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City of West Allis

7525 W. Greenfield Ave.
West Allis, WI 53214

Matter Summary

File Number	Title	Current Status
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2003-0151	Report	In Committee
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Police Department Report regarding February 19, 2003 Tavern Compliance Check involving (15) West Allis taverns, resulting with (8) selling alcohol to an underage person without requesting identification (2002-2003 Class B Tavern License no. 125, Dance Hall License no. 90 and Cigarette License no. 136 of Cosmo R. Lomagro, d/b/a Cosmo's Factory, 9524 W. Greenfield Ave.)

Introduced: 3/4/2003

Controlling Body: License & Health Committee

COMMITTEE RECOMMENDATION

Place on file

MOVER: *Sengstock*

AYES 3 NOES 0

SECONDER: *Vitale*

EXCUSED *Murphy, Trudell*

COMMITTEE ACTION DATE *3-25-03*

SIGNATURES OF COMMITTEE MEMBERS

[Signature]
Chair

Vice-Chair

COMMON COUNCIL ACTION

Placed on file

FINAL ACTION DATE *4-2-03*

MOVER:
Barczak

SECONDER:
Narloch

	AYE	NO
1. Barczak	<input checked="" type="checkbox"/>	
2. Czaplewski	<input checked="" type="checkbox"/>	
3. Kopplin	<input checked="" type="checkbox"/>	
4. Lajsic	<input checked="" type="checkbox"/>	
5. Murphy	<i>present</i>	
6. Narlock	<input checked="" type="checkbox"/>	
7. Reinke	<input checked="" type="checkbox"/>	
8. Sengstock	<input checked="" type="checkbox"/>	
9. Trudell	<input checked="" type="checkbox"/>	
10. Vitale	<input checked="" type="checkbox"/>	
TOTAL	<u>8</u>	<u>0</u>



**City of West Allis
Police Department**

*2002-2003 Cl B Jan Lic # 125
Dance Hall Lic. # 90
Inter-Office Report
Cigarette Lic. # 136*

Date: February 19, 2003
To: Chief Dean Puschnig
From: PO Jessica Johnson
Subject: Tavern Compliance Check Results – Report #10302321
Sir,

On 02/19/03, between 1837 hrs and 2200 hrs, I conducted a Tavern Compliance Check with the aide of a 17-year-old West Allis resident, Tiffany M. Teschendorf. In this compliance check, Tiffany entered 15 West Allis taverns and she attempted to purchase a Miller Lite beer without providing identification. Of the 15 taverns entered, the following 8 taverns sold alcohol to Tiffany without requesting identification:

1. Tavern on the Green 11904 W. Greenfield Av.
2. AMF West Allis Lanes 10901 W. Lapham St.
3. Applebee's Restaurant 2865 S. 108 St.
4. The Ground Round 2911 S. 108 St.
5. Yester Years Pub & Grille 9427 W. Greenfield Av.
6. **Cosmo's Factory** 9524 W. Greenfield Av. 53214
7. Larry Michael's 8900 W. Greenfield Av.
8. Margarita Paradise 11112 W. National Av.

*Cosmo R. Tomaglio
Owner & Licensee
Home address same as bar.*

Employees selling alcohol to Tiffany were identified by their first name and will be mailed citations, along with the license holders.

The following businesses were entered but requested identification from Tiffany:

1. Kip's Inn 837 S. 108 St.
2. BW3 2950 S. 108 St.
3. The Network 9541 W. Cleveland Av.
4. Dicken's Grille 9646 W. Greenfield Av.
5. Riveria Lanes 8600 W. Greenfield Av.
6. Lemke's on Nat'l 11505 W. National Av.

RECEIVED

FEB 26 2003

CITY OF WEST ALLIS
CLERK/TREASURER

We also entered Lynch's, 2300 S. 108 St. I personally knew the bartender, Marcy. Therefore, I terminated the compliance check.

