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

In the Matter of the Complaint Against

COMPLAINT

MintoT LLC d/b/a TnT Sports Bar Tina Minto, licensing agent.

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 MintoT LLC, as follows:

- 1. That the complainant is a resident of the City of West Allis.
- 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 MintoT LLC is the current holder of a 2020-2021 Combination Class B intoxicating liquor and fermented malt beverage license, under license number 20-2478, for the premises located at 5906 W. Burnham in the City of West Allis, State of Wisconsin, for the license period running July 1, 2020, and expiring on June 30, 2021.
- 4. That according to the application that was submitted by MintoT LLC and approved for the 2020-2021 Combination Class B intoxicating liquor and fermented malt beverage license, the sole individual listed on the application is Tina Minto as the licensing

agent and owner for MintoT LLC. No other names are listed or associated with the entity holding the liquor license.

- 5. That the Wisconsin Department of Financial Institutions lists Tina Minto as the agent for MintoT LLC with a registered agent office at 5906 W. Burnham Street in West Allis. MintoT LLC is listed as "administratively dissolved" with the State of Wisconsin as of September 12, 2020.
- 6. That on August 10, 2020, at approximately 8:00 pm, Officer Niemuth conducted a licensed premises check at TNT Sports Bar and observed several hookahs, devices used for smoking, behind the bar at the establishment. It should be noted that no person may smoke in an indoor area as prohibited by West Allis Code § 7.032, and Wis. Stat. § 101.123(2)(a)7m.
- 7. That on July 26, 2020 WAPD officers responded to a large gathering in the area near 60th and Burnham. Officer Maxwell reported that it was around 4:00 PM when officers arrived and discovered extremely loud music, approximately 100 vehicles, approximately 300+ individuals, some food trucks, and a canopy. The people were congregating in the area by Dining Furniture Showcase and Burnham Bowl. There were multiple individuals openly consuming intoxicants and marijuana. Officer Maxwell observed cars revving their engines and squealing their tires.
- 8. That Officer Maxwell made contact with a person identifying himself as Tyrone Henry who claimed to have been the organizer of the event to raise money for charity and stated that he had permission from the property owners to run the event.
- 9. Officer Maxwell made contact with the owner of Dining Furniture Showcase who stated he did not give anyone consent to use his lot and that the activities had

detrimentally impacted his business and employees that day. The owner wanted to be clear that he did not call police to complaint and that people from the event were very nice, and that he "wrote the day off as a loss."

- 10. Officer Maxwell further had contact with the owner of Burnham Bowl, "Claudia", regarding the other parking lot that had been utilized for this event. Claudia stated that on July 24, a female named "Tina" who claimed to be the owner of "TNT Bar" asked for permission to use the Burnham Bowl parking lot for a charity event for "the rescue mission." Claudia stated that on July 26, she saw the size of the crowd that had gathered and stated that if she understood what was going to happen, she would not have given permission for the event to use her parking lot.
- 11. That Officer Maxwell went to TNT Sports Bar based on the report that the alcohol agent and owner of TNT Sports Bar had quested permission to have the event at the location. At the bar, Officer Maxwell made contact with LaMarcus Young who stated he was the co-owner of TNT Sports Bar. LaMarcus stated that he was aware of "Tina" but stated she had not worked at the bar since October of 2019. Officers asked why Tina Minto was still listed as the agent for the liquor license and LaMarcus responded that he did not have a reason other than the license had not been updated. LaMarcus denied having any involvement in planning the car show and stated that the bar was not associated with the event.
- 12. It should be noted that if Tina Minto had not been associated with the bar since October of 2019, that predated the current application which began on July 1, 2020, through June 30, 2021 which has her name and signature. The application shows that Tina Minto signed the application on May 26, 2020.

- 13. That on July 7, 2020 officer Vanden Boogard conducted a license premises check at TNT Sports Bar. Officer Vanden Boogard made contact with LaMarcus Young who was tending bar. Officer Vanden Boogard observed patrons smoking hookah at the bar counter.
- 14. That on July 1, 2020, Officer Vanden Boogard responded to TNT Sports Bar and made contact with LaMarcus Young. Officer Vanden Boogard observed the odor of marijuana inside the bar and that the hookahs were being used in the bar. Officer Vanden Boogard reported that LaMarcus Young was very cooperative and that no marijuana was found inside the bar.
- 15. That based on the incidents detailed above MintoT LLC, by agent Tina Minto, has violated Wis. Stat. §§ 125.12(2)(ag)2 and West Allis Code § 9.02(20)a.vi. for keeping a premises that is disorderly, riotous, indecent, or improper and that is operated in a manner which constitutes a public or private nuisance.
- 16. Further, the establishment has violated Wis. Stat. §§ 101.123(2)(a)7m and 125.04(5)(b) and West Allis Code §§ 7.032(4) and 9.02(20)a.x. for being a habitual law offender by violating local and state the indoor smoking bans and allowing smoking in the tavern
- 17. Further, that if Tina Minto is no longer associated with the establishment, it is in violation of Wis. Stat. § 125.04(1) by not operating with a valid license or permit as required and Wis. Stat § 125.04(3)(h) for failing to update or maintain records for the license to sell alcoholic beverages, and therefore is in violation of Wis. Stat. §§ 125.12(2)(ag)1, 125.12(2)(ag)(4) and West Allis Code § 9.02(20)a.ix. and if she was no longer associated with the business since October of 2019, then the application

contained materially false statements in violation of West Allis Code § 9.02(20)a.i. and Wis. Stat. §125.12(2)(ag)1.

18. That the preceding violations are grounds for revocation or suspension of the Combination Class B intoxicating liquor and fermented malt beverage license that has been issued to MintoT LLC by agent Tina Minto for the premises located at 906 W. Burnham in the City of West Allis, State of Wisconsin, under license number 20-2478.

WHEREFORE, Alderperson Vince Vitale requests MintoT LLC by licensing agent Tina Minto 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 MintoT LLC should be revoked or suspended.

Dated this _____ day of _____, 2020.

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By:

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

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

(Nicholas S. Cerwin Notary Public, State of Wisconsin My Commission expires: <u>Permanent</u>