

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

March 10, 2023

To the Honorable, the Common Council

Honorable Members:

Common Council File Number 221741 contains the following recommendations:

Nonrenewal of the Class D Operator's license based upon the second nonappearance for Marcus L. Landers.

Nonrenewal of the Class D Operator's license based upon the second nonappearance for Mironda F. Ruffin.

Renewal with a sixty (60) day suspension of the Class B Tavern, Public Entertainment Premises and Food Dealer licenses based upon the preponderance of the evidence in the police report, resident testimony (written and oral) along with the aldermanic testimony for Mario A. Spencer, for the premises located at 4001 W Fond Du Lac Av. ("Infinity Lounge") in the 7th aldermanic district.

Respectfully,

Milele Coggs, Chair
Licenses Committee

cc: All Council Members
File 221741



City Hall Room 205 • 200 East Wells Street • Milwaukee, WI 53202

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MILELE A. COGGS
ALDERWOMAN, 6TH DISTRICT

Date: March 10, 2023

To: All Members of the Milwaukee Common Council

From: Licenses Committee

Re: Report on the Renewal Application of the Class "D" Operator's License of Marcus L. Landers

FINDINGS OF FACT

1. Marcus L. Landers (hereinafter the "Licensee") is the holder of a Class "D" Operator's License in the City and County of Milwaukee, Wisconsin. Said license expired on December 31, 2022.
2. An application to renew said license was thereafter filed with the Office of the City Clerk.
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 police report that could form a basis for nonrenewal or suspension of said license.
4. On February 22, 2023 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 March 7, 2023 at 1:00 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 Marcus L. Landers, 2645 North Booth Street, Milwaukee, WI 53212 on February 22, 2023 by U.S. prepaid first-class mail in an envelope bearing the return address of the License Division. The address of 2645 North Booth Street, Milwaukee, WI 53212 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 March 7, 2023 at 1:00 p.m.



B.

CONCLUSIONS OF LAW

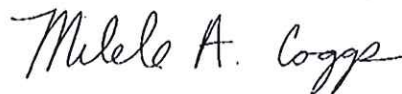
1. The Committee has jurisdiction to hold hearings and provide Findings of Fact, Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapter 125 of the Wisconsin Statutes and Chapter 90 of the Milwaukee Code of Ordinances.
2. Based on the above facts found, the Committee concludes that the Licensee, Marcus L. Landers 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" Operator's license based upon his second 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" Operator's license held by Marcus L. Landers based upon his second nonappearance.

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 "D" Operator's License of Marcus L. Landers not be renewed based upon his second nonappearance.

Said nonrenewal is effective March 21, 2023.

Dated and signed at Milwaukee, Wisconsin this 10 day of March, 2023.



MILELE A. COGGS
Chairman Licenses Committee

/284239



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: March 10, 2023

To: All Members of the Milwaukee Common Council

From: Licenses Committee

Re: Report on the Renewal Application of the Class "D" Operator's License of Mironda F. Ruffin

FINDINGS OF FACT

1. Mironda F. Ruffin (hereinafter the "Licensee") is the holder of a Class "D" Operator's License in the City and County of Milwaukee, Wisconsin. Said license expired on December 31, 2022.
2. An application to renew said license was thereafter filed with the Office of the City Clerk.
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 police report that could form a basis for nonrenewal or suspension of said license.
4. On February 22, 2023 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 March 7, 2023 at 1:00 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 Mironda F. Ruffin, 571 West Vienna Avenue, Milwaukee, WI 53212 on February 22, 2023 by U.S. prepaid first-class mail in an envelope bearing the return address of the License Division. The address of 571 West Vienna Avenue, Milwaukee, WI 53212 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 March 7, 2023 at 1:00 p.m.



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CONCLUSIONS OF LAW

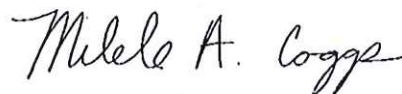
1. The Committee has jurisdiction to hold hearings and provide Findings of Fact, Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapter 125 of the Wisconsin Statutes and Chapter 90 of the Milwaukee Code of Ordinances.
2. Based on the above facts found, the Committee concludes that the Licensee, Mironda F. Ruffin 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" Operator's license based upon her second 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" Operator's license held by Mironda F. Ruffin based upon her second nonappearance.

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 "D" Operator's License of Mironda F. Ruffin not be renewed based upon her second nonappearance.

Said nonrenewal is effective March 21, 2023.

Dated and signed at Milwaukee, Wisconsin this 10 day of March, 2023.



