

Common Council on Monday, August 30th, 2021 at 6:00 p.m., or as soon thereafter as this matter can be heard, in room 128 of the West Allis City Hall, located at 7525 W. Greenfield Avenue, 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 24 day of August, 2021.

WEST ALLIS COMMON COUNCIL
By: Rebecca N. Grill
Rebecca Grill
City Administrator and City Clerk

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

**In the Matter of the
Complaint Against**

COMPLAINT

**E. Bomback and L. Bald, Partners
D/B/A The Spot**

**Premises Location:
6424 W. Greenfield Ave
West Allis, WI 53214**

Agent: Edward Bomback

**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 under Wis. Stat. § 125.12(2)(ag) against E. Bomback and L. Bald, Partners and doing business as “The Spot” 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 E. Bomback and L. Bald, doing business as “The Spot,” have been issued a “Class B” intoxicating liquor license, a Class “B” fermented malt beverage license, an Adult-Oriented Establishment License, and a Public Entertainment Permit, all issued under license number 2021-132, a for the premises located at 6424-26 W. Greenfield Avenue, in the City of West

Allis, State of Wisconsin, for the license period running July 1, 2021, and expiring on June 30, 2022. The premises is known as "The Spot Lite."

4. That Edward Bomback is the agent appointed pursuant to Wis. Stat. § 125.04(6)(a) for license number 2021-132.
5. That E. Bomback and L. Bald, partners, d/b/a "The Spot" previously held Combination Class B intoxicating liquor and fermented malt beverage license, dance hall license, and tavern entertainment (special) license during the license period running from June 19, 2020 to June 30, 2021 for the same location and business.
6. That on January 12, 2021, the West Allis Police Department was dispatched to The Spot Lite for a disorderly conduct complaint. Officer Poklasny reported that there was a fight at the business between two dancers working as employees or contractors, J.W. and O.B., and an employee who was working as a bartender, A.B. The fight was regarding the bartender A.B. telling the dancers to leave the bar as J.W. and O.B. refused to leave after their shift. The dancers then attacked A.B. causing an injury to her arm. Edward Bomback stated that he had to drag one of the dancers out and during that time he was struck in the head as he escorted her out. One of the dancers picked up a pool cue and broke a light, knocked over chairs, and knocked over a dart machine. J.W. and O.B. were resistive with officers on scene and one of the dancers had 7 grams of marijuana on her person.
7. That on March 14, 2021, the West Allis Police Department was dispatched to The Spot Lite for a disorderly conduct call at about 11:20 pm. Officer Dufek reported that a male customer was at the bar threatening other customers and claiming to have a firearm. This subject was kicked out of the bar but remained on scene and began to kick the rear door and cause a disturbance. This subject was arrested by police and appeared to be highly intoxicated.

Bartender A.B. stated that the disorderly individual had come into the bar earlier and started to drink. She eventually refused to serve him causing the man to become upset and disorderly.

8. That on March 17, 2021, at approximately 1:30 am, the West Allis Police Department was dispatched to The Spot Lite for a report of an individual throwing a drink at a bartender. Officer Kay made contact with the bartender A.B., who stated that a patron was intoxicated and threw a drink all over her and stole a bottle of “Jose Cuervo.”
9. That on May 24, 2021, the West Allis Police Department was dispatched to The Spot Lite for a reported drug overdose. Officer Kyle Webster responded to the location at approximately 7:38 pm, and identified that bartender S.N. had been revived by emergency personnel using Naloxone (commonly known as “Narcan”), an emergency medication that rapidly reverses an opioid overdose. S.N. stated that she did not use opiates and believes she was drugged. She also reported that \$1,500.00 dollars was stolen from her purse when she was unconscious. Officers reviewed video camera and did not observe any theft or indications that someone tampered with S.N.’s drink. During this incident, a different employee or contractor at the location refused to cooperate with the police investigation or provide complete and truthful responses to police inquiries during the police investigation.
10. That on June 7, 2021, the West Allis Police Department was dispatched to The Spot Lite for a disorderly conduct complaint. Officer Santa Cruz Medina observed surveillance video that showed a verbal confrontation between an employee of the bar, N.M., and a customer. During that verbal confrontation, N.M. can be seen pushing the customer to the ground causing an injury to the customer.

11. That on July 22, 2021, the West Allis Police Department was dispatched to The Spot Lite for a report of several individuals fighting in the bar. When officers arrived on the scene, they were confronted with several upset and injured parties still on scene. Officer Wagner reported that he reviewed the surveillance camera with owner Lonnie Bald. Per Officer Wagner's report, the surveillance video depicts the following:

- 9:10 PM: Two female employee or contracted dancers Z.H. and S.W. can be seen running behind the bar where bartender S.N. was working. The parties appear to start physically fighting. Owner Edward Bomback can be seen trying to intervene and break up the fight.
- 9:11 PM: The parties continue to fight and struggle as the altercation moves toward the stage. The parties involved can be seen swinging their fists at each other. Owner Lonnie Bald can be seen also entering the video and trying to break up the fight.
- 9:12 PM: The fight continues and the bartender S.N. can be seen swinging a high-heeled shoe at one of the female dancers.
- 9:13 PM: Initially the physical portion of the fight appears to be over and parties begin to pick up their belongings. After about 30 seconds, dancer S.W. can be seen picking up a glass and striking Edward Bomback in the face causing him injuries that reportedly required stitches to close.
- 9:14 PM: Dancer S.W. attempts to leave the bar before being stopped by a male party and falling to the ground. Edward Bomback, another female party, and Lonnie Bald all force S.W. out of the bar. S.W. remains out of the bar for a period of time before returning in to grab a wig and a purse. Bartender S.N. tries to stop S.W. from taking the purse and the fight resumes with Bartender S.N. striking S.W. in the face

with her high-heeled shoes. Officers on scene noted that the dancers Z.H. and S.W. appeared to be intoxicated, belligerent, and resistive.

