



Office of the City Clerk
Council Services Division

Ronald D. Leonhardt
City Clerk

Anthony J. Zielinski
Manager

April 30, 2001

Mr. Roberto DeLeon
1005 South 35th Street
Milwaukee, WI 53215

Attorney Roberto R. Ledesma
1707 West National Avenue
Milwaukee, WI 53204

Dear Mr. DeLeon and Attorney Ledesma:

You are hereby notified that the Milwaukee Common Council will hold a hearing on May 8, 2001, 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 the renewal of the Class "B" Tavern license and Tavern Dance license application of Roberto DeLeon, for the premises located at 1117 West Lincoln Avenue, Wisconsin ("Club Mi Casita Bar").

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 with a sixty (60) day suspension of the Class "B" Tavern and Tavern Dance licenses. The recommendation is the result of a public hearing before the Committee held on April 24, 2001 and police and neighborhood objections.

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 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
40342

Date: April 30, 2001

To: All Members of the Milwaukee Common Council

From: The Utilities and Licenses Committee

Re: Report of the Renewal Application of the Class "B" Tavern and Tavern Dance licenses, for the premises located at 1117 West Lincoln Avenue in the City and County of Milwaukee, Wisconsin ("Club Mi Casita Bar").

FINDINGS OF FACT

1. Roberto DeLeon (hereinafter the "Licensee") is the holder of a Class "B" Tavern license and a Tavern Dance license for the premises located at 1117 West Lincoln Avenue in the City and County of Milwaukee, Wisconsin ("Club Mi Casita Bar"). Said licenses expire at midnight May 26, 2001.
2. An application to renew said license was filed with the Office of the City Clerk on March 8, 2001.
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 March 13, 2001 the Milwaukee Police Department responded with a report regarding the premises. That report could form a basis for non-renewal of the licenses. There were also neighborhood objections to renewal.
4. On April 16, 2001, 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 a report of the Milwaukee Police Department that could form the basis for suspension or non-renewal of the licenses of the Licensee, and included therewith a copy of the Milwaukee Police Department report. The notice of the hearing also notified the applicant of the neighborhood objections to renewal of this license. The matter was scheduled for a hearing on the police department report on April 24, 2001, 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 appeared and was represented by counsel, Attorney Roberto R. Ledesma, 1707 West National Avenue, Milwaukee, WI 53204.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:

- A. On 03/28/99, officers were dispatched to the Mi Casita Bar to investigate a battery, cutting that occurred outside of the tavern. A bartender, who had escorted an unruly patron out of the tavern left to go home and was jumped and cut by a pocket knife carried by one of three men.
- B. On 07/10/99, officers were dispatched to the Mi Casita Bar to investigate a battery that occurred outside of the tavern. A fight had started when a patron who left the tavern found a subject in his truck attempting to steal the radio.
- C. On 07/11/99, officers were dispatched to 2320 S. 12th. ST. regarding shots fired in the area of the Mi Casita Bar. Complainant stated the he was on the corner of 12th. & Lincoln when an auto drove by and someone fired two shots in the air. Complainant stated the two subjects in the vehicle may have been in the Mi Casita Bar. .
- D. On 12/01/99, officers were dispatched to the Mi Casita Bar for an attempted armed robbery .Officers did determine that an attempt was made but the three suspects ran out when after complainant put his hands under the bar as if to reach for a weapon.
- E. On 01/06/00 Officers were dispatched to the Mi Casita Bar to a fight complaint. Officers found that those involved had left the scene. Officers were then dispatched to St. Luke's Hospital where investigation revealed that two underage subjects had been in the Mi Casita Bar drinking when they got into a fight and left the tavern and were stabbed in the back.

