

39.



City of West Allis Matter Summary

7525 W. Greenfield Ave.
West Allis, WI 53214

File Number	Title	Status
2012-0647	Report	Introduced
	Police Department report regarding tavern violations/calls for service for October and November 2012.	
	Introduced: 12/18/2012	Controlling Body: License & Health Committee

PLACE ON FILE

COMMITTEE RECOMMENDATION

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
DEC 18 2012			Barczak	✓			
			Czaplewski	✓			
			Lajsic				
			May				
			Probst				
			Reinke				
		✓		Roadt	✓		
				Sengstock	✓		
			✓	Vitale			
			Weigel	✓			
			TOTAL	5	0		

SIGNATURE OF COMMITTEE MEMBER

Chair

Vice-Chair

Member

PLACE ON FILE

COMMON COUNCIL ACTION

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
12/18/12			Barczak	✓			
		✓	Czaplewski	✓			
			Lajsic	✓			
			May	✓			
			Probst	✓			
			✓	Reinke	✓		
				Roadt	✓		
				Sengstock	✓		
				Vitale	✓		
			Weigel	✓			
			TOTAL	10			

**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



DEPARTMENT OF POLICE

Michael Jungbluth
Chief of Police

Charles Padgett
Deputy Chief of Police

Robert Fletcher
Deputy Chief of Police

Date: December 4, 2012

Mayor Dan Devine

License and Health Committee:

Alderman Michael Czaplewski (Chair)
Alderman Daniel Roadt (Vice-Chair)
Alderman Gary Barczak
Alderman James Sengstock
Alderman Martin Weigel
Assistant City Attorney Jenna Merten

The following is a summary of reported incidents involving licensed businesses, including reported tavern violations and calls for police service during the month of November and one incident from October 26.

Incident reports:

Case # 12-009527, 10/26/2012, at 2226 hrs – Burnham Bowl, 6016 W. Burnham St.

On 10/26/2012, at 2226 hrs, Officers responded to Burnham Bowl, 6016 W. Burnham St. regarding a large fight on the parking lot. Upon officers arrival there were approximately 12 individuals actively fighting and many more watching. Officers' investigation revealed that a fight between two individuals initiated inside the bar, which led management to force numerous parties outside the building and onto the parking lot, where additional altercations broke out.

It is not clear from the police report how our department was notified of the large fight; however, Lt. Nohelty who was in the station when the call came in and sent squads from both 2nd and 3rd shifts to assist with this chaotic incident. It does not appear any arrests were made at this point due to lack of cooperation from the individuals involved.

Case # 12-010343, 11/24/2012, at approx. 2200 hrs – Big Dog Sports Grill, 9427 W. Greenfield Ave

On 11/24/2012, at 2200 hrs, our department received a call from a neighbor of Big Dog Sports Grill, 9427 W. Greenfield Ave. The complainant said the music coming from the band playing

at the bar was too loud. This individual making the complaint said he made numerous complaints against the bar for its loud music, but nothing has been done.

Sgt. Clementi investigated this complaint and drove through the alley directly behind the bar; he indicated in his report that the music did not appear to be unreasonable, but based on the complainants statement and willingness to testify he was going to issue the owner of the Big Dog Sports Grill a citation for Disorderly Conduct.

I know Alderman Barczak and May have been working with the bar and the complainant in effort to resolve this matter, which included decibel readings at the bar when the music is playing. However, the matter has not been resolved.

In addition, I had Officer Nelson canvass the neighborhood around the bar to see if other residents have been negatively impacted by the music coming from the bar. He spoke with 9 neighbors and none of them had issues with the music coming from the bar. Officer Nelson is working on scheduling a mediation meeting with the bar owner and the complainant to resolve their issues. It appears both sides were receptive to mediation.

Case # 12-010482, 11/28/2012, at approx. 2331hrs – Drunken Duck, 5906 W. Burnham St; Fiddler’s Green, 6108 W. Burnham St; Calanan’s Parkway Pub, 11505 W. National Ave.

Recently, ACA Jenna Merten was asked by a tavern owner to see whether he could host poker nights at his bar. I did some research and discovered that he couldn’t because it would be gambling. When I called him back, the bar owner told me that there are at least 2 leagues in operation in Wisconsin hosting these types of poker tournaments: Pit Bull Poker and Badger Poker. Upon looking at their websites, I saw that some West Allis bars were hosting these tournaments: The Drunken Duck, Fiddler’s, and possibly Callanan’s.

Accordingly, I am requesting that someone from the PD investigate these allegations and notify the taverns that they can no longer continue these types of tournaments. I spoke with the village attorney of Menomonee Falls (see below) and MFPD is also doing this same kind of investigation. I have also notified the Milwaukee city attorney office, but have not heard back from them yet.

Any questions please let me know. The investigation should be recorded in a report and sent to the License and Health Committee when completed.

Thanks,
Jenna

Det. Eric Sturino spoke with the owners of the aforementioned taverns and apprised them of ACA Merten’s findings. Det. Sturino advised the owner’s that he was sharing this information for their knowledge and to serve as a warning that poker tournament are illegal. Det. Sturino filed report # 12-10482 (attached).

Lt. Evenson and I are also planning on disseminating this information to other taverns located in our city.

Tobacco and Alcohol Compliance checks:

- No tobacco compliance checks were conducted during this reporting period.
- No alcohol compliance checks were conducted during this reporting period.

Violation of Wisconsin Clean Air Act Smoking Ban:

- No violations reported during this reporting period.

Respectfully submitted,

A handwritten signature in black ink that reads "Lt. Ed Benish". The signature is written in a cursive style with a long, sweeping tail on the letter "h".

