

PUBLIC HEALTH & SAFETY COMMITTEE

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

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

Members Excused: McElhaney

Others Present: Alfonso, Bliven, Pauls, Goede, Rosenberg, Van Krey, Barteck, Stahl, Kariger, Watson

Minutes of previous meetings. (10/19/20)

Motion by Peckham, second by Herbst to approve the minutes of the 10/19/20 meeting. Motion carried 4-0.

Consider approval or denial of various license applications.

Rasmussen stated there was one denial recommendation for a Public Transport Driver License for Shaun Bordeaux. It was noted that Mr. Bordeaux was not present to appeal.

Rasmussen stated there was one Special Event application from Wausau Events for the Holiday Parade on December 4th, which would be a reverse parade in Marathon Park, where the floats would remain stationary with the cars driving past to view them.

Motion by Peckham, second by Herbst to approve or deny license applications as recommended by staff. Motion carried 4-0.

Discussion and possible action regarding Ordinance Creating Chapter 5.50 Practice of massage or bodywork therapy and related Ordinance Amending Section 1.01.025(c)(1)(B) Schedule of cash deposits

Lt. Melinda Pauls explained for the last couple years complaints have come in from different businesses regarding phone calls to their businesses asking for services they don't render and most massage therapists that are licensed with the state would not render those types of services. She noted one of the massage parlors they are looking at offered these services to a client unwanted. The biggest issue is most of the therapists offering this are not licensed massage therapists. This ordinance would adopt the state statute to give police the authority to go in and check the licensing.

Chief Ben Bliven clarified that the services Lt. Pauls is referring to are sexual services. The complaints that are coming in are for unlicensed massage therapists who accept money for a massage and at the end offer sexual acts. The difficulty for enforcement is that it doesn't meet the definition of prostitution because it is a consensual act between two adults and the money that is exchanged is for the massage. He indicated Cpt. Graham and Lt. Pauls worked on and sent out a survey to all the registered massage therapy businesses in the city and received a very good response. He stated 16 responded and at least half of them are aware of these issues and are in favor of enforcing the state requirement

Bliven indicated the ordinance is similar to the West Allis ordinance which has helped them with enforcement. He felt it was important to note that one of the significant concerns about these establishments is human trafficking.

Motion by Herbst, second by Peckham to approve both the creation of the ordinance and the fine for the fee schedule. Motion carried 5-0.

Discussion and possible action regarding Ordinance Creating Section 17.10.030 Third party inspections and reporting systems; amending Section 17.08.010 Codes adopted, Section 17.10.010 Fees designated, Section 17.12.020 Approved, Section 17.16.010 Authority to enter premises, Section 17.16.030 Investigation of fires, Section 17.16.050 Annual report, Section 17.16.060 Modifications, Section 17.16.080 New materials, processes or occupancies which may require permits, Section 17.16.090 Fire equipment on private property, Section 17.20.010 Permissions granted—Limitations, Section 17.20.020 Approval before issuance, Section 17.24.010 General prohibition on outdoor burning and refuse burning, Section 17.24.020 Open fire and burning allowed by permit, Section 17.40.010 Orders to eliminate, Section 17.48.010 Inspection of exits, Section 17.49.010 Tents, Section 17.49.030 Access boxes, Section 17.49.060 Fireworks/pyrotechnics

Shahn Kariger, Fire Inspector, explained the compliance engine is a simple internet based tool for code officials to track and drive code compliance, reduce false alarm activity and provide a safer community. It provides a secure cloud environment to which third party contractors that inspect, test and maintain fire protection systems submit reports via a web portal directly to the Fire Department. This facilitates a more efficient review, tracking and follow up process with occupants to correct deficiencies and maintain systems. In addition to the web based technology, the services include a team to administer hard and soft copy notifications, perform follow up calls to increase testing

and maintenance activity within the jurisdiction. He stated the end result is a comprehensive and accurate aggregation of data. The Fire Chief will be better equipped to do more with less in a mission to drive 100% code compliance with the fire and life safety laws.

Kariger explained once the compliance engine is adopted, all of the contractors within the state that do any business in the Wausau area will be contacted and informed. These contractors will be required to upload their reports from performing a testing or service and the information is recorded. He commented they currently only get bits and pieces and don't really know when things are done until they go do inspections, but with this program they can look at any property to see what has been tested and if there are any issues that need follow up prior to going there. He noted this is free to the city and all the businesses. The third party contractors that perform the service have to pay a \$15 fee per report when they upload, which is typically on an annual basis. *Discussion followed.*

Motion by Peckham, second by Herbst to approve the participation and the compliance engine. Motion carried 4-0.

