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Office of the City Clerk

Ronald D. Leonhardt
City Clerk

Jim Owczarski
Deputy City Clerk

March 10, 2011

Trenoil LeFlore
1822 N. 24th Pl.
Milwaukee, WI 53205


Dear Mr. or Ms. LeFlore:

You are hereby notified that the Milwaukee Common Council will hold a hearing on March 23, 2011, commencing at 9:00 a.m., or as soon thereafter as this matter may be heard, in the Common Council chambers on the third floor of City Hall, 200 East Wells Street, Milwaukee, Wisconsin to consider the renewal of your Class "D" Bartender's license.

Attached you will find a copy of the Report of the Licenses Committee, which includes its Findings of Fact, Conclusions of Law and Recommendation, recommending nonrenewal of your license based upon a second nonappearance. The recommendation is the result of a public hearing before the Committee held on March 7, 2011.

You may file written objections to the report of the Licenses Committee. Your written objections must be filed with the City Clerk by 4:45 p.m. on Friday, March 18, 2011 in Room 205 of City Hall. If you file written objections, you or a legal representative may then also appear at the Common Council to make oral arguments supporting your written objections. You will be given approximately five minutes to present your oral argument.

Respectfully,



RONALD D. LEONHARDT
City Clerk

Enclosure



JAMES A. BOHL JR.
Alderman, 5th District

Date: March 7, 2011
To: All Members of the Milwaukee Common Council
From: Licenses Committee
Re: Report on the Renewal Application of the Class "D"
Bartender License of Trenoil LeFlore

FINDINGS OF FACT

1. Trenoil LeFlore (hereinafter the "Licensee") is the holder of a Class "D" Bartender License in the City and County of Milwaukee, Wisconsin. Said license expired at midnight, December 31, 2010.
2. An application to renew said license was untimely filed with the Office of the City Clerk on January 12, 2011.
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 January 13, 2011, the Milwaukee Police Department responded with a police report that could form a basis for non-renewal or suspension of said license.
4. On February 23, 2011 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 7, 2011, 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 Trenoil LeFlore at 1822 North 24th Place, Milwaukee, Wisconsin 53205 on February 23, 2011 by U.S. prepaid first-class mail in an envelope bearing the return address of the License Division. The address of 1822 North 24th Place, Milwaukee, Wisconsin 53205 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 March 7, 2011.

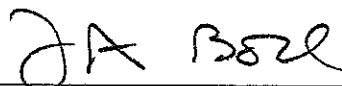
CONCLUSIONS OF LAW

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, Trenoil LeFlore 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 a 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" Bartender license held by Trenoil LeFlore based upon a second 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 a second nonappearance.

Dated and signed at Milwaukee, Wisconsin this 7th day of March, 2011.



JAMES A. BOHL, Jr.
Chair, Licenses Committee



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Office of the City Clerk

Ronald D. Leonhardt
City Clerk

Jim Owczarski
Deputy City Clerk

March 10, 2011

Gregory G. McElwee, II
4328 N. 61st St.
Milwaukee, WI 53216

Dear Mr. McElwee, II:

You are hereby notified that the Milwaukee Common Council will hold a hearing on March 23, 2011, commencing at 9:00 a.m., or as soon thereafter as this matter may be heard, in the Common Council chambers on the third floor of City Hall, 200 East Wells Street, Milwaukee, Wisconsin to consider the renewal of your Direct Seller's license.

Attached you will find a copy of the Report of the Licenses Committee, which includes its Findings of Fact, Conclusions of Law and Recommendation, recommending a fifteen (15) day suspension of your license based upon the police report. The recommendation is the result of a public hearing before the Committee held on March 1, 2011.

You may file written objections to the report of the Licenses Committee. Your written objections must be filed with the City Clerk by 4:45 p.m. on Friday, March 18, 2011 in Room 205 of City Hall. If you file written objections, you or a legal representative may then also appear at the Common Council to make oral arguments supporting your written objections. You will be given approximately five minutes to present your oral argument.

