

**WEST ALLIS COMMON COUNCIL
LICENSE AND HEALTH COMMITTEE
CITY OF WEST ALLIS**

**In the Matter of the
Complaint Against**

**FINDINGS OF FACT, CONCLUSION OF
LAW, AND RECOMMENDATION**

3M Management, LLC

**STATE OF WISCONSIN)
) ss.
COUNTY OF MILWAUKEE)**

Upon deliberation and consideration of the complaint presented at the License and Health Committee meeting held on March 3, 2015 and April 28, 2015, the Committee finds:

FINDINGS OF FACT:

1. That 3M Management, LLC, by agent Melissa Marie Martin, was properly served a copy of the summons and complaint;
2. That 3M Management, LLC, by agent Melissa Marie Martin, admitted to the allegations that were stated in the complaint, other than the allegation in paragraph 13 about not being able to produce additional beer receipts and the allegation in paragraph 15 that she initially denied refilling liquor bottles, and, thus, the allegations in the complaint, other than the aforementioned ones about the beer receipts and initial denial of refilling liquor bottles, are considered to be true;
3. That 3M Management, LLC, by agent Melissa Marie Martin, surrendered all of its licenses on April 28, 2015 and failed to appear at the License and Health Committee hearing on that same date;
4. That the conduct of 3M Management, LLC, by agent Melissa Marie Martin, described in the complaint substantially relates to the tavern-related license, music and dance hall licenses, and food-related permit activity contrary to Wis. Stat. §§ 125.68(8)(a)2-3;

- 125.69(6)(a); and 946.41(1); the Wisconsin Administrative Code, Department of Revenue, Tax § 7.01(4); and Sections 7.04(11), 7.04(14)(d), 9.02(12)(b), and 9.02(12)(d) of the West Allis Revised Municipal Code;
5. That in particular, 3M Management, LLC's service of food beyond the scope of its local food permit, failure to produce receipts for the liquor on the premises, purchase of liquor from a non-wholesaler, refilling of liquor bottles, and untruthfulness to a law enforcement officer in regard to the alcohol receipts and purchase location of liquor is contrary to Wis. Stat. §§ 125.68(8)(a)2-3; 125.69(6)(a); and 946.41(1); the Wisconsin Administrative Code, Department of Revenue, Tax § 7.01(4); and Sections 7.04(11), 7.04(14)(d), 9.02(12)(b), and 9.02(12)(d) of the West Allis Revised Municipal Code.

CONCLUSION OF LAW:

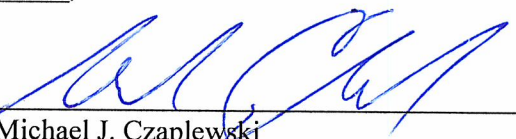
1. That the conduct of 3M Management, LLC substantially relates to the alcohol beverage licensed activity contrary to Wis. Stat. § 125.04(5)(c), music and dance hall licensed activity, and food-related permit activity; and that the foregoing constitutes a sufficient basis to revoke the "Class B" Intoxicating Liquor License, Class "B" Fermented Malt Beverage License, Instrumental Music License, Dance Hall License, and Local Food Permit of 3M Management, LLC.

RECOMMENDATION:

1. Therefore, the License and Health Committee recommends to the Common Council of the City of West Allis that the "Class B" Intoxicating Liquor License, Class "B" Fermented Malt Beverage License, Instrumental Music License, Dance Hall License, and Local Food Permit of 3M Management, LLC be revoked.

Dated at this 30 day of April, 2015.

By: _____


Michael J. Czaplewski
License & Health Committee
West Allis Common Council