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Office of the City Clerk

March 13, 2009

Ronald D. Leonhardt
City Clerk

Jim Owczarski
Deputy City Clerk

Hussein P. Govani, Agent
Homestyle Restaurant Group, LLC
4069 North 67th Street
Milwaukee, WI 53216

Attorney D. Michael Guerin
Gimbel, Reilly, Guerin & Brown
330 East Kilbourn Avenue, No. 1170
Milwaukee, WI 53202

Dear Mr. Govani and Attorney Guerin:

You are hereby notified that the Milwaukee Common Council will hold a hearing on March 25, 2009, 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 Amusement (Cabaret/Nite Club) licenses for the premises at 721 South Cesar E. Chavez Drive, Milwaukee, Wisconsin ("Club International").

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 your licenses with a twenty-five (25) day suspension based upon the police report and neighborhood objections. The recommendation is the result of a public hearing before the Committee held on March 9, 2009.

You may file a written objection to the report of the Licenses Committee. If you file a written objection to the report you may also appear before the Milwaukee Common Council to present oral arguments supporting that objection to the Common Council. Any written objections to the Committee's Report must be filed with the City Clerk by 4:30 p.m. in Room 105 of City Hall on March 20, 2009. You or a legal representative may then also appear at the Common Council meeting and request an opportunity to address the Common Council for approximately five (5) minutes to present an oral argument on your own behalf.

Respectfully,


RONALD D. LEONHARDT
City Clerk

Enclosure

cc: Jarely Ruiz, Assistant City Attorney



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Office of the City Clerk

March 13, 2009

Ronald D. Leonhardt
City Clerk

Jim Owczarski
Deputy City Clerk

Mark H. Gold, Agent
Pizza Shuttle, Inc.
P.O. Box 270291
Milwaukee, WI 53227

Attorney Geoffrey Gnadt
Kohner, Mann & Kallas, S.C.
Washington Building, Second Floor
4650 North Port Washington Road
Milwaukee, WI 53212-1077

Dear Mr. Gold and Attorney Gnadt:

You are hereby notified that the Milwaukee Common Council will hold a hearing on March 25, 2009, 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 extended hours establishment license for the premise at 1827 North Farwell Avenue, Milwaukee, Wisconsin ("Pizza Shuttle").

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 your license with a ten (10) day suspension based upon the police report. The recommendation is the result of a public hearing before the Committee held on March 9, 2009.

You may file a written objection to the report of the Licenses Committee. If you file a written objection to the report you may also appear before the Milwaukee Common Council to present oral arguments supporting that objection to the Common Council. Any written objections to the Committee's Report must be filed with the City Clerk by 4:45 p.m. on March 20, 2009. You or a legal representative may then also appear at the Common Council meeting and request an opportunity to address the Common Council for approximately five (5) minutes to present an oral argument on your own behalf.

Respectfully,

RONALD D. LEONHARDT
City Clerk

Enclosure



JAMES A. BOHL JR.
Alderman, 5th District

Date: March 13, 2009

To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report of the renewal applications of Hussein P. Govani, Agent for Homestyle Restaurant Group, LLC, for Class "B" Tavern and Tavern Amusement (Cabaret/Nite Club) licenses for the premises located at 721 South Cesar E. Chavez Drive in the City and County of Milwaukee, Wisconsin ("Club International").

FINDINGS OF FACT

1. Hussein P. Govani (hereinafter the "License") is the holder of Class "B" Tavern and Tavern Amusement (Cabaret/Nite Club) licenses for the premises located at 721 South Cesar E. Chavez Drive in the City and County of Milwaukee, Wisconsin ("Club International"). Said licenses expire at midnight, April 10, 2009.
2. An application to renew said license was timely filed with the office of the City Clerk on January 29, 2009.
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 these licenses on January 30, 2009. In addition, there were also claimed neighborhood objections to loitering, littering, loud music and noise, parking and traffic problems, drug and criminal activity, prostitution, trespassing, public urination, operation of the premises in such a manner that it creates a public nuisance, fights, shootings, vandalism, thefts, cruising, disorderly patrons, sales to intoxicated persons, lewd and lascivious behavior, public sex acts on private property, illegal parking, impeding the normal flow of traffic on roadways and alleys, and conduct which is detrimental to the health, safety and welfare of the neighborhood.

