



Office of the City Clerk

**Jim Owczarski**  
City Clerk

**Rebecca N. Grill**  
Deputy City Clerk

July 11, 2014

Horacio Sanchez  
El Rodeo Bar  
1586 S Pearl St  
Milwaukee, WI 53204

Attorney Vincent Bobot  
Bobot Law Office  
5414 S 13<sup>th</sup> St  
Milwaukee, WI 53221

Dear Mr. Sanchez & Atty. Bobot:

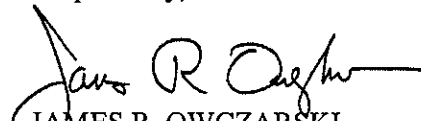
You are hereby notified that the Milwaukee Common Council will hold a hearing on Tuesday, July 22, 2014, commencing at 9:00 a.m., or as soon thereafter as this matter may be heard, in the Common Council chambers on the third floor of City Hall, 200 East Wells Street, Milwaukee, Wisconsin to consider whether to renew, renew with a suspension between 10 and 90 days, or not renew the Class B Tavern and Public Entertainment Premises license(s) for the premises located at 1586 S Pearl St ("El Rodeo Bar").

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 a 45 day suspension of the Class B Tavern and Public Entertainment Premises license(s) based upon the evidence and testimony provided by the Milwaukee Police Department and the testimony by the licensee and his agents and patrons. This recommendation is the result of a public hearing before the Committee held on Tuesday, April 8, 2014.

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 Class B Tavern and Public Entertainment Premises license(s) based upon the Findings of Fact contained within the Licenses Committee report.

You may file written objections to the report of the Licenses Committee. The written objections must be filed with the City Clerk by 4:45 p.m. on Wednesday, July 16, 2014 in Room 205 of City Hall. If you wish to file your objections via e-mail, they must be sent to both [jowcza@milwaukee.gov](mailto:jowcza@milwaukee.gov) and [jlcelel@milwaukee.gov](mailto:jlcelel@milwaukee.gov). You will be sent an e-mail notification that your objections were received within 24 hours. If you do not receive this notification, please contact City Clerk Jim Owczarski at (414)-286-2998. If you file written objections, you or a legal representative may then also appear at the Common Council to make oral arguments supporting the written objections. You will be given approximately five minutes to present the oral argument.

Respectfully,

  
JAMES R. OWCZARSKI  
City Clerk



**CHAIR**  
• Licenses Committee

**MEMBER**  
• Community and Economic  
Development Committee  
• Steering and Rules Committee



**TONY ZIELINSKI**  
ALDERMAN, 14TH DISTRICT

Date: July 11, 2014

To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Amended Report of the Licenses Committee on the complaint seeking revocation of the Class "B" Tavern and Public Entertainment Premises licenses held by Horacio Sanchez for the premises located at 1586 South Pearl Street in the City and County of Milwaukee, Wisconsin ("El Rodeo").

#### FINDINGS OF FACT

1. Horacio Sanchez (hereinafter the "License") is the holder of Class "B" Tavern and Public Entertainment Premises licenses for the premises located at 1586 South Pearl Street in the City and County of Milwaukee, Wisconsin ("El Rodeo").
2. A complaint for revocation of this license was filed with the City Clerk by Captain Alfonso Morales on behalf of Chief of Police Edward Flynn. The complaint alleged that the premises known as "El Rodeo" is a disorderly and riotous house, that it facilitates illegal drug activity and that it constitutes a public nuisance.
3. Said summons commanded the appearance of Horacio Sanchez to answer the complaint for revocation of the Class "B" Tavern and Public Entertainment Premises licenses of Captain Alfonso Morales on April 8, 2014 at 1:30 p.m. in Room 301-B of City Hall. At that date time and place, the licensee, Horacio Sanchez appeared and answered the complaint as summoned and was represented by counsel, Attorney Vincent Bobot, 5414 South 13th Street, Milwaukee, WI 53203.
4. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee found the following:
  - A. On July 20, 2013 at 2:54 a.m. Milwaukee Police District 2 was advised of a shooting at South 17<sup>th</sup> Street and West Lapham Street. The first officers on the scene discovered a shooting had taken place at 1733 West Arrow Street. The investigation revealed the victim had been at El Rodeo Bar until bar close. When the business closed, the victim exited the bar and was hanging out with some friends on the west side of the building. An unknown subject fired shots into the air and towards the group the victim was standing with. The victim was shot in the chest and the leg. The rest of the crowd "jumped" the person they believed to be the shooter. Milwaukee police incident report was filed.



