

92



City of West Allis Matter Summary

7525 W. Greenfield Ave.
West Allis, WI 53214

File Number	Title	Status
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2014-0211 Report Held in Committee

Police Department Report involving Kokopelli's Pub-N-Grub, 6001 W. Madison St., (2013-2014 Class B Tavern License no. 618, Dance Hall License no. 620 and Instrumental Music License no. 621 of Kokopelli's, Inc., Antonette M. Zirnhelt, Agent, Incident Date: March 4, 2014).

Introduced: 4/15/2014

Controlling Body: License & Health Committee

COMMITTEE RECOMMENDATION

PLACE ON FILE

ACTION DATE:
MAY 06 2014

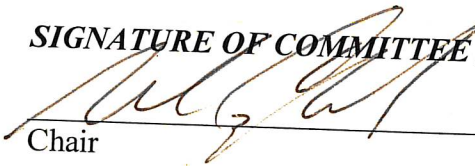
MOVER	SECONDER	
_____	_____	Barczak
✓	_____	Czaplewski
_____	_____	Haass
_____	_____	Lajsic
_____	_____	May
_____	_____	Probst
_____	_____	Reinke
_____	_____	Roadt
_____	_____	Vitale
_____	✓	Weigel

AYE	NO	PRESENT	EXCUSED
✓			
✓			
✓			
✓			
✓			

TOTAL

5 0

SIGNATURE OF COMMITTEE MEMBER


Chair

Vice-Chair

Member

COMMON COUNCIL ACTION

PLACE ON FILE

ACTION DATE:
MAY 06 2014

MOVER	SECONDER	
_____	✓	Barczak
✓	_____	Czaplewski
_____	_____	Haass
_____	_____	Lajsic
_____	_____	May
_____	_____	Probst
_____	_____	Reinke
_____	_____	Roadt
_____	_____	Vitale
_____	_____	Weigel

AYE	NO	PRESENT	EXCUSED
✓			
✓			
✓			
✓			
✓			
✓			
✓			
✓			
✓			
✓			
✓			

TOTAL

10

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

ADMINISTRATION & FINANCE

Chair: Vincent Vitale
Vice-Chair: Kevin Haass
Thomas G. Lajsic
Michael P. May
Cathleen M. Probst

PUBLIC WORKS

Chair: Gary T. Barczak
Vice-Chair: Martin J. Weigel
Michael J. Czaplowski
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. Czaplowski
Vice-Chair: Daniel J. Roadt
Gary T. Barczak
Kevin Haass
Martin J. Weigel

ADVISORY

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



City of West Allis Police Department

Liquor Establishment Violation

Date: 3/4/2014
To: Lieutenant Jessica Johnson
From: Officer Tieranie Marchant

Violation Type

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

Incident #: 14-001908

N/A

Location: 6001 W. Madison St.

N/A

Establishment Name: Kokopelli's Pub & Grub

N/A

Establishment License #: Unknown

N/A

Establishment Owner: Toni A. Zirnhelt

N/A

Owner Address: 5855 W. Madison St.
West Allis, WI 53214

N/A

Violation(s): Disorderly Conduct

N/A

Offender: Robert I. Hayes

N/A

Offender Address: 742 S. Shea Ave. Milwaukee WI 53215

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

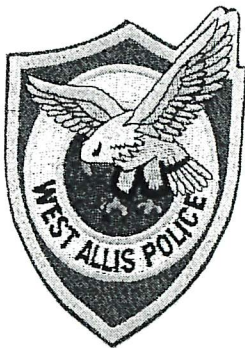
Reviewed by Commanding Officer: Sergeant Pasdera

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

Commanding Officer Signature: *Sgt. T. R.*

Reviewed by Deputy Chief Robert Fletcher:

Copy forwarded to License and Health Committee: Date:



West Allis Police Department

Incident Report

Date: 03/05/2014

CFS Code-1: 5311

Incident Report Number: 14-001908

14-001908

Incident: Disorderly Conduct

Incident Report Number: 14-001908 Between: Date - Time And/At: Date-Time 3/4/14 21:39

Incident Location: 6001 W Madison St;WA, West Allis, WI, 53214

CFS Code-1: 5311 CFS Code-2: CFS Code-3: Offense Code-4:

CFS Code-5: CFS Code-6: CFS Code-7: CFS Code-8:

Name (Last, First, Middle) Hayes, Robert Irving DOB: 11/06/1957 Race/Sex W/M

Address: (Address, City, State, Zip) 742 S Shea Ave, Milwaukee, WI, 53215 Home Phone Number (414) 645-5511

Employer Work Phone Number

Employer Address Cell Phone Number (262) 402-4900

Name (Last, First, Middle) Kokopelli's Pub & Grub, DOB: Race/Sex

Address: (Address, City, State, Zip) 6001 W Madison St, West Allis, WI, 53214 Home Phone Number

Employer Work Phone Number (414) 476-8788

Employer Address Cell Phone Number

SUMMARY

Officer Marchant Reports... On 03/04/14 at approximately 2139 hrs., Officers responded to Kokopelli's Pub, located at 6001 W. Madison St., for a report of male refusing to leave. Upon arrival, other patrons advised the male fled and went in the Remedy Bar, located at 1309 S. 60 St. Officers made contact with Robert I. Hayes, M/W, 11/06/57, who was extremely intoxicated and yelling at Officers. Investigation revealed Hayes spit in a bar patrons face and in her food while yelling at her to shut up. Hayes was screaming profanities inside the bar and making everyone uncomfortable so they asked him to leave. Hayes refused to leave the bar. Hayes was arrested for Disorderly Conduct and received a municipal citation and a court date of 04/07/14 at 0830 hrs.

Vehicle Information: (Year, Make, Model, Style, Color)

License Number: State: Expiration Year: Vin: Insurance Company:

Other Vehicle Information: NCIC#

Reporting Officer(s): Marchant, Tieranie Payroll Number: 9876 Payroll Number: Report Date:

Time Received: 21:39:14 Time Cleared: 22:01:21 Unit(s) Assigned: 210, 215, 216, 221 Pages: 1 Of 4

Reviewed by: Manz, Tracy Payroll Number: 9656 Copy To:

West Allis Police Department

Continuation

Incident Report Number

14-001908

Incident Location:

6001 W Madison St;WA, West Allis, WI, 53214

Incident Date:

03/04/2014

NAMES

Contact-1

Jablonski, Sarah A W/F-31 of 2226 S 75 St, West Allis, WI, 53219
DOB: 05/19/1982 DL: J145-7818-2679-07
HT: 506 WT: 225 Hair: Brown
Eyes: Hazel
Work Phone: (414) 476-8786 Cell Phone: (414) 736-5980

Witness

Atkins, Sean D B/M-43 of 10424 W Villard Ave, Milwaukee, WI, 53225
DOB: 03/10/1970
Cell Phone: (414) 628-2901

Victim

Harris, Angela N W/F-36 of 3824 S Kinnikinnick Ave
St Francis, WI, 53235
DOB: 05/03/1977
Cell Phone: (414) 931-9817

Contact-2

Zirnhelt, Toni M W/F-44 of 5853 W Madison St;WA, West Allis, WI, 53214
DOB: 04/12/1969
Cell Phone: (414) 554-5691

NARRATIVE

Officer Marchant Reports...

INITIAL RESPONSE

On 03/04/14 at approximately 2139 hrs., Officers responded to Kokopelli's Pub, located at 6001 W. Madison St. , for a report of a male refusing to leave the establishment.

