

PUBLIC HEALTH & SAFETY COMMITTEE

Date and Time: Monday, February 24, 2020, at 5:15 pm, (Council Chambers)

Members Present: Rasmussen, Herbst, Peckham, Lawrence, and McElhaney

Others Present: Alfonso, Goede, Kremer, Kujawa, Barnes, Baeten, Barr, Mielke

Minutes of previous meetings. (1/20/20)

Motion by Peckham, second by Herbst to approve the minutes of the previous meeting on 1/20/20. Motion carried 3-0.

Consider approval or denial of various license applications

Rasmussen stated there is one Public Transport Driver License application recommended for denial for Elliott Adams. It was noted Mr. Adams was not present to appeal.

Lawrence was concerned with the inflatable Bouncy Houses on The 400 Block for the Family Fitness Fest because they have been known to blow off the ground in a strong wind. Chief Kujawa indicated Dave DeSantis inspects for this event and if the wind is a certain miles per hour they cannot be used.

Motion by Peckham, second by Herbst to approve or deny various licenses as recommended by staff. Motion carried 5-0.

Consider special event application for "Wausau After Dark" and request for waiver of 9.04.025 Consumption or possession of intoxicants on streets - June 25, July 23, and August 27, 2020 (Wausau Events & Wausau River District)

Rasmussen stated this is a new event replacing Marketplace Thursdays. Along with the application comes a request to close 3rd Street for approximately three blocks for five hours in the evening. The plan is to check IDs and to wristband participants.

Rasmussen noted there was a question as to whether placement of the beer stand on 3rd Street would cause confusion between taverns and sidewalk cafes. She noted The Mint, Malarkey's, City Grill and Back When have sidewalk cafes, and Ciao may apply for one. It is a problem if people leave those seating areas with open containers or walk out of a licensed establishment with one; it will be important that there is clarity for event participants.

Deputy Chief Barnes stated Chief Bliven and Blake Opal-Wahoske of the River District had a conversation several weeks ago about this event in general. There was also a conference call this afternoon with the Chief, Blake, Madison Nowak of Wausau Events, and himself to address many of these issues. He indicated the Chief and himself were not fundamentally opposed to the idea, but the Police Department will have to work with the organizers to be able to address the concerns. There will need to be planning done by both the event planners and city departments, however, they were requesting the committee approve the concept.

Alfonso questioned if this would interfere with the valet parking downtown which was recently approved and being used by Ciao and Jalapeno's on Thursday nights. Rasmussen also questioned if it would be an issue for Metro Ride which runs until 6:00 PM and/or emergency access for the Fire Department. Deputy Barnes did not believe they would be able to shut down the intersection of 3rd and Scott Street. He stated they will do an analysis and work with Wausau Events to determine what type of staffing is necessary for pedestrian crossing if the intersections are not closed. He reiterated they believed the event was doable, but there is a lot of work that yet needs to go into the planning.

Madison Nowak, Wausau Events, stated they wanted to allow participants to travel up and down 3rd Street. She indicated they are working with Wausau River District who are encouraging the brick & mortar shops to be out on street, whereas the restaurants can still be functioning. The Wausau River District will be hosting business meetings a couple times before this happens to discuss what is allowed and not allowed in or out of the premises. She noted the valet parking is looking to participate with the event. There will be signage at all of the boundaries that alcohol cannot go beyond this point and private security has been hired as well. She stated the beer stand will be located on the city square plaza at 3rd and Scott Street. The event is running from 6:00 PM – 8:00 PM, but the application states 4:00 PM – 9:00 PM to include setup and removal. She pointed out participants cannot take the beer inside any of the brick & mortar businesses, so some of them will have booths/merchandise outside of their locations.

Motion by Peckham, second by Herbst to approve the Wausau After Dark event contingent upon coordination of efforts between, Police, Fire and DPW; and approve a waiver for consumption or possession of intoxicants on streets for the event. Motion carried 5-0.

Discussion and possible action on necessary staffing levels for special events and CSO Summer Program considerations related to same.

Deputy Chief Matt Barnes felt it was important for the committee to understand the challenges in the current state of the city's special events. He indicated the recent Balloon Rally/Rib Fest attracted approximately 20,000 people and it was fortunate there were no significant negative events. He noted last year the Police Department had the benefit of a BEAT Grant, which was \$90,000 of Federal funds administered through the state that was used for community policing events. The state has decided not to pursue that grant this year, so those funds are not available. He felt it would be appropriate to have about a dozen police officers and a dozen Community Service Officers (CSO) in addition to our emergency police staff for an event this size. He noted they are currently struggling to recruit and get people to volunteer as emergency police. There are also events that go on at the same time in the summer that stretch the police resources.

