

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

April 3, 2023

To the Honorable, the Common Council

Honorable Members:

Common Council File Number 221856 contains the following recommendations:

Nonrenewal of the Class D Operator's license based upon the second nonappearance for Dinesh Chakeri.

Nonrenewal of the Class D Operator's license based upon the second nonappearance for LaFeshia M. Gilbert.

Renewal with a thirty (30) day suspension of the Class B Tavern and Public Entertainment Premises licenses based upon the preponderance of the evidence in the police report, aldermanic and applicant testimony that demonstrates the operation results in a threat to health, safety or welfare of the public for the shootings and firearms involved for Tomas Hernandez, for the premises located at 1900 W Lincoln Av. ("Diamante Negro") in the 12th aldermanic district.

Nonrenewal of the Class A Fermented Malt and Food Dealer licenses based upon the preponderance of the evidence in the police report that demonstrates the operation results in a threat to health, safety or welfare of the public for the violations to the license, the behaviors displayed in the video, the loitering inside the store, the illegal drug activity, drinking in public and the display of materials harmful to minors for Davinderjit Kaur, for the premises located at 200 E Chambers St. ("Chamber East Food") in the 6th aldermanic district.

Renewal with a twenty (20) day suspension of the Class B Tavern, Public Entertainment Premises and Food Dealer licenses based upon the preponderance of the evidence in the resident testimony supported by written objections, photographs and videos submitted to the License Division and the applicant testimony that demonstrates the operation results in a threat to health, safety and welfare of the public for Patrice Dickerson, for the premises located at 340 W Reservoir St. ("Lounge 340") in the 6th aldermanic district.

Respectfully,

Milele Coggs, Chair
Licenses Committee

cc: All Council Members
File 221856



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MILELE A. COGGS
ALDERWOMAN, 6TH DISTRICT

Date: April 3, 2023

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 Dinesh Chakeri

FINDINGS OF FACT

1. Dinesh Chakeri (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, 2022.
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 March 16, 2023 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 March 29, 2023 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 Dinesh Chakeri, 201 West Coventry Court, #208, Glendale, WI 53217 on February 22, 2023 by U.S. prepaid first-class mail in an envelope bearing the



return address of the License Division. The address of 201 West Coventry Court, #208, Glendale, WI 53217 is the address given by the Licensee on the 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 March 29, 2023 at 1:00 p.m.

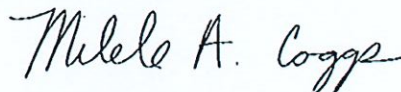
CONCLUSIONS OF LAW

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, Dinesh Chakeri 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 Applicant's second 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 Dinesh Chakeri based upon Applicant's second nonappearance.

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 "D" Operator's License of Dinesh Chakeri not be renewed based upon Applicant's second nonappearance.

Dated and signed at Milwaukee, Wisconsin this 3rd day of April, 2023.



MILELE A. COGGS
Chairman Licenses Committee

/284600



COMMITTEE ASSIGNMENTS

CHAIR

- Licenses Committee

VICE CHAIR

- Zoning, Neighborhoods and Development



MEMBER

- Finance and Personnel Committee
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- 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

Date: April 3, 2023

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 LaFeshia M. Gilbert

FINDINGS OF FACT

1. LaFeshia M. Gilbert (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, 2022.
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 March 16, 2023 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 March 29, 2023 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 LaFeshia M. Gilbert, 7034 North 55th Street, #A, Milwaukee, WI 53223 on February 22, 2023 by U.S. prepaid first-class mail in an envelope bearing the



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PHONE (414) 286-2994 FAX (414) 286-3456 E-MAIL mcoggs@milwaukee.gov

WEBSITE www.milwaukee.gov/district6



return address of the License Division. The address of 7034 North 55th Street, #A, Milwaukee, WI 53223 is the address given by the Licensee on the 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 March 29, 2023 at 1:00 p.m.

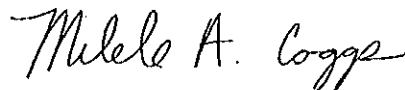
CONCLUSIONS OF LAW

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, LaFeshia M. Gilbert 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 Applicant's second 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 LaFeshia M. Gilbert based upon Applicant's second nonappearance.

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 "D" Operator's License of LaFeshia M. Gilbert not be renewed based upon Applicant's second nonappearance.

Dated and signed at Milwaukee, Wisconsin this 3 day of April, 2023.



