



JAMES A. BOHL JR.
Alderman, 5th District

Date: January 9, 2009
To: All Members of the Milwaukee Common Council
From: Licenses Committee
Re: Report on the Class "D" Bartender Renewal
Application of Robert A. Wessel

FINDINGS OF FACT

1. Robert A. Wessel (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, 2008.
2. An application to renew said license was filed with the Office of the City Clerk on December 3, 2008.
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 December 4, 2008, the Milwaukee Police Department responded with a police report that could form a basis for non-renewal or suspension of said license.
4. On December 18, 2008, 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 January 6, 2009, commencing at 1:30 p.m. in Room 301B of City Hall. At said date, time and place, the licensee did appear.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
 - A. The Licensee's Wisconsin driver's license revealed the following conviction:

3/15/95	Operating while intoxicated (1 st) Franklin Municipal Court
1/4/01	Operating while intoxicated (2 nd) Eau Claire County Circuit Court
7/8/05	Operating while intoxicated (3 rd) Winnebago County Circuit Court
3/30/07	Operating while intoxicated (4 th) Dodge County Circuit Court

- B. On August 24, 2005, the Licensee was issued a citation by the City of Hartland Police Department for operating while revoked (3rd). He was found guilty in Washington County Circuit Court on March 8, 2006, and a fine was imposed.

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, Robert A. Wessel, 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 without undergoing a thirty (30) day suspension based upon the police report.
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 Class "D" Bartender license held by Robert A. Wessel with a thirty (30) day suspension based upon the police report.

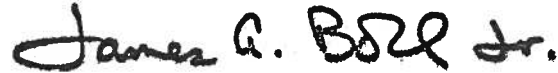
RECOMMENDATION

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 Class "D" Bartender License be

renewed with a thirty (30) day suspension based upon the police report.

Said suspension is to be in effect from the date of the Common Council action on January 16, 2009 through midnight, February 14, 2009.

Dated and signed at Milwaukee, Wisconsin this 9th day of January, 2009.

A handwritten signature in black ink that reads "James A. BOHL Jr." The signature is written in a cursive style with some capital letters.

JAMES A. BOHL, Jr.
Chair, Licenses Committee



JAMES A. BOHL JR.
Alderman, 5th District

Date: January 9, 2009
To: All Members of the Milwaukee Common Council
From: Licenses Committee
Re: Report on the Class "D" Bartender Renewal
Application of Katherine Toledo

FINDINGS OF FACT

1. Katherine Toledo (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, 2008.
2. An application to renew said license was filed with the Office of the City Clerk on October 21, 2008.
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 October 22, 2008, the Milwaukee Police Department responded with a police report that could form a basis for non-renewal or suspension of said license.
4. On December 18, 2008, 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 January 6, 2009, commencing at 1:30 p.m. in Room 301B of City Hall. At said date, time and place, the licensee did not appear.
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 Katherine Toledo at 2842 South 9th Place, No. 4, Milwaukee, Wisconsin, 53215 on December 18, 2008 by U.S. prepaid first-class mail in an envelope bearing the return address of the License Division. The address of 2842 South 9th Place No. 4, Milwaukee, Wisconsin, 53215 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 January 6, 2009.

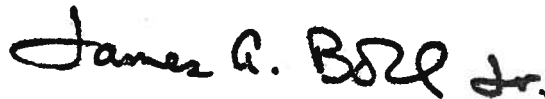
CONCLUSIONS OF LAW

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, Katherine Toledo, 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 Katherine Toledo based upon nonappearance.

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 Class "D" Bartender License be denied based upon nonappearance.

Dated and signed at Milwaukee, Wisconsin this 9th day of January, 2009.



