



City of Milwaukee

City Hall
200 East Wells Street
Milwaukee, WI 53202

Meeting Minutes LICENSES COMMITTEE

ALD. JAMES A. BOHL, JR., CHAIR
Ald. Milele A. Coggs, Vice-Chair
Ald. Ashanti Hamilton, Ald. T. Anthony Zielinski, and Ald. Nik Kovac
Staff Assistant, Chris Lee, 286-2232
Fax: 286-3456, clee@milwaukee.gov
Legislative Liaison, Teodros Medhin, 286-8681,
tmedhi@milwaukee.gov

Monday, October 31, 2011

9:00 AM

Room 301-B, City Hall

Special

Meeting convened at 9:19 a.m.

Present 4 - Bohl, Coggs, Zielinski, Kovac

Absent 1 - Hamilton

Individuals also present:

Rebecca Grill, License Division Manager

Atty. Adam Stephens, City Attorney's Office

1. [110335](#) Motion relating to the recommendations of the Licenses Committee relative to licenses.

Sponsors: THE CHAIR

02 SAJAN, Murtaza, Food Dealer Retail Application for "9114" at 9114 W Silver Spring DR.

*Murtaza Sajan, applicant
1918 E. Lafayette Pl, #2007, Milwaukee, WI 53202*

No neighborhood testimony.

Ald. Kovac moved approval. (Prevailed 3-0)

A motion was made by ALD. KOVAC that this Motion be AMENDED. This motion PREVAILED by the following vote:

Aye 3 - Bohl, Coggs and Kovac

No 0

Absent 1 - Hamilton

Excused 1 - Zielinski

04 ELBIADI, Said J, Agent for "E & L Group, LLC", Class B Tavern, Food Dealer -

Restaurant and Instrumental Music License Applications as agent for "Cafe Espana Tapas Bar" at 800 N Plankinton Av.

*Said J. Elbiadi, Agt.
2016 N. 58th St., Milwaukee, WI 53208*

Ald. Zielinski joined the committee at 9:26 a.m.

No neighborhood testimony.

Ald. Robert Bauman, aldermanic district 4, was present with no objections.

Ald. Zielinski moved approval. (Prevailed 4-0)

A motion was made by ALD. ZIELINSKI that this Motion be AMENDED. This motion PREVAILED by the following vote:

Aye 4 - Bohl, Coggs, Zielinski and Kovac

No 0

Absent 1 - Hamilton

09 GOELZER, Lynn, Agent for "L Sharodel, Inc", Class B Tavern, Tavern Dance, and Videogame Center License Application as agent for "New Entertainer" at 5321 W Green Tree Rd.

*Lynn Goelzer, Agt.
4333 Grace Ave., Mequon, WI 53092*

No neighborhood testimony.

Ald. Robert Puente, aldermanic district 9, was present with no objections.

Ald. Kovac moved approval. (Prevailed 4-0)

A motion was made by ALD. KOVAC that this Motion be AMENDED. This motion PREVAILED by the following vote:

Aye 4 - Bohl, Coggs, Zielinski and Kovac

No 0

Absent 1 - Hamilton

Agenda Only

01 OLSON, Ronald D, Agent for "Milwaukee Mixed Metal Cycles LLC", Auto Wrecker Application as agent for "Milwaukee Cycle" at 5754 N Teutonia Av. Granted by Ald. Zielinski. (Prevailed 4-0)

04 PRENDERGAST, Karen L, Agent for "IRISH CULTURAL & HERITAGE CENTER OF WI, INC", Class B Tavern, Tavern Amusement and Center for Visual and Performing Arts Renewal Applications with change of agent, officer, director and entertainment as agent for "IRISH CULTURAL & HERITAGE CENTER" at 2133 W WISCONSIN Av. Granted by Ald. Zielinski. (Prevailed 4-0)

04 THAGGARD, Joyce K, Agent for "FAMILY DOLLAR STORES OF WISCONSIN,

INC.", Food Dealer Retail Application - Changes in Hours of Operations as agent for "FAMILY DOLLAR STORE #6182" at 930 N 27TH St.

Granted by Ald. Zielinski. (Prevailed 4-0)

07 KNIGHTEN, Nadine, Agent for "NKS Midtown LLC", Food Dealer Retail Application- Change of Hours as agent for "Variety Bazaar" at 4919 W Fond Du Lac Av.

