



**JOCASTA ZAMARRIPA**  
ALDERWOMAN, 8<sup>TH</sup> DISTRICT

**COMMITTEE ASSIGNMENTS**

**CHAIR**

- Licenses Committee

**VICE-CHAIR**

- Community and Economic Development Committee

**MEMBER**

- Steering and Rules Committee
- Zoning, Neighborhoods, and Development Committee

May 31, 2024

To the Honorable, the Common Council

Honorable Members:

Common Council File Number 240152 contains the following recommendations:

Renewal with a 10 (ten) day suspension of the Extended Hours Establishments, Food Dealer and Sidewalk Dining licenses for Ronald A. Stokes based upon the preponderance of the evidence of the police report, the health report, the applicant and aldermanic testimony that demonstrates the operation results in a threat to health safety or welfare of the public; for the premises located at 1348 E Brady St. ("Qdoba Mexican Eats") in the 3<sup>rd</sup> aldermanic district.

Renewal with a 30 (thirty) day suspension of the Recycling, Salvaging, or Towing Premises license for Kevin I. Lopez based upon the preponderance of the evidence on the police report and the applicant, Mr. Arias and MPD testimony that demonstrates the operation results in a threat to health, safety or welfare of the public; for the premises located at 3950 N Holton St. ("Legends Towing") in the 6<sup>th</sup> aldermanic district.

Nonrenewal of the Class B Tavern, Public Entertainment Premises and Food Dealer licenses for Mario A. Spencer based upon the preponderance of the evidence on the extensive police report and extensive testimony from the applicant, neighborhood and MPD that demonstrates the operation results in a threat to health, safety or welfare of the public; for the premises located at 4001 W Fond Du Lac Av. ("Infinity Lounge") in the 7 aldermanic district.

Sincerely,

JoCasta Zamarripa  
Alderwoman, 8<sup>th</sup> District

cc: All Council Members  
File 240154





## COMMITTEE ASSIGNMENTS

### **CHAIR**

- Licenses Committee

### **VICE-CHAIR**

- Community and Economic Development Committee

### **MEMBER**

- Steering and Rules Committee
- Zoning, Neighborhoods, and Development Committee

**JOCASTA ZAMARRIPA**  
ALDERWOMAN, 8TH DISTRICT

Date: May 31, 2024

To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report on the Renewal Applications of Ronald A. Stokes, Agent for Roaring Fork LLC, for Extended Hours Establishments, Food Dealer and Sidewalk Dining licenses for the premises located at 1348 East Brady Street in the City and County of Milwaukee, Wisconsin ("Qdoba Mexican Eats").

### **FINDINGS OF FACT**

1. Ronald A. Stokes (hereinafter the "Licensee") is the holder of an Extended Hours Establishments, Food Dealer and Sidewalk Dining licenses for the premises located at 1348 East Brady Street in the City and County of Milwaukee, Wisconsin ("Qdoba Mexican Eats"). Said licenses expired at midnight, May 8, 2024.
2. An application to renew said licenses was filed with the Office of the City Clerk on March 5, 2024.
3. Pursuant to Chapters 68, 84, and 85 of the Milwaukee Code of Ordinances, the matter was referred to the Milwaukee Police Department for investigation. On March 5, 2024, the Milwaukee Police Department responded with a report that could form the basis for nonrenewal of said licenses.
4. On May 17, 2024, the City Clerk's Office provided notice to the Licensee pursuant to Chapters 68, 84, and 85 of the Milwaukee Code of Ordinances of the police report and included a copy of the police report. The matter was scheduled for a hearing on the police report on May 29, 2024 at 1:10 p.m. in Room 301B of the third floor of City Hall. At said date, time and place, the Licensee appeared and admitted receipt of the notice of hearing, together with a copy of the Milwaukee Police report.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
  - A. On November 1, 2023 at 3:00 p.m., Milwaukee Police and City of Milwaukee Health Inspectors conducted a License Premise Check at 1348 East Brady Street. This was regarding a complaint from a consumer; they found a razor blade in their food. Investigation revealed a razor blade accidentally fell out of a cutting instrument the establishment uses.



- B. The Licensee said that they never received the evidence of the razor blade and that there is a discrepancy because they do not know where it came from or who provided the complaint. He added that the Health Department asked to remove box cutters from the establishment which they have done since then.

*Individuals also present:*

- C. Alderman Brostoff asked if the razor blade was part of a kitchen utensil used at the store.
- D. The Licensee said that they were not missing a razor blade of any variety, that they saw the photo but never received the evidence and; that none of the instruments at the store were missing a blade. He questioned if the razor blade was from the store but said they are using scissors to cut boxes.
- E. Alderman Brostoff said that on the larger version of the police report it says that the razor was an exact match to the razor inside of the box cutters at the store.
- F. Alderman Spiker read the police report that Alderman Brostoff referenced and asked the Licensee what was the discrepancy.
- G. The Licensee said that he does not know if the razor blade belongs to the restaurant.
- H. Alderman Westmoreland asked what happens if they find out that an employee has a box cutter.
- I. The Licensee said that they will remove the object and let the employee know that box cutters are not allowed.
- J. Alderman Westmoreland asked if there are safety procedures to check that no sharp items fall into the food.
- K. The Licensee said that there are procedures in place and that they no longer have razor blades in inventory.
- L. There were no neighbors present to testify.
- M. Alderman Brostoff said that luckily no one was hurt but that he recommends a 10-day suspension in order to correct the situation from ever happening again and for the answers made by the Licensee.
- N. Alderman Burgelis asked if the staff will be put in training or on unpaid leave.
- O. The Licensee said that the staff has been trained, that they have removed the box cutters and that there are no other pieces with blades at the store. He added that a 10-day suspension is a severe action on a business with a clean and long record. He also said that this suspension will affect the employees and customers as well and that he has not considered any actions yet to find hours for this establishment's employees at other locations.
- P. Alderman Spiker moved approval with a 10-day suspension based upon the preponderance of the evidence of the police report, the health report, the Licensee



and aldermanic testimony that demonstrates the operation results in a threat to health safety or welfare of the public. There were no objections. (Prevailed 5-0)

### 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 Chapters 68, 84, and 85 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concludes that the Licensee, Ronald A. Stokes who holds Extended Hours Establishments, Food Dealer and Sidewalk Dining licenses for the premise located at 1348 East Brady Street in the City and County of Milwaukee, Wisconsin ("Qdoba Mexican Eats") has not met the criteria of Chapters 68, 84, and 85, of the Milwaukee Code of Ordinances to renew the licenses without undergoing a Ten (10) day suspension. The Committee finds the police report and aldermanic objections 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 not to renew the Extended Hours Establishments, Food Dealer and Sidewalk Dining licenses for the premises located at 1348 East Brady Street in the City and County of Milwaukee, Wisconsin ("Qdoba Mexican Eats") without undergoing a Ten (10) day suspension. The Committee based its recommendation upon the preponderance of the evidence of the police report, the health report, the Licensee and aldermanic testimony that demonstrates the operation results in a threat to health safety or welfare of the public.

