



JAMES N. WITKOWIAK

ALDERMAN, 12TH DISTRICT

January 25, 2008

To the Honorable, the Common Council

Dear Members:

Common Council File 071295 is a substitute motion revoking the Class "B" Tavern license of Montal Hinton for "Montal's Lounge" at 2525 N. Holton St in the 6th aldermanic district.

Common Council File 071016 contains the following recommendations:

Nonrenewal, based on non-appearance, of the Class "D" Bartender licenses of Deitrei Henley, Jennifer Kaufmann and Brad Warobick.

Renewal, with a 15-day suspension based on the police report of the Class "B" Tavern license of Manuel Rodriguez for the premises at 2566 S. 6th St. ("Reyna's Bar") in the 14th aldermanic district.

Renewal, with a 30-day suspension based on the police report, of the Class "B" Tavern and Tavern Dance license of Shamika Evans for the premises at 3762 N. Dr. ML King, Jr. Dr. in the 6th aldermanic district.

Renewal, with a 30-day suspension based on the police report and neighborhood testimony of the Class "B" Tavern license of Humphrey Nangah, Agent for "Diamonds, Inc." for the premises located at 7607 W. Hampton Ave. ("Diamonds Pub & Grill") in the 5th aldermanic district. (Committee vote: 3 ayes, one no and one excused) (Ayes - Ald. Wade, Ald. Witkowiak and Ald. Witkowski; No - Ald. Bohl; Excused - Ald. Puente)

Nonrenewal of the Class "B" Tavern license of Stephanie Torres for the premises at 1535 W. Becher St. ("Outer Limits") in the 12th aldermanic district. (Committee vote: 4 ayes and one no) (Ayes - Ald. Witkowiak, Ald. Bohl, Ald. Puente and Ald. Witkowski; No - Ald. Wade)

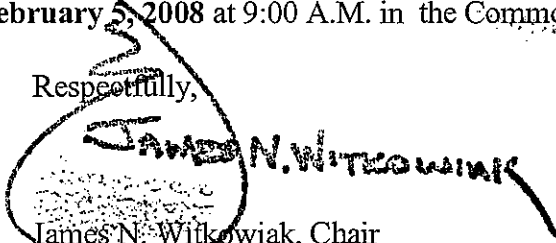
With regard to the files listed above, the Licenses Committee held an evidentiary hearing on January 22nd, 2008.

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 Licensees.

These matters have been scheduled for a hearing before the full Common Council at its meeting on **Tuesday, February 5, 2008** at 9:00 A.M. in the Common Council Chambers.

Respectfully,

A handwritten signature in black ink that reads "JAMES N. WITKOWIAK". The signature is written in a cursive style and is enclosed within a hand-drawn oval.

James N. Witkowiak, Chair
Licenses Committee

cc: All Council Members
Files 071295 and 071016



JAMES N. WITKOWIAK
ALDERMAN, 12TH DISTRICT

Date: January 24, 2008
To: All Members of the Milwaukee Common Council
From: Licenses Committee
Re: Report on the Renewal Application of the Class "D" Bartender License of Deitrei D. Henly

FINDINGS OF FACT

1. Deitrei D. Henly (hereinafter the "Licensee") was the holder of a Class "D" Bartender License in the City and County of Milwaukee, Wisconsin. Said license expired at midnight, December 31, 2007.
2. An application to renew said license was untimely filed with the Office of the City Clerk on January 7, 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 January 8, 2008, the Milwaukee Police Department responded with a police report that could form a basis for nonrenewal or suspension of said license.
4. On January 11, 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 22, 2008, 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 Deitrei D. Henly at 2852 North 1st Street, Milwaukee, Wisconsin 53212 on

January 11, 2008 by U.S. prepaid first-class mail in an envelope bearing the return address of the License Division. The address of 2852 North 1st Street, Milwaukee, Wisconsin 53212 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 22, 2008.

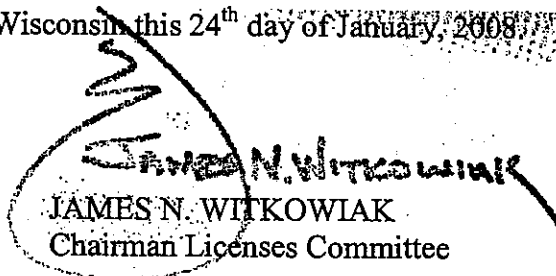
CONCLUSIONS OF LAW

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, Deitrei D. Henly, 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 Deitrei D. Henly 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 recommends that the Class "D" Bartender License be denied based upon nonappearance.

Dated and signed at Milwaukee, Wisconsin this 24th day of January, 2008.


JAMES N. WITKOWIAK
Chairman Licenses Committee



JAMES N. WITKOWIAK

ALDERMAN, 12TH DISTRICT

Date: January 24, 2008
To: All Members of the Milwaukee Common Council
From: Licenses Committee
Re: Report on the Renewal Application of the Class "D" Bartender License of Jennifer L. Kaufmann

FINDINGS OF FACT

1. Jennifer L. Kaufmann (hereinafter the "Licensee") was the holder of a Class "D" Bartender License in the City and County of Milwaukee, Wisconsin. Said license expired at midnight, December 31, 2007.
2. An application to renew said license was timely filed with the Office of the City Clerk on October 26, 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 October 29, 2007, the Milwaukee Police Department responded with a police report that could form a basis for nonrenewal or suspension of said license.
4. On January 11, 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 22, 2008, 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 Jennifer L. Kaufmann at 1116 South 62nd Street, Lower, West Allis, Wisconsin 53214 on January 11, 2008 by U.S. prepaid first-class mail in an

envelope bearing the return address of the License Division. The address of 1116 South 62nd Street, Lower, West Allis, Wisconsin 53214 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 22, 2008.

