

87.



City of West Allis

Matter Summary

7525 W. Greenfield Ave.
West Allis, WI 53214

File Number	Title	Status
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2006-0515 Communication In Committee

Stipulation in the matter of the Complaint Against Top Gun Saloon, Inc., Angela M. Robinson, Agent, d/b/a Top Gun Saloon, 1100 S. 60 St. (2005-2006 Class B Tavern License no. 88, Dance Hall License no. 65 and Instrumental Music License no. 31).

Introduced: 8/1/2006

Controlling Body: License & Health Committee

COMMITTEE RECOMMENDATION *approval*

ACTION	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
DATE:			Barczak				
<u>8-1-06</u>		✓	Czaplewski	✓			
			Dobrowski	✓			
			Kopplin	✓			
			Lajsic				
			Narlock	✓			
			Reinke				
	✓		Sengstock	✓			
			Vitale				
			Weigel				
			TOTAL	5			

SIGNATURE OF COMMITTEE MEMBER

[Signature] _____
Chair Vice-Chair Member

COMMON COUNCIL ACTION **APPROVAL**

ACTION DATE: AUG 01 2006	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
			Barczak				
			Czaplewski				
			Dobrowski				
	✓		Kopplin				
			Lajsic				
		✓	Narlock				
			Reinke				
			Sengstock				
			Vitale				
			Weigel				
UNANIMOUS			TOTAL				

**STANDING COMMITTEES OF THE
CITY OF WEST ALLIS COMMON COUNCIL
2004**

ADMINISTRATION & FINANCE

Chair: Michael J. Czaplewski
Vice-Chair: Martin J. Weigel
Gary T. Barczak
Thomas G. Lajsic
Rosalie L. Reinke

PUBLIC WORKS

Chair: Richard F. Narlock
Vice-Chair: Linda A. Dobrowski
Kurt E. Kopplin
Vincent Vitale
James W. Sengstock

SAFETY & DEVELOPMENT

Chair: Thomas G. Lajsic
Vice-Chair: Vincent Vitale
Gary T. Barczak
Martin J. Weigel
Rosalie L. Reinke

LICENSE & HEALTH

Chair: Kurt E. Kopplin
Vice-Chair: James W. Sengstock
Linda A. Dobrowski
Richard F. Narlock
Michael J. Czaplewski

ADVISORY

Chair: Rosalie L. Reinke
Vice-Chair: Gary T. Barczak
Linda A. Dobrowski
Vincent Vitale
Martin J. Weigel

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

In the Matter of the
Complaint Against

TOP GUN SALOON, INC.
Angela Maric Robinson, agent

STIPULATION AND ORDER TO TAKE ACTION

WHEREAS, on or about May 12, 2006, the City of West Allis filed a complaint against the Top Gun Saloon, Inc., Angela Maric Robinson, agent, for purposes of requesting a hearing on the suspension, revocation or non-renewal of its Class B Intoxicating Liquor and Class B Fermented Malt Beverage Licenses, pursuant to the provisions of Section 125.12, Wis. Stats.; and

WHEREAS, the complaint was served on the licensee on or about May 12, 2006; and

WHEREAS, this matter was the subject of meetings with the City of West Allis License and Health Committee on June 13, 2006 and July 24, 2006; and

WHEREAS, the parties hereto have engaged in negotiations in an effort to resolve this matter; and

WHEREAS, the parties have reached an agreement to resolve this matter; and

WHEREAS, the licensee has agreed that the complaint herein provides a sufficient basis upon which the City can take action against its license and thus hereby admits that there have been violations which justify the voluntary closure as stated herein; and

WHEREAS, the licensee is aware, and has been advised, that any further unlicensed dancing or entertainment on the premises will cause the issuance of another complaint to suspend or revoke the Class B Intoxicating Liquor and Class B Fermented Malt Beverage Licenses.

NOW, THEREFORE, IT IS HEREBY AGREED by and between the parties hereto that:

1. The licensee shall voluntarily close her business for a period of 45 days. Said closure shall commence August 1 and shall continue through September 15, 2006. The first day of business following the closure shall be September 16, 2006.

2. During said period of voluntary closure, the licensee may not conduct business of any kind, including but not limited to, the serving of food and/or alcohol to any patrons for any purpose, including private parties.

3. If during the 45 day closure it is determined that the licensee has conducted business of any kind, including the serving of food and/or alcohol or hosting private parties, the licensee will suffer an immediate suspension of said license for a period of 90 days from the date of the infraction.

4. The City of West Allis License and Health Committee hereby recommends that the Common Council take action in accordance with the terms and conditions as contained herein.

Dated this 1st day of August, 2006.