Lt. Ed Benish



**City of West Allis
Police Department**

Liquor Establishment Violation

Date: 11/28/2012
To: Lieutenant Ed Benish
From: Jenna Merten

Violation Type

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

Incident #: 12-010482 N/A

Location: Several locations N/A

Establishment Name: Drunken Duck, Fiddler's Green & Callanan's Pub N/A

Establishment License #: N/A

Establishment Owner: N/A

Owner Address: 5906 Burnham, 6108 W. Burnham, 11505 W. National N/A

Violation(s): Illegal Poker Tournaments (gambling) N/A

Offender: Hector Guillermo (Drunken Duck) N/A

Offender Address: 5353 W. Beloit Rd N/A

Offender: Eric Skiba (Calanan's Parkway Pub) N/A

Offender Address: 11505 W. National Ave N/A

Offender: Kathleen Glowing (Fiddler's Green) N/A

Offender Address: 436-A S 66th St N/A

Offender: N/A

Offender Address: N/A

Additional Offenders listed in Incident Report narrative: Yes No

Reviewed by Commanding Officer: Lt. Ed Benish

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

Commanding Officer Signature:

Reviewed by *Acting* ~~Deputy~~ Chief *CHARLES PADGETT* ~~Jerry Ponzi~~:

Copy forwarded to License and Health Committee: Date:



West Allis Police Department

Incident Report

Incident: Informational/All Other

Incident Report Number: 12-010482 Between: Date - Time: And/At: Date-Time: 11/28/12 23:31

Incident Location: 11301 W Lincoln Ave, West Allis, WI, 53227

CFS Code-1: GZ 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): B Drunken Duck, DOB: Race/Sex:

Address: (Address, City, State, Zip) 5906 W Burnham St, West Allis, WI, 53219 Home Phone Number:

Employer: Work Phone Number:

Employer Address: Cell Phone Number: (414) 460-9506

Name (Last, First, Middle): B Fiddler's Green, DOB: Race/Sex:

Address: (Address, City, State, Zip) 6108 W Burnham St, West Allis, WI, 53219 Home Phone Number:

Employer: Work Phone Number: (414) 327-2722

Employer Address: Cell Phone Number: (414) 545-5275

SUMMARY

Detective E Sturino:

On Wednesday, 11/28/12, Report For Record at 11301 W Lincoln Ave. Detective Porter and I responded to The Drunken Duck, The Fiddler's Green and Callanan's to investigate taverns hosting illegal Poker Tournaments. Employees were advised the tournaments were illegal. This Incident Report was completed for informational purposes.

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

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

Other Vehicle Information: NCIC#

Reporting Officer(s): Sturino, Eric Payroll Number: 9467 Payroll Number: Report Date:

Time Received: 23:31:04 Time Cleared: 23:48:19 Unit(s) Assigned: 253 Pages: 1 Of 5

Reviewed by: Botsch, Christopher Payroll Number: 9001 Copy To:

Date: 11/28/2012 CFS Code-1: GZ Incident Report Number: 12-010482

West Allis Police Department

Continuation

Incident Report Number 12-010482	Incident Location: 11301 W Lincoln Ave, West Allis, WI, 53227	Incident Date: 11/28/2012
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NAMES

Employee-1

Glowing, Kathleen G W/F-30 of 436A S 66 St, Milwaukee,WI,53214
 DOB: 07/03/1982 DL: G452-5078-2743-02
 HT: 503 WT: 103 Hair: Brown
 Eyes: Green
 Home Phone:(414) 899-3007 Work Phone:(414) 291-8667

Employee-2

Guillermo, Hector E W/M-59 of 5353 W Beloit Rd, 5, West Milwaukee,WI,53214
 DOB: 03/13/1953
 Home Phone:(414) 460-9506 Business Phone:(414) 763-2657

Business

Callanan's Parkway Pub of 11505 W National Ave, West Allis,WI,53227

Employee-3

Guillermo, Lindsey A W/F-28 of 1510 S 64 St, West Allis,WI,53214
 DOB: 05/18/1984 DL: G465-5218-4678-03
 HT: 505 WT: 125 Hair: Brown
 Eyes: Brown
 Home Phone:(414) 546-1618 Cell Phone:(414) 333-3675

Employee-4

Luther, Anthony L W/M-54 of 5410 W Presidio Ln, L, Milwaukee,WI,53223
 DOB: 08/04/1958
 Work Phone:(414) 543-2255 Cell Phone:(414) 614-2223

Employee-5

Skiba, Eric M W/M-50 of 8608 W HAYES AVE, MILWAUKEE,WI,53227
 DOB: 05/04/1962 DL: S100-2136-2164-06
 HT: 600 WT: 200 Hair: Brown
 Eyes: Hazel
 Home Phone:(414) 546-1461 Cell Phone:(414) 530-2721

NARRATIVE

Reporting Officer(s): Sturino, Eric	ID Number 9467	ID Number	Pages: 2 Of 5
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West Allis Police Department

Continuation

Incident Report Number 12-010482	Incident Location: 11301 W Lincoln Ave, West Allis, WI, 53227	Incident Date: 11/28/2012
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INITIAL COMPLAINT

On Thursday, 11/08/12, Lt. Benish sent me an e-mail asked me to respond to several taverns located in the West Allis community to investigate if the businesses were allowing Poker Tournaments to occur on the premises. In the above-described e-mail message I received, the Drunken Duck, Fiddler's Green and Callanan's were named as taverns allowing the tournaments. In the e-mail I was instructed to make contact with employees and advise them these above-described tournaments are illegal and that if they continue after a verbal warning is given, they might be subjected to further action.

