

51
2.
26.



City of West Allis Matter Summary

7525 W. Greenfield Ave.
West Allis, WI 53214

File Number	Title	Status
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2013-0272 Report Introduced

Police Department Report involving Tap City, 7207 W. National Ave. (2012-2013 Class B Tavern License no. 650, Instrumental Music License no. 1510, and Dance Hall License no. 652 of Tap City, Inc., Mary Pakula, Agent, Incident Date: April 16, 2013).

Introduced: 5/21/2013

Controlling Body: License & Health Committee

COMMITTEE RECOMMENDATION

POI

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
MAY 28 2013			Barczak				✓
			Czaplewski	✓			
			Lajsic				
			May				
			Probst				
			Reinke				
		✓	✓	Roadt	✓		
		✓		Sengstock	✓		
			Vitale				
			Weigel	✓			
			TOTAL	4	0		1

SIGNATURE OF COMMITTEE MEMBER

[Handwritten Signature]

Chair

Vice-Chair

Member

COMMON COUNCIL ACTION

PLACE ON FILE

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
JUN 04 2013	✓		Barczak	✓			
			Czaplewski	✓			
			Lajsic	✓			
			May	✓			
			Probst	✓			
			Reinke	✓			
			✓	Roadt	✓		
				Sengstock	✓		
			Vitale	✓			
			Weigel	✓			
			TOTAL	10			

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



CITY CLERK/TREASURER'S OFFICE

414/302-8200 or 414/302-8207 (Fax)

www.westalliswi.gov

Paul M. Ziehler

City Admin. Officer, Clerk/Treasurer

Monica Schultz

Assistant City Clerk

Rosemary West

Treasurer's Office Supervisor

May 22, 2013

Mary M. Pakula, Agent
Tap City, Inc.
d/b/a Tap City USA
7207 W. National Ave.
West Allis, WI 53214

Dear Ms. Pakula:

The Chairman of the License & Health Committee orders that you appear at its meeting on Tuesday, May 28, 2013, at 6:00 P.M., in the Common Council Chambers, West Allis City Hall, 7525 W. Greenfield Ave., with regards to an incident on April 16, 2013.

A copy of the incident is being sent to your home address.

Sincerely,

Monica Schultz
amn

Monica Schultz
Assistant City Clerk

amn

cc: Mary M. Pakula (enclosure home)
Russell & Arlene Kleist (no enclosure)



**City of West Allis
Police Department**

Liquor Establishment Violation

Date: 4/16/2013
 To: Lieutenant Ed ~~Berish~~ *Jessica Johnson*
 From: Officer Mathy

Violation Type

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

Incident #: 13-003184/ call # 13-015634 N/A

Location: 7207 W. National Ave. N/A

Establishment Name: Tap City USA N/A

Establishment License #: 650 N/A

Establishment Owner: MARY M. PAKULA, AGENT N/A

Owner Address: 15500 W Cleveland Ave, New Berlin 53151 N/A

Violation(s): Battery N/A

Offender:	Sal	<input type="checkbox"/> N/A
Offender Address:	74	<input type="checkbox"/> N/A
Offender:		<input checked="" type="checkbox"/> N/A
Offender Address:		<input checked="" type="checkbox"/> N/A
Offender:		<input checked="" type="checkbox"/> N/A
Offender Address:		<input checked="" type="checkbox"/> N/A
Offender:		<input checked="" type="checkbox"/> N/A
Offender Address:		<input checked="" type="checkbox"/> N/A