JAMES A. BOHL, Jr.
Chair, Licenses Committee



JAMES A. BOHL JR.
Alderman, 5th District

Date: January 9, 2009

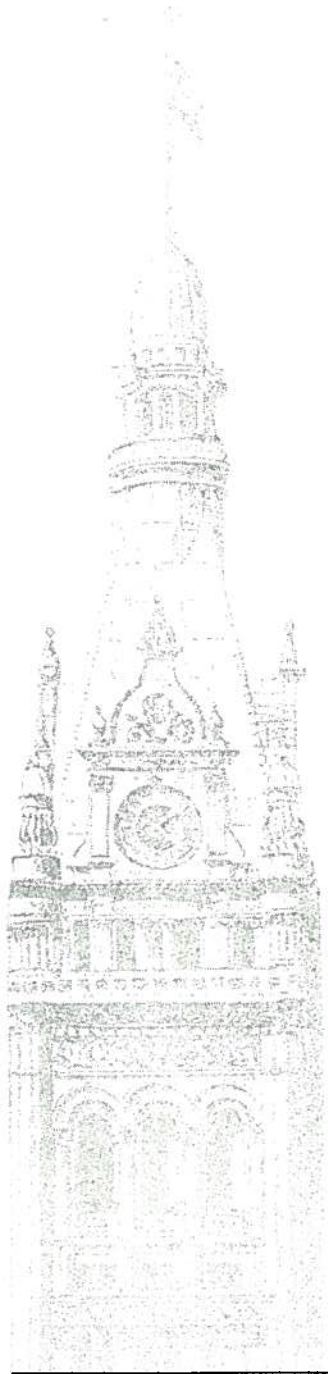
To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report of the Class "B" Tavern and Tavern Dance Renewal Applications of Mark E. Mace, Agent for Planet Marky, Inc., for the premises located at 3585 South Howell Avenue, in the City and County of Milwaukee, Wisconsin ("Planet Marky").

FINDINGS OF FACT

1. Mark E. Mace (hereinafter the "Licensee") is the holder of Class "B" Tavern and Tavern Dance licenses in the City and County of Milwaukee, Wisconsin. Said licenses expire at midnight, January 19, 2009.
2. An application to renew said license was filed with the Office of the City Clerk on October 24, 2008.
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. There was a Milwaukee Police Department report dated October 27, 2008 that could form the basis for non-renewal or suspension of the licenses. There were also claimed neighborhood objections to loitering, littering, parking and traffic problems, loud music and noise, fights, battery incidents, criminal activity, trespassing, public urination, sales and presence of underage, and conduct which is detrimental to the health, safety and welfare of the neighborhood.
4. On December 30, 2008, 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 a police report, along with a copy of that report, that could form the basis for suspension or non-renewal of the licenses of the Licensee and of neighborhood objections. The matter was scheduled for a hearing on the police report and neighborhood



objections on January 6, 2009 at 8:45 a.m. in Room 301B on the third floor of City Hall. At said date, time and place, the licensee did appear. He 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 July 15, 1998 at about 12:47 a.m., officers of the Milwaukee Police Department observed the east side door propped open at Planet Marky, located at 3585 South Howell Avenue. The officers found the licensee on the scene, and explained the ordinance requiring doors to be closed after 10:00 p.m. to him. The licensee immediately closed the door and stated that he would make sure that the ordinance was not violated again. A written warning was issued on this matter on July 15, 1998.
 - B. On April 9, 1999 at 12:01 a.m., officers of the Milwaukee Police Department were sent to Planet Marky, located at 3585 South Howell Avenue, for a battery complaint. The investigation revealed that an argument took place inside the tavern between two subjects. As both persons were walking towards the front door, one of the subjects was struck from behind. The victim stated that five other males kicked and punched him, causing a cut to his forehead. The victim's injury did require stitches, and he was treated and released from the hospital. A criminal complaint was filed.
 - C. On June 16, 2000 at 1:13 a.m., officers of the Milwaukee Police Department were sent to a fight at Planet Marky, located at 3586 South Howell Avenue. The investigation revealed that three underage persons were inside the tavern drinking alcoholic beverages and got into a fight. Employees of the tavern ordered these subjects to leave. One of the subjects went outside and threw a brick at a tavern window, breaking it. All three underage persons were issued citations for presence of underage person and consumption of alcohol by underage person. The bartender was issued a citation for sale of alcohol to underage person (3 counts), found guilty on August 7, 2000 and fined \$200.00. The licensee, Mark E. Mace, was issued a citation for sale of alcohol to underage person (Licensee Responsibility) (3 counts) and sentenced to a one-year hold open on August 7, 2000.
 - D. On November 21, 2001 at 1:58 a.m., officers of the Milwaukee Police Department responded to the licensed premises at 3585 South Howell Avenue regarding a battery complaint. The investigation revealed that an argument

occurred in the tavern between some patrons. One patron struck another patron with his fists. An incident report was filed.

