

## CITY OF MILWAUKEE OFFICE OF THE CITY CLERK

Wednesday, November 15, 2023

#### COMMITTEE MEETING NOTICE

AD 14

ZBIERANEK, JR, Dale J, Agent Dale and Carrie, LLC 4247 S Howell Av Milwaukee, WI 53207

You are requested to attend a hearing which is to be held in Room 301-B, Third Floor, City Hall or you may attend virtually using the link below.

#### Tuesday, November 28, 2023 at 10:50 AM

The access code is <a href="https://meet.goto.com/210788517">https://meet.goto.com/210788517</a>. If you wish to call in: <a href="https://meet.goto.com/210788-517">https://meet.goto.com/210788517</a>. If you wish to call in: <a href="https://meet.goto.com/210788-517">https://meet.goto.com/210788-517</a>. Please see the enclosed best practices document for further instructions.

Regarding:

Your Class B Tavern, Public Entertainment Premises and Food Dealer License Renewal Applications as agent for "Dale and Carrie, LLC" for "Dale Z's" at 3585 S Howell Av.

There is a possibility that your application may be denied for one or more of the following: desons: The recommendation of the committee regarding the application shall be based on evidence presented at the hearing. Per MCO 85-4-4, comes 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. It is the intention of the Common Council to suspend or non-renew the licenses if objectors provide testimony related to the factors enumerated in MCO 85-4-4 that the Common Council finds to be true by a preponderance of the evidence and/or police reports and other attached documents relating to objections to the license are a part of this notice and expressly incorporated in this notice. The police reports and other attached documents relating to objections to the license are a part of this notice and expressly incorporated in this notice. The licensee should be prepared to address these matters at the

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 appear at this meeting may result in the denial of your license. Individual applicants must appear only in person or by an attorney. Corporate or Limited Liability applicants must appear only by the agent designated on the application or by an attorney. Partnership applicants must appear by a partner listed on the application or by an attorney. 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 are present at the committee hearing and 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 bring an interpreter with you, at your expense, so that you can answer questions and participate in your hearing.

You may examine the application file at this office during regular business hours prior to the hearing date. Inquiries regarding this matter may be directed to the person whose signature appears below.

Limited parking for persons attending meetings during normal business hours is available at reduced rates (5 hour limit) at the Milwaukee Center on the southwest corner of Kilbourn Avenue and Water Street. You must present a copy of the meeting notice to the parking cashier.

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:

Jim Cooney

License Division Manager

If you have questions regarding this notice, please contact the License Division at (414) 286-2238.

REDACTED RECORD

CITY CLANK - LICANS CONS.

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# MILWAUKEF POLICE DEPARTMENT LICENSING

## CRIMINAL RECORD/ORDINANCE VIOLATION/INCIDENTS SYNOPSIS

DATE: 10/31/23 LICENSE TYPE: Class B Tavern NEW:  RENEWAL:  RENEWAL:	No. 358280 Application Date:
License Location: 3585 S Howell	

Licensee/Applicant: Zbieranek, Dale J (Last Name, First Name, MI)

**Date of Birth:** 04/03/73

Business Name: Dale Z's

Home Address: 4247 S Howell

City: Milwaukee State: WI Zip Code: 53207
Home Phone:

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

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

- 1. On 03/26/23 at 9:45p.m., Milwaukee Police were dispatched to a Fight at 3585 S. Howell Av. The officers were advised that several people were fighting inside or outside the tavern and the dispatcher felt the caller was intoxicated. On arrival the officers did not observe anyone fighting and there was no indication a fight occurred. The officer spoke to the bartender who stated they had just asked an intoxicated subject to leave.
- 2. On 04/14/23 at 8:42p.m., Milwaukee Police were dispatched to a Trouble with Subject at 3585 S. Howell Av. The officers were advised the bartender was in a physical fight with a patron. On arrival the officers did not observe anyone physically fighting. The officers spoke to the bartender who stated they asked an intoxicated subject to leave and they always call the police and make false reports.

