

**JAMES N. WITKOWIAK**  
ALDERMAN, 12TH DISTRICT

October 1, 2004

To the Honorable, the Common Council

Dear Members:

Re: Common Council File 031485

Recommendation of nonrenewal of the Public Passenger Vehicle Drivers' licenses based on non-appearance and the police reports of Larry Loar and Manu Sareen.

Recommendation of renewal with a 10-day suspension based on the police report of the Public Passenger Vehicle Driver's license of Abdi Nur. (Committee vote: Ayes: 4, Noes: 1)

Recommendation of renewal with 10-day suspensions based on the police reports of the Public Passenger Vehicle Drivers' licenses of Baltej Singh and Manjit Singh.

Recommendation of renewal with a 30-day suspension of the Class "D" Bartender license of Erin Adkins based on the police report. (Committee vote: Ayes: 3, Noes: 2)

Recommendation of renewal of the Class "A" Liquor and Malt application with a 10-day suspension based on the police report of Sheikh Nazar for the premises located at 1141 E. Howard Ave. ("Smiles Beer Depot & Food Mart") in the 14<sup>th</sup> aldermanic district. (Committee vote: Ayes: 3, Noes: 2)

Recommendation of renewal with a 10-day suspension of the Class "B" Tavern license and a 30-day suspension of the Tavern Dance license based on the police report of Karen Hubbard, Agt. for Hubbard & Associates NA, Inc. , for the premises located at 7330 N. 76<sup>th</sup> St. ("Karen's Club) in the 9<sup>th</sup> aldermanic district.

With regard to the items listed above, the Utilities and Licenses Committee held an evidentiary hearing on September 28<sup>th</sup>, 2004.

Pursuant to section 90-11, Milwaukee Code of Ordinances, and section 125.12(12), Wis. Stats., the Committee is transmitting a copy of its Report and Recommendations, regarding the above matters to your Honorable Body.

Pursuant to City Ordinances, prior to the time the Common Council acts on the Committee's Report, **a roll call vote will be taken** to confirm that all members present and voting have read the Committee's Report and any objections that have been filed by the Licensee.

These matters have been scheduled for a hearing before the full Common Council at its meeting on **Monday, October 11, 2004** at 9:00 A.M. in the Common Council Chambers.

Respectfully,

A handwritten signature in black ink that reads "JAMES N. WITKOWIAK". The signature is written in a cursive style and is enclosed within a hand-drawn circle.

James N. Witkowiak, Chair  
Utilities & Licenses Committee

cc: All Council Members  
File No. 031485



**JAMES N. WITKOWIAK**  
ALDERMAN, 12TH DISTRICT

Date: October 1, 2004

To: All Members of the Milwaukee Common Council

From: The Utilities and Licenses Committee

Re: Report of the Renewal Application of Larry H. Loar for a Public Passenger Vehicle Driver License.

FINDINGS OF FACT

1. Larry H. Loar (hereinafter the "Licensee") is the holder of a Public Passenger Vehicle Driver license in the City and County of Milwaukee, Wisconsin. Said license expires at midnight, October 31, 2004.
2. An application to renew said license was filed with the Office of the City Clerk on August 12, 2004.
3. Pursuant to Chapter 100 of the Milwaukee Code of Ordinances and § 349.24 of the Wisconsin Statutes, the matter was referred to the Milwaukee Police Department for investigation. The Milwaukee Police Department filed an objection to renewal of this license dated August 13, 2004. That objection could form the basis of non-renewal or suspension of this license.
4. On September 16, 2004, the City Clerk's Office provided timely notice to the Licensee, pursuant to Chapter 100 of the Milwaukee Code of Ordinances and § 349.24 of the Wisconsin Statutes of police objections that could form the basis for suspension or non-renewal of the license of the licensee and included therewith a copy of the Milwaukee Police Department report. The matter was scheduled for a hearing on the police report on September 28, 2004 at 8:15 a.m. in Room 301B of City Hall. At said date, time and place, the licensee did not appear nor was he represented by counsel.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:

- A. Notice was sent to Larry H. Loar at 5521 South Buckhorn Avenue, Cudahy, WI 53110, along with a copy of the police report on September 16, 2004 in an envelope which was sent by U.S. first-class prepaid mail in an envelope bearing the return address of the License Division, 200 East Wells Street, Room 105, Milwaukee, WI 53202. The address of 5521 South Buckhorn Avenue, Cudahy, WI 53110 was the address given by the applicant on his renewal application. The notice included a copy of the police report. The licensee failed to appear at the hearing and the envelope containing the notice and police report was not returned to the License Division by the U.S. Postal Service.
- B. On October 12, 2002 at about 1:30 p.m. the applicant was arrested for propositioning a 14-year old girl for sex at 2004 North 35<sup>th</sup> Street. The licensee was charged with child enticement, resisting an officer and disorderly conduct. He was found guilty on April 14, 2003 and sentenced to 30 days in the House of Correction and 3 years probation. The applicant is on probation until April 14, 2006.

