

STATE OF WISCONSIN )  
                                    ) ss.  
MILWAUKEE COUNTY )

**SUMMONS**

The Utilities and Licenses Committee of the Common Council of the City of Milwaukee

TO: Any Police Officer of and for the City of Milwaukee

You are hereby commanded to summon Michael DeSautel 4177 South Howell Avenue, Milwaukee, Wisconsin, to appear before the Utilities and Licenses Committee of the Common Council of the City of Milwaukee at its meeting in Room 301-B, Third Floor, City Hall, 200 East Wells Street, in the City and County of Milwaukee, State of Wisconsin on October 16, 2001 at 8:00 A.M. to show cause why the Class "B" Tavern License, issued to Michael DeSautel for the premises located at 4177 South Howell Avenue in the City and County of Milwaukee, Wisconsin and known as the "Daddios" should not be revoked or suspended.

TO: Michael DeSautel  
Daddios  
4177 South Howell  
Milwaukee, WI 53207

OR

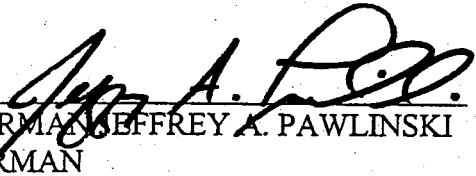
Michael DeSautel  
4661 South 20<sup>th</sup> Street  
Milwaukee, WI 53221

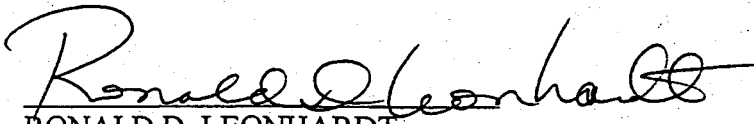
Pursuant to sec. 125.12 of the Wisconsin Statutes, and Chapter 90 of the Code of Ordinances of the City of Milwaukee, you are hereby commanded to appear on October 16, 2001 at 8:00 A.M. at a hearing before the City's Utilities and Licenses Committee to be held in Room 301-B, Third Floor, City Hall, 200 East Wells Street, Milwaukee, Wisconsin to show cause why your Class "B" Tavern License should not be revoked or suspended. The hearing is being initiated because of the City of Milwaukee's receipt of sworn written complaints, filed by Sharon Chiaverotti, Craig Plain, Agapito Cruz, Eugene Vlies, Susan Prothero, and Janet, Gerald and Pamela Breitzman, seeking revocation of the Class "B" Tavern License issued for your establishment located at 4177 South Howell Avenue in the City and County of Milwaukee, Wisconsin. Copies of these complaints are attached hereto. You are also being provided with a copy of sec. 90-12 of the Milwaukee Code of Ordinances.

On October 16, 2001 at 8:00 A.M., you will be given an opportunity to speak on your own behalf, and to respond to and challenge any charges or reasons given by witnesses at the aforementioned hearing in support of a revocation or suspension of your license. You may present your own supporting witnesses, under oath, at this hearing, and you may also confront and cross-examine opposing witnesses. If you wish to do so, and at your own expense, you may be accompanied by an attorney of your own choosing to represent you at this hearing.

If you, Michael DeSautel, fail to appear in person before the Committee on October 16, 2001 at 8:00 A.M. in Room 301-B, of City Hall, as required by the Summons, the Committee will proceed to consider the allegations of the Complaint, which allegations shall be taken as true. If the Committee determines that the allegations are sufficient, the law requires that the license shall be revoked or suspended.

Dated as of the 10<sup>th</sup> day of October, 2001.

  
ALDERMAN JEFFREY A. PAWLINSKI  
CHAIRMAN  
UTILITIES AND LICENSES COMMITTEE

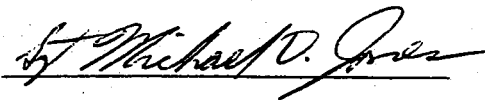
  
RONALD D. LEONHARDT  
CITY CLERK

Summons, copy of the Complaint and of Section 90-12 of the Milwaukee Code of Ordinances served as follows:

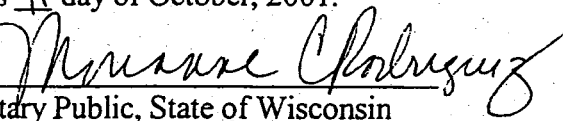
On: Michael D. DeSautel  
At: 4177 S. Howell Av.  
Date: October 10, 2001  
Time: 9:55PM  
Served by: Sgt. Michael D. JONES

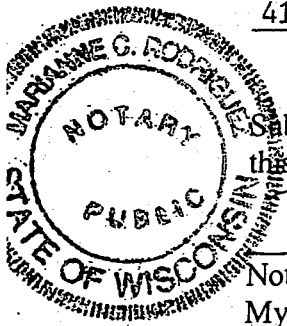
STATE OF WISCONSIN )  
)  
MILWAUKEE COUNTY )

COMES NOW Michael D. JONES, being first duly sworn and upon his oath, who deposes and says that he is Police Sergeant and that he did, on the 10<sup>th</sup> day of October, 2001, serve a true and correct copy of this Summons, the attached Complaints, and Section 90-12 of the Milwaukee Code of Ordinances upon Michael DeSautel at 4177 S. Howell Av Milwaukee, Wi.



Subscribed and sworn to before me this 11 day of October, 2001.

  
Notary Public, State of Wisconsin  
My Commission: 8-17-03  
45970



d-3. Prior to voting on the committee's recommendation, all members of the council who are present shall signify that they have read the recommendation and report of the utilities and licenses committee and any objections that have been filed thereto. If they have not, the chairman shall allocate time for the members to do so. If they have read the report and recommendation, then a roll call vote shall be taken as to whether or not the recommendation of the committee shall be accepted. The applicant shall be provided with written notice of the results of the vote taken by the full common council.

8. **DISQUALIFICATION FOR LICENSE.** a. Whenever any licensee is denied renewal, it shall be so entered on the record by the city clerk and no other alcohol beverage license shall be so granted to such person for that location within 12 months of the date of nonrenewal.

b. If the license renewal was denied for a reason relating to the fitness of the location, no other alcohol beverage license shall be granted within 12 months from the date of the nonrenewal to any other applicant at that location.

c. When any license is surrendered in lieu of pending nonrenewal proceedings, no other alcohol beverage license shall be granted to such person within 12 months of the date of its surrender.

### 90-12. Revocation or Suspension of Licenses.

1. **CAUSES.** Any license issued under this chapter may be suspended or revoked for cause by the common council after notice to the licensee and a hearing. Such licenses shall be suspended or revoked for the following causes:

a. The making of any material false statement in any application for a license.

b. The conviction of the licensee, his agent, manager, operator or any other employe for keeping a gambling house or a house of prostitution or any felony related to the licensed operation.

c. A showing that such license has violated any state law or city ordinance prohibiting the sale of intoxicating liquors or fermented malt beverages to underage persons, or to any person intoxicated or bordering on the state of intoxication.

d. The violation of the provisions in ss. 90-7 through 90-10 and 90-13 through 90-31.

e. The violation of any of the excise laws of this state.

f. The licensed premises is operated in such a manner that it constitutes a public or private nuisance or that conduct on the licensed premises, including but not limited to loud and raucous noise, has had a substantial adverse effect upon the health, safety or convenience and prosperity of the immediate neighborhood; or

g. For any other reasonable cause which shall be in the best interests and good order of the city.

3. **STATE LAW APPLICABLE.** Except as hereinafter provided, the provisions of ss. 125.12(2)(ag) to (c), Wis. Stats., shall be applicable to proceedings for the suspension and revocation of all licenses granted under this chapter.

4. **COMMENCEMENT OF PROCEEDINGS.** Suspension or revocation proceedings may be instituted by the proper licensing committee of the common council upon its own motion, or upon sworn written charges made and filed with the city clerk by the chief of police or upon a sworn written complaint filed with the city clerk by any city resident.

5. **PROCEDURES FOR REVOCATION OF SUSPENSION.** a. **Complaint; Summons.**

a-1. Whenever either sworn written charges or a sworn written complaint are filed with the city clerk setting forth specific charges against a licensee involving conduct which would violate statutes or ordinances that are grounds for revocation or suspension of a license, the city clerk shall issue a summons, as authorized by Wisconsin statutes, demanding that the licensee appear before the utilities and licenses committee, not less than 3 days nor more than 10 days from the date of issuance, to show cause why the license should not be revoked or suspended.

a-2. A police officer shall serve the summons upon a licensee in accordance with Wisconsin statutes, and shall also serve a copy of the complaint with a copy of this subsection upon the licensee.

b. Committee Hearing. b-1. Upon receipt of evidence that the summons has been served, the utilities and licenses committee shall convene at the date and time designated in the summons for the purpose of taking evidence and making findings of fact and conclusions of law and a recommendation to the full common council in connection with the proposed revocation or suspension.

b-2. If the licensee appears before the committee at the time designated in the summons and denies the charges contained in the complaint, an evidentiary hearing in connection with the revocation or suspension shall be conducted by the committee at that time. If the licensee does not appear, or appears but does not deny the charges contained in the complaint, the complaint shall be taken as true and the committee shall hear the arguments of the city attorney and the licensee in connection with the revocation or suspension.

b-3. At any evidentiary hearing required by this subsection, the city attorney shall first present evidence in support of the complaint. After the city attorney rests, the licensee shall present evidence in opposition to the complaint. Each may subpoena witnesses. All witnesses shall testify under oath and shall be subject to cross-examination under oath. At the close of the testimony, each shall be given a reasonable time to make arguments upon the evidence adduced at the hearing.

b-4. The chairman of the utilities and licenses committee shall be the presiding officer. The chairman shall direct that oaths be administered and subpoenas issued upon request of either side. The chairman shall ensure that an orderly hearing is conducted in accordance with the requirements of this subsection. The chairman shall rule on objections to the admissibility of evidence. Any ruling of the chairman shall be final unless appealed to the committee, and the committee shall reverse such ruling only upon the vote of a majority of its members.

b-5. At all stages of the proceedings before the committee or before the common council, the licensee shall be entitled to appear both in person and by an attorney.

b-6. A stenographic record shall be made of all proceedings before the committee and before the common council when written exceptions have been filed. Any interested

party may at any stage of the proceedings order a copy of the transcript of the record or portions thereof at his or her own expense.

c. Committee Report. c-1. Within 10 working days after it reaches a decision, the committee shall prepare and serve a report and recommendation on the licensee and transmit a copy thereof to the city attorney. The report and recommendations shall include specific findings of fact and conclusions of law made by the committee. The report shall be distributed to each member of the common council.

c-2. If the committee recommends that the license be revoked or suspended, then within 7 days of the receipt of the report and recommendation of the committee, the licensee shall file written exceptions, if any, to the report and recommendations of the committee.

c-3. Any exceptions filed by the licensee to the report and recommendations of the committee shall be provided to each member of the common council at least 24 hours before any vote on the question is scheduled before the full common council.

d. Council Action. d-1. At a meeting of the common council following the receipt of the report and recommendations of the committee, the common council shall consider the report and recommendation. Not less than 5 days prior to the hearing before the common council, the city clerk shall notify the licensee and complainant by certified mail and also notify the city attorney that the common council will convene. If written exceptions are filed, the hearing shall be at the time set for such proceedings by the council's rules. Each member of the common council shall be asked to affirm that he or she has read the report and recommendation of the committee. When written exceptions are filed to a committee report and recommendation that the license be suspended or revoked, each member of the common council shall be asked to affirm that he or she has read the exceptions. If members of the council have not read the recommendation and report of the committee and any exceptions that have been filed thereto, the chair shall allocate time for the members to do so. Oral argument in support of the report and recommendation presented by the city attorney, oral argument on behalf of the licensee in opposition to the report and recommendation and oral argument by the

complainant objecting to the report and recommendation shall be permitted only at the discretion of the chair. If argument is permitted by the chair, argument shall be limited to 5 minutes and the arguments shall be limited to the subject matter of the report and recommendation and the written exceptions.

d-2. The common council shall determine by a majority vote of those in attendance and voting whether to adopt the recommendation of the committee. Such vote shall be a roll call vote. If the common council finds the complaint to be true, or if there is no objection to a report recommending suspension or revocation with the committee's report and recommendation and in accordance with Wisconsin statutes, the city clerk shall give notice of each suspension or revocation to the person whose license is suspended or revoked. If the common council finds the complaint to be untrue, the proceedings shall be dismissed without cost to the accused. If the common council finds the complaint to be malicious and without probable cause, the cost shall be paid by the complainant upon invoice from the city.

e. Effective Date of Suspension or Revocation. All suspensions and revocations shall be effective upon service of notice of the suspension or revocation upon the licensee or person in charge of the licensed premises at the time of service.

7. REQUEST TO SURRENDER A LICENSE. In the event that a licensee wishes to surrender his or her license after receiving a notice for a hearing on revocation or suspension, the licensee must request, in writing, permission from the proper licensing committee of the common council to do so prior to the commencement of the hearing. The committee may approve the request, or deny the request and proceed with the suspension or revocation hearing.

8. DISQUALIFICATION FOR LICENSE.

a. Whenever any license is revoked it shall be so entered of record by the city clerk and no other alcohol license shall be granted to such person within 12 months of the date of its revocation nor shall any part of the money paid for any license so revoked be refunded.

b. No other intoxicating liquor license or fermented beverage license shall be granted within 30 days from the date of the revocation of such license to any other person to sell intoxicating liquors or fermented malt beverages on the premises operated by the licensee whose license has been so revoked.

c. When any license is surrendered in lieu of pending revocation or suspension proceedings, no other alcohol beverage license shall be granted to such person within 12 months of the date of its surrender nor shall any part of the money paid for any license that has been surrendered be refunded.

90-13. Alterations to Premises. Any alteration, change or addition resulting in expansion of a licensed premises shall be approved by the utilities and licenses committee prior to issuance of a permit pursuant to s. 200-24 by the department of city development. An applicant whose permit application has been denied by the committee may appeal the decision to the common council.

90-14. Restrictions as to Location of Premises.

1. 300 FEET RESTRICTION. No Class "A" or Class "B" license for the sale of intoxicating liquor may be issued for premises the main entrance of which is less than 300 feet from the main entrance of any church, school or hospital. The distance shall be measured by the shortest route along the highway from the main entrance of the school, church or hospital to the main entrance of the premises covered by the license.

2. EXCEPTIONS. The prohibition in sub. 1 does not apply to any of the following:

a. Premises covered by a Class "A" or Class "B" license on June 30, 1947.

b. Premises covered by a Class "A" or Class "B" license prior to the occupation of real property within 300 feet thereof by school, hospital or church building.

c. A restaurant located within 300 feet of a church or school. This paragraph applies only to restaurants in which the sale of alcohol beverages accounts for less than 50% of its gross receipts.

90-15. Hours of Operation. 1. CLASS "A" RETAILER'S INTOXICATING LIQUOR LICENSE.

No premises for which a Class "A" retailer's intoxicating liquor license has been issued shall be permitted to remain open for the sale of intoxicating liquor between the hours of 9:00 p.m. and 8:00 a.m.

2. CLASS "A" FERMENTED MALT BEVERAGE RETAILER'S LICENSE. No holder of such a license shall sell fermented malt beverages between the hours of 9:00 p.m. and 8:00 a.m.

In Re: Class "B" Tavern License of  
Michael DeDeSautel  
4177 South Howell Avenue  
Milwaukee, WI

Doing Business as:  
Daddios  
4177 South Howell Avenue  
Milwaukee, WI

COMPLAINT

Common Council File No. \_\_\_\_\_

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Comes now Shirley Chiaverotti ("Complainant"), being first duly sworn and upon her oath who respectfully shows and alleges as follows:

1. Your complainant is an adult female resident of the City and County of Milwaukee, Wisconsin residing at 4166 South 1<sup>st</sup> Street, in the City and County of Milwaukee, Wisconsin.
2. Your complainant is a neighbor of the licensed premises at 4177 South Howell Avenue in the City and County of Milwaukee, Wisconsin ("Daddios").
3. On April 1, 2001, your complainant experienced trash consisting of beer bottles, one of which was broken, on the corner of 1<sup>st</sup> & Plainfield. Your complainant verily believes that this litter was caused by and occasioned by patrons of Daddios.
4. On April 11, 2001, Shirley Chiaverotti experienced very loud music coming from two cars parked on Plainfield in the same direction. They were westbound. Their motors were running. Patrons came from Daddios and got into the cars and sped off after a long period of yelling. The time was approximately 2:00 a.m.
5. On April 12, 2001, Shirley Chiaverotti experienced a large amount of trash on the intersection of Plainfield and 1<sup>st</sup> Streets in the City and County of Milwaukee, Wisconsin. You complainant verily believes that this trash was occasioned by patrons leaving the licensed premises at Daddios.
6. On the dates of April 14<sup>th</sup> and April 15<sup>th</sup>, 2001, Shirley Chiaverotti experienced trash in the street and beer bottles. Your complainant verily believes that this trash and the beer bottles were attributable to patrons of Daddios.
7. On May 13, 2001 at 12:00 a.m., 2:25 a.m. and 3:00 a.m., your complainant experienced the sound of car doors slamming, patrons of Daddios yelling in front of her home. This awoke your complainant.

8. On June 15 and 16, 2001, on Friday evening and Saturday morning, your complainant experienced over one hour of patrons yelling, screaming, getting into cars and screeching tires. This awoke your complainant.
9. Also on June 16, 2000, at 2:30 a.m., patrons exited Daddios and entered cars on 1<sup>st</sup> Street, turning on their radios very loudly. The patrons used loud and foul language and awoke your complainant. Your complainant called Mr. DeSautel who stated that he had been outside to check on things. Your complainant asked Mr. DeSautel if he had security that night and he admitted he did not. Your complainant called the police at 2:30 a.m. on June 16, 2001 and Mr. DeSautel, at 2:45 a.m.
10. On July 6, 2001, your complainant was awoken by loud music from a car parked on 1<sup>st</sup> Street as well as a car alarm going off from a car parked on Plainfield. Your complainant called the police at 12:30 a.m. The car alarm was running for almost 10 minutes. While this was happening, patrons of Daddios were exiting the premises yelling, slamming car doors and some patrons were in vehicles which were screeching their tires up and down the street. One of the patrons set off firecrackers. This conduct was extremely upsetting to Shirley Chiaverotti.
11. Your complainant called the police and after 5 to 10 minutes the patrons began to settle down while your complainant was waiting on the telephone. Your complainant talked to Dispatcher 86, who informed your complainant that if nothing really bad was happening at that moment, she could not dispatch a car. Dispatcher 86 suggested calling my alderman and talking to someone at the police department the next day.
12. The next morning, an empty six-pack of beer was found in the street. Your complainant verily believes the presence of the empty six-pack of beer was attributable to the patrons of Daddios.
13. On July 20, 2001, Shirley Chiaverotti came home at approximately 12:15 a.m. after being dropped off by a friend on a motorcycle. Your complainant came down Plainfield from Howell, going west. Your complainant tried to turn north on 1<sup>st</sup> Street but could not because of cars and people in the intersection who were patrons of Daddios. When the patrons were asked to move, obscenities were shouted. There was a large amount of trash in the streets the morning following that episode. Mr. DeSautel does not pick up trash.
14. On August 4 at approximately 2:00 a.m., two women came to the corner of 1<sup>st</sup> Street and Plainfield Avenue from the direction of Daddios. One of them vomited on a house. A male joined them and turned to the nearest tree and proceeded to urinate. Complainant's daughter yelled at the male to stop. Complainant walked over to the house on which the woman had vomited and noticed that one of the women was so inebriated that she started to pull her pants down. Complainant asked them to leave and they walked to the alley in the next block, returned and left in a vehicle. A few minutes later a fight broke out in the 4200 block of South 1<sup>st</sup> Street. A man was yelling at the top of his lungs "whore, slut," over and over to someone walking north on 1<sup>st</sup> Street. The Milwaukee police arrived. I

called Mr. DeSautel and said "Mike you had better come outside to settle things down because I believe they are out of control on the corner." Mr. DeSautel said "I have someone out there." Complainant relayed some things that had happened. About 20 minutes later, a man walked out of Complainant's neighbor's yard. The male could not have entered the yard from the front or at the opening in the back next to Daddios. A security person spoke to the man. At this same time there were loud horns blowing and people were yelling as they left Daddios. Complainant went outside with her daughter and stopped two males from urinating on Complainant's lawn and neighbor's lawn. As Complainant and her daughter were standing outside they observed a truck squealing its tires on 1<sup>st</sup> Street from Plainfield to Waterford barely missing some parked cars.

15. On August 11, 2001 at 12:55 a.m., a man urinated on a lawn across from Complainant's home.
16. On August 11, 2001 at 1:05 a.m., Complainant asked a female not to smoke pot in her neighborhood.
17. On August 11, 2001 at 1:40 a.m. and 1:45 a.m., Complainant observed males urinating.
18. On August 11, 2001 at 1:55 a.m., Milwaukee police were called regarding vehicles screeching down South 1<sup>st</sup> Street.
19. Complainant verily believes that the individuals involved in the incidents in ¶¶ 15-18, *supra*, were patrons of Daddios and would not have engaged in those actions in the absence of Daddios.
20. On August 11, 2001 at 2:15 a.m., patrons began leaving Daddios making noise, using foul language, and loud music emanating from vehicles.
21. On August 11, 2001 at 2:20 a.m., a male patron attempted to urinate on a tree.
22. On August 11, 2001 at 2:30 a.m., a white construction truck with a male sitting inside was flashing his brake lights and backed across the intersection to 4200 South 1<sup>st</sup> Street and talked to a passenger in a vehicle behind him. After 20 minutes Milwaukee police arrived and approached the vehicle behind the truck. A male exited the automobile and walked to the white truck fastening up his pants. But for Daddio's, Complainant believes this episode would not have occurred.
23. On August 18, 2001 the operator of a Chevrolet Blazer, license number 989CC2 was idling and revving the engine and burning rubber for about 30 seconds which caused burn holes in the pavement. There was also an incident of arguing and loud music at this time. A male also attempted to urinate on a neighborhood lawn which Complainant thwarted. Your Complainant believes that but for the operation of Daddios, this episode would not have occurred.

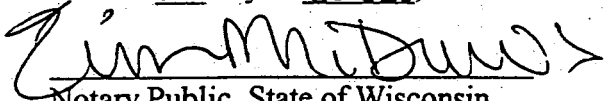


24. On August 18, 2001 at 1:20 a.m., another male urinated on a neighborhood lawn. Complainant and other neighbors yell at him to stop. There were numerous neighbors out witnessing these incidents.
25. On August 18, 2001 at 1:30 a.m., two female patrons and one male patron were arguing in front of 4166 South 1<sup>st</sup> Street. One female patron ran up the street yelling "Bob stop," etc. Foul language was used by these individuals.

