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Office of the City Clerk

Ronald D. Leonhardt
City Clerk

Jim Owczarski
Deputy City Clerk

March 31, 2010

Mandeep Dhawan, Agent
Youvraj Group, LLP
10325 W. Plum Tree Circle
Hales Corners, WI 53130

Atty. Michael Maistelman
Maistelman & Associates, LLC
5027 W. North Ave.
Milwaukee, WI 53208-1132

Dear Mr. Dhawan and Atty. Maistelman:

You are hereby notified that the Milwaukee Common Council will hold a hearing on April 13, 2010, commencing at 9:00 a.m., or as soon thereafter as this matter may be heard, in the Common Council chambers on the third floor of City Hall, 200 East Wells Street, Milwaukee, Wisconsin to consider the renewal of the Extended Hours Establishment license for the premises at 714 N. 27th St. ("Youvraj Group").

Attached you will find a copy of the Report of the Licenses Committee, which includes its Findings of Fact, Conclusions of Law and Recommendation, recommending renewal of the license with a 20-day suspension suspension based on the police report and neighborhood testimony. The recommendation is the result of a public hearing before the Committee held on March 29, 2010.

You may file written objections to the report of the Licenses Committee. Your written objections must be filed with the City Clerk by 4:45 p.m. on April 8, 2010 in Room 205 of City Hall. If you file written objections, you or a legal representative may then also appear at the Common Council to make oral arguments supporting your written objections. You will be given approximately five minutes to present your oral argument.

Respectfully,

RONALD D. LEONHARDT
City Clerk

Enclosure



JAMES A. BOHL JR.
Alderman, 5th District

Date: April 1, 2010

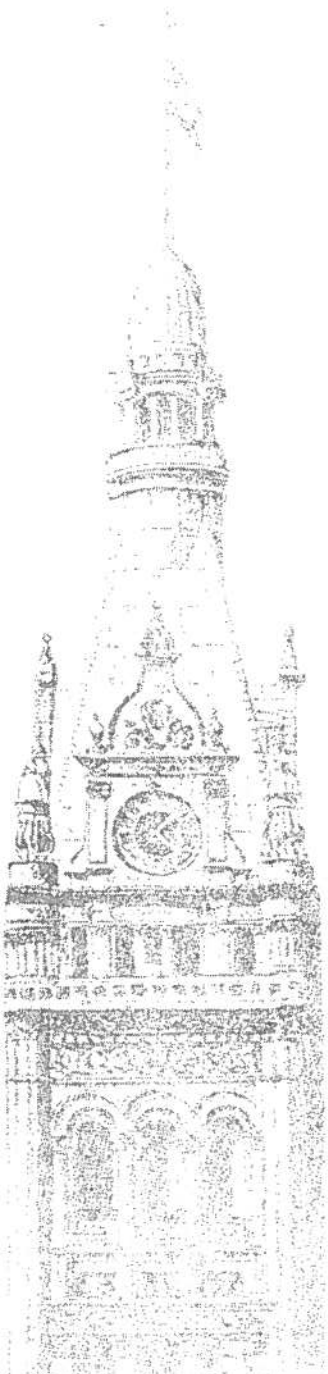
To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report on the Extended Hours Establishment renewal application of Mandeep Dhawan, Agent for Youvraj Group, LLC, for the premises located at 714 North 27th Street in the City and County of Milwaukee, Wisconsin ("Youvraj Group").

FINDINGS OF FACT

1. Mandeep Dhawan holds an Extended Hours Establishment license for the premises located at 714 North 27th Street in the City and County of Milwaukee, Wisconsin ("Youvraj Group"). Said license expires at midnight, April 30, 2010.
2. An application to renew said license was filed with the Office of the City Clerk on February 25, 2010.
3. Pursuant to Section 84-7 of the Milwaukee Code of Ordinances, the matter was referred to the Milwaukee Police Department for investigation and the police department responded with a police report dated February 26, 2010. There were claimed "Neighborhood objections to the renewal of this license will lead to further loitering, littering, loud music, parking and traffic problems, drug and criminal activity, prostitution, trespassing, vandalism, public urination, disturbing the peace, operation of the premises in such a manner that it creates a public nuisance, and conduct which is detrimental to the health, safety, and welfare of the neighborhood."
4. On March 18, 2010, the City Clerk's Office provided timely notice to the Licensee, pursuant to Section 84-7 of the neighborhood objections. The matter was scheduled for a hearing on the neighborhood objections on March 30, 2010 at 10:00 a.m. in Room 301B of the third floor of City Hall. At said date, time and place,



the licensee did appear and was represented by Attorney Michael Maistelman, Maistelman & Associates, LLC, 5027 West North Avenue, Milwaukee, WI 53208-1132.

