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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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2014-0569 Report Introduced

Police Department Report involving Tap 58, 5732 W. Mitchell St. (2014-2015 Class B Tavern License no. 2004, Dance Hall License no. 2005 and Instrumental Music License no. 2083) of Morgan Murphy Enterprizes, LLC, Carolyn S. Tomovich, Agent, Noise complaint, Incident Date: August 22, 2014.

Introduced: 9/16/2014

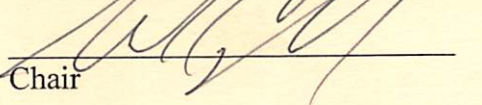
Controlling Body: License & Health Committee

COMMITTEE RECOMMENDATION

PLACE ON FILE

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
NOV 03 2014	✓		Barczak	✓			
			Czaplewski	✓			
			Haass	✓			
			Lajsic				
			May				
			Probst				
			Reinke				
			Roadt	✓			
			Vitale				
		Weigel	✓				
		TOTAL		5	0		1

SIGNATURE OF COMMITTEE MEMBER

 _____ Chair
 _____ Vice-Chair
 _____ Member

COMMON COUNCIL ACTION

PLACE ON FILE

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
NOV 03 2014	✓	✓	Barczak	✓			
			Czaplewski	✓			
			Haass	✓			
			Lajsic	✓			
			May	✓			
			Probst	✓			
			Reinke	✓			
			Roadt	✓			
			Vitale	✓			
		Weigel	✓				
		TOTAL		10			1

**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



OFFICE OF THE CITY CLERK

Monica Schultz
City Clerk

October 23, 2014

Carolyn Sue Tomovich, Agent
Morgan Murphy Enterprises, LLC
d/b/a Tap 58
5732 W. Mitchell St.
West Allis, WI 53214

Dear Ms. Tomovich:

This letter is to inform you that you do not need to appear at the License & Health meeting on Tuesday, October 28, 2014.

Please disregard any previous letters I had sent you regarding the two incidents and appearances.

If you have any questions, please contact me at the Clerk's Office at (414) 302-8202.

Sincerely,

Monica Schultz
City Clerk

/amn

cc: Carolyn Sue Tomovich (home enclosure)
Sportz Medicine, LLC (property owner no enclosure)



OFFICE OF THE CITY CLERK

Monica Schultz
City Clerk

October 20, 2014

Carolyn Sue Tomovich, Agent
Morgan Murphy Enterprises, LLC
d/b/a Tap 58
5732 W. Mitchell St.
West Allis, WI 53214

Dear Ms. Tomovich:

The Chairman of the License & Health Committee orders that you appear at their meeting on Tuesday, October 28, 2014, at 6:00 PM, in Room 128, West Allis City Hall, 7525 W. Greenfield Ave., regarding incidents, which occurred on August 5, 2014 & August 22, 2014.

Please be advised, all meetings, unless otherwise noted, are open to the public and may be televised and recorded through the City's Cable Communications Division.

A copy of the incidents are being sent to your home address.

If you have any questions, please contact the Clerk's Office at (414) 302-8202.

Sincerely,

Monica Schultz
City Clerk

/amn
enclosures

cc: Carolyn Sue Tomovich (home enclosure)
Sportz Medicine, LLC (property owner no enclosure)



**City of West Allis
Police Department**

Liquor Establishment Violation

Date: 9/2/2014
To: Lieutenant Jessica Johnson
From: Captain Christopher Marks

Violation Type

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

Incident #: 14-007424 N/A

Location: 5732 W. Mitchell Street N/A

Establishment Name: Tap 58 N/A

Establishment License #: 610 N/A

Establishment Owner: Nancy Kay Klafke N/A

Owner Address: 5123 W. Plainfield Ave., Milwaukee, WI 53220, (414)380-0334 N/A

Violation(s): N/A

Offender: Mark Robert Van Beek, M/W, 02/20/1963 N/A

Offender Address: 6017 W. Mitchell Street, West Allis, WI 53214 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 Christopher Marks

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: 08/22/2014
CFS Code-1: 4801
Incident Report Number: 14-007424
14-007424

Incident: Resisting Officer			
Incident Report Number: 14-007424	Between: Date - Time	And/At: Date-Time 8/22/14	02:08
Incident Location: 5732 W Mitchell St;WA, West Allis, WI, 53214			
CFS Code-1: 4801	CFS Code-2: 4899	CFS Code-3: 90Z4	Offense Code-4:
CFS Code-5:	CFS Code-6:	CFS Code-7:	CFS Code-8:

B	Name (Last, First, Middle) Tap 58,	DOB:	Race/Sex
Address: (Address, City, State, Zip) 5732 W Mitchell St, West Allis, WI, 53214			Home Phone Number
Employer			Work Phone Number (414) 541-5658
Employer Address			Cell Phone Number
O	Name (Last, First, Middle) Van Beek, Mark Robert	DOB: 02/20/1963	Race/Sex W/M
Address: (Address, City, State, Zip) 6017 W Mitchell St;WA, West Allis, WI, 53214			Home Phone Number
Employer			Work Phone Number
Employer Address			Cell Phone Number

SUMMARY

Officer S. Martin reports:

On 08/22/14, officers responded to Tap 58, located at 5732 W Mitchell St, for a noise complaint. Upon arrival, I made contact with a group of people. One of the group, Mark R. Van Beek, M/W 02/20/63, walked away from me and would not stop at my command. Once approached, he was argumentative, refused to provide his name, and tried to walk away during our investigation. Officers attempted to detain him, and he resisted. He was ultimately arrested and a FAST ID confirmed his identity. A records check provided he had valid bench warrants through MCSO and Kenosha. He was booked and cited for both Obstructing and Resisting. His municipal court date is scheduled for 09/22/14 at 0830hrs.

