



**CITY OF MILWAUKEE
OFFICE OF THE CITY CLERK**

Wednesday, March 15, 2023

COMMITTEE MEETING NOTICE

AD 07

EDWARDS, Sherine G, Agent
UPPA YARD LLC
4947 W FOND DU LAC Av
Milwaukee, WI 53216

You are requested to attend a hearing which is to be held in Room 301-B, Third Floor, City Hall or you may attend virtually using the link below.

Wednesday, March 29, 2023 at 09:40 AM

The access code is <https://meet.goto.com/415147613>. If you wish to call in: +1 (408) 650-3123 and use Access Code: 415-147-613

Please see the enclosed best practices document for further instructions.

Regarding: Your Class B Tavern License Renewal Application and Public Entertainment Premises License Application Requesting Disc Jockey as agent for "UPPA YARD LLC" for "Uppa Yard" 943&4947 W FOND DU LAC Av.

There is a possibility that your application may be denied for one or more of the following reasons: The recommendation of the committee regarding the application shall be based on evidence presented at the hearing. Per MCO 85-4-4, unless otherwise specified in the code, probative evidence concerning non-renewal, suspension or revocation may include evidence of the following: failure of the applicant to meet municipal qualifications, pending charges against or the conviction of any felony, misdemeanor, municipal offense or other offense, the circumstances of which substantially relate to the circumstances of the particular licensed or permitted activity, by the applicant or by any employee or other agent of the applicant. If the activities of the applicant involve a licensed premises, whether the premises tends to facilitate a public or private nuisance or has been the source of congregations of persons which have resulted in any of the following: disturbance of the peace; illegal drug activity; public drunkenness; drinking in public; harassment of passers-by; gambling; prostitution; sale of stolen goods; public urination; theft; assaults; battery; acts of vandalism including graffiti, excessive littering, loitering, illegal parking, loud noise at times when the licensed premise is open for business; traffic violations; curfew violations; lewd conduct; display of materials harmful to minors, pursuant to s. 106-9.6; or any other factor which reasonably relates to the public health, safety and welfare, or failure to comply with the approved plan of operation. It is the intention of the Common Council to suspend or non-renew the licenses if objectors provide testimony related to the factors enumerated in MCO 85-4-4 that the Common Council finds to be true by a preponderance of the evidence and/or police reports are found to be true by a preponderance of the evidence. The police reports and other attached documents relating to objections to the license are a part of this notice and expressly incorporated in this notice. The licensee should be prepared to address these matters at the hearing.

Notice for applicants with warrants or unpaid fines:

Proof of warrant satisfaction or payment of fines must be submitted at the hearing on the above date and time. Failure to comply with this requirement may result in a delay of the granting/denial of your application.

Failure to appear at this meeting may result in the denial of your license. Individual applicants must appear only in person or by an attorney. Corporate or Limited Liability applicants must appear only by the agent designated on the application or by an attorney. Partnership applicants must appear by a partner listed on the application or by an attorney. If you wish to do so and at your own expense, you may be accompanied by an attorney of your choosing to represent you at this hearing. You will be given an opportunity to speak on behalf of the application and to respond and challenge any charges or reasons given for the denial. No petitions can be accepted by the committee, unless the people who signed the petition are present at the committee hearing and willing to testify. You may present witnesses under oath and you may also confront and cross-examine opposing witnesses under oath. If you have difficulty with the English language, you should bring an interpreter with you, at your expense, so that you can answer questions and participate in your hearing. You may examine the application file at this office during regular business hours prior to the hearing date. Inquiries regarding this matter may be directed to the person whose signature appears below. Limited parking for persons attending meetings in City Hall is available at reduced rates (5 hour limit) at the Milwaukee Center on the southwest corner of East Kilbourn and North Water Street. Parking tickets must be validated in the first floor information booth in City Hall.

PLEASE NOTE: Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through sign language interpreters or other auxiliary aids. For additional information or to request this service, contact the Council Services Division ADA Coordinator at (414) 286-2998, Fax - (414) 286-3456, TDD - (414) 286-2025.

JIM OWCZARSKI, CITY CLERK

BY: _____

Jim Cooney
License Division Manager

If you have questions regarding this notice, please contact the License Division at (414) 286-2238.

