

## **COMMITTEE ASSIGNMENTS**

### **CHAIR**

- Licenses Committee

### **VICE CHAIR**

- Zoning, Neighborhoods and Development



### **MEMBER**

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

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

November 13, 2020

To the Honorable, the Common Council

Honorable Members:

Common Council File Number 200736 contains the following recommendations:

Renewal, with a ten (10) day suspension, based upon the police report, holding open #16, and neighborhood and aldermanic testimony of the Class B Tavern and Public Entertainment Premises licenses for Michael Ray Sr for the premises located at 4750 N Hopkins St. (“Gold Diggers Milw”) in the 7th aldermanic district.

Renewal, with a twenty (20) day suspension, based upon the police report and aldermanic testimony of the Class B Tavern and Public Entertainment Premises licenses for Shanita Cotton for the premises located at 2911 W North Ave. (“T Jay’s Lounge”) in the 15th aldermanic district.

Respectfully,

A handwritten signature in black ink that reads 'Milele A. Coggs'.

Milele Coggs, Chair  
Licenses Committee

cc: All Council Members  
File 200736



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ALDERWOMAN, 6TH DISTRICT

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- Wisconsin Center District Board

Date: November 13, 2020

To: All Members of the Milwaukee Common Council

From: Licenses Committee

Re: Report of the Renewal Application of the Class "B" Tavern and Public Entertainment Premises (PEP) Licenses of Michael Ray, Sr., Agent for Michael Ray Gents Plus LLC, for the premises located at 4750 North Hopkins Street in the City and County of Milwaukee, Wisconsin ("Gold Diggers Milw").

### **FINDINGS OF FACT**

1. Michael Ray, Sr. (hereinafter "the Licensee") is the holder of Class "B" Tavern and PEP Licenses for the premises located at 4750 North Hopkins Street in the City and County of Milwaukee, Wisconsin ("Gold Diggers Milw"). Said licenses expired at midnight on October 15, 2020.
2. An application to renew said licenses was filed with the Office of the City Clerk on October 13, 2020.
3. Pursuant to Chapters 85, 90, and 108 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes, the matter was referred to the Milwaukee Police Department for investigation. On October 14, 2020, the Milwaukee Police Department responded with a report that could form the basis for nonrenewal of said licenses.
4. On October 28, 2020, the City Clerk's Office provided timely notice to the Licensee pursuant to Chapters 85, 90, and 108 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes of the neighborhood objections. The matter was scheduled for a hearing on the objections on November 10, 2020, commencing at approximately 10:45 a.m. in Room 301-B of the third floor of City Hall. At said date, time and place, the Licensee appeared at the hearing, and admitted receipt of the notice of hearing.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
  - A. On February 7, 2019 officers conducted a licensed premise check at Gold Diggers, 4750 North Hopkins Street. The officers were at the location for follow up regarding an incident the happened at another location but the victim and suspect had been at Gold Diggers prior to the incident. The bar was cooperative with the



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officer and provided the video. On February 8, 2019 the officer received a complaint from a neighbor that stated there was loud music coming from Gold Diggers on February 7, 2019. The time of the complaint was 1:58 a.m. but the officer was in the tavern at that time and stated the music was turned off at 1:45 a.m. and never turned back on. The officer determined the complaint to be baseless.