Charge 1: Presence of Underage 2: Presence of Underage; Finding 1: Guilty 2: Guilty. Sentence 1: Fined \$346.00 2: Fined \$346.00 Date 1 : 04/26/00 2: 04/26/00 1:00022221 2:00022222

- F. On 03/26/00 at 12:45 AM Officers conducted a tavern check at Mi Casita located at 1117 W. Lincoln Av. Upon entering the tavern Officers located two underage persons. The Licensee was on the scene,

As to Licensee (Roberto DeLeon)

Charge: Presence of Underage Person; Finding: Guilty
Sentence: Fined \$346.00 Date: 05/15/00
Case # 00045586

- G. On 06/04/00 at about 2:00 AM Officers responded to a shooting at 1117 W. Lincoln Avenue (Mi Casita tavern). Investigation revealed that two unknown subjects fired several gunshots into Mi Casita tavern striking three patrons. One of the patrons who was shot in the right leg was 19

years old. The licensee was on the scene and stated that it was busy in the bar, but it was his responsibility to check the ages of his patrons. A Criminal Complaint was filed.

As to Licensee (Roberto DeLeon)

Charge: Presence of Underage Person Finding: Guilty
Sentence: Fined \$250.00 Date: 08/18/00
Case # 00073872

CONCLUSIONS OF LAW

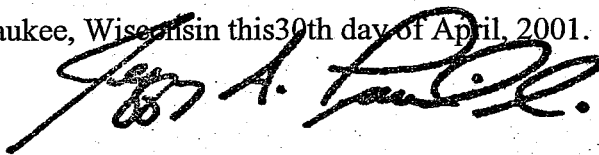
1. The Committee has jurisdiction to hold hearings and provided Findings of Fact and Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapter 125 of the Wisconsin Statutes and Chapter 90 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concludes that the Licensee, Roberto DeLeon, for the premises located at 1117 West Lincoln Avenue, Milwaukee, Wisconsin ("Club Mi Casita Bar") has not met the criteria of Chapter 90 of the Milwaukee Code of Ordinances to allow renewal of his Class "B" Tavern license and Tavern Dance license without undergoing a sixty (60) day suspension. The Committee finds the police report and neighborhood objections 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 Utilities and Licenses Committee that the full Common Council of the City of Milwaukee should exercise its judgment to renew with a sixty (60) day suspension the Class "B" Tavern and the Tavern Dance license held by Roberto DeLeon for the premises located at 1117 West Lincoln Avenue in the City and County of Milwaukee, Wisconsin ("Club Mi Casita Bar ") based on police and neighborhood objections.

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 and the Tavern Dance license of Roberto DeLeon for the premises at 1117 West Lincoln Avenue in the City and County of Milwaukee, Wisconsin be renewed with a sixty (60) day suspension.

Said suspension is to be in effect from midnight, May 26, 2001 through midnight, July 25, 2001.

Dated and signed at Milwaukee, Wisconsin this 30th day of April, 2001.

A handwritten signature in black ink, appearing to read "Jeffrey A. Pawlinski". The signature is written in a cursive style with a large initial "J" and a prominent "P".

JEFFREY A. PAWLINSKI
Chairman, Utilities and
Licenses Committee

40343



Office of the City Clerk
Council Services Division

Ronald D. Leonhardt
City Clerk

Anthony J. Zielinski
Manager

April 30, 2001

Mr. Barry Lewis
3230 North Humboldt Avenue
Milwaukee, WI 53212

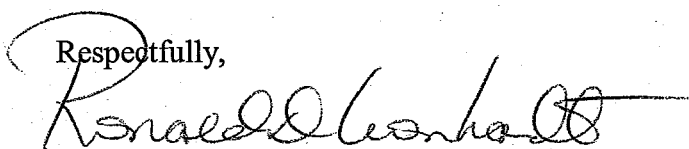
Dear Mr. Lewis:

You are hereby notified that the Milwaukee Common Council will hold a hearing on May 8, 2001, 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 the renewal of your Class "B" Tavern license and the renewal, with a 10-day suspension imposed, of your Instrumental Music license for the premises located at 2499 North Bartlett Avenue, Wisconsin ("The Corner Grill").

