



CITY OF MILWAUKEE
OFFICE OF THE CITY CLERK

Thursday, September 17, 2020

COMMITTEE MEETING NOTICE

AD 13

BARDON, David L, Agent
JB's on 41, Inc
4040 S 27th St

Milwaukee, WI 53221

You are requested to attend a virtual hearing to be held on:

Tuesday, September 29, 2020 at 02:10 PM

Regarding: Your Class B Tavern, Food Dealer, and Public Entertainment Premises License Renewal Applications as agent for "JB's on 41, Inc" for "JB's on 41" at 4040 S 27th St.

This meeting will be held via GoToMeeting. Please see the enclosed best practices document for further instructions. The access code is <https://global.gotomeeting.com/join/945944877>. If you wish to call in, please call +1 (872) 240-3412 and use Access Code: 945-944-877.

There is a possibility that your application may be denied for one or more of the following reasons: The recommendation of the committee regarding the application shall be based on evidence presented at the hearing. Per MCO 85-4-4, unless otherwise specified in the code, probative evidence concerning non-renewal, suspension or revocation may include evidence of the following: failure of the applicant to meet municipal qualifications, pending charges against or the conviction of any felony, misdemeanor, municipal offense or other offense, the circumstances of which substantially relate to the circumstances of the particular licensed or permitted activity, by the applicant or by any employee or other agent of the applicant. If the activities of the applicant involve a licensed premises, whether the premises tends to facilitate a public or private nuisance or has been the source of congregations of persons which have resulted in any of the following: disturbance of the peace; illegal drug activity; public drunkenness; drinking in public; harassment of passers-by; gambling; prostitution; sale of stolen goods; public urination; theft; assaults; battery; acts of vandalism including graffiti, excessive littering, loitering, illegal parking, loud noise at times when the licensed premise is open for business; traffic violations; curfew violations; lewd conduct; display of materials harmful to minors, pursuant to s. 106-9.6; or any other factor which reasonably relates to the public health, safety and welfare, or failure to comply with the approved plan of operation. See attached police report or correspondence.

Notice for applicants with warrants or unpaid fines: Proof of warrant satisfaction or payment of fines must be submitted at the hearing on the above date and time. Failure to comply with this requirement may result in a delay of the granting/denial of your application.

Failure to attend this meeting may result in the denial of your license. Individual applicants and partnership applicants must attend or attend by an attorney. The agent or attorney for corporate or limited liability applicants must attend. If you wish to do so and at your own expense, you may be accompanied by an attorney of your choosing to represent you at this hearing.

You will be given an opportunity to speak on behalf of the application and to respond and challenge any charges or reasons given for the denial. No petitions can be accepted by the committee, unless the people who signed the petition attend the virtual hearing and are willing to testify. You may present witnesses under oath and you may also confront and cross-examine opposing witnesses under oath. If you have difficulty with the English language, you should request an interpreter attend the meeting with you, at your expense, so that you can answer questions and participate in your hearing.

PLEASE NOTE: Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through sign language interpreters or other auxiliary aids. For additional information or to request this service, contact the Council Services Division ADA Coordinator at (414) 286-2998, Fax - (414) 286-3456, TDD - (414) 286-2025.

JIM OWCZARSKI, CITY CLERK

BY: _____

Jessica Celella
License Division Manager

If you have questions regarding this meeting, please contact the staff assistant, Molly Kuether-Steele at (414) 286-2775 or molly.kuether-steele@milwaukee.gov.

MILWAUKEE POLICE DEPARTMENT
LICENSE INVESTIGATION UNIT

CRIMINAL RECORD/ORDINANCE VIOLATION/INCIDENTS
SYNOPSIS

DATE: 08/20/20
LICENSE TYPE: BTAVN
NEW:
RENEWAL: X

No. 312967
Application Date:
Expiration Date:

License Location: 4040 S 27th St
Business Name: JB's on 41

Aldermanic District:

Licensee/Applicant: BARDON, David L
(Last Name, First Name, MI)
Date of Birth: 08/25/1954

Male: X Female:

This report is written by Police Officer Monreal, assigned to the License Investigation Unit,
Days.

The Milwaukee Police Department's investigation regarding this application revealed the
following:

1. On 04/04/2003 at 7:45 PM a 20-year-old police-aide, under the direction of police officers went to the licensed premises at 4040 S 27th St, Olympic Lanes and purchased two bottles of beer without having his ID checked. The bartender was cited for sale to under age as well as the applicant.

