

PUBLIC HEALTH & SAFETY COMMITTEE

Date and Time: Monday, October 19, 2020, at 5:15 pm, (Council Chambers)

Members Present: *In person:* Rasmussen, Herbst, Peckham, Wadinski; *By WebEx:* McElhaney

Others Present: Alfonso, Bliven, Kremer Rosenberg, and Barteck

Minutes of previous meetings. (9/21/20)

Motion by Peckham, second by Herbst to approve the minutes of the 9/21/20 meeting. Motion carried 5-0.

Consider approval or denial of various license applications.

Rasmussen noted there were not any denial recommendations or events for this month.

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

Discussion and possible action regarding Ordinance Amending Section 9.04.025 Consumption or possession of intoxicants on streets

**It was noted by the Clerk that the WebEx had lost all audio and Becky McElhaney was unable to hear the meeting. Rasmussen indicated there was a quorum present in the room so the meeting would continue forward although McElhaney would be unable to vote.*

Rasmussen explained this ordinance is housekeeping. There was some confusion on when open intoxicants on streets and in parking lots were permitted and this is a clarifying amendment.

Motion by Wadinski, second by Peckham to approve the amendment. Motion carried 4-0.

Discussion and possible action regarding Ordinance Amending temporary ordinance Section 5.90.010 Purpose and intent, Section 5.90.040 Temporary amendment of licensed premises, and Section 5.90.060 Temporary outdoor operation for bars and taverns, to extend all expiration dates until December 31, 2020

Rasmussen explained provisions were made to allow Dining on the Street and some popup events downtown over the summer which would allow outdoor service of food and alcohol. It was extended once to October 31, 2020 and now one of the establishments has added patio heaters to the sidewalk café. This ordinance extends the expiration date to December 31, 2020 recognizing it may not be used much through the winter, but would give them the ability to continue if the weather holds or turns back to a fall-like temperatures.

Motion by Wadinski, second by Peckham to approve the ordinance extending the sunset to 12/31/20. Motion carried 4-0. *(McElhaney was unable to vote due to a WebEx malfunction.)*

Operations Report from Fire Department for September 2020

No Discussion – placed on file

Tavern Activities / Compliance Checks / Law Enforcement Activities

Chief Bliven presented the Tavern Report from September 1, 2020 through September 30, 2020. *(See attached) Report placed on file.*

Rasmussen noted she has received a couple of neighborhood complaints regarding After Shock bar. Since the ownership changed over from Baker's Retreat to After Shock there has been an increase of complaints from surrounding neighbors for noise and the conduct of patrons outside the bar. Chief Bliven indicated there have been extra patrols and officers have met with the owner to discuss mitigating this behavior.

Rasmussen asked Chief Bliven to reach out to the owner of Campus Pub regarding incidents happening there before it gets to a level of a formal letter of concern.

Communications

None

Adjourn

Motion by Wadinski, second by Herbst to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 5:32 pm.



Wausau Police Department

515 Grand Ave

Wausau, WI 54403

Ph. 715-261-

Date 10/10/2020

To Chief Bliven

From Lt. Mike Felder

Subject TAVERN REPORT September 1, 2020 through September 30, 2020

ROUTINE TAVERN INSPECTIONS (No violations unless noted)

None have been conducted up to this point as openings have been inconsistent and COVID-19 concerns.

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 #20115382, 09/13/2020 at 1:56 AM:* A **bartender** called to request assistance in removing two people that refused to leave the bar. On officers' arrival, the two people, a couple, were standing outside. The male and female were highly intoxicated, it was difficult to obtain their version of events. Basically, they admitted they were "making out" at the bar, and were asked to leave by the bartender. The bartender explained officers that she asked them to leave because their version of "making out" was to the level of being inappropriate, and they refused to leave when asked. The bartender was satisfied with them leaving the bar. No further enforcement action was taken.