### 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 Extended Hours Establishments, Food Dealer and Sidewalk Dining licenses of Ronald A. Stokes for the premises located 1348 East Brady Street in the City and County of Milwaukee, Wisconsin ("Qdoba Mexican Eats") not be renewed without undergoing a Ten (10) day suspension based upon the preponderance of the evidence of the police report, the health report, the Licensee and aldermanic testimony that demonstrates the operation results in a threat to health safety or welfare of the public.

The suspension is in effect between 12:01 a.m. on June 11, 2024 until 11:59 p.m. on June 20, 2024.

Dated and signed at Milwaukee, Wisconsin this 31 day of May, 2024.



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JOCASTA ZAMARRIPA  
Chairman, Licenses Committee

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## COMMITTEE ASSIGNMENTS

### **CHAIR**

- Licenses Committee

### **VICE-CHAIR**

- Community and Economic Development Committee

### **MEMBER**

- Steering and Rules Committee
- Zoning, Neighborhoods, and Development Committee

## **JOCASTA ZAMARRIPA** ALDERWOMAN, 8TH DISTRICT

Date: May 31, 2024

To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report on the Renewal Application of Kevin I. Lopez, Agent for Legends Towing, LLC, for a Recycling, Salvaging, or Towing Premises License Renewal Application for Legends Towing located at 3950 North Holton Street in the City and County of Milwaukee, Wisconsin.

### **FINDINGS OF FACT**

1. Kevin I. Lopez (hereinafter the "Licensee") is the holder of a Recycling, Salvaging, or Towing Premises license for the premises located at 3950 North Holton Street in the City and County of Milwaukee, Wisconsin ("Legends Towing"). Said license expired on May 9, 2024.
2. An application to renew said license was filed with the Office of the City Clerk on April 29, 2024.
3. Pursuant to Chapter 85, and 93 of the Milwaukee Code of Ordinances, the matter was referred to Milwaukee Police Department, for investigation. On April 30, 2024, the Milwaukee Police Department responded with a report that could form the basis for nonrenewal of said license.
4. On May 17, 2024 the City Clerk's Office provided timely notice to the Licensee pursuant to Chapters 85 and 93 of the Milwaukee Code of Ordinances and included therewith a copy of the Milwaukee Police Department report and neighborhood objections. The matter was scheduled for a hearing on the police department report on May 29, 2024, commencing at approximately 10:15 a.m. in Room 301B of the third floor of City Hall. At said date, time and place, the Licensee appeared with counsel, Attorney Erica N. Young and admitted receipt of the notice of hearing, together with a copy of the Milwaukee Police report.
5. Based on the sworn testimony heard and evidence received at the hearing, the Committee finds the following:
  - A. On June 6, 2023 at 2:45 p.m., a complaint was made at District 4 of the complainant's vehicle being illegally towed by Legends Towing. The complaint stated that her vehicle was eventually returned back to her residence, but wanted to make the police aware.
  - B. On September 12, 2023 Milwaukee Police were dispatched to 3950 North Holton Street, for a trouble with subject. Officers spoke with employee who stated that a female was having problems paying for her tow fees, regarding her vehicle. The female was no longer on scene upon police arrival.



- C. On October 19, 2023 at 4:27 p.m., Milwaukee Police were dispatched to 3950 North Holton Street for a trouble with subject. The caller stated that the owner of the tow lot is being aggressive and not allowing her to get her vehicle back. Officers made contact to the caller, who stated that matter is resolved and no longer need police services.
- D. On October 25, 2023 Milwaukee Police were dispatched to 3950 North Holton Street for a subject with gun. Officers spoke with the caller who stated that owner of the location Julio Arias brandished a hand gun at him. This was done when the caller tried to retrieve his grandmother's vehicle. Officers spoke with Mr. Arias, who stated that he did not brandish a hand gun and the argument was a heated verbal argument. The grandmother was on scene and witnesses the argument but no hand gun was scene. The vehicle was released to the owner. Officers were initially going to cite the owner for Disorderly Conduct, but was advised by a supervisor to advise the incident.
- E. On November 27, 2023 at 4:53 p.m., Milwaukee Police were dispatched to 3950 North Holton Street, for a subject with gun complaint. Officers spoke with the caller who stated that his wife's vehicle was towed by Legends Towing, and he got into verbal altercation with owner of the business, trying to retrieve his wife's vehicle. During the altercation a dog was brought out of the business location to intimidate him. Also a group of 5 subjects surround his vehicle and one of the subject's brandished a hand gun. Officers then spoke with the agent of the business, who advised officers the vehicle was towed and the amount due was \$347.50, and the business only takes cash, and the lot closes at 6:00pm. The agent showed officers video but officers stated that they were not allowed to see the full video, due to the agent fast forwarding past parts. The agent was uncooperative with officers and initially did not want to release the towed vehicle to the owners who returned with payment prior to 6:00pm.
- F. On November 29, 2023 at 5:05 p.m., Milwaukee Police were dispatched to 3950 North Holton Street for a trouble with subject complaint. Officers spoke with caller who stated that he was trying to get his vehicle returned from Legends Towing. Officers spoke with the owner of the business who was not cooperative with officers during the investigation.
- G. On December 13, 2023 at 10:49 a.m, Milwaukee Police were dispatched to 3950 North Holton Street, for a battery complaint. Officers spoke with the employee of the location who stated that the caller took possession of his vehicle and battered him. The employee stated that he also did not pay the impound fee. The officer attempted to reach the caller but was unable. The officers reviewed video, but the employee did not wish to press charges.
- H. On December 19, 2023 an officer of the License Investigation Unit recovered a stolen auto from 2855 North Weil Street, due to the vehicle attempting to be re-titled. The officer later received a called from the owner of Legends Towing, Julio Arias. Mr. Arias stated the vehicle was properly towed, and the notification was made to the owner, making him legally able to sell the vehicle. Mr. Arias attempted several different avenues trying to take possession of the vehicle. The officer's investigation revealed that there were discrepancies, regarding the tow location and notification being mailed to the wrong address. Mr. Arias was notified that him starting an improper mechanical lien and then selling the vehicle are State and City violations. The vehicle was released to the proper owners.
- I. On January 10, 2024 License Investigation Unit (LIU) RSTP and Secondhand Dealer Investigator concluded an investigation related to incidents that took place on July 31, 2023. Milwaukee Police officers notified the LIU regarding Legends Towing of 3950 North Holton Street conducting non-consensual tows of vehicles from a private garage open to the public. The officer stated that he observed an unmarked tow truck taking vehicles from the location of 1123 N Van Buren Street (Pick N Save) The officer made contact with the driver who stated



that he works for Legends Towing, and the truck was unmarked because it was recently painted. An officer from the LIU reviewed video of the tows and contacted Legends Towing regarding the concerns of observed violations. The officer attempted to set an appointment where he could review the business tow records. On January 10, 2024 the agent was cited for the violations regarding the tows on July 31, 2023. On January 10, 2024 the owner Julio Arias met with the officer who wrote the citations and was upset. Mr. Arias made a comment that Mr. Kevin Lopez, (who is the listed agent) has nothing to do with the business, and citations do not concern him. Mr. Arias continued to be aggressive and made comments which, could be perceived as threats to the officer. The officer confronted Mr. Arias about the comments he made, and Mr. Arias requested a police supervisor to file a complaint.

