

63



# City of West Allis Matter Summary

7525 W. Greenfield Ave.  
West Allis, WI 53214

File Number	Title	Status
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2014-0288      Report      Introduced

Police Department Report involving 57 Bar, 5632 W. Burnham St. (2013-2014 Class B Tavern License no. 1310 of JK Lau Investments, LLC, Jeffrey K. Lau, Agent, Incident Date: April 24, 2014).

Introduced: 5/20/2014

Controlling Body: License & Health Committee

## COMMITTEE RECOMMENDATION

*POF*

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
<u>5-20-14</u>	<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"/>	Haass	<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 type="checkbox"/>	Vitale				
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Weigel	<input checked="" type="checkbox"/>			
			TOTAL	<u>5</u>	<u>0</u>		

### SIGNATURE OF COMMITTEE MEMBER

  
Chair

\_\_\_\_\_  
Vice-Chair

\_\_\_\_\_  
Member

## COMMON COUNCIL ACTION **PLACE ON FILE**

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
<u>MAY 20 2014</u>	<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"/>	Haass	<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 type="checkbox"/>	Probst	<input checked="" type="checkbox"/>			
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Reinke	<input checked="" type="checkbox"/>			
	<input type="checkbox"/>	<input type="checkbox"/>	Roadt	<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	<u>10</u>			

**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. Czaplowski  
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. Czaplowski  
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



**City of West Allis  
Police Department**

**Liquor Establishment Violation**

Date: 4/24/2014  
 To: Lieutenant Jessica Johnson  
 From: Carrie Kielley

**Violation Type**

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

Incident #: 14-3439  N/A

Location: 5632 W Burnham St  N/A

Establishment Name: 57 Bar  N/A

Establishment License #:  N/A

Establishment Owner:  N/A

Owner Address:  N/A

Violation(s): DV/Battery  N/A

Offender: Harry A. Nunnemacher  N/A

Offender Address: 4898 County RD C, Nashotah WI 53058  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:

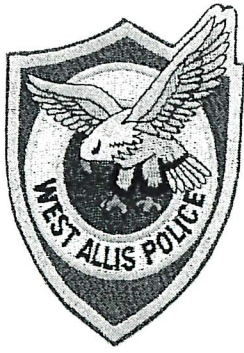
Copy of Incident Report Attached to Liquor Laws Violation Report:  Yes  N/A

Commanding Officer Signature:

Reviewed by Deputy Chief Robert Fletcher:

Copy forwarded to License and Health Committee: Date:





# West Allis Police Department

# Incident Report

Date:

04/24/2014

CFS Code-1: 1313

Incident Report Number:

14-003439

Incident: Simple Assault

Incident Report Number: 14-003439

Between: Date - Time

And/At: Date-Time

4/24/14

18:30

Incident Location:

5632 W Burnham St;WA, 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)

Burk, Ezra R

DOB:

12/31/1974

Race/Sex

W/F

Address: (Address, City, State, Zip)

4898 County RD C, Nashotah, WI, 53058

Home Phone Number

(319) 327-0236

Employer

Work Phone Number

Employer Address

Cell Phone Number

(262) 804-0084

O

Name (Last, First, Middle)

Nunnemacher, Harry A

DOB:

04/11/1958

Race/Sex

W/M

Address: (Address, City, State, Zip)

4898 County RD C, Nashotah, WI, 53058

Home Phone Number

Employer

Work Phone Number

Employer Address

Cell Phone Number

(702) 885-1279

## SUMMARY

Officer Kielley reports...DV/Battery....5632 W Burnham St....

On 04/24/14 at 1850 Hrs. Officers responded to The 57 Bar at 5632 W. Burnham St. for an assault. I made contact with Ezra R. Burk, F/W, 12/31/74, who advised her roommate had grabbed her face and sweatshirt during an argument. Burk advised this caused her to fear for her safety and she had not given given him consent to touch her. Harry A. Nunnemacher, M/W, 04/11/58 was not on scene. I contacted Nunnemacher on the phone and he denied the allegations.

