



**JAMES N. WITKOWIAK**  
ALDERMAN, 12TH DISTRICT

November 30, 2007

To the Honorable, the Common Council

Dear Members:

Common Council File 070925 contains the following recommendations:

Nonrenewal, based on non-appearance, of the Class "D" Bartender licenses of Mary Kroll and Wesley Williams.

Renewal, with a 90-day suspension based on the police report, of the Class "D" Bartender license of Tyler Rinta. (Committee vote: Ayes: 2, Noes: 1, Excused: 2)

Renewal, with a 10-day suspension based on the police report, of the Class "B" Tavern license of Lyle McDowell for the premises at 3478 N. 2<sup>nd</sup> St. ("Club 2-C") in the 6<sup>th</sup> aldermanic district.

Renewal, with a 20-day suspension based on the police report, of the Class "B" Tavern and Instrumental Music licenses of Tony Carter, Sr. for the premises at 2712 N. Dr. Martin Luther King, Jr. Dr. ("Ray's Rhythm and Blues Lounge") in the 6<sup>th</sup> aldermanic district.

Return and renewal, with a 65-day suspension based on the police report, of the Class "B" Tavern and Tavern Dance licenses of Karen Hubbard, Agent for "Hubbard & Associates, NA, Inc." for the premises at 7330 N. 76<sup>th</sup> St. ("Karen's Entertainment Center") in the 9<sup>th</sup> aldermanic district. (Committee vote: Ayes: 3, Noes: 1, Excused: 1)

Nonrenewal, based on non-appearance, of the Class "B" Tavern and Tavern Dance licenses of Juan Curiel for the premises located at 611 W. National Ave. ("Fusion Restaurant Bar") in the 12<sup>th</sup> aldermanic district.

With regard to the files listed above, the Licenses Committee held an evidentiary hearing on November 27th 2007.

Pursuant to section 90-11, Milwaukee Code of Ordinances, and section 125.12(12), Wis. Stats., the Committee is transmitting a copy of its Report and Recommendations, regarding the above matters to your Honorable Body.

Pursuant to City Ordinances, prior to the time the Common Council acts on the Committee's Report, **a roll call vote will be taken** to confirm that all members present and voting have read the Committee's Report and any objections that have been filed by the Licensees.

These matters have been scheduled for a hearing before the full Common Council at its meeting on **Tuesday, December 11, 2007** at 9:00 A.M. in the Common Council Chambers.

Respectfully,



James N. Witkowiak, Chair  
Licenses Committee

cc: All Council Members  
File 070925



**JAMES N. WITKOWIAK**  
ALDERMAN, 12TH DISTRICT

**Date:** November 29, 2007

**To:** All Members of the Milwaukee Common Council

**From:** Licenses Committee

**Re:** Report on the Renewal Application of the Class "D" Bartender License of Mary K. Kroll

**FINDINGS OF FACT**

1. Mary K. Kroll (hereinafter the "Licensee") is the holder of a Class "D" Bartender License in the City and County of Milwaukee, Wisconsin. Said license expires at midnight, December 31, 2007.
2. An application to renew said license was timely filed with the Office of the City Clerk on October 30, 2007.
3. Pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes, the matter was referred to the Milwaukee Police Department for investigation. On October 31, 2007, the Milwaukee Police Department responded with a police report that could form a basis for nonrenewal or suspension of said license.
4. On November 13, 2007 the City Clerk's Office provided timely notice to the Licensee pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes of the report of the Milwaukee Police Department and included therewith a copy of the Milwaukee Police Department report. The matter was scheduled for a hearing on the Police Department report on November 27, 2007, commencing at 1:30 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 Mary K. Kroll at 3532 South 12<sup>th</sup> Street, Milwaukee, Wisconsin 53221 on November 13, 2007 by U.S. prepaid first-class mail in an envelope bearing the return address of the License Division. The address of 3532 South 12<sup>th</sup> Street, Milwaukee, Wisconsin 53221 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 November 27, 2007.

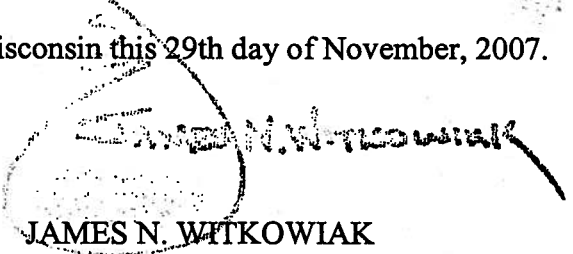
#### CONCLUSIONS OF LAW

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, Mary K. Kroll, 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" Bartender 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" Bartender license held by Mary K. Kroll based upon nonappearance.

#### RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of three (3) ayes and two (2) excused, recommends that the Class "D" Bartender License be denied based upon nonappearance.

Dated and signed at Milwaukee, Wisconsin this 29th day of November, 2007.

