

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

**In the Matter of the
Complaint Against**

SUMMONS

**Mr. Gyros Café & Grill, LLC
James P. Wood, agent
10535 West Greenfield Avenue
West Allis, Wisconsin 53214**

STATE OF WISCONSIN)
) SS.
COUNTY OF MILWAUKEE)

THE WEST ALLIS COMMON COUNCIL TO JAMES P. WOOD:

You are hereby notified that a sworn complaint, a copy of which is attached, has been duly made and filed, requesting a hearing on the suspension, revocation, or non-renewal of your Restaurant License, pursuant to the provisions of West Allis Revised Municipal Ordinances 1.08 (9) and 7.04 and Wisconsin Statutes §§ 97.30, 254.69 and 254.74

NOW THEREFORE, you, James P. Wood, are hereby summoned to appear before the License and Health Committee of the West Allis Common Council in Room 128 of the West Allis City Hall, 7525 West Greenfield Avenue, West Allis, Wisconsin, on September 1, 2009, at 6:30 p.m., or as soon thereafter as this matter can be heard, to admit or deny the allegations in the complaint. You may be represented by counsel on this date.


In the case of your failure to appear as required by this summons, the allegations in the complaint against you shall be taken as true and, if the License and Health Committee of the West Allis Common Council finds the allegations sufficient, a recommendation that your

license(s) be suspended or revoked will be made to the full Common Council. The Common Council may then vote to suspend, revoke, or not renew your license(s).

You are further notified that if you appear as required by this summons and contest the allegations in the complaint, a hearing will be scheduled at a later date before the License and Health Committee, at which time you may be represented by counsel, cross examine the witnesses who testify adversely against you, and present witnesses in your own behalf. A written transcript of said hearing shall be made and you may obtain a copy of the transcript of this proceeding at your expense.

Dated at West Allis, Wisconsin, this 26th day of August, 2009.

WEST ALLIS COMMON COUNCIL

By: 
Paul M. Ziehler, City Administrative Officer,
Clerk/Treasurer

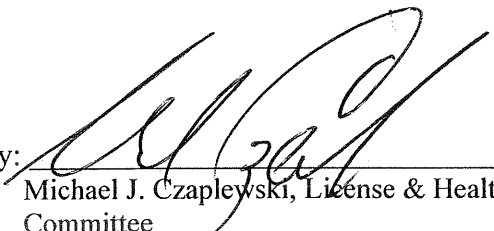
was assessed a personal property tax in the amount of \$2,144.36 in 2008.

6. That as of today's date, despite several notices that payment was due, the defendant has not paid the personal property taxes owed to the City of West Allis.

7. That Mr. Gyros Café & Grill, LLC, failure to pay its personal property taxes substantially relates to the licensed activity and is in violation of West Allis Revised Municipal Ordinance 1.08(9) and Wisconsin Statutes §§ 97.30, 254.69 and 254.74, and, therefore, is grounds for non-renewal, suspension, or revocation of its Food-Related Permit.

WHEREFORE, Michael J. Czaplewski, requests that Mr. Gyros Café & Grill, LLC, be summoned to appear before the License and Health Committee of the West Allis Common Council to answer this complaint and, if the material allegations of the complaint are denied, that a hearing be held to determine whether the Food-Related Permit of Mr. Gyros Café & Grill, LLC, should be revoked, suspended, or not renewed.

Dated at this 26 day of Aug, 2009.

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

Subscribed and sworn to before me
this 26th day of August, 2009.


Jenna Merten
Notary Public, State of Wisconsin
My Commission Expires: _____


is permanent