



CITY OF MILWAUKEE
OFFICE OF THE CITY CLERK

Tuesday, May 24, 2022

COMMITTEE MEETING NOTICE

AD 08

BARBA-MARTIN, Susana L, Agent
Tu Casa LLC
3710 W LINCOLN Av
Milwaukee, WI 53215

You are requested to attend a virtual hearing to be held on:

Tuesday, June 07, 2022 at 10:55 AM

Regarding: Your Class B Tavern, Food Dealer and Public Entertainment Premises License Renewal Applications as agent for "Tu Casa LLC" for "Tu Casa Mexican Restaurant & Bar" at 3710 W LINCOLN Av.

This meeting will be held via GoToMeeting. Please see the enclosed best practices document for further instructions. The access code is <https://meet.goto.com/127717645>. If you wish to call in, please call [+1 \(872\) 240-3212](tel:+18722403212) and use Access Code: [127-717-645](tel:+18722403212).

There is a possibility that your application may be denied for one or more of the following reasons: The recommendation of the committee regarding the application shall be based on evidence presented at the hearing. Per MCO 85-4-4, unless otherwise specified in the code, probative evidence concerning non-renewal, suspension or revocation may include evidence of the following: failure of the applicant to meet municipal qualifications, pending charges against or the conviction of any felony, misdemeanor, municipal offense or other offense, the circumstances of which substantially relate to the circumstances of the particular licensed or permitted activity, by the applicant or by any employee or other agent of the applicant. If the activities of the applicant involve a licensed premises, whether the premises tends to facilitate a public or private nuisance or has been the source of congregations of persons which have resulted in any of the following: disturbance of the peace; illegal drug activity; public drunkenness; drinking in public; harassment of passers-by; gambling; prostitution; sale of stolen goods; public urination; theft; assaults; battery; acts of vandalism including graffiti, excessive littering, loitering, illegal parking, loud noise at times when the licensed premise is open for business; traffic violations; curfew violations; lewd conduct; display of materials harmful to minors, pursuant to s. 106-9.6; or any other factor which reasonably relates to the public health, safety and welfare, or failure to comply with the approved plan of operation. See attached police report or correspondence.

Notice for applicants with warrants or unpaid fines:

Proof of warrant satisfaction or payment of fines must be submitted at the hearing on the above date and time. Failure to comply with this requirement may result in a delay of the granting/denial of your application.

Failure to attend this meeting may result in the denial of your license. Individual applicants and partnership applicants must attend or attend by an attorney. The agent or attorney for corporate or limited liability applicants must attend. If you wish to do so and at your own expense, you may be accompanied by an attorney of your choosing to represent you at this hearing.

You will be given an opportunity to speak on behalf of the application and to respond and challenge any charges or reasons given for the denial. No petitions can be accepted by the committee, unless the people who signed the petition attend the virtual hearing and are willing to testify. You may present witnesses under oath and you may also confront and cross-examine opposing witnesses under oath. If you have difficulty with the English language, you should request an interpreter attend the meeting with you, at your expense, so that you can answer questions and participate in your hearing.

PLEASE NOTE: Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through sign language interpreters or other auxiliary aids. For additional information or to request this service, contact the Council Services Division ADA Coordinator at (414) 286-2998, Fax - (414) 286-3456, TDD - (414) 286-2025.

JIM OWCZARSKI, CITY CLERK

BY: _____

Jim Cooney
License Division Manager

If you have questions regarding this meeting, please contact the staff assistant, Yadira Melendez at (414) 286-2775 or stasst5@milwaukee.gov

MILWAUKEE POLICE DEPARTMENT LICENSING

CRIMINAL RECORD/ORDINANCE VIOLATION/INCIDENTS SYNOPSIS

DATE: 05/04/22

LICENSE TYPE: Class B Tavern

NEW:

RENEWAL:

No. 312978

Application Date: 05/03/22

License Location: 3710 W Lincoln Av

Business Name: Tu Casa LLC

Licensee/Applicant: BARBA-MARTIN, Susana L
(Last Name, First Name, MI)

Date of Birth: 04/22/1979

Home Address: 1950 S 30th St

City: Milwaukee

State: WI **Zip Code:** 53215

Home Phone:

This report is written by Police Officer Monreal, assigned to the License Investigation Unit, Days.

