

COMMITTEE ASSIGNMENTS

CHAIR

- Licenses Committee

VICE CHAIR

- Community and Economic Development Committee

MEMBER

- Steering and Rules Committee



TONY ZIELINSKI
ALDERMAN, 14TH DISTRICT

November 15, 2016

To the Honorable, the Common Council

Honorable Members:

Common Council File Number 160636 contains the following recommendations:

Nonrenewal, based upon the second nonappearance of the Class D Operator's license(s) for Charese Gardner.

Renewal, with a fifteen (15) day suspension, based upon the police report, and neighborhood, police, and aldermanic testimony of the Class B Tavern and Public Entertainment Premises license(s) for Habib Manjee for the premises located at 622 N Water St ("Ladybug Club/618 Live On Water") in the 4th aldermanic district.

Respectfully,

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

Tony Zielinski, Chair
Licenses Committee

cc: All Council Members
File 160636

Date: November 10, 2016

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 Charese A. Gardner

FINDINGS OF FACT

1. Charese A. Gardner (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, 2015.
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 October 27, 2016 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 7, 2016 at 1:15 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 Charese A. Gardner, P.O. Box 76150, Milwaukee, WI 53216 on October 27, 2016 by U.S. prepaid first-class mail in an envelope bearing the return address of the License Division. The address of P.O. Box 76150, Milwaukee, WI 53216 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 7, 2016 at 1:15 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, Charese A. Gardner has not met the criteria of Chapter 125 of the Wisconsin Statutes or Chapter 90 of the Milwaukee Code of Ordinances to allow renewal of the Class "D" Operator's license based upon nonappearance.
- 3, In order to protect the health, safety and welfare of the citizens of the City of Milwaukee, it is the recommendation of the Licenses Committee that the full Common Council should exercise its discretion to not renew the Class "D" Operator's license held by Charese A. Gardner based upon nonappearance.

RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, recommends by a vote of five (5) ayes and zero (0) noes that the Class "D" Operator's License of Charese A. Gardner not be renewed based upon nonappearance.

Dated and signed at Milwaukee, Wisconsin this 10th day of November, 2016.



TONY ZIELINSKI
Chainman Licenses Committee

Date: November 10, 2016

To: All members of the Milwaukee Common Council

From: Licenses Committee

Re: Report on the renewal application of Habib Manjee, Agent for Lady Bug Club, LLC, for a Class "B" Tavern and Public Entertainment Premises (PEP) renewal applications for the premises located at 622 North Water Street in the City and County of Milwaukee, Wisconsin ("Ladybug Club/618 Live On Water").

FINDINGS OF FACT

1. Habib Manjee ("Licensee") is the holder of a Class "B" Tavern and PEP licenses for the premises located at 622 North Water Street in the City and County of Milwaukee, Wisconsin ("Ladybug Club/618 Live On Water"). Said licenses expire at midnight, November 30, 2016.
2. An application to renew said license and change of member was filed with the Office of the City Clerk on September 26, 2016.
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 September 26, 2016, the Milwaukee Police Department responded with a police report that could form a basis for non-renewal or suspension of said license.
4. On October 27, 2016 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 neighborhood objections and included therewith a copy of the Milwaukee Police Department report. The matter was scheduled for a hearing on the Police Department report and neighborhood objections on November 7, 2016, commencing at 1:30 p.m. in Room 301B of City Hall, 200 East Wells Street, Milwaukee, Wisconsin 53202. At said date, time and place, the Licensee appeared and admitted receipt of notice for the hearing, as well as notice of the objection to renewal of licenses. The Licensee was represented by Attorney Vincent Bobot and Attorney Michael Maistelman.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
 - A. On February 7, 2015 Milwaukee police were flagged down by security at 618 Live regarding a fight inside the club. The investigation revealed there had been an altercation inside the business between the applicant and a member of the business's security staff. A Milwaukee police incident report was filed.

