

## 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

October 21, 2022

To the Honorable, the Common Council

Honorable Members:

Common Council File Number 220900 contains the following recommendations:

Renewal with a ten (10) day suspension of the Filling Station, Food Dealer and Weights & Measures licenses for Tejinder P. Rajput, for the premises located at 1645 W Forest Home Av. ("Forest Home Petro") in the 12<sup>th</sup> aldermanic district

Nonrenewal of the Extended Hours Establishments license for Muhammad A. Rana, for the premises located at 1801 W Greenfield Av. ("Alina Petroleum") in the 12 aldermanic district.

Renewal with a ten (10) day suspension of the Class B Tavern, Public Entertainment Premises and Food Dealer licenses for Andrew C. Deuster, for the premises located at 1133-37 N Water St. ("McGillycuddy's Bar & Grill") in the 4<sup>th</sup> aldermanic district.

Renewal with a fifteen (15) day suspension of the Class B Tavern and Public Entertainment Premises licenses for Jacob E. Dehne, for the premises located at 1044 N Martin L King Jr Dr. ("Red White and Blue") in the 4<sup>th</sup> aldermanic district.

Nonrenewal of the Class B Tavern and Public Entertainment Premises licenses for Tanisha Kelly, for the premises located at 3621 N Teutonia Av. ("Penthouse Lounge") in the 6<sup>th</sup> aldermanic district.

Renewal with a ten (10) day suspension of the Class B Tavern, Public Entertainment Premises and Sidewalk Dining licenses for Haley I. Pollard, for the premises located at 2246 S Kinnickinnic Av. ("Revel") in the 14<sup>th</sup> aldermanic district.

Renewal with a ten (10) day suspension of the Extended Hours Establishments, Filling Station, Food Dealer and Weights & Measures licenses for Shoabi I Kiyani, for the premises located at 3115 W Fond Du Lac Av. ("GPC")

Respectfully,

Milele Coggs, Chair  
Licenses Committee

cc: All Council Members  
File 220900



## **COMMITTEE ASSIGNMENTS**

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- Steering and Rules Committee
- Wisconsin Center District Board

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

Date: October 21, 2022

To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report of the Renewal Application of Tejinder P. Rajput, Agent for FOREST PETROLEUM, INC., for Filing Station, Food Dealer and Weights & Measures licenses for the premises located at 1645 West Forest Home Avenue in the City and County of Milwaukee, Wisconsin ("Forest Home Petro").

### **FINDINGS OF FACT**

1. Tejinder P. Rajput (hereinafter the "Licensee") is the holder of Filing Station, Food Dealer and Weights & Measures licenses for the premises located at 1645 West Forest Home Avenue in the City and County of Milwaukee, Wisconsin ("Forest Home Petro"). Said licenses expired at midnight, October 11, 2022.
2. An application to renew said licenses was filed with the Office of the City Clerk on July 22, 2022.
3. Pursuant to Chapters 68, 82, 84, and 85 of the Milwaukee Code of Ordinances, the matter was referred to the Milwaukee Police Department for investigation. On July 22, 2022, the Milwaukee Police Department responded with a report that could form the basis for nonrenewal of said license.
4. On October 6, 2022, the City Clerk's Office provided notice to the Licensee pursuant to Chapters 68, 82, 84, and 85 of the Milwaukee Code of Ordinances of the police report and neighborhood objections and included a copy of the police report. The matter was scheduled for a hearing on the police report and neighborhood objections on October 18, 2022 at 10:45 a.m. in Room 301B of the third floor of City Hall. At said date, time and place, the Licensee appeared at the hearing with counsel, Attorney Vincent Bobot, 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 September 14, 2021, Milwaukee Police drafted and mailed a Notice of Nuisance Premises to the agent at 1645 West Forest Home. Included were all the calls for service from 01/11/21-09/06/21. Out of the 31 calls for service only 4 were from employees.
- B. The Licensee was present along with Attorney Vincent Bobot who said that he talked to Alderman Perez about the situation that was going on at the area. He said that they concluded that the car wash was the issue and to avoid the nuisance, the car wash closes earlier and that it has an attendant now. He also said that they have added security cameras and that the Licensee is there, the entire day, seven days a week and that his client has been very proactive with the situation.

***Individuals also present:***

- C. Alderman Spiker said that the call log stated on the police report is not included on the file.
- D. Alderman Perez said that the issue is a gap happening between renewals every year. He also said that he appreciates the fact that the Licensee addresses the issues.

***Individuals in opposition:***

- E. Comstock Ave Residents: Ms. Jose - said that the car wash allows the people that are loitering to detail the cars that come out from the car wash. She added that they block the entrance and you cannot pump gas anyways. She also said that they allow these people to sleep on the lot and that she recognizes the people because they even tell her that they need to work.
- F. Mr. Cooney said that the License Division does not license car washes but that it can be included on the plan of the operation.
- G. Ms. Jose said that something was supposed to be done at the last hearing to limit the area for the car wash like to put cones on the floor.
- H. Attorney Bobot said that it is a very busy and challenged intersection area and that he has filed for restraining orders to avoid more problems.
- I. Alderman Perez said that he understands that it is a busy and challenged intersection but that the store has a store front with a great view and a back door where everything can be seen and handled.
- J. Alderman Perez moved renewal with a 10-day suspension based on the police report, neighborhood and aldermanic testimony. There were no objections.  
(Prevailed 4-0)



## CONCLUSIONS OF LAW

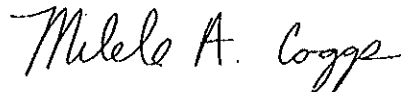
1. The Committee has jurisdiction to hold hearings and provided Findings of Fact and Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapters 68, 82, 84, and 85 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concludes that the Licensee, Tejinder P. Rajput who holds Filing Station, Food Dealer and Weights & Measures licenses for the premise located at 1645 West Forest Home Avenue in the City and County of Milwaukee, Wisconsin ("Forest Home Petro") has not met the criteria of Chapters 68, 82, 84, and 85, of the Milwaukee Code of Ordinances to renew the Filling Station, Food Dealer, and Weights & Measures licenses 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, neighborhood 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 to not renew the Filling Station, Food Dealer, and Weights & Measures licenses without undergoing a ten (10) day suspension for the premises located at 1645 West Forest Home Avenue in the City and County of Milwaukee, Wisconsin ("Forest Home Petro"). The Committee based its recommendation on the police report, neighborhood and aldermanic testimony.

## RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, including the Findings previously generated by the Committee in this matter, by a vote of **four (4) ayes, zero (0) noes, and one (1) excused** recommends that the renewal of Filing Station, Food Dealer, and Weights & Measures licenses held by Tejinder P. Rajput for the premises located at 1645 West Forest Home Avenue in the City and County of Milwaukee, Wisconsin ("Forest Home Petro") not be renewed, without undergoing a ten (10) day suspension, based on the police report, neighborhood and aldermanic testimony.

Said suspension is in effect between 12:01 a.m. on November 1, 2022 until 11:59 p.m. on November 10, 2022.

Dated and signed at Milwaukee, Wisconsin this 21 day of October, 2022.



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MILELE A. COGGS  
Chairman, Licenses Committee

/282292



## 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: October 21, 2022

To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report of the Renewal Application of Muhammad A. Rana, Agent for ALINA PETROLEUM LLC, for Extended Hours Establishments license for the premises located at 1801 West Greenfield Avenue in the City and County of Milwaukee, Wisconsin ("Alina Petroleum").

### **FINDINGS OF FACT**

1. Muhammad A. Rana (hereinafter the "Licensee") is the holder of Extended Hours Establishments license for the premises located at 1801 West Greenfield Avenue in the City and County of Milwaukee, Wisconsin ("ALINA PETROLEUM LLC). Said licenses expired at midnight, September 23, 2022.
2. An application to renew said license was filed with the Office of the City Clerk on September 9, 2022.
3. Pursuant to Chapters 68, 82, 84, and 85 of the Milwaukee Code of Ordinances, the matter was referred to the Milwaukee Police Department for investigation. On September 9, 2022, the Milwaukee Police Department responded with a report that could form the basis for nonrenewal of said license.
4. On October 6, 2022, the City Clerk's Office provided notice to the Licensee pursuant to Chapters 68, 82, 84, and 85 of the Milwaukee Code of Ordinances of the police report and neighborhood objections and included a copy of the police report. The matter was scheduled for a hearing on the police report and neighborhood objections on October 18, 2022 at 11:00 a.m. in Room 301B of the third floor of City Hall. At said date, time and place, the Licensee appeared with counsel, Attorney Emil Obviagele at the hearing, 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. The Licensee was present along with Attorney Emil Obviagele who said that the item on the police report was about that the Licensee did not know that he needed a Public Entertainment Premises license to operate the amusement machine.

***Individuals also present:***

- B. Alderman Perez asked if the Licensee was in violation after the letter was sent out about not allowing gambling machines at the gas stations.
- C. Mr. Cooney said that he does not have a timeline.
- D. Attorney Obviagele said that his client admitted that he made a mistake and paid the citation.
- E. Alderman Spiker said that even if the court ruled that they were not gambling machines, a PEP license is required to operate amusement machines.

***Individuals in opposition:***

- F. Araceli Arevalo – Interpreter
- G. Raquel Coronado - 1319 S. 20th St - said that every time that she goes to Pete's Supermarket, she sees people using drugs, soliciting to the cars that come into the gas station, garbage, prostitution, people loitering, sleeping and that all of them seem very comfortable like if they were at their homes because nothing happens while the people that live around, they are all concerned about their safety. She added that she drops and pick up her son at the bus stop because she is concerned about her son's safety.
- H. Maria Herrera – 32nd and Burnham – said that there is a lot of drug dealing and prostitution, garbage and needles on the floor.
- I. Alderman Perez asked if she has seen this activity at the gas station.
- J. Ms. Herrera said that these people even have lawn chairs by the front door and that they take the woman to the back to the store to unload stuff and that they return after 2-3 minutes. She said that when she pumps gas, she is approached by 2 or 3 people to get some change.
- K. Maria Lezama – 1419 S Comstock Ave. – said that she is very concerned because she cannot even walk to the store, sit by the porch or to pick up her children because these people are out there all the time asking for stuff. She added that she has been followed all the way to home asking for money. She also said that she can see from her window all the activity at the gas station and that she sees the prostitution happening, the women getting naked and men lining up.



- L. Travis Walt – 2701 S. 10th St. – he said that he testified at the last hearing and that the gas station never shut down as ordered and that it even got worse. He said that he has witnessed people parked at the pumps for 40 minutes and prostitutes are getting into the cars at the pumps all the time. He also said that the neighbors don't need a gas station there and definitely not open 24 hours. He added that the owner does nothing and it's detrimental to the neighborhood. He said that the shooting started at the gas station due to a drug deal at the gas station. He said that he would not stop there; that he would push his car past the gas station and that he has two pop-ups weekly in that area.
- M. Alderman Perez asked what his set up distance from the gas station is.
- N. Mr. Walt said that it is 25 – 30 feet and that they see the pumps, store, everything.
- O. Alderman Perez asked Mr. Walt if the Licensee has talked to him.
- P. Mr. Walt said that the applicant has never approached him.
- Q. Alderman Spiker asked if he remembered the dates when the gas station was supposed to be closed.
- R. Mr. Cooney said that September 23rd was the date that the nonrenewal took effect.
- S. The Licensee admitted that he was open after September 23rd because he received the letter after the 27th.
- T. Alderman Perez said that he and Mr. Cooney talked to the Licensee at the gallery at the common council date and that the Licensee was aware of the dates and that he was advised to contact an attorney.
- U. Alderman Spiker said that it was clear that he needed to shut down his business.
- V. Attorney Obviagele said that the father is terminally ill and that the family is under a lot of stress and he asked for some humanity to the family.
- W. Alderwoman Coggs said that we are all doing our work and that humanity must be applied for the neighbors as well who are dealing with the drug activity, prostitution, panhandling, noise, etc.
- X. Alderwoman Coggs asked why we are hearing this application when the other licenses were denied already.
- Y. Mr. Cooney said that it is because the other licenses are operating under a TRO (Temporary Restraining Order).

