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# City of West Allis Matter Summary

7525 W. Greenfield Ave.  
West Allis, WI 53214

File Number	Title	Status
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2013-0601      Report      Introduced

Police Department Report involving McGuire's Bar, 6235 W. National Ave. (2013-2014 Class B Tavern License no. 820 and Dance Hall License no. 822, McGuire's Bar, Inc., Daniel M. McGuire, Agent, Incident Date: September 21, 2013).

Introduced: 10/15/2013

Controlling Body: License & Health Committee

## PLACE ON FILE

### COMMITTEE RECOMMENDATION

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
NOV 05 2013	<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"/>	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 type="checkbox"/>	Roadt	<input checked="" type="checkbox"/>			
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sengstock	<input checked="" type="checkbox"/>			
	<input type="checkbox"/>	<input type="checkbox"/>	Vitale				
	<input type="checkbox"/>	<input type="checkbox"/>	Weigel	<input checked="" type="checkbox"/>			
		TOTAL		5	0		

SIGNATURE OF COMMITTEE MEMBER

Chair

Vice-Chair

Member

### COMMON COUNCIL ACTION

## PLACE ON FILE

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
NOV 05 2013	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Barczak	<input checked="" type="checkbox"/>			
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Czaplewski	<input checked="" type="checkbox"/>			
	<input type="checkbox"/>	<input type="checkbox"/>	Lajsic	<input checked="" type="checkbox"/>			
	<input type="checkbox"/>	<input type="checkbox"/>	May	<input checked="" type="checkbox"/>			
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Probst	<input checked="" type="checkbox"/>			
	<input type="checkbox"/>	<input type="checkbox"/>	Reinke	<input checked="" type="checkbox"/>			
	<input type="checkbox"/>	<input type="checkbox"/>	Roadt	<input checked="" type="checkbox"/>			
	<input type="checkbox"/>	<input type="checkbox"/>	Sengstock	<input checked="" type="checkbox"/>			
	<input type="checkbox"/>	<input type="checkbox"/>	Vitale	<input checked="" type="checkbox"/>			
	<input type="checkbox"/>	<input type="checkbox"/>	Weigel	<input checked="" type="checkbox"/>			
		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



# West Allis Police Department

# Incident Report

Incident: <b>Disorderly Conduct</b>			
Incident Report Number: 13-008585	Between: Date - Time	And/At: Date-Time 9/21/13	23:39
Incident Location: 6235 W National Ave;WA, West Allis, WI, 53214			
CFS Code-1: 5311	CFS Code-2:	CFS Code-3:	Offense Code-4:
CFS Code-5:	CFS Code-6:	CFS Code-7:	CFS Code-8:

B	Name (Last, First, Middle) McGuire Bar,	DOB:	Race/Sex
Address: (Address, City, State, Zip) 6235 W National Ave, West Allis, WI, 53214			Home Phone Number
Employer			Work Phone Number (414) 774-0445
Employer Address			Cell Phone Number
O	Name (Last, First, Middle) Kleinwaechter, Edward C	DOB: 04/16/1964	Race/Sex W/M
Address: (Address, City, State, Zip) 2224 S 80 St;WA, West Allis, WI, 53219			Home Phone Number (715) 355-6888
Employer			Work Phone Number
Employer Address			Cell Phone Number

### SUMMARY

#### PO Kaye Reports: Disorderly Conduct

On 09/21/13 at approx. 2339hrs, officers responded to McGuire Tavern, 6235 W National Ave, for a report of an individual causing a disturbance who would not leave the bar. Upon arrival officers spoke with owner, Daniel M. McGuire (M/W 09/25/51), who advised a patron, Edward C. Kleinwaechtem (M/W 04/16/64), was being disorderly, threatening to fight the Daniel, and would not leave. Edward was arrested and issued a Municipal Citation (M130044571) for Disorderly Conduct. Edward was given a local court date of 10/28/13 at 0830hrs. Based on Edwards intoxication level and his behavior, Edward was held until he was sober, and later released.

