

JAMES N. WITKOWIAK
ALDERMAN, 12TH DISTRICT

October 12, 2007

To the Honorable, the Common Council

Dear Members:

Common Council File 070401 contains the following recommendations:

Renewal, with a 30-day suspension based on the police report, neighborhood objections and items contained in the notice, of the Class "B" Tavern license of Daniel Crawford for the premises at 235 N. 36th St. ("Ark Inn") in the 10th aldermanic district. (Committee vote: Ayes: 3, Noes: 2)

Renewal, with a 60-day suspension based on the police report and neighborhood objections, of the Class "B" Tavern license of Saprina Johnson for the premises at 2979 N. 8th St. ("Champ's Clubhouse") in the 6th aldermanic district.

Nonrenewal, based on non-appearance, of the Class "B" Tavern license of Jose Jimenez for the premises at 1338 W. Scott St. ("Trino's Place") in the 12th aldermanic district.

Nonrenewal, based on the police report, neighborhood objections and the operation of an illegal Tavern Dance establishment, of the Class "B" Tavern license of Juan Sendejo, Sr. for the premises at 2325 S. 13th St. ("Johnny's Yellow Rose") in the 12th aldermanic district.

With regard to the file listed above, the Licenses Committee held an evidentiary hearing on October 9th 2007.

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 Licensees.

These matters have been scheduled for a hearing before the full Common Council at its meeting on **Tuesday, October 23, 2007** 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 oval.

James N. Witkowiak, Chair
Licenses Committee

cc: All Council Members
Files 070401



JAMES N. WITKOWIAK

ALDERMAN, 12TH DISTRICT

Date: October 12, 2007

To: All Members of the Milwaukee Common Council

From: Licenses Committee

Re: Report on the renewal application of Daniel L. Crawford for a Class "B" Tavern license for the premises located at 235 North 36th Street in the City and County of Milwaukee, Wisconsin ("Ark Inn").

FINDINGS OF FACT

1. Daniel L. Crawford ("Licensee") is the holder of a Class "B" Tavern license for the premises located at 235 North 36th Street in the City and County of Milwaukee, Wisconsin ("Ark Inn"). Said license expires at midnight, November 28, 2007.
2. An application to renew said license was filed with the Office of the City Clerk on August 15, 2007.
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 August 16, 2007, the Milwaukee Police Department responded with a police report that could form a basis for non-renewal or suspension of said license. There were also neighborhood objections to loitering, littering, drug and criminal activity, loud music and noise, parking and traffic problems, sales and presence of underage, fights, possession of guns, disorderly patrons during and after hours, and conduct which is detrimental to the health, safety, and welfare of the neighborhood.
4. On September 20, 2007 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 October 9, 2007, commencing at 9:30 a.m. in Room 301B of City Hall, 200 East Wells Street, Milwaukee, Wisconsin 53202. At said date, time and place, the

Licensee appeared and admitted receipt of notice for the hearing, as well as notice of the objection to renewal of the license. 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 December 9, 2006 officers of the Milwaukee Police Department, along with a 20-year old police aide, conducted an underage premises check at the licensed premises. The police aide, under the direction of the officers, entered the premises and sat down at a table. She then went to the bar and ordered three cans of Miller Lite Beer from the bartender. She was served without being asked for identification during the purchase. The Licensee was issued a citation for sale of alcohol to underage-licensee responsibility. The Licensee was found guilty on this citation on March 12, 2007 and fined \$160.00.
 - B. On March 7, 2007, at 8:58 a.m., officers of the Milwaukee Police Department were dispatched to the licensed premises for a "Subject Wanted" complaint stemming from an earlier call investigated by late-shift officers. Upon their arrival, the officers spoke to the caller. The caller had a laceration to his lower lip, right side, a black and bloodied and swollen right eye, scratches to his left cheek, and was limping, in addition to complaining of pain to his left ankle. After the interview, he was sent to the hospital for treatment. The caller told officers he was assaulted by a female known to him at the tavern. The incident started inside the licensed premises and continued outside. After the investigation, the officers charged both parties with substantial battery and an incident report was filed.
 - C. On July 17, 2007, officers of the Milwaukee Police Department were patrolling the areas of 36th and Mt. Vernon Avenue because of numerous citizen complaints regarding the licensed premises. As the officers were traveling eastbound on West Mt. Vernon Avenue, about one block away, they could hear loud music playing and numerous people yelling. As they neared the corner, they observed that the music was coming from a vehicle parked directly in front of the tavern, and about 20 people loitering and dancing in front of the tavern. When they stopped the squad, numerous people ran from the scene. The police were able to detain two subjects associated with the vehicle playing the loud music. The tavern patrons caused a large disturbance in the area. One of the subjects was in possession of a pipe used to smoke crack cocaine.
 - D. On July 20, 2007, at 3:55 p.m., officers of the Milwaukee Police Department were dispatched to 36th and Mt. Vernon regarding a