- E. On August 6, 2004, in Walworth County, Wisconsin, the applicant was charged with disorderly conduct and found guilty on August 11, 2005 and fined \$242.00.
- F. On November 6, 2004 at 2:45 a.m., officers of the Milwaukee Police Department observed numerous vehicles outside of the licensed premises at 3565 South Howell Avenue ("Planet Marky"). They approached the building and were able to observe 4 subjects sitting at the bar with what appeared to be alcoholic beverages in front of them. There was a bartender working behind the bar. Entering the premises, they were told that three of the occupants were employees, and the fourth was a friend of an employee. They were discussing a situation that had occurred in the bar earlier in the evening. Only one of the individuals could produce a valid Class "D" license. The bartender, wife of the licensee, was issued a citation for Class "B" tavern patrons after hours. One of the patrons was issued citation for Class "B" premises-patrons after hours and found guilty on December 20, 2004 and fined \$343.00.
- G. On December 5, 2004 at 1:56 a.m., officers of the Milwaukee Police Department were dispatched to Planet Marky, 3585 South Howell Avenue. At the scene they spoke to a security person. He told the officers it was brought to his attention that two patrons on the premises were causing a disturbance. He escorted them to the door and had to physically force them to leave. Once outside the bar the two subjects began to throw garbage cans at the bar, causing the two front windows of the bar to break. They then fled in an unknown dark auto. An incident report was filed.
- H. On December 11, 2004, at 10:55 p.m., officers of the Milwaukee Police Department, with an underage police aide, conducted a premises check for sale to minors at Planet Marky, 3583 South Howell Avenue. The officers and the police aide entered the premises, and the police aide ordered a pitcher of beer with two glasses from the bartender. The police aide paid \$7.00 for the beer. The licensee was issued a citation for sale to underage prohibited (Licensee Responsibility) and found guilty on February 10, 2005 and fined \$152.00.

- I. On December 5, 2005 at 1:18 a.m., officers of the Milwaukee Police Department were dispatched to Planet Marky, 3585 South Howell Avenue, for a fight. The investigation revealed a fight among several intoxicated patrons took place and was believed that it involved gang members from the "Outlaw" motorcycle gang. Officers observed broken glass and blood all over the interior of the tavern. There was also a theft of a jacket in the tavern during this fight. At the time officers arrived, there were only two patrons left from the fight and they were treated for injuries that required stitches.
- J. On October 21, 2006, officers of the Milwaukee Police Department were conducting a premises check for tobacco sales to minors and sent in a 16-year-old male to Planet Marky's to purchase a tobacco product. The minor was able to buy a pack of Newport Lights without being asked for identification. The clerk was issued a citation for cigarette sales to minor. No citation was found in the municipal system.
- K. On February 19, 2007 at 2:01 a.m., officers of the Milwaukee Police Department observed patrons inside of Planet Marky, 3583 South Howell Avenue, after hours. At 2:10 a.m., officers conducted a licensed premise check and found 6 patrons, along with the bartender, inside the tavern with drinks in front of them. Two patrons fled the bar area when they observed police with one being detained and other patron later being identified and arrested at his home for outstanding warrants. Officers spoke to the bartender and found her to be intoxicated. The bartender stated she knew she should have closed the tavern at 2:00 a.m., but the only patrons were her friends. When questioned who was the patron that fled the tavern, the bartender stated she didn't know. Officers spoke to the owner, Mark E. Mace, by phone regarding this incident and Mace was advised that he would be receiving a citation for patrons after hours. The bartender received a citation for obstructing an officer, since it was later learned that it was her boyfriend that fled the tavern. Another patron also received a citation for obstructing an officer. Mark E. Mace was issued a citation for patrons after hours and found guilty on May 14, 2007 and fined \$350.00.
- L. On November 29, 2007 at 1:31 a.m., officers of the Milwaukee Police Department were dispatched to 3585 South Howell Avenue for a battery complaint. Officers spoke to the victim who stated he was a bartender for the

tavern and that he had been head butted by a patron inside the tavern. The suspect was no longer on the scene and a report was filed regarding the battery.

