

COMMITTEE ASSIGNMENTS

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- Licenses Committee

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- 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

February 18, 2022

To the Honorable, the Common Council

Honorable Members:

Common Council File Number 211636 contains the following recommendations:

Nonrenewal based on the police report, neighborhood and aldermanic testimony of the Class B Tavern, Food Dealer and Public Entertainment Premises licenses for Jeffrey L Jones for the premises located at 4610 W Fond Du Lac Av ("Mr. J's Lounge") in the 7th aldermanic district.

Nonrenewal, based upon the second nonappearance of the Class D Operator's License for Rose M Dabney.

Respectfully,

Milele Coggs, Chair
Licenses Committee

cc: All Council Members
File 211636



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MILELE A. COGGS
ALDERWOMAN, 6TH DISTRICT

Date: February 17, 2022

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 with Change of Hours from Opening at 9 AM every day and closing at 2 AM Sunday-Thursday and at 2:30 AM on Friday and Saturday to Open Sunday 2 PM – 12:00 AM; Closed on Mondays, Tuesday-Thursday 2 PM – 12 AM and Friday and Saturday 2 PM – 2 AM of Jeffrey L. Jones, Agent for JLLJones LLC, for the premises located at 4610 West Fond du Lac Avenue, #F in the City and County of Milwaukee, Wisconsin ("Mr. J's Lounge").

FINDINGS OF FACT

1. Jeffrey L. Jones (hereinafter "the Licensee") is the holder of Class "B" Tavern, Food Dealer and Public Entertainment Premises Licenses for the premises located at 4610 West Fond du Lac Avenue, #F in the City and County of Milwaukee, Wisconsin ("Mr. J's Lounge"). Said licenses expire at midnight on March 1, 2022.
2. An application to renew said licenses with Change of Hours from Opening at 9 AM every day and closing at 2 AM Sunday-Thursday and at 2:30 AM on Friday and Saturday to Open Sunday 2 PM – 12:00 AM; Closed on Mondays, Tuesday-Thursday 2 PM – 12 AM and Friday and Saturday 2 PM – 2 AM was filed with the Office of the City Clerk on December 9, 2021.
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 December 10, 2021, the Milwaukee Police Department responded with a report that could form the basis for nonrenewal of said licenses.
4. On January 31, 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 February 16, 2022, commencing at approximately 10:00 a.m. in Room 301-B of the third floor of City Hall. At said date, time and place, the Licensee appeared with counsel, Attorney Michael Maistelman at the hearing, and admitted receipt of the notice of hearing, together with a copy of the Milwaukee Police report.



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5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
- A. On April 23, 2021 at 10:57 p.m., Milwaukee Police were dispatched to 4610 West Fond du Lac Avenue for a noise complaint. Investigation revealed that there was no violation.
 - B. On June 27, 2021 at 1:36 a.m., Milwaukee Police were dispatched to 4901 West Hoyt Place for a shooting complaint. Investigation revealed that an unarmed security guard who works at 4610 West Fond du Lac Avenue was patrolling the area around the establishment when he was shot while patrolling on West Hoyt Place.
 - C. On July 15, 2021 at 8:44 p.m., Milwaukee Police were dispatched to 4610 West Fond du Lac Avenue for a subject with gun complaint. Investigation revealed that a subject entered the tavern with a rifle and security tackled the subject. When the subject was tackled, he discharged one round striking a window. The subject was detained until police arrived. The manager was cooperative throughout the investigation.
 - D. On July 16, 2021 at 5:15 a.m., two subjects walked into the Seventh District Station and reported that they were robbed at 4513 West Leon Terrace. The subjects said they left the tavern at 4610 West Fond du Lac Avenue around 2:50 a.m. and were robbed at gunpoint a short time later.
 - E. On July 19, 2021 at 5:31 p.m., a subject reported to police that his vehicle was broken into on July 18, 2021. The vehicle was parked at 4401 West Leon Terrace and the victim walked to the tavern at 4610 West Fond du Lac Avenue. When he returned, his vehicle was broken into and a firearm was stolen.
 - F. On July 21, 2021 at 7:45 p.m., a subject entered the Seventh District to report his friend's vehicle was broken into while it was parked in the lot at 4610 West Fond du Lac Avenue. Two handguns and a laptop were taken from the vehicle.
 - G. On August 8, 2021 at 12:45 a.m., Milwaukee Police were dispatched to 4610 West Fond du Lac Avenue for a shooting complaint. Investigation revealed that there was not a shooting but rather a boy/girl trouble incident which was not physical in nature.
 - H. On August 15, 2021 at 12:55 a.m., Milwaukee Police were dispatched to 4610 West Fond du Lac Avenue for a shooting complaint. Surveillance footage revealed that a patron of the tavern walked up to a group of men standing on the sidewalk next to the tavern. The patron then punched one of the subjects in the face and the subject who was punched walks out of camera view. The patron is then struck with gunfire in the facial area. The patron falls, retrieves a handgun from his waistband, and discharges it several times. The patron later died.