**All citations have a future court date of 06/12/24**

24003936	Towing-Non Consensual Requirements
24003937	Towing-Non Consensual Requirements
24003938	Towing-Non Consensual Requirements
24003939	Towing-Non Consensual Requirements
24005059	Towing-Non Consensual Requirements
24005060	Towing-Non Consensual Requirements
24005064	Towing-Non Consensual Requirements
24005065	Towing-Non Consensual Requirements
24005061	Towing Record Keeping
24005062	Towing Record Keeping
24005066	Towing Record Keeping
24005063	Recycle/Salvage/Tow Lie Stickers/Sign

- J. On January 15, 2024, Milwaukee Police Detectives investigated the threats/ comments made by Julio Arias, who is 50% owner of Legends Towing, located at 3950 North Holton Street. Mr. Arias had an interaction with a police officer, on January 10, 2024 after his business received citation for towing violations. Mr. Arias comments made to the officer were perceived as threats. The detectives re-interviewed officers and video regarding the interaction. Charges were filed but the District Attorney's Office did not choose to prosecute the charges.
- K. On January 20, 2024 Milwaukee Police were dispatched to 3950 North Holton Street, for a theft. Officers spoke with the caller who stated that when she received her vehicle back from Legends Towing, the battery was missing. The caller also mentioned the business had her WI ID card and registration of her vehicle. The officers witnessed that both the caller and employee were being uncooperative.
- L. On May 6, 2024, officers of District #5 conducted follow up on a fraud complaint, involving Legends Towing located at 3950 North Holton Street. The complainant, a representative from U-Haul stated that Legends Towing did not, give proper notification to U-Haul of their towed vehicle. The complaint also indicated the business charged \$200.00 dollars a day in storage fees of the U-Haul owned vehicle. The complainant, also indicated Legends Towing billed U-Haul a large amount money, for the towing and storage of the vehicle.
- M. Attorney Young said that her client recognizes the calls for service on the police report, that there are no criminal charges in result of any of the incidents, that the nature of the service that the company offers could lead to unpleasant verbal exchanges between employees and customers but that they have hired a new manager and a security company to facilitate the exchange between the parts.



- N. Alderman Burgelis asked if the security company is the only one interacting with customers.
- O. Attorney Young said that it would be Kevin Scholz as well.
- P. Alderman Burgelis asked if it is customary to use dogs to intimidate customers.
- Q. The Licensee said that the dog lives there and that it runs free in the lot and that the dog came when heard the confrontation.
- R. Alderwoman Pratt asked if Mr. Arias has been trained because he seems to be the problem here.
- S. The Licensee said Mr. Arias has been placed on the back but that he is an excellent tow driver.
- T. Alderman Spiker asked if Mr. Arias is a stockholder.
- U. The Licensee said that he and Mr. Arias' fiancée are the stockholders (50% 50%).
- V. Alderman Spiker asked when all those changes that Attorney Young mentioned were made.
- W. The Licensee said that at the end of 2023.
- X. Alderman Spiker pointed out that there have been issues even after the changes that the Licensee mentioned.
- Y. Attorney Young said that Mr. Arias has cooperated with MPD and that she has a letter from a MPD officer supporting it.
- Z. Alderman Spiker said that Mr. Arias probably cooperates after he cools down.
- AA. Alderman Burgelis said that Mr. Arias without being a stockholder is hurting the business and asked the Licensee how does he feels about that.
- BB. The Licensee said that it does not feel good but that they have been working on procedures to avoid confrontations with customers.
- CC. Alderman Burgelis asked if the other drivers have the same issues as Mr. Arias.
- DD. The Licensee said that he would need to look it up.
- EE. Officer Benitez was sworn in and said that on the date of the Van Buren incident, Mr. Lopez told him at that time, that he had nothing to do with the business. He added that he asked Mr. Lopez if he filed the proper paperwork to reflect the changes on the license and that Mr. Lopez said that he did not.
- FF. Ms. Dantzler asked the Licensee what he does exactly day to day and to explain his role as 50% stockholder.
- GG. The Licensee explained that at the beginning he was involved on the day to day operations but not anymore.
- HH. Mr. Arias was sworn in and said that he has never been charged for anything related to the police report and that whatever is written on the report, is the officer's version and not the actual facts. He added that he always asks to talk with a supervisor because police officers do not know about the procedures that this type of business follow and, that it has been taken as





that he does not cooperate at the moment. Mr. Arias said that he recognizes that there have been situations where there is a conflict with the customer and that it is when the Licensee and his own fiancée come to help.

- II. Ms. Dantzler asked if they have price list set in order to avoid discrepancies.
- JJ. Mr. Arias said that they do and that the lot insurance does not allow uninsured drivers to drive in the lot so they need to tow the car out or ask the driver to have it tow it out and; that prices are posted.
- KK. There were no people in objection or present to testify.
- LL. Alderman Spiker said that there were 2 incidences about people brandishing a hand gun.
- MM. Mr. Arias said that he does not have a hand gun and that he does not know the people who brandished the gun at the gate (regarding the item on the police report) and; that he could not open the gate because the people were there and the dog was running freely in the lot. He also said that the dog is trained to take care of the property.
- NN. Alderwoman Zamarripa asked why he got all those non-consensual citations.
- OO. Mr. Arias said that he did not know the protocol.
- PP. Alderman Burgelis asked if they are contesting some of those citations.
- QQ. Attorney Young said that another attorney is doing it and that the case is pending still.
- RR. Ms. Dantzler asked Mr. Arias if he could step back from the business operations.
- SS. Mr. Arias said that it is a smart thing to do and that is why they hired Nick and the security company. He added that he is taking care of the lot and the tow trucks.
- TT. Ms. Dantzler asked if they could include this testimony in the plan of operations.
- UU. Alderman Spiker moved to include in the plan of operations that Mr. Arias won't deal with the public and will not do the non-consensual towing. There were no objections.
- VV. Alderman Westmoreland moved to accept the two documents about the hiring of the Iron Gate Security and Nicholas Engan at the front desk and; Sergeant Wilder's statement.
- WW. There were no objections.
- XX. Alderwoman Zamarripa asked Mr. Arias if the security company is licensed and bonded.
- YY. Mr. Arias answered that it is.
- ZZ. Ms. Dantzler said that the Licensee must work on not to match the customers' emotions so they do not feel threaten or unhappy. She added that they need to cooperate with MPD and recommended a warning letter.
- AAA. Alderman Westmoreland moved approval with a warning letter based on the police report and applicant testimony and to hold issuance until the payment capability has been changed to be in compliance with the forms of payment as it is required by ordinance. **(2 ayes; 3 noes)**



BBB. The motion failed.

