

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

**In the Matter of the Complaint against Morgan Murphy Enterprises, LLC,
D/b/a Tap 58**


STIPULATION

The West Allis City Attorney's Office, by Assistant City Attorney Jenna Merten, and Morgan Murphy Enterprises, LLC, by its agent, Mary Jo Burbach, hereby agree and stipulate as follows:

1. That the Summons and Complaint against Morgan Murphy Enterprises, LLC was filed with the City Clerk pursuant to Wis. Stat. § 125.12(2)(ag);
2. That the Summons and Complaint was served in accordance with Wis. Stat. § 125.12(2)(ar);
3. That Morgan Murphy Enterprises, LLC waives its right under Wis. Stats. § 125.12(2)(d) to appeal the proceedings had in this matter;
4. That sufficient grounds are stated in the complaint for the imposition of sanctions set forth in Wis. Stat. § 125.12(2)(b)2;
5. That Morgan Murphy Enterprises, LLC agrees that no licensed/permitted activity shall take place at 5732 West Mitchell Street, West Allis, Wisconsin for a period of 15 consecutive days commencing at 6:00 a.m., Friday, May 8, 2015 and terminating at 6:00 a.m., Saturday, May 23, 2015;


6. That Morgan Murphy Enterprises, LLC agrees on May 23, 2015 and everyday thereafter until 11:59 p.m. on December 31, 2015, the licensed premises shall close at midnight and not reopen until 6:00 a.m.
7. That Morgan Murphy Enterprises, LLC agrees that on or before May 23, 2015, it will possess a garbage dumpster on the premises at 5732 West Mitchell Street in compliance with Chapter 7 of the West Allis Revised Municipal Code.
8. That Morgan Murphy Enterprises, LLC agrees that on or before May 23, 2015, it will possess a signed contract for commercial garbage pickup at the premises at 5732 West Mitchell Street and show proof of that contract to Health Commissioner Sally Nusslock.
9. That Morgan Murphy Enterprises, LLC agrees that it will maintain regular commercial garbage pickup service on the premises at 5732 West Mitchell Street in compliance with Chapter 7 of the West Allis Revised Municipal Code.
10. That the allegations which form the basis of this complaint shall not be used as grounds for any future suspension, revocation, or non-renewal proceeding, except to the extent that the facts alleged in the complaint demonstrate a pattern of conduct for Morgan Murphy Enterprises, LLC;
11. That the West Allis Common Council must approve this stipulation prior to it becoming effective;
12. That if the West Allis Common Council does not approve the agreement, the matter shall return to the License and Health Committee of the West Allis Common Council for hearing pursuant to Wis. Stat. § 125.12(2)(b);
13. That if the West Allis Common Council approves this stipulation, the City of West Allis and Morgan Murphy Enterprises, LLC are bound to the terms of the stipulation and

failure to comply with said terms will result in continuation of the hearing procedures set forth in Wis. Stat. § 125.12(2)(b).



Mary Jo Burback
Agent, Morgan Murphy Enterprises, LLC

4/30/15
Date



Jenna Merten
Assistant City Attorney
City of West Allis

4/29/15
Date