

PUBLIC HEALTH & SAFETY COMMITTEE

Date and Time: Monday, January 18, 2015 at 5:15 pm, (Council Chambers)

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

Others Present: Alfonso, Hagenbucher, Rayala, Kujawa, Groat, Goede, Danielle Bailey, Mielke, Oberbeck

Minutes of previous meeting(s) (12/21/15)

Motion by Neal, second by Gisselman to approve the minutes of the previous meeting (12/21/15). Motion carried 4-0.

Consider various license applications.

Rasmussen stated there was one denial recommendation for an Operator's License for Danielle Bailey, who was present to address the committee.

Danielle Bailey, 212 ½ E Thomas St, stated the majority of her background is from 18 years ago, with one other conviction five years ago. She stated she has stayed out of trouble; she doesn't drink and doesn't drive; she is a single mother; and has been employed at the Eagle's Club since December 2014. She cooks there for the Friday fish fry and bingo. She indicated they need a backup bartender part-time and it is a low key establishment; she could use the extra hours.

Rasmussen noted the most recent violation was in 2013 and was a pretty serious one. She explained they had to look at the totality of the record because although the Eagle's Club is low key, the license is portable and can be used anywhere city wide. She pointed out she can still tend bar as long as another licensed bartender is present. Rayala noted the committee was given of a letter of support from the manager of the Eagle's Club tonight and Danielle's boss was present on her behalf.

Hagenbucher stated Chief Hardel recommended the denial; however, he reviewed the record and noted it is pretty substantial going back quite a few years. In 2013 there was a felony charge and two OWI's going back about 10 years. He believed the Chief was looking at the total record.

Rayala questioned the application of Susan Lecher who was revoked a little over a year ago for violation of the sober server ordinance. Goede stated Ms. Lecher contacted Chief Hardel directly by phone and then came in and re-applied. Goede indicated she sent Chief Hardel the minutes of the revocation hearing of Ms. Lecher's license along with her record and his recommendation was for approval.

Neal commented a couple of the special events on The 400 Block submitted by Wausau Events for the 2016 season, specifically Frontier Fest, indicated live music until 11:00 pm., which has been an issue in the past. Rasmussen stated they can require the music to stop at 10:30 pm.

Rasmussen suggested talking with the organizers in regard to the Balloon Rally – Rib Fest at the Airport. She stated last year she observed people walking out of the beer garden with beer to the food line and there was open consumption in the food line. It was a very busy night and they were a bit overwhelmed, but they should be reminded to have proper staff at the gates.

Motion by Wagner, second by Gisselman to approve or deny licenses as recommended by staff. Motion carried 5-0.

Discussion and possible action regarding participation of multi-use residential properties for the refuse & recycling contract.

Rasmussen explained when the committee originally looked at mixed use buildings that have a business in the bottom and apartments in the top; we found that many residential units were sharing the garbage pickup with the business below that had dumpsters. The problem we have now is that single family dwellings that have businesses in the front got excluded from garbage pickup. She indicated Nutting brought it to her attention due to a beauty salon in his district which has lost garbage pickup.

Maryanne Groat stated often times these multi-use properties are located in areas of high density, such as Third Street downtown. As we adopted the policy and ordinance on refuse and recycling there was a late amendment that excluded multi-use properties. She noted we also currently only provide refuse & recycling to buildings of four units or less and for condos of six units or less. She indicated there were approximately 300 residential units located

within the city that have four units or less in single commercial multi-use buildings. She estimated there have been about 20 complaints of people who say their residential unit used the service before and now don't have it. These are generally from places that have one residential unit and one business unit, such as a hair salon and are not from the downtown or high density commercial areas. Discussion took place regarding buildings with a single family dwelling unit combined with a single commercial business versus multiple residential and commercial and dealing with complaints on case by case basis.

Neal suggested after the first quarter is over that staff and the committee review any complaints, feedback, observations from Harter's, and things we are hearing and seeing in order to evaluate what may need to be changed.

Kay Paul, 307 Callon St, stated she and her husband have lived in their house for 30 years and she is a small business owner with a hair salon shop in the front of their house. She indicated that they did not receive any garbage bins and expressed frustration about the difficulty in getting someone to respond to her requests for garbage containers.

Motion by Wagner, second by Neal to amend the refuse & recycling ordinance to include multi-use buildings consisting of a single family residence and a business. Motion carried 5-0.

Communications:

Rayala stated there were some issues in District 1 with lot sizes where residents did not have room for the refuse & recycling containers and getting vehicles in and out of the driveways.

HEARING: Allen D. Hendricks, owner, appeal of chronic nuisance premises declaration for 902 3rd Street
Withdrawn and rescheduled to February 15, 2016.

