

# City of West Allis Matter Summary


7525 W. Greenfield Ave.  
West Allis, WI 53214

File Number	Title	Status
2013-0464	Report	Introduced
Police Department Reporting involving Barneks, 7411 W. Becher St., (2013-2014 Class B Tavern License no. 1060, and Dance Hall license no. 1062 of Dale J. Zbieranek, Incident Date: June 23, 2013). Introduced: 8/6/2013 <span style="float: right;">Controlling Body: License &amp; Health Committee</span>		

**COMMITTEE RECOMMENDATION** **PLACE ON FILE**

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
SEP 03 2013	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Barczak	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	Czaplewski	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	Lajsic	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	May	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	Probst	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Reinke	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	Roadt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	Sengstock	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	Vitale	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	Weigel	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			TOTAL	4	0		1

SIGNATURE OF COMMITTEE MEMBER

 \_\_\_\_\_  
Chair Vice-Chair Member

**COMMON COUNCIL ACTION** **PLACE ON FILE**

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
SEP 03 2013	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Barczak	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Czaplewski	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	Lajsic	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	May	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	Probst	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	Reinke	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	Roadt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	Sengstock	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	Vitale	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	Weigel	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			TOTAL	9	—		1

**UNANIMOUS**

**STANDING COMMITTEES OF THE  
CITY OF WEST ALLIS COMMON COUNCIL**

**ADMINISTRATION & FINANCE**

Chair: James W. Sengstock  
Vice-Chair: Vincent Vitale  
Thomas G. Lajsic  
Michael P. May  
Cathleen M. Probst

**PUBLIC WORKS**

Chair: Gary T. Barczak  
Vice-Chair: Martin J. Weigel  
Michael J. Czaplewski  
Rosalie L. Reinke  
Daniel J. Roadt

**SAFETY & DEVELOPMENT**

Chair: Thomas G. Lajsic  
Vice-Chair: Cathleen M. Probst  
Michael P. May  
Rosalie L. Reinke  
Vincent Vitale

**LICENSE & HEALTH**

Chair: Michael J. Czaplewski  
Vice-Chair: Daniel J. Roadt  
Gary T. Barczak  
James W. Sengstock  
Martin J. Weigel

**ADVISORY**

Chair: Rosalie L. Reinke  
Vice-Chair: Michael P. May  
Cathleen M. Probst  
Daniel J. Roadt  
Vincent Vitale

2013-0464

VIOLATIONS/CALLS FOR SERVICE

7411 W. Becher St., Barneks, Dale J. Zbieranek

<u>Final Action Date</u>	<u>File Number</u>	<u>Jacket Number</u>
	2013-0464	
08-07-12	2012-0391	18
06-07-11	2011-0299	32
12-21-10	2010-0702	48
11-03-09	2009-0595	14
11-20-07	2007-0720	37

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Prior to Legistar

Glen n Carla's  
02-06-01

Roscoe's Tavern  
07-06-99  
11-03-98  
05-05-98  
10-07-97  
04-01-97





**City of West Allis  
Police Department**

**Liquor Establishment Violation**

Date: 6/23/13  
 To: Lieutenant Ed ~~Benish~~ *Jessica Johnson*  
 From: PTO. Daniel Foy

**Violation Type**

- Tavern Violation     Bartender Violation     Restaurant Violation     Liquor Store  
 No Violation but the Incident is Liquor License Related

Incident #: 13-005576  N/A

Location: 7411 W Becher St  N/A

Establishment Name: Barneck's  N/A

Establishment License #:  N/A

Establishment Owner: Unknown  N/A

Owner Address: Unknown  N/A

Violation(s): Disorderly Conduct  N/A

Offender: Brian K Videkovich  N/A

Offender Address: 2172 S 86 St. West Allis, WI  N/A

Offender:  N/A

Offender Address:  N/A

Offender:  N/A

Offender Address:  N/A

Offender:  N/A

Offender Address:  N/A

Additional Offenders listed in Incident Report narrative:  Yes  No

Reviewed by Commanding Officer: *Capt. Ron Versnik*

Copy of Incident Report Attached to Liquor Laws Violation Report:  Yes  N/A

Commanding Officer Signature: *Capt. Ron Versnik*

Reviewed by Deputy Chief Jerry Ponzi:

Copy forwarded to License and Health Committee: Date:





# West Allis Police Department

# Incident Report

Date: 06/24/2013

Incident: Simple Assault			
Incident Report Number: 13-005576	Between: Date - Time	And/At: Date-Time 6/23/13	23:44
Incident Location: 7411 W Becher St;WA, West Allis, WI, 53219			
CFS Code-1: 1313	CFS Code-2:	CFS Code-3:	Offense Code-4:
CFS Code-5:	CFS Code-6:	CFS Code-7:	CFS Code-8:

O	Name (Last, First, Middle) Videkovich, Brian K	DOB: 06/19/1970	Race/Sex W/M
Address: (Address, City, State, Zip) 2172 S 86 St, West Allis, WI, 53227			Home Phone Number
Employer			Work Phone Number
Employer Address			Cell Phone Number (414) 380-0567
V	Name (Last, First, Middle) Videkovich, Eva C	DOB: 09/15/1976	Race/Sex W/F
Address: (Address, City, State, Zip) 2172 S 86 St, West Allis, WI, 53227			Home Phone Number
Employer			Work Phone Number (414) 290-3104
Employer Address			Cell Phone Number (414) 550-4148

CFS Code-1: 1313

Incident Report Number: 13-005576

### SUMMARY

On 6/23/13 at 2344hrs officers responded to 7411 W Becher St for a report of a fight inside of the bar. Officers arrived on scene and made contact with Eva C Videkovich, F/W 9/15/76, and Aaron A Dolinski, M/W 3/13/94. Dolinski advised his step father, Brian K Videkovich, M/W 6/19/70, had fought with him and his mother (Eva) inside of the bar, causing both of them to fall to the ground causing Dolinski pain and injury. Contact was made with Brian at the residence and he was taken into custody for DV/DC - 2 counts. Brian was mugged/printed and released after signing his conditional release form and posting bail. DA set to review on 6/27/13 at 0830hrs.

Vehicle Information: (Year, Make, Model, Style, Color)			
License Number:	State:	Expiration Year:	Vin:
Other Vehicle Information:			Insurance Company:
Reporting Officer(s): Foy, Daniel			NCIC#
Payroll Number: 9903		Payroll Number:	Report Date:
Time Received: 23:44:44	Time Cleared: 00:18:06	Unit(s) Assigned: 310, 307, 312, 315, 317	Pages: 1 Of 5
Reviewed by: Vernik, Ronald	Payroll Number: 1343	Copy To	





West Allis Police Department

Continuation

Incident Report Number  
13-005576

Incident Location:  
7411 W Becher St;WA, West Allis, WI, 53219

Incident Date:  
06/23/2013

**NAMES**

**Victim**

Dolinski, Aaron A W/M-19 of 2172 S 86 St;WA, West Allis,WI,53227  
DOB: 03/13/1994

**Witness**

Alexander, Michelle A W/F-58 of 2071 S 74 St,7, West Allis,WI,53219  
DOB: 06/05/1955 DL: A425-5415-5705-00  
HT: 500 WT: 120 Hair: Brown  
Eyes: Green  
Cell Phone:(414) 758-6876 Cell Phone:(414) 727-9480

**NARRATIVE**

Officer Foy reports...

**DISPATCH TO CALL/ARRIVAL ON SCENE**

On 6/23/13 at 2344hrs officers responded to Barneck's, 7411 W Becher St for a report of people fighting in the bar. Officers arrived on scene and met with multiple individuals.