- Z. The Licensee said that he made an honest mistake and that he was open past the 23rd.
- AA. Diana Perez – 1238 S 18th St - said that she shares the same concerns as the others and that her neighborhood has declined progressively with this gas station. She added that she sees the activity all over the place especially by the dumpster near the building, and that people also congregate at the end of the alley.
- BB. Alderman Perez asked the Licensee what he has to say about people congregating, approaching cars, parking long time, etc.
- CC. The Licensee said that they call the police if the cars are parked for more than 5 minutes and that it is not true that cars park for 30 minutes or more. He said that he or his staff come out to ask the cars to move and if they don't move, they call the police.
- DD. Attorney Obviagele said that they have submitted a plan of action and that his client has agreed to put up cameras on the street adjacent to the business as well. He added that his client recognizes that he must be present and that everyone needs to pitch in to try to get things rectified.
- EE. Alderman Perez said that he received today the plan of action that Attorney Obviagele is talking about and that the village that he is referring to, lives across the street and that they have not been taken into consideration at all. He added that the Licensee knew about these same issues for years because he has received disciplinary actions in the past and that he showed up at the common council meeting knowing the dates but without knowing what to do. Attorney Obviagele said that his client is going through hard times but that he is willing to work with the alderperson and community to move forward and asked that the license be renewed.
- FF. Alderman Perez moved non-renewal of the Extended Hours Establishment license based on the neighborhood testimony and the lack of management that the Licensee has shown with the other licenses as well. There were no objections. (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 68, 82, 84, and 85 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concludes that the Licensee, Muhammad A. Rana who holds Extended Hours Establishments license for the premise located at 1801 West Greenfield Avenue in the City and County of Milwaukee, Wisconsin (“Alina Petroleum”) has not met the criteria of Chapters 68, 82, 84, and 85, of the Milwaukee Code of Ordinances to renew the Extended Hours Establishment



license. The Committee finds the police report and aldermanic objections as stated above to be true. The Committee based its recommendation on the neighborhood testimony.

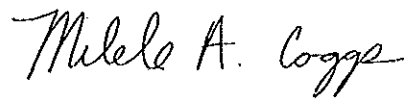
3. In order to protect the health, safety and welfare of the citizens of the City of Milwaukee, it is the recommendation of the Licenses Committee that the full Common Council of the City of Milwaukee should exercise its judgment to not renew the Extended Hours Establishments license for the premises located at 1801 West Greenfield Avenue in the City and County of Milwaukee, Wisconsin ("Alina Petroleum"). The Committee based its recommendation on the neighborhood testimony.

### RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, including the Findings previously generated by the Committee in this matter, by a vote of **four (4) ayes, zero (0) noes and one (1) excused** recommends that the Extended Hours Establishment license held by Muhammad A. Rana for the premises located at 1801 West Greenfield Avenue in the City and County of Milwaukee, Wisconsin ("Alina Petroleum") not be renewed, based on the neighborhood testimony.

Said non-renewal is effective November 1, 2022

Dated and signed at Milwaukee, Wisconsin this 21 day of October, 2022.



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MILELE A. COGGS  
Chairman, Licenses Committee

/282303



## **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

Date: October 21, 2022

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 of Andrew C. Deuster, Agent for BOOBY JDK, LLC, for the premises located at 1133-37 North Water Street in the City and County of Milwaukee, Wisconsin ("McGillycuddy's Bar & Grill").

### **FINDINGS OF FACT**

1. Andrew C. Deuster (hereinafter "the Licensee") is the holder of Class "B" Tavern, PEP and Food Dealer Licenses for the premises located at 1133-37 North Water Street in the City and County of Milwaukee, Wisconsin ("McGillycuddy's Bar & Grill"). Said licenses expire at midnight on November 29, 2022.
2. An application to renew said licenses was filed with the Office of the City Clerk on September 28, 2022.
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 September 30, 2022, the Milwaukee Police Department responded with a report that could form the basis for nonrenewal of said licenses.
4. On October 6, 2022, 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 October 18, 2022, commencing at approximately 11:20 a.m. in Room 301-B 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 upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:



- A. On May 30, 2022, Milwaukee Police, while on foot patrol in the North Water Street tavern area, were flagged down by citizens and told that there were subjects with guns on the patio at 1135 North Water Street. While standing outside the patio area, officers observed citizen's dragging a subject out of the patio and onto the sidewalk. The group then walked away and out of eyesight of the officers. Officers then heard a gunshot and while investigating, began a foot chase with the subject described by the citizen as having the gun. The subject was apprehended and charged.
- B. On July 14, 2022 at 12:52 a.m., Milwaukee Police, while monitoring the tavern district around North Water Street and East Juneau Avenue, observed a large fight outside 1135 North Water Street. Investigation revealed that the fight started between two groups inside the establishment and continued outside after security escorted out. Employees were cooperative with the investigation.
- C. The Licensee was present and said that they have been facing the social issues that the entire city is experiencing and that they are trying to be responsible as well. He added that they have added security cameras and offered more training to the security guards.

***Individuals in opposition:***

- D. Samuel Goedart - 233 E Juneau (14th Floor) – said that the bar held DJ nights at the patio from Wednesday to Sunday the entire summer and that it was absurdly loud and that he could not sleep over the summer.

***Individuals also present:***

- E. Alderman Borkowski asked the Licensee if he heard this type of concern before.
- F. Mr. Deuster said that they had a complaint about 6 years ago. He said that the patio will be enclosed to avoid these issues.
- G. Alderman Borkowski moved to make part of the file the proposed pavilion plan. There were no objections.
- H. Alderman Perez asked when the construction is going to start.
- I. The Licensee said that this fall.
- J. Alderman Perez suggested the Licensee to keep in touch with his neighbors.
- K. Alderman Bauman said that he has concerns about the PA-33s and read parts where people mentioned that there were people with guns at the patio. He pointed out at the very end of the report, which says that in fact, the suspects were with their firearms and drinking alcohol in the premises. He said that he recommends a 30-day suspension.