- B. On August 9, 2013 at 12:50 p.m. a Milwaukee police officer met the applicant at 1586 South Pearl Street (El Rodeo Bar) regarding the shooting that took place on July 20, 2013. The applicant told the officer that he was aware of the shooting from news reports the next day, but he had no additional information regarding the incident.
- C. On October 27, 2013 at 2:49 a.m. Milwaukee police responded to a tavern violation at 1586 South Pearl Street (El Rodeo Bar). Officers initially had a difficult time entering the business because the door was locked and no one inside the business came to the door. Once officers entered the business, they discovered the bar was open because the applicant believed that daylight savings time had begun and it was actually only 1:49 a.m. Officers pointed out that daylight savings time began the next week, and the applicant closed for the night. No additional reports or citations were filed.
- D. On February 7, 2014 at 11:52 p.m. Milwaukee police responded to an aldermanic complaint at 1586 South Pearl Street (El Rodeo Bar). The complaint stated that the business was conducting drug sales and advertising that they would have erotic dancers, the bar does not have the appropriate License for this type of entertainment. Officers discovered two females inside the business that were wearing only an undergarment and stockings. Initially, officers spoke to the applicant's wife, Estella J. Hernandez, who told officers she was not aware that the business's existing public entertainment license did not cover such an event and advised officers that the applicant was inside the business and that they should speak to him. After speaking with the applicant, officers conducted a licensed premise check. During this check, near a trash can officers discovered women's undergarments belonging to one of the previously mentioned females. Near these undergarments was an unclaimed jacket that had three corner cut baggies containing cocaine, In the trash can officers observed two corner cut plastic baggies that contained a white powder substance that the officer believed to be cocaine. A consent search of the applicant uncovered a folded \$1.00 bill which contained a white powder substance the officer believed to be cocaine. The applicant told officers it was cocaine and that it was for his personal use. The applicant was arrested and subsequently charged with a misdemeanor violation of Possession of Cocaine/Coca §961.41(3g)(c). The criminal case is pending.
- F. On February 27, 2014 at 1:12 p.m. Milwaukee police Captain Alfonso Morales met with Estella Hernandez in his office at Milwaukee police district #2 at Ms. Hernandez's request. Ms. Hernandez explained that she is the owner of the building at 1586 South Pearl Street (Rodeo Tavern), but the father of her children is the business's licensee. During this meeting, Captain Morales answered questions Ms. Hernandez had

regarding the meaning of being categorized a drug house, and if it were legal for a police dog to be brought into a tavern without a warrant. Ms. Hernandez also asked what she could do to “soften the blow.” Captain Morales explained that Ms. Hernandez needed to follow the steps provided in the letter sent to her by the police department and that he could not help her “soften the blow.” The meeting ended at 1:28 p.m.

- G. Estella Hernandez, 2750 South 13<sup>th</sup> Street is the significant other of the licensee. She is aware of an individual named Alfonso from a promotion company called All Star Talent Management. The promoter offers exotic dancing and “shot girls”. The promoter was hired to provide shot girls for the establishment, not exotic dancers. She stated the dancers were wearing boy shorts, fishnet stockings, and bikini tops. She stated that police did not speak to her for several weeks regarding the July 20th shooting. She closed the business that evening with a friend. She stated that she never told anyone that she worked for the sheriff or that she would get anyone deported.
- H. Sally Perez, 1659 South 6th Street stated that she placed the cocaine in the licensee’s jacket. She stated that she told a police officer that it was her cocaine.
- I. Alderman Jose Perez stated he spoke with Ms. Hernandez on January 14th. He advised her to retrieve a copy of the license file to determine if there were any discrepancies. He was made aware of a flyer advertising adult entertainment for the establishment. On January 29, 2014 he received a phone call regarding cocaine at the establishment. The complainant stated that the licensee’s wife told people that she works for the sheriff’s department and could see who called to complain about the establishment.
- J. Officer Keith Miller testified that he visited the establishment on February 8, 2014. He observed two females in undergarments dancing on the bar. He did not observe any exposed genitalia. He spoke with the dancers, Lakeyda Perkins and Amanda Enea, and the promoter, Alfonso Mene. He spoke with the licensee and his spouse that evening and advised them that adult entertainment is not an approved form of entertainment on the Public Entertainment Premises license. He continued the premise check after the licensee stated there was nothing illegal in the establishment. He located two white baggies that later tested positive for cocaine. The licensee then gave permission to search him. A dollar bill with a white powdered substance was found on the licensee and he stated to police that it was cocaine. Three baggies of cocaine were also found in a jacket in the premises.

