

**WEST ALLIS COMMON COUNCIL
LICENSE AND HEALTH COMMITTEE
CITY OF WEST ALLIS**

**In the Matter of the
Complaint Against**

AMENDED COMPLAINT

**MintoT LLC
d/b/a TnT Sportz Bar
Tina Minto, licensing agent.**

**STATE OF WISCONSIN)
) ss.
COUNTY OF MILWAUKEE)**

Vince Vitale, Alderperson for the First District of West Allis and Chair of the West Allis License and Health Committee, being duly sworn, on oath deposes and states as a complaint against MintoT LLC, as follows:

1. That the complainant is a resident of the City of West Allis.
2. That this complaint is based upon information contained within official records maintained by the City of West Allis and the City of West Allis Police Department, (hereafter "WAPD").
3. That MintoT LLC is the current holder of a 2020-2021 Combination Class B intoxicating liquor and fermented malt beverage license, under license number 20-2478, for the premises located at 5906 W. Burnham in the City of West Allis, State of Wisconsin, for the license period running July 1, 2020, and expiring on June 30, 2021.
4. That according to the application that was submitted by MintoT LLC and approved for the 2020-2021 Combination Class B intoxicating liquor and fermented malt beverage

license, the sole individual listed on the application is Tina Minto as the licensing agent and owner for MintoT LLC.

5. That prior to this complaint, a summons and complaint was issued against MintoT LLC on or about October 1, 2020, for violations during the 2020-2021 license period related to license number 20-2478 for the premises located at 5906 W. Burnham in the City of West Allis, doing business under the trade name TnT Sportz Bar. That on or about October 26, 2020, the West Allis License and Health Committee made the findings that TnT Sportz Bar was being operated in a manner that was disorderly, riotous, indecent, or improper such that it constituted a private or public nuisance and that the establishment had violated State and Local indoor smoking bans on three occasions.
6. That the incidents alleged in this complaint were not alleged, considered by, or known to the Committee during that prior summons and complaint hearing process.

Incident One:

7. That on October or about October 17, 2020, at approximately 2:30 in the morning, West Allis Police Officers investigated an incident where a patron was “pepper sprayed” or “OC Sprayed” at TnT Sportz Bar located at 5906 W. Burnham Street. Officer Santa Cruz Medina went to the bar location and found the door to be locked to the front entrance. Eventually a subject by the name of Terrell Taylor came to the door to speak with officers. Officer Santa Cruz Medina noted that he smelled an odor of burnt marijuana emanating from the interior of the bar.
8. That Officer Santa Cruz Medina spoke with Terrell Taylor who was identified as one of the security guards for the establishment that evening/morning. Officer Santa Cruz

Medina continued to smell the odor of marijuana emanating from Mr. Taylor. Mr. Taylor admitted that he had a firearm on his person and started to become evasive during his interactions with the officer. Based upon the interactions, officers detained Mr. Taylor and recovered a firearm that was concealed under his shirt on his right hip. The firearm was loaded and had a 9mm round in the chamber. Officer Santa Cruz Medina determined that Mr. Taylor did not have a permit to carry a concealed weapon.

9. Mr. Taylor admitted that he was the security guard involved in removing a patron. There is conflicting information in the report regarding the reason the patron was removed. Mr. Taylor stated that once outside of the bar, the patron continued to act aggressively to him so he used his OC spray. Mr. Taylor stated he did not call police regarding this incident.
10. Officer Santa Cruz Medina also noted that he recovered a small quantity of marijuana from Mr. Taylor's sweatshirt middle pocket. This substance tested positive for tetrahydrocannabinols (the active ingredient in marijuana) using the Duqunois- Levine Test and weighed 1.319 grams.
11. Officer Bret Vanden Boogard further reported that upon police investigation of the bar, there were approximately 12-15 persons within the bar after bar-close. Giovionte Mull stated that he was the bar manager that evening and the persons within the bar were all employees. Officers did not observe beverages or hookahs on the bar top. Mr. Mull reported that Mr. Taylor was hired by the bar to be an armed security guard. Mr. Mull stated that he believed Mr. Taylor had a permit to carry a concealed weapon since he was hired to be an armed security guard. There were cameras within the bar but no cameras outside of the bar that would have captured the incident.