#### 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 Chapter 100 of the Milwaukee Code of Ordinances and § 349.24, Wisconsin Statutes.
2. Based upon the above facts found, the Committee concludes that the licensee, Larry H. Loar, has not met the criteria of Chapter 100 of the Milwaukee Code of Ordinances or § 349.24 of the Wisconsin Statutes to allow renewal of his Public Passenger Vehicle Driver license.
3. In order to protect the health, safety and welfare of the citizens of the City of Milwaukee, it is the recommendation of the Utilities and Licenses Committee that the full Common Council of the City of Milwaukee should exercise its judgment to not renew the Public Passenger Vehicle Driver license held by Larry H. Loar. The Committee finds the police objection to be true.

#### RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of four (4) ayes and zero (0) noes, recommends that the Public Passenger Vehicle Driver license of Larry H. Loar not be renewed based

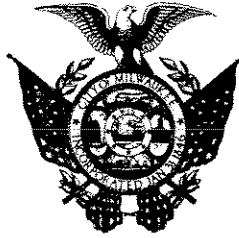
on non-appearance and the police objection.

Dated and signed at Milwaukee, Wisconsin this 1st day of October, 2004.



JAMES N. WITKOWIAK

JAMES N. WITKOWIAK  
Chair, Utilities and Licenses Committee



**JAMES N. WITKOWIAK**  
ALDERMAN, 12TH DISTRICT

Date: October 1, 2004

To: All Members of the Milwaukee Common Council

From: The Utilities and Licenses Committee

Re: Report of the Renewal Application of Manu Sareen for a Public Passenger Vehicle Driver's License.

**FINDINGS OF FACT**

1. Manu Sareen (hereinafter the "Licensee") is the holder of a Public Passenger Vehicle Driver license in the City and County of Milwaukee, Wisconsin. Said license expires at midnight, October 31, 2004.
2. An application to renew said license was filed with the Office of the City Clerk on September 3, 2004.
3. Pursuant to Chapter 100 of the Milwaukee Code of Ordinances and § 349.24 of the Wisconsin Statutes, the matter was referred to the Milwaukee Police Department for investigation. The Milwaukee Police Department filed an objection dated September 7, 2004. That objection could form the basis for non-renewal or suspension of the license.
4. On September 16, 2004, the City Clerk's Office provided timely notice to the Licensee, pursuant to Chapter 100 of the Milwaukee Code of Ordinances and § 349.24 of the Wisconsin Statutes of police objections that could form the basis for suspension or non-renewal of the license of the licensee and included therewith a copy of the Milwaukee Police Department report. The matter was scheduled for a hearing on the police report on September 28, 2004 at 8:15 a.m. in Room 301B of City Hall. At said date, time and place, the licensee did not appear nor was he represented by counsel.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:

- A. Notice was sent to Manu Sareen at 4601 South 1<sup>st</sup> Street, No. 236, Milwaukee, WI 53207, along with a copy of the police report on September 16, 2004 in an envelope which was sent by U.S. first-class prepaid mail in an envelope bearing the return address of the License Division, 200 East Wells Street, Room 105, Milwaukee, WI 53202. The address of 4601 South 1<sup>st</sup> Street, No. 236, Milwaukee, WI 53207 was the address given by the applicant on his renewal application. The notice included a copy of the police report. The licensee failed to appear at the hearing and the envelope containing the notice and police report was not returned to the License Division by the U.S. Postal Service.
- B. The applicant has an outstanding warrant for reckless driving in the amount of \$286.00.

#### CONCLUSIONS OF LAW

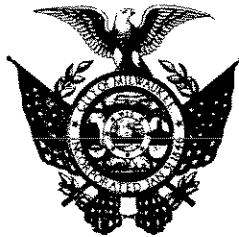
1. The Committee has jurisdiction to hold hearings and provide Findings of Fact and Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapter 100 of the Milwaukee Code of Ordinances and § 349.24, Wisconsin Statutes.
2. Based upon the above facts found, the Committee concludes that the licensee, Manu Sareen, has not met the criteria of Chapter 100 of the Milwaukee Code of Ordinances or § 349.24 of the Wisconsin Statutes to allow renewal of his Public Passenger Vehicle Driver license.
3. In order to protect the health, safety and welfare of the citizens of the City of Milwaukee, it is the recommendation of the Utilities and Licenses Committee that the full Common Council of the City of Milwaukee should exercise its judgment to not renew the Public Passenger Vehicle Driver license held by Manu Sareen. The Committee finds the police objection to be true.

#### 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 Public Passenger Vehicle Driver license of Manu Sareen not be renewed based on non-appearance and a police objection to renewal of this license.

Dated and signed at Milwaukee, Wisconsin this 1st day of October, 2004.

  
JAMES N. WITKOWIAK  
Chair, Utilities and Licenses Committee



**JAMES N. WITKOWIAK**

ALDERMAN, 12TH DISTRICT

Date: October 1, 2004

To: All Members of the Milwaukee Common Council

From: The Utilities and Licenses Committee

Re: Report of the Renewal Application of Abdi H. Nur for a Public Passenger Driver's license.

