

2.
3.
13



City of West Allis Matter Summary

7525 W. Greenfield Ave.
West Allis, WI 53214

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

2007-0096 Summons and Complaint (Licensing) In Committee

Summons and Complaint in the matter of the complaint against PAK Enterprises, Inc.,
Mohammad Rafiq, Agent for the premises located at 3061 S. 108 St., d/b/a Mobil (2006-2007
Cigarette License no. 1044).

Introduced: 2/27/2007

Controlling Body: License & Health Committee

COMMITTEE RECOMMENDATION

POF

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
MAY 22 2007			Barczak				
			Czaplewski	✓			
		✓	Dobrowski	✓			
			Kopplin	✓			
			Lajsic				
	✓		Narlock	✓			
			Reinke				
			Sengstock				✓
			Vitale				
			Weigel				
			TOTAL	4	0		1

SIGNATURE OF COMMITTEE MEMBER

Kurt Kopplin

Chair

Vice-Chair

Member

PLACE ON FILE

COMMON COUNCIL ACTION

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
JUN 05 2007			Barczak				
			Czaplewski				
			Dobrowski				
			Kopplin				✓
			Lajsic				
			Narlock				
			Reinke				
			Sengstock				
			Vitale				
			Weigel				
			TOTAL				

UNANIMOUS

**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

Ann Neff

From: Cheryl Wentland
Sent: Friday, February 16, 2007 2:20 PM
To: Kristin Palmer
Cc: Ann Neff
Subject: we have to move Mobil's tobacco license issue to April as he is out of the country till end of March

Then we can revise our ordinance in the meanwhile, also. Officer Duerr threw out the documents since the summons will need to be revised and resigned and we have the original complaint. Thanks...

Cheryl L. Wentland, Assistant City Attorney
City of West Allis
7525 W. Greenfield Avenue
West Allis, WI 53214
414-302-8450 PHONE
414-302-8444 FAX



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

December 11, 2006

Mohammad Rafiq
Pak Enterprises
3061 S. 108 St.
West Allis, WI 53227

Dear Mr. Rafiq:

The Chairman of the License & Health Committee orders that you appear at its meeting on Tuesday, December 19, 2005, at 6:15 P.M. in Room 128, West Allis City Hall, 7525 W. Greenfield Ave., regarding an incident on October 15, 2006.

Sincerely,

Monica Schultz
Assitant City Clerk

/amn



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

January 15, 2007

Mohammad Rafiq
Pak Enterprises, Inc.
3061 S. 108 St.
West Allis, WI 53227

Dear Mr. Rafiq:

SECOND NOTICE

The Chairman of the License & Health Committee orders that you appear at its meeting on Tuesday, January 23, at 6:00 P.M., in Room 128, West Allis City Hall, 7525 W. Greenfield Ave., regarding an incident on October 15, 2006.

Sincerely,

Monica Schultz/amn

Monica Schultz
Assistant City Clerk

/amn

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

**In the Matter of the
Complaint Against**

SUMMONS

**PAK ENTERPRISES, INC.
D/b/a MOBIL
Mohammad Rafiq, agent,
3061 South 108th Street
West Allis , Wisconsin 53227**

STATE OF WISCONSIN)
) SS.
COUNTY OF MILWAUKEE)

THE WEST ALLIS COMMON COUNCIL TO PAK ENTERPRISES, INC.:

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 or revocation of your Tobacco License, due to your failure to appear before the License and Health Committee as requested (see attached notices to appear) by the City Clerk.

NOW THEREFORE, you, PAK Enterprises, Inc., 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 February 27, 2007, at 6:00 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

license(s) be suspended or revoked will be made to the full Common Council. The Common Council may then vote to suspend or revoke 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 16th day of February, 2007.

WEST ALLIS COMMON COUNCIL

By:

Paul M. Ziehler
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

**PAK Enterprises, Inc.
Mohammad Rafiq, agent**

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

Kurt E. Kopplin, being duly sworn, on oath deposes and states as a complaint against PAK Enterprises, Inc. as follows:

1. That the complainant is a resident of the City of West Allis, is the duly elected Alderperson for the Second Aldermanic District in the City of West Allis, 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 PAK Enterprises, Inc. is the holder of a Cigarette License No. 1144, issued by the West Allis Common Council for the license period beginning July 1, 2006, and ending June 30, 2007, for the premises located at 3061 South 108th Street, West Allis, Wisconsin and does business under the trade name “Mobil”.
4. That Mohammad Rafiq is the registered agent of PAK Enterprises, Inc.
5. That on October 15, 2006, at 3061 South 108th Street, West Allis, Wisconsin, Mohammad Rafiq sold or provided tobacco products to a person under the age of 18 contrary to §134.66(2)(a), Wis. Stat., and §6.02(19), of the West Allis Revised

Municipal Code.

6. That PAK Enterprises, Inc. has violated the provisions of §134.55, Wis. Stat. of the Wisconsin Statutes and §6.02 of the West Allis Revised Municipal Code.
7. That on December 11, 2006 and January 15, 2007, PAK Enterprises, Inc. by its Registered Agent, Mohammad Rafiq was sent notices to appear before the License and Health Committee on December 19, 2006 and January 23, 2007, but failed to appear on either occasion.

WHEREFORE, Kurt E. Kopplin requests that PAK Enterprises, Inc. 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 Cigarette License of PAK Enterprises, Inc. should be suspended or revoked.

Dated at this 15TH day of February, 2007.

By: Kurt E. Kopplin
Kurt E. Kopplin, License & Health Committee
West Allis Common Council

Subscribed and sworn to before me
this 15th day of February, 2007.

Darlyn M. Adams
(DARLYN M. ADAMS)
Notary Public, State of Wisconsin
My Commission expires: 10/24/10

CLW/kp
L:\cheryl\LL&H\PAKEnterprises.Mobil\Complaint