Vehicle Information: (Year, Make, Model, Style, Color)				
License Number:	State:	Expiration Year:	Vin:	Insurance Company:
Other Vehicle Information:			NCIC#	
Reporting Officer(s): Kaye, Jacob		Payroll Number: 9904	Payroll Number:	Report Date:
Time Received: 23:39:36	Time Cleared: 00:03:15	Unit(s) Assigned: 310, 316, 319	Pages: 1 Of 3	
Reviewed by: Porter, Caleb		Payroll Number: 9438	Copy To	

Date: 09/22/2013  
CFS Code-1: 5311  
Incident Report Number: 13-008585



## West Allis Police Department

Continuation

Incident Report Number 13-008585	Incident Location: 6235 W National Ave;WA, West Allis, WI, 53214	Incident Date: 09/21/2013
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**NAMES****Witness**

Mcguire, Daniel M W/M-61 of 1430 Six Points Crossing,3  
07  
West Allis,WI,53214  
DOB: 09/23/1951 DL: M260-1735-1343-01  
HT: 600 WT: 200 Hair: Black  
Eyes: Blue  
Home Phone:(414) 803-2002

**NARRATIVE****PO Kaye Reports:**

On 09/21/13 at approx. 2339hrs, officers responded to McGuire's Tavern, 6235 W National Ave, for a report of an individual causing a disturbance who would not leave the bar.

**CONTACT W/ EDWARD C. KLEINWAECHTEM**

Edward was seated at the bar near the entrance to tavern. Upon speaking with Edward I immediately noticed the strong odor of intoxicants emitting from Edward's breath, his red and glassy eyes, and his slow and slurred speech. Edward immediately became irritated with officers. Edward started to use profanities towards officers. Edward asked me if I used cocaine and if I would buy him a beer. I told Edward he needed to leave the tavern as the owner, Daniel M. McGuire (M/W 09/25/51), did not want Edward inside his business as Edward was causing a disturbance. Edward did not want to leave the bar.

Edward was placed in handcuffs, escorted out of the tavern, and to my squad car. While searching Edward against my squad car, Edward became very angry, started to yell and scream at officers, and use profanities. Edward was then told to take a seat in the back of my squad car and he refused. Officers started to force Edward into the back seat of my squad when Edward turned towards me and came at me with his head (As if he was trying to head butt me). PO Tuschl pulled Edward away from me, secured Edward up against my squad, and eventually placed Edward into the back seat of my squad.

**WITNESS STATEMENT - DANIEL M. MCGUIRE**

See PO Kuhnmuensch's Supplemental Report.

Reporting Officer(s): Kaye, Jacob	ID Number 9904	ID Number	Pages: 2 Of 3
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Incident Report Number 13-008585	Incident Location: 6235 W National Ave;WA, West Allis, WI, 53214	Incident Date: 09/21/2013
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**ARREST DECISION**

Based on Edwards belligerent behavior and witness statement, Edward was arrested for Disorder Conduct and conveyed to the WAPD.

**EXCITED UTTERANCES/BOOKING**

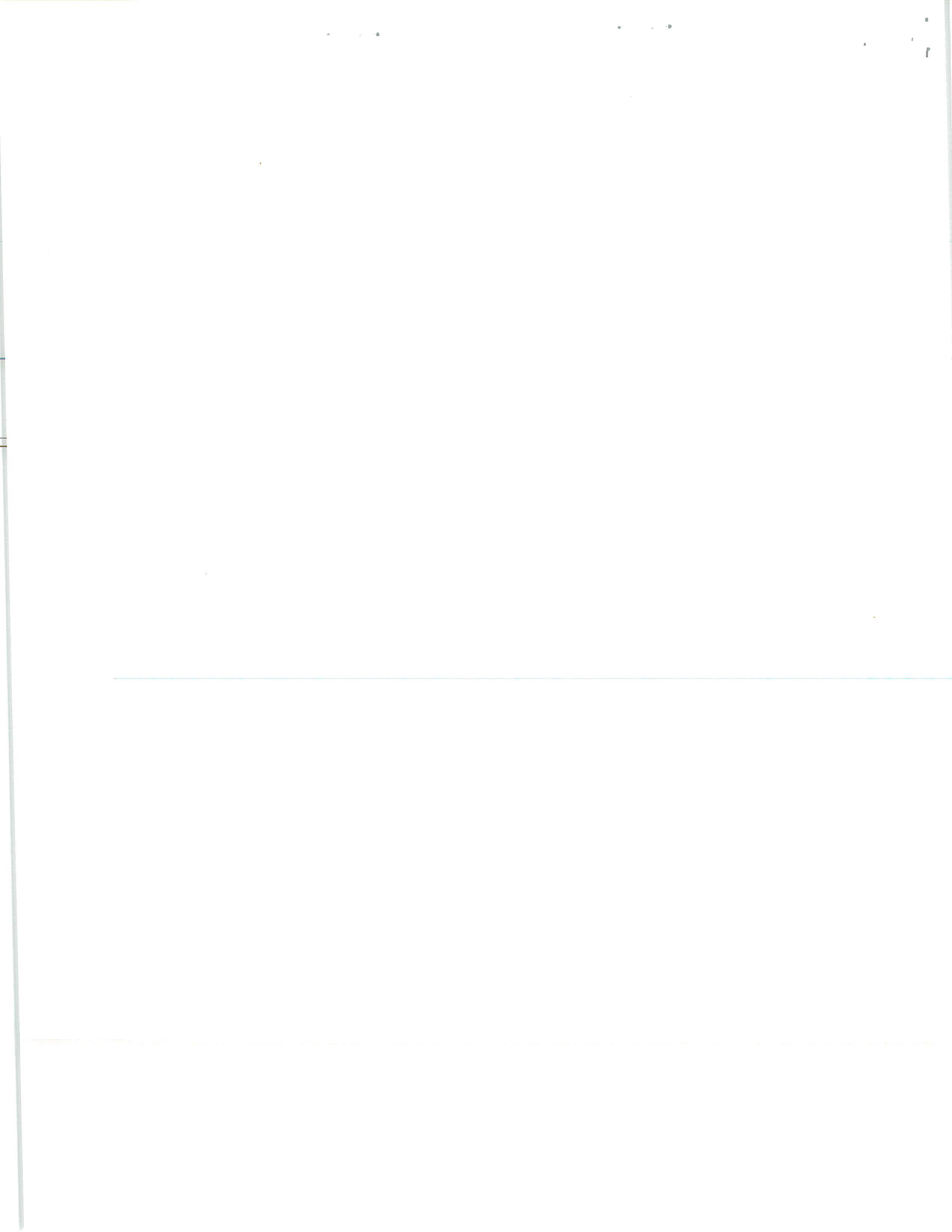
While conveying Edward to the WAPD, Edward was using profanities towards me. Edward was calling me a "Fucker," "Fuck face," and, "Fuck head." Edward told me I should, "Tell the judge that too."