Respectfully,

RONALD D. LEONHARDT
City Clerk

Enclosure



JAMES A. BOHL JR.
Alderman, 5th District

Date: March 7, 2011

To: All Members of the Milwaukee Common Council

From: Licenses Committee

Re: Report of the Renewal Application of the Direct Seller's
License of Gregory G. McElwee, II

FINDINGS OF FACT

1. Gregory G. McElwee, II (hereinafter the "Licensee") is the holder of a Direct Seller's License in the City and County of Milwaukee, Wisconsin. Said license expires at midnight, March 31, 2010.
2. An application to renew said license was filed with the Office of the City Clerk on January 27, 2011.
3. Pursuant to Chapter 95 of the Milwaukee Code of Ordinances, the matter was referred to the Milwaukee Police Department for investigation. The Milwaukee Police Department responded with a report dated January 28, 2011 that could form the basis of non-renewal or suspension of this license.
4. On February 23, 2011, the City Clerk's Office provided notice to the Licensee, pursuant to Chapter 95 of the Milwaukee Code of Ordinances, of the police report that could form the basis for suspension or non-renewal of the license of the Licensee. The matter was scheduled for a hearing on the police report and neighborhood objections on March 7, 2011 at 1:30 p.m. in Room 301B of the third floor of City Hall. At said date, time and place the licensee did appear but he 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. On April 26, 2010 the applicant was charged with possession with intent-THC and maintain drug trafficking place in Milwaukee County. He was found guilty of the

possession with intent charge and sentenced to 18 months and 24 months extended supervision on August 5, 2010. The charge of maintaining a trafficking house was dismissed.

- B. On July 23, 2010 the applicant received a citation for excessive noise prohibited at 2301 North Terrace. He was found guilty on the citation and fined \$130.60 on July 23, 2010.

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 95 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concludes that the licensee, Gregory G. McElwee, II has not met the criteria of Chapter 95 of the Milwaukee Code of Ordinances to allow renewal of his direct seller's license without undergoing a fifteen (15) day suspension based upon the police report.

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) no, recommends that the direct seller's license of Gregory G. McElwee II be renewed with a fifteen (15) day suspension based upon the police report.

Said suspension is to be in effect between March 31, 2011 and for fifteen days thereafter.

Dated and signed at Milwaukee, Wisconsin this 7th day of March, 2011.



JAMES A. BOHL, Jr.
Chair, Licenses Committee



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Office of the City Clerk

Ronald D. Leonhardt
City Clerk

Jim Owczarski
Deputy City Clerk

March 10, 2011

Samer L. Asad, Agt
Lounging Around, Inc
715 S. 5th St.
Milwaukee, WI 53204

Atty. David Halbrooks & Matthew Lerner
Maistelman & Associates LLC
5027 W. North Ave.
Milwaukee, WI 53208

Dear Mr. Asad, Atty. Halbrooks, and Atty. Lerner:

You are hereby notified that the Milwaukee Common Council will hold a hearing on March 23, 2011, commencing at 9:00 a.m., or as soon thereafter as this matter may be heard, in the Common Council chambers on the third floor of City Hall, 200 East Wells Street, Milwaukee, Wisconsin to consider the renewal of the Class B Tavern license and the application of the Tavern Amusement license for the premises at 715-17 S. 5th St. ("Envy Lounge and Nightclub").

Attached you will find a copy of the Report of the Licenses Committee, which includes its Findings of Fact, Conclusions of Law and Recommendation, recommending renewal of the Class B Tavern license with a thirty (30) day suspension and denial of the Tavern Amusement license based on the police report, neighborhood testimony, Milwaukee Police Department testimony, and Aldermanic testimony. The recommendation is the result of a public hearing before the Committee held on March 7, 2011.

You may file written objections to the report of the Licenses Committee. Your written objections must be filed with the City Clerk by 4:45 p.m. on Friday, March 18, 2011 in Room 205 of City Hall. If you file written objections, you or a legal representative may then also appear at the Common Council to make oral arguments supporting your written objections. You will be given approximately five minutes to present your oral argument.