CONTACT AT TAVERNS**Callanan's Parkway Pub**

On the evening of Wednesday, 11/28/12, Detective Porter and I responded to the above described taverns as requested by Lt. Benish. At the Callanan's Parkway Pub I made contact with the manager on duty, verbally identified as Eric M Skiba. Eric's identity was confirmed by a Wisconsin photo driver's license. I spoke with Eric in a back room located in the tavern where canned food was being stored, away from patrons. I advised Eric about the complaint and also advised him to not host any additional poker tournaments. Eric advised me the tavern hosts a "Texas Hold-em fun thing" where prizes were given out. Eric said chips were used, not cash. Eric said he had limited information concerning this matter, as he typically is not on duty during the poker events. Eric was provided with a WAPD business card and stated he would pass on my business card to the regular manager and have him contact me at the WAPD.

Eric further stated he did not know if the tavern had "Pit Bull Poker" or "Badger Poker" as a host for "Texas-Hold-em" fun tournaments.

Fiddler's Green

Detective Porter and I then responded to the Fiddler's Green tavern located at 6108 W Burnham St. I spoke with a female party verbally identified as Kathleen G Glowing. Glowing's identity was later confirmed by a Wisconsin photo driver's license. Glowing stated she was both the manager and the bartender at the tavern. Glowing said Badger Poker previously hosted Poker Tournaments at the tavern, but they have been cancelled. Glowing said Badger Poker has been cancelled for about two weeks and the tavern is no longer having Poker Tournaments at Fiddler's. Glowing explained the patron's were not following the rules and were "side betting". She further stated it was too expensive for the tavern to participate in the tournaments. Prior to clearing the scene Glowing was provided with a WAPD business card.

Reporting Officer(s): Sturino, Eric	ID Number 9467	ID Number	Pages: 3 Of 5
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Incident Report Number
12-010482Incident Location:
11301 W Lincoln Ave, West Allis, WI, 53227Incident Date:
11/28/2012

After speaking with Glowing, Detective Porter and I responded to the Drunken Duck tavern located at 5906 W Burnham St.

Drunken Duck

Contact was made with employee Hector E Guillermo and his daughter Lindsey A Guillermo inside the Drunken Duck. Both parties were identified by Wisconsin photo driver licenses. Lindsey stated she owned the tavern and her father Hector assisted her. Both parties were informed the Poker Tournaments were illegal and advised not to continue to allow them at the tavern. Lindsey was advised no punitive action would be taken at this time by and our contact was essentially "a warning". Lindsey was very cooperative and immediately removed the Badger Poker Tournament sign affixed to the wall on the east side of the business in the presence of myself and Detective Porter. Lindsey agreed to discontinue the Poker Tournaments at the tournaments.

TELEPHONE CONTACT WITH CALLANAN'S TAVERN

On Thursday, 11/29/12, I received a voicemail message from a party verbally identified as "Tony Luther" employed at Callanan's Tavern. I telephoned Tony at about 1709 hours on the evening of 11/29/12. Tony verbally identified himself to me over the telephone as Anthony L Luther. Luther said he is the head manager at Callanan's Parkway Pub. Luther said Callanan's uses "Tavern Tournneys" and explained that this business is a competitor to Badger Poker. Luther said the business pays for "Tavern Tournneys" to come to the bar. Patrons however do not pay to play, but are eligible to win a \$ 15.00 bar tab. .

During the course of our telephone conversation Luther said he said he understood the warning and would have "Tavern Tournneys" stop coming to Callanan's. Luther also advised me he intended on contacting the City Attorney's Office regarding this issue.

Prior to ending our telephone conversation I asked Luther how long he has been using "Tavern Tournneys". Luther advised me for about two years and said they come to the business on Tuesday nights from about 1900 hours until 2330 hours.

CASE DISPOSITION

Lt. Benish sent me an e-mail asked me to respond to several taverns located in the West Allis community to investigate if the businesses were allowing Poker Tournaments to occur on the premises. In the above-described e-mail message I received, the Drunken Duck, Fiddler's Green and Callanan's were named as taverns allowing the tournaments. In the e-mail I was instructed to make contact with employees and advise them these above-described tournaments are illegal and that if they continue after a verbal warning is given they might be subjected to further action.

Reporting Officer(s):
Sturino, EricID Number
9467

ID Number

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West Allis Police Department

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Incident Report Number
12-010482

Incident Location:
11301 W Lincoln Ave, West Allis, WI, 53227

Incident Date:
11/28/2012

Employees from all three taverns have been spoken to either in person and on the telephone. The above incident report was completed for Informational Purposes.

Reporting Officer(s):
Sturino, Eric

ID Number
9467

ID Number

Pages:
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**City of West Allis
Police Department**

Liquor Establishment Violation

Date: 10-26-12
To: Lieutenant Ed Benish
From: PTO Primising

Violation Type

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

Incident #: 12-009527 N/A

Location: 6016 W. Burnham Street N/A

Establishment Name: Burnham Bowl N/A

Establishment License #: N/A

Establishment Owner: Claudia A. Martonano N/A

Owner Address: 1000 S. 57 St. N/A

Violation(s): N/A N/A

Offender: N/A

Offender Address: 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. Mason

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

Commanding Officer Signature:

Reviewed by Deputy Chief Jerry Ponzi:

Copy forwarded to License and Health Committee: Date:



West Allis Police Department

Incident Report

Incident: Simple Assault			
Incident Report Number: 12-009527	Between: Date - Time	And/At: Date-Time 10/26/12	22:26
Incident Location: 6016 W Burnham St, 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:

V	Name (Last, First, Middle) Belez, Ruben I	DOB: 11/09/1993	Race/Sex W/M
Address: (Address, City, State, Zip) 3921 N Humboldt St, Milwaukee, WI, 53202			Home Phone Number
Employer			Work Phone Number
Employer Address			Cell Phone Number
B	Name (Last, First, Middle) Burnham Bowl,	DOB:	Race/Sex
Address: (Address, City, State, Zip) 6016 W Burnham St, West Allis, WI, 53219			Home Phone Number
Employer			Work Phone Number (414) 543-7880
Employer Address			Cell Phone Number

Date: 10/29/2012

CFS Code-1: 1313

SUMMARY

Officer Primising reports:

On 10-26-12 at 2226hrs, officers responded to a fight at Burnham Bowl, 6016 W. Burnham St. On arriving on scene, I observed approx. 100 people gathered around a group of approx. 12 people actively engaged in a physical altercation. Ruben I. Belez, M/U 11-09-93, who claimed to be the victim in the incident, was highly uncooperative with officers. Belez stated there was a fight that initiated inside Burnham Bowl, which led management to escort all parties out of the building and into the parking lot. The fight continued and Belez stated as he left, he was jumped by several parties who proceeded to strike, kick, and throw him to the ground. Belez advised he could not identify any of the parties and did not want to pursue a report of the incident. Belez later contacted me and advised he wished to pursue a report, as he identified several offenders.