4. On February 27, 2009, 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 an amended 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 March 9, 2009, commencing at 11:00 a.m. in Room 301B of City Hall. At said date, time and place, the licensee appeared and was represented by Attorney D. Michael Guerin, Gimbel, Reilly, Guerin & Brown, 330 East Kilbourn Avenue, #1170, Milwaukee, Wisconsin, 53202. The Milwaukee Police Department was represented by Assistant City Attorney Jarely Ruiz, 841 North Broadway, 7th Floor, Milwaukee, Wisconsin 53202.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
 - A. On April 25, 2008 at 11:45 pm, officers of the Milwaukee Police Department conducted a license premise check at 721 South Cesar E. Chavez Drive. Officers spoke with the bartender regarding the licensed premise check. Officers conducting the premise check observed numerous patrons that belong to the 2-1 street gang inside the tavern, several of which were acting as security guards for the tavern. Officers knew this based on past contacts and arrests made on these subjects for various felonies, misdemeanors and municipal violations. Officers also noted that they had received anonymous citizen complaints regarding Club International for loud music coming from the bar, traffic congestion and disorderly patrons exiting the tavern specifically during the weekends.
 - B. On June 18, 2008, officers of the Milwaukee Police Department sent a letter to the licensee, Hussein Govani, regarding the nuisance activity at 721 South Cesar E. Chavez Drive. The letter referenced three separate trouble with subject complaints in which Milwaukee police were flagged down in front of the premise.
 - C. On July 30, 2008, officers of the Milwaukee Police Department sent a letter to the licensee Hussein Govani regarding his failure to respond to the notice regarding nuisance activity at 721 South Cesar E. Chavez Drive. At hearing, counsel for the Milwaukee Police Department stated that no plan for abating nuisance activity had yet been presented to the Milwaukee Police Department.

- D. On August 14, 2008, officers of the Milwaukee Police Department were dispatched to South Layton Boulevard and West National Avenue for a shooting complaint. The investigation revealed that two patrons were inside Club International dancing when a verbal argument started between groups of females. After closing, both parties involved in the earlier argument stopped at a gas station at 27th and National. The fight continued there when an unknown person pulled out a gun and started shooting. One victim was shot in the abdomen and the other victim was shot in the hand. Arrests were made and charges of disorderly conduct while armed and carrying concealed weapon are set for jury trial on April 7, 2009. At hearing, counsel for the licensee noted that the actual shooting occurred eleven blocks from the bar.
- E. On August 16, 2008 at 1:58 am, officers of the Milwaukee Police Department were dispatched to a fight at 721 South Cesar E. Chavez. Officers spoke to a security officer who stated three men were being detained for fighting inside the establishment. Officers gave citations to all three subjects for disorderly conduct. Club security contacted the Milwaukee Police Department.
- F. On August 28, 2008 at 11:02 pm, officers of the Milwaukee Police department conducted a tavern check at 721 South Cesar E. Chavez Drive. As officers entered, they could hear rap music being played by a DJ and observed no proper permit for the music. Police spoke to the manager who stated he was unaware of such restrictions regarding music. A citation was issued to the licensee, Hussein Govani, for licensing requirement. No citation was found in the municipal system. At hearing, counsel for the licensee stated the citation had been dismissed. Officers also found the rear exit door locked during business hours. A citation was issued to the licensee Hussein Govani for safe egress, which was also dismissed without prejudice on December 12, 2008.
- G. On September 3, 2008, pursuant to § 80-10 of the Milwaukee Code of Ordinances, Milwaukee police requested a nuisance abatement charge be sent to the owner of the premises at 721 South Cesar E. Chavez Drive, Hussein Govani. The charge for the first bill was \$18.58 for a call for service for a fight complaint at 721 South Cesar Chavez on August 16, 2008 at 1:58 am. (CAD # 082290210) The charge for a second bill was \$43.08. The bill is regarding the service call from August 31, 2008 at

2:02 am for a trouble with subject complaint (CAD # 082440239). At hearing, it was disclosed that the Milwaukee Police Department has initiated the nuisance abatement procedure of § 80-10 of the Milwaukee Code of Ordinances. However, appeals were made and those matters have been vacated due to errors in the notices. The Milwaukee Police Department is in the process of issuing the nuisance abatement procedures.

