

85



City of West Allis Matter Summary

7525 W. Greenfield Ave.
West Allis, WI 53214

File Number	Title	Status
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2009-0133 Summons and Complaint (Licensing) In Committee

Summons and Complaint in the matter of the complaint against Iris Girl, LLC, Peter D. Crivello, Agent for the premises located at 6500 W. Greenfield Ave., d/b/a Scotty's Pub (2008-2009 Class B Tavern License no. 1254).

Introduced: 3/3/2009

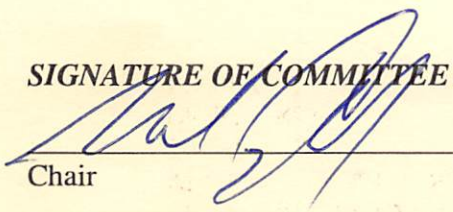
Controlling Body: License & Health Committee

COMMITTEE RECOMMENDATION

PLACE ON FILE

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
JUN 16 2009			Barczak				✓
			Czaplewski	✓			
			Kopplin				
			Lajsic				
			Narloek				
			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
JUN 16 2009			Barczak				✓
		✓	Czaplewski	✓			
			Kopplin	✓			
			Lajsic	✓			
			Narloek	✓			
			Reinke	✓			
			Roadt	✓			
			Sengstock	✓			
			Weigel	✓			
			TOTAL	9			1

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 24th day of February, 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

**Iris Girl, LLC,
Peter Crivello, agent**

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

Michael J. Czaplewski, being duly sworn, on oath deposes and states as a complaint against Iris Girl, LLC, 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 Chairman 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 Iris Girl, LLC is the holder of a "Class B" Intoxicating Liquor & Class "B" Fermented Malt Beverage Licenses under Tavern License No. 8-1254, issued by the West Allis Common Council for the license period beginning July 1, 2008, and ending June 30, 2009, for the premises located at 6500 West Greenfield Avenue, West Allis, Wisconsin and does business under the trade name "Scotty's Pub."
4. That Peter Crivello is the registered agent of Iris Girl, LLC.
5. That on December 18, 2008, West Allis Police Department officers assisted agents from the Wisconsin Department of Revenue in executing a tax search warrant at

Scotty's Pub.

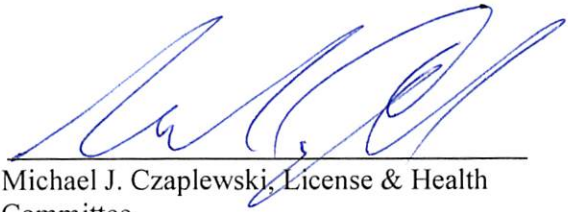
6. That upon arrival, officers observed a man, later identified as John Anderson, run to the front door of the premises, lock the door, and then walk back toward the bar. After officers reached the door, Anderson went back to the door and unlocked it for the officers.
7. That Anderson was arrested and cited for obstructing an officer due to his actions. During a search incident to arrest, officers located marijuana and a marijuana pipe in Anderson's pocket. Anderson received citations for possession of marijuana and possession of drug paraphernalia.
8. That Special Agent Rick Uhlig observed Scott Jesion, who was inside the bar, toss a plastic baggie of marijuana onto the floor. Officer Orlowski seized the marijuana on the floor right where Jesion had been sitting.
9. That Jesion was arrested for possession of marijuana and issued a citation.
10. That during the search of the premises, agents located pills in a safe behind the bar, a marijuana pipe behind the bar, a marijuana cigarette in the back room, and a large bong in the back room.
11. That the pills were identified as follows: 25 pills of hydrocodone bitartrate, 31 pills of acetaminophen hydrocodone bitartrate, 35 pills of methadone hydrochloride, six pills of Oxycontin, 17 pills of Diazepam, and one pill of oxycodone hydrochloride.
12. That hydrocodone bitartrate, also known as "Vicodin," is a combination of a narcotic painkiller and non-narcotic cough reliever that is prescribed for the relief of moderate to moderately severe pain.
13. That methadone hydrochloride is an opioid painkiller that is prescribed to stimulate opiate receptors in a person's central nervous system.
14. That Oxycontin and oxycodone hydrochloride are forms of the narcotic painkiller

oxycodone, which is prescribed for moderate to severe pain.

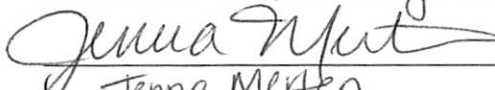
15. That Diazepam is a benzodiazepine that is prescribed for the management of anxiety disorders, alcohol withdrawal, and muscle pain.
16. That agents found alcohol inside the premises with no corresponding invoices.
17. That agents found intoxicating liquor that was not purchased from a wholesaler inside the premises, in violation of Wis. Stat. 125.69(6)(a).
18. That an unlicensed bartender was operating the premises at the time the search warrant was executed, in violation of Wis. Stat. 125.68(2).
19. That agents seized two video gambling machines from inside the premises, in violation of Wis. Stat. 945.03.
20. That Iris Girl LLC had several delinquent tax warrants for non-payment of taxes, and agents seized \$500.00 to partially satisfy those debts.
21. That Iris Girl, LLC, has violated the provisions of Chapter 125, Wis. Stats.; keeps or maintains a disorderly or riotous, indecent or improper house; and has violated sections 9.02(12)(a) and 9.02(12)(d) of the West Allis Revised Municipal Code.

WHEREFORE, Michael J. Czaplewski requests that Iris Girl, LLC, 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 Class B Tavern License of Iris Girl, LLC, should be revoked, suspended, or not renewed.

Dated at this 24 day of Feb, 2009.

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

Subscribed and sworn to before me
this 24th day of February, 2009.


Jenna Merten)
Notary Public, State of Wisconsin
My Commission expires: is permanent