complaint of a “subject with a gun.” The officers were given a description of the suspect. They were told the subject had thrown the gun on the roof of the tavern. Upon their arrival, the officers observed a subject matching the description of the suspect seated on steps in the area with another person, who was the suspect’s brother. A pat-down search revealed that the subject had on his person three cell phones, one of which was on and had a photo of a black and silver revolver, a SKS assault gun, and the black and white cap given in the description of the subject. When officers searched the roof, they found a silver and black handgun, long with a SKS assault weapon, and another long gun, a 22 caliber rifle. All three guns were loaded with ammunition. During a warrant search of the subject’s residence, police recovered another gun and a small quantity of cocaine. Two arrests were made: felon in possession of a gun and possession of controlled substance (second offense).

- E. Four neighbors testified to a change in the past 9-12 months from a neighborhood bar with an older clientele to a younger, rowdier clientele driving in from other parts of the city.
- F. One neighbor, who lives across the street, testified that she is afraid to let her children walk past the bar, which opens at 10:00 a.m. each day. She testified that she frequently sees people hanging out in front of the bar. During the past year, she called the police to report fights that she believed started inside the bar. She testified that she has observed loud music coming from cars parked in front of the bar and cars driven by patrons of the bar.
- G. Another neighbor testified about seeing smashed beer bottles all over the area around the bar. She has seen men standing outside the bar exchanging money for “packages” of presumed drugs. She has observed bar patrons hanging out in front of the bar, inside and on top of their vehicles playing loud music. She testified that the noise and loitering problems occur both at night and in the afternoon. One afternoon during the week before the Licenses Committing hearing, she observed cars stopped in front of the bar blocking traffic; a man came out of the bar holding an open beer bottle, began talking to the driver of the car, and then got in the car with his open beer and drove away from the bar.
- H. Another neighbor testified that the bar used to be a nice neighborhood bar, but the problems associated with the bar have been really bad during the past 9-12 months. He has observed a new crowd of younger people driving to the bar, hanging out in front of the bar, in and on top of their

cars, and playing loud music. He has seen people hanging out in front of the bar during the day selling “packets.” He has observed bar patrons littering and garbage from the bar is all over the street.

- I. Alderman Michael Murphy testified that the bar has not been a problem in the past but that something has happened in the last year as he received numerous calls from neighbors complaining about the bar. Alderman Murphy also produced a document indicating numerous “calls for service” to the Milwaukee Police Department regarding this licensed premises. He stated that there are lots of young children in the neighborhood surrounding the bar.
- J. The licensee admitted having problems with the bar during the past year and suggested that a change to rap music may have caused the problems.