  
JAMES N. WITKOWIAK  
Chairman Licenses Committee



**JAMES N. WITKOWIAK**  
ALDERMAN, 12TH DISTRICT

**Date:** November 29, 2007

**To:** All Members of the Milwaukee Common Council

**From:** Licenses Committee

**Re:** Report on the Renewal Application of the Class "D" Bartender License of Wesley B. Williams

**FINDINGS OF FACT**

1. Wesley B. Williams (hereinafter the "Licensee") is the holder of a Class "D" Bartender License in the City and County of Milwaukee, Wisconsin. Said license expires at midnight December 31, 2007.
2. An application to renew said license was timely filed with the Office of the City Clerk on October 24, 2007.
3. Pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes, the matter was referred to the Milwaukee Police Department for investigation. On October 25, 2007, the Milwaukee Police Department responded with a police report that could form a basis for nonrenewal or suspension of said license.
4. On November 16, 2007 the City Clerk's Office provided timely notice to the Licensee pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes of the report of the Milwaukee Police Department and included therewith a copy of the Milwaukee Police Department report. The matter was scheduled for a hearing on the Police Department report on November 27, 2007, commencing at 2:00 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 Wesley B. Williams at 2435 West Wisconsin Avenue, No. 501, Milwaukee, Wisconsin 53233 on November 16, 2007 by U.S. prepaid

first-class mail in an envelope bearing the return address of the License Division. The address of 2435 West Wisconsin Avenue, No. 501, Milwaukee, Wisconsin 53233 is the address given by the Licensee on his application. The envelope was not returned to the License Division by the United States Postal Service. The Licensee failed to appear at the hearing on November 27, 2007.

#### 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, Wesley B. Williams 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" Bartender 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" Bartender license held by Wesley B. Williams based upon nonappearance.

#### 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 "D" Bartender License be denied based upon nonappearance.

Dated and signed at Milwaukee, Wisconsin this 29th day of November, 2007:

  
JAMES N. WITKOWIAK  
Chairman Licenses Committee



**JAMES N. WITKOWIAK**  
ALDERMAN, 12TH DISTRICT

**Date:** November 29, 2007  
**To:** All Members of the Milwaukee Common Council  
**From:** Licenses Committee  
**Re:** Report on the Renewal Application of the Class "D" Bartender License of Tyler J. Rinta

**FINDINGS OF FACT**

1. Tyler J. Rinta (hereinafter the "Licensee") is the holder of a Class "D" Bartender License in the City and County of Milwaukee, Wisconsin. Said license expires at midnight, December 31, 2007.
2. An application to renew said license was timely filed with the Office of the City Clerk on October 22, 2007.
3. Pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes, the matter was referred to the Milwaukee Police Department for investigation. On October 23, 2007, the Milwaukee Police Department responded with a police report that could form a basis for nonrenewal or suspension of said license.
4. On November 13, 2007 the City Clerk's Office provided timely notice to the Licensee pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes of the report of the Milwaukee Police Department and included therewith a copy of the Milwaukee Police Department report. The matter was scheduled for a hearing on the Police Department report on November 27, 2007, commencing at 1:30 p.m. in Room 301B of City Hall. At said date, time and place, the licensee did appear and was not represented by counsel.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:

- A. The Milwaukee Police Department investigation regarding this application revealed the following:

December 1, 2004      retail theft (2 counts) Milwaukee Circuit Court  
October 31, 2005      resisting/obstructing Municipal Court

- B. On November 15, 2005 the licensee was charged in Milwaukee County for possession of cocaine/coca and possession of drug paraphernalia and on July 12, 2006 was found guilty of both charges and sentenced to 45 and 15 days in the House of Corrections respectively.
- C. On February 9, 2006, the licensee was cited by the Milwaukee Police Department for theft. The licensee was found guilty of theft on April 5, 2006 and fined \$338.00.
- D. At the hearing the licensee informed the Committee that he is a recovering drug addict and that he has sought treatment on his own.

#### 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, Tyler J. Rinta, 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" Bartender license without undergoing a ninety (90) day suspension of said license based upon the police report.
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 renew the Class "D" Bartender license held by Tyler J. Rinta with a ninety (90) day suspension of said license based upon the police report. The Committee find the police report, as stated above to be true.

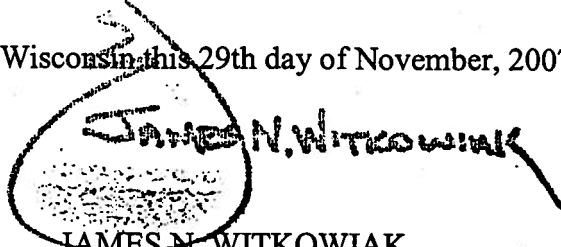
#### RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of two (2) ayes, one (1) noe and two (2) excused, recommends that the Class "D" Bartender License be renewed with a 90 day suspension based upon the police report.



Said suspension is to be in effect from the date of the Common Council action on December 11, 2007 through March 10, 2008.

Dated and signed at Milwaukee, Wisconsin, this 29th day of November, 2007.

A handwritten signature in black ink that reads "James N. Witkowiak". The signature is written in a cursive style and is enclosed within a circular stamp or seal that is partially obscured by the ink.

JAMES N. WITKOWIAK  
Chairman Licenses Committee

126223



**JAMES N. WITKOWIAK**  
ALDERMAN, 12TH DISTRICT

Date: November 29, 2007

To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report of the Renewal Application of Lyle A. McDowell for a Class "B" Tavern license for the premises located at 3478 North 2<sup>nd</sup> Street in the City and County of Milwaukee, Wisconsin ("Club 2-C").

