

## **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

December 7, 2020

To the Honorable, the Common Council

Honorable Members:

Common Council File Number 200835 contains the following recommendations:

Nonrenewal, based upon the second nonappearance of the Class D Operator's license for Aja Horton.

Nonrenewal, based upon the second nonappearance of the Class D Operator's license for Gorgonio Lopez Saavedra.

Nonrenewal, based upon the second nonappearance of the Class D Operator's license for Jazmere Townsend.

Renewal, with a thirty (30) day suspension, based upon the police report and neighborhood testimony of the Class B Tavern and Public Entertainment Premises licenses for Jeffery Henderson for the premises located at 634 W North Ave. ("Level's on North") in the 6th aldermanic district.

Renewal, with a ten (10) day suspension, based upon the police report and police, neighborhood, applicant, and aldermanic testimony of the Class B Tavern, Food Dealer, and Public Entertainment Premises licenses for Elizabeth Torres for the premises located at 201 W Mitchell St. ("Love's") in the 12th aldermanic district.

Renewal, with a thirty (30) day suspension, based upon the police report and neighborhood, aldermanic, and applicant testimony of the Class B Tavern and Public Entertainment Premises licenses for Dale Zbieranek Sr for the premises located at 3538 S Howell Ave. ("Dale Z's") in the 14th aldermanic district.

Renewal, with a thirty (30) day suspension, based upon the police report and neighborhood, aldermanic, and applicant testimony of the Food Dealer license for Dale Zbieranek Jr for the premises located at 3538 S Howell Ave. ("Dale Z's") in the 14th aldermanic district.

Respectfully,

Milele Coggs, Chair  
Licenses Committee

cc: All Council Members  
File 200835



## **COMMITTEE ASSIGNMENTS**

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

### **MEMBER**

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- Special Joint Committee on the Redevelopment of Abandoned and Foreclosed Homes
- Steering and Rules Committee
- Wisconsin Center District Board

Date: December 4, 2020

To: All Members of the Milwaukee Common Council

From: Licenses Committee

Re: Report on the Renewal Application of the Class "D" Operator's License of Aja R. Horton

### **FINDINGS OF FACT**

1. Aja R. Horton (hereinafter the "Licensee") is the holder of a Class "D" Operator's License in the City and County of Milwaukee, Wisconsin. Said license expired on December 31, 2019.
2. An application to renew said license was thereafter filed with the Office of the City Clerk.
3. Pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes, the matter was referred to the Milwaukee Police Department for investigation. The Milwaukee Police Department responded with a police report that could form a basis for nonrenewal or suspension of said license.
4. On November 19, 2020 the City Clerk's Office provided timely notice to the Licensee pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes of the report of the Milwaukee Police Department and included therewith a copy of the Milwaukee Police Department report. The matter was scheduled for a hearing on the police department report on December 1, 2020 at 1:05 p.m. in Room 301B of City Hall. At said date, time and place, the Licensee did not appear.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
  - A. A notice of the hearing as well as a copy of the police report was sent to Aja R. Horton, 1673 South 9th Street, Apt. 214, Milwaukee, WI 53204 on November 19, 2020 by U.S. prepaid first-class mail in an envelope bearing the return address of the License Division. The address of 1673 South 9th Street, Apt. 214, Milwaukee, WI 53204 is the address given by the Licensee on her application. The envelope was not returned to the License Division by the United States Postal Service. The Licensee failed to appear at the hearing on December 1, 2020 at 1:05 p.m.



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## CONCLUSIONS OF LAW

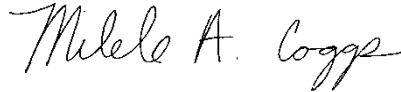
1. The Committee has jurisdiction to hold hearings and provide Findings of Fact, Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapter 125 of the Wisconsin Statutes and Chapter 90 of the Milwaukee Code of Ordinances.
2. Based on the above facts found, the Committee concludes that the Licensee, Aja R. Horton has not met the criteria of Chapter 125 of the Wisconsin Statutes or Chapter 90 of the Milwaukee Code of Ordinances to allow renewal of the Class "D" Operator's license based upon second nonappearance.
3. In order to protect the health, safety and welfare of the citizens of the City of Milwaukee, it is the recommendation of the Licenses Committee that the full Common Council should exercise its discretion to not renew the Class "D" Operator's license held by Aja R. Horton based upon second nonappearance.

## RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of **five (5) ayes, and zero (0) noes** recommends that the Class "D" Operator's License of Aja R. Horton not be renewed based upon second nonappearance.

Dated and signed at Milwaukee, Wisconsin this 4th day of December, 2020.

Said nonrenewal is effective December 15, 2020.



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MILELE A. COGGS  
Chair, Licenses Committee

/272505

## **COMMITTEE ASSIGNMENTS**

### **CHAIR**

- Licenses Committee

### **VICE CHAIR**

- Zoning, Neighborhoods and Development



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

### **MEMBER**

- Finance and Personnel Committee
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- Special Joint Committee on the Redevelopment of Abandoned and Foreclosed Homes
- Steering and Rules Committee
- Wisconsin Center District Board

Date: December 4, 2020

To: All Members of the Milwaukee Common Council

From: Licenses Committee

Re: Report on the Renewal Application of the Class "D" Operator's License of Gorgonio Lopez Saavedra

