

## **COMMITTEE ASSIGNMENTS**

### **CHAIR**

- Licenses Committee

### **VICE CHAIR**

- Zoning, Neighborhoods and Development



### **MEMBER**

- Finance and Personnel Committee
- Library Board
- Neighborhood Improvement Development Corporation Board
- Special Joint Committee on the Redevelopment of Abandoned and Foreclosed Homes
- Steering and Rules Committee
- Wisconsin Center District Board

**MILELE A. COGGS**  
ALDERWOMAN, 6TH DISTRICT

July 16, 2021

To the Honorable, the Common Council

Honorable Members:

Common Council File Number 210092 contains the following recommendations:

Nonrenewal, based on the police report and applicant, neighborhood, and aldermanic testimony of the Recycling, Salvaging, or Towing Premises license for Anthony Booher for the premises located at 2640 W Greves St. ("MKE Junk Junkies LLC") in the 8th aldermanic district.

Renewal, with a ten (10) day suspension, based on the police report and aldermanic testimony of the Class B Tavern and Public Entertainment Premises licenses for Ruben Albanil Coyolt for the premises located at 1226 W National Ave. ("El Cielo Bar") in the 12th aldermanic district.

Renewal, with a ten (10) day suspension, based on the Health Department reports, and Health Department and aldermanic testimony of the Class B Beer and Food Dealer licenses for Anhvu Nguyen for the premises located at 4756 S 27th St. ("Pho Cali Restaurant") in the 13th aldermanic district.

Respectfully,

Milele Coggs, Chair  
Licenses Committee

cc: All Council Members  
File 210092



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ALDERWOMAN, 6TH DISTRICT

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- Steering and Rules Committee
- Wisconsin Center District Board

Date: July 16, 2021

To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report on the Renewal Application of Anthony T. Booher, Agent for MKE Junk Junkies, LLC for a Recycling, Salvaging, or Towing Premises and Secondhand Motor Vehicle Dealer License located at 2640 West Greves Street in the City and County of Milwaukee, Wisconsin.

### **FINDINGS OF FACT**

1. Anthony T. Booher (hereinafter the "Licensee") is the holder of a Recycling, Salvaging, or Towing Premises and Secondhand Motor Vehicle Dealer license for the premises located at 2640 West Greves Street in the City and County of Milwaukee, Wisconsin ("MKE Junk Junkies, LLC"). Said license expires on July 16, 2021.
2. An application to renew said license was filed with the Office of the City Clerk on May 24, 2021.
3. Pursuant to Chapter 85, and 93 of the Milwaukee Code of Ordinances, the matter was referred to Milwaukee Police Department, for investigation. On May 27, 2021, the Milwaukee Police Department responded with a report that could form the basis for nonrenewal of said license.
4. On June 29, 2021 the City Clerk's Office provided timely notice to the Licensee pursuant to Chapters 85 and 93 of the Milwaukee Code of Ordinances and included therewith a copy of the Milwaukee Police Department report, and the neighborhood objections. The matter was scheduled for a hearing on the police department report on July 13, 2021, commencing at approximately 9:35 a.m. in Room 301B 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 report.
5. Based on the sworn testimony heard and evidence received at the hearing, the Committee renders the following findings of fact:
  - A. On January 19, 2021 an officer went to MKE Junk Junkie, 2640 West Greves Street to pick up some papers the officer requested. The officer parked in the rear lot and walked to the new office area in the front. The officer was speaking with an



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employee, who called the Licensee by phone. The employee put the Licensee on speaker phone and the Licensee told the officer to leave or he would “sic” his dog on her. On January 20, 2021 the Licensee called the officer to apologize for his conduct the day before and stated he would get the paperwork the officer requested.

- B. The Licensee has the following past due fines owed to the Milwaukee Municipal Court:

