



City of West Allis Matter Summary

7525 W. Greenfield Ave.
West Allis, WI 53214

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

2008-0438 Summons and Complaint (Licensing) In Committee

Summons and Complaint in the matter of the complaint against Steven T. Robinson 2008-2010
Tavern Operator License renewal application no. 10-110.

Introduced: 6/17/2008

Controlling Body: License & Health Committee

PLACE ON FILE

COMMITTEE RECOMMENDATION

| ACTION DATE: | MOVER | SECONDER | | AYE | NO | PRESENT | EXCUSED |
|--------------|-------|----------|------------|-----|----|---------|---------|
| AUG 05 2008 | | | Barczak | | | | ✓ |
| | | | Czaplewski | ✓ | | | |
| | | | Kopplin | | | | |
| | | | Lajsic | | | | |
| | | | Narlock | | | | |
| | | ✓ | Reinke | | | | |
| | ✓ | | Roadt | ✓ | | | |
| | | | Sengstock | ✓ | | | |
| | | | Vitale | | | | |
| | | | Weigel | ✓ | | | |
| | | | TOTAL | 4 | | | 1 |

SIGNATURE OF COMMITTEE MEMBER

Chair

Vice-Chair

Member

PLACE ON FILE

COMMON COUNCIL ACTION

| ACTION DATE: | MOVER | SECONDER | | AYE | NO | PRESENT | EXCUSED |
|--------------|-------|----------|------------|-----|----|---------|---------|
| AUG 05 2008 | ✓ | | Barczak | | | | |
| | | | Czaplewski | | | | |
| | | | Kopplin | | | | |
| | | ✓ | Lajsic | | | | |
| | | | Narlock | | | | |
| | | | Reinke | | | | |
| | | | Roadt | | | | |
| | | | Sengstock | | | | |
| | | | Vitale | | | | |
| | | | Weigel | | | | |
| | | | TOTAL | | | | |

UNANIMOUS

**STANDING COMMITTEES OF THE
CITY OF WEST ALLIS COMMON COUNCIL**

ADMINISTRATION & FINANCE

Chair: Kurt E. Kopplin
Vice-Chair: Vincent Vitale
Thomas G. Lajsic
Richard F. Narlock
Rosalie L. Reinke

PUBLIC WORKS

Chair: Gary T. Barczak
Vice-Chair: Martin J. Weigel
Michael J. Czaplewski
Daniel J. Roadt
James W. Sengstock

SAFETY & DEVELOPMENT

Chair: Thomas G. Lajsic
Vice-Chair: Richard F. Narlock
Kurt E. Kopplin
Rosalie L. Reinke
Vincent Vitale

LICENSE & HEALTH

Chair: Michael J. Czaplewski
Vice-Chair: James W. Sengstock
Gary T. Barczak
Daniel J. Roadt
Martin J. Weigel

ADVISORY

Chair: Rosalie L. Reinke
Vice-Chair: Daniel J. Roadt
Kurt E. Kopplin
Richard F. Narlock
Vincent Vitale

2008-0438

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

**In the Matter of the
Complaint Against**

SUMMONS

**STEVEN T. ROBINSON.
4845 South 69th Street, # 48
Greenfield, Wisconsin 53220**

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

THE WEST ALLIS COMMON COUNCIL TO STEVEN T. ROBINSON:

You are hereby notified that a sworn complaint, a copy of which is attached, has been duly made and filed, requesting a hearing on the suspension, revocation, or non-renewal of your operator's license to serve/sell alcoholic beverages, pursuant to the provisions of sec. 125.12, Wis. Stats.

NOW THEREFORE, you, Steven T. Robinson, are hereby summoned to appear before the License and Health Committee of the West Allis Common Council in Room 128 of the West Allis City Hall, 7525 West Greenfield Avenue, West Allis, Wisconsin, on June 17, 2008, at 5:30 p.m., or as soon thereafter as this matter can be heard, to admit or deny the allegations in the complaint. You may be represented by counsel on this date.