CCC. Alderman Spiker said that there is a lack of management with a great impact on public safety and moved approval with a 30-day suspension based upon the preponderance of the evidence on the police report and the Licensee, Mr. Arias and MPD testimony that demonstrates the operation results in a threat to health, safety or welfare of the public; and to hold issuance until the payment capability has been changed to be in compliance with the forms of payment as it is required by ordinance. There were no objections. **(Prevailed 5-0)**

### CONCLUSIONS OF LAW

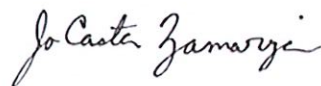
1. The Committee has jurisdiction to hold hearings and provide Findings of Fact and Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapters 85 and 93 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concludes that the licensee, Kevin I. Lopez has not met the criteria without undergoing a thirty (30) day suspension, to allow renewal of his Recycling, Salvaging, or Towing Premises License based on police report, police testimony, aldermanic, Licensee and Mr. Arias testimony.
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 not to renew the Recycling, Salvaging, or Towing Premises license held by Kevin I. Lopez for the premises located 3950 North Holton Street, in the City and County of Milwaukee, Wisconsin ("Legends Towing") without undergoing a thirty (30) day suspension based upon the police report, police testimony, aldermanic, Licensee and Mr. Arias testimony that demonstrates the operation results in a threat to health, safety or welfare of the public; and to hold issuance until the payment capability has been changed to be in compliance with the forms of payment as it is required by ordinance.

### 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 Recycling, Salvaging, or Towing Premises license of Kevin I. Lopez for the premises located 3950 North Holton Street in the City and County of Milwaukee, Wisconsin not be renewed without undergoing a thirty (30) day suspension based upon the police report, police testimony, aldermanic, Licensee and Mr. Arias testimony that demonstrates the operation results in a threat to health, safety or welfare of the public; and to hold issuance until the payment capability has been changed to be in compliance with the forms of payment as it is required by ordinance.

The suspension is in effect between 12:01 a.m. on June 11, 2024 until 11:59 p.m. on July 10, 2024.

Dated and signed at Milwaukee, Wisconsin this 31 day of May, 2024.



JOCASTA ZAMARRIPA  
Chairman, Licenses Committee

/291591





## COMMITTEE ASSIGNMENTS

### **CHAIR**

- Licenses Committee

### **VICE-CHAIR**

- Community and Economic Development Committee

### **MEMBER**

- Steering and Rules Committee
- Zoning, Neighborhoods, and Development Committee

## **JOCASTA ZAMARRIPA** ALDERWOMAN, 8TH DISTRICT

Date: May 31, 2024

To: All Members of the Milwaukee Common Council

From: Licenses Committee

Re: Report of the Renewal Application of the Class "B" Tavern, Public Entertainment Premises (PEP) and Food Dealer Licenses, requesting 4 Amusement Machines, Patron Contests and Dancing by Performers, of Mario A. Spencer, Agent for Infinity Lounge LLC, for the premises located at 4001 West Fond du Lac Avenue in the City and County of Milwaukee, Wisconsin ("Infinity Lounge").

### **FINDINGS OF FACT**

1. Mario A. Spencer (hereinafter "the Licensee") is the holder of Class "B" Tavern, PEP and Food Dealer Licenses, requesting 4 Amusement Machines, Patron Contests and Dancing by Performers, for the premises located at 4001 West Fond du Lac Avenue in the City and County of Milwaukee, Wisconsin ("Infinity Lounge"). Said licenses expired at midnight on March 21, 2024.
2. An application to renew said licenses was filed with the Office of the City Clerk on January 12, 2024.
3. Pursuant to Chapters 85, 90, and 108 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 May 14, 2024, the Milwaukee Police Department responded with a report that could form the basis for nonrenewal of said licenses.
4. On May 17, 2024, the City Clerk's Office provided timely notice to the Licensee pursuant to Chapters 85, 90, and 108 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes of the police report. The matter was scheduled for a hearing on the police report on May 29, 2024, commencing at approximately 2:15 p.m. in Room 301-B of the third floor of City Hall. At said date, time and place, the Licensee appeared at the hearing with counsel Attorney Michael Maistelman, and admitted receipt of the notice of hearing, together with a copy of the Milwaukee Police report.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
  - A. On May 10, 2023 at 2:00 a.m., Milwaukee Police were dispatched to a Battery at 4001 West Fond du Lac Avenue. Investigation revealed there had been an argument in the parking lot between a security guard and the caller, an off-duty bartender for the establishment. The caller stated they made a comment the security guard did not like, and the security guard "muffed" their face, so they spit at them. The Licensee stated the argument took place between the two employees and the caller threw a drink at the security guard. The security guard then declined to allow the caller to enter and the bartender spat at the security guard. The Licensee stated the security guard was contracted by a security agency, however, when officers contacted the



agency to get the security guard's information, they were advised they have not been involved with the establishment for a long time.