Bob & Randy's Bar, 1515 N. 6th Street

- (1) *Event #20110123, 09/01/2020 at 5:32 PM:* A citizen called to report that he was at the bar at the same time as another male who was making threats over text messages. The subject also had a restraining order against the reporting party's sister. When officers attempted to contact the reporting person, they were unable to speak with him. The reporting person did not call back in, and no further action was taken.
- (2) *Event #20122787, 09/27/2020 at 9:24 PM:* A refused complainant reported observing a male passed out on the front step of the bar. Officers responded and located the male, a known homeless person. The officer assessed his well-being, and upon finding that he was fine, asked him to move along.

Intermission Bar, 325 N. 4th Street

- (1) *Case #20007115, 09/12/2020 at 9:26 PM:* The **bar manager** called to report that a male in the bar had

been armed with a knife, presented it, and made a gesture indicative of slashing a throat with it. The male was known by the bartender, and a description was provided for officers. At the time of the call, the reporting person noted that it had been 15 minutes since the incident had occurred. Officers located the suspect at another bar (Oz) and detained him while the investigation continued. The knife was not located on his person. The bartender at Oz noted that the suspect had left the bar for a short time, walking to the west, and then returned to the bar. Officers checked the planters and garbage cans along Washington Street and located what they believed to be the knife that was used, hidden in a planter. The male was arrested and jailed for carrying a concealed weapon, disorderly conduct and a probation hold. Although it is certainly appropriate for the bartender/manager at Intermission to have called the police, I question the timing. In the notes entered by the dispatcher in the call, the reporting person admits there was a 15 minute delay. When reviewing camera footage of downtown surveillance, it appears that a total of 30 minutes had passed since the suspect left Intermission and officers were dispatched to the call. In addition, the bartender of Oz stated that he had received a text from Intermission, warning them of the situation. I think such communication is important and beneficial, although in this case I question whether it is in the best interest of the community that they are apparently more concerned about warning each other than notifying the police about the incident. This is the same bar manager that claimed she did not know anyone that may have been driving a scooter that was reported to have crashed near the bar last month. Further investigation of that incident led to the discovery that the operator of the scooter was a bartender at the bar.

Loppnow's Bar, 412 N. 3rd Street

- (1) *Event #20121963, 09/26/2020 at 1:48 AM:* A **bartender** called to report that there was a female outside and in front of the bar acting erratically, walking in the street. She came into the bar, however they did not serve her. Officers located the woman, and described her as presenting as paranoid and delusional. She was crying and emotional throughout their contact with her. Officers suspected methamphetamine use that exacerbated paranoid feelings and thoughts. The woman was deemed not to be able to care for herself, however officers were able to contact the woman's mother, who responded from out of town to pick her up. Since she was not able to respond in a timely manner, the woman was taken to Aspirus Wausau Hospital for evaluation and medical observation. Several hours later, her condition had improved to the point of being able to be released.

Oz, 320 Washington Street

- (1) *Event #20117596, 09/17/2020 at 6:30 PM:* An officer responded to the bar while conducting an investigation regarding the threat of a knife by a patron at Intermission. The male suspect was located in the Oz Bar and taken into custody. Video from the Oz was later collected as part of the investigation.

Polack Inn, 1206 N. 3rd Street

- (1) *Case #20006762, 09/03/2020 at 1:46 AM:* A bar patron called to report a sexual assault. The male suspect was still at the bar. In addition, the bartenders had asked the male to leave the bar, however he was refusing. The reporting person described the incident in which the male suspect grabbed her buttocks. This was done without her permission and she wished to pursue charges. The officers described the male as being intoxicated, and refusing to answer any questions. The male was arrested for 4th degree sexual assault and taken to jail.

Christine's Bar, 936 S. 3rd Avenue

- (1) *Case# 20007286, 09/18/2020 at 9:23 PM:* Officers responded to the bar for a bar check, and discovered that there was no licensed bartender on duty. The bartender that was present (unlicensed) was cited, as was the owner. **Fifty (50) Demerit Points** are recommended for no licensed bartender on site.

