

PUBLIC HEALTH & SAFETY COMMITTEE

Date and Time: Monday, March 16, 2020, at 5:15 pm, (Council Chambers)

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

Others Present: Alfonso, Kremer, Barteck, Bliven, Mielke, Goede

Minutes of previous meetings. (2/24/20)

Withdrawn.

Consider approval or denial of various license applications

Rasmussen stated there were two denial recommendations for Operator's Licenses: Donna Brown and Justin Zastrow. It was noted neither person was present for appeal.

Rasmussen stated the Liquor License Review Subcommittee considered and recommends approval of the application for a Class B Beer License for Rachel Radtke, dba Kin & Kind, 2108 Grand Avenue. The business will serve beer only and be open 4PM – 10PM; no live music; no outdoor area.

Goede indicated the organizer of the Ironbull special event was present to address questions regarding the closure of 4th Street in front of the Grand Theater for their event on The 400 Block. The Grand Theater indicated they objected to the closure due to a sold-out show that evening. Andrea Larson, organizer, indicated she spoke with the Grand and are amending the request closure only of Jefferson Street instead of 4th Street.

Motion by Lawrence, second by Herbst to approve or deny various licenses as recommended by staff and to approve the Ironbull event with closure of Jefferson Street only. Motion carried 5-0.

Consider request for approval of a variance to Chicken Keeping License to allow for a 5' x 10" coop. (Bethany Stookey, 1614 Emerson St)

Rasmussen noted the pictures of the coop are in their packets and there is no opposition from the neighbors. Lawrence questioned how many chickens were allowed? Bethany Stookey stated she had four chickens.

Peckham commented he felt the 4' x 6' coop size requirement was a little small and suggested revising the restriction sometime in the future.

Motion by Peckham, second by McElhaney to approve the variance to the Chicken Keeping License for Bethany Stookey, 1614 Emerson St. Motion carried 5-0.

Discussion and possible action regarding Formal Letter of Concern - Roc's Place, 810 S 3rd Ave, Timothy Nawrocki, owner

Withdrawn and deferred to future meeting.

Discussion and possible action regarding Formal Letter of Concern - M&R Station, 818 S 3rd Ave, Richard Gordon, owner

Withdrawn and deferred to future meeting.

Discussion and possible action on legislation passed under SB 203 allowing delegation of operator license approval to city clerk or their designee

Rasmussen explained this would eliminate the wait period for obtaining an Operator (Bartender) License. It allows the PH&S Committee to delegate the approval of bartender licenses to the Clerk or the Clerk's designee for licenses that have been recommended for approval by the Police Chief. If an application is recommended for denial, they would still have an opportunity to appeal the recommendation before the committee.

Deputy Clerk Mary Goede explained when a bartender applies they must wait until after a background check has been completed and reviewed. If there is nothing on the record an approval by the Police Chief is entered and the license goes on a list for the next PH&S meeting and from there is forwarded to the full Council on the Consent Agenda. This process can take approximately a month and a half, so a 60 Day Provisional License needs to be issued to allow the individual to work until it goes through these formalities.

Motion by McElhaney, second by Herbst to approve and direct the Assistant City Attorney to prepare an ordinance allowing delegation of Operator's License to the City Clerk or their designee. Motion carried 5-0.

Operations Report from Fire Department for February 2020

Deputy Fire Chief Barteck commented they stand ready to respond to community needs and are preparing worst case scenario plans should they be needed. He stated they are asking the community members to look to valid resources for their information in reference to COVID-19. He indicated they are referring people to the Marathon County Health Department, the CDC, and both Aspirus Health and the Marshfield Clinic System have posted hotline numbers. He stated visitors will not be allowed into the Fire Department for a period of time and they currently are not accepting the candies and snacks that people often bring in to thank us for our service to the community.

Tavern Activities / Compliance Checks / Law Enforcement Activities

Police Chief Bliven presented the Tavern Report for February 1, 2020 thru February 29, 2020 (*See attached*).

Chief Bliven commented the Police Department has spent a lot of time in the last few days meeting with the Fire Department talking about solutions and issues in reference to COVID-19. He indicated he has given direction to his staff to handle calls over the phone, to not go into people's homes if it is not necessary, but they will definitely respond to any violent situation. Domestic violence are mandatory arrests and those people must be taken into custody, as well as violent felony offenders. Most other cases will be issued summons and have them appear in court at least 3 months out.

Communications

None

Adjourn

Motion by Herbst, second by McElhaney to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 5:35 pm.