12. That pursuant to Wis. Stat. §125.12(2) any license issued under Wis. Stat. Ch. 125 is subject to suspension or revocation for any of the following:

- Keeping or maintaining a disorderly or riotous, indecent or improper house.
- Violating Wis. Stat. Ch. 125 or any municipal regulations adopted under Wis. Stat. § 125.10, including:
 - i. Selling, vending, dealing or trafficking in alcohol beverages to or with a person who is intoxicated in violation of Wis. Stat. 125.07(2)(a)2..
 - ii. Failure of an employee to cooperate with police investigations of disturbances, intoxicated persons, underage persons and other violations of City and state laws in violation of West Allis Municipal Code (“WAMC”) § 9.02(12)(b).

13. That pursuant to WAMC § 9.037(8) a Public Entertainment License is subject to suspension or revocation for violating WAMC § 9.037(7)(d) for permitting disorderly, riotous, or indecent conduct on the premises.

WHEREFORE, Alderperson Vince Vitale requests that the licensees named herein, E. Bomback and L. Bald, 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 licenses issued to E. Bomback and L Bald, Partners, should be revoked or suspended.

[Signature page to follow]

Dated this 24 day of August 2021.

By: Suzzette Grisham
Suzzette Grisham
Aldersperson for the Third District
License and Health Committee Vice-Chair
City of West Allis

Subscribed and sworn to before me

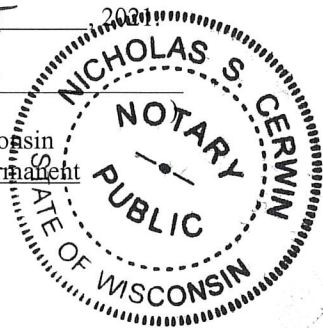
this 24 day of August 2021.

Nicholas S. Cerwin

(Nicholas S. Cerwin

Notary Public, State of Wisconsin

My Commission expires: Permanent





LICENSES

CLASS B TAVERN ADULT ORIENTED ESTABLISHMENT PUBLIC ENTERTAINMENT PERMIT

License #2021-132

Issued: June 24, 2021

Effective: July 1, 2021 ~ Expires: June 30, 2022

**E Bomback & L Ball Partners
d/b/a The Spot**

Edward Bomback, Agent
6426 W Greenfield Ave

Liquor Premise Description:

1st floor and basement

Cigarettes & devices sold over the counter

Public Entertainment Includes:

Juke box, DJ, pool table, amusement machines, patrons dancing, and dancing by performers

Rebecca N. Grill

Rebecca N. Grill, City Clerk

This license must be framed and posted in a conspicuous place in the area where the licensed or permitted activity occurs.

This license is subject to the laws of the State of Wisconsin, the Ordinances of the City of West Allis, and the enactment of a new law or ordinance. This license is subject to suspension or revocation for non-observance of the provisions of the Ordinances of the City of West Allis or of the Statutes of the State of Wisconsin. This license must be framed and posted in a conspicuous place in the room where fermented malt beverages and intoxicating liquors are sold or served.

Renewal Alcohol Beverage License Application
(Submit to municipal clerk.)

For the license period beginning: ending: 07/01/2021 ending 06/30/2022

To the governing body of the ☐ Town ☐ Village ☒ City of West Allis

County of Milwaukee

Aldermanic District No. 1
(if required by ordinance)

Check one: ☐ Individual ☐ Limited Liability Company
☒ Partnership ☐ Corporation/Nonprofit Organization

Complete A or B. All must complete C.

A. Individual or Partnership:

Full Name (Last) <u>BOMBACK</u>	(First) <u>EDWARD</u>	(Middle Name) <u>DUANE</u>	Home Address (Street, City or Post Office, & Zip Code) <u>16724 W. CRESCENT DR. NEW BERLIN WI 53151</u>
	Phone Number <u>262-505-6501</u>	Email Address <u></u>	
Full Name (Last) <u>BALD</u>	(First) <u>LONNIE</u>	(Middle Name) <u>DWIGHT</u>	Home Address (Street, City or Post Office, & Zip Code) <u>6424 W. GREENFIELD RD. WEST ALLIS WI 53114</u>
	Phone Number <u>414-257-0646</u>	Email Address <u>l1tc.874@hotmail.com</u>	
Full Name (Last)	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Date of Birth	Phone Number	Email Address	

B. LLC or Corporation (and Agent):

Full Legal Name of Corporation / Nonprofit Organization / Limited Liability Company	Address of Corporation / Limited Liability Company (if different from licensed premises)
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All corporations/organizations or limited liability companies applying for a license to sell fermented malt beverages and/or intoxicating liquor must appoint an agent.

