

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

**In the Matter of the
Complaint Against**

SUMMONS

**Classic Realty of West Allis, LLC,
Jose Montejano, agent.**

STATE OF WISCONSIN)
) SS.
COUNTY OF MILWAUKEE)

THE WEST ALLIS COMMON COUNCIL TO JOSE MONTEJANO:

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 2017-2018 "Class B" Intoxicating Liquor and Class "B" Fermented Malt Beverage License under license number 2444, pursuant to the West Allis Revised Municipal Code Sections 9.02(12)(b).

NOW THEREFORE, you, Jose Montejano, 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 July 11, 2017, at 6:00 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.

Served too:

Diana Lopez
Diana Lopez
10/31/15 # 414-731-9321
Fracie 3560 S. 15th St.

*on 7/3/17 @ 1350 WIS by 53821
P.O. KWANSKI 9822*

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 30 day of June, 2017.

WEST ALLIS COMMON COUNCIL

By: Monica Schultz
Monica Schultz, City Clerk

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

**In the Matter of the
Complaint Against**

COMPLAINT

**Classic Realty of West Allis, LLC,
Jose Montejano, agent.**

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

Michael J. Czaplewski, being duly sworn, on oath deposes and states as a complaint against Classic Realty of West Allis, LLC, as follows:

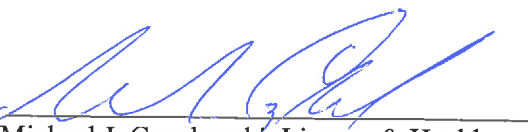
1. That the complainant is a resident of the City of West Allis, is the duly elected Alderperson for the First Aldermanic District in the City of West Allis, is the chair of the License and Health Committee, and makes this complaint at the direction of the License and Health Committee of the West Allis 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 which records complainant believes to be reliable and accurate.
3. That Classic Realty of West Allis, LLC was granted a 2016-2017 "Class B" intoxicating Liquor and Class "B" Fermented Malt Beverage license under license number 2357; issued by the West Allis Common Council on September 20, 2016, subject to necessary requirements, for the license period ending on June 30, 2017 for the premises located at 3411 S. 108th Street, West Allis, Wisconsin.


4. That Classic Realty of West Allis, LLC, has applied for a 2017-2018 "Class B" intoxicating Liquor and Class "B" Fermented Malt Beverage License under license number 2444 for the premises located at 3411 S. 108th Street, West Allis, Wisconsin while still operating under the 2016-2017 license at the premises.
5. That Jose Montejano is the registered agent for the 2017-2018 application number 2444, as listed in paragraph 4.
6. That on May 12, 2017, the West Allis City Clerk's Office had sent a letter requesting that Jose Montejano, acting as agent for Classic Realty of West Allis LLC, appear on May 23, 2017 for the License and Health Committee meeting regarding the application liquor license number 2444. No appearance was made by Jose Montejano on May 23, 2017. This letter is attached to this complaint as exhibit 1.
7. That on May 30, 2017, the West Allis City Clerk's Office had sent a letter requesting that Jose Montejano, acting as agent for Classic Realty of West Allis LLC, appear on June 6, 2017 for the License and Health Committee meeting regarding the application for liquor license number 2444. No appearance was made by Jose Montejano on June 6, 2017. This letter is attached to this complaint as exhibit 2.
8. That on June 9, 2017, the West Allis City Clerk's Office had sent a certified letter to requesting that Jose Montejano, acting as agent for Classic Realty of West Allis LLC, appear on June 20, 2017 for License and Health Committee meeting regarding the application for the liquor license number 2444. A notice was left at the address provided by Jose Montejano regarding the certified mail delivery on July 12, 2017. Again, there was no appearance by Jose Montejano on June 20, 2017. This letter is attached to this complaint as exhibit 3.