749 W. State Street Milwaukee, WI 53233 414-933-4444

Case #:230850122

OtherEvent #: 23-LP-0709

#### Incident

### 3585 S HOWELL AV MILWAUKEE, WISCONSIN 53207

Incident Date/Time::

03/26/2023 21:45:00

CAD Number::

230851420

District::

6

Beat::

640

Reporting Area::

6855

### **Business Agent (1)**

### ZBIERANEK, DALE JOHN JR

Person Involvement: (Must choose Agent

AGENT from drop down):

DOB:

04/03/1973

Sex::

MALE

Race::

WHITE

Phone 1 Number::

(414)-403-1627

Phone 1 Type::

Phone

Address::

4247 S HOWELL AV

City::

MILWAUKEE

State::

WISCONSIN

Zlp Code::

53207

### Licensed Persons Involved (1

### **GRALL, MALISA JO**

Person Involvement::

Bartender

DOB::

11/01/1972

Sex::

**FEMALE** 

Race::

WHITE

Address::

12512 7 1 /2 MILE RD

City::

**CALEDONIA** 

State::

WISCONSIN

Zip Code::

53108

### Licensed Premise Data (1)

### DALE Z'S

Phone 1 Number::

(414)-483-2030

Phone 1 Type::

Work

Address::

3585 S HOWELL AV

City::

MILWAUKEE

State::

WISCONSIN

Zip Code::

53207

License Type::

Alcohol

Licensee Notification Was Made::

No

Business Was Cited For Violation:: No

Licensee was cooperative: (if not

explain in narrative):

Page 1 of 2

Printed By Monreal, Penny

749 W. State Street Milwaukee, WI 53233 414-933-4444

Case #:230850122

OtherEvent #: 23-LP-0709

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

No

### Narrative (1)

### LICENSED PREMISE REPORT

Laux, Eric J 014179

03/26/2023

This report is written by PO LAUX assigned to the Sixth District, early shift. On Sunday, 03-26-23 at 9:45 PM Officers LAUX and ALMAS (SQD 6221) were dispatched to a Fight Complaint at Dale Z's Address: 3585 S. Howell Ave. Phone: 483-2030. According to the dispatcher there were 7 individuals fighting inside or outside the tavern. The dispatcher stated the caller sounded intoxicated.

Upon arrival, Officer ALMAS and I walked inside the tavern. There was no fighting inside the tavern. There were several people inside the tavern, and none of them appeared to be distracted or appeared to have been involved in a fight. I walked around the tavern, and there was no indication of a fight.

Officer ALMAS spoke to the Bartender Malisa J. GRALL W/F 11-01-72 Address: 3585 S. Howell Ave. Phone: 483-2030, who stated there was no fight inside or outside the tavern. She stated she did ask an intoxicated subject to leave the tavern about 10 minutes prior to our arrival.

Officer ALMAS and I did not observe any infractions. There are cameras inside the tavern, and there was no security guard on scene.

FALSE REPORT OF A FIGHT

#### Officer (2)

Reporting Officer:

Laux, Eric J (014179)

03/26/2023 21:58:00

Section: (Work Location):

62

Approving Officer:

Humitz, Shawn M (016620)

03/27/2023 17:25:05

Section: (Work Location):

63

Printed By Monreal, Penny

749 W. State Street Milwaukee, WI 53233 414-933-4444

Case #:231040161

OtherEvent #: 23-LP-1009

#### Incident

### 3585 S HOWELL AV MILWAUKEE, WISCONSIN 53207

Incident Date/Time::

04/14/2023 20:42:00

**CAD Number::** 

231041579

### **Business Agent (1)**

### ZBIERANEK, DALE J

Person Involvement: (Must choose Agent

AGENT from drop down):

DOB::

06/21/1948

Sex::

MALE

Race::

WHITE

Phone 1 Number:

414)403:1627

Phone 1 Type::

Phone

Address::

7921 S 68TH ST

City::

**FRANKLIN** 

State::

WISCONSIN

Zip Code::

53132

### Licensed Persons Involved (1)

#### DAVISON, RUHAMA MARI

Person Involvement::

Bartender

DOB::

10/15/1994

Sex::

**FEMALE** 

Race::

**BLACK/AFRICAN AMERICAN** 

Phone 1 Number::

(414)364-4218

Phone 1 Type::

**CELL** 

Address::

1216 E RUSSELL AV

City::

MILWAUKEE

State::

WISCONSIN

Zip Code::

53207

### Licensed Premise Data (1)

### DALE Z'S

Phone 1 Number::

(414)-483-2030

Phone 1 Type::

Phone

Address::

3585 S HOWELL AV

City::

MILWAUKEE

State::

WISCONSIN

Zip Code::

53207

License Type::

Alcohol

Licensee Notification Was Made::

Νo

Business Was Cited For Violation:: No

Licensee was cooperative: (If not explain in narrative):

Printed By Monreal, Penny

749 W. State Street Milwaukee, WI 53233 414-933-4444

Case #:231040161

OtherEvent #: 23-LP-1009

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

No

### Narrative (1)

### LICENSED PREMISE REPORT

Laux, Eric J 014179

04/15/2023

This report is written by PO LAUX assigned to the Sixth District, Early Shift. On Friday, 04-14-23 at 8:42 PM Officers LAUX and SIDA (SQD 6250) were dispatched to a Trouble w/ Subject Complaint at Dale Z's Address: 3585 S. Howell Avenue. The complaint indicated the bartender was physically fighting with a bar patron.

Upon arrival, we walked into the tavern, and there was nothing going on. People were talking and drinking, and there didn't appear to be any problems. We spoke to some of the patrons, and they stated there wasn't any problems inside the tavern. We spoke to the bartender Ruhama M. DAVISON B/F 10-15 -94 Address: 1216 E. Russell Ave. Phone: 364-4218 who stated there was a patron inside the tavern, and he always creates a problem with the bartender or a bar patron. DAVISON told the bar patron to leave, and he always calls the police to make a false report. This is not the first time this caller has made a false report against the tavern.

Officer SIDA and I did some investigation with the caller's phone number. We learned the phone number list to Dino D. CURI W/M 06-02-66 Address: 3607 S. Austin St. Phone: 737-0094. We went to that address, and there was no answer at the door. I left a phone message on his phone, to have him contact me regarding these false complaints. He never called back.

#### Officer (2)

Reporting Officer:

Laux, Eric J (014179)

04/15/2023 16:19:00

Section: (Work Location):

62

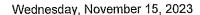
Approving Officer:

Humitz, Shawn M (016620)

04/15/2023 16:51:09

Section: (Work Location):

63







## Notice of Public Hearing

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ZBIERANEK, JR, Dale J, Agent Dale Z's at 3585 S Howell Av