CONCLUSIONS OF LAW

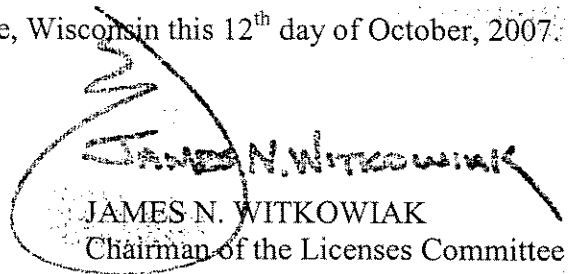
- 1. The Committee has jurisdiction to hold hearings and provide Findings of Fact, Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapter 125 of the Wisconsin Statutes and Chapter 90 of the Milwaukee Code of Ordinances.
- 2. Based upon the above facts found, the Committee finds that the Licensee, Daniel L. Crawford, has not met the criteria of Chapter 125, Wis. Stats. or Chapter 90 of the Milwaukee Code of Ordinances to allow renewal of the Class “B” Tavern license held by the Licensee for the premises located at 235 North 36th Street in the City and County of Milwaukee, Wisconsin (“Ark Inn”) without undergoing a thirty (30) day suspension of said license. The Committee finds the police report and neighborhood objections, as stated above, to be true.
- 3. The Committee recommends that the full Common Council of the City of Milwaukee exercise its judgment to renew the Class “B” Tavern license for the licensed premises at 235 North 36th Street in the City and County of Milwaukee, Wisconsin (“Ark Inn”) held by Daniel L. Crawford with a thirty (30) day suspension of said license based upon the danger that his conduct represents to the health, safety and welfare of the citizens of the City of Milwaukee.

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 “B” Tavern License of Daniel L. Crawford for the premises located at 235 North 36th Street in the City and County of Milwaukee, Wisconsin (“Ark Inn”) be renewed with a thirty (30) day suspension.

Said suspension is to be in effect between 12:00 a.m., November 29, 2007 and 11:59 p.m., December 28, 2007.

Dated and signed at Milwaukee, Wisconsin this 12th day of October, 2007.


JAMES N. WITKOWIAK
Chairman of the Licenses Committee

124424



JAMES N. WITKOWIAK

ALDERMAN, 12TH DISTRICT

Date: October 12, 2007

To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report of the Renewal Application of Saprina Johnson for a Class "B" Tavern license for the premises located at 2979 North 8th Street in the City and County of Milwaukee, Wisconsin ("Champ's Clubhouse").

FINDINGS OF FACT

1. Saprina Johnson (hereinafter the "Licensee") holds a Class "B" Tavern license for the premises at 2979 North 8th Street in the City and County of Milwaukee, Wisconsin ("Champ's Clubhouse"). Said license expires at midnight, November 25, 2007.
2. An application to renew said license was filed with the Office of the City Clerk on September 12, 2007.
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 September 13, 2007, which could form the basis for non-renewal or suspension of the license. There were also neighborhood objections to loud music and noisy patrons and conduct detrimental to the health, safety and welfare of the neighborhood.
4. Pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes, on September 28, 2007, the City Clerk's Office provided timely notice of the police report and neighborhood objections to the Licensee. 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 October 9, 2007 at 10:15 a.m. in Room 301B of the third floor of City Hall. At said date, time and place, the Licensee appeared and 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 5, 2005 at 1:00 a.m., the Licensee received a citation for illegal occupancy and use at the licensed premises at 2979 North 8th Street. The Licensee was found guilty of this offense and fined \$150.00 on April 14, 2005.
- B. On October 8, 2005 at 2:16 a.m., officers of the Milwaukee Police Department were dispatched to 8th and Chambers for a possible shooting. Officers found a subject shot in the head, who was later transported to an area hospital by the Milwaukee Fire Department. The investigation revealed that the shooting occurred in front of Champs Clubhouse and the owner was still on scene. Officers conducted a tavern check and found all their licenses were current. The tavern was closed up at 2:00 a.m. by Milwaukee Police. The Criminal Investigation Bureau handled the shooting investigation.
- C. Neither the incident of February 5, 2005 nor the incident of October 8, 2005 was brought to the attention of the Licenses Committee prior to October 9, 2007.
- D. On May 6, 2007 at 1:26 a.m. officers of the Milwaukee Police Department were dispatched to the area of North 8th and West Chambers Street to investigate a subject with a gun complaint. An anonymous caller stated there were eight people with guns in the area of North 8th and West Chambers Street. Upon their arrival, officers observed people leaving the licensed premises. No guns were recovered. The officers entered the tavern, which was empty, and spoke to Willie Johnson, who identified himself as the owner. He said he did not have any trouble at the tavern that evening. When officers arrived on the scene, they observed patrons leaving the bar with open intoxicants, but due to the nature of subject with a gun call, officers were unable to stop any of these patrons to conduct field interviews. The officers spoke to Willie Johnson about patrons leaving the premises with open intoxicants and he stated that he was unaware of this occurring. He said he would speak to his employees that work the door so this does not happen again.
- E. One neighbor, who owns an apartment building directly across from the bar, testified that she has observed major fights outside the bar involving bar patrons, including shots fired and the blocking of traffic. She testified that two tenants who witnessed the shooting described in paragraph B have since left her four-unit building. She testified that there are 18 children living in her building's four units. She also has observed loud noise from patrons entering and exiting the bar and has cleaned up litter, including liquor bottles, broken glass, and used

