

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

**In the Matter of the
Complaint Against**

SUMMONS

**Sonya Bautista,
5805 West Mitchell Street,
West Allis, Wisconsin 53214**

STATE OF WISCONSIN)
) SS.
COUNTY OF MILWAUKEE)

THE WEST ALLIS COMMON COUNCIL TO SONYA BAUTISTA:

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 "Class I" Operator's License, pursuant to the provisions of Sec. 125.12, Wis. Stat. and West Allis Revised Municipal Code Section 9.02(20).

NOW THEREFORE, you, Sonya Bautista, 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 March 17, 2015, at 7:00 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/permit (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 9th day of March, 2015.

WEST ALLIS COMMON COUNCIL

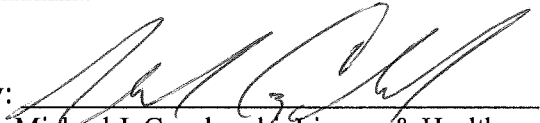
By: Monica Schultz
Monica Schultz
City Clerk

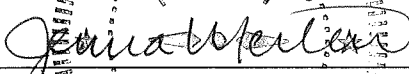
Corporal McNally observed Sonya Bautista, who was the bartender and in charge of the tavern, being approximately five feet away from Peters while she was smoking the cigarette. Corporal McNally issued warnings to Peters and Bautista for the smoking violation.

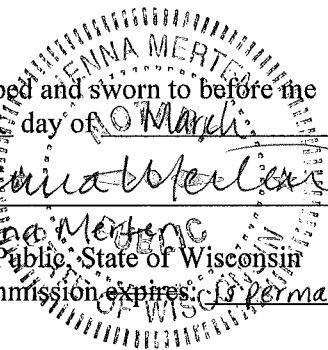
5. That on February 18, 2015, City Clerk Monica Schultz sent a letter to Sonya Bautista to notify her that the License and Health Committee ordered her appearance at its meeting on February 24, 2015. See attached Exhibit 1.
6. That Sonya Bautista failed to appear at the February 24, 2015 meeting.
7. That on February 25, 2015, City Clerk Monica Schultz sent a second letter to Sonya Bautista via certified mail to notify her that the License and Health Committee ordered her appearance at its meeting on March 3, 2015. See attached Exhibit 2.
8. That Sonya Bautista failed to appear at the March 3, 2015 meeting.
9. That Sonya Bautista has violated the provisions of Wis. Stat. § 101.123(2m)(a) and § 101.123(2m)(c) and West Allis Revised Municipal Code Sections 9.02(12)(b) and 9.02(12)(d); the conduct of Sonya Bautista substantially relates to the alcohol licensed activity contrary to Wis. Stat. § 125.04(5)(b) and is grounds for non-renewal, suspension, or revocation of her operator's license.

WHEREFORE, Michael J. Czaplewski requests that Sonya Bautista 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 Operator's License issued to Sonya Bautista should be suspended, revoked or not renewed.

Dated at this 6 day of March, 2015.

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

Subscribed and sworn to before me
this 6th day of March, 2015.

(Jenna Mertens)
Notary Public, State of Wisconsin
My Commission expires: is permanent





OFFICE OF THE CITY CLERK

Monica Schultz
City Clerk

414/302-8220
414/302-8207 (Fax)

City Hall
7525 West Greenfield Avenue
West Allis, Wisconsin 53214

mschultz@westalliswi.gov
www.westalliswi.gov

February 18, 2015

Sonya R. Bautista
5805 W. Mitchell St.
West Allis, WI, 53214

Dear Ms. Bautista:

The Chairman of the License & Health Committee orders that you appear at its meeting on Tuesday, February 24, 2015, at 6:00 P.M., in Room 128, West Allis City Hall, 7525 W. Greenfield Ave., regarding violation of the Wisconsin Indoor Clean Air Act Smoking Ban on February 3, 2015.

A copy of the incident is enclosed.

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

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

Sincerely,

Monica Schultz
City Clerk

/amn

enclosure

Exhibit 7



OFFICE OF THE CITY CLERK

Monica Schultz
City Clerk

414/302-8220
414/302-8207 (Fax)

City Hall
7525 West Greenfield Avenue
West Allis, Wisconsin 53214

mschultz@westalliswi.gov
www.westalliswi.gov

VIA CERTIFIED MAIL

February 25, 2015

Sonya R. Bautista
5805 W. Mitchell St.
West Allis, WI 53214

Dear Ms. Bautista:

The Chairman of the License & Health Committee orders that you appear at their meeting on Tuesday, March 3, 2015, at 7:30 P.M., (during recess of the Common Council Meeting) in Room 128, West Allis City Hall, 7525 W. Greenfield Ave., regarding your July 1, 2013 - June 30, 2015 Operator's License (bartender/sales clerk) and violation of the Wisconsin Indoor Clean Air Act Smoking Ban on February 3, 2015.