Respectfully,



RONALD D. LEONHARDT
City Clerk

Enclosure



JAMES A. BOHL JR.
Alderman, 5th District

Date: March 7, 2011

To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report of the Renewal Application of Samer L. Asad, Agent for Lounging Around, Inc. for a Class "B" Tavern and New Tavern Amusement licenses for the premises located at 715-17 South 5th Street in the City and County of Milwaukee, Wisconsin ("Envy Lounge and Nightclub").

FINDINGS OF FACT

1. Samer L. Asad (hereinafter the "Licensee") is the holder of a Class "B" Tavern license for the premises located at 715-17 South 5th Street in the City and County of Milwaukee, Wisconsin ("Envy Lounge and Nightclub"). Said license expires at midnight, April 8, 2011.
2. Applications to renew said license and a Tavern Amusement (Cabaret/Nite Club) license were filed with the Office of the City Clerk on January 28, 2011.
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, suspension, denial of the license applications on January 29, 2011.
4. On February 23, 2011, 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, suspension or denial of the license applications and included a copy of the police report. The matter was scheduled for a hearing on March 7, 2011 at 11:00 a.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 represented by Attorneys David Halbrooks and Matthew Lerner, Maistelman & Associates, 5027 West North Avenue, Milwaukee, WI 53208.

5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
 - A. On March 5, 2010 at 1:36 a.m., officers of the Milwaukee Police Department were monitoring the crowd letting out Club Envy located at 715 South 5th Street. Police drove down the alley and observed several Envy security staffing holding back several subjects. The investigation revealed that a fight had occurred inside the club between patrons and security broke up the fight and escorted the patrons out of the club. One patron sought medical attention for a minor injury.
 - B. On August 15, 2010, officers of the Milwaukee Police Department were dispatched to 1556 South 38th Street for a battery complaint. Police were met by three citizens who claimed they had been battered after patronizing the Envy Lounge located at 715 South 5th Street. Police observed visible injuries to all three victims with the victims claiming that their injuries were sustained when a large fight broke out on the street following the release of patrons from the club. Reports were filed for a substantial battery and a property damage complaint in which the victim's car window was broken during the melee.
 - C. On October 18, 2010 at 1:46 a.m., officers of the Milwaukee Police Department were monitoring closing time at Club Envy located at 715 South 5th Street. This was the only establishment open on this block at the time. In attempts to prevent cruising, police conducted traffic control at 740 South 5th Street. A fight broke out and officers attempted to investigate when they observed a subject with injuries. This subject when approached by police was uncooperative and began to fight with police. Once the situation was under control, the subject admitted that she was involved in a fight but did not know who hit her and that her reaction was to fight back. She also admitted that she was very intoxicated and was ashamed of her actions. The subject was cited for disorderly conduct and resisting/obstructing an officer. An officer who witnessed the fight and assisted in breaking it up also cited the other party involved. While this was occurring,

subjects in autos stopped to watch the incident with 25-30 patrons from Club Envy standing in front of the club. They were advised by officers to leave the area in which they complied. Samer Asad was also observed to be outside on the sidewalk videotaping. Police also asked Asad to leave the sidewalk area and he stepped inside the front door of his club. Asad kept the door ajar.