**16055508 Recycle/Salvage/Tow-License Required \$1,734.60 due 07/14/2020**

***Individual present:***

- C. Alderwoman Lewis moved denial based on second nonappearance. (Prevailed 5-0)
- D. Alderwoman Lewis moved reconsideration. (Prevailed 5-0)
- E. The Licensee stated he was unaware of the law about the ID cards, but he has taken care of it now. He added that he left paperwork for PO See at his office, but she parked her rusty car in the middle of the lot, and sat at his desk without wearing a mask in the middle of COVID. He stated that "if I had a dog", but he did not threaten her because he has no dog, and told her to set up a meeting. He added that he tows from his landlord's private lot all the time, between 5-10 cars a week. He stated that he never touched the woman, she would not get out of the car with her baby, and the police came and let him tow the car. He added that a tow is about \$285, not \$300 or \$400. He stated that he was not aware that he had to submit receipts to the City. He added that this is how he feeds his family and he does not abuse that. He stated that he does good business with junk cars and has 4.9 on Google reviews. He added that he only tows from 2 lots and towing is not his main business. He stated that he undercharged Mr. Berger for his tow. He added that he pays his bills and taxes. He stated that he did nothing different with these 2 tows. He added that he did not touch Ms. Jones or threaten her, but she was aggressive, shoved him, and threw his equipment. He stated that he was going to give her car back, but she made him sit there for 2 hours. He added that he missed his court case regarding the assault so he just paid the fine.

***Individuals also present:***

- F. Alderwoman Zamarripa stated she does not support renewal of the Recycling, Salvaging, or Towing premises license based on the Licensee's testimony and the neighborhood testimony.
- G. Peter Knox - DPW Tow lot stated that the Licensee owes the City \$6,200 in fees that have been sent to collections. He added that the Licensee has not submitted any receipts for the 130 tows.

***Individuals present in opposition:***

- H. Adam Berger 15300 W Capitol Drive, Brookfield, WI stated he had a terrible interaction with the Licensee. He added that he parked in a parking lot in an unmarked spot. He stated that this parking lot may have had a sign behind the vines, but it was designed to trick people. He added that the Licensee did not answer the phone and it is not good business practice. He stated that the Licensee is entrapping and extorting people, and an employee told him that they would sic their dog on him. He added that not everyone can afford the \$300-400 fee. He stated that he finally got a hold of someone, but he had to pay with cash, because they would not take any other form of payment, and did not receive a receipt.
- I. Lakesha Jones 7911 S Long Meadow Diver, Oak Creek, WI stated she was picking up a donation for her non-profit and she parked in an unmarked spot for 2 minutes, and there were no "No Parking" signs clearly visible. She added that the Licensee threatened her with gang violence in front of her 6-year old daughter, pushed her, and she had trouble sleeping for 2 weeks. She stated that her daughter was screaming and this was an experience no one should have to go through. She added that the Licensee changed the price to \$400 and would only take cash. She stated that she called the police and this was the worst experience of her life. She added that he jacked up her car while she and her daughter were inside the car. She stated that the Licensee told her that "he would kill a bitch like her and go to jail for bitches like you." She added that she is concerned and afraid because the Licensee lives in her neighborhood.
- J. Alderwoman Lewis stated the Licensee needs to manage his business properly because it will affect his livelihood.
- K. Alderman Kovac stated that the Licensee has a junk car business and there are no complaints about that or consensual towing. He added that non-consensual towing creates conflicts and the Licensee does not have a good track record of handling conflict appropriately. He stated that the Licensee made implied threats to a police officer and asking Mr. Berger if he thinks he can park anywhere because he has a nice car. He added that the Licensee has been abusing the special equipment fee and overcharging people.
- L. Alderwoman Dodd moved denial of the Recycling, Salvaging, or Towing Premises license application based on the police report, and applicant, aldermanic, and neighborhood testimony. (Prevailed 5-0).
- M. Alderwoman Dodd moved approval of the Secondhand Motor Vehicle Dealer's license application with a warning letter based on the police report. (Prevailed 5-0)
- N. Alderman Kovac moved reconsideration. (Prevailed 5-0)
- O. Alderwoman Dodd moved approval of the Secondhand Motor Vehicle Dealer's license application with a warning letter based on the police report, holding issuance until the \$6,200 is paid. (Prevailed 5-0)

## CONCLUSIONS OF LAW

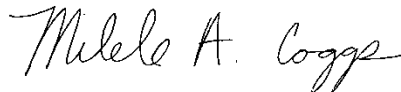
1. The Committee has jurisdiction to hold hearings and provided Findings of Fact and Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapters 85 and 93 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concludes that the licensee, Anthony T. Booher has not met the criteria to allow renewal of his Recycling, Salvaging, or Towing Premises License based on police report, and applicant, aldermanic, and neighborhood testimony.
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 not to renew the Recycling, Salvaging, or Towing Premises license held by Anthony T. Booher for the premises located 2640 West Greves Street, in the City and County of Milwaukee, Wisconsin (“MKE Junk Junkies, LLC”) based upon the police report, and applicant, aldermanic, and neighborhood testimony.