- L. Alderman Perez asked the Licensee if he started to wand people after or before the incident.
- M. The Licensee said that they started after and that they have changed some procedures. He also said that the outdoor speakers are not used.
- N. Alderman Perez moved to eliminate outdoor music from the plan of operations. There were no objections.
- O. The Licensee said that it was a difficult year and that they tried to make adjustments to rectify issues like adding cameras, padding, searching bags and bringing more manpower. He added that they want to be good neighbors and to have a safe place.
- P. Alderman Spiker moved renewal (as amended) with a 10-day suspension based on the police report, neighborhood, licensee and aldermanic testimony. There were no objections. (Prevailed 4-0)

### 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, Andrew C. Deuster who holds Class B Tavern, Public Entertainment Premise (PEP) and Food Dealer licenses for the premise located at 1133-37 North Water Street in the City and County of Milwaukee, Wisconsin ("McGillycuddy's Bar & Grill") 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 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 Licensee, police report 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 to not renew the Class B Tavern, Public Entertainment Premise (PEP), and Food Dealer licenses for the premises located at 1133-37 North Water Street in the City and County of Milwaukee, Wisconsin ("McGillycuddy's Bar & Grill") without undergoing a ten (10) day suspension. The Committee based its recommendation on the Licensee, police report and neighborhood testimony.



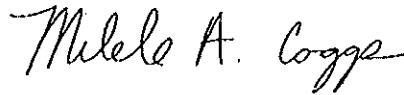


## RECOMMENDATION

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, Public Entertainment Premises (PEP), and Food Dealer Licenses of Andrew C. Deuster for the premises located at 1133-37 North Water Street ("McGillycuddy's Bar & Grill") in the City and County of Milwaukee, Wisconsin not be renewed without undergoing a ten (10) day suspension.

Said suspension is in effect between 12:01 a.m. on November 30, 2022 until 11:59 pm on December 9, 2022.

Dated and signed at Milwaukee, Wisconsin this 21 day of October, 2022.



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MILELE A. COGGS  
Chairman, Licenses Committee

/282293

## **COMMITTEE ASSIGNMENTS**

### **CHAIR**

- Licenses Committee

### **VICE CHAIR**

- Zoning, Neighborhoods and Development



### **MEMBER**

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

Date: October 21, 2022

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 Jacob E. Dehne, Agent for MKE Events LLC, for the premises located at 1044 North Martin L King Jr Drive in the City and County of Milwaukee, Wisconsin ("Red White and Blue").

### **FINDINGS OF FACT**

1. Jacob E. Dehne (hereinafter "the Licensee") is the holder of Class "B" Tavern and PEP Licenses for the premises located at 1044 North Martin L King Jr Drive in the City and County of Milwaukee, Wisconsin ("Red White and Blue"). Said licenses expire at midnight on November 6, 2022.
2. An application to renew said licenses was filed with the Office of the City Clerk on September 14, 2022.
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 September 16, 2022, the Milwaukee Police Department responded with a report that could form the basis for nonrenewal of said licenses.
4. On October 6, 2022, 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 October 18, 2022, commencing at approximately 11:25 a.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 Emil Obviagele, 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 September 26, 2021 at 12:07 a.m. officers responded to a fight at Red White & Blue, 1044 North Martin Luther King Jr Drive. The officers observed security attempting to prevent two females from entering. Security pointed out a subject who



was fighting in the bar. The subject fought with officers when they attempted to take him into custody.

- B. On February 25, 2022 at 1:04 a.m. officers were dispatched to a Sick and Injured at 1044 North Martin Luther King Jr Drive. The officers spoke with security, who stated a subject was highly intoxicated and vomiting inside the bar. The officers called for medical treatment for an incapacitated subject.
- C. On February 27, 2022 at 1:35 a.m. officers were dispatched to a Fight at Red White & Blue, 1044 North Martin Luther King Jr Drive. The officers spoke with security, who stated they escorted a disorderly subject out. The subject ran back into the business. As they were escorting him out a second time he became upset and kicked out the glass front door. The subject was issued a citation.
- D. On July 14, 2022 at 11:52 p.m. officers conducted a license premise check at Red White & Blue, 1044 North Martin Luther King Jr Drive. The officer observed security officers at the door and throughout the establishment. He discussed with the manager about using a metal detector at the door. The manager stated he was new and would discuss it with the owner.
- E. On August 5, 2022 at 1:03 a.m. officers were flagged down by security at Red White & Blue, 1044 North Martin Luther King Jr Drive regarding a disorderly subject. Security stated a subject was intoxicated and refused to leave. The subject became aggressive with officers and was cited for Disorderly Conduct. Thursday nights are all you can drink night and is known for heavily intoxicated subjects leaving the establishment.
- F. On August 5, 2022 at 1:41 a.m. officers were flagged down by security at Red White and Blue, 1044 North Martin Luther King Jr Drive for a fight. The officers observed two groups exit the tavern and argue in the street. The argument continued in the parking lot where they began fighting. One of the subjects was on the ground being hit when the officer observed him with a firearm. The subject dropped the gun when instructed. The subjects fighting then dispersed. The security manager stated he did not see the fight inside but he was told about it by his security officers. Security from the bar was outside attempting to separate the groups and were cooperative with officer. Security advised they check everyone for weapons prior to coming in the bar.
- G. The Licensee was present along with Attorney Emil Obviagele. Atty. Obviagele cross examined his client regarding the items on the police report.
- H. The Licensee said that he follows up with the police after every incident, that they cooperate and take their advice always. He added that they have implemented a rideshare program which was shared as exhibit 2.

***Individuals also present:***

- I. Alderman Perez moved to accept the rideshare flyer as exhibit 2 as part of the record. There were no objections.



- J. Attorney Obviagele asked that what is marked as exhibit 1 becomes part of the record.
- K. Alderman Borkowski moved to accept exhibit 1 as part of the record. There were no objections.
- L. Alderman Perez asked the staff ratio vs capacity.
- M. The Licensee said that he has 12 security guards, 2 managers on the floor, 1 manager behind the bar and 10-12 bartenders.
- N. Alderman Spiker said that there is a lot of alcohol on Thursday nights because of the offered discount.
- O. The Licensee said that they give a cup and a wristband and that both are taken away if the patron seems intoxicated. He said that he is introducing food and that he is trying to stay competitive in the business.
- P. Alderman Spiker asked if there is a limit on the drinks on Thursdays.
- Q. The Licensee said that he does not have a system yet but that there are wristbands with the number of tabs for example.
- R. Alderman Spiker said that he understands what he is trying to say but that something must be done to avoid these incidences.
- S. Alderman Bauman said that Alderman Spiker made a good point because 3 of the 5 incidences happened on Thursday nights and that these incidences have caused ordinance violations, numerous fights, calls for service, etc. He added that calls for intoxicated patrons are answered by the police and fire department and passing the cost to the taxpayers. He requested a 10-day suspension.
- T. Attorney Obviagele objected to Alderman Bauman's comment.
- U. Alderman Perez said that what it is in question is that these type of business practices makes the MFD to respond for all these "all you can drink nights" which is causing a problem with the budget because MFD is responding to these calls caused by these practices.
- V. The Licensee said that he is involved and that he will keep working to correct the issues.
- W. Attorney Obviagele said that his client did not hide any of the issues on the police report and that he has made financial decisions to address these incidences and that he will work on the beverage limits and that he does not believe that a 10-day suspension reflects the efforts that his client has made.