- D. On November 19, 2010 a report of property damage was reported at Club Envy located at 715 South 5th Street. The investigation, and a review of video, revealed two subjects were fighting in the tavern when they broke a table. A PA-33 was filed.
- E. On February 19, 2011 at 1:54 a.m. a report of a battery was reported at Club Envy located at 715 South 5th Street. The investigation revealed that a security guard and a patron at the tavern had been struck in the head with a glass object. Upon arrival of the investigating officers Samer Asad, the licensee, stated the police and ambulance were not needed because the security guard had stopped bleeding and had left. Asad provided the name of his security guard, however, it was the incorrect name. One victim was battered in the tavern and one (the security guard) outside. Both victims were located at Mt. Sinai Hospital. One required eight stitches and one required eleven. Photographs were taken at the hospital. Asad told the investigating officers that he did not have time to review the video from inside the club wither because he had to close out the register and forty employees were still on the clock. He also stated that he did not know that his employee had been hit with a bottle. He said the security guard told him he had slipped on the floor and was injured. A Milwaukee squad that was monitoring the area captured the end of the incident on video when the suspect ran away. Per incident report I.R. 11-051-0015, information relating to this offense, specifically the video of the incident and data from the identification card scanner was not turned over to the police department as of Monday, February 21, 201. Asad told officers they would have to contact his attorney for those items. (See Item #20, 2/21/11, on police synopsis). The felony battery investigation is continuing.
- F. Alderman James Witkowiak testified that this licensed premise facilitates disorder and endangers the stability of the surrounding neighborhood.

- G. Police Captain Donald Gaglione, Commander of the Second Police District, testified before the committee that the police department objects to the issuance of the tavern licenses due to multiple batteries associated with the premises and the lack of cooperation by the license applicant with a police investigation of a felony battery.

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, Samer L. Asad who holds a Class "B" Tavern license for the premises located at 715-17 South 5th Street in the City and County of Milwaukee, Wisconsin ("Envy Lounge and Nightclub") 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 license without undergoing a thirty (30) day suspension, and denial of Tavern Amusement license application based upon the above incidents documented in the police report and testimony by the local alderman and police captain.
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 held by Lounging Around, Inc. d/b/a/ "Envy" with a thirty (30) day suspension and to deny the Tavern Amusement license application of Samer L. Asad as agent for Lounging Around, Inc. for the premises located at 715-17 South 5th Street in the City and County of Milwaukee, Wisconsin ("Envy Lounge and Nightclub"). The Committee finds the facts, as stated above, to be true.

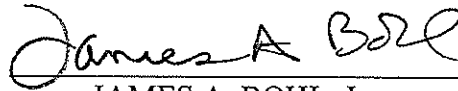
RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of three (3) ayes, one (1) no and one (1) abstention, recommends that the Class "B" Tavern license be approved with a thirty (30) day suspension and that the Tavern

Amusement license application of Samer L. Asad as agent for Longing Around, Inc. be denied based on the above findings of fact.

Said suspension is to be in effect from 12:01 a.m. April 9, 2011 through midnight, May 7, 2011.

Dated and signed at Milwaukee, Wisconsin this 7th day of March, 2011.

A handwritten signature in black ink that reads "James A Bohl". The signature is written in a cursive style with a large initial "J" and "B".

JAMES A. BOHL, Jr.
Chair, Licenses Committee



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Office of the City Clerk

Ronald D. Leonhardt
City Clerk

Jim Owczarski
Deputy City Clerk

March 10, 2011

Lawanda R. Shaw, Agt
Tasniques, Inc
3035 N. 61st St.
Milwaukee, WI 53210

Atty. Ann T. Bowe
Law Offices of Ann Bowe
2929 W Highland Blvd
Milwaukee, WI 53208

Dear Ms. Shaw and Atty. Bowe:

You are hereby notified that the Milwaukee Common Council will hold a hearing on March 23, 2011, commencing at 9:00 a.m., or as soon thereafter as this matter may be heard, in the Common Council chambers on the third floor of City Hall, 200 East Wells Street, Milwaukee, Wisconsin to consider the renewal of the Class B Tavern and Tavern Amusement licenses for the premises at 4416 N. 27th St. ("Tasniques Bar & Grill").

Attached you will find a copy of the Report of the Licenses Committee, which includes its Findings of Fact, Conclusions of Law and Recommendation, recommending renewal of the licenses with a ten (10) day suspension based on the police report and testimony of the Milwaukee Police Department. The recommendation is the result of a public hearing before the Committee held on March 7, 2011.