FINDINGS OF FACT

1. Abdi H. Nur (hereinafter the "Licensee") is the holder of a Public Passenger Vehicle Driver license in the City and County of Milwaukee, Wisconsin. Said license expires at midnight, October 31, 2004.
2. An application to renew said license was filed with the Office of the City Clerk on August 19, 2004.
3. Pursuant to Chapter 100 of the Milwaukee Code of Ordinances and § 349.24 of the Wisconsin Statutes, the matter was referred to the Milwaukee Police Department for investigation. The Milwaukee Police Department filed an objection to renewal of this license dated August 20, 2004. That objection could form the basis for non-renewal or suspension of the license.
4. On September 16, 2004, the City Clerk's Office provided timely notice to the Licensee, pursuant to Chapter 100 of the Milwaukee Code of Ordinances and § 349.24 of the Wisconsin Statutes of police objections that could form the basis for suspension or non-renewal of the license of the licensee and included therewith a copy of the Milwaukee Police Department report. The matter was scheduled for a hearing on the police report on September 28, 2004 at 8:15 a.m. in Room 301B of City Hall. At said date, time and place, the licensee did appear and admitted receipt of the notice and the police report. The licensee was not represented by counsel.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:

- A. The Wisconsin driver's license of the applicant for renewal was suspended 6 months effective August 19, 2004 because of an accumulation of points regarding defective speedometer on September 20, 2002, November 26, 2003 and August 12, 2004. However, the licensee presented a letter from the Wisconsin Department of Transportation indicating that his license is eligible for reinstatement on October 8, 2004.

#### CONCLUSIONS OF LAW

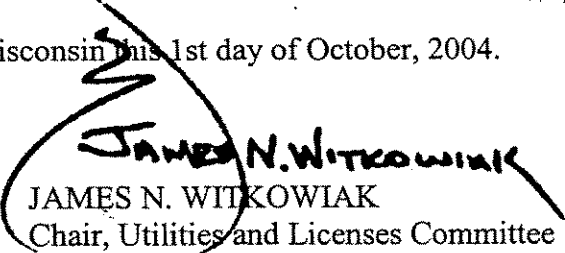
1. The Committee has jurisdiction to hold hearings and provide Findings of Fact and Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapter 100 of the Milwaukee Code of Ordinances and § 349.24, Wisconsin Statutes.
2. Based upon the above facts found, the Committee concludes that the licensee, Abdi H. Nur, has not met the criteria of Chapter 100 of the Milwaukee Code of Ordinances or § 349.24 of the Wisconsin Statutes to allow renewal of his Public Passenger Vehicle Driver license without undergoing a ten (10) day suspension of said license.
3. In order to protect the health, safety and welfare of the citizens of the City of Milwaukee, it is the recommendation of the Utilities and Licenses Committee that the full Common Council of the City of Milwaukee should exercise its judgment to renew the Public Passenger Vehicle Driver license held by Abdi H. Nur with a ten (10) day suspension.

#### RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of four (4) ayes and one (1) noes, recommends that the Public Passenger Vehicle Driver license of Abdi H. Nur be renewed with a ten (10) day suspension based on the police report.

Said suspension is to be in effect between midnight, October 31, 2004 through midnight, November 10, 2004, or the date of actual reinstatement of the licensee's driving privileges and for ten days thereafter, whichever is later.

Dated and signed at Milwaukee, Wisconsin this 1st day of October, 2004.

  
JAMES N. WITKOWIAK  
Chair, Utilities and Licenses Committee





**JAMES N. WITKOWIAK**  
ALDERMAN, 12TH DISTRICT

Date: October 1, 2004

To: All Members of the Milwaukee Common Council

From: The Utilities and Licenses Committee

Re: Report of the Renewal Application of Baltej Singh for a Public Passenger Vehicle Driver License.

FINDINGS OF FACT

1. Baltej Singh (hereinafter the "Licensee") is the holder of a Public Passenger Vehicle Driver license in the City and County of Milwaukee, Wisconsin. Said license expires at midnight, October 31, 2004.
2. An application to renew said license was filed with the Office of the City Clerk on August 23, 2004.
3. Pursuant to Chapter 100 of the Milwaukee Code of Ordinances and § 349.24 of the Wisconsin Statutes, the matter was referred to the Milwaukee Police Department for investigation. The Milwaukee Police Department filed an objection to renewal of this license dated August 24, 2004. That objection could form the basis for non-renewal or suspension of this license.
4. On September 16, 2004, the City Clerk's Office provided timely notice to the Licensee, pursuant to Chapter 100 of the Milwaukee Code of Ordinances and § 349.24 of the Wisconsin Statutes of police objections that could form the basis for suspension or non-renewal of the license of the licensee and included therewith a copy of the Milwaukee Police Department report. The matter was scheduled for a hearing on the police report on September 28, 2004 at 8:15 a.m. in Room 301B of City Hall. At said date, time and place, the licensee did appear and admitted receipt of the notice and police report. The licensee was not represented by counsel.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:

- A. On April 7, 2004, the applicant was convicted of operating while intoxicated in Racine County. His driver's license was revoked for 6 months and is not eligible for reinstatement until January 15, 2005.

#### 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 Chapter 100 of the Milwaukee Code of Ordinances and § 349.24, Wisconsin Statutes.
2. Based upon the above facts found, the Committee concludes that the licensee, Baltej Singh, has not met the criteria of Chapter 100 of the Milwaukee Code of Ordinances or § 349.24 of the Wisconsin Statutes to allow renewal of his Public Passenger Vehicle Driver license without undergoing a ten (10) day suspension of said license.
3. In order to protect the health, safety and welfare of the citizens of the City of Milwaukee, it is the recommendation of the Utilities and Licenses Committee that the full Common Council of the City of Milwaukee should exercise its judgment to renew the Public Passenger Vehicle Driver license held by Baltej Singh with a ten (10) day suspension. The Committee finds the police report to be true.

