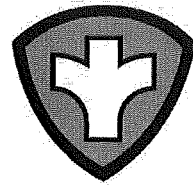


RECEIVED
JAN 14 2015
CITY OF WEST ALLIS
CITY CLERK



Public Health
Prevent. Promote. Protect.

West Allis Health Department

MEMORANDUM

To: License and Health Committee of the West Allis Common Council

CC: Jenna Merten, Assistant City Attorney

From: Sally Nusslock, Health Commissioner *SN*

Date: January 14, 2015

SUBJECT: Tap 58 (5732 W. Mitchell Street) Update

On January 6th, 2015, during her appearance at the License and Health Special Meeting, Mary Jo Burback stated that she pays her waste management company every three months. She further stated that she had "made payments on 9/2/14 and 12/1/14" and was caught up but did not bring receipts with her.

When it was noted that she had not supplied the required proof to the Health Department per the abate Public Nuisance Order she also stated "I will get that to you".

Health Department staff reported that Advanced Waste Management had been contacted and we were informed that Tap 58 was on a monthly payment plan, that they were four months behind (October – January) and owed \$380.86. In response, Ms. Burback stated "I will get that caught up and I will get you that to you".

Please see attached file for staff's most recent documentation on this property.

As of close of business on January 14, 2015, Ms. Burback has not supplied proof of a current contract with a waste management company, with a zero balance, to the West Allis Health Department. According to Advanced Waste Management, as of Monday, Ms. Burback had not paid her outstanding balance and they would be sending this to collections and stopping service soon.

Attachment

"Tap 58 Note to File" Dated 1-12-2015

*email: M Schultz
1/14/15 L+H Cmte*

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Attachment

"Tap 58 Note to File" Dated 1-12-2015

*email: mSchultz
1/14/15 L+H Cmte*

NOTE TO FILE

Re: Tap 58- 5732 W Mitchell Street, West Allis, WI

1/6/15:

- Appeared before License and Health Committee

1/7/15:

- Summary of appearance (see attached)

1/12/15:

- Still has not supplied required documentation to us (per order issued November 26, 2014)
- Spoke with Advanced Disposal and Tap 58 still owes \$380.86. Also, the account for Tap 58 will most likely go to collections soon, and service will stop at that time.



COPY



OFFICE OF THE CITY CLERK

Monica Schultz
City Clerk

414/302-8220
414/302-8207 (Fax)

City Hall
7525 West Greenfield Avenue
West Allis, Wisconsin 53214

mschultz@westalliswi.gov
www.westalliswi.gov

January 9, 2015

Mary Jo Burback
2155 S. 57 St.
West Allis, WI 53219

Re: Findings and Recommendations of the License & Health Committee
for Morgan Murphy Enterprises, LLC

Dear Ms. Burback:

Enclosed please find a copy of the proposed findings and recommendations in the matter of the complaint against Morgan Murphy Enterprises, LLC, Mary Jo Burback, Agent, d/b/a Tap 58, for the premises located at 5732 W. Mitchell St. These findings and recommendations will be submitted to the Common Council for action at the January 20, 2015 meeting.

You have until 5:00 pm, January 15, 2015, to file with the City Clerk a written statement or response to the findings and recommendation, including objections, exceptions, and arguments of fact and law, pursuant to section 7.04(16)(e)2 of the West Allis Revised Municipal Code.

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

Sincerely,

A handwritten signature in cursive script that reads "Monica Schultz".

Monica Schultz
City Clerk

/amn

enclosure

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

CONCLUSIONS OF LAW:

1. That the foregoing constitutes a sufficient basis to suspend the Food-Related Permit of Morgan Murphy Enterprises, LLC from January 25, 2015 at 6:00 a.m. until January 31, 2015 at 11:59 p.m.

RECOMMENDATION:

1. Therefore, the License and Health Committee recommends to the Common Council of the City of West Allis that the Food-Related Permit of Morgan Murphy Enterprises, LLC be suspended from January 25, 2015 at 6:00 a.m. until January 31, 2015 at 11:59 p.m.

Dated at this 8 day of JANUARY, 2015.

By: 

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