MILELE A. COGGS
Chairman Licenses Committee

/284601



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

Date: April 3, 2023

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 Tomas Hernandez, Agent for Diamante Negro LLC, for the premises located at 1900 West Lincoln Avenue in the City and County of Milwaukee, Wisconsin ("Diamante Negro").

FINDINGS OF FACT

1. Tomas Hernandez (hereinafter "the Licensee") is the holder of Class "B" Tavern and Public Entertainment (PEP) Licenses for the premises located at 1900 West Lincoln Avenue in the City and County of Milwaukee, Wisconsin ("Diamante Negro"). Said licenses expired at midnight on March 2, 2023.
2. An application to renew said licenses was filed with the Office of the City Clerk on February 24, 2023.
3. Pursuant to Chapters 85, 90, and 108 of the Milwaukee Code of Ordinances, the matter was referred to the Milwaukee Police Department for investigation. On February 27, 2022, the Milwaukee Police Department responded with a report that could form the basis for nonrenewal of said license.
4. On March 16, 2023, 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 police report. The matter was scheduled for a hearing on the police report on January 24, 2023, commencing at approximately 10:35 a.m. in Room 301-B of the third floor of City Hall. At said date, time and place, the Licensee appeared and admitted receipt of the notice of hearing, together with a copy of the Milwaukee Police report.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
 - A. On May 15, 2022, officers and detectives responded to a shooting at 1913 West Lincoln Avenue. Investigation revealed that the victim had patronized the tavern located at 1900 West Lincoln Avenue and left the establishment at



closing time. While sitting in his vehicle, a subject fired over forty rounds into his car killing him.

- B. On June 10, 2022 at 9:45 p.m., Milwaukee Police, along with the Wisconsin Department of Revenue, conducted a license premise check at 1900 West Lincoln Avenue. When entering the tavern police observed two security guards who were armed (one had a firearm in his pants pocket and the other in a satchel). The Licensee was upset with the Department of Revenue Agent and said he was going to call his cousin and complain to her about the "tavern check". The Licensee did not have any receipts for the liquor brought for the tavern but said he had them at his residence. The agent gave the Licensee a chance to produce the receipts on a later date and confiscated all the liquor that was left by the previous owner.
- C. On June 11, 2022 at 1:03 a.m., Milwaukee Police were dispatched to 1900 West Lincoln Avenue for a noise complaint. Upon arrival, Officers observed that the tavern was closing and patrons were gathered outside playing loud music from their vehicles and loitering in front of the tavern. Police did not observe any security guards trying to get patrons to leave or stop playing their loud music. Officers interviewed the caller who stated that this is an ongoing problem.
- D. On June 12, 2022 at 1:38 a.m., Milwaukee Police were dispatched to 1900 West Lincoln Avenue for a ShotSpotter compliant. Investigation revealed that a subject was denied access to the tavern because he had a firearm. The subject became upset and a small altercation happened out front with security and the subject. A short time later the Licensee heard multiple shots fired. Officers recovered 16 spent casings, with 3 rounds striking the address of 1834 West Lincoln Avenue.
- E. On July 13, 2022 at 4:00 p.m., Milwaukee Police, along with other representatives of the city, conducted a meeting with the Licensee from 1900 West Lincoln Avenue. The reason for the meeting was to explain to the Licensee that his premise was going to be designed a chronic nuisance property and the options or actions he can take. 19 calls for service were entered into the report.
- F. On August 21, 2022 at 2:03 a.m., Milwaukee Police were dispatched to 1900 West Lincoln Avenue for a noise compliant. Upon arrival, the tavern was closed and there was only one person outside. Officers interviewed the manager who stated that she has been trying to control the people who go outside and plans to hire another security guard to help with the noise. She also said that she has an issue with the caller because he walks by the tavern when she's opening with a firearm on his hip and calls her a derogatory name. Officers tried to explain the report process to the caller but he hung up on police.
- G. The Licensee was present and said that he does not know what to talk about because some items on the police report happened and some others did not happen.