#### 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 Public Passenger Vehicle Driver license of Baltej Singh be renewed with a ten (10) day suspension based on the police objection.

Said suspension to be in force from the date the Wisconsin Department of Transportation actually reinstates the licensee's driving privileges and for ten (10) days thereafter.

Dated and signed at Milwaukee, Wisconsin this 1st day of October, 2004.

  
JAMES N. WITKOWIAK  
Chair, Utilities and Licenses Committee



**JAMES N. WITKOWIAK**  
ALDERMAN, 12TH DISTRICT

Date: October 1, 2004

To: All Members of the Milwaukee Common Council

From: The Utilities and Licenses Committee

Re: Report of the Renewal Application of Manjit Singh for a Public Passenger Vehicle Driver License.

FINDINGS OF FACT.

1. Manjit Singh (hereinafter the "Licensee") is the holder of a Public Passenger Vehicle Driver license in the City and County of Milwaukee, Wisconsin. Said license expires at midnight, October 31, 2004.
2. An application to renew said license was filed with the Office of the City Clerk on August 18, 2004.
3. Pursuant to Chapter 100 of the Milwaukee Code of Ordinances and § 349.24 of the Wisconsin Statutes, the matter was referred to the Milwaukee Police Department for investigation. There was a Milwaukee Police Department objection dated August 19, 2004, which could form the basis for non-renewal or suspension of the license.
4. On September 16, 2004, the City Clerk's Office provided timely notice to the Licensee, pursuant to Chapter 100 of the Milwaukee Code of Ordinances and § 349.24 of the Wisconsin Statutes of police objections that could form the basis for suspension or non-renewal of the license of the licensee and included therewith a copy of the Milwaukee Police Department report. The matter was scheduled for a hearing on the police report on September 28, 2004 at 8:15 a.m. in Room 301B of City Hall. At said date, time and place, the licensee did appear and admitted receipt of the notice and police report. The licensee was not represented by counsel.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:

- A. The applicant was convicted of operating while intoxicated on July 1, 2004 and his driver's license revoked for 6 months.

#### CONCLUSIONS OF LAW

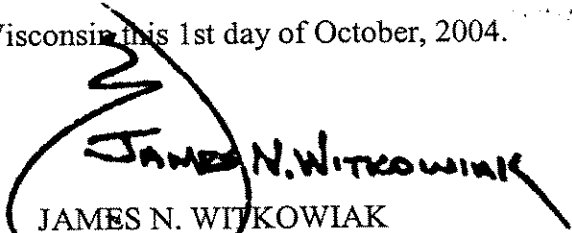
1. The Committee has jurisdiction to hold hearings and provide Findings of Fact and Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapter 100 of the Milwaukee Code of Ordinances and § 349.24, Wisconsin Statutes.
2. Based upon the above facts found, the Committee concludes that the licensee, Manjit Singh, has not met the criteria of Chapter 100 of the Milwaukee Code of Ordinances or § 349.24 of the Wisconsin Statutes to allow renewal of his Public Passenger Vehicle Driver license without undergoing a ten (10) day suspension of said license.
3. In order to protect the health, safety and welfare of the citizens of the City of Milwaukee, it is the recommendation of the Utilities and Licenses Committee that the full Common Council of the City of Milwaukee should exercise its judgment to renew the Public Passenger Vehicle Driver license held by Manjit Singh with a ten (10) day suspension. The Committee finds the police objection to be true.

#### 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 Public Passenger Vehicle Driver license of Manjit Singh be renewed with a ten (10) day suspension based on the police objection.

Said suspension to commence and be in force from the date the licensee's driving privileges are actually reinstated by the Wisconsin Department of Transportation and for ten (10) days thereafter.

Dated and signed at Milwaukee, Wisconsin this 1st day of October, 2004.

  
JAMES N. WITKOWIAK  
Chairman, Utilities and  
Licenses Committee



**JAMES N. WITKOWIAK**  
ALDERMAN, 12TH DISTRICT

Date: October 1, 2004

To: All Members of the Milwaukee Common Council

From: Utilities and Licenses Committee

Re: Report on the Renewal Application of the Class "D" Bartender License of Erin C. Adkins.

**FINDINGS OF FACT**

1. Erin C. Adkins (hereinafter the "Licensee") is the holder of a Class "D" Bartender License in the City and County of Milwaukee, Wisconsin. Said license expired at midnight, December 31, 2003.
2. An untimely application to renew said license was filed with the Office of the City Clerk on September 7, 2004.
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. On September 8, 2004, the Milwaukee Police Department responded with a police report that could form a basis for non-renewal or suspension of said license.
4. On September 16, 2004, 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 September 28, 2004, commencing at 8:45 a.m. in Room 301B of City Hall. At said date, time and place, the licensee appeared and admitted receipt of the notice and police report. The licensee was not represented by counsel.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:

- A. On January 20, 2003, at 4:48 p.m., the applicant was arrested for possession of a controlled substance (marijuana) and possession of a controlled substance psilocin (mushrooms) at 729 North 11<sup>th</sup> Street in the City and County of Milwaukee, Wisconsin, her address at the time. She was cited for possession of controlled substance (marijuana) and possession of a controlled substance (psilocin). She was found guilty in Milwaukee County Municipal Court on the marijuana citation on April 16, 2003 and guilty in Milwaukee County Circuit Court on April 14, 2003. She was fined \$352 on the marijuana citation and she was placed on probation until October 14, 2004 on the psilocin charge.