CBT 650

Tap City Inc

Tap City USA

7207 W. National Ave

Mary M Pakula, Ag

15500 W. Cleveland Ave

New Berlin 53151

GLS *Russell Kleist*

Arlene Kleist

7207 W National Ave

West Allis 53214

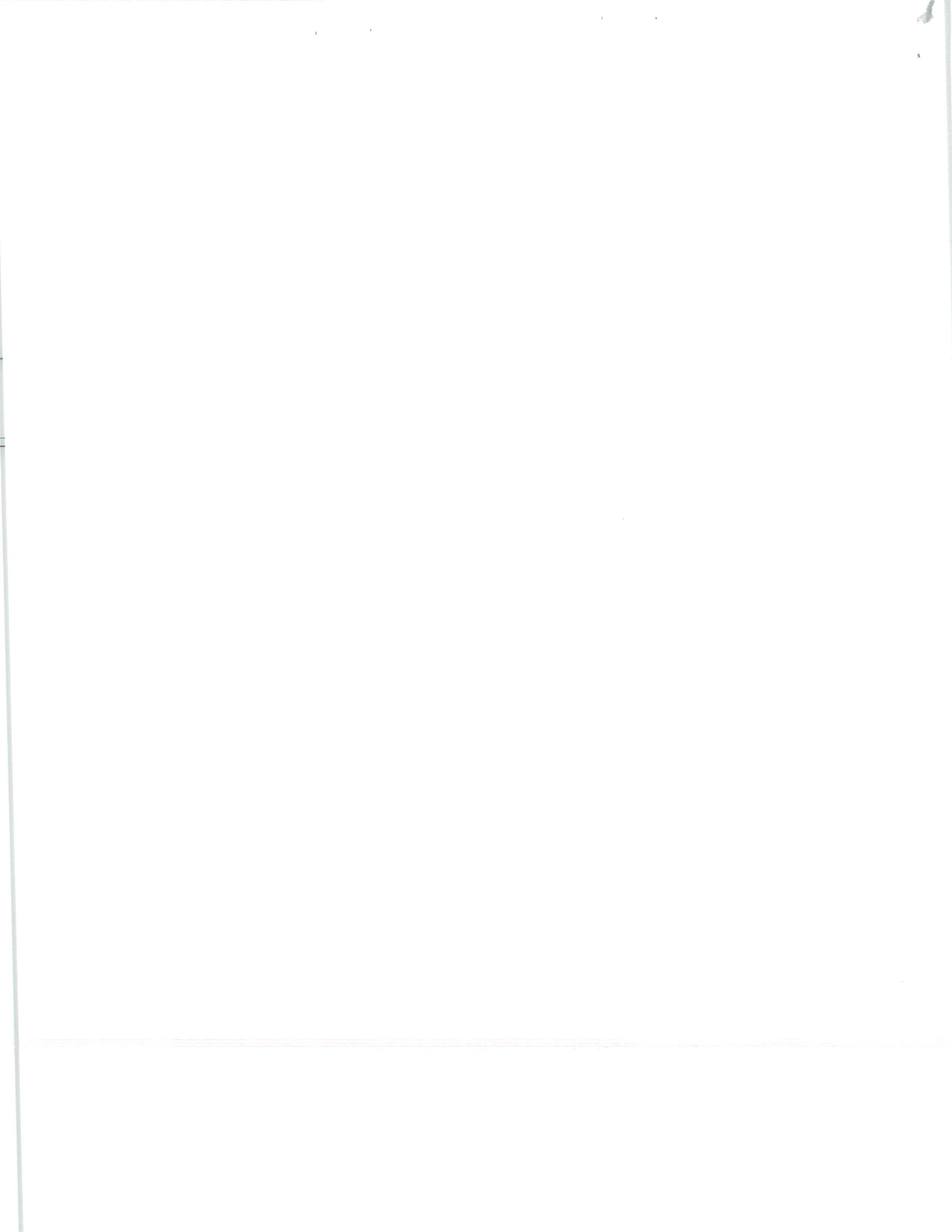
Additional Offenders listed in In

Reviewed by Commanding O
 Copy of Incident Report At
 Commanding Officer Sign

N/A

Reviewed by Deputy Chief Jerry Ponzi:

Copy forwarded to License and Health Committee: Date:





West Allis Police Department

Incident Report

Date:

04/16/2013

CFS Code-1: 1313

Incident Report Number:

13-003184

Incident:
Simple Assault

Incident Report Number:
13-003184

Between: Date - Time

And/At: Date-Time

4/16/13

00:16

Incident Location:

7207 W National Ave;WA, West Allis, WI, 53214

CFS Code-1:

1313

CFS Code-2:

5203

CFS Code-3:

Offense Code-4:

CFS Code-5:

CFS Code-6:

CFS Code-7:

CFS Code-8:

Name (Last, First, Middle)

O

Barulek, Sabrina Ana

DOB:

04/24/1975

Race/Sex

W/F

Address: (Address, City, State, Zip)

7416 HARWOOD AVE 232, WAUWATOSA, WI, 53213

Home Phone Number

Employer

Work Phone Number

Employer Address

Cell Phone Number

(414) 232-9018

Name (Last, First, Middle)