- B. On June 15, 2004 the applicant was charged by Milwaukee County for hit and run (involving a death) and found guilty on August 14, 2006 and sentenced to state prison which was imposed and stayed for 15 months; extended supervision for 17 months and a sentence of probation was imposed 4 years.

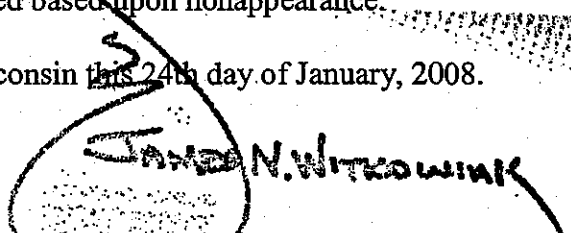
CONCLUSIONS OF LAW

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, Jennifer L. Kaufmann, 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 Jennifer L. Kaufmann 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 recommends that the Class "D" Bartender License be denied based upon nonappearance.

Dated and signed at Milwaukee, Wisconsin this 24th day of January, 2008.


JAMES N. WITKOWIAK
Chairman Licenses Committee



JAMES N. WITKOWIAK
ALDERMAN, 12TH DISTRICT

Date: January 24, 2008
To: All Members of the Milwaukee Common Council
From: Licenses Committee
Re: Report on the Renewal Application of the Class "D" Bartender License of Brad Warobick

FINDINGS OF FACT

1. Brad Warobick (hereinafter the "Licensee") was the holder of a Class "D" Bartender License in the City and County of Milwaukee, Wisconsin. Said license expired at midnight, December 31, 2007.
2. An application to renew said license was untimely filed with the Office of the City Clerk on December 20, 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 December 21, 2007, the Milwaukee Police Department responded with a police report that could form a basis for nonrenewal or suspension of said license.
4. On January 11, 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 22, 2008, 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 Brad W. Warobick at 104 East Mason Street, No. 711, Milwaukee,

Wisconsin 53202 on January 11, 2008 by U.S. prepaid first-class mail in an envelope bearing the return address of the License Division. The address of 104 East Mason Street, No. 711, Milwaukee, Wisconsin 53202 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 22, 2008.

- B. On September 10, 2005 the applicant was charged by Waukesha County for operating while under the influence (2nd offense), which was dismissed on prosecutor's motion on February 2, 2006. The applicant was charged in Waukesha County on September 10, 2005 for resisting or obstructing an officer which was dismissed-read in on February 2, 2006. The applicant was charged in Waukesha County on September 10, 2005 with operating with prohibited alcohol concentration .08 or more (2nd offense) and was found guilty on February 2, 2006 and sentenced to non-probative conditions/alcohol assessment/forfeiture/local jail 40 days/license revoked 14 months/ignition interlock 26 months concurrent.
- C. On February 18, 2006 the applicant was charged in Milwaukee County for operating while under the influence (3rd offense) and operating with prohibited alcohol concentration .08 or more (3rd offense). Both of these charges were pending sentencing on January 11, 2008.
- D. The applicant's driver's license revealed the following:

July 2, 2004	operating while intoxicated	Waukesha County
March 2, 2006	prohibited alcohol concentration	Waukesha County

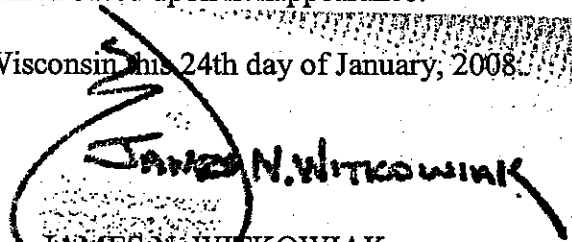
CONCLUSIONS OF LAW

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, Brad Warobick, 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 Brad Warobick 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 recommends that the Class "D" Bartender License be denied based upon nonappearance.

Dated and signed at Milwaukee, Wisconsin this 24th day of January, 2008.


JAMES N. WITKOWIAK
Chairman Licenses Committee



JAMES N. WITKOWIAK
ALDERMAN, 12TH DISTRICT

Date: January 22, 2008

To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report of the Renewal Application of Manuel G. Rodriguez for a Class "B" Tavern license for the premises located at 2566 South 6th Street in the City and County of Milwaukee, Wisconsin ("Reynas Bar").

FINDINGS OF FACT

1. Manuel G. Rodriguez (hereinafter the "Licensee") is the holder of a Class "B" Tavern license for the premises located at 2566 South 6th Street in the City and County of Milwaukee, Wisconsin ("Reynas Bar"). Said license expires February 6, 2008.
2. An application to renew said license was timely filed with the Office of the City Clerk on December 8, 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. The Milwaukee Police Department responded with a report that could form the basis of non-renewal or suspension of this license on January 3, 2008. There were also neighborhood objections to loitering, littering, loud music and noise, parking and traffic problems, late night disturbances and vandalism, shootings and fights, public urination, drug and criminal activity, and conduct which is detrimental to the health, safety and welfare of the neighborhood.
4. On January 11, 2008, the City Clerk's Office provided notice to the Licensee pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes of the police report that could form the basis for nonrenewal or suspension and neighborhood objections and included a copy of the police report. The matter was scheduled for a hearing on the police report on January 22, 2008 at 9:45 a.m. in Room 301B of the third floor of City Hall. At

said date, time and place the licensee did appear, but was not represented by counsel.

6. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
 - A. On March 29, 2006 at 10:55 pm, officers of the Milwaukee Police Department conducted a licensed premises check at 2566 South 6th Street ("Reynas Bar"). An officer observed a patron with a youthful appearance playing pool. Officers requested identification to verify his age. The subject consented to a search. Officers found a dollar bill, which contained a clear plastic corner cut baggie. The baggie contained a white powdery substance, which later tested positive for cocaine. The subject was arrested for possession of controlled substance-cocaine. No violations were found during the tavern check.
 - B. On January 6, 2007 at 1:00 am, officers from the Milwaukee Police Department Intelligence and Vice Control Division conducted a licensed premises check at 2566 South 6th Street ("Reynas Bar"). Upon entry, officers observed a male patron, who was seated at the bar attempt to discard a plastic bag containing four smaller bags of marijuana onto the floor of the tavern. This patron realized he was being watched and put the bag of marijuana in his pants pocket. This subject was arrested and the substance tested positive for marijuana. Officers also spoke to the bartender, who denied any knowledge of drugs being sold inside the tavern. Wanted checks were conducted on two other patrons who were arrested on misdemeanor warrants. No other violations were found.
 - C. On January 13, 2007 at 12:05 am, officers of the Milwaukee Police Department conducted a tavern check at 2566 South 6th Street ("Reynas Bar"). Upon entry, officers had made eye contact with a patron who was dropping a clear plastic bag containing a white powdery substance, suspected to be cocaine, to the floor. Officers recovered the suspected cocaine as the patron stated, "I'm not selling cocaine. I use cocaine." Officers also conducted a field interview of the subject's friend who was seated next to him. When asked if he had anything illegal on his person, the subject stated, "Yeah, I'm holding something for my friend." An officer conducted a pat down search and found a bag of white powdery substance, suspected of cocaine, in the subject's right pants pocket. This patron, of his own will, stated, "It's mine. It's for personal use." Both subjects were arrested and charged with possession of controlled substance-cocaine. The drugs tested positive for cocaine. No other violations were found.

- D. On January 20, 2007, officers of the Milwaukee Police Department received reliable information from an informant that cocaine was being sold from Reynas Bar. On January 21, 2007 at 12:15 am, this informant was able to purchase \$20.00 dollars worth of suspected cocaine from an unknown patron inside Reynas. Shortly after the buy, officers conducted a licensed premises check, but were unable to locate the suspect; however they did find a subject wanted on a felony warrant. This subject was arrested and the cocaine that was bought from the earlier buy was placed on inventory.
- E. On November 22, 2007, officers of the Milwaukee Police Department were dispatched to a subject with weapon at 2566 South 6th Street ("Reynas Bar"). Officers spoke to the bouncer who stated an unknown female was in an argument and was removed from the tavern. A few minutes later, the subject returned with a rock and broke out the tavern's southeast window. An incident report was filed.
- F. No neighbors appeared in opposition to renewal of this license.
- G. The security guard for the premises checks the bathroom for illegal activity, as well as the patrons when they come in.

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, Manuel G. Rodriguez, 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 for the premises located at 2566 South 6th Street in the City and County of Milwaukee, Wisconsin ("Reynas Bar") without undergoing a fifteen (15) day suspension based upon a 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 of the City of Milwaukee should exercise its judgment to renew the Class "B" Tavern license of Manuel G. Rodriguez for the premises located at 2566 South 6th Street in the City and County of Milwaukee, Wisconsin ("Reynas Bar") with a fifteen (15) day suspension because of the police report. The Committee finds the police report, as stated above, to be true.

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 Manuel G. Rodriguez for the premises located at 2566 South 6th Street in the City and County of Milwaukee, Wisconsin ("Reynas Bar") be renewed with a fifteen (15) day suspension based upon the police report.

Said suspension is to be in effect between 12:01 a.m. February 7, 2008 through midnight February 21, 2008.

Dated and signed at Milwaukee, Wisconsin this 24th day of January, 2008:



JAMES N. WITKOWIAK, Chair
Licenses Committee



JAMES N. WITKOWIAK
ALDERMAN, 12TH DISTRICT

Date: January 22, 2008

To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report of the Renewal Application of Shamika M. Evans for a Class "B" Tavern and Tavern Dance license for the premises located at 3792 North Dr. Martin Luther King Jr. Drive in the City and County of Milwaukee, Wisconsin ("Marjani").

FINDINGS OF FACT

1. Shamika M. Evans (hereinafter the "Licensee") is the holder of a Class "B" Tavern and Tavern Dance license for the premises located at 3792 North Dr. Martin Luther King Jr. Drive in the City and County of Milwaukee, Wisconsin ("Marjani"). This license expires at midnight on February 5, 2008.
2. An application to renew said license was timely filed with the Office of the City Clerk on December 7, 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. The Milwaukee Police Department responded with a report that could form the basis of non-renewal or suspension of this license on December 12, 2007. There were also neighborhood objections to loitering, littering, loud music and noise, parking and traffic problems, fights, public urination, drug and criminal activity, and conduct which is detrimental to the health, safety and welfare of the neighborhood.
4. On January 11, 2008, the City Clerk's Office provided notice to the Licensee pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes of the police report that could form the basis for nonrenewal or suspension and neighborhood objections and included a copy of the police report. The matter was scheduled for a hearing on the police report on January 22, 2008 at 9:30 a.m. in Room 301B of the third floor of City Hall. At

said date, time and place the licensee did appear, but was not represented by counsel.

6. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:

A. On July 12, 2007 at 9:30 pm, officers of the Milwaukee Police Department were conducting a follow-up in the area when they observed several patrons entering and exiting at 3762 North King Drive and walking up to a car parked in front of the tavern. Officers observed some type of transactions taking place between the patrons and a subject seated in the car. Officers approached the auto and found the driver with \$100 dollar bills in her lap with baggies of marijuana on the console. Officers also found baggies of cocaine inside the vehicle. The driver was arrested and charged with possession of a controlled substance with intent to deliver-cocaine. The patron who exited the tavern and was found by the auto was also stopped and questioned. This patron identified himself as head of security for the club. He stated he was an employee of the man who ran the club. Officers recovered marijuana from the subject after he admitted he had drugs on his person. As officers were conducting this investigation, another patron exited the tavern and was identified as the man who ran the club. Officers informed this individual that they were going to conduct a licensed premises check. This individual agreed and went to open the door to the tavern and officers found it locked. He stated he did not have a key on him, but would have someone inside open the door. About a minute later, someone inside opened the door. Officers found one patron by the bar area. While officers were in the basement, they heard movements from the area behind a door that they found locked. An officer asked the man who ran the club for the keys and he first told officers there were not any keys until officers did locate the keys and were able to unlock the door. Once opened, officers found it to be a business office and storage area. Inside they found Shamika Evans, who is the licensee, and numerous video monitors showing video cameras inside the tavern. Officers also found open dropped ceiling tiles in the office and recovered a .308 handgun that was concealed inside the tiles. Officers also found liquor stored in the storage area in which the tavern license does not list. Once back up stairs, officers also found a Smith & Wesson 9mm handgun in a brown leather case which contained the day planner of the head of security and numerous business cards with the security head's name on them near the DJ booth. Evans was questioned regarding the guns found inside the tavern to which she stated she does not own any guns.

B. Citations were issued to the licensee Shamika Evans for license required liquor basic license and immediate entry to police/local and state

authorities. The head of security was charged with felon in possession of a firearm. On September 5, 2007, the citation for license required was reduced to permit a person to tend bar without license. Shamika Evans was also cited with immediate entry/police/local and state authority and found guilty on September 5, 2007 and a bench warrant was issued and she was fined \$356.00. Shamika Evans was cited with permit person to tend bar without license and found guilty on September 5, 2007 and fined \$356.00.

- C. At hearing, the Licensee testified that the man who runs the club is the father of her child, is not a manager, and he recommended the head of security for that position. The Licensee denied that she owns any guns.
- D. No neighbors testified in opposition to renewal of this license.

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, Shamika M. Evans, 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 and Tavern Dance License for the premises located at 3792 North Dr. Martin Luther King Jr. Drive in the City and County of Milwaukee, Wisconsin ("Marjani") without undergoing a thirty (30) day suspension of said license based upon a 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 of the City of Milwaukee should exercise its judgment to renew the Class "B" Tavern and Tavern Dance license of Shamika M. Evans for the premises located at 3792 North Dr. Martin Luther King Jr. Drive in the City and County of Milwaukee, Wisconsin ("Marjani") with a thirty (30) day suspension of said license because of a police report. The Committee finds the police report, as stated above, to be true.

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 license held by Shamika M. Evans be renewed with a thirty (30) day suspension based upon a police report.

Said suspension is to be in effect between 12:01 a.m. February 6, 2008 through midnight, March 6, 2008.

Dated and signed at Milwaukee, Wisconsin this 24th day of January, 2008.



JAMES N. WITKOWIAK, Chair
Licenses Committee



Date: January 24, 2008

To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report of the renewal application of Humphrey F. Nangah, agent for Diamonds, Inc. for a Class "B" Tavern License for the premises located at 7607 West Hampton Avenue in the City and County of Milwaukee, Wisconsin ("Diamonds Pub & Grill").

FINDINGS OF FACT

1. Humphrey F. Nangah (hereinafter the "Licensee") is the holder of a Class "B" Tavern license for the premises located at 7607 West Hampton Avenue in the City and County of Milwaukee, Wisconsin ("Diamonds Pub & Grill"). Said license expired at midnight January 21, 2008.
2. An application to renew this license, as well as a Tavern Dance License, was timely filed with the Office of the City Clerk on November 7, 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. The Milwaukee Police Department responded with a report that could form the basis for non-renewal or suspension of the Class "B" Tavern and Tavern Dance licenses on November 8, 2007. There were also neighborhood objections to loitering, littering, loud music and noise, parking and traffic problems, fights, public urination, drug and criminal activity, and conduct which is detrimental to the health, safety and welfare of the neighborhood.
4. On January 15, 2007, the City Clerk's Office provided notice to the Licensee pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes of the police report that could form the basis for nonrenewal or suspension and neighborhood objections and included a copy of the police report. The matter was scheduled for a hearing on the police report on January 22, 2008 at 11:30 a.m. in Room 301B of the third floor of City Hall. At said date, time and place the licensee did appear, and was represented by Attorney Michael Chernin, 839 North Jefferson, Suite 501, Milwaukee, WI 53202. On

January 18, 2008, the licensee executed a written withdrawal of his application for a Tavern Dance license.