- H. On September 5, 2008 at 1:25 am, officers of the Milwaukee Police Department were monitoring traffic at 721 South Cesar E. Chavez Drive when they observed an auto in the parking lot of Club International playing excessively loud music, which could be heard from more than 50 feet. Officers also observed security officers who were employed by Club International standing outside of the business and not enforcing the noise nuisance ordinance. Officers conducted field interviews of the persons inside the auto and issued the driver a citation for noise nuisance.
- I. On September 20, 2008 at 2:15 am, officers of the Milwaukee Police Department were monitoring the tavern closing at 721 South Cesar Chavez Drive when officers observed several patrons exiting the club, loitering in the parking lot and refusing to leave. Officers observed three security guards for Club International in the parking lot who were not attempting to have patrons leave the area. Officers then observed an auto leave the parking lot of Club International at a high rate of speed and squealing tires. Officers conducted a traffic stop and issued the driver a citation for unnecessary vehicle noise.
- J. On November 9, 2008 at 2:10 am, officers of the Milwaukee Police Department were monitoring closing at 721 South Cesar E. Chavez Drive when officers observed several patrons leaving Club International walking in the road obstructing traffic on West National Avenue. Some patrons were observed getting into their autos and turning on the car radios loud enough to be heard from 50 feet away. One driver was cited for excessive noise prohibited.
- K. On November 29, 2008 at 1:05 am, officers of the Milwaukee Police Department conducted a tavern check at 721 South Cesar E. Chavez due to a fight they observed in the parking lot of Club International. Police broke up the fight and found that one subject had an outstanding warrant and was arrested. Another subject was observed urinating

on a squad car. Police conducted a field interview on that subject and found that he was in possession of 15 individually wrapped marijuana nickel bags. He too was arrested and charged with POCS-THC with intent to deliver and received a citation for disorderly conduct. Further investigation revealed the subject had been drinking earlier inside Club International. Police then spoke with a security guard regarding the fight who stated that it happened outside and that he didn't care. Officers then conducted a tavern check and two of the bartenders were yelling at police causing a disturbance as they tried to identify a patron who was refusing to give his name. The bartenders were uncooperative with police and refused to provide ID's. Police issued both bartenders citations for disorderly conduct and resisting/obstructing police. Citations for McFarland and Gibbons were not found in the Municipal Court System. The bartenders were fired for their conduct by the licensee.

- L. On January 4, 2009 at 1:58 am, officers of the Milwaukee Police Department were dispatched to 721 South Cesar E. Chavez for a fight complaint. As officers arrived, they observed four to five people sitting on the sidewalk, handcuffed. They also observed several autos with loud stereos in the parking lot and saw numerous patrons who were leaving the tavern obstructing traffic in the streets with one almost being hit by a car. Police spoke with security who stated they were detaining subjects who they believed were involved in a fight that took place in the bathroom. The investigation found that only one subject was involved and he was issued a citation for disorderly conduct. The club had contacted the Milwaukee Police Department.
- M. On February 1, 2009 at 1:44 am, officers of the Milwaukee Police Department were dispatched to a battery complaint at 721 South Cesar E. Chavez Drive. Officers spoke to the caller/victim who stated she was inside Club International when she and another male patron started to argue. The victim stated she was then pushed, punched and kicked by the subject. The subject was stopped by security but shortly released after the incident. Officers tried to make contact with employees at Club International but the business had closed for the night.
- N. On February 7, 2009 at 2:20 am, officers of the Milwaukee Police Department on routine patrol observed a crowd gathering in the parking lot of Club International at 721

South Cesar E. Chavez Drive. Police observed autos driving recklessly as they tried to exit the parking lot, heard loud music coming from autos, observed males mashing at females and intoxicated subjects shouting at one another. Police also observed autos that were passing by with women exposing their breasts. A fight was observed and police called for more squads to help break up the fight and clear the area. Once the area was cleared, officers attempted to make contact with tavern employees who were reluctant to let police into the tavern and who were refusing to answer questions that were asked by officers.