**FINDINGS OF FACT**

1. Lyle A. McDowell (hereinafter the "Licensee") is the holder of a Class "B" Tavern license for the premises located at 3478 North 2<sup>nd</sup> Street in the City and County of Milwaukee, Wisconsin ("Club 2-C"). Said license expires at midnight, December 20, 2007.
2. An application to renew said license was timely filed with the Office of the City Clerk on October 5, 2007.
3. Pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes, the matter was referred to the Milwaukee Police Department for investigation. The Milwaukee Police Department responded with a report that could form the basis of non-renewal or suspension of this license on October 8, 2007. There were also neighborhood objections to loitering, littering, loud music and noise, parking and traffic problems, fights, shootings, public urination, drug and criminal activity, and conduct which is detrimental to the health, safety and welfare of the neighborhood.
4. On November 14, 2007, the City Clerk's Office provided notice to the Licensee pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes of the police report that could form the basis for nonrenewal or suspension and neighborhood objections and included a copy of the police report. The matter was scheduled for a hearing on the police report on November 27, 2007 at 3:30 p.m. in Room 301B of the third floor of City Hall. At said date, time and place the licensee did appear, but was not represented by counsel.

6. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
- A. On December 11, 2003, at 4:30 PM, officers of the Milwaukee Police Department made a lawful inspection of the licensed premises at 2901 North 23<sup>rd</sup> Street. Officers arrested Heath Wasserman, who was in the bar, for carrying a concealed weapon-gun. An incident report was filed. Mr. McDowell was the licensee for this premises at this time.
  - B. On March 28, 2004, at 2:46 AM, officers of the Milwaukee Police Department responded to the licensed premises at 2901 North 23<sup>rd</sup> Street regarding a shooting. The investigation revealed that a shooting occurred at the rear of the licensed premises. The shooting involved three patrons of the tavern. The licensee stated that no fight had occurred inside the tavern nor was there a shooting inside the tavern, only that the actors had been in the tavern for a party. An incident report was filed. Mr. McDowell was the licensee for this premises at this time, as well as for the following incidents.
  - C. On June 6, 2004, at about 1:37 AM, unknown person(s) fired several shots into the premises striking a patron in the lower leg. The criminal investigation indicated that at about 10:45 PM on June 5, 2004, two patrons began fighting, left the tavern and began arguing with each other across the street. The security person observing this, but did not call the police because he believed it was no longer the bar's responsibility. About an hour later, one of the patrons that had been involved in the argument returned to the front of the tavern yelling that he was looking for the person he argued with earlier. This individual was heard to threaten to shoot at the tavern. At about 1:35 AM, the son of the first participant in the fight and an accomplice approached the tavern armed with a handgun and shotgun and fired shots into the tavern. A passing squad observed shooting and arrested one of the suspects.
  - D. On July 9, 2004, officers of the Milwaukee Police Department investigated a battery complaint. The victim stated she was in the licensed premises at 2901 North 23<sup>rd</sup> Street at about 1:30 AM on July 9, 2004. When she refused a man's advances, the man struck her in the mouth with a bottle, cutting her upper lip. The applicant stated that a man named "Mackie" had struck the woman but the applicant did not call police. An incident report was filed.
  - E. On September 6, 2004, at about 1:28 AM, officers of the Milwaukee Police Department were dispatched to a shooting at 2901 North 23<sup>rd</sup> Street, Big V's Sports Bar. The criminal investigation indicates that

about 1:00 AM, a subject was denied entry into the bar because he refused to be searched. About 30 minutes later, a subject was observed by a neighbor discharging a handgun at the premises. Two patrons suffered non-life threatening injuries. No arrest was made.

- F. On November 26, 2004 at about 1:50 AM, an individual had just left Big V's Sports Bar, at 2901 North 23<sup>rd</sup> Street and was shot in the head as he entered his vehicle parked across the street. No further information was made available to the Committee.
- G. On April 17, 2006, at 10:21 PM, officers were dispatched to Club 2-C at 3478 North 2<sup>nd</sup> Street, on an anonymous report that the new club was being operated in violation of its license. The officers spoke to the bartender, who showed them the license for the Checker Board Lounge, issued to Ralph Bailey. There was no license for the Club 2-C and all the old signs and drink menus were posted as Club 2-C. The applicant had applied for a license transfer for Club 2-C, but it had not been granted and Mr. McDowell was using the Checker Board Lounge license during the "transitional time" until he got his license approved. Officers returned on May 2, 2007 and found the tavern was still operating under the Checker Board Lounge licenses. The bartender became upset with police asking why the "police were hasslin' them like this." The bartender called the new owner, Lyle McDowell and McDowell arrived shortly thereafter. McDowell was issued a citation for permit person to tend bar without license. The licensee was found guilty of permit person to tend bar without license on June 26, 2006 and fined \$100.00.
- H. On November 11, 2007, at 2:15 AM, officers of the Milwaukee Police Department were dispatched to 3532 North 2<sup>nd</sup> Street for a shooting complaint. The investigation revealed an underage woman, who was in the tavern earlier with a friend, was shot outside after leaving Club 2-C. The investigation revealed that the female was under the age of 21. While talking with witnesses and conducting field interviews, officers discovered two firearms located inside the tavern. One was located behind the bar with one round in the chamber and six rounds in the magazine and determined to be the bar owner's firearm. The other was found on a patron inside the tavern and he was placed under arrest for Carrying a concealed weapon. Citations will be issued for presence of underage to both the victim and the licensee.
- I. No neighbors appeared in opposition to renewal of this license.