V

Loker, Jeffrey Wayne

DOB:

12/31/1959

Race/Sex

W/M

Address: (Address, City, State, Zip)

924 S 75 St;WA, West Allis, WI, 53214

Home Phone Number

(414) 235-3084

Employer

Work Phone Number

Employer Address

Cell Phone Number

(262) 385-4592

SUMMARY

Officer Treep reports...Battery/Possession of switchblade, OWI-2nd from Tap City located at 7207 W. National Ave. Officers responded to Tap City on 04/16/13 at 0016 hrs., for a report of a male/female fighting. Investigation revealed Jeffrey W. Loker M/W 12/31/1959 was assaulted by known party Sabrina A. Barulek F/W 04/24/1975. Barulek was located driving away from the tavern and stopped in her vehicle. Loker stated as altercation started inside the tavern and Barulek assaulted Loker by punching him several times in the face resulting in a chipped front tooth, injury to his nose and bruising to the neck. Barulek was found to be in possession of a switchblade knife and brass knuckles in her pants pocket and was also arrested for OWI-2nd. Barulek unable to post bail and transported to CJF with a DA review all on 04/17/13 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):

Treep, Wayne

Payroll Number:

9519

Payroll Number:

Report Date:

Time Received:

00:24:22

Time Cleared:

00:47:45

Unit(s) Assigned:

314, 317, 312T

Pages:

1 of 5

Reviewed by:

Corwin, Clint .

Payroll Number

1831

Copy To

West Allis Police Department

Continuation

Incident Report Number

13-003184

Incident Location:

7207 W National Ave;WA, West Allis, WI, 53214

Incident Date:

04/16/2013

NAMES**Contact**

Swiercz, Julie Lynn W/F-42 of 924 S 75 St, West Allis, WI, 53214
 DOB: 11/04/1970 DL: S6204327090401
 HT: 506 WT: 120 Hair: Brown
 Eyes: Green
 Cell Phone: (414) 627-0564

Witness-1

Monty, Michelle M W/F-37 of 6531 W Mitchell St;WA, West Allis, WI, 53214
 DOB: 06/09/1975 DL: M5305537570905
 Cell Phone: (414) 350-3710

Witness-2

Patla, Amber R W/F-28 of 1115 S 63 St, West Allis, WI, 53214
 DOB: 06/09/1984 DL: O3490916804709-08
 HT: 507 WT: 180 Hair: Blonde or Strawberry
 Eyes: Gray Complexion: Fair
 Cell Phone: (414) 215-6720

NARRATIVE**Officer Treep reports...**

On 04/16/13 at approximately 0016 hrs., Officers responded to Tap City located at 7207 W. National Ave. for a report of a male and female physically fighting. Dispatch then advised that the female had left the area in a blue minivan, last seen E/B on W. National Ave.

See Officer Krueger's supplemental report for victim statement and photographs...

See Officer Agor's supplemental report for witness statements...

Once in the area, I began checking E/B on W. National Ave. for this vehicle. As I approached W. Greenfield Ave., I observed a blue Dodge minivan, traveling E/B on W. Greenfield Ave., making a left turn to head E/B on W. National Ave. This was the only blue minivan that I had seen, so I began to follow it. Once behind the vehicle, a blue Dodge Caravan WI Reg #849SEF, I ran the vehicle's registration. The registration listed back to a Sabrina A. Barulek.

Reporting Officer(s):

Treep, Wayne

ID Number

9519

ID Number

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West Allis Police Department

Continuation

Incident Report Number
13-003184Incident Location:
7207 W National Ave;WA, West Allis, WI, 53214Incident Date:
04/16/2013

I then radioed officers who were inside Tap City and asked if they knew the female's name that left in the minivan. Officer Krueger stated the first name was a "Sabrina." Due to this vehicle listing to a "Sabrina," this vehicle matching the description as a blue minivan, and this vehicle still being in the general area of where the incident occurred, I initiated my emergency lights. This vehicle was ultimately stopped in the 5500 block of W. National Ave. at approximately 0024 hrs.

CONTACT WITH SABRINA A. BARULEK

I made contact with the driver, identified by photo WI DL as Sabrina A. Barulek. I asked Barulek if she knew why I was stopping her, which she stated No. I asked her where she was coming from and she stated Tap city. While speaking with Barulek, I observed dry blood around the area of Barulek's lips. I asked Barulek several times if she needed any medical attention, which she declined. I also asked if she was ok, which she replied yes.