200 E. Wells Street, Room 105, City Hall, Milwaukee, WI 53202. www.milwaukee.gov/license
Phone: (414) 286-2238 Fax: (414) 286-3057 Email Address: License@milwaukee.gov

CITY OF MILWAUKEE
LICENSE DIVISION

10/24/22

2022 OCT 24 A 9:32

To: License Committee

From:

Re: Upper Yard Food/Liquor
license @ 4943-47 W. Fond du Lac
Ave. Milwaukee Wis 53216

Re: object to the food/
liquor license @ the above
address - 4943-47 W. Fond du Lac
Ave. Milwaukee Wis 53216

I, object to a food/liquor
license being allowed next
door to a church @ 4951 W.
fond du lac Milw Wis 53216.

The building @ 4951 W. Fond du
lac has been zoned a church
for over (30) years.

The license committee denied
a liquor license in 2020
to Upper Yard/partner Concoctions
@ 4943 W. Fond du lac Milwaukee
Wis 53216.

Pg. 2

but Concoctions (owner / Agent for Upper-Yard and Concoctions) sold liquor illegally for over a year before the parties above were raided and busted by Georgia Ann King of the Wisconsin Alcohol and Beverage on 9/23/21. She shut the liquor sells down and notified the license committee of the illegal sells activity by Upper-Yard / Concoctions and Daniel Oliver Edwards / Hyacinth Nembhardt.

Given all the evidence that I provided and Georgia Ann King of the Wisconsin Alcohol & Beverage enforcement provided this committee the alderman Rainy approved for a liquor / food license when he did not allow it with the committee in 2020.

All evidence points to (corruption possible). This flip/flop policy by the alderperson and their committee send a strong message of possible corruption.

by some parties. City/State dictates the distance a tavern/bar must be from a church. That distance is 300 feet. Upper Yard bar restaurant is (15) feet from my church door.

Renting the church next to Upper Yard bar has been impossible. No pastor wants their parishers having to confront drunk patrons/possible gun activity @ the bar.

In addition, I have had to sue Upper Yard/Concoctions for parking on my church parking lot.

The parking checkers failed to help.

Hairey is (useless) he failed to respond to my calls e-mails.

But he showed up to (Vote) to give Upper-Yard a liquor fact license @ the hearings.

pg. 4

This all, smells of corruption.
He should respond to citizens
that voted him into office, but he
vote for a liquor/food license
for Upper Yard.

This license committee/liquor
license committee need to be
really reviewed. Because
parties are getting busted
selling liquor like Oliver
Edwards / Hyacinth Newhardt of
Concoctions, Brady Street Tropic
MKE on 518 North Water Street -
corruption has to be going on -
when the committee is aware
of wrong doing.

Oliver Edwards / of Upper Yard,
and Hyacinth Newhardt, was
busted selling / supplying liquor
no license etc 9/23/24. In
2022, Oliver Edwards was given
a license to sell liquor @
4943 W. Ford Dulac Ave, where
Hyacinth Newhardt sold liquor
no license busted.

pg 5

Then 60 days after Hyacinth Newhardt was busted selling liquor 9/23/21. She applied for liquor license with license committee / Alderman Bayman / Alderman Cogg gave her a liquor license to open Tropic MKE @ 518 North Water. Cogg, denied Hyacinth Newhardt a license to sell liquor @ 4943 W. Ford de la Mota Wk 5321. All parties in license office was aware of Oliver Edwards / Hyacinth Newhardt illegal activities.

This committee has failed the community by allowing these people to break the law / then be rewarded with liquor license

Oliver Edwards and sister given a liquor license in 2022. busted in 2021.

Hyacinth Newhardt / busted 9/23/21 gave 2 liquor license in 2022.

19.6

It is my request that this
committee dis-allow Upper Yard
operate as long as they are selling
liquor next door to a Church.

They are in violation of City/
State Law.



Wednesday, March 29, 2023



Notice of Public Hearing

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EDWARDS, Sherine G, Agent
Uppa Yard at 4943&4947 W FOND DU LAC Av
Class B Tavern License Renewal Application and Public Entertainment Premises License
Application Requesting Disc Jockey

Wednesday, March 29, 2023 at 9:40 AM

To whom it may concern:

The above application has been made by the above named applicant(s). This requires approval from the Licenses Committee and the Common Council of the City of Milwaukee. The hearing before the Licenses Committee will take place on 3/29/2023 at 9:40 AM in Room 301-B, Third Floor, City Hall. This is a public hearing. Those wishing to view the proceeding are able to do so via the City Channel – Channel 25 on Spectrum Cable – or on the Internet at <http://city.milwaukee.gov/citychannel>. Those wishing to provide oral testimony via phone or internet are asked to contact the staff assistant, Yadira Melendez at (414) 286-2775 or stasst5@milwaukee.gov for necessary information. Please make such requests no later than one business day prior to the start of the meeting. You are not required to attend the hearing, but please see the information below if you would like to provide testimony. Once the Licenses Committee makes its recommendation, this recommendation is forwarded to the full Common Council for approval at its next regularly scheduled hearing.

