

**Jeff Pawlinski**  
Alderman, 13th District

CHAIR:  
Utilities & Licenses Committee

COMMITTEES:  
Zoning, Neighborhoods and Development  
Steering & Rules  
Anti Graffiti Policy  
Administrative Review Appeals Board  
Resolutions Committee - League  
of Wisconsin Municipalities



July 25, 2002

To the Honorable, the Common Council

Dear Members:

Re: File Number 020119

Recommendation of nonrenewal of a Class "D" Bartender License application of Tracie S. Johnson.

Recommendation of nonrenewal of a Class "B" Tavern application of Douglas J. Mitchell for the premises at 3246 N. Teutonia Ave. ("Joru's").

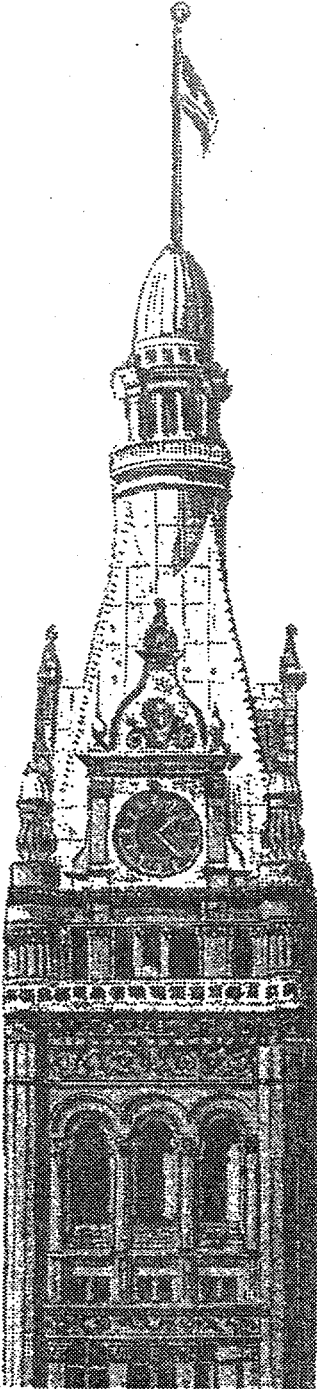
Recommendation of renewal with a 60-day suspension of a Class "B" Tavern and Tavern Amusement (Cabaret/Nite Club) license of Marlon Teague for the premises at 518 N. Water St. ("New Millennium Club").

Recommendation of nonrenewal of a Class "B" Manager's License application for Gene Vaughn.

With regard to the items listed above, the Utilities and Licenses Committee held an evidentiary hearing on July 23, 2002.

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

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





**Jeff Pawlinski**  
Alderman, 13th District

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of Wisconsin Municipalities

These matters have been scheduled for a hearing before the full Common Council at its meeting on Thursday, August 1, 2002 at 9:30 A.M. in the Common Council Chambers.

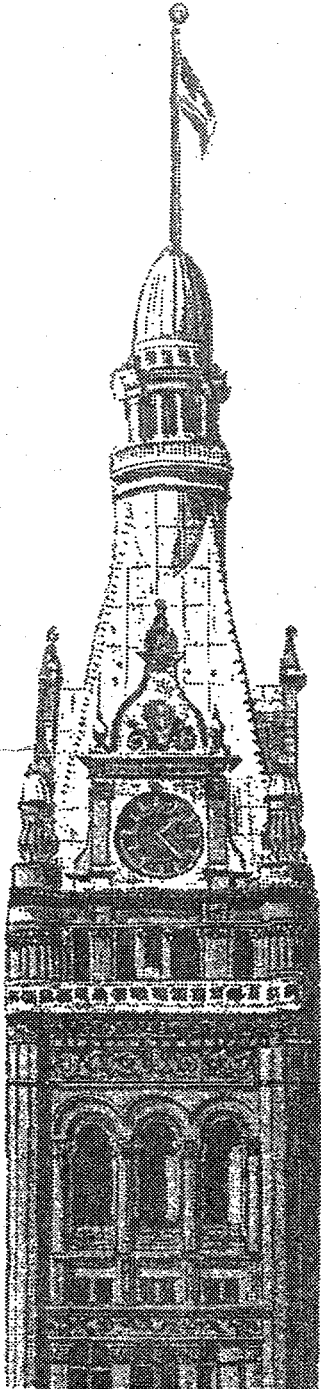
Respectfully,

A handwritten signature in black ink, appearing to read 'Jeff A. Pawlinski'.

JEFFREY A. PAWLINSKI, Chair  
Utilities & Licenses Committee

Attachment

cc: City Attorney's Office  
Common Council/City Clerk - License Division  
Milwaukee Police Department- License Administration  
All Council Members  
File No. 020119





Office of the City Clerk  
Council Services Division

Ronald D. Leonhardt  
City Clerk

Anthony J. Zielinski  
Manager

July 24, 2002

Tracie S. Johnson  
824 West Macinac Avenue #2  
South Milwaukee, WI 53172

Dear Ms. Johnson:

You are hereby notified that the Milwaukee Common Council will hold a hearing on August 1, 2002, commencing at 9:30 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 your Class "D" Bartender renewal application.

Attached you will find a copy of the Report of the Utilities and Licenses Committee which includes their Findings of Fact, Conclusions of Law and Recommendation, recommending non-renewal of your Class "D" Bartender license. The recommendation is the result of a public hearing before the Committee held on July 23, 2002.

You may file a written objection to the Report of the Utilities and Licenses Committee and shall have the opportunity to present arguments in writing supporting that objection to the Common Council. Any written objections to the Committee's report must be filed with the City Clerk at least two (2) days prior to the above-mentioned date set for hearing by the Common Council. You or a legal representative may 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

Date: July 24, 2002  
To: All Members of the Milwaukee Common Council  
From: Utilities and Licenses Committee  
Re: Report on the Renewal Application of the Class "D" Bartender Renewal Application of Tracie S. Johnson.

### FINDINGS OF FACT

1. Tracie S. Johnson, (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, 2001.
2. An untimely application to renew said license was filed with the Office of the Clerk on July 9, 2002.
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 July 10, 2002, the Milwaukee Police Department responded with a police report that created a basis for non-renewal or suspension of said license.
4. On July 11, 2002, 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 July 23, 2002 at 9:00 a.m., in Room 301B of City Hall. At said date, time and place, the Licensee did not appear and was not represented by counsel.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
  - A. Notice of Hearing and the Police Department report was sent to the licensee on July 11, 2002 addressed to Tracie S. Johnson, 824 W. Macinac Avenue #2, Milwaukee, Wisconsin, 53172, in an envelope bearing the return address of the License Division by United States First Class, prepaid mail. The envelope bearing the Notice of Hearing was not returned to the License Office by the United States Postal Service and the licensee did not appear. The envelope was addressed to the address provided by the applicant on her application.


## 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 to Chapter of the Wisconsin Statutes and Chapter 90 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee recommends that the License applicant, Tracie S. Johnson, not be renewed based upon non-appearance.

## RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of five (5) ayes to zero (0) noes, recommends that the Class "D" Bartender License of Tracie S. Johnson not be renewed based upon non-appearance.

Dated and signed at Milwaukee, Wisconsin this 24th day of July, 2002.



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JEFFREY PAWLINSKI  
Chairman of the Utilities  
And Licenses Committee



Office of the City Clerk  
Council Services Division

Ronald D. Leonhardt  
City Clerk

Anthony J. Zielinski  
Manager

July 24, 2002

Douglas J. Mitchell  
2851 North 37<sup>th</sup> Street  
Milwaukee, WI 53210

Dear Mr. Mitchell:

You are hereby notified that the Milwaukee Common Council will hold a hearing on August 1, 2002, commencing at 9:30 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 your Class "B" Tavern license renewal application for "Joru's" at 3246 N. Teutonia Ave.

Attached you will find a copy of the Report of the Utilities and Licenses Committee which includes their Findings of Fact, Conclusions of Law and Recommendation, recommending non-renewal of the Class "B" Tavern license. The recommendation is the result of a public hearing before the Committee held on July 23, 2002.

You may file a written objection to the Report of the Utilities and Licenses Committee and shall have the opportunity to present arguments in writing supporting that objection to the Common Council. Any written objections to the Committee's report must be filed with the City Clerk at least two (2) days prior to the above-mentioned date set for hearing by the Common Council. You or a legal representative may 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

Date: July 24, 2002

To: All Members of the Milwaukee Common Council

From: Utilities and Licenses Committee

Re: Report on the Renewal Application of the Class "B" Tavern License of Douglas J. Mitchell for the premises located at 3246 North Teutonia Avenue in the City and County of Milwaukee, Wisconsin ("Joru's").

#### FINDINGS OF FACT

1. Douglas J. Mitchell (hereinafter "the Licensee") is the holder of a Class "B" Tavern License for the premises located at 3246 North Teutonia Avenue in the City and County of Milwaukee, Wisconsin ("Joru's"). Said license expires at midnight on August 1, 2002.
2. An application to renew said license was filed with the Office of the City Clerk on June 27, 2002.
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 June 28, 2002, the Milwaukee Police Department responded with a report that could form the basis for suspension or non-renewal of said license. In addition, there were neighborhood objections to renewal of this license based on loud and noisy patrons exiting the tavern, firearm activity, and conduct detrimental to the health, safety and welfare of the neighborhood.
4. On July 11, 2002, 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 Milwaukee Police Department Report and the neighborhood objections to renewal of this license and included therewith a copy of the Milwaukee Police Department report. The matter was scheduled for a hearing on the Police Department report and the neighborhood objections on July 23, 2002, commencing at 9:30 a.m. in Room 301B of the third floor of City Hall. At said date, time and place, the licensee failed to appear at the hearing.
5. Based upon the testimony heard and evidence received, the Committee finds as follows:
  - A. Notice of the hearing of the Milwaukee Police Department report and neighborhood objections were sent to Douglas J. Mitchell at 2851 North 37<sup>th</sup> Street on July 11, 2002 by United States first class, pre-paid mail in an envelope bearing the return address of the License Division. It was addressed to the address provided by the licensee on the application. The licensee failed to appear at the hearing.

#### 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 concludes that the Licensee, Douglas J. Mitchell has not met the criteria to allow renewal of his Class "B" Tavern license based upon non-appearance.

#### RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of five (5) ayes and zero (0) noes, recommends that the Class "B" Tavern License of Douglas J. Mitchell for the premises located at 3246 North Teutonia Avenue ("Joru's") in the City and County of Milwaukee, Wisconsin not be renewed.

Dated and signed at Milwaukee, Wisconsin this 24th day of July, 2002.



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JEFFREY A. PAWLINSKI  
Chairman, Utilities and Licenses Committee





Office of the City Clerk  
Council Services Division

**Ronald D. Leonhardt**  
City Clerk

**Anthony J. Zielinski**  
Manager

July 24, 2002

Marlon K. Teague  
1723 North 20<sup>th</sup> Street  
Milwaukee, WI 53205

Dear Mr. Teague:

You are hereby notified that the Milwaukee Common Council will hold a hearing on August 1, 2002, commencing at 9:30 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 your Class "B" Tavern and Tavern Amusement (Cabaret/Nite Club) license renewal application for the premises at 518 N. Water St. ("New Millennium Club"). Said licenses will expire on July 28, 2002.

Attached you will find a copy of the Report of the Utilities and Licenses Committee which includes their Findings of Fact, Conclusions of Law and Recommendation, recommending renewal of the Class "B" Tavern and Tavern Amusement license with a sixty (60) day suspension. The recommendation is the result of a public hearing before the Committee held on July 23, 2002.

You may file a written objection to the Report of the Utilities and Licenses Committee and shall have the opportunity to present arguments in writing supporting that objection to the Common Council. Any written objections to the Committee's report must be filed with the City Clerk at least two (2) days prior to the above-mentioned date set for hearing by the Common Council. You or a legal representative may 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

Date: July 24, 2002

To: All Members of the Milwaukee Common Council

From: Utilities and Licenses Committee

Re: Report on the Renewal Application of the Class "B" Tavern and Tavern Amusement (Cabaret/Nite Club) License of Marlon K. Teague for the premises located at 518 North Water Street in the City and County of Milwaukee, Wisconsin ("New Millennium Club").

#### FINDINGS OF FACT

1. Marlon K. Teague (hereinafter "the Licensee") is the holder of a the Class "B" Tavern and Tavern Amusement (Cabaret/Nite Club) License for the premises located at 518 North Water Street in the City and County of Milwaukee, Wisconsin ("New Millennium Club"). Said license expires at midnight on July 28, 2002.
2. An untimely application to renew said license was filed with the Office of the City Clerk on June 18, 2002.
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 June 20, 2002, the Milwaukee Police Department responded with a report that could form the basis for suspension or non-renewal of said license. In addition, there were neighborhood objections to renewal of this license based on a patron being shot, disorderly conduct by patrons of the bar, patrons fighting, battery, loud and noisy patrons exiting the tavern, loitering, littering, and conduct detrimental to the health, safety and welfare of the neighborhood.
4. On July 11, 2002, 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 Milwaukee Police Department Report and the neighborhood objections to renewal of this license and included therewith a copy of the Milwaukee Police Department report. The matter was scheduled for a hearing on the Police Department report and the neighborhood objections on July 23, 2002, commencing at 10:00 a.m. in Room 301B of the third floor of City Hall. At said date, time and place, the licensee appeared at the hearing and admitted receipt of the notice of hearing, together with a copy of the Milwaukee Police Department report. The licensee was represented by Attorney Michael A. I. Whitcomb, 633 West Wisconsin Avenue, Suite 510, Milwaukee, Wisconsin 53203.
5. Based upon the testimony heard and evidence received, the Committee finds as follows:
  - A. On September 17, 2001 at 1:26 a.m., a patron left the licensed premises at 518 North Water Street in the City and County of Milwaukee, Wisconsin ("New Millennium

- Club”) after an altercation with another customer in the bar. Upon leaving he was subsequently shot multiple times by a suspect who was also in the bar.
- B. On November 5, 2001 at 1:45 a.m., a patron was involved in an altercation inside of the licensed premises at 518 North Water Street in the City and County of Milwaukee, Wisconsin (“New Millennium Club”). After being put out by security, the patron was punched in the face, causing a fractured jaw, broken teeth and a laceration to her lip requiring stitches to close.
- C. On November 22, 2001 at 1:57 a.m., officers were dispatched to licensed premises at 518 North Water Street in the City and County of Milwaukee, Wisconsin (“New Millennium Club”) for crowd control. On arrival, officers observed a very large crowd in front of the New Millennium Club. While officers attempted to move the crowd, two people in the crowd became disorderly with officers. They were arrested and issued citations for disorderly conduct.
- D. On May 25, 2002, officers investigated a verbal confrontation between patrons, which started inside of the licensed premises at 518 North Water Street in the City and County of Milwaukee, Wisconsin (“New Millennium Club”), and which escalated to a fight. Once outside the club, a victim received a minor cut to the rear of his head. Medical treatment was refused.
- E. On December 11, 2001 at 1:20 a.m., officers were dispatched to a battery complaint at Mt. Sinai Hospital, 945 North 12<sup>th</sup> Street. Their investigation revealed that a patron at the licensed premises at 518 North Water Street in the City and County of Milwaukee, Wisconsin (“New Millennium Club”), was dancing when an unknown person hit her on the right side of the forehead with a bottle. Twelve stitches were required to close the cut. Subsequently, it was learned that two additional victims required medical treatment for lacerations, which they sustained while inside the licensed premises at 518 North Water Street in the City and County of Milwaukee, Wisconsin (“New Millennium Club”). The personnel of the licensed premises at 518 North Water Street in the City and County of Milwaukee, Wisconsin (“New Millennium Club”) never called for the police to respond to a fight.
- F. On December 22, 2001 at 1:08 a.m., officers were dispatched to licensed premises at 518 North Water Street in the City and County of Milwaukee, Wisconsin (“New Millennium Club”) for a fight. Upon arrival, the officers spoke to the licensee, who was at the front door. He told the officers that as he was at the front door, he did not see what occurred. The officers spoke to the bouncer who told them an argument had broken out between two men, but that he and the other bouncers had taken care of the situation. They escorted the man out who started the problem; and when they did that the friends of the person being escorted out, started throwing things at the bar. The bouncer stated they could not handle the crowd but they decided not to call the police. The licensee, Marlon Teague was cited for disorderly premises and found guilty and

fined \$364.00 on May 12, 2002. Counsel advised the committee this matter was reopened on July 15, 2002 and is set for further proceedings on September 16, 2002.

- G. On May 11, 2002, officers responded to backup for another squad regarding a large fight. On arrival they observed several subjects fighting outside the New Millennium Club, 518 North Water Street. They approached one of the persons involved in the fight and he was placed under arrest due to his involvement. He became aggressive toward the officers. He was handcuffed. He told the officers he came to the club with his brother to collect some money that the club owner owed him for not reporting a fight to police that occurred the previous week. He said that after leaving the club he was approached by a group of men whom started arguing and the fight started. The officers spoke to the licensee, who stated that he had no knowledge of a payoff regarding a fight that took place inside the club a week ago.
- H. On February 4, 2002, officers conducted a tavern check at licensed premises at 518 North Water Street in the City and County of Milwaukee, Wisconsin ("New Millennium Club"). Officers checked the license which was valid with a capacity of (100 persons). Officers conducted a brief headcount and estimated the number of patrons to be about 140. Officers then contacted the licensee Marlon K. Teague and advised him they were going to conduct a head count to determine the actual number of persons present in the tavern. Head count revealed there were 165 persons present in the tavern. Mr. Teague was then cited for over capacity of posting. Mr. Teague was cited for over capacity, found guilty in the Milwaukee Municipal Court and fined \$5,600.00 on April 4, 2002. In subsequent proceedings, the court reconsidered these citations and dismissed one-half of them, thereby reducing the fine to \$2,800.00.

#### CONCLUSIONS OF LAW

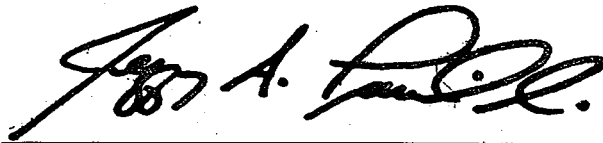
1. The Committee has jurisdiction to hold hearings and provide Findings of Fact, Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapter 125 of the Wisconsin Statutes and Chapter 90 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concludes that the Licensee, Marlon K. Teague, has met the criteria to allow renewal of his Class "B" Tavern and Tavern Amusement (Cabaret/Nite Club) license with a sixty (60) day suspension. The Committee finds those portions of the police report and neighborhood objections set forth in Paragraph 5, above, 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 Utilities and 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) license of Marlon K. Teague for the premises located at 518 North Water Street in the City and County of Milwaukee, Wisconsin ("New Millennium Club") with a sixty (60) day suspension based upon his past

activities and for the danger that the continued operation of the premises poses 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) no, recommends that the Class "B" Tavern and Tavern Amusement (Cabaret/Nite Club) License of Marlon K. Teague for the premises located at 518 North Water Street ("New Millennium Club") in the City and County of Milwaukee, Wisconsin be renewed with a sixty (60) day suspension. Said suspension to be served from midnight July 28, 2002 through midnight, September 26, 2002.

Dated and signed at Milwaukee, Wisconsin this 24th day of July, 2002.



JEFFREY A. PAWLINSKI  
Chairman, Utilities and Licenses Committee

55921



Office of the City Clerk  
Council Services Division

Ronald D. Leonhardt  
City Clerk

Anthony J. Zielinski  
Manager

July 24, 2002

Gene Vaughn  
801 East Hadley Street  
Milwaukee, WI 53212

Dear Mr. Vaughn:

You are hereby notified that the Milwaukee Common Council will hold a hearing on August 1, 2002, commencing at 9:30 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 your Class "B" Manager license renewal.

Attached you will find a copy of the Report of the Utilities and Licenses Committee which includes their Findings of Fact, Conclusions of Law and Recommendation, recommending non-renewal of your Class "B" Manager license. The recommendation is the result of a public hearing before the Committee held on July 23, 2002.

You may file a written objection to the Report of the Utilities and Licenses Committee and shall have the opportunity to present arguments in writing supporting that objection to the Common Council. Any written objections to the Committee's report must be filed with the City Clerk at least two (2) days prior to the above-mentioned date set for hearing by the Common Council. You or a legal representative may 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

Date: July 24, 2002  
To: All Members of the Milwaukee Common Council  
From: Utilities and Licenses Committee  
Re: Report on the Renewal Application of the Class "B" Manager Renewal Application of Gene Vaughn.

### FINDINGS OF FACT

1. Gene Vaughn, (hereinafter the "Licensee") is the holder of a Class "B" Manager License in the City and County of Milwaukee, Wisconsin. Said license expired at midnight, June 30, 2002.
2. An application to renew said license was filed with the Office of the Clerk on June 6, 2002.
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 June 10, 2002, the Milwaukee Police Department responded with a police report that created a basis for non-renewal or suspension of said license.
4. On July 10, 2002, 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 July 23, 2002 at 9:00 a.m., in Room 301B of City Hall. At said date, time and place, the Licensee did not appear and was not represented by counsel.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
  - A. Notice of Hearing and a copy of the Police Department report was sent to the licensee on July 10, 2002 addressed to Gene Vaughn, 801 East Hadley Street, Milwaukee, Wisconsin, 53212, in an envelope bearing the return address of the License Division by United States First Class, prepaid mail. The envelope bearing the Notice of Hearing was not returned to the License Office by the United States Postal Service and the licensee did not appear.

## 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 to Chapter of the Wisconsin Statutes and Chapter 90 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee recommends that the License applicant, Gene Vaughn, not be renewed based upon non-appearance.

## RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of five (5) ayes to zero (0) noes, recommends that the Class "B" Manager License of Gene Vaughn not be renewed based upon non-appearance.

Dated and signed at Milwaukee, Wisconsin this 24th day of July, 2002.



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JEFFREY PAWLINSKI  
Chairman of the Utilities  
And Licenses Committee