



# City of Milwaukee

City Hall  
200 East Wells Street  
Milwaukee, WI 53202

## Meeting Minutes - Final LICENSES COMMITTEE

*ALD. JAMES A. BOHL, JR., CHAIR*

*Ald. Milele A. Coggs, Vice-Chair*

*Ald. Ashanti Hamilton, Ald. T. Anthony Zielinski, and Ald. Nik Kovac*

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Monday, January 26, 2009

9:00 AM

Room 301-B, City Hall

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### Special - Amended - 01/23/09

*Meeting convened at 9:11 a.m.*

**Present** 4 - Bohl, Zielinski, Kovac, Coggs

**Excused** 1 - Hamilton

1. [081062](#)

Motion relating to the recommendations of the Licenses Committee relative to various licenses.

**Sponsors:** THE CHAIR

14 ARTEAGA, Ricardo D., Agent for "R D Arteaga, Inc.", Class "B" Tavern and Tavern Dance applications for "Bar 13" at 2936 S. 13th Street. *Special Letter*

*Applicant at the table, 10431 W. St. Francis Ave.*

*Neighborhood objectors:*

*Paula Maciolek, 2906 S. 14th St., lives about a block away from the location. She is opposed to the bar because she believes there are enough bars in the neighborhood and the neighborhood would benefit from something other than another bar.*

*Mr. Arteaga asks Ms. Maciolek whether she knows that there is already a liquor license at the location. Ms. Maciolek says yes.*

*Geraldine Bathke, 1335 W. Dakota St., opposes a bar at the location because there is already a lot of traffic on Dakota St., as well as a large amount of beer cans and bottles that are left on the street.*

*Ald. Kovac asks Ms. Bathke if she knows exactly where the cans and bottles are coming from. Ms. Bathke says no.*

*Mr. Arteaga asks Ms. Bathke if she opposed the liquor license of the liquor store that just opened up in the area. She says that she did not oppose it because she was not aware that it was going to be a liquor store.*

*Keith Jablonski, 3055 S. 12th St., shares the alley with the establishment. He is opposed to the liquor license. He believes that there are enough bars in the area.*

Sheryl Nowak, 2839 S. 14th St., lives about a block away from the location. She is opposed to the license and believes that there are enough bars in the area.

Mr. Arteaga asks Ms. Nowak if she opposed the liquor license of another establishment in the area when it came up for renewal last year. Ms. Nowak says that she would have opposed it if she had been notified of the renewal when it came up.

Ald. Zielinski asks how many nights the current establishment is open. Mr. Arteaga says that the current establishment is open three days a week and he would like to be open six days a week.

Carl Nowak, 2847 S. 14th St., is opposed to the license. He says there should not be more bars in the neighborhood.

Mr. Arteaga asks Mr. Nowak if he attended the neighborhood meeting. Mr. Nowak says that he did not.

Jose Hernandez, 2811 S. 12th St., is opposed to the license. He says that there are too many bars in the area.

Mr. Arteaga asks Mr. Hernandez if he attended a neighborhood meeting. Mr. Hernandez says he did not, but that he called Ald. Zielinski and told him that he was opposed to it.

Neighborhood supporters:

Kevin House, 2828 S. 11th St., says that he is open to small businesses that want to open in the area and he does not believe the license should be opposed due to alcohol. He says that he frequents the current establishment and has never known there to be a problem there.

Stojan Coralic, 3101 W. Coldspring Rd., Greenfield, is the owner of the building. He says that he has been running the current bar for two years and has not received any complaints.

Mr. Arteaga says that he was been raised around the restaurant business and that he is also the manager at the establishment that is currently at the location. He says that he knows that he has to update things in the kitchen. He also says that the location is in the middle of a commercial block, not a residential one, and that a bar on the corner of the block has a full cabaret license.

Ald. Zielinski asks Mr. Arteaga if any residents supported the license at the neighborhood meeting. Mr. Arteaga says no.