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

### Tuesday, November 28, 2023 at 10:50 AM

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 on 11/28/2023 at 10:50 AM in Room 301-B, Third Floor, City Hall. 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 via phone or internet are asked to contact the staff assistant, Yadira Melendez at (414) 286-2775 or stasst5@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 appear in person and 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 present at the committee hearing and 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	102 W WARNINONT AVE	MILWAUKEE, WI 53207 3222
CURRENT OCCUPANT	104 W WARNIMONT AVE	MILWAUKEE, WI 53207-3222
CURRENT OCCUPANT	210 E WARNIMONT AVE	MILWAUKEE, WI 53207-3330
CURRENT OCCUPANT	210A E WARNIMONT AVE	MILWAUKEE, WI 53207-3330
CURRENT OCCUPANT	216 E WARNIMONT AVE	MILWAUKEE, WI 53207-3330
CURRENT OCCUPANT	216A E WARNIMONT AVE	MILWAUKEE, WI 53207-3330
CURRENT OCCUPANT	220 E WILBUR AVE	MILWAUKEE, WI 53207-3340
CURRENT OCCUPANT	220A E WILBUR AVE	MILWAUKEE, WI 53207-3340
CURRENT OCCUPANT	222 E WARNIMONT AVE	MILWAUKEE, WI 53207-3330
CURRENT OCCUPANT	226 E WARNIMONT AVE	MILWAUKEE, WI 53207-3330
CURRENT OCCUPANT	226 E WILBUR AVE	MILWAUKEE, WI 53207-3340
CURRENT OCCUPANT	3534 S CHASE AVE	MILWAUKEE, WI 53207-3314
CURRENT OCCUPANT	3534A S CHASE AVE	MILWAUKEE, WI 53207-3314
CURRENT OCCUPANT	3539 S HOWELL AVE	MILWAUKEE, WI 53207-3321
CURRENT OCCUPANT	3547 S CHASE AVE	MILWAUKEE, WI 53207-3313
<b>CURRENT OCCUPANT</b>	3549 S CHASE AVE	MILWAUKEE, WI 53207-3313
CURRENT OCCUPANT	3550 S HOWELL AVE	MILWAUKEE, WI 53207-3322
<b>CURRENT OCCUPANT</b>	3553 S CHASE AVE	MILWAUKEE, WI 53207-3313
<b>CURRENT OCCUPANT</b>	3560 S HOWELL AVE	MILWAUKEE, WI 53207-3322
CURRENT OCCUPANT	3561 S CHASE AVE	MILWAUKEE, WI 53207-3313
<b>CURRENT OCCUPANT</b>	3563 S CHASE AVE	MILWAUKEE, WI 53207-3313
<b>CURRENT OCCUPANT</b>	3566 S CHASE AVE	MILWAUKEE, WI 53207-3314
<b>CURRENT OCCUPANT</b>	3566A S CHASE AVE	MILWAUKEE, WI 53207-3314
CURRENT OCCUPANT	3567 S CHASE AVE	MILWAUKEE, WI 53207-3313
CURRENT OCCUPANT	3569 S CHASE AVE	MILWAUKEE, WI 53207-3313
CURRENT OCCUPANT	3575 S HOWELL AVE	MILWAUKEE, WI 53207-3321
CURRENT OCCUPANT	3585 S HOWELL AVE	MILWAUKEE, WI 53207-3321
CURRENT OCCUPANT	3600 S HOWELL AVE	MILWAUKEE, WI 53207-3318
CURRENT OCCUPANT	3603 S AUSTIN ST	MILWAUKEE, WI 53207-3319
CURRENT OCCUPANT	3605 S AUSTIN ST	MILWAUKEE, WI 53207-3319
CURRENT OCCUPANT	3607 S AUSTIN ST	MILWAUKEE, WI 53207-3319
CURRENT OCCUPANT	3610 S HOWELL AVE	MILWAUKEE, WI 53207-3318
CURRENT OCCUPANT	3610A S HOWELL AVE	MILWAUKEE, WI 53207-3318
CURRENT OCCUPANT	3615 S AUSTIN ST	MILWAUKEE, WI 53207-3319
CURRENT OCCUPANT	3620 S HOWELL AVE	MILWAUKEE, WI 53207-3318
CURRENT OCCUPANT	3621 S AUSTIN ST	MILWAUKEE, WI 53207-3319
CURRENT OCCUPANT	3624 S HOWELL AVE	MILWAUKEE, WI 53207-3318
Blank Notice		