- M. On May 15, 2008 at 1:51 a.m., officers of the Milwaukee Police Department responded to 3585 South Howell Avenue for a battery complaint. The investigation revealed two victims were assaulted outside the tavern after having a verbal argument with three females inside the tavern. One victim sustained a broken nose with the other victim losing consciousness from being struck numerous times. Police spoke to the licensee, Mark E. Mace, who stated this fight was "no big deal, just some Indian girls beating up some White girls." Arrests were made on charges of substantial battery. A check on CCAP found no charges issued.
- N. On July 19, 2008 at 3:47 a.m., officers of the Milwaukee Police Department were dispatched to 3585 South Howell Avenue for a battery complaint. Police spoke to the bartender who stated two patrons were involved in a fight in front of the tavern and that it occurred at approximately 2:30 a.m. The bartender stated one subject was bleeding from the nose but both actors were gone when police arrived.
- O. On September 16, 2008 at 12:44 a.m., officers of the Milwaukee Police Department were dispatched to 3585 South Howell Avenue for a trouble with subject complaint. The investigation revealed that a patron who was in the bar shooting pool got into an argument with several of other people in the bar. All parties involved in the argument were asked to leave. One subject waited to leave because he said he was afraid he would get jumped if he left with other subjects. Police spoke to the bartender/manager who stated there was an argument with several people and that they were all asked to leave. No citations were issued.
- P. On October 5, 2008 at 1:44 a.m., officers of the Milwaukee Police Department were dispatched to 3585 South Howell Avenue for a fight complaint. Police spoke to the bartender who stated two males had been inside the tavern and started to argue with other patrons. Security escorted these subjects out of the tavern and they later tried to re-enter the tavern. Security pushed both subjects back outside and locked the door. The two subjects became disorderly and police were called. The subjects were gone when police arrived.

- Q. On November 8, 2008 at 7:30 p.m., officers of the Milwaukee Police Department were investigating a robbery complaint that took place outside of 3585 South Howell Avenue. Police spoke to the victim who stated he and an acquaintance were inside the tavern “freestyle rapping” when they had a verbal and physical altercation and were thrown out of the bar. The victim stated once outside, his acquaintance asked the victim for some money, and he said “no” and started to run away. The victim then stated he was struck from behind and his money was taken. Police conducted a follow-up at the tavern and could hear rap music being played, which was not listed on the current license. Officers spoke with the bartender who stated he was unaware that there was a restriction of the type of music he could play. On November 18, 2008 at 8:30 p.m., officers spoke to the licensee, Mark E. Mace, who was argumentative with police as police were issuing a citation for failure to change entertainment. Mace denied that rap music was being played, stating he had a lock on the rap music so it cannot be played. Mace further stated the music had nothing do to with the fight, nor with the robbery that occurred. Police advised Mace that it did and that the incident is how officers were made of aware of the rap music being played inside his establishment. Mace admitted to being in the tavern the night of the fight and when he asked if he spoke with officers regarding the fight, Mace stated “no.” Mace further stated he left before police arrived. It should be noted that the officers that talked with the bartender the night that the fight/robbery occurred told police that Mace was not at the tavern that night. Police also spoke to Mace about the numerous calls for service that have been received in past months regarding the tavern. Mace stated that there were not many and that he felt the police department was working with Ace Hardware to put him out of business. A citation was issued for failure to change entertainment, which had a pending court date of January 5, 2009.
- R. No neighbors appeared to testify at to the alleged neighborhood objections.

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 Chapter 125 of the Wisconsin Statutes and Chapter 90 of the Milwaukee Code of Ordinances.

2. Based upon the above facts found, the Committee concludes that the licensee, Mark E. Mace, for the licensed premises at 3585 South Howell Avenue, Milwaukee, Wisconsin ("Planet Marky") has not met the criteria of Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes to allow renewal of his Class "B" Tavern and Tavern Dance licenses without undergoing a fifteen (15) day suspension of said licenses. The 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 of the City of Milwaukee should exercise its discretion to renew the Class "B" Tavern and Tavern Dance licenses of Mark E. Marky for the premises at 3585 South Howell Avenue in the City and County of Milwaukee, Wisconsin ("Planet Marky") with a fifteen (15) day suspension.

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 Class "B" Tavern and Tavern Dance licenses of Mark E. Mace for the premises located at 3585 South Howell Avenue in the City and County of Milwaukee, Wisconsin ("Planet Marky") be renewed with a fifteen (15) day suspension.

Said suspension is to be in effect from 12:01 a.m., January 20, 2009, through midnight, February 3, 2009.

Dated and signed at Milwaukee, Wisconsin this 9th day of January, 2009.