Respectfully submitted,

PO Jessica Johnson

OFFICER JESSICA L. JOHNSON

cc: Deputy Chief Dunbar
Captain Jansen
Lt Morrissey
PO Wink



**West Allis Police Department
Incident Report**

I0302321

SELL ALCOHOLIC BEVERAGE TO AN UNDERAGE PERSON

Date: 02/19/03
Time: 1837 hrs.
Location: 11301 W. Lincoln Av., West Allis, WI 53227

Investigating Officer: 210W – PO Johnson
Incident Review: Lt Morrissey
Report Review: Lt Morrissey

Complainant/Witness: Officer Jessica L. Johnson, 11301 W. Lincoln Av., West Allis, WI 53227. W 302-8000

Witness: “Tiffany”, a 17 year old West Allis resident.

Offender/Business: AMF West Allis Lanes, 10901 W. Lapham St., West Allis, WI 53214.

Bryon R. Konkol, M/W, 05/08/72, 8841 W. Schlinger Av., West Allis, WI 53214. H 302-0196. W 476-9100. Bartender at AMF West Allis Lanes. Arrest #M-80092 – mailed.

William J. Pallaske, M/W, 09/13/42, 3240 N 81 St., Milwaukee, WI 53222. H 871-8680. B 476-9100. License Holder at AMF West Allis Lanes. Arrest #M-80091 – mailed.

Offender/Business: Applebees, 2865 S. 108 St., West Allis, WI 53214. W 327-7830.

Heidi A. Kunick, F/W, 04/02/80, 405 N. 68 St., Wauwatosa, WI 53213. H 491-2455. B 327-7830. Bartender at Applebees. Arrest #M-80094 -mailed.

Lyn R. Magnarini-Sweet, F/W, 06/04/54, 10930 Suite A, W. Potter Rd, Wauwatosa, WI 53226. Wisconsin Hospitality Group. B 327-7830. License Holder at Applebees. Arrest #M-80093– mailed.

Offender/Business: Cosmos Factory, 9524 W. Greenfield Av., West Allis, WI 53214.

Cosmo R. Lomargo, M/W, 03/30/51, 9524 W. Greenfield Av., West Allis, WI 53214. H. 258-2173. W 453-4330. Bartender and License Holder of Cosmos Factory. Arrest #M-80095 – mailed.

Offender/Business: Ground Round, 2911 S. 108 St., West Allis, WI 53227.



West Allis Police Department Incident Report

I0302321

William A. McDonald, M/W, 11/21/77, 1003 S. 76 St., West Allis, WI 53214. H 453-3664. B 321-4204. Bartender at Ground Round.
Arrest #M-80097 – mailed.

Cynthia A. Kirchnek, F/W, 05/28/65, 4642 #1 S. 68 St., Greenfield, WI 53220. H 282-6144. B 321-4204. License Holder at Ground Round.
Arrest #M-80096 – mailed.

Offender/Business: Larry Michaels, 8900 W. Greenfield Av., West Allis, WI 53214.

Lori L. Reed, F/W, 04/21/62, 12128 W. Dearbourn, Wauwatosa, WI 53226. H 479-0788. Bartender at Larry Michaels.
Arrest #M-80098 – mailed.

Larry M. Beilfuss, M/W, 02/24/54, W291 S2616 Cambrian Ridge, Waukesha, WI 53188. H 262-968-4760. W 453-9211. C 305-0665. License Holder at Larry Michaels. Arrest #M-80099– mailed.

Offender/Business: Margarita Paradise, 11112 W. National Av., West Allis, WI 53227.

Manuel E. Contramaestre, M/W, 08/21/56, 3955 #703, N. Murray Av., Shorewood, WI 53211. B 327-1112. Bartender at Margarita Paradise.
Arrest #M-80101– mailed.