The Milwaukee Police Department's investigation regarding this application revealed the following:

1. On 09/09/2018 officers were dispatched to a fight at Tu Casa, 3710 W. Lincoln Av. When the officers arrived they found security had two subject detained. The subject were intoxicated and refused to leave the bar. When they were being escorted out they made threats to security, which is why security detained them. The applicant was on scene and stated she just wanted the subjects to leave. The subjects were told to leave and were banned from the property.
2. On 12/14/2018 at 1:57am officers were dispatched to shots fired at Tu Casa, 3710 W. Lincoln Av. The officer interviewed the applicant who was on scene. She stated there was a verbal argument in the tavern earlier at about 1:00am but they closed the tavern to avoid further conflict. She did not hear gunshots. The applicant's husband, Marcos ISIDORO-GAMBOA, stated he was outside at closing and there were two fights outside but he did not hear any gun shots. The sole security guard stated she attempted to use pepper spray to stop the fights and did hear about 5 gunshots. The officer watched the security footage which showed about 40 subject exiting and arguing. He observed one subject exit the tavern and engage in a verbal argument. During the argument the subject produced a firearm and pointed at the other subject. The subject with the gun left in a car and then subjects on scene were observed ducking. No one from bar called the police. The applicant was cooperative and was advised to call the police in the future if something happens at the bar.

3. On 01/27/2019 officers were dispatched to Tu Casa, 3710 W. Lincoln Av for a Trouble with Subject. Marcos ISDORO was on scene and stated that a subject was denied entry due to his dress code and as he was leaving he threatened to shoot the tavern up. ISIDORO requested the officers stay in the area in case the subject returned.
4. On 02/12/2019 a meeting was held at District 2 regarding Tu Casa, 3710 W. Lincoln Av regarding shots fired on 12/14/2018 and an abduction on 01/01/2019. At the meeting was the applicant; her husband, Marcos ISIDORO; and owners of Midwest Private Police Inc. ISIDORO stated the shots fired was not related to his business because it happened outside and down the street. He didn't call police because someone else said they were calling. He was advised that he was responsible for his patron's action outside as well as inside and he should not have his patrons parking in the parking lots of neighboring businesses. Regarding the abduction ISIDORO stated he was asked by a patron to look at video for whom the abducted patron left with and he advised that person to call the police. He stated he then allowed the police to view the surveillance video.

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5. On 07/29/2019 at 12:45am officers were dispatched to Tu Casa Restaurant, 3710 W. Lincoln Av for a Battery complaint. The victim stated she was at the bar and her ex-boyfriend hit her to the face. The business was cooperative and provided video of the incident.
6. On 12/20/2019 at 2:11am officers were dispatched to Tu Casa, 3710 W. Lincoln Av, for a Trouble with Subject. The officers spoke with security, who stated there were two males in the restaurant refusing to leave at closing. After they left the security guard heard 5-6 gunshots. The officers checked the area but did not locate the subjects. The manager stated he did not witness the incident but did provide video of the subjects leaving.
7. On 01/01/2020 at 3:31am officers were dispatched to a fight at 3710 W. Lincoln Av. The officer spoke with security who stated two subjects had an argument. One subject left and the other was argumentative with security, who placed the subject in handcuffs and called police. The manager was cooperative with the officers.
8. On 01/29/2020 at 1:00am officers were dispatched to a Subject with weapon complaint at 3710 W. Lincoln Av. The officers spoke with security who stated two females were fighting. One of the females was still on scene. She confronted a female who had an affair with her husband. She pushed the subject to the ground. The security guard used pepper spray to stop the fight and one of the subjects left the scene. The applicant was on scene and requested the female be issued a no trespassing order.
9. On 02/16/2020 at 1:22am officers were dispatched to a fight at 3710 W. Lincoln Av. Upon arrival they were told two females were fighting. Both females were on scene and appeared to be intoxicated. The subjects did not want to prosecute and were released.

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10. On 09/07/2020 at 12:25am, officers were dispatched to a Subject with a Gun at 3710 W. Lincoln Av. Officers were advised an altercation occurred between security and a patron. The patron who was heavily intoxicated was being asked to leave the bar, at which time the patron struck the security guard multiple times in the face with a closed fist. Management was on scene and was cooperative with police.