5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
 - A. On July 13, 2008, the licensee was cited in the City of Milwaukee for displaying material harmful to minors. He was found guilty on this citation on October 8, 2009 and fined \$293.09. This item was previously reported, but the disposition has been added.
 - B. On June 16, 2009, at 8:33 p.m. officers of the Milwaukee Police Department investigated a complaint of gambling behind the gas station at 714 North 27th Street. Officers found several subjects to be gambling and one subject was issued a citation for gambling. Officers spoke to the clerk regarding this matter.
 - C. On June 27, 2009 at 1:58 a.m., officers of the Milwaukee Police Department were dispatched to 27th and Wisconsin for a shots fired/fight complaint. As police arrived they observed a large fight at the gas station located at 714 North 27th Street. Subjects fled the area once they observed the police. The shots fired complaint was found baseless and it was learned that a citizen was the caller regarding the fight, not the clerk at the station. Police identified the clerk who stated that he did hear fireworks and observed the fight but he would not provide an answer to officers as to why he did not call for police.
 - D. On June 30, 2009 at 4:31 p.m., officers of the Milwaukee Police Department were dispatched to 714 North 27th Street for a drug dealing complaint. Police were provided information that a man on a bike was on the lot of that location making hand-to-hand drug transactions with another male who was inside the store. Police arrived and did not observe anyone matching the description on the lot. Police entered the store and their investigation revealed 13 .22 caliber unfired cartridges under the front of the microwave near the front of entrance of the store. Police also found a cigar wrapper rolled up that contained suspected marijuana on the floor next to the microwave. The suspected marijuana tested positive for THC and was

placed on inventory. When police asked the clerk to provide video surveillance, he stated he did not know how to operate the system. Contact was made via telephone to the licensee, Mandeep Dhawan, who was advised of the incident.

- E. The licensee has made some improvements in terms of security cameras and lighting. However, the Committee was shown video of loitering. Testimony indicated that panhandling and drug dealing continues to happen on the station property.

CONCLUSIONS OF LAW

1. The Committee has jurisdiction to hold hearings and provided Findings of Fact and Conclusions of Law and a Recommendation to the full Common Council pursuant to Section 84-7 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concludes that the licensee, Mandeep Dhawan, who holds an Extended Hours Establishment license for the premises at 714 North 27th Street in the City and County of Milwaukee, Wisconsin (“Youvraj Group”), has not met the criteria of Section 84-7 of the Milwaukee Code of Ordinances to allow renewal of the Extended Hours Establishment license without undergoing a twenty (20) day suspension of said license for this premises because of the police report and neighborhood testimony. The Licenses Committee finds the police report and neighborhood objections, as stated above, to be true.
3. In order to protect the health, safety and welfare of the citizens of the City of Milwaukee, it is the recommendation of the Licenses Committee that the full Common Council should exercise its discretion to renew the Extended Hours Establishment license held by Mandeep Dhawan for the premises at 714 North 27th Street in the City and County of Milwaukee, Wisconsin (“Youvraj Group”) with a twenty (20) day suspension based on the police report and neighborhood objections.

RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of three (3) ayes and two (2) noes, recommends that the Extended Hours Establishment license held by Mandeep Dhawan for the premises at 714 North 27th Street in

the City and County of Milwaukee, Wisconsin ("Youvraj Group") be renewed with a twenty (20) day suspension based upon a police report and neighborhood objections.

Said suspension is to be in effect between 12:01 a.m., May 1, 2010, through midnight, May 20, 2010.

Dated and signed at Milwaukee, Wisconsin this 1st day of April, 2010.

A handwritten signature in black ink that reads "James A. BOHL, Jr." with a stylized flourish at the end.

JAMES A. BOHL, Jr.
Chair, Licenses Committee



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Office of the City Clerk

Ronald D. Leonhardt
City Clerk

Jim Owczarski
Deputy City Clerk

March 31, 2010

Amarjit S. Sandhar, Agent
Sandhar Corporation
1220 W. Manor Lane
River Hills, WI 53217

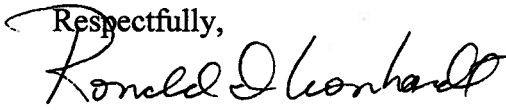
Atty. John J. Germanotta
Ziino, Germanotta, Knoll & Christensen
1700 N. Farwell Ave
Milwaukee, WI 53202-1806

Dear Mr. Sandhar and Atty. Germanotta:

You are hereby notified that the Milwaukee Common Council will hold a hearing on April 13, 2010, commencing at 9:00 a.m., or as soon thereafter as this matter may be heard, in the Common Council chambers on the third floor of City Hall, 200 East Wells Street, Milwaukee, Wisconsin to consider the renewal of the Extended Hours Establishment license for the premises at 2173 N. 35th St. ("Marathon #5").