## 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 Recycling, Salvaging, or Towing Premises license of Anthony T. Booher for the premises located 2640 West Greves Street in the City and County of Milwaukee, Wisconsin not to be renewed based on police report, and applicant, aldermanic, and neighborhood testimony.

Said nonrenewal is effective July 27, 2021.

Dated and signed at Milwaukee, Wisconsin this 16th day of July, 2021.



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MILELE A. COGGS  
Chair, Licenses Committee

/275525

## **COMMITTEE ASSIGNMENTS**

### **CHAIR**

- Licenses Committee

### **VICE CHAIR**

- Zoning, Neighborhoods and Development



**MILELE A. COGGS**  
ALDERWOMAN, 6TH DISTRICT

### **MEMBER**

- Finance and Personnel Committee
- Library Board
- Neighborhood Improvement Development Corporation Board
- Special Joint Committee on the Redevelopment of Abandoned and Foreclosed Homes
- Steering and Rules Committee
- Wisconsin Center District Board

Date: July 16, 2021

To: All Members of the Milwaukee Common Council

From: Licenses Committee

Re: Report of the Renewal Application of the Class "B" Tavern and Public Entertainment Premises (PEP) Licenses of Ruben Albanil Coyolt, Agent for El Cielo LLC, for the premises located at 1226 West National Avenue in the City and County of Milwaukee, Wisconsin ("El Cielo LLC").

### **FINDINGS OF FACT**

1. Ruben Albanil Coyolt (hereinafter "the Licensee") is the holder of Class "B" Tavern and PEP Licenses for the premises located at 1226 West National Avenue in the City and County of Milwaukee, Wisconsin ("El Cielo LLC"). Said licenses expire at midnight on August 2, 2021.
2. An application to renew said licenses was filed with the Office of the City Clerk on June 17, 2021.
3. Pursuant to Chapters 85, 90, and 108 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 June 23, 2021, the Milwaukee Police Department responded with a report that could form the basis for nonrenewal of said licenses.
4. On July 1, 2021, the City Clerk's Office provided timely notice to the Licensee pursuant to Chapters 85, 90, and 108 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes of the neighborhood objections. The matter was scheduled for a hearing on the objections on July 13, 2021, commencing at approximately 2:20 p.m. in Room 301-B of the third floor of City Hall. At said date, time and place, the Licensee appeared with counsel, Attorney Vincent Bobot at the hearing and admitted receipt of the notice of hearing.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
  - A. On July 21, 2020 at 11:39 a.m., the Milwaukee Police Tactical Enforcement Unit conducted a search warrant at 1226-1228 West National Avenue. The Licensee was located in the upstairs living area along with cocaine, marijuana, and items used to package and sell these products. The Licensee was arrested and the actual tavern was searched but did not contain anything of evidentiary value.



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- B. On August 17, 2020 the Licensee was cited in the City of Milwaukee at 1226 West National Avenue for Build Code Violations.

Charge: Building Code Violations  
Finding: Court date on 07/29/21  
Sentence:  
Date:  
Case: 21009933

- C. On November 18, 2020 at 10:57 p.m., Milwaukee Police were dispatched to 1226 West National Avenue for a subject with weapon complaint. Officer's interviewed the Licensee who stated that there was a fight between three brothers, who are regular customers, and one of them threatened to break his window with a rock. The Licensee was cooperative with the investigation and told to call back if the brothers returned.

- D. On December 28, 2020 the Licensee was cited in the City of Milwaukee at 1339 South 9th Street for Building Code Violations.

Charge: Building Code Violations  
Finding: Court date on 08/17/21  
Sentence:  
Date:  
Case: 21017525

- E. On February 14, 2021 at 1:23 a.m., Milwaukee Police, along with the Milwaukee Health Department, conducted a license premise check at 1226 West National Avenue. The Environmental Health Specialist observed several individuals standing in close proximity of one another and nobody had face masks on. The Environmental Health Specialist told the Licensee he was going to issue citations for not wearing face masks and standing. (As of 06/23/21, no citations were found for violations regarding this incident.)

- F. On March 2, 2021 at 1:21 a.m., Milwaukee Police were dispatched to 1226 West National Avenue for a sexual assault complaint. Investigation revealed that a patron had her breast grabbed by another patron inside the establishment. The victim's boyfriend punched the actor and the Licensee broke up the altercation. The victim called police and the Licensee (who did not call police) was cooperative with police. No tavern violations were observed.

