

**WEST ALLIS COMMON COUNCIL
SAFETY AND DEVELOPMENT COMMITTEE
CITY OF WEST ALLIS**

**In the Matter of the
Complaint Against**

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

**MICHAEL SHERMAN AND TONG SHERMAN
d/b/a Beijing Foot & Body Massage**

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

Upon deliberation and consideration of the complaint presented at the Safety and Development meeting held on January 14th, 2010, the Committee finds:

FINDINGS OF FACT:

1. That Michael Sherman and Tong Sherman, d/b/a Beijing Foot & Body Massage, were personally served a copy of the Summons and Complaint in this matter on November 26th, 2009, as reflected on file.
2. That Michael Sherman and Tong Sherman failed to appear at the Hearing on January 14th, 2010, and thus, the allegations contained within the Complaint are considered to be accurate and true.
3. That the operation of the business owned by Michael Sherman and Tong Sherman, d/b/a Beijing Foot & Body Massage, as well as, the conduct of their employees as demonstrated in the Complaint, is detrimental and endangers the public health, safety, morals, comfort or general welfare, contrary to West Allis Revised Municipal Ordinance subsections 12.16(8)(a) and 12.16(13), and is grounds for revocation of the business's special use permit.

4. That the allegations in the Complaint relating to the offering to perform sex acts in exchange for money carried out by employees of Michael Sherman and Tong Sherman, d/b/a Beijing Foot & Body Massage, are criminal and in violation of Wisconsin State Statute Section 944.30.

CONCLUSIONS OF LAW:

1. That the foregoing constitutes a sufficient legal basis to revoke Michael Sherman and Tong Sherman, d/b/a Beijing Foot & Body Massage, Special Use Permit for the premises located at 2727 South 108th Street, West Allis, WI.

Therefore, the Safety and Development Committee recommends to the Common Council of the City of West Allis that the Special Use Permit for Michael Sherman and Tong Sherman, d/b/a Beijing Foot & Body Massage, be revoked.

Dated this _____ day of January, 2010.

By: _____
Thomas G. Lajsic
Safety and Development Committee
West Allis Common Council