- X. Alderman Spiker moved renewal with a 15-day suspension based on the police report, licensee and aldermanic testimony. (Prevailed 3-1).

### CONCLUSIONS OF LAW

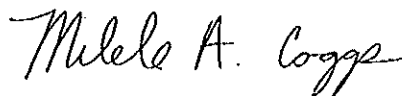
1. The Committee has jurisdiction to hold hearings and provide Findings of Fact and Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapters 85, 90, and 108 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concludes that the Licensee, Jacob E. Dehne who holds Class B Tavern and Public Entertainment Premise (PEP) licenses for the premise located at 1044 North Martin L King Jr Drive in the City and County of Milwaukee, Wisconsin ("Red White and Blue") 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 renew the Class B Tavern and Public Entertainment Premises without undergoing a fifteen (15) day suspension. The Committee finds the aldermanic objections as stated above to be true. The Committee based its recommendation on the police report, licensee 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 to not renew the Class B Tavern and Public Entertainment Premise (PEP) licenses for the premises located at 1044 North Martin L King Jr Drive in the City and County of Milwaukee, Wisconsin ("Red White and Blue"), without undergoing a fifteen (15) day suspension.

### 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, one (1) excused and one (1) abstain**, recommends that the Class "B" Tavern and Public Entertainment Premises (PEP) of Jacob E. Dehne for the premises located at 1044 North Martin L King Jr Drive ("Red White and Blue") in the City and County of Milwaukee, Wisconsin not be renewed without undergoing a fifteen (15) day suspension.

Said suspension is in effect between 12:01 a.m. on November 7, 2022 until 11:59 p.m. on November 21, 2022.

Dated and signed at Milwaukee, Wisconsin this 21 day of October, 2022.



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MILELE A. COGGS  
Chairman, Licenses Committee

/282294



## **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

Date: October 21, 2022

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 Tanisha Kelly, Agent for Penthouse LLC, for the premises located at 3621 North Teutonia Avenue in the City and County of Milwaukee, Wisconsin ("Penthouse Lounge").

### **FINDINGS OF FACT**

1. Tanisha Kelly (hereinafter "the Licensee") is the holder of Class "B" Tavern and PEP Licenses for the premises located at 3621 North Teutonia Avenue in the City and County of Milwaukee, Wisconsin ("Penthouse Lounge"). Said licenses expire at midnight on November 11, 2022.
2. An application to renew said licenses was filed with the Office of the City Clerk on August 30, 2022.
3. Pursuant to Chapters 68, 82, 84, and 85 of the Milwaukee Code of Ordinances, the matter was referred to the Milwaukee Police Department for investigation. On August 31, 2022, the Milwaukee Police Department responded with a report that could form the basis for nonrenewal of said license.
4. On October 6, 2022, 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 October 18, 2022, commencing at approximately 1:25 p.m. in Room 301-B of the third floor of City Hall. At said date, time and place, the Licensee appeared with at the hearing, 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 November 5, 2021 at 8:26 p.m., Milwaukee Police conducted a License Premise Check at 3621 North Teutonia, due to information received from other officers who responded to a Shots Fired complaint a few days earlier, at which time the location appeared to be open and operating, without a Class B License or Occupancy Permit.



On arrival officers observed patrons exiting the bar, however, the open sign was not illuminated and the blinds were closed. As officers approached they could see interior lights illuminated and loud music coming from the bar. Once inside officers were met by a security guard and observed patrons at the bar with small wine bottles and plastic cups in front of them, as well as a bartender tending to the patrons. Officers further observed a side room with a dance floor, lights, and DJ equipment, which appeared to be getting ready for a party. As officers were interviewing an employee on scene, another security guard entered the establishment and addressed officers. The security guard stated he was hired to provide security for a private party and it was not open to the public. Officers requested to see the Occupancy License and Class B Tavern, however, no one could provide a valid license. Officers observed female patrons of the bar go upstairs to the apartments and exit with their purses, as well as males come downstairs from the apartments and exit the premise. The employees on scene were all advised they could not be operating as there was no occupancy or Class B Tavern License. Officers were contacted via telephone by the bar manager a few days later and were advised he or the agent were not aware of any party, and did not hire any security. The bar manager stated he believed the employee on scene was the brother or cousin of the agent who had keys to allow contractors in the building.

- B. On November 12, 2021 at 9:26. p.m., Milwaukee Police conducted a License Premise check at 3621 North Teutonia, due to information received from DNS on November 11, 2021, regarding the Occupancy permit. Officers were advised no one was to be inside the premise other than for renovations. Officers observed the "Open" sign to be illuminated and a patron at the bar who was served an alcoholic beverage. Officers interviewed the manager on duty who stated they were granted the Occupancy License and Class B Tavern license on November 11, 2021 and provided officers with a copy of both documents. The investigation revealed there was no licensed bartender on scene and approximately 15 patrons consuming alcoholic beverages. Officers interviewed the only licensed bartender via the telephone, who stated she was on her way there. The employees were advised not to serve any alcoholic beverages until there was a licensed bartender on scene.
- C. On February 16, 2022 at 8:30 p.m., Milwaukee Police conducted a License Premise check, due to citizens' complaints at 3621 North Teutonia Avenue, along with agents from the Wisconsin Department of Revenue Alcohol and Tobacco. On arrival officers observed the DJ table was set up and operating with the lights illuminating from the table. Officers also observed menus for food such as Wing Wednesdays. Officers interviewed the bar manager, who stated food was being brought in. During the investigation officers had reason to speak to a resident of the apartments upstairs, at which time they smelled fried foods emanating from the residence and observed a fryer with Styrofoam packaging on the table. Officers believed the food being offered at the bar were actually being prepared in an upstairs apartment. Officers advised the bar manager they have no Public Entertainment Premise License for the DJ, nor did they have a Food License to prepare and serve food. Officers also observed the video surveillance system was not in working order. Agents from the Department of Revenue seized alcohol and tobacco from the tavern, due to not having proper



invoices, distributor receipts or licenses. Citations were issued for Food Dealer License Required and Public Entertainment Premise License.