Charge : Sale To Underage-Licensee Responsibility
Finding : Guilty, Municipal Court
Sentence : Fined \$150.00
Date : 06/03/2003
Case : 03073565

2. On 06/27/2003 at 9:50 PM officers responded to the licensed premises at 4040 S 27th St, Olympic Lanes regarding a man with a gun complaint. The witness stated that he was approached by an unknown subject who asked him to "step outside". Upon doing so, the suspect displayed a handgun, "cocked it back a few times, called out to his friends, then" left. No further information. Incident Report Filed

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3. On 04/17/2018 officer's conducted a license premises check on JB's on 41, 4040 S 27th St. The officer spoke with the bartender, Michael KUECHENMEISTER, who did not have a Class D Operator's license. The manager, Stephanie ANDERSON, was also not licensed. On 04/28/2018 the officer conducted a follow up check and there was a licensed bartender.
- =====

4. On 04/13/19 at 11:45pm, Milwaukee Police were dispatched to 4040 S. 27th Street for a fight complaint. Investigation revealed that a fight erupted between two subjects by the pool tables. Staff broke up the altercation and the parties left in vehicles before police arrival. The on duty manager worked well with the officers while they gathered information on the incident.

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5. On 10/18/19 Milwaukee Police initiated an underage compliance check with a police aide who was under the age of 21. At approximately 9:55PM a police officer and a police aide entered JB's on 41 Bar, located at 4040 S. 27th St. The police aide requested a beer from the bartender, who did check identification, however, sold the beer to the underage anyway. The manager on duty was advised and the bartender was cited for the violation.

Charge: Sale of Alcohol to Underage Person
Finding: Guilty
Sentence: Fine
Date: 02/17/20
Case: 19054558

Milwaukee Police Department

749 W. State Street Milwaukee, WI 53233

414-933-4444



Case #: 192910154

OtherEvent #: 19-LP-1125

Incident

4040 S 27TH ST Milwaukee, WISCONSIN 53221

Incident Date/Time:: 10/18/2019 21:55:00
CAD Number:: 192912468
District:: 6
Beat:: 630
Reporting Area:: 7150

Business Agent (1)

BARDON, DAVID LEROY

Person Involvement: (Must choose Agent
AGENT from drop down):
DOB:: 08/25/1954
Sex:: MALE
Race:: WHITE
Phone 1 Number:: (920)-377-0135
Address:: W6656 SHORELAND RD
City:: ELKHART LAKE
State:: WISCONSIN

Licensed Persons Involved (1)

HUG, SARAH ELIZABETH

Person Involvement:: Bartender
DOB:: 10/12/1997
Sex:: FEMALE
Race:: WHITE
Address:: 4566 S 68TH ST
City:: GREENFIELD
State:: WISCONSIN
Zip Code:: 53220

Licensed Premise Data (1)

JB'S ON 41

Phone 1 Number:: (414)-281-8200
Phone 1 Type:: Main
Address:: 4040 S 27TH ST
City:: Milwaukee
State:: WISCONSIN
Zip Code:: 53221
License Type:: Alcohol
Licensee Notification Was Made:: Yes
Licensee Notified Date/Time:: 10/18/2019 01:01:00
Business Was Cited For Violation:: No
Licensee was cooperative: (If not explain in narrative): No

Milwaukee Police Department

749 W. State Street Milwaukee, WI 53233

414-933-4444



Case #: 192910154

OtherEvent #: 19-LP-1125

Licensee or Manager was on premises at time of violation/incident::

No

Narrative (1)

INITIAL INVESTIGATION

Switzer, Shawn R 029225

10/26/2019

This report was written by P.O. Shawn SWITZER, assigned to District Six, Late Power Shift, Squad 6468.

On Friday, October 18, 2019 District Six Power Shift Squads 6468, 6467 and 6411 initiated an underage compliance check. During the checks, one plain clothed Police officer (P.O.) and one plain clothed Police Aide (P.A.) attempted to enter several taverns throughout District Six. The Police Aide was under the age of 21.

Squad 6468. P.O. Shawn SWITZER and P.O. Christopher JACKSON.

Squad 6467. P.O. Paige CARLONI and P.A. Christopher ROMERO-SANCHEZ.