### **FINDINGS OF FACT**

1. Gorgonio Lopez Saavedra (hereinafter the "Licensee") is the holder of a Class "D" Operator's License in the City and County of Milwaukee, Wisconsin. Said license expires on December 31, 2020.
2. An application to renew said license was thereafter filed with the Office of the City Clerk.
3. Pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes, the matter was referred to the Milwaukee Police Department for investigation. The Milwaukee Police Department responded with a police report that could form a basis for nonrenewal or suspension of said license.
4. On November 19, 2020 the City Clerk's Office provided timely notice to the Licensee pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes of the report of the Milwaukee Police Department and included therewith a copy of the Milwaukee Police Department report. The matter was scheduled for a hearing on the police department report on December 1, 2020 at 1:10 p.m. in Room 301B of City Hall. At said date, time and place, the Licensee did not appear.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
  - A. A notice of the hearing as well as a copy of the police report was sent to Gorgonio Lopez Saavedra, 902-A South 21st Street, Milwaukee, WI 53204 on November 19, 2020 by U.S. prepaid first-class mail in an envelope bearing the return address of the License Division. The address of 902-A South 21st Street, Milwaukee, WI 53204 is the address given by the Licensee on his application. The envelope was not returned to the License Division by the United States Postal Service. The Licensee failed to appear at the hearing on December 1, 2020 at 1:10 p.m.



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## CONCLUSIONS OF LAW

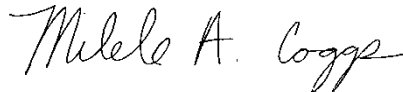
1. The Committee has jurisdiction to hold hearings and provide Findings of Fact, Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapter 125 of the Wisconsin Statutes and Chapter 90 of the Milwaukee Code of Ordinances.
2. Based on the above facts found, the Committee concludes that the Licensee, Gorgonio Lopez Saavedra has not met the criteria of Chapter 125 of the Wisconsin Statutes or Chapter 90 of the Milwaukee Code of Ordinances to allow renewal of the Class "D" Operator's license based upon second nonappearance.
3. In order to protect the health, safety and welfare of the citizens of the City of Milwaukee, it is the recommendation of the Licenses Committee that the full Common Council should exercise its discretion to not renew the Class "D" Operator's license held by Gorgonio Lopez Saavedra based upon second nonappearance.

## RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of **five (5) ayes, and zero (0) noes** recommends that the Class "D" Operator's License of Gorgonio Lopez Saavedra not be renewed based upon second nonappearance.

Dated and signed at Milwaukee, Wisconsin this **4th** day of December, 2020.

Said nonrenewal is effective December 31, 2020.



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MILELE A. COGGS  
Chair, Licenses Committee

/272506

## **COMMITTEE ASSIGNMENTS**

### **CHAIR**

- Licenses Committee

### **VICE CHAIR**

- Zoning, Neighborhoods and Development



### **MEMBER**

- Finance and Personnel Committee
- Library Board
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- Wisconsin Center District Board

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

Date: December 4, 2020

To: All Members of the Milwaukee Common Council

From: Licenses Committee

Re: Report on the Renewal Application of the Class "D" Operator's License of Jazmere S. Townsend

### **FINDINGS OF FACT**

1. Jazmere S. Townsend (hereinafter the "Licensee") is the holder of a Class "D" Operator's License in the City and County of Milwaukee, Wisconsin. Said license expires on December 31, 2020.
2. An application to renew said license was thereafter filed with the Office of the City Clerk.
3. Pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes, the matter was referred to the Milwaukee Police Department for investigation. The Milwaukee Police Department responded with a police report that could form a basis for nonrenewal or suspension of said license.
4. On November 19, 2020 the City Clerk's Office provided timely notice to the Licensee pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes of the report of the Milwaukee Police Department and included therewith a copy of the Milwaukee Police Department report. The matter was scheduled for a hearing on the police department report on December 1, 2020 at 1:15 p.m. in Room 301B of City Hall. At said date, time and place, the Licensee did not appear.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
  - A. A notice of the hearing as well as a copy of the police report was sent to Jazmere S. Townsend, 4311 North 65th Street, Milwaukee, WI 53216 on November 19, 2020 by U.S. prepaid first-class mail in an envelope bearing the return address of the License Division. The address of 4311 North 65th Street, Milwaukee, WI 53216 is the address given by the Licensee on her application. The envelope was not returned to the License Division by the United States Postal Service. The Licensee failed to appear at the hearing on December 1, 2020 at 1:05 p.m.



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## CONCLUSIONS OF LAW

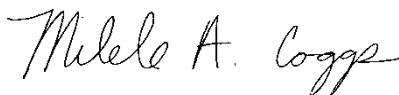
1. The Committee has jurisdiction to hold hearings and provide Findings of Fact, Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapter 125 of the Wisconsin Statutes and Chapter 90 of the Milwaukee Code of Ordinances.
2. Based on the above facts found, the Committee concludes that the Licensee, Jazmere S. Townsend has not met the criteria of Chapter 125 of the Wisconsin Statutes or Chapter 90 of the Milwaukee Code of Ordinances to allow renewal of the Class "D" Operator's license based upon second nonappearance.
3. In order to protect the health, safety and welfare of the citizens of the City of Milwaukee, it is the recommendation of the Licenses Committee that the full Common Council should exercise its discretion to not renew the Class "D" Operator's license held by Jazmere S. Townsend based upon second nonappearance.

## RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of **five (5) ayes, and zero (0) noes** recommends that the Class "D" Operator's License of Jazmere S. Townsend not be renewed based upon second nonappearance.

Dated and signed at Milwaukee, Wisconsin this 4th day of December, 2020.

Said nonrenewal is effective December 31, 2020.



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MILELE A. COGGS  
Chair, Licenses Committee

/272507

## **COMMITTEE ASSIGNMENTS**

### **CHAIR**

- Licenses Committee

### **VICE CHAIR**

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

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- Steering and Rules Committee
- Wisconsin Center District Board

Date: December 4, 2020

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 Jeffery L. Henderson, Agent for PNC Investment Limited, for the premises located at 634 West North Avenue in the City and County of Milwaukee, Wisconsin ("Level's on North").