Vehicle Information: (Year, Make, Model, Style, Color)				
License Number:	State:	Expiration Year:	Vin:	Insurance Company:
Other Vehicle Information:				NCIC#
Reporting Officer(s): Primising, Megan		Payroll Number: 9872	Payroll Number:	Report Date:
Time Received: 22:26:39	Time Cleared: 23:03:22	Unit(s) Assigned: 211, 212, 215, 216, 217.	Pages: 1 Of 5	
Reviewed by: Mason, Brian .		Payroll Number 1239	Copy To	

Incident Report Number:

12-009527

West Allis Police Department

Continuation

Incident Report Number

12-009527

Incident Location:

6016 W Burnham St, West Allis, WI, 53219

Incident Date:

10/26/2012

NAMES

Contact

Martorano, Claudia A W/F-62 of 1000 S 57 St, West Allis, WI, 53214

DOB: 04/01/1950 DL: M636-1015-0621-04

HT: 504 WT: 155 Hair: Brown

Eyes: Blue

Home Phone: (414) 453-8683

Work Phone: (414) 543-7880

NARRATIVE

INITIAL CALL

On 10-26-12 at 2226hrs, officers responded to a physical fight at Burnham Bowl, 6016 W. Burnham St.

OFFICER OBSERVATIONS

As the first squad to arrive on scene, I made the following observations. Initially, I observed approx. 100 people gathered around a group of approx. 12 people actively engaged in a physical altercation. I could see one party in the middle of the group, who may have been getting assaulted; however, upon my approach, a majority of the parties in the area began to disperse in all directions. There were several parties who remained on scene, who were very agitated and screaming at officers. I observed a M/U, who was only wearing spandex "speedo" bottoms, coming towards me and appeared agitated.

CONTACT WITH RUBEN I. BELEZ

The agitated party was later identified as, Ruben I. Belez, M/U 11-09-93, who approached officers in a threatening manner, with his fists clenched and yelling obscenities. Belez was advised to calm down several times and speak with me about what happened, but he continued to scream, flail his arms around, and close the distance on officers in an aggressive manner. I put Belez in an escort hold, but Belez attempted to pull away from me several times and I could feel resistive tension in his forearms. Belez was advised to stop resisting and get on the ground; however, he refused to comply with commands. At this time, I could smell a strong odor of intoxicants on his breath.

At this time, Officer Webster arrived to assist in escorting Belez to the ground. After Belez calmed down, he was allowed to remain in a seated position, while I held his arms behind his back. Belez then became agitated again and started screaming and attempted to stand, despite being told to remain seated. Officer

Reporting Officer(s):

Primising, Meqan

ID Number

9872

ID Number

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West Allis Police Department

Continuation

Incident Report Number 12-009527	Incident Location: 6016 W Burnham St, West Allis, WI, 53219	Incident Date: 10/26/2012
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French of WMPD arrived and assisted in handcuffing Belez and detaining him inside my squad car. While handcuffed, Belez still persisted in yelling and pulling away from myself and Officer French.

Once inside the squad car, Belez was advised he was not under arrest at this time, but was being detained for his safety and the safety of officers, because of his behavior. Belez was advised that he could be arrested for his resistive conduct with officers. Belez apologized for his behavior and explained he was upset from being assaulted. I asked Belez if he was injured and he stated he had several abrasions to his face, torso and legs, which I observed. Belez was offered an ambulance several times, but declined. Belez then began to explain the circumstances of the altercation.

ON SCENE STATEMENT OF RUBEN I. BELEZ

Belez advised he was at Burnham Bowl for a birthday party, which was hosted by his acquaintance, Ray Zapeta. Belez stated an unrelated physical altercation occurred at the establishment, which led the management to clear out everyone from the party. Belez stated the unknown male party, who was kicking people out, made several unknown comments towards him and stated, "mother fucker" several times. Belez stated he told that party to be more respectful and exchanged words with him briefly.

Upon walking outside the building, Belez stated he was unexpectedly jumped by several unknown parties and hit, kicked, and thrown to the ground. At this time, Belez became very upset and emotional, his demeanor changing significantly. Belez could not describe the offenders, aside from stating one party was 5'6", heavy build, with brown hair and brown eyes. When asked if he could potentially select the offenders from a photo lineup, he stated, "No, I couldn't identify them unless maybe I saw them in person." Belez stated he had never seen the offenders before, but assumed they were people from inside the party, who didn't like him. Belez believed he was assaulted because of the way he was dressed and because of his sexual orientation.

I asked Belez if he wanted to pursue charges in the incident, to which he stated, "No, I know there's not much you guys can do because I have no idea who the [offenders] are." Belez was advised the incident would be documented regardless, to which he stated he understood. Belez was advised of his conduct with officers, to which he stated he understood why officers were forced to physically engage him. He explained he was very upset from the fight and did not immediately realize he was being resistive with officers.

As a result of the circumstances, I made the decision not to take Belez into custody for Resisting an Officer.