11. On 10/04/20 at 2:25am, officers were flagged down by security at 3710 W. Lincoln Av., for a fight. Officers observed approximately 20 patrons standing outside and began to disperse as officers arrived. A victim was observed on the ground and stated he was punched, however, did not know who hit him and did not wish to be a victim. The manager was on scene and stated he had approximately 50 patrons and 2 security guards. The manager denied knowledge of a fight outside and was advised to have more security when he has a crowd of that size. Management was cooperative and allowed police to view video surveillance, however, the fight was not captured.

12. On 05/04/21 at 8:33pm, officers along with an agent from Department of Revenue conducted a license premise check at 3710 W. Lincoln Av. All receipts and records of alcohol purchases were provided and valid. No violations were found and the agent was cooperative with police.

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13. On 04/23/22 Milwaukee Police were dispatched to 3710 W. Lincoln Av., for a Subject with Weapon. Officers were advised a patron attempted to take beer outside of the establishment. Security stopped the patron and an argument ensued, escalating to security eventually using pepper spray on the patron. Employees were cooperative and allowed officers to view video surveillance of the incident.

Milwaukee Police Department

749 W. State Street Milwaukee, WI 53233

414-933-4444

Case #:221130020

OtherEvent #: 22-LP-0383

Incident

3710 W LINCOLN AV Milwaukee, WISCONSIN 53215

Incident Date/Time:: 04/23/2022 00:22:00
CAD Number:: 221130091
District:: 2
Beat:: 220
Reporting Area:: 5850

Business Agent (1)

BARBA, SUSANA LETICIA

Person Involvement: (Must choose Agent
AGENT from drop down):
DOB:: 04/22/1979
Sex:: FEMALE
Race:: WHITE
Phone 1 Number:: (414)-797-9771
Phone 1 Type:: Phone
Address:: 1950 S 30TH ST
City:: MILWAUKEE
State:: WISCONSIN
Zip Code:: 53215

Licensed Persons Involved (2)

RODRIGUEZ, EDWIN

Person Involvement:: Employee
DOB:: 04/15/1994
Sex:: MALE
Race:: WHITE
Phone 1 Number:: 4142328496
Phone 1 Type:: CELL
Address:: 924 W HAYES AV
City:: Milwaukee
State:: WISCONSIN
Zip Code:: 53215

ISIDORO-GAMBOA, MARCOS

Person Involvement:: Manager
DOB:: 01/22/1979
Sex:: MALE
Race:: WHITE
Address:: 4014 W STONEBRIDGE CT
City:: Milwaukee
State:: WISCONSIN
Zip Code:: 53221

Licensed Premise Data (1)

Milwaukee Police Department

749 W. State Street Milwaukee, WI 53233

414-933-4444

Case #:221130020

OtherEvent #: 22-LP-0383

TU CASA

Phone 1 Number:: (414)-383-4666
Phone 1 Type:: Work
Address:: 3710 W LINCOLN AV
City:: Milwaukee
State:: WISCONSIN
Zip Code:: 53215
License Type:: Alcohol
Licensee Notification Was Made:: No
Business Was Cited For Violation:: No
Licensee was cooperative: (If not explain in narrative): Yes
Licensee or Manager was on premises at time of violation/incident:: Yes

Narrative (1)

INITIAL INVESTIGATION

Vasquez, Misael 031976

04/23/2022

This License Premise Report is typed by P.O. Misael VASQUEZ, Assigned to District Two, Squad 2320, and Late Shift.

On Saturday, April 23, 2022 at 1:18 AM P.O. Kevin FREY and I were dispatched to 3710 W Lincoln Ave (Tu Casa) for a subject with weapon call.

Upon arrival, I spoke with the caller IBARRA, Carlos (M/W 08-08-84) who stated he was at Tu Casa when the security guard RODRIGUEZ, Edwin (M/W 04-15-94) used unnecessary force and pepper sprayed him. IBARRA stated he had got into an argument with RODRIGUEZ for trying to take beers outside and RODRIGUEZ then pepper sprayed him for no reason.