Attached you will find a copy of the Report of the Licenses Committee, which includes its Findings of Fact, Conclusions of Law and Recommendation, recommending non-renewal of the license based on the police report and neighborhood objections. The recommendation is the result of a public hearing before the Committee held on March 29, 2010.

You may file written objections to the report of the Licenses Committee. Your written objections must be filed with the City Clerk by 4:45 p.m. on April 8, 2010 in Room 205 of City Hall. If you file written objections, you or a legal representative may then also appear at the Common Council to make oral arguments supporting your written objections. You will be given approximately five minutes to present your oral argument.

Respectfully,

RONALD D. LEONHARDT
City Clerk

Enclosure



JAMES A. BOHL JR.
Alderman, 5th District

Date: March 31, 2010

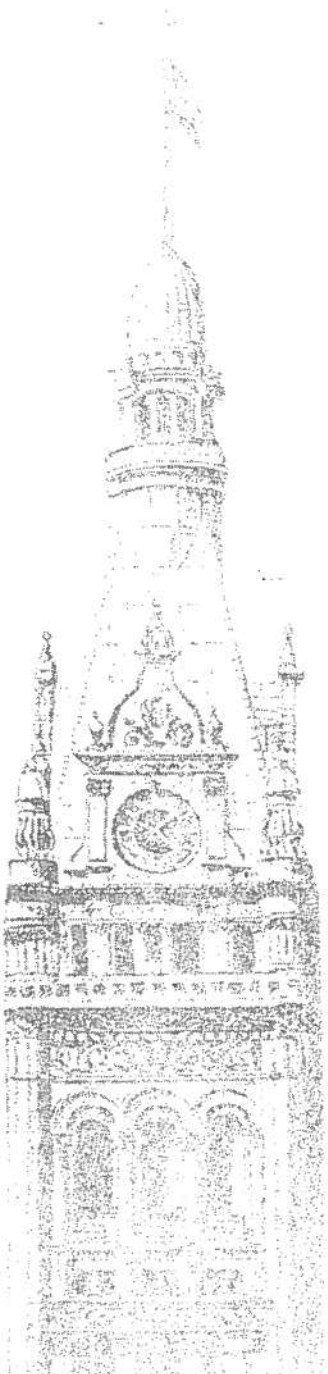
To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report on the extended hours establishment renewal application of Amarjit S. Sandhar, Agent for Sandhar Corporation, for the premises located at 2173 North 35th Street in the City and County of Milwaukee, Wisconsin ("Marathon #5").

FINDINGS OF FACT

1. Amarjit S. Sandhar holds an Extended Hours Establishment license for the premises located at 2173 North 35th Street in the City and County of Milwaukee, Wisconsin ("Marathon #5"). Said license expires at midnight, April 30, 2010.
2. An application to renew said license was filed with the Office of the City Clerk on March 1, 2010.
3. Pursuant to Section 84-7 of the Milwaukee Code of Ordinances, the matter was referred to the Milwaukee Police Department for investigation and the police department responded with a police report dated March 2, 2010. There were claimed "Neighborhood objections to the renewal of this license will lead to further loitering, littering, loud music, parking and traffic problems, drug and criminal activity, prostitution, trespassing, vandalism, public urination, disturbing the peace, operation of the premises in such a manner that it creates a public nuisance, and conduct which is detrimental to the health, safety, and welfare of the neighborhood."
4. On March 18, 2010, the City Clerk's Office provided timely notice to the Licensee, pursuant to Section 84-7 of the neighborhood objections. The matter was scheduled for a hearing on the neighborhood objections on March 30, 2010 at 11:00 a.m. in Room 301B of the third floor of City Hall. At said date, time and place,



the licensee did appear and was represented by Attorney John Germanotta, 1700 North Farwell Avenue, Milwaukee, WI 53202.