Individuals also present:

- H. Alderwoman Coggs asked the Licensee to talk about any item that he wants to.
- I. Alderman Borkowski said that he will not support a renewal where firearms are involved. He added that we all have to do our part and, that the Licensee has a responsibility with his neighbors and patrons.
- J. Alderman Perez asked to talk about the gentleman who was killed outside the bar.
- K. The Licensee said that it happened after the bar was closed and, that patrons get upset when they are asked to leave.
- L. Alderman Brostoff asked what is the procedure to dismiss the patrons in a respectful way to the neighbors.
- M. The Licensee said that there is only one neighbor complaining and that sometimes that neighbor make things up.
- N. Alderman Brostoff said that the items on the police report are not made up and that they are serious.
- O. Alderman Perez said that the PA 33's reflects the meeting with the police and, that the items are very serious and that the Licensee must address on what he is he doing because there are service calls even after the meeting.
- P. Alderman Perez moved renewal with a thirty (30) day suspension based upon the preponderance of the evidence in the police report, aldermanic and Licensee testimony that demonstrates the operation results in a threat to health, safety or welfare of the public for the shootings and firearms involved. He added that if the Licensee returns next year, the license might not be renewed. There were no objections. (Prevailed 4-0-1)

CONCLUSIONS OF LAW

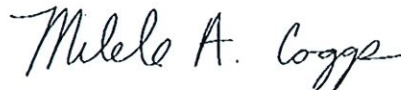
1. The Committee has jurisdiction to hold hearings and provide Findings of Fact and Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapters 85, 90, and 108 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concludes that the Licensee, Tomas Hernandez who holds Class B Tavern and Public Entertainment Premise (PEP) licenses for the premise located at 1900 West Lincoln Avenue in the City and County of Milwaukee, Wisconsin ("Diamante Negro") 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 renew the Class B Tavern and Public Entertainment Premises licenses without undergoing a thirty (30) day suspension. The Committee finds the aldermanic objections as stated above to be true. The Committee based its recommendation on the preponderance of the evidence in the police report, aldermanic and Licensee testimony that demonstrates the operation results in a threat to health, safety or welfare of the public for the shootings and firearms involved.
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 1900 West Lincoln Avenue in the City and County of Milwaukee, Wisconsin ("Diamante Negro"), without undergoing a thirty (30) day suspension.

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 Public Entertainment Premises (PEP) licenses of Tomas Hernandez for the premises located at 1900 West Lincoln Avenue ("Diamante Negro") in the City and County of Milwaukee, Wisconsin not be renewed without undergoing a thirty (30) day suspension based on its recommendation on the police report, aldermanic and Licensee testimony.

The suspension is in effect between 12:01 a.m. on April 18, 2023 until midnight on May 18, 2023.

Dated and signed at Milwaukee, Wisconsin this 3rd day of April, 2023.



MILELE A. COGGS
Chairman, Licenses Committee

7284606

COMMITTEE ASSIGNMENTS

CHAIR

- Licenses Committee

VICE CHAIR

- Zoning, Neighborhoods and Development



MEMBER

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MILELE A. COGGS
ALDERWOMAN, 6TH DISTRICT

Date: April 3, 2023

To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report of the Renewal Application of Davinderjit Kaur, Agent for Chamber East Food Market LLC, for Class A Fermented Malt and Food Dealer licenses for the premises located at 200 East Chambers Street in the City and County of Milwaukee, Wisconsin ("Chamber East Food").

FINDINGS OF FACT

1. Davinderjit Kaur (hereinafter the "Licensee") is the holder of Class A Fermented Malt and Food Dealer licenses for the premises located at 200 East Chambers Street in the City and County of Milwaukee, Wisconsin ("Chamber East Food"). Said licenses expired at midnight, April 21, 2023.
2. An application to renew said licenses was filed with the Office of the City Clerk on February 15, 2023.
3. Pursuant to Chapters 68, 85, and 90 of the Milwaukee Code of Ordinances, the matter was referred to the Milwaukee Police Department for investigation.
4. On February 16, 2023, the City Clerk's Office provided notice to the Licensee pursuant to Chapters 68, 85, and 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes of the police report and neighborhood objections and included a copy of the police report and objections. The matter was scheduled for a hearing on the police report and objections on March 29, 2023, commencing at approximately 3:20 p.m. in Room 301-B of the third floor of City Hall. At said date, time and place, the Licensee appeared with counsel, Attorney Michael Maistelman, and admitted receipt of the notice of hearing, together with a copy of the Milwaukee Police report and objections.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
 - A. On January 11, 2023 at 5:44 p.m., officers conducted a License Premise check at 200 East Chambers. Officers interviewed the manager who stated



since the last inspection they have been more vigilant about calling the police regarding people loitering or using drugs. Officers did locate three (3) calls for police placed by the manager. The interior appeared to be clean with no odor of cigarette or marijuana smoke.