Amilcar A. Alacron, M/W, 03/09/36, W340 S8361 Hwy E, PO Box 27, Mukwonago, WI 53149. H 262-392-2328. B 327-1112. License Holder at Margarita Paradise. Arrest #M-80100– mailed.

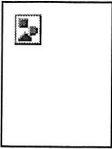
Offender/Business: Tavern on the Green, 11904 W. Greenfield Av., West Allis, WI 53227.

Therese L. Blight, F/W, 11/11/58, 8204 Big Bend Rd, Waterford, WI 53185. H 262-662-3867. Bartender at Tavern on the Green.
Arrest #M-78062 – mailed.

Bernard E. Schettle, M/W, 03/17/42, 16001 W. Riviera Dr., New Berlin, WI 53151. H 262-789-1324. H 476-1334. C 861-2718. License Holder at Tavern on the Green. Arrest #M-80105 – mailed.

Offender/Business: Yester Years Pub & Grille, 9427 W. Greenfield Av., West Allis, WI 53227.

Emily K. Marshall-Walenta, F/W, 06/22/81, 831 #104 N. 16 St., Milwaukee, WI 53233. H 687-6553. Bartender at Yester Years Pub & Grille. Arrest #M-80102 – mailed.



West Allis Police Department Incident Report

I0302321

Karen D. Schoenfeld, F/W, 02/23/56, 2460 S. Graylog Ln, New Berlin, WI 53151. H 262-782-3863. B 476-9055. License Holder at Yester Years Pub & Grille. Arrest #M-80104.

- Contact Business:** BW3, 2950 S. 108 St, West Allis, WI 53227.
- Contact Business:** Dickens Grille, 9646 W. Greenfield Av, West Allis, WI 53227
- Contact Business:** Kips Inn, 837 S. 108 St., West Allis, WI 53227
- Contact Business:** Lemkes On National, 11505 W. National Av., West Allis, WI 53227.
- Contact Business:** Lynch's, 2300 S. 108 St., West Allis, WI 53227.
- Contact Business:** The Network, 9541 W. Cleveland Av., West Allis, WI 53227.
- Contact Business:** Riviera Lanes, 8600 W. Greenfield Av., West Allis, WI 53227

CASE SYNOPSIS

PO Johnson reports...

On 02/19/03, between 1837 and 22200 hrs., "Tiffany", a 17 year old West Allis resident, assisted me in a Tavern Compliance Check. Tiffany entered and attempted to purchase alcohol at fifteen west-end West Allis taverns. She attempted to purchase a Miller Lite beer without identification. Of the 15 taverns entered, Tiffany was able to purchase alcohol at eight of the taverns without being asked for identification. At each of the eight offending taverns, the bartender that sold the alcohol to Tiffany was cited, along with the tavern's license holder. In cases where the bartender was also the license holder, only 1 citation was issued. All citations were mailed at a later date.

COMPLIANCE CHECK PROCEDURE

Before beginning the compliance check, Tiffany was photographed, asked to empty her pockets (excluding money needed), and given a detailed and complete set of instructions. Tiffany was given money provided by the department and was advised to enter each tavern and attempt to purchase a Miller Lite beer. Tiffany was advised that if the bartender requested identification, she was to immediately exit the tavern.

I was in plain clothes and entered each tavern with Tiffany. I viewed each transaction as it was conducted. Tiffany remained in my view at all times, with each transaction being entirely witnessed by me. Upon receiving the alcohol, Tiffany paid for it immediately. She was then advised to enter the women's bathroom area and dispose of some of the beer before exiting the bathroom. While Tiffany was in the bathroom, I asked the bartender his/her first name. Tiffany would come back to the bar, set her beer on it and we would exit the tavern. At all the taverns, we walked in together and sat next to each other. I did not order anything to drink.



