



JAMES N. WITKOWIAK
ALDERMAN, 12TH DISTRICT

May 22, 2006

To the Honorable, the Common Council

Dear Members:

Re: Common Council Files 060015, 060062 and 051717

Common Council File 060015 contains the following recommendations:

Recommendation of renewal, with a 15-day suspension based on the police report, of the Class "A" Liquor and Malt license of Samuel Love, Agent for "L&S Liquors, Inc." for the premises at 7900 W. Silver Spring Dr. ("L&S Liquors II") in the 2nd aldermanic district. (Committee vote: Ayes: 3, Noes: 1)

Recommendation of renewal, with a 30-day suspension of the Class "B" Tavern license and non-renewal of the Tavern Dance license, based on the police report and neighborhood objections, of the licenses of William Rivera, Agent for "La Pica Restaurant Lounge & Beer Garden, LLC" for the premises at 2078 S. 8th St. ("La Pica Lounge") in the 12th aldermanic district.

Recommendation of renewal, with a 40-day suspension of the Class "B" Tavern and non-renewal of the Tavern Dance license, based on neighborhood objections, of the licenses of Roberto De Leon for the premises at 1117 W. Lincoln Ave. ("Club Mi Casita Bar") in the 12th aldermanic district. (Committee vote: Ayes: 3, Noes: 2)

Recommendation with renewal, with a 60-day suspension based on the police report, of the Class "B" Tavern and Tavern Dance license of Norman Landry for the premises at 408 E. North Ave. ("Blue Gardenia") in the 6th aldermanic district. (Committee vote: Ayes: 3, Noes: 2)

With regard to the file listed above, the Licenses Committee held an evidentiary hearing on May 16th, 2006.

Common Council File 060062 contains the following recommendation:

Recommendation of revocation, based upon the police report and neighborhood objection, of the Tavern Dance license of John Raymond, Agent for "Conundum, Inc." for the premises at 1818 N. Hubbard St. ("Roots") in the 6th aldermanic district. (Committee vote: Ayes: 2, Noes: 1)

Common Council File 051717 contains the following recommendation:

Recommendation of revocation, based upon failure to comply with the required stage size, of the Center for Visual and Performing Arts license, of William Stace for the premises located at 2844 N. Oakland Ave. ("Miramar Theater") in the 3rd aldermanic district.

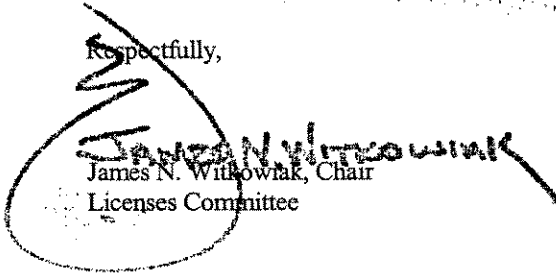
With regard to the files listed above, the Licenses Committee held an evidentiary hearing on May 18th, 2006.

Pursuant to section 90-11, Milwaukee Code of Ordinances, and section 125.12(12), Wis. Stats., the Committee is transmitting a copy of its Report and Recommendations, regarding the above matters to your Honorable Body.

Pursuant to City Ordinances, prior to the time the Common Council acts on the Committee's Report, a roll call vote will be taken to confirm that all members present and voting have read the Committee's Report and any objections that have been filed by the Licensee.

These matters have been scheduled for a hearing before the full Common Council at its meeting on Wednesday, May 31, 2006 at 9:00 A.M. in the Common Council Chambers.

Respectfully,



James N. Witkowiak, Chair
Licenses Committee

cc: All Council Members
Files 060015, 060062 and 051717



JAMES N. WITKOWIAK

ALDERMAN, 12TH DISTRICT

Date: May 19, 2006

To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report of the application for Center for the Visual and Performing Arts license held of William Stace for the premises located at 2844 North Oakland Avenue in the City and County of Milwaukee, Wisconsin ("Miramar Theater").

FINDINGS OF FACT

1. On February 28, 2006 the Milwaukee Common Council approved the renewal of a designation as a Center for the Visual and Performing Arts pursuant to § 90-37 of the Milwaukee Code of Ordinances (MCO) to William Stace for the premises located at 2844 North Oakland Avenue in the City and County of Milwaukee, Wisconsin ("Miramar Theater"). Said license expires at midnight March 19, 2007.
2. On April 7, 2006 Ronald Roberts, a resident of the City of Milwaukee, filed a complaint seeking revocation of the designation of the premises located at 2844 North Oakland Avenue in the City and County of Milwaukee, Wisconsin ("Miramar Theater") because the premises allegedly did not meet the requirements of § 90-37-3-b and -c, MCO, to wit: the premises did not contain a stage area of a minimum 1,200 square feet, and the service of alcohol is not done in a lobby incidental to the stage.
3. On May 12, 2006, a summons and complaint initiating this action, attached exhibits and a copy of Chapter 125 of the Wisconsin Statutes and Chapter 90, MCO, was served upon William Stace as licensee for the premises located at 2844 North Oakland Avenue in the City and County of Milwaukee, Wisconsin ("Miramar Theater") by Sgt. Chester Ulickey of the Milwaukee Police Department.
4. The summons and accompanying complaint and exhibits required William Stace to appear before the Licenses Committee on May 18, 2006 at 8:30 a.m. to show

cause why the designation of a Center for the Visual and Performing Arts should not be revoked or suspended because of the allegations of the complaint.

5. As soon as counsel could be heard following 8:30 a.m. on May 18, 2006 this matter was called by the Chairman of the Licenses Committee. The licensee appeared pursuant to the summons and was not represented by counsel.
6. Pursuant to Wis. Stat. § 125.12(2)(b) and § 90-37, MCO, the Committee makes the following findings of fact:
 - A. The stage constituting the stage area of the premises located at 2844 North Oakland Avenue in the City and County of Milwaukee, Wisconsin ("Miramar Theater") does not contain a 1,200 square feet stage area.
 - B. No findings were made as to the service of alcohol in a lobby incidental to the stage area, since that was a matter rendered irrelevant by virtue of the findings of fact stated above.

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, William Stace has not met the criteria of Chapter 90 and specifically, § 90-37-3-b and -c of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes to allow designation as a Center for the Visual and Performing Arts.
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 and judgment to revoke the designation of a Center for the Visual and Performing Arts held by William Stace for the premises located at 2844 North Oakland Avenue in the City and County of Milwaukee, Wisconsin ("Miramar Theater").

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, recommends that the designation of a Center for the Visual and Performing Arts issued to William Stace for the premises located at 2844 North Oakland Avenue in the City and County of Milwaukee, Wisconsin ("Miramar Theater") be revoked.

Dated and signed at Milwaukee, Wisconsin this 19th day of May, 2006.



JAMES N. WITKOWIAK

JAMES N. WITKOWIAK
Chairman of the Licenses Committee

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