- B. On February 9, 2019 at 2:15 a.m. officers heard loud music coming from an unoccupied auto parked in front of Gold Diggers, 4750 North Hopkins Street. The officers waited with the auto until they observed the owner exit Gold Diggers at 2:30 a.m. The subject was issued a citation for loud music.
- C. On February 13, 2019 officers were dispatched to a Noise Nuisance at Gold Diggers, 4750 North Hopkins Street. The caller stated the music was coming 2-3 autos parked outside the tavern. The officers checked the location and did not locate an autos playing loud music. The officers conducted a licensed premise check and spoke with the security staff. They stated they would try and alleviate the noise but stated it can be difficult because the autos on North Hopkins St are often not associated with their business.
- D. On March 14, 2019 officers conducted underage tavern enforcement at Gold Diggers. An underage Police Aide attempted to gain entry and was denied entry at the door when he could not produce an ID.
- E. On April 19, 2019 at 12:19 a.m. officers were dispatched to a Shot Spotter call at 4782 North Hopkins Street. When the officers arrived they observed an employee of Gold Diggers cleaning up glass from the street. This employee stated he did not know how the glass got there. Another employee stated he was inside and he heard shots fired outside. When he went out he observed a subject carrying another subject to a car on N. 37<sup>th</sup> Street. The car then fled the scene. While on scene a shooting victim arrived at St Joseph's Hospital that was related to this incident. The victim stated he was going to Gold Diggers but never got inside. The officers spoke with the manager, Kevin Clayton, who was cooperative with the investigation and provided the officers with the surveillance footage.
- F. On September 12, 2019 officers conducted a license premise check at Gold Diggers, 4750 North Hopkins Street. The officer spoke with the applicant about complaints from citizens of excessive noise and people urinating outside. The applicant stated he was aware of those complaints and was going *to* be at the business as often as possible to combat the situation.
- G. On March 8, 2020 the applicant was cited in the City of Milwaukee at 5048 West Cameron Avenue for Collusive Agreement involving Liquor License.

Charge: Collusive Agreement involving Liquor License  
Finding: set for trial on 11/17/2020  
Sentence:  
Date:  
Case: 20025900



- H. On March 10, 2020 at 11:09 p.m. officers were dispatched to a possible overdose at Gold Diggers, 4750 North Hopkins Street. When the officers arrived MFD had treated the patient with Narcan. The patient was the door guard of the business. He stated he was not feeling well and sat on the couch. The next thing he remembers is being treated by MFD. The subject stated he smoked marijuana prior to coming to work but did not do any other drugs. The owner, Michael Lyons, was cooperative with the investigation and allowed officers to view the video surveillance.
- I. On August 18, 2020 at 10:31 p.m. officers were dispatched to 4750 North Hopkins Street for a Trouble with Subject. The caller was an employee who stated a known subject came to the business and began arguing with her. The subject attempted to hit her and was escorted out by security. The officers spoke with the applicant, who showed the officer the video of the incident.
- J. The Licensee stated that the issue with the ladies was promptly handled by security and he has been cooperative with the police. He added that the security guard did not take his diabetes medication and that's why he passed out, and he was released from the hospital the same night. He added that he now has a security patrol car to handle issues of public urination by customers. He stated that the premises is not open at 6 AM. He added that he wished Ms. Cleveland would contact him directly regarding the issues she is having with the premises and the patrons.

***Individual present in opposition:***

- K. Roshonda Cleveland 4750 North 37th Street stated customers sit outside in their cars playing music, loitering, and urinating outside. She added that there are bottles and litter in front of her house from customers of the premises. She stated that she has seen people at the premises at 6 AM and sometimes they do not even close.

***Individual also present:***

- L. Alderman Rainey stated he has met with the Licensee on several occasions, but he is unable to get the premises under control and he has continued to receive complaints from neighbors. He added that the premises is in the same situation as a year ago when they received a 10 day suspension. He stated that the Licensee has to get a handle on the issues from his patrons of noise and public urination. He recommends a 15 day suspension to allow the Licensee to get a handle on the premises.
- M. Alderman Kovac moved approval with a 10 day suspension based on aldermanic and neighborhood testimony, and the police report, holding open #16 on the police report. (Prevailed 5-0)