Full Name (Last) <u>BOMBACK</u>	(First) <u>EDWARD</u>	(Middle Name) <u>DUANE</u>	Home Address (Street, City or Post Office, & Zip Code) <u>16724 W. CRESCENT DR. NEW BERLIN WI 53151</u>
	Phone Number <u>262-505-6501</u>	Email Address <u></u>	

All Officer(s) Director(s) of Corporation and Members / Managers of Limited Liability Company:

President / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Date of Birth	Phone Number	Email Address	
Vice President / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Date of Birth	Phone Number	Email Address	
Secretary / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Date of Birth	Phone Number	Email Address	
Treasurer / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Date of Birth	Phone Number	Email Address	
Directors / Managers Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Date of Birth	Phone Number	Email Address	
Directors / Managers Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Date of Birth	Phone Number	Email Address	

TO BE COMPLETED BY CLERK

Date received and filed with municipal clerk	Date reported to council / board	Date license granted
License number issued <u>323</u>	Date license issued	Signature of Clerk / Deputy Clerk

Applicant's Wisconsin Seller's Permit Number
1946774560000540188
FEIN Number
39-1167551
03

TYPE OF LICENSE REQUESTED	FEE
Class A beer	\$
☒ Class B beer	\$ <u>100</u>
Class C wine	\$
Class A liquor	\$
☒ Class A liquor (cider only)	\$ <u>N/A</u>
Class B liquor	\$ <u>500</u>
Reserve Class B liquor	\$
Class B (wine only) winery	\$
Publication fee	\$ <u>15</u> + <u>16</u>
TOTAL FEE	\$

A. Business Information

1. Trade Name THE SPOT Business Phone Number 414-257-0616
2. Address of Premises 6426 W. GREENFIELD Post Office & Zip Code WEST ALLIS, WI 53214
3. Does the applicant understand that they must purchase alcohol beverages only from Wisconsin wholesalers, breweries and brewpubs? Yes ☒ No ☐
4. Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include all rooms including living quarters, if used, for the sales, service, consumption, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.) 1st Floor &
Basement
Served / sold - Bar area. Receipts - in office.
Stored - basement office.
5. Legal description (omit if street address is given above): _____
6. a. Since filing of the last application, has the named licensee, any member of a partnership licensee, or any member, officer, director, manager or agent for either a limited liability company licensee, or nonprofit organization licensee been **convicted of any offenses** (excluding traffic offenses not related to alcohol) for violation of any federal laws, any Wisconsin laws, any laws of other states, or ordinances of any county or municipality? **If yes, complete page 3** _____ ☐ Yes ☒ No
- b. Are **charges for any offenses** presently **pending** (excluding traffic offenses not related to alcohol) against the named licensee or any other persons affiliated with this license? **If yes, explain fully on page 3.** _____ ☐ Yes ☒ No
7. Except for questions 6a and 6b, have there been any changes in the answers to the questions as submitted by you on your last application for this license? **If yes, explain** _____ ☐ Yes ☒ No
8. Was the profit or loss from the sale of alcohol beverages for the previous year reported on the Wisconsin Income or Franchise Tax return of the licensee? **If not, explain** _____ ☒ Yes ☐ No
9. Does the applicant understand they must hold a Wisconsin Seller's Permit? _____ ☒ Yes ☐ No
[phone (608) 266-2776]
10. Does the applicant understand that alcohol beverage invoices must be kept at the licensed premises for 2 years from the date of invoice and made available for inspection by law enforcement? _____ ☒ Yes ☐ No
11. Is the applicant indebted to any wholesaler beyond 15 days for beer or 30 days for liquor? _____ ☐ Yes ☒ No
12. Does the applicant owe municipal property taxes, assessments, or other fees? _____ ☐ Yes ☒ No
(Note: Renewal of licenses may be denied pursuant to a local ordinance, if the licensee owes municipal taxes, assessments or other fees).

READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the undersigned states that each of the above questions has been truthfully answered to the best of the knowledge of the signer. The signer agrees that he/she is the person named in the foregoing application; that the applicant has read and made a complete answer to each question, and that the answers in each instance are true and correct. The undersigned further understands that any license issued contrary to Chapter 125 of the Wisconsin Statutes shall be void, and under penalty of state law, the applicant may be prosecuted for submitting false statements and affidavits in connection with this application. Any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000.

Contact Person's Name (Last, First, M.I.) <u>Bombach, EDWARD, D.</u>	Title / Member <u>PARTNER</u>	Date
Signature <u>Edward D. Bombach</u>	Phone Number <u>262-505-6501</u>	Email Address



ALCOHOL BEVERAGE LICENSE RENEWAL

FORM
ALREN-APP
4/21

Applicant Information

Legal Entity Name (If Corporation or LLC)

THE SPOT

Business Address

6426 W. Greenfield Ave. West Allis WI 53214

Legal Capacity (Occupancy Load of Premises)

What is the legal capacity of your premises?

65

Has anything on your floor plan or plan of operation changed since your last application?

☒ No, skip to page last page.

☐ Yes, complete all questions on this page through the end of the packet.

Parking

List the number of parking spaces on the premises (do not include street parking.) If none, write 0.

