



OFFICE OF THE CITY CLERK

Monica Schultz
City Clerk

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West Allis, Wisconsin 53214

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www.westalliswi.gov

January 9, 2015

Mary Jo Burback
2155 S. 57 St.
West Allis, WI 53219

Re: Findings and Recommendations of the License & Health Committee
for Morgan Murphy Enterprises, LLC

Dear Ms. Burback:

Enclosed please find a copy of the proposed findings and recommendations in the matter of the complaint against Morgan Murphy Enterprises, LLC, Mary Jo Burback, Agent, d/b/a Tap 58, for the premises located at 5732 W. Mitchell St. These findings and recommendations will be submitted to the Common Council for action at the January 20, 2015 meeting.

You have until 5:00 pm, January 15, 2015, to file with the City Clerk a written statement or response to the findings and recommendation, including objections, exceptions, and arguments of fact and law, pursuant to section 7.04(16)(e)2 of the West Allis Revised Municipal Code.

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

Sincerely,

A handwritten signature in cursive script that reads "Monica Schultz".

Monica Schultz
City Clerk

/amn

enclosure

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

CONCLUSIONS OF LAW:

1. That the foregoing constitutes a sufficient basis to suspend the Food-Related Permit of Morgan Murphy Enterprises, LLC from January 25, 2015 at 6:00 a.m. until January 31, 2015 at 11:59 p.m.

RECOMMENDATION:

1. Therefore, the License and Health Committee recommends to the Common Council of the City of West Allis that the Food-Related Permit of Morgan Murphy Enterprises, LLC be suspended from January 25, 2015 at 6:00 a.m. until January 31, 2015 at 11:59 p.m.

Dated at this 8 day of JANUARY, 2015.

By: _____

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

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

RECEIVED

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CITY OF WEST ALLIS
CITY CLERK

In the Matter of the
Complaint Against

FINDINGS OF FACT, CONCLUSION OF
LAW, AND RECOMMENDATION

Morgan Murphy Enterprises, LLC

STATE OF WISCONSIN)
) ss.
COUNTY OF MILWAUKEE)

Upon deliberation and consideration of the complaint presented at the License and Health Committee meeting held on January 6, 2015, the Committee finds:

FINDINGS OF FACT:

1. That Morgan Murphy Enterprises, LLC, by agent Mary Jo Burback, was served a copy of the summons and complaint;
2. That Morgan Murphy Enterprises, LLC, by agent Mary Jo Burback, admitted to the allegations that were stated in the complaint, other than paragraph 8, and, thus, the allegations in the complaint, other than paragraph 8, are considered to be true;
3. That the conduct of Morgan Murphy Enterprises, LLC, by agent Mary Jo Burback, described in the complaint substantially relates to the food-related permit activity contrary to Sections 7.04(16)(a)2, 7.04(16)(a)3, and 7.04(16)(a)5 of the West Allis Revised Municipal Code;
4. That in particular, Morgan Murphy Enterprises, LLC's failure to properly dispose of its refuse and recycling, service of food beyond the scope of its food-related permit, and allowance of smoking and ashtrays in its premises is contrary to Sections 7.04(16)(a)2, (a)3, and (a)5 of the West Allis Revised Municipal Code;