- B. On June 7, 2023 at 1:32 a.m., Milwaukee Police were dispatched to a local hospital for a Battery Cutting that occurred at 4001 West Fond du Lac Avenue. Officers interviewed stab wound victims who stated they were at the bar when a fight broke out and they were stabbed. Investigation revealed security attempted to break up the fight. An employee was injured during the fight and conveyed to a hospital. The Licensee was on scene and stated they were in the back and went to the front to see why the music was turned off and they observed "chaos" and multiple fights going on. The Licensee stated they have video surveillance but there was no mouse hooked up to the system to operate the system. The Licensee stated they would get the necessary equipment to retrieve the video. It should be noted two of the subjects that were involved and injured were under the age of 21 (16 and 18) at the time of the incident.
- C. On June 24, 2023 at 1:34 a.m., Milwaukee Police conducted a License Premise Check at 4001 West Fond du Lac Avenue. This was in regards to a citizen complaint regarding parking, overcapacity, underage patrons and smoking marijuana in the establishment. On arrival, officers observed numerous vehicles parked on West Fond du Lac Avenue, and patrons going into and out of the establishment. The officers entered the bar and observed approximately 50 patrons. The Licensee was on scene and advised to be vigilant regarding capacity and parking. The Licensee was cooperative. Concluding the check, officers observed multiple patrons moving vehicles due to Milwaukee Parking Enforcement arriving on scene and issuing citations.
- D. On June 24, 2023 at 11:49 p.m., Milwaukee Police were dispatched to a Battery at 4001 West Fond du Lac Avenue. On arrival officers interviewed the Licensee who stated a couple were arguing in front of the establishment, attempting to gain entry to the bar. The Licensee refused them entry and they drove away. The Licensee was cooperative.
- E. On July 1, 2023 at 2:19 a.m., Milwaukee Police were dispatched to a subject with a gun complaint at 4001 West Fond du Lac Avenue. Officers spoke with the victim who stated that the known suspect struck her several times in the face, soon after she entered the business. After the fight the suspect was observed with his group in a vehicle. While in the vehicle someone with the suspect fired a gun shot in the air. The shot fired was in the vicinity of the victim. The victim stated that she has an active restraining order against the suspect. Officers spoke with the Licensee who stated that no gun shots were fired, after the fight. Officers did not locate any casings in the area, video was not available to officers from the business agent.
- F. On July 14, 2023 at 1:26 a.m., Milwaukee Police were dispatched to a noise nuisance complaint at 4001 West Fond du Lac Avenue. Per the Computer Aided Dispatch (CAD) the caller stated that loud music and loud people were outside the bar. Officers arrived at the location and did not observe any people or any loud music. The lights to the business appeared to be off and there was no answer at the door.
- G. On July 16, 2023 at 12:27 a.m., Milwaukee Police were dispatched to a noise nuisance complaint at 4001 West Fond du Lac Avenue. Officers were unable to contact the caller. Officers observed the business operating and open for normal hours. Officers drove outside the perimeter and found no issues with noise levels, therefore, no contact was made with in the business.
- H. On July 17, 2023 at 8:17 p.m., Milwaukee Police were dispatched to a Battery at 4037 West Fond du Lac Avenue. Officers observed multiple subjects arguing in the parking lot including the caller of the battery complaint and the Licensee. The Licensee was the suspect for the



battery and a threat complaint called in by the caller. The caller's son arrived after the police were on scene to confront the Licensee. While conducting the investigation at 4037 West Fond du Lac Avenue, the officers were advised by an employee and patrons of 4001 West Fond du Lac Avenue, that a subject flashed a gun and threatened them. That subject was identified as the caller's son and he was arrested for Disorderly Conduct-Use of a Weapon. The Licensee was cooperative and allowed officers to view video surveillance. Due to the observations made on video, the Licensee was also cited for Disorderly Conduct. (unable to locate citation)

- I. On July 20, 2023 at 3:30 p.m., Milwaukee Police received a Property Damage complaint that occurred at 4001 West Fond du Lac Avenue. The officer interviewed the victim who stated on July 16, 2023 at 12:30 a.m., a patron from the neighboring bar wandered into their yard and could not find their way out, eventually climbing their newly installed fence, damaging it. The victim showed the officer the video depicting the incident, where several patrons could be seen attempting to fix the fence.
- J. On July 31, 2023 at 2:30 a.m., Milwaukee Police were flagged down for a Subject Wanted that was in a vehicle in the parking lot of 4001 West Fond du Lac Avenue. A field interview was conducted and it was determined the subject was not wanted.
- K. On August 20, 2023 at 7:21 p.m., Milwaukee Police were dispatched to a Subject with Gun complaint at 4001 West Fond du Lac Avenue. Officers were dispatched to the location per the caller, for a fight in progress and subjects armed with guns. Upon police arrival no fight was in progress or any subjects outside the location. Officer entered the business and did not locate any subjects armed or fighting. The officers attempted to get a hold of the caller but there was no answer. Officers spoke with the Licensee who was at the business and was cooperative with officers.
- L. On September 10, 2023 at 4:11 a.m., Milwaukee Police were dispatched to a Tavern Violation at 4001 West Fond du Lac Avenue. The caller stated they believed the establishment was past business hours and still serving alcohol. On arrival officers observed the business to be closed.
- M. On September 16, 2023 at 7:07 p.m., Milwaukee Police were assigned to monitor an event at 4001 West Fond du Lac Avenue. This was considered to be a high-profile event due to a special musical guest at the establishment. The officers spoke to the Licensee and advised they would be monitoring the event. The Licensee was cooperative and was thankful they would be in the area. The officers observed minor parking violations.
- N. On October 3, 2023 at 8:30 p.m., Milwaukee Police were dispatched to a Subject Wanted at 4001 West Fond du Lac Avenue. On arrival officers interviewed an employee who stated the wanted subject no longer works at the bar. While on scene officers observed a partially rolled blunt along with a clear plastic bag which later tested positive for THC. It was not determined who it belonged to, however, was located on the top of the bar near an employee. All licenses were valid, however, were not posted but kept in a binder.
- O. On October 26, 2023 at 2:01 a.m., Milwaukee Police were dispatched to a fight complaint at 4001 West Fond du Lac Avenue. Upon arrival officers observed a small group of subjects near the address of 3928 West Fond du Lac Avenue, which quickly dispersed. Officers were unable to determine if the group attended the business Infinity Lounge. Officers attempted to call the caller for clarity but there was no answer.
- P. On October 26, 2023 at 3:33 p.m., a meeting was conducted at Infinity Lounge located at 4001 West Fond du Lac Avenue. Present at the meeting were officers of District 7, City Health Inspector, and the business agent. The meeting was regarding a complaint of a citizen getting sick from food sold at the business. The Licensee was informed that he is not allowed to sell



food prepared, cooked at another location. The business is only allowed to sell packaged products. The health inspector stated that follow up may be conducted later regarding the matter.

- Q. On October 27, 2023 at 1:58 a.m., Milwaukee Police were dispatched to a Battery at 4001 West Fond du Lac Avenue. Officers spoke with the victim who had a laceration to her head and was bleeding. The victim stated that her boyfriend struck her head with an object in front of the business. The victim stated that the suspect left the location after the incident. Officers spoke with the business agent who stated that he is acquainted with both the victim and suspect but did not witness the incident. The victim received medical attention but refused to go to the hospital.
- R. On November 28, 2023 at 10:21 p.m., Milwaukee Police were dispatched to a noise nuisance complaint at 4001 West Fond du Lac Avenue. Officers arrived at the location and spoke with business agent regarding the noise complaint. The Licensee stated that he will turn down the music.
- S. On December 22, 2023 at 12:52 a.m., Milwaukee Police were dispatched to a Battery at 4001 West Fond du Lac Avenue. Investigation revealed a patron was dancing too close to another patron and was punched in the face. Both patrons were escorted out of the bar, however, the caller was upset and causing a disturbance because they wanted their cover charge returned to them. The employees were cooperative with the investigation.
- T. On December 26, 2023 at 12:01 a.m., Milwaukee Police were dispatched to a Subject with Gun complaint at 4001 West Fond du Lac Avenue. The computer aided dispatch (CAD) stated that males were arguing outside the location and a subject went to get a gun from their vehicle. The subject circled the block in his vehicle. Officers checked the area and did not locate any subjects arguing or the vehicle described in the CAD. Officers spoke with the agent of the business who indicated that he and his staff did not call the police and were clearing patrons for bar time. Officers were unable to contact the caller.
- U. On January 17, 20224 at 1:56 a.m., Milwaukee Police were dispatched to a Shooting complaint at 4001 West Fond du Lac Avenue. Officers received multiple shotspotter pings. Officers arrived and observed patrons leaving stating nothing happened. Officers attempted to speak with an employee who intentionally ignored officers. Officers entered the location and located the Licensee. Officers requested to review video surveillance, the Licensee then seemed to intentionally pull the incorrect video footage. The Licensee then took a break from reviewing video with officers to pay his employees for the night. After the employees left the Licensee appeared to be more cooperative of the video footage request. The officers observed from the video that one of the security guards was firing a handgun. Officers noted that it appeared that the Licensee was partially obstructing the investigation. The Licensee allowed employees to leave even though one of the employee was a possible suspect to the shooting complaint. The Licensee initially stated that he did not know the security guards but eventually provided employee names and a copy of the video requested. Officers were made aware of the shooting from shopspotter pings and a victim that was admitted to the hospital. Additional security was observed on video with firearms. One of the security guards was eventually arrested regarding the incident.
- V. On January 18, 2024 at 9:15 a.m., officers of District 7 mailed a certified nuisance letter, to the business agent of 4001 West Fond du Lac Avenue. The nuisance letter was regarding Item #8 [B] and #27 [U].



