



City of West Allis

Matter Summary

7525 W. Greenfield Ave.
West Allis, WI 53214

File Number	Title	Status
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2010-0551

Report

Introduced

Police Department Report involving Yester Years Pub & Grill, 9427 W. Greenfield Ave. (2010-2011 Class B Tavern License no. 760, Dance Hall License no. 763, and Instrumental Music License no. 761 of Yester Years Pub & Grill, Inc., Karen D. Schoenfeld, Agent, Incident Date: August 10, 2010).

Introduced: 9/21/2010

Controlling Body: License & Health Committee

COMMITTEE RECOMMENDATION

place on file

ACTION
DATE:

9-21-10

MOVER

SECONDER

Barczak
Czaplewski
Kopplin
Lajsic
Narlock
Reinke
Roadt
Sengstock
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:

SEP 21 2010

MOVER

SECONDER

Barczak
Czaplewski
Kopplin
Lajsic
Narlock
Reinke
Roadt
Sengstock
Vitale
Weigel

AYE

NO

PRESENT

EXCUSED

✓
✓
✓
✓
✓
✓
✓
✓
✓
✓

TOTAL

10

STANDING COMMITTEES OF THE CITY OF WEST ALLIS COMMON COUNCIL

ADMINISTRATION & FINANCE

Chair: Kurt E. Kopplin
Vice-Chair: Vincent Vitale
Thomas G. Lajsic
Richard F. Narlock
Rosalie L. Reinke

PUBLIC WORKS

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

SAFETY & DEVELOPMENT

Chair: Thomas G. Lajsic
Vice-Chair: Richard F. Narlock
Kurt E. Kopplin
Rosalie L. Reinke
Vincent Vitale

LICENSE & HEALTH

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

ADVISORY

Chair: Rosalie L. Reinke
Vice-Chair: Daniel J. Roadt
Kurt E. Kopplin
Richard F. Narlock
Vincent Vitale



**City of West Allis
Police Department**

Liquor Establishment Violation

Date: 8/16/2010
To: Lieutenant Terry Morrissey
From: Officer Tuschl, Robert

Violation Type

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

Incident #: 10-007471

☐ N/A

Location: 9427 W. Greenfield Ave

☐ N/A

Establishment Name: Yester Years Pub

☐ N/A

Establishment License #:

☒ N/A

Establishment Owner: Karen D. Schoenfeld

☐ N/A

2460 Graylog LN

Owner Address: New Berlin, WI 53151

☐ N/A

Phone Number (262) 782-3863

Violation(s): Disorderly Conduct

☐ N/A

Offender: John G. Kohal

☐ N/A

Offender Address: 3442 N. 95th St
Milwaukee, WI 53222

☐ 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: Captain Fujinaka

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

Commanding Officer Signature: Patrick Fujinaka 8122



**City of West Allis
Police Department**

Liquor Establishment Violation

Reviewed by Deputy Chief Jerry Ponzi:

Copy forwarded to License and Health Committee: Date:

West Allis Police Department		Incident Report	
Incident: Disorderly Conduct		Incident Report Number: 10-007471	
Incident Location: 9427 W Greenfield Ave, West Allis, WI, 53214		Date: 08/10/2010	
Incident Report Number: 10-007471		Between Date - Time: 8/10/10 00:40	
CFS Code-1: 5311		CFS Code-2: 5311	
CFS Code-3: 5311		CFS Code-4: 5311	
CFS Code-5: 5311		CFS Code-6: 5311	
CFS Code-7: 5311		CFS Code-8: 5311	
CFS Code-9: 5311		CFS Code-10: 5311	
Name (Last, First, Middle): Kohal, John G		DOB: 06/07/1971	
Address (Address, City, State, Zip): 3442 N 95th st, Milwaukee, WI, 53222		Home Phone Number: W/M	
Employer: 3442 N 95th st, Milwaukee, WI, 53222		Work Phone Number: W/M	
Employer Address: 1211 S 120 St, West Allis, WI, 53214		Home Phone Number: W/F	
Name (Last, First, Middle): Rasmussen, Jessica L		DOB: 09/05/1988	
Address (Address, City, State, Zip): 1211 S 120 St, West Allis, WI, 53214		Home Phone Number: W/F	
Employer: Hale High School		Work Phone Number: W/F	
Employer Address: 11601 W Lincoln Ave, West Allis, WI 53227		Cell Phone Number: W/F	
SUMMARY			
<p>On 08/10/10 at about 0040hrs I responded to Veter Years Pub & Grill, located at 9427 W. Greenfield Ave for a report of seven people fighting inside the bar. Investigation showed John G. Kohal (M/W 06/07/71) was arrested for Disorderly Conduct after being involved in an altercation while in the tavern. John was issued a Municipal citation for this offense and given a local court date of 09/13/10 at 0830hrs. John was then released from the Police Station. A tavern report was completed and turned into the C.O.</p>			
Vehicle Information: (Year, Make, Model, Style, Color)			
License Number:		State:	
Expiration Year:		Vin:	
Insurance Company:		NCIC#	
Reporting Officer(s): Tuschl, Robert			
Payroll Number: 9590		Report Date: 08/10/2010	
Time Received: 00:40		Time Cleared: 01:06	
Units Assigned: 307, 311, 313, 314, 316,		Copy To: 1 Of 4	
Reviewed by: Fujinaka, Patrick		Payroll Number: 1292	