WITNESS STATEMENTS

Reporting Officer(s): Primising, Megan	ID Number 9872	ID Number	Pages: 3 Of 5
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West Allis Police Department

Continuation

Incident Report Number

12-009527

Incident Location:

6016 W Burnham St, West Allis, WI, 53219

Incident Date:

10/26/2012

See Officer A. Cerqua's Supplemental Report.

See Officer S. Martin's Supplemental Report.

INITIAL DISPOSITION

Since the victim did not wish to pursue a police report of the incident, it was documented as an update, which read as follows:

Officer Primising reports:

On 10-26-12 at 2226hrs, officers responded to a fight at Burnham Bowl, 6016 W. Burnham St. On arriving on scene, I observed approx. 100 people gathered around a group of approx. 12 people actively engaged in a physical altercation. Upon approaching, a majority of the parties dispersed; however, several highly agitated parties remained and were confrontational with officers. One of these parties was Ruben I. Belez, M/U 11-09-93, who claimed to be the victim in the incident, but was highly uncooperative. Belez was detained in my squad car for questioning. Belez stated there was a fight that initiated inside Burnham Bowl, which led management to escort all parties out of the building and into the parking lot. The fight continued and Belez stated as he left, he was jumped by several parties who proceeded to strike, kick, and throw him to the ground. Belez advised he could not identify any of the parties and did not want to pursue a report of the incident. Other witnesses to the incident state Belez instigated the fight by yelling at several people. Belez sustained several lacerations to his face, neck, chest, back and limbs; however, he refused medical attention. No arrests were made, as all offenders fled the scene on officer arrival.

PHONE CONTACT WITH RUBEN I. BELEZ

On 10-29-12, Belez contacted me by phone and advised he learned the names of several of the parties who assaulted him at Burnham Bowl, the evening of 10-26-12. Belez advised he now wished to pursue charges against these parties for assault, stating he felt the incident was a hate crime. I asked Belez if he would be willing to come into the station to speak with me in person, to which he stated he would.

Belez never came into the station to speak with me regarding the incident, so on 10-31-12, I made phone contact with him and advised I needed to speak with him by the end of this week, otherwise the report would be submitted with the information I currently had. Belez advised he would come into the station sometime on Thursday, November 1st.

SUSPECTS

Reporting Officer(s):

Primising, Meqan

ID Number

9872

ID Number

Pages:

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Incident Report Number
12-009527Incident Location:
6016 W Burnham St, West Allis, WI, 53219Incident Date:
10/26/2012

There are no known suspects in this incident.

TAVERN REPORT

A tavern report was completed and submitted with this incident report.

CASE DISPOSITION

Belez never came in to the station to speak with me regarding this incident. I had to contact Belez several times to arrange meetings between us; however, he did not cooperate. Without a more detailed statement from Belez, there are no suspects in the incident.

Reporting Officer(s):
Primising, MeganID Number
9872

ID Number

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West Allis Police Department

Supplementary Report

Incident Report Number 12-009527	Incident Location: 6016 W Burnham St, West Allis, WI, 53219	Incident Date: 10/26/2012
New Incident:	Original CFS Code - 1:	New CFS Code - 1:
New CFS Code - 2:		
<p>NARRATIVE</p> <p>Webster reports:</p> <p>INCIDENT DETAILS</p> <p>On 10/25/12 at approximately 2226 hrs, officers responded to Burnham Bowl (6016 W. Burnham St.) for a report of a large number of people actively fighting in the parking lot.</p> <p>OFFICER OBSERVATIONS</p> <p>On arrival, I observed a large number of people in the parking lot of Burnham Bowl. The scene was chaotic and subjects in the parking lot dispersed upon seeing marked squad cars. I assisted Officer Primising in clearing the parking lot for fights. While canvassing the parking lot, I saw Officer Primising struggling with a male wearing only spandex shorts. I observed the subject actively resisting Officer Primising by pulling away from her as she attempted to direct him to the ground. Due to the subject actively resisting officers (active resistance), the chaotic nature of the scene (overriding concern), and only two officers being on scene at this time (danger), I assisted Officer Primising direct the subject to the ground by placing my right hand on the back of the subject, just below the back of his neck, and pushing him to the ground (passive countermeasure). Officer Primising was able to handcuff the subject after he was stabilized on the ground.</p> <p>As officers decentralized the subject wearing spandex shorts, I saw a large male to the left of me walk toward me (danger). This male appeared to be approximately 100 pounds heavier than me. Due to my position of disadvantage of kneeling on the ground (special circumstance), the subject's size and apparent strength compared to me (officer/subject factors), the chaotic nature of the scene (overriding concern), and officers being outnumbered at the scene (danger), I drew my electronic control device from my holster and aimed my ECD, with the ECD off, at the subject approaching me. I ordered the subject to get back in a loud and clear voice. The subject immediately stopped upon seeing me draw the ECD and I did not need to turn the ECD on. I then reholstered my ECD and got to my feet after Officer Primising secured the subject.</p> <p>I then spoke with one female who witnessed the incident.</p> <p>INITIAL CONTACT WITH RAQUEL M. BERG (WITNESS)</p>		
Reporting Officer(s): Webster, Kyle	Payroll Number: 9900	Report Date: 11/01/2012
Reviewed by: Mason, Brian .	Payroll Number: 1239	Copy To: 1 Of 2

West Allis Police Department

Continuation

Incident Report Number
12-009527

Incident Location:
6016 W Burnham St, West Allis, WI, 53219

Incident Date:
10/26/2012

Berg said a fight occurred where it appeared one person was fighting four to five people. Berg said the male wearing the black spandex shorts was made fun of "for being gay" throughout the night while inside Burnham Bowl. Berg said an argument started between several people in the middle of the doorway entrance to Burnham Bowl. Berg said the male wearing the spandex shorts was a friend of hers. Berg did not know the other people involved and had no further information.