Attachment



Robert B. Mielke
Mayor

Benjamin K. Bliven
Chief of Police

Wausau Police Department

Date: 03/06/2020
To Chief Bliven
From Lt. Mike Felder

Subject TAVERN REPORT February 1, 2020 through February 29, 2020

ROUTINE TAVERN INSPECTIONS (No violations unless noted)

Cruisin 1724, 1724 Merrill Ave.
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.
Labor Temple, 701 Washington St.
Limerick's Public House, 121 Scott St.

When Officers conducted the check, there was a dog in the bar, brought in by an employee. It was behind the bar, but not in the kitchen area. The employee stated they checked with the Health Department, who said it was fine as long as it was not by food prep/kitchen. No enforcement action was taken.

Loppnow's Bar, 1502 N. 3rd St.
Lumpy's, 265 Chellis St.
Wausau On the Water (WOW), 1300 N. River Dr.
Whiskey River Bar and Grill, 5512 Stewart Ave

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.

6th Street Pub, 2002 N. 6th Street

- (1) *Event #20023723, 02/22/2020 at 7:35 PM:* A male called from the bar, reporting that he had been brought to Wausau and abandoned here without any means to get anywhere else or any place to stay. An Officer responded and provided the male with some services.

Cop Shoppe Pub, 701 Washington Street

- (1) *Case #20001659, 02/19/2020 at 2:34 AM:* Officers responded to the bar for a commercial burglar alarm. The building was found to be secure and no signs of activity were noted. A false alarm report was completed.

Domino Bar, 740 Washington Street

- (1) *Case #20001273, 02/07/2020 at 8:45 PM:* An Officer responded to a report of minor crash in the parking lot. One vehicle backed into another, but left the scene after claiming that there was no damage to the struck vehicle. The Officer completed a crash report and was waiting to hear back from the owner of the vehicle that left the scene.

El Jalapenos, 300 N. 3rd Street

- (1) *Event #20020736, 02/16/2020 at 12:13 AM:* Officers were dispatched to the bar after a Probation Agent had observed one of his clients in the bar. The client left prior to Officers' arrival, and the Agent indicated he would address the issue with his client the following Monday. The male was not located.
- (2) *Event #20022019, 02/19/2020 at 7:51 AM:* An Officer was dispatched to meet with a maintenance worker from the bar. A small gem-bag with a white powdery residue was located on top of one of the toilets. Since there was only residue, it was brought to the PD for disposal. The worker also pointed out some graffiti on the outside of the building, consisting of the words, "Fuck the Police," written in what appeared to be pencil. The worker did not necessarily need a report, but rather wanted to advise the Department of the sentiment in the message.

Cabaret Bar, 204 E Rib Mountain Drive

- (1) ****Officers have been conducting regular extra patrols at the establishment to ascertain whether or not it has been in operation. The last documented date of operation seems to have been 01/27/2020. ****

Eagle's Club, 1703 S. 3rd Avenue

- (1) *Case #20001488, 02/14/2020 at 12:43 AM:* Officers responded to the bar for a commercial burglar alarm. A cleaning person was present. There were no other issues. A false alarm report was completed.
- (2) *Case #20001753, 02/21/2020 at 3:40 PM:* A citizen initially reported that his truck had been hit by a car in the parking lot of the bar. After watching surveillance from the business, it was observed that a male had purposely scratched the citizen's truck, causing the damage. A report was completed for the criminal damage to property and the Officer intended to conduct follow up. No further comments were entered in the call.
- (3) *Case #20002041, 02/29/2020 at 6:35 AM:* Officers responded for a commercial burglar alarm. A club member and some other volunteers had arrived at the bar to start prepping food for an upcoming function. The member's code was incorrect. Everything checked out, and a false alarm report was completed.

Roc's Place, 810 S. 3rd Avenue

- (1) *Case #20001054, 02/02/2020 at 1:14 AM:* A **bar employee** called to report a fight involving five people, but no weapons. On arrival, Officers had difficulty obtaining information from people at the scene. Video was obtained, however it was at a later time. I reviewed the video, and there was a scuffle between the bartender and another woman. The other woman involved was not stopped or identified by Officer before she left hastily. One other male that was in the middle of the scuffle was stopped and found to have a warrant. He was arrested on the valid warrant. Another woman that was contacted lied about her identity, but was arrested for a probation violation. When her true identity was learned, she was still found to be on probation, and was arrested for the obstruction and a probation violation.
- (2) *Event #20023830, 02/23/2020 at 12:21 AM:* An ambulance was called after a woman was in the bar vomiting. She was described as being in and out of consciousness, had been served a drink, and fell off the bar stool after drinking only half of it. The bartender explained that the woman had arrived with a male named "Brian." Brian did not want to stay at the bar, so he left, leaving the woman behind. The woman admitted that she had been drinking with Brian throughout the day. She was transported to the hospital and would be released to a responsible person from the Emergency Department.