16

All types of business that are planned or currently conducted on the premises (check all that apply)

- | | | | |
|---|--|---|--|
| ☐ Banquet Hall | ☐ Bowling Alley | ☐ Café/Coffee Shop | ☐ Deli/Fast Food Restaurant |
| ☒ Lounge | ☐ Gas Station | ☐ Liquor Store | ☐ Supermarket |
| ☐ Full Service Restaurant | ☐ Convenience Store | ☐ Private/Fraternal Veteran's Club | ☒ Tavern/Bar |
| ☒ Other <u>Gentlemen's Club</u> | | | ☒ Night Club |

Alcohol 99 % Food _____ % Entertainment _____ % Gas _____ % Cigarettes _____ %

Other 1 % - describe NON ALCOHOL & SNACKS

Security Plans

Describe the security provisions for parking and loading areas:

LIGHTS & CAMERAS

Number of Security Personnel (list by day if number varies)

ONE or TWO

Security Personnel Responsibilities and Equipment Used:

CHECK ID CARDS

Location of inside and outside security cameras

S, OUTSIDE, 11-INSIDE

Will searches or identification verification be conducted? ☐ No ☒ Yes, describe where:

ENTRANCE



ALCOHOL BEVERAGE RENEWAL CONTINUED

FORM
ALREN- APP
4/21

Litter and Noise (attach additional sheets if necessary)

List your solid waste contractor.

Waste Mgt.

List the location and number of interior and exterior trash receptacles.

Interior:

6

Exterior:

1

How will the exterior trash/littering be addressed?

Pick-up

How will noise issues be addressed?

~~DOORS~~ door man / bouncer or call PD

Hours of Operation

Sunday	Open: 8: PM	Close: 2: AM
Monday	Open: 3: PM	Close: 11
Tuesday	Open: 11	Close: 11
Wednesday	Open: 11	Close: 11
Thursday	Open: 11	Close: 11
Friday	Open: 11	Close: 2:30 AM
Saturday	Open: 8: PM	Close: 11

Floor Plan

A floor plan must be submitted with this application unless the floor plan is identical to the alcohol beverage application. The detailed floor plan must be filed on an 8 1/2 x 11 sheet of paper for each floor of the licensed premises and include:

- 1) Detailed description outlining the areas of the building where the public entertainment will be provided. (Stages, rooms, etc. must be labelled.)
- 2) Square feet and dimensions of the premises to be licensed.
- 3) Location of all entrances and exits, seating areas, bars, waiting line, security search areas, stages, rooms, food preparation areas, areas where public entertainment will be provided, etc.
- 4) North Point, Date, Premise Address, Applicant Name.



Entertainment

Do you wish to apply for a public entertainment license? ☐ No, skip to next page ☒ Yes, fill out the information below.

Legal Capacity (occupancy load) determines the fee for your public entertainment license. If you do not currently have a legal capacity (occupancy load) and are applying with the Fire Department to acquire one prior to the next license year. Submit an initial payment of \$75 and you can pay the difference (if required once you receive it.) It is important that you complete this requirement prior to July 1 so you are properly licensed and not subject to citations or closure.

Public Entertainment Premises Standard Fee	\$500
Reduced Fee for premises with legal capacity of 400-499	\$350
Reduced Fee for premises with legal capacity of 300-399	\$275
Reduced Fee for premises with legal capacity of 200-299	\$200
Reduced Fee for premises with legal capacity of 100-199	\$150
Reduced Fee for premises with legal capacity of 76-99	\$125
Reduced Fee for premises with legal capacity of 26-75	<u>\$100</u>
Reduced Fee for premises with legal capacity of 25 or fewer	\$75

Types of Entertainment (Choose all that apply)

- ☒ Juke Box ☒ Disc Jockey ☒ Billiard/Pool Tables - # 1 ☒ Amusement Machines - # 5
☐ Theater ☐ Movies ☐ Bands ☐ Karaoke ☒ Patrons Dancing ☐ Instrumental Music
☐ Bowling # of lanes _____ ☐ Concerts - # per year _____ ☐ Theatrical Performances - # per year _____
☒ Dancing by Performers (Adult Entertainment also requires an Adult Oriented Establishment License)
☐ Other, describe: _____

Please Note: All entertainment must be listed above and is subject to approval by the Common Council. Only entertainment approved and listed on license may be allowed in the premises. Permitting unauthorized entertainment will subject licensee to citations, and/or suspension, revocation, or non-renewal of the license.

If you wish to add entertainment to your license during the license year, you will need to file a change of entertainment application. If you wish to temporary add a type of entertainment, apply for a temporary public entertainment permit.



ALCOHOL BEVERAGE RENEWAL CONTINUED

FORM
ALREN-APP
4/21

Signature and Acknowledgement

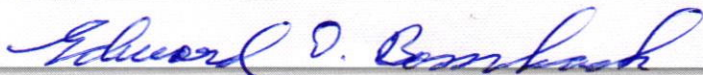
You must initial each of the following items confirming your understanding:

- ☒ I understand that after the license has been issued, a change to the plan of operation or floor plan will require approval from the Common Council and I agree to inform the City Clerk within 10 days of any substantial changes in the information supplied in this application.
- ☒ I agree to comply with the approved conditions, plan of operation details, and floor plan.
- ☒ I understand that if this license is not used for a period of 30 days or more, it is subject to revocation.
- ☒ Each licensed premises shall at all times be conducted in an orderly manner, and no disorderly, riotous or indecent conduct shall be allowed at any time on any licensed premises.
- ☒ I understand that the issuance of the license thereby consents to the entry of police or other duly authorized representatives of the City at all reasonable hours for the purpose of inspection and search, and consents to the removal from said premises of all things and articles there had in violation of City ordinances or State laws.
- ☒ I understand that I may not sell, dispense or serve alcohol beverages by means of a drive-through facility. In this section, "drive-through facility" means any vehicle related commercial facility in which a service is provided or goods, food or beverages are sold, served or dispensed to an operator or passengers of a vehicle without the necessity of the operator or passengers disembarking from the vehicle.
- ☒ I understand that the license holder, and/or the employees and agents of the license holder, shall cooperate with police investigations of disturbances, intoxicated persons, underage persons and other violations of City and state laws. "Cooperate," as used in this subsection, shall mean calling the police when a disturbance of the peace or other violation occurs on the licensed premises and providing complete and truthful responses to police inquiries. A license holder shall also appear before the License and Health Committee when requested.
- ☒ I have knowledge of Wisconsin Statutes and City Ordinances currently regulating these licenses, and understand that the license may be subject to suspension, non-renewal or revocation, if I violate any rule, law or regulation of the City of West Allis and/or State of Wisconsin.
- ☒ I understand that the information submitted to the City by any applicant or licensee pertaining to an alcohol beverage license shall be true. Any person who submits in writing any untrue statement to the City in connection with any such license or application shall forfeit not more than five hundred dollars (\$500) together with the costs of prosecution, and in default shall be imprisoned in the Milwaukee County House of Correction for the maximum number of days set forth in Section 800.095(1)(b) of the Wisconsin Statutes. In addition, any license granted shall be subject to revocation and no alcohol beverage license of any kind whatsoever shall thereafter be granted to such person for a period of one year from the date of such revocation.

Class B License Applicants - List of Employees and Performers

- ☒ I understand that I am required to maintain a current list of all persons employed to work in the premises. The list shall also include those persons employed to work after closing hours for the purposes of cleaning the premises. If public entertainment premises license has also been issued for my premises, I must maintain a current list of all performers who perform in the licensed premises. The lists must contain the name or names (legal, trade and alias), current address and date of birth of each employee or performer and shall be provided

To the best of my knowledge and belief, all statements and answers in this application are complete and true. I understand that if I provide false or fraudulent information on this application, the application will be denied.



Signature (Individual, Partner, Agent or Officer)

5-19-21

Date

Office Use Only:

License Number:	Received:	Entered:	Police:	BINS:
Health:	Fire:	Planning:	L&H:	CC:

Schedule for Appointment of Agent by Corporation / Nonprofit Organization or Limited Liability Company

Submit to municipal clerk.

All corporations/organizations or limited liability companies applying for a license to sell fermented malt beverages and/or intoxicating liquor must appoint an agent. The following questions must be answered by the agent. The appointment must be signed by an officer of the corporation/organization or one member/manager of a limited liability company and the recommendation made by the proper local official.

To the governing body of: ☐ Town ☐ Village ☒ City of West Allis County of Milwaukee

The undersigned duly authorized officer/member/manager of _____
(Registered Name of Corporation / Organization or Limited Liability Company)

a corporation/organization or limited liability company making application for an alcohol beverage license for a premises known as _____
(Trade Name)

located at _____

appoints _____
(Name of Appointed Agent)

(Home Address of Appointed Agent)

to act for the corporation/organization/limited liability company with full authority and control of the premises and of all business relative to alcohol beverages conducted therein. Is applicant agent presently acting in that capacity or requesting approval for any corporation/organization/limited liability company having or applying for a beer and/or liquor license for any other location in Wisconsin?

☒ Yes ☐ No If so, indicate the corporate name(s)/limited liability company(ies) and municipality(ies).

Is applicant agent subject to completion of the responsible beverage server training course? ☐ Yes ☒ No

How long immediately prior to making this application has the applicant agent resided continuously in Wisconsin? 28 yrs

Place of residence last year 16724 W. Crescent Dr. New Berlin Wis.

For: The Spot
(Name of Corporation / Organization / Limited Liability Company)

By: Edward D. Bombach
(Signature of Officer / Member / Manager)

Any person who knowingly provides materially false information in an application for a license may be required to forfeit not more than \$1,000.

ACCEPTANCE BY AGENT

I, EDWARD D. BOMBACH, hereby accept this appointment as agent for the
(Print / Type Agent's Name)

corporation/organization/limited liability company and assume full responsibility for the conduct of all business relative to alcohol beverages conducted on the premises for the corporation/organization/limited liability company.

Edward D. Bombach 8-19-21
(Signature of Agent) (Date)

Agent's age

16724 W. Crescent Dr. New Berlin Wis 53151
(Home Address of Agent)

Date of birth

APPROVAL OF AGENT BY MUNICIPAL AUTHORITY (Clerk cannot sign on behalf of Municipal Official)

I hereby certify that I have checked municipal and state criminal records. To the best of my knowledge, with the available information, the character, record and reputation are satisfactory and I have no objection to the agent appointed.

Approved on _____ by _____ Title _____
(Date) (Signature of Proper Local Official) (Town Chair, Village President, Police Chief)

Auxiliary Questionnaire Alcohol Beverage License Application

Submit to municipal clerk.

Individual's Full Name (please print) (last name)		(first name)		(middle name)	
ROMBACK		EDWARD		DUANE	
Home Address (street/route)		Post Office	City	State	Zip Code
16724 W. CRESCENT DR.		NEW BERLIN		WIS	53151
Home Phone Number		[REDACTED]		Place of Birth	
262-505-6501				GREENWOOD WIS.	