Squad 6411. Sgt. Cassandra BENITEZ

Both the Police Officer and the Police Aide were given instructions prior to conducting the compliance checks. Plain clothed personnel were instructed not allowed to consume any alcoholic beverages. The plain clothed Police Officer was given discretion to provide their identification cards at the bar, the Police Aide was instructed to say they did not have any identification when asked and to state their true age. The Police Officer was instructed to not purchase anything at the bar, the Police Aide was instructed to purchase a bottle of Miller Lite or a similar bottle of beer. The police Officer took a photograph of the underage Police Aide while the Police Aide was holding the bottle of beer.

On Friday, October 18, 2019 at approximately 9:55 pm P.A. Christopher ROMERO-SANCHEZ and P.O. Paige CARLONI entered JB's on 41 bar located at 4040 S 27th st. P.A. ROMERO-SANCHEZ approached the bar and spoke with the bartender Sarah E HUG (10-12-97). P.A. ROMERO-SANCHEZ ordered a Budlite beer in a glass bottle from HUG who asked him for his identification, P.A. ROMERO-SANCHEZ when he did not provide her his identification she still sold him the beer. HUG charged P.A. ROMERO-SANCHEZ \$3.50 for the Budlite. P.O. CARLONI then took a photograph of P.A. ROMERO-SANCHEZ in possession of the beer while inside of JB's on 41 using a department issued cellular phone. The images were placed on inventory (#19035275). The serial number for the cellular phone is 014391000473121.

At approximately 1:01 am P.O. JACKSON and I returned to the bar and spoke with the manager who was on duty at the time. He stated that HUG was the one working the bar at the time of the incident and stated she was the one who sold the beer. He was able to provide HUG's information.

Hug was issued a citation by mail (#M580VN0036).

Milwaukee Police Department

749 W. State Street Milwaukee, WI 53233

414-933-4444



Case #:192910154

OtherEvent #: 19-LP-1125

End of report.

Officer (2)		
Reporting Officer:	Switzer, Shawn R (029225)	10/26/2019 02:14:00
Section: (Work Location):	64	
Approving Officer:	Raden, Chad M (010032)	10/26/2019 11:31:28
Section: (Work Location):	27	



Thursday, September 17, 2020



Notice of Public Hearing

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notice

BARDON, David L, Agent
JB's on 41 at 4040 S 27th St

Class B Tavern, Food Dealer, and Public Entertainment Premises License Renewal Applications

Tuesday, September 29, 2020 at 2:10 PM

To whom it may concern:

The above application has been made by the above named applicant(s). This requires approval from the Licenses Committee and the Common Council of the City of Milwaukee. The hearing before the Licenses Committee will take place virtually on 9/29/2020 at 2:10 PM. This is a public hearing. Those wishing to view the proceeding are able to do so via the City Channel – Channel 25 on Spectrum Cable – or on the Internet at <http://city.milwaukee.gov/citychannel>. Those wishing to provide oral testimony will be asked to do so by phone or internet and are asked to contact the staff assistant, Molly Kuether-Steele at (414) 286-2775 or molly.kuether-steele@milwaukee.gov for necessary information. Please make such requests no later than one business day prior to the start of the meeting. You are not required to attend the hearing, but please see the information below if you would like to provide testimony. Once the Licenses Committee makes its recommendation, this recommendation is forwarded to the full Common Council for approval at its next regularly scheduled hearing.

Important details for those wishing to provide information for the Licenses Committee to consider when making its recommendation:

1. The license application is scheduled to be heard at the above time. Due to other hearings running longer than scheduled, you may have to wait some time to provide your testimony.
2. You must testify as to matters that you have personally experienced or seen. (You cannot provide testimony for your neighbor, parent or anyone else; this is considered hearsay and cannot be considered by the committee.)
3. No letters or petitions can be accepted by the committee (unless the person who wrote the letter or the persons who signed the petition are willing to testify).
4. Persons opposed to the license application are given the opportunity to testify first; supporters may testify after the opponents have finished.
5. When you are called to testify, you will be sworn in and asked to give your name, and address. (If your first and/or last names are uncommon please spell them.)
6. You may then provide testimony.
 - a. Include only information relating to the above license application.
 - b. Include only information you have personally witnessed or seen.
 - c. Provide concise and relevant information detailing how this business has affected or may affect the peaceful enjoyment of your neighborhood.
 - d. If by the time you have the opportunity to testify, the information you wish to share has already been provided to the committee, you may state that you agree with the previous testimony. Redundant or repetitive testimony will not assist the committee in making its recommendation.
7. After giving your testimony, the members of the Licenses Committee and the licensee may ask questions regarding the testimony you have given or other factors relating to the license application.
8. Business Competition is not a valid basis for denial or non-renewal of a license.