Reporting Officer(s):
Webster, Kyle

ID Number
9900

ID Number

Pages:
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West Allis Police Department

Supplementary Report

Incident Report Number 12-009527	Incident Location: 6016 W Burnham St, West Allis, WI, 53219	Incident Date: 10/26/2012
New Incident:	Original CFS Code - 1:	New CFS Code - 1 : New CFS Code - 2:

NAMES

Witness

Skaggs, Phillip Gregg II W/M-47 of 6407 W Mitchell St,3, West Allis, WI, 53214
 DOB: 12/27/1964 DL: S200-6676-4467-02
 HT: 600 WT: 160 Hair: Brown
 Eyes: Blue Complexion: Fair
 Cell Phone: (414) 552-8535

NARRATIVE

Officer Lentz reports...

INITIAL CALL

On 10/26/12 at 2226 hrs., officers responded to Burnham Bowl, 6061 W. Burnham St., for a trouble call - people fighting in the parking lot. Lt. Nohelty came into the report room and instructed third shift officers to go to assist second shift.

STATEMENT OF PHILLIP G. SKAGGS II - WITNESS

While on scene I spoke with Phillip G. Skaggs II, M/W 12/27/64, who stated he parked his vehicle at the Dinette Showcase parking lot, 1933 S. 60 St. Skaggs was walking to Fiddler's, 6108 W. Burnham St., when a male dressed in a red and black sweatsuit getting beat up in the 6100 block of W. Burnham St. on the south side of the road. Skaggs stated the individual hitting the victim was wearing an orange jumpsuit, which appeared to be a house of corrections type uniform.

During this time, there was another fight in the 6000 block of W. Burnham St. Skaggs stated he watched from the front of Fiddler's, and when police arrived he observed people run from the area.

End of Supplemental Report.

Reporting Officer(s): Lentz, Shawn	Payroll Number: 9875	Payroll Number:	Report Date: 10/31/2012
Reviewed by: Spath, Anthony	Payroll Number: 1813	Copy To:	1 Of 1

West Allis Police Department

Supplementary Report

Incident Report Number 12-009527	Incident Location: 6016 W Burnham St, West Allis, WI, 53219	Incident Date: 10/26/2012
New Incident:	Original CFS Code - 1:	New CFS Code - 1: New CFS Code - 2:

NAMES

Witness

Parve, Joshua J W/M-31 of 230 S 76 St,1, Milwaukee,WI,53214
 DOB: 03/17/1981
 Cell Phone:(414) 324-9851

NARRATIVE

INITIAL RESPONSE

On 10/26/12 at approximately 2245hrs, I responded to Burnham Bowl, per Lt. Nohelty, as there was a large group of people fighting in the parking lot of Burnham Bowl. Upon arrival I spoke with Joshua J. Parve (M/W 03/17/87), who had just arrived in the area as he was going to Fiddlers Green.

WITNESS - JOSHUA J. PARVE

Joshua explained he had arrived around 2215hrs on 10/26/12 and noticed a large group of people gathered in the Burnham Bowl parking lot. Joshua said it appeared to be several individuals fighting. Joshua stated he saw a male in a black/orange jail jump suit chasing a male in a black hoody, black hat, and blue jeans. Joshua said the two males were running west on W Burnham St, from the bowling alley parking lot, onto the street, past Fiddlers Green. Joshua stated the male in the black/orange jail jump suit threw a glass bottle at the male in the black hoody, black hat, and blue jeans, while they were running, the glass bottle hit the male being chased, bounced off the male, and hit a vehicle. Joshua said the two parties kept running, and he does not know where they went.

Joshua does not know either party involved in the incident.

Reporting Officer(s): Kaye, Jacob	Payroll Number: 9904	Payroll Number:	Report Date: 10/31/2012
Reviewed by: Spath, Anthony	Payroll Number: 1813	Copy To:	1 Of 1

West Allis Police Department

Supplementary Report

Incident Report Number 12-009527	Incident Location: 6016 W Burnham St, West Allis, WI, 53219	Incident Date: 10/26/2012
New Incident:	Original CFS Code - 1:	New CFS Code - 1: New CFS Code - 2:

NAMES

Contact

Morrison, Cane D W/M-15 of 3921 N Humbolt St, Milwaukee, WI, 53202
 DOB: 04/07/1997
 Home Phone: (414) 239-3010

NARRATIVE

Officer S. Martin reports...

INITIAL RESPONSE

On 10/26/12, I responded to Burnham Bowl, 6016 W Burnham St, for a large fight outside the establishment. Upon arrival, the fight was over, and I assisted with taking statements.

STATEMENT OF CANE D. MORRISON - CONTACT

I spoke to Cane D. Morrison, M/W 04/07/97, who stated he was outside of Burnham Bowl when he realized his cousin, Reuben I. Balez, M/W 11/09/93, was in a fight with several unknown people. Cane went inside of Burnham Bowl, and told other people at the party that Reuben was in a fight. Cane stated he did not know anything else.

Reporting Officer(s): Martin, Steven	Payroll Number: 9895	Payroll Number:	Report Date: 10/29/2012
Reviewed by: Mason, Brian .	Payroll Number: 1239	Copy To:	1 Of 1

West Allis Police Department

Supplementary Report

Incident Report Number 12-009527	Incident Location: 6016 W Burnham St, West Allis, WI, 53219	Incident Date: 10/26/2012
New Incident:	Original CFS Code - 1:	New CFS Code - 1 : New CFS Code - 2:

NAMES

Witness

John, John C W/M-20 of 1257 S 35 St, Milwaukee, WI, 53204
 DOB: 05/01/1992
 Cell Phone: (414) 550-2401.

NARRATIVE

PO A. Cerqua reports...

INITIAL CALL

On 10/26/12 at 2226hrs officers responded to a Burnham Bowl, 6016 W. Burnham St., for an unknown amount of people fighting in the parking lot with unknown weapons. Upon arrival, I spoke with John C. John Jr., M/W 05/01/92, who was restrained in handcuffs, regarding the incident.