CONTACT WITH SEAN D. ATKINS (WITNESS)

Reporting Officer(s):

Marchant, Tieranie

ID Number

9876

ID Number

Pages:

2 Of 4

West Allis Police Department

Continuation

Incident Report Number 14-001908	Incident Location: 6001 W Madison St;WA, West Allis, WI, 53214	Incident Date: 03/04/2014
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Upon arrival, I spoke with Sean D. Atkins, M/B, 03/10/70, who advised he was sitting at the bar next to Angela Harris, F/W, 05/03/77, eating their dinners. Atkins heard a M/W, later identified as Robert I. Hayes, M/W, 11/06/57, screaming inside the bar at nobody. Atkins then observed Hayes screaming, "Fuck You" to the ceiling. Atkins advised after Hayes was screaming, everybody in the bar turned and looked at Hayes to see what was going on.

Hayes then started walking towards Harris and Atkins. Hayes continued to scream and yell while walking towards Harris. The bartender told Hayes he needed to calm down or else he would be kicked out of the bar. At this time, Hayes continued to get closer and closer to Harris. Harris continued to move to her right as Hayes was to her left. At one point in time Harris was leaning so far to her right that she was almost sitting in Atkins lap.

Harris told Hayes he needed to move and to give her some space. Hayes became belligerent with Harris. Hayes spit in Harris' face and in her food. The bartender then told Hayes he was no longer welcome in the bar and that he needed to leave immediately. Before leaving the establishment, Hayes screamed, "Fuck You!"

Atkins advised it appeared Hayes was extremely intoxicated and would not listen to anybody around him. Atkins has seen Hayes before in the bar intoxicated.

Atkins had no further information regarding this incident.

CONTACT WITH TONI M. VIRNHELP (CONTACT)

See Officer Mussatti's supplemental report.

CONTACT WITH SARAH A. JABLONSKI (WITNESS)

See Officer Komorowski's supplemental report.

CONTACT WITH ANGELA N. HARRIS (VICTIM)

See Officer Komorowski's supplemental report.

INITIAL CONTACT WITH ROBERT I. HAYES (OFFENDER)

See Officer Mussatti's supplemental report.

CONTACT WITH ROBERT I. HAYES (OFFENDER)

Upon arrival to Kokopelli's, the bartender and other patrons of the bar advised Hayes had already left and went into the Remedy bar. I made contact with Hayes inside the Remedy. Hayes was walking out of the bar as I was walking in, due to him being kicked out of this bar as well. I immediately smelled a strong odor of

Reporting Officer(s): Marchant, Tieranie	ID Number 9876	ID Number	Pages: 3 Of 4
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Incident Report Number
14-001908

Incident Location:
6001 W Madison St;WA, West Allis, WI, 53214

Incident Date:
03/04/2014

an intoxicant emitting from Hayes' breath and person. I asked Hayes what he was doing. Hayes said he was just leaving and he was not causing any problems.

When I told Hayes he was causing problems and he needed to come outside to speak with me Hayes replied, "Fuck you, you cunt!" I placed Hayes' arm behind his back and assisted him out of the bar. When Officers attempted to ask him what happened tonight, Hayes would become belligerent and swear at Officers.

Hayes' eyes were red and glassy. Hayes' speech was also slow and slurred. Hayes did not know where he was or what was going on. Officers placed Hayes in the back of my squad (#3).

ARREST DECISION

Based on all the witness statements, the victim's statement, and Hayes' demeanor with Officers, Hayes was arrested for Disorderly Conduct and transported to the WAPD for the booking process.

BOOKING

Hayes was mugged, booked, and fingerprinted using WAPD booking# 14-001024. Hayes was given municipal citation #M140010241 for Disorderly Conduct and given a court date of 04/07/14 at 0830 hrs.

While in the booking area, Hayes continued to call me a lesbian and a cunt. I did not say anything to Hayes when he addressed me in that way.

INTERVIEW OF ROBERT I. HAYES (OFFENDER)

Due to Hayes being extremely intoxicated and being uncooperative with Police, an interview was not conducted with Hayes.