As I spoke with Barulek, I could detect a moderate odor of an alcoholic beverage coming from her mouth. When Barulek spoke his speech was slightly slurred. I noticed Barulek's eyes were bloodshot and glassy.

I asked her what occurred over at Tap City. Barulek basically stated that she went there to visit her friend the bartender, Julie Swiercz. While there, Julie's boyfriend Jeff (did not know last name), began calling her names. She stated that Jeff thinks she is a lesbian and wants to be romantically involved with Julie, which she said is not true. Jeff also began calling Barulek her a "Dyke" and asked her "What's up with the road rash?" Barulek stated Jeff is referring to a scar on the side of her face and began making fun of her for it by calling it road rash.

Around this time, I asked Barulek to step from the vehicle to speak with me further. As she was exiting, I asked her twice if there were any weapons in the vehicle or on her person, which she stated no. As she exited, she began reaching her right hand into the front right pants pocket. I removed her hand and instructed to keep her hands up. She attempted to reach for the same pocket twice, at which time, I secured her against her vehicle. I asked her what she had in her pocket and she stated, "My knife."

Upon searching Barulek, I located a black switchblade in her front right pants pocket. I also located brass knuckles in her back right pants pocket. Barulek denied having these while she was inside the tavern. I temporally placed handcuffs on Barulek and placed her in the back seat of my squad.

I then continued the conversation with Barulek from the back seat of my squad. Barulek stated that Jeff got in her face and tapped her on his shoulder and she told him not to touch her. Jeff then pushed her backwards and then punched her in

Reporting Officer(s):
Treep, WayneID Number
9519

ID Number

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West Allis Police Department

Continuation

Incident Report Number 13-003184	Incident Location: 7207 W National Ave;WA, West Allis, WI, 53214	Incident Date: 04/16/2013
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the face once. Barulek stated she then punched him back in the face and then she left the bar.

While she was inside the tavern, she admitted to having (1) glass of beer. She denied consuming any medications or illegal drugs this evening.

While speaking with officers at Tap City, it was determined that Barulek was the main aggressor in this incident. Barulek was then transported back to the station to complete an OWI investigation, and subsequently arrested for OWI 2nd case #DWI13-172..

VEHICLE SEARCH / PROPERTY

Located in Barulek's front right pants pocket was a black switchblade. The blade is approximately 4 inches long, which extends by a push of switch, which extend the blade out the middle of the frame. Also pressing the switch a second time, detracts the blade back into the frame.

Located in Barulek's back right pants pocket was brass knuckles. A search of Barulek's vehicle was performed on scene to look for additional weapons. Located in the center console area of her vehicle was a knife with approximately 5 inch blade in a sheath. All these items were collected and placed on property. *See property supplemental report for additional information.*

MIRANDA INTERVIEW OF SABRINA A. BARULEK

On 04/16/13 at approximately 0358 hrs., I read Barulek the Pre-Interrogation Warnings as they are written on the Alcohol/Drug Influence Report form. Barulek stated she *agreed* to answer questions, concerning this arrest and signed the Alcohol/Drug Influence Report form. This interview was audio recorded on an Olympus DS-2200 Digital Voice Recorder and saved on a departmental media card #P17-6 and stored in the Forensic and Technical Services Bureau. Her statement here is paraphrased for this report.

Barulek was asked if she was operating a motor vehicle today and she stated, "Yes." She stated she was on National Ave. heading to her cousin's in the area of 27/National and was coming from Tap City at 72/National Ave.

Barulek said she is under a doctor's care for seizures. Barulek said she has consumed her seizure prescription medication in the past 24 hours at approximately 8:45pm. Barulek said she has not been to a dentist in the past 24 hours. Barulek stated she does have epilepsy.

Barulek was asked if she had been drinking alcohol this evening and replied, "Yes." Barulek stated had a mini pitcher of Miller High Life beer. Barulek started drinking around 5pm and ending around 8pm. She stated she was drinking

Reporting Officer(s): Treep, Wayne	ID Number 9519	ID Number	Pages: 4 Of 5
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West Allis Police Department

Continuation

Incident Report Number 13-003184	Incident Location: 7207 W National Ave;WA, West Allis, WI, 53214	Incident Date: 04/16/2013
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with friends at Barnecks located near 74/Becher.