I then spoke with RODRIGUEZ (the security guard), who stated he saw IBARRA trying to walk out with beers but then stopped him at the door. RODRIGUEZ stated IBARRA was hostile and when IBARRA'S girlfriend tried to calm him down he pushed her out of the way. RODRIGUEZ stated he told IBARRA to keep his hands off his girlfriend and stop trying to take beers outside. RODRIGUEZ stated IBARRA continued to advance on him and pulled RODRIGUEZ by the shirt twice to draw him in close. RODRIGUEZ stated he believed IBARRA was going to punch him because IBARRA would not back up, and keep pulling him in so RODRIGUEZ pepper sprayed IBARRA and then escorted him out.

The manager, ISIDORO, Marcos (M/W 01-22-79) was very cooperative and allowed officers to review camera footage that captured the incident. The footage

Milwaukee Police Department

749 W. State Street Milwaukee, WI 53233

414-933-4444

Case #:221130020

OtherEvent #: 22-LP-0383

showed IBARRA trying to leave with beers outside, when he is stopped by RODRIGUEZ. IBARRA then continues to escalate the situation and get in RODRIGUEZ'S face. IBARRA also pulls RODRIGUEZ towards him and that is when RODRIGUEZ pepper sprays IBARRA. All staff and owners were cooperative through out the whole investigation. ISIDORO did not want anything done citation wise for IBARRA he just wanted him removed for the night.

End of Report.

Officer (2)		
Reporting Officer:	Vasquez, Misael (031976)	04/23/2022 03:49:00
Section: (Work Location):	23	
Approving Officer:	Albert, Joshua G (019226)	04/25/2022 01:03:36
Section: (Work Location):	23	



Tuesday, May 24, 2022



Notice of Public Hearing

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BARBA-MARTIN, Susana L
Tu Casa Mexican Restaurant & Bar at 3710 W LINCOLN Av.
Class B Tavern, Food Dealer and Public Entertainment Premises License Renewal Applications

Tuesday, June 07, 2022 at 10:55 AM

To whom it may concern:

The above application has been made by the above named applicant(s). This requires approval from the Licenses Committee and the Common Council of the City of Milwaukee. The hearing before the Licenses Committee will take place virtually on 06/07/2022 AT 10:55 AM. This is a public hearing. Those wishing to view the proceeding are able to do so via the City Channel – Channel 25 on Spectrum Cable – or on the Internet at <http://city.milwaukee.gov/citychannel>. Those wishing to provide oral testimony will be asked to do so by phone or internet and are asked to contact the staff assistant, Yadira Melendez at (414) 286-2775 or stasst5@milwaukee.gov for necessary information. Please make such requests no later than one business day prior to the start of the meeting. You are not required to attend the hearing, but please see the information below if you would like to provide testimony. Once the Licenses Committee makes its recommendation, this recommendation is forwarded to the full Common Council for approval at its next regularly scheduled hearing.

Important details for those wishing to provide information for the Licenses Committee to consider when making its recommendation:

1. The license application is scheduled to be heard at the above time. Due to other hearings running longer than scheduled, you may have to wait some time to provide your testimony.
2. You must testify as to matters that you have personally experienced or seen. (You cannot provide testimony for your neighbor, parent or anyone else; this is considered hearsay and cannot be considered by the committee.)
3. No letters or petitions can be accepted by the committee (unless the person who wrote the letter or the persons who signed the petition are willing to testify).
4. Persons opposed to the license application are given the opportunity to testify first; supporters may testify after the opponents have finished.
5. When you are called to testify, you will be sworn in and asked to give your name, and address. (If your first and/or last names are uncommon please spell them.)
6. You may then provide testimony.
 - a. Include only information relating to the above license application.
 - b. Include only information you have personally witnessed or seen.
 - c. Provide concise and relevant information detailing how this business has affected or may affect the peaceful enjoyment of your neighborhood.
 - d. If by the time you have the opportunity to testify, the information you wish to share has already been provided to the committee, you may state that you agree with the previous testimony. Redundant or repetitive testimony will not assist the committee in making its recommendation.
7. After giving your testimony, the members of the Licenses Committee and the licensee may ask questions regarding the testimony you have given or other factors relating to the license application.
8. Business Competition is not a valid basis for denial or non-renewal of a license.