Operations Report from Fire Department for December 2015

Chief Kujawa reported the EMS run total for the year is 4999, so we missed the 5,000 mark by one but had an increase of about 11% over last year's run volume. She indicated they were looking at it statistically to determine why that happened. She noted the new EMS Division Chief, Scott Habeck, started on January 4th and is working out very well. The Community Paramedicine program will not start until February 1st.

Tavern Activities / Compliance Checks / Law Enforcement Activities

Hagenbucher presented the Tavern Report for December 5, 2015 through January 5, 2016. (*See attached*)

Hagenbucher commented in about half of our responses to taverns in the past month, we were called by the bar owner or an employee of the establishment.

Neal questioned if we as a committee, with the Police Department's recommendation, could require either all bars or just the ones with concerns to have video surveillance. Rasmussen commented this was discussed a couple years ago when things were really bad with some establishments, but we held off taking any action at that time. She stated our new policies and subsequent revocations may have changed the climate enough that it may not be necessary anymore, but it is discussion we could take up again. Neal indicated he was interested in pursuing this requirement. Hagenbucher commented the Police Department is in favor of video. Rasmussen suggested bringing the topic to the March PH&S meeting.

Adjournment

Motion by Neal, second by Kellbach to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 6:25 pm.

Attachment

Wausau Police Department



James E. Tipple
Mayor

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

Date **01-05-16**
To **Chief Hardel**
From **Lt. Mike Felder**

Subject TAVERN REPORT December 5, 2015 through January 5, 2016

ROUTINE TAVERN INSPECTIONS (No violations unless noted)

Malarkey's, 412 N. 3rd St.
M & R Station, 818 S. 3rd Ave,
North End Pub, 1002 N. 3rd Ave.
Oz, 320 Washington St.
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.
Whiskey River, 5512 Stewart Ave.

CONVENIENCE/GROCERY STORE INSPECTIONS (No violations unless noted)

None.

RESTAURANT INSPECTIONS (No violations unless noted)

BB Jack's, 900 Golf Club Rd.
Angelo's Pizza, 1206 N 6th St.
El Jalapeno's Mexican Restaurante & Bar, 300 N 3rd St. Ste. 101
The Mint Café, 422 3rd St.
New City Grill, 203 Jefferson St.
Peking Restaurant, 221 Scott St.
Polito's Pizza, 311 N 3rd St.
Red Eye Brewing Company, 612 Washington St.
Taqueria Tres Hermanos, 525 Fulton St.
Vino Latte, 700 Grand Ave.
Greenwood Hills, 2002 Poplar Ln.
Red Apple Social Club, 707 S 3rd Ave.
Applebee's, 2221 Stewart Ave.
Buffalo Wild Wings Bar & Grill, 1819 Stewart Ave.

Courtyard by Marriott, 1000 S 22nd Ave.
Milwaukee Burger Company, 2200 Stewart Ave.
King Buffet, 358 S 18th Ave.
Noodles & Company, 1800 Stewart Ave.
The Great Dane Pub & Brewing, 2305 Sherman St.
2510 Restaurant, 2510 Stewart Ave.
Wausau Mine Company, 3904 Stewart Ave.
Whiskey River Bar & Grill, 5512 Stewart Ave.
The Mandarin, 150 E Stewart Ave.
Sam's Pizza, 111 Elm St.
Sawadee Thai Restaurant, 1720 Merrill Ave. #500
The Plaza Hotel & Suites, 201 N 17th Ave.

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

Cop Shoppe Pub, 701 Washington Street

- (1) *Event #150150744, 12/20/15 at 9:12 PM:* Anonymous call of suspicious activity involving a white male in his 30s handing out in front of the bar. He was reportedly pulling on peoples' door handles and acting oddly. Officer responded and cleared five minutes later without entering any comment, making it likely that the male was not located.

El Jalapeno's Restaurant and Bar, 300 Washington Street #100

- (1) *Event #150144552, 12/06/15 at 1:05 AM:* Anonymous call received complaining about loud music coming from the tavern. Officer responded and noted in the call that the music was at a "lower" level, no louder than any other bar tonight. No further action taken.
- (2) *Case #16-0005, 01/01/16 at 3:01 AM:* Officers were dispatched to the bar at the request of the bouncer. The initial report was that the bouncer had detained a male that had reportedly "raped" a woman in the bathroom (which is in Washington Square). The male had walked through the bar and was about to leave when he was pointed out by the bouncer. During the investigation, the suspected "rapist" was intoxicated and became belligerent, yelling loudly while the Officers were attempting to ascertain what had happened. He was arrested for Disorderly Conduct as a result of those actions. No sexual assault victim was located by Officers at the scene, and there were no evidentiary items located in the bathroom that the assault was alleged to have taken place. The bouncer was referred for battery for injuring the male while detaining him ("slammed" him to the ground and pinned him there until Officers arrived).