### **FINDINGS OF FACT**

1. Jeffery L. Henderson (hereinafter "the Licensee") is the holder of Class "B" Tavern and PEP Licenses for the premises located at 634 West North Avenue in the City and County of Milwaukee, Wisconsin ("Level's on North"). Said licenses expired at midnight on November 7, 2020.
2. An application to renew said licenses was filed with the Office of the City Clerk on October 30, 2020.
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 November 11, 2020, the Milwaukee Police Department responded with a report that could form the basis for nonrenewal of said licenses.
4. On November 19, 2020, 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 neighborhood objections. The matter was scheduled for a hearing on the objections on December 1, 2020, commencing at approximately 2:20 p.m. in Room 301-B of the third floor of City Hall. At said date, time and place, the Licensee appeared 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 19, 2019 at 2:04 am officers observed people inside Level's on North, 634 West North Avenue. The officers shined their lights on the windows and 4 females left the building. At 2:10 am officers conducted a licensed premise check



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and spoke with the Licensee who was standing in the door way. There were several more people inside that left without incident. The officers checked the bar and found evidence of marijuana being smoked in a back room and a bag of rifle ammunition. The bartender stated it was her birthday and the patrons were her friends who were celebrating with her. The officers counted a total of 22 people inside the bar. The Licensee stated he thought the time was 2:00 am when the officers arrived and that he had time to have the patrons leave.

- B. On April 22, 2019 officers received information that Level's on North was having a "Repass" party and there were subjects inside with guns and one of them was wanted. When the officers arrived it appeared the business was open with the open sign illuminated. As they approached the door it was locked by a subject inside. The officers observed people inside running to the back of the bar. After they were let inside they checked for subjects hiding in the basement and upstairs, but did not locate anyone. They did recover two guns in trash cans, one in the kitchen and the other in the men's bathroom. Officers located suspected heroin and cocaine in baggies on the floor of the bar. Officer located suspected marijuana in a back room of the establishment. Officers also located 10 baggies containing heroin in a stairwell leading to upstairs apartments. The kitchen was in full use with brats, ribs and other foods being cooked. The Licensee arrived and stated this was a private party and the food being prepared was being provided for free.
- C. On August 16, 2019 at 1:20 am officers were dispatched to a fight at North 6th Street and West North Avenue. The caller stated a large group of people were fighting in the road and female had a board. The investigation revealed the subjects involved came from Level's on North, 634 West North Avenue. The security guard at Levels stated some patrons left the bar and began to fight on the corner of 5th and North. He and another security guard ran down to the fight and broke it up. Officers spoke to two victims who stated an argument occurred on the dance floor and left the tavern. One group followed the other to their car and broke the car's window with a board.
- D. On September 3, 2019 at 1:40 am officers observed people outside of Level's on North and auto double parked on North Avenue. The officers observed 6 people walk inside the tavern, which has a 1:30 am closing time listed on their license. They also observed a Black female approach the bar and attempted to open the door which was locked. Officers observed an employee who is known to them, open the door and allow the female inside. The officers drove around the block and when they returned they observed 10 people on the sidewalk and a bartender telling them to leave the area. One subject had a small liquor bottle in his hand. At 1:49 am officers entered the business and found 7 patrons still inside the bar. The Licensee was issued a citation for allowing patrons after hours.

Charge: Allow Patrons After Hours  
Finding: Guilty  
Sentence: Fined \$1,887.54  
Date: 10/29/2019  
Case: 19046185



Item #D updated with disposition on 11/02/2020

E. On November 27, 2019 the Licensee was cited for Operating while Intoxicated and Intoxicant in Vehicle. On June 18, 2020, the Licensee was convicted and his license was revoked for 6 months.

F. On December 31, 2019 at 10:50 pm officers conducted a license premise check at Level's on North, 634 West North Avenue. The officers spoke with the bartender, who stated she has a Class D Operator's license but did not have it on her person. A check revealed the subject was in fact not licensed. The Licensee was called and arrived on scene. The officers also observed food being prepared and fryers warmed and ready to cook. The Licensee stated he cooks the food but does not sell the food because he does not have a food license. The Licensee was cited for Responsible Person on Premise and Food License Required. At 3:09 am the officers returned and observed a subject enter the bar and heard the front door being locked after the patron entered. They observed another patron attempt to enter but the door was locked.

Charge 1: Responsible Person on Premise  
2: Food License Required

Finding 1: Guilty  
2: Guilty

Sentence 1: Fined \$398.00  
2: Fined \$719.00

Date: 03/03/2020

Case 1: 20009911  
2: 20009912

G. On February 2, 2020 at 2:11 am officers were dispatched to a Shooting at Level's on North, 634 West North Avenue. The investigation revealed no one was shot but a subject was observed firing shots in the air outside of the business. Security stated there was a fight inside and the subjects were being escorted out. One of the security guards observed a subject sitting in an auto firing shots in the air. The officers spoke with the Licensee, who stated he called the police after hearing the shots in case someone was shot.

H. On February 22, 2020 at 12:42 am officers were dispatched to a Shooting at North 5th Street and West North Avenue. The responding officers observed numerous cars parked in the area. The only businesses open were Wendy's and Level's on North. The officers spoke with security working at the door for Level's on North. He stated he did not hear any gunshots, or see anyone shot. The officer spoke to the Licensee about what the head count of the tavern was. The Licensee did not know. The officer then went inside and observed a large crowd. The officer observed numerous patrons coming from an area of the business that was labeled "employees only". When the officer's checked that area they located a chest freezer in the hallway with a pistol inside. The officers recovered the pistol and inventoried it at the station.

