

COMMITTEE ASSIGNMENTS

CHAIR

- Licenses Committee

VICE CHAIR

- Community and Economic Development Committee

MEMBER

- Steering and Rules Committee



TONY ZIELINSKI
ALDERMAN, 14TH DISTRICT

January 26, 2018

To the Honorable, the Common Council

Honorable Members:

Common Council File Number 171250 contains the following recommendations:

Nonrenewal, based upon the second nonappearance of the Class D Operator's license for Samantha Walters-Wiese.

Renewal, with a fifteen (15) day suspension, based upon the police report, and applicant and aldermanic testimony of the Class B Tavern and Public Entertainment Premises licenses for Gorgonio Lopez Saavedra for the premises located at 1339 S 7th St ("La Cama Club") in the 12th aldermanic district.

Respectfully,

A handwritten signature in black ink that reads "Tony Zielinski".

Tony Zielinski, Chair
Licenses Committee

cc: All Council Members
File 171250

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TONY ZIELINSKI
ALDERMAN, 14TH DISTRICT

Date: January 26, 2018

To: All Members of the Milwaukee Common Council

From: Licenses Committee

Re: Report on the Renewal Application of the Class "D" Operator's License of Samantha L. Walters-Wiese

FINDINGS OF FACT

1. Samantha L. Walters-Wiese (hereinafter the "Licensee") is the holder of a Class "D" Operator's License in the City and County of Milwaukee, Wisconsin. Said license expired on December 31, 2017.
2. An application to renew said license was thereafter filed with the Office of the City Clerk.
3. Pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes, the matter was referred to the Milwaukee Police Department for investigation. The Milwaukee Police Department responded with a police report that could form a basis for nonrenewal or suspension of said license.
4. On January 12, 2018 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 January 23, 2018 at 1:00 p.m. in Room 301B of City Hall. At said date, time and place, the Licensee did not appear.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
 - A. A notice of the hearing as well as a copy of the police report was sent to Samantha L. Walters-Wiese, 2036 North Prospect Avenue, #1804, Milwaukee, WI 53202 on January 12, 2018 by U.S. prepaid first-class mail in an envelope bearing the return address of the License Division. The address of 2036 North Prospect Avenue, #1804, Milwaukee, WI 53202 is the address given by the Licensee on her application. The envelope was not returned to the License

Division by the United States Postal Service. The Licensee failed to appear at the hearing on January 23, 2018 at 1:00 p.m.

CONCLUSIONS OF LAW

1. The Committee has jurisdiction to hold hearings and provide Findings of Fact, Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapter 125 of the Wisconsin Statutes and Chapter 90 of the Milwaukee Code of Ordinances.
2. Based on the above facts found, the Committee concludes that the Licensee, Samantha L. Walters-Wiese has not met the criteria of Chapter 125 of the Wisconsin Statutes or Chapter 90 of the Milwaukee Code of Ordinances to allow renewal of the Class "D" Operator's license based upon nonappearance.
3. In order to protect the health, safety and welfare of the citizens of the City of Milwaukee, it is the recommendation of the Licenses Committee that the full Common Council should exercise its discretion to not renew the Class "D" Operator's license held by Samantha L. Walters-Wiese based upon nonappearance.

RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above the Committee recommends by a vote of **four (4) ayes, zero (0) noes and one (1) excused** that the Class "D" Operator's License of Samantha L. Walters-Wiese not be renewed based upon nonappearance.

Dated and signed at Milwaukee, Wisconsin this 26th day of January, 2018.



TONY ZIELINSKI
Chairman Licenses Committee

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- Licenses Committee

MEMBER

- Steering and Rules Committee
- Community and Economic Development Committee



TONY ZIELINSKI
ALDERMAN, 14TH DISTRICT

Date: January 26, 2018

To: All Members of the Milwaukee Common Council

From: Licenses Committee

Re: Report on the Renewal Application of the Class "B" Tavern and Public Entertainment Premises (PEP) Licenses of Gorgonio Lopez Saavedra, for the premises located at 1339 South 7th Street in the City and County of Milwaukee, Wisconsin ("La Cama Club").