MILELE A. COGGS
Chairman Licenses Committee

/284240



COMMITTEE ASSIGNMENTS

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MILELE A. COGGS ALDERWOMAN, 6TH DISTRICT

Date: March 10, 2023

To: All Members of the Milwaukee Common Council

From: Licenses Committee

Re: Report of the Renewal Application of the Class "B" Tavern, Public Entertainment Premises (PEP) and Food Dealer Licenses, adding Jukebox and Bottle Girls Service Performers and Change of Hours from Operating at 6 PM Thursday through Saturday and Closing at 10 PM on Sunday; at 8 PM Monday through Wednesday; 2 AM Thursday through Saturday, to Open at 11 AM Sunday through Saturday and Close at 2 AM Sunday through Thursday and 2:30 AM on Friday and Saturday, of Mario A. Spencer, Agent for Infinity Lounge LLC, for the premises located at 4001 West Fond du Lac Avenue in the City and County of Milwaukee, Wisconsin ("Infinity Lounge").

FINDINGS OF FACT

1. Mario A. Spencer (hereinafter "the Licensee") is the holder of Class "B" Tavern, PEP and Food Dealer Licenses for the premises located at 4001 West Fond du Lac Avenue in the City and County of Milwaukee, Wisconsin ("Infinity Lounge"). Said licenses expired at midnight on February 28, 2023.
2. An application to renew said licenses was filed with the Office of the City Clerk on February 7, 2023.
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 February 8, 2023, the Milwaukee Police Department responded with a report that could form the basis for nonrenewal of said licenses.
4. On February 23, 2023, 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 police report. The matter was scheduled for a hearing on the police report on March 7, 2023, commencing at approximately 3:05 p.m. in Room 301-B of the third floor of City Hall. At said date, time and place, the Licensee appeared at the hearing with counsel Attorney Michael Maistelman, and admitted receipt of the notice of hearing, together with a copy of the Milwaukee Police report.



5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
- A. On March 21, 2022 at 2:10 p.m., Milwaukee Police were dispatched to 4001 West Fond Du Lac Avenue for a trouble with subject complaint. Upon arrival, officers interviewed the caller/licensee who stated that the neighbor has cameras pointed at his business making patrons uncomfortable. The applicant was advised, no citations were issued, and no license violations were observed.
 - B. On April 10, 2022 at 1:30 a.m., Milwaukee Police conducted follow-up on an armed robbery/carjacking which occurred outside the address of 4001 W. Fond Du Lac Avenue. The Licensee told officers that the victim was inside the establishment and they stopped serving her because of her intoxication level. He also reviewed the surveillance footage and said the incident did not happen in front of the tavern. The establishment has six-armed security guards (two of which are always outside) and 16 cameras that capture the entire perimeter.
 - C. On May 25, 2022 at 1:00 a.m., a subject parked his vehicle within close proximity to the tavern located at 4001 West Fond du Lac Avenue and went inside aforementioned location. When he returned to his vehicle he found his firearm was stolen from underneath his drivers' seat. The incident was reported to police.
 - D. On May 25, 2022, the Seventh District Desk Sergeant obtained information from a victim who is a bartender at 4001 West Fond du Lac Avenue. The bartender stated that on May 25, 2022 a subject was removed from the tavern. When she finished her shift, she walked outside and was confronted by the subject who pointed a firearm at her. She was able to flee the location and drove to the Fourth District to report the incident.
 - E. On September 26, 2022 at 12:08 a.m., Milwaukee Police were dispatched to 4001 West Fond du Lac Avenue for a noise complaint. Upon arrival, officers interviewed a security guard/door man who stated they turned down the music before police arrival and would keep the music down until the end of normal business hours. The caller was advised of the situation.
 - F. On February 7, 2023 at 11:24 p.m., Milwaukee Police were dispatched to 4001 West Fond du Lac Avenue for a subject with gun complaint. Investigation revealed that there was an altercation between a few females but security promptly kicked them out. A walkthrough of the tavern revealed no injured subjects or people needing assistance. The call for service was ruled baseless and the applicant was cooperative during the investigation.
 - G. Attorney Maistelman said that he is glad that MPD is here to clarify some issues. He added that the police report is actually working for his client because the calls for service are ruled baseless and his client has been always cooperative. He added that at the revocation hearing brought up by one neighbor, the same neighbor said



under oath, that MPD took bribes from his client. He also said that Alderman Borkowski asked to have MPD here to respond to those accusations.

- H. Attorney Maistelman asked the committee chair to allow Elizabeth Coggs to testify first.
- I. Alderman Borkowski granted the request.

Individuals in support:

- J. Elizabeth Coggs – Director of Operations & Juneteenth said that they have a partnership and collaboration with Mr. Spencer and the Black Cowboys Association to bring a little joy to the youth and that those events have impacted the lives of those kids.
- K. Alderman Rainey asked the witness if those events are related to this particular business.
- L. Ms. Coggs said that those events are not related to the business at all.
- M. Alderman Rainey asked the witness if she has visited the establishment.
- N. Ms. Coggs said that she has not been at Infinity Lounge.