#### CONCLUSIONS OF LAW

1. The Committee has jurisdiction to hold hearings and provided Findings of Fact and Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapter 125 of the Wisconsin Statutes and Chapter 90 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concludes that the licensee, Lyle A. McDowell who holds a Class "B" Tavern license for the premises located at 3478 North 2<sup>nd</sup> Street in the City and County of Milwaukee, Wisconsin ("Club 2-C ") has not met the criteria of Chapter 90 of the Milwaukee Code of Ordinances or Chapter 125 of the Wisconsin Statutes to allow renewal of his Class "B" Tavern without undergoing a ten (10) day suspension of said license based upon a police report.
3. In order to protect the health, safety and welfare of the citizens of the City of Milwaukee, it is the recommendation of the Licenses Committee that the full Common Council of the City of Milwaukee should exercise its judgment to renew the Class "B" Tavern license of Lyle A. McDowell for the premises located at 3478 North 2<sup>nd</sup> Street in the City and County of Milwaukee, Wisconsin ("Club 2-C ") with a ten (10) day suspension of said license because of a police report. The Committee finds the police report, as stated above, to be true.

#### 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 license held by Lyle A. McDowell be renewed with a ten (10) day suspension based upon a police report.

Said suspension is to be in effect between 12:01 a.m. December 21, 2007 through midnight, December 30, 2007.

Dated and signed at Milwaukee, Wisconsin this 29th day of November, 2007.

  
JAMES N. WITKOWIAK, Chair  
Licenses Committee



**JAMES N. WITKOWIAK**  
ALDERMAN, 12TH DISTRICT

Date: November 29, 2007

To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report of the Renewal Application of Tony M. Carter, Sr. for a Class "B" Tavern and Instrumental Music license for the premises located at 2712 North Dr. Martin Luther King Jr. Drive in the City and County of Milwaukee, Wisconsin ("Ray's Rhythm & Blues Lounge").

**FINDINGS OF FACT**

1. Tony M. Carter, Sr. (hereinafter the "Licensee") is the holder of a Class "B" Tavern and Instrumental Music license for the premises located at 2712 North Dr. Martin Luther King Jr. Drive in the City and County of Milwaukee, Wisconsin ("Ray's Rhythm & Blues Lounge"). Said license expires at midnight, December 12, 2007.
2. An application to renew said license was timely filed with the Office of the City Clerk on September 17, 2007.
3. Pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes, the matter was referred to the Milwaukee Police Department for investigation. The Milwaukee Police Department responded with a report that could form the basis of non-renewal or suspension of this license on September 19, 2007. In addition there were also neighborhood objections to loitering, littering, loud music and noise, late night disturbances, parking and traffic problems, fights, public urination, drug and criminal activity, trespassing, vandalism, and conduct which is detrimental to the health, safety and welfare of the neighborhood.
4. On November 13, 2007, the City Clerk's Office provided notice to the Licensee pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes of the police report that could form the basis for nonrenewal or suspension and neighborhood objections and included a copy of the police report. The matter was scheduled for a hearing on the police report and neighborhood objections on November 27, 2007 at 2:30 p.m. in Room 301B of

the third floor of City Hall. At said date, time and place the licensee did appear and admitted receipt of the notice. The licensee was not represented by counsel.

6. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
  - A. On April 11, 2006 at 12:16 a.m., officers of the Milwaukee Police Department responded to a large fight at the licensed premises at 2712 North Doctor Martin Luther King Jr. Drive ("Ray's Rhythm & Blues Lounge"). Other squads were on the scene. Officers observed approximately 50 people in the street being loud, profane, and fighting. Two arrests, one for disorderly conduct (fighting) and one for disorderly conduct and obstructing an officer. Upon observing the number of patrons in the tavern, it appeared to be over its listed capacity of 80 persons. After police were able to maintain control of the fight, several patrons of the tavern left the bar through the front and rear exits and officers were unable to obtain an accurate capacity count. The licensee was given a warning regarding the disorderly conduct and over capacity.
  - B. On May 27, 2006, at 1:46 a.m., officers of the Milwaukee Police Department were dispatched to the intersection of West Center Street and North Doctor Martin Luther King Jr. Drive for a subject with a gun complaint. Upon their arrival, they found a large disturbance in the middle of the street. The incident started inside the licensed premises at 2712 N. Doctor Martin Luther King Jr. Drive ("Ray's Rhythm & Blues Lounge") and the subject was escorted outside the tavern by security guards. The manager, Dexter R. Carter, was on the scene and closed the tavern after the altercation occurred. One victim was hit and kicked in the face, a victim of substantial battery and was treated at the scene. Three suspects were taken into custody in connection with this incident.
  - C. On March 9, 2007 at 1:35 a.m., officers of the Milwaukee Police Department were dispatched to the licensed premises at 2712 North Martin Luther King Jr. Drive for a shooting. Officers found an employee of the tavern who was shot in the leg. The investigation revealed that 3 to 4 shots were fired from a passing auto at the bar, striking the victim. There was a bullet entry point at the front door of the bar through a glass window. The victim was treated and released at a nearby hospital.
  - D. On March 31, 2007 at 2:11 a.m., officers of the Milwaukee Police Department were dispatched to a battery complaint at the licensed premises at 2712 North Martin Luther King Jr. Drive. The investigation revealed a female patron was fighting inside the tavern and sustained several lacerations to her head. The victim declined medical attention and declined to give police any more information regarding the battery. The

tavern was closed at the time the police arrived and police were unable to obtain any statements regarding this incident from bar employees.