STATEMENT OF JOHN

John explained it was his cousin's birthday, and they were having a party for him in the hall at Burnham Bowl. John stated one of his cousin's friends, later determined to be Ruben I. Velez, M/W 11/09/93, got into a fight with his other cousin outside in the parking lot of Burnham Bowl. I asked John the name of his cousin that got into a fight with Velez, and he advised he did not know his name.

John stated since they were at a birthday party for one of his relatives, he did not want anyone fighting so he tried to break up the fight between Velez and his cousin. John said he held down Velez to prevent the fight from continuing with his cousin.

John advised the fight ended when police arrived on scene.

Reporting Officer(s): Cerqua, Allison	Payroll Number: 9653	Payroll Number:	Report Date: 10/29/2012
Reviewed by: Nohelty, Jeffrey	Payroll Number: 1983	Copy To:	1 Of 1



**City of West Allis
Police Department**

Liquor Establishment Violation

Date: 11/24/2012
To: Lieutenant Ed Benish
From: Sgt. T. Clementi

Violation Type

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

Incident #: 12-010343 N/A

Location: 9427 W Greenfield Ave N/A

Establishment Name: BIG DOGS SPORTS GRILL LLC N/A

Establishment License #: 1784 N/A

Establishment Owner: Gary Jackowski N/A

Owner Address: 2460 S Graylog Ln., New Berlin 53151 Ph# 491-3367 N/A

Violation(s): Disorderly Conduct-Noise N/A

Offender: Gary Jackowski N/A

Offender Address: 2460 S Graylog Ln., New Berlin 53151 Ph# 491-3367 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: Lt. J. Nohelty

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

Commanding Officer Signature:

Reviewed by Deputy Chief

Copy forwarded to License and Health Committee: Date:



West Allis Police Department

Incident: Disorderly Conduct: Noise/Nuis

Incident Report Number: 12-010343 Between: Date - Time: 11/24/12 22:00 And/At: Date-Time: 11/24/12 23:24

Incident Location: 9427 W Greenfield Ave, West Allis, WI, 53214

CFS Code-1: 5311E	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): Jackowski, Gary M	DOB: 11/19/1956	Race/Sex: W/M
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Address: (Address, City, State, Zip): 2460 S Graylog Lane, New Berlin, WI, 53151	Home Phone Number: (262) 782-3863
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Employer:	Work Phone Number:
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Employer Address:	Cell Phone Number: (414) 491-3367
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CN	Name (Last, First, Middle): Big Dogs Tavern,	DOB:	Race/Sex:
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Address: (Address, City, State, Zip): 9427 W Greenfield Ave, West Allis, WI, 53214	Home Phone Number:
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Employer:	Work Phone Number: (414) 476-9055
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Employer Address:	Cell Phone Number:
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SUMMARY

Jason Dixon called to make a complaint about Big Dog's Sports Bar and Grill. Dixon complained about the music coming from the bar being too loud. He was upset about the amount of complaints he has made with nothing being done. He was willing to go to court against the bar if a citation was issued. Based upon the statement from Dixon, I issued bar owner Gary Jackowski a citation for the noise violation (M-97036).

Vehicle Information: (Year, Make, Model, Style, Color)			
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License Number:	State:	Expiration Year:	Vin:	Insurance Company:
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Other Vehicle Information:	NCIC#
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Reporting Officer(s): Clementi, Todd	Payroll Number: 1866	Payroll Number:	Report Date:
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Time Received: 23:24:34	Time Cleared: 23:47:28	Unit(s) Assigned: 207	Pages: 1 Of 4
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Reviewed by: Nohelty, Jeffrey	Payroll Number: 1983	Copy To:
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Date: 11/25/2012
CFS Code-1: 5311E
Incident Report Number: 12-010343

Incident Report Number 12-010343	Incident Location: 9427 W Greenfield Ave, West Allis, WI, 53214	Incident Date: 11/24/2012
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the noise complaint issue.

CONTACT WITH GARY JACKOWSKI (BIG DOG'S OWNER)

At approx. 2330hrs I made contact with Gary at the bar. I explained to him the nature of the complaint and the fact that I intended to issue him a citation. Gary explained that he is trying very hard to keep the neighbors happy and did not believe the music was up to loud. He said he had worked with the alderman recently and it was agreed that his music levels were not unreasonable. Gary indicated that he uses a decibel meter to check the levels behind the building and on this day it was only in the 50's. On other days it has been in the 60's before he turned the band's speakers down, yet on those days there were no complaints. Gary is very frustrated by this one complainant as he has worked hard with the neighbors to insure he is being a good business owner. Gary advised that the many of the neighbors visit his bar and no one complains. He believes the complainant is singling him out and is harassing him with all these frivolous complaints.

I issued Gary citation # M-97036 for Disorderly Conduct-Noise. This citation was issued on scene.

LITTLE HAVANA CIGAR SHOP

Just prior to making contact with Gary I heard music coming from this bar. I briefly made contact at the bar and advised them that they should turn down the band's speakers. I only make this notation because when I made contact with Gary, the bar manager at Big Dog's (Karen) tried to claim that it was actually the Little Havana Cigar Shop that was loud. I advised her that when I had responded to handle this call there was no loud music coming from the cigar shop. The music that the complainant and I heard was definitely coming from Big Dog's Bar and Grill.

CASE DISPOSITION

Based upon the previous complaints by Dixon and his insistence that the noise levels were unreasonably loud I issued the bar owner Gary Jackowski a citation for Disorderly Conduct. A tavern violation report was also completed as it related to this report.

