

51.



# City of West Allis

7525 W. Greenfield Ave.  
West Allis, WI 53214

## Matter Summary

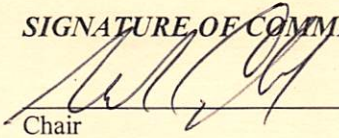
File Number	Title	Current Status
2015-0245	Report	Introduced
Police Department Report involving Barneks, 7411 W. Becher St. (2014-2015 Class B Tavern License no. 1060 and Dance Hall License no. 1062 of Dale J. Zbieranek) Incident Date: March 23, 2015. Introduced: 4/21/2015 <span style="float: right;">Controlling Body: License &amp; Health Committee</span>		

### PLACE ON FILE

#### COMMITTEE RECOMMENDATION

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
<u>APR 21 2015</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Barczak	<input checked="" type="checkbox"/>			
	<input type="checkbox"/>	<input type="checkbox"/>	Czaplewski	<input checked="" type="checkbox"/>			
	<input type="checkbox"/>	<input type="checkbox"/>	Haass	<input checked="" type="checkbox"/>			
	<input type="checkbox"/>	<input type="checkbox"/>	Lajsic				
	<input type="checkbox"/>	<input type="checkbox"/>	May				
	<input type="checkbox"/>	<input type="checkbox"/>	Probst				
	<input type="checkbox"/>	<input type="checkbox"/>	Reinke				
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Roadt	<input checked="" type="checkbox"/>			
	<input type="checkbox"/>	<input type="checkbox"/>	Vitale				
	<input type="checkbox"/>	<input type="checkbox"/>	Weigel	<input checked="" type="checkbox"/>			
		TOTAL		<u>5</u>	<u>0</u>		

#### SIGNATURE OF COMMITTEE MEMBER

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

#### COMMON COUNCIL ACTION

### PLACE ON FILE

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
<u>APR 21 2015</u>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Barczak	<input checked="" type="checkbox"/>			
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Czaplewski	<input checked="" type="checkbox"/>			
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Haass	<input checked="" type="checkbox"/>			
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Lajsic	<input checked="" type="checkbox"/>			
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	May	<input checked="" type="checkbox"/>			
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Probst	<input checked="" type="checkbox"/>			
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Reinke	<input checked="" type="checkbox"/>			
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Roadt	<input checked="" type="checkbox"/>			
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Vitale	<input checked="" type="checkbox"/>			
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Weigel	<input checked="" type="checkbox"/>			
		TOTAL		<u>10</u>			

**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. 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  
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: 3/24/2015  
To: Lieutenant Jessica Johnson  
From: PO A. Iskandarani

**Violation Type**

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

Incident #: 15-012267  N/A

Location: 7411 W Becher St  N/A

Establishment Name: Barnek's Tavern  N/A

Establishment License #: 1060  N/A

Establishment Owner: Dale J Zbieranek  N/A

Owner Address: 7411 W Becher St  N/A

Violation(s): Disorderly Patron Michael R Mueller M/W 09/23/1958 was in the tavern causing problems, throwing items, and damaging property.  N/A

Offender: Michael R Mueller M/W 09/23/1958  N/A

Offender Address: 207 S 73 St, Milwaukee WI 53219  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

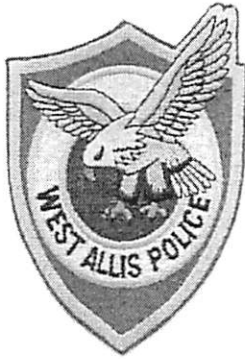
Reviewed by Commanding Officer: Cpt Evenson

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

Commanding Officer Signature:

Reviewed by Deputy Chief Robert Fletcher:

Copy forwarded to License and Health Committee: Date:



# West Allis Police Department

# Incident Report

Date: 03/24/2015

Incident:  
Criminal Dam-Business

Incident Report Number:  
15-012267

Between: Date - Time

And/At: Date-Time

3/23/15

14:57

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

CFS Code-1:  
2901

CFS Code-2:  
5311

CFS Code-3:

Offense Code-4:

CFS Code-5:

CFS Code-6:

CFS Code-7:

CFS Code-8:

V

Name (Last, First, Middle)

Holcomb, Richard L

DOB:

03/24/1957

Race/Sex

W/M

Address: (Address, City, State, Zip)

530 S 66 St, Milwaukee, WI, 53214

Home Phone Number

(414) 546-3633

Employer

Work Phone Number

Employer Address

Cell Phone Number

(414) 378-8889

V

Name (Last, First, Middle)

Barneks,

DOB:

Race/Sex

Address: (Address, City, State, Zip)

7411 W Becher St, West Allis, WI, 53219

Home Phone Number

Employer

Work Phone Number

(414) 727-9480

Employer Address

Cell Phone Number

## SUMMARY

### PO ISKANDARANI REPORTS:

\*\*\* Disorderly Conduct - 7411 W Becher St \*\*\*

On 03/24/2015 at approx. 1501hrs, I responded to Barneks Tavern to investigate a report of a disorderly male. Upon arrival, I made contact with staff and patrons who advised a party identified as Michael R Mueller M/W 09/23/1958 was throwing items around inside the bar and making a scene. Investigation revealed Michael punched the front door multiple times causing damage after being thrown out of the bar. I ultimately located Michael at his home address in Milwaukee and took him into custody for Disorderly Conduct and Criminal Damage to Property. Michael was issued local citations and released from custody with a court date.