Total Records: 37

Radius 250 feet and Center of the Circle: 3585 S Howell Av

2023-2024 Plan of Operation for 3585 S HOWELL AV

1. Litter & Security Plans			
How are the grounds kept clean? Sweep Pressure Wash	Pick Up Litter 🔲 Other.		
How often will grounds be cleaned? Daily Weekly Other:			
Who cleans the grounds?			
How are noise issues prevented and/or addressed? Security Manager approaches customer(s) Call Police Signs Posted  Other:			
Are there designated outdoor smoking areas? No Yes If Yes, Describe: outdoor putio (South)			
Number of garbage cans: Inside 5 Locations: both behind and not behind bar  Outside 3 Locations: all out door patios			
Is a crowd control barrier used? 🕍 No 🗌 Yes 💮 If Yes, Describe:			
Number of restrooms: 2 Name of	solid waste contractor: /V/H		
Are there parking spaces on the premises? You Yes If Yes, list number of spaces: and describe security plans:			
Are there designated loading areas? No Tyes If Yes, describe secur	ity plans:		
Do you have security personnel on the premise? No 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? No Nes If Yes, list all locations: 5 out side   B in side			
Are searches and/or identification checks conducted upon entry? \[ \text{Notes of Yes, describe:} \] We I.D. check on EVERYONE 40-years-old and younger			
2. Percentage of Sales (must total 100%)			
Alcohol 90 % Food Sales 0 %	Entertainment% Other%		
3. Businesses On The Premises (choose all that apply):			
	nce Store Night Club Liquor Store Tavern Sports Facility		
	raternal/Veterans' Club		
4. Hours of Operation and Age Restriction  Are there any changes to the current hours of operation or age restriction? No 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*? No Yes If yes, describe: and submit a new floor plan with this renewal application. A sample plan can be found online at <a href="https://www.milwaukee.gov/licenses">www.milwaukee.gov/licenses</a> 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? 🗌 No 🗌 Yes 🛮 If Yes, submit an updated site plan with this application.			
7. Food License: FREST 18367 Fee: \$525.00	8. Weights and Measures: Fee:		
Your current food license includes the following food operations:  DHS - MODERATE, Sales < \$20,000, Tavern Restaurant.  Are there any changes to your food operations as listed above? No Yes, if Yes, explain	Number/Type of Devices:  Are there any changes to the number or types of devices? INO Yes  If yes, contact our office for further instructions.		

3585 S HOWELL AV CURRENT APPROVED ENTERTAINMENT for Dale Z's The following types of entertainment have been approved for your current Public Entertainment Premises licenses Disc Jockey, Jukebox, Karaoke, Patrons Dancing, Bands, 8 Amusement Machines, 1 Pool Table ADDING ENTERTAINMENT 2. If applicable, check any entertainment you wish to add: ONLY CHECK ENTERTAINMENT TYPE(S) YOU ARE ADDING. YOUR CURRENT APPROVED ENTERTAINMENT IS LISTED ABOVE. ALSO SUBMIT AN UPDATED FLOOR PLAN AND PLAN OF OPERATION OR CONFIRMATION STATEMENT IF THE NEW ENTERTAINMENT DOES NOT CHANGE THE CURRENT PLAN OF OPERATION. Comedy Acts Battle of the Bands Instrumental Musicians Bands ☐ Dancing by Performers Poetry Readings ☐ Magic Shows Disc Jockey Patrons Dancing Patron Contests Jukebox Wrestling Bowling Alley Pool Tables Karaoke Adult Entertainment/ How many? How many? \_\_\_ Strippers/Erotic Dance ☐ Theatrical Performances Amusement Machines Concerts Motion Pictures (movies by admission) How many screens? \_\_\_\_\_ Approx. # per year? \_ Approx. # per year? \_\_\_\_\_ How many? \_\_\_\_\_ Other: No entertainment changes can take place until approved by Common Council and a new license has been issued and posted on the premises. REMOVING ENTERTAINMENT If applicable, list any entertainment you wish to remove: PROMOTERS/SOUND AMPLIFICATION Will promoters ever be used for any of the entertainment? Yes If Yes, Describe: At any time will sound amplification be used? No \(\subseteq\) Yes If Yes, Describe: **SIGNATURE** 5. 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 Dale 3. Z Sevenek 3.