- O. On February 15, 2009 at 1:35 am, officers of the Milwaukee Police Department were monitoring the parking lot of Club International when officers observed a male attempting to push past security officers at the front door of club. This patron was refusing to cooperate with security and started to shout profanities. Officers intervened, at which time the patron physically resisted police. The patron was decentralized and placed into custody. It should be noted that due to this patron's actions, people began to gather to watch. Officers called for more squads to help disperse the crowd. A citation was issued for resisting/obstructing. Officers did speak with security officers who stated the patron was kicked out earlier in the night because he had hit another patron white inside the club. The licensee was notified.
- P. At hearing, objecting neighbors complained of noise, litter, and disorderly patrons regularly disturbing their sleep at closing time on the weekends. They also testified to the licensee and his staff being indifferent to hostile when these problems have been brought to the attention of the licensee or his security staff. The conduct of the patrons at closing time has generated fear among some neighbors. Some neighbors testified the operation of the club does not disturb them.
- Q. The licensee has hired a security consultant to begin to address these problems. At hearing, he stated that he would be filing a noise and abatement plan with the Milwaukee Police Department.

CONCLUSIONS OF LAW

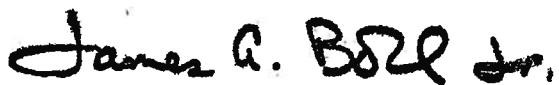
1. The Committee has jurisdiction to hold hearings and provide Findings of Fact and Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapter 125 of the Wisconsin Statutes and Chapter 90 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concludes that the licensee, Hussein P. Govani, 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 Amusement (Cabaret/Nite Club) licenses without undergoing a twenty-five (25) day suspension of said licensee based upon the police report and the neighborhood testimony. The Committee finds the neighborhood objections and police report, as stated above, to be true.
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 Tavern Amusement (Cabaret/Nite Club) licenses for the premises located at 721 South Cesar E. Chavez Drive in the City and County of Milwaukee, Wisconsin ("Club International") with a twenty-five (25) day suspension based upon the police report and neighborhood objections.

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 (Cabaret/Nite Club) licenses be renewed with a twenty-five (25) day suspension based on the police report and neighborhood objections.

Said suspension is to be in effect between 12:01 a.m. on April 11, 2009, through midnight, May 5, 2009.

Dated and signed at Milwaukee, Wisconsin this 13th day of March, 2009.



JAMES A. BOHL, Jr., Chair
Licenses Committee



JAMES A. BOHL JR.
Alderman, 5th District

Date: March 13, 2009

To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report of the renewal application of Mark H. Gold, Agent for Pizza Shuttle, Inc., for an Extended Hours Establishment license for the premises located at 1827 North Farwell Avenue in the City and County of Milwaukee, Wisconsin ("Pizza Shuttle").