- B. On January 20, 2023 at 5:58 p.m., officers conducted a License Premise check at 200 East Chambers. No violations were found and the employee stated they are having less problems with people loitering since officers have been conducting regular business checks at the location.
- C. On January 30, 2023 at 6:08 p.m, Milwaukee Police conducted a license premise check at 200 East Chambers Street. While conducting the check, an employee told police about a customer, who had just left, who was selling drugs inside the store. The employee said he's called police on numerous occasions but the subject is gone before police arrival. While talking to the employee, the same subject entered and exited the store approximately six times. The employee told officers that he wanted him "trespassed" and when the officers told the subject to leave, he began shouting profanities at the employee. The subject eventually left. The employee was cooperative throughout the license premise check no violations were observed.
- D. On February 1, 2023 at 7:45 p.m., Milwaukee Police conducted a license premise check at 200 East Chambers Street. Upon arrival to the location, officers did observe numerous vehicles occupied and running on both N. Palmer Street and E. Chambers Street. While officers were inside the store, they observed no violations and the manager was cooperative.
- E. The Licensee was present along with Attorney Michael Maistelman who said that they are not disputing the item #7, that the employee was terminated immediately and, that the incident happened while his client was in India. He added that the expired food and pest control issues are going to be addressed, that there is no excuse for these, and that his client has never had any problem with his license before. He also acknowledged the meeting that his client's employee had with the police and Alderwoman Coggs regarding the video, which is not part of the police report and PA 33's. He also said that he believes the employee present at the meeting is the person his client fired.

Individuals in support:

- F. Sandra – 3034 N Commerce St – said that she has lived there for 30 years and that she has seen some improvement and that she wants that the store remains open.
- G. Tammy Carrington – N Commerce St -said that she almost got killed in the middle of a gunshot on Chambers St and that the gunshots have nothing to do with the store and, that it is the neighborhood store.



- H. Robert Jordan – 3036 N Palmer St – said that people that do not live there come for trouble and that they have seen some improvement with the police patrolling.
- I. Alderwoman Coggs asked the witnesses if they have smelled the weed, seen expired food and/or people displaying firearms in the store.
- J. The witnesses said that they have smelled the weed from the people outside and people with firearms upholstered but nothing inside the store.
- K. Alderwoman Coggs asked to play the video posted on Facebook that was submitted by one neighbor.
- L. Alderwoman Coggs asked the Licensee if the person in the Nike yellow shirt is an employee.
- M. The Licensee said the he is not an employee.
- N. Alderwoman Coggs said that she is asking it because that person goes behind the cash register at some point in the video. The video continued playing.
- O. Alderwoman Coggs asked who is the 4th person wearing black in the video.
- P. The Licensee said that is his wife's brother and that he owns the building. He also said that they asked the brother to take care of the business while they were in India.
- Q. Attorney Maistelman said that he was the employee that was terminated. The video continued playing.
- R. Alderwoman Coggs asked Mr. Cooney what type of license they have.
- S. Mr. Cooney said that it is a Class A Malt to sell beer and malt beverages for off the premises consumption.
- T. Alderwoman Coggs asked the Licensee that regarding the bottle of alcohol showed on the video, if they sell hard liquor at the store.
- U. The Licensee said that he does not sell hard liquor at the store.
- V. Alderwoman Coggs asked if he allows people to consume alcohol inside the store.
- W. The Licensee said that he does not allow people to drink alcohol inside the store.
- X. Alderman Borkowski asked if the video is from the inside the store.



- Y. The Licensee said that it is inside the store by the entrance. The Licensee said that her brother was the one who managed the business while they were gone for 5-6 months and that he was fired.
- Z. Alderwoman Coggs said that the majority of the dealings for this building has been done with the brother. She added that when she called requesting the meeting with MPD, the Licensee's brother was the one who showed up. She also said that it is hard for her to understand why the brother is there all the time if he is not an employee or the agent
- AA. Alderman Brostoff asked what has been the relationship of the brother with the business.
- BB. The Licensee said that he is only the building's owner.
- CC. Alderman Brostoff said that this narrative is very conflicting and that there is a lack of credibility.
- DD. Alderwoman Coggs said that we saw a man smoking and displaying what seems to be weed, displaying a gun with a silencer on it and drinking alcohol, which is something that should have not happened inside the store. She added that there were many violations and that the brother did not take care of it and even joined the video. She also said that it is an indication that this is not a thing that happened only one time and that the person in yellow even went behind the register without being stopped.
- EE. Alderwoman Coggs agreed with the neighbors that sometimes the congregations are not people from the neighborhood but that allowing that behavior inside the store is different because they are calling for people to come and get illegal drugs from people with firearms and, that it is a challenge for her to support a license where a real change is not going to happen.
- FF. Alderwoman Coggs asked Officer Garland if he has something to say about this license.
- GG. Officer Garland said that he smelled the marijuana in the store and that it seemed that the operation was set up. He added that he has been working in the district for 14 years and that Mr. Singh has been always involved in the store for at least the past 3 years.
- HH. Alderwoman Coggs asked Officer Garland if the Licensee has been proactive addressing issues.
- II. Officer Garland said that they have not been proactive.
- JJ. Alderman Brostoff asked if the Licensee is at the store.