Ald. Zielinski moves to make a concentration map centered around 2936 S. 13th St. dated January 1, 2009 part of the record. Prevailed 4-0. (Ald. Hamilton excused)

Ald. Zielinski moves to deny the licenses based on concentration and neighborhood objections. Prevailed 4-0. (Ald. Hamilton excused)

**A motion was made by ALD. ZIELINSKI that this Motion be AMENDED. The motion PREVAILED by the following vote:**

**Aye** 4 - Bohl, Zielinski, Kovac and Coggs

No 0

Excused 1 - Hamilton

14 JONAS, Paul U., Agent for "Nevada Productions, LLC", Class "B" Tavern and Instrumental Music applications for "The Tonic Tavern" at 2335 S. Kinnickinnic Avenue.

New Location  
Special Letter

Applicant at the table, 1501 E. Manitoba.

The applicant clarifies that the incident on the police report happened in 2000, not 2008.

Neighborhood objectors present with regards to overconcentration when called.

Ald. Hamilton at the table at 10:06 a.m.

Mr. Jonas said that the space was previously unused.

Supporters:

Sara Jonas, 3443 S. New York Ave., is currently one of the owners of Cafe Lulu and is the sister of the applicant. She is in support of the license and thinks it would benefit the area.

Christian Sydow, 745 E. Lincoln Ave., owns property at 2254-64 S. Kinnickinnic Ave. He thinks that the establishment would be perfect for the neighborhood.

Mike Eitel, 2857 S. Superior, operates a business on 2306 S. Kinnickinnic Ave., Cafe Central. He says that the applicant is a good operator who helped him open up one of his businesses.

Ald. Bohl asks what the parking situation is at the location. Mr. Jonas says that he is hoping to rent or lease 5-10 spaces in a nearby bank parking lot; otherwise, there will be street parking. He says that there are also a couple of public lots in the neighborhood.

Ald. Bohl mentions that a liquor license had been denied a few cycles before because of concerns about overconcentration and parking problems at the location.

Mr. Jonas says that all liquor service at his establishment would be on the premises without any carry-outs of alcohol and that there would not be people drinking outside except in the patio area. He says that he wants to contribute to the area by bringing live music to the location.

Ald. Kovac points out that the denial of the previous application was not only based on concentration but also on neighborhood objections.

Ald. Zielinski moves to grant despite items contained in the notice. Prevailed 4-0-1.  
(Ald. Bohl abstaining)

**A motion was made by ALD. ZIELINSKI that this Motion be AMENDED. The motion PREVAILED by the following vote:**

**Aye** 4 - Hamilton, Zielinski, Kovac and Coggs

**No** 0

**Abstain** 1 - Bohl

*Meeting recessed at 10:29 a.m.*

*Meeting reconvened at 10:47 a.m.*

**Present** 5 - Bohl, Hamilton, Zielinski, Kovac, Coggs

**081062**

Motion relating to the recommendations of the Licenses Committee relative to various licenses.

**Sponsors:** THE CHAIR

15 REID, Devon L., Agent for "Questions, Inc.", Class "B" Tavern and Tavern Amusement (Cabaret/Nite Club) renewal applications with change of hours and entertainment for "Questions Entertainment" at 3041 W. North Avenue. (expires 2-9-09)  
Special Letter

*Applicant at the table, as are Atty. Michael Maistelman and Atty. David Halbrooks as counsel.*

*Asst. City Attorney Robin Petterson at the table representing the Milwaukee Police Department. Alex Runner, Staff Assistant for Pres. Hines, also at the table.*

*Atty. Halbrooks argues that the City Attorney's office should not be present representing the police department unless the police department officially objects to the license. Since counsel for the applicant did not receive notice of an objection by the police department, Atty. Halbrooks says that the Asst. City Attorney should not be present representing the police.*

*Capt. James Harpole, Asst. Police Chief, at the table. He says that the police department opposes the renewal of the license.*

*Atty. Petterson says that there is an understanding that his job is to represent the police as part of a community prosecution unit.*

*Atty. Halbrooks says that the city attorney's office has no legal authority to represent the MPD at the committee.*

*Atty. Schrimpf wants to know if there is a provision in the city ordinances that allows a police report to act as a police objection. Ms. Grill says yes.*