Please Note: If you have submitted an objection to the above application your objection cannot be considered by the committee unless you personally testify at the hearing.

OCCUPANT	MAIL ADDRESS	CITY STATE ZIP
CURRENT OCCUPANT	2229 S 37TH ST	MILWAUKEE, WI 53215-2314
CURRENT OCCUPANT	2231 S 37TH ST	MILWAUKEE, WI 53215-2314
CURRENT OCCUPANT	2234 S 37TH ST	MILWAUKEE, WI 53215-2315
CURRENT OCCUPANT	2235 S 37TH ST	MILWAUKEE, WI 53215-2314
CURRENT OCCUPANT	2235A S 37TH ST	MILWAUKEE, WI 53215-2314
CURRENT OCCUPANT	2239 S 37TH ST	MILWAUKEE, WI 53215-2314
CURRENT OCCUPANT	2240 S 37TH ST	MILWAUKEE, WI 53215-2315
CURRENT OCCUPANT	2244 S 37TH ST	MILWAUKEE, WI 53215-2315
CURRENT OCCUPANT	2245 S 37TH ST	MILWAUKEE, WI 53215-2314
CURRENT OCCUPANT	2250 S 37TH ST	MILWAUKEE, WI 53215-2315
CURRENT OCCUPANT	2251 S 37TH ST	MILWAUKEE, WI 53215-2314
CURRENT OCCUPANT	2251A S 37TH ST	MILWAUKEE, WI 53215-2314
CURRENT OCCUPANT	2254 S 37TH ST	MILWAUKEE, WI 53215-2315
CURRENT OCCUPANT	2255 S 37TH ST	MILWAUKEE, WI 53215-2314
CURRENT OCCUPANT	2256 S 37TH ST	MILWAUKEE, WI 53215-2315
CURRENT OCCUPANT	2257 S 37TH ST	MILWAUKEE, WI 53215-2314

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Total Records: 16

Radius 250.0 feet and Center of Circle: 3710 W Lincoln Av

2022-2023 Plan of Operation for 3710 W LINCOLN AV

1. Litter & Security Plans

How are the grounds kept clean? Sweep Pressure Wash Pick Up Litter Other:

How often will grounds be cleaned? Daily Weekly Other:

Who cleans the grounds? Licensee Building Owner Employees Hired Maintenance Other:

How are noise issues prevented and/or addressed? Security Manager approaches customer(s) Call Police Signs Posted Other:

Are there designated outdoor smoking areas? No Yes If Yes, Describe: Patio Outside left side of

Number of garbage cans: Inside 7 Locations: Kitchen, Restrooms, the building
 Outside 2 Locations: Garage, back - basement

Is a crowd control barrier used? No Yes If Yes, Describe:

Number of restrooms: 2 Name of solid waste contractor: Eagle Waste Management

Are there parking spaces on the premises? No Yes If Yes, list number of spaces: 11 and describe security plans: Camera's Security Guards

Are there designated loading areas? No Yes If Yes, describe security plans: after 10:00 pm prior to staff will handle.

Do you have security personnel on the premise? No Yes If Yes, how many? 6
 AND What are their responsibilities? check ID, keep client safe
 What security equipment do they use? Metal detector, 2 handguns
 List their licensing, certification or training credentials: state license

Are there security cameras? No Yes If Yes, list all locations: Inside, outside of building

Are searches and/or identification checks conducted upon entry? No Yes If Yes, describe: security and staff

2. Percentage of Sales (must total 100%)

Alcohol 40 % Food Sales 60 % Entertainment _____ % Other _____ %

3. Businesses On The Premises (choose all that apply):

Restaurant Cafe/Coffee Shop Cocktail Lounge Convenience Store Night Club Liquor Store Tavern Sports Facility
 Hotel Banquet Hall Supermarket Private/Fraternal/Veterans' Club Other:

4. Hours of Operation and Age Restriction

Are there any changes to the current hours of operation or age restriction? No Yes If Yes, Describe:

Please Note: If you will be open earlier or later than the hours listed on your current license for even one event or holiday (for example, St. Patrick's Day, Brewers Opening Day, etc.) during the license period, this must be reported and printed on your license. Your hours of operation and age restriction are listed on your current license.