When this matter was originally heard by the Licenses Committee on January 2, 2008, the Committee recommended nonrenewal of the Tavern Dance license and renewal for the Class "B" Tavern license with a twenty day suspension. Objections were filed by the Licensee.

This matter was heard by the Milwaukee Common Council on January 15, 2008.

At the meeting of January 22, 2008 the Licenses Committee formally accepted the withdrawal of the Tavern Dance license for this premises.

5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
 - A. The following 2 incidents are in regards to the Vice-President/Secretary of the corporation applying for this license:
 - (1) On April 1, 1985 she was arrested in Milwaukee for possession with intent to deliver (felony) which was amended to possession of controlled substance-THC (misdemeanor). She was found guilty and sentenced to one year probation on July 2, 1985.
 - (2) On November 15, 1989 she was arrested by Milwaukee police for possession with intent to deliver/manufacture controlled substance (felony). She was convicted and sentenced to 3 years probation on June 6, 1990.
 - B. On November 4, 2003, at 1:00 AM, officers of the Milwaukee Police Department were sent to Diamonds Pub, 7607 West Hampton Avenue for a fight. Enroute the call was changed to a shooting, with the victim currently at 7719 West Hampton Avenue. The victim stated he was in the tavern when a fight erupted (he stated that he was not involved). As he and others were being pushed out the door by security people, he heard 5 shots and he was shot in the buttocks. Two bartenders stated that they heard no shots. Three bullet casing were found outside the tavern entrance on the sidewalk. An incident report was filed.
 - C. On December 20, 2003, at 12:50 AM, officers of the Milwaukee Police Department were flagged down by Humphrey F. Nangah because of trouble with a person at his tavern at 7607 West Hampton Avenue. A male and a female became involved in a fight and the female hit the male with a bar stool. A battery report was filed.
 - D. On July 23, 2005, at 1:00 AM, officers of the Milwaukee Police

Department conducted a premises check at Diamonds Pub, 7607 West Hampton Avenue. They observed the maximum capacity sign posted properly over the main entrance, which had a limit of 100 people. Because of the large crowd, it was believed that the premises was over capacity. The premises was closed and the patrons were counted as they left the premises. A total of 177 patrons and 11 employees was counted. The licensee was issued a citation for exceeding posted occupancy capacity. He was found guilty on February 6, 2006 and fined \$5,000.

- E. On August 7, 2005, at 12:50 AM, officers of the Milwaukee Police Department conducted a tavern check at Diamonds Pub, 7607 West Hampton Avenue. They observed 20-25 persons standing on the sidewalk, waiting to get into Diamonds. The officers were going to check the premises for over capacity. They observed three females walking along the west side of the building. They appeared upset and were very vocal. They then attempted to re-enter the premises, and confronted some of the patrons that were leaving. One of the three punched one of the persons in the face and then was taken to the ground. She then punched another female twice to the face and head. This person was an off-duty police officer. The subject was arrested and conveyed to St Joseph's emergency room for medical clearance. Witnesses told officers the off-duty officer was confronted by a group of females inside the tavern, who then followed her to the bathroom. The off-duty officer was hit and punched in the bathroom by the same person who was arrested above. One arrest was made for battery to a police officer.
- F. On August 26, 2005 at 11:10 AM, officers of the Milwaukee Police Department were working on the tobacco initiative and had a 16-year old enter the Diamonds Pub located at 7607 West Hampton Avenue to purchase some cigarettes. This 16-year-old asked one of the workers behind the bar for some change to buy cigarettes. The worker gave him change and he was able to purchase a pack of Newport cigarettes from the vending machine. The worker was issued a citation for sale of tobacco to person under 18. That person was found guilty of this citation on October 19, 2006 and fined \$160.00.
- G. On January 21, 2007 at 1:56 AM, officers of the Milwaukee Police Department were dispatched to 7607 West Hampton Avenue for a shots fired complaint. As squads were responding, the call was updated to a shooting. Officers checked the area for a shooting victim and could not find one. Officers asked the security guards for Diamonds who was shot and received no response from them. Officers entered the tavern and began asking if anyone was shot and observed employees picking up bar stools that were knocked over, sweeping the floors, wiping down tables and the bar. Officers were approached by the tavern owner, Humphrey Nangah, who stated that shots were not fired inside the tavern but outside.

Nangah further stated that he believed the person who was shooting the gun was a subject who was refused entry into the tavern. Nangah could not provide a description of the actor. Officers then observed a broken window with a bullet hole, Security cameras were found in the tavern but officers were told they were not working.