Wherefore, your Complainant prays that the Class "B" tavern license of Michael F. DeSautel for the premises at 4177 South 1<sup>st</sup> Street in the City and County of Milwaukee, Wisconsin be revoked pursuant to the provisions of Section 125.12(2)2.3. and 4.

  
Shirley Chiaverotti

Subscribed and sworn to before  
me this 8<sup>th</sup> day of October 2001

  
Notary Public, State of Wisconsin  
My Commission Expires: August 15, 2005

In Re: Class "B" Tavern License of  
Michael DeDeSautel  
4177 South Howell Avenue  
Milwaukee, WI

Doing Business as:  
("Daddios")  
4177 South Howell Avenue  
Milwaukee, WI

COMPLAINT

Common Council File No. \_\_\_\_\_

Comes now Craig Plain (hereinafter "Complainant"), residing at 4178 South 1<sup>st</sup> Street in the City and County of Milwaukee, Wisconsin, being first duly sworn and upon his oath who respectfully shows and alleges as follows:

1. Craig Plain is an adult resident of the City and County of Milwaukee, Wisconsin residing at 4178 South 1<sup>st</sup> Street, in the City and County of Milwaukee, Wisconsin.
2. Your Complainant is a neighbor of the tavern know as "Daddios."
3. On Thursday, March 8, 2001 at approximately 3:00 a.m., complainant was awoken by a driving bass beat which was emanating from a karaoke player employed by Michael F. DeSautel at ("Daddios") playing music while loading a karaoke machine into his van. While this was transpiring, Mr. DeSautel was at the side of the karaoke player.
4. Every weekend complainant has trash in his yard, which includes beer bottles, liquor bottles, cups, cigarette butts, cigarettes lighters and wrappers all generated by patrons of "Daddios".
5. Craig Plain has had Christmas decorations and lights damaged by patrons of "Daddios."
6. Mr. DeSautel or employees of Mr. DeSautel have emptied beer bottles into dumpsters late at night causing noise that has awakened Craig Plain.
7. Michael F. DeSautel has had Lazer 103 and its giant boom box blaring outside of his establishment late at night.
8. At closing time crowds of patrons yell, scream and fight when leaving the premises.

9. Michael F. DeSautel has attracted loud and raucous patrons to his establishment with advertising phrases such as "Daddios-Where anything goes" and "Party with the Pro's."
10. The bass of the music played at "Daddios" is so loud that vibrations actually shake the home of Craig Plain.
11. Craig Plain has observed the security firms hired by Michael F. DeSautel for the premises at 4177 South Howell Avenue "Daddios". The security firms park in a car kiddy corner from the home of Craig Plain. The security guard never gets out of the car. In deed, on the weekend of March 10<sup>th</sup> and 11<sup>th</sup>, 2001, Craig Plain observed patrons in a car parked in front of a security car leave a Heineken bottle in the street. Also on the weekend of March 10<sup>th</sup> and 11<sup>th</sup>, 2001, there were three plastic cups from "Daddios" left on the curb in front of 4177 South Howell Avenue. Craig Plain observed that trash stay there until Saturday afternoon when he picked it up.
12. On Friday, March 15, 2001 at 1:30 a.m. Craig Plain was finishing work and getting ready for bed. He heard a noise and looked out to see a young man urinating in Daddios parking lot in full view of the street light. When finished, he hopped into a friends car and drove away.
13. On Saturday, April 21, 2001, Michael F. DeSautel had a band known as "Eddie Butts Band" playing at the premises known as "Daddios".
14. On information and belief Mr. Michael F. DeSautel had several uniformed security guards on hand for the event.
15. At 11:50 p.m. on April 21, 2001, a group of women were yelling back and forth as they existed "Daddios" and walked to their cars in the parking lot.
16. At 12:05 a.m., on April 22, 2001 a group of four Harley Davidson motorcycles with three "chopped" or having no mufflers, parked in front of the home owned by Craig D. Plain. These individuals revved their engines for close to five minutes as the staff of "Daddios" talked to them about parking elsewhere. When they finally left, they revved their engines loud enough to awaken the children of Craig D. Plain.
17. At 12:15 a.m. on April 22, 2001, two cars pulled in front of the home of Craig Plain. As they stopped, they threw garbage onto the lawn of Craig Plain and began yelling back and forth from one car to another car. The staff of "Daddios" finally got them to move, but all they did was pull around the corner to 1<sup>st</sup> Street. Two men and two women exited the vehicles and then walked around the home of Craig Plain yelling all the way.

18. At 1:10 a.m. on April 22, 2001, a group of patrons stood outside the home of Mr. Craig Plain yelling to others in the parking lot of "Daddios". The security staff stood by smoking on the corner of 1<sup>st</sup> & Plainfield. They never approached them. The yelling went on for approximately five minutes.
19. At 1:25 a.m. on Sunday, April 22, 2001, the two men and two women referenced in item #17 above, came out of "Daddios." The two guys came out running, one yelling "you fucker!" to another. The staff of "Daddios", and what appeared to be bouncers, responded and got them to settle down and left. After the security personnel and bouncers left, the group of four sat on their car hoods, which were parked on 1<sup>st</sup> Street. They sat for approximately 10-15 minutes drinking from what appeared to be a pint bottle by passing it between them. They were swaying, and Craig Plain felt it was doubtful if they were able to drive. The staff of "Daddios" approached the second time at which time they all piled into one car and left.
20. At 1:45 a.m. on Sunday, April 22, 2001, a group of males pulled into the parking lot of "Daddios". They horsed around on their way into the establishment and set off a car alarm. The alarm went off for over two minutes. At that time, a motorcycle with no muffler parked in front of Daddios. The children of Craig Plain were awoken by the noise of this incident.
21. At 2:35 a.m. on April 22, 2001, a car alarm went off and ran for approximately two minutes waking individuals up.
22. At 3:00 a.m. on April 22, 2001, there were two groups of patrons yelling back and forth as they left "Daddios". They stood in the parking lot of "Daddios" for awhile talking loudly but the security personnel kept an eye on them.
23. At 3:30 a.m., on April 22, 2001, Craig Plain was up and working and heard yelling on 1<sup>st</sup> Street. The two men and two women from incidents #17 and #19, above, came back. They came back to get the one car that they had left behind. One male was almost mauling one of the females trying to take her clothes off. She was so intoxicated, she almost allowed him to do it. The other male decided to relieve himself by urinating in the street. Eventually, one of the females convinced the other female to get in the car and go. The individual who was attempting to maul the one female was yelling loudly after the two females as they drove away. The two males got into their car and then squealed into the night.
24. The security guards left cigarette butts on the lawn of Craig Plain from the incidents of April 22/23, 2001.
25. On May 1, 2001, at approximately 12:40 p.m. Craig Plain experienced beer bottles and plastic cups left by patrons of "Daddios" on his driveway.

26. On the weekend of June 16<sup>th</sup> and 17<sup>th</sup>, 2001, Craig Plain and his family were awoken numerous times by noisy patrons leaving "Daddios".
27. On Friday evening, June 15, 2001, a drunken group exiting "Daddios" took turns on small motorcycles and motorbikes racing up and down Plainfield Avenue.
28. On Saturday evening, June 16/17, 2001, a group of four intoxicated males were yelling and arguing with several intoxicated females. Craig Plain called the police out of concern because the males threatened the females. The males, after the females left, stuck around their car and drank beers. The police never showed.
29. Over the weekend of June 16/17, 2001, Craig Plain saw patrons urinate on a neighbors lawn and a large amount of trash was brought out from patron by patrons of "Daddios." This included 8 beer can, 4 plastic cups and other assorted garbage.
30. As of July 11, 2001, the Craig Plain family was still experiencing disturbances at closing time at "Daddios".
31. On the evening of August 28, 2001, at approximately 9:30 a.m., Craig Plain saw motorcycles parked in the area of "Daddios". There was a FM 106 radio van parked on the street in front of a bus stop. No music was coming from the FM 106 van.
32. On Saturday, September 22, 2001. Craig Plain noticed that in the alley between my drive and Daddios was cleaned up. Your Complainant noticed this because of the overpowering odor of beer. Looking it over, Craig Plain found that Daddios got rid of all their plastic covered recycling containers (similar to City garbage cans). Mr. DeSautel is now dumping his empty bottles into a medium-sized metal dumpster. Mr. DeSautel is disregarding the signs posted on the dumpster to empty and rinse all containers for recycling, the bottles break, leftover beer flows out, leaks out of the dumpster, and flows down his drive, onto the sidewalk and into the street all in front of my house. On the weekends the stench is so bad Craig Plain and his family cannot sit in their backyard.
33. On September 30, 2001 at 12:15 a.m. Craig Plain was awoken by a loud group of patrons entering Daddios. Craig Plain saw a group of three young males sitting in a sedan lighting up a small pipe and passing it around to one another. Complainant called the Police to report suspect drug activity. While Craig Plain was talking to the dispatcher, the three left their car and entered Daddios. Craig Plain told the dispatcher, she asked if he still wanted a squad to respond. Craig Plain asked if they could do anything. He was informed not really, but no report would be filed unless a squad came out. Craig Plain requested a squad to ensure this action was documented. However, Craig Plain never saw one respond. There was no security from Daddios to be seen.

34. On September 30, 2001 at approximately 1:00 a.m., while trying to fall back asleep, Craig Plain kept hearing a loud thumping. After putting up with it for about half an hour, he got up, went outside to see if it was a car stereo, and realized it was coming from Daddios. Craig Plain called in a noise complaint to the police, leaving my name, address and phone. To the knowledge of Craig Plain, the police never responded.
35. On Sunday, September 30<sup>th</sup> at approximately 12:45 a.m. Craig Plain was again awoken by loud patrons. He observed several patrons leaving Daddios with plastic cups and beer bottles, which they threw onto his lawn. Within a span of 30 minutes, Craig Plain saw 3 separate instances of public urination, two beer cans being thrown into the street by Daddios Patrons as they drove away, and countless loud people and stereos. At no time were there any Security from Daddios present.
36. On Sunday, September 30, 2001 at approximately 1:30 a.m. as Craig Plain began to notice a large exodus of people from the bar, from both the front and side doors. It wasn't near closing time, and never before had so many left at one time. One person that was leaving was a young woman, obviously quite drunk, yelling and screaming about being kicked in the head, and how she "was going to wait for the bitch." A Milwaukee police car came north on 1<sup>st</sup> Street, turned east on Plainfield and drove up the back driveway of Daddios and onto their lawn. An Officer got out and went toward the crowd. Soon other squads were arriving from Howell Avenue. There were now people clustered around Daddios as well as many working their way west down Plainfield—both on sidewalk and in street.

Suddenly the first officer who responded came running from the crowd with his pistol in firing position. He approached a male walking down the street and told him to stop and put his hands up. The male continued to walk. The officer again requested the male to stop, put his hands up, or the officer would shoot. The male turned around and told the officer to go ahead and shoot. At this point the officer moved forward, subdued the suspect, put him up against a car, and cuffed him. It appeared he did a quick search of the subject and then began leading him away to a squad car. The female who was earlier yelling and screaming about being kicked, came after the police officer. The officer told her to back off. She again came at him, physically assaulting him. He pushed her away and again told her to back away. When she came at him again, the officer grabbed her, while still maintaining control of the first male subject, and put her against the hood of a nearby car. Other officers came to assist and she was cuffed and taken to a squad.

Craig Plain also saw a male who had come out of Daddios standing on the sidewalk, wrapping a cloth around his left forearm. Through all the commotion he heard people talking about a stabbing. He also heard the word "gun." Soon a fire truck and paramedics responded and were treating a victim. Eventually Craig Plain, his wife and a neighbor were outside— (other neighbors had lights on and

were staying in their house). Craig Plain saw the victim on a gurney being put into an ambulance.

The crowds began to disperse. Craig Plain began to notice officers searching the street and nearby lawns and bushes with their flashlights. There seemed to be quite an intense effort to find something, so when the opportunity arose, the officer told Craig Plain there was nothing to worry about. Yet they still searched. Eventually the squads left, and the paramedics began spraying disinfectant over the blood on the sidewalk. Evidently, it wasn't enough, because the Fire Department hooked up a hose and began hosing down the sidewalk to remove the bloodstains. Due to the slight angle of the sidewalk, we soon had blood tainted over our driveway and sidewalk.

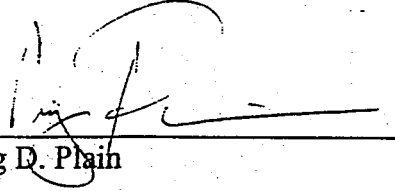
37. Sunday, September 30, 2001 at approximately 5:00 a.m. the wife of Craig Plain heard sounds outside the window. Craig Plain looked out to see three Hispanic males, early 20's, dressed in baggy pants and leather coats looking around the neighborhood with flashlights. They were searching the street and yards, in same areas the police had been looking earlier. The police non-emergency number was called to report this suspicious activity. He was told a squad was already on the scene. He corrected the dispatcher, the 3 individuals were definitely not police nor was their car any type of official vehicle and insisted a squad be sent. After 10 to 15 minutes of searching the individuals left—the police never responded.

38. On Sunday, September 30, 2001 at approximately 3:00 p.m. an Isuzu Rodeo had been parked in front of our house since the night before. Around 3:00 p.m. a car pulled up behind the Isuzu, and two young males got out. Craig Plain and his wife recognized one of them as individuals who had been arrested the night before. Instead of getting into their cars and leaving, the two of them spent 5 to 10 minutes walking up and down the street looking for something. Looking under cars and along the curbs. They finally left.

The actions of September 30, 2001 have been some of the most terrifying Craig Plain has known. He feared for the safety of his family, self, and his neighbors.

39. All of the foregoing has significantly disrupted the quiet and peaceable enjoyment of the home of the complainant's family.

Wherefore, your complainant, Craig D. Plain, prays that the license of Michael F. DeSautel for the premises at 4177 South Howell Avenue in the City and County of Milwaukee, Wisconsin be revoked pursuant to Section 125.12(2)(ag)2.,3., and 4, Wis. Stats.



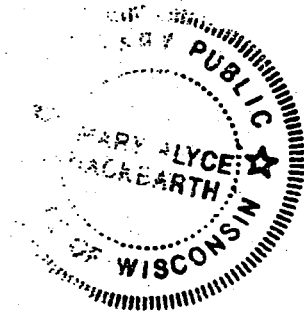
Craig D. Plain

Subscribed and sworn to before  
me this 8 day of October, 2001

Mary Alyce Hackbart

Notary Public, State of Wisconsin

My Commission Expires: May 2, 2004



44952

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**City of Milwaukee Common Council Utilities and Licenses Committee**

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In Re: Class "B" Tavern License of  
Michael DeSautel  
4177 South Howell Avenue  
Milwaukee, WI

Doing Business as:  
Daddios  
4177 South Howell Avenue  
Milwaukee, WI

**COMPLAINT**

Common Council File No. \_\_\_\_\_

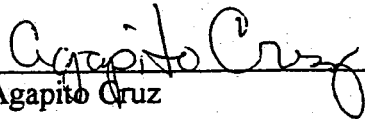
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Comes now Agapito Cruz (hereinafter "Complainant"), being first duly sworn and upon his oath who respectfully shows and alleges as follows:

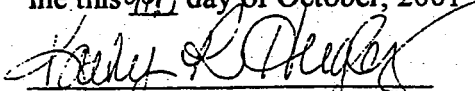
1. Agapito Cruz is an adult resident of the State of Wisconsin residing at 4200 South 1<sup>st</sup> Street, Milwaukee, Wisconsin 53207.
2. Complainant is a neighbor of "Daddios."
3. Complainant Agapito Cruz has observed much litter generated by patrons of "Daddios."
4. On Sunday at 1:30 a.m. your Complainant was awoken by people arguing outside on the sidewalk on Plainfield Street. Your Complainant saw about six people standing on the in the sidewalk, and two females yelling. Your Complainant heard one say something to the effect "I don't care that he was stabbed he deserved it."
5. Your Complainant went to call the police, but before he could call the police were already on the scene.
6. Your Complainant observed an officer come behind a man with his gun and pointed out to and to the back of the man's head. The officer told the man to "put up your hands or I will blow your fucking brains out." At that point the man said "I don't care blow my fucking brains out you bitch." The man continued to use foul language to the officer saying "You fucking bitch" several times and also saying "pig, whore," for some time. During the name-calling the officer was patting down the man and was emptying the man's pockets.
7. The man's girlfriend was also yelling at the officer. The officer then proceeded to take the man to a police squad and the girlfriend of the man was getting in the way of the officer. The officer then told the girlfriend to "back away." She did not and got into the officer's face. The officer then told the girlfriend she was under arrest. While holding the man who was handcuffed with one hand and took the girlfriend with the other hand, another officer came to help handcuff the girlfriend.

8. The man told the officer "don't be so fucking rough with her she is pregnant." During this time, your Complainant also saw five or six other officers walking around with their handguns and shotguns out. Several people were handcuffed and put in police cars. The officers were looking in all our yards and shrubs for something. Your Complainant does not know who said it, but he heard mention of a gun.
  
9. Your Complainant saw the man who was stabbed receiving medical attention and taken away by an ambulance. A fire hose was used to wash away all the blood. Your Complainant heard the officer tell the female who was handcuffed and in the squad "You are being arrested for a felony for spitting in an officer's face." Your Complainant did ask an officer if he needed to worry about anything that might be their yards or shrubs and he told him no. This all lasted about one and one-half hours. Your Complainant counted at least six squad cars and ten officers with guns drawn. Your Complainant had a very hard time getting back to sleep that night. On Sunday afternoon Complainant saw the man who was arrested pick up his car. Before he got into his car he looked around for something.

Wherefore, your Complainant, Agapito Cruz, prays that the Class "B" Tavern License of Michael F. DeSautel for the premises at 4177 South Howell Avenue in the City and County of Milwaukee, Wisconsin be revoked pursuant to the provisions of § 125.12(2)(ag)2., 3, and 4., Wis. Stats.

  
\_\_\_\_\_  
Agapito Cruz

Subscribed and sworn to before  
me this 14 day of October, 2001

  
\_\_\_\_\_  
Notary Public, State of Wisconsin  
My Commission Expires: 12-75-02

City of Milwaukee Common Council Utilities and Licenses Committee

In Re: Class "B" Tavern License of  
Michael DeSautel  
4177 South Howell Avenue  
Milwaukee, WI

Doing Business as:  
Daddios  
4177 South Howell Avenue  
Milwaukee, WI

COMPLAINT

Common Council File No. \_\_\_\_\_

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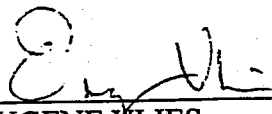
Comes now Eugene Vlies (hereinafter "Complainant"), being first duly sworn and upon his oath who respectfully shows and alleges as follows:

1. Eugene Vlies is an adult resident of the State of Wisconsin residing at 4200 South 1<sup>st</sup> Street, Milwaukee, Wisconsin 53207.
  2. Complainant is a neighbor of "Daddios."
  2. Complainant Eugene Vlies has observed much litter generated by patrons of "Daddios."
  3. While Eugene Vlies has observed Mr. DeSautel picking up litter within 20 feet of the front entrance of "Daddios", he has never observed Mr. DeSautel pick up litter in the adjoining neighborhood generated by the patrons of "Daddios."
  4. On Saturday, August 4, 2001, Eugene Vlies experienced several incidents of patrons of "Daddios" urinating on lawns, throwing up on lawns, walking down the sidewalk in residential neighborhoods loudly stating "you fucking whore", and similar vile and disgusting comments between 12:00 a.m. and 2:00 a.m. Eugene Vlies states that this happens on a regular basis on Thursday evenings, Friday evenings, and Saturday evenings.
  5. Eugene Vlies has experienced trash, broken bottles, restaurant bags, etc. being thrown on lawns, including his lawn, generated by patrons of "Daddios" on a routine and regular basis.
  6. Eugene Vlies has experience people running through yards in the adjoining neighborhood of the area around "Daddios" at 1:00 a.m. in the morning. Your Complainant verily believes that these individuals are patrons of "Daddios."
  7. Automobiles carrying patrons of "Daddios" begin coming into the neighborhood at 11:00 p.m. and the increased traffic continues until 2:00 a.m. This causes extreme disturbances to your Complainant.
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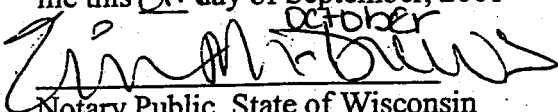
8. Eugene Vlies has called the police department regarding this conduct, but the calls appear to be low priority for the Milwaukee Police Department and officers do not appear in time to deal with the problems as they are occurring.
9. Eugene Vlies has noticed that there is a security agent hired by Michael DeSautel doing business as "Daddios" in the car, but rarely doing anything other than just sitting in the car.
10. Eugene Vlies has observed that patrons of "Daddios" yelled sexually-suggestive comments and remarks at a renter to whom he has let an upper flat on a regular basis. This conduct was upsetting to your Complainant and your Complainant's renter.
11. Eugene Vlies observed a security guard, one person in one vehicle arrive at 11:05 p.m. on Saturday, August 11, 2001.
12. At 12:05 a.m. on August 12, 2001, a car carrying patrons of "Daddios" came down to 1<sup>st</sup> and Plainfield with the car boom box vibrating. This conduct was upsetting to your Complainant.
13. On Sunday, August 12, 2001, at 12:05 a.m., a Corvette turned around in the driveway of Ms. Sally Paige, revved the engine and squealed the tires and raced to the stop sign. While this was transpiring, two women left "Daddios" who were arguing very loudly as they were walking down the street. While they were doing this they stopped to talk to the security guard. Their conversation, as well as the action of the operators of the Corvette disturbed the peace and quiet enjoyment of your Complainant's home.
14. On August 12, 2001 at 12:54 a.m., cars and motorcycles carrying patrons of "Daddios" were in the neighborhood. Cars were parked three-quarters of the way up the street, some illegally, some across the crosswalk, and one had car alarm going off for one to two minutes, waking the neighbors. This disturbed your Complainant.
15. On August 18, 2001 at 1:50 a.m., Eugene Vlies was walking his dog in the 4200 block of South 1<sup>st</sup> Street because the dog could not sleep because of the noise generated by "Daddios." At 1:50 a.m., a patron was so intoxicated that he could not walk was standing by a car directly in front of the home of Mr. Vlies unzipping his trousers and urinating for approximately three minutes. This individual was almost run over by one of his friends because they were both intoxicated.
16. On August 18, 2001 at 2:00 a.m., directly across the street from the home of Mr. Vlies, a group of four patrons of "Daddios" were "hanging out" by their van for 25 minutes. One of the individuals was so intoxicated he was standing by his van and urinating in the street and yard of the adjacent home. This individual asked one of the females, who was also present at the van, if one of them could come around and "hold it for him." This conduct disturbed your Complainant.