5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
 - A. On March 2, 2008 at 6:58 p.m., the applicant was cited by Milwaukee Police for convenience food store regulations, which was dismissed without prejudice on May 29, 2009. This item was previously reported but the disposition is now added.
 - B. On October 22, 2008 at 2:40 p.m., the applicant was cited by Milwaukee Police for convenience food store regulations. The applicant was found guilty of convenience food store regulations on May 29, 2009 and fined \$300.00. This item was previously reported but the disposition is now added.
 - C. On October 23, 2008 at 1:44 a.m., the applicant was cited by Milwaukee Police for convenience food store regulations. The applicant was found guilty of convenience food store regulations on May 29, 2009 and fined \$100.00 fine. This item was previously reported but the disposition is now added.
 - D. On August 12, 2009, officers of the Milwaukee Police Department responded to a shooting at the Marathon Gas Station at 2173 North 35th Street. The investigation revealed that at approximately 1:30 a.m. the shooting victim and his cousin left Questions Nite Club, located at 3041 West North Avenue and went to the gas station. The victim parked his vehicle at a pump and went inside the gas station. He came out a few minutes later and began to pump gas into the vehicle. At this time there were several vehicles and people loitering outside of the gas station. After the victim finished pumping the gas, he entered the vehicle and they began to leave. At this time 2 to 3 gunshots rang out from an unknown location. The victim suffered a gunshot wound to the head that resulted in his death.

Officers spoke to two employees that were working at the time of the incident, including an employee who works at the station providing security and doing clean up. He stated that shortly before the shooting he was advised by the

station attendant to lock the doors and that the attendant then turned off all of the exterior lights to the gas station. The attendant stated that this is done to deter more people from coming, due to the fact that there were several vehicles and people loitering outside of the gas station already.

After he did this, the attendant went to go clean the frying machines at the west end of the store. He then heard approximately five gunshots coming from outside the gas station. The attendant stated that he didn't think too much of the shots because it is fairly common to hear them at this location. The other employee stated that he heard approximately 4 to 5 gunshots as he was sweeping. He too stated that he does not pay much attention to the gunshots because he always hears them in the area. The attendant further stated after he heard the shots fired, a subject began banging on the gas station door stating, "My guy is shot! Call the police!" Singh then called 911 to report the shooting from the gas station telephone. Both employees stated that they did not hear any arguments or see any fights at the gas station during the night, nor did they see anyone shooting or witness any of it. The surveillance system did capture the incident; however, it did not capture the shooter.

- E. On September 27, 2009 at 12:46 a.m., officers of the Milwaukee Police Department were dispatched to 2200 North 35th Street for a shots fired complaint. The officers' investigation took them to the parking lot of the Marathon Gas Station at 2173 North 35th Street where they located five .22 caliber bullet casings on the ground between pumps #4 and #5.

Officers interviewed an employee who provides security. He stated he heard several gunshots outside of the location. He also stated he looked outside and observed a large crowd on the lot, that he observed the arm of a subject rise about the crowd, and then heard several more shots. The crowd then fled the lot. The employee stated that he did not call the police because they never show up.

Officers interviewed the station attendant. He stated that he did hear the shots being fired but did not see anything. He also stated that there was an extremely large crowd on the lot and that he felt the police should have made them

disperse prior to the shooting. The attendant also stated that he did not call the police.

The business did have a functioning security camera system, but the video could not be retrieved due to the employees on scene not being able to operate the system.

Three adults and two juveniles were arrested for Disorderly Conduct while Armed. A total of 10 squads (officers, sergeants and detectives) responded to this incident.

- F. The licensee testified he regularly closes at midnight, but may be open on some occasions longer.
- G. One neighborhood objector said he believes that this location contributes to crime in the neighborhood. At least one neighbor claimed the gas station has been open as late as 3:00 a.m. This neighbor also complained of noise and gunshots.
- H. One neighbor has moved her children out of their bedroom because of gun shots being fired when the crowd from Questions Nite Club comes to the station.
- I. During the hearing the licensee, by counsel, twice amended the application, once to close at 1:30 a.m. for Monday morning through Friday morning excluding the extension of hours into early Saturday and Sunday, and to close at Midnight from Memorial Day to Labor Day. It was later amended to extend the closure at Midnight from Memorial Day to October 31st.

CONCLUSIONS OF LAW

1. The Committee has jurisdiction to hold hearings and provided Findings of Fact and Conclusions of Law and a Recommendation to the full Common Council pursuant to Section 84-7 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concludes that the licensee, Amarjit S. Sandhar, who holds an Extended Hours Establishment license for the premises at 2173 North 35th Street in the City and County of Milwaukee, Wisconsin (“Marathon #5”),

has not met the criteria of Section 84-7 of the Milwaukee Code of Ordinances to allow renewal of the Extended Hours Establishment license because of the police report. The Licenses Committee finds the police report and neighborhood objections, as stated above, to be true.

3. In order to protect the health, safety and welfare of the citizens of the City of Milwaukee it is the recommendation of the Licenses Committee that the full Common Council should exercise its discretion to not renew the Extended Hours Establishment license held by Amarjit S. Sandhar for the premises at 2173 North 35th Street in the City and County of Milwaukee, Wisconsin ("Marathon #5") because of the police report and neighborhood objections.

RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of five (5) ayes and zero (0) noes, recommends that the Extended Hours Establishment renewal application held by Amarjit Sandhar for the premises at 2173 North 35th Street in the City and County of Milwaukee, Wisconsin ("Marathon #5") not be renewed based upon a police report and neighborhood objections.

Dated and signed at Milwaukee, Wisconsin this 31st day of March, 2010.



JAMES A. BOHL, Jr.
Chair, Licenses Committee



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Office of the City Clerk

Ronald D. Leonhardt
City Clerk

Jim Owczarski
Deputy City Clerk

March 31, 2010

Jayla L. Traylor
6411 N. 42nd St.
Milwaukee, WI 53209

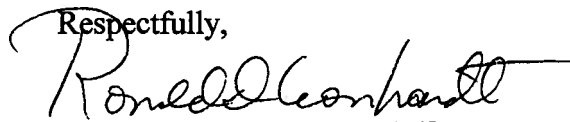
Dear Ms. Traylor:

You are hereby notified that the Milwaukee Common Council will hold a hearing on April 13, 2010, commencing at 9:00 a.m., or as soon thereafter as this matter may be heard, in the Common Council chambers on the third floor of City Hall, 200 East Wells Street, Milwaukee, Wisconsin to consider the renewal of your Class "D" Bartender's license.

Attached you will find a copy of the Report of the Licenses Committee, which includes its Findings of Fact, Conclusions of Law and Recommendation, recommending nonrenewal of your license based upon non-appearance. The recommendation is the result of a public hearing before the Committee held on March 29, 2010.

You may file written objections to the report of the Licenses Committee. Your written objections must be filed with the City Clerk by 4:45 p.m. on April 8, 2010 in Room 205 of City Hall. If you file written objections, you or a legal representative may then also appear at the Common Council to make oral arguments supporting your written objections. You will be given approximately five minutes to present your oral argument.

Respectfully,



RONALD D. LEONHARDT
City Clerk

Enclosure



JAMES A. BOHL JR.
Alderman, 5th District

Date: March 31, 2010

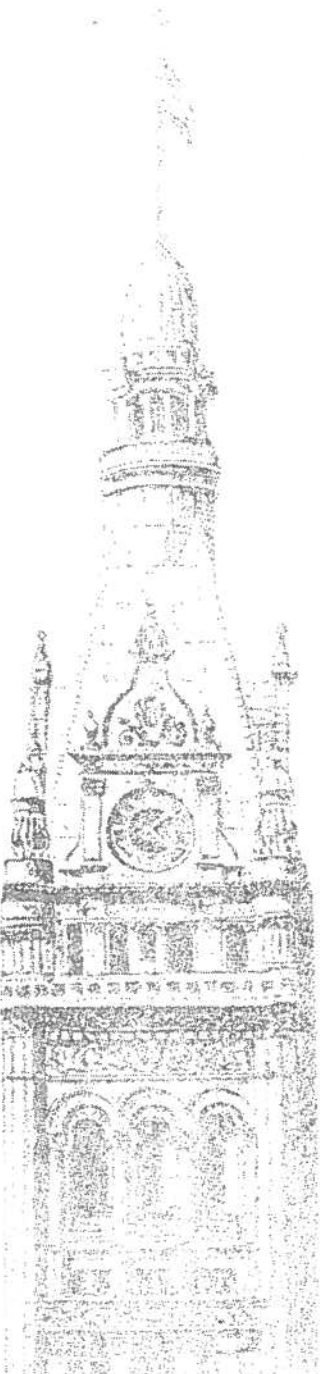
To: All Members of the Milwaukee Common Council

From: Licenses Committee

Re: Report on the Renewal Application of the Class "D"
Bartender License of Jayla L. Traylor

FINDINGS OF FACT

1. Jayla L. Traylor (hereinafter the "Licensee") is the holder of a Class "D" Bartender License in the City and County of Milwaukee, Wisconsin. Said license expired at midnight, December 31, 2009.
2. An application to renew said license was untimely filed with the Office of the City Clerk on January 7, 2010.
3. Pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes, the matter was referred to the Milwaukee Police Department for investigation. On January 8, 2010, the Milwaukee Police Department responded with a police report that could form a basis for non-renewal or suspension of said license.
4. On March 17, 2010, the City Clerk's Office provided timely notice to the Licensee pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes of the report of the Milwaukee Police Department and included therewith a copy of the Milwaukee Police Department report. The matter was scheduled for a hearing on the Police Department report on March 29, 2010, commencing at 1:30 p.m. in Room 301B of City Hall. At said date, time and place, the licensee did not appear and she was not represented by counsel. That was the applicant's second nonappearance.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:



- A. A notice of the hearing as well as a copy of the police report was sent to Jayla L. Traylor at 6411 North 42nd Street, Milwaukee, Wisconsin 53209 on March 17, 2010 by U.S. prepaid first-class mail in an envelope bearing the return address of the License Division. The address of 6411 North 42nd Street, Milwaukee, Wisconsin 53209 is the address given by the Licensee on her application. The envelope was not returned to the License Division by the United States Postal Service. The Licensee failed to appear at the hearing on March 29, 2010.

