



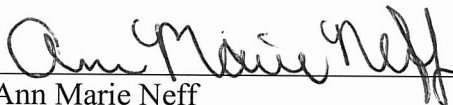
In the case of your failure to appear as required by this summons, the allegations in the complaint against you shall be taken as true and, if the License and Health Committee of the West Allis Common Council finds the allegations sufficient, a recommendation that your license(s) be suspended or revoked 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 26<sup>th</sup> Day of July, 2019.

WEST ALLIS COMMON COUNCIL

By:



Ann Marie Neff  
Deputy City Clerk



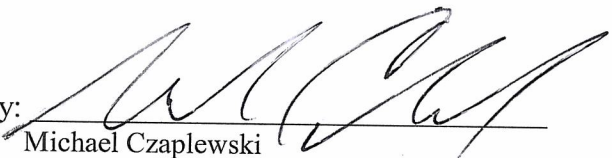
premises located at 7534 W. Beloit Road, West Allis, Wisconsin, under license number 18-2358 for the period beginning on July 1, 2018 through June 30, 2019.

5. That Christina Lopez is listed as the agent for The 5 Spot LLC on both the 2018-2019 License and the 2019-2020 License.
6. That official WAPD records indicate that on February 23, 2019, at approximately 1:33 A.M., West Allis Police Officers were dispatched “One More” located at 7534 W. Beloit Road in the City of West Allis for a report of a male being assaulted by a female in the bar. When Officers arrived on the scene, Officer Daniel Foy stated that he could hear a female bartender cursing at the person who had called 911. The bartender quickly returned into the bar when the police walked up. Officer Foy, Officer Roth, and Officer Stuetgen all spoke with persons at the bar to get information about the incident. All officers noted that the people they talked to regarding the incident admitted to drinking in the bar and were either “intoxicated” or “noticeably intoxicated.”
7. That official WAPD records indicate that on May 7, 2019, at approximately 2:30 P.M. West Allis Police Officer Joel Baumgart assisted the Alcohol and Tobacco Enforcement Unit from the Wisconsin Department of Revenue to execute a search warrant at “One More” located at 7534 W. Beloit Road in the City of West Allis. Officer Baumgart reported that through that search, it was discovered that the owner was purchasing liquor from discount liquor store and refilling the bottles. Christina Lopez was on the premises and Officer Baumgart reported that Christina Lopez confirmed the findings related to purchasing liquor from discount liquor stores and refilling bottles.


8. That official WAPD records indicate that on June 13, 2019 at approximately 11:14 P.M. Officer Brett Vanden Boogard was dispatched to “One More” located at 7534 W. Beloit Road in the City of West Allis regarding a noise complaint. Officer Vanden Boogard reported that when he first arrived, the location was quiet; however after waiting in the area for a few minutes, he heard the music come back on and determined it was excessively loud and that the windows of the bar were open. Officer Vanden Boogard made contact with the bartender who agreed to turn the music down.
9. That based on the incidents referenced in this complaint, The 5 Spot LLC has violated West Allis Revised Municipal Code (hereafter ‘WA RMC’) Section 9.02(20)(a)3 and 4 and Wis. Stat. 125.07(2)(a)2 for serving intoxicated persons; Wis. Stat. Sec. 125.69(6)(a) for the licensee purchasing intoxicating liquor from someone other than a wholesaler; Wis. Stat. Sec. 125.68(8)2 for refilling original containers used for intoxicating liquor; and WA RMC Sec. 9.02(20)(a)6 and Wis. Stat. 125.12(2)(ag)2 for maintaining a disorderly or riotous, indecent, or improper house due to loud and raucous noise.
10. That the preceding violations substantially relate to the licensed activity; and are grounds for suspension or revocation of The 5 Spot LLC’s 2019-2020 Class B Intoxicating Liquor and Class “B” Fermented Malt Beverage License number 19-2358.

**WHEREFORE**, Alderperson Michael Czaplewski requests that The 5 Spot LLC, by agent Christina Lopez, 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 permits and licenses possessed by The 5 Spot LLC, by agent Christina Lopez, should be revoked or suspended.

Dated this 26 day of July, 2019.

By:   
Michael Czaplewski  
Alderperson for the First District  
License and Health Committee Chair  
City of West Allis

Subscribed and sworn to before me  
this 26 day of July, 2019.

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