CITY OF WEST ALLIS:

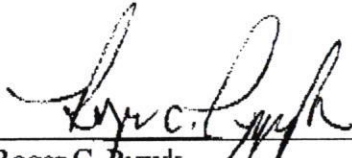
By: 

Barry L. Book, Special Prosecutor
State Bar No. 01008924

Dated this 31 day of July, 2006.

ROGER C. PYZYK LAW OFFICE
Counsel for Licensee

By:

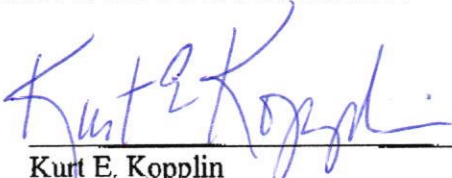


Roger C. Pyzyk
State Bar No. 1016526

Dated this 1st day of August, 2006.

WEST ALLIS COMMON COUNCIL
LICENSE & HEALTH COMMITTEE

By:



Kurt E. Kopplin

THIS DOCUMENT DRAFTED BY:

Barry J. Book, Esq.
State Bar No. 01008924
Haskin & Book
7300 South 13th Street, Suite 104
Oak Creek, WI 53154
Telephone: (414) 762-5105

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CITY CLERK/TREASURER OFFICE

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

Rosemary West
*Treasurer's Office Supervisor
Senior Accountant*

Monica Schultz
Assistant City Clerk

414/302-8200
414/302-8207 (Fax)

City Hall
7525 West Greenfield Avenue
West Allis, Wisconsin 53214

www.ci.west-allis.wi.us

August 3, 2006

Top Gun Saloon, Inc.
Angela Robinson
934 S. 37 St.
Milwaukee, WI 53215

Re: Stipulation and Order to Take Action
Top Gun Saloon, Inc. d/b/a Top Gun at 1100 S. 60 St.

Dear Ms. Robinson:

Enclosed please find the Stipulation and Order to Take Action approved by the City of West Allis Common Council on August 1, 2006 regarding voluntary closure of Top Gun Saloon at 1100 S. 60 St. from August 1, 2006 through September 15, 2006.

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

Sincerely,

Monica Schultz
Assistant City Clerk

/ms

Encl.

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



CITY CLERK/TREASURER OFFICE

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

Rosemary West
*Treasurer's Office Supervisor
Senior Accountant*

Monica Schultz
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414/302-8200
414/302-8207 (Fax)

City Hall
7525 West Greenfield Avenue
West Allis, Wisconsin 53214
www.ci.west-allis.wi.us

August 3, 2006

Department of Revenue
2135 Rimrock Road
Madison, WI 53713

Re: Stipulation and Order to Take Action
Top Gun Saloon, Inc. d/b/a Top Gun at 1100 S. 60 St.

Dear Sir or Madam:

Pursuant to §125.13, Wis. Stats., enclosed please find the Stipulation and Order to Take Action approved by the City of West Allis Common Council on August 1, 2006 regarding voluntary closure of Top Gun Saloon, Inc., Angela M. Robinson, Agent, d/b/a Top Gun Saloon at 1100 S. 60 St. from August 1, 2006 through September 15, 2006.

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

Sincerely,

Monica Schultz
Assistant City Clerk

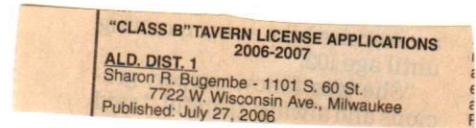
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Encl.

cc: Chairman, License & Health Committee
City Attorney

#36 2006-0476
8/1/06

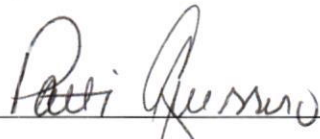
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West Allis City Of Legals
Attn: Legals Clerks Office
7525 W Greenfield Ave
West Allis, WI 53214

AFFIDAVIT OF PUBLICATION

Patti Guerrero hereby states that she is authorized by Journal Sentinel Inc. to certify on behalf of Journal Sentinel Inc., publisher of the Milwaukee Journal Sentinel and The Sunday Journal Sentinel, public newspapers of general circulation, printed and published in the city and county of Milwaukee; that a notice of which the printed one hereto attached is a true copy, was published in the South Edition on the Twenty-seventh, of July 2006. That the Milwaukee Journal Sentinel and The Sunday Journal Sentinel are newspapers printed in the English language and that said printed copy was taken from said printed newspaper(s).



Patti Guerrero

State of Wisconsin)
)SS:
County of Milwaukee)

Subscribed and sworn before me this 7 day of
Sept, 2006.



Notary Public State of Wisconsin
My Commission Expires 2-21-10