- I. On November 19, 2021 at 10:55 p.m., Milwaukee Police were dispatched to 4610 West Fond du Lac Avenue for a noise complaint. Officers interviewed the Licensee who said he would turn the music down and the caller was satisfied.
- J. Attorney Michael Maistelman said that the police report shows that the Licensee has cooperated with the investigations and that there is an epidemic of gun problems in the City overall. He further stated that he has submitted an amended plan of operations to the license division and that he wanted to make sure that it is on file.
- K. Mr. Cooney confirmed that the amended plan is on file.
- L. Attorney Michael Maistelman talked about the improvements implemented as part of the amended plan of operations and that he will take any questions from the committee regarding the plan.

Individuals also present:

- M. Alderman Perez said that he wanted to hear more historical context because he believes that the same things were said at last year's hearing and that those changes do not seem to be reflected in the file materials so he wants to know what is the difference between last and this year.
- N. Attorney Maistelman said that the establishment has brought security guards in and that they have done a much better job. He said that there has been a significant change from last year. He added that, looking at the police report, there is a security guard involved in every incident. He said that one security guard was even shot while walking outside and trying to address situations in and around the establishment. He said that there have not been any problems with people coming in with weapons since they implemented the changes reflected in the plan of operations.
- O. Alderman Perez said that a homicide happened inside the premises on the last cycle and another homicide happened outside this year. He further said that Attorney Maistelman talks about things have changed but that he does not see how things are different from last year.
- P. Attorney Maistelman said that there is an epidemic of gun violence in the City and that, while it is not easy to take the guns off the streets, the security guards are addressing the problem the best they can. He further said that we are up against a tidal wave of violence as a City.

Individuals in opposition:

- Q. Lori Banks - resident of the neighborhood around the bar - said that she has written multiple letters about this establishment. She said that this establishment must be closed because what she was hearing at the committee meeting was what the neighbors were told at the community meeting held last July and the last license renewal meeting (February 2021). She added that there



have been two murders, multiple shootings, and constant break-ins to her home, her neighbors' homes and to cars. She said she had heard some strategies that might work during the committee meeting but they don't trust this business to follow through anymore and that they live in fear.

- R. Theresa Scott - 4535 W Leon Terrace - asked that the license not to be renewed because the shootings on the police report actually happened on her block and that the Licensee didn't take the phone calls of the neighbors until today, the date of the hearing. She said that to her, this shows that the Licensee is not interested in the neighborhood. She said that it is true that the violence is happening in the entire city but that she is here because of the violence that is happening right at her door. She further said that there is no trust in this bar anymore and that it shouldn't take the police to come to check on the noise complaints from the residents. She added that the meeting with the police and the applicant was held on July 30, 2021 and that none of the neighbors have heard from the applicant or his attorney since then.
- S. Timothy Scott - 4535 W Leon Terrace - said that he is disturbed about the comments made by the applicant's attorney because the neighbors are the ones dealing with the shootings, garbage, empty bottles, noises, and disturbances coming from the establishment and the patrons using the alley.
- T. Mabel Lamb - Sherman Park Community Association - said that they have received numerous complaints about houses being broken-in, guns stolen out of vehicles, noise, and garbage. She added that this establishment has been creating a situation that has led to neighbors planning to move out and that, as a community association, she and her organization will support the quality of life of the residents. She added that the area is over saturated with alcohol licenses, and that it is hurting the neighborhood and that the association is not in support of this establishment.
- U. Prince Harris - 4541 W Leon Terrace - said that he does not want the license to be renewed and that since the July meeting with the police, he has observed that the clientele is 21-29 years old and not older than 30 years old like it used to be when the previous owner operated the establishment. He added that he is not happy about having virtual hearings because not everyone can navigate the technology and encouraged a larger radius for neighborhood notices.
- V. Carla Harris - 4541 W Leon Terrace - said that she agrees with what her neighbors have said and that the neighborhood does not benefit at all from this business. She asked for the license not to be renewed.



Individuals in support:

- W. Phelon Thadison - 11010 W Heritage Drive - said that he understands the neighbors' position but from his professional point of view as a retired police officer and as a patron, the problems are not directly related to the establishment itself and that the violence is an epidemic that is beyond the scope of the establishment, which is trying to provide jobs. He added that he has observed that this business caters to 30+ years old crowds and that they do everything to deescalate situations and that whatever happens outside Mr. J's happens in the City of Milwaukee, not at the establishment, and that we cannot close businesses for that.
- X. Alderman Borkowski thanked Thadison for his service as a police officer but explained that the committee is not here to destroy businesses but to represent the neighbors and respect their concerns for their neighborhood. He added that these are not minor issues. He said there were 10 incidents on the police report. He added that it is disappointing to hear his testimony because he does not know the history of this establishment and the severity of the ongoing issues.
- Y. Attorney Andrew Arena said that he represents the owner of the building and that he organized the meeting on July 30th including Alderman Rainey and neighbors.
- Z. Alderman Rainey clarified that meeting that Attorney Arena is talking about was for a liquor store application and that the one that the neighbors are referring to was organized by the police.
- AA. Attorney Arena said that the meeting that he organized was about a grocery/liquor store in the same building and that the neighbors did not want it because of the saturation of like establishments in the area. He added that the Licensee was at the meeting as well and that they were made aware of the issues with the establishment at that time. He said he then talked to the Licensee about the situation because it seemed that the problem was that the Licensee had increased the size of the establishment by using the back portion of the establishment for entertainment geared toward younger people. He explained that they talked about cutting it in half to have a separate lounge for older people and this is what he thought the applicant was doing today. He stated that that arrangement is what they agreed on and that he's just finding out that it's not the situation. He said that what the applicant wants to do seems to be a poor fit according to the neighbors. He further stated that, as a representative of the owners of the building, he can do things with the lease to hold the Licensee accountable if the problems are not corrected.
- BB. Michael Chisholm - 3637 North 49th Street - said that he is a customer and that he has noticed the positive contributions of the establishment in the community.



