

COMMITTEE ASSIGNMENTS

CHAIR

- Licenses Committee

VICE CHAIR

- Community and Economic Development Committee

MEMBER

- Steering and Rules Committee



TONY ZIELINSKI
ALDERMAN, 14TH DISTRICT

April 9, 2018

To the Honorable, the Common Council

Honorable Members:

Common Council File Number 171605 contains the following recommendations:

Renewal, with a twenty (20) day suspension of the Food Dealer license and renewal, with a ninety (90) day suspension of Class B Tavern and Public Entertainment Premises licenses, based upon the police report, and police, aldermanic, and applicant testimony for Connie Leland for the premises located at 4001 W North Ave ("Connie's Nite Life Lounge") in the 15th aldermanic district.

Respectfully,

A handwritten signature in black ink that reads "Tony Zielinski".

Tony Zielinski, Chair
Licenses Committee

cc: All Council Members
File 171605

COMMITTEE ASSIGNMENTS

CHAIR

- Licenses Committee

MEMBER

- Steering and Rules Committee
- Community and Economic Development Committee



TONY ZIELINSKI
ALDERMAN, 14TH DISTRICT

Date: April 6, 2018

To: All Members of the Milwaukee Common Council

From: Licenses Committee

Re: Report on the Renewal Application of the Class "B" Tavern, Public Entertainment Premises (PEP), and Food Dealer Licenses of Connie M. Leland, Agent for Connie's Nite Life Lounge, for the premises located at 4001 West North Avenue in the City and County of Milwaukee, Wisconsin ("Connie's Nite Life Lounge").

FINDINGS OF FACT

1. Connie M. Leland, Agent for Connie's Nite Life Lounge (hereinafter "the Licensee") is the holder of Class "B" Tavern License, PEP and a Food Dealer Licenses for the premises located at 4001 West North Avenue in the City and County of Milwaukee, Wisconsin ("Connie's Nite Life Lounge"). Said licenses expire at midnight on April 28, 2018.
2. An application to renew said licenses was filed with the Office of the City Clerk on February 23, 2018.
3. Pursuant to Chapters 68, 85, and, 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 26, 2018, the Milwaukee Police Department responded with a report that could form the basis for nonrenewal of said license.
4. On March 23, 2018 the City Clerk's Office provided timely notice to the Licensee pursuant to Chapters 68, 85, and, 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes 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 April 4, 2018, commencing at approximately 11:00 a.m. in Room 301-B of the third floor of City Hall. At said date, time and place, the Licensee appeared, at the hearing and admitted receipt of the notice of hearing, together with a copy of the Milwaukee Police Department report.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:

- A. On May 17, 2017 at 12:05 a.m. officers were dispatched to a shooting at North 40th Street and West North Avenue. The incident occurred at 4020 West North Avenue with the victim sitting in a car that the suspect shot into. There were patrons in line waiting to get into Connie's Nigh Life, 4001 West North Avenue. None of the people in line saw anything and the security guard stated he heard the shots but did not see anything. The officers checked the video surveillance but found the system unable to record because the hard drive was full.
- B. On August 16, 2017 at 2:08 a.m. officers observed a large crowd outside Connie's Nite Life, 4001 West North Avenue. The officers observed two crowds, one in the street surrounding a fight and another around the business. The suspect in the fight was taken into custody and another disorderly subject was arrested. The officers looked at the video system but found the system was full and unable to record.
- C. On September 3, 2017 at 2:14 a.m. officers were dispatched to a shorts spotter call at 4005 West North Avenue. The officers observed a large crowd outside Connie's Night Life, 4001 West North Avenue. There were cars blocking the intersection with several people fighting in the street. The subjects fled the scene when the police arrived. There were no callers regarding this incident.
- D. On September 15, 2017 at 1:19 a.m. officers conducted a tavern check at Connie's Nite Life, 4001 West North Avenue. The officers observed 25-30 people outside the premise. They then counted patrons as they exited. There were 102 people, including employees, inside the business. The official placard stated the business had an occupancy limit of 80 people. The Licensee was cited for being over occupancy.

Charge: Licensed Premise Exceeding Occupy Limit
Finding: Guilty
Sentence: Fined \$4,513.00
Dated: 12/15/2017
Case: 1705687

- E. On September 22, 2017 at 12:59 a.m. officers were dispatched to a fight at North 40th Street and West North Avenue. The officers observed 25-30 people outside Connie's Nite Life, 4001 West North Avenue. The security guard stated there was a fight between two groups of females but they had left. The caller stated this was an ongoing problem.
- F. On October 10, 2017 there was a meeting held at District 3 regarding incidents at Connie's Nite life, 4001 West North Avenue. The Licensee stated she had armed security but had to let them go after a homicide. She now has unarmed security but they have come complacent and are often smoking cigarettes with the patrons. She stated she no longer has a patio which is causing patrons to smoke outside the front. This is causing problems because people in line are

getting angry when they are not let inside because of capacity issues. It was suggested that she have rope line put up outside and limit the number of people waiting to get inside. She was advised she would be receiving a nuisance letter and that officers would contact her regarding a CPTED of the premise.