Important details for those wishing to provide information for the Licenses Committee to consider when making its recommendation:

1. The license application is scheduled to be heard at the above time. Due to other hearings running longer than scheduled, you may have to wait some time to provide your testimony.
2. You must appear in person and testify as to matters that you have personally experienced or seen. (You cannot provide testimony for your neighbor, parent or anyone else; this is considered hearsay and cannot be considered by the committee.)
3. No letters or petitions can be accepted by the committee (unless the person who wrote the letter or the persons who signed the petition are present at the committee hearing and willing to testify).
4. Persons opposed to the license application are given the opportunity to testify first; supporters may testify after the opponents have finished.
5. When you are called to testify, you will be sworn in and asked to give your name, and address. (If your first and/or last names are uncommon please spell them.)
6. You may then provide testimony.
 - a. Include only information relating to the above license application.
 - b. Include only information you have personally witnessed or seen.
 - c. Provide concise and relevant information detailing how this business has affected or may affect the peaceful enjoyment of your neighborhood.
 - d. If by the time you have the opportunity to testify, the information you wish to share has already been provided to the committee, you may state that you agree with the previous testimony. Redundant or repetitive testimony will not assist the committee in making its recommendation.
7. After giving your testimony, the members of the Licenses Committee and the licensee may ask questions regarding the testimony you have given or other factors relating to the license application.
8. Business Competition is not a valid basis for denial or non-renewal of a license.
Please Note: If you have submitted an objection to the above application your objection cannot be considered by the committee unless you personally testify at the hearing.

OCCUPANT	MAIL ADDRESS	CITY STATE ZIP
CURRENT OCCUPANT	3948 N 51ST BLVD	MILWAUKEE, WI 53216-2355
CURRENT OCCUPANT	5008 W MEDFORD AVE	MILWAUKEE, WI 53216-2337
CURRENT OCCUPANT	5009 W MEDFORD AVE	MILWAUKEE, WI 53216-2336
CURRENT OCCUPANT	5018 W MEDFORD AVE	MILWAUKEE, WI 53216-2337
CURRENT OCCUPANT	5022 W MEDFORD AVE	MILWAUKEE, WI 53216-2337
CURRENT OCCUPANT	5022A W MEDFORD AVE	MILWAUKEE, WI 53216-2337
CURRENT OCCUPANT	5034 W MEDFORD AVE	MILWAUKEE, WI 53216-2337
CURRENT OCCUPANT	5040 W MEDFORD AVE	MILWAUKEE, WI 53216-2337
CURRENT OCCUPANT	5040A W MEDFORD AVE	MILWAUKEE, WI 53216-2337
CURRENT OCCUPANT	5044 W MEDFORD AVE	MILWAUKEE, WI 53216-2337
CURRENT OCCUPANT	5044A W MEDFORD AVE	MILWAUKEE, WI 53216-2337
CURRENT OCCUPANT	5050 W MEDFORD AVE	MILWAUKEE, WI 53216-2337
CURRENT OCCUPANT	5050A W MEDFORD AVE	MILWAUKEE, WI 53216-2337
CURRENT OCCUPANT	5056 W MEDFORD AVE	MILWAUKEE, WI 53216-2337
CURRENT OCCUPANT	5060 W MEDFORD AVE	MILWAUKEE, WI 53216-2337
CURRENT OCCUPANT	5060A W MEDFORD AVE	MILWAUKEE, WI 53216-2337