Glass Hat Bar, 1203 N. 3rd Street

- (1) *Event #150144565, 12/06/15 at 2:14 AM:* An anonymous call was received that there was an underage drinking in Glass Hat and going between the Glass Hat and Polack Inn. A name of the underage person was provided, but no physical or clothing description given. Officers checked the area between the two bars and were not able to locate the underage person.
- (2) *Event #150152331, 12/25/15 at 12:39 AM:* Bartender called on behalf of a male that had slipped and fallen outside and possibly hurt himself. The male is one that has had numerous Police contact while intoxicated. Officers arrived and assessed him. Witnesses said he had been drinking at the bar for a couple of hours. He was taken by ambulance to Aspirus for medical treatment. No Law Enforcement action taken.
- (3) *Event #160000004, 01/01/16 at 12:16 AM:* Lieutenant responded to the tavern after a call was received from an employee about an inappropriately parked vehicle. A red Dodge Caravan had blocked another vehicle that had been parked in the handicap area. The vehicle that had parked in the handicap spot was an employee stopped there temporarily to unload ice at the delivery door, which is right behind the handicap stall. The driver of the caravan was a male that had cause problems for the business in the past. In the end, the male was advised to stay off the property and the vehicle belonging to the employee was not ticketed.

Hiawatha Restaurant and Lounge, 713 Grant Street

- (1) *Event #150149949, 12/18/15 at 7:05 PM:* **The bartender** called to asked for assistance with an older male that was at the tavern that was making the patrons concerned. They had attempted to contact responsible people to care for him, but the numbers he provided were unsuccessful. Officer responded and took the male to the warming center.

- (2) *Case #16-00150, 01/05/16 at 3:13 PM:* A citizen called to report the theft of a cellular phone. The Officer that met the citizen provided a self-report form for the citizen to complete.

Malarkey's Pub, 412 N. 3rd Street

- (1) *Event #150150085, 12/19/15 at 2:19 AM:* Officers were dispatched after a male called reporting that another male in the bar claimed he was 18 years old and getting drinks. The 18 year old male was described as being "unresponsive." Officers responded and located the unresponsive male. He was transported to the hospital for medical clearance and released to a responsible person. He was twenty-nine.

Oz Bar, 320 Washington Street

- (1) *Case #15-10598, 12/07/15 at 1:32 AM:* **Bar employee** called to report that there was a male in their tavern that was unresponsive after having been served only two beers. Officers located the male and found him to be highly intoxicated. He was also found to have prescription pills and a suspect marijuana pipe. He was taken to the hospital for medical clearance and then taken to jail.

Bull Falls Brewery, 901 E. Thomas Street

- (1) *Event #150153912, 12/29/15 at 12:27 PM:* Officers were sent to investigate a possible crash after a driver was observed driving recklessly in the parking lot for Classic Cleaners. The truck hit a snowbank and possibly damaged the fence and the stage for the brewery. An employee from the brewery was contacted and advised that the manager was not there at the time, and they would call back if there was any damage. There was no return call.

Christine's Bar, 936 S. 3rd Avenue

- (1) *Case #15-10734, 12/10/15 at 8:24 PM:* Officers conducted an alcohol compliance check with an underage volunteer. The bartender sold an alcoholic beverage to the underage volunteer and was issued a citation for serving and underage person. 25 Demerit Points assessed.
- (2) *Case #15-10861, 12/14/15 at 9:20 AM:* Citizen called to report her cellular phone as having been stolen. Officers plan on contacting the bar to check video to see if a suspect can be developed.
- (3) *Case #16-00007, 01/01/16 at 4:10 AM:* Officer stopped by the business to check on people outside in the parking lot. A security officer said everything was fine, but pointed out another male that was not allowed into the bar because he was highly intoxicated. Officers watched the male for a short time before making contact, until they saw him fall and not be able to get back up. The male was taken to the hospital for medical clearance while Officers attempted to obtain information from the male regarding a responsible person to care for him. He was not able to provide proper information due to his high intoxication. At the hospital, the male was vulgar and loud. He was arrested for disorderly conduct and resisting arrest.

Den Mar, 601 W. Thomas Street

- (1) *Case #16-00015, 01/01/16 at 6:16 PM:* Bartender called to report that someone had crashed into her truck. There was surveillance video of the crash but there was not enough identifying information visible to develop a suspect. A crash report was completed.

Eagle's Club, 1703 S. 3rd Avenue

- (1) *Event #150151253, 12/22/15 at 6:40 AM:* Officer was approached by an **employee** to report an attempted break-in to the business over the previous night. No entry was gained but three screens were removed from the windows. Extra patrol of the premises was requested.