Granted by Ald. Zielinski. (Prevailed 4-0)

09 GARCIA-VELEZ, Alvaro, Agent for "MILWAUKEE KICKERS SOCCER CLUB INC", Class B Tavern License Renewal Application with change of directors as agent for "MILWAUKEE KICKERS SOCCER CLUB" at 7101 W GOOD HOPE Rd.

Granted by Ald. Zielinski. (Prevailed 4-0)

11 SALIM, Sami, Agent for "R & S Auto Sales, LLC", Secondhand Motor Vehicle Dealer's License Application as agent for "R & S Auto Sales" at 3500 S 92nd St #8.

Granted by Ald. Zielinski. (Prevailed 4-0)

12 SOTO CRUZ, Antonio, Class "B" Tavern License Transfer – Change of Premises Address and Business Operations for "Taqueria El Local" at 1801 S. 11th Street.

Granted by Ald. Zielinski. (Prevailed 4-0)

15 TAYLOR, Kendria J, Agent for "K & O INVESTMENTS, LLC", Class B Tavern License Transfer - Change of Business Operations as agent for "Jay's Uptown Cafe" at 5007-09 W CENTER St.

Granted by Ald. Zielinski. (Prevailed 4-0)

Warning Letter

01 ELKHALIFA, Emad A, Agent for "Brothers Auto Care, LLC", Secondhand Motor Vehicle Dealer's License Application as agent for "Brothers Auto Service" at 5003 N Teutonia Av.

Granted by Ald. Coggs. (Prevailed 4-0)

02 BOYAJIAN, Paul A, Agent for "GAME STOP, INC", Secondhand Dealer's License Renewal Application as agent for "GAME STOP 2401" at 4115 N 56TH St #11.

Granted by Ald. Coggs. (Prevailed 4-0)

03 LUCK, Aytan J, Agent for "Truly Spoken Cycles LLC", Used Bicycle, Tire or Battery Dealer's License Application as agent for "Truly Spoken Cycles" at 600-604 E Center St.

Granted by Ald. Coggs. (Prevailed 4-0)

05 SIWY, Michael J, Agent for "GAMESTOP, INC", Secondhand Dealer's License Renewal Application as agent for "GAMESTOP #4895" at 10400 W SILVER SPRING DR #300.

Granted by Ald. Coggs. (Prevailed 4-0)

HAYNES, Timothy A, Agent for "Timothy Haynes LLC", Home Improvement Contractor's License Application as agent for "Timothy Haynes LLC" at 4958 N 74th St.

Granted by Ald. Coggs. (Prevailed 4-0)

HUNT, Terrance J, Agent for "Hunt Masonry, LLC", Home Improvement Contractor's License Application as agent for "Hunt Masonry" at 5266 N 84th St.

Granted by Ald. Coggs. (Prevailed 4-0)

*WHITE, JR, Walter L, Direct Seller's License Application.
Granted by Ald. Coggs. (Prevailed 4-0)*

*ADKINS, Kayla M, Class D Operator's License Application.
Granted by Ald. Coggs. (Prevailed 4-0)*

*ASAD, Wisam L, Class D Operator's License Renewal Application.
Granted by Ald. Coggs. (Prevailed 4-0)*

*BUSH, Melanie M, Class D Operator's License Application.
Granted by Ald. Coggs. (Prevailed 4-0)*

*CHALTRY, Michael W, Class D Operator's License Renewal Application.
Granted by Ald. Coggs. (Prevailed 4-0)*

*DORN, Dennis M, Class D Operator's License Renewal Application.
Granted by Ald. Coggs. (Prevailed 4-0)*

*ERSKINE, Michael A, Class D Operator's License Application.
Granted by Ald. Coggs. (Prevailed 4-0)*

*FARRIS, Kevin J, Class D Operator's License Renewal Application.
Granted by Ald. Coggs. (Prevailed 4-0)*

*FORD, Brandon J, Class D Operator's License Renewal Application.
Granted by Ald. Coggs. (Prevailed 4-0)*

*FRANECKI, Kathleen M, Class D Operator's License Renewal Application.
Granted by Ald. Coggs. (Prevailed 4-0)*

*GERBING, Jessica L, Class D Operator's License Application.
Granted by Ald. Coggs. (Prevailed 4-0)*

*GRISANTI, Steve M, Class D Operator's License Renewal Application.
Granted by Ald. Coggs. (Prevailed 4-0)*