Please Note: If you have submitted an objection to the above application your objection cannot be considered by the committee unless you personally testify at the hearing.

OCCUPANT	MAIL ADDRESS	CITY, STATE ZIP
CURRENT OCCUPANT	2525 W PLAINFIELD AVE	MILWAUKEE, WI 53221
CURRENT OCCUPANT	2509 W PLAINFIELD AVE	MILWAUKEE, WI 53221
CURRENT OCCUPANT	2531 W PLAINFIELD AVE	MILWAUKEE, WI 53221
CURRENT OCCUPANT	2605 W PLAINFIELD AVE 1	MILWAUKEE, WI 53221
CURRENT OCCUPANT	2605 W PLAINFIELD AVE 3	MILWAUKEE, WI 53221
CURRENT OCCUPANT	2605 W PLAINFIELD AVE 2	MILWAUKEE, WI 53221
CURRENT OCCUPANT	2605 W PLAINFIELD AVE 4	MILWAUKEE, WI 53221
CURRENT OCCUPANT	2515 W PLAINFIELD AVE	MILWAUKEE, WI 53221
CURRENT OCCUPANT	2433 W PLAINFIELD AVE	MILWAUKEE, WI 53221
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Total Records: 9

Radius: 700.0 feet and Center of Circle: 4040 S 27th St

2020-2021 Plan of Operation for 4040 S 27TH ST

1. Litter & Security Plans			
How are the grounds kept clean? <input checked="" type="checkbox"/> Sweep <input type="checkbox"/> Pressure Wash <input checked="" type="checkbox"/> Pick Up Litter <input type="checkbox"/> Other:			
How often will grounds be cleaned? <input checked="" type="checkbox"/> Daily <input type="checkbox"/> Weekly <input type="checkbox"/> Other:			
Who cleans the grounds? <input type="checkbox"/> Licensee <input type="checkbox"/> Building Owner <input checked="" type="checkbox"/> Employees <input type="checkbox"/> Hired Maintenance <input type="checkbox"/> Other:			
How are noise issues prevented and/or addressed? <input type="checkbox"/> Security <input checked="" type="checkbox"/> Manager approaches customer(s) <input type="checkbox"/> Call Police <input type="checkbox"/> Signs Posted <input type="checkbox"/> Other:			
Are there designated outdoor smoking areas? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes If Yes, Describe: <u>25 ft from entrances</u>			
Number of garbage cans: Inside <u>15</u> Locations: <u>Throughout facility</u> Outside <u>2</u> Locations: <u>Near entrances</u>			
Is a crowd control barrier used? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If Yes, Describe:			
Number of restrooms: <u>4</u>		Name of solid waste contractor: <u>Waste Management</u>	
Are there parking spaces on the premises? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes If Yes, list number of spaces: <u>223</u> and describe security plans: <u>Staff monitors security cameras, report suspicious activity to Maj., Mar Alerts Police</u>			
Are there designated loading areas? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If Yes, describe security plans: <u>Department if necessary</u>			
Do you have security personnel on the premise? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If Yes, how many? _____ AND What are their responsibilities? _____ What security equipment do they use? _____ List their licensing, certification or training credentials: _____			
Are there security cameras? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes If Yes, list all locations: <u>28 cameras - various locations inside/outside bldg</u>			
Are searches and/or identification checks conducted upon entry? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes If Yes, describe: <u>I.D. verification for alcoholic beverage purchases</u>			
2. Percentage of Sales (must total 100%)			
Alcohol <u>18</u> %	Food Sales <u>20</u> %	Entertainment _____ %	Other <u>62</u> %
3. Businesses On The Premises (choose all that apply):			
<input checked="" type="checkbox"/> Restaurant <input type="checkbox"/> Cafe/Coffee Shop <input checked="" type="checkbox"/> Cocktail Lounge <input type="checkbox"/> Convenience Store <input type="checkbox"/> Night Club <input type="checkbox"/> Liquor Store <input type="checkbox"/> Tavern <input type="checkbox"/> Sports Facility			
<input type="checkbox"/> Hotel <input type="checkbox"/> Banquet Hall <input type="checkbox"/> Supermarket <input type="checkbox"/> Private/Fraternal/Veterans' Club <input checked="" type="checkbox"/> Other: <u>Bowling/Bowles/Volleyball</u>			
4. Hours of Operation and Age Restriction			
Are there any changes to the current hours of operation or age restriction? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If Yes, Describe:			
Please Note: If you will be open earlier or later than the hours listed on your current license for even one event or holiday (for example, St. Patrick's Day, Brewers Opening Day, etc.) during the license period, this must be reported and printed on your license. Your hours of operation and age restriction are listed on your current license.			
5. Floor Plan and Capacity			
Are you requesting any changes to your capacity or floor plan*? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If yes, describe: _____ and submit a new floor plan with this renewal application. A sample plan can be found online at www.milwaukee.gov/licenses under License Forms and Related Information.			
Alcohol/Food Establishments: A "Permanent Extension of Premises Application" is required if you are adding any square footage to the licensed premises.			
6. Sidewalk Dining: Fee:			
Are there any changes to the sidewalk dining site plan? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If Yes, submit an updated site plan with this application.			
7. Food License: FREST 13540 Fee: \$1,250.00		8. Weights and Measures: Fee:	
Your current food license includes the following food operations: Are there any changes to your food operations as listed above? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes, if Yes, explain _____		Number/Type of Devices: Are there any changes to the number or types of devices? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If yes, contact our office for further instructions.	