Incident Two:

12. That on November 19, 2020, the West Allis Police Department was called regarding damage to a fence recently constructed by the owner of 5910 W. Burnham Street, the neighbor of TnT Sportz Bar. Officer Paul Hartmann reported that he was able to view surveillance video of the incident and was able to view what he believed to be three male subjects wearing hoods and masks kick down a section of the fence. Officer Hartmann concluded that it appears that these subjects were in some way associated with TnT Sportz Bar because they knocked down one segment of the fence specifically and pushed the dumpster that had been utilized TnT Sportz Bar through the area where the fence once stood.
13. Said fence was recently constructed on November 8, 2020, and created a situation where the dumpster was trapped in the back of the premises for TnT Sportz Bar and could no longer be utilized by the bar. The report indicates that the owner of the property where TnT Sportz Bar is located intended to have his own survey done and would remove the fence if it was on his property.

Incident Three:

14. That on or about November 21, 2020, since the dumpster had been removed from the fenced exterior of TnT Sportz Bar, it had been housed on a public sidewalk for a period of time causing a health hazard and an obstruction of the public sidewalk. According to Tim Last, Sanitation and Street Superintendent, the dumpster remained in use and on the public sidewalk for several days until at least November 24, 2020.
15. That garbage removal from TnT Sportz Bar continued to be an issue and on or about January 18, 2021, garbage was being stacked out front of the building on Burnham

Street and abutting adjacent property owner's property. Per Mike Weisnicht, Neighborhood Services Inspector for the City of West Allis, a citation was issued to the property owner.

Incident Four:

16. On February 2, 2021, West Allis Police Officers were dispatched to TnT Sportz Bar for a hang up call which stated a male was beating a female. Sergeant Kleinfeldt was first on scene at approximately 2:24 AM. When he approached the location he found the doors were locked but could see shapes of people moving consistent with a bar fight through a tinted window. Sgt. Kleinfeldt knocked on the door loudly and heard someone exclaim "The Police is here!" Officer Kleinfeldt stated that upon eventually being admitted entry into the bar he observed a female subject laying on the floor topless and out of breath. The interior of the bar smelled strongly of burned marijuana.
17. Sgt. Kleinfeldt noticed a subject towards the back door of the bar that leads to the basement. The subject, later identified as Deirdre Hill, appeared to direct a male to the door and closed the door. Hill attempted to stop Sgt. Kleinfeldt from conducting the lawful licensed premises check. Sgt. Kleinfeldt proceeded to enter the back basement area and found a male subject sitting on the back stairs, identified as Steven Gatson. In the basement, officers observed hookah tobacco devices.
18. Sgt. Kleinfeldt reported that upon investigation, Aristede Bratchett identified himself as an employee of the bar and stated he knew nothing and did not want to speak with police. He was reluctant to provide identification
19. Officers spoke with Steven Gatson, who identified himself as an employee. Officers asked what the argument was about and he stated, "I don't have nothing to say."

Gatson was reluctant to provide information and claimed to not have his ID on him, despite providing it a short time later.

20. Officer Vanden Boogard spoke with bar manager Giovionte Mull who stated that an intoxicated female was refusing to leave but he was not sure how the physical altercation in the location took place. Mull stated the camera system was non-operational and the cameras all showed "video loss."
21. Officer French spoke with Krystle Newman. Office French asked if Newman was an employee of the bar. Newman hesitated, looked away, and stated she was a waitress at the bar. She said she was counter her tips with her back to the fight and never turned around to see what was going on.
22. Officer Carlson spoke with Tia Johnson, the female that was found on the floor without clothing on the top of her body. Johnson stated that she had been drinking but she was "aware." She originally stated she had been struck but later that story began to change. Johnson claimed to be dancing at the bar that night and had been asked to entertain for the evening. Johnson was later issued a ticket for disorderly conduct.

