

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

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**In the Matter of the  
Complaint Against**

**R & K Entertainment Enterprises LLC  
d/b/a Slurp-N-Burp Fun Bar  
Robert M. Lucas, licensing agent.**

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**STIPULATION**

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The West Allis City Attorney's Office, by Assistant City Attorney Nicholas Cerwin, and R & K Entertainment Enterprises LLC by its agent Robert Lucas, hereby agree and stipulate as follows:

1. That R & K Entertainment Enterprises LLC is the current holder of a 2019-2020 Combination Class B Liquor and Fermented Malt Beverage License under number 19-2218, issued by the West Allis Common Council for the license period beginning July 1, 2019 through June 30, 2020 for the premises located at 1454 S. 92<sup>nd</sup> Street, West Allis, Wisconsin; and does business under the trade name Slurp-N-Burp Fun Bar.
2. That the City of West Allis Health Department issued a an order titled, Covid-19 Public Health Plan for Suburban Milwaukee County, hereafter "Local Health Order," which in part restricted bars from allowing food or drink to be consumed on premises and required that no seating be provided to customers from May 14 through May 21<sup>st</sup>. Prior to that point the State of Wisconsin had the Safer-At-Home Order in place from March 25 until May 13, 2020, when it was overruled by the Wisconsin Supreme Court.
3. That the West Allis Police Department had contact with the premises on four (4) occasions during those restricted times reflected in paragraph two (2) and based on investigation by the West Allis Police Department, R & K Entertainment Enterprises LLC did operate to the extent that persons were seated inside the licensed establishment with open intoxicants on at least one occasion during the Local West Allis Health Order and at least one occasion before the State's Safer-At-Home order was overturned.
4. That sufficient grounds exist as stated above for the imposition of sanctions or penalties set forth in Wis. Stat. § 125.12(2)(b)2.
5. That based on the above information, Robert M. Lucas, as licensing agent for R & K Entertainment Enterprises LLC, does agree to close the establishment for three (3) days during

which time no alcoholic beverages shall be served at the premises in lieu of the City proceeding with a Summons and Complaint on the matter and referring the matter to the West Allis Common Council for a hearing on the violations. Those dates of closure will be as follows:

Day 1: Monday, June 15<sup>th</sup>, 2020, at 6:00 AM to 6:00 AM on June 16<sup>th</sup>

Day 2: Tuesday, June 22<sup>th</sup>, 2020, at 6:00 AM to 6:00 AM on June 23<sup>rd</sup>.

Day 3: Tuesday June 29<sup>th</sup>, 2020, at 6:00 AM to 6:00 AM on June 30<sup>th</sup>.

6. That the allegations which form the basis of this stipulation shall not be used as grounds for any future suspension, revocation, or non-renewal proceeding, except to the extent that the facts alleged in the complaint demonstrate a pattern of conduct by R & K Entertainment Enterprises LLC.
7. That the West Allis Common Council must approve this stipulation prior to it becoming effective.
8. That if the West Allis Common Council does not approve this agreement, the matter will be referred to the West Allis City Attorney's Office to take actions necessary to complete the summons and complaint process and initiate a hearing on the matter.
9. That if the West Allis Common Council approves this stipulation, the City of West Allis and R & K Entertainment Enterprises LLC are bound by the terms of this stipulation and failure to comply with said terms will result in the matter being referred to the License and Health Committee or West Allis Common Council for a hearing on the matter.

Robert M. Lucas

Robert M. Lucas  
Licensing agent for R & K Entertainment Enterprises LLC

06/9/2020

Date

Nicholas S. Cerwin

Nicholas S. Cerwin  
Assistant City Attorney  
City of West Allis

6/10/20

Date