- KK. The Licensee said that she goes for 2-3 hours every day and that those events happened while she and her husband were out of the country.
- LL. Alderman Brostoff said that even if they were not here when those issues happened, they are responsible still and that there is an effect and damage in the community.
- MM. Attorney Maistelman asked Officer Garland if he has come to the committee table to express the issues with this business in the past 5 years.
- NN. Officer Garland said that he has not.
- OO. Attorney Maistelman asked what about his other colleagues.
- PP. Officer Garland said that he can only speak for the three years that he has been around and that a lot of these things are handled by different channels and procedures.
- QQ. Alderwoman Coggs said that the brother did not take the matter seriously when he was approached and, that the vote that she will take here today, will be based on the future of the neighborhood and that she will take part on the efforts for improvement.
- RR. Attorney Maistelman said that there were no issues on the police report before today and that neighbors will have a real problem if the store is not there for them anymore. He added that he does not see anything on the police report that indicates that there is a pattern on the behavior and, requested that the licenses be renewed with a warning letter. He also asked that the committee follow the pattern that have done for the last 5 years for this business.
- SS. Alderwoman Coggs said that she always wants to keep an open mind at every hearing but that she is disappointed because she knows that the Licensee knew about the video, that the brother was fired but still owns the building. She added that there are many red flags that eventually are going to take us to a shooting and that it is the committee's responsibility to avoid it. She added that it is hard to believe that those behaviors from the video are not going to ever happen again and, that she is not confident about the brother being involved with the building because she does not believe that the video was a one-time thing. She also said that the Licensee has surveillance cameras and that she must have noticed the videos before it made it to Facebook and that she should have reported to the police as well.
- TT. Alderwoman Coggs moved nonrenewal based upon the preponderance of the evidence in the police report that demonstrates the operation results in a threat to health, safety or welfare of the public for the violations to the license, the behaviors displayed in the video, the loitering inside the store, the

illegal drug activity, drinking in public and the display of materials harmful to minors. There were no objections. (Prevailed 3-0-2)

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, 85, and 90 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concludes that the Licensee, Davinderjit Kaur who holds Class A Fermented Malt and Food Dealer licenses for the premise located at 200 East Chambers Street in the City and County of Milwaukee, Wisconsin ("Chamber East Food") has not met the criteria of Chapters 68, 85, and 90, of the Milwaukee Code of Ordinances to renew the Class A Fermented Malt and Food Dealer licenses. The Committee finds police report as stated above to be true. The Committee finds the nonrenewal based upon the preponderance of the evidence in the police report that demonstrates the operation results in a threat to health, safety or welfare of the public for the violations to the license, the behaviors displayed in the video, the loitering inside the store, the illegal drug activity, drinking in public and the display of materials harmful to minors.
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 A Fermented Malt and Food Dealer licenses for the premises located at 200 East Chambers Street in the City and County of Milwaukee, Wisconsin ("Chamber East Food"). The Committee based its recommendation upon the preponderance of the evidence in the police report that demonstrates the operation results in a threat to health, safety or welfare of the public for the violations to the license, the behaviors displayed in the video, the loitering inside the store, the illegal drug activity, drinking in public and the display of materials harmful to minors.

RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of **three (3) ayes, zero (0) noes and two (2) excused** recommends that the Class A Fermented Malt and Food Dealer licenses held by Davinderjit Kaur for the premises located at 200 East Chambers Street in the City and County of Milwaukee, Wisconsin ("Chamber East Food") not be renewed based upon the preponderance of the evidence in the police report that demonstrates the operation results in a threat to health, safety or welfare of the public for the violations to the license, the behaviors displayed in the video, the loitering inside the store, the illegal drug activity, drinking in public and the display of materials harmful to minors.



Dated and signed at Milwaukee, Wisconsin this 3rd day of April 2023.