- E. On May 25, 2007 at 1:18 a.m., officers of the Milwaukee Police Department were dispatched to a noise nuisance complaint at the licensed premises at 2712 North Martin Luther King Jr. Drive. Officers spoke to the complainant who stated that at 12:50 a.m. he was awoken by 20-30 people exiting the tavern being loud and boisterous. Some patrons got into their cars or on their motorcycles and were accelerating the engines. The complainant stated he did not want a citation issued, but would like officers to speak with Tony Carter, the licensee. Mr. Carter was advised to keep his customers quiet and under control during hours of operation.
- F. On June 2, 2007, officers of the Milwaukee Police Department were flagged down by Ray's Rhythm & Blues security for a trouble with a subject. The investigation revealed a patron was denied entry into the tavern due to urinating on the building a few nights ago. This patron tried to enter the tavern again on this night and was turned away. The suspect then kicked the door and the glass window. He then spat at security. The suspect was still on the scene and he was issued a disorderly conduct citation.
- G. On October 19, 2007 at 11:45 p.m., officers of the Milwaukee Police Department conducted a license premises check at the licensed premises at 2712 North Martin Luther King Jr. Drive. As the officers entered the premises they observed the licensee, Tony Carter, at the end of the bar intoxicated. Officers asked for Carter's identification and asked if Carter had any weapons to which Carter stated "check me." Officers then instructed Carter to put his hands up and he did. Carter began resisting arrest and struck an officer in the face with his elbow. Officers attempted to place Carter into custody when Carter bit an officer on the right hand twice. Carter's actions caused the bar patrons to become unruly and to begin shouting at the police. At the police station, Carter admitted to police that he had heard a rumor that police were trying to shut down his tavern and when he saw the police enter he got angry and gave the police some attitude. Carter was charged with resisting/obstructing a police officer. At the hearing Mr. Carter informed the Committee this matter has been dismissed.
- H. No neighbors testified in opposition to renewal of this license.

#### CONCLUSIONS OF LAW

1. The Committee has jurisdiction to hold hearings and provided Findings of Fact



and Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapter 125 of the Wisconsin Statutes and Chapter 90 of the Milwaukee Code of Ordinances.

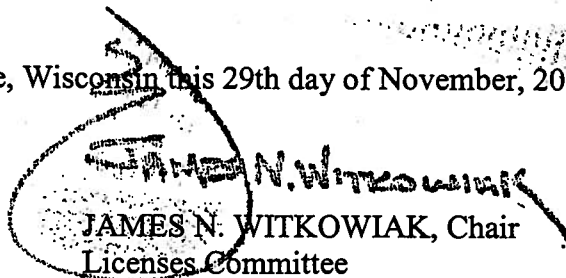
2. Based upon the above facts found, the Committee concludes that the licensee, Tony M. Carter, Sr. who holds a Class "B" Tavern and Instrumental Music license for the premises located at 2712 North Dr. Martin Luther King Jr. Drive in the City and County of Milwaukee, Wisconsin ("Ray's Rhythm & Blues Lounge ") has not met the criteria of Chapter 90 of the Milwaukee Code of Ordinances or Chapter 125 of the Wisconsin Statutes to allow renewal of his Class "B" Tavern and Instrumental Music license without undergoing a twenty (20) day suspension of said license, based upon a police report.
3. In order to protect the health, safety and welfare of the citizens of the City of Milwaukee, it is the recommendation of the Licenses Committee that the full Common Council of the City of Milwaukee should exercise its judgment to renew the Class "B" Tavern and Instrumental Music license of Tony M. Carter, Sr. for the premises located at 2712 North Dr. Martin Luther King Jr. Drive in the City and County of Milwaukee, Wisconsin ("Ray's Rhythm & Blues Lounge ") with a twenty (20) day suspension. The Committee finds the police report as stated above, to be true.

#### 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) abstention recommends that the Class "B" Tavern and Instrumental Music license held by Tony M. Carter, Sr. be renewed with a twenty (20) day suspension based on a police report.

Said suspension is to be in effect between 12:01 a.m. December 13, 2007 through midnight, January 1, 2008.

Dated and signed at Milwaukee, Wisconsin this 29th day of November, 2007.

  
JAMES N. WITKOWIAK, Chair  
Licenses Committee



**JAMES N. WITKOWIAK**  
ALDERMAN, 12TH DISTRICT

Date: November 30, 2007

To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report of the Renewal Application for a Class "B" Tavern and Tavern Dance license of Karen D. Hubbard, agent for Hubbard & Associates NA, Inc." ("Karen's Entertainment Center") at 7330 North 76<sup>th</sup> Street in the City and County of Milwaukee, Wisconsin.