- I. On February 25, 2020 officers assisted the FBI and IRS serve a search warrant at 634 West North Avenue. The officers recovered 2 air pistols, ammo in several different calibers, a digital scale and 9.4 grams of Heroin.
- J. On March 22, 2020 officers conducted a license premise check at Level's on North, 634 West North Avenue to see if the business was complying with the Safer at Home order. The officers found the business was closed.
- K. The Licensee has 4 warrants with Milwaukee County Sheriff's Office for Failure to Support (warrant #'s: 2020006139, 2020006138, 2020006145, 2020006974)**
- L. The Licensee stated #18 on the police report was just him open for family and friends, but he was not open to the public. He added that #19 on the police report was a fight and a young man was shooting outside, so he called the police but no one was harmed or anything. He stated #20 on the police report someone called for a shooting but he never talked to the police, the police talked to his security, and the police found a gun on a patron. He added that he fired his security and now has JC Security. He stated that he does not know about guns or what the FBI found and they never talked to him. He added that the police came and asked him numerous questions about nothing that had to do with him and he did not know what it was about. He stated that the police come through every year on New Year's Eve and he told the police he was not cooking for the public. He added that he was not breaking the law and the FBI raid has nothing to do with him. He stated that he does not have any open warrants because they have been taken care of. He added that he is the only person who has access to the building, it is a rental property and 3-4 people had it before him. He stated that there are vacant rental units upstairs that other people may have access to. He added that he has a clean-up guy who also has access to the property. He stated that there was a menu, but that it's in the back and not connected to his business. He added that he is only the boss of the bartenders, not the guy preparing food in the police report. He stated that he needs to get things fixed in the kitchen before he can apply for a food license. He added that he never told the police that the guy cooking food was homeless. He stated that he never received anything about a conference call with neighbors. He added that trash is an issue in the neighborhood because there's a bus stop and a food truck. He stated that he has been open since June 19th and there have been no issues with COVID or anything. He added that he closed November 7th to get things together and he is ready to reopen.

***Individual present in opposition:***

- M. Evelyn Boyle 2350 N 6th St stated that the Licensee was invited to a conference call with neighbors and the Licensee never responded. She added that there is garbage around the premises from the patrons and the food truck. She stated that the Licensee should speak with patrons about being aware of the neighbors, and it is not a place to party after bar close. She added that there is no security and patrons loiter when leaving the premises. She stated that the Licensee should provide support for

the neighbors because of the issues with patrons. She added that she cleans up trash in the neighborhood.

- N. Alderman Borkowski stated when he sees heroin and guns those are big times problems. He added that the fact that there are four outstanding warrants is another issue and he would struggle to vote for renewal of the license at all.
- O. Alderwoman Lewis stated she is concerned about the laundry list of items recovered at the property by the FBI.
- P. Alderwoman Coggs stated the premises is located in Bronzeville and residents want a commercial corridor with restaurants, bars and museums. She added that she has heard complaints from residents about noise and litter and has spoken with the Licensee about this concerns. She stated that she has seen video footage of people carrying firearms outside the premises. She added that neighbors have sent up meetings to meet with the Licensee and he did not attend. She stated that people who own business are responsible for keeping the area safe and clean. She added that the Licensee has had constant issues with serving food without a license. She added that she expects the Licensee to work with neighbors to resolve the issues, because but for the willingness of the neighbors, she would advocate for a much harsher remedy.
- Q. Alderwoman Coggs moved approval with a 30-day suspension based on the police report and neighborhood testimony. (Prevailed 5-0)

### **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, 85, and 108 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concludes that the Licensee, Jeffery L. Henderson who holds Class B Tavern and Public Entertainment Premise (PEP) licenses for the premise located at 634 West North Avenue in the City and County of Milwaukee, Wisconsin ("Level's on North") 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 and Public Entertainment Premises License without undergoing a thirty (30) 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 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 and Public Entertainment Premise (PEP) licenses for the premises located at 634 West North Avenue in the City and County of Milwaukee, Wisconsin ("Level's on North"), without undergoing a thirty (30) day suspension. The Committee based its recommendation on the police report and neighborhood testimony.

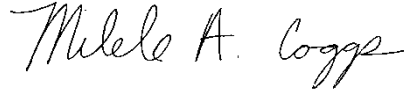


## RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of **five (5) ayes, and zero (0) noes**, recommends that the Class "B" Tavern and Public Entertainment Premises (PEP) Licenses of Jeffery L. Henderson for the premises located at 634 West North Avenue ("Level's on North") in the City and County of Milwaukee, Wisconsin not to be renewed, without undergoing a thirty (30) day suspension.

The suspension is in effect between December 15, 2020 until 11:59 p.m. on January 13, 2021.

Dated and signed at Milwaukee, Wisconsin this 4th day of December, 2020.



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MILELE A. COGGS  
Chair, Licenses Committee

/272514

**COMMITTEE ASSIGNMENTS**

**CHAIR**

- Licenses Committee

**VICE CHAIR**

- Zoning, Neighborhoods and Development



**MEMBER**

- Finance and Personnel Committee
- Library Board
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- Steering and Rules Committee
- Wisconsin Center District Board

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

Date: December 4, 2020

To: All Members of the Milwaukee Common Council

From: Licenses Committee

Re: Report of the Renewal Application of the Class "B" Tavern, Food Dealer, and Public Entertainment Premises (PEP) Licenses of Elizabeth L. Torres, Agent for Love's, for the premises located at 201 West Mitchell Street in the City and County of Milwaukee, Wisconsin ("Love's").