- G. On December 20, 2017 at 1:06 a.m. officers responded to a shot fired complaint at Connie's Nite Life, 4001 West North Avenue. The Licensee stated that one of her bartenders was in a verbal argument with a customer. The customer, Eric LEE, was kicked out and he continued to make threats to harm the Licensee and shot up the bar. LEE stated as he was attempting to leave someone fired shots at his car striking it. LEE was cited for Disorderly Conduct.
- H. On February 11, 2018 at 2:29 a.m. officers responded to a shooting at North 40th Street and West North Avenue. The officers found the victim on the Northeast corner with a gunshot wound to the leg. The investigation revealed the suspect and victim had been patrons at Connie's Nite Life, 4001 West North Avenue. There was a fight inside between two parties. One group was kicked out while the other was kept inside. When the second group left the fight started again outside. When the groups began walking to their cars security came back inside and a shot was heard outside. The officers checked the video surveillance system but found it full and had not recorded since September 14, 2017.
- I. Alderman Bohl asked about the percentage of food sales, the age of patrons, and the busiest days. He added that 4 shootings in the last year, including one with a victim, is not a good record. He added that he understands the challenges in the area and stated the security should cut the line off at a certain point. He added that the Licensee should look into hiring MPD officers.
- J. The Licensee stated a bartender was fired and his children are no longer around because they were involved in multiple incidents. She added that she learned how to clean out the DVR. She added that she has met with the police department and implemented their recommendations and provided an email regarding changes that she has made. She stated that she has hired a whole new security staff. She added that she is up front interacting with the customers. She stated that 65% of her business comes from food sales, and she has been considering transitioning into a restaurant style establishment as opposed to a bar. She stated cannot control everything people do because she does not have a gun or a badge. She stated for years there were no incidents for years and then it just spiraled out of control. She added that security has been a problem and there are some people who should not be allowed inside. She stated no one under 25 years old is allowed inside. She added that she was unaware she could hire MPD officers.
- K. Alderman Rainey moved to enter into the record as exhibit #1 the email from the Licensee regarding changes she's made to the operation of the premises.

- L. Michael Bensen 3619 N 38th St stated he was the head of security from 2010-2014. He added that he was present when the customer was shot in the leg. He stated that the fight inside was broken up by security and then continued outside when the patrons were removed. He added that the patrons met back up across the street and had a brawl, then when he went to get additional security guards he heard shots. He stated that he makes sure people with attitudes, and people who are drunk or high do not enter the premises. He added that if he sees a large group of people they are also not allowed inside. He stated that he keeps control of the capacity, and since he has returned patrons are more in line.
- M. Dameon Ellzey 15th District Legislative Assistant stated Alderman Stamper has been in communication with the previous captain. He added that there have been 8 incidents in the past year including a shooting victim. He added that Alderman Stamper has received complaints regarding security at the premises. He stated that they should shut down for some time to reorganize the business because they were working towards that before the incident in February. He added Alderman Stamper recommends a 60 day suspension to give them time to get their affairs in order and readjust their plans. He added that this is something that needs to be done in order to save the business because it is headed towards revocation. He stated they should take a look at their promotions and change their clientele.
- N. Captain Jeffrey Norman stated MPD is in opposition to the renewal of the licenses because of all the incidents including the shootings. He added that staff has not been cooperative in MPD investigations and maintaining order at the premises. Cpt. Norman indicated that the security staff hired by the Licensee was not activity attempting to try to do crowd control. He also added employees have been involved in incidents at the premises. He added that the premises was designated a nuisance property in November 2017 and the management has not responded to requests for meetings with MPD.
- O. In response to a question from Alderman Zielinski, Cpt. Norman indicated that the Licensee was in billing status, and had received two bills thus far from the police department for police services.
- P. Alderman Zielinski stated the Licensee is the licensee and she is responsible for the behavior of her patrons and there are many establishments in challenged areas that do not have these problems.
- Q. Alderman Bohl asked about the percentage of food sales, the age of patrons, and the busiest days. He added that 4 shootings in the last year, including one with a victim, is not a good record. He added that he understands the challenges in the area and stated the security should cut the line off at a certain point. He added that the Licensee should look into hiring MPD officers.

- R. Alderman Bohl moved approval of the renewal of the Food Dealer License with a 20 day suspension, renewal of the Public Entertainment Premise License with a 90 day suspension, and renewal of the Class B Tavern License with a 90 day suspension based on the police report and police, Licensee, and aldermanic testimony. (Prevailed 3-0.)

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 Chapters 68, 85, and, 90 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concludes that the Licensee, Connie M. Leland, Agent for Connie's Nite Life Lounge, has not met the criteria to renew of her Class "B" Tavern, PEP and Food Dealer licenses without the issuance of a twenty (20) day suspension of the Food Dealer license, and a ninety (90) day suspension of the Class B Tavern and Public Entertainment Premises license.
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, PEP and Food Dealer licenses of Connie M. Leland, Agent for Connie's Nite Life Lounge for the premises located at 4001 West North Avenue in the City and County of Milwaukee, Wisconsin ("Connie's Nite Life Lounge") with a twenty (20) day suspension of the Food Dealer license, and a ninety (90) day suspension of the Class B Tavern and Public Entertainment Premises license based upon the police report and police, Licensee, and aldermanic testimony.

RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of **three (3) ayes, zero (0) noes and two (2) excused**, and recommends that the Class "B" Tavern, PEP and Food Dealer Licenses of Connie M. Leland, Agent for Connie's Nite Life Lounge for the premises located at 4001 West North Avenue ("Connie's Nite Life Lounge") in the City and County of Milwaukee, Wisconsin be renewed with a twenty (20) day suspension of the Food Dealer license, and a ninety (90) day suspension of the Class B Tavern and Public Entertainment Premises license.

Said suspension of the Food Dealer license to be in effect from 12:01 a.m. April 29, 2018 through 11:59 p.m. May 18, 2018.

Said suspension of the Class B Tavern and Public Entertainment Premises license to be in effect from 12:01 a.m. April 29, 2018 through 11:59 p.m. July 27, 2018.

Dated and signed at Milwaukee, Wisconsin this 6th day of April, 2018.

Tony Zielinski

TONY ZIELINSKI
Chairman, Licenses Committee

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