JAMES A. BOHL, Jr.
Chair, Licenses Committee



JAMES A. BOHL JR.
Alderman, 5th District

Date: January 9, 2009

To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report of the Class "B" Tavern Renewal Application of Jesus Lopez for the premises located at 1500 West Mitchell Street in the City and County of Milwaukee, Wisconsin ("El Gallo De Oro").

FINDINGS OF FACT

1. Jesus Lopez (hereinafter the "Licensee") is the holder of a Class "B" Tavern license for the premises located at 1500 West Mitchell Street in the City and County of Milwaukee, Wisconsin ("El Gallo De Oro"). Said license expires at midnight, February 5, 2009.
2. An application to renew said license was filed with the Office of the City Clerk on November 13, 2008.
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. The Milwaukee Police Department responded with a report that could form the basis of non-renewal or suspension of this license on November 14, 2008. There were also claimed neighborhood objections based on loitering, littering, loud music and noise, parking and traffic problems, drug and criminal activity, prostitution, trespassing, public urination, fights, shootings, vandalism, thefts, trespassing, operation of the premises in such a manner that it creates a public nuisance and conduct detrimental to the health, safety and welfare of the neighborhood and the general past history of this location. However, no neighbors appeared to testify as to those objections and the Committee did not consider them.
4. On December 22, 2008, 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 Milwaukee police report, and of the neighborhood objections, and included a copy of the Milwaukee police report. The matter was scheduled for a hearing on the police report and neighborhood objections on January 6, 2009 at 1:30 p.m. in Room 301B on 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 October 15, 1989, the licensee was arrested by the Milwaukee Police for carrying a concealed weapon (misdemeanor). On February 26, 1990, the licensee was found guilty and sentenced to four days in the House of Corrections.
 - B. On October 31, 1993, the licensee was cited by the Milwaukee police for sale of intoxicants to an intoxicated person. On May 2, 1994, the licensee was found guilty and was fined \$325.00.
 - C. On December 11, 2004, an underage City of Milwaukee police aide entered the licensed premises at 1500 West Mitchell Street ("El Gallo De Oro) at the direction of Milwaukee police. The aide was able to purchase three beers from the bartender. The licensee was issued a citation for sale of alcohol to underage person. On February 11, 2005, the licensee was fined \$167.00. The bartender was issued a citation for sale of alcohol to an underage person, which was dismissed without prejudice on February 11, 2005.
 - D. On February 9, 2005 at 1:12 a.m., officers of the Milwaukee Police Department conducted a license premise check at 1500 West Mitchell Street, Milwaukee, Wisconsin ("El Gallo De Oro"). The rear door was locked with a slide bolt. The licensee was cited with safe egress from all entrances and found guilty on April 22, 2005 and fined \$343.00.
 - E. On February 25, 2005 at 9:35 p.m., Milwaukee Police Department officers responded to a fight at the licensed premises at 1500 West Mitchell Street ("El Gallo De Oro"). No tavern violations were found but two patrons were cited

for disorderly conduct.

- F. On November 25, 2005 at 1:51 a.m., officers of the Milwaukee Police Department were dispatched to the licensed premises at 1500 West Mitchell Street ("El Gallo De Oro") for a subject with a gun. Officers spoke to the caller/victim. The victim stated he was employed by Wisconsin Security Solutions and that while on duty and in full uniform, he was providing security at the main entrance for El Gallo De Oro tavern. The victim stated he had a confrontation with a patron earlier that night. That patron then returned shortly before closing and the victim denied him access to the tavern. The victim stated that the patron then struck him in the face and started to walk away. The victim followed the patron, and when the patron drew a pistol from the small of his back, the victim then drew his pistol. However, no shots were fired. The patron fled the area. Officers did talk to the licensee, Jesus Lopez, who stated he did not witness this incident. Lopez further stated there were no security cameras anywhere in the tavern or outside of the tavern. No tavern violations were found at the time.
- G. On March 30, 2006, Milwaukee Police Department officers conducted a tavern check at the licensed premises at 1500 West Mitchell Street ("El Gallo De Oro"). Upon entering the tavern, officers observed 30 clear plastic baggies containing suspected cocaine inside of a Corona bucket. Officers tested the substance, which was positive for cocaine. Officers arrested several patrons for possession of cocaine and resisting/obstructing an officer. Police spoke with the licensee, Jesus Lopez, who stated that he can't watch everyone that enters his tavern and that everyone uses drugs. At an earlier hearing, the Committee was told that Mr. Lopez did not express himself well, and that he was simply trying to explain to the officer that he could not know if someone brings drugs into his establishment, but he does care very much if they do.
- H. On April 5, 2006 at 11:50 p.m., officers of the Milwaukee Police Department conducted follow-up at the licensed premises at 1500 West Mitchell Street ("El Gallo De Oro"). Upon entering the tavern, officers observed a subject drop a folded dollar bill. Inside this dollar bill was a white powdery substance suspected to be cocaine. The dollar bill was recovered and tested positive for cocaine. It was placed on inventory. The subject was arrested and charged with POCS-Cocaine. Another officer observed a subject who appeared to be underage and was drinking a 16 oz bottle of Corona malt liquor at the bar. The officer asked this subject for identification and he refused to identify himself. The officer arrested the subject, who was not 21 years of age. He was charged