- H. On February 22, 2007 at 10:28 PM, officers of the Milwaukee Police Department were dispatched to 76th and Hampton for a battery/cutting complaint. The investigation revealed no victim but officers observed blood on the sidewalk and in the parking lot of Diamonds tavern. A further investigation revealed an argument between two patrons, who were brothers, took place outside with one brother cutting the other with a box cutter. The victim suffered two lacerations that required stitches.
- I. On April 17, 2007 at 12:18 AM, officers of the Milwaukee Police Department were dispatched to 7607 West Hampton Avenue for a trouble with subject complaint. Officers spoke to Humphrey Nangah who stated he was getting ready to close and that he was afraid that two groups of female patrons were going to start a fight. Nangah stated that one group of females was accusing the other of stealing their drinks. Nangah requested police service to assist in closing of the tavern and to monitor patrons leaving, even though security for the tavern was on scene.
- J. On July 21, 2007 at 1:15 AM, officers of the Milwaukee Police Department were dispatched to 7607 West Hampton Avenue for an armed robbery complainant. The investigation revealed the victim was a patron at Diamonds Pub and, as he left the tavern, was approached by two actors who struck the victim twice with a gun and took his wallet. The victim sustained a 1-1/2 inch laceration to his right eye that required 11 stitches to close
- K. On October 13, 2007 at 2:10 AM, officers of the Milwaukee Police Department were dispatched to 7607 West Hampton Avenue for a trouble with subject complaint. Officers spoke to Humphrey Nangah who stated that as the bar was closing, a large group of patrons who were outside of the tavern began causing a disturbance and refused to leave. It started inside the tavern with one patron accusing another of stealing some money. Nangah was concerned that someone might get hurt and wanted police presence to help clear the area. No citations were issued.
- L. On October 26, 2007 at 12:31 AM, officers of the Milwaukee Police Department were dispatched to a shooting at 7607 West Hampton Avenue. The investigation revealed a patron was shot to the head and killed inside the tavern after an argument began with another patron. Officers spoke to a witness who stated the victim had been dancing with a female patron when they walked up to the bar and another male patron began arguing

with the victim. They started pushing each other when the suspect pulled out a gun and shot the victim. The witness further stated that the female patron was sitting with the suspect earlier before the victim started dancing with her. The suspect then fled out the front door. Officers spoke to two of the bartenders who were bartending and both stated they didn't see what happened. The owner, Humphrey Nangah, stated he was not there at the time of the shooting and did not know anything about it. Officers were told by other witnesses that Nangah was in his vehicle with an unknown female, which was parked on the east side parking lot of Diamonds the entire time. Both the bartenders and Nangah were uncooperative with police and no one from the tavern called police when the shooting occurred. A patron inside the tavern called 911.

- M. At the hearing of January 2, 2008, the Committee was informed by the Licensee regarding the incident of October 26, 2007, that although security was supposed to have been checking females for weapons, on the evening in question this was not being done.
- N. Since the shooting and murder, the Licensee has closed early and added a third security check point. In addition, the Licensee has improved upon an already existing camera surveillance system. Finally, the Licensee, even before the shooting, serves a full menu of meals and advertises that fact.
- O. An objecting neighbor related to being disturbed by loud noise, including motorcycles and loitering going on in front of the establishment.
- P. The local alderman has indicated the licensee works with his office and seems genuinely interested in making improvements to the operation of the premises.

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, Humphrey F. Nangah, who holds a Class "B" Tavern license for the premises located at 7607 West Hampton Avenue in the City and County of Milwaukee, Wisconsin ("Diamonds Pub & Grill") 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 thirty (30) day suspension of said license based upon the police report and neighborhood objections.

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 Humphrey F. Nangah for the premises located at 7607 West Hampton Avenue in the City and County of Milwaukee, Wisconsin ("Diamonds Pub & Grill") with a thirty (30) day suspension of said license based upon the police report and neighborhood objections. The Committee finds the police report and neighborhood objections, as stated above, to be true.

RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of three (3) ayes, one (1) noe and one (1) excused recommends that the Class "B" Tavern license be renewed with a thirty (30) day suspension based upon the police report and neighborhood objections.

Said suspension is to be in effect between the time of the Common Council action on February 5, 2008 through midnight, March 5, 2008.

Dated and signed at Milwaukee, Wisconsin this 24th day of January, 2008.


JAMES N. WITKOWIAK, Chair
Licenses Committee



JAMES N. WITKOWIAK
ALDERMAN, 12TH DISTRICT

Date: January 24, 2008

To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report of the Renewal Application of Stephanie J. Torres for a Class "B" Tavern license for the premises located at 1535 West Becher Street in the City and County of Milwaukee, Wisconsin ("Outer Limits").

FINDINGS OF FACT

1. Stephanie J. Torres (hereinafter the "Licensee") is the holder of a Class "B" Tavern license for the premises located at 1535 West Becher Street in the City and County of Milwaukee, Wisconsin ("Outer Limits"). Said license expires February 21, 2008.
2. An application to renew said license was timely filed with the Office of the City Clerk on December 7, 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. The Milwaukee Police Department responded with a report that could form the basis for non-renewal or suspension of this license on December 11, 2007. There were also neighborhood objections to loitering, littering, loud music and noise, parking and traffic problems, late night disturbances and vandalism, shootings and fights, public urination, drug and criminal activity, and conduct which is detrimental to the health, safety and welfare of the neighborhood.
4. On January 11, 2008, the City Clerk's Office provided notice to the Licensee pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes of the police report that could form the basis for nonrenewal or suspension and neighborhood objections and included a copy of the police report. The matter was scheduled for a hearing on the police report on January 22, 2008 at 10:45 a.m. in Room 301B of the third floor of City Hall. At

said date, time and place the licensee did appear, but was not represented by counsel.

6. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
 - A. On April 13, 2003, Stephanie Torres, the licensee, was cited by officers of the Milwaukee Police Department for underage, Class "B" licensee responsibility, and on June 5, 2003 she was fined \$341.00 for that offense.
 - B. On October 23, 2005, at 8:25 pm, officers of the Milwaukee Police Department were dispatched to a shooting at 1550 West Becher Street. The victim suffered a gun shot wound to the upper left leg causing his death. The investigation revealed that the victim was in licensed premises at 1535 West Becher ("Outer Limits") playing pool. Later outside the tavern, patrons heard a gunshot and the victim was lying on the sidewalk.
 - C. On December 27, 2006 at 11:25 pm, officers of the Milwaukee Police Department conducted a licensed premises check at 1535 West Becher, Milwaukee, Wisconsin ("Outer Limits"). Officers spoke to Rafael Torres, the licensee's husband, who came out from a back room appearing nervous that officers were there. Torres stated to officers that only he and his wife have access to a room and when asked by officers if he would consent to a search of the room, Torres stated yes. Officers found in plain view a clear plastic baggie containing suspected cocaine lying on top of a box under a chair. Torres stated that a patron gave him the cocaine and he threw it away in the office because he did not want to throw it away in the tavern area. Torres was arrested and because there was no responsible person on the premise, the tavern was closed by police. As the patrons were exiting the tavern, an officer observed a patron walk toward the exit door and drop a container inside the bar area. A check of the container revealed 17 paper folds containing a white powdery substance suspected of cocaine. This patron was arrested and charged with possession of controlled substance-cocaine with intent to deliver. Torres was charged with possession of a controlled substance-cocaine. At hearing the Committee was informed this charge was dismissed.
 - D. On February 1, 2007 at 8:42 pm, officers of the Milwaukee Police Department were dispatched to 1535 West Becher Street, Milwaukee, Wisconsin ("Outer Limits") for a strong arm robbery. The investigation revealed the victim, who was highly intoxicated, stated he was robbed of \$250.00. The subject later recanted his story stating he made it up because he had spent all his money on beer. Officers spoke to the licensee, Stephanie Torres, who stated she wanted the patron removed due to his intoxication. The complaint was found baseless.

- E. On February 9, 2007 at 1:42 am, officers of the Milwaukee Police Department were dispatched to 1535 West Becher for a fight complaint. The licensee, Stephanie Torres, called police stating there were "three cars full of people trying to fight one person" who was in the tavern. When police arrived, the actors were gone and when officers attempted to speak with the caller, Torres, at the tavern, they found the doors to be locked. When police identified themselves, Torres opened the door stating she had it locked because she did not want the other subjects to enter the tavern and start a fight.
- F. On February 11, 2007 at 5:23 pm, officers of the Milwaukee Police Department were dispatched to 1535 West Becher ("Outer Limits") for a property damage complaint. The caller, identified as Toni Woods, stated that a male patron was throwing bar stools and smashing ashtrays and that he had a seven-year-old child with him. As officers entered the tavern, the subject started to verbally threaten officers at which time the subject was decentralized and arrested for disorderly conduct. The child was placed into the mother's custody.
- G. At hearing, the Licensee testified that she did not serve this person. Rather, the person came into the premises looking for the mother of the child, and when learning the mother was not there, became violent.
- H. On April 6, 2007 at 2:24 am, officers of the Milwaukee Police Department were dispatched to 1535 West Becher ("Outer Limits") for a fight complaint. The caller, the licensee, Stephanie Torres, stated there was a fight in front of the bar. Officers arrived and found no fight in or near the tavern. Officers attempted to speak with the caller, but found the tavern dark and it appeared to be closed.
- I. On August 24, 2007 at 6:54 pm, officers of the Milwaukee Police Department were dispatched to an entry at 1535 West Becher Street ("Outer Limits"). The investigation revealed that an entry did occur in which the screen was removed from a window by force. Taken was \$1,500 in cash that was left in the register and 24 bottles of different liquor.
- J. On September 29, 2007 at 2:20 am, officers of the Milwaukee Police Department were dispatched to 1535 West Becher ("Outer Limits") for a shots fired complaint. The investigation revealed several subjects were outside the Outer Limits and were physically fighting. Officers conducted several field interviews with one subject receiving two citations for disorderly conduct and resisting/obstructing an officer.
- K. On October 2, 2007 at 12:53 am, officers of the Milwaukee Police Department were dispatched to 15th and Becher Streets for an armed robbery complaint. Upon arrival officers found a large crowd in front of

the Outer Limits tavern. Two patrons claimed to have been robbed as they left the Outer Limits tavern. Officers spoke to the victims individually, both who were heavily intoxicated and claimed as they exited the tavern, they were approached by two subjects who were armed and demanded their money. Both victims became extremely uncooperative with police. There were many inconsistencies of what occurred with both victims unwilling to cooperate. Officers then spoke to a witness who stated he did observe two subjects with a gun rob patrons in front of the Outer Limits. Officers also spoke to the bartender who stated the two victims and the witness officers spoke to had been patrons in the bar earlier and all left at the same time when the crimes occurred.