In the case of your failure to appear as required by this summons, the allegations in the complaint against you shall be taken as true and, if the License and Health Committee of the West Allis Common Council finds the allegations sufficient, a recommendation that your

8008-0438

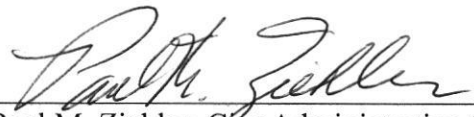
license(s) be suspended or revoked will be made to the full Common Council. The Common Council may then vote to suspend, revoke, or not renew your license(s).

You are further notified that if you appear as required by this summons and contest the allegations in the complaint, a hearing will be scheduled at a later date before the License and Health Committee, at which time you may be represented by counsel, cross examine the witnesses who testify adversely against you, and present witnesses in your own behalf. A written transcript of said hearing shall be made and you may obtain a copy of the transcript of this proceeding at your expense.

Dated at West Allis, Wisconsin, this 10th day of June, 2008.

WEST ALLIS COMMON COUNCIL

By:


Paul M. Ziehler, City Administrative Officer,
Clerk/Treasurer

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

**In the Matter of the
Complaint Against**

COMPLAINT

Steven T. Robinson,

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

Michael J. Czaplewski, being duly sworn, on oath deposes and states as a complaint against Steven T. Robinson as follows:

1. That the complainant is a resident of the City of West Allis, is the duly elected Alderperson for the First Aldermanic District in the City of West Allis, is the chair of the License and Health Committee, and makes this complaint at the direction of the License and Health Committee of the West Allis Common Council.
2. That the information contained in this complaint comes from the complainant's review of official records maintained by the City of West Allis and the West Allis Police Department, which records complainant believes to be reliable and accurate.
3. That Steven T. Robinson is the holder of a operator's license, License No.10-110, to sell/serve alcoholic beverages under Chapter 125, Wis. Stat., issued by the West Allis Common Council for the license period beginning July 1, 2007, and ending June 30, 2008, for the premises located at 1100 South 60th Street, West Allis, Wisconsin, which does business under the trade name "Top Gun."
4. That Steven T. Robinson is listed as the vice president/member of Top Gun Saloon, Inc. on the tavern's liquor license, 2007-2009 Tavern License No. 88.

5. That according to a National Crime Information Center (NCIC) report and Wisconsin Circuit Court Access (WCCA) records, Steven T. Robinson has several traffic, misdemeanor, and felony convictions, including the following:
- a. In 2002, operating while intoxicated, a forfeiture, in violation of Wis. Stat. § 346.63(1).
 - b. In 1995, battery to a police officer, a felony, in violation of Wis. Stat. § 940.20(2).
 - c. In 1995, carrying a concealed weapon, a misdemeanor, in violation of Wis. Stat. § 941.23.
 - d. In 1994, operating after revocation/suspension, a misdemeanor, in violation of Wis. Stat. § 343.44(1).
 - e. In 1994, operating after revocation/suspension, a forfeiture, in violation of Wis. Stat. § 343.44(1).
 - f. In 1992, obstructing/resisting an officer, a misdemeanor, in violation of Wis. Stat. § 946.41(1).
 - g. In 1992, operating after revocation/suspension, a forfeiture, in violation of Wis. Stat. § 343.44(1).
 - h. In 1985, receiving/concealing stolen property, a felony, in violation of § Wis. Stat. 934.34(c).
 - i. In 1985, arson of building, a felony, in violation of Wis. Stat. § 943.02(1).
 - j. In 1982, burglary, a felony, in violation of Wis. Stat. § 943.10.
6. That on January 28, 2006, West Allis Police officers were dispatched to Top Gun Saloon for a report of a fight and a nude dancer inside the bar. Investigation revealed that an 18-year-old woman was dancing topless inside Top Gun Saloon without a dance license. Steven T. Robinson admitted to officers that he was present while the

woman was dancing and never stopped her from performing. Furthermore, he admitted that he was the owner of Top Gun Saloon and knew that he did not have a dance license. Robinson was cited for not having a dance license in violation of West Allis Revised Municipal Code Ordinance 9.05(2)(a) and was found guilty of that offense.