I asked Barulek if she had been using drugs, to which Barulek replied, "No." Barulek said she had not been drinking or using drugs from the last time she operated a motor vehicle. I asked Barulek if she felt that she was under the influence of alcohol or drugs at this time, and she replied, "No."

Barulek was asked if she was involved in a crash today, which she replied, "No."

I then asked Barulek questions related to the incident at Tap city.

Barulek admitted to talking with Jeff. Jeff ended up pushing her at her chest with one hand and began calling her names such as a Dyke and a fucking bitch. She stated she then pushed Jeff back in his chest with one of her arms, telling him not to touch her. Jeff then punched her in the mouth and then she swung a right hand back at him, striking him in the face area. Barulek admitted to hearing Jeff say something about her breaking his tooth. Barulek stated she then tried to exit the bar and was grabbed by Jeff. She stated they both ended up on the ground and was struck a few times by Jeff, while she attempted to defend herself by blocking. Once outside the bar she was pushed by Jeff and eventually got into her van and left the area. I then ended the interview at approximately 0416 hrs.

I restarted the interview at 0428 hrs., and Barulek stated she still understood her rights and would continue answering questions. Barulek admitted to having the brass knuckles and switchblade in her possession. Barulek stated she thought the switchblade was broken (currently works) and both were given as gifts to her. Barulek stated she does not have a CCW permit. This interview was then concluded at approximately 0430 hrs.

CASE DISPOSITION

Case reviewed by Captain Versnik.

Barulek was unable to post bail on the Battery/Possession of Switchblade knife and was transported to CJF with a DA review date of 04/17/13 at 0830 hrs.

Reporting Officer(s): Treep, Wayne	ID Number 9519	ID Number	Pages: 5 Of 5
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West Allis Police Department

Supplementary Report

Incident Report Number 13-003184	Incident Location: 7207 W National Ave;WA, West Allis, WI, 53214	Incident Date: 04/16/2013
New Incident:	Original CFS Code - 1:	New CFS Code - 1 : New CFS Code - 2:
NAMES		
Victim		
Loker, Jeffrey Wayne W/M-53 of 924 S 75 St;WA, West Allis,WI,53214		
DOB: 12/31/1959 DL: L260-4395-9471-05		
HT: 509 WT: 190 Hair: Brown		
Eyes: Brown		
Home Phone:(414) 235-3084 Cell Phone:(262) 385-4592		

NARRATIVE		
INITIAL CALL		
<p>On 04/15/13 at approximately 12:24am, officers were dispatched to a fight in progress at the Tap City bar, 7207 West National Avenue. Someone at the bar called to report a male and female subject were physically fighting. As officers were entering the bar, dispatch informed us the female subject had left the bar in a blue mini-van, last seen eastbound on West National Avenue. Officer Treep began checking the area for the vehicle.</p>		
<p>Upon entering the bar, I observed several people seated at the bar and a male subject walking towards me from the rear of the bar. This male subject was later identified as Jeffrey W Loker, m/w, 12/31/59. Loker had blood on his face and neck. He stated he had been assaulted by a female who he identified only as "Sabrina." I spoke to Loker while Officer Mathy and Officer Agor spoke to the bartender and other customers.</p>		
LOKER'S STATEMENT		
<p>Loker immediately stated that Sabrina hit him in the face and broke his tooth and nose. I questioned him why she hit him but all he would say is that Sabrina doesn't like him. After several minutes, Loker stated the bartender is his girlfriend and Sabrina is a bi-sexual. He believes tension exists between Sabrina and him because Sabrina is romantically interested in his girlfriend. Loker would not elaborate on what he said to Sabrina and he denied hitting her during the fight. He said she "sucker punched" him while they were standing at the bar and he tried to defend himself. The fight progressed towards the pool tables where several patrons pulled Sabrina off of him. Sabrina fled the bar and entered her vehicle in the bar's parking lot. Loker followed her and called the police on his cell phone. Loker said Sabrina almost ran him over as she exited the parking lot.</p>		
Reporting Officer(s): Krueger, Richard	Payroll Number: 9967	Report Date: 04/16/2013
Reviewed by: Versnik, Ronald	Payroll Number 1343	Copy To: 1 of 2

Incident Report Number 13-003184	Incident Location: 7207 W National Ave;WA, West Allis, WI, 53214	Incident Date: 04/16/2013
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Loker complained of pain on the back of his head and he stated he felt several lumps there. He stated he has a "partial" for one of his front teeth and he removed it to show that it was chipped as a result of Sabrina striking him. Loker did not complain of any other pain and he refused medical attention.