17. Also on August 18, 2001 at approximately 2:00 a.m., three cars started to move into the intersection of 1<sup>st</sup> Street and Plainfield carrying patrons of "Daddios." The patrons were shouting at each other. The drivers were causing the engines of the vehicles to race and radios were loudly blasting music. After approximately three minutes, Mr. DeSautel showed up thanked them for their business and asked them to leave. This conduct disturbed your Complainant.
18. On August 18, 2001 at approximately 2:00 a.m., beer bottles were strewn over the lawn of Mr. Vlies. Mr. Vlies picked up three of them at 2:20 a.m. and saved them.

Wherefore, your Complainant, Eugene Vlies, prays that the Class "B" Tavern License of Michael F. DeSautel for the premises at 4177 South Howell Avenue in the City and County of Milwaukee, Wisconsin be revoked pursuant to the provisions of § 125.12(2)(ag)2., 3, and 4., Wis. Stats.

  
\_\_\_\_\_  
EUGENE VLIES

Subscribed and sworn to before  
me this 8<sup>th</sup> day of September, 2001

  
Notary Public, State of Wisconsin

My Commission Expires: August 15, 2005

In Re: Class "B" Tavern License of  
Michael DeSautel  
4177 South Howell Avenue  
Milwaukee, WI

Doing Business as:  
Daddios  
4177 South Howell Avenue  
Milwaukee, WI

COMPLAINT

Common Council File No. \_\_\_\_\_

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Comes now Susan Prothero ("Complainant"), being first duly sworn and upon her oath who respectfully shows and alleges as follows:

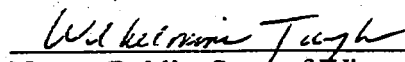
1. Complainant is an adult resident of the City and County of Milwaukee, Wisconsin residing at 4222 South 1<sup>st</sup> Street, Milwaukee, Wisconsin 53207 ("Daddios").
2. Complainant is an adjoining neighbor of Daddios.
3. On July 7, 2001, at 12:39 a.m., Complainant observed two white females urinating on the front lawn at 4214 South 1<sup>st</sup> Street. The females got out of a dark-colored Neon.
4. On July 7, 2001 at 12:47 a.m., Complainant observed two white males in the alley arguing and swearing very loudly. They disturbed Complainant by their conduct.
5. On July 7, 2001, at 1:01 a.m., Complainant observed a dark Saturn squealing its tires up and down the alley two or three times.
6. On July 7, 2001, at 1:05 a.m., Complainant observed a white and dark striped Silverado speeding up and down the 4200 block of 1<sup>st</sup> Street coming to an abrupt stop at in front of her home. Three white males exited the vehicle and walked around the corner.
7. On July 7, 2001, at 1:48 a.m., Complainant observed three white males getting back into the Silverado and "roar" away. This conduct on the part of these patrons was loud and boisterous and caused Complainant to be disturbed.
8. On June 15, 2001 at 11: 29 p.m. Complainant witnessed a man and woman fighting in the parking lot of Daddios.
9. On June 15, 2001 at 11: 52 p.m. Complainant witnessed two women yelling on the 100 block of Plainfield Avenue.

10. On June 15, 2001 at 2:30 a.m. Complainant observed a motorcycle squealing up and down Plainfield Avenue with onlookers cheering, who she believes were patrons of Daddios.
11. On July 14, 2001 at 1:58 a.m., Complainant observed a motorcycle racing up and down Plainfield Avenue, who she believes were patrons of Daddios.
12. On July 21, 2001 Complainant noticed that a neighbor's flowers which were planted along a fence had been run over by a vehicle or someone trampled through them. She believes this damage was caused by patrons of Daddios. Complainant also states that she had photographs of the incident.
13. On August 11, 2001 at 12:08 a.m., two patrons of Daddios were arguing on Plainfield Avenue and 1<sup>st</sup> Street with a security officer just watching and doing nothing.
14. On August 11, 2001 at 12:54 a.m., Complainant heard a loud motorcycle racing down Howell Avenue, who she believes were patrons of Daddios.
15. On August 11, 2001 at 1:00 a.m., Complainant heard a car alarm going off for approximately one to two minutes. A patron from Daddios finally came out of the tavern and turned the alarm off and moved his car which was illegally parked.
16. On August 11, 2001 at 1:41 a.m., Milwaukee police officers ticketed a car which was illegally parked in front of a neighbor's house in the 4200 block of South 1<sup>st</sup> Street. Your complainant believes this car belonged to a patron from Daddios.
17. On August 11, 2001 at 1:43 a.m., Complainant heard a truck racing up the 4200 block of South 1<sup>st</sup> Street. Your Complainant believes this car belonged to a patron from Daddios.
18. On August 11, 2001 at 2:00 a.m., a parking checker arrived and ticketed several vehicles. Your Complainant believes these cars belonged to patrons from Daddios.
19. On August 28, 2001, a vehicle belong to radio station FM 106, which was part of a Daddios event, was parked in front of Daddios on Plainfield Avenue with strobe lights on for at least an hour. Milwaukee police were called. The vehicle was finally moved from Plainfield Avenue to Howell Avenue in the bus stop area. Various vehicles parked on Daddios new slab on the east side of the establishment.
20. On several occasions, Complainant has observed a public safety vehicle on the corner of Plainfield Avenue and 1<sup>st</sup> Street, but when "Daddios" closes the security vehicle and security officer are not around
21. On several occasions, Complainant and her neighbors have been out from approximately 10:30 p.m. until after the tavern closes videotaping various disturbances by patrons of Daddios.

Wherefore, your Complainant prays that the Class "B" Tavern License of Michael F. DeSautel for the premises at 4177 South Howell Avenue in the City and County of Milwaukee, Wisconsin be revoked pursuant to the provisions of § 125.12(2)(ag)2., 3, and 4., Wis. Stats.

  
SUSAN PROTHERO

Subscribed and sworn to before  
me this 1<sup>st</sup> day of October, 2001

  
Notary Public, State of Wisconsin  
My Commission Expires: 8/29/04

44929



In Re: Class "B" Tavern License of  
Michael DeSautel  
4177 South Howell Avenue  
Milwaukee, WI

Doing Business as:  
Daddios  
4177 South Howell Avenue  
Milwaukee, WI

COMPLAINT

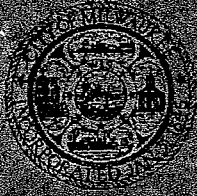
Common Council File No. \_\_\_\_\_

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Comes now Janet Breitzman, Gerald Breitzman, and Pamela Breitzman (hereinafter "Complainants"), being first duly sworn and upon their oath who respectfully shows and alleges as follows:

1. Janet Breitzman, Gerald Breitzman, and Pamela Breitzman are adult residents of the City and County of Milwaukee, Wisconsin residing at 4156 South 1<sup>st</sup> Street, Milwaukee, Wisconsin 53207.
2. Janet Breitzman, Gerald Breitzman, and Pamela Breitzman are neighbors of "Daddios."
3. Janet Breitzman, Gerald Breitzman, and Pamela Breitzman have experienced loud music and litter from the conduct of Michael DeSautel's ("Daddios") patrons, particularly at closing times on weekends. That has disturbed their quiet and peaceable enjoyment of their home.
4. On the weekends traffic is extremely bad in front of the Breitzman home from patrons of "Daddios." A request was made of the security personnel hired by "Daddios" to control traffic and parking. The security person informed Gerald Breitzman that they had no directives to keep cars off the street.
5. On the evening of July 18, 2001 at approximately 12:30 and 2:30 a.m., the music was so loud that the Breitzmans could hear it in their home even with windows closed and the air conditioning on. That disturbed the quiet and peaceable enjoyment of the Breitzman home.
6. Janet Breitzman and her family were awoken on the evenings of April 7, 14 and 21, 2001 from loud music emanating from "Daddios." Janet Breitzman and her family have difficulty sleeping because of the music from "Daddios" from 11:00 p.m. until approximately 2:45 a.m. on a regular and recurring basis.

7. Janet Breitzman and her family have been regularly subjected to loud, profane and abusive language from patrons of "Daddios" as well as patrons urinating on the lawn of Janet Breitzman as well as neighbors' lawns.
8. On the evening and early morning hours of May 4 and 5, 2001, Janet Breitzman was awoken by patrons exiting "Daddios" and getting into their cars at 1:30 a.m., 2:00 a.m., and 3:30 a.m.
9. On the evening of May 5, 2001, Janet Breitzman experienced increased traffic up and down their street caused by patrons of "Daddios."
10. On May 5, 2001, the music emanating from "Daddios" was extremely loud. The traffic was very heavy on the block. The noise and commotion went from 11:00 p.m. until 2:15 a.m. Janet and Gerald had just fallen asleep when the horn on a truck in front of their house honked. This was at approximately 2:30 a.m. Janet got up from bed and turned on the porch light. The truck then proceeded to move up the block north two houses. Gerald put some clothes on, took a flashlight and went out to get the license number. He shined the flashlight into the cab of the truck and observed a couple having sex in the front seat. That truck had parked in front of the Breitzman home at approximately 11:00 p.m., the owner got out of the truck and walked south to Plainfield Avenue where he turned the corner towards "Daddios." Based upon such observations, Gerald Breitzman concluded that the couple having sex and causing the disturbance had been patrons of "Daddios."
11. On May 12, 2001, the Breitzman family experienced another night of loud music from "Daddios" and the patrons exiting "Daddios." The noise and commotion went from 11:00 p.m. until 2:45 a.m. This caused Janet Breitzman to have a spoiled Mother's Day.
12. On June 1, 2, 8, 9, 15, 23, and 29, 2001, music emanating from "Daddios", and traffic and parking was very severe.
13. Late October, 2000 Mr. DeSautel and his attorney came around to talk individually with the neighbors. At that time Ms. Breitzman was still feeling like Mr. DeSautel should be given the benefit of the doubt – give him a chance. The Breitzmans offered \$25 per week to not complain. They did not accept this offer. Mr. DeSautel then suggested that the Breitzmans should have checked out the neighborhood thoroughly before they bought their house. Mr. DeSautel also stated that he was NOT responsible for his customers once they left his establishment. He further stated that the street in front of the Breitzman's home is public property and they could not keep his customers from parking there. Your Complainant verily believes that neither she nor her family need have the peaceable and quiet enjoyment of their home destroyed by the outrageous conduct of the patrons of "Daddios." She further believes that all of these problems are bad for the health of all the neighbors of "Daddios."
14. On September 13, 14 and 15, 2001, in spite of the terrible tragedy that had just occurred



# City of Milwaukee

200 E. Wells Street  
Milwaukee, Wisconsin  
53202

## Meeting Agenda

### UTILITIES & LICENSES COMMITTEE

*Ald. Jeffrey A. Pawlinski, Chair*

*Ald. Terrance J. Herron, Vice Chair*

*Ald. Marvin E. Pratt, Ald. James Rohl, Ald. Angel Sanchez*

*Staff Assistant, Mary Landowski, 286-2232*

*Fax: (414) 286-3456 E-mail: mlando@ci.mil.wi.us*

Tuesday, October 16, 2001

8:00 AM

301 B, City Hall

*Special*

8:00 A.M.

1) 010100

SPONSORED BY

INTRODUCED ON 5/3/01

Motion to approve recommendations of the Utilities and Licenses Committee relative to issuance, denial, renewal, nonrenewal, suspension or revocation of licenses and extension of premises.

*—(Revocation hearing re Class "B" Tavern and Cabaret license of Michael J. DeSoutel, Mr. Entertainment, Inc. ("Daddios"), 4177 S. Howell Avenue, in the 13th Aldermanic District)*

*NOTE: If action is taken by the Utilities & Licenses Committee on this file, it may be referred for action by the Common Council at its meeting of Tuesday, November 6, 2001.*

**PLEASE NOTE:** If you have difficulty understanding the English language, you should bring an interpreter with you, at your own expense, so that you may answer questions and participate in the hearing.

Upon reasonable notice, efforts will be made to accommodate the needs of persons with disabilities through sign language interpreters or auxiliary aids. For additional information or to request this service, contact the Council Services Division ADA Coordinator at 286-2232, (FAX) 286-3456, (TDD) 286-2025 or by writing to the Coordinator at Room 205, City Hall, 200 E. Wells Street, Milwaukee, WI 53202.

--(Revocation hearing re Class "B" Tavern and Cabaret license of Michael F. DeSautel, Mr. Entertainment, Inc., ("Daddios"), 4177 S. Howell Avenue, in the 13th Aldermanic District.)

**SPEAKERS:**

1. Attorney Arena for Mr. DeSautel. Attorney objects to Assistant City Attorney and Chair of Committee taking part in this process.

**OPPOSITION SPEAKERS:**

2. Sarah Hawks-Legislative Aide. She handed out documents Exhibits 1-5.
3. Craig Plain
4. Eugene Vlies
5. Mr. Cruz Agapito
6. Ms. Shirley Chiaverotti
7. Ms. Janet Breitzman; Mr. Breitzman
8. Pamela Breitzman
9. Mrs. Susan Prother
10. Sally Plain
11. Jacqueline Lintez
12. Theresa Hertz
13. Kevin Wetrsh
14. Jack Gaboury
15. Sgt. Wade Brubich-MPD

**IN SUPPORT SPEAKERS:**

16. Mr. Scott Gentry
17. Tuckerd Studd
18. Greg Faretra
19. Ted Zimowicz
20. Craig Witek
21. Carol Lambert
22. Mary Rabat
23. Holly Finnigan
24. Nora Herriges
25. George Cerny

**OTHER SPEAKERS:**

1. Ms. Pandora Bender-Neighborhood Services Department
2. Officer Sanfellippo-Milwaukee Police Department

EXHIBITS 1 thru 60

1. File 010100-Daddios General Complaint
2. Maps of Alcohol Beverage Outlets
3. Meeting Records-Daddios
4. Four letters dated April 8, 1988/October 28 1999/August 6, 2001/4/8/1 999 from Pawlinski. (A-E)
5. Daddios Issues Chronology
6. Photographs from Attorney of defendant (8-Exhibits) Received 10/16/O1
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36. Constituent Profile-Viles and Cruz Ald. Herron moves to make both documents as part of record)
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- (Note: 47-53 Seven Letters recorded from Ald. Pawlinski's Aide)**
- 47-53 Record from Ald. Pawlinski's Aide (Sarah Hawks) (7 Letters) (Ald. Herron moves to make documents part of record.) Exhibits are Plan of Operation : Letter from Attorney Arena; Letter from Mr. DeSautel; ;Letter from Mr. DeSautel; Letter from Mr. DeSautel;Letter from Mr. DeSautel; Letter from Attorney Arena
47. Record from Ald. Pawlinski's Aide (Sarah Hawks) (7 Letters)
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55. Video Tape from Mrs. Prothero(Ald. Bohl moves to make part of record)
56. Subpoena for Sgt. Wade Grubich-MPD (Ald. Pratt moves to make subpoena part of record)
57. Hand drawn map from Mr. Gentry. (Ald. Herron moves to make part of record)
58. Petition for Attorney Arena. (Ald. Sanchez moves to make part of record)
59. Constituent Profile -Hirtzi, Theresa
60. Constituent Profile-Wetrich, Susan (Ald. Bohl moves to make Exhibits #59-60 part of record)



Office of the City Clerk

**Ronald D. Leonhardt**

City Clerk

**Carolyn Hill Robertson**

Deputy City Clerk

November 5, 2001

To the Honorable  
The Common Council  
City of Milwaukee

Dear Council Members:

**RE: File Number: 010100** Recommendation of a 20-day suspension in lieu of a revocation of the Class "B" Tavern and Cabaret license of Michael F. DeSautel for the premises at 4177 S. Howell Avenue ("Daddios") in the 13<sup>th</sup> Aldermanic District.

This is a follow-up letter regarding the proposed recommendation in the above-captioned matter.

Please be advised that written exceptions have been filed. As they were filed within the prescribed time limit by the licensee, it is mandatory you also read this follow-up prior to this matter being heard by the full Common Council on Tuesday, November 6, 2001, at 9:30 A.M.

Respectfully,

JEFFREY A. PAWLINSKI, Chair  
Utilities & Licenses Committee

BDS:crr  
Attachment

cc: City Attorney  
Chief License Clerk  
File Number 010100

LAW OFFICES OF  
KOPP, ARENA & BISHOP, S.C.

1110 NORTH OLD WORLD THIRD STREET  
RIVERFRONT PLAZA, SUITE 515  
MILWAUKEE, WISCONSIN 53203

ANDREW P. ARENA  
MICHAEL F. BISHOP  
MICHAEL H. KOPP  
JENNIFER A. BISHOP

OFFICE OF  
CITY ATTORNEY

(414) 645-6100  
FAX (414) 645-3500

November 4<sup>th</sup>, 2001

City of Milwaukee  
Ronald Leonhardt, City Clerk  
200 East Wells St.  
Room 205, City Hall  
Milwaukee, WI 53202

CITY OF MILWAUKEE  
01 NOV -5 PM 1:17  
RONALD D. LEONHARDT  
CITY CLERK

Re: Class B Tavern and Cabaret License of Michael Desautel  
at 4177 S. Howell Av., d/b/a Daddio's

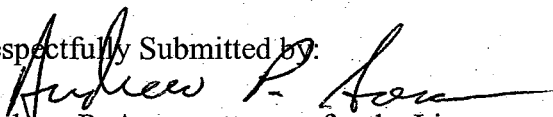
Dear Clerk:

This letter is to serve as Michael Desautel's general objection to the findings of fact and conclusions of Law filed by Assistant City Attorney Bruce Schrimpf. In the event that there are objectors present in opposition to the Committee's recommendation my client reserves the right to appear before the Common Council on November 6<sup>th</sup>, 2001 at 9:30 a.m. In the event that there are no objectors and the Council goes forward with the Utilities and Licenses Committee's recommendation, my client will not object.

Mr. Desautel hereby renews his objection to Alderman Jeff Pawlinski's Office acting as an advocate and prosecutor for the complainants and voting on the matter before committee and at the Counsel. This is a violation of due process of law and is akin to the prosecutor sitting on the jury in a criminal case. Additionally, it is a violation of due process rights for the City Attorney's Office to assist the complainants by attempting to get a restraining order in Circuit Court, and by providing legal advice to them in the drafting of a summons and complaint. It is a violation of due process for the City Attorney to advise the committee and counsel when it has clearly acted as an advocate of the complainants.

In conclusion, Mr. Desautel has never had a tavern violation related to the operation of Daddio's. The neighbors have made complaints to the Police Department that were found to be baseless by the Police Department. Furthermore, Mr. Desautel objects to the findings of fact that allege garbage, trash and noise occurred on a regular basis. This in an incredible assertion by neighbors that clearly are motivated by hate, and a desire to have the location closed.

Respectfully Submitted by:



Andrew P. Arena, attorney for the Licensee



cc: Attorney Bruce Schrimp



# City of Milwaukee Meeting Minutes

200 E. Wells Street  
Milwaukee, Wisconsin  
53202

## UTILITIES & LICENSES COMMITTEE

**ALD. JEFFREY A. PAWLINSKI, CHAIR**  
*Ald. Terrance J. Herron, Vice Chair*  
*Ald. Marvin E. Pratt, Ald. James Bohl, Ald. Angel Sanchez*

*Staff Assistant, Mary Landowski, 286-2232*  
*Fax: (414) 286-3456 E-mail: mlando@ci.mil.wi.us*

Tuesday, October 16, 2001

8:00 AM

301-B, City Hall

### Special

**Members Present:** ALD. PAWLINSKI, ALD. HERRON, ALD. PRATT, ALD. BOHL and ALD. SANCHEZ

**8:00 A.M., Meeting Convened: 8:19 A.M.**

- 1) 010100 ---(Revocation hearing re Class "B" Tavern and Cabaret license of Michael F. DeSautel, Mr. Entertainment, Inc., ("Daddios"), 4177 S. Howell Avenue, in the 13th Aldermanic District.)

**NOTE: If action is taken by the Utilities & Licenses Committee on thi**

Substitute motion to approve the recommendation of the Utilities and Licenses Committee relative to a 20 Day suspension of a Class "B" Tavern and Cabaret license of Michael F. DeSautel, agent for Mr. Entertainment, Inc. for the premises located at 4177 S. Howell Avenue ("Daddios"), in the 13th Aldermanic District.

---(Revocation hearing re Class "B" Tavern and Cabaret license of Michael F. DeSautel, Mr. Entertainment, Inc., ("Daddios"), 4177 S. Howell Avenue, in the 13th Aldermanic District.)

