



City of West Allis Matter Summary

7525...

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get back to me
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held. Ann*

File Number	Title	Status
2013-0458	Report	Introduced

Police Department Report regarding June 27, 2013 Tobacco Compliance Check involving thirteen (13) West Allis businesses, resulting with none selling tobacco to an underage person without requesting identification.

Introduced: 8/6/2013

Controlling Body: License & Health Committee

COMMITTEE RECOMMENDATION place on file

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
<u>8-6-13</u>			Barczak				✓
			Czaplewski	✓			
			Lajsic				
			May				
			Probst				
			Reinke				
	✓		Roadt	✓			
			Sengstock	✓			
			Vitale				
		✓	Weigel	✓			
			TOTAL	<u>4</u>	<u>0</u>		<u>1</u>

SIGNATURE OF COMMITTEE MEMBER

[Signature]
Chair

Vice-Chair

Member

COMMON COUNCIL ACTION PLACE ON FILE

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
<u>8/6/13</u>	✓		Barczak				✓
			Czaplewski	✓			
			Lajsic	✓			
			May	✓			
			Probst	✓			
			Reinke	✓			
			Roadt	✓			
			Sengstock	✓			
		✓	Vitale	✓			
			Weigel	✓			
			TOTAL	<u>9</u>			<u>1</u>

**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



RECEIVED

JUL 11 2013

CITY OF WEST ALLIS
CLERK/TREASURER



DEPARTMENT OF POLICE

Charles Padgett
Chief of Police

Robert Fletcher
Deputy Chief of Police

July 10th, 2013

To: Mayor Dan Devine

License and Health Committee:

Alderson Michael Czaplewski (Chair)
Alderson Daniel Roadt (Vice-Chair)
Alderson Gary Barczak
Alderson James Sengstock
Alderson 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 June.

Incident reports:

Case # 13-004864, 06/02/2013, at 0148 hrs – 1100 S. 60 St, Double Barrel & 1101 S. 60 St., Bulldog 60.

On 06/02/2013 at 0148 hrs., Officers responded to 1100 S. 60 St, Double Barrel for a report of a trouble call. Andrew Lomax stated he was standing outside of his tavern when Hsiu Yu Zen, went across the street with an alcoholic drink and threw it at Lomax. Police made contact with Zen at Bulldog 60, and he admitted to the incident on scene. He was arrested for Disorderly conduct, given a local citation and released from the substation after being booked.

Case # 13-005101, 06/09/2013, at 0135 hrs – 7527, W. Becher St. Flappers

On 06/09/2013, Officer observed a female shouting and swearing at another male outside of Flappers, 7527 W. Becher St. There was a crowd of people outside the bar. The officer approached the bar and spoke the female, Leah B. Janke. While speaking with Leah, a male party, identified as Nicholas Damato, continually interrupted the Officer's investigation saying, "Nothing happened". Nicholas was told several times to step away, but refused. He was subsequently arrested for Hindering. It was later determined that Leah had threatened a male outside of the bar. She was subsequently arrested for Disorderly Conduct. Both parties were transported to the station, booked, cited and released.

Case #13-006086, 06/09/2013, at 2345 hrs – 6827 W. National Av, GR's National Pub

On 06/09/2013, at approximately 2345 hrs., Officers responded to 6827 W. National Av, GR's National Pub, for 2 male Hispanics causing a problem. Upon arrival, Officers made contact with the caller, Sarah Denoble. Sarah is a bartender at GR's, however, for this incident she was a patron who called the police. She stated 2 male Hispanics, had been causing problems inside the bar and refused to leave. Prior to leaving the bar, one of the males made reference to a drug cartel and made a gun with his hands. These two parties, later identified as Joel B. Beltran-Coyolt and Jesus NMI Mazaba-Campechano, were later located at the Dog House. Officers responded back to the GR's Pub and the bartender advised they did not want them arrested, but just to stay away from the establishment. Both parties were highly intoxicated and did not understand English. Parties were advised to not return to GR's or they would be arrested.