Individuals also present:

CC. Alderman Rainey said that he does not support the renewal based on the neighborhood testimony.

DD. The Licensee said that he filed a renewal application and that no one has addressed a problem with him involving the club. He said that he does not relate to any of these complaints and that he has reduced the capacity from 350 to 99.

EE. Attorney Maistelman said that one person killed is too many but that violence is happening everywhere in the City and that the measures that the Licensee has taken will help with the gun violence, the loitering and the noise complaints. He respectfully requested a small suspension to resolve and address issues.

FF. Alderman Perez moved denial based upon police report, neighborhood and aldermanic testimony. (Prevailed 5-0)

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, Jeffrey L. Jones who holds Class B Tavern, Food Dealer and Public Entertainment Premises (PEP) licenses with Change of Hours from Opening at 9 AM every day and closing at 2 AM Sunday-Thursday and at 2:30 AM on Friday and Saturday to Open Sunday 2 PM – 12:00 AM; Closed on Mondays, Tuesday-Thursday 2 PM – 12 AM and Friday and Saturday 2 PM – 2 AM for the premise located at 4610 West Fond du Lac Avenue, #F in the City and County of Milwaukee, Wisconsin ("Mr. J's 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 not renew the Class B Tavern, Food Dealer and Public Entertainment Premises. 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 Class B Tavern, Food Dealer and Public Entertainment Premises (PEP) licenses with Change of Hours from Opening at 9 AM every day and closing at 2 AM Sunday-Thursday and at 2:30 AM on Friday and Saturday to Open Sunday 2 PM – 12:00 AM; Closed on Mondays, Tuesday-Thursday 2 PM – 12 AM and Friday and Saturday 2 PM – 2 AM for the premises located at 4610 West Fond du Lac Avenue, #F in the City and County of Milwaukee, Wisconsin ("Mr. J's Lounge"). The Committee based its recommendation on the police report, neighborhood and aldermanic testimony.

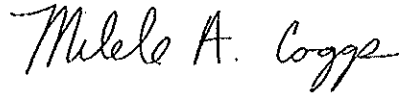


RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of **five (5) ayes and zero (0) noes**, recommends that the Class "B" Tavern, Food Dealer and Public Entertainment Premises (PEP) Licenses with Change of Hours from Opening at 9 AM every day and closing at 2 AM Sunday-Thursday and at 2:30 AM on Friday and Saturday to Open Sunday 2 PM – 12:00 AM; Closed on Mondays, Tuesday-Thursday 2 PM – 12 AM and Friday and Saturday 2 PM – 2 AM of Jeffrey L. Jones for the premises located at 4610 West Fond du Lac Avenue, #F (“Mr. J’s Lounge”) in the City and County of Milwaukee, Wisconsin not be renewed.

Said nonrenewal is effective March 2, 2022.

Dated and signed at Milwaukee, Wisconsin this 18 day of February 2022.



MILELE A. COGGS
Chairman, Licenses Committee

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VICE CHAIR

- Zoning, Neighborhoods and Development



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MILELE A. COGGS
ALDERWOMAN, 6TH DISTRICT

Date: February 17, 2022

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 Rose M. Dabney

FINDINGS OF FACT

1. Rose M. Dabney (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, 2021.
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 February 3, 2022, 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 February 16, 2022 at 12:00 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 Rose M. Dabney, 5757 North 96th Street, Milwaukee WI 53225 on February 3,



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2022 by U.S. prepaid first-class mail in an envelope bearing the return address of the License Division. The address of 5757 North 96th Street, Milwaukee WI 53225 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 February 16, 2022 at 12:00 p.m.

CONCLUSIONS OF LAW

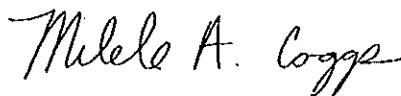
1. The Committee has jurisdiction to hold hearings and provide Findings of Fact, Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapter 125 of the Wisconsin Statutes and Chapter 90 of the Milwaukee Code of Ordinances.
2. Based on the above facts found, the Committee concludes that the Licensee, Rose M. Dabney 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 her 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 Rose M. Dabney based upon her 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 Rose M. Dabney not be renewed based upon her second nonappearance.

Said nonrenewal is effective March 1, 2022.

Dated and signed at Milwaukee, Wisconsin this 18 day of February, 2022.



MILELE A. COGGS
Chairman Licenses Committee

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