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

License Number:

State:

Expiration Year:

Vin:

Insurance Company:

Other Vehicle Information:

NCIC#

Reporting Officer(s):

Kielley, Carrie F.

Payroll Number:

9690

Payroll Number:

Report Date:

Time Received:

18:41:01

Time Cleared:

19:19:32

Unit(s) Assigned:

215, 219

Pages:

1 Of 3

Reviewed by:

Saftig, Brian

Payroll Number

2103

Copy To



West Allis Police Department

Continuation

Incident Report Number  
14-003439

Incident Location:  
5632 W Burnham St;WA, West Allis, WI, 53219

Incident Date:  
04/24/2014

NARRATIVE

Officer Kielley reports...DV/Battery....5632 W Burnham St....

Source of activity...

On 04/24/14 at 1850 Hrs. Officers responded to The 57 Bar at 5632 W. Burnham St. for an assault.

Victim Statement...Ezra R. Burk, F/W, 12/31/74....

Burk advised she was working as the bartender at The 57 Bar when her roommate, Harry A. Nunnemacher, showed up. She advised that Nunnemacher follows her around and that must be how he knew where she was there. Burk was not sure of the exact time, but thought that Nunnemacher showed up at around 1800 Hrs. Burk advised she had asked Nunnemacher to leave. Burk stated that Nunnemacher was saying "I wish you were a skank like your sister."

Burk stated that approximately three hours later Nunnemacher returned. Burk advised that Nunnemacher is not really supposed to be at the bar as he has caused problems with her in the past. She stated this time when he came back she was done working. Burk stated that Nunnemacher was calling her a skanky bitch and a whore. She went outside and had him come out with her. Burk stated once outside, Nunnemacher grabbed her by the shirt. He tried to pull her in the direction of his van. Burk stated she was trying to get his hand off of her shirt by hitting him. Nunnemacher grabbed Burk by the face and squeezed it.

Burk stated this whole situation scared her and caused her to fear for her safety.

*Through out my contact with Burk I detected a strong odor of intoxicating beverages. She had red glassy eyes and slurred speech. I believed her to be under the influence of an intoxicant.*

Burk became upset with me as I was trying to tell her to respond to the D.A. Office for charging. She stated we never help her.

Lack of consent...

Burk did not give Nunnemacher consent to grab her shirt, her face, cause her pain, cause her to fear for her safety.

Witness Statement...Ronald W. Klein, M/W, 02/25/58...

Reporting Officer(s):

Kielley, Carrie F.

ID Number  
9690

ID Number

Pages:

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West Allis Police Department

Continuation

Incident Report Number  
14-003439

Incident Location:  
5632 W Burnham St;WA, West Allis, WI, 53219

Incident Date:  
04/24/2014

See Cpl. Cerqua's supplementary statement.

**72 Hour No Contact Provision...**

I filled out and explained the 72 hour no contact provision to Burk. Burk signed the form and was provided a copy of it along with a victim information packet.

**Contact with Harry A. Nunnemacher, M/W, 04/11/58....**

On 04/24/14 at 1940 Hrs. I called Nunnemacher at (702)885-1279.

Nunnemacher stated he went to pick Burk from work. He advised he arrived around 1500 Hrs. and that Burk had been drinking. Nunnemacher stated that Burk was drunk and out of hand. He advised when she started talking crazy he decided he was not going to take her home. Nunnemacher stated Burk said she was going to call the cops and tell them he was touching her. Nunnemacher said he was going to leave and Burk grabbed him by the coat and slapped him in the chest. Nunnemacher got in his van and left, but not before telling Burk to text him an address to have her belongings shipped to.

Nunnemacher advised he would not come into the station and that he would not go to the D.A. charging. He stated he would have an attorney respond on his behalf sometime during the day.

Nunnemacher had no further information regarding this incident.

**Booking out of custody...**

Nunnemacher was booked out of custody under WAPD booking number 14-001909.

**Sojourner Family Peace Center....**

On 04/25/14 at 0005 Hrs. I spoke with Kayla from the Sojourner Family Peace Center and provided her with the information he requested.

