

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

**In the Matter of the
Complaint Against**

SUMMONS

**TOP GUN SALOON, INC.
Angela Marie Robinson, agent
1100 South 60th St.
West Allis, Wisconsin 53214**

STATE OF WISCONSIN)
) SS.
COUNTY OF MILWAUKEE)

THE WEST ALLIS COMMON COUNCIL TO ANGELA MARIE ROBINSON:

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 B Intoxicating Liquor and Class B Fermented Malt Beverage Licenses, pursuant to the provisions of sec. 125.12, Wis. Stats.

NOW THEREFORE, you, Angela Marie Robinson, 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 April 14, 2008, at 5:30 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.

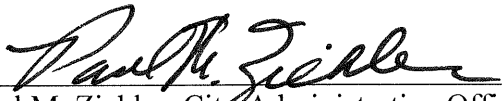
In the case of your failure to appear as required by this summons, the allegations in the complaint against you shall be taken as true and, if the License and Health Committee of the West Allis Common Council finds the allegations sufficient, a recommendation that your

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 4~~th~~ day of April, 2008.

WEST ALLIS COMMON COUNCIL

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

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

**In the Matter of the
Complaint Against**

COMPLAINT

**Top Gun Saloon, Inc.,
Angela Marie Robinson, agent**

STATE OF WISCONSIN)
) ss.
COUNTY OF MILWAUKEE)

Kurt E. Kopplin, being duly sworn, on oath deposes and states as a complaint against Top Gun Saloon, Inc., as follows:

- 1. That the complainant is a resident of the City of West Allis, is the duly elected Alderperson for the Second Aldermanic District in the City of West Allis, and makes this complaint at the direction of the License and Health Committee of the West Allis Common Council.
- 2. That the information contained in this complaint comes from the complainant's review of official records maintained by the City of West Allis and the West Allis Police Department, which records complainant believes to be reliable and accurate.
- 3. That Top Gun Saloon, Inc. is the holder of a "Class B" Intoxicating Liquor & Class "B" Fermented Malt Beverage Licenses under Tavern License No. 729, issued by the West Allis Common Council for the license period beginning July 1, 2007, and ending June 30, 2008, for the premises located at 1100 South 60th Street, West Allis, Wisconsin and does business under the trade name "Top Gun."
- 4. That Angela Marie Robinson is the registered agent of Top Gun Saloon, Inc.
- 5. That Steven T. Robinson is listed as the vice president/member of Top Gun Saloon, Inc. on the tavern's liquor license.

6. That on February 3, 2008, Steven T. Robinson told officers that Top Gun was “my bar,” and that Top Gun bartender Brenda Zehner told officers that Top Gun was “Steve’s bar, and he is the boss.”
7. That on May 12, 2006, the City of West Allis filed a complaint against Top Gun Saloon, Inc., for suspension or revocation of its Class B Tavern License for violations of Chapter 125 of the Wis. Stats., and sections 9.02 and 9.033 of the West Allis Revised Municipal Code. Said complaint is attached to this complaint as Exhibit A and incorporated by reference.
8. That on August 1, 2006, the City of West Allis and Top Gun Saloon, Inc. agreed that said complaint provided sufficient basis for the City to take action against the license and admitted that violations existed to justify the voluntary closure of the business for 45 days. Said stipulation is attached to this complaint as Exhibit B and incorporated by reference.
9. That on February 3, 2008, at approximately 1:59 a.m., officers of the West Allis Police Department were dispatched to a motor vehicle accident in the area of 1121 South 60th Street.
10. That a witness had reported that he heard a crashing noise and observed a black Jeep that had only three tires driving over the curb.
11. That the witness saw the driver, a white female with blonde hair, enter the Top Gun Saloon at 1100 South 60th Street immediately after the accident.
12. That Officer Christina Haiser arrived on scene and observed a black Jeep with only three tires parked in the 1100 block of South 60th Street and a fourth tire lying in the street in front of 1121 South 60th Street.
13. That based on the witness’s information that the driver went inside Top Gun Saloon, Officer Haiser approached the bar and attempted to go inside, but the door was

locked.