## CONCLUSIONS OF LAW

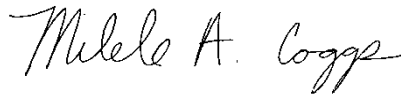
1. The Committee has jurisdiction to hold hearings and provided Findings of Fact and Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapters 68, 82, 85, and 108 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concludes that the Licensee, Michael Ray, Sr. who holds Class B Tavern and Public Entertainment Premise (PEP) licenses for the premise located at 4750 North Hopkins Street in the City and County of Milwaukee, Wisconsin ("Gold Diggers Milw") has not met the criteria of Chapters 85, 90, and 108 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes to not renew the Class B Tavern and Public Entertainment Premises License without undergoing a ten (10) day suspension. The Committee finds the police report and aldermanic objections as stated above to be true. The Committee based its recommendation on neighborhood and aldermanic testimony and the police report holding open #16.
3. In order to protect the health, safety and welfare of the citizens of the City of Milwaukee, it is the recommendation of the Licenses Committee that the full Common Council of the City of Milwaukee should exercise its judgment to not renew the Class B Tavern and Public Entertainment Premise (PEP) licenses for the premises located at 4750 North Hopkins Street in the City and County of Milwaukee, Wisconsin ("Gold Diggers Milw"), without undergoing a ten (10) day suspension. The Committee based its recommendation on neighborhood and aldermanic testimony and the police report holding open #16.

## RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of **five (5) ayes, and zero (0) noes**, recommends that the Class "B" Tavern and Public Entertainment Premises (PEP) Licenses of Michael Ray, Sr. for the premises located at 4750 North Hopkins Street ("Gold Diggers Milw") in the City and County of Milwaukee, Wisconsin not to be renewed, without undergoing a ten (10) day suspension.

The suspension is in effect from November 24, 2020 until 11:59 p.m. on December 3, 2020.

Dated and signed at Milwaukee, Wisconsin this 13th day of November, 2020.



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MILELE A. COGGS  
Chair, Licenses Committee

/272260



## **COMMITTEE ASSIGNMENTS**

### **CHAIR**

- Licenses Committee

### **VICE CHAIR**

- Zoning, Neighborhoods and Development



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

### **MEMBER**

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

Date: November 13, 2020

To: All Members of the Milwaukee Common Council

From: Licenses Committee

Re: Report of the Renewal Application of the Class "B" Tavern and Public Entertainment Premises (PEP) Licenses of Shanita M. Cotton, Agent for T Jay's Lounge LLC, for the premises located at 2911 West North Avenue in the City and County of Milwaukee, Wisconsin ("T Jay's Lounge").

### **FINDINGS OF FACT**

1. Shanita M. Cotton (hereinafter "the Licensee") is the holder of Class "B" Tavern and PEP Licenses for the premises located at 2911 West North Avenue in the City and County of Milwaukee, Wisconsin ("T Jay's Lounge"). Said licenses expired at midnight on December 4, 2020.
2. An application to renew said licenses was filed with the Office of the City Clerk on October 16, 2020.
3. Pursuant to Chapters 85, 90, and 108 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes, the matter was referred to the Milwaukee Police Department for investigation. On October 19, 2020, the Milwaukee Police Department responded with a report that could form the basis for nonrenewal of said licenses.
4. On October 29, 2020, the City Clerk's Office provided timely notice to the Licensee pursuant to Chapters 85, 90, and 108 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes of the neighborhood objections. The matter was scheduled for a hearing on the objections on November 10, 2020, commencing at approximately 11:50 a.m. in Room 301-B of the third floor of City Hall. At said date, time and place, Attorney Coral Pleas, appeared on behalf of the Licensee, at the hearing, and admitted receipt of the notice of hearing.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
  - A. On June 21, 2019 at 1:35 a.m. officers were dispatched to T-Jay's Lounge, 2911 West North Avenue, for a tavern violation. The caller stated his 15-year-old sister



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was in the bar and there were subjects smoking marijuana. The officers checked the ID's of the patrons and did not find anyone underage. No violations observed.

- B. On June 28, 2019 officers were dispatched to T-Jay's Lounge, 2911 West North Avenue, for a property damage complaint. The officer interviewed the victim who stated she was inside T-Jay's from 1:30 a.m. to 1:50 a.m. When she came out her car door window was broken and items missing. The victim was found to be 20-years-old. The officer interviewed the manager and the door man who stated they did not let anyone underage in the bar. The Licensee was issued a citation for Allow Underage on Premise.