Eagle's Club, 1703 S. 3rd Avenue

- (1) *Event #20118993, 09/20/2020 at 1:37 PM:* An **employee** called to report people bought food and drinks and left without paying. Before officers could respond, the reporting person called back and advised that the people had returned and paid their bill.

Roc's Place Bar, 810 S. 3rd Avenue

- (1) *Event #20118776, 09/19/2020 at 11:06 PM:* An anonymous caller complained about loud music with blaring bass coming from the bar. Officers responded and spoke with the bar owner, who was

compliant, and explained that there was a DJ at the time. The music was turned down. It is not known at the time of this report if their entertainment license included a DJ.

Treu's Tic Toc, 1201 W. Thomas St

- (1) *Event #20116723, 09/15/2020 at 11:39 PM:* A **bartender** called after a male with no shirt on would not leave the bar. He had not been served, and had stumbled into the bar with blood on his arm and a cut on the back of his head. The male denied medical attention several times. He was somewhat uncooperative and was advised not to come back to the property. He would not tell the bartender why he was bloody. The male was gone by the time officers arrived. Approximately 20 minutes later, officers located him walking in traffic on Thomas Street. Officers attempted to talk to him, however he refused to cooperate. He was arrested for resisting an officer and disorderly conduct.

M & R Station, 818 S. 3rd Avenue

- (1) *Event #20111703, 09/04/2020 at 11:43 PM:* A person called reporting that there was a male at the back porch of the bar who was overly intoxicated, and had fallen in the parking lot. He was described as having money falling out of his pockets. An officer responded and made contact with the bartender, who claimed to have only served him one drink. The officer made contact with the male and described him as being intoxicated, however not incapacitated. He did have the ability to care for himself, knew he had money for a cab, and told the officer where he lived. He declined any assistance and left the scene on foot.
- (2) *Event #20118151, 09/18/2020 at 8:08 PM:* The **owner** called requesting a walk-through of the parking lot as four people were hanging out with music blaring in his parking lot. The owner believed the males were "doing bad things" in their cars and wouldn't listen to him. Prior to the call being dispatched to officers, the owner called back report that the suspicious males had left the parking lot.
- (3) *Event #20118761, 09/19/2020 at 10:34 PM:* A refused complainant called to report suspicious activity in the parking lot. The complainant wished to remain anonymous, but described people hiding in the parking lot, sitting in cars. As officers checked the lot, they did not find anyone sitting in the vehicles. One male was observed walking out of the parking lot however there was no information as to whether or not that person was contacted by officers. No further action was noted.

Hutch's Bar, 4411 Stewart Avenue

- (1) *Case #20007208, 09/15/2020 at 11:17 PM:* The **bartender** called to report that her purse was stolen. The theft was captured on video surveillance, and the bartender knew the name of the suspect. Officers responded to the suspect's residence and confronted him and his live-in girlfriend. They admitted to taking the purse, however claimed they returned it to the owner, which was not true. The male was referred for charges of theft.

Aftershock Bar, 1418 Lenard Street

- (1) *Event #20115347, 09/13/2020 at 12:12 AM:* A refused complainant called to complain about the noise coming from people that were outside in front of the bar. On arrival, no one was outside of the bar. The officer made contact with the bartender and advised them of the complaint. The officer suggested closing the windows of the bar to reduce the noise, and having people that are outside smoking utilize the parking lot on the north side of the building. The bartender was receptive to the conversation. The officer remained in the area for a short time to monitor for any violations, and none were observed.
- (2) *Event # (None), 09/25/2020 at 12:26 PM:* A neighbor called the department to complain about ongoing noise problems when people are outside in front of the bar. The neighbor noted that the problems are mainly Thursday through Saturday evenings, with Thursday nights being divorced. Another issue was people urinating outside of the bar. I will reiterate extra patrols regarding these issues at the bar.