- W. On January 19, 2024 at 1:35 a.m., Milwaukee Police were dispatched to a threat complaint at 4001 West Fond du Lac Avenue. The computer aided dispatch (CAD) indicated that someone made threats to shoot up the tavern. Officers entered the location and spoke with Licensee who stated that no one called regarding a threat. There was no answer on call back, from the caller.
- X. On January 20, 2024 at 1:31 a.m., Milwaukee Police were dispatched to an Accident at 4001 West Fond du Lac Avenue. On arrival the officers did not locate a vehicle and it was determined this had nothing to do with the establishment.
- Y. On February 3, 2024 at 1:42 a.m., Milwaukee Police were dispatched to a Fight at 4001 West Fond du Lac Avenue. Prior to arrival officers were advised there were 20 people fighting outside. On arrival the officers did not observe anyone fighting and were approached by the manager who stated they did not know why people were fighting but did observe a fight outside. The manager stated they called the police due to the number of people fighting in the street.
- Z. On February 7, 2024 at 1:19 p.m., Milwaukee Police were dispatched to a Fight at 4001 West Fond du Lac Avenue. On arrival officers observed people getting into and standing outside of vehicles, however, did not observe anyone fighting. The officer spoke to security who stated the fight was down the block in the intersection. The establishment had 4 armed security officers on scene, who were cooperative.
- AA. On March 16, 2024 at 8:24 p.m., Milwaukee Police conducted a License Premise Check at 4001 West Fond du Lac Avenue. This was in regards to complaints of parking issues and fights. After midnight traffic began to pick up and officers observed numerous cars parking in the street and security attempting to get people to move their vehicles. As the night progressed officers observed multiple parking violations and issued 6 citations and towed one vehicle. The following day officers observed a Facebook video which depicted a fight inside the bar during the time officers were patrolling outside. It appeared the fight was contained inside the tavern and broken up prior to patrons exiting. The officers spoke to the agent regarding the issues and the agent stated they would be deploying roving security to address the parking concerns. The agent further requested one or two marked squads to assist with clearing out the area.
- BB. On April 8, 2023 at 12:22 a.m., Milwaukee Police were dispatched to a report of an underage at 4001 West Fond du Lac Avenue. Multiple attempts were made to contact the caller with negative results. The officers entered the establishment to check for underage patrons, however, found none. The complaint was deemed baseless.
- CC. On April 12, 2024 at 1:05 a.m., Milwaukee Police were dispatched to a Subject Wanted at 4001 West Fond du Lac Avenue. Prior to arrival officers were advised the subject was across the street from the establishment. The officers located the subject and arrested them.
- DD. On April 20, 2024 at 2:12 a.m., Milwaukee Police were dispatched to a Spotshotter at 3934 West Fond du Lac Avenue. On arrival officers spoke to the manager at 4001 West Fond du Lac Avenue, who stated a subject became angry when they were denied entry due to having a firearm. The subject left and returned with another subject and began firing at the establishment, which a security guard began to fire back to defend themselves. The subjects then fled in a vehicle east on West Fond du Lac Avenue. Officers recovered multiple casings in front of 4001 West Fond du Lac Avenue and recovered the security guard's firearm. Video surveillance is pending. This incident was upgraded to a shooting due to two subjects arriving at the hospital and the security guard was arrested.



EE. On May 6, 2024 at 1:10 a.m., Milwaukee Police were dispatched to a shooting at 4001 West Fond du Lac Avenue. On arrival officers observed a scene full of vehicles and people entering and exiting the establishment. A manager and patrons were interviewed and stated they were not aware of anything happening. An employee inside of the establishment denied knowledge of the incident, or names of security employees, as well as having access to video surveillance. Officers spoke to the agent via telephone who stated they were out of town and would attempt to retrieve video of the incident on their phone and provide it to officers.

Officers were further dispatched to a local hospital to meet a shooting victim. Investigation revealed the victim was at 4001 West Fond du Lac Avenue, when a fight broke out. The victim stated security intervened and were pushing people outside. The victim stated they heard gunshots and began to run away when they realized they were shot. A second victim stated their friend was involved in a physical fight with another patron, when security intervened and they fled the bar. The 2nd victim stated they saw muzzle flashes coming from near the bar.

FF. On May 12, 2024 at 11:43 p.m., Milwaukee Police were dispatched to a SpotShotter at 3291 N. 40<sup>th</sup> Street. There were 4 SpotShotter calls related to the same incident, one of them being 4001 West Fond du Lac Avenue. A caller stated they were at Infinity Lounge when a fight broke out during a search of a patron at the entrance. The caller stated the subject then ran out and was being chased by the other subjects, when they began to open fire at one another. The caller further stated the group of subjects then ran back into the lounge after shots were fired toward them.

The Licensee was not on scene, but was sent a link to upload the video. The agent did send video; however, it was not the requested video. The video depicts people running east from the location, then west on West Fond du Lac Avenue. The video further depicts a subject run near the front door of the business and discharge a firearm toward the east, then disappeared from camera view. Another camera view shows a subject running westbound then extend their arm as they discharge a firearm.

Casings were located at the following locations: 4 near the south parking lot entrance of 4037 West Fond du Lac Avenue. 4 near the intersection of North 40<sup>th</sup> and West Concordia. 9 and 1 cartridge in front of 4001 West Fond du Lac Avenue, and 3 in front of 3315 N. 40<sup>th</sup> Street.

GG. Attorney Maistelman acknowledged receiving the hearing notice but objected to the hearing because his client received the notice over the holiday weekend and that his client got no chance to prepare for the hearing or talk to him and Attorney Bobot until yesterday. He added that they are not prepared to move on with the hearing.