14. That Officer Haiser began pounding on the front door of Top Gun Saloon, but no one responded or unlocked the door.
15. That along with Sergeant Chad Evenson, Officer Haiser looked through the front windows of the bar and observed people inside, including bartender Brenda Zehner and a white female with blonde hair.
16. That Sergeant Evenson knocked on the window with his flashlight, shined his flashlight onto Zehner's face, and yelled "Police Department! Open the front door!"
17. That Evenson observed Zehner look at him through the window as he illuminated his police uniform with his flashlight.
18. That Zehner ignored Sergeant Evenson's commands and walked away from his sight.
19. That Zehner later told Sergeant Evenson that she observed the police knocking on the door, but chose not to answer the door because Robinson told her that they did not have to open the door for the police.
20. That Sergeant Evenson and Officer Haiser, who were dressed in the official uniform of the West Allis Police Department with badge and insignia identifying as such, continued knocking on the door and windows while yelling, "Police! Open the door! Police Department!"
21. That the officers observed Steven T. Robinson, who was inside Top Gun Saloon, walk over to the front window, look directly at the officers, and yell, "I don't have to open the door for you!"
22. That Sergeant Evenson asked Steven T. Robinson several times to open the door, but Steven T. Robinson continued to be argumentative and told him, "Fuck you! I don't have to let you in."

23. That after being denied entrance at the front of the bar, Sergeant Clint Corwin, Officer Zachary Scott, and Sergeant Evenson went to the rear of the building to attempt to gain entry.
24. That Sergeant Corwin and Officer Scott were dressed in the official uniform of the West Allis Police Department with badge and insignia identifying as such.
25. That they observed Steven T. Robinson, along with two of the tavern's patrons, standing in the rear doorway of the bar and refusing them entry.
26. That one of those patrons, Richard Holtz, told officers that he was trying to leave through the back door because he was concerned that Steven T. Robinson refused to answer the door and did not wish to exacerbate his (Holtz's) health issues.
27. That when Sergeant Corwin tried to enter the premises, Steven T. Robinson pushed him away from the door.
28. That Sergeant Corwin and Officer Scott had to forcibly remove Steven T. Robinson from the doorway so that officers could enter the premises.
29. That Officer Scott grabbed Steven T. Robinson's upper body to control him to effectuate arrest, but Steven T. Robinson resisted Officer Scott.
30. That Sergeant Evenson tried to help Officer Scott handcuff Steven T. Robinson, but Steven T. Robinson continued locking his arm and elbow, tensing his body, lifting his head and upper body, and refusing to place his arm behind his back.
31. That Officer Scott repeatedly told Steven T. Robinson to stop resisting arrest, but Steven T. Robinson continued his actions to prevent the officers from handcuffing him.
32. That after Steven T. Robinson was eventually handcuffed, he continued resisting the officers and refused to enter the squad car by locking his knees, stating that he was not going anywhere, and continually yelling obscenities.

33. That officers had to forcibly escort Steven T. Robinson inside the squad car.
34. That during the ride to the police station, Steven T. Robinson continuously yelled loudly at Officer Scott, shouted while Officer Scott tried to communicate on his police radio, and called him “worthless” and a “peon.”
35. That when Steven T. Robinson arrived at the police station, he continued resisting Officer Scott’s attempts to book and search him by continually tensing his muscles and refusing to obey Officer Scott’s commands.
36. That due to Steven T. Robinson’s behavior, Officer Scott had to hold Steven T. Robinson down while two other officers searched him.
37. That Officer Scott noted that Steven T. Robinson had a strong odor of intoxicants on his breath, red and glassy eyes, and slurred speech.
38. That based on his training and experience, Officer Scott believed Steven T. Robinson to be highly intoxicated, and Steven T. Robinson later admitted to officers that he was intoxicated.
39. That as a result of Steven T. Robinson resisting arrest, Officer Scott suffered pain in his left knee and ankle, a deep bruise to his left leg, and a twisted ankle, which caused him to limp.
40. That the white female with blonde hair was identified as Nichole Younk, who admitted to Officer Haiser that she was the driver of the vehicle that crashed.
41. That Younk said that she told Steven T. Robinson about the accident when she walked into the bar and watched him lock the door to the bar.
42. That Younk was later arrested for operating while intoxicated after exhibiting signs of alcohol use and failing field sobriety tests.
43. That Officer Scott issued Steven T. Robinson a citation for refusing police permission to enter a licensed premise. The Milwaukee County District Attorney’s

Office will be reviewing a resisting an officer charge against Steven T. Robinson for his actions toward the officers.

44. That Top Gun Saloon, Inc., has violated the provisions of Chapter 125, Wis. Stats., keeps or maintains a disorderly or riotous, indecent or improper house, and has violated sections 9.02(12)(a), 9.02(12)(b), 9.02(12)(c) and 9.02(12)(d) of the West Allis Revised Municipal Code.

WHEREFORE, Kurt E. Kopplin requests that Top Gun Saloon, Inc. 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 Class B Tavern License of Top Gun Saloon, Inc. should be revoked, suspended, or not renewed.

Dated at this 31st day of March, 2008.

By: Kurt E. Kopplin
Kurt E. Kopplin, License & Health Committee
West Allis Common Council

Subscribed and sworn to before me
this 31 day of March, 2008.

Scott West
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Notary Public, State of Wisconsin
My Commission expires: is perm.