Milele A. Coggs

MILELE A. COGGS
Chairman Licenses Committee

/284607

COMMITTEE ASSIGNMENTS

CHAIR

- Licenses Committee

VICE CHAIR

- Zoning, Neighborhoods and Development



MILELE A. COGGS ALDERWOMAN, 6TH DISTRICT

MEMBER

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

Date: April 3, 2023

To: All Members of the Milwaukee Common Council

From: Licenses Committee

Re: Report of the Renewal Application of the Class "B" Tavern, Food Dealer, and Public Entertainment Premises (PEP) Licenses of Patrice Dickerson, Agent for Lounge 340, LLC, for the premises located at 340 West Reservoir Avenue in the City and County of Milwaukee, Wisconsin ("Lounge 340, LLC").

FINDINGS OF FACT

1. Patrice Dickerson (hereinafter "the Licensee") is the holder of Class "B" Tavern, Food Dealer, and PEP Licenses for the premises located at 340 West Reservoir Avenue in the City and County of Milwaukee, Wisconsin ("Lounge 340, LLC"). Said licenses expire at midnight on April 6, 2023.
2. An application to renew said licenses was filed with the Office of the City Clerk on January 19, 2023.
3. Pursuant to Chapters 68, 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 December 16, 2019, the Milwaukee Police Department responded with a report that could form the basis for nonrenewal of said licenses.
4. On March 16, 2023, the City Clerk's Office provided timely notice to the Licensee pursuant to Chapters 68, 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 March 29, 2023, commencing at approximately 3:45 pm. in Room 301-B of the third floor of City Hall. At said date, time and place, the Licensee appeared with counsel, Attorney Robert Webb, and admitted receipt of the notice of hearing, together with a copy of the Milwaukee Police report.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:

Individuals in opposition:



- A. William Meyers – 1846 W Reservoir Av – he said that he has been organizing the complaints from the neighbors coming from this establishment. He added that on the last year and a half or so, they have noticed a dramatic uptake on disruptive and sometimes illegal behaviors from the patrons of the bar. He explained that these behaviors are drunkenness, altercations (one involved a firearm that was not discharged), garbage, illegal parking, carry out drinks, drinks brought by patrons, fights, loud crowds, engines, loud music, and subwoofers from the establishment and the patron's vehicles, disposable plates and utensils disposed by the patrons on the street. He also said that he submitted evidence in a flash drive to the License Division. He mentioned too that the Licensee makes events without reaching out to the neighbors and that she does not acknowledge any of the neighbors' concerns.
- B. Alderman Brostoff asked Mr. Williams more specifics about the illegal behaviors.
- C. Mr. Williams mentioned two: one where an intoxicated patron tried to leave the bar and left the car in the middle of the intersection with the doors open. Then the friends or other patrons came out and started to yell, dance and blast music around the abandoned car. The second incident was about a brawl that came out of the bar during daylight hours on July 2nd where a gun was exposed.
- D. Caitlin Forsythe - 1846 N Vel R Phillips – said that the bar has exceeded the neighborhood and gave a description of the neighborhood which she said, is entirely residential. She added that even after the bar closes, the music can be heard and that there is people inside. She said that it is very sad to hear the police about no noise complaints when they have called all the time. She said that the excessive noise, the gathering outside and the garbage (bottles of liquor, disposable cups, used condoms) on top of the speeding are her major concerns.
- E. Alderman Borkowski said that looking at the pictures on the file, the advertisement used for this business appeals to a different crowd than what supposed to be.
- F. Mr. Williams said that when the bar first started, it was advertised as an intimate lounge where they could see 15 people or so and that it was fine. He added that now they can see 50 to 60 patrons partying at early hours and hanging outside. He said that he is also surprised that none of the calls made at the non-emergency numbers are documented. He also mentioned that they went to the police station on district 5 to file a complaint and that they never heard back from them.
- G. Garry Kelley- 1846 N Vel R Phillips – said that he supports what his neighbors have testified and that his two largest concerns are the lack of cleanliness around the neighborhood and that they have failed controlling and dispersing the crowd. He said that the situation is out of control.
- H. Jay Peters - 1839 N Vel R Phillips – said that he does not know anybody from the neighborhood who visits this bar, that people park on the wrong side of the streets, and that safety is a major concern. He added that he moved out of his property in 2019 and that he receives lots of complaints from his tenants about noise and safety.

- I. Christopher Bannard - 1846 N Vel R Phillips – he said that he supports all of the facts that have been brought up and documented by the neighbors. He also said that he understands the importance of economic development and successful businesses but that they cannot be in conflict.
- J. Jasmine Hietpass -1847 N Vel R Phillips – said that they have lived for 5 years now and that they have seen a built up pattern of no respect for the neighbors. She added that she does not know why the incidents that they have reported are not part of the police record.
- K. Father Michael Bertram – 1927 N Vel R Phillips – said that this is the third hearing that he is participating for this license and that he has never received any communication from the business in relationship to his complaints. He added that he does not support the renewal of the license and that he has called the police as well.
- L. Michael Morgan - 1846 N Vel R. Phillips – he agrees with everything what the neighbors said.
- M. Brandis Ohlsson – (former resident of 1839 N Vel R. Phillips) said that she left the neighborhood because of the problems with this bar and that it is going down the hill because these issues have not been addressed at all.
- N. The Licensee had no questions for any of the witnesses.