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Total Records: 16

Radius 250.0 feet and Center of Circle: 4943 W Fond Du Lac Av

2022-2023 Plan of Operation for 4943&4947 W FOND DU LAC AV

1. Litter & Security Plans			
How are the grounds kept clean? <input checked="" type="checkbox"/> Sweep <input type="checkbox"/> Pressure Wash <input checked="" type="checkbox"/> Pick Up Litter <input type="checkbox"/> Other:			
How often will grounds be cleaned? <input checked="" type="checkbox"/> Daily <input type="checkbox"/> Weekly <input type="checkbox"/> Other:			
Who cleans the grounds? <input type="checkbox"/> Licensee <input checked="" type="checkbox"/> Building Owner <input checked="" type="checkbox"/> Employees <input checked="" type="checkbox"/> Hired Maintenance <input type="checkbox"/> Other:			
How are noise issues prevented and/or addressed? <input type="checkbox"/> Security <input checked="" type="checkbox"/> Manager approaches customer(s) <input checked="" type="checkbox"/> Call Police <input checked="" type="checkbox"/> Signs Posted <input type="checkbox"/> Other:			
Are there designated outdoor smoking areas? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If Yes, Describe:			
Number of garbage cans: Inside <u>4</u> Locations: <u>2 behind bar, 2 inside lobby</u> Outside <u>1</u> Locations: <u>Front of Building</u>			
Is a crowd control barrier used? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If Yes, Describe:			
Number of restrooms: <u>2</u>		Name of solid waste contractor: <u>Eagle disposal</u>	
Are there parking spaces on the premises? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If Yes, list number of spaces: _____ and describe security plans:			
Are there designated loading areas? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If Yes, describe security plans:			
Do you have security personnel on the premise? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If Yes, how many? _____ AND What are their responsibilities? _____ What security equipment do they use? _____ List their licensing, certification or training credentials: _____			
Are there security cameras? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes If Yes, list all locations: <u>32 cameras inside and outside.</u>			
Are searches and/or identification checks conducted upon entry? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If Yes, describe:			
2. Percentage of Sales (must total 100%)			
Alcohol <u>20</u> %	Food Sales <u>80</u> %	Entertainment _____ %	Other _____ %
3. Businesses On The Premises (choose all that apply):			
<input checked="" type="checkbox"/> Restaurant <input type="checkbox"/> Cafe/Coffee Shop <input type="checkbox"/> Cocktail Lounge <input type="checkbox"/> Convenience Store <input type="checkbox"/> Night Club <input type="checkbox"/> Liquor Store <input type="checkbox"/> Tavern <input type="checkbox"/> Sports Facility <input type="checkbox"/> Hotel <input type="checkbox"/> Banquet Hall <input type="checkbox"/> Supermarket <input type="checkbox"/> Private/Fraternal/Veterans' Club <input type="checkbox"/> Other:			
4. Hours of Operation and Age Restriction			
Are there any changes to the current hours of operation or age restriction? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If Yes, Describe:			
Please Note: If you will be open earlier or later than the hours listed on your current license for even one event or holiday (for example, St. Patrick's Day, Brewers Opening Day, etc.) during the license period, this must be reported and printed on your license. Your hours of operation and age restriction are listed on your current license.			
5. Floor Plan and Capacity			
Are you requesting any changes to your capacity or floor plan*? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If yes, describe: _____ and submit a new floor plan with this renewal application. A sample plan can be found online at www.milwaukee.gov/licenses under License Forms and Related Information.			
Alcohol/Food Establishments: A "Permanent Extension of Premises Application" is required if you are adding any square footage to the licensed premises.			
6. Sidewalk Dining: Fee:			
Are there any changes to the sidewalk dining site plan? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If Yes, submit an updated site plan with this application.			
7. Food License: Fee:		8. Weights and Measures: Fee:	
Your current food license includes the following food operations: Are there any changes to your food operations as listed above? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes, if Yes, explain _____		Number/Type of Devices: Are there any changes to the number or types of devices? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If yes, contact our office for further instructions.	

1. CURRENT APPROVED ENTERTAINMENT for Uppa Yard 4943&4947 W FOND DU LAC AV

The following types of entertainment have been approved for your current Public Entertainment Premises license:

Class A Tavern 86

2. ADDING ENTERTAINMENT

If applicable, check any entertainment you wish to add: **ONLY CHECK ENTERTAINMENT TYPE(S) YOU ARE ADDING. YOUR CURRENT APPROVED ENTERTAINMENT IS LISTED ABOVE.**