#### **SPEAKERS:**

1. *Attorney Arena for Mr. DeSautel. Attorney objects to Assistant City Attorney and Chair of Committee taking part in this process.*

#### **OPPOSITION SPEAKERS:**

2. *Sarah Hawks-Legislative Aide. She handed out documents Exhibits 1-5.*

3. *Craig Plain*
4. *Eugene Vlies*
5. *Mr. Cruz Agapito*
6. *Ms. Shirley Chiaverotti*
7. *Ms. Janet Breitzman; Mr. Breitzman*
8. *Pamela Breitzman*
9. *Mrs. Susan Prother*
10. *Sally Plain*
11. *Jacqueline Lintez*
12. *Theresa Hertz*
13. *Kevin Wetrsh*
14. *Jack Gaboury*
15. *Sgt. Wade Brubich-MPD*

*IN SUPPORT SPEAKERS:*

16. *Mr. Scott Gentry*
17. *Tuckerd Studd*
18. *Greg Faretra*
19. *Ted Zimowicz*
20. *Craig Witek*
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25. *George Cerny*

*OTHER SPEAKERS:*

1. *Ms. Pandora Bender-Neighborhood Services Department*
2. *Officer Sanfellippo-Milwaukee Police Department*

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2. *Maps of Alcohol Beverage Outlets*
3. *Meeting Records-Daddios*
4. *Four letters dated April 8, 1988/October 28 1999/August 6, 2001/4/8/1999 from Pawlinski. (A-E)*
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59. *Constituent Profile -Hirtzi, Theresa*
60. *Constituent Profile-Wetrich, Susan (Ald. Bohl moves to make Exhibits #59-60 part of record)*

**A motion was made by Ald. Pratt this matter be RECOMMENDED FOR APPROVAL. The motion carried by the following vote:**

**Ayes: 3 - ALD. HERRON, ALD. PRATT and ALD. SANCHEZ**

**Noes: 2 - ALD. PAWLINSKI and ALD. BOHL**

*Meeting Adjourned: 5:43 P.M.*

*Recess: 12:01 P.M.; Reconvened: 12:20 P.M.-All Present.*

*Recess 2:30 P.M.; Reconvened: 2:50 P.M.-All Present.*

*Recess: 4:45 P.M.; Reconvened: 4:50 P.M. - All Present.*

*Robert L. Harvey, Substitute Staff Assistant*



**Jeff Pawlinski**  
Alderman, 13th District

CHAIR:  
Utilities & Licenses Committee

COMMITTEES:  
Zoning, Neighborhoods and Development  
Steering & Rules  
Anti Graffiti Policy  
Administrative Review Appeals Board  
Resolutions Committee - League  
of Wisconsin Municipalities

**April 21st, 1999**

**Dear Neighbor:**

Next Tuesday, April 27th the Common Council's Utilities and Licensing Committee will review the license application of Dinero's Restaurant and Nightclub located at 4177 South Howell Avenue. This hearing, which takes place annually, will commence at 1:45 p.m. in room 301-B of City Hall, 200 East Wells Street.

Since early March, several complaints have been registered with my office about parking problems, unruly patrons and loud music associated with the establishment. I have expressed my concern to the club's owner, Mike DeSautel, both verbally and in writing and I believe my expectations of him were clear. In fact, I, along with a dozen neighbors further asserted our desire for neighborhood peace at my general Town Hall Meeting on April 13th.

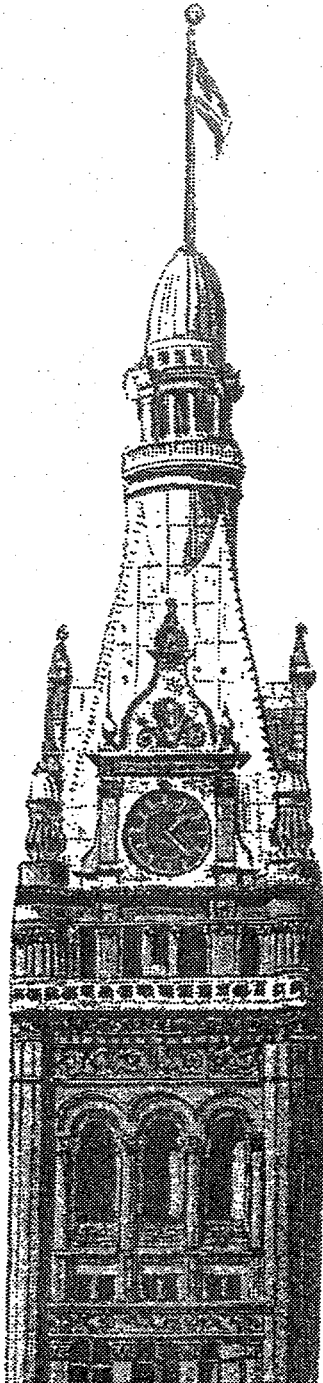
We agreed, through consensus, to give Mr. DeSautel until May 1st to solve these problems. While I will be clear and direct with Mr. DeSautel on the record at Tuesday's hearing, I do think it would be premature to push for a severe penalty at this time. The fact is, that in the three years I have represented you, I have only received complaints about his establishment within the last month.

Having said that, please understand that I will hold this bar to the same standard I have for all bars in the 13th District. My track record on these issues is strong. The neighbors of Lutz's Nightclub, Runway 94, Andre's and Maverick's would testify that I do hold bar owners accountable. My goal is to first work on solving the problems before severe punishment is warranted.

Thank you for the concern you continue to demonstrate for your neighborhood. If you have any questions please call me at 286-2221.

Sincerely,

**JEFF**  
Jeff Pawlinski



**Jeff Pawlinski**  
Alderman, 13th District



CHAIR:  
Utilities & Licenses Committee

COMMITTEES:  
Zoning, Neighborhoods and Development  
Steering & Rules  
Anti Graffiti Policy  
Administrative Review Appeals Board  
Resolutions Committee - League  
of Wisconsin Municipalities

October 28, 1999

**Dear Neighbor:**

Since summer, I have received a number of written complaints from neighbors expressing concern about loud music and discourteous patron behavior associated with Dinero's located at 4177 South Howell Avenue. I am fully aware of the situation and have been working to correct the problems by holding the tavern owner responsible for solving them.


On Monday, October 18th, I met with Mike DeSautel, owner of Dinero's, to discuss the many issues you have brought to my attention. Enclosed you will find a letter I sent to Mr. DeSautel following our meeting to outline the commitment he made to me to solve the neighborhood problems.

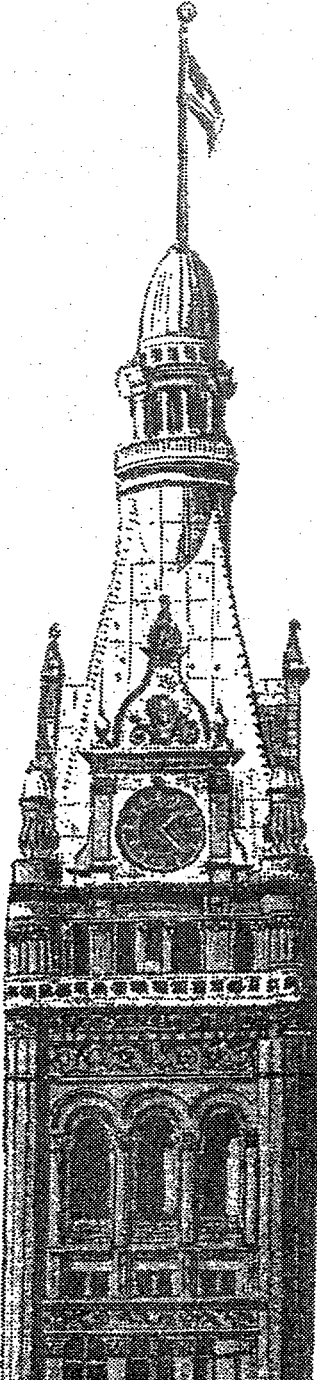
My advice to you is as follows: 1) continue to correctly document in a diary any violations of law that you personally witness or experience including the date, time and explanation of incident, 2) call the Milwaukee Police Department at 933-4444 to register complaints when they happen, 3) call my office at 286-2221 so I can properly record the matter.

At this point, based on the types of calls I have received, the issues you are experiencing are nuisance related (i.e.: noise, loud music and patron behavior). However, I take these issues very seriously. My goal is to get the bar to comply so you may enjoy the peaceful nature of your neighborhood.

Please call me or my Legislative Assistant, Meredith Eaton, at 286-2221 if you have any questions or comments. Thank you for your continued patience.

Sincerely,

  
\_\_\_\_\_  
JEFF PAWLINSKI  
ALDERMAN, 13th District



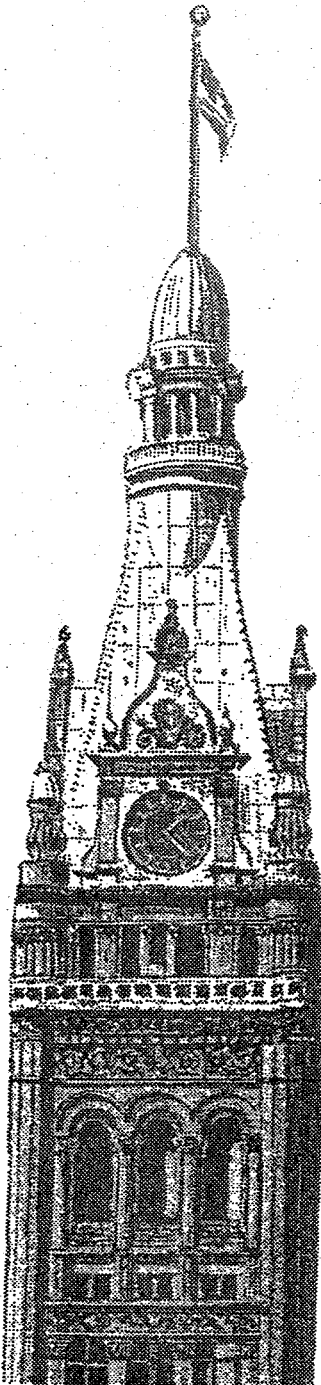




**Jeff Pawlinski**  
Alderman, 13th District

CHAIR:  
Utilities & Licenses Committee

COMMITTEES:  
Zoning, Neighborhoods and Development  
Steering & Rules  
Anti Graffiti Policy  
Administrative Review Appeals Board  
Resolutions Committee - League  
of Wisconsin Municipalities



November 10, 1999

Dear Neighbor:

As you may remember, I wrote to you a few weeks ago regarding complaints brought to my attention regarding Dinero's, located at 4177 South Howell Avenue. The bar owner, Mike DeSautel, agreed to make certain changes to alleviate the problems you've experienced.


Since that time, I have received several more complaints from the neighborhood. Therefore I have decided to hold a night meeting so you can address your concerns directly to me.

The meeting will be on Tuesday, November 23rd, from 6:00 - 7:00 p.m. at the Tippecanoe Library meeting room.

I have invited Mr. DeSautel to attend as well. It is my intention to hear from you and allow Mr. DeSautel to respond to your complaints. I have also invited a representative from the Milwaukee Police Department.

If you have questions or concerns, please feel free to call me, or my Legislative Assistant, Meredith Eaton, at 286-2221. I hope to see you there.

Sincerely,

  
JEFF PAWLINSKI  
ALDERMAN, 13th District



**Jeff Pawlinski**  
Alderman, 13th District

CHAIR:  
Utilities & Licenses Committee

COMMITTEES:  
Zoning, Neighborhoods and Development  
Steering & Rules  
Anti Graffiti Policy  
Administrative Review Appeals Board  
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of Wisconsin Municipalities

**April 6, 2000**

**Dear Neighbor,**

I am writing to update you on the Public Hearing held at City Hall on Monday, April 3, 2000. As you know the Utilities and Licensing Committee met on this date in order to discuss the license renewal of Dinero's, located at 4177 S. Howell Ave.

The Committee addressed a variety of issues including unruly patrons, loud music, litter associated with the bar, and disorderly conduct (i.e. urinating in lawns), all of which appear to be a direct result of Dinero's live music nights.

Upon reviewing these neighborhood concerns with owner Mike DeSautel and his attorney, the Utilities and Licensing Committee voted, 3-0, to strip Dinero's of their license for live music. However, Dinero's will continue to remain open as a liquor licensed establishment.

This decision will be recommended to the full Common Council on Tuesday, April 11, 2000. This meeting will be available for the public to view on Tuesday, April 11 at approximately 9:30 A.M. on channel 25.

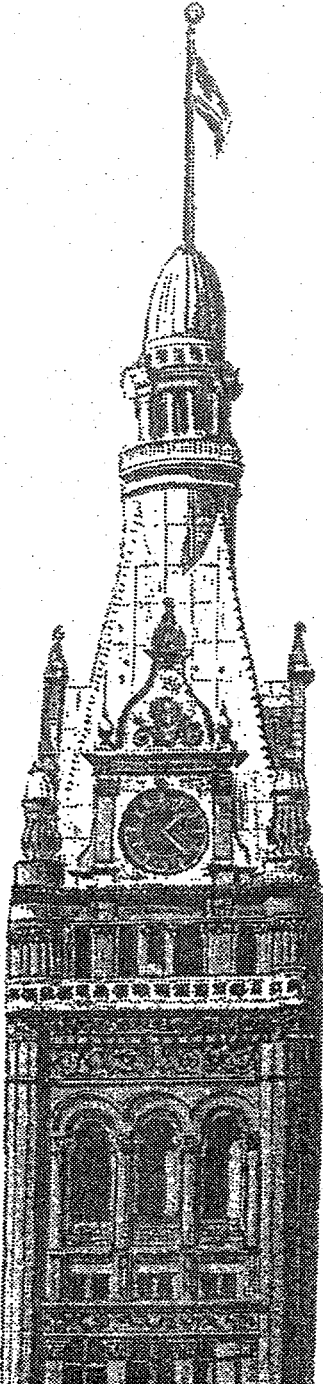
I am pleased with the Utilities and Licensing Committee's ruling and expect that the Common Council will ratify this decision. I trust that this action will restore peace and quiet to your neighborhood on weekends. I will keep you informed on this issue.

If you have any questions or comments, please contact either me or my Legislative Assistant, Sarah Pakulski, at 286-2221.

**Sincerely,**

A handwritten signature in black ink that reads 'JEFF' in a stylized, bold font.

**Jeff Pawlinski**  
Alderman, 13th District



File Dinero's

**Jeff Pawlinski**  
Alderman, 13th District

VICE CHAIR:  
Public Improvements Committee

COMMITTEES:  
Public Safety Committee  
Government Communications Committee  
Anti-Graffiti Policy Committee



**April 13, 2000**

**Dear Neighbor,**

Through my continued effort to keep you informed of neighborhood events, I am writing my final letter regarding the license renewal of Dinero's, located at 4177 S. Howell Ave.

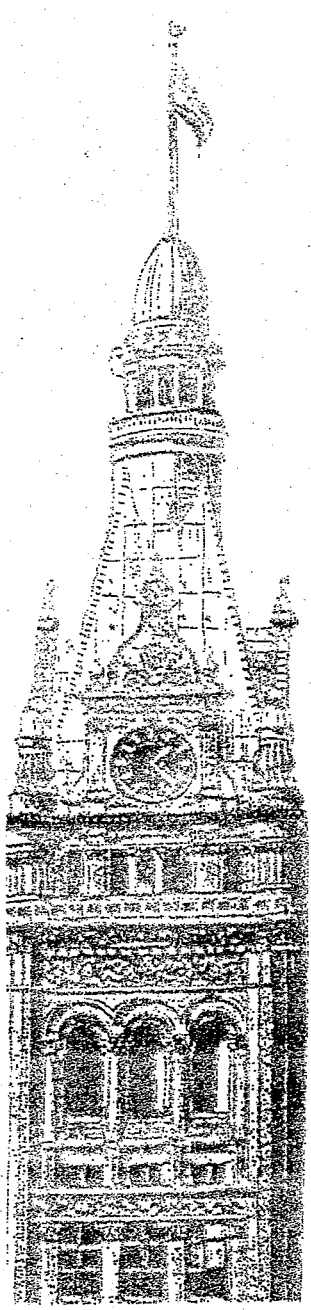
On Tuesday, April 11, the Common Council unanimously endorsed the Committee's recommendation to strip Dinero's of their live music license. However, Dinero's current license does not expire until May 11, 2000, therefore, the establishment may conduct live music events up to this date. Once the new license is enacted on May 12, Dinero's can remain open as a liquor licensed establishment.

As with all Milwaukee bars and restaurants who do not have live music licenses, Dinero's is eligible to apply for ten permits per year granting them one night of live music. However, approval must be obtained by the local Alderman. At this point I have no intention of approving any of these permits, however, the owner of Dinero's, Mike DeSautel, holds the right to apply for them. If presented with these proposals I plan to evaluate each on a case by case basis and remain extremely cautious about approving any of them in the future.

I hope that this addresses all of your concerns and will improve any problems resulting from Dinero's live music nights. If you have any questions or comments, please feel free to contact either me or my Legislative Assistant, Sarah Pakulski, at 286-2221.

**Sincerely,**

**Jeff Pawlinski**  
Alderman, 13th District



**Jeff Pawlinski**  
Alderman, 13th District

VICE CHAIR:  
Public Improvements Committee

COMMITTEES:  
Public Safety Committee  
Government Communications Committee  
Anti-Graffiti Policy Committee



October 30, 2000

Dear Neighbor,

This past April Mike De Sautel, owner of Dinero's, lost the privilege of having live music at his establishment located at 4177 South Howell Avenue.

Prior to the non-renewal of his live music license, Mr. De Sautel had ample opportunity to work with me and your neighbors to resolve a myriad of issues that plagued your neighborhood. The complaints I received from local residents included: property damage, theft from property, blocked driveways, fights in the parking lot, litter and bottles in the alley and yards, loud music, excessive noise from cars, squealing tires, patrons trespassing, overflowing garbage bins, public urination, yelling, arguing, screaming, swearing, loud bands, loitering, and a general disruption of sleep for families at closing time.

I understand that Mr. De Sautel is now engaged in a neighborhood lobbying effort to persuade residents to pressure me to re-grant him his live music license. **I give you my word that I will not even consider granting his request.** As Chairman of the Utilities and Licenses Committee, which hears and recommends license requests to the Common Council, I will not even schedule a hearing on this issue.

In no way will I go back on the commitment I made to you last May to restore the peace and quiet you deserve. Mr. De Sautel has not proven himself capable of solving these very serious issues in the past and I certainly do not want to re-open the doors to this type of disrespectful behavior again.

If you have any questions, please feel free to contact me or my Legislative Assistant, Sarah Pakulski, at 286-2221.

Sincerely,

A handwritten signature in black ink that reads 'JEFF' in a stylized, cursive font.

**JEFF PAWLINSKI**  
ALDERMAN, 13th District

4-11-01

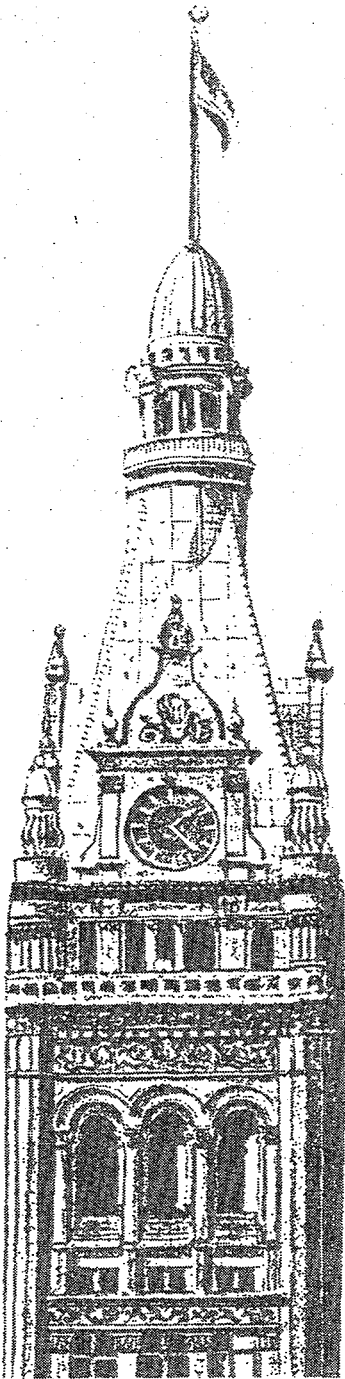


**Jeff Pawlinski**  
Alderman, 13th District

CHAIR:  
Utilities & Licenses Committee

COMMITTEES:  
Zoning, Neighborhoods and Development  
Administrative Review Appeals Board  
Resolutions Committee - League  
of Wisconsin Municipalities

April 11, 2001



Dear Neighbor:

In my continued effort to keep you informed of neighborhood events, Michael DeSautel, owner of Daddios, has withdrawn his request for a live music license. Had he not withdrawn his request and had he been successful in his efforts to receive that license, Mr. DeSautel could have offered live music 365 days a year.


As an alternative, I have agreed to review on a case by case basis any special live music license Mr. DeSautel requests **NOT TO EXCEED MORE THAN 10 EVENTS PER YEAR**. By law, every Class B Tavern is allowed to request up to 10 special live music events per license year at the discretion of the local Alderman.

I have made no commitment to him other than to review his requests. Each request will be considered a privilege and in no way gives him the right to request another one.

Thank you for continuing to show an active interest in your neighborhood. It is my strong belief Mr. DeSautel withdrew his request due to strong neighborhood opposition.

If you have any questions, please feel free to contact me or my Legislative Assistant, Sarah Hawks, at 286-2221.

Sincerely,

  
JEFF PAWLINSKI  
ALDERMAN, 13th District

ITEM 3  
File # 010100  
CC Mtg. 11-6-01

## LICENSE SUSPENSION PROCEDURE

1) President: Will the Clerk please swear in the Court Reporter.

2) President: Will the Clerk please identify the matter(s) before the Council.

City Clerk: Item #3: File Number 010100. The Utilities & Licenses Committee makes the following recommendation(s):

1) Recommendation of a 20-day suspension in lieu of the revocation of the Class "B" Tavern and Cabaret license of Michael F. DeSautel for the premises at 4177 S. Howell Avenue ("Daddios") in the 13<sup>th</sup> Aldermanic District. Written objections have been filed by the licensee.  
(Committee Vote: 3 Ayes; 2 Noes; Expiration Date: 5-13-01).

2) President: Have the members of the Common Council read the Report and Recommendations of the Utilities and Licenses Committee in these matters and any written exceptions, if filed by the licensees? (Written exceptions have been filed)

Roll Call.

City Clerk: Calls Roll.

NOTE: (If any member of the Council has not read the documents, the President must allocate time for the member(s) to do so.)

City Clerk: Are the following applicants, complainants or their Counsel present and wish to address the Council:

(Pause after each name for a response and if no one responds, proceed to Part B.) or if an applicant, complainants or counsel responds, proceed to Part A.)

Licensee: Michael F. DeSautel

Complainants:

Eugene Vlies  
Susan Prothero  
Janet, Gerald and Pamela Breitzman  
Agapito Cruz  
Shirley Chiaverotti  
Craig Plain

PART A

4) President: Is there a motion to go into the Committee of the Whole to hear oral argument on behalf of the licensee(s) in opposition to the Report and Recommendations and a statement presented by the City Attorney?

Council Member: Makes motion.

5) President: Each side shall be limited to 5 minutes and the arguments shall be limited to the subject matter of the Report and Recommendations and written exceptions, if filed.

Licensee, Complainants and City Attorney: Address Council (NOTE: If licensee or complainants appears in person, he/she must be sworn in.)  
(Questions by Council members may be asked)

6) President: Ald. \_\_\_\_\_ moves that the Committee rise

7) President: Is there any further discussion on this license?

(If members approve of the Committee's recommendation, no further action is necessary; if the members do not approve the recommendation, a member of the Council may move to override the Committee recommendation or amend it).

