

59.



City of West Allis Matter Summary

7525 W. Greenfield Ave.
West Allis, WI 53214

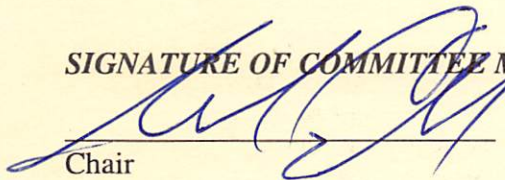
File Number	Title	Status
2009-0517	Summons and Complaint (Licensing)	In Committee
Summons and Complaint in the matter of the complaint against Samatha Martin, 2009-2011 Tavern Operator License renewal application no. 11-029.		
Introduced: 8/4/2009		Controlling Body: License & Health Committee

PLACE ON FILE

COMMITTEE RECOMMENDATION

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
AUG 04 2009			Barczak				✓
			Czaplewski	✓			
			Kopplin				
			Lajsic				
			Narlock				
			Reinke				
		✓		Roadt	✓		
				Sengstock	✓		
			Vitale				
		✓	Weigel	✓			
			TOTAL	4	0		1

SIGNATURE OF COMMITTEE MEMBER

 _____
 Chair

 Vice-Chair

 Member

COMMON COUNCIL ACTION

place on file

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
8-4-09	✓		Barczak				
			Czaplewski				
			Kopplin				
			Lajsic				
			Narlock				
			Reinke				
			Roadt				
			Sengstock				
			Vitale				
		✓	Weigel				
			TOTAL				

Unanimous

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

In the Matter of the
Complaint Against

SUMMONS

Samantha Martin,
9640 West Greenfield Avenue,
West Allis, Wisconsin 53214

STATE OF WISCONSIN)
) SS.
COUNTY OF MILWAUKEE)

THE WEST ALLIS COMMON COUNCIL TO SAMANTHA MARTIN:

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 Class "I" Operator's License, pursuant to the provisions of sec. 125.12, Wis. Stats.

NOW THEREFORE, you, Samantha Martin, are hereby summoned to appear before the License and Health Con

Allis City Hall, 7525 W

6:00 p.m., or as soon the

complaint. You may be

In the case of you

complaint against you sh

West Allis Common Cou

license(s) be suspended c

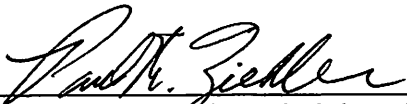
Council may then vote to suspend, revoke, or not renew your license(s).

Samantha Martin called
7-31-09 2:00 pm - She was served
her StC.
She is not interested in a WA
license at this time.
I ~~advise~~ advised her to submit
a letter. Am 8-30-09 Letter attached

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 27th day of July, 2009.

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

Samantha Martin,

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

Michael J. Czaplewski, being duly sworn, on oath deposes and states as a complaint against Samantha Martin 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, the West Allis Police Department, and the West Allis City Clerk's office, which records complainant believes to be reliable and accurate.
3. That Samantha Martin is the holder of a operator's license, License No.09-431, 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, 2009.
4. That according to the records of the West Allis Police Department, on December 6, 2007, officers received an anonymous complaint of people present in Wild Bill's Tavern after hours. At approximately 2:03 a.m., Officer Ryan McNally observed

several people inside the tavern, including one man who was drinking from a bottle of beer.

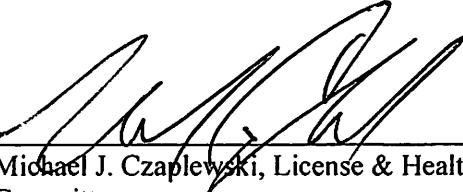
5. That when Officer McNally knocked on the locked front door and announced himself as a West Allis police officer on three separate occasions, the people inside the tavern refused to open the door and yelled, "We're not letting you in! Go away, bitch!"
6. That after a dispatcher called the tavern, the front door opened, and Officer McNally observed the people inside the tavern quickly grabbing their jackets and trying to sneak out the south door of the tavern.
7. That Officer McNally spoke to Martin, who admitted that the people inside the tavern were bar patrons and that the time was 2:05 a.m.
8. That Martin was the bartender on duty at that time.
9. That Officer McNally issued a citation to Martin for allowing a person to remain in a tavern after hours, pursuant to West Allis Revised Municipal Ordinance 9.02 (15)(c).
10. That Martin stipulated to the citation and was found guilty of the violation on January 17, 2008.
11. That on April 8, 2009, Martin signed a renewal operator's application to obtain a 2009-2011 operator's license.
12. That one of the questions on the renewal license, question number four, requires the applicant to list all tickets, arrests, convictions or fines for any violation of federal, state or city laws.
13. That for question number 4 on the application, Martin failed to list that she received or was found guilty of the citation from the December 6, 2007 incident as referenced above.
14. That the License and Health Committee ordered Martin to appear at meetings on

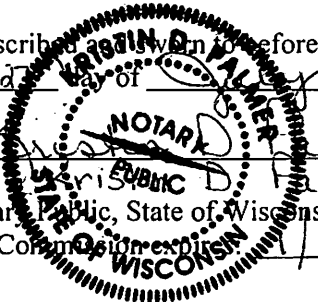
May 26, 2009 and June 16, 2009 to discuss her renewal operator's application.

15. That Martin failed to attend both meetings and did not offer any explanation for the missed appearances.
16. That Martin's conviction for allowing persons into a licensed premise after hours, her failure to accurately complete her renewal application, and failure to appear in response to the License and Health Committee's summons substantially relates to the alcohol beverage licensed activity contrary to Wis. Stat. §125.04(5)(b) and West Allis Revised Municipal Ordinance 9.02 (12)(d) and, therefore, are grounds for non-renewal, suspension, or revocation of her operator's license.

WHEREFORE, Michael J. Czaplewski, requests that Samantha Martin 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. 09-431, of Samantha Martin should be revoked, suspended, or not renewed.

Dated at this 27 day of July, 2009.

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

Subscribed and sworn to before me
this 27 day of July, 2009.

Kristin D. Palmer
(Kristin D. Palmer)
Notary Public, State of Wisconsin
My Commission Expires 1/1/2012

License and Health Committee,

In the matter of the complaint against myself, I no longer need my Operator's License. I was unable to get a hold of anyone by phone to tell them I wasn't going to make my court dates. I'm sorry for the misunderstanding. When I filled out my application I forgot all about my 'Wild Bills' ticket, otherwise I would have wrote it down. Thank you for your time.

Samantha Martin

RECEIVED

AUG 03 2009

CITY OF WEST ALLIS
CLERK/TREASURER~~RECEIVED~~~~AUG 01 2009~~~~CITY OF WEST ALLIS
CLERK/TREASURER~~

Samantha Martin
9040 W. Greenfield Ave
West Allis, WI 53214



License and Health Committee

City of West Allis