LACK OF CONSENT

Loker did not give Sabrina consent to punch him in the face.

OFFICER OBSERVATIONS

I observed Loker's nose appeared swollen and there was dried blood on it. There was also drops of dried blood on Loker's right cheek and on the bar floor. Loker had a scratch on the front of his neck and another on the back of his neck. I observed his partial was chipped. Loker was very upset and he was talking incoherently at times. He did not appear severely intoxicated.

PHOTOGRAPHS

While at the bar, I took several photographs of Loker's injuries using a WAPD issued Canon PowerShot digital camera. I used digital media card S66F to capture the images. The media card was turned into the media card slot in the WAPD property room.

- photograph 1: overview of Loker's face
- photograph 2: closeup of Loker's face
- photograph 3: Loker's chipped tooth
- photograph 4: scratch on back of Loker's neck
- photograph 5: blood on right side of Loker's face
- photograph 6: scratch on left side of Loker's face
- photograph 7: pool table area
- photograph 8: Loker's partial
- photograph 9: blood on floor
- photograph: blood on floor
- photograph: blood on floor
- photograph: Tap City sign

West Allis Police Department

Supplementary Report

Incident Report Number 13-003184	Incident Location: 7207 W National Ave;WA, West Allis, WI, 53214	Incident Date: 04/16/2013
New Incident:	Original CFS Code - 1:	New CFS Code - 1 : New CFS Code - 2:

OTHER NAMES

Barulek, Sabrina Ana W/F-37 of 7416 HARWOOD AVE 232, WAUWATOSA,WI,53213
 DOB: 04/24/1975
 HT: 505 WT: 220 Hair: Bald/Shaved
 Eyes: Brown Complexion: Light Medium
 Other Phone: (414) 232-9018 Other Phone: (414) 232-9018

PROPERTY LIST

Seq#	Reason	Make/Model	Description/Serial#	Quan/Value
13-002807				
1	EVI	Mora	Approx 5 inch long knife w/ shealth	1.000 \$5.00 [Recovered]
2	EVI		Switchblade, approx 4 inch long blade	1.000 \$10.00 [Recovered]
3	EVI		Brass knuckles	1.000 \$5.00 [Recovered]

Reporting Officer(s): Treep, Wayne	Payroll Number: 9519	Payroll Number:	Report Dat : 04/16/2013
Reviewed by: Corwin, Clint .	Payroll Number 1831	Copy To:	1 Of 1

West Allis Police Department

Continuation

Incident Report Number 13-003184	Incident Location: 7207 W National Ave;WA, West Allis, WI, 53214	Incident Date: 04/16/2013
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secure copies of surveillance footage during a previous complaint about counterfeit money.

FOLLOW UP WITH OFFICER TREEP

After Officer Treep made contact with Barulek, who he subsequently arrested for OWI - 2nd Offense and Possession of a Switchblade Knife (refer to Officer Treep's Incident report), I relayed to him all of the information given to me by witnesses and the bartender on what they observed in regards to the altercation between Loker and Barulek. I also relayed the information Pakula gave me in regards to their surveillance system to Officer Treep.

Reporting Officer(s): Agor, Ramon	ID Number 9901	ID Number	Pages: 3 Of 3
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West Allis Police Department

Supplementary Report

Incident Report Number 13-003184	Incident Location: 7207 W National Ave;WA, West Allis, WI, 53214	Incident Date: 04/16/2013	
New Incident:	Original CFS Code - 1: 1313	New CFS Code -1 :	New CFS Code - 2:

NARRATIVE

ADA REVIEW 04-17-13

Barwick reports:

ADA Lindsay reviewed this case and pended it until 05-22-13. He wishes for the blood results to come back and for video from the tavern. Barulek was released and ordered in for the aforementioned date.

Reporting Officer(s): Barwick, Steven .	Payroll Number: 1805	Payroll Number:	Report Date: 04/17/2013
Reviewed by: Spath, Anthony	Payroll Number: 1813	Copy To:	1 Of 1