***Appearing with the applicant:***

- G. Attorney Vincent Bobot stated #7 on the police report pertains to a back side porch, there is a future court date assigned, and the Licensee is in the process of finding a contractor to address the issue but it has been hard with COVID. He added that #8 on the police report the Licensee called the police when he saw a fight outside, and mentioned that one of the brothers was known to carry a gun. He stated that one of the brothers threatened to break the windows of the premises and rocks were found

outside the premises. He added that the Licensee was cooperative with police and the brothers did not return. He stated that #9 on the police report was a violation at a different location. He stated that #10 on the police report, there were individuals standing close but there were no citations issued because there may not have been a masking violation. He added that #11 on the police report the victim's breast was grabbed and the victim's boyfriend punched the assailant, and the Licensee cooperated with the police. He stated that there were no tavern violations.

***Individual also present:***

- H. Alderman Perez stated this is a small location and he has spoken to the Licensee about not having problems with the neighbors or the police. He added that there have been issues with patrons complaining and the building has been dilapidated for some time regardless of COVID. He stated that he thinks the Licensee knows better and he recommends a minimal suspension for the Licensee to get his act together and the building fixed up to make it safe for the community.
- I. Alderman Borkowski moved approval with a 10 day suspension based on the police report and aldermanic testimony, holding open #6 on the police report. (Prevailed 4-0)

**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 Chapters 85, 90, and 108 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concludes that the Licensee, Ruben Albanil Coyolt who holds Class B Tavern and Public Entertainment Premise (PEP) licenses for the premise located at 1226 West National Avenue in the City and County of Milwaukee, Wisconsin ("El Cielo LLC") has not met the criteria of Chapters 85, 90, and 108 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes to not renew the Class B Tavern and Public Entertainment Premises without undergoing a ten (10) day suspension. The Committee finds the police report and aldermanic objections as stated above to be true. The Committee based its recommendation on the police report and aldermanic testimony, holding open #6 on the 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 not renew the Class B Tavern and Public Entertainment Premise (PEP) licenses for the premises located at 1226 West National Avenue in the City and County of Milwaukee, Wisconsin ("El Cielo LLC") without undergoing a ten (10) day suspension. The Committee based its recommendation on the police report and aldermanic testimony, holding open #6 on the police report.



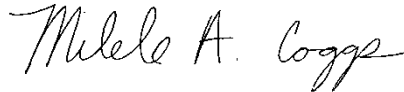


## RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of **four (4) ayes, zero (0) noes and one (1) excused**, recommends that the Class "B" Tavern and Public Entertainment Premises (PEP) Licenses of Ruben Albanil Coyolt for the premises located at 1226 West National Avenue ("El Cielo LLC") in the City and County of Milwaukee, Wisconsin not be renewed without undergoing a ten (10) day suspension.

The suspension is in effect between 12:01 a.m. on August 3, 2021 until 11:59 p.m. on August 12, 2021.

Dated and signed at Milwaukee, Wisconsin this 16th day of July, 2021.



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MILELE A. COGGS  
Chair, Licenses Committee

/275501

## **COMMITTEE ASSIGNMENTS**

### **CHAIR**

- Licenses Committee

### **VICE CHAIR**

- Zoning, Neighborhoods and Development



**MILELE A. COGGS**  
ALDERWOMAN, 6TH DISTRICT

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- Steering and Rules Committee
- Wisconsin Center District Board

Date: July 16, 2021

To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report of the Renewal Application of Anhvu T. Nguyen, Agent for Pho Cali Restaurant, for Class "B" Beer and Food Dealer licenses for the premises located at 4756 South 27th Street in the City and County of Milwaukee, Wisconsin ("Pho Cali Restaurant").

### **FINDINGS OF FACT**

1. Anhvu T. Nguyen (hereinafter the "Licensee") is the holder of a Class "B" Beer and Food Dealer licenses for the premises located at 4756 South 27th Street in the City and County of Milwaukee, Wisconsin ("Pho Cali Restaurant"). Said licenses expire at midnight, July 28, 2021.
2. An application to renew said license was filed with the Office of the City Clerk on June 22, 2021.
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.
4. On June 29, 2021, the City Clerk's Office provided 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 Police Department report and neighborhood objections. The matter was scheduled for a hearing on the Police Department report and aldermanic objections on July 13, 2021, at 9:25 a.m. in Room 301B of the third floor of City Hall. At said date, time and place, the Licensee, appeared and admitted receipt of the notice of hearing.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
  - A. On August 17, 2020 at 12:17 p.m., officers conducted a License Premise check at Pho Cali, 4756 South 27<sup>th</sup> Street. This was in regards to an email officers received regarding a 30-day suspension of the establishment and reports the restaurant was still open. On arrival officers observed the open sign to be illuminated and upon entrance, observed several patrons dining at tables. Officers spoke to the manager



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on duty, who stated the patrons were just friends. The manager was advised they could not be open or serve food in any capacity. Officers then contacted the agent via telephone. The agent stated he did receive a letter from the city, however, did not understand what it meant and when he contacted the City for clarification, they did not explain they could not be open. The 30-day suspension was against explained to the agent and the business was closed with patrons off the premise prior to the officer leaving.