West Allis Police Department Incident Report

I0302321

INCIDENT

At approx. 1932 hrs., we entered **Tavern on the Green**. A female bartender, identified as "Terri", sold Tiffany a glass of Miller Lite beer without requesting ID. After receiving the beer, Tiffany walked into the bathroom and poured some of the beer out. She placed the half empty glass of beer on the bar before leaving the tavern with me.

At approx. 1939 hrs., we entered **Kip's** tavern. A female bartender requested identification from us. We told her we did not have any and immediately exited the tavern.

At approx. 1952 hrs., we entered **Innegan's, AMF West Allis Lanes** tavern. A male bartender, identified as "Bryon", sold Tiffany a glass of Miller Lite beer without requesting ID. After receiving the beer, Tiffany walked into the bathroom and poured some of the beer out. She placed the half empty bottle of beer on the bar before leaving the tavern with me.

At approx. 1956 hrs., we entered **Lynch's** tavern. I personally knew the bartender, Marcy, and terminated the compliance check.

At approx. 2008 hrs., we entered **Applebee's** tavern. A female bartender, identified as "Heidi", sold Tiffany a bottle of Miller Lite beer without requesting ID. After receiving the beer, Tiffany walked into the bathroom and poured some of the beer out. She placed the half empty glass of beer on the bar before leaving the tavern with me.

At approx. 2016 hrs., we entered **The Ground Round** tavern. A male bartender, identified as "Bill", sold Tiffany a bottle of Miller Lite beer without requesting ID. After receiving the beer, Tiffany walked into the bathroom and poured some of the beer out. She placed the half empty glass of beer on the bar before leaving the tavern with me.

At approx. 2031 hrs., we entered **BW3 Buffalo Wild Wings** tavern. A male bartender requested identification from us. We told him we did not have any and immediately exited the tavern.

At approx. 2037 hrs., we entered **The Network** tavern. A male bartender requested identification from us. We told him we did not have any and immediately exited the tavern.

At approx. 2041 hrs., we entered **Lemkes on National** tavern. A male bartender requested identification from us. We told him we did not have any and immediately exited the tavern.

At approx. 2051 hrs., we entered **Margarita Paradise's** tavern. A male bartender, identified as "Manuel", sold Tiffany a bottle of Miller Lite beer without requesting ID. After receiving the beer, Tiffany walked into the bathroom and poured some of the beer out. She placed the half empty glass of beer on the bar before leaving the tavern with me.

At approx. 2100 hrs., we entered **Dickens Grille** tavern. A male bartender requested identification from us. We told him we did not have any and immediately exited the tavern.



West Allis Police Department Incident Report

I0302321

At approx. 2111 hrs., we entered **Yester Years Bar & Grille** tavern. A female bartender, identified as "Emily", sold Tiffany a bottle of Miller Lite beer without requesting ID. After receiving the beer, Tiffany walked into the bathroom and poured some of the beer out. She placed the half empty glass of beer on the bar before leaving the tavern with me.

At approx. 2117 hrs., we entered **Cosmos Factory** tavern. A male bartender, identified as "Cosmos", sold Tiffany a bottle of Miller Lite beer without requesting ID. After receiving the beer, Tiffany walked into the bathroom and poured some of the beer out. She placed the half empty glass of beer on the bar before leaving the tavern with me.

At approx. 2126 hrs., we entered **Larry Michael's** tavern. A female bartender, identified as "Lori", sold Tiffany a bottle of Miller Lite beer without requesting ID. After receiving the beer, Tiffany walked into the bathroom and poured some of the beer out. She placed the half empty glass of beer on the bar before leaving the tavern with me.

At approx. 2129 hrs., we entered **Riviera Lanes** tavern. A male bartender requested identification from us. We told him we did not have any and immediately exited the tavern.

FOLLOW - UP

On 02/21/03, follow up was attempted at the eight offending taverns.