**FINDINGS OF FACT**

1. Karen D. Hubbard, agent for Hubbard & Associates NA, Inc. (hereinafter the "Licensee") is doing business at 7330 North 76<sup>th</sup> Street in the City and County of Milwaukee, Wisconsin ("Karen's Entertainment Center"). Said license expired at midnight, October 23, 2007.
2. The renewal application was mailed to the licensee on July 14, 2007. An application to renew said license was timely filed with the Office of the City Clerk on August 14, 2007.
3. Pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes, the matter was referred to the Milwaukee Police Department for investigation. There was a Milwaukee Police Department report dated August 17, 2007, which could form the basis for non-renewal or suspension of the license. There were also neighborhood objections to loitering, littering, gunshots and fights, drug and criminal activity, cruising, failure to comply with license regulations, specifically operation of the premises during a suspension period and sales and presence of underage persons and conduct which is detrimental to the health, safety and welfare of the neighborhood.

The City Clerk scheduled this matter for a hearing on the police report and neighborhood objections for September 11, 2007, and on August 29, 2007 gave notice to the Licensee by Karen D. Hubbard, Agent, of the police report and neighborhood objections. On September 7, 2007 the Licensee, Karen D.

Hubbard, submitted a written request for withdrawal which the Committee accepted on September 11, 2007.

On October 8, 2007 the Licensee, Karen D. Hubbard, submitted a request to rescind the withdrawal of the application.

4. On November 15, 2007, the City Clerk's Office renoticed the Licensee, pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes of police report that could form the basis for suspension or non-renewal of the license of the Licensee and the neighborhood objections. A copy of the police report was included with the notice. The matter was scheduled for a hearing on the police report and neighborhood objections on November 27, 2007 at 11:00 a.m. in Room 301B of the third floor of City Hall. At said date, time and place, the licensee appeared and admitted receipt of the notice and police report. The licensee was represented by Attorney Michael A.I. Whitcomb, 633 West Wisconsin Avenue, Suite 510 Milwaukee, WI 53203-1918.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
  - A. On June 1, 2001, officers of the Milwaukee police department responded to back-up other officers at a large crowd outside of the licensed premises at 7330 North 76<sup>th</sup> Street in the City and County of Milwaukee, Wisconsin ("Karen's Club"). As officers arrived on the scene they observed shots being fired from the parking lot. Additional officers responded, including the Tactical Enforcement Unit. The applicant related to the officers that she had rented the party room to an unknown person for a "Jam for Peace-After Set" and that no alcohol was served. She also related that this was an underage event and anyone under the age of 21 was to have left by 11:00 p.m. There was no notification of this underage event to the police department as required by state law and local ordinances. The applicant was cited for presence of an underage person. However, that citation was not issued by the City Attorney's Office. The City Attorney's Office did, however, issue a citation for disorderly conduct which was dismissed by the Municipal Court. An incident report was filed.
  - B. On October 29, 2001, at 2:07 a.m., officers of the Milwaukee police department were dispatched to the licensed premises at 7330 North 76<sup>th</sup> Street in the City and County of Milwaukee, Wisconsin ("Karen's Club") to investigate a fight. Upon their arrival, there were approximately 100 people in the parking lot engaging in loud and disruptive behavior. Several subjects were observed fighting in the parking lot. While attempting to clear the parking lot, officers came across a subject lying unconscious on the ground. That subject was an apparent victim of a battery. Two subjects who identified themselves as brothers of the victim

intentionally interfered with the investigation. They were asked to back away from the scene but became belligerent. One had to be decentralized and taken into custody. Another person attempted to pull him away from police, and was also taken into custody.

- C. On August 17, 2002, officers of the Milwaukee police department were dispatched to meet a supervisor regarding a premises check at the licensed premises at 7330 North 76<sup>th</sup> Street in the City and County of Milwaukee, Wisconsin ("Karen's Club"). Upon arrival, they found six operating amusement machines being operated without licenses posted. Also the Class "B" tavern license was not posted in the room where alcohol was being served. The licensee told officers that she had posted the Class "B" license but it kept falling down so she placed it in the office. The licensee was cited for Class "B" license to be posted and it was dismissed on December 20, 2002 without prejudice. The licensee was cited for amusement game license not posted and on December 20, 2002 was found guilty and fined \$400.00.
- D. On May 8, 2004 at 1:49 a.m., officers of the Milwaukee police department were dispatched to a shooting at the licensed premises at 7330 North 76<sup>th</sup> Street in the City and County of Milwaukee, Wisconsin ("Karen's Club"). The licensee was on the premises and stated that she called the police because of a fight in the tavern. Approximately five females were involved in the fight. Initially, the licensee denied calling in the shooting. Police learned that there was a large fight involving many people in the tavern and that two females had left the tavern. However, they returned to the tavern and were bleeding and claimed they had been shot in the parking lot. The licensee, her son, a security person and a bartender denied hearing gunfire, but were reluctant to provide police with information regarding what had occurred. The victims had bullet fragments in their hands and back. The victims stated that there was a party at "Karen's Club" when a fight broke out between approximately 30-40 people. The security people pushed everyone out and someone fired shots into the crowds.
- E. On August 27, 2004, City of Milwaukee police officers were sent to a shooting at the licensed premises at 7330 North 76<sup>th</sup> Street in the City and County of Milwaukee, Wisconsin ("Karen's Club"). They found security personnel crowding around a car in the parking lot. The victim of the shooting was in the car and was pronounced dead. Witnesses stated that the victim was shot while in the car, in the parking lot. Several of the security personnel left the scene and were uncooperative. This incident was considered by the Licenses Committee on September 28, 2005.
- F. On September 19, 2005 at 1:54 a.m., City of Milwaukee police officers were dispatched to 7330 North 76<sup>th</sup> Street for a shooting complaint.