- B. Alderman Borkowski moved to hold to the call of the chair based on nonappearance. (Prevailed 5-0)
- C. Alderwoman Lewis moved reconsideration. (Prevailed 4-0)
- D. The Licensee stated that he did not understand his suspension and when the police came he closed right away for the month.

***Individual also present:***

- E. Alderman Spiker stated he would like to hear from the Health Department.
- F. Alderman Kovac moved to hold to the call of the chair for the Health Department. (Prevailed 5-0)
- G. Alderwoman Dodd moved reconsideration. (Prevailed 5-0)
- H. The Licensee stated they try to clean every day and they have a lot of employee turnover. He added that sometimes they do not have enough employees right now. He stated that they try to cover some of the food and he and his dad try to remind the employees. He added that sometimes they are too busy with only 2 people cooking and they miss things and make mistakes. He stated that there are only 4 employees total and he does not have money to hire more. He added that he hires someone to deep clean twice a week. He stated that he needs to stay open so he can pay his rent and support his family. He added that he is trying his best and wants to improve.

***Individuals also present:***

- I. Alderman Spiker stated the premises received a 30-day suspension last year for similar issues. He added that he does not understand why the Licensee cannot clean up his act and why these violations keep happening. He stated that he understands that this is a trying time but these violations are a danger to the community, and damaging to the commercial corridor. He added that these problems just cannot keep occurring. He recommends a 10-day suspension because of the continuing problems.
- J. Carly Hegarty - Health Department stated there are ongoing compliance issues with the premises. She added that in 2020 there were no routine inspections because of COVID, but they did inspect when they received a complaint regarding pests. She

stated that during the inspection the complaint was verified and the premises was issued orders to cease operations, and reopened later. She added that in January 2021 a routine inspection was conducted and they received a score of 62 which is a "B". She stated another routine inspection was conducted in June and they received a score of 61, which is a "B". She added that there were less priority violations in 2021 then there were in 2019. She stated this year they had 1 priority violation in January and 4 in June, 3 foundation violations in January and 1 in June, and 12 core violations in January and 8 in June.

K. Alderman Kovac moved approval with a 10-day suspension based on the Health Department reports and Health Department and aldermanic testimony. (Prevailed 5-0)

### **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 Chapters 68, 85, and 90 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concludes that the Licensee, Anhvu T. Nguyen who holds a Class "B" Beer and Food Dealer license for the premise located at 4756 South 27th Street in the City and County of Milwaukee, Wisconsin ("Pho Cali Restaurant") has not met the criteria of Chapters 68, 85, and 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes to renew the Class "B" Beer and Food Dealer licenses without undergoing a ten (10) day suspension. The Committee finds the aldermanic objections as stated above to be true. The Committee based its recommendation on the Health Department reports, and Health Department and aldermanic testimony.
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 not to renew the Class "B" Beer and Food Dealer licenses for the premises located at 4756 South 27th Street in the City and County of Milwaukee, Wisconsin ("Pho Cali Restaurant") without undergoing a ten (10) day suspension. The Committee based its recommendation on the Health Department reports, and Health Department and aldermanic testimony.

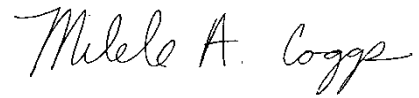
### **RECOMMENDATION**

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" Beer and Food Dealer licenses held by Anhvu T. Nguyen for the premises located at 4756 South 27th Street in the City and County of Milwaukee, Wisconsin ("Pho Cali Restaurant") not to be renewed without undergoing a ten (10) day suspension.

The suspension is in effect between 12:01 a.m. on July 29, 2021 until 11:59 p.m. on August 7, 2021.



Dated and signed at Milwaukee, Wisconsin this 16th day of July, 2021.



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MILELE A. COGGS  
Chair, Licenses Committee

/275510