- K. Captain Alfonso Morales testified to an incident where a group of patrons who had left the establishment were approached by someone on a bicycle. The confrontation resulted in a shooting. The police department was later unable to locate the victim, despite the fact that he previously had been a frequent patron of the establishment. They reached out to Mr. Sanchez, but he did not assist in the search. He later received a complaint forwarded from the alderman's office about exotic dancing, cocaine, and a statement that a female from the establishment worked for the police and would have anyone who "snitched" be deported. On a later date, he met with Ms. Hernandez regarding issues at the establishment and she asked him how she could "soften the blow." He stated that he is concerned that drug use will bring more violence to the area. He is also concerned that the adult entertainment could lead to sex trafficking and prostitution.
- L. Officer Guadalupe Velasquez stated that Mr. Sanchez said he closed the bar the evening of July 20th with a female bartender.

#### 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 90 and 108 of the Milwaukee Code of Ordinances.
- 2. Based upon the above facts found, the Committee concludes that the licensee, Horacio Sanchez, has not met the criteria of Chapters 90 and 108 of the Milwaukee Code of Ordinances or Chapter 125 of the Wisconsin Statutes to allow the continued operation of the premises without a 45 day suspension.

Specifically, the Committee finds that the licensee has violated the licensing provisions of Chapters 90 and 108 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes as follows:

- A. Due to the presence of cocaine, an illegal controlled substance, inside the licensed premise and on the licensee's person on February 7, 2014, as set forth in ¶¶ 5D, 55G, and 5I above, the licensee is in violation of MCO 85-4-4-b and 85-4-4-c-2.
- B. The licensed premise was the scene of disorder and violence upon its patrons after closing time on July 20, 2013, as documented above in ¶ 5A, and therefore was, a "disorderly or riotous, indecent or improper house." in violation of MCO 90-12-f & I; MCO 85-4-4-c-1, c-11 and c-15; Wis. Stat. § 125.12(2)(ag)2.
- C. The licensee has repeatedly been uncooperative with police efforts to investigate licensed premise violations or to solve crimes as

documented above in ¶¶ 5B, 5C and 5J, in violation of MCO 85-4-4-c-22. The police investigation into the shooting outside the bar was hampered by the licensee's failure to cooperate with police to identify persons known to the licensee that were involved in the July 20, 2013 shooting.

- D. The Committee finds that the licensee, and his agent, testified untruthfully to the Committee at the April 8<sup>th</sup> hearing. Estella Hernandez testified that she did not know what cocaine looked like, notwithstanding her earlier conviction for possessing cocaine in the El Rodeo Bar several years prior to the revocation proceedings in this case.
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 suspend the Class "B" Tavern and Public Entertainment Premises licenses held by Horacio Sanchez for the premises located at 1586 South Pearl Street in the City and County of Milwaukee, Wisconsin ("El Rodeo") for 45 days based upon the evidence and testimony provided by the Milwaukee Police Department and the testimony by the licensee and his agents and patrons as stated above.

#### RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of three (3) ayes, zero (0) noes and two (2) abstentions, recommends that the Class "B" Tavern and Public Entertainment Premises licenses held by Horacio Sanchez for the premises located at 1586 South Pearl Street in the City and County of Milwaukee, Wisconsin ("El Rodeo") be suspended for 45 days.

Dated and signed at Milwaukee, Wisconsin this 11<sup>th</sup> day of July, 2014.



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TONY ZIELINSKI, Chair  
Licenses Committee