7. That on December 20, 2007, Officer David Madden observed Steven Robinson tending bar at Top Gun Saloon with six patrons present. When Officer Madden asked Robinson where his bartender license was, Robinson stated that he did not have it on his person, in violation of West Allis Revised Municipal Code Ordinance 9.02(16)(f). As a result, Officer Madden was required to close Top Gun Saloon for business until Robinson produced the license.
8. That on February 3, 2008, at approximately 1:59 a.m., officers of the West Allis Police Department were dispatched to a motor vehicle accident in the area of 1121 South 60th Street.
9. That a witness had reported that he heard a crashing noise and observed a black Jeep that had only three tires driving over the curb.
10. That the witness saw the driver, a white female with blonde hair, enter the Top Gun Saloon at 1100 South 60th Street immediately after the accident.
11. That Officer Christina Haiser arrived on scene and observed a black Jeep with only three tires parked in the 1100 block of South 60th Street and a fourth tire lying in the street in front of 1121 South 60th Street.
12. That based on the witness's information that the driver went inside Top Gun Saloon, Officer Haiser approached the bar and attempted to go inside, but the door was locked.
13. That Officer Haiser began pounding on the front door of Top Gun Saloon, but no one

responded or unlocked the door.

14. That along with Sergeant Chad Evenson, Officer Haiser looked through the front windows of the bar and observed people inside, including bartender Brenda Zehner and a white female with blonde hair.
15. That Sergeant Evenson knocked on the window with his flashlight, shined his flashlight onto Zehner's face, and yelled "Police Department! Open the front door!"
16. That Evenson observed Zehner look at him through the window as he illuminated his police uniform with his flashlight.
17. That Zehner ignored Sergeant Evenson's commands and walked away from his sight.
18. That Zehner later told Sergeant Evenson that she observed the police knocking on the door, but chose not to answer the door because Steven T. Robinson told her that they did not have to open the door for the police.
19. That Sergeant Evenson and Officer Haiser, who were dressed in the official uniform of the West Allis Police Department with badge and insignia identifying as such, continued knocking on the door and windows while yelling, "Police! Open the door! Police Department!"
20. That the officers observed Steven T. Robinson, who was inside Top Gun Saloon, walk over to the front window, look directly at the officers, and yell, "I don't have to open the door for you!"
21. That Sergeant Evenson asked Steven T. Robinson several times to open the door, but Steven T. Robinson continued to be argumentative and told him, "Fuck you! I don't have to let you in."
22. That after being denied entrance at the front of the bar, Sergeant Clint Corwin, Officer Zachary Scott, and Sergeant Evenson went to the rear of the building to

attempt to gain entry.

23. That Sergeant Corwin and Officer Scott were dressed in the official uniform of the West Allis Police Department with badge and insignia identifying as such.
24. That they observed Steven T. Robinson, along with two of the tavern's patrons, standing in the rear doorway of the bar and refusing them entry.
25. That one of those patrons, Richard Holtz, told officers that he was trying to leave through the back door because he was concerned that Steven T. Robinson refused to answer the door and did not wish to exacerbate his (Holtz's) health issues.
26. That when Sergeant Corwin tried to enter the premises, Steven T. Robinson pushed him away from the door.
27. That Sergeant Corwin and Officer Scott had to forcibly remove Steven T. Robinson from the doorway so that officers could enter the premises.
28. That Officer Scott grabbed Steven T. Robinson's upper body to control him to effectuate arrest, but Steven T. Robinson resisted Officer Scott.
29. That Sergeant Evenson tried to help Officer Scott handcuff Steven T. Robinson, but Steven T. Robinson continued locking his arm and elbow, tensing his body, lifting his head and upper body, and refusing to place his arm behind his back.
30. That Officer Scott repeatedly told Steven T. Robinson to stop resisting arrest, but Steven T. Robinson continued his actions to prevent the officers from handcuffing him.
31. That after Steven T. Robinson was eventually handcuffed, he continued resisting the officers and refused to enter the squad car by locking his knees, stating that he was not going anywhere, and continually yelling obscenities.
32. That officers had to forcibly escort Steven T. Robinson inside the squad car.
33. That during the ride to the police station, Steven T. Robinson continuously yelled

loudly at Officer Scott, shouted while Officer Scott tried to communicate on his police radio, and called him “worthless” and a “peon.”