Charge 1: Food Dealer License  
2: Public Entertainment Premise  
Finding: Pre-Trial 11/10/22 8:30 A  
Sentence:  
Date:  
Case: 22034255/22035391

D. On February 22, 2022 at 5:37 a.m., Milwaukee Police were dispatched to St. Mary's Hospital for a Battery, which occurred at 3621 North Teutonia Avenue. Officers interviewed the victim, who stated she was recruited to strip at The Penthouse. The victim stated it was her first time, however, they have strippers every Monday and there were approximately 7 other dancers that night. The victim stated she was assaulted by two other dancers prior to closing, and security and the owner just watched, without intervening. On February 25, 2022 at 2:04 a.m., officers proceeded to the business in an effort to view video surveillance regarding the incident. The employee on scene allowed officers to view the video surveillance but speculated the system records live feeds only. Officers were not able to search previous events on the video system and the employee stated he was on scene and heard of a fight, however, denied actually witnessing the fight. A citation was issued for Public Entertainment License Required.

Charge: Public Entertainment License Required  
Finding: Arraignment 09/08/22 1:30 p.m.  
Sentence:  
Date:  
Case: 22037546

E. On April 22, 2022, Milwaukee Police along with DNS inspectors, conducted a License Premise check at 3621 North Teutonia Avenue. This establishment has a valid Class B Tavern and Public Entertainment License (with restrictions-no DJ Equipment). The owner of the property stated the lower tavern is leased out, however, the upstairs is uninhabitable and only allows the agent of the tavern to use it for storage. Upon entrance to the establishment officers proceeded to check the upstairs to ensure it was safe for DNS Inspectors to conduct their inspection. Officers observed hookah pipes, a DJ Table, a gambling table that appeared to be set up for Crap games, and a makeshift commercial kitchen with fryers and freezers full of food that appeared to be match items offered on menus in the tavern. The DNS inspectors stated they would be issuing orders deeming the upstairs uninhabitable due to exposed plumbing and wiring. The DNS inspectors explained to the manager and employee on scene the upstairs shall not be used under any circumstances and it was currently being used as an unlicensed kitchen facility. A citation was issued for Food Dealer License Required.

Charge: Food Dealer License Required  
Finding: Pre-Trial 11/10/22 8:30 a.m.





Sentence:

Date:

Case: 22033662

- F. On April 16, 2022 at 2:26 a.m., Milwaukee Police conducted a License Premise Check at 3621 North Teutonia Ave. Officers received information employees lock the door whenever police attempt to enter the premise. As officers approached the establishment they observed patrons exiting the bar, however, a subject made eye contact with the officers, and when they attempted to gain entry the door was locked. As more patrons began to exit, officers eventually gained entry and observed patrons at the bar still finishing their drinks and hookah, however, it was 2:30 a.m. Officers advised all patrons the bar was closed and they were to exit immediately.
- G. On August 4, 2022 officers assisted Wisconsin Department of Revenue Agents in the service of the Licensee with an order to produce taxes. The Licensee was located and issued the order.

*Individuals also present:*

- H. Shaun Thomas - 4230 N Oakland Ave - said that he is the manager and went through the items on the police report.
- I. Alderman Spiker said that regarding item 5, asked if they have the cameras recording now.
- J. Mr. Thomas said that they do now and that the old system did not have a recording capacity.
- K. Alderman Spiker asked why he said that he had no idea who this person in item 5 was.
- L. Mr. Thomas said that he did not recruit her.
- M. Alderman Spiker asked if the room upstairs (not licensed) is accessible to the public.
- N. Mr. Thomas said that it is accessible but that it has a lock now and that he has the key.
- O. Alderwoman Coggs asked Mr. Thomas if he was ever associated with the Locker Room or Blackout Entertainment.
- P. Mr. Thomas said that he is not.
- Q. Alderwoman Coggs asked the Licensee if some stripping happens at this premises.
- R. The Licensee said that she has not seen it.
- S. Mr. Thomas said that he has females with clothing some may consider inappropriate.



- T. Alderwoman Coggs said that there are photos and videos of stripping shows at this place on the social media.
- U. Mr. Thomas said that he does not make the flyers.
- V. Alderwoman Coggs asked who has access to the upstairs area.
- W. Mr. Thomas said that he has no clue and that he does not have access.
- X. Alderwoman Coggs asked the Licensee why she did not show up at the last hearing.
- Y. The Licensee said that because her attorney was not in town.

***Individuals also in opposition:***

- Z. Keith Garland – said the he was one of the officers on the February 16, 2022 premises check and that Mr. Thomas had the keys for the upstairs room and that everything that they observed was documented and recorded with the body cameras as well. He added that they had flyers of gambling and stripping events and that they have received multiple calls for shootings, fights and late hours. He added that the Licensee has not returned any of his calls. Officer Garland said that he even went to the Licensee’s home address with no luck.
- AA. Alderwoman Coggs said that what the police report exemplifies and communications from neighbors and testimony from the police demonstrate that this establishment is not well managed and, that the fact that the Licensee was not available to the police department at all, shows the lack of management.
- BB. Alderman Perez moved denial based on the police report, Licensee, police department and aldermanic testimony. There were no objections. (Prevailed 4-0)

**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, Tanisha Kelly who holds Class B Tavern and Public Entertainment Premise (PEP) licenses for the premise located at 3621 North Teutonia Avenue in the City and County of Milwaukee, Wisconsin ("Penthouse 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 renew the Class B Tavern and Public Entertainment Premises. The Committee finds the aldermanic objections as stated above to be true. The Committee based its recommendation on the police report, Licensee, police 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 to not renew the Class B Tavern and Public



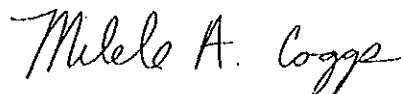
Entertainment Premise (PEP) licenses for the premises located at 3621 North Teutonia Avenue in the City and County of Milwaukee, Wisconsin ("Penthouse Lounge"), based on its recommendation on the police report, Licensee, police department and aldermanic testimony.

