

53.



City of West Allis Matter Summary

7525 W. Greenfield Ave.
West Allis, WI 53214

File Number	Title	Status
-------------	-------	--------

2009-0630 Findings and Recommendation Introduced

Findings and Recommendations in the Matter of the Complaint Against the Matter of the Complaint against Doyle Foodservices, Inc., Thomas C. Doyle, Agent, d/b/a Tommasino Italia for premises located at 7335 W. Greenfield Ave. (2009-2010 Class B Tavern License no. 887).

Introduced: 10/6/2009

Controlling Body: License & Health Committee

COMMITTEE RECOMMENDATION

approval

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
<i>10-6-09</i>			Barczak	<input checked="" type="checkbox"/>			
			Czaplewski	<input checked="" type="checkbox"/>			
			Kopplin				
			Lajsic				
			Narlock				
			Reinke				
			Roadt	<input checked="" type="checkbox"/>			
		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Sengstock	<input checked="" type="checkbox"/>		
		<input checked="" type="checkbox"/>		Vitale			
			Weigel	<input checked="" type="checkbox"/>			
			TOTAL	<i>5</i>	<i>0</i>		

SIGNATURE OF COMMITTEE MEMBER

Chair

Vice-Chair

Member

COMMON COUNCIL ACTION

APPROVAL

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
<i>OCT 06 2009</i>		<input checked="" type="checkbox"/>	Barczak	<input checked="" type="checkbox"/>			
	<input checked="" type="checkbox"/>		Czaplewski	<input checked="" type="checkbox"/>			
			Kopplin	<input checked="" type="checkbox"/>			
			Lajsic	<input checked="" type="checkbox"/>			
			Narlock	<input checked="" type="checkbox"/>			
			Reinke	<input checked="" type="checkbox"/>			
			Roadt	<input checked="" type="checkbox"/>			
			Sengstock	<input checked="" type="checkbox"/>			
			Vitale	<input checked="" type="checkbox"/>			
		Weigel	<input checked="" type="checkbox"/>				
			TOTAL	<i>10</i>			



CITY CLERK/TREASURER'S OFFICE

414/302-8200 or 414/302-8207 (Fax)

www.ci.west-allis.wi.us

Paul M. Ziehler

City Admin. Officer, Clerk/Treasurer

Monica Schultz

Assistant City Clerk

Rosemary West

Treasurer's Office Supervisor

September 23, 2009

Mr. Thomas Doyle
1224 S. 73 Street
West Allis, WI 53214

Dear Mr. Doyle:

Enclosed please find a copy of the License & Health Committee's Report which includes its Findings of Fact, Conclusions of Law, and Recommendation that will be submitted to the Common Council on October 6, 2009. The recommendation is to not renew the Class B Tavern license of Doyle Food Services, Inc. based upon your non-appearance before the License & Health Committee on September 15, 2009.

You may file a written objection to the License & Health Committee's Report. If you file a written objection to the report, you may also appear before the Common Council. Any written objections to the Committee's report must be filed with the City Clerk by 5:00 p.m. on Thursday, October 1, 2009.

Sincerely,

Paul M. Ziehler
City Administrative Officer, Clerk/Treasurer

Enclosure

cc: License & Health Committee Chair
City Attorney

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

**In the Matter of the
Complaint Against**

**FINDINGS OF FACT, CONCLUSIONS OF
LAW, AND RECOMMENDATIONS**

**DOYLE FOOD SERVICES, INC.,
C/o Thomas Doyle, registered agent,**

STATE OF WISCONSIN)
) ss.
COUNTY OF MILWAUKEE)

Upon deliberation and consideration of the complaint presented at the License and Health meeting held on September 15, 2009, the Committee finds:

FINDINGS OF FACT:

1. That Doyle Food Services, Inc., by registered agent, Thomas Doyle, was served a copy of the summons and complaint;
2. That Thomas Doyle failed to appear to contest the complaint and, thus, the allegations in the complaint are considered to be true;
3. That the conduct of Thomas Doyle and Doyle Food Services, Inc. described in the complaint substantially relates to the alcohol beverage licensed activity contrary to Wis. Stat. § 125.04 (a)(1);
4. That in particular, Thomas Doyle's failure to appear at two License and Health Committee meetings as ordered, is contrary to Wis. Stat. § 125.04 (a)(1).

CONCLUSIONS OF LAW:

1. That the foregoing constitutes a sufficient basis to not renew the Class B tavern license of Doyle Food Services, Inc.

Therefore, the License and Health Committee recommends to the Common Council of the City of West Allis that the Class B Tavern License of Doyle Food Services, Inc be not renewed.

Dated at this 22 day of SEPTEMBER, 2009.

By: 

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



CITY CLERK/TREASURER'S OFFICE
414/302-8200 or 414/302-8207 (Fax)
www.ci.west-allis.wi.us
Paul M. Ziehler
City Admin. Officer, Clerk/Treasurer
Monica Schultz
Assistant City Clerk
Rosemary West
Treasurer's Office Supervisor

October 13, 2009

Department of Revenue
Attn: Roger Johnson
MAIL STOP 6-40
2135 Rimrock Road
Madison, WI 53713

Re: Findings of Fact, Conclusions of Law, and Recommendations for
Doyle Foodservices, Inc.

Dear Mr. Johnson:

Pursuant to §125.13, Wis. Stat., enclosed please find the Findings of Fact, Conclusions of Law, and Recommendations approved by the City of West Allis Common Council on October 6, 2009 regarding the non-renewal of Doyle Foodservices, Inc.'s Class B Tavern License.

Please feel free to contact me should you have any questions in this regard.

Sincerely,

Monica Schultz
Assistant City Clerk

/jl

Encl.

cc: Chairman, License & Health Committee
City Attorney



CITY CLERK/TREASURER'S OFFICE
414/302-8200 or 414/302-8207 (Fax)
www.ci.west-allis.wi.us
Paul M. Ziehler
City Admin. Officer, Clerk/Treasurer
Monica Schultz
Assistant City Clerk
Rosemary West
Treasurer's Office Supervisor

October 13, 2009

Mr. Thomas Doyle
1224 S. 73 Street
West Allis, WI 53214

Re: Class B Tavern License Non-Renewal

Dear Mr. Doyle:

Please be advised, on October 6, 2009 the City of West Allis Common Council approved the Findings of Fact, Conclusions of Law, and Recommendations in regard to the non-renewal of your Class B Tavern License.

Please feel free to contact me should you have any questions in this regard.

Sincerely,

Monica Schultz
Assistant City Clerk

/jl

Encl.

cc: Chairman, License & Health Committee
City Attorney
Police Chief