



with the West Allis Municipal Code in regard to building, electrical, and landscape/site plan requirements by November 1, 2009.

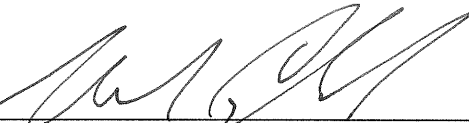
6. That the License and Health Committee and Common Council granted LAM Enterprises, LLC its 2009-2010 tavern licenses on the condition that it complied with the requirements for its occupancy permit.
7. That LAM Enterprises, LLC did not correct the building, electrical, and landscape/site plan violations, so Atkinson issued an order to LAM Enterprises, LLC regarding violation of its business occupancy permit on March 17, 2010. See Attached Exhibit 1.
8. That on May 20, 2010, an inspection of the property at 1101 South 60<sup>th</sup> Street revealed the following building code violations: the building exterior is missing siding and trim, has unprotected/exposed wood, missing and/or broken windows; the interior work to the upper floor has not been completed, with no electrical permit issued for work; the electrical service was not replaced; the landscaping/site plan is not complete as the architectural work is not done and the trash enclosure and fencing have not been installed. See Attached Exhibit 2.
9. That the City of West Allis duly assessed and levied a 2009 personal property tax pursuant to Chapter 74 of the Wisconsin Statutes against LAM Enterprises, LLC in the amount of \$467.30. See Attached Exhibit 3.
10. That the personal property tax was due in full by January 31, 2010, but has not yet been paid.
11. That on April 7<sup>th</sup>, 2010, a summons and complaint was issued to LAM Enterprises, LLC for violations of 14.26, 14.27, and 14.75 of the West Allis Revised Municipal Code. See Attached Exhibit 4.
12. That LAM Enterprises, LLC was served with the summons and complaint on May 4,

2010. See Attached Exhibit 5.
13. That no one appeared in municipal court on its behalf on May 12, 2010, so the municipal court entered a default judgment of \$3,000 against LAM Enterprises, LLC. See Attached Exhibit 6.
  14. That as of June 22, 2010, the amount remains outstanding and has not been paid to the municipal court, nor has LAM Enterprises, LLC filed a motion to reopen the case.
  15. That on May 30, 2010, at approximately 2:32 a.m., Officer Ryan McNally observed three people inside Shawna's; two of the people were sitting at the bar (Kristy Lemon and Tod Cwiklinski) and the other person (Christopher Wheat) was standing behind the bar.
  16. That Officer McNally observed that the three people did not appear to be cleaning the tavern or closing it down; rather, the people appeared to be having a conversation.
  17. That when Officer McNally, who was wearing the official uniform of the West Allis Police Department, walked toward Shawna's, he observed Cwiklinski arise from the stool, walk away from the bar and go downstairs.
  18. That Officer Caleb Porter found Cwiklinski hiding in the basement.
  19. That Officer McNally's investigation revealed that Cwiklinski was not an employee of the tavern.
  20. That Officer McNally had previously warned Shawna's employees on two previous occasions, on April 6, 2010 and May 9, 2010 about having patrons present in the tavern after hours; that specifically, on May 9, 2010, Officer McNally observed Wheat and Cwiklinski inside the tavern after hours and told them that Cwiklinski could not remain on the premises.

21. That Officer McNally issued citations to Cwiklinski for remaining on licensed premises after hours and to Wheat and Lemon for allowing Cwiklinski to remain on licensed premises after hours, in violation of West Allis Revised Municipal Ordinance 9.02(15)(c).
22. That LAM Enterprises, LLC has violated the provisions of Chapter 125, Wis. Stats.; and sections 1.08(9)(a), 1.08 (9)(b), 9.02 (12)(d), 9.02 (15)(c), 12.13(15), 13.05(1), 13.28(9)(a), 13.28(9)(b), 13.33(4), 14.26, 14.27, 14.75 of the West Allis Revised Municipal Code.

**WHEREFORE**, Michael J. Czaplowski requests that LAM Enterprises, LLC 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 Licenses of LAM Enterprises, LLC should be revoked, suspended, or not renewed.

Dated this 28 day of JUNE, 2010.

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

Subscribed and sworn to before me  
 this 28 day of JUNE, 2010.