### CONCLUSIONS OF LAW

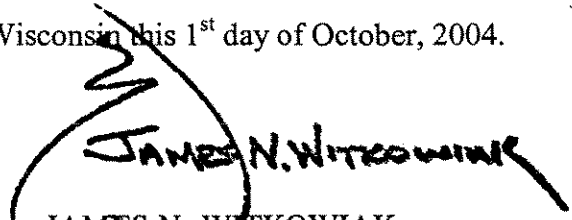
1. The Committee has jurisdiction to hold hearings and provide Findings of Fact, Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapter 125 of the Wisconsin Statutes and Chapter 90 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concludes that the licensee, Erin C. Adkins, has not met the criteria of Chapter 90 of the Milwaukee Code of Ordinances or Chapter 125 of the Wisconsin Statutes to allow renewal of her Class "D" Bartender license without undergoing a 30-day suspension of said license.
3. In order to protect the health, safety and welfare of the citizens of the City of Milwaukee, it is the recommendation of the Utilities and Licenses Committee that the full Common Council of the City of Milwaukee should exercise its judgment to renew the Class "D" Bartender license held by Erin D. Adkins with a 30-day suspension.

### RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of three (3) ayes and two (2) noes recommends that the Class "D" Bartender license of Erin C. Adkins be renewed with a 30-day suspension based on the police report.

Said suspension is to be in effect upon action of the Common Council on October 11, 2004 through midnight, November 10, 2004.

Dated and signed at Milwaukee, Wisconsin this 1<sup>st</sup> day of October, 2004.

A handwritten signature in black ink that reads "JAMES N. WITKOWIAK". The signature is written in a cursive style and is enclosed within a hand-drawn circle.

JAMES N. WITKOWIAK  
Chair, Utilities and Licenses Committee



**JAMES N. WITKOWIAK**  
ALDERMAN, 12TH DISTRICT

Date: October 1, 2004

To: All Members of the Milwaukee Common Council

From: The Utilities and Licenses Committee

Re: Report of the Renewal Application of the Sheikh M. Nazar, as agent for "Smiles Enterprises, Inc." for a Class "A" Liquor and Malt license for the premises located at 1141 East Howard Avenue in the City and County of Milwaukee, Wisconsin ("Smiles Beer Depot & Food Mart").

FINDINGS OF FACT

1. Sheikh M. Nazar (hereinafter the "Licensee") is the agent for "Smiles Enterprises, Inc." doing business at 1141 East Howard Avenue in the City and County of Milwaukee, Wisconsin ("Smiles Beer Depot & Food Mart"). Said license expires at midnight, November 3, 2004.
2. An application to renew said license was filed with the Office of the City Clerk on August 30, 2004.
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. There was a Milwaukee Police Department report that could form the basis of non-renewal or suspension of this license dated August 31, 2004.
4. On September 17, 2004, 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 police report that could form the basis for suspension or non-renewal of the licenses of the Licensee. The matter was scheduled on the police report for a hearing on September 28, 2004 at 10:00 a.m. in Room 301B of the third floor of City Hall. At said date, time and place the licensee appeared and admitted receipt of the notice and police report. The licensee was not represented by counsel.
5. Based upon the sworn testimony heard and the evidence received at the hearing,



the Committee finds the following:

- A. On February 9, 1993, at 1:30 p.m. officers of the Milwaukee Police Department observed one Shango Givens (DOB 3/4/72) enter the licensed premises at 3401 West Kilbourn Avenue in the City and County of Milwaukee, Wisconsin ("Smiles Liquor and Food Mart"). A short time later Shango exited the store drinking a 40-ounce bottle of Schlitz Malt Liquor. The officers, upon stopping that person, found that Shango was only 20 years of age and did not have any identification with him. The investigation revealed that the applicant, Sheikh M. Nazar, sold the alcoholic beverage to that underage person. The licensee was cited for sale to an underage person. He was sentenced to a one-year hold open and found guilty on March 24, 1993.
- B. On Saturday, April 16, 1994, at 6:20 p.m., an underage police aide of the Milwaukee Police Department entered the licensed premises at 1141 East Howard Avenue in the City and County of Milwaukee, Wisconsin ("Smiles Enterprises, Inc.") under the direction of City of Milwaukee police officers. The police aide was able to purchase a 6 pack of Zima Malt Liquor from a clerk. While the officers were interviewing the clerk, the licensee Sheikh M. Nazar arrived on the scene. Upon advising him of the violation, he stated that he was a businessman, and things happen when you run a business. The licensee was cited for sale of an alcoholic beverage to an underage person (licensee responsibility). On July 1, 1994 that citation was dismissed. The clerk was also issued a citation and found guilty and fined \$140.90 on January 24, 1995.
- C. On September 9, 1994, at 6:45 p.m., an underage police aide (17 years of age) entered the licensed premises at 3405 South 13<sup>th</sup> Street in the City and County of Milwaukee, Wisconsin ("Smiles Foods"). Under the direction of City of Milwaukee police officers the police aide was able to purchase a 6 pack of Newport cigarettes from a clerk. Upon interviewing the clerk it was found that the store did not hold a current license to sell cigarettes. The licensee was not on the scene. The licensee, Sheikh M. Nazar, was cited for cigarette license required. However, a cigarette license was issued on February 14, 1994 and the charge was not issued by the City Attorney's Office and dismissed on October 4, 1994. The clerk was cited for sale of cigarettes to a minor and found guilty on April 28, 1995 and fined \$49.50.
- D. On September 12, 1996, at 9:55 a.m., City of Milwaukee police officers along with agents of the United States Department of Agriculture and W.I.C. program inspected the licensed premises at 3441 West Wells Street in the City and County of Milwaukee, Wisconsin ("Smiles Liquor and Food Store"). Upon entering the store, the officers found a clerk on the premises who was unsupervised and did not have a valid Class "D"