West Allis Police Department

Continuation

Incident Report Number

10-007471

Incident Location:

9427 W Greenfield Ave, West Allis, WI, 53214

Incident Date:

08/10/2010

NAMES

Victim

Fagan, Joann L W/F-21 of 645 S 104 St, West Allis, WI, 53214

DOB: 05/26/1989 DL: F250-4328-9686-03

HT: 509 WT: 130 Hair: Brown

Eyes: Brown Complexion: Light Brown

Home Phone: (414) 774-6570

Business

Yester Years Pub And Grill of 9427 W Greenfield Ave, West Allis, WI, 53214

Business Phone: (414) 476-9055

Witness-1

Hankins, Jon R W/M-44 of N51 W 14507 Jacklin CT, Menomonee Falls, WI, 53051

DOB: 11/06/1965

Cell Phone: (262) 894-2465

Witness-2

Landis, Sidney T W/F-22 of 3502 W NATIONAL AVE, MILWAUKEE, WI, 53215

DOB: 02/01/1988 DL: L532-7988-8541-01

HT: 504 WT: 116 Hair: Brown

Eyes: Green

Other Phone: (414) 554-2348

NARRATIVE

Officer Tuschl reports...

INITIAL RESPONSE/OBSERVATIONS

On 08/10/10 at about 0040hrs I responded to Yester Years Pub & Grill, located at 9427 W. Greenfield Ave for a report of seven people fighting inside the bar. When I arrived on scene I observed two females (later identified as Jessica L. Rasmussen & Joann L. Fagan) walk out of the bar and then E/B on W. Greenfield Ave. A female (later identified as Sidney T. Landis) who identified herself as the bartender on duty, stated both of those girls were involved in this incident. I ordered both females to stop walking, so I could figure out what was going on and their role in the potential fight. Both females followed my order and stopped walking and I had them sit on the curb.

When both of them sat down, Sidney then told me the party that was causing the fight inside the bar was being "held down" inside the bar by several patrons. Officer Kuhnmuensch had arrived on scene at this point and we both entered the bar. Once I entered the bar I observed two unidentified bar patrons holding down

Reporting Officer(s):

Tuschl, Robert .

ID Number

9590

ID Number

Pages::

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West Allis Police Department**Continuation**

Incident Report Number:

10-007471

Incident Location:

9427 W Greenfield Ave, West Allis, WI, 53214

Incident Date:

08/10/2010

a M/W (later identified as John G. Kohal). I ordered both parties to get off John, and they complied with my request. Officer Kuhnmuensch and I then proceeded to handcuff John for further investigation into this incident.

As I was walking Kohal out of the bar I could detect a strong odor of an intoxicant on his breath, and observed his shirt was ripped. Kohal stated he had no idea what happened and did not remember a fight happening in the bar.

After speaking with John, I made contact with Jon R. Hankins inside the bar, who identified himself as a friend of Kohal for a couple of years.

ON-SCENE STATEMENT OF JON R. HANKINS- WITNESS

Hankins stated he was with Kohal at Yester Years for their "fishing club meeting". Hankins stated after the meeting was long over, he observed Kohal walk into "the back area of the bar" while he remained seated at the bar. Hankins said the next time he observed Kohal he was walking back towards where he was seated, but he was "fighting the entire bar". Hankins stated he has no idea how the fight started between Kohal and everyone else. Hankins sensing that Kohal could get potentially hurt by fighting multiple people, "jumped on top" of him and took him to the ground. Hankins said by doing that he was hopefully Kohal and everyone else would stop fighting and no one would get hurt.

Hankins said at this point Sidney told Kohal to leave the bar but he refused to do so. Hankins had no idea why Kohal refused to leave the bar, but stated whenever he drinks "liquor" he gets "really crazy". Hankins stated instead of leaving the bar, Kohal got up and "started fighting the entire bar again". Hankins said it was around this point, Officers came into the bar and took Kohal away.

ARREST DECISION

After reviewing this incident with the other Officers on scene and based upon victim and witness statements it was determined to place John under arrest for Disorderly Conduct. I walked over to where John was located and advised him of this.

He was then transported in the back of my Police squad to the station without incident.

IN-CUSTODY STATEMENT OF JOHN G. KOHAL- OFFENDER

I asked John G. Kohal if he wanted to answer questions about this incident without his attorney present and he declined to do so. Based upon that reason I did not ask John any further questions.

PROCESSING

Reporting Officer(s):

Tuschl, Robert .