with resisting/obstructing an Officer and poss/consumption of alcohol by underage. Officers then spoke to Jesus Lopez, who was issued a citation for sale to underage and presence of underage, which was dismissed without prejudice on June 16, 2006, and presence of underage for which he was found guilty and fined \$354.00 on June 16, 2006.

- I. On June 24, 2006 at 6:30 p.m., the licensee received a citation for presence of minor prohibited at 1500 West Mitchell Street (“El Gallo De Oro”). On August 14, 2006, the licensee was found guilty and was fined \$367.00. At an earlier hearing, the Committee was told that at the time of this incident Mr. Lopez was transitioning from using Wisconsin Security Solutions to hiring his own guard who had been an employee of Wisconsin Security Solutions.
- J. On March 12, 2008 at 1:25 a.m., officers of the Milwaukee Police Department were dispatched to 1500 West Mitchell Street for a trouble with subject complaint. The investigation revealed a patron called for police because two patrons exchanged words regarding a female patron. Those patrons kept harassing the women and the caller did not want any problems. Officers spoke to the bartender who stated there was no heated conversation and that police services were not really needed.
- K. On March 22, 2008, members of the Vice Control Division were working under cover and inside the tavern at 1500 West Mitchell Street. Undercover officers had purchased powder cocaine from the two subjects inside the tavern with one of them being a uniformed and armed security guard who was working at the time. Both suspects were arrested and charged with manufacture/delivery of cocaine. The security guard had an added charge of manufacture/delivery of cocaine while armed and a bench warrant was issued.
- L. On April 28, 2008 at 12:18 a.m., officers of the Milwaukee Police Department were dispatched to 1500 West Mitchell Street for a fight complaint. The investigation revealed a patron was involved in a fight inside the tavern and continued to cause a disturbance outside. The patron began arguing with a security officer and refused to leave. Police were called and the subject was arrested and issued a citation for disorderly conduct.

CONCLUSIONS OF LAW

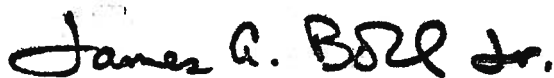
1. The Committee has jurisdiction to hold hearings and provide Findings of Fact and Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapter 125 of the Wisconsin Statutes and Chapter 90 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concludes that the licensee, Jesus Lopez, who holds a Class "B" Tavern license for the premises located at 1500 West Mitchell Street in the City and County of Milwaukee, Wisconsin ("El Gallo De Oro ") has not met the criteria of Chapter 90 of the Milwaukee Code of Ordinances or Chapter 125 of the Wisconsin Statutes to allow renewal of his Class "B" Tavern license without undergoing a sixty (60) day suspension of said license. The 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 of the City of Milwaukee should exercise its judgment to renew the Class "B" Tavern license of Jesus Lopez for the premises located at 1500 West Mitchell Street in the City and County of Milwaukee, Wisconsin ("El Gallo De Oro ") with a sixty (60) day suspension.

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 Class "B" Tavern license held by Jesus Lopez be renewed with a sixty (60) day suspension.

Said suspension of the Class "B" Tavern license is to be in effect from 12:01 a.m., February 6, 2009 through midnight, April 6, 2009.

Dated and signed at Milwaukee, Wisconsin this 9th day of January, 2009.