You may file written objections to the report of the Licenses Committee. Your written objections must be filed with the City Clerk by 4:45 p.m. on Friday, March 18, 2011 in Room 205 of City Hall. If you file written objections, you or a legal representative may then also appear at the Common Council to make oral arguments supporting your written objections. You will be given approximately five minutes to present your oral argument.

Respectfully,

RONALD D. LEONHARDT
City Clerk

Enclosure



JAMES A. BOHL JR.
Alderman, 5th District

Date: March 7, 2011

To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report of the Renewal Application of Lawanda R. Shaw, Agent for Tasniques, Inc., for Class "B" Tavern and Tavern Amusement licenses for the premises located at 4416 North 27th Street in the City and County of Milwaukee, Wisconsin ("Tasniques Bar & Grill").

FINDINGS OF FACT

1. Lawanda R. Shaw (hereinafter the "Licensee") is the holder of Class "B" Tavern and Tavern Amusement licenses for the premises located at 4416 North 27th Street in the City and County of Milwaukee, Wisconsin ("Tasniques Bar & Grill"). Said licenses expire at midnight, April 8, 2011.
2. An application to renew said licenses was filed with the Office of the City Clerk on January 27, 2011.
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 January 28, 2011.
4. On February 28, 2011, 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 included a copy of the police report. The matter was scheduled for a hearing on the police report and neighborhood objections on March 7, 2011 at 2:00 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

represented by Attorney Ann Bowe, 2929 West Highland Boulevard, Milwaukee, WI 53208-3241.

5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
 - A. On December 28, 2010 at 7:55 p.m. officers of the Milwaukee Police Department conducted a license premise check at 4416 North 27th Street. The previous night a shooting took place outside the bar and the investigation revealed a male was shot in the forehead. The victim had told police that a subject owed him money and that he met this subject in front of the tavern. The subject paid him and then went into Tasniques. Shortly after, an unknown male opened the car door the victim was in and shot him in the forehead. The victim stated he ran to the tavern but that they would not let him in. Police spoke to Litwain Love who stated he opened the bar up at about 6:30 p.m. for Monday night football and that approximately 15-20 patrons were in the bar for the game. Love stated he did hear one gunshot but that it as not uncommon to hear gunshots in the area. Love further stated he did not see who fired the shot. Love stated he started closing up at approximately 11:00 to 11:30 p.m. He stated he was clearing and had kept the music and TVs on. He stated no one came to the tavern asking for help. Police also spoke to Lawanda Shaw by phone who was also working that night who gave a similar statement to police.
 - B. Police Captain Edith Hudson, Commander of the Fifth Police District, testified before the committee and stated that tavern-related violence was of concern to her and that the licensee's security and lack of cameras seems inadequate.

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, Lawanda R. Shaw, who holds Class "B" Tavern and Tavern Amusement licenses for the premises located at 4416 North

27th Street in the City and County of Milwaukee, Wisconsin ("Tasniques Bar & Grill ") 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 her Class "B" Tavern and Tavern Amusement licenses without undergoing a ten (10) day suspension.

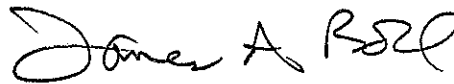
3. In order to protect the health, safety and welfare of the citizens of the City of Milwaukee, it is the recommendation of the Licenses Committee that the full Common Council of the City of Milwaukee should exercise its judgment and renew the Class "B" Tavern and Tavern Amusement licenses held by Lawanda R. Shaw for the premises located at 4416 North 27th Street in the City and County of Milwaukee, Wisconsin ("Tasniques Bar & Grill ") with a ten (10) day suspension.

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) no, recommends that the Class "B" Tavern and Tavern Amusement licenses be approved with a ten (10) day suspension.

Said suspension is to be in effect from 12:01 a.m. April 9, 2011 through midnight, April 18, 2011.

Dated and signed at Milwaukee, Wisconsin this 7th day of March, 2011.