## 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) of Tanisha Kelly for the premises located at 3621 North Teutonia Avenue ("Penthouse Lounge") in the City and County of Milwaukee, Wisconsin not be renewed based on its recommendation on the police report, Licensee, police department and aldermanic testimony.

Said nonrenewal is in effect beginning 12:01 a.m. on November 12, 2022.

Dated and signed at Milwaukee, Wisconsin this 21 day of October, 2022.



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MILELE A. COGGS  
Chairman, Licenses Committee

/282311



## **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: October 21, 2022

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 Sidewalk Dining Licenses of Haley I. Pollard, Agent for Revel Group Inc., for the premises located at 2246 South Kinnickinnic Avenue in the City and County of Milwaukee, Wisconsin ("Revel").

### **FINDINGS OF FACT**

1. Haley I. Pollard (hereinafter "the Licensee") is the holder of Class "B" Tavern, PEP and Sidewalk Dining Licenses for the premises located at 2246 South Kinnickinnic Avenue in the City and County of Milwaukee, Wisconsin ("Revel"). Said licenses expire at midnight on November 1, 2022.
2. An application to renew said licenses was filed with the Office of the City Clerk on August 23, 2022.
3. Pursuant to Chapters 68, 82, 84, and 85 of the Milwaukee Code of Ordinances, the matter was referred to the Milwaukee Police Department for investigation. On August 24, 2022, the Milwaukee Police Department responded with a report that could form the basis for nonrenewal of said license.
4. On October 6, 2022, 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 October 18, 2022, commencing at approximately 2:25 p.m. in Room 301-B of the third floor of City Hall. At said date, time and place, the Licensee appeared with at the hearing with counsel Attorney Jason Luczak 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 6, 2022 at 8:33 p.m., Milwaukee Police were dispatched to 2246 South Kinnickinnic Avenue for a battery complaint. Investigation revealed that a security guard asked a subject to leave the tavern because he was intoxicated and when the subject refused, the security guard tried to physically remove the subject which caused a physical fight. The subject was transported to the hospital and the security guard was arrested. The Licensee arrived on scene and was very cooperative with police.
- B. On September 14, 2022 at 11:30 p.m., Milwaukee Police were dispatched to 2246 South Kinnickinnic Avenue for a noise complaint. Investigation revealed that the music was at a reasonable level outside until the front door was opened. The Licensee stated that she would have the “DJ” turn down the music and come up with a solution to keep the noise level acceptable. The Licensee was very cooperative.
- C. On March 12, 2022 at 11:29 p.m., Milwaukee Police conducted a license premise check at 2246 South Kinnickinnic Avenue. No violations were observed and the Licensee was very cooperative.
- D. The Licensee was present along with Attorney Jason Luczak and the business owner. Attorney Luczak said that they have developed a plan of action with the police and that the noise issues were addressed at a meeting where the neighbor who complained showed up. He added that the owner provided her telephone number to this neighbor to address the issues in a timely manner.

***Individuals also present:***

- E. Alderman Perez asked when the plan of action was adopted.
- F. Attorney Luczak said that after the battery incident.
- G. Captain Pfeiffer said that regarding the incident from March, both the management and owner were cooperative. He said that he received the plan of action and that he thinks that this business will do well.
- H. Alderwoman Dimitrijevic asked Attorney Luczak if he received communication from her office.
- I. The attorney said that he did receive it.
- J. Alderwoman Dimitrijevic asked Mr. Cooney how many objections were received.
- K. Mr. Cooney said 5 objections from 2 individuals.





- L. Alderwoman Dimitrijevic said that there seems to be a pattern and that there is more to do. She asked if there is a plan for a double door to avoid the noise issue.
- M. Attorney Luczak said that it is something that is being looked at.
- N. Alderwoman Dimitrijevic said that the transfer to the new owner has represented some challenges and that she wants to see the noise issue to be addressed with the double door and suggested a 10-day suspension.
- O. Attorney Luczak said that the suspension is not appropriate because they have limited their hours which has cost them revenue and with the changes that they have made.
- P. Alderman Perez moved renewal with a 10-day suspension based on the police report and aldermanic testimony and added that what has been done is not enough because there are 2 issues on the police report. There were no objections. (Prevailed 4-0)

#### **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, Haley I. Pollard who holds Class B Tavern, Public Entertainment Premise (PEP) and Sidewalk Dining licenses for the premise located at 2246 South Kinnickinnic Avenue in the City and County of Milwaukee, Wisconsin ("Revel") 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 renew the Class B Tavern and Public Entertainment Premises 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 police report 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 to not renew the Class B Tavern, Public Entertainment Premise (PEP) and Sidewalk Dining licenses for the premises located at 2246 South Kinnickinnic Avenue in the City and County of Milwaukee, Wisconsin ("Revel"), without undergoing a ten (10) day suspension, based on its recommendation on the police report and aldermanic testimony.

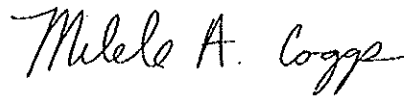


## RECOMMENDATION

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, Public Entertainment Premises (PEP) and Sidewalk Dining licenses of Haley I. Pollard for the premises located at 2246 South Kinnickinnic Avenue ("Revel") in the City and County of Milwaukee, Wisconsin not be renewed based on its recommendation on the police report and aldermanic testimony.

The suspension is in effect between 12:01 a.m. on November 2, 2022 until 11:59 pm on November 11, 2022.

Dated and signed at Milwaukee, Wisconsin this 21 day of October, 2022.



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MILELE A. COGGS  
Chairman, Licenses Committee

1282312



## **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: October 21, 2022

To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report of the Renewal Application of Shoabi Iqbal Kiyani, Agent for 31 Petro Mart LLC, for Extended Hours Establishments, Filing Station, Food Dealer and Weights & Measures licenses for the premises located at 3115 West Fond du Lac Avenue in the City and County of Milwaukee, Wisconsin ("GPC").