The above named individual provides the following information as a person who is (check one):

- ☐ Applying for an alcohol beverage license as an **individual**.
- ☒ A member of a **partnership** which is making application for an alcohol beverage license.
- ☐ _____ of _____
(Officer / Director / Member / Manager / Agent) (Name of Corporation, Limited Liability Company or Nonprofit Organization)

which is making application for an alcohol beverage license.

The above named individual provides the following information to the licensing authority:

- How long have you continuously resided in Wisconsin prior to this date? [REDACTED] 1
- Have you ever been convicted of any offenses (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of any other states or ordinances of any county or municipality? ☐ Yes ☒ No
If yes, give law or ordinance violated, trial court, trial date and penalty imposed, and/or date, description and status of charges pending. (If more room is needed, continue on reverse side of this form.)
- Are charges for any offenses presently pending against you (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of other states or ordinances of any county or municipality? ☐ Yes ☒ No
If yes, describe status of charges pending.
- Do you hold, are you making application for or are you an officer, director or agent of a corporation/nonprofit organization or member/manager/agent of a limited liability company holding or applying for any other alcohol beverage license or permit? ☐ Yes ☒ No
If yes, identify. _____
(Name, Location and Type of License/Permit)
- Do you hold and/or are you an officer, director, stockholder, agent or employee of any person or corporation or member/manager/agent of a limited liability company holding or applying for a wholesale beer permit, brewery/winery permit or wholesale liquor, manufacturer or rectifier permit in the State of Wisconsin? ☐ Yes ☒ No
If yes, identify. _____
(Name of Wholesale Licensee or Permittee) (Address By City and County)

6. Named individual must list in chronological order last two employers.

Employer's Name	Employer's Address	Employed From	To
SELF	6426 W. GREENFIELD	1972	Present
Employer's Name	Employer's Address	Employed From	To
SELF	"	"	"

READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the undersigned states that each of the above questions has been truthfully answered to the best of the knowledge of the signer. The signer agrees that he/she is the person named in the foregoing application; that the applicant has read and made a complete answer to each question, and that the answers in each instance are true and correct. The undersigned further understands that any license issued contrary to Chapter 125 of the Wisconsin Statutes shall be void, and under penalty of state law, the applicant may be prosecuted for submitting false statements and affidavits in connection with this application. Any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000.


(Signature of Named Individual)



INFORMATION SHEET

PUBLIC ENTERTAINMENT PREMISES LICENSE

FORM
PEP-INFO

4/21

WHO NEEDS A LICENSE?

No person may provide public entertainment in the City of West Allis without a public entertainment permit or license.

Public entertainment" means any activity or equipment made available with or without fee to the general public for amusement including, but not limited to: bowling centers, dance halls, roadhouses, billiard and pool tables, amusement devices, theater, live or pre-recorded music, movies, and other places of amusement. This definition applies to any entertainment provided commercially for gain by membership, season ticket, invitation, or other system open or offered to the public generally.

Please note: The public entertainment premises license encompasses all of the entertainment permitted under the following licenses - instrumental music, bowling alley, amusement machine or phonograph premises, tavern amusement, tavern entertainment - other, dance hall, pool table, arcades, etc.

Licensees who previously were issued a tavern amusement - special license, must also apply for an adult oriented establishment license in addition to the public entertainment premises license.

WHO DOES NOT NEED A LICENSE?

No license is required under this section for any of the following activities:

- Public entertainment provided by a charitable, nonprofit, or educational institution, religious organization, or governmental entity upon land owned and exclusively occupied by that entity.
- Public entertainment provided by an organization formed for the purpose of ballet performance and instruction and which has received tax exempt status from the United States Internal Revenue Service.
- Billiard tables provided on the premises of bona fide clubs or social organizations not operating for private profit which provide other membership privileges and activities, even though there is a charge for playing billiards.
- Dancing instruction for compensation without any performance for the general public.
- Television or music intended to entertain only employees and not customers.
- Public entertainment provided on the grounds of and during a special event permitted under WAMC 6.032.

FEES

Legal Capacity (occupancy load) determines the fee for your annual public entertainment license. If you do not currently have a designated capacity and posted sign, please contact the Fire Department at 414-302-8900. You may click [here](#) for a copy of the occupancy load application. Premises without a current legal capacity (occupancy load), will be charged the \$500 standard fee for the Public Entertainment Premise License. Reduced fees are available depending upon your legally assigned capacity. Fees are as follows:

Public Entertainment Premises Standard Fee	\$500
Reduced Fee for premises with legal capacity of 400-499	\$350
Reduced Fee for premises with legal capacity of 300-399	\$275
Reduced Fee for premises with legal capacity of 200-299	\$200
Reduced Fee for premises with legal capacity of 100-199	\$150
Reduced Fee for premises with legal capacity of 76-99	\$125
Reduced Fee for premises with legal capacity of 26-75	\$100
Reduced Fee for premises with legal capacity of 25 or fewer	\$75

Current Licensees - If you do not currently have a legal capacity (occupancy load) and are applying with the Fire Department to acquire one prior to the next license year. Submit an initial payment of \$75 and you can pay the difference (if required once you receive it.) It is important that you complete this requirement prior to July 1 so you are properly licensed and not subject to citations or closure.



INFORMATION SHEET

PUBLIC ENTERTAINMENT PREMISES LICENSE CONTINUED

FORM
PEP-INFO

4/21

APPLICATION AND APPROVAL PROCESS

Once your completed application (including a plan of operation and a floor plan) and fee are submitted to the City Clerk, your application will be sent to the Fire, Health, Building Inspection and Neighborhood Services, Planning, and Police Departments for review.