ID Number

9590

ID Number

Pages::

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West Allis Police Department		Continuation	
Incident Report Number: 10-007471		Incident Location: 9427 W Greenfield Ave, West Allis, WI, 53214	
		Incident Date: 08/10/2010	
John was booked, mugged and fingerprinted under W.A.P.D# 51940 and Booking# 10-003511 for Disorderly Conduct.			
<u>ATTEMPTED RETRIEVAL OF VIDEO SURVEILLANCE</u>			
On the evening of 08/10/10, I responded back to Yester Years Pub & Grill to see if there was any working video surveillance of the fight inside the bar. I spoke with bar employees who advised their video surveillance system was not working.			
<u>CASE DISPOSITION</u>			
John was issued a Municipal citation for Disorderly Conduct and given a local court date of 09/13/10 at 0830hrs. He was then released from the Police station. A tavern report was completed and turned into the C.O.			
Please see supplement report from additional Officers on this incident.			
Reporting Officer(s): Tuschl, Robert		ID Number: 9590	ID Number: 9590
Pages: 4 Of 4			

West Allis Police Department

Supplementary Report

Incident Report Number 10-007471	Incident Location: 9427 W Greenfield Ave, West Allis, WI, 53214	Incident Date: 08/10/2010
New Incident:	Original CFS Code-1: 5311	New CFS Code-1: New CFS Code-2:

NARRATIVE

PO Noche reports:

INITIAL RESPONSE

On 08/10/2010 at 0040 hours, I responded to Yesteryear's, 9427 W Greenfield Ave, to assist PO Tuschl with an DC investigation. I spoke with one of the victims, Joann Laurain Fagan (f/w 05/26/1989), at the scene.

VICTIM STATEMENT - FAGAN

Joann stated she was frequenting Yesteryear's with her friend, Jessica L. Rasmussen (f/w 09/05/1988), during the evening of the incident. Joann and Jessica were playing darts inside of the bar and speaking with the offender's, John G. Kohal's (m/w 06/07/1971), three friends about angling and other leisurely outdoor recreational activities.

While Joann and Jessica were playing darts, John interfered and took the darts away from Joann. Joann told John that she and Jessica were in middle of a game and that he could play when they were finished. John became extremely agitated and continued to interfere with Jessica's and Joann's game by grabbing the darts. Joann told John to leave her alone and to go else where.

John became extremely upset and began to yell at Joann. Jessica positioned her body between Joann and Jessica in an attempt to diffuse the situation. John swung his fist at Joann and struck on the left side of the head. John proceeded to grab Joanns throat and slammed her head on a table. During the physical altercation Joann's strapless shirt was pulled down exposing her bare breasts.

Three male blacks came to Jessica's aid and subdued John until WAPD arrived.

LACK OF CONSENT

Joann did not give John consent to punch her, slam her head against a table, grab her throat or pull her shirt down, exposing her breasts.

Reporting Officer(s): Noche, Phillip A.	Payroll Number: 9689	Payroll Number:	Report Date: 08/13/2010
Reviewed by: Fujinaka, Patrick	Payroll Number: 1292	Copy To:	1 Of 1

West Allis Police Department		Supplementary Report	
Incident Report Number 10-007471		Incident Location 9427 W Greenfield Ave, West Allis, WI, 53214	
New Incident:		Original CFS Code-1: 5311	
New CFS Code-2:		New CFS Code-1:	
Incident Date: 08/10/2010			
NARRATIVE			
<p>Pto Kuhnmuench, 08/10/10, 0040hrs...</p> <p>Initial Call:</p> <p>Officers were dispatched to 9427 W Greenfield Ave (Yester Years Pub) for a fight. I arrived on scene and was advised by several patrons outside of the bar that the problem was a M/W inside. I entered the bar and observed a M/W later identified as John G Kohal M/W 06/07/71 being held down by two males. Pto Tuschl advised the male to get off of Kohal and I assisted him in handcuffing him. I then began to speak with the caller Sidney T Landis F/W 02/01/88 (Bartender).</p> <p>On Scene Statement of Sidney T Landis:</p> <p>On scene I spoke with Landis in front of the tavern. Landis stated she had called because Kohal was out of control inside of the bar. Landis explained Kohal had arrived at the bar at approx. 1800hrs and began drinking with friends. Landis said Kohal was not a problem initially and was talking with friends. Landis stated two females walked into the bar and sat at the other end of the bar. Landis said Kohal walked over to the other side of the bar and bought the two females a drink. Landis said Kohal and the females began to play pool and everything appeared normal.</p> <p>Landis said while she was bartending she heard a female scream and at first ignored it. Landis said the screaming continued and she realized someone needed help. Landis said she looked into the pool area to see Kohal laying on top of one of the females. Landis said she immediately called 911 because he female needed help. Landis explained several patrons tried to stop Kohal from attacking the female and he became violent. Landis said Kohal began "swinging" at everyone and acting out of control.</p>			
Reporting Officer(s):		Payroll Number: 9688	
Kuhnmuench, Steven R.		Payroll Number:	
Reviewed by:		Copy To:	
Fujinaka, Patrick		Payroll Number: 1292	
1 OF 1		Report Date: 08/11/2010	