an individual was hitting their life alert numerous times over a weekend, which summons police. Currently the ordinance regarding misuse of 9-1-1 states "no person shall dial." This amendment will include "causing someone else" to dial, such as pressing a life alert. The amendment would also include holding parents, guardians or other adults responsible for when children are playing with phones and calling 9-1-1, and giving officers the discretion to site them if it is too many times.

Motion by Neal, second by Kellbach to approve the amendment. Motion carried 4-0.

Operations Report from Fire Department for October 2015

Chief Kujawa noted on October 8th there were three different building fires within 24 hours, which we were mitigated very quickly because of a quick response. She also reported on EMS Paramedic calls and responses during that time frame as well. She stated activity level was very, very high and had there been a fire during that time we would have had no one to respond. She commented sometimes we just don't see the magnitude of the services that we have and what the people of the Fire Department do and how they do it.

Kujawa stated the Explorer Post for high school students is up and running. She announced after a nationwide search they hired an EMS Division Chief, Scott Habeck, starting January 4, 2016. She presented a video tribute to veterans, created by Bob Rhode, of the Fire Department, which can be viewed on their Facebook page.

Tavern Activities / Compliance Checks / Law Enforcement Activities

Captain Hagenbucher presented the Tavern Report October 5, 2015 through November 5, 2015. (*See attached.*)

Discussion took place regarding incidents at Christine's and at Roc's Place, both establishments on 3rd Avenue. Neal questioned if there was anything the Police Department, in their experience and interaction with establishments, could provide to the committee regarding how a particular bar can be characterized. He felt we should encourage calls from the businesses to police for help and keep them separate from calls regarding the behavior of the bar.

Discussion and possible action regarding request for waiver under W.M.C. s. 10.32.020, Restrictions on permit, to permit Christmas parade to begin at 6:30 p.m. on Friday, December 4, 2015. (Wausau Events)

Rasmussen stated our current ordinance prohibits parades between the hours of 6:00 p.m. and 9:00 p.m. on Mondays and Fridays only.

Motion by Kellbach, second by Neal to approve the waiver of Section 10.32.020 restricting the time for the 2015 Holiday Parade. Motion carried 4-0.

Discussion and possible action regarding amendments to, or repeal of, time and day restrictions for parade permits under W.M.C. s. 10.32.020, Restrictions on permit.

Alfonso stated no one seemed to know the reason for this rule prohibiting parades between the hours of 6:00 p.m. and 9:00 p.m. on Mondays and Fridays. We have to give a waiver of it for the Holiday Parade every year, so it would be best to just eliminate it from the code.

Motion by Wagner, second by Neal to repeal the time/day restriction for parade permits. Motion carried 4-0.

Communications

None

Adjournment

Motion by Neal, second by Kellbach 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 11-09-15
To Chief Hardel
From Lt. Mike Felder

Subject TAVERN REPORT October 5, 2015 through November 5, 2015

ROUTINE TAVERN INSPECTIONS (No violations unless noted)

101 Pub, 101 N. 3rd Ave.
6th Street Pub, 2002 N. 6th St.
Baker's Retreat, 1418 Lenard St.
The Bar, 1025 S. 3rd Ave.
Bob & Randy's Bar, 1515 N. 6th St.
Cabaret, 204 E. Rib Mountain Dr.
Callon Street Pub, 209 Callon St.
Campus Pub, 1110 W. Campus Drive
The Chatterbox Bar, 102 S. 2nd Ave.
Cheers Bar, 101 E. Thomas St.
Cop Shoppe Pub, 701 Washington St.
Day's Bowl-A-Dome, 1715 Stewart Ave

CONVENIENCE/GROCERY STORE INSPECTIONS (No violations unless noted)

None.

RESTAURANT INSPECTIONS (No violations unless noted)

None.