- | | | | |
|---|--|--|---|
| <input type="checkbox"/> Instrumental Musicians | <input type="checkbox"/> Bands | <input type="checkbox"/> Battle of the Bands | <input type="checkbox"/> Comedy Acts |
| <input checked="" type="checkbox"/> Disc Jockey | <input type="checkbox"/> Magic Shows | <input type="checkbox"/> Poetry Readings | <input type="checkbox"/> Dancing by Performers |
| <input type="checkbox"/> Jukebox | <input type="checkbox"/> Wrestling | <input type="checkbox"/> Patron Contests | <input type="checkbox"/> Patrons Dancing |
| <input type="checkbox"/> Adult Entertainment/
Strippers/Erotic Dance | <input type="checkbox"/> Karaoke | <input type="checkbox"/> Bowling Alley | <input type="checkbox"/> Pool Tables |
| <input type="checkbox"/> Motion Pictures (movies by admission)
How many screens? _____ | <input type="checkbox"/> Amusement Machines
How many? _____ | <input type="checkbox"/> Concerts
Approx. # per year? _____ | <input type="checkbox"/> Theatrical Performances
Approx. # per year? _____ |
| <input type="checkbox"/> Other: _____ | | | |

No entertainment changes can take place until approved by Common Council and a new license has been issued and posted on the premises.

3. REMOVING ENTERTAINMENT

If applicable, list any entertainment you wish to remove:

Happy Hours

4. PROMOTERS/SOUND AMPLIFICATION

Will promoters ever be used for any of the entertainment? No Yes If Yes, Describe:

On Social Media

At any time will sound amplification be used? No Yes If Yes, Describe:

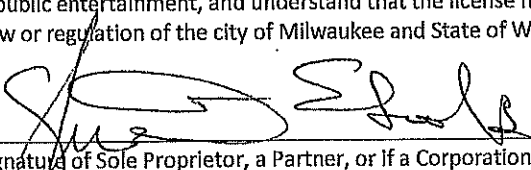
5. SIGNATURE

I understand that after the license has been issued, a change to the plan of operation will require a written request to change and approval from the Common Council.

I agree to inform the City Clerk within 10 days of any substantial changes in the information supplied in this application.

I understand that I shall not willfully refuse to provide the services offered under this license, or add charges or require deposits not required of the general public because of race, color, sex, religion, national origin or ancestry, age, handicap, lawful source of income, marital status, sexual orientation, gender identity or expression, familial status or the fact that a person is now or has been a member of the military service, whether dressed in uniform or not; and shall not seek such information as a condition of employment, or penalize any employee or discriminate in the selection of personnel for training or promotion on the basis of such information.

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 Milwaukee and State of Wisconsin.


Signature of Sole Proprietor, a Partner, or if a Corporation or LLC, the Agent must sign



BUSINESS PLAN OF OPERATION CONFIRMATION FORM

Office of the City Clerk License Division
200 E. Wells St. Room 105, Milwaukee, WI 53202
(414) 286-2238 license@milwaukee.gov www.milwaukee.gov/license

Check Type of Application:

- Applying for Additional License(s)
- Change of Agent
- Transfer 90-10 (Death of Licensee)
- Reorganization of Legal Entity

Person(s) who must complete and sign this form:

- Agent, Sole Proprietor, or all Partners
- Agent
- Sole Proprietor
- Two 20% or more Shareholders (agent can sign only if there are no 20% or more Shareholders)

Date: 03/03/2023

I/We, Oliver Edwards, ^{shareholder} _{OE} the agent,
Name(s) of Agent/Sole Proprietor/Partners/20% or more Shareholders

sole proprietor, partners, or 20%+ shareholders of UPPA YARD LLC
Legal Entity Name

affirm that I/we will follow the same Plan of Operation as that which is currently on file with the City Clerk License Division.

I/we understand that before any changes to the plan can be made, a "Permanent Change to Business Plan of Operation Application" must be submitted and approved.


Signature of agent, sole proprietor, partner, or 20% or more shareholder

Signature of additional partner(s) or 20% or more shareholder(s)

March 1st, 2023

Uppa Yard, LLC / Agent Shevne DBA: Uppa Yard
 4923 & 4927 W Fond du Lac Ave
 Milwaukee WI 53216