(When action is completed on a license, the Clerk will read the next name. When all names have been called, proceed to Part B.)

Clerk: Roll Call:

PART B

President: I would request a vote of those Council members in attendance to approve the recommendations of the Utilities and Licenses Committee, as contained in File Number 010100.

Clerk: Roll Call:

(The Court Reporter is then dismissed.)





Office of the City Clerk

Ronald D. Leonhardt  
City Clerk

Carolyn Hill Robertson  
Deputy City Clerk

October 29, 2001

CERTIFIED MAIL

Mr. Michael DeSautel  
4661 South 20<sup>th</sup> Street  
Milwaukee, WI 53221

Dear Mr. DeSautel:

You are hereby notified that the Milwaukee Common Council will hold a hearing on November 6, 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, 53202, to consider the revocation the Class "B" Tavern and Tavern Amusement (Cabaret) License of Michael DeSautel, as agent for Mr. Entertainment, Incorporated, for the premises located at 4177 South Howell Avenue in the City and County of Milwaukee, Wisconsin ("Daddios").

Respectfully,

*Ronald D. Leonhardt*  
RONALD D. LEONHARDT  
City Clerk

U.S. Postal Service  
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[Redacted area]

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<b>Total Postage &amp; Fees</b>	<b>\$</b>

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Here

Recipient's Name (Please Print Clearly) (To be completed by addressee)  
*Mr. Michael DeSautel*  
 Street, Apt. No. or PO Box No.  
*4661 S. 20th St.*  
 City, State, ZIP+4<sup>®</sup>  
*Milwaukee WI 53221*

PS Form 3800, February 2000 See Reverse for Instructions



Office of the City Clerk

Ronald D. Leonhardt  
City Clerk

Carolyn Hill Robertson  
Deputy City Clerk

October 29, 2001

CERTIFIED MAIL

Mr. Michael DeSautel  
4661 South 20<sup>th</sup> Street  
Milwaukee, WI 53221

Dear Mr. DeSautel:

You are hereby notified that the Milwaukee Common Council will hold a hearing on November 6, 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, 53202, to consider the revocation the Class "B" Tavern and Tavern Amusement (Cabaret) License of Michael DeSautel, as agent for Mr. Entertainment, Incorporated, for the premises located at 4177 South Howell Avenue in the City and County of Milwaukee, Wisconsin ("Daddios").

Respectfully,

*Ronald D. Leonhardt*  
RONALD D. LEONHARDT  
City Clerk

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Total Postage & Fees	\$	

Recipient's Name (Please Print Clearly) (To be completed by mailer)  
*Mr. Michael DeSautel*

Street, Apt. No. or PO Box No.  
*4661 S. DOWA ST.*

City, State, ZIP+4<sup>®</sup>  
*MILWAUKEE WI 53221*

PS Form 3800, February 2000 See Reverse for Instructions



Office of the City Clerk

**Ronald D. Leonhardt**  
City Clerk

**Carolyn Hill Robertson**  
Deputy City Clerk

October 29, 2001

**CERTIFIED MAIL**

Mr. Andrew M. Arena, Esq.  
Kopp, Arena & Bishop, S.C.  
1110 N. Old World Third Street, Ste. 515  
Milwaukee, WI 53207

Dear Mr. Arena:

You are hereby notified that the Milwaukee Common Council will hold a hearing on November 6, 2001 at 9:30 a.m., or as soon thereafter as this matter may be brought before the City Council Chambers on the third floor of City Hall, 200 East Wells Street, Milwaukee, WI 53202, to consider the revocation the Class "B" Tavern and License of Michael DeSautel, as agent for Mr. Entertainment, located at 4177 South Howell Avenue in the City and County of Milwaukee ("DeSautel and Associates").

Respectfully,  
*Ronald D. Leonhardt*  
RONALD D. LEONHARDT  
City Clerk

U.S. Postal Service  
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Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees \$	

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Recipient's Name (Please Print Clearly) (To be completed by mailer)  
*Mr. Andrew M. Arena*

Street, Apt. No.; or PO Box No.  
*1110 N. Old World 3rd St*

City, State, ZIP+4  
*Milwaukee, WI 53207*

PS Form 3800, February 2000 See Reverse for Instructions

7000 0520 0221 2182 6285



Office of the City Clerk

Ronald D. Leonhardt

City Clerk

Carolyn Hill Robertson

Deputy City Clerk

October 29, 2001

**CERTIFIED MAIL**

Eugene Vlies  
 4200 South 1<sup>st</sup> Street  
 Milwaukee, Wisconsin 53207

Dear Mr. Vlies:

You are hereby notified that the Milwaukee Common Council will hold a hearing on November 6, 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, 53202, to consider the revocation the Class "B" Tavern and License of Michael DeSautel, as agent for Mr. Entertainment, located at 4177 South Howell Avenue in the City and County (addios").

a copy of the Report of the Utilities and Licenses Committee of Fact, Conclusions of Law and Recommendation, and suspension of the Class "B" Tavern and Tavern

The recommendation is the result of a public hearing on the Craig Plain, Eugene Vlies, Shirley Chiaverotti, Agapito Cruz, Breitzman before the Committee held on October 16, 2001.

you may appear at the Common Council meeting and request an item on the Common Council for approximately five (5) minutes to present an oral report.

Information related to the subject matter contained in the committee report and provided to the licensee.

<b>CERTIFIED MAIL RECEIPT</b> (Domestic Mail Only; No Insurance Coverage Provided) Article Sent To:	Postage \$	Postmark Here  Eugene Vlies 4200 South 1 <sup>st</sup> Street Milwaukee, WI 53207
	Certified Fee	
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	Restricted Delivery Fee (Endorsement Required)	
	Total Postage & Fees \$	
Name (Please Print) _____ Street, Apt _____ City, State _____ PS Form 3849, October 2000		

620E 4822 2200 0090 0002

Respectfully,  
  
 RONALD D. LEONHARDT  
 City Clerk



Office of the City Clerk

Ronald D. Leonhardt

City Clerk

Carolyn Hill Robertson

Deputy City Clerk

October 29, 2001

CERTIFIED MAIL

Susan Prothero  
4222 South 1<sup>st</sup> Street  
Milwaukee, Wisconsin 53207

Dear Ms. Susan Prothero:

You are hereby notified that the Milwaukee Common Council will hold a hearing on November 6, 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, 53202, to consider the revocation the Class "B" Tavern and Tavern Amusement (Cabaret) License of Michael DeSautel, as agent for Mr. Entertainment, Incorporated, for the premises located at 4177 South Howell Avenue in the City and County of Milwaukee, Wisconsin ("Daddios").

is a copy of the Report of the Utilities and Licenses Committee of Fact, Conclusions of Law and Recommendation, lay suspension of the Class "B" Tavern and Tavern . The recommendation is the result of a public hearing on the Craig Plain, Eugene Vlies, Shirley Chiaverotti, Agapito Cruz, Breitzman before the Committee held on October 16, 2001.

may appear at the Common Council meeting and request an nmon Council for approximately five (5) minutes to present an half.

ited to the subject matter contained in the committee report and r the licensee.

Respectfully,

RONALD D. LEONHARDT  
City Clerk

U.S. Postal Service  
CERTIFIED MAIL RECEIPT  
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Total Postage & Fees	\$		
Name	Susan Prothero		
Street	4222 South 1 <sup>st</sup> Street		
City	Milwaukee, WI 53207		

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Office of the City Clerk

**Ronald D. Leonhardt**  
City Clerk

**Carolyn Hill Robertson**  
Deputy City Clerk

October 29, 2001

**CERTIFIED MAIL**

Janet, Gerald and Pamela Breitzman  
4156 South 1<sup>st</sup> Street  
Milwaukee, Wisconsin 53207

Dear Breitzman's:

You are hereby notified that the Milwaukee Common Council will hold a hearing on November 6, 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, 53202, to consider the revocation the Class "B" Tavern and Tavern Amusement (Cabaret) License of Michael DeSautel, as agent for Mr. Entertainment, Incorporated, for the premises located at 4177 South Howell Avenue in the City and County of Milwaukee, Wisconsin ("Daddios").

...will find a copy of the Report of the Utilities and Licenses Committee of Fact, Conclusions of Law and Recommendation, may suspension of the Class "B" Tavern and Tavern. The recommendation is the result of a public hearing on the Craig Plain, Eugene Vlies, Shirley Chiaverotti, Agapito Cruz, Breitzman before the Committee held on October 16, 2001.

...may appear at the Common Council meeting and request an Common Council for approximately five (5) minutes to present an half.

...mitted to the subject matter contained in the committee report and by the licensee.

Respectfully,

*Ronald D. Leonhardt*  
**RONALD D. LEONHARDT**  
City Clerk

**CERTIFIED MAIL RECEIPT**  
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Total Postage & Fees	

Name (Please Print) **Janet, Gerald and Pamela Breitzman**  
Street, Apt. # **4156 South 1<sup>st</sup> Street**  
City, State, ZIP **Milwaukee, WI 53207**

PS Form 3800

7000 0090 2200 2742 EHOE



Office of the City Clerk

Ronald D. Leonhardt

City Clerk

Carolyn Hill Robertson

Deputy City Clerk

October 29, 2001

CERTIFIED MAIL

Agapito Cruz  
4200 South 1<sup>st</sup> Street  
Milwaukee, Wisconsin 53207

Dear Mr. Cruz:

You are hereby notified that the Milwaukee Common Council will hold a hearing on November 6, 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, 53202, to consider the revocation the Class "B" Tavern and Tavern Amusement (Cabaret) License of Michael DeSautel, as agent for Mr. Entertainment, Incorporated, for the premises located at 4177 South Howell Avenue in the City and County of Milwaukee, Wisconsin ("Daddios").

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,

suspension of the Class "B" Tavern and Tavern recommendation is the result of a public hearing on the Plain, Eugene Vlies, Shirley Chiaverotti, Agapito Cruz, man before the Committee held on October 16, 2001.

appear at the Common Council meeting and request an Council for approximately five (5) minutes to present an

the subject matter contained in the committee report and cense.

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Total Postage		

Name (Please Print) Agapito Cruz  
Street, Apt. 4200 South 1<sup>st</sup> Street  
City, State, Zip Milwaukie, WI 53207

PS Form 3841, October 2000

Respectfully,  
  
RONALD D. LEONHARDT  
City Clerk



Office of the City Clerk

Ronald D. Leonhardt  
City Clerk

Carolyn Hill Robertson  
Deputy City Clerk

October 29, 2001

CERTIFIED MAIL

Shirley Chiaverotti  
4166 South 1st Street  
Milwaukee, Wisconsin 53207

Dear Ms. Chiaverotti:

You are hereby notified that the Milwaukee Common Council will hold a hearing on November 6, 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 53202, to consider the revocation the Class "B" Tavern and License of Michael DeSautel, as agent for Mr. Entertainment, located at 4177 South Howell Avenue in the City and County of Milwaukee, Wisconsin ("").

Copy of the Report of the Utilities and Licenses Committee, Conclusions of Law and Recommendation, Suspension of the Class "B" Tavern and Tavern recommendation is the result of a public hearing on the Plaintiff, Eugene Vlies, Shirley Chiaverotti, Agapito Cruz, and Michael DeSautel, before the Committee held on October 16, 2001.

You are requested to appear at the Common Council meeting and request an agenda item for the Council for approximately five (5) minutes to present an

agenda item on the subject matter contained in the committee report and recommendations of the Council.

Respectfully,

*Ronald D. Leonhardt*  
RONALD D. LEONHARDT  
City Clerk

U.S. Postal Service  
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Name: Shirley Chiaverotti  
Street: 4166 South 1st Street  
City: Milwaukee, WI 53207

Instructions

7000 0600 0022 2784 3012





Office of the City Clerk

Ronald D. Leonhardt  
City Clerk

Carolyn Hill Robertson  
Deputy City Clerk

October 29, 2001

CERTIFIED MAIL

Craig Plain  
4178 South 1<sup>st</sup> Street  
Milwaukee, Wisconsin 53207

Dear Mr. Plain:

You are hereby notified that the Milwaukee Common Council will hold a hearing on November 6, 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, 53202, to consider the revocation the Class "B" Tavern and Tavern Amusement (Cabaret) License of Michael DeSautel, as agent for Mr. Entertainment, Incorporated, for the premises located at 4177 South Howell Avenue in the City and County of Milwaukee, Wisconsin ("Daddios").

...y of the Report of the Utilities and Licenses Committee  
...t, Conclusions of Law and Recommendation,  
...pension of the Class "B" Tavern and Tavern  
...recommendation is the result of a public hearing on the  
Plain, Eugene Vlies, Shirley Chiaverotti, Agapito Cruz,  
...man before the Committee held on October 16, 2001.

...ear at the Common Council meeting and request an  
Council for approximately five (5) minutes to present an

...the subject matter contained in the committee report and  
...sensee.

Respectfully,  
*Ronald D. Leonhardt*

RONALD D. LEONHARDT  
City Clerk

**U.S. Postal Service**  
**CERTIFIED MAIL RECEIPT**  
*(Domestic Mail Only; No Insurance Coverage Provided)*

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Restricted Delivery Fee (Endorsement Required)		
<b>Total Postage &amp; Fees</b>	\$	

Name (Please Print) **Craig Plain**

Street, Apt. **4178 South 1<sup>st</sup> Street**

City, State **Milwaukee, WI 53207**

PS Form 3849, October 2000



Office of the City Clerk

Ronald D. Leonhardt  
City Clerk

October 24, 2001

Carolyn Hill Robertson  
Deputy City Clerk

Mr. Michael DeSautel  
4661 South 20<sup>th</sup> Street  
Milwaukee, WI 53221

Andrew M. Arena, Esq.  
Kopp, Arena & Bishop, S.C.  
1110 N. Old World Third Street, Ste. 515  
Milwaukee, WI 53203


Dear Mr. DeSautel and Atty. Arena:

You are hereby notified that the Milwaukee Common Council will hold a hearing on November 6, 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 53202 to consider the revocation of the Class "B" Tavern and Tavern Amusement (Cabaret) License of Michael DeSautel, as agent for Mr. Entertainment, Incorporated, for the premises located at 4177 South Howell Avenue in the City and County of Milwaukee, Wisconsin ("Daddios").

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 a twenty (20) day suspension of the Class "B" Tavern and Tavern Amusement (Cabaret) License. The recommendation is the result of a public hearing on the complaints of Susan Prothero, Craig Plain, Eugene Vlies, Shirley Chiaverotti, Agapito Cruz, and Janet, Gerald and Pamela Breitzman before the Committee held on October 16, 2001.

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 your counsel 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,

  
CAROLYN HILL ROBERTSON  
Deputy City Clerk

BDS:46378  
Enclosure

**Jeff Pawlinski**  
Alderman, 13th District



**CHAIR:**  
Utilities & Licenses Committee

**COMMITTEES:**  
Zoning, Neighborhoods and Development  
Administrative Review Appeals Board  
Resolutions Committee - League  
of Wisconsin Municipalities

October 24, 2001

To the Honorable, the Common Council

Dear Members:

Re: File Number 010100 Recommendation of a 20-day suspension in lieu of a revocation of the Class "B" Tavern and Cabaret license of Michael F. DeSautel for the premises at 4177 S. Howell Avenue ("Daddios") in the 13<sup>th</sup> Aldermanic District.

To the Honorable, the Common Council

With regard to the item listed above, the Utilities and Licenses Committee held an evidentiary hearing on October 16, 2001.

Pursuant to section 90-11 Milwaukee Code of Ordinances, and section 125.12(12), Wis. Stats., the Committee is transmitting a copy of its Report and Recommendations, regarding the above matter to your Honorable Body.

Pursuant to City Ordinances, prior to the time the Common Council acts on the Committee's Report, a roll call vote will be taken to confirm that all members present and voting have read the Committee's Report and any objections that have been filed by the Licensee.

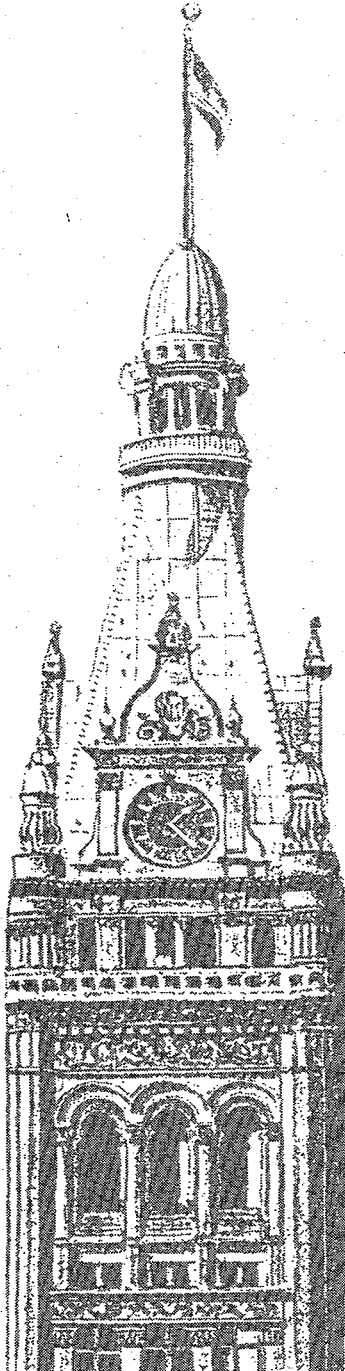
This matter has been scheduled for a hearing before the full Common Council at its meeting on Tuesday, November 6, 2001 at 9:30 A.M. in the Common Council Chambers.

Respectfully,

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'.

JEFFREY A. PAWLINSKI, Chair  
Utilities & Licenses Committee

JAP:BS:crr  
ulrecomm  
Attachment  
cc: City Attorney's Office  
License Division  
Milwaukee Police Department-  
License Administration  
All Council Members  
File No. 010099



Date: October 24, 2001

To: All Members of the Milwaukee Common Council

From: The Utilities and Licenses Committee

Re: Report of the Utilities and Licenses Committee of the Class "B" Tavern License held by Michael DeSautel on the complaints of Craig D. Plain, Agapito Cruz, Eugene Vlies, Shirley Chiaverotti, Susan Prothero, and Janet, Gerald and Pamela Breitzman, seeking the revocation of the Class "B" Tavern License for the premises located at 4177 South Howell Avenue in the City and County of Milwaukee, Wisconsin ("Daddios").

#### FINDINGS OF FACT

1. Michael DeSautel, (hereinafter the "Licensee") as agent for Mr. Entertainment, Incorporated, is the holder of a Class "B" Tavern License for the premises located at 4177 South Howell Avenue in the City and County of Milwaukee, Wisconsin ("Daddios "). Said license expires at midnight May 13, 2002, having been renewed by the Milwaukee Common Council on May 8, 2001.
2. Complaints seeking the revocation of said license were filed with the Office of the City Clerk by Craig D. Plain on October 8, 2001; Shirley Chiaverotti on October 8, 2001; Susan Prothero on October 8, 2001; Janet, Gerald and Pamela Breitzman on October 8, 2001; Agapito Cruz on October 9, 2001; and Eugene Vlies on October 8, 2001.
3. On October 10, 2001, each of the complaints were served on Michael DeSautel with a summons containing a copy of each complaint as well as of § 90-12 of the Milwaukee Code of Ordinances.
4. Said summons commanded the appearance of Michael DeSautel to answer the complaints of Craig D. Plain, Shirley Chiaverotti, Susan Prothero, Janet, Gerald and Pamela Breitzman, Agapito Cruz, and Eugene Vlies on October 16, 2001 at 8:00 a.m. in Room 301-B of City Hall. Mr. Michael DeSautel as agent for Mr. Entertainment, Incorporated appeared and answered the complaints as summoned and was represented by Mr. Andrew Arena, Kopp, Arena & Bishop, S.C., 1110 North Old World Third Street, Suite 515, Milwaukee, WI 53203.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
  - A. Craig Plain is an adult resident of the City and County of Milwaukee, Wisconsin residing at 4178 South 1<sup>st</sup> Street, in the City and County of Milwaukee, Wisconsin.

- B. Every weekend Mr. Plain has trash in his yard which includes beer bottles, liquor bottles, cups, cigarette butts, cigarettes lighters and wrappers all generated by patrons of "Daddios".
- D. Mr. DeSautel or employees of Mr. DeSautel have emptied beer bottles into dumpsters late at night causing noise that have awakened Mr. Plain.
- E. Michael F. DeSautel has experienced Lazer 103 and its giant "boom box" blaring outside of his establishment late at night, causing Mr. Plain to be disturbed.
- F. At closing time crowds of patrons yell, scream and fight when leaving the Premises, cause disturbance to Mr. Plain.
- G. Michael F. DeSautel has attracted loud and raucous patrons to his establishment with advertising phrases such as "Daddios-Where anything goes." The supplier of DJ entertainment explained to the Committee that the phrase really referred to any type of music played. The Committee notes the double entendre of the remark suggesting to patrons that any conduct goes.
- H. The bass of the music played at "Daddios" is so loud that vibrations shake the home of Craig Plain.
- I. Craig Plain has observed the security firms hired by Michael F. DeSautel for the premises at 4177 South Howell Avenue "Daddios". The security firms park in a car kiddy corner from the home of Craig Plain. On the weekend of March 10<sup>th</sup> and 11<sup>th</sup>, 2001, Craig Plain observed patrons in a car parked in front of a security car leave a Heineken bottle in the street. Also on the weekend of March 10<sup>th</sup> and 11<sup>th</sup>, 2001, there were three plastic cups from "Daddios" left on the curb in front of 4177 South Howell Avenue. Craig Plain observed that trash stay there until Saturday afternoon when he picked it up, and not any individual employed by Mr. DeSautel.
- J. On Thursday, March 8, 2001 at approximately 3:00 a.m., Mr. Plain was awoken by a driving bass beat which was emanating from a karaoke player employed by Michael F. DeSautel at ("Daddios") playing music while loading a karaoke machine into his van. While this was transpiring, Mr. DeSautel was at the side of the karaoke player, and did nothing to quite him.
- K. On Friday, March 15, 2001 at 1:30 a.m. Craig Plain was finishing work and getting ready for bed. He heard a noise and looked out to see a young

man urinating in Daddios parking lot in full view of the street light. When finished, he entered a friend's car and was driven away.