Barnes stated potentially there will be a real change in special events applications and the criteria in which we would need an emergency management plan, which might include how many police officers and CSO's needed and identifying the emergency medical services. There is a need to be more strategic about creating lanes to open up through crowds for emergency vehicles, as well as in the neighborhoods surrounding events. More officers are needed to staff events and ways to fund them. *Lengthy discussion followed.*

Barnes stated it is necessary to hire both additional CSO's and additional part-time police officers, not just CSO's because the CSO's need leadership, oversight and supervision. Rasmussen suggested the request for both be submitted together for eight extra CSOs and the part-time officers for summer events. She thought the fund source for this year was likely to come from either budget/cost savings in other areas or 2019 surplus; but for 2020 and beyond she would like a discussion in Finance Committee for a percentage of it to be considered from room tax.

Motion by Peckham, second by McElhaney to direct staff to continue to pursue the plan to identify staff requirements per size of event and work through redeveloping the expectations of special event applications and forward to the Finance Committee. Motion carried 5-0.

Operations Report from Fire Department for January 2020

No discussion; place on file.

Tavern Activities / Compliance Checks / Law Enforcement Activities

Deputy Chief Barnes presented the Tavern Report for January 1, 2020 through February 1, 2020 (*See attached*).

Barnes stated there were two incidents on the report at Roc's Place, one including the discharge of a firearm in their parking lot and one including a threat to return with a firearm, although the individual did not return with one. He indicated Chief Bliven had a conversation with owner, Tim Nawrocki, about expectations and the need for him to maintain control of the patrons in his bar. Barnes noted in looking back over the last 24 months there have been 23 fights of at least verbal altercations and/or physical fights at that location that police had to respond to and 3 different incidents involving firearms. They are calling police and working with us so points are not assessed and therefore the bar does not get flagged to come before PH&S. He indicated the Chief wanted this brought to their attention in case they would like to speak to the owner.

Rasmussen commented excessive fighting and especially incidents with firearms are concerning to the committee and recommended summoning the owner to appear before the committee for discussion.

Barnes stated M&R Station will be hitting 100 demerit points by their next meeting. He explained the owner, Rick Gordon, was called in to the Police Department by Chief Bliven to address his lack of cooperation and attitude with police officers who have responded to his establishment. Barnes noted there was a recent OWI in the parking lot and when an officer went to retrieve the video from the owner, Gordon was dismissive, disrespectful and uncooperative. Committee consensus was to summon both owners before the committee in April with a formal letter of concern.

Communications

None

Adjourn

Motion by Herbst, second by Peckham to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 6:30 pm.

Attachment



Robert B. Mielke
Mayor

Benjamin K. Bliven
Chief of Police

Wausau Police Department

Date: 02/05/2020
To Chief Bliven
From Lt. Mike Felder

Subject TAVERN REPORT January 1, 2020 through February 1, 2020

ROUTINE TAVERN INSPECTIONS (No violations unless noted)

101 Pub, 101 N. 3rd Avenue
6th Street Pub, 2002 N. 6th Street
After Shock, 1418 Lenard Street
The Bar, 1025 S. 3rd Avenue
Bob & Randy's Bar, 1515 N. 6th Street
Bull Falls Brewery, 901 E. Thomas Street
Cabaret, 204 E. Rib Mountain Drive - Closed
Callon Street Pub, 209 Callon Street
Campus Pub, 1110 W. Campus Drive
The Chatterbox Bar, 102 S. 2nd Avenue
Cop Shoppe Pub, 701 Washington Street
Day's Bowl-A-Dome, 1715 Stewart Avenue

CONVENIENCE/GROCERY STORE INSPECTIONS (No violations unless noted)

None.

RESTAURANT INSPECTIONS (No violations unless noted)

None.

ALCOHOL COMPLIANCE CHECKS

None.

NOTABLE INCIDENTS AT TAVERNS TO WHICH POLICE WERE DISPATCHED.

Hiawatha Restaurant and Lounge, 713 Grant Street

- (1) Case #20000466, 01/13/2020 at 11:55 PM: A caller reported that his car was broken into and that items from inside were stolen. A male was later arrested for possessing some of the stolen items.

Intermission, 325 N. 4th Street

- (1) Case #20000030, 01/01/2020 at 11:29 PM: Officers responded to a report of a commercial burglar alarm. The business was found to be secure and a false alarm report was completed.

Cabaret Bar, 204 E. Rib Mountain Drive

- (1) There has been rumor that the bar was sold. There were two days during the month that we observed it to be open, which was likely in violation. However, we were not certain of that at the time. If it is seen in operation, Officers will make contact with the bartender and ascertain if ownership has changed. If it has, the bar will be closed down, as the license has not been re-issued to the new owner. It will be considered a warning for that time, as we had made contact with them when they were open,

and did not order them to close. No other calls for service originated there. Officers are checking it nightly as they are available.