bartender's license. The officers also found an expired food license displayed. The licensee, Sheikh M. Nazar, found the current food license in the back room. Also recovered was a loaded .380 caliber semi-automatic pistol. The gun was placed on inventory for safekeeping because no one claimed ownership. The licensee was cited for display of food license required which was not issued and dismissed on October 8, 1996 because he obtained such a license and posted it. The licensee was also cited for no responsible person on licensed premises, (licensee responsibility). However, on October 8, 1996 that citation was not issued because the clerk had applied for a bartender's license.

- E. On October 11, 1996, City of Milwaukee police officers observed two youthful appearing males enter the licensed premises at 1143 East Howard Avenue in the City and County of Milwaukee, Wisconsin ("Smiles Beer Depot & Food Mart"). A short while later, the two males exited the store carrying two cases of beer. The police officers stopped the subjects. It was found that they were both 19 years of age. They returned to the store where they identified the clerk who sold them the beer. The licensee was not on the scene. The licensee, Sheikh M. Nazar, was cited for sale to an underage person (licensee responsibility). However, that citation was not issued on November 5, 1996 because of a plea by the bartender. On December 3, 1996 the clerk, who was cited for sale of alcoholic beverage to underage person pled guilty and was fined \$141.85.
- F. On February 22, 1997, at about 2:10 p.m., City of Milwaukee police officers conducted an inspection of the licensed premises at 3405 South 13<sup>th</sup> Street in the City and County of Milwaukee, Wisconsin ("Smiles Food Mart"). The inspection revealed numerous food items which had expired expiration dates. These items included two containers of sour cream, two packages of hot dogs, and one package of ham. The licensee was not on the scene. The licensee, Sheikh M. Nazar was cited for impure food and found guilty on July 15, 1997 and fined \$125.00.
- G. On April 10, 2003 at 9:00 a.m., City of Milwaukee police officers along with an agent from the Immigration and Naturalization Service, entered licensed premises at 3447 West Wells Street in the City and County of Milwaukee, Wisconsin ("Smiles Liquor and Food Mart") with a federal deportation warrant for Kulwant Singh who was working on the premises as an employee of Smiles Liquor. He was arrested. Also found on the premises, and behind the counter, where Mr. Singh was working, were a .22 caliber revolver and a .357 magnum interarms Rossi with a 2-inch barrel. Both weapons were confiscated. When the licensee, Sheikh M. Nazar, arrived at the business, he explained that the firearms were his, but could not prove ownership.

- H. On April 12, 2003 at 6:02 p.m., an underage police aide under the direction of City of Milwaukee police officers entered the licensed premises at 1141 East Howard Avenue in the City and County of Milwaukee, Wisconsin ("Smiles Liquor and Food Mart"). Sheikh M. Nazar is the licensee. At the direction of police officers, the aide was able to purchase a six pack of Miller beer from Inderjee Kaur who did not ask for identification. Sheikh M. Nazar was cited for sale to an underage person (licensee responsibility). That matter went before City of Milwaukee Municipal Court for trial on October 2, 2003 and was dismissed without prejudice on October 2, 2003. The clerk, Inderjee Kaur, was cited for sale to an underage person and that matter went to Milwaukee Municipal Court for pretrial on October 2, 200e, was found guilty and fined \$150.00 on December 11, 2003.
- I. On February 26, 2004 at 5:50 p.m., an underage police aide under the direction of City of Milwaukee police officers entered the licensed premises at 1141 East Howard Avenue in the City and County of Milwaukee, Wisconsin ("Smiles Beer Depot & Food Mart"). The aide was able to purchase a 12-pack of MGD beer from a cashier, Chaman S. Bawa. The cashier, Chaman S. Bawa, was cited for sale to an underage person. On April 20, 2004 he was found guilty and fined \$152.00.
- J. On June 2, 2004 at 7:20 p.m., an underage police aide under the direction of City of Milwaukee police officers entered the licensed premises at 1141 East Howard Avenue in the City and County of Milwaukee, Wisconsin ("Smiles Beer Depot & Food Mart"). The aide was able to purchase a 6-pack of Guinness beer from a cashier, Chaman S. Bawa. The cashier, Chaman S. Bawa, was cited for sale to an underage person. On September 8, 2004 he was found guilty and fined \$100.00.
- K. The licensee continues to employ Mr. Bawa as a clerk.