JAMES A. BOHL, Jr.
Chair, Licenses Committee



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Office of the City Clerk

Ronald D. Leonhardt
City Clerk

Jim Owczarski
Deputy City Clerk

March 10, 2011

Robert F. Cesarz, Agt
Caesars World Enterprises, LLC
4958 S. 20th St.
Milwaukee, WI 53221

Dear Mr. Cesarz:

You are hereby notified that the Milwaukee Common Council will hold a hearing on March 23, 2011, commencing at 9:00 a.m., or as soon thereafter as this matter may be heard, in the Common Council chambers on the third floor of City Hall, 200 East Wells Street, Milwaukee, Wisconsin to consider the renewal of your Class B Tavern and Tavern Dance licenses for the premises at 628 N. Water St. ("Club Bari").

Attached you will find a copy of the Report of the Licenses Committee, which includes its Findings of Fact, Conclusions of Law and Recommendation, recommending non-renewal of your license based on the police report and the testimony of the Milwaukee Police Department. The recommendation is the result of a public hearing before the Committee held on March 7, 2011.

You may file written objections to the report of the Licenses Committee. Your written objections must be filed with the City Clerk by 4:45 p.m. on Friday, March 18, 2011 in Room 205 of City Hall. If you file written objections, you or a legal representative may then also appear at the Common Council to make oral arguments supporting your written objections. You will be given approximately five minutes to present your oral argument.

Respectfully,


RONALD D. LEONHARDT
City Clerk

Enclosure



JAMES A. BOHL JR.
Alderman, 5th District

Date: March 7, 2011

To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report of the Renewal Applications of Robert F. Cesarz, Agent for Caesars World Enterprises, LLC, for Class "B" Tavern and Tavern Dance licenses for the premises located at 628 North Water Street in the City and County of Milwaukee, Wisconsin ("Club Bari").

FINDINGS OF FACT

1. Robert F. Cesarz is the agent for Caesars World Enterprises, LLC, the license holder of Class "B" Tavern and Tavern Dance licenses for the premises located at 628 North Water Street in the City and County of Milwaukee, Wisconsin ("Club Bari"). Said licenses expire at midnight, April 12, 2011.
2. Applications to renew said licenses were filed with the Office of the City Clerk on January 28, 2011.
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, suspension, or denial of the license applications on January 29, 2011.
4. On February 23, 2011, 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 of the applicant's licenses and included a copy of the police report. The matter was scheduled for a hearing on the police report on March 7, 2011 at 10:15 a.m. in Room 301B of the third floor of City Hall. At said date, time, and place the agent for

the licensee did appear and denied receipt of the notice. The licensee 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. A notice of the hearing as well as a copy of the police report was sent to Robert F. Cesarz at 628 North Water Street, Milwaukee, Wisconsin 53204 on February 23, 2011 by U.S. prepaid first-class mail in an envelope bearing the return address of the License Division. The address 628 North Water Street, Milwaukee, Wisconsin 53204 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.
 - B. On June 3, 2010 at 1:23 a.m., officers of the Milwaukee Police Department were dispatched to 628 North Water Street for a fight complaint. Once there, police observed no patrons in the club and that the subjects involved in the fight were gone. Police found that none of the bar's licenses were posted and spoke with Robert Cesarz who was able to produce the licenses. Cesarz was advised that it's a violation to not have the licenses posted and he was issued a citation for display of liquor license required. The citation was dismissed on September 15, 2010 without prejudice.
 - C. On October 2, 2010 at 1:17 a.m., officers of the Milwaukee Police Department were dispatched to 618 North Water Street for a trouble with subject complaint. Officers were met by a security guard identified as Shannon Haggett who stated he works for 618 Live and that he had to physically restrain an intoxicated and combative subject who came from Club Bari. Haggett stated the subject was harassing patrons in front of 618 Live and was asked to leave several times but refused. At one point, the subject attempted to physically assault the security guards and he was placed into handcuffs until police arrived. The subject was cited for disorderly conduct and released.
 - D. On October 3, 2010 at 1:41 a.m., officers of the Milwaukee Police Department responded to 628 North Water for a fight complaint inside Club Bari. The club's bouncers told officers that there was no fight and police conducted a walk-through and observed a group of subjects rushing

towards each other as if they were going to fight. One patron became disorderly and was issued a citation for disorderly conduct.