Christine's Bar, 936 S. 3rd Avenue

- (1) *Event #20010929, 01/25/2020 at 12:24 AM:* A caller that refused to be identified called to report a fight occurring outside the bar involving two people. An Officer had driven by just before the call and noticed there was a group of people appearing to argue. He was on his way back to check on it when the call came out. Many of the people involved had left by the time he had returned. He spoke with one male, who reported another male had punched his car door, but there was no damage and it was otherwise a verbal argument. No further action was taken.

Roc's Place, 810 S. 3rd Avenue

- (1) *Case #20000168, 01/06/2020 at 1:04 AM:* A **bartender** called reporting that a male they had kicked out of the bar threatened to "strap up" and return with his gun. While Officers were responding, the caller reported that the male had returned. The workers had locked the doors, and were reporting that he was checking the front and back doors. Officers arrived and located the male after he had returned to his vehicle and was starting to leave. The male was arrested for OWI and Open Intoxicants, Disorderly Conduct and a Probation Violation. No weapon was located.
- (2) *Case #20000391, 01/12/2020 at 12:00 AM:* A refused caller reported hearing a gunshot outside and in front of Roc's Place bar. The caller did not see anyone that may have shot a gun. Officers observed someone leaving as they were arriving, and later located a shell casing at the location. Through interviews at the scene, a suspect was developed. That suspect was initially interviewed, and denied involvement. Investigators later observed surveillance video provided by bar management, and were able to observe the incident started with an altercation outside the bar. They were able to confirm their initial suspect had been the one to fire a gun. Contact was made with that suspect again some time later, and he was arrested.

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

- (1) *Case #20000589, 01/17/2020 at 3:03 PM:* A caller that refused to be identified reported that there was a male inside the bar that was on probation and drinking. Dispatchers checked the male's name in the record system and learned he had a felony probation warrant. Officers responded and located the male and arrested him.

M & R Station, 818 S. 3rd Avenue

- (1) *Case #20000094, 01/03/2020 at 6:27 PM:* The **owner** called, requesting assistance with a female that came into the bar in a highly intoxicated state. She arrived with a male, but the male left and the female was not cooperating in getting a ride home. She was described as not being able to walk or stand, and wanted to sleep on the floor. Officers arrived, and requested an ambulance, as the female became unresponsive. She became combative during the ride to the hospital and required restraint. She was able to provide a weak breath test sample, which registered .309% BrAC. After medical clearance, she was taken to the jail for six counts of misdemeanor bail jumping.

Hutch's Bar, 4411 Stewart Avenue

- (1) *Case #20000631, 01/19/2020 at 4:55 AM:* At 4:55 AM, a 9-1-1 call was received from the bartender at the bar, reporting that there was a male trying to drive his vehicle through the front door of the bar. The caller said the male was trying to get back in the bar, but was denied. The vehicle left the scene but was stopped a short distance away. The driver was arrested for hit and run, and OWI. An interview of the bartender revealed that the suspect, the bartender and the suspect's girlfriend were all in the bar after closing time, "hanging out." The suspect went outside to start his car, and when he returned to the bar, found the bartender and his girlfriend kissing each other. The result was the suspect punching the woman, smashing into the front of the bar, and the bartender's car with his own car before fleeing the scene. The suspect was cooperative with the arrest. The bartender and the owner were cited for Tavern Open After Hours, and **Twenty-five (25) Demerit Points** were assessed to the bar.

Showtime Gentlemen's Club, 1709 Merrill Avenue

- (1) *Case #20000496, 01/14/2020 at 11:06 PM:* An Officer ran a registration plate of a vehicle in the parking lot and learned that the registered owner was on probation and was a registered sex offender. Considering the nature of the establishment and a restriction against bars on his probation rules,

probation/parole was contacted. They requested that contact be made with the subject, if possible, and to call back if they were successful. Officer were able to contact the male, who claimed he was just about to leave. Probation authorized a hold on the male, after which a search incident to his arrest located \$327.00 and a "little blue pill" in his pockets. He was taken into custody for the probation violation.

- (2) *Case #20000628, 01/19/2020 at 1:56 AM:* A dancer employed at the bar called to report a theft of her purse while she was working. Officers were able to view surveillance video that showed the theft, but were unable to identify the suspect. The purse contained approximately \$5,000.00, a wallet with ID, gas cards, and a debit card. The report was filed and remains unsolved.

Newch's Eatery, 1810 Merrill Avenue

- (1) *Event #20003390, 01/08/2020 at 10:27 PM:* Officers were called to a report of a verbal altercation taking place. Officers responded and confirmed it was a verbal argument involving two different people that were arguing about relationship problems. The situation was diffused and no arrests were made.

ALCOHOL BEVERAGE DEMERIT POINTS ASSESSED

- **Hutch's Bar** was issued twenty-five (25) Demerit Points for being open after hours.

Respectfully submitted,
Lt. Michael Felder