After the departments provide reports regarding the application, it will be considered by the Common Council for approval or denial. (A hearing before the License and Health Committee may be required. If a hearing is scheduled you will receive an email notice regarding when and where to appear.)

DISQUALIFICATIONS

You may be denied a license if, any of the following applies to anyone on the application:

Has an arrest or conviction record, subject to Wis. Stat. 111.335(4).

Has made false statements on the application or to the common council or a committee thereof.

Has violated the license regulations in this section.

Has been denied a license or had a license revoked in the 12 months before the application date.

The activities on the premises will cause or have caused a nuisance.

REGULATIONS

Regulations. Public Entertainment Premises are subject to the following regulations:

- A copy of the license must be posted prominently on the premises.
- Any changes on the application must be reported to the City Clerk within 10 days.
- Permit the entry of police officers, health officers, building inspectors, or zoning inspectors.
- No person may permit disorderly, riotous, or indecent conduct at any time on any premises.
- No premises may remain open between the hours of 11:00 p.m. and 9:00 a.m. of any day, unless the common council expands the open hours for the premises. No premises may remain open outside of the hours set forth by the common council.
- The premises may not violate a health, zoning, or building code provision.
- No person under the age of 18 may be permitted on a premises where amusement devices are offered to the public before the hour of 3:00 P.M. on any day that the West Allis - West Milwaukee public schools are in session, unless accompanied by their legal parent or guardian.
- Any amusement device on a premises shall be arranged so that persons using the amusement device will not obstruct a path at least 3 feet wide on the side of the user opposite of the amusement device.
- No licensee may transfer a license to another person.
- No person may violate any conditions imposed upon a license.

TEMPORARY PUBLIC ENTERTAINMENT PERMIT

Anyone who wishes to provide public entertainment on a temporary basis may apply for a temporary entertainment permit.

The fee for a temporary public entertainment permit is \$50.00.

The application must be filed at least 30 days prior to the event to allow time for processing and consideration by the Common Council.

(Public Entertainment Licensees who wish to have entertainment that is not permitted by their public entertainment premises license may apply for a temporary public entertainment permit.)



PUBLIC ENTERTAINMENT LICENSE APPLICATION

FORM
PEP-APP
4/21

Instructions

Complete and return application to the City Clerk with the appropriate license fee listed below.

Applicant

Legal Entity Name (If Corporation or LLC)

THE SPOT

Business Name (DBA)

THE SPOT

Business Address

6426 W. Greenfield one West Allis WI 53214

Agent, Individual or Partner Name

EDWARD BOMBACK

Phone Number

257-0616

Email Address

—

Legal Capacity (Occupancy Load of Premises)

What is the legal capacity of your premises?

65

Legal Capacity (occupancy load) determines the fee for your public entertainment license. If you do not currently have a designated capacity and posted sign, please contact the Fire Department at 414-302-8900. You may click [here](#) for a copy of the occupancy load application. Premises without a current legal capacity (occupancy load), will be charged the \$500 standard fee for the Public Entertainment Premise License. Reduced fees are available depending upon your legally assigned capacity. Fees are as follows:

Public Entertainment Premises Standard Fee	\$500
Reduced Fee for premises with legal capacity of 400-499	\$350
Reduced Fee for premises with legal capacity of 300-399	\$275
Reduced Fee for premises with legal capacity of 200-299	\$200
Reduced Fee for premises with legal capacity of 100-199	\$150
Reduced Fee for premises with legal capacity of 76-99	\$125
Reduced Fee for premises with legal capacity of 26-75	\$100
Reduced Fee for premises with legal capacity of 25 or fewer	\$75
Temporary Public Entertainment Premises Permit	\$50

If you do not currently have a legal capacity (occupancy load) and are applying with the Fire Department to acquire one prior to the next license year. Submit an initial payment of \$75 and you can pay the difference (if required once you receive it.) It is important that you complete this requirement prior to July 1 so you are properly licensed and not subject to citations or closure.



PUBLIC ENTERTAINMENT PREMISES APPLICATION PAGE 2

FORM
PEP-APP
4/21

Types of Entertainment (Choose all that apply)

- ☒ Juke Box ☐ Disc Jockey ☒ Billiard/Pool Tables - # 1 ☒ Amusement Machines - # 5
☐ Theater ☐ Movies ☐ Bands ☐ Karaoke ☒ Patrons Dancing ☐ Instrumental Music
☐ Bowling # of lanes _____ ☐ Concerts - # per year _____ ☐ Theatrical Performances - # per year _____
☒ Dancing by Performers (Adult Entertainment also requires an Adult Oriented Establishment License)
☐ Other, describe: _____

Please Note: All entertainment must be listed above and is subject to approval by the Common Council. Only entertainment approved and listed on license may be allowed in the premises. Permitting unauthorized entertainment will subject licensee to citations, and/or suspension, revocation, or non-renewal of the license.

If you wish to add entertainment to your license during the license year, you will need to file a change of entertainment application. If you wish to temporary add a type of entertainment, apply for a temporary public entertainment permit.