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 license and the renewal, with a ten (10) day suspension, of the Instrumental Music license. The recommendation is the result of a public hearing before the Committee held on April 24, 2001 and police objections and neighborhood objections.

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 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
40347

Date: April 30, 2001

To: All Members of the Milwaukee Common Council

From: The Utilities and Licenses Committee

Re: Report of the Renewal Application of the Class "B" Tavern and Instrumental Music license, for the premises located at 2499 North Bartlett Avenue in the City and County of Milwaukee, Wisconsin ("The Corner Grill").

FINDINGS OF FACT

1. Barry Lewis (hereinafter the "Licensee") is the holder of a Class "B" Tavern and Instrument Music license for the premises located at 2499 North Bartlett Avenue in the City and County of Milwaukee, Wisconsin ("The Corner Grill"). Said license expires at midnight May 11, 2001.
2. An application to renew said license was filed with the Office of the City Clerk on March 12, 2001.
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 March 20, 2001 the Milwaukee Police Department responded with a report regarding the premises. That report could form a basis for non-renewal of the licenses. There were also neighborhood objections to renewal.
4. On April 16, 2001, 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 a report of the Milwaukee Police Department that could form the basis for suspension or non-renewal of the licenses of the Licensee, and included therewith a copy of the Milwaukee Police Department report. The notice of the hearing also notified the applicant of the neighborhood objections to renewal of this license. The matter was scheduled for a hearing on April 24, 2001, commencing at 9:30 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 and neighborhood objections. The Licensee appeared 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. On 2/23/01 at 11:20 p.m., a Milwaukee Police Department officer was dispatched to a noise complaint at the licensed premises. Upon arrival, the

officer could hear the music from about 200 feet from the tavern. The licensee was on the scene and did turn down the music. The complainant stated that this is an on-going problem. The licensee was charged with noise nuisance and the matter was pending court appearance on 4/19/01.

- B. Music from the licensed establishment, especially late at night, has on a regular basis interfered with the peace and quiet of neighbors.
- C. Patrons of the licensed establishment, upon leaving the premises on nights when music has been offered, have urinated in public.

CONCLUSIONS OF LAW

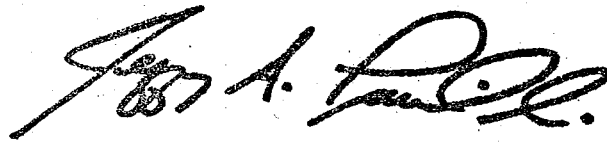
1. The Committee has jurisdiction to hold hearings and provided Findings of Fact and Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapter 125 of the Wisconsin Statutes and Chapter 90 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concludes that the Licensee, Barry Lewis, for the premises located at 2499 North Bartlett Avenue, Milwaukee, Wisconsin ("The Corner Grill") has not met the criteria of Chapter 90 of the Milwaukee Code of Ordinances to allow renewal of his Class "B" Instrumental Music license without undergoing a ten (10) day suspension. The Committee recommend the renewal of the Class "B" Tavern portion of the license. The Committee finds the police report and neighborhood objections 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 Utilities and Licenses Committee that the full Common Council of the City of Milwaukee should exercise its judgment to renew the Class "B" tavern license and to renew, with a ten (10) day suspension, the Instrumental Music license held by Barry Lewis for the premises located at 2499 North Bartlett Avenue in the City and County of Milwaukee, Wisconsin ("The Corner Grill ") based on police 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) noes recommends that Barry Lewis' Class "B" Tavern license be renewed and that the Instrumental Music license be renewed with a ten (10) day suspension.

Said suspension is to be in effect from midnight, May 11, 2001 through midnight, May 21, 2001.

Dated and signed at Milwaukee, Wisconsin this 30th day of April, 2001.

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JEFFREY A. PAWLINSKI
Chairman, Utilities and
Licenses Committee

40344