**STATEMENT OF VICTIM - AARON DOLINSKI**

I spoke with Aaron Dolinski on scene. Dolinski, 19 yoa, was in the bar with his mother Eva. Dolinski stated his step-father, Brian Videkovich, came into the bar at approximately 2330hrs. Dolinski stated that his mother and Brian often have problems and argue a lot. Dolinski stated he went to the bathroom for a brief moment when he began to hear noise out in the bar. When he opened the door, he observed Brian and Eva yelling back and forth at each other.

Dolinski stated he stepped in and stated "Don't talk to her like that" after Brian was making derogatory comments about her. Dolinski stated Brian had knocked Eva to the ground and he stepped in to break the fight up. As Dolinski was attempting to break up the fight after he observed his mother being pushed to the ground two times. Dolinski stated when he tried to break up the fight, Brian grabbed him and held him to the ground. Dolinski stated Brian eventually left the bar after the bartender called 911.

Dolinski received a cut on his left foot, 2nd toe, from the incident. Dolinski was also bleeding from his face, but believes that mark was due to him picking a

Reporting Officer(s):  
Foy, Daniel

ID Number  
9903

ID Number

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13-005576Incident Location:  
7411 W Becher St;WA, West Allis, WI, 53219Incident Date:  
06/23/2013

zit on his face.

**STATEMENT OF VICTIM - EVA VIDEKOVICH**

Eva was highly uncooperative on scene and was unable to give a clear statement on the incidents that occurred.

**STATEMENT OF WITNESS - MICHELLE ALEXANDER**

See PTO. Tuschl's report regarding further information.

**LACK OF CONSENT**

Dolinski stated at no time did he give Brian consent to push him to the ground, causing him pain and a small laceration to his foot.

**72 HOUR NO CONTACT FORM**

I explained the 72 hour no contact form to Eva and Aaron. Aaron stated he understood the provisions and signed the form. Eva refused to sign the form. I provided both parties with a copy of the form and a crime victim information sheet. The DV hotline was no contacted on scene because both parties stated they did not wish to speak with a victim advocate.

See PTO. Tuschl's report regarding further information.

**ON SCENE STATEMENT OF OFFENDER - BRIAN VIDEKOVICH**

See PTO. Binter's report regarding further information.

**ARREST DECISION**

Based upon the statement given by Dolinski and Eva, Brian was placed into custody and transported to the main station for booking.

**IN CUSTODY STATEMENT OF OFFENDER - BRIAN VIDEKOVICH**

On at 0107hrs in Interview Room A, I read Videkovich his Miranda Rights from WAPD Directive 42.016. In response to waiver questions, Videkovich stated he understood his rights and agreed to speak with me at the time.

In response to questions, Videkovich stated he came to the bar for approximately 10 minutes after finishing working on his residence in West Allis. When Brian came into the bar, he observed Eva in the back playing games on the computerized slot machines. Brian brought up Eva's gambling problem and stated Eva became very defensive. Brian stated they argued about their money problems and Eva shut the

Reporting Officer(s):  
Foy, DanielID Number  
9903

ID Number

Pages:

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## West Allis Police Department

## Continuation

Incident Report Number

13-005576

Incident Location:

7411 W Becher St;WA, West Allis, WI, 53219

Incident Date:

06/23/2013

machine off and got out of her chair and began to push him stating "we're going to be out of here". Brian believes this was in reference to a possible divorce in the near future.

Brian stated Eva continued to push him in the bar so he completed a "stiff arm" type of move to attempt to get Eva to stop her advancement. As this incident is going on, Eva shouted to Aaron, who was in the bathroom at the time. Brian stated Aaron ran out of the bar and came at Brian. Brian stated Eva fell to the ground as Aaron grabbed a bottle from the bar, smashed it and came at Brian with the broken, edged section of the bottle in hand. Brian stated he wrestled Aaron to the ground after Aaron had swung at him, striking him in the chest, causing his chest to bleed.