Based on Edwards behavior and agitation level, Edward was placed in holding Cell #4 immediately upon arrival to the WAPD booking room. Edward was later booked by PO Luedke and released by PO Luedke.

**CASE DISPOSITION**

McGuire's Tavern owner, Daniel M. McGuire (M/W 09/25/51), who advised , Edward C. Kleinwaechtem (M/W 04/16/64), was being disorderly, threatening to fight the Daniel, and would not leave the tavern when asked. Edward was arrested and issued a Municipal Citation (M130044571) for Disorderly Conduct. Edward was given a local court date of 10/28/13 at 0830hrs. Based on Edwards intoxication level and his behavior, Edward was held until he was sober, and later released.

Reporting Officer(s): Kaye, Jacob	ID Number 9904	ID Number	Pages: 3 Of 3
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## West Allis Police Department

## Supplementary Report

Incident Report Number 13-008585	Incident Location: 6235 W National Ave;WA, West Allis, WI, 53214	Incident Date: 09/21/2013
New Incident:	Original CFS Code - 1: 5311	New CFS Code - 1 : New CFS Code - 2:
<p><b>NARRATIVE</b></p> <p>Pto Kuhnmuench, 09/21/13, 2329hrs...</p> <p><u>Initial Call:</u></p> <p>Officers were dispatched to 6235 W National Ave (McGuire's Tavern) for party refusing to leave. I arrived on scene and made contact with the bar owner/bartender.</p> <p><u>On Scene Statement of Daniel M McGuire M/W 09/25/51:</u></p> <p>Upon arrival I made contact with McGuire who was standing behind the bar. McGuire explained that the individual sitting at the north end of the bar (Later identified as Edward C Kleinwaechter M/W 04/16/64) was who he called about. McGuire explained that Edward had been in the bar earlier in the day at approx. 1500hrs, but was asked to leave due to his intoxicated behavior. McGuire explained that Edward had very little to drink at the bar, but had prescription medications in large bottles with him. McGuire said Edward left and didn't cause any major problems.</p> <p>McGuire explained at 2315hrs Edward returned to the bar and walked in with a plastic cup containing an alcoholic beverage. McGuire did not know where the drink came from, but it was not from his tavern. McGuire immediately told Edward that he was not welcome at the tavern and asked him to leave. McGuire stated that Edward became argumentative and asked him to fight. McGuire advised Edward that he did not want to fight and again asked him to leave. Edward again refused to leave and McGuire told him he was going to call the police. Edward told McGuire to call the police and remained in the bar.</p> <p>McGuire stated that Edward began using profanity and was verbally abusive. Edward continued to use profanity during his entire stay at the tavern including while officers were on scene. I spoke with several patrons at the bar who stated they heard Edward using profanity and refusing to leave the bar. Edward was confrontational and resistive with officers.</p>		
Reporting Officer(s): Kuhnmuench, Steven R.	Payroll Number: 9688	Report Date: 09/29/2013
Reviewed by: Marks, Christopher	Payroll Number: 9075	Copy To: 1 Of 1