Individuals in support:

- O. Ms. Gates – 2249 N 5th St - she said that she is also a neighbor, that she is 52 years old and that she has not seen any of the things that the other neighbors have talked about.
- P. Shawn Moore – said that he is not a resident of the neighborhood but that he has been retained to address the issues that neighbors are talking about and that they are willing to work with the neighbors.
- Q. Alderman Chambers asked Mr. Moore if he has met with the neighbors prior this meeting.
- R. Mr. Moore said that he has not because of the weather.
- S. Alderwoman Coggs said that this is the year with the most and variety of concerns. She also said that she held a meeting last night and that some of the residents are tired while some are willing to hear about the plan that the attorney said he was going to make it a part of the record. Alderwoman Coggs requested that the application be held for a discussion and agreement of the plan.

- T. Alderman Chambers moved to hold the application to the call of the chair with the intention to hear from the new plan of operations. There were no objections. (Prevailed 5-0)
- U. A motion was made by ALDERMAN CHAMBERS JR. that this Motion be HELD TO CALL OF THE CHAIR. This motion PREVAILED by the following vote (Prevailed 5-0-1)

Individuals in opposition:

- V. William Meyers – 1846 N Vel R. Phillips – said that he has the videos and photos that were not shown at the previous hearing and that he can go through them and answer questions as they come.
- W. Attorney Webb said that he will be objecting to the videos because it is a take back after the neighborhood meeting.
- X. Alderwoman Coggs said that the witness has expressed his opposition since the beginning and that she appreciates the fact that he has taken the time to prepare for this meeting.
- Y. Jasmine Hietpass – 1847 Vel R. Phillips – said that she sent the first photo about the noise complaints, garbage and illegal activity outside of the lounge and that there is a series of text messages shared with Ms. Dickerson and neighbors.
- Z. Attorney Webb said that he will object to this photo because Mr. Garret is not here.
- AA. Attorney Jackson said that Attorney Web is right.
- BB. The videos were played and Mr. Meyers did the narrative.
- CC. Alderman Borkowski said if the Licensee and her attorney have seen these videos and photos before and have heard from the neighbors, why has nothing been done before.
- DD. Attorney Webb said that the committee gave them three weeks to work with the community and that they have put up a plan that has been shared with the neighbors in order to resolve the issues.
- EE. Alderman Borkowski asked Attorney Webb why it took so long to do it then.
- FF. No comments from Attorney Webb and the Licensee.
- GG. Alderman Brostoff said that it sounds like things have escalated and that the Licensee has allowed these behaviors to affect the neighbors and asked what she is going to do different.
- HH. The Licensee said that she is hiring more security for outside to make sure that patrons arrive and leave in a proper and timely manner and, that she will hire more

security for private events. She also said that there will be a contract in place for those private events.

- II. Attorney Webb said that these types of behaviors are triggered when the event is for 50 or more individuals and that is why they will have a contract in place.
- JJ. Alderman Brostoff asked what about the advertisement for the “everything but a cup party”.
- KK. The Licensee said that at the end the event did not happen and that she did not organize it.
- LL. Alderman Brostoff said that the license requires compliance even if the event happens or not.
- MM. Alderman Borkowski said that this committee gets it and that he has heard enough about the lack of consideration for the neighbors.
- NN. Christopher Bernard – 1846 N Vel R. Phillips – said that the meeting from a week ago kind of worked out but that things got that bad at the point that he is no longer staying at his place over the weekends because his partner cannot sleep. He added that things have progressed since last week and that he is willing to give the Licensee the benefit of the doubt.
- OO. Caitlin Forsythe - 1846 N Vel R. Phillips – said that she admits that things have improved but that she is concerned about things reversing because security won’t solve all the issues and that she cannot sleep as well.
- PP. Alderman Brostoff said that he agrees with the witness and that security is not the total answer and asked her if she supports the plan.
- QQ. Ms. Forsythe said that she does not support it.
- RR. Alderman Borkowski said that he wants to allow things to take place and to throw a branch to the business.
- SS. Ms. Forsythe said that the other issue is the police response. She added that they have called the police and they just do not show up and that there is no record of their calls. She also said that she is concerned about herself and the children in the neighborhood because they have cars racing on the street, fistfights, etc., and that the bar is not a good fit for neighborhood.
- TT. Alderman Brostoff said that he is torn because the lack of trust and the improvement that the neighbors have seen in the process.

