



JAMES N. WITKOWIAK
ALDERMAN, 12TH DISTRICT

May 17, 2007

To the Honorable, the Common Council

Dear Members:

Common Council File 061505 contains the following recommendation:

Renewal, with a 45-day suspension based on the police report, of the Class "D" Bartender license of Patrice Jordan (committee vote: Ayes: 3, Noes: 2)

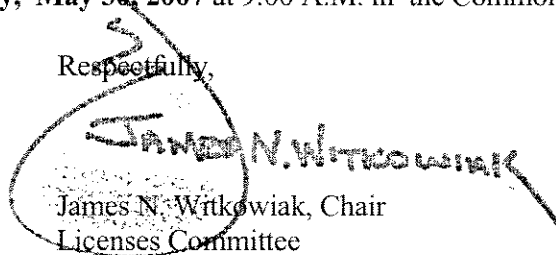
With regard to the file listed above, the Licenses Committee held an evidentiary hearing on May 15th 2007.

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 matter 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.

This matter has been scheduled for a hearing before the full Common Council at its meeting on **Wednesday, May 30, 2007** at 9:00 A.M. in the Common Council Chambers.

Respectfully,


James N. Witkowiak, Chair
Licenses Committee

cc: All Council Members
Files 061505



JAMES N. WITKOWIAK

ALDERMAN, 12TH DISTRICT

Date: May 17, 2007

To: All Members of the Milwaukee Common Council

From: Licenses Committee

Re: Report on the Renewal Application of the Class "D" Bartender License of Patrice Jordan

FINDINGS OF FACT

1. Patrice Jordan (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, 2006.
2. An application to renew said license was untimely filed with the Office of the City Clerk on April 10, 2007.
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 April 11, 2007, the Milwaukee Police Department responded with a police report that could form a basis for nonrenewal or suspension of said license. The Licensee was not represented by counsel.
4. On April 13, 2007 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 April 24, 2007, commencing at 1:30 p.m. in Room 301B of City Hall. At said date, time and place, the licensee did not appear. The matter was returned to the Licenses Committee by the Common Council on May 8, 2007 for further proceedings based upon the Licensee's request. The matter was renoticed on May 8, 2007 setting May 15, 2007 at 1:30 p.m. in Room 301B of City Hall as the date, time and place of hearing. At said date and time the Licensee appeared and admitted receipt of the notice and police report.

5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
 - A. On July 28, 2006 the Licensee was charged in Milwaukee County for carrying a concealed weapon and possession of cocaine. On November 16, 2006 the Licensee was found guilty of the above charges. The Licensee was sentenced to forfeiture/house of correction 90 days for the carrying a concealed weapon and the Licensee was sentenced to a 6 month suspension and 30 days in the house of correction concurrent with the previous sentence.

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, Patrice Jordan, 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 without a forty-five (45) day suspension based upon the police report. The Committee finds the police report to be true.
3. In order to protect the health, safety and welfare of the citizens of the City of Milwaukee, it is the recommendation of the Licenses Committee that the full Common Council should exercise its discretion to renew the Class "D" Bartender license held by Patrice Jordan with a forty-five (45) 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 forty-five (45) day suspension based upon a police report.

Said suspension is to be in effect upon the action of the Common Council on May 30, 2007 and July 13, 2007.

Dated and signed at Milwaukee, Wisconsin this 17th day of May, 2007.


JAMES N. WITKOWIAK
Chairman Licenses Committee