### **FINDINGS OF FACT**

1. Shoabi Iqbal Kiyani (hereinafter the "Licensee") is the holder of Extended Hours Establishments, Filing Station, Food Dealer and Weights & Measures licenses for the premises located at 3115 West Fond du Lac Avenue in the City and County of Milwaukee, Wisconsin ("GPC"). Said licenses expired at midnight, October 19, 2022.
2. An application to renew said licenses was filed with the Office of the City Clerk on September 15, 2022.
3. Pursuant to Chapters 68, 82, 84, and 85 of the Milwaukee Code of Ordinances, the matter was referred to the Milwaukee Police Department for investigation. On September 16, 2022, the Milwaukee Police Department responded with a report that could form the basis for nonrenewal of said license.
4. On October 6, 2022, the City Clerk's Office provided notice to the Licensee pursuant to Chapters 68, 82, 84, and 85 of the Milwaukee Code of Ordinances of the police report and neighborhood objections and included a copy of the police report. The matter was scheduled for a hearing on the police report and neighborhood objections on October 18, 2022 at 3:15 p.m. in Room 301B of the third floor of City Hall. At said date, time and place, the Licensee appeared with counsel, Attorney Andrew Arena at the hearing, 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 October 12, 2021 at 11:57 a.m. officers were dispatched to a shooting at 3115 West Fond du Lac Avenue. The officers located a shooting victim in the parking lot. The officers interviewed the manager, who stated the victim was panhandling



on the lot and was told to leave. An auto, which had just pulled away from a pump, pulled up to the victim and got into an argument. The driver of the auto exited the car and shot the victim twice. The store clerk stated he did not hear the shots and cannot see outside because the view is blocked by cigar boxes. The manager assisted officers in viewing video of the incident.

- B. On April 14, 2022 at 11:35 p.m. officers were dispatched to a shooting at North 32<sup>nd</sup> Street and West Locust Street. The officers located a homicide victim in the parking lot at 3115 West Fond du Lac Avenue. The officers interviewed the clerk, who was uncooperative. A different clerk arrived to attempt to recover video but was unsuccessful because the exterior cameras were not functioning.
- C. On June 1, 2022 at 12:33 a.m. officers were dispatched to a Shot Spotter at 3115 West Fond du Lac Avenue. The officer interviewed the clerk, who stated he was inside assisting customers and he only heard the shots. The cameras were operating but provided a live feed and the officers could not view video of the incident. The officers located 9 casings in the parking lot.
- D. On June 14, 2022 at 12:33 a.m. officers were dispatched to a Shot Spotter call at 3140 West Fond du Lac Avenue. The officers located a shooting victim, who initially stated he was on the parking lot of the gas station at 3115 West Fond du Lac Avenue. The victim then became uncooperative with the officers. The officers interviewed the clerk at the gas station and he stated he heard a loud boom outside but could not tell how far away it was. The station has video cameras but the officers were not able to see video from the incident. The officers searched the parking lot for evidence but did not locate anything.
- E. On June 21, 2022 a meeting was held at district 7 regarding the gas station at 3115 West Fond du Lac Avenue being designated a nuisance property. The building owner was present with his lawyer. The business was asked to close at midnight and the lawyer stated they do not need to close to abate the nuisance activity. The owner stated they were attempting to hire security but were having difficulties locating a company. They also stated they were going to add exterior lighting.
- F. The Licensee was present along with Attorney Andrew Arena.

***Individuals also present:***

- G. Attorney Arena said that after the 10th item, a meeting was held at district 7, they said that they were going to put additional lighting which they did and it seems to be working because of the lack of incidents. He added that the rest of the incidents indicated to him that there are a lot of people with guns around and that they are ready to use them. He said that after the shooting incidents, they fired one of the clerks and the others do not speak enough English to understand how to operate the cameras so they are not allowed to go in that room. He also said that there are 48 cameras at this location, that the lighting has been a huge help and that the loitering has dropped next to nothing because of the lighting.

- H. Alderman Spiker said that he is confused about what needs to be done here because we have the renewal in front of us and the building owner saying that a new application will be filed soon.
- I. Mr. Mandeep Kler (building owner) said that this agent has not met the requirements to keep the lease and that a new applicant will be applying soon.
- J. Alderman Spiker said that we do not have control of what Mr. Kler wants to do but to take care of the renewal applications.
- K. Alderman Rainey asked what is the current situation with the security company.
- L. Mr. Kler said that the security company has staffing issues but that they will be sending someone out as soon as is hired.
- M. Alderman Rainey asked Mr. Kler if he can guarantee that the security guard will be in place before the common council meeting.
- N. The Licensee said that they can.
- O. Alderman Rainey asked Attorney Arena to provide some sort of documentation to support that this has been done.
- P. Attorney Arena agreed.
- Q. Alderman Rainey said that he supports the renewal with a 10-day suspension.
- R. Alderman Borkowski moved approval with a 10-day suspension based on the police report and aldermanic testimony. (Prevailed 3-0-1)

### 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 68, 82, 84, and 85 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concludes that the Licensee, Shoabi Iqbal Kiyani who holds Extended Hours Establishments, Filing Station, Food Dealer and Weights & Measures licenses for the premise located at 3115 West Fond du Lac Avenue in the City and County of Milwaukee, Wisconsin ("GPC") has not met the criteria of Chapters 68, 82, 84, and 85, of the Milwaukee Code of Ordinances to renew the Extended Hours Establishment, Filing Station, Food Dealer and Weights & Measures licenses 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.
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 Extended Hours Establishments, Filing Station, Food Dealer and Weights & Measures license, and without



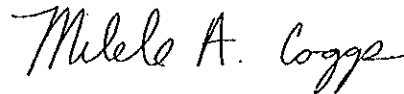
undergoing a ten (10) day suspension for the premises located at 3115 West Fond du Lac Avenue in the City and County of Milwaukee, Wisconsin ("GPC"). The Committee based its recommendation on the police report and aldermanic testimony.

### RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, including the Findings previously generated by the Committee in this matter, by a vote of **three (3) ayes, zero (0) noes, one (1) excused and one (1) abstain** recommends that the Extended Hours Establishment, Filing Station, Food Dealer and Weights & Measures licenses held by Shoabi Iqbal Kiyani for the premises located at 3115 West Fond du Lac Avenue in the City and County of Milwaukee, Wisconsin ("GPC") not be renewed, without undergoing a ten (10) day suspension; based on the police report and aldermanic testimony.

The suspension is in effect between 12:01 a.m. on November 2, 2022 until 11:59 p.m. on November 11, 2021.

Dated and signed at Milwaukee, Wisconsin this 21 day of October, 2022.



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MILELE A. COGGS  
Chairman, Licenses Committee

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