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

6th Street Pub, 2002 N. 6th Street

- (1) *Event #150121199, 10-11-15 at 11:26 PM:* Anonymous caller complained about the noise from people talking inside the bar since the door was open. Officer arrived and noted that although it was not overly loud, he could hear people talking. Officer spoke with the bartender, who agreed to close the bar door. Warning only.

Cop Shoppe Pub, 701 Washington Street

- (1) *Case #15-9632, 11-03-15 at 10:15 PM:* Anonymous caller reported a male and female "fighting" behind the tavern. Officers responded and located a male and female matching the description. They

denied fighting, and the female claimed the male was hard of hearing, so she was talking loudly. The male was arrested for violating his bond conditions that prohibited being at a tavern or drinking. There were no charges related to the initial complaint.

Domino Bar, 740 Washington Street

- (1) *Event #150120803, 10-10-15 at 10:15 PM:* A patron of the bar called the Police to report another patron threatening him. Officers responded and spoke to the reporting person and the male that was allegedly threatening him. The suspect said the reporting person was upset because he told him no to sit next to him at the bar. The bartender said there was a verbal argument, and that nothing physical had happened. The reporting person was asked and he agreed to leave the tavern for the night.
- (2) *Event #150124281, 10-18-15 at 10:22 PM:* The same patron from the previous call (10-10-15) called again to report that a different patron had threatened to beat him up. Both the reporting person and the suspect stated there was a verbal argument only. The bartender confirmed that it was a verbal argument. Both individuals were asked to leave the bar and did so.

El Jalapeno's, 300 N 3rd Street

- (1) *Case #15-9293, 10-24-15 at 12:50 AM:* **Bouncer** called the Police after a pushing match between two female patrons had occurred and one of the two would not leave. She had to be physically escorted from the bar. She was later issued a citation for Disorderly Conduct.
- (2) *Case #15-9559, 11-01-15 at 1:51 AM:* **Bar employee** called Police after seeing a woman walking on the sidewalk outside of the bar upset and bloody. The call was made for the woman to receive medical or law enforcement assistance. Officer investigation determined that the bar had no other involvement other than calling on behalf of the woman that may have been in distress.

Glass Hat Bar, 1203 N. 3rd Street

- (1) *Case #15-8883, 10-10-15 at 1:48 AM:* **Bouncer** called to report that a disruptive male had tried to punch him. The suspect had left in a vehicle described by the bouncer to the Officers. The vehicle was located and stopped (after a period of failing to yield). The driver was arrested for OWI and drug related charges. Two passengers (one of which had been the suspect causing problems at the bar) were arrested. One passenger was arrested for drug possession, and they were both taken into custody for Probation violation. No charges were filed from the activity the suspects engaged in at the tavern.
- (2) *Case #15-9023, 10-14-15 at 11:09 PM:* **Bar staff** called for assistance with a male that had attempted to give his ID card to his underage friend on a previous occasion. The male was now at the tavern, requesting to have his ID returned because the tavern had confiscated it at the time. Officers made contact with the male and counselled him regarding the false use of the identification card. In running the male's information, he was found to have a warrant and was arrested.
- (3) *Event #150129764, 11-01-15 at 1:46 AM:* Unnamed caller complained of noise from the bar. Officers responded and noticed a large gathering of people outside the bar and around a food cart that was set up there, but there were no disturbances or fights. No action taken.
- (4) *Case #15-9668, 11-05-15 at 2:34 AM:* Officers observed a vehicle parked and occupied in the parking lot behind the bar. **The bar had been closed since approximately 12:00 AM.** Contact with the two women led to the discovery that they were on Probation, and both had admitted to having been in the bar. They were both arrested for Probation Violations, and suspected methamphetamine was located in one of the women's pockets. There was no contact made by Officers inside the bar or with any employee and no enforcement action against the tavern was taken.