**FINDINGS OF FACT**

1. Elizabeth L. Torres (hereinafter "the Licensee") is the holder of Class "B" Tavern, Food Dealer, and PEP Licenses for the premises located at 201 West Mitchell Street in the City and County of Milwaukee, Wisconsin ("Love's"). Said licenses expire at midnight on December 26, 2020.
2. An application to renew said licenses was filed with the Office of the City Clerk on November 5, 2020.
3. Pursuant to Chapters 68, 82, 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 November 9, 2020, the Milwaukee Police Department responded with a report that could form the basis for nonrenewal of said licenses.
4. On November 18, 2020, the City Clerk's Office provided timely notice to the Licensee pursuant to Chapters 68, 82, 85, 90, and 108 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes of the neighborhood objections. The matter was scheduled for a hearing on the objections on December 1, 2020, commencing at approximately 9:05 a.m. in Room 301-B of the third floor of City Hall. At said date, time and place, the Licensee appeared 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 4, 2020 officers were dispatched to a Shots Fired at 200 West Mitchell Street, driving recklessly. They also found numerous entry to autos in the area. The officers poke with the manager of Love's, Marcus Love, who was



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

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WEBSITE [www.milwaukee.gov/district6](http://www.milwaukee.gov/district6)



cooperative. He stated the business has cameras but none are pointed in the direction of the shots fired. The officers could not determine if the shots were related to the business.

- B. The applicant stated her cameras did not see the shot fired because it was too far away from her business. She added that cars get broken in to all the time. She stated that she purchased more security cameras. She added that she wants to address the issues with Mr. Bakhtiari. She stated that she is there every day and wants to be an asset to the community.

***Individual also present:***

- C. Alderman Perez stated there was a video of a man crossing the street at 2nd Street & Mitchell Street with a firearm in his hand. He added that he is concerned because it's been a year and issues with neighbors have not been resolved and there have been shots fired. He added that he feels the premises is going in the wrong direction.

***Individuals present in opposition:***

- D. Captain Salazar stated that the firearm in question was a patron's and it was stolen from her vehicle. He added that he is concerned because the premises have been open for less than a year and there are gun related incidents. He stated that he has received complaints from neighbors regarding parking and drunken behavior.
- E. Vahid Bakhtiari 207 W Mitchell Street stated people park in his driveway, block his driveway, play loud music in their cars and go on his property. He added that he has heard loud music coming from the premises.

***Individual present in support:***

- F. Daniel Tennison 1668 S 3rd Street stated he goes past the premises 2-3 times a week. He added that it is quiet and has a nice patio.
- G. Alderman Kovac moved approval with a 10-day suspension based on the police report, and police, neighborhood, applicant, and aldermanic testimony. (Prevailed 5-0)

**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 85, 90, and 108 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concludes that the Licensee, Elizabeth L. Torres who holds Class B Tavern, Food Dealer, and Public Entertainment Premise (PEP) licenses for the premise located at 201 West Mitchell Street in the City and County of Milwaukee, Wisconsin ("Love's") has not met the criteria of Chapters 68, 82, 85, 90, and



108 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes to not renew the Class B Tavern, Food Dealer and Public Entertainment Premises 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 police, applicant, aldermanic, and neighborhood testimony.

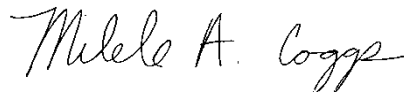
3. In order to protect the health, safety and welfare of the citizens of the City of Milwaukee, it is the recommendation of the Licenses Committee that the full Common Council of the City of Milwaukee should exercise its judgment to not renew the Class B Tavern, Food Dealer and Public Entertainment Premise (PEP) licenses for the premises located at 201 West Mitchell Street in the City and County of Milwaukee, Wisconsin ("Love's") without undergoing a ten (10) day suspension. The Committee based its recommendation on the police report, and police, applicant, aldermanic, and neighborhood testimony.

### RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of **five (5) ayes and zero (0) noes**, recommends that the Class "B" Tavern and Public Entertainment Premises (PEP) Licenses of Elizabeth L. Torres for the premises located at 201 West Mitchell Street ("Love's") in the City and County of Milwaukee, Wisconsin not be renewed without undergoing a ten (10) day suspension.

The suspension is in effect between 12:01 a.m. on December 27, 2020 until 11:59 p.m. on January 5, 2021.

Dated and signed at Milwaukee, Wisconsin this 4th day of December, 2020.



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MILELE A. COGGS  
Chair, Licenses Committee

/271311



## **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: December 4, 2020

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 Dale J. Zbieranek, Sr., Agent for Dale and Carrie, LLC, for the premises located at 3585 South Howell Avenue in the City and County of Milwaukee, Wisconsin ("Dale Z's").

### **FINDINGS OF FACT**

1. Dale J. Zbieranek, Sr. (hereinafter "the Licensee") is the holder of Class "B" Tavern and PEP Licenses for the premises located at 3585 South Howell Avenue in the City and County of Milwaukee, Wisconsin ("Dale Z's"). Said licenses expire at midnight on December 17, 2020.
2. An application to renew said licenses was filed with the Office of the City Clerk on October 12, 2020.
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 1, 2020, the Milwaukee Police Department responded with a report that could form the basis for nonrenewal of said licenses.
4. On November 20, 2020, 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 neighborhood objections. The matter was scheduled for a hearing on the objections on December 1, 2020, commencing at approximately 3:20 p.m. in Room 301-B of the third floor of City Hall. At said date, time and place, the Licensee appeared with counsel, Attorney Vincent Bobot, 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 18, 2019 Milwaukee Police Officers along with an underage Police Aide conducted an age related compliance check at Dale Z's bar located at 3585 South Howell Avenue. The police aide, who is 20 years of age and not of legal age



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to purchase alcohol, entered the bar, ordered and was served a bottle of Corona from the bartender. The bartender was cited for the violation.