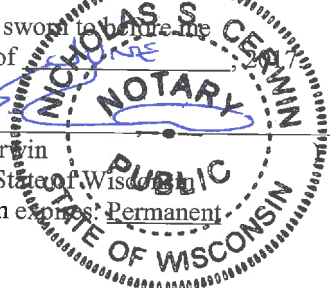
9. That Jose Montejano had accepted appointment as agent for Classic Realty of West Allis, LLC, as of May 2, 2017 and provided the address that was used to send the above referenced letters regarding Classic Realty of West Allis LLC's 2017-2018 liquor license application.
10. That Classic Realty of West Allis, LLC, via the 2016-2017 approved application number 2357, and new application for the 2017-2018 license year number 2444, has affirmed that the applicant will operate the business according to laws and responsibilities conferred by the license.
11. That Classic Realty of West Allis LLC, through agent Jose Montejano, has failed to appear or respond to the License and Health Committee which is a violation of West Allis Revised Municipal Code Section 9.02(12)(b), which substantially relates to the licensed activity, and is grounds for non-renewal, suspension, or revocation of the above listed liquor licenses.

WHEREFORE, Michael J. Czaplewski requests that Classic Realty of West Allis LLC, by agent Jose Montejano, 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 licenses possessed by Classic Realty of West Allis LLC, by agent Jose Montejano, should be revoked, suspended, or not renewed.

Dated this 30 day of JUNE, 2017.

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

Subscribed and sworn to before me
this 30 day of JUNE, 2017.

(Nicholas S. Cerwin
Notary Public, State of Wisconsin
My Commission expires: Permanent





Monica Schultz
City Clerk
City Clerk's Office
414.302.8220
mschultz@westalliswi.gov

May 12, 2017



Jose J. Montejano
3560 S. 15 St.
Milwaukee, WI 53219

Dear Mr. Montejano:

The Chairman of the License & Health Committee orders that you appear at their meeting on Tuesday, May 23, 2017, at 6:00 P.M., in Room 128, West Allis City Hall, 7525 W. Greenfield Ave., regarding the 2017-2018 Class B Tavern License application for the premises located at 3411 S. 108 St.

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
amn

Monica Schultz
City Clerk

/amn



Monica Schultz
City Clerk
City Clerk's Office
414.302.8220
mschultz@westalliswi.gov

May 30, 2017

Jose J. Montejano
3560 S. 15 St.
Milwaukee, WI 53219



Dear Mr. Montejano:

The Chairman of the License & Health Committee orders that you appear at their meeting on Tuesday, June 6, 2017, at 5:30 P.M., in Room 128, West Allis City Hall, 7525 W. Greenfield Ave., regarding the 2017-2018 Class B Tavern License application for the premises located at 3411 S. 108 St.

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
amn

Monica Schultz
City Clerk

/amn



Monica Schultz
City Clerk
City Clerk's Office
414.302.8220
mschultz@westalliswi.gov

VIA CERTIFIED MAIL

June 9, 2017

Jose J. Montejano
3560 S. 15 St.
Milwaukee, WI 53219



Dear Mr. Montejano:

The Chairman of the License & Health Committee orders that you appear at their meeting on Tuesday, June 20, 2017, at 7:15 P.M., (during recess of the Common Council Meeting) in Room 128, West Allis City Hall, 7525 W. Greenfield Ave., regarding the 2017-2018 Class B Tavern License application for the premises located at 3411 S. 108 St.

This letter serves as a third **request for you to appear**. Should you fail to appear as scheduled, your application may be denied based on your nonappearances.

Please be advised 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
/amn

Monica Schultz
City Clerk

/amn

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USPS Tracking® Results

FAQ

Track Another Package

Tracking Number: 70072680000080424334

7007 2680 0000 8042 4334

U.S. Postal Service™ CERTIFIED MAIL™ RECEIPT (Domestic Mail Only: No Insurance Coverage Provided)	
For delivery information visit our website at www.usps.com	
NO POSTAL USE	
Postage	\$ 1.46
Certified Fee	2.75
Return Receipt Fee (Endorsement Required)	3.35
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 6.56
Postmark Here JUN 6 2017	
Sent To	
Jose J. Montejano	
Street, Apt. No., or PO Box No. 3560 S. 15 St.	
City, State, ZIP+4 Milwaukee, WI 53219	
PS Form 3800, August 2005 See Reverse for Instructions	



In-Transit

Updated Delivery Day: Monday, June 12, 2017 ⓘ
Product & Tracking Information

See Available Actions

Postal Product:

Features:
Certified Mail™

DATE & TIME	STATUS OF ITEM	LOCATION
June 12, 2017, 11:17 am	Notice Left (No Authorized Recipient Available)	MILWAUKEE, WI 53221
▲		
June 12, 2017, 9:20 am	Out for Delivery	MILWAUKEE, WI 53221
June 12, 2017, 9:10 am	Sorting Complete	MILWAUKEE, WI 53221
June 12, 2017, 8:07 am	Arrived at Unit	MILWAUKEE, WI 53221

We attempted to deliver your item at 11:17 am on June 12, 2017 in MILWAUKEE, WI 53221 and a notice was left because an authorized recipient was not available. You may arrange redelivery by using the Schedule a Redelivery feature on this page or may pick up the item at the Post Office indicated on the notice beginning June 13, 2017. If this item is unclaimed by June 27, 2017 then it will be returned to sender.