Discussion and possible action on public education efforts surrounding use of facial coverings to reduce spread of Covid-19, and discussion of alternatives for mask access by citizens in need

Rasmussen commented the committee doesn't know yet how large of a problem mask access is and will need to reach out some of the non-profits who provide services to find out if there are issues with either sourcing masks or distributing them.

Mayor Rosenberg stated there is access to masks through the Emergency Management Partnership for both cotton and surgical masks. She indicated she could provide a list of things that are currently in the works. She noted the County Board Health & Human Services Committee is looking to work with Wisconsin Institute for Public Policy and Service (WIPPS) for a more public engagement process when it comes to masks. It is an opportunity to hear from people who have all kinds of feelings about this and make sure everyone is talking through it and understanding the science.

Rasmussen questioned if there was a different approach to take in terms of promotions and information circulation. She referred to several links on information in their packets that were submitted by Sarah Watson. *Discussion followed.*

Michelle Van Krey, Community Development, stated WIPPS has a program currently running to target both the Hispanic and Hmong communities in Wausau and creating liaisons that are already engrained in those communities to help spread the message about masks and Covid in a way they can understand. She indicated WIPPS applied for and received CARES funding through Community Development for the Hmong Community.

Peckham requested this item be placed on the December PH&S agenda for an update.

Tavern Activities / Compliance Checks / Law Enforcement Activities

Chief Bliven presented the Tavern Report from October 1, 2020 through October 31, 2020. *(See attached)*

Rasmussen stated she was concerned that M&R Station is back up to 100 demerit points and the owner appears to have been selective about video provided regarding a fight outside. She noted the owner has already appeared before the committee for a formal expression of concern and had committed to do better regarding video surveillance. Rasmussen requested there be a follow up discussion from PD with Mr. Gordon.

Rasmussen stated there is ongoing issues at Aftershock. The current owner moved Tremor's bar when Thomas Street was reconstructed to this Lenard Street location. This building has always been a bar, but previous owners did not present any problem for the neighborhood. A neighbor took pictures of patrons using drugs outside and almost every weekend there is alcohol outside. Although the owner seems to want to do the right thing, she is apparently seldom there and her husband told the neighbor to stop calling police. Chief Bliven indicated he would have a conversation with the owner. He agreed when the premise was Baker's Retreat there weren't any of these issues.

Chief Bliven stated they have not been doing routine tavern inspections as a result of Covid, but he is going to have them resume inspections at establishments that are having problems, such as M&R Stations, Roc's, and Aftershock.

Communications

None

Adjourn

Motion by Herbst, second by Peckham to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 6:02 pm.



Wausau Police Department

515 Grand Ave

Wausau, WI 54403

Ph. 715-261-

Date 11//2020
To Chief Bliven
From Lt. Mike Felder

Subject TAVERN REPORT October 1, 2020 through October 31, 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.

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

- (1) *Event #20125284, 10/02/2020 at 8:26 PM:* A taxi driver called after having taken a female fare to a residence, and getting called back to the bar to take a male to the same residence. The driver thought the two had been fighting at the bar. Officers made contact with the female at the residence, who claimed to have been struck while at the bar. Officers then went to the bar and spoke to the bartender, who said the couple had come into the bar already intoxicated. While in the bar, the female took some pills and became even further intoxicated. The bartender stated the male had done nothing wrong and was trying to hold the female up because she couldn't stand. The bartender called for a cab for the female and then called a second cab for the male after the female locked herself out of her apartment. Another officer spoke to the cab driver who said the two had been arguing at B and R when he picked the female up. The female was beside herself and crying hysterically, saying she could no longer take the relationship. In speaking with the male, he told the officers that they had a minor verbal argument after which he called a cab to take her to her apartment. The male was advised not to have any further contact with the female for the rest of the night.

Cop Shoppe Bar, 701 Washington Street

- (1) *Event #20128565, 10/9/2020 at 9:28 PM:* A call was received about an intoxicated female, although there weren't many comments in the call to describe what was happening. An officer responded and noted that a young lady had lost her balance on her bicycle. Another guy noticed and called her a cab. That male stated he would stand by with her until the cab arrived, and the woman agreed. The bartender came out and said the female was only served one drink while at their bar.