FINDINGS OF FACT

1. Gorgonio Lopez Saavedra (hereinafter "the Licensee") is the holder of a Class "B" Tavern and PEP Licenses for the premises located at 1339 South 7th Street in the City and County of Milwaukee, Wisconsin ("La Cama Club"). Said licenses expire at midnight on February 12, 2018.
2. An application to renew said licenses was filed with the Office of the City Clerk on January 12, 2018.
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 January 15, 2018, the Milwaukee Police Department responded with a report that could form the basis for nonrenewal of said license.
4. On January 17, 2018 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 Milwaukee Police Department and included therewith a copy of the Milwaukee Police Department report, and on the neighborhood objections. The matter was scheduled for a hearing on the police department report on January 23, 2018, commencing at approximately 10:15 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, together with a copy of the Milwaukee Police Department report.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:

- A. On March 11, 2017 officers investigated a sick and injured at 1400 South 6th Street. The caller stated she was at La Cama Club, 1339 South 7th Street, with her friend who was involved in a fight. She stated she believes she was pepper sprayed by security requiring medical attention. The bar never called in a fight or a report of someone being pepper sprayed.
- B. On April 12, 2017 officers were dispatched to La Cama Club, 1339 South 7th Street, for a shots fired complaint. The officers found 12 casing on the side of the building. The Licensee provided surveillance video which showed the suspect exiting the tavern, pulling a gun from his waist band and walking out of view just prior to the shots being fired.
- C. On April 15, 2017 at 3:17 a.m., officers were dispatched to 1332 South 7th Street for a shots fired complaint. The caller stated she heard an argument outside the 10 shots being fired. The officers attempted to get video from La Cama Club, 1339 South 7th Street but it was closed. The officers returned the following day but the business was again closed.
- D. On May 4, 2017 officers conducted underage tavern enforcement in District 2. An underage Police Aid attempted to gain entry to La Cama Club, 1339 South 7th Street. The Police Aid was able to enter unchallenged and was able to order 2 Miller Lite bottles from the bartender.

Charge: Allow Underage on Premises
 Finding: Guilty
 Sentence: Fined \$321.00 **BENCH WARRANT ISSUED**
 Date: 06/20/2017
 Case: 17019607

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

15066346	Licensed Premises-Open Entry Required	\$378.00 due 10/09/2017
16003070	Contributing to Delinquency of Minor	\$885.00 due 10/09/2017
16003071	Resisting or Obstructing an Officer	\$176.00 due 10/09/2017
16003085	Allow Underage on Premises	\$261.00 due 10/09/2017
16008573	Theft	\$333.00 due 10/09/2017

- F. The Licensee stated the fight was between two women and he did not want his security guards to touch the women because he thought he would get in to trouble. So he told the security guard to spray pepper spray in the air. He added that her husband came to remove the woman involved in the incident. The Licensee added that because the husband removed his wife, he did not call the police. The Licensee stated that he did not believe there was a physical altercation; just that the two women tried unsuccessfully to fight. He added that he is more mature

now and he has a security guard on premises every day, and two on the weekends. He stated that he will hire a private security firm to prevent further incidents.

- G. Local Alderman Jose Perez was present, and stated the area is challenged and the Licensee is a nice person, but he has concerns because the Licensee blames the neighborhood for the incidents. He recommended a minimal suspension based on the police report, Licensee testimony, and the fact that there had been a previous suspension.
- H. Alderman Zielinski stated the Licensee should have called the police regarding the incident. He recommended that the Licensee hire a female security guard to handle fights between female patrons. He also recommended the Licensee work with a security firm to get some help with the incidents that have occurred at the premises, and to prepare for and prevent future incidents.
- I. Alderman Bohl stated the Licensee needs to be at the premises and not serve patrons who are already intoxicated. He added that the Licensee has now had two suspensions, and needs to make substantial effort to improve operations at the premises.
- J. Alderman Bohl moved approval with a 15 day suspension based on the police report and Licensee and aldermanic testimony. (Prevailed 4-0)

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 Chapters 85, 90, and 108 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concludes that the Licensee, Gorgonio Lopez Saavedra, has not met the criteria to allow renewal of his Class "B" Tavern and PEP licenses without serving a 15-day suspension.
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 not to renew the Class "B" Tavern and PEP licenses of Gorgonio Lopez Saavedra for the premises located at 1339 South 7th Street without undergoing a 15-day suspension, in the City and County of Milwaukee, Wisconsin ("La Cama Club ") based upon the police report, Licensee, 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, zero (0) noes, and one (1) excused recommends that the Class "B" Tavern and PEP Licenses of Gorgonio Lopez Saavedra for the premises located at 1339 South 7th Street ("La Cama

Club”) in the City and County of Milwaukee, Wisconsin be renewed with a 15-day suspension based upon the police report, aldermanic and Licensee testimony.

The suspension is in effect between 12:01 a.m. on February 13, 2018 until 11:59 p.m. on February 27, 2018.

Dated and signed at Milwaukee, Wisconsin this 26th day of January, 2018.

A handwritten signature in black ink that reads "Tony Zielinski". The signature is written in a cursive, flowing style.

TONY ZIELINSKI
Chairman Licenses Committee