CONCLUSIONS OF LAW

1. The Committee has jurisdiction to hold hearings and provide Findings of Fact, Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapter 125 of the Wisconsin Statutes and Chapter 90 of the Milwaukee Code of Ordinances.
2. Based on the above facts found, the Committee concludes that the Licensee, Jayla L. Traylor, has not met the criteria of Chapter 125 of the Wisconsin Statutes or Chapter 90 of the Milwaukee Code of Ordinances to allow renewal of the Class "D" Bartender license based upon nonappearance.
3. In order to protect the health, safety and welfare of the citizens of the City of Milwaukee, it is the recommendation of the Licenses Committee that the full Common Council should exercise its discretion to not renew the Class "D" Bartender license held by Jayla L. Traylor based upon nonappearance.

RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of four (4) ayes, zero (0) noes and one (1) excused, recommends that the Class "D" Bartender License be denied based upon nonappearance.

Dated and signed at Milwaukee, Wisconsin this 31st day of March, 2010.



JAMES A. BOHL, Jr.
Chair, Licenses Committee



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Office of the City Clerk

Ronald D. Leonhardt
City Clerk

Jim Owczarski
Deputy City Clerk

March 31, 2010

Angela J. Myers
3854 E. Squire Ave.
Cudahy, WI 53110

Dear Ms. Myers:

You are hereby notified that the Milwaukee Common Council will hold a hearing on April 13, 2010, commencing at 9:00 a.m., or as soon thereafter as this matter may be heard, in the Common Council chambers on the third floor of City Hall, 200 East Wells Street, Milwaukee, Wisconsin to consider the renewal of your Class "D" Bartender's license.

Attached you will find a copy of the Report of the Licenses Committee, which includes its Findings of Fact, Conclusions of Law and Recommendation, recommending nonrenewal of your license based upon non-appearance. The recommendation is the result of a public hearing before the Committee held on March 29, 2010.

You may file written objections to the report of the Licenses Committee. Your written objections must be filed with the City Clerk by 4:45 p.m. on April 8, 2010 in Room 205 of City Hall. If you file written objections, you or a legal representative may then also appear at the Common Council to make oral arguments supporting your written objections. You will be given approximately five minutes to present your oral argument.

Respectfully,

RONALD D. LEONHARDT
City Clerk

Enclosure



JAMES A. BOHL JR.
Alderman, 5th District

Date: March 31, 2010

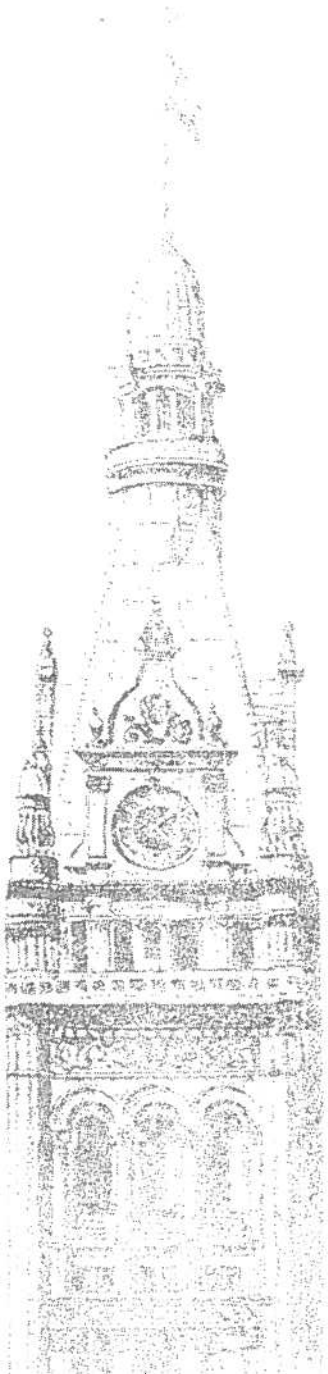
To: All Members of the Milwaukee Common Council

From: Licenses Committee

Re: Report on the Renewal Application of the Class "D"
Bartender License of Angela J. Myers