condoms that she attributes to patrons of the bar. She testified that most bar patrons come from outside the neighborhood and are confrontational. She testified that bar patrons exit the bar with open alcohol and play their car stereos so loudly that they shake the windows in her building. She stated that the problems start Thursday night and continue through Saturday night. She believed that Licensee's father, Willie Johnson, was the owner and operator of the licensed premises. She testified that Willie Johnson, who was present at the Committee hearing, told her that he cannot control the patrons' behavior inside or outside of the bar and has no responsibility for doing so. She testified that she had never seen the Licensee, Saprina Johnson, before the Committee hearing.

- F. Another neighbor, who lives two buildings north of the licensed premises, testified that she has observed six to seven fights in the past year which she believes involved patrons of the licensed premises. She has seen young males leaving the bar with guns. She submitted a one page document listing incidents by date that she attributes to bar patrons. The document, which was entered as an exhibit, describes incidents between May 26, 2007 and August 23, 2007, that involved gunshots, loud disturbances including yelling, screaming, and profanity. The listed incidents occurred as early as 11:30 p.m. and as late as 1:50 a.m. She testified that she called 911 regarding a loud disturbance involving young males and females that occurred on Thursday August 23, 2007 at 1:42 a.m., in which she feared that the youths were going to come through her window. She testified that she is constantly cleaning up beer bottles and plastic cups left in her front yard; she attributes this litter to the licensed premises as there is no other bar in the immediate area.
- G. Licensee admitted that she is rarely present at the licensed premises on weekdays. She operates a child care business out of her home, between the hours of 6:00 a.m. and 11:00 p.m. The bar is open Monday through Sunday, 6:00 p.m. to 2:00 a.m. No one at the licensed premises has a manager's license. Licensee indicated on her renewal application that she would conduct the day-to-day operations of the licensed premises. The Licensee also indicated on her renewal application that no one else has any money invested or any other interest in this business.

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,

Saprina Johnson, for the licensed premises at 2979 North 8th Street ("Champ's Clubhouse") has not met the criteria of Chapter 90 of the Milwaukee Code of Ordinances to allow renewal of her Class "B" Tavern license for the premises located at 2979 North 8th Street in the City and County of Milwaukee, Wisconsin ("Champ's Clubhouse") without undergoing a sixty (60) day suspension of said license. The Committee finds the police report and neighborhood objections to be true.

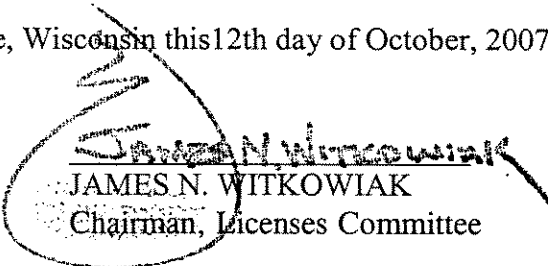
3. In order to protect the health, safety and welfare of the citizens of the City of Milwaukee, it is the recommendation of the Licenses Committee that the full Common Council of the City of Milwaukee should exercise its judgment to renew the Class "B" Tavern license of Saprina Johnson for this premises located at 2979 North 8th Street in the City and County of Milwaukee, Wisconsin ("Champ's Clubhouse") with a sixty (60) day suspension of said license.

RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of two (2) ayes, one (1) no, and two (2) excused recommends that the Class "B" Tavern license held by Saprina Johnson for the premises located at 2979 North 8th Street in the City and County of Milwaukee, Wisconsin ("Champ's Clubhouse") be renewed with a sixty (60) day suspension.