Officers spoke with a security guard who was on duty and he stated that he was located at the entrance of the door when he heard one gun shot and told everyone to get inside. The guard had everyone back away from the door and heard nothing further due to the music playing in the club. The guard further stated the next time he went to the door is when police arrived on scene. Officers also spoke with Karen Hubbard, the licensee, who stated the club was closed for a private party. The investigation revealed that a subject, who was in the parking lot of Karen's Night Club, was shot. Officers separated and interviewed witnesses who all stated they did not know the subject who was shot, nor did they know who he was with. The Criminal Investigation Bureau responded and filed a report regarding this incident. This incident was not considered for the 2005 renewal.

G. On May 20, 2006 at 2:05 a.m., officers of the Milwaukee Police Department were dispatched to 76<sup>th</sup> Street and Good Hope Road for a shots-fired complaint. Investigation revealed that 50-75 people were fighting in the parking lot and as police arrived, began to flee. Officers were checking the parking lot for any evidence of shots fired or injured persons when other patrons from the licensed premises at 7330 North 76<sup>th</sup> Street ("Karen's Club") were leaving stating to police that there had been a large fight in the parking lot, but didn't know what it was over or who was involved. Officers checked inside the rear bar/banquet hall, where there were numerous people inside. No one appeared to be injured or in need of medical assistance. Patrons inside denied there was a fight. Other officers who were responding, were flagged down by a bouncer who stated there was a subject that had just been beaten up. Officers were led to the basement of the banquet room where they found a subject lying on the floor with what appeared to be a stab wound to the center of his chest. The subject also was bleeding from his face and had swelling as well. Conflicting and uncooperative witnesses hindered this investigation. Many patrons claimed there were no gunshots. Due to the lack of police help on scene, police were unable to detain anyone for further questioning that may have provided more information. The subject received medical treatment at an area hospital. A report was filed by the Criminal Investigation Bureau.

H. On May 28, 2006 at 11:19 p.m., officers of the Milwaukee Police Department conducted a tavern check at the licensed premises at 7330 North 76<sup>th</sup> Street ("Karen's Club"). Upon arrival of the officers, several guests from a birthday party were leaving the premises. Guests had come from the back room, which was separated from the bar. Officers spoke with Karen Hubbard, the licensee, who stated her 19 year old daughter had a birthday party and that no alcohol was served. Officers found at least 30 bottles of beer in a cooler in the room the party was held in. Officers advised Hubbard that per city ordinance, no alcohol should be in the room

where minors are present.

- I. The prior record of this premises reveals that it was renewed with a 10-day suspension of the Class "B" Tavern license and a 30-day suspension of the Tavern Dance license in 2004 and renewed in 2001 and 2002 with a warning.
- J. On August 16, 2006 the applicant was cited for building and zoning violations. On July 17, 2007 she was found guilty and fined \$1,130.00.
- K. On September 2, 2006, at 11:06 p.m., officers of the Milwaukee Police Department were dispatched to the licensed premises at 7330 North 76<sup>th</sup> Street (Karen's Club) for a battery domestic violence complaint. The investigation revealed the caller was uncooperative and would not talk with police regarding a male subject she kept yelling at. Officers attempted to speak to the male when he ran into a crowd that had gathered by the tavern. Officers did confront him, when he punched an officer in the face. The male was resisting arrest and several subjects who were in the crowd attempted to interfere with officers who were trying to arrest him. Both he and the female caller were arrested. He was charged with battery to a police officer and disorderly conduct. The female caller was charged with disorderly conduct. Officers then spoke to Karen Hubbard who is the licensee of the licensed premises Karen's Club. She stated that she had security personnel inside the tavern but not outside. There were no other reported incidents regarding Karen's Club.
- L. On November 30, 2006, at 8:24 p.m., officers of the Milwaukee Police Department were dispatched to North 76<sup>th</sup> Street and West Good Hope Road for a battery-cutting from an anonymous caller who said his friend was stabbed inside Karen's Club tavern. The caller stated he was going to take his friend to the hospital and did not want any further involvement regarding the incident. The victim nor the scene was ever located; however, the caller stated the suspect was possibly still in Karen's Club tavern. Milwaukee Police Department squads responded to Karen's Club tavern and discovered a "stepping" dance class was being conducted and they knew nothing of the altercation. The tavern was suspended from October 24, 2006 through December 22, 2006 and this was in violation of that suspension. The officers were told to close the establishment and have all the people leave. The battery-cutting was found to be baseless.
- M. At the hearing the Licensee, by her counsel, stated that she did not know that the premises could not be used for dancing while it was under suspension. However, the License Division Manager testified that there had been conversations with the Licensee, Karen D. Hubbard. Those conversations included the fact that the occupancy of the premises was that of a public tavern, and that during a suspension of the Class "B"

license no occupancy could exist as a tavern, and further that the Tavern Dance license was suspended. As such, a Public Dance Hall license would be necessary to conduct dance lessons; something the Licensee did not have.

- N. At hearing the Licensee, by Karen D. Hubbard, Agent and counsel, informed the Committee that the premises only operates when scheduled banquets and functions are being held.

