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Office of the City Clerk

Ronald D. Leonhardt
City Clerk

Jim Owczarski
Deputy City Clerk

March 7, 2012

Rafael Molinari
P.O. Box 64446
Milwaukee, WI 53204

Dear Mr. Molinari:

You are hereby notified that the Milwaukee Common Council will hold a hearing on Tuesday, March 20, 2012, commencing at 9:00 a.m., or as soon thereafter as this matter may be heard, in the Common Council chambers on the third floor of City Hall, 200 East Wells Street, Milwaukee, Wisconsin to consider whether to renew, renew with a suspension between 10 and 90 days, or not renew your Class "D" Bartender's license.

Attached you will find a copy of the Report of the Licenses Committee, which includes its Findings of Fact, Conclusions of Law and Recommendation, recommending not to renew your license based upon your second nonappearance. The recommendation is the result of a public hearing before the Committee held on Monday, March 5, 2012.

Please be advised that the Common Council will determine whether to renew, renew with a suspension between 10 and 90 days, or not renew your license based upon the Findings of Fact contained within the Licenses Committee report.

You may file written objections to the report of the Licenses Committee. Your written objections must be filed with the City Clerk by 4:45 p.m. on Thursday, March 15, 2012 in Room 205 of City Hall. If you file written objections, you or a legal representative may then also appear at the Common Council to make oral arguments supporting your written objections. You will be given approximately five minutes to present your oral argument.

Respectfully,

RONALD D. LEONHARDT
City Clerk

Enclosure



JAMES A. BOHL JR.
Alderman, 5th District

Date: March 7, 2012

To: All Members of the Milwaukee Common Council

From: Licenses Committee

Re: Report on the Renewal Application of the Class "D" Bartender license of Rafael Molinari

FINDINGS OF FACT

1. Rafael Molinari (hereinafter the "Licensee") is the holder of a Class "D" Bartender License in the City and County of Milwaukee, Wisconsin. Said license expired at midnight, December 31, 2011.
2. An application to renew said license was filed with the Office of the City Clerk on January 24, 2012.
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 25, 2012, the Milwaukee Police Department responded with a police report that could form a basis for nonrenewal or suspension of said license.
4. On February 21, 2012, 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 5, 2012, commencing at 1:30 p.m. in Room 301B of City Hall. At said date, time, and place, the licensee did not appear and this was his second nonappearance.
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 Rafael Molinari, P.O. Box 64446, Milwaukee, Wisconsin 53204, on February 21, 2012 by U.S. prepaid first-class mail in an envelope bearing the return address of the License Division. The address of P.O. Box 64446, Milwaukee, Wisconsin 53204 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 March 5, 2012.

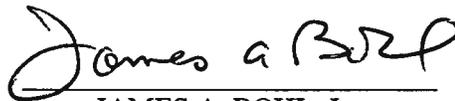
CONCLUSIONS OF LAW

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, Rafael Molinari, 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 a 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" Bartender license held by Rafael Molinari based upon a 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" Bartender license not be renewed based upon a second nonappearance.

Dated and signed at Milwaukee, Wisconsin this 7th day of March, 2012.



JAMES A. BOHL, Jr.
Chair, Licenses Committee

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