- (2) *Event #20133898, 10/20/2020 at 11:19 PM:* An anonymous caller reported seeing a male in the bar that was believed to be a suspect in a recent reported domestic incident. Officers were instructed to respond and detain the male while information on the incident was confirmed. The supervisor located some info, and the report which appeared to be a referral for charges. The officers were told to cancel the attempt to locate the male based on the referral. Further research into the incident seemed to indicate an arrest was appropriate. By the time officers were advised to go forward with an arrest, the male had made it to an apartment and refused to come out. A few days later the same male was observed in a different bar and was taken into custody.

Domino Bar, 740 Washington Street

- (1) *Event #20128885, 10/10/2020 at 4:21 PM:* A caller reported seeing a man parked in front of the bar watching a little boy on his bike in the parking lot. The RP was concerned that the male was thinking about taking the boy. The little boy rode his bike very quickly out of the parking lot and the car drove away when he saw the RP looking at him. An officer responded however the vehicle was unable to be located.
- (2) *Event #20138637, 10/30/2020 at 10:40 PM:* A refused party called to report that there was a white car in the parking lot with a male and female in the car sleeping while the engine was running. Further description of the vehicle updated to be a silver Impala. Officer responded and arrived approximately 15 minutes later, but the vehicle was gone.

El Jalapenos, 300 N. 3rd Street

- (1) *Event #20132433, 10/18/2020 12:36 AM:* A **bouncer** flagged down a passing officer to request the officer to walk through the bar after the bouncer had ejected a male from the bar after witnessing him using drugs in the bathroom. The officer found no other drugs in the bathroom and was not able to locate the male in the area.
- (2) *Event #20137107, 10/27/2020 at 5:16 PM:* An officer responded to make contact with a male after a call was made to dispatch regarding some sort of disagreement. A male was sitting outside the restaurant/bar and stated he had been with some friends who wanted to leave before he had finished his food and drink. They became upset with him because he wasn't ready to go. They left and he remained behind in order to separate himself from the others. No other issues were noted, and the officer left the man to calm himself.

Intermission Bar, 325 N. 4th Street

- (1) *Case #20008292, 10/21/2020 at 7:29 PM:* Officers responded to the bar in reference to a report of a male who was a suspect in a domestic abuse incident drinking there. Officers located the male and took him into custody for the referral of the charges of substantial battery and simple battery. See earlier comments from the Cop Shoppe Bar.

Oz, 320 Washington Street

- (1) *Event #20130052, 10/13/2020 at 12:45 AM:* A male called to report that he felt drugs were being dealt in or around the bar. The male did not see anyone using drugs, however smelled the odor of suspected marijuana outside the bar. An officer made contact with the male, who made a comment about being "disrespected" by the bartender. The male couldn't believe that type of activity happened in the city of Wausau. The male ultimately stated he did not want anything done and only called to complain about his service at the bar.

Eagle's Club, 1703 S 3rd Avenue

- (1) *Case #20008266, 10/18/2020 at 1:38 PM:* The owner called to report a hit and run to the building that occurred on 10/14/2020, at approximately 5:16 AM. A suspect vehicle was caught on camera backing into the building, damaging it. It was believed to have been intentional. The suspect was not positively identified and remains at large.

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

- (1) *Event #20132000, 10/17/2020 at 2:20 AM:* Shift supervisors conducted extra patrol of the bar, after seeing a large gathering of individuals outside of the bar on the north side. Several of the people had bottles and cups outside. They did not stop to check on the crowd as statements were heard indicating hostility towards police and there was a lack of resources at the time. An officer responded there later on the same date to warn them about keeping drinks inside the bar.