#### CONCLUSIONS OF LAW

1. The Committee has jurisdiction to hold hearings and provided Findings of Fact and Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapter 125 of the Wisconsin Statutes and Chapter 90 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concludes that the licensee, Sheikh M. Nazar, as agent for "Smiles Enterprises, Inc, Inc." at 1141 East Howard Avenue has not met the criteria of Chapter 90 of the Milwaukee Code of Ordinances or Chapter 125 of the Wisconsin Statutes to allow renewal of his Class "A" Liquor and Malt license without undergoing a ten (10) day suspension of said license. The Committee finds the police report to be true.

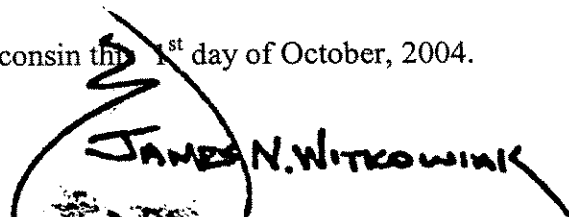
3. In order to protect the health, safety and welfare of the citizens of the City of Milwaukee, it is the recommendation of the Utilities and Licenses Committee that the full Common Council of the City of Milwaukee should exercise its judgment to renew the Class "A" Liquor and Malt license of Sheikh M. Nazar, as agent for "Smiles Enterprises, Inc." for this premises located at 1141 East Howard Avenue with a ten (10) day suspension.

#### RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of three (3) ayes and two (2) noes recommends that the Class "A" Liquor and Malt license held by Sheikh M. Nazar as agent for "Smiles Enterprises, Inc." be renewed with a ten (10) day suspension.

Said suspension is to be in effect from midnight, November 3, 2004 through midnight, November 13, 2004.

Dated and signed at Milwaukee, Wisconsin this 1<sup>st</sup> day of October, 2004.

  
JAMES N. WITKOWIAK, Chair  
Utilities and Licenses Committee



**JAMES N. WITKOWIAK**

ALDERMAN, 12TH DISTRICT

Date: October 1, 2004

To: All Members of the Milwaukee Common Council

From: The Utilities and Licenses Committee

Re: Report of the Renewal Application for a Class "B" Tavern and Tavern Dance license of Karen D. Hubbard, agent for Hubbard & Associates NA, Inc." ("Karen's Club") at 7330 North 76<sup>th</sup> Street in the City and County of Milwaukee, Wisconsin.

**FINDINGS OF FACT**

1. Karen D. Hubbard, agent for Hubbard & Associates NA, Inc. (hereinafter the "Licensee") doing business at 7330 North 76<sup>th</sup> Street in the City and County of Milwaukee, Wisconsin ("Karen's Club"). Said license expires at midnight, October 18, 2004.
2. An application to renew said license was filed with the Office of the City Clerk on August 18, 2004.
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. There was a Milwaukee Police Department report dated August 19, 2004, which could form the basis for non-renewal or suspension of the license. There were also neighborhood objections to loitering, littering, fights, shootings, and conduct detrimental to the public health, safety and welfare.
4. On September 20, 2004, 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 police report that could form the basis for suspension or non-renewal of the license of the Licensee and the neighborhood objections. A copy of the police report was included with the notice. The matter was scheduled for a hearing on the police report and neighborhood objections on September 28, 2004 at 10:30 a.m. in Room 301B of the third floor of City Hall. At said date, time and place, the licensee appeared and admitted receipt of the notice and police report. The licensee was not represented by counsel.

5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:

- A. On June 1, 2001 officers of the Milwaukee police department responded to back-up other officers at a large crowd outside of the licensed premises at 7330 North 76<sup>th</sup> Street in the City and County of Milwaukee, Wisconsin ("Karen's Club"). As officers arrived on the scene they observed shots being fired from the parking lot. Additional officers responded, including the tactical enforcement unit. The applicant related to the officers that she had rented the party room to an unknown person for a "Jam for Peace-After Set" and that no alcohol was served. She also related that this was an underage event and anyone under the age of 21 was to have left by 11:00 p.m. There was no notification of this underage event to the police department as required by state law and local ordinances. The applicant was cited for presence of an underage person. However, that citation was not issued by the City Attorney's Office. The City Attorney's Office did, however, issue a citation for disorderly conduct which was dismissed by the Municipal Court. An incident report was filed.
  
- B. On October 29, 2001 at 2:07 a.m. officers of the Milwaukee police department were dispatched to the licensed premises at 7330 North 76<sup>th</sup> Street in the City and County of Milwaukee, Wisconsin ("Karen's Club") to investigate a fight. Upon their arrival, there were approximately 100 people in the parking lot engaging in loud and disruptive behavior. Several subjects were observed fighting in the parking lot. While attempting to clear the parking lot, officers came across a subject lying unconscious on the ground. That subject was an apparent victim of a battery. Two subjects who identified themselves as brothers of the victim intentionally interfered with the investigation. They were asked to back away from the scene but became belligerent. One had to be decentralized and taken into custody. Another person attempted to pull him away from police, and was also taken into custody.
  