- B. On March 21, 2015 a vehicle fled from Milwaukee police as they attempted to pull it over near North Broadway Street and West Wisconsin Avenue. One of the officers believed the driver of the vehicle had come from 618 Live on Water/Lady Bug Club. Officers went to 618 Live and asked to view surveillance video. The applicant's cooperation resulted in the driver of the fleeing vehicle being identified. A Milwaukee police incident report was filed.
- C. On April 23, 2015 Milwaukee police observed security from 618 running towards East Michigan Street. Officers followed and observed approximately 30 people in the street causing traffic to stop. Officers then observed two females fighting, these females stopped fighting and left the area when the officers activated their squad lights and sirens. Staff from 618 along with additional officers cleared the area without further incident.
- D. On July 5, 2015 Milwaukee police requested a copy of video surveillance from 618 Live of an incident that had occurred the previous night. The applicant provided police with a DVD of the requested video.
- E. On August 15, 2015 a subject, Tommy Miller, was ejected from 618 Live (622 North Water Street). Approximately half an hour later, the passenger in a Pontiac Vibe was seen pointing a handgun at Milwaukee police officers. The operator of the Pontiac Vibe was the same Tommy Miller that had earlier been ejected from 618 Live. A Milwaukee police incident report was filed.
- F. On August 15, 2015 Milwaukee police observed a fight spill from the front door of 618 North Water Street (618 Live). While breaking up that and several other fights occurring in the area, one Milwaukee police officer deployed oleoresin capsicum and another officer used an electronic control device to take another subject into custody. This subject was cited for disorderly conduct. A Milwaukee police incident report was filed.
- G. On August 22, 2015 Milwaukee police were alerted by a member of security staff at the Eight Club that three subjects were running and behaving suspiciously in the area of North Broadway and East Michigan Avenue. One of the subjects was observed concealing a black semi-automatic handgun in his waistband and was arrested. A search of the vehicle revealed another handgun and suspected heroin. The arrested person stated he got in a fight at the club. Officers responded to the establishment and the assistant manager assisted them with checking the club's computer database. Officers were unable to locate the suspect's name in the files for the date of the incident. A Milwaukee police incident report was filed.
- H. On October 9, 2015 a Milwaukee police officer observed a large amount of people waiting in line to enter 618 Live (622 North Water Street) and that they were

obstructing normal pedestrian traffic on the sidewalk. The officer spoke to security about the problem 5 times, but they took no action. The officer eventually handcuffed metal gates together to prevent people from going through the middle and blocking the sidewalk. Officers on scene began moving the crowd for approximately one hour until it reached a point of order.

- I. On October 11, 2015 a Milwaukee police officer conducted a count of the number of patrons inside 618 Live (622 North Water Street). The officer counted 566 patrons inside the business, which was video recorded by positioning his squad car facing the front door. The applicant told the officer his capacity is 400. The applicant was cited for Licensed Establishment-Exceeding Occupy Limit Finding and found guilty on May 3, 2016 and fined \$10,000.00.
- J. On November 25, 2015 a Milwaukee police officer observed the line in front of 618 Live/Ladybug Club to be approximately 150 people. There are three lines and the center gate is left unlinked and patrons who pay a higher price are allowed to skip both lines. At one point the officer observed too many people waiting in the middle section and asked the applicant to organize the middle section of the line outside of the gates or the officer would lock the front section of gate. The applicant closed the unlinked section of the gate and yelled at the officer "You do this because you hate black people." and began to yell to the crowd "Look everyone how racist this officer is!"
- K. On February 28, 2016 Milwaukee police observed a security guard from Tactical Response Agency (a security company hired by Club 618) walking with a shotgun at a tactical ready position. The security guard detained a subject for walking to her vehicle with a gun partially exposed. It was later determined this subject had a valid CCW permit holder. A few minutes later, officers observed Tactical Response Agency had a vehicle surrounded in the middle of the street; two of the security officers had guns pointed at the driver. Security stated the vehicle had struck one of their vehicles. Police ordered security to step away from the vehicle, which then fled northbound. A check of the registration plate revealed the vehicle had been reported stolen, had struck. A Milwaukee police incident report was filed.
- L. On April 8, 2016 Milwaukee police were informed there was an injured person inside The 8 Night Club (618 North Water Street). Officers were unable to locate any injured persons at that time. At 2:20 a.m., Milwaukee police responded to Mt. Sinai Hospital to speak to a subject who stated she had been injured at The 8 Night Club (618 North Water Street). Officers located the injured subject, Myesha Bogan, who was heavily medicated and unable to speak to officers. On April 9, 2016 Bogan told officers she had been a patron at The 8 Night Club and got into an argument with a female who struck her in the head with a Hennessy bottle while in the bathroom of the business. Bogan received fifteen stitches as a result of this incident. A Milwaukee police incident report was filed.