Campus Pub, 1110 W. Campus Drive

- (1) *Case #20006755, 09/02/2020 at 6:19 PM:* A **bartender** called to report that there was a male threatening to come into the bar and fight everyone. He was described as a black male wearing a light blue polo shirt and a red hat, and carrying a pool stick in his hand. While officers were responding, the male did assault someone. On arrival, it was discovered the male had left. The suspect was later located downtown and arrested for battery and disorderly conduct.
- (2) *Event #20110651, 09/02/2020 at 7:27 PM:* The victim of the above listed fight called for an ambulance after suffering bouts of dizziness and unconsciousness. He was transported by ambulance to the hospital.

- (3) *Event #20118750, 09/19/2020 at 10:02 PM:* A refused complainant reported that the noise coming from the outdoor section of the bar was so loud it was bothering them in the apartments across the street. The owner saw officers approaching and turn the music down. He advised they would keep it down and have no further problems.
- (4) *Case #20007330, 09/20/2020 at 2:32 AM:* Officers responded to a report of a large fight, involving 9 to 10 people and a pool cue. When officers arrived many people had already left the scene, and no disturbance was taking place. Officers reported observing vehicles leaving the area as they arrived, however no information had been given regarding people involved in the fight. At the scene, officers observed evidence of a very physical altercation, including jewelry, a broken beer bottle, the pool cue suspected as being used in the fight, and blood spatter. One of the women involved that sustained injuries later called, however declined to pursue any charges. A male that was also contacted with the female admitted having been involved in the altercation. He also declined to pursue charges. A video of the altercation was later located on social media. It depicted a large altercation that lasted several minutes, causing me to question why the bar employees did not call sooner. According to the call log, it took 30 seconds for the call to be dispatched from the time it was received, and approximately 2 ½ minutes for the first officer to arrive on scene. This is the second fight this month at this tavern. I recommend assessing **fifty (50) demerit points** for failure to maintain orderly premises, disorderly conduct within premises and failing to summon police or intervene to prevent future violations.

Chatterbox Bar, 102 S. S 2nd Avenue

- (1) *Case #20007477, 09/24/2020 at 7:19 PM:* A bartender called to report that there was a male at the bar refusing to leave, who was clearly under the influence of something. The bartender reported that they were not serving the male. Officers responded and located the male, and determined that the male was under the influence of methamphetamine. He was suffering from delusions and paranoia, fearing that he was being chased and somebody was trying to hurt him. He's eventually taken into custody on an emergency detention and transported to an out of county facility.

Labor Temple, 318 S. 3rd Avenue

- (1) *Event #20118840, 09/20/2020 at 2:25 AM:* An officer responded to the bar for report of suspicious activity. The officer was advised of what appeared to be some sort of yelling coming from the bar. Upon arrival, he observed a group of five people who were intoxicated, and waiting for a cab rides home. After speaking with the individuals for sure. Time it was determined that everything was alright. No further action was taken.

Showtime Gentlemen's Club, 1709 Merrill Ave

- (1) *Event #20118727, 09/19/2020 at 9:21 PM:* An employee called in reference to confiscation of an identification that was being used illegally by a person suspected to be underage. The bar confiscated the identification, and the owner was now demanding it back. The officer made contact with the owner of the identification, who reluctantly claimed that it had been stolen from her purse. The person that had attempted to use the identification was no longer present. The owner of the identification was part of a group that was on a party bus, and had stopped at Cruise Inn prior to coming to Showtime. The owner of the identification did not want to pursue charges of theft, it is likely they knew who the person trying to use the identification was. The identification was returned to the owner, and no further action was taken.

ALCOHOL BEVERAGE DEMERIT POINTS ASSESSED

- **Christine's Bar** and **Campus Pub** are recommended to be assessed fifty (50) Demerit Points each (No Licensed Bartender, and Failure to Maintain Orderly Premises, respectively). Both are at a total of fifty (50) Demerit Points. **M & R Station** dropped twenty-five (25) to a total of seventy-five (75) Demerit Points. **El Jalapenos** dropped twenty-five (25) to a total of zero (0) Demerit Points.

Respectfully submitted,
Lt. Michael Felder