#### CONCLUSIONS OF LAW

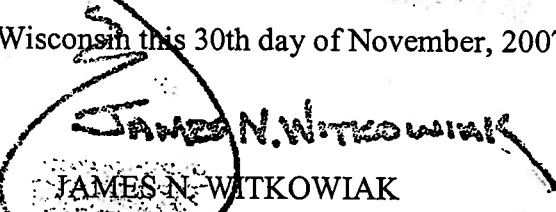
1. The Committee has jurisdiction to hold hearings and provided Findings of Fact and Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapter 125 of the Wisconsin Statutes and Chapter 90 of the Milwaukee Code of Ordinances.
2. The Committee using its authority under § 90-13-7-b of the Milwaukee Code of Ordinances, hereby approves the return of the Class "B" Tavern license.
3. Based upon the above facts found, the Committee concludes that the licensee Karen D. Hubbard as agent for Hubbard & Associates NA, Inc. d/b/a Karen's Entertainment Center at 7330 North 76<sup>th</sup> Street in the City and County of Milwaukee, Wisconsin has not met the criteria of Chapter 90 of the Milwaukee Code of Ordinances to allow renewal of her Class "B" Tavern and Tavern Dance license without undergoing a sixty-five (65) day suspension of said license. The Committee finds the police report as stated above to be true.
4. 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 discretion to renew the Class "B" Tavern and Tavern Dance license held by Karen D. Hubbard as agent for Hubbard & Associates NA, Inc. at 7330 North 76<sup>th</sup> Street in the City and County of Milwaukee, Wisconsin ("Karen's Entertainment Center") with a sixty-five (65) day suspension.

#### RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of three (3) ayes, one (1) abstain and one (1) excused recommends that the Class "B" Tavern and Tavern Dance license held by Karen D. Hubbard as agent for Hubbard & Associates NA, Inc. at 7330 North 76<sup>th</sup> Street in the City and County of Milwaukee, Wisconsin ("Karen's Entertainment Center") be returned and renewed and that a sixty-five (65) day suspension be imposed upon the renewal of the license to commence from the time of Common Council action on December 11, 2007.

Said suspension shall be in effect from the time of the Common Council action on December 11, 2007 until midnight, February 13, 2008.

Dated and signed at Milwaukee, Wisconsin this 30th day of November, 2007

  
JAMES N. WITKOWIAK  
Chairman of the Licenses Committee

126216





**JAMES N. WITKOWIAK**  
ALDERMAN, 12TH DISTRICT

Date: November 29, 2007

To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report of the Renewal Application of Juan C. Curiel for a Class "B" Tavern and Tavern Dance license for the premises located at 611 West National Avenue in the City and County of Milwaukee, Wisconsin ("Fusion Restaurant Bar").

**FINDINGS OF FACT**

1. Juan C. Curiel (hereinafter the "Licensee") is the holder of a Class "B" Tavern and Tavern Dance license for the premises located at 611 West National Avenue in the City and County of Milwaukee, Wisconsin ("Fusion Restaurant Bar"). Said license expires at midnight, December 11, 2007.
2. An application to renew said license was timely filed with the Office of the City Clerk on October 22, 2007.
3. Pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes, the matter was referred to the Milwaukee Police Department for investigation. The Milwaukee Police Department responded with a report that could form the basis of non-renewal or suspension of this license on October 25, 2007. There were also neighborhood objections to loitering, littering, loud music and noise, parking and traffic problems, fights, public urination, drug and criminal activity, and conduct which is detrimental to the health, safety and welfare of the neighborhood.
4. On November 15, 2007, the City Clerk's Office provided notice to the Licensee pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes of the police report that could form the basis for nonrenewal or suspension and neighborhood objections and included a copy of the police report. The matter was scheduled for a hearing on the police report on November 27, 2007 at 10:30 a.m. in Room 301B of the third floor of City Hall. At said date, time and place the licensee did not appear.

6. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
  - A. A notice of the hearing as well as a copy of the police report was sent to Juan C. Curiel at 3702 South 20<sup>th</sup> Place, Milwaukee, Wisconsin 53221 on November 15, 2007 by U.S. prepaid first-class mail in an envelope bearing the return address of the License Division. The address of 3702 South 20<sup>th</sup> Place, Milwaukee, Wisconsin 53221 is the address given by the applicant on his application. The envelope was not returned to the License Division by the United States Postal Service. The licensee failed to appear at the hearing on November 27, 2007.

#### CONCLUSIONS OF LAW

1. The Committee has jurisdiction to hold hearings and provided Findings of Fact and Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapter 125 of the Wisconsin Statutes and Chapter 90 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concludes that the licensee, Juan C. Curiel who holds a Class "B" Tavern and Tavern Dance license for the premises located at 611 West National Avenue in the City and County of Milwaukee, Wisconsin ("Fusion Restaurant Bar ") has not met the criteria of Chapter 90 of the Milwaukee Code of Ordinances or Chapter 125 of the Wisconsin Statutes to allow renewal of his Class "B" Tavern and Tavern Dance 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 of the City of Milwaukee should exercise its judgment to deny the Class "B" Tavern and Tavern Dance license of Juan C. Curiel for the premises located at 611 West National Avenue in the City and County of Milwaukee, Wisconsin ("Fusion Restaurant Bar ") because of nonappearance.

#### 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 Tavern Dance license held by Juan C. Curiel be denied based on nonappearance.

Dated and signed at Milwaukee, Wisconsin this 29<sup>th</sup> day of November, 2007.



JAMES N. WITKOWIAK, Chair  
Licenses Committee