Said suspension is to be in effect from 12:01 a.m., November 26, 2007 through 11:59 p.m., January 24, 2008.

Dated and signed at Milwaukee, Wisconsin this 12th day of October, 2007.


JAMES N. WITKOWIAK
Chairman, Licenses Committee



JAMES N. WITKOWIAK
ALDERMAN, 12TH DISTRICT

Date: October 12, 2007

To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report of the Renewal Application of Jose T. Jimenez for a Class "B" Tavern license for the premises located at 1338 West Scott Street in the City and County of Milwaukee, Wisconsin ("Trino's Place").

FINDINGS OF FACT

1. Jose T. Jimenez (hereinafter the "Licensee") is the holder of a Class "B" Tavern license for the premises located at 1338 West Scott Street in the City and County of Milwaukee, Wisconsin ("Trino's Place"). Said license expired at midnight, July 30, 2007.
2. An application to renew said license was untimely filed with the Office of the City Clerk on August 17, 2007.
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 report that could form the basis of non-renewal or suspension of this license on August 24, 2007.
4. On September 21, 2007, the City Clerk's Office provided 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 nonrenewal or suspension and included a copy of the police report. There were also neighborhood objections to loitering, littering, loud music and noise, parking and traffic problems, shootings and gunshots, presence and sales to underage, fights, disorderly patrons during and after hours, and conduct which is detrimental to the health, safety and welfare of the neighborhood. The matter was scheduled for a hearing on the police report on October 9, 2007 at 10:30 a.m. in Room 301B of the third floor of City Hall. At said date, time and place the licensee did not appear.

6. 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 Jose T. Jimenez at 1531 South 21st Street, Milwaukee, Wisconsin 53204 on September 21, 2007 by U.S. prepaid first-class mail in an envelope bearing the return address of the License Division. The address of 1531 South 21st Street, Milwaukee, Wisconsin 53204 is the address given by the applicant 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 October 9, 2007.

CONCLUSIONS OF LAW

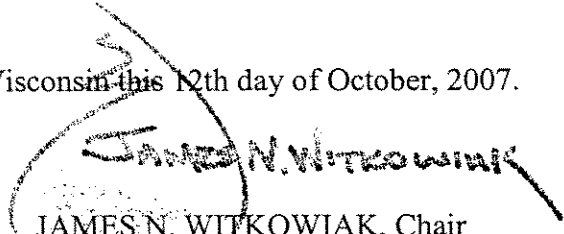
1. The Committee has jurisdiction to hold hearings and provided Findings of Fact and Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapter 125 of the Wisconsin Statutes and Chapter 90 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concludes that the licensee, Jose T. Jimenez who holds a Class "B" Tavern license for the premises located at 1338 West Scott Street in the City and County of Milwaukee, Wisconsin ("Trino's Place ") 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 "B" Tavern 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 Licenses Committee that the full Common Council of the City of Milwaukee should exercise its judgment to deny the Class "B" Tavern license of Joseph T. Jimenez for the premises located at 1338 West Scott Street in the City and County of Milwaukee, Wisconsin ("Trino's Place ") because of nonappearance.

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) excused recommends that the

Class "B" Tavern license held by Jose T. Jimenez be not renewed based on nonappearance.

Dated and signed at Milwaukee, Wisconsin this 12th day of October, 2007.



JAMES N. WITKOWIAK, Chair
Licenses Committee



JAMES N. WITKOWIAK

ALDERMAN, 12TH DISTRICT

Date: October 12, 2007

To: All Members of the Milwaukee Common Council

From: Licenses Committee

Re: Report on the Renewal Application of the Class "B" Tavern License of Juan J. Sendejo, Sr., for the premises located at 2325 South 13th Street in the City and County of Milwaukee, Wisconsin ("Johnny's Yellow Rose").