Individuals in Opposition:

- O. Lydia Melton – 3315 N 40th St - said that she is at a confusion stage because one thing that she wants to do is to correct the Licensee. She also said that the last meeting on October 18, 2023 was adjourned because what she said is that the police were harassing her, interrogating her when she was calling to complain. She said that the police have told her “she should not have moved next to a bar” when she has lived there for 13 years and that, they don’t know her.
- P. Alderman Borkowski said that without getting into details, the meeting was adjourned because she also was disparaging the alderperson and that he is happy to have a civil conversation with her, that the floor is hers but also asked her to refrain from disparaging comments.
- Q. Ms. Melton said that the meeting was not adjourned because of what she said about that Alderman Rainey being paid but because the police was not here; that there were no reports and that she has submitted disturbing videos and that she wants answer to the chaos. She also said that these situations are not ok because the Licensee is not the one living with a bar next-door with that type of transactions.
- R. Alderman Borkowski asked Ms. Melton if she wants the police to come forward.



- S. Ms. Melton said that she has no problem with the police coming forward.
- T. Officer Walker and Officer Thompson from District 7 (36th St and Fond du Lac Av) introduced themselves.
- U. Ms. Melton said that she has not talked to either of these police officers and asked them for their shift hours.
- V. Officer Thompson said that they work from 11 AM to 7PM.
- W. Ms. Melton said that these hours do not work for her because the activity that she has reported is at night.
- X. Officer Thompson said that they are community liaison officers and that they are the ones that neighbors need to talk to about any existing issue around.
- Y. Ms. Melton asked the police officers if they have received any calls about her issues with Infinity Lounge.
- Z. Officer Thompson said that there was a call about a surveillance camera pointing in the direction of the customers of the Infinity Lounge.
- AA. Ms. Melton said that nothing has changed since the last meeting and that the Licensee tried to block her surveillance camera, which is illegal. She added that nothing has changed and that even Alderman Rainey has the videos of people driving on the sidewalk, the late hours, the strippers, the garbage, cars blocking her driveway, the loud music and asked the committee when is it going to change and, that she pays taxes as well.
- BB. Alderman Brostoff said there are a couple of different serious issues that we are talking about today, that one is the videos that are on file since the last hearing and that the other issue is that there is a process to address situations with the police and that they can be directed to the Fire and Police Commission.
- CC. Alderman Chambers said that he watched the video from the previous hearing yesterday and that the accusation that a police officer being paid off came out of her mouth. He also asked Ms. Melton how her cameras have been blocked by the Licensee.
- DD. Ms. Melton said that he placed a big piece of plywood in front of the camera.
- EE. Alderman Chambers asked Ms. Melton to clarify about the parking situation.
- FF. Ms. Melton said that cars park on the sidewalk and drive on the sidewalk as well and that there are videos as well.



- GG. Attorney Maistelman asked Ms. Melton if she and her brother owned the same bar years ago.
- HH. Ms. Melton said that she did not own the place but that she managed it.
- II. Attorney Maistelman asked if she was upset when she found out that her brother sold the business without telling her.
- JJ. Ms. Melton said that it was his brother's business and that this happened back in 2007.
- KK. Attorney Maistelman asked Ms. Melton if there is a complaint about patrons urinating between her property and Infinity Lounge.
- LL. Ms. Melton said that is documented in a video as well.
- MM. Attorney Maistelman asked Ms. Melton if his client started to build a fence between the properties to avoid the urinating problem and that she did not allow his client to continue building it.
- NN. Ms. Melton said that it is a gate way and that it is part of her property and that his client was trying to close it off.
- OO. Alderman Rainey said that more than a year ago, he held a meeting at Infinity Lounge with the Licensee and Ms. Melton as well. He said that Mr. Spencer did the wrong things since the beginning. He added that Mr. Spencer told him that he was going to do stuff for the community and to open a computer lab and that what he has seen from Infinity Lounge is constant advertising of strippers. He asked the Licensee if he has the license for that type of entertainment. Alderman Rainey said that the way that Mr. Spencer is handling his business like allowing people to hang out outside is a mayhem waiting to happen. Alderman Rainey said that he does not know if we have the preponderance of evidence to recommend a nonrenewal today but that he knows that the Licensee has been operating outside his scope and that is just a matter of time for something to happen and that we all be back here. He said that he supports a 60-day suspension at minimum.
- PP. Alderman Brostoff asked Alderman Rainey if he has personally witnessed the activity that he is referring to.
- QQ. Alderman Rainey said that he has not but that the License Division has those advertisement videos.
- RR. Attorney Maistelman asked that his client respond to some of the things that Alderman Rainey said.