- C. On August 17, 2002, officers of the Milwaukee police department were dispatched to meet a supervisor regarding a premises check at the licensed premises at 7330 North 76<sup>th</sup> Street in the City and County of Milwaukee, Wisconsin ("Karen's Club"). Upon arrival, they found six operating amusement machines being operated without licenses posted. Also the Class "B" tavern license was not posted in the room where alcohol was being served. The licensee told officers that she had posted the Class "B" license but it kept falling down so she placed it in the office. The licensee was cited for Class "B" license to be posted and it was dismissed on December 20, 2002 without prejudice. The

licensee was cited for amusement game license not posted and on December 20, 2002 was found guilty and fined \$400.00.

- D. On May 8, 2004 at 1:49 a.m., officers of the Milwaukee police department were dispatched to a shooting at the licensed premises at 7330 North 76<sup>th</sup> Street in the City and County of Milwaukee, Wisconsin ("Karen's Club"). The licensee was on the premises and stated that she called the police because of a fight in the tavern. Approximately five females were involved in the fight. Initially, the licensee denied calling in the shooting. Police learned that there was a large fight involving many people in the tavern and that two females had left the tavern. However, they returned to the tavern and were bleeding because they claimed they had been shot in the parking lot. The licensee, her son, a security person and a bartender denied hearing gunfire, but were reluctant to provide police with information regarding what had occurred. The victims had bullet fragments in their hands and back. The victims stated that there was a party at "Karen's Club" when a fight broke out between approximately 30-40 people. The security people pushed everyone out and someone fired shots into the crowds.
- E. On August 25, 2004, a fatal shooting occurred at the licensed premises at 7330 North 76<sup>th</sup> Street in the City and County of Milwaukee, Wisconsin ("Karen's Club") involving a \$700 debt. The individuals involved in the shooting had been in the tavern earlier in the evening and left. The security service employed by the licensee, Grady Anderson Security, left the scene before Milwaukee police officers arrived, and did not give statements to the Milwaukee police officers until a few days had gone by. As a result, the investigation of the Milwaukee police department was hindered.

#### CONCLUSIONS OF LAW

1. The Committee has jurisdiction to hold hearings and provided Findings of Fact and Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapter 125 of the Wisconsin Statutes and Chapter 90 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concludes that the licensee, Karen D. Hubbard as agent for Hubbard & Associates NA, Inc. d/b/a Karen's Club at 7330 North 76<sup>th</sup> Street in the City and County of Milwaukee, Wisconsin has not met the criteria of Chapter 90 of the Milwaukee Code of Ordinances or Chapter 125 of the Wisconsin Statutes to allow renewal of her Class "B" Tavern license without undergoing a ten (10) day suspension of said license.

3. Based upon the above facts found, the Committee concludes that the licensee Karen D. Hubbard as agent for Hubbard & Associates NA, Inc. d/b/a Karen's Club at 7330 North 76<sup>th</sup> Street in the City and County of Milwaukee, Wisconsin has not met the criteria of Chapter 90 of the Milwaukee Code of Ordinances to allow renewal of her Tavern Dance license without undergoing a thirty (30) day suspension of said license.
4. In order to protect the health, safety and welfare of the citizens of the City of Milwaukee, it is the recommendation of the Utilities and Licenses Committee that the full Common Council of the City of Milwaukee should exercise its discretion to renew the Class "B" Tavern license held by Karen D. Hubbard as agent for Hubbard & Associates NA, Inc. at 7330 North 76<sup>th</sup> Street in the City and County of Milwaukee, Wisconsin ("Karen's Club") with a ten (10) day suspension. The Committee further recommends that the full Milwaukee Common Council should exercise its judgment to renew the Tavern Dance license held by Karen D. Hubbard as agent for Hubbard & Associates NA, Inc. at 7330 North 76<sup>th</sup> Street in the City and County of Milwaukee, Wisconsin ("Karen's Club") with a thirty (30) day suspension. The Committee finds the police report to be true.

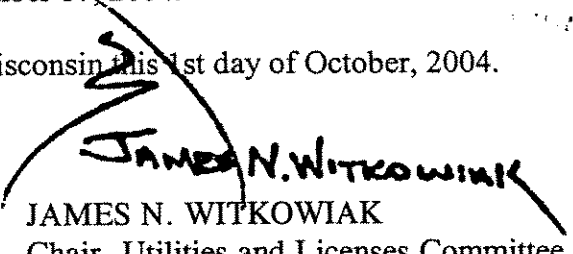
#### RECOMMENDATION

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 license held by Karen D. Hubbard as agent for Hubbard & Associates NA, Inc. at 7330 North 76<sup>th</sup> Street in the City and County of Milwaukee, Wisconsin ("Karen's Club") with a ten (10) day suspension. Further, the Committee recommends that the Tavern Dance license held by Karen D. Hubbard as agent for Hubbard & Associates NA, Inc. at 7330 North 76<sup>th</sup> Street in the City and County of Milwaukee, Wisconsin ("Karen's Club") be renewed with a thirty (30) day suspension.

Said suspensions at to the Class "B" Tavern license shall extend from midnight, is to be in effect from midnight, October 18, 2004 through midnight, October 28, 2004.

As to the Tavern Dance license said suspension shall be in effect from October 18, 2004 through midnight, November 17, 2004.

Dated and signed at Milwaukee, Wisconsin this 1st day of October, 2004.

  
JAMES N. WITKOWIAK  
Chair, Utilities and Licenses Committee