Case #13-005540, 06/23/2013, at 0204 hrs – 9105 W. Lincoln Av. Draft Bar

On 06/23/2013, at 0204 hrs., an Officer was traveling on W. Lincoln Av when he observed two parties fighting on the grass outside of the Draft Bar. Daniel Casarez, Kondwani Harleaux and Bryan Kainz were actively involved in a fight. All three parties were arrested for Disorderly Conduct, book and released, except for Daniel, who had a Probation/Parole hold placed on him.

Case # 13-005582, on 06/24/2013, at 0158 hrs – 1901 S. 60 St, Las Palmas

On 06/24/2013, at approximately 0158 hrs, Officers were nearby 1901 S. 60 St, Las Palmas, for shots being fired outside of the business. Edy Matute resisted officers on scene and was eventually placed into custody. Noel Monge, Luis Carlos Ruiz Navarro, and Juan Sanchez, were all arrested and given local citations for Disorderly Conduct for their involvement in the physical fight outside of the business. A handgun was located in the parking lot of Burnham Bowl. Handgun casings fired from the weapon were located in front of Las Palmas on the opposite side of the street. Adrian Sanchez admitted to firing the weapon several times on scene. Sanchez was booked for Reckless Endangerment of Safety. Matute was booked for Disorderly Conduct, Resisting an Officer and Bail jumping. DA reviewed the case on 06/25/2013. Local citations are set for 07/29/13.

Carlos Cruz, current security officer at Las Palmas, stated he was working inside of the business when he began to observe a verbal argument taking place outside of the business. Cruz stated he removed his baton from his belt and began to use it in an attempt to separate males from physically fighting. When the altercation began to turn physical, Cruz removed the pepper spray from his holster and began to spray several individuals that were actively fighting with other parties.

Cruz then observed a male in the area hold a firearm and fire the weapon, with the muzzle facing towards the sky. Cruz yelled for the man to drop his weapon. Cruz stated the individuals involved in the incident were regular bar patrons of the business.

Unknown who called the police.

Case # 13-005576, on 06/23/2013, at 2344 hrs – 7411 W. Becher St, Barneck's.

On 06/23/2013 at approximately 2344 hrs., Officers responded to Barnecks, 7411 W. Becher St for a report of people fighting in the bar. Aaron Dolinski was in the bar with his mother, Eva Videkovich. Eva and Brian began yelling back and forth at each other because Eva was playing video poker. Aaron stepped in and stated "Don't talk to her like that". Brian and Eva got into a physical altercation. When Aaron stepped in to break the fight up, Brian grabbed him and held him to the ground. The bartender, Michelle Alexander, called the police.

Case #13-005801, on 06/30/2013, at 2238 hrs., - Mugshotz Bar.

On 06/30/2013, at 2238 hrs., Officers responded to Mugshotz Bar, 1902 S. 68 St, for a report of a man with a gun. Investigation revealed Robert S. Oleszek entered Mugshotz, with a handgun in his right hand, with his finger on the trigger, and demanded to know where his wife was. Jason Schilling was bartending and told Robert his wife was not in the bar. Jason and a patron, identified as Richard Schilling told Robert to leave. Robert, who was slurring his words and appeared intoxicated, backed out of the establishment. Robert caused patrons to fear for their safety. Robert then left and was later located at his residence. He was arrested and Charged by the Milwaukee County District Attorney's Office with Battery, Endangering Safety by Use of a Dangerous Weapon, Carry a Handgun where Alcohol sold and consumed, Disorderly Conduct with use of a Dangerous Weapon, Resisting an Officer and Stalking.

Tobacco and Alcohol Compliance checks:

Case #13-005695

On 06/27/2013, a tobacco compliance check at 13 randomly selected West Allis businesses that have a license to sell tobacco. The check was completed through the use of a 17 year old female who attempted to purchase a pack of Newport cigarettes. All of the 13 businesses requested identification from the 17 year old female and did not complete the sale.