HH. Mr. Cooney said that the hearing notice was mailed out on May 17th to the Licensee's home address as requested by the Licensee due to problems with receipt of mail.

II. The Licensee said that he received Alderman Jackson's call on Wednesday saying that the application had been scheduled for today but that he did not receive the envelope until Saturday.

JJ. Alderman Spiker asked Mr. Cooney if the records indicate that we mailed the notice out seven days prior to the hearing.

KK. Mr. Cooney answered "yes".





- LL. Alderwoman Zamarripa asked if there were any persons present to testify.
- MM. Some people raised their hand.
- NN. Alderman Spiker asked the City Attorney if the city was in any legal jeopardy given the facts that the notice was sent out seven days prior, that the local alderperson took the extra step of notifying the Licensee over the phone (when he could have called his attorney immediately after the call) but the mail did not arrive until Saturday.
- OO. The attorney said that he would not think so.
- PP. Alderwoman Zamarripa recognized that Alderman Jackson reached out to the Licensee a week ago and that he was faster than the mail.
- QQ. Alderman Burgelis asked the Licensee if he brought the envelope to check the mail stamp's date.
- RR. The Licensee said that he did not bring it with him.
- SS. Alderman Jackson said that the City of Milwaukee made the proper diligences and that he would like to proceed.
- TT. Attorney Maistelman said that they are in court right now suing the City and that they got an injunction preventing the City from shutting this business down and that the injunction still pending. He added that the application is held in committee to wait for the court's decision. He added that if the City tries to shut them down, they are allowed to stay open.
- UU. Attorney Gresham said that the 60-day injunction is for the previous year not for this one.
- VV. Attorney Farris said that he disagrees with Attorney Maistelman and that the injunction is for the previous licensing period.
- WW. Attorney Gresham said that there are no issues with the notice stand point and agreed with Alderwoman Zamarripa to take a vote to proceed with the hearing.
- XX. Alderman Westmoreland moved to take a vote to hear the application.
- YY. The motion was supported by all the members. **(Prevailed 5 0)**
- ZZ. The police report was read.
- AAA. The Licensee asked the committee how they wanted him to address the items on the police report.
- BBB. Attorney Maistelman asked the Licensee if there is an explanation or any knowledge that he has that is not on the police report.
- CCC. The Licensee said that a lot of the stuff is one person calling and when the police officers come, nothing has happened. He also said that for:

Item 7 [A] – said that a girl working as bartender got incapacitated and that the security escorted her out and she spit on the guard's face and that he told the police not to give her a ticket for spitting.



Item 8 [B] – said that they never made it to the bar, they waited outside the bar and that he provided a video of that. He added that it ended up with two victims getting cuts.

Item 9 [C] – said that nothing happened because he was in compliance with the capacity.

Item 10 [D] – said that they refused the entrance to the 2 intoxicated people.

Item 11 [E]– said that there were no gun shots and that he provided with the video as well.

DDD. Alderman Spiker asked the Chair how she wants to proceed because it is a lengthy police report and we cannot hear each explanation on top of the questions that the committee may have.

EEE. Alderwoman Zamarripa asked the Licensee to give remarks or statement about the police report.

FFF. The Licensee said that most of the calls are bogus except for three. He added that he hired a security company that was still working for another establishment; for the 1/17 event, he said that that his security guard returned fire at three people in a vehicle that were shooting at each other. He added that they received two guns from the people who were denied entry and returned with ski masks. He also said that the video shows the guys going back to their vehicle to get the guns and came back shooting his security guard. He also mentioned that the police let everybody go and then talked to him and retrieve the video from him. He said that for the other shooting occurred on 4/20, the security officer was let go right away. He added that there were a bunch of high school kids who were refused to get in. He also said that for item 38, those people were everywhere out and that MPD has the video. He explained that there are food trucks too and that for every call, they just use his address.

GGG. Alderwoman Zamarripa asked the Licensee if with the exception of the instances of January 17, April 20 and May 12, the rest is bogus.

HHH. The Licensee said “yes”. The Licensee also mentioned that he never received a citation in regards to the situation about the neighbor’s son pointing at him with a gun and that MPD has the video as well.

III. Sgt. Velasquez said that the report said that he was issued a citation but they did not find one when they looked for it.

JJJ. Alderman Spiker said that it is true that in some cases there is no fight or shooting but that there were cases where the Licensee denied that there was a fight or that shooting is not related to his business but that he is concerned about why this business is drowning with these types of behaviors which are not good for the neighborhood.

KKK. The Licensee said that he is being blamed of what happens outside when there are two businesses and food trucks too with customers.

LLL. Alderman Spiker said that neighbors are noticing that things have changed in the neighborhood since this business is there and that the Licensee says the opposite while there are fights, shootings and crowds that the neighborhood did not experience before.



- MMM. The Licensee said that his business is not the only business there and that he has asked for the police's presence there.
- NNN. Alderman Spiker asked the Licensee if he is just saying that he has 4 armed security guards just in case something happens because it is peaceful place.
- OOO. The Licensee said that he is trying to prevent them.
- PPP. Alderman Spiker read the long version of the January 17, 2024 item where the Licensee was delaying MPD's action and that video shows a muzzle flash coming from a gun held by the security guard.
- QQQ. The Licensee said that his security guards are marked, that he has two different camera footages and that one can only be seen on his telephone. He added that he was not blocking the screen but holding the telephone. He also said that he was told to pay his employees first and to show the video after. He also said that the detectives never came in.
- RRR. Alderman Spiker noted that the call did not come from Infinity Lounge but from one of the victims who arrived to the hospital.
- SSS. The Licensee said that they did not have time and that everything happened right away.
- TTT. Alderman Spiker said that there is a discrepancy between the police report and what the Licensee says and that he would like to hear from the police officers present here to testify.
- UUU. Alderwoman Zamarripa said that parking Enforcement is here to testify and that she would like to hear from them as they need to leave soon.
- VVV. Tom Woznick – said that back in January 11th, they received a request to check patrons parking on the sidewalk of this business at 4001 West Fond Du Lac Avenue and that they have been responding to parking complaints for quite some time now and that parking enforcement operators have been verbally attacked by the patrons of this establishment. He added that they have reached out to District 7 for police assistance.
- WWW. Ms. Hensley (Parking Enforcement Operations Manager) said that they have taken 418 complaints around the radius of this property since 2021 and that 74 of those are safety related or private property like obstructing a hydrant or obstructing traffic, driveways or garages. That there are vehicles parked in the wrong direction or in violation of the posted signs, on crosswalks, sidewalks and loading zones. She added that they have written about 300 citations since then and that sometimes officers cannot enforce the area due safety concerns. She also said that is not her first account but that they have written testimonies from 5 officers who volunteered to do so.
- XXX. Attorney Maistelman asked if Ms. Hensley testimony is part of the file.
- YYY. Mr. Cooney explained that they received many videos from a neighbor that are part of the file from the January 11th that were sent to DPW for investigation and that the communication is included on page 4.
- ZZZ. Alderwoman Zamarripa said that she sees the e-mail chain from DPW.