All types of business that are planned or currently conducted on the premises (check all that apply)

- ☒ Banquet Hall ☐ Bowling Alley ☐ Café/Coffee Shop ☒ Deli/Fast Food Restaurant
☒ Lounge ☐ Gas Station ☐ Liquor Store ☐ Supermarket ☒ Tavern/Bar ☒ Night Club
☐ Full Service Restaurant ☐ Convenience Store ☐ Private/Fraternal Veteran's Club
☒ Other dancing
☐ Same as alcohol beverage plan of operation

Percentage of sales related to the types of business listed above (must equal 100%)

Security Plans

- ☐ Same as alcohol beverage plan of operation

Describe the security provisions for parking and loading areas:

cameras & lights

Number of Security Personnel (list by day if number varies)

one

Security Personnel Responsibilities and Equipment Used:

Location of inside and outside security cameras

5 outside 12 inside



PUBLIC ENTERTAINMENT PREMISES APPLICATION CONTINUED PAGE 3

FORM
PEP-APP
4/21

Hours of Operation for Entertainment (Default hours are 9:00 am 11:00 pm unless otherwise approved)

Sunday	Open/Entertainment Start Time: 8:PM	Close/Entertainment End Time: 2:AM 1:45 AM
Monday	Open/Entertainment Start Time: 3:PM	Close/Entertainment End Time: " "
Tuesday	Open/Entertainment Start Time: 3:PM	Close/Entertainment End Time: " "
Wednesday	Open/Entertainment Start Time: 3:PM	Close/Entertainment End Time: " "
Thursday	Open/Entertainment Start Time: 3:PM	Close/Entertainment End Time: " "
Friday	Open/Entertainment Start Time: 3:PM	Close/Entertainment End Time: 2:30AM 2:15 AM
Saturday	Open/Entertainment Start Time: 8:PM	Close/Entertainment End Time: 2:30AM 2:15AM

Floor Plan

A floor plan must be submitted with this application unless the floor plan is identical to the alcohol beverage application.

The detailed floor plan must be filed on an 8 1/2 x 11 sheet of paper for each floor of the licensed premises. It must include: 1) Detailed description outlining the areas of the building where the public entertainment will be provided. (Stages, rooms, etc. must be labelled.) 2) Square feet and dimensions of the premises to be licensed. 3) Location of all entrances and exits, seating areas, bars, waiting line, security search areas, stages, rooms, food preparation areas, areas where public entertainment will be provided, etc.) 4) North Point, Date, Address and name of applicant.

☒ Same as alcohol beverage plan of operation

Signature and Acknowledgement

You must initial each of the following items confirming your understanding:

EB

I understand that after the license has been issued, a change to the plan of operation or floor plan will require approval from the Common Council and I agree to inform the City Clerk within 10 days of any substantial changes in the information supplied in this application.

EB

I agree to comply with the plan of operation details and floor plan provided as part of this application.

EB

I have knowledge of the City Ordinances currently regulating public entertainment, and understand that the license may be subject to suspension, non-renewal or revocation, if I violate any rule, law or regulation of the City of West Allis and State of Wisconsin.

To the best of my knowledge and belief, all statements and answers in this application are complete and true. I understand that if I provide false or fraudulent information on this application, the application will be denied.

Edward Bombardieri

Office Use Only:

License Number:	Received:	Entered:	Police:	BINS:
Health:	Fire:	Planning:	L&H:	CC:



WISCONSIN DEPARTMENT OF REVENUE
PO BOX 8902
MADISON, WI 53708-8902

Contact Information:

2135 RIMROCK RD PO BOX 8902
MADISON, WI 53708-8902
ph: 608-266-2776 fax: 608-264-6884
email: DORBusinessTax@wisconsin.gov
website: revenue.wi.gov

BOMBACK & BALD
6426 W GREENFIELD AVE
WEST ALLIS WI 53214-4938

Letter ID L0382590352



Wisconsin Business Tax Registration Certificate

Expiration date: April 30, 2022
Legal/real name: BOMBACK & BALD

- This certificate confirms that you are registered with the Wisconsin Department of Revenue for the tax types shown below.
- This registration certificate is not a seller's permit, and should not be used as proof that you hold a seller's permit.
- You may not transfer this certificate to any other individual or business.

Tax Type	Account Type	Number
Sales & Use Tax	Sales & Use Tax	456-0000540188-03
Local Exposition Tax	Local Exposition Tax	014-0000540188-02
Withholding Tax	Withholding Tax	036-0000540188-04

CITY OF WEST ALLIS

R E P R I N T

*** CUSTOMER RECEIPT ***

Oper: WALSJMS2 Type: OC Drawer: 1
Date: 5/24/21 01 Receipt no: 30910

Description	Quantity	Amount
CD	CLK "CLASS B" TAVERN LCNS	
	1.00	\$600.00

Trans number: 2426205

G/L account number:

10000004210104

THE SPOT

DM	CLK PUBLICATION FEES	
	1.00	\$15.00

Trans number: 2426206

G/L account number:

10000004210229

THE SPOT

C4	RECORD CHECK FEE	
	2.00	\$32.00

Trans number: 2426207

G/L account number:

10000004410800

CE	CLK PREM ENTRTNMT LICNS	
	1.00	\$100.00

Trans number: 2426208

G/L account number:

10000004210207

THE SPOT

CV	CLK ADULT-OR ESTABLISHMT	
	1.00	\$575.00

Trans number: 2426209

G/L account number:

10000004210212

THE SPOT

Tender detail

CK CHECK PAYMEN	21636	\$1322.00
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Total tendered \$1322.00

Total payment \$1322.00

Trans date: 5/24/21 Time: 12:23:43

*** THANK YOU FOR YOUR PAYMENT ***