



## City of West Allis Matter Summary

7525 W. Greenfield Ave. West Allis, WI 53214

File Number	Title	Status			
2010-0047	Findings and Recommendation	Introduced			
	Findings and Recommendations in the Matter of the Complaint Against Michael Sherman an Tong Sherman, d/b/a Beijing Foot & Body Massage relative to revocation of the business's special use permit.				
	<b>Introduced:</b> 1/19/2010	Controlling Body: Safety & Development Committee			

COMMITTEE RECOMMENDATION APPROVAL & FILE								
ACTION	MOVER	SECONDER	Barczak	AYE	NO	PRESENT	EXCUSED	
DATE:			Czaplewski					
/ /			Kopplin	/			4.	
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ACTION DATE:		TION AP SECONDER	Barczak Czaplewski Kopplin Lajsic	AYE	CE ON I	FILE	EXCUSED	
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### 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	)	
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<b>COUNTY OF MILWAUKEE</b>	)	

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

#### **FINDINGS OF FACT:**

- 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 26<sup>th</sup>, 2009, as reflected on file.
- 2. That Michael Sherman and Tong Sherman failed to appear at the Hearing on January 14<sup>th</sup>, 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 108<sup>th</sup> 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.

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Safety and Development Committee

West Allis Common Council

L/Jeff/Findings and Recommendations-Beijing