Case #13-005625

On 06/25/2013, an alcohol compliance check was conducted at 12 randomly selected businesses that have a license to sell liquor. The check was completed through the use of an 18 year old female who attempted to purchase a six pack of Miller Lite beer. All 12 of the businesses requested identification from the 18 year old female and did not complete the sale.

Violation of Wisconsin Clean Air Act Smoking Ban:

- No violations reported during this reporting period.

Respectfully submitted,

Lt Jessica Johnson

Date:


06/27/2013

CFS Code-1:

GZ

Incident Report Number:

13-005695

	West Allis Police Department			Incident Report		
	Incident: Informational/All Other					
	Incident Report Number: 13-005695		Between: Date - Time		And/At: Date-Time 6/27/13	12:00
	Incident Location: 11301 W Lincoln Ave;WA, 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 Super Bottle Depot,			DOB:		Race/Sex	
Address: (Address, City, State, Zip) 1357 S 76 St, West Allis, WI, 53214				Home Phone Number		
Employer				Work Phone Number (414) 778-0965		
Employer Address				Cell Phone Number		
Name (Last, First, Middle) B Cigarette Depot,			DOB:		Race/Sex	
Address: (Address, City, State, Zip) 1512 S 84 St, West Allis, WI, 53214				Home Phone Number		
Employer				Work Phone Number (414) 454-0569		
Employer Address				Cell Phone Number		
<p>SUMMARY</p> <p>PO A. Cerqua reports...</p> <p>On 06/27/13 I conducted a tobacco compliance check at 13 randomly selected West Allis businesses that have a license to sell tobacco. The check was completed through the use of a 17 year old female who attempted to purchase a pack of Newport cigarettes. All of the 13 businesses requested identification from the 17 year old female and did not complete the sale.</p>						
Vehicle Information: (Year, Make, Model, Style, Color)						
License Number:		State:	Expiration Year:	Vin:	Insurance Company:	
Other Vehicle Information:				NCIC#		
Reporting Officer(s): Cerqua, Allison			Payroll Number: 9653	Payroll Number:	Report Date:	
Time Received: 12:00:37	Time Cleared: 14:37:46	Unit(s) Assigned: 226W		Pages: 1 Of 4		
Reviewed by: Marks, Christopher			Payroll Number 9075	Copy To		

West Allis Police Department

Continuation

Incident Report Number

13-005695

Incident Location:

11301 W Lincoln Ave;WA, West Allis, WI, 53227

Incident Date:

06/27/2013

NAMES**Business-1**

Walgreens 84/Greenfield of 8333 W Greenfield Ave, West Allis,WI,53214
Business Phone:(414) 443-9414

Parent

Lieber, Kathryn S W/F-53 of 1008 S 74 St, West Allis,WI,53214
DOB: 07/29/1959
Home Phone:(414) 259-1897 Cell Phone:(414) 248-4568

Contact

Lieber, Mackenzie M W/F-17 of 1008 S 74 St, West Allis,WI,53214
DOB: 07/24/1995
Home Phone:(414) 259-1897 Cell Phone:(414) 248-2102

Business-2

Speedway of 5712 W Burnham St, West Allis,WI,53219
Business Phone:(414) 545-8311

Business-3

West Allis Cigarette Depot of 7023 W Greenfield Ave, West Allis,WI,53214
Business Phone:(414) 302-1923

Business-4

Smokers Pub of 10708 W Oklahoma Av, West Allis,WI,53227
Work Phone:(414) 546-0525

Business-5

County Beer & Liquor of 979 S 60 St, West Allis,WI,53214
Business Phone:(414) 258-0696

Business-6

West Allis Liquor & Tobacco of 7218 W Greenfield Ave, West Allis,WI,53214
Business Phone:(414) 453-9666

Reporting Officer(s):

Cerqua, Allison

ID Number

9653

ID Number

Pages:

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West Allis Police Department

Continuation

Incident Report Number 13-005695	Incident Location: 11301 W Lincoln Ave;WA, West Allis, WI, 53227	Incident Date: 06/27/2013
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Business-7

One Stop West Allis Food And Liquor of 5909 W Lincoln Ave, West Allis,WI,53219
Business Phone:(414) 543-5370

Business-8

Kwik Pantry 67/Lincoln of 6716 W Lincoln Ave, West Allis,WI,53219
Business Phone:(414) 545-3800 Work Phone:(414) 545-9941

Business-9

Mobil of 2315 S 76 St, West Allis,WI,53219
Business Phone:(414) 328-1393

Business-10

Oklahoma Liquor And Tobacco of 10711 W Oklahoma Ave, West Allis,WI,53227
Business Phone:(414) 541-9463

Business-11

Bp Greenmart of 7605 W Greenfield Ave, West Allis,WI,53214
Business Phone:(414) 302-6657

NARRATIVE

COMPLIANCE CHECK OUTLINE

On 0627/13 from 1200 to 1400hrs I conducted a tobacco compliance check at 13 randomly selected businesses that have a license to sell tobacco. This check was completed through the use of an 17 year old female, Mackenzie M. Lieber, F/W 07/24/95. Lieber entered each of the randomly selected businesses and attempted to purchase a pack of Newport cigarettes without providing any identification.

I advised Lieber if the sales clerk asked her for identification, she should immediately leave the business. I provided Lieber with \$40.00 from the WAPD Crime Prevention fund for the attempted purchases.

Prior to beginning the compliance check I confirmed Lieber did not have any identification on her person, and the only item she brought with her was her cellular telephone. I took a photograph of Lieber with a department issued digital camera and secured the photograph onto a WAPD media card to document her appearance on the day of the compliance check. The media card was later secured in

Reporting Officer(s): Cerqua, Allison	ID Number 9653	ID Number	Pages: 3 Of 4
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West Allis Police Department

Continuation

Incident Report Number 13-005695	Incident Location: 11301 W Lincoln Ave;WA, West Allis, WI, 53227	Incident Date: 06/27/2013
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an envelope and placed in the Forensics and Technical Bureau.

COMPLIANCE CHECK DISPOSITION

The following businesses were checked during the tobacco compliance check on 06/27/13:

1. Super Bottle Depot - 1357 S. 76 St. at 1217hrs
2. West Allis Cigarette Depot - 1512 S. 84 St. at 1222hrs
3. Walgreens - 8333 W. Greenfield Ave. at 1227hrs
4. BP Greenmart - 7605 W. Greenfield Ave. at 1232hrs
5. West Allis Liquor and Tobacco - 7218 W. Greenfield Ave. at 1237hrs
6. West Allis Cigarette Depot - 7023 W. Greenfield Ave. at 1241hrs
7. County Beer and Liquor - 979 S. 60 St. at 1250hrs
8. Speedway - 5712 W. Burnham St. at 1256hrs
9. One Stop West Allis Food and Liquor - 5909 W. Lincoln Ave. at 1303hrs
10. Kwik Pantry - 6716 W. Lincoln Ave. at 1307hrs
11. Mobil - 2315 S. 76 St. at 1314hrs
12. Smoker's Pub - 10708 W. Oklahoma Ave. at 1325hrs
13. Oklahoma Liquor and Tobacco - 10711 W. Oklahoma Ave. at 1328hrs

All of the randomly selected businesses requested identification from Lieber prior to completing the transaction of the tobacco.

CASE DISPOSITION

Thirteen randomly selected West Allis businesses that have a license to sell tobacco were checked during a tobacco compliance check on 06/27/13. All of the businesses requested identification from the underage female who assisted with the compliance check before the sale was complete. As a result, no citations were issued during this compliance check.

Reporting Officer(s): Cerqua, Allison	ID Number 9653	ID Number	Pages: 4 Of 4
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