Loppnow's Bar, 1502 N. 3rd Street

- (1) *Case #15-9095, 10-17-15 at 12:55 AM:* Officers were in the area on an unrelated call when they heard loud arguing coming from somewhere near the tavern. Officers approached and observed three people in the middle of DeKalb Street, arguing. One was upset and advancing aggressively towards one of the other people there. Officers intervened to prevent what seemed to be a fight about to occur. The aggressive male was later issued a citation for Disorderly Conduct. No one was contacted in the tavern and no enforcement action was taken against the tavern.

Oz, 320 Washington Street

- (1) *Case #15-9025, 10-15-15 at 12:40 AM:* Officers and medical personnel responded to the tavern due to a report of a male that was passed out. The male eventually woke up and moved outside the bar, where emergency personnel made contact with him. It was reported that he had been in the bar with his girlfriend, who had left without him. He had been passed out inside the bar, and had fallen off his barstool. The male eventually became disruptive outside, refused medical treatment and was found to be out on bond from a previous arrest. He had bond conditions that prohibited him from going to bars, and required absolute sobriety. He was eventually arrested for the bond violations, Resisting Officers

and Disorderly Conduct.

VFW Burns Post #388, 388 River Drive

- (1) *Event #150129291, 10-31-15 at 12:21 AM:* **Bar employee** called because a male in the tavern was continuously vomiting. Officers and medical personnel checked the male and found him not to be incapacitated. He was sent home in a cab.

Christine's Bar, 936 S. 3rd Avenue

- (1) *Case #15-9288, 10-23-15 at 10:10 PM:* Officers were dispatched to the bar for a report of a fight (called named "Tara"). The fight involved several males and included the use of beer bottles and pool sticks, involving approximately four patrons. Security attempted to break up the fight, and was injured as well. Bar cooperated with providing video footage promptly. Suspects are still outstanding. The victims were not completely cooperative in identifying the suspects, as it appears on the surveillance video that they knew each other.

Lumpy's, 265 Chellis Street

- (1) *Case #15-8980, 10-13-15 at 7:09 PM:* Officer received anonymous information that a male with a warrant was located inside the tavern. The male was found in the tavern and arrested on the warrant.

Roc's Place, 810 S. 3rd Avenue

- (1) *Case #15-8842, 10-09-15 at 1:59 AM:* Patron called to report a theft of wallet. She named a suspect, but the suspect could not be verified as having been involved. The tavern does not have internal video. Further follow up failed to develop a suspect, so the case was marked as inactive.
- (2) *Event #150120861, 10-11-15 at 12:58 AM:* Officer was parked near the tavern when he observed a large crowd outside the tavern in the parking lot. He observed two male "square off" but did not engage in a physical altercation. He also observed a female walking around the lot, yelling, in an apparent attempt to provoke a disturbance. Officers intervened to stop her disruptive behavior and she eventually left the property. Officer noted that the bouncer had been outside smoking a cigarette and doing nothing while this activity was taking place. When questioned, they said the female had been asked to leave the property but simply went outside and wouldn't leave the property.
- (3) *Event #150121239, 10-12-15 at 12:43 AM:* Officer responded to a 9-1-1 hang up. Dispatch had called the number back and spoke with a male, who apologized for the mistake and said there were no problems. Officer walked through the bar and observed no problems.
- (4) *Event #150128827, 10-30-15 at 2:02 AM:* 9-1-1 open line call was received from a woman's phone. By the time contact was made with her, she had left the tavern for home, although admitted having been at the tavern. Officers commented on hearing yelling and screaming from the parking lot of the tavern, and seeing a large group of people in the lot behind the tavern. They dispersed at Officers' arrival, but had been congregating in the lot while cars with their doors open played loud music that they were dancing to. Once Officers were present, people continued to leave, making the problem moot. No enforcement action taken.
- (5) *Case #15-9633, 11-04-15 at 12:43 AM:* **Bartender** called to report a fight between a male and a female. On Officer's arrival, the male involved had left the tavern. It was later determined that a verbal argument had taken place between the bartender and the male over the bartender having asked the male to leave the tavern. No charges were filed as a result of that argument. The male that had left was arrested for bail jumping because he was on bond that required absolute sobriety, but he had been drinking.