Roc's Place, 810 S. 3rd Avenue

- (1) *Event #16-00090 and 16-00091, 01/01/16 at 4:01 AM:* **Bar management** requested Officers conduct a walk-through of the business as it was getting somewhat rowdy. Officers responded and noted nothing other than intoxicated patrons. At the same time, an anonymous complaint of noise coming from the bar was also received. The anonymous complaint mentioned people yelling outside the bar.
- (2) *Case #16-00006, 01/01/16 at 5:33 AM:* **Bartender** called to report a physical fight occurring in the bar. Officers arrived to find about twenty people pushing and yelling inside the bar. A male was pointed out as being the problem, and he was eventually arrested for disorderly conduct.
- (3) *Event #160001965, 01/05/16 at 11:05 PM:* Bartender called to report the male from the fight on New Year's Day had returned to the bar and wouldn't leave. When he told the male he had called Police, the male left. Officers were not able to locate the male.

Tremor's Bar, 516 W. Thomas Street

- (1) *Case #16-00076, 01/03/16 at 1:58 PM:* A citizen called to report that he had left his jacket at the bar the previous night, but they would not give it to him because they suspected him of damaging the bathroom, or knowing who did. Officers responded and mediated the return of the jacket and took the information on the criminal damage to property.

Day's Bowl-A-Dome, 1715 Stewart Avenue

- (1) *Event #150149325, 12/17/15 at 11:44 AM:* Officer was dispatched to contact a male that was reporting a hit and run crash that had happened the previous night in the parking lot of the bar. Since the vehicle had been removed and it was the next day, the male was instructed to complete a self-report form. There was no video available from the bar.

Campus Pub, 1110 W. Campus Drive

- (1) *Event #160000060, 01/01/16 at 2:14 AM:* Officers were dispatched to the bar for a report of a male that had entered the women's restroom and his hand was bleeding. Contact was made with the bartenders, who related that they had kicked out four people that had been causing a disturbance. One of the people kicked out had called because she reported getting assaulted by another female in the bar prior to getting kicked out. The reporting person would not identify a suspect, and felt others involved should also be removed from the bar. The bar employees said they were fine with the patrons that were still in the bar. Officers assured that the woman that had been asked to leave the bar did leave the property and then cleared. No Law Enforcement action taken.

North End Pub, 1002 N. 3rd Avenue

- (1) *Event #150144483, 12/05/15 at 9:08:* An anonymous call was received reporting that a drunk driver would be leaving the North End Pub, heading to Kannenberg Plaza, only a few blocks away. Officers responded, but were unable to locate the vehicle.

Showtime Gentlemen's Club, 1709 Merrill Avenue

- (1) *Event #150144884, 12/06/15 at 11:28 PM:* An **employee** called and requested a walk through by Officers after there was a scuffle at the bar, but the people involved had left by the time Officers arrived.
- (2) *Case #15-10668, 12/08/15 at 7:22 PM:* Officers responded to the bar for a standard bar check. On arrival, they noticed a person that had been standing near a vehicle. That person walked away from the car and into the bar upon seeing the Officers arrive. The vehicle was silver PT Cruiser, which another Officer had been looking for on another investigation. There was an infant left in the car. Officers were unable to locate the person that walked away from the vehicle, but located the child's mother, who was a dancer that was working inside the bar at the time. A report was left for Social Services on the issue. It was likely that the person that walked away from the vehicle was a person that had warrants and was the subject of the other Officer's investigation.
- (3) *Event #150151519, 12/22/15 at 8:21 PM:* Officers were requested to respond to the bar at the request of the Sheriff's Department in an attempt to locate a suspect of a retail theft from Walmart. It was believe the suspect worked there as a dancer. Manager advised that the suspect was fired about a month prior and no longer works there.
- (4) *Case #15-11255, 12/26/15 at 10:05 PM:* Officer received a complaint of possible child abuse from the father, complaining that the mother had physically abused their shared child. The female was reported to be working at Showtime as a dancer. Officers responded there to attempt to make contact with the female; however management told the Officer that they did not know the dancer's real names, only their stage names. The Officer noted that it was very busy in the bar at the time, so they did not press the issue. A short time after leaving the bar, the female called the Officer and they spoke. I intend to contact the management to assert the fact that, by Ordinance, they are to maintain a current list of all employees working at the premises which would be furnished to any Police Officer immediately upon request.

ALCOHOL BEVERAGE DEMERIT POINTS ASSESSED

- **Pine Ridge Mobil, Bunker's, Christine's Bar and Red Eye Brewing Company** all received 25 Demerit Points for serving an underage person during Alcohol Compliance Checks. **Pine Ridge Mobil** is up to 50 Demerit Points. **The Bar & Grill, Wausau Curling Center, Oz Bar, Chatterbox Bar and Roc's Place** all denied the sale of an alcoholic beverage to the underage volunteer during Alcohol Compliance Checks.
- **Glass Hat** had 25 Demerit Point drop off due to time limit. They are down to 50 Demerit Points.
- (See attached report)

Respectfully submitted,
Lt. Michael Felder