



City Attorney's Office
attorney@westalliswi.gov
Office: 414.302.8450
Fax: 414.302.8444

Kail Decker
City Attorney
Sheryl L. Kuhary
Deputy City Attorney
Nicholas S. Cerwin
Rebecca Monti
Principal Assistant City Attorneys

MEMORANDUM

TO: The West Allis Common Council

FROM: Principal Assistant City Attorney Nicholas Cerwin

DATE: October 29, 2021

SUBJECT: License and Health Matter 2021-0758 - Summons and Complaint in the matter against E. Bomback and L. Bald, Partners, d/b/a The Spot at 6424 W. Greenfield Avenue.

Dear City of West Allis Alderpersons and Common Council,

The West Allis License and Health Committee conducted a hearing on October 4, 2021, regarding a complaint filed against E. Bomback and L. Bald, Partners, d/b/a The Spot, located at 6424 W. Greenfield Avenue. During that hearing, the Committee heard testimony from Officer Scott Poklasny, Officer Jeffrey Dufek, Officer Anthony Wagner, and Officer Jacob Kaye regarding incidents occurring at or stemming from the location on the following dates: January 12, 2021, March 14, 2021, March 17, 2021, May 24, 2021, June 7, 2021, July 22, 2021, and August 28, 2021. The Committee also heard testimony from Edward Bomback, Lonnie Bald, and Audrey Bomback.

Based on the evidence presented and credible testimony, the Committee came to the conclusion that the allegations enumerated in the complaint were substantially true and that "The Spot" had been operated in a manner that constituted a disorderly or riotous, indecent or improper house, contrary to Wisconsin Statute § 125.12(2)(ag)2. Based on that finding and the evidence presented, it was the Committee's recommendation to the Common Council that the 2021-2022 "Class B" intoxicating liquor license, Class "B" fermented malt beverage license, and Public Entertainment Permit issued to the establishment be revoked.



It is the prosecution's position that the proceedings on October 4, 2021, provided ample evidence to support the conclusions and recommendation of the Committee. All parties had the opportunity to present evidence and be heard regarding the allegations in the Amended Complaint. Through that fair hearing process and subsequent deliberations, the Committee concluded that revocation was the appropriate remedy for the multitude of recent violations at "The Spot." The prosecution requests that the West Allis Common Council uphold that conclusion and recommendation made by the West Allis License and Health Committee.

Respectfully submitted this 29th day of October, 2021.

A handwritten signature in black ink, appearing to read "N. S. Cerwin", written over a horizontal line.

Nicholas S. Cerwin
Principal Assistant City Attorney
City of West Allis
SB #: 1088914