Brian stated Eva continued to jump at Brian during the incident as he tried to control both Aaron and Eva as he did not realize what was going on. Brian stated he left the bar because he did not know what to do. Brian stated he returned to his residence after the incident.

The interview concluded at 0115hrs. The interview was recorded using WAPD Olympus Digital Voice Recorder #P14. The interview was stored on WAPD Memory Card P14 #4. I placed the memory card in an envelope and secured it in the ID Bureau drawer.

PHOTOGRAPHS

Using W.A.P.D Digital Camera S31C with digital card S14C I took 13 photographs of this incident.

1. View of front of victim #1's forehead showing bump
2. Address of incident
3. Overview of victim #2
4. Close view of victim #2's face
5. View of small cut on victim #2's left arm
6. View of cut on victim #2's left foot
7. Overview of offender
8. View of chest with shirt on
9. View of cuts on chest
10. View of cut on right index finger
11. View of offender's forehead
12. Cover Sheet
13. Cover Sheet

After I finished taking photographs I ultimately placed the memory card in an envelope and secured it in the FTSB Drawer.

BAIL AND CONTACT PROHIBITION FORM

Reporting Officer(s):

Foy, Daniel

ID Number

9903

ID Number

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West Allis Police Department

Continuation

Incident Report Number 13-005576	Incident Location: 7411 W Becher St;WA, West Allis, WI, 53219	Incident Date: 06/23/2013
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Brian was able to post \$330 bail. I read the Conditional Release and Contact Prohibition Notice to him. He said he understood the restrictions and signed the document. I provided him with a copy of the release form.

DV HOTLINE

On 6/25/13 at 0445hrs, I contacted the DV Hotline and spoke with Carlotta regarding this incident. I advised Carlotta the victims did not wish to speak with the hotline at the time.

BOOKING

Brian was mugged/printed for two counts of Disorderly Conduct - Domestic Violence Related under WAPD booking #13-002915

CASE DISPOSITION

DA set to review the case on 6/27/13 at 0830hrs.

Reporting Officer(s): Foy, Daniel	ID Number 9903	ID Number	Pages: 5 Of 5
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## West Allis Police Department

## Supplementary Report

Incident Report Number 13-005576	Incident Location: 7411 W Becher St;WA, West Allis, WI, 53219	Incident Date: 06/23/2013
New Incident:	Original CFS Code - 1:	New CFS Code -1 : New CFS Code - 2:

**NARRATIVE**

Officer Tuschl reports...

**INITIAL RESPONSE**

On 06/23/13 at about 2344hrs I responded to Barneks, located at 7411 W. Becher St for a report of three people physically fighting in the bar. Once I arrived on scene I was directed to speak with bartender (later verbally identified as Michelle A. Alexander) inside Barneks to see if she witnessed the physical fight. Michelle gave me the following statement.

**ON-SCENE STATEMENT OF MICHELLE A. ALEXANDER- WITNESS**

*Michelle stated she is currently employed as a bartender at Barneks and was employed in that capacity during this incident.*

Michelle said on today's date a couple that she knows as "Eva" and "Brian" were inside Barneks. Michelle said Eva had been at the bar longer then Brian was. Michelle stated when Brian finally arrived on scene he ordered a beer and spent about fifteen minutes seated at the bar. Michelle said while this was going on Eva was playing one of the video poker machines. Michelle stated at one point Brian walked over to where Eva was playing and started yelling at her. Michelle stated it appeared Brian was mad at Eva because she was playing the video poker machines and would not stop playing when he asked her to.

Michelle stated both Brian and Eva ended up getting into a physical confrontation inside the bar, by the video poker machine. Michelle said she observed Brian push Eva four separate times, with one of the pushes causing Eva to fall to the ground. Michelle stated around this time is when Eva yelled at her to call 911, due to Brian's behavior. Michelle said the incident ended after she called 911 and Brian exited the bar. Michelle believes Brian left the bar because she ended up dialing 911. I asked Michelle if Eva was injured as a result of falling to the ground. Michelle stated she observed that Eva was bleeding, but did not specifically recall where on her body she was. Michelle indicated no one else was involved in the fight.