- B. On October 20, 2019 Milwaukee Police were dispatched to Dale Z's, located at 3585 South Howell Avenue, for a disturbance. Investigation revealed a disturbance took place inside the bar between patrons. Several of the patrons were removed from the bar, however, once outside a patron charged at Dale Zbieranek, Jr. (a 100% stockholder) and verbally assaulted him. Zbieranek grabbed the patron throwing her to the ground. The patron then punched Zbieranek in the face multiple times. Both parties were issued citations.

Charge: Assault and Battery  
Finding: Dismissed  
Sentence:  
Date:  
Case: 19054585

- C. On September 21, 2020 at 10:56 p.m. officers conducted a license premise check at Dale z's, 3585 South Howell Avenue. The officers were provided with the business licenses and the bartender also provided her Class D Operator's license. The officer observed no violations.

- D. On September 27, 2020 at 2:05 a.m. officers were dispatched to Shots fired and a fight at Dale Z's, 3585 South Howell Avenue. When the officers arrived there were about 20 subjects fighting outside. The subjects all fled when the police arrived. The bartender stated there was a birthday party with about 20 people and about 30 regular patrons. A fight broke out at last call between the birthday party and the regular patrons. She stated the fight was occurring inside and outside and was too large to break up. She stepped outside to call the police and heard a gunshot. The Licensee arrived on scene and provided the officers with the security footage. All employees and the Licensee were cooperative with the investigation.

- E. Attorney Vincent Bobot stated the bartender has accepted responsibility for #11 on the police report and the Licensee has explained to employees the importance of checking IDs. He added that he has a different account #12 on the police report and the citation was dismissed. He stated that #14 on the police report was a birthday party, and attendees of the birthday got in to a dispute with other patrons. He added that the Licensee was cooperative, called the police, provided security video, and the woman who fired the gun was outside by her car firing in to the air. He stated that nobody was injured and the Licensee cooperated with the police investigation. He added that the premises are COVID compliant.

- F. Dale Zbieranek Jr stated he was sitting at the bar, not drinking, and he saw 4 people arguing and saw the drink get thrown. He added that he went over and told him all they had to go. He stated that none of this would have happened if the drink had not been thrown. He added that Ms. Gamroth is violent and she attacked him with a shoe, and Ms. Jacak was instigating. He stated that 3 police officers reviewed the video of the incidents. He added that outside he told all of the women to leave 20-

40 times. He stated that he has been at the premises for 8 years and he has not had any incidents. He added that there are 6 cameras inside the premises and 4 cameras outside. He stated that the incident was handled more than appropriately because the women were out of control. He added that this incident was very insignificant.

- G. Les Johns 230 E Oklahoma Ave stated that he was at the premises because there was a big event earlier in the day. He added that he was at the bar having a drink or two when 4 ladies came in and then there was an argument and a drink was thrown. He did not drag her out, he used his shoulders because she is a woman. He added that he got them outside the establishment and shut the door. He stated that the 4 women came in looking for trouble. He added that when the police saw the video they told him that he removed the female properly from the bar.
- H. Dean Brown 5414 S 13th St stated he had sat down at the bar and a few minutes later 4-5 people came in, then a drink went flying and a fight broke out. He added that Mr. Zbieranek, Jr told him and Mr. Johns that these women 'gotta' go. He stated after that he and Mr. Johns urged the women toward the door, got them outside, then came back in and sat down at the bar again. He added that he never grabbed any woman by the hair.

***Individual also present:***

- I. Alderwoman Dimitrijevic stated she is alarmed by the fight and the shots fired incident. She added that she recommends a suspension based on all of the activity at the premises. She stated that the Licensee needs a light pause to figure out how to move forward. She added that #13-14 on the police report were in September of 2020.

***Individuals present in opposition:***

- J. Samantha Gamroth 3224 Mueller Rd Sheboygan, WI stated on October 19, 2019 stated a family friend called her because there was an issue at the premises. She stated when she arrived she saw two bouncers dragging her friend out by her hair, and throwing her to the ground. She added that she confronted Mr. Zbieranek, Jr and argued with him about why he was having men throwing her friend out of the bar. She stated that Mr. Zbieranek, Jr pushed her, then grabbed her by the hair and slammed her on the concrete. She added that Mr. Zbieranek, Jr also starting going after her sister. She stated that when she found out that Mr. Zbieranek, Jr was the owner she was disgusted. She added that she punched Mr. Zbieranek, Jr multiple times in the face because he assaulted her first.
- K. Crystal Jacak 3224 Mueller Rd Sheboygan, WI stated on October 19, 2019 her cousin was arguing with her ex-husband, who was a friend of Mr. Zbieranek, Jr. She added that Mr. Zbieranek, Jr told two patrons to throw her cousin out by her hair. She added that she went outside to make sure her cousin was okay, and there were about 6 women who were arguing Mr. Zbieranek, Jr for what happened. She stated that Mr. Zbieranek, Jr snatched up his sister and threw her to the ground. She added that Mr. Zbieranek, Jr went after her sister several times and she recorded the

incident on her phone. She stated when Mr. Zbieranek, Jr saw that she was recording he went after her, and then he threw her sister to the ground causing her head to smack the cement and he was on top of her. She added that it took her cousins ex-husband and another man to get Mr. Zbieranek, Jr off of her sister. She stated that Mr. Zbieranek, Jr is out of control and has a temper. She added that she called the police and they did not want to watch the video from her phone because it was so long. She stated that it seemed like the police sided with Mr. Zbieranek, Jr because he was the owner. She added that it is common for her cousin and her ex-husband to bicker and argue because their divorce was bitter.