Reporting Officer(s): Clementi, Todd	ID Number 1866	ID Number	Pages: 4 Of 4
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West Allis Police Department

Supplementary Report

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New Incident:	Original CFS Code - 1: 5311E	New CFS Code - 1: New CFS Code - 2:

NAMES

Contact-1

Sorenson, Bonnie J W/F-48 of 1423 S 95 St, West Allis, WI, 53214
 DOB: 01/11/1964 DL: S6520706451108
 Cell Phone: (414) 553-1539 Cell Phone: (414) 313-9774

Contact-2

Kuolt, Howard C W/M-64 of 1427 S 94 St, West Allis, WI, 53214
 DOB: 06/30/1948
 Home Phone: (414) 774-3339

Contact-3

Faust, William J M-46 of 9333 W Greenfield Ave, West Allis, WI, 53214
 DOB: 09/23/1966 DL: F2309306634304
 Other Phone: (414) 975-7123

Contact-4

Rodriguez, Mayra L W/F-31 of 1423 S 94 St, West Allis, WI, 53214
 DOB: 03/05/1981
 Cell Phone: (414) 460-3255 Work Phone: (414) 389-5204

Contact-5

Knox, Brian D W/M-45 of 9431 W Greenfield Ave, West Allis, WI, 53214
 DOB: 06/25/1967
 HT: 601 WT: 170 Hair: Brown
 Eyes: Blue
 Home Phone: (414) 333-4634 Cell Phone: (414) 430-4634

Contact-6

Kuolt, Howard C W/M-64 of 1427 S 94 St, West Allis, WI, 53214
 DOB: 06/30/1948
 Home Phone: (414) 774-3339

Contact-7

Dye, Norman E W/M-89 of 1432 S 95 St, West Allis, WI, 53214
 DOB: 07/03/1923
 Home Phone: (414) 774-0068

Reporting Officer(s): Nelson, Rodney .	Payroll Number: 9165	Payroll Number:	Report Date: 11/26/2012
Reviewed by:	Payroll Number:	Copy To:	Page: 1 Of 5

West Allis Police Department

Continuation

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Contact-8

Moore, Larry J W/M-32 of 1427 S 95 St, West Allis, WI, 53214
DOB: 01/01/1980 DL: M6005308000103
HT: 511 WT: 158 Hair: Brown
Eyes: Brown
Cell Phone: (414) 477-4487

Contact-9

VanCamp, Kevin W/M-23 of 1422 S 95 St, West Allis, WI, 53214
DOB: 05/27/1989
Home Phone: (715) 889-0177

Contact-10

Dillenberg, Kimberly M W/F-32 of 1427 S 95 St, West Allis, WI, 53214
DOB: 08/22/1980
Home Phone: (414) 477-4487

Contact-11

Goratowski, Paul D M-45 of 1426 S 95TH ST, WEST ALLIS, WI, 53214
DOB: 06/12/1967 DL: G6326846721205
Other Phone: (414) 364-5876

NARRATIVE

Cpl. R. Nelson reports...

AREA CONTACTS

Based on numerous noise complaints coming from a single residence (1433 S. 95 St.) south of Big Dogs Bar and Grill, I canvassed the immediate area to determine whether other residents had similar complaints. It should be noted that several of the listed addresses are geographically closer to Big Dogs Bar and Grill than the complainant.

Sorenson, Bonnie J W/F-48 of 1423 S 95 St,

Bonnie said she can hear music at times, but also hears music from the cigar bar. Bonnie however does not feel the noise it at a level that

Reporting Officer(s): Nelson, Rodney .	ID Number 9165	ID Number	Pages: 2 Of 5
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West Allis Police Department

Continuation

Incident Report Number 12-010343	Incident Location: 9427 W Greenfield Ave, West Allis, WI, 53214	Incident Date: 11/24/2012
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requires police involvement. Bonnie has lived at her residence about 3 years.

Kuolt, Howard C W/M-64 of 1427 S 94 St,

Mr. Koult has lived at his residence since 1985. Mr. Koult said he can hardly hear any noise/music that comes from Big Dogs Tavern, and what little he does hear, does not disturb him at all.

Faust, William J M-46 of 9333 W Greenfield Ave,

Mr. Faust has lived next to the bar (Big Dogs Tavern) for about 2 years and does not believe the music or noise is that loud in the area. Mr. Faust had no complaints about the noise.

Rodriguez, Mayra L W/F-31 of 1423 S 94 St,

Mayra and her family live directly behind, Big Dogs Tavern. Mayra said she can hear the music occasionally but does not feel the music is excessive. Mayra said she and her family have no complaints about the music or noise from Big Dogs Tavern. Mayra and her family have lived at this residence for about 1 year.

Knox, Brian D W/M-45 of 9431 W Greenfield Ave,

Mr. Knox has lived at this residence since February of this year and has not found the music or noise from Big Dogs Tavern excessive. Mr. Knox had no complaints about the bar.

Dye, Norman E W/M-89 of 1432 S 95 St,

Mr. Dye has lived at this residence since 1947. Mr. Dye said he has no complaints about noise or music coming from Big Dogs Tavern.

Moore, Larry J W/M-32 of 1427 S 95 St, Dillenberg, Kimberly M W/F-32 of 1427 S 95 St,

Mr. Moore and Ms. Dillenberg had no complaints about music or noise from Big Dogs Tavern. Both agree that they can hear the music on occasion, but do not feel the music is excessive or worthy of a complaint. Both Mr Moore and Ms Dillenberg said they can also hear music at times from the cigar bar, but it is not excessive either. Mr. Moore and Ms Dillenberg have lived at this residence about 2 years.

Goratoski, Paul D M-45 of 1426 S 95TH ST,

Reporting Officer(s): Nelson, Rodney .	ID Number 9165	ID Number	Pages: 3 Of 5
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West Allis Police Department

Continuation

Incident Report Number
12-010343

Incident Location:
9427 W Greenfield Ave, West Allis, WI, 53214

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DRAFT

Reporting Officer(s):
Nelson, Rodney .

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