Individuals in support:

- UU. Homer Blow – 2803 W Capitol Dr. – said that he attended the meetings as well and that it seems that Attorney Webb found the common ground to not to close the bar and that he has seen the same behaviors at other locations. He added that he felt intimidated by Alderman Borkowski’s comments and that he is not even the owner of the bar. He added that this business should get a fair chance to correct its mistakes.
- VV. Alderman Borkowski said that Mr. Blow does not know him at all and that they are not acquaintances.
- WW. Mr. William Moore – said that he heard some testimonies regarding the mitigation plan and that he can say that Lounge 340 will be safer than last month and, that he will work with them to keep their word.
- XX. Alderwoman Coggs said that there is an agreement that is part of the record and made it clear that people cannot smoke cigarettes inside the premises.
- YY. Attorney Webb said that he was listening at the meeting that Alderwoman Coggs held and noticed that those issues were more the type of affecting the lives of the neighbors than violent. He added that this mitigation plan will allow to improve things and to be engaged with the community at the same time. He also said that Ms. Dickerson will share her personal cellphone number with the neighbors and that the communication with the neighbors will be held on a quarterly basis.
- ZZ. Alderman Brostoff said that it seems that most of the problems come from these private events and asked if she is willing to survive without private parties.
- AAA. The Licensee said that the private events are not so often but the revenue that comes out from these represent almost half.
- BBB. Alderman Brostoff said that these events are affecting the neighborhood and that there is a gray area on the plan about additional steps in case there is a failure or if the issues persist. He also pointed out that issues could come from a private event with less than 49 individuals and that those won’t be under contract.
- CCC. Alderwoman Coggs said that she is thankful for the neighbors for taking the time to be here today and at the other meetings, for the agreement that makes the Licensee accountable and that she is glad that it is part of the file now. She also said that there is a neighbor complaint every year but that this last year has been the worst. She added that she does not see a reason for nonrenewal but that she sees a progressive discipline for this application.
- DDD. Alderwoman Coggs moved renewal with a 20-day suspension based upon the preponderance of the evidence in the resident testimony supported by written objections, photographs and videos submitted to the License Division and the Licensee testimony that demonstrates the operation results in a threat to health, safety and welfare of the public. There were no objections. (Prevailed 4-0-1)

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, 85, 90, and 108 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concludes that the Licensee, Patrice Dickerson who holds Class B Tavern, Food Dealer, and Public Entertainment Premise (PEP) licenses with Change of Shareholder and Entertainment Adding Karaoke and Poetry Readings for the premise located at 340 West Reservoir Avenue in the City and County of Milwaukee, Wisconsin ("Lounge 340, LLC") has not met the criteria of Chapters 68, 82, 85, 90, and 108 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes to renew the Class B Tavern, Food Dealer and Public Entertainment Premises 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 preponderance of the evidence in the resident testimony supported by written objections, photographs and videos submitted to the License Division and the Licensee testimony that demonstrates the operation results in a threat to health, safety and welfare of the public.
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, Food Dealer and Public Entertainment Premise (PEP) licenses with Change of Shareholder and Entertainment Adding Karaoke and Poetry Readings for the premises located at 340 West Reservoir Avenue in the City and County of Milwaukee, Wisconsin ("Lounge 340, LLC") without undergoing a twenty (20) day suspension. The Committee based its recommendation on the preponderance of the evidence in the resident testimony supported by written objections, photographs and videos submitted to the License Division and the Licensee testimony that demonstrates the operation results in a threat to health, safety and welfare of the public.

RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of **three (3) ayes, zero (0) noes and two (2) excused**, recommends that the Class "B" Tavern and Public Entertainment Premises (PEP) Licenses with Change of Shareholder and Entertainment Adding Karaoke and Poetry Readings of Patrice Dickerson for the premises located at 340 West Reservoir Avenue ("Lounge 340, LLC") in the City and County of Milwaukee, Wisconsin not be renewed without undergoing a twenty (20) day suspension.

The suspension is in effect between 12:01 a.m. on April 18, 2023 until midnight on May 18, 2023.

Dated and signed at Milwaukee, Wisconsin this 3rd of April, 2023.

Milele A. Coggs

MILELE A. COGGS
Chairman, Licenses Committee

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