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

License Number:

State:

Expiration Year:

Vin:

Insurance Company:

Other Vehicle Information:

NCIC#

Reporting Officer(s):

Iskandarani, Alexander

Payroll Number:

9965

Payroll Number:

Report Date:

Time Received:

14:57:17

Time Cleared:

17:04:43

Unit(s) Assigned:

219. 229

Pages:

1 Of 5

Reviewed by:

Evenson, Chad

Payroll Number

1870

Copy To

CFS Code-1: 2901

Incident Report Number:

15-012267

West Allis Police Department

Continuation

Incident Report Number  
15-012267

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

Incident Date:  
03/24/2015

**NAMES**

**Offender**

Mueller, Michael Robert W/M-56 of 207 S 73 St, Milwaukee, WI, 53214  
DOB: 09/23/1958  
HT: 508 WT: 155 Hair: Brown  
Eyes: Blue Complexion: Fair  
Other Phone: (414) 763-7697

Booking#: 15-001415

Case#	Charge	Description	Ct
15-012267	WA-943.01	Criminal Damage to Property	1
15-012267	WA-947.01	Disorderly Conduct	1

**Victim**

Gerhartz, Jennifer A W/F-35 of 432 S 75TH ST, MILWAUKEE, WI, 53214  
DOB: 01/30/1980  
HT: 503 WT: 159 Hair: Brown  
Eyes: Brown  
Home Phone: (414) 607-1721 Other Phone: (414) 801-5142

**Witness**

Armstrong, Daniel J W/M-39 of 3745 S 76 ST, MILWAUKEE, WI, 53220  
DOB: 03/28/1975  
HT: 510 WT: 220 Hair: Brown  
Eyes: Hazel

**NARRATIVE**

**PO ISKANDARANI REPORTS:**

**INITIAL INFORMATION:**

On 03/24/2015 at approx. 1501hrs, I responded to "Barneks Tavern" located at 7411 W Becher St to investigate a report of a disorderly male inside the business.

Reporting Officer(s):  
Iskandarani, Alexander

ID Number  
9965

ID Number

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## West Allis Police Department

## Continuation

Incident Report Number 15-012267	Incident Location: 7411 W Becher St, West Allis, WI, 53219	Incident Date: 03/24/2015
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Upon arrival, I made contact with the bartender, Jennifer A Gerhartz F/W 01/30/1980.

**STATEMENT - JENNIFER A GERHARTZ (VICTIM):**

Jennifer advised she is employed as a bartender at Barneks Tavern and was working in that capacity when this incident allegedly occurred. Jennifer stated she was working inside the bar when a male identified as Michael R Mueller M/W 09/23/1958 came in. She advised Michael was drinking for approximately 1.5 hrs and playing pool with other patrons inside the bar.

Jennifer stated at some point, Michael got angry about something and started arguing with other people inside the bar. Jennifer stated she asked Michael to leave, however, he refused. Jennifer stated Michael began saying something under his breath but was unable to make out exactly what he was saying. Jennifer stated she believed he was saying "fuck this" and "fuck that" over and over again.

Jennifer stated Michael refused to leave so other individuals moved in to help remove him from the bar. Jennifer advised she was fearful about what Michael may do because he was intoxicated and angry. Jennifer stated called WAPD to report a disorderly individual inside the bar because she thought there was going to be a physical altercation between Michael and other patrons inside the tavern.

Jennifer stated she contacted American United Taxi to have Michael removed peacefully. Jennifer stated he was removed from the bar by two other patrons. Jennifer said the other patrons held the door shut prompting Michael to strike the door with his fists between 8-10 times.

Jennifer stated Michael damaged the door as a result of striking it multiple times. She advised she assumed his hand was broken based on how hard he was slamming the door.

While speaking with Jennifer, I was approached by Richard L Holcomb M/W 03/24/1957 who advised he had driven Michael to the bar and could provide additional identifying information.

**STATEMENT - RICHARD L HOLCOMB (VICTIM):**

Richard stated he picked Michael up from his residence located at 207 S 73 St, Milwaukee WI 53219. Richard stated they were celebrating his birthday when Michael got upset for an unknown reason inside the bar. Richard stated they were drinking all day and Michael was heavily intoxicated.

Richard advised he assisted in removing Michael from the bar after he threw bar stools around and was swearing inside the business. Richard stated once outside, Michael clenched his fists and tried to strike him in the face. Richard advised

Reporting Officer(s): Iskandarani, Alexander	ID Number 9965	ID Number	Pages: 3 Of 5
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**West Allis Police Department****Continuation**

Incident Report Number

15-012267

Incident Location:

7411 W Becher St, West Allis, WI, 53219

Incident Date:

03/24/2015

Michael never made contact so he threw him on the ground and held him there until he calmed down.