*Deputy City Attorney Linda Burke at the table. She says that a written objection from the police chief is not generally issued in order to lead the city attorney's office to work on behalf of the police department.*

*Atty. Halbrooks says that the police report is hearsay and that it will be compounded hearsay when Sgt. Ulickey, who works for the Chief of Police, reads the police report into the record. Atty. Halbrooks objects to Sgt. Ulickey reading the police report into the record and to the City Attorney's office representing the MPD at committee.*

*Ald. Kovac moves to make a letter dated January 23rd, 2009 sent by the applicant's counsel to Chief Flynn and Ald. Hines part of the record. Prevailed 4-0. (Ald. Zielinski*

excused) (Exhibit 1)

Ald. Hamilton moves to make a letter sent to Ald. Bohl by the applicant's counsel part of the record. Prevailed 4-0. (Ald. Zielinski excused) (Exhibit 2)

Ald. Coggs moves to make a letter sent to City Attorney Grant Langley by the applicant's counsel part of the record. Prevailed 4-0. (Ald. Zielinski excused) (Exhibit 3)

Ald. --- moves that a letter from Judge Phil Chavez to Atty. David Halbrooks part of the record. Prevailed 4-0. (Ald. Zielinski excused) (Exhibit 4)

Ald. Bohl requests that items 30 and 32 not be considered by the committee.

Atty. Halbrooks requests that item 34 not be considered by the committee because there is no one present at the committee with direct knowledge of the police incident.

Ald. Bohl notifies Atty. Halbrooks that the committee usually accepts the police reports provided by the police department as evidence to be considered.

Meeting recessed at 11:40 a.m.

Meeting reconvened at 11:46 a.m.

Atty. Halbrooks says he objects to item number 35 on the police report.

Ald. Zielinski away from the table at 11:55 a.m.

Asst. Chief Harpole says that the police officers present at the committee in the audience are either officers assigned to the Nuisance Abatement Division or are officers that have direct knowledge of incidents at the establishment.

Ald. Bohl says that the entire police record would be read by Sgt. Ulickey as is usually done at Licenses Committee meetings and that counsel for the applicant could question the items after the report was read.

Ald. Zielinski back at the table at 12:17 p.m.

Mr. Runner says that President Hines has concerns about the establishment and believes that some action needs to be taken, although he is not advocating closing the tavern down. Mr. Runner also says that the Alderman believes that capacity is an issue, but he also that the owner of the bar is cooperative with police and the neighbors.

Asst. Chief Harpole says that there is too much of a drain on police resources at the establishment.

Atty. Matt Lerner at the table as counsel. He notes counsel's objections to certain items on the police report.

Ald. Hamilton moves to make eight pages of maps geographically centered on the establishment generated by the city's website part of the record. Prevailed 4-0. (Ald. Kovac excused)

Atty. Maistelman asks that a neighborhood supporter be allowed to testify because he

needs to leave.

*Neighborhood supporter:*

*Darmon Thurman, Sr., 2135 N. 32nd St., lives a block and a half from the location and supports the license. He thinks that there should be as many officers as possible in the area because it is a high crime area, not necessarily due to problems at the establishment. He also thinks that the applicant is properly running the business. Mr. Thurmond has done work in the club for the applicant through his construction business.*

*Ald. Hamilton asks Mr. Thurmond if he believes the club is bringing problems to the neighborhood. Mr. Thurmond says he does not believe so.*

*Officer Que Kong, 749 W. State St., at the table. Ofc. Kong says that the owner of the property has been billed for calls for service by the police department.*

*Capt. Harpole says that a lot of effort has gone into cleaning up the neighborhood, but this establishment is the last problem in the area, despite the department's declaration of the property as a nuisance under s. 80-10, Milwaukee Code of Ordinances.*

*Officer Kong notes that 68 calls for service were related to this club in 2008, compared to 34 for the establishment with the next-highest number of calls. District 7 taverns, with the highest number of calls, had 32 calls while in District 5 a tavern had 49 calls, but that tavern no longer has its license.*