Charge: Allow Underage on Premise  
Finding: Dismissed  
Sentence:  
Date:  
Case: 19034398

- C. On July 1, 2019 at 1:09 a.m. officers were dispatched to a subject with a gun in the area of T-Jay's, 2911 West North Avenue. The officer spoke with the caller by phone, who stated a security guard had brandished a firearm. The caller was uncooperative and hung up on the officer. The officer went to T-Jay's and spoke with the manager, Kevin Barnett. He stated nothing out of the ordinary happened that night. The staff was very cooperative with the officers.
- D. On August 25, 2019 at 2:20 a.m. officers were dispatched to North 29<sup>th</sup> Street and West North Avenue for a shotspotter call of over 30 rounds fired. The officer interviewed the manager of T-Jay's, 2911 West North Avenue. He stated they had no problems that night and were closing at 2:15 a.m. when they heard shots fired from a vehicle on the street. He provided video which showed a vehicle exit the parking lot to the west of T-Jay's and pull up to another vehicle on the street. One vehicle fired at another and both fled. One of the vehicles fleeing struck a parked car, flipping it on its side.
- E. On September 3, 2019 at 1:09 a.m. officers were dispatched to T-Jay's lounge for a wanted subject. The subject was located and arrested without incident.
- F. On September 8, 2019 at 1:17 a.m. officers conducted a licensed premise check at T-Jay's Lounge, 2911 West North Avenue. The officer observed more than 80 cars in the area and conducted a capacity check. The door man stated he thought capacity was 136 and they had about 120-130 patrons. The officer checked and found capacity was 80 people. The bar was closed and all subjects were counted as they exited and the officer counted 213 people, which included employees. The investigation also revealed the bar was charging a cover charge, which was not posted and was serving food without a license. The manager stated they did not need a food dealer license because they were giving the food away. The Licensee was cited for the violations.

- G. On September 22, 2019 at 1:18 a.m. officers were dispatched to T-Jay's Lounge for a tavern violation. The caller stated there were several underage people inside the bar. The doorman stated he knew the officers would be coming because he had turned away a female with no ID. The officers checked the bar and did not locate anyone underage.
- H. On October 4, 2019 a meeting was held at District 3 regarding T-Jay's Lounge. The Licensee stated she is not involved in the daily business, her husband Kevin Barnett, runs the business. She stated she was unaware of several of the incidents at the business. She was advised of the recent incident on September 8, 2019 and the possible citations. She was advised to use a counter, post signs with prices and monitor patrons at close. She stated she would advise Barnett of the information provided.

Item #9 updated with disposition on October 20, 2020

- I. On November 3, 2019 at 1:55 a.m. officers were observing closing time at 2911 West North Avenue. The officer observed a commotion out front which was blocking traffic. The officer cleared the crowd and spoke with a female, who stated she was trying to get back in the bar to get her friends shoes. She stated a security guard grabbed her by the head and pushed her out. The officer spoke with the bartender, who stated the subject described by the female was not an employee. The officer attempted to locate the subject on several different dates but could not locate and employee matching the description.
- J. On November 23, 2019 at 12:55 a.m. officers observed 65-70 cars parked outside of 2911 West North Avenue. Knowing the capacity was 80 patrons the officer called for a supervisor and additional cars to conduct a capacity check. The officer spoke with the bartender, Kevin Barnett, and asked him how many people were inside the tavern. The bartender stated 89 people and he knew it was over capacity. The bar was shut down and the patrons were counted as they exited. The officer counted a total of 118 people inside the bar. Barnett stated he was counting patrons as they entered and showed the officer a handheld counter, which had 91 displayed. Barnett stated his duties as the bartender pulled him away from the door so he may have missed patrons. Barnett was advised to have a separate employee doing the count and to post the actual cover charge.