*HAASE, Donovan J, Class D Operator's License Renewal Application.
Granted by Ald. Coggs. (Prevailed 4-0)*

*HAYNES, Karen M, Class D Operator's License Renewal Application.
Granted by Ald. Coggs. (Prevailed 4-0)*

*HOLLOWAY, Kawauna L, Class D Operator's License Renewal Application.
Granted by Ald. Coggs. (Prevailed 4-0)*

*JONES, Nicholas J, Class D Operator's License Application.
Granted by Ald. Coggs. (Prevailed 4-0)*

*KAUR, Rupinder, Class D Operator's License Renewal Application.
Granted by Ald. Coggs. (Prevailed 4-0)*

*KNOPES, Andrew S, Class D Operator's License Application.
Granted by Ald. Coggs. (Prevailed 4-0)*

*KUBIK, Kellie A, Class D Operator's License Renewal Application.
Granted by Ald. Coggs. (Prevailed 4-0)*

*LUDWIG, Sophia L, Class D Operator's License Application.
Granted by Ald. Coggs. (Prevailed 4-0)*

*MATHER, Travis J, Class D Operator's License Renewal Application.
Granted by Ald. Coggs. (Prevailed 4-0)*

*OROSCO, SR, Jesse J, Class D Operator's License Renewal Application.
Granted by Ald. Coggs. (Prevailed 4-0)*

*PHAM, Arlene M, Class D Operator's License Application.
Granted by Ald. Coggs. (Prevailed 4-0)*

*ROSE, Dainna M, Class D Operator's License Renewal Application.
Granted by Ald. Coggs. (Prevailed 4-0)*

*SARA, Katsich A, Class D Operator's License Application.
Granted by Ald. Coggs. (Prevailed 4-0)*

*SCHLICKE, Rebecca M, Class D Operator's License Renewal Application.
Granted by Ald. Coggs. (Prevailed 4-0)*

*SOLDON, Heather M, Class D Operator's License Application.
Granted by Ald. Coggs. (Prevailed 4-0)*

*STAPLES, Tiffany N, Class D Operator's License Application.
Granted by Ald. Coggs. (Prevailed 4-0)*

*STEINBACHER, Lisa A, Class D Operator's License Application.
Granted by Ald. Coggs. (Prevailed 4-0)*

*TAYLOR, Antjuan M, Class D Operator's License Application.
Granted by Ald. Coggs. (Prevailed 4-0)*

*TICAR, Brian J, Class D Operator's License Application.
Granted by Ald. Coggs. (Prevailed 4-0)*

*WHITE, Wesley M, Class D Operator's License Application.
Granted by Ald. Coggs. (Prevailed 4-0)*

*WOJNAR, Donald R, Class D Operator's License Application.
Granted by Ald. Coggs. (Prevailed 4-0)*

A motion was made by ALD. ZIELINSKI that this Motion be AMENDED. This motion PREVAILED by the following vote:

Aye 4 - Bohl, Coggs, Zielinski and Kovac

No 0

Absent 1 - Hamilton

A motion was made by ALD. ZIELINSKI that this Motion be RECOMMENDED FOR APPROVAL. This motion PREVAILED by the following vote:

Aye 4 - Bohl, Coggs, Zielinski and Kovac

No 0

Absent 1 - Hamilton

2. [110326](#)

A substitute ordinance relating to licensing procedures and standards for public entertainment premises.

Sponsors: THE CHAIR

Ald. Kovac moved acceptance of Proposed Substitute B. (Prevailed 4-0)

A motion was made by ALD. KOVAC that this Ordinance be SUBSTITUTED. This motion PREVAILED by the following vote:

Aye 4 - Bohl, Coggs, Zielinski and Kovac

No 0

Absent 1 - Hamilton

[110326](#)

A substitute ordinance relating to licensing procedures and standards for public entertainment premises.

Sponsors: THE CHAIR

Atty. Stephens gave an overview on the proposed ordinance. The proposed new public entertainment license is an attempt to streamline the licensing process. The effective date is in March 2012 to allow for time to create the necessary application forms. The intent is to take a variety of current entertainment licenses; both alcohol-related entertainment and non-alcohol entertainment licenses, and combine them into one. There will be a plan of operation application requiring applicants to describe their plans to address common negative secondary effects, such as noise and litter, which is the focus of the plan of operation. Many of the licensing qualifications remain the same. The public entertainment license is separate and distinct from the alcohol beverage establishment licenses.