*Ald. Coggs is concerned that Officer Kong had never met the owner of Questions. Officer Kong began his job as a liaison officer in March of this year. Capt. Harpole notes that liaison officers typically don't meet the owners; their positions are more administrative.*

*Ald. Kovac questiones whether or not the police department could provide services to the establishment, as is currently done for the Milwaukee Brewers and the Bradley Center. Ald. Hamilton notes that these officers are off-duty officers, so that the rank-and-file isn't diminished. It is the Police Chief's decision as to whether or not police services will be provided at a cost to the owner.*

*Officer Stephen Witkowski, community prosecution unit, met with Mr. Ried at a meeting in March 2008. Contact lists were provided to Mr. Reid at that time so he could contact the police department, if needed. The department anticipated that Mr. Reid would be notifying the police about any upcoming, large events that were planned. The department did not hear from Mr. Reid related to his abatement plan. Att. Halbrooks notes that at this meeting Mr. Reid was told to call the police if he needed assistance.*

*Ald. Hamilton made the outline for a March 14, 2008 meeting regarding Questions Entertainment part of the record. Prevailed 4-0. (Ald. Kovac excused) (Exhibit 6)*

*Officers Larry Leibsle and Kevin Matte, tavern officers, testified that their main goal is not to shut down taverns, but to have them run successful businesses while not being a detriment to the neighborhood. Although the establishment is in an industrial area, there is a residential area to the south of the establishment. The department also made a video of what happens at the establishment at night to add a little more weight and detail to the police report. Officer Matte noted that the use of police resources related to this club are not in proportion to the number of club patrons.*

*The video the police department would like to present is from the night of March 14, 2008. Atty. Halbrooks objects to the viewing of a portion of the video since the video was not previously submitted to counsel for viewing before the committee meeting. The chair decides that the video will not be viewed.*

*Carah Helwig, Community Prosecution Unit of the District Attorney's office for District 3, at the table. She was present at the March 14th meeting. She says that she observed traffic problems at the establishment. She also serves as a resource for the police. Ms. Helwig goes on ride-alongs to gather information on problems in the district.*

*Jeff Altenburg, Deputy District Attorney and former District 3 prosecutor. He says that the role of the office is also to gain an understanding of what problems may be in the neighborhood and to get to know the business owners.*

*Ms. Helwig points out that she is not a traditional prosecutor.*

*Supporters:*

*Lanelle Ramey, 4749 N. 49th St., owns 2142 N. 33rd St. and has worked with the applicant. He is also a patron of the business and has held events at the bar. He believes that issues at the establishment are exaggerated and that there are issues in the neighborhood. He believes that the bar helps out in the community. He is employed by the Boys and Girls Club.*

*Antonio Felder, has an office at 2245 N. 31st St., has businesses at 3105 W. North Ave. and 3201 W. North Ave. and lives at 3203 W. North Ave. He says that extra police presence is good for the neighborhood. He is in support of the license.*

*Ald. Hamilton asks Mr. Felder if he is a member of the Business Improvement District. Mr. Felder says yes and says that discussion at BID meetings about the business were favorable towards the business.*

*Atty. Petterson asks Mr. Felder how much police presence does he think is needed to handle problems in the area. Mr. Felder says that two police cars is enough police presence to have an effect on the people in the area.*

*De Von Dent, has an office at 2245 N. 31st. He believes that crime should be reduced in the neighborhood and that business should be supported.*

*Brian Currie, 4427 W. Lisbon Ave. and owns property at 2034 N. 30th St. He says that crime was present in the area before the establishment opened. He also says that parking has been a problem but only because of the snow.*

*Biaya Kadima, employee at 3201 W. North Ave. He is at the location until 7 p.m. everyday. Mr. Kadima does not feel that the establishment is a problem and that there are crime problems that already exist in the neighborhood.*

*James Wilbern, 4610 W. Eggert Place, is an employee of the establishment. He asks that the committee remember that the bar has about twenty employees that would be displaced if the establishment closed.*

*Adam Bowman, used to work at 2245 N. 31st St. He is in support of the license.*

*The address of 2245 N. 31st is a warehouse of about 2000 square feet containing different businesses.*