5. Floor Plan and Capacity

Are you requesting any changes to your capacity or floor plan*? No Yes If yes, describe: _____ and submit a new floor plan with this renewal application. A sample plan can be found online at www.milwaukee.gov/licenses under License Forms and Related Information.

Alcohol/Food Establishments: A "Permanent Extension of Premises Application" is required if you are adding any square footage to the licensed premises.

6. Sidewalk Dining: Fee:

Are there any changes to the sidewalk dining site plan? No Yes If Yes, submit an updated site plan with this application.

7. Food License: FREST 15983 Fee: \$1,250.00

Your current food license includes the following food operations: DHS - COMPLEX, Sales \$200,001 - \$2,000,000, Tavern Restaurant.
 Are there any changes to your food operations as listed above? No Yes, if Yes, explain _____

8. Weights and Measures: Fee:

Number/Type of Devices:
 Are there any changes to the number or types of devices? No Yes if yes, contact our office for further instructions.

1. CURRENT APPROVED ENTERTAINMENT for Tu Casa Mexican Restaurant & Bar 3710 W LINCOLN AV

The following types of entertainment have been approved for your current Public Entertainment Premises license:
Disc Jockey, Karaoke, Patrons Dancing, Mariachi

2. ADDING ENTERTAINMENT

If applicable, check any entertainment you wish to add: **ONLY CHECK ENTERTAINMENT TYPE(S) YOU ARE ADDING. YOUR CURRENT APPROVED ENTERTAINMENT IS LISTED ABOVE.**

- | | | | |
|---|--|--|---|
| <input type="checkbox"/> Instrumental Musicians | <input type="checkbox"/> Bands | <input type="checkbox"/> Battle of the Bands | <input type="checkbox"/> Comedy Acts |
| <input checked="" type="checkbox"/> Disc Jockey | <input type="checkbox"/> Magic Shows | <input type="checkbox"/> Poetry Readings | <input type="checkbox"/> Dancing by Performers |
| <input type="checkbox"/> Jukebox | <input type="checkbox"/> Wrestling | <input type="checkbox"/> Patron Contests | <input checked="" type="checkbox"/> Patrons Dancing |
| <input type="checkbox"/> Adult Entertainment/
Strippers/Erotic Dance | <input checked="" type="checkbox"/> Karaoke | <input type="checkbox"/> Bowling Alley
How many? _____ | <input type="checkbox"/> Pool Tables
How many? _____ |
| <input type="checkbox"/> Motion Pictures (movies by admission)
How many screens? _____ | <input type="checkbox"/> Amusement Machines
How many? _____ | <input type="checkbox"/> Concerts
Approx. # per year? _____ | <input type="checkbox"/> Theatrical Performances
Approx. # per year? _____ |

Other: Mariachi Occasionally

No entertainment changes can take place until approved by Common Council and a new license has been issued and posted on the premises.

3. REMOVING ENTERTAINMENT

If applicable, list any entertainment you wish to remove:

4. PROMOTERS/SOUND AMPLIFICATION

Will promoters ever be used for any of the entertainment? No Yes If Yes, Describe:
sound system built into speaker

At any time will sound amplification be used? No Yes If Yes, Describe:
sound system built into speaker

5. SIGNATURE

I understand that after the license has been issued, a change to the plan of operation will require a written request to change and approval from the Common Council.

I agree to inform the City Clerk within 10 days of any substantial changes in the information supplied in this application.

I understand that I shall not willfully refuse to provide the services offered under this license, or add charges or require deposits not required of the general public because of race, color, sex, religion, national origin or ancestry, age, handicap, lawful source of income, marital status, sexual orientation, gender identity or expression, familial status or the fact that a person is now or has been a member of the military service, whether dressed in uniform or not; and shall not seek such information as a condition of employment, or penalize any employee or discriminate in the selection of personnel for training or promotion on the basis of such information.

I have knowledge of the City Ordinances currently regulating public entertainment, and understand that the license may be subject to suspension, non-renewal or revocation, if I violate any rule, law or regulation of the city of Milwaukee and State of Wisconsin.

SUSANA C BOBBA M
Signature of Sole Proprietor, a Partner, or if a Corporation or LLC, the Agent must sign