34. That when Steven T. Robinson arrived at the police station, he continued resisting Officer Scott’s attempts to book and search him by continually tensing his muscles and refusing to obey Officer Scott’s commands.
35. That due to Steven T. Robinson’s behavior, Officer Scott had to hold Steven T. Robinson down while two other officers searched him.
36. That Officer Scott noted that Steven T. Robinson had a strong odor of intoxicants on his breath, red and glassy eyes, and slurred speech.
37. That based on his training and experience, Officer Scott believed Steven T. Robinson to be highly intoxicated, and Steven T. Robinson later admitted to officers that he was intoxicated.
38. That as a result of Steven T. Robinson resisting arrest, Officer Scott suffered pain in his left knee and ankle, a deep bruise to his left leg, and a twisted ankle, which caused him to limp.
39. That the white female with blonde hair was identified as Nichole Younk, who admitted to Officer Haiser that she was the driver of the vehicle that crashed.
40. That Younk said that she told Steven T. Robinson about the accident when she walked into the bar and watched him lock the door to the bar.
41. That Younk was later arrested for operating while intoxicated after exhibiting signs of alcohol use and failing field sobriety tests.
42. That Officer Scott issued Steven T. Robinson a citation for refusing police permission to enter a licensed premise in violation of West Allis Revised Municipal Code Ordinance 9.02(12)(a), and he was found guilty of that citation in West Allis Municipal Court. The Milwaukee County District Attorney’s Office will be

reviewing a resisting an officer charge in violation of Wis. Stat. § 946.41(1) against Steven T. Robinson for his actions toward the officers.

43. That Steven T. Robinson has violated the provisions of Chapter 125, Wis. Stats., has violated the ordinances of the City of West Allis, and is a habitual law offender who does not possess the qualifications to hold an operator's license under the provisions of § 125.04(5), Wis. Stats.

WHEREFORE, Michael J. Czaplewski, requests that Steven Robinson 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 Operator's License, License No. 10-110, of Steven Robinson should be revoked, suspended, or not renewed.

Dated at this 10 day of JUNE, 2008.

By: _____

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

Subscribed and sworn to before me
this 10th day of June, 2008.

Jenna Merten
(Jenna Merten)

Notary Public, State of Wisconsin

My Commission expires. is permanent.



IN THE MATTER OF THE COMPLAINT AGAINST STEVEN T. ROBINSON: CITY OF WEST ALLIS
v. STEVEN T. ROBINSON

State of Wisconsin)

: ss

AFFIDAVIT OF SERVICE

Milwaukee County)

JOSEPH F KARSTADT, under oath, says:

1. That affiant is a citizen and resident of the State of Wisconsin, over 18 years old, and is not a party nor in any manner interested in this proceeding.
2. That on JUNE 6-12-08, 2008, at 1640 1st o'clock 1 .m.,
at 1100 S 60 ST, affiant served
a copy of this **Summons and Complaint** on the Defendant, Steven T. Robinson, by personally
delivering to and leaving a copy of same with:

☒ a) The Defendant, Steven T. Robinson.

b) _____, a competent member of
Steven T. Robinson's family at least 14 years of age, at the defendant's usual place of abode.
The family member was informed of the contents of the summons.

c) _____, a competent adult who
resides in the defendant's place of abode. The adult was informed of the contents of the
summons.

[Signature] 103 7/22/08
(Signature of person serving papers)

Subscribed and sworn to before me
this 12 day of June, 2008.

[Signature]
Notary Public, State of Wisconsin

My Commission: is permanent

RECEIVED
JUN 16 2008
WEST ALLIS
CITY ATTORNEY

RECEIVED
MAY 1 1964
CITY ATTORNEY
WEST ALBANY



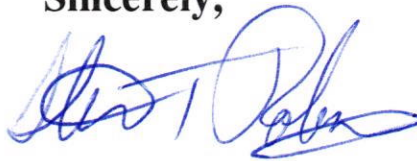
**Top Gun Saloon
1100 So. 60th Street
West Allis, WI 53214**

July 21, 2008.

To Whom It May Concern:

I, Steven T. Robinson, am surrendering my Bartending license to Top Gun Saloon located at 1100 S. 60th St., West Allis, WI, 53214 as of July 21st, 2008. I am also pulling my new application for renewal of my license for 2008-2009 as of July 21st, 2008.

Sincerely,



Steven T. Robinson

RECEIVED

JUL 21 2008

**CITY OF WEST ALLIS
CLERK/TREASURER**