Michelle stated she is familiar with both parties because they frequent Barneks. I asked Michelle if she knew the last names of both parties and she stated "no". Michelle did not appear to have any more personal information about the two.

**D.V. PAPERWORK**

Reporting Officer(s): Tuschl, Robert .	Payroll Number: 9590	Payroll Number:	Report Dat : 06/24/2013
Reviewed by: Versnik, Ronald	Payroll Number 1343	Copy To:	1 Of 2



West Allis Police Department

Continuation

Incident Report Number 13-005576	Incident Location: 7411 W Becher St;WA, West Allis, WI, 53219	Incident Date: 06/23/2013
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After speaking with Michelle I attempted to have Eva read over and sign the 72 hour no contact provision sheet. After I finished explaining the sheet to Eva I requested that she sign it, indicating she understood the terms of the no contact provision. When I asked Eva to sign it she refused and played down tonight's incident.

I also asked Eva if she would be willing to appear in person for the District Attorney's Office review and she indicated she would not attend it.

While interacting with Eva I observed a large bump on her forehead. I asked Eva several times about the injury and she insisted it was a result of a work accident. Eva was uncooperative with the Police investigation throughout this entire incident.

Reporting Officer(s): Tuschl, Robert .	ID Number 9590	ID Number	Pages: 2 Of 2
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West Allis Police Department

Supplementary Report

Incident Report Number 13-005576	Incident Location: 7411 W Becher St;WA, West Allis, WI, 53219	Incident Date: 06/23/2013
New Incident:	Original CFS Code - 1:	New CFS Code - 1 : New CFS Code - 2:

**NARRATIVE**

Officer L. Binter reports:

**CALL FOR POLICE**

On 06/23/13 at approximately 2344 hours, officers responded to Barneks (7411 W. Becher St.) regarding the bartender who called to report a physical fight between 3 subjects. One of the subjects had already left prior to officers arrival. I responded on scene and Officer Foy advised after he spoke to the victim, Eva C. Videkovich (F/W, DOB 09/15/76), the offender, Brian K. Videkovich (M/W, DOB 06/19/70), may have possibly went back to his residence 2172 S. 86 St. Officer Foy advised there was probable cause to arrest Brian for DC/DV. I responded to the above address and made contact with Brian, who was sitting on the front porch of his residence, smoking a cigarette.

**ON-SCENE STATEMENT-BRIAN K. VIDEKOVICH-OFFENDER**

Brian stated he finished staining the floors and walked over to Barneks to inform Eva she should come and look at the finished product. Brian prefaced at this point there has been numerous problems between Eva and her son, Aaron A. Dolinski (M/W, DOB 03/13/94), who was also present at the tavern. Beyond the problems with her son, Brian also informed me Eva has a gambling problem, which he has told the bartender at Barneks about to keep her out of trouble.

While at the tavern, an argument ensued between Brian and Eva related to the above two issues. The argument soon turned physical when Eva pushed Brian in the upper chest region. Brian pushed Eva back and told her to stop and just come home. Brian stated Eva pushed him a few more times and he pushed her one last time. Brian believes Eva tripped over the bar stool and fell to the ground resulting in the large bump on her head. Afterwards, Aaron broke a bar bottle over the bar and cut Brian with it. Brian stated he left afterwards, due to the fact he did not want to deal with anymore drama.

I placed Brian in handcuffs and transported him back to the West Allis Police Department for booking. Once at the station, I turned Brian over to Officer Foy to finish the process.

END OF SUPPLEMENTAL

Reporting Officer(s): Binter, Lucas	Payroll Number: 9821	Payroll Number:	Report Date: 06/24/2013
Reviewed by: Versnik, Ronald	Payroll Number: 1343	Copy To:	1 Of 1