JAMES A. BOHL, Jr.
Chair, Licenses Committee



JAMES A. BOHL JR.
Alderman, 5th District

Date: January 9, 2009
To: All Members of the Milwaukee Common Council
From: Licenses Committee
Re: Report on the Class "D" Bartender Renewal
Application of Richard A. Krawczyk

FINDINGS OF FACT

1. Richard A. Krawczyk (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, 2008.
2. An application to renew said license was filed with the Office of the City Clerk on October 21, 2008.
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 October 22, 2008, the Milwaukee Police Department responded with a police report that could form a basis for non-renewal or suspension of said license.
4. On December 18, 2008, 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 January 6, 2009, commencing at 1:30 p.m. in Room 301B of City Hall. At said date, time and place, the licensee did appear.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:

A. The Licensee's Wisconsin driver's license revealed the following convictions:

7/25/91	Operating While Intoxicated (1 st) Waukesha County Circuit Court
3/6/08	Operating While Intoxicated (2 nd) Milwaukee County Circuit Court

CONCLUSIONS OF LAW

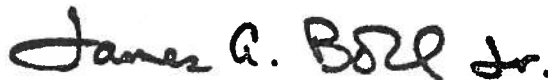
1. The Committee has jurisdiction to hold hearings and provide Findings of Fact, Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapter 125 of the Wisconsin Statutes and Chapter 90 of the Milwaukee Code of Ordinances.
2. Based on the above facts found, the Committee concludes that the Licensee, Richard A. Krawczyk 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 without undergoing a twenty (20) day suspension based upon the police report.
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 Class "D" Bartender license held by Richard A. Krawczyk with a twenty (20) day suspension based upon the police report.

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 Class "D" Bartender License be renewed with a twenty (20) day suspension based upon the police report.

Said suspension is to be in effect from the date of the Common Council action on January 16, 2009, through midnight, February 4, 2009.

Dated and signed at Milwaukee, Wisconsin this 9th day of January, 2009.



JAMES A. BOHL, Jr.
Chair, Licenses Committee



JAMES A. BOHL JR.
Alderman, 5th District

Date: January 9, 2009
To: All Members of the Milwaukee Common Council
From: Licenses Committee
Re: Report on the Class "D" Bartender Renewal
Application of Harold E. Burris

FINDINGS OF FACT

1. Harold E. Burris (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, 2008.
2. An application to renew said license was timely filed with the Office of the City Clerk on October 9, 2008.
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 October 9, 2008, the Milwaukee Police Department responded with a police report that could form a basis for non-renewal or suspension of said license.
4. On November 19, 2008, 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 January 6, 2009, commencing at 1:30 p.m. in Room 301B of City Hall. At said date, time and place, the licensee did not appear.
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 Harold E. Burris at 4212 North 16th

Street, Milwaukee, Wisconsin, 53209 on November 19, 2008 by U.S. prepaid first-class mail in an envelope bearing the return address of the License Division. The address of 4212 North 16th Street, Milwaukee, Wisconsin, 53209 is the address given by the Licensee on his 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 January 6, 2009.

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, Harold E. Burris, 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 Harold E. Burris 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 and 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 9th day of January, 2009.



JAMES A. BOHL, Jr.
Chair, Licenses Committee



JAMES A. BOHL JR.
Alderman, 5th District

Date: January 9, 2009

To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report of the Class "B" Tavern Application of Kathleen M. Christian, Agent for STP, Inc., for renewal with a change of hours for the premises located at 5526 West North Avenue in the City and County of Milwaukee, Wisconsin ("Narrow Lane").

FINDINGS OF FACT

1. Kathleen M. Christian (hereinafter the "Licensee") is the holder of a Class "B" Tavern license for the premises located at 5526 West North Avenue in the City and County of Milwaukee, Wisconsin ("Narrow Lane"). Said license expires at midnight, January 31, 2009.
2. An application to renew said license was filed with the Office of the City Clerk on November 26, 2008.
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. The Milwaukee Police Department responded with a report that could form the basis of non-renewal or suspension of this license on December 1, 2008. There were also claimed neighborhood objections to loitering, littering, loud music and noise, parking and traffic problems, drug and criminal activity, prostitution, trespassing, public urination, conduct detrimental to the health, safety and welfare of the neighborhood and the general past history of this location.
4. On December 22, 2008, 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 Milwaukee police report and neighborhood objections and included a copy of the Milwaukee police report. The matter was

scheduled for a hearing on the police report and neighborhood objections on January 6, 2009 at 8:15 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 considered only the second item on the police report, which states as follows:
 - A. On August 2, 2008 at 9:52 p.m., officers of the Milwaukee Police Department were dispatched to 5526 West North Avenue for a reckless use of weapon complaint. Police spoke to the caller/victim who stated he was inside the tavern and had an argument with the bartender and her husband. The victim stated that it escalated outside when the husband fired two shots at the victim and his friend as they left the bar. As police arrived, the bar was closed and the owner of the building was present. He stated that the manager of the bar was out of town and that is why he came to close the bar. Tice stated he believed the video cameras were live but that they did not record. James Tyler was arrested and charged with RES and carrying a concealed weapon.