Vehicle Information: (Year, Make, Model, Style, Color)				
License Number:	State:	Expiration Year:	Vin:	Insurance Company:
Other Vehicle Information:			NCIC#	
Reporting Officer(s): Martin, Steven		Payroll Number: 9895	Payroll Number:	Report Date:
Time Received: 02:08:17	Time Cleared: 02:28:56	Unit(s) Assigned: 307. 315. 310T	Pages: 1 Of 3	
Reviewed by: Saftig, Brian		Payroll Number: 2103	Copy To	

Incident Report Number

14-007424

Incident Location:

5732 W Mitchell St;WA, West Allis, WI, 53214

Incident Date:

08/22/2014

NARRATIVE**INITIAL RESPONSE**

On Friday, 08/22/14 at approx. 0214hrs, Officers Stuetzgen, Christianson and I responded to Tap 58, located at 5732 W Mitchell St, for a noise complaint. Upon arrival, I observed a M/B, a M/W, and two F/Ws, standing directly outside the tavern. As I approached the group, the M/W (later identified by FAST ID as Mark R. Van Beek, M/W 02/20/63), turned and walked away as I approached.

CONTACT WITH MARK R. VAN BEEK - OBSTRUCTING INCIDENT

I requested Van Beek to return to the group and speak with me. He continued to walk away. I approached him and asked him to turn around. He continued to ignore me and looked as if he was going to walk north along a private sidewalk just east of the tavern. I lightly grabbed his arm, and ordered him to turn around. After he turned toward me, I observed he appeared to be highly intoxicated (glassy eyes, strong odor of intoxicants, and unsteady balance).

Van Beek asked me, "What the fuck do you want?" I told him I was investigating a noise complaint and that I needed to speak to him. Van Beek stated he had nothing to say to me. I told him that the noise complaint was a minor issue, and that if he provided me with his information I would leave with a verbal warning to the group. Van Beek continued to refuse to provide me with his name or any statement.

RESISTING INCIDENT

Van Beek continued to be argumentative and cursed loudly at officers. Officer Stuetzgen attempted to pat Van Beek down, and he continued to be hostile. Officer Stuetzgen and I secured Van Beek's wrists and elbows. I had my hand on Van Beek's left wrist and left elbow. We ordered him to provide his name or he would be arrested for Obstructing an Officer. I immediately felt resistive tension in Van Beek's arms. He began to curse even louder, and I observed his hands clench.

Based on his intoxicated state, resistive tension in his arms, and his hostile demeanor, I feared the situation would escalate if Van Beek was not immediately placed in handcuffs. Holding his left wrist, I moved my right arm to his upper back and directed him to the sidewalk in order to control him. Van Beek continued to scream obscenities, further tensed his upper body, thrashed his head, and kicked his legs. He refused to follow my continued orders to put his hands behind his back. I observed Van Beek turn onto his left side and bring his feet in to his abdomen as if he was going to kick. At that time, I struck Van Beek three times on the left side of his face with my open hand in order to cause a dysfunction long enough to place him in handcuffs. While striking him, my fingers

Reporting Officer(s):

Martin, Steven

ID Number

9895

ID Number

Pages:

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Incident Report Number

14-007424

Incident Location:

5732 W Mitchell St;WA, West Allis, WI, 53214

Incident Date:

08/22/2014

inadvertently got tangled in his hair. This caused his face to strike the concrete the third time I struck him. The directed strikes were successful in stopping Van Beek's resistive behavior and Officer Christianson was able to get him into handcuffs. Van Beek continued to thrash his head after being handcuffed, and I put pressure on his mandibular angle in order to prevent him from causing injury to himself.

During this incident, I received abrasions to the knuckles of my left middle and left ring finger. The injury was minor and did not require medical care. Van Beek had an abrasion on the right side of his face. He refused medical care and stated he was not injured.

ARREST

Based on Van Beek's actions, he was arrested for Obstructing an Officer and Resisting an Officer.

FAST ID

Van Beek continued to refuse to provide information regarding his name. I put him through a FAST ID, and the WAPD Dispatch ran his criminal number (WI142694). The number provided information that the subject we had in custody was Van Beek.

A records check provided information that Van Beek had a valid MCSO body only bench warrant (14CM307 for Battery) and a valid Kenosha body only warrant (FA767 for Contempt, mandatory 60 day confinement).

BOOKING

Using booking # 14-003964, I booked Van Beek for Obstructing an Officer and Resisting an Officer. He was issued citation # M140039641 for Obstructing an Officer, and citation # M140039642 for Resisting an Officer. Both citations have a municipal court date of 09/22/14 at 0830hrs.

MCSO RESPONSE

An MCSO deputy responded to the WAPD and took custody of Van Beek.

CASE DISPOSITION

Van Beek was arrested, booked, and cited for Obstructing an Officer and Resisting an Officer. His municipal court date is 09/22/14 at approx. 0830hrs. He was turned over to MCSO for his valid bench warrant.

Reporting Officer(s):

Martin, Steven

ID Number

9895

ID Number

Pages:

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