Incident Five:

23. That on February 7, 2021, the West Allis Police Department was dispatched to the area of the 5900 block of W. Burnham Street for a shots-fired complaint. Citizen witnesses notified police that they heard between 8-12 gunshots emanating from the area of TnT Sportz Bar.
24. Officer Jeffrey Dufek reported that police investigation revealed that 8 shell casings were found in the street outside of TnT Sportz Bar.

25. Officer Vanden Boogard made contact with TnT Sportz Bar manager Giovionte Mull who stated that there was an argument between two groups of females earlier but that the groups were separated without any problems and left separately. One group left in a silver sedan and had an issue about a cell phone being left at the bar.
26. Sgt. Kleinfeldt stated he entered TnT Sportz Bar and immediately noticed the strong odor of burnt marijuana in the bar. Sgt. Kleinfeld searched the basement for persons hiding or injured parties and found three patrons hiding inside the basement of the bar. The patrons reported hearing gunshots outside and ran to the basement to hide. The three subjects were cooperative.

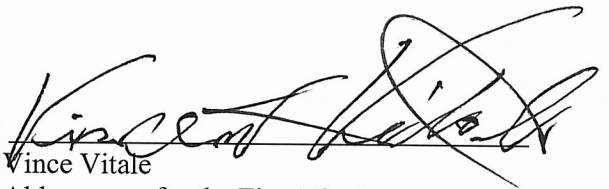
Violations of Law:

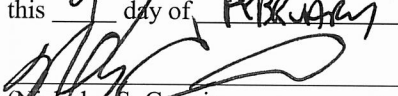
27. That based on the incidents detailed above MintoT LLC, by agent Tina Minto, has violated Wis. Stat. §§ 125.12(2)(ag)2 and West Allis Code § 9.02(20)a.vi. for keeping a premises that is disorderly, riotous, indecent, or improper and that is operated in a manner which constitutes a public or private nuisance.
28. Further, the establishment has violated Wis. Stat. § 125.04(5)(b) and is a habitual law offender based on the previous violations in addition to the newly alleged damage to property, marijuana, disorderly conduct, weapons offenses, and shooting and therefore is subject to suspension or revocation pursuant to Wis. Stat. § 125.12(2)(ag)1 and West Allis Code § 9.02(20)a.x.
29. That the establishment has violated West Allis Code § 9.02(12)(b) that a license holder and their employees shall cooperate with police investigations, including providing honest and truthful responses.

30. That the preceding violations are grounds for revocation or suspension of the Combination Class B intoxicating liquor and fermented malt beverage license that has been issued to MintoT LLC by agent Tina Minto for the premises located at 5906 W. Burnham in the City of West Allis, State of Wisconsin, under license number 20-2478 pursuant to Wis. Stat. §§ 125.04(5)(b), 125.12(2)(ag)1, 2, and 4, in addition to West Allis Municipal Code §§ 9.02(20)a.iv., 9.02(20)a.vi., 9.02(20)a.ix, and 9.02(20)a.x..

WHEREFORE, Alderperson Vince Vitale requests MintoT LLC by licensing agent Tina Minto be summoned to appear before the License and Health Committee of the West Allis Common Council to answer this complaint and, if the material allegations of the complaint are denied, that a hearing be held to determine whether the license issued to MintoT LLC should be revoked or suspended.

Dated this 09 day of Feb, 2021.

By: 
Vince Vitale
Aldersperson for the First District
License and Health Committee Chair
City of West Allis

Subscribed and sworn to before me
this 9 day of FEBRUARY, 2021.

(Nicholas S. Cerwin
Notary Public, State of Wisconsin
My Commission expires: Permanent