- L. On October 2, 2007 at 2:03 pm, officers of the Milwaukee Police Department were dispatched to 1535 West Becher ("Outer Limits") for a theft complaint. The victim stated to police that she was in the Outer Limits tavern and while there, someone stole her cell phone from her purse. An incident report was filed.
- M. On October 21, 2007 at 1:12 am, officers of the Milwaukee Police Department conducted a licensed premises check at 1535 West Becher Street ("Outer Limits"). Two patrons were arrested on outstanding felony and misdemeanor warrants. Officers recovered a plastic bag that contained suspected marijuana from the floor of the tavern but none of the patrons could be linked to the contraband. The marijuana was placed on inventory.
- N. On December 28, 2007 at 1:38 am, officers of the Milwaukee Police Department were dispatched to 1535 West Becher ("Outer Limits") for a threat complaint. Officers spoke to the licensee, Stephanie Torres, who stated she had removed three patrons earlier in the evening because they were highly intoxicated and acting disorderly towards her and other patrons. Torres further stated these same three subjects returned at 1:30 am and were threatening the tavern security. Torres then called police and the subjects fled in an unknown direction.
- O. On January 4, 2008 at 7:25 pm, officers of the Milwaukee Police Department conducted a licensed premises check at 1535 West Becher ("Outer Limits"). The investigation revealed that the licensee, Stephanie Torres, did not have the proper alcohol invoices on the premise as required by law. Torres later brought them to the tavern and a review of the invoices revealed that Torres was not in compliance with the proper purchase of alcohol. A total of 132 bottles (sealed and opened) were confiscated due to un-invoiced alcohol. Officers observed approximately 7 bottles of liquor that were contaminated and destroyed on scene by Torres. Torres stated to officers that her sellers' permit was revoked by the City of Milwaukee because of taxes being owed. Torres also stated that she purchased the alcohol from Oklahoma Liquor.

Wis. Stat. § 125.54(1) and (a) and (7)(b) provides:

125.54 Wholesalers' permits. (1) AUTHORIZED ACTIVITIES. The department shall issue wholesalers' permits authorizing the permittee to sell intoxicating liquor at wholesale from the premises described in the permit. Except as provided under s. 125.69 (1) (b) 3., the permittee may not sell intoxicating liquor for consumption on the premises. If a wholesale permit is issued to a brewery that holds a "Class B" license, the permit shall authorize the wholesale sale of wine only. Possession of a permit under this section does not authorize the permittee to sell tax-free intoxicating liquor and wine brought into this state under s. 139.03(5).

(7) BONA FIDE WHOLESALERS. (a) 1. The premises described in a permit issued under this section shall be capable of warehousing intoxicating liquor. Any intoxicating liquor sold by the permittee shall be physically unloaded at the premises described in the permit, or at any warehouse premises for which the permittee under this section also holds a permit issued under s. 125.19, prior to being delivered to a retail licensee or permittee or to another wholesaler.

(b) No intoxicating liquor retail licensee or permittee may receive a benefit from a violation under par. (a) with knowledge of the circumstances giving rise to the violation.

Wis. Stat. § 125.54(7)(c)1.,2.,3., and (d) provides:

(c) 1. A wholesaler who violates this subsection shall be fined not more than \$10,000. In addition, a court shall order the wholesaler to forfeit an amount equal to any profit gained by the wholesaler or by a retail licensee or permittee that violates par. (b), or by both, resulting from the violation, and the court shall further order that the wholesaler's permit be revoked.
2. A court shall order a retail licensee or permittee who violates this subsection to forfeit an amount equal to any profit gained by the retail licensee or permittee resulting from the violation, and the court shall further order that the retail license or permit be revoked.

3. This paragraph shall not affect the authority of any municipality or the department to revoke, suspend, or refuse to renew or issue a license or permit under s. 125.12.

(d) The department shall promulgate rules to administer and enforce the requirements under this subsection. The rules shall ensure coordination between the department's issuance and renewal of permits under this section and its enforcement of the requirements of this subsection, and shall require that all applications for issuance or renewal of permits under this section be processed by department personnel generally familiar with activities of intoxicating liquor wholesalers. The department shall establish by rule minimum requirements for warehouse facilities on premises described in permits issued under this section and for periodic site inspections by the department of such warehouse facilities.

Finally, § Tax 8.21 of the Wisconsin Administrative Code provides:

Purchase by the retailer. (1) Every retail licensee shall retain invoices covering all purchases of intoxicating liquor for a period of 2 years from the date of the invoice. Such invoices shall be retained on the licensed premises in groups covering one month each and shall be open to inspection at all reasonable times by any representative of the department. The date of payment must be recorded on each invoice.

(2) An invoice retained by a retail licensee shall contain the following information:

- (a) Names and business addresses of both parties as shown on the permit or license of each.
 - (b) Date of sale.
 - (c) Invoice number.
 - (d) Quantity and package size of intoxicating liquor or by type and brand.
 - (e) Unit price per package.
 - (f) Discount, if any.
 - (g) Signature of the person receiving the intoxicating liquor.
 - (h) Date of payment.
- (Emphasis added).

- P. Captain Edwardo Negron, District 3, the district where this tavern is located, related that the police department receives many complaints regarding this premises. Captain Negron testified to fights involving as many as forty persons. Captain Negron testified that the continued

operation of this premises is terrorizing the neighborhood and consuming police resources.

- Q. At hearing the Licensee and her mother (who do not reside together) demonstrated their lack of understanding of alcohol regulations by expressing the opinion that the mother could operate the bar with no other licensed person on the premises because they are mother and daughter.

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, Stephanie J. Torres, who holds a Class "B" Tavern license for the premises located at 1535 West Becher Street in the City and County of Milwaukee, Wisconsin ("Outer Limits") 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 based upon a police report, and the objections of the local police district captain.
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 not renew the Class "B" Tavern license of Stephanie J. Torres for the premises located at 1535 West Becher Street in the City and County of Milwaukee, Wisconsin ("Outer Limits") because of the police report and police objections. The Committee finds the police report, as stated above, to be true.

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) noes recommends that the Class "B" Tavern license held by Stephanie J. Torres not be renewed based upon the police report.

Dated and signed at Milwaukee, Wisconsin this 24th day of January, 2008.


JAMES N. WITKOWIAK, Chair
Licenses Committee