FINDINGS OF FACT

1. Mark H. Gold (hereinafter the "Licensee") is the holder of an Extended Hours Establishment license for the premises located at 1827 North Farwell Avenue in the City and County of Milwaukee, Wisconsin ("Pizza Shuttle"). Said license expires at midnight, April 30, 2009.
2. An application to renew said license was timely filed with the Office of the City Clerk on February 12, 2009.
3. Pursuant to Chapters 84 and 85 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 that could form the basis of non-renewal or suspension of this license on February 13, 2009. In addition, there were also claimed neighborhood objections to disturbing the peace, illegal drug activity, public drunkenness, drinking in public, harassment of passers-by, gambling, prostitution, sale of stolen goods, public urination, armed robberies, theft, assaults, battery, vandalism, excessive littering, loitering, illegal parking, loud music and noise, traffic violations, cruising, curfew violations, lewd conduct, and conduct which is detrimental to the health, safety and welfare of the neighborhood. No neighbors testified in opposition to the renewal of this license.
4. On February 27, 2009, 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 an amended 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 March 9, 2009, commencing at 2:30 p.m. in Room 301B of City Hall. At said date, time and place, the licensee appeared and was represented by Attorney Geoffrey Gnadt, Kohner, Mann & Kallas, S.C., Washington Building, Second Floor, 4650 North Port Washington Road, Milwaukee, Wisconsin 53212-1077.

5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
 - A. On October 21, 2007 at 3:00 am, officers of the Milwaukee Police Department were dispatched to Farwell and Royall Streets for a fight complaint. The investigation revealed a fight had occurred inside Pizza Shuttle and continued onto the streets. As police arrived, the fight dispersed with the victim not wanting to prosecute the unknown subject who had struck him. While investigating the fight on the street, officers received another call from Pizza Shuttle regarding another fight. Officers responded and issued two citations to the patrons for disorderly conduct.
 - B. On February 10, 2008 at 3:13 am officers of the Milwaukee Police Department were dispatched to 1827 North Farwell for a fight complaint. Squads responded and advised the incident.
 - C. On February 20, 2008 at 3:00 am, officers of the Milwaukee Police Department were dispatched to 1827 North Farwell for trouble with a subject. Police spoke to the manager who stated he was having trouble with a customer causing a disturbance. Squads responded and advised the incident.
 - D. On February 24, 2008 at 2:12 am, officers of the Milwaukee Police Department were dispatched to 1827 North Farwell for a subject with gun complaint. An employee advised the telecommunicator that security for the restaurant had broken up a fight and that a subject was seen with a silver firearm by security personnel. An ambulance was also requested for a female patron who was trampled by the suspect as he fled the scene. Reports were filed regarding this incident.

- E. On March 2, 2008 at 2:27 am, officers of the Milwaukee Police Department were dispatched to 1827 North Farwell for an indecent exposure complaint. Police spoke to security for Pizza Shuttle who stated they were detaining a male that had urinated on the building. The subject was cited for disorderly conduct and released.
- F. On March 15, 2008 at 1:13 am, officers of the Milwaukee Police Department were dispatched to 1827 North Farwell for a loud music complaint. The caller stated subjects were playing loud music in the parking lot of Pizza Shuttle. Officers arrived and were unable to locate any subjects on the lot playing loud music.
- G. On March 16, 2008 at 2:53 am, officers of the Milwaukee Police Department were dispatched to 1827 North Farwell for a trouble with subject complaint. Officers spoke to an employee who stated he had three armed security guards at the door of his restaurant and that several subjects outside this business were making gestures as if they were armed with guns. He stated these subjects also were saying "There is going to trouble if [they] are not allowed into the restaurant." No gun was found on scene by any patron; however, one subject was cited for trespassing.
- H. On March 20, 2008 at 2:36 am, officers of the Milwaukee Police Department were dispatched to 1827 North Farwell for a trouble with subject complaint. Officers spoke to the manager, who stated three subjects were yelling and swearing at him refusing to leave. The manager also indicated that the subjects were intoxicated. The incident was advised.
- I. On March 27, 2008 at 12:46 am, officers of the Milwaukee Police Department were dispatched to 1827 North Farwell regarding several calls about males in front of the restaurant that appeared as if they were about to drag race their autos. Calls were also received about several subjects in front of the Pizza Shuttle possibly arguing. The manager also called police and stated that there were thirty autos blocking traffic and that subjects were running in the streets and playing music. Squads responded and the area was eventually cleared.
- J. On March 29, 2008 at 3:52 am, officers of the Milwaukee Police Department were dispatched to 1827 North Farwell

for trouble with subject complaint. The investigation revealed a group of subjects were at the restaurant arguing and refusing to leave. Once police arrived all parties involved were gone.