Monica Schultz
City Clerk
City Clerk's Office
414.302.8220
mschultz@westalliswi.gov

VIA CERTIFIED MAIL

NOTE; Time Change

June 13, 2017

Jose J. Montejano
3560 S. 15 St.
Milwaukee, WI 53219

Dear Mr. Montejano:

The Chairman of the License & Health Committee orders that you appear at their meeting on **Tuesday, June 20, 2017, at 6:00 P.M., in Room 128**, West Allis City Hall, 7525 W. Greenfield Ave., regarding the 2017-2018 Class B Tavern License application for the premises located at 3411 S. 108 St.

This letter serves as a **third request for you to appear**. Should you fail to appear as scheduled, your application may be denied based on your nonappearances.

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
/amn

Monica Schultz
City Clerk

/amn

USPS Tracking® Results

Track Another Package

Tracking Number: 7007268000080424327

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

For more information visit our website at www.usps.com

OFFICIAL USE

Postage	\$ 46
Postage and Fees	335
Return Receipt Fee (Endorsement Required)	2.70
Restricted Delivery Fee (Endorsement Required)	
Total Postage and Fees	\$ 656

7007 2680 0000 8042 4327
 CITY OF WEST BETHLEHEM PA
 JUN 13 2017
 Postmark Here
 Clerk

Sent to: Jose Montejano
 Street, Apt. No., or PO Box No.: 3560 S. 15 St.
 City, State, ZIP+4: Milwaukee, WI 53219

PS Form 3800, August 2006 See Reverse for Instructions

In-Transit

Updated Delivery Day: Thursday, June 15, 2017 ⓘ
Product & Tracking Information

See Available Actions

Postal Product: Certified Mail™
Features: Certified Mail™

DATE & TIME	STATUS OF ITEM	LOCATION
June 15, 2017, 11:26 am	Notice Left (No Authorized Recipient Available)	MILWAUKEE, WI 53221

▲

We attempted to deliver your item at 11:26 am on June 15, 2017 in MILWAUKEE, WI 53221 and a notice was left because an authorized recipient was not available. You may arrange redelivery by using the Schedule a Redelivery feature on this page or may pick up the item at the Post Office indicated on the notice beginning June 16, 2017. If this item is unclaimed by June 30, 2017 then it will be returned to sender.

June 15, 2017, 8:41 am	Out for Delivery	MILWAUKEE, WI 53221
June 15, 2017, 8:31 am	Sorting Complete	MILWAUKEE, WI 53221
June 15, 2017, 7:36 am	Arrived at Unit	MILWAUKEE, WI 53221

IN THE MATTER OF THE COMPLAINT AGAINST CLASSIC REALTY OF WEST ALLIS
LLC, REGISTERED AGENT JOSE MONTEJANO:
CITY OF WEST ALLIS v. CLASSIC REALTY OF WEST ALLIS LLC

State of Wisconsin)

: ss

AFFIDAVIT OF SERVICE

Milwaukee County)

P.O. Kwasinski

_____, under oath, says:

1. That affiant is a citizen and resident of the State of Wisconsin, over 18 years old, and is not a party nor in any manner interested in this proceeding.
2. That on 7/3/17, 2017, at 1350 hrs o'clock
a.m. p.m.,
at 3560 S. 15th St., affiant
served a copy of this **Summons and Complaint** on the Defendant, CLASSIC REALTY OF WEST ALLIS LLC, by personally delivering to and leaving a copy of same with:

a) The Agent, JOSE MONTEJANO.

P. Kwasinski # 9802

(Signature of person serving papers)

Subscribed and sworn to before me
this 3 day of July, 2017.

Scott A. Wawil

Notary Public, State of Wisconsin

My Commission: 5/17/2020