Tremor's Sports Bar, 516 W. Thomas Street

- (1) *Case #15-9479, 10-29-15 10:24 PM:* Bar manager called to report a theft of cash from the tavern. A name of interest was developed and case is ongoing.

M & R Station, 818 S. 3rd Avenue

- (1) *Case #15-8911, 10-11-15 at 12:32 AM:* Officers responded to a report of a crash that occurred in the street in front of the bar, which blocked the driveway entrance. One of the operators was arrested for OWI. **The bar was not involved in this call.**
- (2) *Case #15-9686, 11-05-15 at 9:43 PM:* **Bar owner** called regarding two suspicious males on the property, in the parking lot. Both males were contacted by Officers on arrival. One was heavily intoxicated and issued a citation for Public Intoxication and subsequently released to a responsible person.

Player's, 4411 Stewart Avenue

- (1) *Case #15-9448, 10-28-15 at 7:41 PM:* Officers conducted an alcohol compliance check. The bartender sold to the underage volunteer and was cited for Selling to an Underage Person. Demerit Points were assessed to the bar.

101 Pub, 101 N. 3rd Avenue

- (1) *Event #150121414, 10-12-15 at 11:27 AM:* Anonymous caller reported seeing a fight involving four people as they were passing by the tavern. Officers responded, one of which was only a few blocks away when the call was dispatched. Officers reported not seeing any problems or any other indications that there had been a fight occurring. No contact was made with the bar.
- (2) *Case #15-9452, 10-28-15 at 8:17 PM:* Officers conducted an alcohol compliance check. The bartender sold to the underage volunteer and was cited for Selling to an Underage Person. Demerit Points were assessed to the bar.

Campus Pub, 1110 W. Campus Drive

- (1) *Event #150120831, 10-11-15 at 12:03 AM:* Patron called Police claiming that there were about seven people that were trying to fight him. He admitted he had been asked to leave the bar, and had left, but wanted to call to let us know that he hadn't done anything wrong. Officers arrived and spoke with the caller, an off-duty bartender and members from a wedding party. They all described the caller as a regular customer who was more intoxicated than usual. The patron had insulted a military veteran and some members of the wedding party that led to some shoving, but nothing more. The on-duty bartender wanted the male escorted from the property.
- (2) *Event #150126017, 10-22-15 at 11:41 PM:* A male called to report an incident that his ex-girlfriend reported as happening in the parking lot of the tavern. Officers made contact with her away from the tavern. She reported that she had been at the tavern, waiting for friends. She went out to her car to make a call on her cell phone when two unknown males approached her. They grabbed at her jacket, but did not try to force her anywhere. She said she told the males she was going to make a phone call, and they left. She hadn't wanted to contact Police and wanted no follow up conducted. No contact was made at the bar.

The Chatterbox Bar, 102 S. 2nd Avenue

- (1) *Case #15-9149, 10-18-15 at 7:10 PM:* **Bar manager** called to report an employee that brought drugs to the tavern. Officers responded and took custody of the male. Charges of Possession of Heroin, Possession of Drug Paraphernalia and a Probation Hold were filed against the male.

ALCOHOL BEVERAGE DEMERIT POINTS ASSESSED

- **Player's, 101 Pub** and **Buffalo Wild Wings** all sold to underage volunteers during August Alcohol Compliance checks (October 28, 2015). 25 Demerit Points assessed to each. **BB Jack's, Kwik Trip #735 (2203 N. 6th St.), R Store #6 (103 N. 6th St.), Hiawatha Lounge, Tobacco Outlet Plus #559 (S. 3rd Ave.), The Plaza Hotel & Suites, and Treu's Tic Toc** all successfully denied sales to the underage volunteers.
- (See attached report)

Respectfully submitted,
Lt. Michael Felder