- E. On October 3, 2010 at 11:45 p.m., officers of the Milwaukee Police Department conducted a license premise check at 628 North Water Street. A check of the club's licenses was done and it was found that the tavern dance was not posted. Police spoke to Robert Cesarz and explained due to the early fight, officers were sent back to check for possible tavern violations that were observed. Cesarz was advised of violations found and that he could be cited for these violations.
- F. On October 10, 2010 at 2:10 a.m., an officer of the Milwaukee Police Department called for assistance at 628 North Water Street with units responding. Once additional officers were on scene, they observed 100-200 subjects in the street and on the sidewalk in front of Club Bari. Officers broke up multiply fights and attempted to clear people from the area who were loitering. Subjects were heard yelling profanities and were refusing to obey police orders to leave the area. Numerous arrests were made and citations were issued for disorderly conduct. One subject was arrested for assaulting a police officer. Police reviewed a camera pole at the intersection of Water and Wisconsin that confirmed as patrons left Club Bari, the fighting in the streets began. A total of 13 squads were used to clear the area and to restore order.
- G. On October 24, 2010 at 1:56 a.m., officers of the Milwaukee Police Department were flagged down by security from Club Bari for a fight complaint. Officers entered the bar and found several fights taking place throughout the tavern. Police could also smell a large concentration of pepper spray and observed patrons coughing and running out the back door of the building. Police spoke to Patrick Burich who stated he was head of security. Burich stated he was attempting to break up a fight when he was peppered sprayed by an unknown subject. Police found there was no video surveillance system in the business which could have helped with identifying the events has they happened.
- H. Police Captain Stephen R. Basting testified that this premise unduly expends police resources.

- I. Police Officer Robert Ferrell, District 1, testified to disorderly behavior of the patrons exiting from the business, which included loudness and fights. He also testified as to deviation of business operations from a sports lounge atmosphere into a club business.
- J. Police Officer Court testified that there are no security operations from the business to oversee large crowds from the business after closing time. He also testified of deviation of business operations from a sports atmosphere into a club business.
- K. Police Sergeant Scott Randow, District 1, testified that he witnessed fights that stemmed from the business.
- L. The licensee's agent testified to the committee that he did not receive notice of the hearing regarding his license renewal applications. The agent stated he has not been involved with the licensed premises for two and a half months and that his partner and two bartenders have been running the business.
- M. The City Clerk License Division manager testified that no manager's license was issued to the partner or bartenders of the licensed premise.

CONCLUSIONS OF LAW

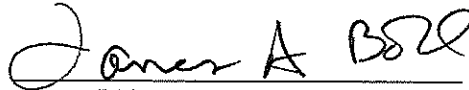
- 1. The Committee has jurisdiction to hold hearings and provided Findings of Fact and Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapter 125 of the Wisconsin Statutes and Chapter 90 of the Milwaukee Code of Ordinances.
- 2. Based upon the above facts found, the Committee concludes that the licensee, who holds Class "B" Tavern and Tavern Dance licenses for the premises located at 628 North Water Street in the City and County of Milwaukee, Wisconsin ("Club Bari ") 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 the Class "B" Tavern and Tavern Dance licenses.
- 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 nonrenew the Class "B" Tavern and Tavern Dance licenses held by Robert F. Cesarz as agent for Caesars World Enterprises, LLC for the premises located at 628 North Water Street in the City and County of Milwaukee, Wisconsin ("Club Bari "). The Committee finds the facts 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 and zero (0) noes, recommends that the Class "B" Tavern and Tavern Dance licenses not be renewed based on the above findings of fact.

Dated and signed at Milwaukee, Wisconsin this 7th day of March, 2011.

A handwritten signature in black ink that reads "James A Bohl". The signature is written in a cursive style with a horizontal line underneath the name.

JAMES A. BOHL, Jr.
Chair, Licenses Committee