- L. Mr. Plain knew from advertising that on Saturday, April 21, 2001, Michael F. DeSautel had a band known as "Eddie Butts Band" playing at the premises known as "Daddios".
- M. Mr. Plain observed that Mr. Michael F. DeSautel had several uniformed security guards on hand for the event.
- N. At 11:50 p.m. on Saturday, April 21, 2001, a group of women were yelling back and forth as they exited "Daddios" and walked to their cars in the parking lot, causing Mr. Plain to be disturbed.
- O. At 12:05 a.m., on Sunday, April 22, 2001 a group of four Harley Davidson motorcycles with three "chopped" or no mufflers, parked in front of the home owned by Craig D. Plain. These individuals revved their engines for close to five minutes as the staff of "Daddios" talked to them about parking elsewhere. When they finally left, they revved their engines loud enough to awake the children of Craig Plain.
- P. At 12:15 a.m. on April 22, 2001, two cars pulled in front of the home of Craig Plain. As they stopped, they threw garbage onto the lawn of Craig Plain and began yelling back and forth from one car to another car. The staff of "Daddios" finally got them to move, but all they did was pull around the corner to 1<sup>st</sup> Street. Two men and two women exited the vehicles and then walked around the home of Craig Plain yelling all the way.
- Q. At 1:10 a.m. on April 22, 2001, a group of patrons stood outside the home of Mr. Craig Plain yelling to others in the parking lot of "Daddios". The security staff employed by Mr. DeSautel stood by smoking on the corner of 1<sup>st</sup> & Plainfield. The security staff never approached the boisterous patrons. The yelling went on for approximately five minutes, causing disturbance to Mr. Plain.
- R. At 1:25 p.m. on April 22, 2001, the two men and two women referenced in item Q above, came out of Daddios. The two men came out running, one yelling "you fucker!" to another. The staff of "Daddios" and what appeared to be bouncers responded and got them to settle down and left. After the security personnel and bouncers left, the group of four sat on their car hoods, which were parked on 1<sup>st</sup> Street. They sat for approximately 10-15 minutes drinking from what appeared to be a pint bottle by passing it between them. They were swaying, and Craig Plain felt it was doubtful if they were able to drive. The staff of "Daddios"

approached the second time at which time they all entered into one car and left.

- S. At 1:45 a.m. on April 22, 2001, a group of males pulled into the parking lot of "Daddios". They horsed around on their way into the establishment and set off a car alarm. The alarm went off for over two minutes. At that time, a motorcycle with no muffler parked in front of Daddios. The children of Craig Plain were awoken by the noise of this incident.
- T. At 2:35 a.m. on April 22, 2001, another car alarm went off and ran for approximately two minutes waking individuals up, to include the family of Mr. Plain.
- U. At 3:00 a.m. on April 22, 2001, there were two groups of patrons yelling back and forth as they left "Daddios". They stood in the parking lot of "Daddios" for awhile talking loudly but the security personnel kept an eye on them. This conduct disturbed Mr. Plain.
- V. At 3:30 a.m. on April 22, 2001, Craig Plain was up and working. He heard yelling on 1<sup>st</sup> Street. The two men and two women from incidents P and R, above, came back. They came back to get the one car that they had left behind. One male was trying to take the clothes off of one of the females. She was so intoxicated, she almost allowed him to do it. The other male decided to relieve himself by urinating in the street. Eventually, one of the females convinced the other female to get in the car and go. The individual who was attempting to undress the one female was yelling loudly after the two females as they drove away. The two males got into their car and then squealed into the night.
- W. The security guards left cigarette butts on the lawn of Craig Plain from the incidents of April 21/22, 2001.
- X. On May 1, 2001, at approximately 12:40 p.m. Craig Plain experienced beer bottles and plastic cups left by patrons of "Daddios" on his driveway.
- Y. On the weekend of June 16<sup>th</sup> and 17<sup>th</sup>, 2001, Craig Plain and his family were awoken numerous times by noisy patrons leaving "Daddios".
- Z. On Friday evening-Saturday morning, June 15/16, 2001, a drunken group exiting "Daddios" took turns on small motorcycles and motorbikes racing up and down Plainfield Avenue.
- AA. On Saturday evening, June 16/17, 2001, a group of four intoxicated males were yelling and arguing with several intoxicated females. Craig Plain called the police out of concern because the males threatened the females.

The males, after the females left, stayed in the vicinity of their car and drank beers. The police never showed up.

- BB. Over the weekend of June 16/17, 2001, Craig Plain saw patrons urinate on a neighbors lawn and a large amount of trash was brought out from patron by patrons of "Daddios". This included 8 beer cans, 4 plastic cups and other assorted garbage.
- CC. On July 11, 2001, the Craig Plain family experienced disturbances at closing time at "Daddios".
- DD. On Saturday, September 22, 2001, Mr. Plain was disturbed by the smell of stale beer leaching from dumpsters located in a driveway of the premises of 4177 South Howell Avenue ("Daddios"). The stench of the stale beer was so bad that Mr. Plain and his family could not sit in the back yard. Pictures were introduced into the record showing a wet area that Mr. Plain asserts was the beer. Mr. DeSautel attributes the wetness to ground water. It is clear that a liquid was coming from under the dumpsters, and Mr. Plain distinctly recalls that the liquid smelled of stale beer. The Committee believes Mr. Plain.
- EE. On September 30, 2001 at 12:15 a.m., Mr. Plain was awoken by a loud group of patrons entering Daddios. Mr. Plain also saw a group of three young males sitting in a Sedan lighting up a small pipe and passing it to each other. Mr. Plain called the police to report suspected drug activity. While Mr. Plain was talking to the dispatcher the three left their car and entered "Daddios." Mr. Plain told this fact to the dispatcher, and she asked if he still wanted a squad to respond. Mr. Plain inquired as to whether or not these officers could do anything, and the dispatcher stated "not really." However, she also indicated that a report would not be filed unless a squad came out. Mr. Plain requested a squad to ensure that the action was documented, however, no squad responded. Further, there was no security from "Daddios" that Mr. Plain observed during this incident.
- FF. Also on September 30, 2001 at approximately 1:00 a.m., while trying to get back to sleep, Mr. Plain heard a loud thumping noise. Mr. Plain realized that the thumping was coming from Daddios, and he called in a noise complaint. To the knowledge of Mr. Plain, the police never responded.
- GG. On Sunday, September 30, 2001 at approximately 12:45 a.m., Mr. Plain was again awoken by loud patrons. He observed several patrons leaving Daddios with plastic cups and beer bottles which were thrown on to the lawn owned by Mr. Plain. Within a span of approximately 30 minutes, Mr. Plain saw three separate incidences of public urination, two beer cans being thrown into the street by patrons of Daddios' as they drove away,



and a large number of large people playing stereos loudly. Mr. Plain saw no security personnel from "Daddios."

- HH. At approximately 1:30 a.m. on Sunday, September 30, 2001, Mr. Plain began to notice a large number of people exiting the bar. One person who was leaving was a young woman who was yelling and screaming about being kicked in the head, and to the effect that she "was going to wait for the bitch." At approximately that time a Milwaukee Police car came north on first street and turned east on Plainfield and drove up the back driveway of Daddios. The officer went out and went towards the crowd. Soon, other squads were arriving. After the first officer who responded came running from the crowd with his pistol in firing position. He approached the male walking down the street and told him to stop and put his hands up. However, the male continued to walk. Finally the officer told the male to stop or threaten to shoot him. The male turned around and told the officer to go ahead and shoot. The officer moved forward, subdued the suspect, put him against that car and placed handcuffs upon him. He quickly searched the subject and began leading him away from the squad car. A female who was earlier yelling and screaming about being kicked came after the police officer. The officer told her to back off. She approached him and he pushed her away and again told her to back away. When she came at him a second time, the officer grabbed her and put her against the hood of a nearby car. Officers came to assist and she was cuffed and taken to a squad car.
- II. Mr. Plain also observed, at about the same time, an individual who had a cut forearm, come out of Daddios with a cloth wrapped around his forearm. Evidence presented to the committee disclosed that this individual put his arm through a window which caused laceration and significant bleeding. Officers searched the area for what was believed to be a gun, but no gun was recovered. Paramedics were called to the scene to assist the individual who had the cut forearm. The paramedics began spraying disinfectant over the blood on the sidewalk, and eventually, the fire department came to hose down the sidewalk to remove the bloodstains. Mr. Plain complains that he had human blood tainted on his driveway.
- JJ. The next morning, several individuals who were involved in the melee the night before came to the area also looking through bushes for some item which Mr. Plain did not know at the time.
- LL. All of the foregoing has significantly disrupted the quiet and peaceable enjoyment of the home of Craig D. Plain and his family.
- MM. Janet Breitzman, Gerald Breitzman and Pamela Breitzman are adult residents of the City and County of Milwaukee, Wisconsin residing at 4156 South 1<sup>st</sup> Street, Milwaukee, Wisconsin 53207.

- NN. Janet, Gerald, and Pamela Breitzman are neighbors of "Daddios."
- OO. Janet, Gerald and Pamela Breitzman have experienced loud music and litter from the conduct of Michael DeSautel's ("Daddios") patrons, particularly at closing times on weekends. That has disturbed the quiet and peaceable enjoyment of their home.
- PP. On the weekends traffic is extremely heavy in front of the Breitzman home by virtue of patrons of "Daddios." A request was made of the security personnel hired by "Daddios" to control traffic and parking. The security person informed Janet Breitzman that they had no directives to keep cars off the street.
- QQ. On the evening of July 18, 2001 at approximately 2:30 a.m., the music was so loud that the Breitzmans could hear it in their home even with windows closed and the air conditioning on. That incident disturbed the quiet and peaceable enjoyment of the Breitzman home.
- RR. Janet Breitzman and her family were awoken on the evenings of April 7, 14 and 21, 2001 from loud music emanating from "Daddios." Janet Breitzman and her family have difficulty sleeping because of the music from "Daddios" from 11:00 p.m. until approximately 2:45 a.m. on a regular and recurring basis.
- SS. Janet Breitzman and her family have been regularly subjected to loud, profane and abusive language from patrons of "Daddios" as well as patrons urinating on the lawn of Janet Breitzman as well as neighbors' lawns.
- TT. On the evening and early morning hours of May 4 and 5, 2001, Janet Breitzman was awoken by patrons exiting "Daddios" and getting into their cars at 1:30 a.m., 2:00 a.m., and 3:30 a.m.
- UU. On the evening of May 5, 2001, Janet Breitzman experienced increased traffic up and down their street caused by patrons of "Daddios."
- VV. On May 5, 2001, the music emanating from "Daddios" was extremely loud. After the family of Janet Breitzman got to sleep, a horn blown by a vehicle operated by a patron of "Daddios" awoke them. The source of the horn was a truck parked in front of the Breitzman home.
- WW. Gerald Breitzman went out to get the license plate number of the vehicle in question. As he did so, he shined a flashlight in the cab and observed a couple having sex in the front seat of the truck.

- XX. On May 12, 2001, Janet Breitzman experienced another night of loud music from "Daddios" and the patrons exiting "Daddios." The noise and commotion went from 11:00 p.m. until 2:45 a.m. This caused Janet Breitzman to have a spoiled Mother's Day.
- YY. On June 1, 2, 8, 9, 15, 23, and 29, 2001, music, traffic and parking was very severe.
- ZZ. On September 13, 14, and 15, 2001, Ms. Breitzman and her family were again bothered by loud and noisy patrons of "Daddios." They were disturbed between 12:30 a.m. and 2:30 a.m. on those nights.
- AAA. On September 20, 2001, a group of loud women patrons in the parking lot next to "Daddios" came behind the house owned by the Breitzmans, and woke Pamela Breitzman at 2:00 a.m. She had to work the next day.
- BBB. On September 21, 2001 at 2:02 a.m., Janet Breitzman was awakened by loud noises which seemed to come from directly from beneath her window. She looked out and noticed three people talking in front of her neighbors house to the south. Ms. Breitzman asked them to go away as they had awakened her from a sound sleep. They responded "we are just talking about where to go next." Ms. Breitzman asked them to leave a second time and she was ignored. Ms. Breitzman called the police at approximately 2:15 a.m. but they left before the police arrived.
- CCC. When Janet Breitzman brought these concerns to the attention of Mr. Michael F. DeSautel, Mr. DeSautel told her that she and her husband should have done some better research before buying their home in the neighborhood.
- DDD. Shirley Chiaverotti is an adult female resident of the City and County of Milwaukee, Wisconsin residing at 4166 South 1<sup>st</sup> Street, in the City and County of Milwaukee, Wisconsin.
- EEE. Shirley Chiaverotti is a neighbor of the licensed premises at 4177 South Howell Avenue in the City and County of Milwaukee, Wisconsin ("Daddios").
- FFF. On April 1, 2001, Ms. Chiaverotti experienced trash consisting of two beer bottles, one of which was broken, on the corner of 1<sup>st</sup> & Plainfield. Ms. Chiaverotti verily believes that this litter was caused by and occasioned by patrons of the licensed premises at 4177 South Howell Avenue in the City and County of Milwaukee, Wisconsin ("Daddios").
- GGG. On April 11, 2001, Ms. Chiaverotti experienced very loud music coming from two cars parked on Plainfield in the same direction. They were

westbound. Their motors were running. Patrons came from "Daddios" and got into the cars and sped off after a long period of yelling. The time was approximately 2:00 a.m.

- HHH. On April 12, 2001, Ms. Chiaverotti experienced a large amount of trash on the intersection of Plainfield and 1<sup>st</sup> Streets in the City and County of Milwaukee, Wisconsin. Ms. Chiaverotti verily believes that this trash was occasioned by patrons leaving the licensed premises at 4177 South Howell Avenue in the City and County of Milwaukee, Wisconsin ("Daddios").
- III. On the dates of April 14<sup>th</sup> and April 15<sup>th</sup>, 2001, Ms. Chiaverotti experienced trash in the street and beer bottles. Ms. Chiaverotti verily believes that this trash and the beer bottles was attributable to patrons of the licensed premises at 4177 South Howell Avenue in the City and County of Milwaukee, Wisconsin ("Daddios").
- JJJ. On May 13, 2001 at 12:00 a.m., 2:25 a.m. and 3:00 a.m., Ms. Chiaverotti experienced the sound of car doors slamming, patrons of "Daddios" yelling in front of her home. This awoke Ms. Chiaverotti.
- KKK. On June 15 and 16, 2001, on Friday evening and Saturday morning, Ms. Chiaverotti experienced over one hour patrons yelling, screaming, getting into cars and screeching tires. Those disturbances awoke her.
- LLL. Also on June 16, 2000, at 2:30 a.m., patrons exited "Daddios" and entered cars on 1<sup>st</sup> Street. They turned on radios very loudly. The patrons used loud and foul language and awoke Ms. Chiaverotti. Ms. Chiaverotti called Mr. DeSautel who stated that he had been outside to check on things. Ms. Chiaverotti asked Mr. DeSautel if he had security that night and he admitted he did not. Ms. Chiaverotti called the police at 2:30 a.m. on June 16, 2001. She called Mr. DeSautel, at 2:45 a.m.
- MMM. Ms. Chiaverotti called the police on July 6/7, 2001. After 5 to 10 minutes the patrons began to settle down while she was waiting on the telephone. She talked to Dispatcher 86 who informed her that if nothing really bad was happening at that moment, she could not dispatch a car. Dispatcher 86 suggested she call her alderman and talking to someone at the police department the next day.
- NNN. The next morning, an empty six-pack of beer was found in the street. Ms. Chiaverotti verily believes the presence of the empty six-pack of beer was attributable to the patrons of "Daddios", and there is no other place in the vicinity attracting crowds of such persons.
- OOO. On July 17, 2001, Ms. Chiaverotti was awoken by loud music from a car

parked on 1<sup>st</sup> Street as well as a car alarm going off from a car parked on Plainfield. She called the police at 12:30 a.m. The car alarm was running for almost 10 minutes. While this was happening, patrons of "Daddios" were exiting the premises yelling, slamming car doors and some patrons were in vehicles which were screeching their tires up and down the street. One of the patrons set off firecrackers at that time. This conduct was upsetting to Ms. Chiaverotti.

PPP. On July 20, 2001, Ms. Chiaverotti came home at approximately 12:15 a.m. after being dropped off by a friend on a motorcycle. She came down Plainfield from Howell, going west. Ms. Chiaverotti tried to turn north on 1<sup>st</sup> Street but could not because of cars and people in the intersection who were patrons of "Daddios". When the patrons were asked to move, obscenities were shouted. There was a large amount of trash in the streets the following morning following that episode. Mr. DeSautel did not pick up trash.

QQQ. On August 11, 2001 at 12:55 a.m., a man urinated on a lawn across from Ms. Chiaverotti's home. On that same date at 1:05 a.m., Mr. Chiaverotti asked a female not to smoke pot in her neighborhood. On that same day at 1:40 a.m. and 1:45 a.m., Ms. Chiaverotti again observed male patrons urinating outside of "Daddios." Also on the same day at 1:55 a.m., Ms. Chiaverotti called police because of patron driving vehicles recklessly.

RRR. On August 11, 2001 at 2:15 a.m., patron began leaving Daddios and using foul language with loud music emanating from their vehicles. Also on August 11, 2001 at 2:20 a.m., another male patron attempted to urinate on a tree, but Ms. Chiaverotti stopped it. Also on August 11, 2001 at 2:30 a.m., a white construction truck with a male sitting inside and flashing his brake lights backed across the intersection to 4200 South 1<sup>st</sup> Street and talked to a passenger in a vehicle behind his vehicle. After approximately twenty minutes, a Milwaukee Police squad car arrived, approached the truck. The male exited the automobile and walked to the white truck while pulling up his pants and fastening his pants.

SSS. On August 18, 2001, the operator of a Chevrolet Blazer license number 989CC2 was idling and revving the engine and "burning rubber" causing burn marks in the pavement. A male attempted to urinate on the lawn of a neighbor, which Ms. Chiaverotti thwarted.

TTT. Also on August 18, 2001 at 1:20 a.m., a male attempted to urinate on the lawn of Ms. Chiaverotti and other neighbors while being told to stop.

UUU. Also on August 18, 2001 at 1:30 a.m., two female patrons and one patron were arguing in front of 4166 South 1<sup>st</sup> Street. One female patron ran up

the street yelling "Bob, stop." Foul language was used by those individuals.

VVV. Susan Prothero is an adult resident of the City and County of Milwaukee, Wisconsin residing at 4222 South 1<sup>st</sup> Street, Milwaukee, Wisconsin 53207.

WWW. Susan Prothero is an adjoining neighbor of "Daddios."

XXX. On June 15, 2001 at 11:29 p.m., Ms. Prothero witnessed a man and a woman fighting in the parking lot of Daddios. Also on June 15, 2001 at 11:52 p.m., Ms. Prothero observed two women yelling at the 100 lot of Plainfield Avenue. Finally, on June 15, 2001, Ms. Prothero observed a motorcycle squealing up and down Plainfield Avenue while onlookers were cheering. Ms. Prothero attributes all of the events occurring on June 15, 2001 to patron of "Daddios."

YYY. On June 29, 2001, at 1:05 a.m., Susan Prothero observed two or three white males who were patrons of "Daddios" who were kicking the rearview mirrors off of vehicles parked on Plainfield Avenue and 1<sup>st</sup> Street.

ZZZ. On July 7, 2001, at 12:39 a.m., Susan Prothero observed two white females who were patrons of "Daddios" urinating on the front lawn at 4214 South 1<sup>st</sup> Street. The females got out of a dark-colored Neon with a Wisconsin license plate number of TAT946

aaaa. On July 7, 2001 at 12:47 a.m., Susan Prothero observed two white males who had been patrons at "Daddios" in the alley arguing and swearing very loudly. They disturbed Susan Prothero by their conduct.

bbbb. On July 7, 2001, at 1:01 a.m., Susan Prothero observed a dark Saturn squealing its tires up and down the alley two or three times.

cccc. On July 7, 2001, at 1:05 a.m., Susan Prothero observed a white and dark striped Silverado bearing Wisconsin license plate number WKH488 speeding up and down the 4200 block of 1<sup>st</sup> Street coming to an abrupt stop at in front of her home. Three white males exited the vehicle and walked into "Daddios."

dddd. On July 7, 2001, at 1:48 a.m., Susan Prothero observed the same three white males getting back into the Silverado and "roar" away. This conduct on the part of these patrons was loud and boisterous and caused Susan Prothero to be disturbed.

eeee. On July 14, 2001 at 1:58 a.m., Ms. Prothero observed a motorcycle racing up and down Plainfield Avenue. She believes that the individuals had

been patrons of Daddios, and that there was no other operation open at that hour to account for such activity.

- ffff. On July 21, 2001, Ms. Prothero observed that someone had run over a fence and trampled flowers of a neighbor. She attributes this to the activity of the patrons departing Daddios.
- gggg. On August 11, 2001 at 12:08 a.m., Ms. Prothero observed two patrons of Daddios arguing on Plainfield Avenue and First Street with the security officer standing by doing nothing.
- hhhh. On August 11, 2001 at 1:00 a.m., Ms. Prothero heard a car alarm going off for approximately two minutes. A patron from Daddios finally came out of the tavern and turned the alarm off and moved his car which was illegally parked.
- iiii. Also on August 11, 2001 at 1:43 a.m., Ms. Prothero heard a truck racing up and down the 4200 of South 1<sup>st</sup> Street. Again, Ms. Prothero believes that this was a patron of Daddios, and that there was no other operation open at that hour.
- jjjj. Also on August 11, 2001 at 2:00 a.m., a parking checker arrived and ticketed several vehicles belonging to patrons of Daddios.
- kkkk. On August 28, 2001, a vehicle belonging to radio station FM106, which was part of the Daddios event, was parked in front of Daddios on Plainfield Avenue with strobe lights on for an hour. Ms. Prothero called the police and the vehicle was moved.
- llll. Agapito Cruz is an adult resident of the State of Wisconsin residing at 4200 South 1<sup>st</sup> Street, Milwaukee, Wisconsin 53207.
- mmmm. Mr. Cruz is a neighbor of "Daddios", and a renter of Mr. Vlies, also a complainant in this matter.
- nnnn. Mr. Cruz has observed much litter generated by patrons of "Daddios."
- oooo. On Sunday, September 30, 2001 at 1:30 a.m., Mr. Cruz was awoken by people arguing outside on the sidewalk on Plainfield Street. Mr. Cruz saw six people standing on the in the sidewalk, and two females yelling. Mr. Cruz heard one say something to the effect "I don't care that he was stabbed he deserved it."
- pppp. Mr. Cruz went to call the police, but before he could call the police were already on the scene.