FINDINGS OF FACT

1. Angela J. Myers (hereinafter the "Licensee") is the holder of a Class "D" Bartender License in the City and County of Milwaukee, Wisconsin. Said license expired at midnight, December 31, 2009.
2. An application to renew said license was untimely filed with the Office of the City Clerk on February 22, 2010.
3. Pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes, the matter was referred to the Milwaukee Police Department for investigation. On February 23, 2010, the Milwaukee Police Department responded with a police report that could form a basis for non-renewal or suspension of said license.
4. On March 17, 2010, the City Clerk's Office provided timely notice to the Licensee pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes of the report of the Milwaukee Police Department and included therewith a copy of the Milwaukee Police Department report. The matter was scheduled for a hearing on the Police Department report on March 29, 2010, commencing at 1:30 p.m. in Room 301B of City Hall. At said date, time and place, the licensee did not appear and she was not represented by counsel. That was the applicant's second nonappearance.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:



- A. A notice of the hearing as well as a copy of the police report was sent to Angela J. Myers at 3854 East Squire Avenue, Cudahy, Wisconsin 53110 on March 17, 2010 by U.S. prepaid first-class mail in an envelope bearing the return address of the License Division. The address of 3854 East Squire Avenue, Cudahy, Wisconsin 53110 is the address given by the Licensee on her application. The envelope was not returned to the License Division by the United States Postal Service. The Licensee failed to appear at the hearing on March 29, 2010.

CONCLUSIONS OF LAW

1. The Committee has jurisdiction to hold hearings and provide Findings of Fact, Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapter 125 of the Wisconsin Statutes and Chapter 90 of the Milwaukee Code of Ordinances.
2. Based on the above facts found, the Committee concludes that the Licensee, Angela J. Myers, has not met the criteria of Chapter 125 of the Wisconsin Statutes or Chapter 90 of the Milwaukee Code of Ordinances to allow renewal of the Class "D" Bartender license based upon nonappearance.
3. In order to protect the health, safety and welfare of the citizens of the City of Milwaukee, it is the recommendation of the Licenses Committee that the full Common Council should exercise its discretion to not renew the Class "D" Bartender license held by Angela J. Myers based upon nonappearance.

RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of four (4) ayes, zero (0) noes and one (1) excused, recommends that the Class "D" Bartender License be denied based upon nonappearance.

Dated and signed at Milwaukee, Wisconsin this 31st day of March, 2010.



JAMES A. BOHL, Jr.
Chair, Licenses Committee



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Office of the City Clerk

Ronald D. Leonhardt
City Clerk

Jim Owczarski
Deputy City Clerk

March 31, 2010

Jerry Spencer, Agent
B & V of Milwaukee, Inc.
3470 N. Pierce St.
Milwaukee, WI 53212

Dear Mr. Spencer:

You are hereby notified that the Milwaukee Common Council will hold a hearing on April 13, 2010, commencing at 9:00 a.m., or as soon thereafter as this matter may be heard, in the Common Council chambers on the third floor of City Hall, 200 East Wells Street, Milwaukee, Wisconsin to consider the renewal of your Extended Hours Establishment license for the premises at 3425 W. Silver Spring Dr. ("Kwik Stop").

Attached you will find a copy of the Report of the Licenses Committee, which includes its Findings of Fact, Conclusions of Law and Recommendation, recommending renewal of your license with a 10-day suspension based on Item Number Two in the police report and on the testimony of the corporate agent. The recommendation is the result of a public hearing before the Committee held on March 29, 2010.

You may file written objections to the report of the Licenses Committee. Your written objections must be filed with the City Clerk by 4:45 p.m. on April 8, 2010 in Room 205 of City Hall. If you file written objections, you or a legal representative may then also appear at the Common Council to make oral arguments supporting your written objections. You will be given approximately five minutes to present your oral argument.