- M. On April 8, 2016 Milwaukee police observed security officers escort two females out of The 8 Night Club (618 North Water Street). These females began yelling and screaming and were asked to leave the area. A short time later another female left the club and was approached by one of the two original females who began hitting her. The victim told officers that she and the other female had been involved in an altercation while inside the business and the other female was escorted out by security. The victim also told officers she was four months pregnant. The victim later went to Mt. Sinai Hospital for evaluation. A Milwaukee police incident report was filed.
- N. On April 8, 2016 a Milwaukee police officer observed approximately 8-10 subjects fighting on the corner of North Water Street and West Wisconsin Avenue. A female told the officer it started at a club around the corner, 618 North Water Street. Some of the subjects involved fled in a vehicle, others walked away.
- O. On April 8, 2016 Milwaukee police were dispatched to a noise nuisance at 611 North Broadway. The officer could hear very loud music coming from the rear of 618 North Water Street. A Milwaukee police sergeant spoke to the manager of the business at 618 North Water Street and was told the loud music would be taken care of. A security officer at 611 North Broadway told police that the loud music was an ongoing issue.
- P. On April 8, 2016 a Milwaukee police officer observed so many people waiting in line to enter 618 Live (622 North Water Street) that they were obstructing normal pedestrian traffic on the sidewalk. The officer spoke to security about the problem 3 times, but they took no action. Eventually, a Milwaukee police sergeant responded and spoke to the applicant. The crowd would not listen to the sergeant or the applicant and continued pushing, trying to get into the front door of the club. The sergeant finally told the applicant not to let more people in the club until control could be regained. Officers moved the crowd for approximately 2 hours until it reached a point of order.
- Q. On April 23, 2016 at approximately 2:05 a.m., a shooting occurred in the parking lot at 500 North Broadway Street. The victim told officers he had been a patron of the club located at 618 North Water Street, and had been involved in an incident with another patron while inside the business. Later, one of the subjects from the previous incident drove up to the victim and shot him. The victim was arrested for possession of ecstasy. The club management assisted officers with keeping the crowd away from the shooting scene and helped identify the possible suspect with their identification scanner. A Milwaukee police incident report was filed.
- R. On April 24, 2016 a Milwaukee police officer, was assigned to monitor 618 Live in the 600 block of North Water Street. At approximately 1:30 a.m. the club began to let out. The officer observed 20 males began to fight each other. Once the fight

broke out it began to grow to approximately 4 to 5 fights involving approximately 75-100 patrons. Approximately 10 squads responded to the area to assist in clearing the crowd.

- S. On August 21, 2016 Milwaukee police were assigned to monitor the closing of 618 Tavern. At approximately 2:00 a.m., security from the business began letting out patrons in large groups of approximately 30-50 at a time. A fight broke out between numerous subjects, and several squads assigned to the code red deployment and District 1 squads were used to break up the fight. Once the fight was dispersed, vehicles leaving the parking lot on the southeast corner of North Broadway and East Michigan Street were observed driving recklessly, running red lights, speeding and cruising. A Milwaukee police incident report was filed.
- T. Attorney Bobot stated that a compromise had been reached with Alderman Bauman for a 15-day suspension and that the premise would only be opened Thursday through Sunday instead of Wednesday through Saturday. He added that there are noise meter readings taken to regulate the noise.
- U. Alderman Bauman stated he was in support of a 15-day suspension.
- V. Captain Eric Moore stated he would be in support of a 15-day suspension.
- W. Alderman Perez moved to amend the plan of operation to have the premise open from Thursday through Sunday.
- X. Kevin Reardon, 6060 South 92nd Street, Hales Corners, stated the streets get cutoff when the club lets our and he is opposed to the additional hours. He added that you cannot walk down the street when the club is open.
- Y. Karen Purzane, 624 North Water Street, stated the noise is horrific and it can be heard in her apartment, which diminishes her enjoyment of her home. She requests noise abatement from the premise. She added that after listening to the police report she is horrified and troubled about her safety.
- Z. Jeff Purzane, 624 North Water Street, stated he recently moved in and there is a lot of noise. He stated he is willing to work with the applicant regarding the noise.
- AA. Alderwoman Lewis asked about the remedy for crowd control.
- BB. Attorney Bobot stated the premise has trained security and they will double the amount of door security so there will not be long lines waiting to get in. He added that they begin letting people out before close to help with the crowds. He added that police are on the street monitoring the traffic.

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 upon the above facts found, the Committee finds that the Licensee, Habib Manjee has not met the criteria of Chapter 125, Wis. Stats. or Chapter 90 of the Milwaukee Code of Ordinances to allow renewal of the Class "B" Tavern and PEP licenses held by him for the premises located at 622 North Water Street in the City and County of Milwaukee, Wisconsin ("Ladybug Club/618 Live On Water ") without undergoing a fifteen (15) day suspension of said license. The Committee finds the police report, neighborhood and aldermanic testimony, and police testimony, as stated above, to be true.
3. The Committee recommends that the full Common Council of the City of Milwaukee exercise its judgment to renew the Class "B" Tavern and PEP licenses for the licensed premises at 622 North Water Street in the City and County of Milwaukee, Wisconsin ("Ladybug Club/618 Live On Water ") with a fifteen (15) day suspension of said license based upon the danger that this nightclub represents to the health, safety and welfare of the citizens of the City of Milwaukee.

RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of four (4) ayes and one (1) abstention, recommends that the Class "B" Tavern and PEP Licenses of Habib Manjee, as agent for Lady Bug Club, LLC, for the premises located at 622 North Water Street in the City and County of Milwaukee, Wisconsin ("Ladybug Club/618 Live On Water ") be renewed with a fifteen (15) day suspension.

Said suspension is to be in effect between 12:01 a.m., December 1, 2016 to 11:59 p.m., December 15, 2016.

Dated and signed at Milwaukee, Wisconsin this 10th day of November, 2016.



TONY ZIELINSKI, Chairman,
Licenses Committee