Contact was made at Tavern on the Green. The bartender informed me that the license holder is Bernard E. Schettle. I contacted Bernard and advised him of the incident. Bernard identified Terri as Therese L. Blight. I contacted Therese by phone and advised her of the incident. Therese stated she was working at the time of the incident and she remembers serving Tiffany without asking for identification. Therese stated she thought it was weird that the girl took the beer to the bathroom. I advised Bernard and Therese that they would each receive a citation in the mail for Selling Alcohol to an Underage Person.

Contact was made at Innegan's, AMF West Allis Lanes. The bartender informed me that the license holder is William J. Pallaske. I contacted William and advised him of the incident. William identified Bryon as Bryon R. Konkol. I contacted Bryon by phone and advised him of the incident. Bryon stated she was working at the time of the incident. He stated he does not remember serving Tiffany. When I explained the incident in further detail, Bryon kept saying he did not remember. I advised William and Bryon that they would each receive a citation in the mail for Selling Alcohol to an Underage Person.

Contact was made at Applebees. The bartender, Heidi, was in the bar and she identified herself as Heidi A. Kunick. Heidi stated she was working at the time of the incident. She stated she does not remember serving Tiffany. When I explained the incident in further detail, she stated her grandmother just died and she does not remember. The manager of Applebees informed me that the license holder is Lyn R. Magnarini-Sweet. I left a message for Lyn, advising her of the incident and that she would be receiving a citation in the mail for Selling Alcohol to an Underage Person. I advised Heidi of the same.

Contact was made at The Ground Round. The manager on duty was the license holder, Cynthia A. Kirchnek. I advised her of the incident. Cynthia identified Bill as William A. McDonald. I advised him of the incident by phone. Thomas stated he was working at the time of the incident. William stated he vaguely



West Allis Police Department Incident Report

I0302321

remembers serving Tiffany. I advised Cynthia and William that they would each receive a citation in the mail for Selling Alcohol to an Underage Person.

Contact was made at Margarita Paradise. The owner was on scene was the license holder, Amilcar A. Alacron. I advised him of the incident. Amilcar identified Manuel as Manuel E. Contramaestre and he was currently bartending at the time. Manuel stated he was working at the time of the incident, he remembers serving Tiffany and he was sorry. They were both cooperative. I advised Amilcar and Manuel that they would each receive a citation in the mail for Selling Alcohol to an Underage Person.

Contact was made at Yester Years Pub & Grille. The bartender informed me that the license holder is Karen D. Schoenfeld. I contacted Karen by phone and advised her of the incident. Karen identified Emily as Emily K. Marshall-Walenta. I contacted Emily by phone and advised her of the incident. Emily stated she was working at the time of the incident and she remembers serving Tiffany. Emily stated that she even thought about carding Tiffany before she served her. I advised Karen and Emily that they would each receive a citation in the mail for Selling Alcohol to an Underage Person.

Contact was made at Cosmos Factory. The bartender was the license holder, Cosmo R. Lomargo. I advised him of the incident. Cosmo stated he was working at the time of the incident. He stated he did not remember serving Tiffany. When I explained the incident in further detail, he again stated he did not remember serving Tiffany. I advised Cosmo that he would each receive a citation in the mail for Selling Alcohol to an Underage Person.

Contact was made at Larry Michaels. The bartender informed me that the license holder is Larry M. Beilfuss. I contacted Larry by phone and advised him of the incident. Larry identified the bartender as Lori L. Reed. I contacted Lori by phone and advised her of the incident. Lori stated she was working at the time of the incident and she remembers serving Tiffany without asking for identification. I advised Larry and Lori that they would each receive a citation in the mail for Selling Alcohol to an Underage Person.

CASE DISPOSITION

Incident reviewed with Lt Morrissey.

After all follow-up was completed, each offender was mailed a citation for Selling an Alcoholic Beverage to an Underage Person via US Mail and given a local court date of 03/24/03 at 0830 hrs.

NOTE: With each citation mailed, a letter explaining the citation and incident was included. I also provided my phone number and encouraged them to contact me with any questions.