*Bassem Megally, 4212 S. 78th St., Greenfield. He is head of security for the establishment. Mr. Megally says that the applicant requests additional guards whenever he knows that there will be a large crowd. He does not think that the business is a big hassle to anyone.*

*Jennifer Wilder, 3049 S. Hanson Ave., chooses to go to the establishment because she feels safe there. She is in support of the license and has not seen any problems occur at the establishment.*

*Jovan Goodman, 103 W. Chambers St., patronizes the business on a weekly basis and has not seen or had any problems when at the establishment. She is in support of the license.*

*Terry Love, 2621 E. Adams, Cudahy, arranges for artists to perform at the establishment. He is in support of the license.*

*Walter Watson, 1324 E. Oklahoma Ave., is a bartender and security guard at the establishment. He says that most incidents happen outside the bar and has nothing to do with the establishment.*

*Objector:*

*John Connelly, North Avenue Community Development Association and staff assistant for the Community Prosecution Unit for District 3. He says that there have been concerns voiced by other business owners about the establishment at the BID meetings that he has attended. Mr. Connelly says that the CPU is focused on nuisance abatement, not closing businesses.*

*Ald. Zielinski raises the question of why the business owners in the area who have concerns about the establishment have not appeared at the meeting.*

*Supporter:*

*Candace Watson, 1424 E. Oklahoma Ave., patronizes the establishment. She says that none of the other clubs that she patronizes have the security that the establishment does. She says that she has not seen problems in the establishment. She is in support of the license.*

*Asst. Chief Harpole says that there are no other taverns along North Avenue that have the problems that the establishment does. He believes that business owners should be held responsible for problems at their establishments and blame should not be put on the neighborhood or on the police.*

*Mr. Reid says that he cooperates with the police and is not always notified by police when there is a problem with the establishment. He says that the police are not cooperating with him.*

*Atty. Maistelman says that no neighbors are requesting the closing of the establishment. He also says that the applicant has tried to set up meetings with the police.*



*Ald. Hamilton moves for renewal with a 25-day suspension due to items on the police report and neighborhood testimony. Prevailed 4-1. (Ald. Bohl voting "no")*

**A motion was made by ALD. HAMILTON that this Motion be AMENDED. The motion PREVAILED by the following vote:**

**Aye** 4 - Hamilton, Zielinski, Kovac and Coggs

**No** 1 - Bohl

*Ald. Kovac moves to hold to the call of the chair. Prevailed 5-0.*

**A motion was made by ALD. KOVAC that this Motion be HELD TO CALL OF THE CHAIR. The motion PREVAILED by the following vote:**

**Aye** 5 - Bohl, Hamilton, Zielinski, Kovac and Coggs

**No** 0

2. **The Licenses Committee may convene into closed session at 1:00 P.M. or as soon thereafter as the matter may be heard on Monday, January 26, 2009 in Room 301-B, City Hall, 200 E. Wells St., Milwaukee, Wisconsin, pursuant to s. 19.85(1)(g), Wis. Stats., for the purpose of conferring with the City Attorney who is rendering advice concerning strategy to be adopted by the City with respect to litigation in which it is or is likely to become involved relating to the license renewal applications for "La Espanola" at 2237 W. Forest Home Avenue.**

*Ald. Hamilton moved that the Licenses Committee convene into closed session pursuant to s. 19.85(1)(g), Wis. Stats., for the purpose of conferring with the City Attorney who is rendering advice concerning strategy to be adopted by the City with respect to litigation in which it is or is likely to become involved relating to the license renewal applications for "La Espanola" at 2237 W. Forest Home Avenue.*

*Roll call:*

*Ayes - Ald. Bohl, Ald. Coggs, Ald. Hamilton and Ald. Zielinski and Ald. Kovac- 5*

*Individuals present:*

*Asst. City Attorney Bruce Schrimpf*

*Sgt. Chet Ulickey - License Investigation Unit, Milwaukee Police Department*

*Rebecca Grill - License Division Manager*

*Meeting adjourned at 5:48 p.m.*

*Staff Assistant Tobie Black*