M & R Station, 818 S. 3rd Avenue

- (1) *Case #20008020, 10/11/2020 at 2:15 AM:* The **bartender** called to report a bunch of people fighting in the parking lot, describing twenty plus people involved. Further information indicated a black SUV was involved, several females were involved, and that one girl was on the ground. One vehicle left the scene as officers arrived, and was stopped a short distance away. A victim of the altercation was identified as the driver, however she was intoxicated. The driver of the vehicle was arrested for OWI. More investigation was to follow, specifically review of video from the bar. A passenger in the vehicle was only 19 years old, and had been drinking. She was issued a citation for underage drinking. Footage of the incident was provided by the owner, however it had been recorded in such a way that it provided no evidentiary insight. The officer attempted to get a video recording that more clearly showed the incident, however the owner stated that the person that gets the video for him was too busy at the time. The officer did eventually get another video, however it also did not provide proper view of the incident (wrong camera angle). This strikes me as odd, as several witnesses stated they realized there was a fight outside after seeing it on the video screen inside the business. This leads me to believe that the owner is being selective about what video is being turned over for the investigation. The bartender was later cited for serving an underage person. I recommend that M and R Station be assessed **twenty-five (25) Demerit Points**.

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

- (1) *Event #20130043, 10/12/2020 at 11:50 PM:* The **bartender** called to report that an eight-year-old male came into the bar. He had been there for 40 minutes before they called. Officers responded and located the male, who had run away from the shelter home earlier. His mother responded from Stevens Point to pick him up at the Police Department. He was released to her without incident.
- (2) *Case #20008139, 10/14/2020 at 8:56 PM:* An officer responded to a report of a three vehicle crash in the parking lot. A truck pulling a large trailer made contact with two parked vehicles causing minor damage to all involved. A crash report was completed.

Hutch's Bar, 4411 Stewart Avenue

- (1) *Event #20126717, 10/5/2020 at 11:21 PM:* The **bartender** called to report that there was a man on the property that was yelling and refusing to leave. On arrival, the male was located and detained by the officer. The bartender explained that the male had been there earlier, at which point she had called him a cab to take him back to his hotel. Apparently the male took a nap and returned to the bar, who refused to serve him. The male became belligerent, wanted to drive his car from the scene, and she just wanted him removed. The officer gave the male a ride to his hotel with a stern warning not to return under threat of arrest if necessary. The male told the officer he had no intention of leaving his hotel again that night.

Whiskey River Bar and Grill, 5512 Stewart Avenue

- (1) *Case #20008571, 10/29/2020 at 12:01 AM:* The bartender called to report a customer had passed a fake \$100 bill. The suspect left before the officer arrived, however she was known to the bartender and another patron that was there. The other patron paid for the money that was given in return for the fake \$100 bill. The officer plans to continue with follow-up contact with the suspect, and collected the fake \$100 bill as evidence.

Aftershock Bar, 1418 Lenard Street

- (1) *Event #20125743, 10/3/2020 at 7:18 PM:* A refused complainant called to report there were two people on a neighbor's driveway smoking marijuana and drinking beer. The reporting person had a picture of them. The officer met with the reporting person, and observed the photo, which depicted two males standing on the south side of the bar. There is a white baggy between the two males, and one male is seen holding some sort of glass pipe in his right hand. The reporting party mentioned smelling the odor of what he claimed to be marijuana coming from that area. The neighbor also claimed that he has found broken beer bottles in his front yard landscaping. The officers made contact with the owner, and they had a conversation about the various complaints that have been received regarding the bar over the last several months. The owner asserted that she ran a "family-oriented" business without any of the issues reported actually occurring. The officer advised the owner that if there are any future complaints he would call her to make her aware of the problem so she could address it.

Chatterbox Bar, 102 S. S 2nd Avenue

- (1) *Case #20008011, 10/10/2020 at 11:25 PM:* Officers responded to a commercial burglar alarm at the business. The building was found to be secure, and no key holder responded. A false alarm report was completed.

Showtime Gentlemen's Club, 1709 Merrill Ave

- (1) *Case #20007764, 10/02/2020 at 10:46 PM:* A **bartender** called to report a physical fight between a customer and the DJ. On arrival, officers located the customer being held down by bar employees. After investigation, and reviewing the bar video, it was determined that the customer had gone outside the bar with an open container of beer, and was drinking outside. Upon coming back into the bar, the DJ asked the male to leave. As the customer was being escorted towards the door, he turned and punched the DJ in the face. Employees detained him at that time. The male was issued a summons for trespassing, disorderly conduct, and misdemeanor bail jumping.

ALCOHOL BEVERAGE DEMERIT POINTS ASSESSED

- **M and R Station** is recommended to be assessed twenty-five (25) Demerit Points (Serving an underage person). **M & R Station** is back up to a total of one hundred (100), after dropping twenty-five (25) last month.

Respectfully submitted,
Lt. Michael Felder