Respectfully,

RONALD D. LEONHARDT
City Clerk

Enclosure



JAMES A. BOHL JR.
Alderman, 5th District

Date: April 1, 2010

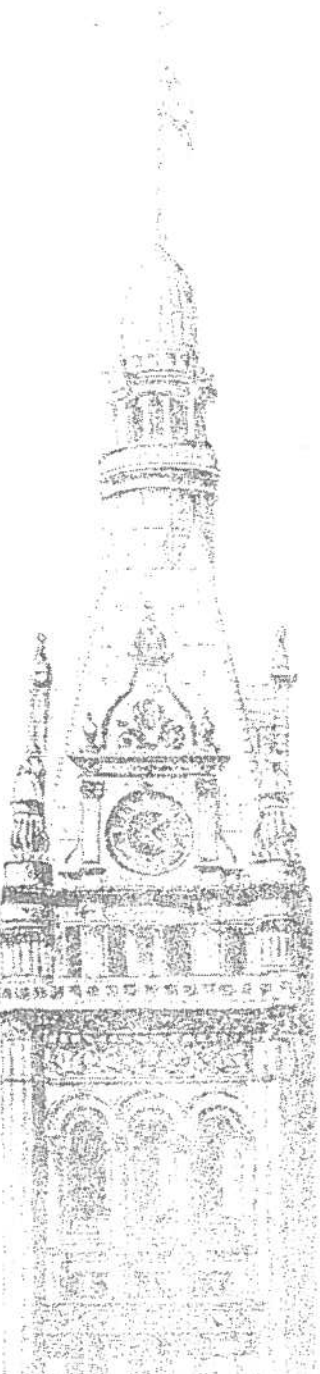
To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report on the Extended Hours Establishment renewal application of Jerry J. Spencer, Agent for B&V of Milwaukee, Inc. for the premises located at 3425 West Silver Spring Drive Street in the City and County of Milwaukee, Wisconsin ("Kwik Stop").

FINDINGS OF FACT

1. Jerry J. Spencer holds an Extended Hours Establishment license for the premises located at 3425 West Silver Spring Drive Street in the City and County of Milwaukee, Wisconsin ("Kwik Stop"). Said license expires at midnight, April 30, 2010.
2. An application to renew said license was filed with the Office of the City Clerk on February 10, 2010.
3. Pursuant to Section 84-7 of the Milwaukee Code of Ordinances, the matter was referred to the Milwaukee Police Department for investigation and the police department responded with a police report dated February 11, 2010. There were claimed "Neighborhood objections to the renewal of this license will lead to further loitering, littering, loud music, parking and traffic problems, drug and criminal activity, prostitution, trespassing, vandalism, public urination, disturbing the peace, operation of the premises in such a manner that it creates a public nuisance, and conduct which is detrimental to the health, safety, and welfare of the neighborhood." No neighbors appeared in support of the claimed objections.
4. On March 18, 2010, the City Clerk's Office provided timely notice to the Licensee, pursuant to Section 84-7 of the neighborhood objections. The matter was scheduled for a hearing on the



neighborhood objections on March 30, 2010 at 9:00 a.m. in Room 301B of the third floor of City Hall. At said date, time and place, the licensee did appear and was not represented by counsel.

5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:

A. On November 28, 2009 at 3:10 p.m., officers of the Milwaukee Police Department were dispatched to a reckless use of a weapon complaint that occurred at 3425 West Silver Spring Drive. The complainant stated to the officers that he went to the Citgo Gas Station to buy Valium 25 and that he and the clerk argued about the price. The complainant further stated that during the argument the clerk threw his money at him and pointed a gun at his face while stating "get out of my store, n*gger." Officers spoke to the clerk who stated the customer became upset with him and was making comments about his mother. The clerk stated he then obtained the gun from under the counter and told the customer to get out of the store because he was causing problems. The gun used in this offense was a BB gun. The clerk was arrested for disorderly conduct while armed. The charges were not issued by the District Attorney's Office.

The licensee talked to the clerk about his inappropriate behavior.

CONCLUSIONS OF LAW

1. The Committee has jurisdiction to hold hearings and provided Findings of Fact and Conclusions of Law and a Recommendation to the full Common Council pursuant to Section 84-7 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concludes that the licensee, Jerry J. Spencer, who holds an Extended Hours Establishment license for the premises at 3425 West Silver Spring Drive in the City and County of Milwaukee, Wisconsin ("Kwik Stop"), has not met the criteria of Section 84-7 of the Milwaukee Code of Ordinances to allow renewal of the Extended Hours Establishment license without undergoing a ten (10) day suspension of said license for this premises because of the police

report. The Licenses Committee finds the police report, as stated above, to be true.

3. In order to protect the health, safety and welfare of the citizens of the City of Milwaukee it is the recommendation of the Licenses Committee that the full Common Council should exercise its discretion to renew the Extended Hours Establishment license held by Jerry J. Spencer, for the premises at 3425 West Silver Spring Drive in the City and County of Milwaukee, Wisconsin ("Kwik Stop") with a ten (10) day suspension because of the police report and testimony received.

RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of three (3) ayes and two (2) noes, recommends that the Extended Hours Establishment license held by Jerry J. Spencer for the premises at 3425 West Silver Spring Drive in the City and County of Milwaukee, Wisconsin ("Kwik Stop") be renewed with a ten (10) day suspension based upon a police report and testimony received.

Said suspension is to be in effect between 12:01 a.m., May 1, 2010, through midnight, May 10, 2010.

Dated and signed at Milwaukee, Wisconsin this 1st day of April, 2010.



JAMES A. BOHL, Jr.
Chair, Licenses Committee