Richard advised after separating from Michael, he walked back inside the tavern and held the door shut. Richard advised Michael started punching the door causing part the wooden door to split and parts to fly off inside the business.

**STATEMENT - DANIEL J ARMSTRONG (WITNESS):**

Daniel J Armstrong M/W 03/20/1975 reported he was inside the bar when Michael started getting verbally aggressive. Daniel stated Michael threw bar stools around inside the bar and was ultimately removed from the business.

Daniel stated he walked outside and observed Richard trying to calm Michael down. Daniel advised he observed Michael throw a punch at Richard. Michael never made contact with Richard.

Daniel stated he and Richard walked back into the bar and held the door shut while Michael tried to get back in the bar. Michael punched the front door multiple times causing physical damage. Michael then entered a taxi and left the area without any additional third party intervention.

**LACK OF CONSENT:**

No one gave the offender consent to strike the door causing damage, cause a scene inside the bar, or attempt to strike patrons.

**OFFICER OBSERVATIONS:**

While inside the bar, I observed very minor damage to the front door that Michael allegedly struck. Bar staff reported a small piece of wood fell off when Michael was punching the door but they were able to repair most of the damage. The door itself had a minor crack that was allegedly caused by Michael.

**DAMAGED PROPERTY:**

- Damaged Front Door (\$50.00)

**Total Estimated Damage: \$50.00**

**FOLLOW-UP: 207 S 73 ST:**

On 03/24/2015 I conducted follow-up at 207 S 73 St in the city of Milwaukee in an attempt to locate Michael. Upon arrival, I spoke with Michael on the front porch

Reporting Officer(s):

Iskandarani, Alexander

ID Number

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## West Allis Police Department

Continuation

Incident Report Number

15-012267

Incident Location:

7411 W Becher St, West Allis, WI, 53219

Incident Date:

03/24/2015

of his residence.

**STATEMENT - MICHAEL R MUELLER (OFFENDER):**

I first advised Michael regarding the reason for police contact. I could immediately tell Michael was heavily intoxicated based on his uneasiness on his feet, his glassy bloodshot eyes, and a strong odor of an intoxicant emanating from his breath.

Michael advised he was at a tavern on W Becher St but could not remember the name of the bar. Michael stated he got into a verbal altercation with people inside the bar but could not remember who or why. Michael stated he may have punched the door when he left but stated he did not cause any damage.

While speaking with Michael, his left and right hands had fresh lacerations on his knuckles consistent with someone punching an object. Michael advised the hand wounds were likely a result of hitting the door.

Michael then turned around and started walking towards the front door of his residence. Michael stated "I'm not going anywhere". I subsequently grabbed his left hand as he started walking away and I advised he was under arrest. Michael was physically cooperative after I advised he was under arrest.

**ARREST / TRANSPORT:**

Michael was told he was under arrest for Disorderly Conduct and Criminal Damage to Property. Michael was cuffed, searched, and placed in the back of my squad vehicle for transport to the WAPD Substation. This occurred without incident.

**BOOKING / CITATION ISSUANCE:**

Michael was arrested, printed, and booked for Disorderly Conduct and Criminal Damage to Property under booking #2015001415. Michael was issued municipal citation #20150014151 and M150014152 for the alleged offenses. A local court date of 05/11/2015 at 0830hrs was assigned.

**CASE DISPOSITION:**

On 03/24/2015 at approx. 1501hrs, I responded to "Barneks Tavern" located at 7411 W Becher St to investigate a report of a disorderly male inside the business. Upon arrival, I made contact with multiple patrons and the bartender who identified Michael R Mueller M/W 09/23/1958 as the offender. Michael was located, arrested, printed, and booked for alleged offenses. After concluding the booking process, Michael was released from custody with local court dates.

Reporting Officer(s):

Iskandarani, Alexander

ID Number

9965

ID Number

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**West Allis Police Department**

**Supplementary Report**

Incident Report Number: 15-012267	Incident Location: 7411 W Becher St, West Allis, WI, 53219	Incident Date: 03/24/2015
New Incident:	Original CFS Code - 1: 2901	New CFS Code - 1 : New CFS Code - 2:

**OTHER NAMES**

Barneks of 7411 W Becher St, West Allis, WI, 53219  
Work Phone: (414) 727-9480

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**PROPERTY LIST**

Seq#	Reason	Make/Model	Description/Serial#	Quan/Value
15-001938				
1	DAM		North Facing Front Door - 7411 W Becher St	1.000 \$50.00

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Reporting Officer(s): Iskandarani, Alexander	Payroll Number: 9965	Payroll Number:	Report Date: 03/28/2015
Reviewed by: Evenson, Chad	Payroll Number: 1870	Copy To:	Page: 1 Of 1