Charge: Licensed Establishment-Exceeding Occupy Limit  
Finding: Guilty  
Sentence: Fined, \$7,713.00 **PAST DUE ON 09/14/2020**  
Date: 07/16/2020  
Case: 20005407

- K. On March 14, 2020 at 2:00 a.m. officers conducted a license premise check at TJ's Lounge, 2911 West North Avenue. The officers did not observe any loitering outside and observed staff keeping vehicles from stopping in front of the tavern. The officers observed closing and found it to be orderly.



L. On August 2, 2020 at 2:24 a.m. officers were dispatched to a Battery at North 29<sup>th</sup> Street and West North Avenue. The officer observed a large group outside the business. They were directed to a female on the ground by a vehicle in the parking lot. The victim could not answer questions due to her intoxication level. The witnesses stated a male subject hit the victim with a 2x4 causing a cut to her head. The officers spoke with the manager, Kevin Barnett, who stated the subject has been banned because of this and other violations in the past. Barnett stated cameras did not cover the incident. The officers questioned Barnett about occupancy because of the large number of cars in the area. The officers reminded Barnett that his capacity is 50% of normal because of the ongoing pandemic.

M. The Licensee has the following past due fines owed to Milwaukee Municipal Court:

**13034224 Building Code Violations \$700 Due on 12/23/2019**

***Appearing on behalf of Licensee:***

N. Attorney Coral Pleas stated she represents the Licensee for #17 on the police report. She added that #19 on the police report was an unfortunate circumstance, the patron was intoxicated and the male is no longer allowed at the premises. She stated that they have adequate security and lighting. She added that the management always cooperates with the police, and is striving to do better so these errors don't continue to happen. She stated that the premises COVID-19 safety plan has been approved. She added that the owners are trying to run a good establishment in the community and don't want to be a nuisance.

***Individual also present:***

O. Dameon Ellzey - 15th District Legislative Assistant stated Alderman Stamper had concerns about the disregard for the capacity limits during the pandemic. He added that the premises has a history of problems. He stated that last year there was a video on Facebook of a melee outside the premises. He added that the Licensee was previously unaware of what was occurring at the premises. He stated that Alderman Stamper requests a 20-day suspension based on the overcapacity issues during the pandemic.

P. Alderman Kovac moved approval with a 20-day suspension based on the aldermanic testimony and the police report. (Prevailed 4-1)

**CONCLUSIONS OF LAW**

1. The Committee has jurisdiction to hold hearings and provided Findings of Fact and Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapters 68, 82, 85, and 108 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concludes that the Licensee, Shanita M. Cotton who holds Class B Tavern and Public Entertainment Premise (PEP) licenses for the premise located at 2911 West North Avenue in the City and County of Milwaukee,

Wisconsin ("T Jay'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 and Public Entertainment Premises License without undergoing a twenty (20) day suspension. The Committee finds the police report and aldermanic objections as stated above to be true. The Committee based its recommendation on the police report and aldermanic testimony.

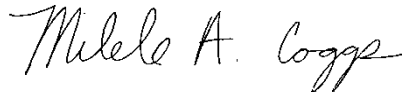
3. In order to protect the health, safety and welfare of the citizens of the City of Milwaukee, it is the recommendation of the Licenses Committee that the full Common Council of the City of Milwaukee should exercise its judgment to not renew the Class B Tavern and Public Entertainment Premise (PEP) licenses for the premises located at 2911 West North Avenue in the City and County of Milwaukee, Wisconsin ("T Jay's Lounge"), without undergoing a twenty (20) day suspension. The Committee based its recommendation on the police report and aldermanic testimony.

### 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 Class "B" Tavern and Public Entertainment Premises (PEP) Licenses of Shanita M. Cotton for the premises located at 2911 West North Avenue ("T Jay's Lounge") in the City and County of Milwaukee, Wisconsin not to be renewed, without undergoing a twenty (20) day suspension.

The suspension is in effect between 12:01 a.m. on December 5, 2020 until 11:59 p.m. on December 24, 2020.

Dated and signed at Milwaukee, Wisconsin this 13th day of November, 2020.



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MILELE A. COGGS  
Chair, Licenses Committee

/272259