- K. On March 30, 2008 at 2:06 am, officers of the Milwaukee Police Department were dispatched to 1827 North Farwell for a fight complaint. Police spoke to an employee and security who stated a large group had gathered and was fighting in the parking lot of the restaurant. The subjects involved were gone once police arrived.
- L. On April 5, 2008 at 1:28 am, officers of the Milwaukee Police Department were dispatched to 1827 North Farwell for a trouble with subject complaint. The call was advised but police ended up writing parking citations for several parking violations found. Police were dispatched again at 4:23 am for subjects refusing to leave the restaurant. Once police arrived, the subjects were gone.
- M. On April 18, 2008 at 1:06 am, officers of the Milwaukee Police Department were dispatched to 1827 North Farwell for crowd control at the restaurant. Security personnel requested police for a large crowd that gathered outside of the location. Police arrived and cleared the area.
- N. On May 4, 2008 at 3:32 am officers of the Milwaukee Police Department were dispatched to 1827 North Farwell for a large fight complaint. A security guard for the restaurant was injured and had sustained lacerations to the knee and elbow while trying to break up a fight. A report was filed.
- O. On May 17, 2008 at 3:38 am, officers of the Milwaukee Police Department were dispatched to 1527 North Farwell Avenue for traffic control. When squads responded, they did not locate any autos.
- P. On May 25, 2008 at 2:10 am, officers of the Milwaukee Police Department were dispatched to 1827 North Farwell Avenue for a trouble with subject complaint. Police were advised that a patron was refusing to leave but upon officers' arrival, the subject left. Squads were again dispatched to the restaurant at 2:39 am regarding a fight in progress in which security was detaining subjects. Citations were issued to the parties involved.

- Q. On May 31, 2008 at 1:28 am, officers of the Milwaukee Police Department were dispatched to 1827 North Farwell Avenue for a fight complaint. Security was reporting that 300 plus people were at the location and that there was a fight. The caller stated they had only four security guards and needed more help. Updated calls were given to responding squads that indicated that a male was armed with a revolver. As police approached, they observed security had an auto stopped in the street at gunpoint. Police issued several citations and a report was filed regarding the subject who was armed and fled the restaurant.
- R. On June 1, 2008 at 1:53 am, officers of the Milwaukee Police Department were dispatched to 1827 North Farwell for a fight complaint. The investigation revealed people were fighting outside the restaurant and in the parking lot. A victim was identified but he refused to prosecute.
- S. On June 7, 2008 at 1:00 am, officers of the Milwaukee Police Department were dispatched to 1827 North Farwell for reports of shots fired and cruising. Squads responded and were not able to locate any suspects. Police were dispatched again at 2:05 am for a complaint of battery-DV related. The investigation found security personnel used pepper spray on a suspect that was unrelated to the Battery-DV complaint. Reports were filed. Police again were dispatched at 3:26 am for another battery complaint between two patrons and citations were issued in the incident.
- T. On June 16, 2008 at 1:08 am, officers of the Milwaukee Police Department were dispatched to 1827 North Farwell for a loud music complaint. Squads were advised that there were 20-30 subjects outside of the restaurant crowding the streets playing loud music and getting in and out of their cars. Squads responded and cleared the area. At 1:35 am, police were flagged down by an employee of Pizza Shuttle who reported that patrons were causing problems inside the restaurant. Police again responded and at the request of management ordered everyone that was inside the restaurant to leave if they were not ordering food. It should be noted an underage party was held at a downtown club with numerous patrons from that club going to Pizza Shuttle. On that particular night, the restaurant did not have security personnel on scene.

- U. On June 17, 2008 at 1:40 am, officers of the Milwaukee Police Department were dispatched to 1827 North Farwell for a fight complaint. Police spoke to security who stated there was a verbal altercation in the parking lot between two females. When security approached these two women, one subject's boyfriend jumped in and became loud and disorderly to the security guards. Security asked these subjects to leave but they refused. One citation was issued for disorderly conduct.
- V. On June 20, 2008, officers of the Milwaukee Police Department were dispatched to 1827 North Farwell for a trouble with subject complaint. Police spoke to a security guard for Pizza Shuttle who stated patrons who were intoxicated were refusing to leave the property. He stated these patrons were screaming profanities and police were called. Citations were issued to two patrons for trespassing and one citation was issued for obstructing an officer.
- W. On June 23, 2008 at 1:02 am, officers of the Milwaukee Police Department were dispatched to 1800 North Farwell for a fight complaint. Police arrived and observed numerous subjects standing in and around the Pizza Shuttle restaurant as well as multiple autos stopped in traffic. Due to heavy pedestrian and vehicular traffic, more squads were dispatched to help assist in clearing the area. Four traffic citations were issued and the area was eventually cleared. At hearing, counsel for the licensee explained that the correct date of the incident was June 27, 2008.
- X. On July 6, 2008 at 1:12 am, officers of the Milwaukee Police Department were dispatched to 1827 North Farwell for a fight complaint. The investigation revealed a fight took place in the parking lot of Pizza Shuttle with approximately 200-300 people scattered though the waiting area of the restaurant. These patrons appeared to be spectators to the fight and were egging the participants on. A report for property damage was also taken. While on scene, police were advised of another fight inside the men's room of the restaurant. Both subjects involved in that were cited for disorderly conduct. While police were issuing citations for the fight, security again advised police of a verbal confrontation between other patrons that security tried to break up and that both parties directed their anger at security. Officers advised these two subjects to leave or

they would both receive citations. They left without incident. Police were on scene for 1 hour and 41 minutes. Police did speak with management regarding the volume of calls received by the restaurant and that no other businesses in the area have needed this type of police response.

- Y. On July 7, 2008 at 1:00 am, officers of the Milwaukee Police Department were dispatched to a fight at 1827 North Farwell. The investigation revealed security was detaining four subjects who were observed in an auto parked in the parking lot of Pizza Shuttle with one actor being in possession of marijuana. Police arrested and charged one actor with possession of marijuana.
- Z. On October 18, 2008 at 1:01 am, officers of the Milwaukee Police Department were dispatched to 1827 North Farwell for a trouble with subject complaint. Police spoke to the manager who stated a group of club juveniles entered his business causing a disturbance in and around the restaurant. He stated the juveniles were trashing the dining room area while yelling obscenities and arguing outside of the restaurant, so he called police. The subjects were gone upon police arrival. Police observed that no security was on scene of the business. The manager stated that the owner cancelled security services and was in the process of contracting with a new company. No citations were issued regarding the incident.
- AA. At hearing, the Committee was advised that in July 2008, the licensee hired a new and more competent security firm. The licensee did this on his own to address the clearly out-of-control situation that existed during the first half of 2008. That action resulted in a significantly diminished record of police calls in the last half of 2008. The licensee explained that the restaurant closes at 3:00 a.m. and the delivery operation closes at 4:00 a.m.

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 § 84-7 of the Milwaukee Code of Ordinances.

2. Based upon the above facts found, the Committee concludes that the licensee, Mark H. Gold, has not met the criteria of § 84-7 of the Milwaukee Code of Ordinances to allow renewal of his Extended Hours Establishment license without undergoing a ten (10) day suspension of said license based upon the police report. The Committee finds the police report as stated above to be true.
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 extended hours establishment license for the premises located at 1827 North Farwell Avenue in the City and County of Milwaukee, Wisconsin ("Pizza Shuttle") with a ten (10) 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, zero (0) noes and one (1) excused, recommends that the Extended Hours Establishment license be renewed with a ten (10) day suspension based on the police report.

Said suspension is to be in effect between 12:01 a.m., May 1, 2009 through midnight, May 10, 2009.

Dated and signed at Milwaukee, Wisconsin this 13th day of March, 2009.



JAMES A. BOHL, Jr., Chair
Licenses Committee