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 Chapter 125 of the Wisconsin Statutes and Chapter 90 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concludes that the licensee, Kathleen M. Christian, who holds a Class "B" Tavern license for the premises located at 5526 West North Avenue in the City and County of Milwaukee, Wisconsin ("Narrow Lane") has not met the criteria of Chapter 90 of the Milwaukee Code of Ordinances or Chapter 125 of the Wisconsin Statutes to allow renewal of her Class "B" Tavern license without undergoing a fifteen (15) day suspension of said license. The 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 of the City of Milwaukee should exercise its judgment to renew the Class "B"

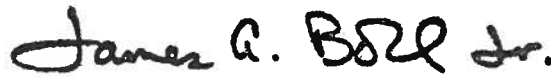
Tavern license of Kathleen M. Christian for the premises located at 5526 West North Avenue in the City and County of Milwaukee, Wisconsin ("Narrow Lane") with a fifteen (15) day suspension.

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 Class "B" Tavern license held by Kathleen M. Christian be renewed with a fifteen (15) day suspension.

Said suspension of the Class "B" Tavern license is to be in effect from 12:01 a.m., February 1, 2009, through midnight, February 15, 2009.

Dated and signed at Milwaukee, Wisconsin this 9th day of January, 2009.



JAMES A. BOHL, Jr.
Chair, Licenses Committee



JAMES A. BOHL JR.
Alderman, 5th District

Date: January 9, 2009
To: All Members of the Milwaukee Common Council
From: Licenses Committee
Re: Report on the Class "D" Bartender Renewal
Application Billy R. Cleveland

FINDINGS OF FACT

1. Billy R. Cleveland (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, 2008.
2. An application to renew said license was timely filed with the Office of the City Clerk on October 15, 2008.
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 October 16, 2008, the Milwaukee Police Department responded with a police report that could form a basis for non-renewal or suspension of said license.
4. On December 18, 2008, 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 January 6, 2009, commencing at 1:30 p.m. in Room 301B of City Hall. At said date, time and place, the licensee did appear.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
 - A. The Licensee's Wisconsin driver's license revealed the following convictions:

3/14/08 Implied Consent
Ozaukee County Circuit Court
(related to Item B)

- B. On February 13, 2008 the Licensee was charged in Ozaukee County for operating while under influence (4th offense) and was found guilty on April 21, 2008 and sentenced to alcohol assessment/forfeiture/a fine/local jail for 10 months/driver's license revocation for 36 months/ignition interlock for 36 months. He was also charged with operating with prohibited alcohol concentration .02 or more (4th offense) on April 21, 2008, which was dismissed.

CONCLUSIONS OF LAW

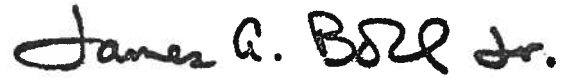
1. The Committee has jurisdiction to hold hearings and provide Findings of Fact, Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapter 125 of the Wisconsin Statutes and Chapter 90 of the Milwaukee Code of Ordinances.
2. Based on the above facts found, the Committee concludes that the Licensee, Billy R. Cleveland, 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 without undergoing a thirty (30) day suspension based upon the police report.
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 Class "D" Bartender license held by Billy R. Cleveland with a thirty (30) day suspension based upon the police report.

RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of four (4) ayes and one (1) no, recommends that the Class "D" Bartender License be renewed with a thirty (30) day suspension based upon the police report.

Said suspension is to be in effect from the date of the Common Council action on January 16, 2009, through midnight, February 14, 2009.

Dated and signed at Milwaukee, Wisconsin this 9th day of January, 2009.

A handwritten signature in black ink that reads "James A. BOHL Jr." The signature is written in a cursive style with a horizontal line underneath the name.

JAMES A. BOHL, Jr.
Chair, Licenses Committee