- AAAA. Alderman Westmoreland said that it is hard to track that all those citations are linked to this establishment but that it would be a great idea to break it down after this establishment open.
- BBBB. Sgt. Velasquez said that the police officers who wrote the police reports are not here to answer questions.
- CCCC. Captain William Wilson – Captain District 7 – explained that each district has what they call a hot spot which is an area with high crime and that up to recently, there was no micro hot spot in the area but that the data shows that there is one now from 36<sup>th</sup> to 42nd from Concordia to Keefe. He added that the reason for this micro hotspot is for the 5 non fatal shooting victims and 7 aggravated assault victims; that all 5 shooting victims and 6 of the 7 aggravated assaults come from this establishment. He added that Infinity Lounge is drawing the problems to the neighborhood. He said that going back to the January incident, there were 52 casings recovered. He added that the Licensee did not know where to find his security guards.
- DDDD. Alderman Spiker asked directly if the area would not be a hotspot without Infinity Lounge being there.
- EEEE. Captain Wilson said that there was not a hotspot in the area prior this year. It became a hotspot from the data reported from January to May 2024.
- FFFF. Alderman Burgelis asked what kind of steps have been taken for the hotspot and nuisance properties in general.
- GGGG. Captain Wilson said that generally the person is called in to talk to Officer Walker and they get on the same page to turn things around with steps like hiring a professional security, knowing who the employees and guards are, raising the age limit, etc.
- HHHH. Alderman Burgelis asked Captain Wilson if the Licensee has adopted any of those nuisance improvement steps.
- IIII. Captain Wilson said that it does not appear to be the case.
- JJJJ. Alderwoman Pratt asked Captain Wilson if he received calls from another establishment in the area.
- KKKK. Captain Wilson said that there is another bar across the street and that he does not even know its name.
- LLLL. Officer Walker – Community Liaison Officer District 7 – said that she sent the nuisance letter on January 17th of this year and that the nuisance meeting was held in February 2nd. She explained that at this meeting, Mr. Spencer said that a lot of gang members go to his establishment and that he did not know why and; that he also let them know that he does not do background checks on his employees. Officer Walker said that the abatement plan was drafted on March 4th including the step to run background checks and that he also signed a complaint form about people loitering in front of his business in order to issue citations. She explained that on April 23rd, she sent the acceptance letter and that the Licensee had 45 days to implement the abatement plan. She added that Mr. Spencer has not participated on any of the block watches and on the monthly safety and crime meetings, that given the facts on the police report, it seems that he has not conducted background checks on staff including security guards, that he is supposed to have no



loitering and no trespassing signs in front and back of the building (that the signs are only in front of the building); that he has not hired a professional security company and that he is not cooperating with police investigations. She also said that the 45 days are due on June 8th and it's when they to check if the applicant has followed the plan.

- MMMM. The Licensee asked Officer Walker if she has followed up with him about what has not been met according to her testimony.
- NNNN. Officer Walker said that the Licensee has 45 days to implement it.
- OOOO. The Licensee asked Officer Walker if she sent an e mail dated on 4/20/24 to the License Division.
- PPPP. Officer Walker said that she wrote that.
- QQQQ. Alderwoman Zamarripa read the e-mail.
- RRRR. Attorney Maistelman said that he objects to the same information that is not accurate like the strippers.
- SSSS. Mr. Cooney asked the Licensee to file a permanent extension of premises to use the outdoor area mentioned on Officer Walker's e mail.
- TTTT. Alderwoman Zamarripa overruled the objection.

***Neighbors in opposition:***

- UUUU. Lydia Melton – 3315 N 40th St said that it's being going on for years and that the Licensee opened before the license was granted and that she is tired of sending videos, presenting exhibits, etc. She asked why she has to live unhappy because of this business. She added that their lives have been at risk since 4 years ago.
- VVVV. Ms. Hazel 3939 W Concordia – said that patrons come to park in front of her three door garage including one of his security guards. She added that she has a hole in one of her living room windows and that she is tired of people running feeling threatened because of the shootings.
- WWWW. Mr. Melton – 3315 N 40th St – said that the bar must be shut down and that the other bar is closed half week. The parking, the broken windows, the shootings, etc. That the Licensee is getting free passes since he opened.
- XXXX. Alderman Jackson said that he did a door to door and he got nothing but complaints and recommended nonrenewal.
- YYYY. Alderman Spiker moved non-renewal based upon the preponderance of the evidence on the extensive police report and extensive testimony from the Licensee, neighborhood and MPD that demonstrates the operation results in a threat to health, safety or welfare of the public. There were no objections. **(Prevailed 5-0)**

**CONCLUSIONS OF LAW**



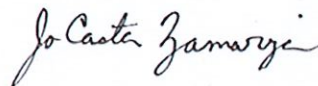
1. The Committee has jurisdiction to hold hearings and provide Findings of Fact and Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapters 85, 90, and 108 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concludes that the Licensee, Mario A. Spencer who holds Class "B" Tavern, Public Entertainment Premises (PEP) and Food Dealer Licenses, Requesting 4 Amusement Machines, Patron Contests and Dancing by Performers, for the premise located at 4001 West Fond du Lac Avenue in the City and County of Milwaukee, Wisconsin ("Infinity Lounge") has not met the criteria of Chapters 85, 90, and 108 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes to renew the Class B Tavern, Public Entertainment Premises, and Food licenses Class "B" Tavern, Public Entertainment Premises (PEP) and Food Dealer Licenses, Requesting 4 Amusement Machines, Patron Contests and Dancing by Performers. The Committee based its recommendation on the testimony given in the Licensee, neighborhood and MPD along with the aldermanic testimony.
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 not renew the Class "B" Tavern, Public Entertainment Premises (PEP) and Food Dealer Licenses, Requesting 4 Amusement Machines, Patron Contests and Dancing by Performers licenses for the premises located at 4001 West Fond du Lac Avenue in the City and County of Milwaukee, Wisconsin ("Infinity Lounge"). The Committee based its recommendation on the testimony given in the police report, resident testimony (written and oral) along with the aldermanic testimony.

### 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, Public Entertainment Premises (PEP) and Food Dealer Licenses, requesting 4 Amusement Machines, Patron Contests and Dancing by Performers, of Mario A. Spencer for the premises located at 4001 West Fond du Lac Avenue ("Infinity Lounge") in the City and County of Milwaukee, Wisconsin not be renewed

Dated and signed at Milwaukee, Wisconsin this 31 day of May, 2024.

Said nonrenewal is effective on June 11, 2024.



JOCASTA ZAMARRIPA  
Chairman, Licenses Committee

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