Treu's Tic Toc, 1201 W. Thomas Street

- (1) *Case #20001790, 02/22/2020 at 8:26 AM:* Officers responded to a commercial burglar alarm. On arrival, an employee was present and noted that they had a new alarm system installed and he didn't know it was active. A false alarm report was completed.

M & R Station, 818 S. 3rd Avenue

- (1) *Case #20001572, 02/16/2020 at 2:38 AM:* A cab driver called to report that there was an intoxicated driver that was trying to leave in her car from the parking lot. The caller stated that they were blocking the woman from leaving. Officers arrived and located the woman. She was arrested for OWI. The arresting Officer checked in the bar for the possibility of obtaining video evidence. The owner was contacted, and the Officer described him as being upset about the situation, calling the situation “bullshit.” He took the stance that he did not want to help prosecute the driver because she is a single mother of three. He admitted to watching the footage, and seeing the woman drive the car and forth while the cab had the car blocked in. He thought the cab driver had “set her up.” When the Officer repeatedly asked the owner for the footage, he told the Officer, “You already got her, what do you need the footage for?” From speaking with the owner, the Officer did not believe he would be able to obtain the footage voluntarily, and felt that the owner had a personal connection to the driver. I contacted the owner over the phone myself after hearing of the lack of cooperation. The owner reiterated that he would not be turning over the video “tonight,” as if it were too late, or he was in a state that he was unable to operate the equipment. Several members of the Department attempted to make arrangements to obtain the video. At one point, the owner was out of town for a family illness. It was ten days later that the owner brought a copy of the video to the Police Department. As a result of his initial reaction and refusal to cooperate with the Officer at the scene of the investigation, I recommend that **75 Demerit Points** be assessed for Refusal to Cooperate with Police Chief, or designee.
- (2) *Event #20025902, 02/27/2020 at 11:48 PM:* Two supervisors responded to the bar regarding some follow up investigation to a crash that had occurred. They confirmed that the suspect had been at the bar for a dart league. They had a discussion with the bartender on duty, reminding him of the ordinance prohibiting service to intoxicated persons, noting that the male that had crashed had given a preliminary breath test that was nearly three times the legal limit. They described the bartender as being very cooperative and thankful for the discussion.

Whiskey River Bar & Grill, 5512 Stewart Avenue

- (1) *Case #20001204, 02/06/2020 at 2:08 AM:* Officers responded to a commercial burglar alarm. They found the building secure. The bartender had just left and was not far away. She returned to let them into the building and check it. A false alarm report was completed.

101 Pub, 101 N. 3rd Avenue

- (1) *Event #20024593, 02/24/2020 at 9:32 PM:* A citizen called to report that he had been pushed to the ground by a large male after having bought a different male a drink. On arrival, Officers made contact with the reporting person, and said he bought a homeless man a drink, and was then “assaulted” by a 450-lb man. He could provide no further description of his assailant. The male had no visible injuries. A witness was consulted, who stated that nothing had happened. A cab arrived, and the reporting person was willing to leave. It was noted that the reporting person appeared to be quite intoxicated. Officers also spoke with the bartender. He said he had served the male three bottles of beer, but acknowledged that the male appeared to be intoxicated when he arrived at the bar. Officers did speak with one other male, who admitted he had been trying to help him walk, when he tripped over a bar stool.

Chatterbox Bar, 102 S. 3rd Avenue

- (1) *Event #20018585, 02/11/2020 at 7:05 AM:* An employee called to request assistance after a male had threatened staff. The male was not welcome to be back at the bar. Officers arrived and made contact with staff. The suspect had entered the bar, was swearing and not ordering anything. The bartender’s husband asked the male to leave. The suspect challenged the bartender’s husband to come out from behind the bar to fight him. The suspect left when Police were called. There were no charges at the time, but the suspect was advised not to return.

ALCOHOL BEVERAGE DEMERIT POINTS ASSESSED

- **M & R Station** is recommended to be assessed seventy-five (75) Demerit Points for refusing to cooperate with the Chief of Police or designee. This raises their total to 100 Demerit Points.

Respectfully submitted, Lt. Michael Felder