- SS. Mr. Spencer said that he used a promoter to do the videos and that he has not talked to Alderman Rainey since June when he asked to Alderman Rainey about girls not taking their clothes off while shooting a video. He added that he does things in the community on his parking lot with the horses and that he gives away roses on Mother's day and dinners on Father's Day for example. He also said that Ms. Melton does not communicate with him at all and that, she has let her two big Rottweiler dogs out to chase his customers and that he has not posted anything on Instagram and Facebook about strippers and that he wants to see those videos.
- TT. Mr. Cooney said that there are four videos that were forwarded to the License Division via Instagram.
- UU. Attorney Jackson said that we need to check with channel 25 even if the videos are appropriate to broadcast.
- VV. Attorney Maistelman said that there is no nudity on the videos.
- WW. Attorney Jackson said that there is a statute for the public entertainment premises that defines what a costume is and what the workers are allowed and not allowed to wear. He added that there is distinction on what male and female dancers/workers can wear.
- XX. Alderwoman Coggs suggested not to broadcast the video.
- YY. The videos were played for the committee only.
- ZZ. Mr. Spencer said that only three videos were shot at his establishment and that is the reason why he is applying for the Bottle Girls Service.
- AAA. Alderman Rainey said that the video says explicitly "there will be strippers from Chicago".
- BBB. The video was played again.
- CCC. Mr. Spencer said that there are no strippers on the video and that he has been operating for over a year with no incidents.
- DDD. Alderman Borkowski asked the committee if it is fair to say that there is no stripping on the video.
- EEE. Attorney Jackson said that regarding the first video; the establishment will fall under the statute if the establishment was open to the public and being promoted to the public as far of what can and cannot be worn. He added that strictly talking about the clothing, those dancers would be in violation of the statute.



FFF. Attorney Maistelman said that we have a police report that does not support anything of what the neighbor is saying. He added that his client is testifying that it was a private closed event when they were shooting the videos and that he guesses it was permissible but that they have no other evidence except for his client's testimony. He added that there are pictures on the file of his client giving back to the community and he asked for the license be renewed with a warning letter.

GGG. Alderman Murphy moved renewal with a 60-day suspension based upon the preponderance of the evidence in the police report, resident testimony (written and oral) along with the aldermanic testimony. (Prevailed 3-1-1-1)

CONCLUSIONS OF LAW

1. The Committee has jurisdiction to hold hearings and provide Findings of Fact and Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapters 85, 90, and 108 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concludes that the Licensee, Mario A. Spencer who holds Class B Tavern, Public Entertainment Premise (PEP) and Food Dealer licenses adding Jukebox and Bottle Girls Service Performers and Change of Hours from Operating at 6 PM Thursday through Saturday and Closing at 10 PM on Sunday; at 8 PM Monday through Wednesday; 2 AM Thursday through Saturday, to Open at 11 AM Sunday through Saturday and Close at 2 AM Sunday through Thursday and 2:30 AM on Friday and Saturday, for the premise located at 4001 West Fond du Lac Avenue in the City and County of Milwaukee, Wisconsin ("Infinity Lounge") 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, Public Entertainment Premises, and Food licenses with undergoing a 60-day suspension. The Committee finds the police report, the videos and aldermanic objections as stated above to be true. The Committee based its recommendation on the testimony given in the police report, the videos, resident testimony (written and oral) along with the 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 to not renew the Class B Tavern, Public Entertainment Premise (PEP), and Food Dealer licenses for the premises located at 4001 West Fond du Lac Avenue in the City and County of Milwaukee, Wisconsin ("Infinity Lounge"). The Committee based its recommendation on the testimony given in the police report, resident testimony (written and oral) along with the aldermanic testimony.

RECOMMENDATION

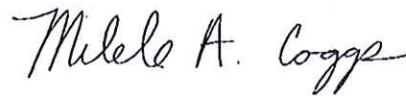
Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of **three (3) ayes, one (1) noes, one (1) excused and one (1) excused**, recommends that the Class "B" Tavern, Public Entertainment Premises (PEP), and Food Dealer Licenses adding Jukebox and Bottle Girls Service Performers and Change of Hours from Operating at 6 PM Thursday through



Saturday and Closing at 10 PM on Sunday; at 8 PM Monday through Wednesday; 2 AM Thursday through Saturday, to Open at 11 AM Sunday through Saturday and Close at 2 AM Sunday through Thursday and 2:30 AM on Friday and Saturday, of Mario A. Spencer for the premises located at 4001 West Fond du Lac Avenue ("Infinity Lounge") in the City and County of Milwaukee, Wisconsin not be renewed and the change of hours approved without undergoing a 60-day suspension.

Said suspension is effective between 12:01 a.m. on March 21, 2023 until 11:59 pm on May 20, 2023.

Dated and signed at Milwaukee, Wisconsin this 10 day of March, 2023.



MILELE A. COGGS
Chairman, Licenses Committee

/284254