- L. Alderman Kovac moved approval with a 30- day suspension based on the police report and neighborhood, aldermanic, and applicant testimony. (Prevailed 5-0)

### 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, 85, and 108 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concludes that the Licensee, Dale J. Zbieranek, Sr. who holds Class B Tavern and Public Entertainment Premise (PEP) licenses for the premise located at 3585 South Howell Avenue in the City and County of Milwaukee, Wisconsin ("Dale Z's") 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 and Public Entertainment Premises License without undergoing a thirty (30) 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, applicant, aldermanic 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 and Public Entertainment Premise (PEP) licenses for the premises located at 3585 South Howell Avenue in the City and County of Milwaukee, Wisconsin ("Dale Z's"), without undergoing a thirty (30) day suspension. The Committee based its recommendation on the police report, applicant, aldermanic and neighborhood testimony.

### RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of **five (5) ayes, and zero (0) noes**, recommends that the Class "B" Tavern and Public Entertainment Premises (PEP) Licenses of Dale J. Zbieranek, Sr. for the premises located at 3585 South Howell Avenue ("Dale Z's") in the City and County of Milwaukee, Wisconsin not to be renewed, without undergoing a thirty (30) day suspension.

The suspension is in effect between 12:01 a.m. on December 18, 2020 until 11:59 p.m. on January 16, 2021.

Dated and signed at Milwaukee, Wisconsin this 4th day of December, 2020.



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MILELE A. COGGS  
Chair, Licenses Committee

/272526



## **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: December 4, 2020

To: All Members of the Milwaukee Common Council

From: Licenses Committee

Re: Report of the Renewal Application of the Food Dealer License of Dale J. Zbieranek, Jr., Agent for Dale and Carrie, LLC, for the premises located at 3585 South Howell Avenue in the City and County of Milwaukee, Wisconsin ("Dale Z's").

### **FINDINGS OF FACT**

1. Dale J. Zbieranek, Jr. (hereinafter "the Licensee") is the holder of Food Dealer License for the premises located at 3585 South Howell Avenue in the City and County of Milwaukee, Wisconsin ("Dale Z's"). Said licenses expires at midnight on December 17, 2020.
2. An application to renew said licenses was filed with the Office of the City Clerk on August 31, 2020.
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 1, 2020, the Milwaukee Police Department responded with a report that could form the basis for nonrenewal of said licenses.
4. On November 20, 2020, 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 neighborhood objections. The matter was scheduled for a hearing on the objections on December 1, 2020, commencing at approximately 3:20 p.m. in Room 301-B of the third floor of City Hall. At said date, time and place, the Licensee appeared with counsel, Attorney Vincent Bobot, 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 18, 2019 Milwaukee Police Officers along with an underage Police Aide conducted an age related compliance check at Dale Z's bar located at 3585 South Howell Avenue. The police aide, who is 20 years of age and not of legal age to purchase alcohol, entered the bar, ordered and was served a bottle of Corona from the bartender. The bartender was cited for the violation.



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- B. On October 20, 2019 Milwaukee Police were dispatched to Dale Z's, located at 3585 South Howell Avenue, for a disturbance. Investigation revealed a disturbance took place inside the bar between patrons. Several of the patrons were removed from the bar, however, once outside a patron charged at Dale Zbieranek, Jr. (a 100% stockholder) and verbally assaulted him. Zbieranek grabbed the patron throwing her to the ground. The patron then punched Zbieranek in the face multiple times. Both parties were issued citations.

Charge: Assault and Battery  
Finding: Dismissed  
Sentence:  
Date:  
Case: 19054585

- C. On September 21, 2020 at 10:56 p.m. officers conducted a license premise check at Dale z's, 3585 South Howell Avenue. The officers were provided with the business licenses and the bartender also provided her Class D Operator's license. The officer observed no violations.
- D. On September 27, 2020 at 2:05 a.m. officers were dispatched to Shots fired and a fight at Dale Z's, 3585 South Howell Avenue. When the officers arrived there were about 20 subjects fighting outside. The subjects all fled when the police arrived. The bartender stated there was a birthday party with about 20 people and about 30 regular patrons. A fight broke out at last call between the birthday party and the regular patrons. She stated the fight was occurring inside and outside and was too large to break up. She stepped outside to call the police and heard a gunshot. The Licensee arrived on scene and provided the officers with the security footage. All employees and the Licensee were cooperative with the investigation.
- E. Attorney Vincent Bobot stated the bartender has accepted responsibility for #11 on the police report and the Licensee has explained to employees the importance of checking IDs. He added that he has a different account #12 on the police report and the citation was dismissed. He stated that #14 on the police report was a birthday party, and attendees of the birthday got in to a dispute with other patrons. He added that the Licensee was cooperative, called the police, provided security video, and the woman who fired the gun was outside by her car firing in to the air. He stated that nobody was injured and the Licensee cooperated with the police investigation. He added that the premises are COVID compliant.
- F. Dale Zbieranek Jr stated he was sitting at the bar, not drinking, and he saw 4 people arguing and saw the drink get thrown. He added that he went over and told him all they had to go. He stated that none of this would have happened if the drink had not been thrown. He added that Ms. Gamroth is violent and she attacked him with a shoe, and Ms. Jacak was instigating. He stated that 3 police officers reviewed the video of the incidents. He added that outside he told all of the women to leave 20-40 times. He stated that he has been at the premises for 8 years and he has not had any incidents. He added that there are 6 cameras inside the premises and 4 cameras

outside. He stated that the incident was handled more than appropriately because the women were out of control. He added that this incident was very insignificant.