Total sq ft = 2600

X = Trash Cans

2' x 3' alcohol storage

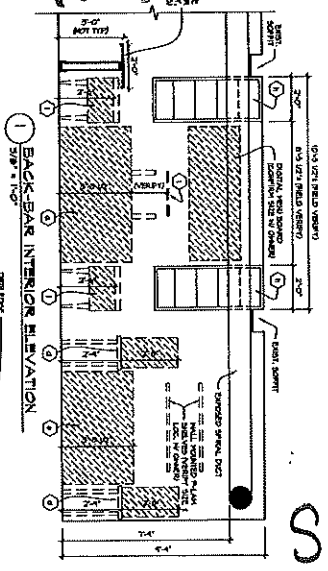
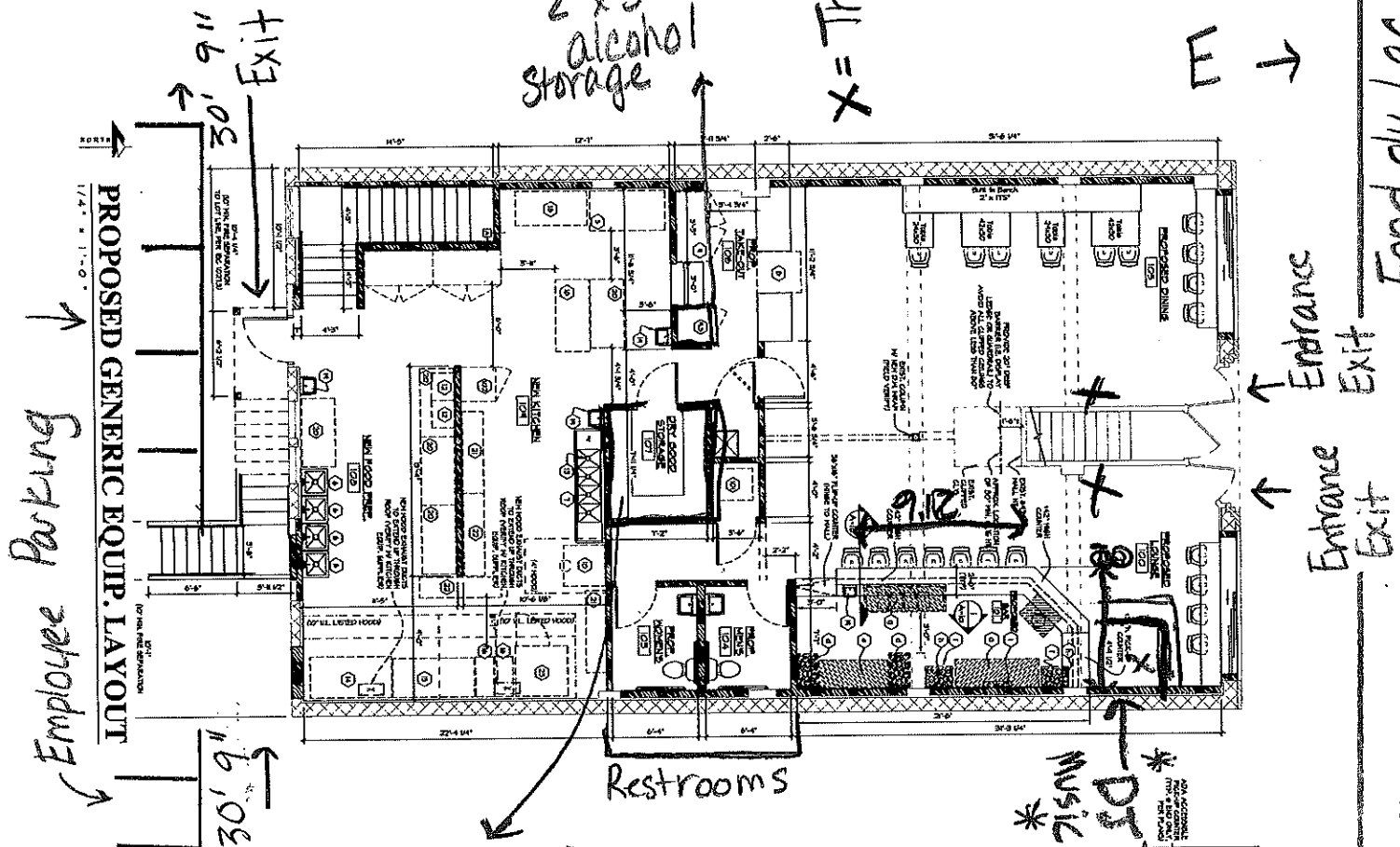
Alcohol storage 7'11" x 7'2"

W ←

N ↑

E →

Fond du Lac Ave.



GENERIC EQUIPMENT SCHEDULE / LOCATIONS	
NO.	DESCRIPTION
1	FRONT LOBBY SEATING
2	FRONT LOBBY BAR
3	FRONT LOBBY TV
4	FRONT LOBBY SEATING
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