**Case Disposition...**

I created a DV/Battery report. Nunnemacher was not taken into custody. This case is set to be reviewed by the D.A. Office on 04/25/14

Reporting Officer(s):  
Kielley, Carrie F.

ID Number  
9690

ID Number

Pages:  
3 Of 3



# West Allis Police Department

# Supplementary Report

Incident Report Number 14-003439	Incident Location: 5632 W Burnham St;WA, West Allis, WI, 53219	Incident Date: 04/24/2014
New Incident:	Original CFS Code - 1: 1313	New CFS Code - 2:

**NAMES**

**Witness**

Klein, Robert W W/M-56 of 8434 W Ruby Ave, Milwaukee,WI,53225  
 DOB: 02/25/1958  
 Cell Phone:(414) 379-6684

**NARRATIVE**

Cpl. J. Cerqua reports:

INITIAL COMPLAINT

On 04/24/14, at 1856 hrs, Officer Kielley and I responded to the 57 Bar, 5632 W Burnham St, for an assault. Investigation revealed a female subject, later identified as Ezra R. Burk, F/W 12/31/74, was assaulted by a male subject, later identified as Harry A. Nunnemacher, M/W 04/11/58, who fled prior to our arrival.

STATEMENT OF RONALD W. KLEIN

While on scene, I made contact with a witness, Ronald W. Klein, M/W 02/25/58, who witnessed part of the altercation. Klein stated he was sitting at the bar between a female subject and a male subject, who were later identified as Burk and Nunnemacher. Nunnemacher approached Burk and began talking to her. However, Klein does not know what the nature of the conversation was regarding, as he was not paying much attention to them. Klein did hear Burk telling Nunnemacher that she did not have anything to say to him and she did not want him talking to her.

Klein stated Burk exited the bar a short time later, and Nunnemacher followed her outside. Klein left the bar for a cigarette break and noticed Burk and Nunnemacher talking in the parking lot for the business. Klein heard Nunnemacher tell Burk that he was going to have her evicted, and that "Eagle movers" would remove her belongings from the residence. Burk responded by telling Nunnemacher she was on the lease and not going to leave, and they continued talking to one another.

During their interaction outside, Klein observed Nunnemacher push Burk with both of his hands, causing her to stumble backwards. Burk told Nunnemacher ~~not to put his hands on her, and she shoved him (Nunnemacher) back.~~ Klein

Reporting Officer(s): Cerqua, Jonathan	Payroll Number: 9650	Payroll Number:	Report Date: 04/24/2014
Reviewed by: Saftiq, Brian	Payroll Number: 2103	Copy To:	1 Of 2



# West Allis Police Department

## Continuation

Incident Report Number

14-003439

Incident Location:

5632 W Burnham St;WA, West Allis, WI, 53219

Incident Date:

04/24/2014

heard something mentioned about a restraining order, but again he stated he was not paying attention to their conversation.

Klein stated Nunnemacher entered a van in the parking lot and left E/B on W Burnham St. He did not observe anything else physical happen between Burn and Nunnemacher, other than when they pushed each other. Klein has never met Burk or Nunnemacher before today's incident, and could not provide me with any additional information or details.

Reporting Officer(s):

Cerqua, Jonathan

ID Number

9650

ID Number

Pages:

2 Of 2



# West Allis Police Department

# Supplementary Report

Incident Report Number 14-003439	Incident Location: 5632 W Burnham St;WA, West Allis, WI, 53219	Incident Date: 04/24/2014	
New Incident:	Original CFS Code - 1: 1313	New CFS Code -1 :	New CFS Code - 2:

**NARRATIVE**

**DA REVIEW**

On 04/25/14, this case was presented to ADA Cerwin. Cerwin made this case a NO PROCESS.

Reporting Officer(s): Solie, Ryan	Payroll Number: 9476	Payroll Number:	Report Date: 04/25/2014
Reviewed by: Evenson, Chad	Payroll Number: 1870	Copy To:	1 of 1