- G. Les Johns 230 E Oklahoma Ave stated that he was at the premises because there was a big event earlier in the day. He added that he was at the bar having a drink or two when 4 ladies came in and then there was an argument and a drink was thrown. He did not drag her out, he used his shoulders because she is a woman. He added that he got them outside the establishment and shut the door. He stated that the 4 women came in looking for trouble. He added that when the police saw the video they told him that he removed the female properly from the bar.
- H. Dean Brown 5414 S 13th St stated he had sat down at the bar and a few minutes later 4-5 people came in, then a drink went flying and a fight broke out. He added that Mr. Zbieranek, Jr told him and Mr. Johns that these women 'gotta' go. He stated after that he and Mr. Johns urged the women toward the door, got them outside, then came back in and sat down at the bar again. He added that he never grabbed any woman by the hair.

***Individual also present:***

- I. Alderwoman Dimitrijevic stated she is alarmed by the fight and the shots fired incident. She added that she recommends a suspension based on all of the activity at the premises. She stated that the Licensee needs a light pause to figure out how to move forward. She added that #13-14 on the police report were in September of 2020.

***Individuals present in opposition:***

- J. Samantha Gamroth 3224 Mueller Rd Sheboygan, WI stated on October 19, 2019 stated a family friend called her because there was an issue at the premises. She stated when she arrived she saw two bouncers dragging her friend out by her hair, and throwing her to the ground. She added that she confronted Mr. Zbieranek, Jr and argued with him about why he was having men throwing her friend out of the bar. She stated that Mr. Zbieranek, Jr pushed her, then grabbed her by the hair and slammed her on the concrete. She added that Mr. Zbieranek, Jr also starting going after her sister. She stated that when she found out that Mr. Zbieranek, Jr was the owner she was disgusted. She added that she punched Mr. Zbieranek, Jr multiple times in the face because he assaulted her first.
- K. Crystal Jacak 3224 Mueller Rd Sheboygan, WI stated on October 19, 2019 her cousin was arguing with her ex-husband, who was a friend of Mr. Zbieranek, Jr. She added that Mr. Zbieranek, Jr told two patrons to throw her cousin out by her hair. She added that she went outside to make sure her cousin was okay, and there were about 6 women who were arguing Mr. Zbieranek, Jr for what happened. She stated that Mr. Zbieranek, Jr snatched up his sister and threw her to the ground. She added that Mr. Zbieranek, Jr went after her sister several times and she recorded the incident on her phone. She stated when Mr. Zbieranek, Jr saw that she was recording he went after her, and then he threw her sister to the ground causing her



head to smack the cement and he was on top of her. She added that it took her cousins ex-husband and another man to get Mr. Zbieranek, Jr off of her sister. She stated that Mr. Zbieranek, Jr is out of control and has a temper. She added that she called the police and they did not want to watch the video from her phone because it was so long. She stated that it seemed like the police sided with Mr. Zbieranek, Jr because he was the owner. She added that it is common for her cousin and her ex-husband to bicker and argue because their divorce was bitter.

- L. On October 18, 2019 Milwaukee Police Officers along with an underage Police Aide conducted an age related compliance check at Dale Z's bar located at 3585 South Howell Avenue. The police aide, who is 20 years of age and not of legal age to purchase alcohol, entered the bar, ordered and was served a bottle of Corona from the bartender. The bartender was cited for the violation.

Charge: Sale of Alcohol to Underage  
Finding: Guilty  
Sentence: Fine \*\*\*\$80.00 past due on 02/17/20\*\*\*  
Date: 12/18/19  
Case: 19054552

- M. On October 20, 2019 Milwaukee Police were dispatched to Dale Z's, located at 3585 South Howell Avenue, for a disturbance. Investigation revealed a disturbance took place inside the bar between patrons. Several of the patrons were removed from the bar, however, once outside a patron charged at Dale Zbieranek, Jr. (a 100% stockholder) and verbally assaulted him. Zbieranek grabbed the patron throwing her to the ground. The patron then punched Zbieranek in the face multiple times. Both parties were issued citations.

Charge: Assault and Battery  
Finding: Trial Municipal Court 09/29/20  
Sentence:  
Date:  
Case: 19054585

- N. This item was heard with the Class B Tavern and Public Entertainment Premises license applications.

- O. Alderman Kovac moved approval with a 30- day suspension based on the police report and neighborhood, aldermanic, and applicant testimony. (Prevailed 5-0)

### 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, 85, and 108 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concludes that the Licensee, Dale J. Zbieranek, Jr. who holds Food Dealer licenses for the premise located at 3585 South

Howell Avenue in the City and County of Milwaukee, Wisconsin ("Dale Z's") 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 Food Dealer license without undergoing a thirty (30) 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, applicant, aldermanic and neighborhood testimony.

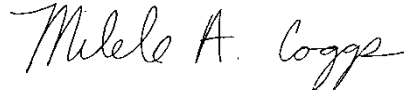
3. In order to protect the health, safety and welfare of the citizens of the City of Milwaukee, it is the recommendation of the Licenses Committee that the full Common Council of the City of Milwaukee should exercise its judgment to not renew the Food Dealer license for the premises located at 3585 South Howell Avenue in the City and County of Milwaukee, Wisconsin ("Dale Z's"), without undergoing a thirty (30) day suspension. The Committee based its recommendation on the police report, applicant, aldermanic and neighborhood testimony.

### RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of **five (5) ayes, and zero (0) noes**, recommends that the Food Dealer License of Dale J. Zbieranek, Jr. for the premises located at 3585 South Howell Avenue ("Dale Z's") in the City and County of Milwaukee, Wisconsin not to be renewed, without undergoing a thirty (30) day suspension.

The suspension is in effect between 12:01 a.m. on December 18, 2020 until 11:59 p.m. on January 16, 2021.

Dated and signed at Milwaukee, Wisconsin this 4th day of December, 2020.



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MILELE A. COGGS  
Chair, Licenses Committee

/272528