FINDINGS OF FACT

1. Juan J. Sendejo, Sr. (hereinafter "the Licensee") is the holder of a Class "B" Tavern License for the premises located at 2325 South 13th Street in the City and County of Milwaukee, Wisconsin ("Johnny's Yellow Rose "). Said license expires at midnight on November 3, 2007.
2. An application to renew said license was filed with the Office of the City Clerk on August 22, 2007.
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 August 23, 2007, the Milwaukee Police Department responded with a report that could form the basis for suspension or non-renewal of said license. There were also neighborhood objections due to loitering, littering, loud music and noise, parking and traffic problems, drug and criminal activity, operation of the premises in violation of the Milwaukee City Ordinances and without the required licenses, gunshots, fights, trespassing, vandalism, and conduct which is detrimental to the health, safety and welfare of the neighborhood.
4. Pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes, on September 21, 2007, the City Clerk's Office provided timely notice to the Licensee of the Milwaukee Police Department report and neighborhood objections and included therewith a copy of the police report. The matter was scheduled for a hearing on October 9, 2007, commencing at 10:45 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 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 October 24, 2006, this premise's Class "B" tavern license was renewed with a twenty (20) day suspension and the tavern dance license was not renewed based on the police report and significant neighborhood objections.
 - B. On November 19, 2006 at 1:06 a.m. officers of the Milwaukee Police Department were dispatched to the licensed premises for a noise nuisance complaint. The investigation revealed that this tavern had a 20-day suspension that started on November 4, 2006 and ran through 12:01 a.m. November 23, 2006. Officers observed that the bar was closed; however, the hall was open for a party. The bartender stated he allowed the party to go on because it was booked six months in advance and that no liquor was served. The tavern owner, Juan Sendejo, was issued a citation for tavern dance license required. Mr. Sendejo was found guilty on this citation on February 26, 2007 and fined \$415.00.
 - C. On December 16, 2006 at 11:10 p.m. officers of the Milwaukee Police Department were dispatched to the licensed premises for a tavern violation complaint. The investigation revealed a live band playing in the back hall while the licensee had no valid tavern dance license. The police advised the licensee Juana Sendejo on November 19, 2006 that his previous tavern dance license was not renewed. Mr. Sendejo stated that he did not hire the band and misunderstood what he was told. The officers then spoke to Jose Hernandez who contracted the hall for this night. Mr. Hernandez stated he was never told that a band was not allowed. A citation was issued to Mr. Sendejo for tavern dance license required. Mr. Sendejo was found guilty on this citation on February 1, 2007 and fined \$200.00.
 - D. On December 5, 2006 the licensee received a citation for fire prevention at 2392-98 South Kinnickinnic. The licensee was found guilty on this matter on March 1, 2007 and fined \$200.00.
 - E. Neighbors testified about the two incidents in which the licensee operated his tavern in violation of the nonrenewal of the tavern dance license, which are described in the police report, and for which the licensee was cited.

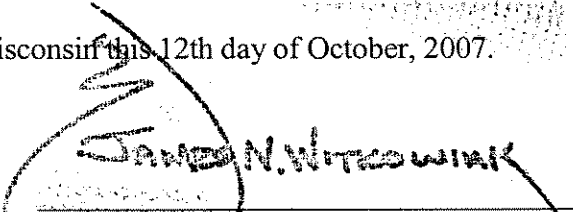
CONCLUSIONS OF LAW

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, Juan J. Sendejo, Sr., has not met the criteria to allow renewal of his Class "B" Tavern license. The Licenses Committee of the Milwaukee Common Council finds the police report and neighborhood objections as stated above 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 Licenses Committee that the full Common Council of the City of Milwaukee should exercise its judgment to not renew the Class "B" Tavern license of Juan J. Sendejo, Sr. for the premises located at 2325 South 13th Street in the City and County of Milwaukee, Wisconsin ("Johnny's Yellow Rose ") based upon the police report, neighborhood objections, and the licensee's decision not to adhere to the previous nonrenewal of the tavern dance license.

RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of three (3) ayes, one (1) excused and one (1) abstention recommends that the Class "B" Tavern license not be renewed.

Dated and signed at Milwaukee, Wisconsin this 12th day of October, 2007.



JAMES N. WITKOWIAK
Chairman, Licenses Committee

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