- qqqq. Mr. Cruz observed an officer come behind a man with his gun and pointed out to and to the back of the man's head. The officer told the man to "put up your hands or I will blow your fucking brains out." At that point the man said "I don't care blow my fucking brains out you bitch." The man continued to use foul language to the officer saying "You fucking bitch" several times and also saying "pig, whore," for some time. During the name-calling the officer was patting down the man and was emptying the man's pockets.
- rrrr. That man's girlfriend was also yelling at the officer. The officer then proceeded to take the man to a police squad and the girlfriend of the man was getting in the way of the officer. The officer then told the girlfriend to "back away." She did not and got into the officer's face. The officer then told the girlfriend she was under arrest. While holding the man who was handcuffed with one hand and took the girlfriend with the other hand, another officer came to help handcuff the girlfriend.
- ssss. The man told the officer "don't be so fucking rough with her she is pregnant." During this time, Mr. Cruz your Complainant also saw five or six other officers walking around with their handguns and shotguns out. Several people were handcuffed and put in police cars. The officers were looking in all our yards and shrubs for something.
- tttt. Mr. Cruz saw the man who he believed had been stabbed receiving medical attention and taken away by an ambulance. A fire hose was used to wash away the blood. Mr. Cruz heard the officer tell the female who was handcuffed and in the squad "You are being arrested for a felony for spitting in an officer's face." Mr. Cruz asked an officer if he needed to worry about anything that might be their yards or shrubs and he was told "no." This all lasted about one and one-half hours. Mr. Cruz counted at least six squad cars and ten officers with guns drawn. Mr. Cruz had a very hard time getting back to sleep that night. On Sunday afternoon Mr. Cruz saw the man who was arrested pick up his car. Before he got into his car he looked around for something.
- uuuu. It was explained to the Committee that originally the call to the police indicated a stabbing had taken place and that someone had a gun. In fact, the individual who was bleeding pushed his hand through a window, cutting his arm. A search was made, but not gun was recovered.
- vvvv. Eugene Vlies is an adult resident of the State of Wisconsin residing at 4200 South 1<sup>st</sup> Street, Milwaukee, Wisconsin 53207.
- wwww. Mr. Vlies is a neighbor of "Daddios."
- xxxx. Mr. Vlies has observed much litter generated by patrons of "Daddios."



- yyyy. Mr. Vlies has observed Mr. DeSautel picking up litter within 20 feet of the front entrance of "Daddios", but he has never observed Mr. DeSautel pick up litter in the adjoining neighborhood generated by the patrons of "Daddios."
- zzzz. On Saturday, August 4, 2001, Mr. Vlies experienced several incidents of patrons of "Daddios" urinating on lawns, throwing up on lawns, walking down the sidewalk in residential neighborhoods loudly stating "you fucking whore", and similar vile and disgusting comments between 12:00 a.m. and 2:00 a.m. Mr. Vlies observes that this happens on a regular basis on Thursday evenings, Friday evenings, and Saturday evenings.
- aaaaa. Mr. Vlies has experienced trash, broken bottles, restaurant bags, etc. being thrown on lawns, including his lawn, generated by patrons of "Daddios" on a routine and regular basis.
- bbbb. Mr. Vlies has experienced people running through yards in the adjoining neighborhood of the area around "Daddios" at 1:00 a.m. in the morning. Mr. Vlies verily believes that these individuals are patrons of "Daddios" because no other tavern in the area could account for patrons at that hour.
- cccc. Automobiles carrying patrons of "Daddios" begin coming into the neighborhood at 11:00 p.m. and the increased traffic continues until 2:00 a.m. This causes extreme disturbances to Mr. Vlies.
- dddd. Mr. Vlies has called the police department regarding this conduct, but the calls appear to be low priority for the Milwaukee Police Department and officers do not appear in time to deal with the problems as they are occurring.
- eeee. Mr. Vlies has noticed that there is a security agent hired by Michael DeSautel doing business as "Daddios" in the car, but rarely doing anything other than just sitting in the car.
- ffff. Mr. Vlies has observed that patrons of "Daddios" yelled sexually-suggestive comments and remarks at a renter to whom he has let an upper flat on a regular basis. This conduct was upsetting to Mr. Vlies, and his renter, Mr. Cruz.
- gggg. Mr. Vlies observed a security guard, one person in one vehicle arrive at 11:05 p.m. on Saturday, August 11, 2001.
- hhhh. At 12:05 a.m. on August 12, 2001, a car carrying patrons of "Daddios" came down to 1<sup>st</sup> and Plainfield with the car boom box vibrating. This conduct disturbed Mr. Vlies.

- iiii. On Sunday, August 12, 2001, at 12:05 a.m., a Corvette turned around in the driveway of Ms. Sally Plain, revved the engine and squealed the tires and raced to the stop sign. While this was transpiring, two women left "Daddios" who were arguing very loudly as they were walking down the street. While they were doing this they stopped to talk to the security guard. Their conversation, as well as the action of the operators of the Corvette disturbed the peace and quiet enjoyment of Mr. Vlies'.
- jjjj. On August 12, 2001 at 12:54 a.m., cars and motorcycles carrying patrons of "Daddios" were in the neighborhood. Cars were parked three-quarters of the way up the street, some illegally, some across the crosswalk, and one had car alarm going off for one to two minutes, waking the neighbors. That disturbed Mr. Vlies.
- kkkkk. On August 18, 2001 at 1:50 a.m., Mr. Vlies was walking his dog in the 4200 block of South 1<sup>st</sup> Street because the dog could not sleep because of the noise generated by "Daddios." At 1:50 a.m., a patron was so intoxicated that had could not walk was standing by a car directly in front of the home of Mr. Vlies unzipping his trousers and urinating for approximately three minutes. That individual was almost run over by one of his friends because they were both intoxicated.
- lllll. On August 18, 2001 at 2:00 a.m., directly across the street from the home of Mr. Vlies, a group of four patrons of "Daddios" were "hanging out" by their van for 25 minutes. One of the individuals was so intoxicated he was standing by his van and urinating in the street and yard of the adjacent home. This individual asked one of the females, who was also present at the van, if one of they could come around and "hold it for him." That conduct disturbed Mr. Vlies.
- mmmmm. Also on August 18, 2001 at approximately 2:00 a.m., three cars started to move into the intersection of 1<sup>st</sup> Street and Plainfield carrying patrons of "Daddios." The patrons were shouting at each other. The drivers were causing the engines of the vehicles to race and radios were loudly blasting music. That conduct disturbed Mr. Vlies. After approximately three minutes, Mr. DeSautel showed up thanked them for their business and asked them to leave.
- nnnnn. On August 18, 2001 at approximately 2:00 a.m., beer bottles were strewn over the lawn of Mr. Vlies. Mr. Vlies picked up three of them at 2:20 a.m. and saved them.

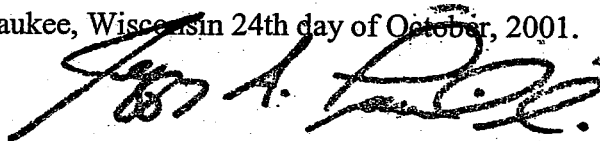
#### CONCLUSIONS OF LAW

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 Michael DeSautel has not met the criteria of Chapter 125 of the Wisconsin Statutes or Chapter 90 of the Milwaukee Code of Ordinances to allow the continuation of his Class "B" Tavern license and tavern related licenses without undergoing a twenty (20) day suspension.
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 suspend for twenty (20) days the Class "B" Tavern license and tavern related licenses held by Michael DeSautel, as agent for Mr. Entertainment Incorporated, for the premises located at 4177 South Howell Avenue in the City and County of Milwaukee, Wisconsin ("Daddios"), based upon his past activities as Licensee and for the danger that the continued operation of the premises poses to the health, safety and welfare of the citizens of the City of Milwaukee.

#### RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of three (3) ayes and two (2) noes, recommends that the Class "B" Tavern License and tavern related licenses of Michael DeSautel, as agent for Mr. Entertainment Incorporated, for the premises located at 4177 South Howell Avenue in the City and County of Milwaukee, Wisconsin ("Daddios") be suspended for twenty (20) days.

Dated and signed at Milwaukee, Wisconsin 24th day of October, 2001.



Alderman Jeffrey Pawlinski  
Chairman  
Utilities and Licenses Committee

44985

In Re: Class "B" Tavern License of  
Michael DeSautel  
4177 South Howell Avenue  
Milwaukee, WI

Doing Business as:  
Daddios  
4177 South Howell Avenue  
Milwaukee, WI

**COMPLAINT**

Common Council File No. \_\_\_\_\_

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Comes now Susan Prothero ("Complainant"), being first duly sworn and upon her oath who respectfully shows and alleges as follows:

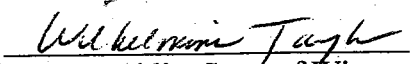
1. Complainant is an adult resident of the City and County of Milwaukee, Wisconsin residing at 4222 South 1<sup>st</sup> Street, Milwaukee, Wisconsin 53207 ("Daddios").
2. Complainant is an adjoining neighbor of Daddios.
3. On July 7, 2001, at 12:39 a.m., Complainant observed two white females urinating on the front lawn at 4214 South 1<sup>st</sup> Street. The females got out of a dark-colored Neon.
4. On July 7, 2001 at 12:47 a.m., Complainant observed two white males in the alley arguing and swearing very loudly. They disturbed Complainant by their conduct.
5. On July 7, 2001, at 1:01 a.m., Complainant observed a dark Saturn squealing its tires up and down the alley two or three times.
6. On July 7, 2001, at 1:05 a.m., Complainant observed a white and dark striped Silverado speeding up and down the 4200 block of 1<sup>st</sup> Street coming to an abrupt stop at in front of her home. Three white males exited the vehicle and walked around the corner.
7. On July 7, 2001, at 1:48 a.m., Complainant observed three white males getting back into the Silverado and "roar" away. This conduct on the part of these patrons was loud and boisterous and caused Complainant to be disturbed.
8. On June 15, 2001 at 11: 29 p.m. Complainant witnessed a man and woman fighting in the parking lot of Daddios.
9. On June 15, 2001 at 11: 52 p.m. Complainant witnessed two women yelling on the 100 block of Plainfield Avenue.

10. On June 15, 2001 at 2:30 a.m. Complainant observed a motorcycle squealing up and down Plainfield Avenue with onlookers cheering, who she believes were patrons of Daddios.
11. On July 14, 2001 at 1:58 a.m., Complainant observed a motorcycle racing up and down Plainfield Avenue, who she believes were patrons of Daddios.
12. On July 21, 2001 Complainant noticed that a neighbor's flowers which were planted along a fence had been run over by a vehicle or someone trampled through them. She believes this damage was caused by patrons of Daddios. Complainant also states that she had photographs of the incident.
13. On August 11, 2001 at 12:08 a.m., two patrons of Daddios were arguing on Plainfield Avenue and 1<sup>st</sup> Street with a security officer just watching and doing nothing.
14. On August 11, 2001 at 12:54 a.m., Complainant heard a loud motorcycle racing down Howell Avenue, who she believes were patrons of Daddios.
15. On August 11, 2001 at 1:00 a.m., Complainant heard a car alarm going off for approximately one to two minutes. A patron from Daddios finally came out of the tavern and turned the alarm off and moved his car which was illegally parked.
16. On August 11, 2001 at 1:41 a.m., Milwaukee police officers ticketed a car which was illegally parked in front of a neighbor's house in the 4200 block of South 1<sup>st</sup> Street. Your complainant believes this car belonged to a patron from Daddios.
17. On August 11, 2001 at 1:43 a.m., Complainant heard a truck racing up the 4200 block of South 1<sup>st</sup> Street. Your Complainant believes this car belonged to a patron from Daddios.
18. On August 11, 2001 at 2:00 a.m., a parking checker arrived and ticketed several vehicles. Your Complainant believes these cars belonged to patrons from Daddios.
19. On August 28, 2001, a vehicle belong to radio station FM 106, which was part of a Daddios event, was parked in front of Daddios on Plainfield Avenue with strobe lights on for at least an hour. Milwaukee police were called. The vehicle was finally moved from Plainfield Avenue to Howell Avenue in the bus stop area. Various vehicles parked on Daddios new slab on the east side of the establishment.
20. On several occasions, Complainant has observed a public safety vehicle on the corner of Plainfield Avenue and 1<sup>st</sup> Street, but when "Daddios" closes the security vehicle and security officer are not around
21. On several occasions, Complainant and her neighbors have been out from approximately 10:30 p.m. until after the tavern closes videotaping various disturbances by patrons of Daddios.

Wherefore, your Complainant prays that the Class "B" Tavern License of Michael F. DeSautel for the premises at 4177 South Howell Avenue in the City and County of Milwaukee, Wisconsin be revoked pursuant to the provisions of § 125.12(2)(ag)2., 3, and 4., Wis. Stats.

  
SUSAN PROTHERO

Subscribed and sworn to before  
me this 5<sup>th</sup> day of October, 2001

  
Notary Public, State of Wisconsin  
My Commission Expires: 8/29/04

**City of Milwaukee Common Council Utilities and Licenses Committee**

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In Re: Class "B" Tavern License of  
Michael DeSautel  
4177 South Howell Avenue  
Milwaukee, WI

Doing Business as:  
Daddios  
4177 South Howell Avenue  
Milwaukee, WI

COMPLAINT

Common Council File No. \_\_\_\_\_

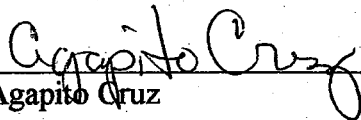
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Comes now Agapito Cruz (hereinafter "Complainant"), being first duly sworn and upon his oath who respectfully shows and alleges as follows:

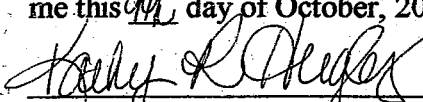
1. Agapito Cruz is an adult resident of the State of Wisconsin residing at 4200 South 1<sup>st</sup> Street, Milwaukee, Wisconsin 53207.
2. Complainant is a neighbor of "Daddios."
3. Complainant Agapito Cruz has observed much litter generated by patrons of "Daddios."
4. On Sunday at 1:30 a.m. your Complainant was awoken by people arguing outside on the sidewalk on Plainfield Street. Your Complainant saw about six people standing on the in the sidewalk, and two females yelling. Your Complainant heard one say something to the effect "I don't care that he was stabbed he deserved it."
5. Your Complainant went to call the police, but before he could call the police were already on the scene.
6. Your Complainant observed an officer come behind a man with his gun and pointed out to and to the back of the man's head. The officer told the man to "put up your hands or I will blow your fucking brains out." At that point the man said "I don't care blow my fucking brains out you bitch." The man continued to use foul language to the officer saying "You fucking bitch" several times and also saying "pig, whore," for some time. During the name-calling the officer was patting down the man and was emptying the man's pockets.
7. The man's girlfriend was also yelling at the officer. The officer then proceeded to take the man to a police squad and the girlfriend of the man was getting in the way of the officer. The officer then told the girlfriend to "back away." She did not and got into the officer's face. The officer then told the girlfriend she was under arrest. While holding the man who was handcuffed with one hand and took the girlfriend with the other hand, another officer came to help handcuff the girlfriend.

8. The man told the officer "don't be so fucking rough with her she is pregnant." During this time, your Complainant also saw five or six other officers walking around with their handguns and shotguns out. Several people were handcuffed and put in police cars. The officers were looking in all our yards and shrubs for something. Your Complainant does not know who said it, but he heard mention of a gun.
9. Your Complainant saw the man who was stabbed receiving medical attention and taken away by an ambulance. A fire hose was used to wash away all the blood. Your Complainant heard the officer tell the female who was handcuffed and in the squad "You are being arrested for a felony for spitting in an officer's face." Your Complainant did ask an officer if he needed to worry about anything that might be their yards or shrubs and he told him no. This all lasted about one and one-half hours. Your Complainant counted at least six squad cars and ten officers with guns drawn. Your Complainant had a very hard time getting back to sleep that night. On Sunday afternoon Complainant saw the man who was arrested pick up his car. Before he got into his car he looked around for something.

Wherefore, your Complainant, Agapito Cruz, prays that the Class "B" Tavern License of Michael F. DeSautel for the premises at 4177 South Howell Avenue in the City and County of Milwaukee, Wisconsin be revoked pursuant to the provisions of § 125.12(2)(ag)2., 3, and 4., Wis. Stats.

  
\_\_\_\_\_  
Agapito Cruz

Subscribed and sworn to before  
me this 9th day of October, 2001

  
\_\_\_\_\_  
Notary Public, State of Wisconsin  
My Commission Expires: 12-75-02



**City of Milwaukee Common Council Utilities and Licenses Committee**

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In Re: Class "B" Tavern License of  
Michael DeSautel  
4177 South Howell Avenue  
Milwaukee, WI

**COMPLAINT**

Common Council File No. \_\_\_\_\_

Doing Business as:  
Daddios  
4177 South Howell Avenue  
Milwaukee, WI

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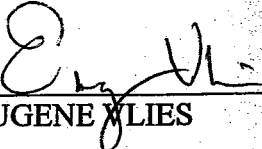
Comes now Eugene Vlies (hereinafter "Complainant"), being first duly sworn and upon his oath who respectfully shows and alleges as follows:

1. Eugene Vlies is an adult resident of the State of Wisconsin residing at 4200 South 1<sup>st</sup> Street, Milwaukee, Wisconsin 53207.
2. Complainant is a neighbor of "Daddios."
2. Complainant Eugene Vlies has observed much litter generated by patrons of "Daddios."
3. While Eugene Vlies has observed Mr. DeSautel picking up litter within 20 feet of the front entrance of "Daddios", he has never observed Mr. DeSautel pick up litter in the adjoining neighborhood generated by the patrons of "Daddios."
4. On Saturday, August 4, 2001, Eugene Vlies experienced several incidents of patrons of "Daddios" urinating on lawns, throwing up on lawns, walking down the sidewalk in residential neighborhoods loudly stating "you fucking whore", and similar vile and disgusting comments between 12:00 a.m. and 2:00 a.m. Eugene Vlies states that this happens on a regular basis on Thursday evenings, Friday evenings, and Saturday evenings.
5. Eugene Vlies has experienced trash, broken bottles, restaurant bags, etc. being thrown on lawns, including his lawn, generated by patrons of "Daddios" on a routine and regular basis.
6. Eugene Vlies has experience people running through yards in the adjoining neighborhood of the area around "Daddios" at 1:00 a.m. in the morning. Your Complainant verily believes that these individuals are patrons of "Daddios."
7. Automobiles carrying patrons of "Daddios" begin coming into the neighborhood at 11:00 p.m. and the increased traffic continues until 2:00 a.m. This causes extreme disturbances to your Complainant.

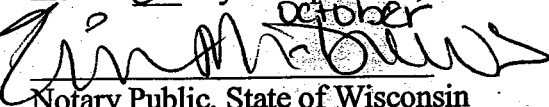
8. Eugene Vlies has called the police department regarding this conduct, but the calls appear to be low priority for the Milwaukee Police Department and officers do not appear in time to deal with the problems as they are occurring.
9. Eugene Vlies has noticed that there is a security agent hired by Michael DeSautel doing business as "Daddios" in the car, but rarely doing anything other than just sitting in the car.
10. Eugene Vlies has observed that patrons of "Daddios" yelled sexually-suggestive comments and remarks at a renter to whom he has let an upper flat on a regular basis. This conduct was upsetting to your Complainant and your Complainant's renter.
11. Eugene Vlies observed a security guard, one person in one vehicle arrive at 11:05 p.m. on Saturday, August 11, 2001.
12. At 12:05 a.m. on August 12, 2001, a car carrying patrons of "Daddios" came down to 1<sup>st</sup> and Plainfield with the car boom box vibrating. This conduct was upsetting to your Complainant.
13. On Sunday, August 12, 2001, at 12:05 a.m., a Corvette turned around in the driveway of Ms. Sally (Paige) <sup>Plain</sup> revved the engine and squealed the tires and raced to the stop sign. While this was transpiring, two women left "Daddios" who were arguing very loudly as they were walking down the street. While they were doing this they stopped to talk to the security guard. Their conversation, as well as the action of the operators of the Corvette disturbed the peace and quiet enjoyment of your Complainant's home.
14. On August 12, 2001 at 12:54 a.m., cars and <sup>K</sup>motorcycles carrying patrons of "Daddios" were in the neighborhood. Cars were pared three-quarters of the way up the street, some illegally, some across the crosswalk, and one had car alarm going off for one to two minutes, waking the neighbors. This disturbed your Complainant.
15. On August 18, 2001 at 1:50 a.m., Eugene Vlies was walking his dog in the 4200 block of South 1<sup>st</sup> Street because the dog could not sleep because of the noise generated by "Daddios." At 1:50 a.m., a patron was so intoxicated that had could not walk was standing by a car directly in front of the home of Mr. Vlies unzipping his trousers and urinating for approximately three minutes. This individual was almost run over by one of his friends because they were both intoxicated. <sup>he</sup>
16. On August 18, 2001 at 2:00 a.m., directly across the street from the home of Mr. Vlies, a group of four patrons of "Daddios" were "hanging out" by their van for 25 minutes. One of the individuals was so intoxicated he was standing by his van and urinating in the street and yard of the adjacent home. This individual asked one of the females, who was also present at the van, if one of <sup>them</sup> they could come around and "hold it for him." This conduct disturbed your Complainant.

17. Also on August 18, 2001 at approximately 2:00 a.m., three cars started to move into the intersection of 1<sup>st</sup> Street and Plainfield carrying patrons of "Daddios." The patrons were shouting at each other. The drivers were causing the engines of the vehicles to race and radios were loudly blasting music. After approximately three minutes, Mr. DeSautel showed up thanked them for their business and asked them to leave. This conduct ~~disturbed your Complainant.~~
18. On August 18, 2001 at approximately 2:00 a.m., beer bottles were strewn over the lawn of Mr. Vlies. Mr. Vlies picked up three of them at 2:20 a.m. and saved them.

Wherefore, your Complainant, Eugene Vlies, prays that the Class "B" Tavern License of Michael F. DeSautel for the premises at 4177 South Howell Avenue in the City and County of Milwaukee, Wisconsin be revoked pursuant to the provisions of § 125.12(2)(ag)2., 3, and 4., Wis. Stats.