1. CURRENT APPROVED ENTERTAINMENT

The following types of entertainment have been approved for your current Public Entertainment Premises license:
Disc Jockey, Jukebox, Karaoke, Bands, 50 Amusement Machines, 35 Bowling Alleys, 2 Pool Tables

2. ADDING ENTERTAINMENT

If applicable, check any entertainment you wish to add: **ONLY CHECK ENTERTAINMENT TYPE(S) YOU ARE ADDING. YOUR CURRENT APPROVED ENTERTAINMENT IS LISTED ABOVE.**

- | | | | |
|---|--|--|---|
| <input type="checkbox"/> Instrumental Musicians | <input type="checkbox"/> Bands | <input type="checkbox"/> Battle of the Bands | <input type="checkbox"/> Comedy Acts |
| <input type="checkbox"/> Disc Jockey | <input type="checkbox"/> Magic Shows | <input type="checkbox"/> Poetry Readings | <input type="checkbox"/> Dancing by Performers |
| <input type="checkbox"/> Jukebox | <input type="checkbox"/> Wrestling | <input type="checkbox"/> Patron Contests | <input type="checkbox"/> Patrons Dancing |
| <input type="checkbox"/> Adult Entertainment/
Strippers/Erotic Dance | <input type="checkbox"/> Karaoke | <input type="checkbox"/> Bowling Alley
How many? _____ | <input type="checkbox"/> Pool Tables
How many? _____ |
| <input type="checkbox"/> Motion Pictures (movies by admission)
How many screens? _____ | <input type="checkbox"/> Amusement Machines
How many? _____ | <input type="checkbox"/> Concerts
Approx. # per year? _____ | <input type="checkbox"/> Theatrical Performances
Approx. # per year? _____ |
| <input type="checkbox"/> Other: _____ | | | |

No entertainment changes can take place until approved by Common Council and a new license has been issued and posted on the premises.

3. REMOVING ENTERTAINMENT

If applicable, list any entertainment you wish to remove:

4. PROMOTERS/SOUND AMPLIFICATION

Will promoters ever be used for any of the entertainment? No Yes If Yes, Describe:

At any time will sound amplification be used? No Yes If Yes, Describe:

Speakers throughout facility. Also provided by entertainment groups

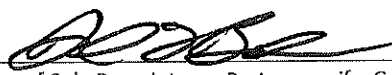
5. SIGNATURE

I understand that after the license has been issued, a change to the plan of operation will require a written request to change and approval from the Common Council.

I agree to inform the City Clerk within 10 days of any substantial changes in the information supplied in this application.

I understand that I shall not willfully refuse to provide the services offered under this license, or add charges or require deposits not required of the general public because of race, color, sex, religion, national origin or ancestry, age, handicap, lawful source of income, marital status, sexual orientation, gender identity or expression, familial status or the fact that a person is now or has been a member of the military service, whether dressed in uniform or not; and shall not seek such information as a condition of employment, or penalize any employee or discriminate in the selection of personnel for training or promotion on the basis of such information.

I have knowledge of the City Ordinances currently regulating public entertainment, and understand that the license may be subject to suspension, non-renewal or revocation, if I violate any rule, law or regulation of the city of Milwaukee and State of Wisconsin.


Signature of Sole Proprietor, a Partner, or if a Corporation or LLC, the Agent must sign