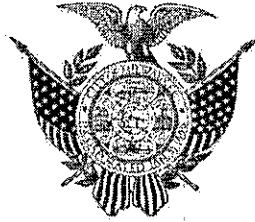


CHAIR

• Licenses Committee

MEMBER

• Community and Economic
Development Committee
• Steering and Rules Committee



TONY ZIELINSKI
ALDERMAN, 14TH DISTRICT

March 24, 2016

To the Honorable, the Common Council

Dear Members:

Re: Common Council File Number 151311

Attached is the written objection to file number 151311, Motion relating to the recommendations of the Licenses Committee relative to licenses, relating to the recommendation of:

Nonrenewal, of the Class B Tavern and Public Entertainment Premises licenses based upon the police report and applicant, applicant's son's and aldermanic testimony for Juan Curiel for the premises located at 2039 W National Ave ("El Toro Bravo") in the 8th aldermanic district.

This matter will be heard by the full Council at its Tuesday, March 29, 2016 meeting. Pursuant to City Ordinances, a roll call vote will be taken to confirm that all members have read the attached statement and materials.

Respectfully,

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

Tony Zielinski, Chair
Licenses Committee

cc: All Council Members
City Attorney's Office
Common Council/City Clerk – License Division
CCF 151311



LAW OFFICE OF
MICHAEL L. CHERNIN
ATTORNEY AT LAW

735 N. WATER STREET, SUITE 1400
MILWAUKEE, WISCONSIN 53202

March 23, 2016

Via Email: **jowcza@milwaukee.gov**
 molly.kuehter@milwaukee.gov

Office of the City Clerk
Room 205 – Milwaukee City Hall
200 East Wells Street
Milwaukee, WI 53202-3570

RE: ***El Toro Bravo***: 2039 W. National Avenue
 Class “B” Tavern License - Non-renewal

Dear Mr. Owczarski:

I respectfully request time to address the Common Council to present oral argument.

The applicant concedes Findings of Fact 1 through 3 as true.

Paragraphs 4 A through D Were Considered For the Renewal Last Year

Findings of Fact enumerated paragraphs 4 A through D are not in dispute. The factual allegations were not contested before the Utilities and Licensing during the March 17, 2015 hearing for renewal of the Class “B” nor were the facts contested in Municipal Court.

A penalty was previously imposed for the violations identified in enumerated paragraphs 4 A through D. The April 2015 Class “B” renewal was granted with a warning letter. The renewal for last year considered the conduct as true and a renewal was granted. The Common Council and the U&L committee were aware of the then pending Court dates. The renewal was premised on the applicant resolving the municipal citations

It is respectfully asserted that paragraphs 4 A through D are not a basis for non-renewal of the license considerations for the renewal this this year as a penalty was imposed.

Paragraphs 4 E and 4 F are not a Sufficient Basis for Non-renewal

Paragraph 4 E resulted in the seizure of liquor and an apparent warning as no further action was taken. The underage patron tickets were dismissed.

STATE BAR
OF WISCONSIN

MEMBER
No. I002081

email: cherninm@hotmail.com

TELEPHONE:
(414) 272-1234

FAX:
(414) 273-3821

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Paragraph 4 F reports a single noise complaint from an anonymous caller which was resolved with a request to abate the noise.

**Paragraph 4 G Contains New Allegations for Consideration
But Are Not a Sufficient Basis for Non-renewal**

Again, underage patrons were in the tavern. The applicant conceded this point at Municipal Court and does not contest the issue before the Council.

The applicant fired the security guard who provided no security. The problems with underage patrons have since been abated.

Paragraphs 4 I, L, M and N are Conceded

Paragraphs 4 I, L, M and N contain accurate statements of fact which do not contain factors relevant to Non-renewal.

Paragraph 4 H Contains Improper Inferences

Luis Gonzalez-Lopez was the manager/operator of El-Toro Bravo. He was not renting the license or the premises. His business practices are those which caused the violations that resulted in citations. He was terminated as the manager and relieved of his responsibilities. The request for a 60 day was a matter of negotiations in light of the statements of Alderman Donovan that he was seeking Non-renewal.

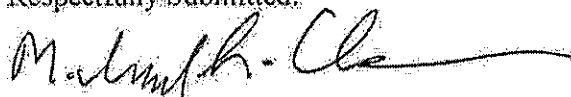
Paragraph M is A Statement from A Witness Who Said He Was Uncertain of Facts

The applicant's son who spoke said he was unfamiliar with the operation of his father's tavern and the relationship between the business and the former manager, who he inartfully referred to as "tenant." This choice of language was seized upon and not although Juan Carlos Curiel was present, he was not allowed to explain the intention of his language.

Paragraph I Contains Unsubstantiated Inuendo

Alderman Donovan spoke extemporaneously and did not provide support for his assertions.

Respectfully Submitted:



Michael L. Chernin