  
EUGENE VLIES

Subscribed and sworn to before  
me this ~~31<sup>st</sup>~~ day of ~~September~~, 2001

  
Notary Public, State of Wisconsin  
My Commission Expires: August 15, 2005

In Re: Class "B" Tavern License of  
Michael DeSautel  
4177 South Howell Avenue  
Milwaukee, WI

Doing Business as:  
Daddios  
4177 South Howell Avenue  
Milwaukee, WI

COMPLAINT

Common Council File No. \_\_\_\_\_

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Comes now Janet Breitzman, Gerald Breitzman, and Pamela Breitzman (hereinafter "Complainants"), being first duly sworn and upon their oath who respectfully shows and alleges as follows:

1. Janet Breitzman, Gerald Breitzman, and Pamela Breitzman are adult residents of the City and County of Milwaukee, Wisconsin residing at 4156 South 1<sup>st</sup> Street, Milwaukee, Wisconsin 53207.
2. Janet Breitzman, Gerald Breitzman, and Pamela Breitzman are neighbors of "Daddios."
3. Janet Breitzman, Gerald Breitzman, and Pamela Breitzman have experienced loud music and litter from the conduct of Michael DeSautel's ("Daddios") patrons, particularly at closing times on weekends. That has disturbed their quiet and peaceable enjoyment of their home.
4. On the weekends traffic is extremely bad in front of the Breitzman home from patrons of "Daddios." A request was made of the security personnel hired by "Daddios" to control traffic and parking. The security person informed Gerald Breitzman that they had no directives to keep cars off the street.
5. On the evening of July 18, 2001 at approximately 12:30 and 2:30 a.m., the music was so loud that the Breitzmans could hear it in their home even with windows closed and the air conditioning on. That disturbed the quiet and peaceable enjoyment of the Breitzman home.
6. Janet Breitzman and her family were awoken on the evenings of April 7, 14 and 21, 2001 from loud music emanating from "Daddios." Janet Breitzman and her family have difficulty sleeping because of the music from "Daddios" from 11:00 p.m. until approximately 2:45 a.m. on a regular and recurring basis.

7. Janet Breitzman and her family have been regularly subjected to loud, profane and abusive language from patrons of "Daddios" as well as patrons urinating on the lawn of Janet Breitzman as well as neighbors' lawns.
8. On the evening and early morning hours of May 4 and 5, 2001, Janet Breitzman was awoken by patrons exiting "Daddios" and getting into their cars at 1:30 a.m., 2:00 a.m., and 3:30 a.m.
9. On the evening of May 5, 2001, Janet Breitzman experienced increased traffic up and down their street caused by patrons of "Daddios."
10. On May 5, 2001, the music emanating from "Daddios" was extremely loud. The traffic was very heavy on the block. The noise and commotion went from 11:00 p.m. until 2:15 a.m. Janet and Gerald had just fallen asleep when the horn on a truck in front of their house honked. This was at approximately 2:30 a.m. Janet got up from bed and turned on the porch light. The truck then proceeded to move up the block north two houses. Gerald put some clothes on, took a flashlight and went out to get the license number. He shined the flashlight into the cab of the truck and observed a couple having sex in the front seat. That truck had parked in front of the Breitzman home at approximately 11:00 p.m., the owner got out of the truck and walked south to Plainfield Avenue where he turned the corner towards "Daddios." Based upon such observations, Gerald Breitzman concluded that the couple having sex and causing the disturbance had been patrons of "Daddios."
11. On May 12, 2001, the Breitzman family experienced another night of loud music from "Daddios" and the patrons exiting "Daddios." The noise and commotion went from 11:00 p.m. until 2:45 a.m. This caused Janet Breitzman to have a spoiled Mother's Day.
12. On June 1, 2, 8, 9, 15, 23, and 29, 2001, music emanating from "Daddios", and traffic and parking was very severe.
13. Late October, 2000 Mr. DeSautel and his attorney came around to talk individually with the neighbors. At that time Ms. Breitzman was still feeling like Mr. DeSautel should be given the benefit of the doubt - give him a chance. The Breitzmans offered \$25 per week to not complain. They did not accept this offer. Mr. DeSautel then suggested that the Breitzmans should have checked out the neighborhood thoroughly before they bought their house. Mr. DeSautel also stated that he was NOT responsible for his customers once they left his establishment. He further stated that the street in front of the Breitzman's home is public property and they could not keep his customers from parking there. Your Complainant verily believes that neither she nor her family need have the peaceable and quiet enjoyment of their home destroyed by the outrageous conduct of the patrons of "Daddios." She further believes that all of these problems are bad for the health of all the neighbors of "Daddios."
14. On September 13, 14 and 15, 2001, in spite of the terrible tragedy that had just occurred

in New York, Washington, D.C., and Pennsylvania, the patrons of "Daddios" were continuing to screech cars, holler, and argue over who was going to drive, disgusting language and loud music. This all occurred between the hours of 12:30 and 2:30 a.m. The Breitzmans could not get much sleep those three nights.

15. On September 20, 2001, a number of loud women patrons in the parking lot next to "Daddios" and behind our house awoke Pamela Breitzman at 2:00 a.m. She had to work the next day.
16. On September 21, 2001, at 2:02 a.m., Janet Breitzman was awoken by loud voices which seemed to come from directly beneath her window. When she looked out her front door there were three people talking in front of her neighbor's house to the south. Janet Breitzman asked them to go away as they had loudly awoken her from a sound sleep. She was answered with "We are just talking about where to go next." Janet Breitzman asked them to leave a second time and she was ignored. Then Janet Breitzman called the police at approximately 2:15 a.m. The people left before the police arrived.

Wherefore, your Complainants pray that the Class "B" Tavern License of Michael F. DeSautel for the premises at 4177 South Howell Avenue in the City and County of Milwaukee, Wisconsin be revoked pursuant to the provisions of § 125.12(2)(ag)2., 3, and 4., Wis. Stats.

Janet Breitzman  
JANET BREITZMAN

Pamela Breitzman  
PAMELA BREITZMAN

Subscribed and sworn to before  
me this 8<sup>th</sup> day of ~~September~~ <sup>October</sup>, 2001

Subscribed and sworn to before  
me this 8<sup>th</sup> day of ~~September~~ <sup>October</sup>, 2001

Tim M. DeWitt  
Notary Public, State of Wisconsin  
My Commission Expires: August 15, 2005

Tim M. DeWitt  
Notary Public, State of Wisconsin  
My Commission Expires: August 15, 2005

Gerald Breitzman  
GERALD BREITZMAN

Subscribed and sworn to before  
me this 8<sup>th</sup> day of ~~September~~ <sup>October</sup>, 2001

Tim M. DeWitt  
Notary Public, State of Wisconsin  
My Commission Expires: August 15, 2005

In Re: Class "B" Tavern License of  
Michael DeDeSautel  
4177 South Howell Avenue  
Milwaukee, WI

Doing Business as:  
("Daddios")  
4177 South Howell Avenue  
Milwaukee, WI

COMPLAINT

Common Council File No. \_\_\_\_\_

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Comes now Craig Plain (hereinafter "Complainant"), residing at 4178 South 1<sup>st</sup> Street in the City and County of Milwaukee, Wisconsin, being first duly sworn and upon his oath who respectfully shows and alleges as follows:

1. Craig Plain is an adult resident of the City and County of Milwaukee, Wisconsin residing at 4178 South 1<sup>st</sup> Street, in the City and County of Milwaukee, Wisconsin.
2. Your Complainant is a neighbor of the tavern know as "Daddios."
3. On Thursday, March 8, 2001 at approximately 3:00 a.m., complainant was awakened by a driving bass beat which was emanating from a karaoke player employed by Michael F. DeSautel at ("Daddios") playing music while loading a karaoke machine into his van. While this was transpiring, Mr. DeSautel was at the side of the karaoke player.
4. Every weekend complainant has trash in his yard, which includes beer bottles, liquor bottles, cups, cigarette butts, cigarettes lighters and wrappers all generated by patrons of "Daddios".
5. Craig Plain has had Christmas decorations and lights damaged by patrons of "Daddios."
6. Mr. DeSautel or employees of Mr. DeSautel have emptied beer bottles into dumpsters late at night causing noise that has awakened Craig Plain.
7. Michael F. DeSautel has had Lazer 103 and its giant boom box blaring outside of his establishment late at night.
8. At closing time crowds of patrons yell, scream and fight when leaving the premises.

9. Michael F. DeSautel has attracted loud and raucous patrons to his establishment with advertising phrases such as "Daddios-Where anything goes" and "Party with the Pro's."
10. The bass of the music played at "Daddios" is so loud that vibrations actually shake the home of Craig Plain.
11. Craig Plain has observed the security firms hired by Michael F. DeSautel for the premises at 4177 South Howell Avenue "Daddios". The security firms park in a car kiddy corner from the home of Craig Plain. The security guard never gets out of the car. In deed, on the weekend of March 10<sup>th</sup> and 11<sup>th</sup>, 2001, Craig Plain observed patrons in a car parked in front of a security car leave a Heineken bottle in the street. Also on the weekend of March 10<sup>th</sup> and 11<sup>th</sup>, 2001, there were three plastic cups from "Daddios" left on the curb in front of 4177 South Howell Avenue. Craig Plain observed that trash stay there until Saturday afternoon when he picked it up.
12. On Friday, March 15, 2001 at 1:30 a.m. Craig Plain was finishing work and getting ready for bed. He heard a noise and looked out to see a young man urinating in Daddios parking lot in full view of the street light. When finished, he hopped into a friends car and drove away.
13. On Saturday, April 21, 2001, Michael F. DeSautel had a band known as "Eddie Butts Band" playing at the premises known as "Daddios".
14. On information and belief Mr. Michael F. DeSautel had several uniformed security guards on hand for the event.
15. At 11:50 p.m. on April 21, 2001, a group of women were yelling back and forth as they existed "Daddios" and walked to their cars in the parking lot.
16. At 12:05 a.m., on April 22, 2001 a group of four Harley Davidson motorcycles with three "chopped" or having no mufflers, parked in front of the home owned by Craig D. Plain. These individuals revved their engines for close to five minutes as the staff of "Daddios" talked to them about parking elsewhere. When they finally left, they revved their engines loud enough to awaken the children of Craig D. Plain.
17. At 12:15 a.m. on April 22, 2001, two cars pulled in front of the home of Craig Plain. As they stopped, they threw garbage onto the lawn of Craig Plain and began yelling back and forth from one car to another car. The staff of "Daddios" finally got them to move, but all they did was pull around the corner to 1<sup>st</sup> Street. Two men and two women exited the vehicles and then walked around the home of Craig Plain yelling all the way.



18. At 1:10 a.m. on April 22, 2001, a group of patrons stood outside the home of Mr. Craig Plain yelling to others in the parking lot of "Daddios". The security staff stood by smoking on the corner of 1<sup>st</sup> & Plainfield. They never approached them. The yelling went on for approximately five minutes.
19. At 1:25 a.m. on Sunday, April 22, 2001, the two men and two women referenced in item #17 above, came out of "Daddios." The two guys came out running, one yelling "you fucker!" to another. The staff of "Daddios", and what appeared to be bouncers, responded and got them to settle down and left. After the security personnel and bouncers left, the group of four sat on their car hoods, which were parked on 1<sup>st</sup> Street. They sat for approximately 10-15 minutes drinking from what appeared to be a pint bottle by passing it between them. They were swaying, and Craig Plain felt it was doubtful if they were able to drive. The staff of "Daddios" approached the second time at which time they all piled into one car and left.
20. At 1:45 a.m. on Sunday, April 22, 2001, a group of males pulled into the parking lot of "Daddios". They horsed around on their way into the establishment and set off a car alarm. The alarm went off for over two minutes. At that time, a motorcycle with no muffler parked in front of Daddios. The children of Craig Plain were awoken by the noise of this incident.
21. At 2:35 a.m. on April 22, 2001, a car alarm went off and ran for approximately two minutes waking individuals up.
22. At 3:00 a.m. on April 22, 2001, there were two groups of patrons yelling back and forth as they left "Daddios". They stood in the parking lot of "Daddios" for awhile talking loudly but the security personnel kept an eye on them.
23. At 3:30 a.m., on April 22, 2001, Craig Plain was up and working and heard yelling on 1<sup>st</sup> Street. The two men and two women from incidents #17 and #19, above, came back. They came back to get the one car that they had left behind. One male was almost mauling one of the females trying to take her clothes off. She was so intoxicated, she almost allowed him to do it. The other male decided to relieve himself by urinating in the street. Eventually, one of the females convinced the other female to get in the car and go. The individual who was attempting to maul the one female was yelling loudly after the two females as they drove away. The two males got into their car and then squealed into the night.
24. The security guards left cigarette butts on the lawn of Craig Plain from the incidents of April 22/23, 2001.
25. On May 1, 2001, at approximately 12:40 p.m. Craig Plain experienced beer bottles and plastic cups left by patrons of "Daddios" on his driveway.

26. On the weekend of June 16<sup>th</sup> and 17<sup>th</sup>, 2001, Craig Plain and his family were awoken numerous times by noisy patrons leaving "Daddios".
27. On Friday evening, June 15, 2001, a drunken group exiting "Daddios" took turns on small motorcycles and motorbikes racing up and down Plainfield Avenue.
28. On Saturday evening, June 16/17, 2001, a group of four intoxicated males were yelling and arguing with several intoxicated females. Craig Plain called the police out of concern because the males threatened the females. The males, after the females left, stuck around their car and drank beers. The police never showed.
29. Over the weekend of June 16/17, 2001, Craig Plain saw patrons urinate on a neighbors lawn and a large amount of trash was brought out from patron by patrons of "Daddios." This included 8 beer can, 4 plastic cups and other assorted garbage.
30. As of July 11, 2001, the Craig Plain family was still experiencing disturbances at closing time at "Daddios".
31. On the evening of August 28, 2001, at approximately 9:30 a.m., Craig Plain saw motorcycles parked in the area of "Daddios". There was a FM 106 radio van parked on the street in front of a bus stop. No music was coming from the FM 106 van.
32. On Saturday, September 22, 2001. Craig Plain noticed that in the alley between my drive and Daddios was cleaned up. Your Complainant noticed this because of the overpowering odor of beer. Looking it over, Craig Plain found that Daddios got rid of all their plastic covered recycling containers (similar to City garbage cans). Mr. DeSautel is now dumping his empty bottles into a medium-sized metal dumpster. Mr. DeSautel is disregarding the signs posted on the dumpster to empty and rinse all containers for recycling, the bottles break, leftover beer flows out, leaks out of the dumpster, and flows down his drive, onto the sidewalk and into the street all in front of my house. On the weekends the stench is so bad Craig Plain and his family cannot sit in their backyard.
33. On September 30, 2001 at 12:15 a.m. Craig Plain was awoken by a loud group of patrons entering Daddios. Craig Plain saw a group of three young males sitting in a sedan lighting up a small pipe and passing it around to one another. Complainant called the Police to report suspect drug activity. While Craig Plain was talking to the dispatcher, the three left their car and entered Daddios. Craig Plain told the dispatcher, she asked if he still wanted a squad to respond. Craig Plain asked if they could do anything. He was informed not really, but no report would be filed unless a squad came out. Craig Plain requested a squad to ensure this action was documented. However, Craig Plain never saw one respond. There was no security from Daddios to be seen.

34. On September 30, 2001 at approximately 1:00 a.m., while trying to fall back asleep, Craig Plain kept hearing a loud thumping. After putting up with it for about half an hour, he got up, went outside to see if it was a car stereo, and realized it was coming from Daddios. Craig Plain called in a noise complaint to the police, leaving my name, address and phone. To the knowledge of Craig Plain, the police never responded.
35. On Sunday, September 30<sup>th</sup> at approximately 12:45 a.m. Craig Plain was again awoken by loud patrons. He observed several patrons leaving Daddios with plastic cups and beer bottles, which they threw onto his lawn. Within a span of 30 minutes, Craig Plain saw 3 separate instances of public urination, two beer cans being thrown into the street by Daddios Patrons as they drove away, and countless loud people and stereos. At no time were there any Security from Daddios present.
36. On Sunday, September 30, 2001 at approximately 1:30 a.m. as Craig Plain began to notice a large exodus of people from the bar, from both the front and side doors. It wasn't near closing time, and never before had so many left at one time. One person that was leaving was a young woman, obviously quite drunk, yelling and screaming about being kicked in the head, and how she "was going to wait for the bitch." A Milwaukee police car came north on 1<sup>st</sup> Street, turn east on Plainfield and drive up the back driveway of Daddios and onto their lawn. An Officer got out and went toward the crowd. Soon other squads were arriving from Howell Avenue. There were now people clustered around Daddios as well as many working there way west down Plainfield—both on sidewalk and in street.

Suddenly the first officer who responded came running from the crowd with his pistol in firing position. He approached a male walking down the street and told him to stop and put his hands up. The male continued to walk. The officer again requested the male to stop, put his hands up, or the officer would shoot. The male turned around and told the officer to go ahead and shoot. At this point the officer moved forward, subdued the suspect, put him up against a car, and cuffed him. It appeared he did a quick search of the subject and then began leading him away to a squad car. The female who was earlier yelling and screaming about being kicked, came after the police officer. The officer told her to back off. She again came at him, physically assaulting him. He pushed her away and again told her to back away. When she came at him again, the officer grabbed her, while still maintaining control of the first male subject, and put her against the hood of a nearby car. Other officers came to assist and she was cuffed and taken to a squad.

Craig Plain also saw a male who had come out of Daddios standing on the sidewalk, wrapping a cloth around his left forearm. Through all the commotion he heard people talking about a stabbing. He also heard the word "gun." Soon a fire truck and paramedics responded and were treating a victim. Eventually Craig Plain, his wife and a neighbor were outside— (other neighbors had lights on and

were staying in their house). Craig Plain saw the victim on a gurney being put into an ambulance.

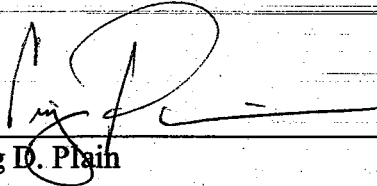
The crowds began to disperse. Craig Plain began to notice officers searching the street and nearby lawns and bushes with their flashlights. There seemed to be quite an intense effort to find something, so when the opportunity arose, the officer told Craig Plain there was nothing to worry about. Yet they still searched. Eventually the squads left, and the paramedics began spraying disinfectant over the blood on the sidewalk. Evidently, it wasn't enough, because the Fire Department hooked up a hose and began hosing down the sidewalk to remove the bloodstains. Due to the slight angle of the sidewalk, we soon had blood tainted over our driveway and sidewalk.

37. Sunday, September 30, 2001 at approximately 5:00 a.m. the wife of Craig Plain heard sounds outside the window. Craig Plain looked out to see three Hispanic males, early 20's, dressed in baggy pants and leather coats looking around the neighborhood with flashlights. They were searching the street and yards, in same areas the police had been looking earlier. The police non-emergency number was called to report this suspicious activity. He was told a squad was already on the scene. He corrected the dispatcher, the 3 individuals were definitely not police nor was their car any type of official vehicle and insisted a squad be sent. After 10 to 15 minutes of searching the individuals left—the police never responded.
38. On Sunday, September 30, 2001 at approximately 3:00 p.m. an Isuzu Rodeo had been parked in front of our house since the night before. Around 3:00 p.m. a car pulled up behind the Isuzu, and two young males got out. Craig Plain and his wife recognized one of them as individuals who had been arrested the night before. Instead of getting into their cars and leaving, the two of them spent 5 to 10 minutes walking up and down the street looking for something. Looking under cars and along the curbs. They finally left.

The actions of September 30, 2001 have been some of the most terrifying Craig Plain has known. He feared for the safety of his family, self, and his neighbors.


39. All of the foregoing has significantly disrupted the quiet and peaceable enjoyment of the home of the complainant's family.

Wherefore, your complainant, Craig D. Plain, prays that the license of Michael F. DeSautel for the premises at 4177 South Howell Avenue in the City and County of Milwaukee, Wisconsin be revoked pursuant to Section 125.12(2)(ag)2.,3., and 4, Wis. Stats.



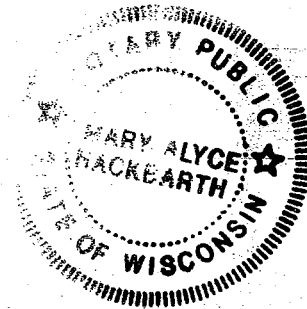
Craig D. Plain

Subscribed and sworn to before  
me this 8 day of October, 2001



Notary Public, State of Wisconsin

My Commission Expires: May 2, 2004



44952

In Re: Class "B" Tavern License of  
Michael DeDeSautel  
4177 South Howell Avenue  
Milwaukee, WI

Doing Business as:  
Daddios  
4177 South Howell Avenue  
Milwaukee, WI

COMPLAINT

Common Council File No. \_\_\_\_\_

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Comes now Shirley Chiaverotti ("Complainant"), being first duly sworn and upon her oath who respectfully shows and alleges as follows:

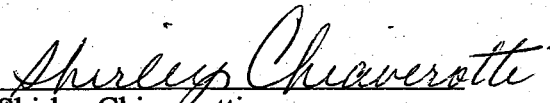
1. Your complainant is an adult female resident of the City and County of Milwaukee, Wisconsin residing at 4166 South 1<sup>st</sup> Street, in the City and County of Milwaukee, Wisconsin.
2. Your complainant is a neighbor of the licensed premises at 4177 South Howell Avenue in the City and County of Milwaukee, Wisconsin ("Daddios").
3. On April 1, 2001, your complainant experienced trash consisting of beer bottles, one of which was broken, on the corner of 1<sup>st</sup> & Plainfield. Your complainant verily believes that this litter was caused by and occasioned by patrons of Daddios.
4. On April 11, 2001, Shirley Chiaverotti experienced very loud music coming from two cars parked on Plainfield in the same direction. They were westbound. Their motors were running. Patrons came from Daddios and got into the cars and sped off after a long period of yelling. The time was approximately 2:00 a.m.
5. On April 12, 2001, Shirley Chiaverotti experienced a large amount of trash on the intersection of Plainfield and 1<sup>st</sup> Streets in the City and County of Milwaukee, Wisconsin. You complainant verily believes that this trash was occasioned by patrons leaving the licensed premises at Daddios.
6. On the dates of April 14<sup>th</sup> and April 15<sup>th</sup>, 2001, Shirley Chiaverotti experienced trash in the street and beer bottles. Your complainant verily believes that this trash and the beer bottles were attributable to patrons of Daddios.
7. On May 13, 2001 at 12:00 a.m., 2:25 a.m. and 3:00 a.m., your complainant experienced the sound of car doors slamming, patrons of Daddios yelling in front of her home. This awoke your complainant.

called Mr. DeSautel and said "Mike you had better come outside to settle things down because I believe they are out of control on the corner." Mr. DeSautel said "I have someone out there." