

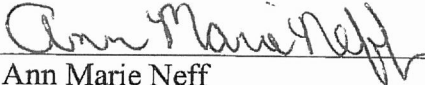


In the case of your failure to appear as required by this summons, the allegations in the complaint against you shall be taken as true and, if the License and Health Committee of the West Allis Common Council finds the allegations sufficient, a recommendation that your license(s) be suspended or revoked will be made to the full Common Council. The Common Council may then vote to suspend, revoke, or not renew 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 30<sup>th</sup> day of July, 2020.

WEST ALLIS COMMON COUNCIL

By:   
Ann Marie Neff  
Deputy City Clerk

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

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**In the Matter of the  
Complaint Against**

**COMPLAINT**

**Alibi Taverns LLC  
d/b/a The Alibi  
Patrick Kosidowski, licensing agent.**

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

Vince Vitale, Alderperson for the First District of West Allis and Chair of the West Allis License and Health Committee, being duly sworn, on oath deposes and states as a complaint against Alibi Taverns LLC, as follows:

1. That the complainant is a resident of the City of West Allis.
2. That this complaint is based upon information contained within official records maintained by the City of West Allis and the City of West Allis Police Department, (hereafter “WAPD”).
3. That Alibi Taverns LLC is the current holder of a 2020-2021 Combination Class B intoxicating liquor and fermented malt beverage license, under license number 20-1663, for the premises located at 6540 W. Grant Street in the City of West Allis, State of Wisconsin, and is valid starting on July 1, 2020, and expires on June 30, 2021.
4. That Alibi Taverns LLC had previously held a 2019-2020 Combination Class B intoxicating liquor and fermented malt beverage license under license number 19-1663

for the premises at 6540~~8~~ W. Grant Street in the City of West Allis, State of Wisconsin for the period of July 1, 2019 through June 30, 2020.

5. That official West Allis Police Department, hereafter “WAPD,” records indicate that on or about December 29, 2019 at approximately 12:03 A.M. West Allis Police Officers responded to the area of S. 65<sup>th</sup> Street and W. Beloit for the report of gunshot. Officers Matthew Jacobsen responded to the Alibi bar, located at 6540 W. Grant Street, due to its proximity to the potential shots fired complaint.
6. Officer Jacobsen reported that through his investigation, he had concluded that surveillance video from The Alibi may assist in discerning information on the shooting. Officer Jacobsen had primarily been in contact with the bartender, Melissa Bayer (“Bayer”), who ultimately after the initial investigation was determined to be withholding significant information related to the offense from the WAPD.
7. Officer Jacobson and Officer Vanden Boogard initially had made contact with the owners of The Alibi, identified as Patrick and Tammy Kosidowski, during their investigation in the early morning of December 29, 2019, in an attempt to obtain or view the surveillance footage but reported that the owners of The Alibi refused to come to the business to assist in the recovery of the video.
8. Officer Jacobsen returned to The Alibi later in the evening of December 29, 2019 and had a new bartender make contact with the owner, Patrick Kosidowski, over the phone. Officer Jacobsen obtained consent from Patrick Kosidowski to retrieve any necessary surveillance video and provided a password to the system. Upon review of that video surveillance from the bar hours after the original incident occurred, Officer Jacobson was able to determine that the original bartender, Bayer, had been lying

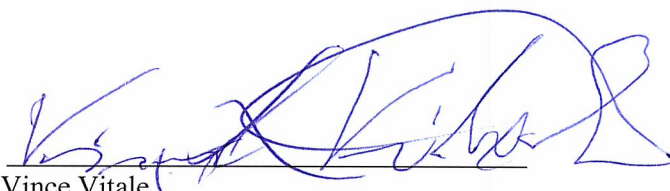
- about the offense in addition to significant facts that would have been helpful during the original investigation of the shooting had the video been made available.
9. Officer Bradley Tillman reported that on December 29 at approximately 2:00 p.m. he was dispatched to The Alibi because the owners were on scene and had found potential evidence of the shooting outside of their bar. Patrick Kosidowski also relayed that they have video of the incident but did not know how to transfer it to a flash drive and that he would need police assistance in that matter.
  10. Detective Lori Belli reported that she had further contact with Tammy and Patrick Kosidowski on January 2, 2020. Tammy Kosidowski relayed that when she initially had contact with Bayer during the early morning hours of the shooting, she was only informed that police needed the surveillance video and not that there had been a shooting, and that is why they didn't respond immediately.
  11. That based on this incident, the West Allis License and Health Committee ordered the appearance of Patrick Kosidowski at the March 11, 2020 License and Health Committee meeting. Patrick Kosidowski was sent a notice to appear by mail and an email went out to two email addresses associated with the ownership of the establishment on March 3, 2020. No appearance was made by Patrick Kosidowski at the March 11, 2020 meeting.
  12. That based on the above shooting incident on December 29, 2019, failure to cooperate with the police investigation during the early morning hours of December 29, 2019, and the failure to appear before the License and Health Committee, Alibi Taverns LLC by licensing agent Patrick Kosidowski has failed to cooperate with police investigations and the License and Health Committee in violation of West Allis

Revised Municipal Code §§ 9.02(12)(b), 9.02(12)(c), and 9.02(20)(a)iv., and the licensed premises has been operated in a manner that has had a substantial adverse effect upon the health, safety convenience or prosperity of the immediate neighborhood in violation of West Allis Revised Municipal Code Section 9.02(20)(a)vi. The allegations in this complaint further violate Wis. Stat. §§ 125.12(2)(ag)1 and 125.12(2)(ag)2.

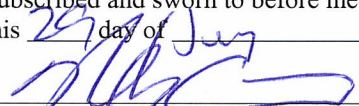
13. That the preceding violations are grounds for revocation or suspension of the Combination Class B intoxicating liquor and fermented malt beverage license, under license number 20-1663

**WHEREFORE**, Alderperson Vince Vitale requests Alibi Taverns LLC by licensing agent Patrick Kosidowski 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 license issued to Alibi Taverns LLC should be revoked or suspended.

Dated this 07 day of 29, 2020.

By:   
Vince Vitale  
Alderperson for the First District  
License and Health Committee Chair  
City of West Allis

Subscribed and sworn to before me  
this 29 day of July, 2020.

  
(Nicholas S. Cerwin  
Notary Public, State of Wisconsin  
My Commission expires: Permanent)