CASE DISPOSITION

Due to Hayes causing a disturbance at Kokopelli's, Hayes was issued a citation for Disorderly Conduct and given a municipal court date of 04/07/14 at 0830 hrs.

West Allis Police Department

Supplementary Report

Incident Report Number 14-001908	Incident Location: 6001 W Madison St;WA, West Allis, WI, 53214	Incident Date: 03/04/2014
New Incident:	Original CFS Code - 1:	New CFS Code - 1: New CFS Code - 2:

NAMES

Witness

Virnhelp, Toni M W/F-44 of 5853 W Madison St;WA, West Allis,WI,53214
 DOB: 04/12/1969
 Cell Phone:(414) 554-5691

NARRATIVE

Officer Mussatti reports...

INITIAL CALL

On 03/04/14 at approx. 2139 hrs., officers responded to Kokopelli's Pub, 6001 W. Madison St., for a male refusing to leave. Upon my arrival, I made contact with bar owner, Toni M. Virnhelp, F/W, 04/12/69.

STATEMENT OF TONI

Toni said that initially, there had been an older intoxicated male with one eye inside the bar refusing to leave, but he had since left several minutes before officers arrived. I asked her what happened. She said the male called several women "cunts." He was yelling specifically at one female and while yelling, he spit in her face and food. Toni told him to leave, but he turned around and called her a "bitch."

INITIAL CONTACT WITH ROBERT I. HAYES - OFFENDER

I exited the bar and observed officers escorting Hayes back to the area. While he was next to a squad car, I asked him if he was calling people names. He said he was calling them names because they were calling him names. I asked him if he called anyone inside the bar a "cunt", and he was silent. I asked him why he called them that, and he replied, "Because they were being cunts." I asked him if he spit in someone's food, and he said, "No." I asked him if he spit in someone's face, and he said, "No." During my contact with Hayes, he appeared agitated and I had to repeat my questions several times before he answered.

Reporting Officer(s): Mussatti, Kevyn	Payroll Number: 9906	Payroll Number:	Report Dal : 03/05/2014
Reviewed by: Evenson, Chad	Payroll Number 1870	Copy To:	1 Of 1

West Allis Police Department

Supplementary Report

Incident Report Number 14-001908	Incident Location: 6001 W Madison St;WA, West Allis, WI, 53214	Incident Date: 03/04/2014	
New Incident:	Original CFS Code - 1:	New CFS Code - 1 :	New CFS Code - 2:
<p>NARRATIVE</p> <p>Officer Komorowski reports:</p> <p>I responded to 6001 W. Madison st. for an man causing a disturbance in the bar. Upon arrival I spoke with Angela Harris and Sarah Jablonski.</p> <p>STATEMENT OF SARAH JABLONSKI-WITNESS</p> <p>Sarah said the offender was getting unruly in the bar, yelling/swearing at himself and causing a scene. He was only in the bar about seven minutes, and did not take one sip of his beer. Sarah said one of the customers, Angela Harris, told her the man spit in her face. Sarah asked the man three times to leave, but he refused. The owner, Toni Zirnhelt, asked him to leave, but he said to her "fuck you" and refused to leave. Sarah wanted the man out of the bar, and not to come back.</p> <p>STATEMENT OF ANGELA HARRIS-VICTIM</p> <p>Angela said she was sitting at the bar eating her food. The offender sat next to her and leaned over very close to her. Angela moved over because she did not want the man that close to her. The man said "What the fuck is your problem?". She told him she just needed some space. He said "you can have your space" and spit in her face. The man stumbled out of the bar because he was intoxicated. He came back shortly after and demanded his money back. Sarah told the man no, and Angela's husband prevented him from coming back in the bar.</p>			
Reporting Officer(s): Komorowski, Jason	Payroll Number: 9907	Payroll Number:	Report Dat : 03/05/2014
Reviewed by: Pye, Nicholas	Payroll Number 1832	Copy To:	1 Of 1