Atty. Stephens said that one notable change pertains to the council's ability to set an occupancy limit on an establishment after consideration of the Department of Neighborhood Services' input and the applicant's plan of operation. The fee associated with a public entertainment license will be based on the council's occupancy number.

Ald. Kovac questioned if the committee and council can adjust, by amendment, the capacity number. Atty. Stephens replied that if evidence is shown, the capacity number can be changed by the committee and council.

Ald. Bohl asked if preexisting licensed businesses will be grandfathered and not be subject to the new ordinance once it is in effect. Atty. Stephens said that both new and renewal applicants will receive the new public entertainment license after March 2012 instead of the current entertainment licenses. The occupancy number will remain and will not be changed, unless provided by evidence, for the renewals of those licensed establishments prior to March 2012.

Ald. Bohl asked about the rationale for the proposed changes. Atty. Stephens said that based on his experiences in the community prosecution unit and from defending the city in over a dozen litigation cases over several years, proactive improvements could be made to address negative secondary effects up front rather than after the

fact. He added that in three of its decisions, the Court of Appeals said that the city's licensing scheme is lawful, but there is room for improvement.

Ald. Bohl questioned about deviation from a licensee's plan of operation under the new ordinance. Atty. Stephens said that a substantial change in a licensee's plan of operation would require the licensee to reapply a new plan of operation, which must be approved by the committee and council through the hearing process.

Ald. Bohl asked if the public entertainment license application will have check boxes. Ms. Grill said that the new form will have check boxes listing different types of entertainment, and these selections will appear on the license that is required to be posted at a licensee's facility.

Ald. Bauman questioned if the plan of operation will be a narrative or a form with established questions and criteria. Atty. Stephens responded that there will be a plan of operation application outlined to ask applicants to describe and document, in a narrative fashion, the kinds of entertainment that they will have or offer. Also, the application will require applicants to provide a floor plan of their operations.

Ald. Bohl asked if an insufficient or flawed plan of operation can be denied by the committee if it does not adequately address negative secondary effects. Atty. Stephens said that the committee has the discretion to make decisions based upon the plan of operation.

Individuals appearing to speak:

Atty. Michael Whitcomb, Law Offices of Michael A I Whitcomb

Donald Arenson, 608 N. Broadway, Milwaukee, WI 53202

Beth Nichols, Business Improvement District 21

Atty. Debby Tomczyk, Reinhart Boerner Van Deuren SC

Stacy Callies, Westown Association

Steph Salvia, BID, Brady Street Business Improvement District 11

Sallie Ferguson, Great Lakes Beverage Association

Atty. Whitcomb was in support, but asked that the application, once completed, to be reviewed by the public before implementation. Also, he asked that there to be an application sample and a license sample to aide applicants in their understanding of the application and license.

Atty. Tomczyk was in support. She, on behalf of BID 21, had some questions regarding the gradual license fee scale, ten day reporting requirement for changes, definition of substantial deviation, temporary public entertainment license, definition of undesirable effects, and renewal noticing process.

Atty. Stephens said many of Atty. Tomczyk's concerns are relating to current ordinance language and policies that will not be changed with the new ordinance being proposed.

Ms. Callies was in support. She was concerned about the fee for a temporary public entertainment license and the occupancy number used for an outdoor area. Also, she asked if objective criteria can be used for all licenses relating to their renewal and new licenses being granted.

Ms. Grill said that if there is no assigned capacity number to an area, the fee for a temporary license will be \$125, but that remains to be clarified. Ald. Bohl said that objective criteria pertaining to the licensing process cannot be used since businesses are not all the same but rather different in their capacity operations and environments

that they function in.

Ms. Ferguson asked if the proposed ordinance was a result of the problems associated to downtown.

Mr. Stephens said that the downtown nightclub issues played a part in the efforts for the new ordinance. He added that the ordinance is an effort to streamline the license process, to lessen litigation cases, and to reduce the use of police resources and neighborhood objections associated with large scale clubs with amusement licenses.

A motion was made by ALD. KOVAC that this Ordinance be RECOMMENDED FOR PASSAGE. This motion PREVAILED by the following vote:

Aye 4 - Bohl, Coggs, Zielinski and Kovac

No 0

Absent 1 - Hamilton

Meeting adjourned at 11:16 p.m.

Chris Lee, Staff Assistant

This meeting can be viewed in its entirety through the City's Legislative Research Center at <http://milwaukee.legistar.com/calendar>.