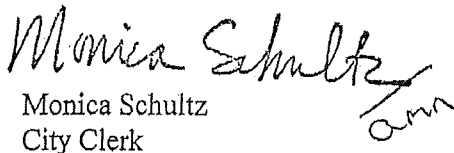
This letter serves as a second request for you to appear. Failure to appear as scheduled may result in the Committee issuing a summons & complaint to suspend, revoke or nonrenewal of your Operator License (bartender/sales clerk).

A copy of the incident is enclosed.

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

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

Sincerely,


Monica Schultz
City Clerk

/amn

enclosure

Exhibit 2
p. 1 of 3

7013 1710 0000 1798 5147

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

One Name

For more information on certified mail, visit our website at www.usps.com

Weight	49
Postage	3.30
Postage & Fees (Endorsing Required)	2.70
Registration Fee (Endorsing Required)	
Total Postage & Fees	\$ 6.49

Postmark Here

Sent to *Sonyia R. Bartista*

Street, Apt. No., or PO Box No. *5805 W. Mitchell St*

City, State, ZIP+4 *West Allis WI 53214*

PS Form 3800, October 2006 SEE Reverse for Instructions

CITY OF WEST ALLIS
MANAGING DEPARTMENT
RECEIVED
WEST ALLIS POST OFFICE

Exhibit 2
p. 2 of 3

English

Customer Service

USPS Mobile

Register / Sign In



Search or Enter a Tracking Number

Quick Tools

Mail & Ship

Track & Manage

Postal Store

Business

International

Help

USPS Tracking™



Customer Service
Have questions? We're here to help.

Tracking Number: 70131710000017985147

Updated Delivery Day: Friday, February 27, 2015

Product & Tracking Information

Postal Product:

Features:
Certified Mail™

DATE & TIME

STATUS OF ITEM

LOCATION

February 27, 2015, 1:14 pm

Notice Left (No Authorized Recipient Available)

MILWAUKEE, WI 53214

We attempted to deliver your item at 1:14 pm on February 27, 2015 in MILWAUKEE, WI 53214 and a notice was left because an authorized recipient was not available. You may arrange redelivery by visiting <http://www.usps.com/redelivery> or calling 800-ASK-USPS, or may pick up the item at the Post Office indicated on the notice. If this item is unclaimed after 15 days then it will be returned to the sender.

February 27, 2015, 8:47 am

Out for Delivery

MILWAUKEE, WI 53214

February 27, 2015, 8:37 am

Sorting Complete

MILWAUKEE, WI 53214

February 27, 2015, 7:23 am

Arrived at Unit

MILWAUKEE, WI 53214

February 26, 2015, 10:50 pm

Departed USPS Facility

MILWAUKEE, WI 53201

February 25, 2015, 7:04 pm

Arrived at USPS Facility

MILWAUKEE, WI 53201

Available Actions

Text Updates

Email Updates

Track Another Package

Tracking (or receipt) number

HELPFUL LINKS

Contact Us

Site Index

FAQs

ON ABOUT.USPS.COM

Exhibit 2
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OFFICE OF THE CITY CLERK

Monica Schultz
City Clerk

414/302-8220
414/302-8207 (Fax)

City Hall
7525 West Greenfield Avenue
West Allis, Wisconsin 53214

mschultz@westalliswi.gov
www.westalliswi.gov

March 10, 2015

Sonya R. Bautista
5805 W. Mitchell St.
West Allis, WI 53214

Dear Ms. Bautista:

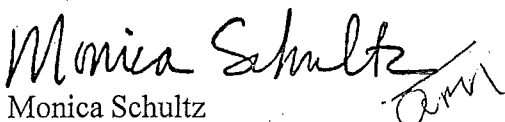
The Chairman of the License & Health Committee orders that you appear at their meeting on Tuesday, March 17, 2015, at 7:30 P.M., (during recess of the Common Council Meeting) in Room 128, West Allis City Hall, 7525 W. Greenfield Ave., regarding violation of the Wisconsin Indoor Clean Air Act-Smoking Ban on February 3, 2015, your July 1, 2013 - June 30, 2015 Operator's License (bartender/sales clerk), and your two (2) nonappearances ordered before the Committee.

Failure to appear as scheduled may result in the Committee issuing the penalties listed in the summons and complaint for suspension, revocation, or non-renewal of your "Class I" Operator License (bartender/sales clerk).

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

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

Sincerely,


Monica Schultz
City Clerk

/amn

enclosure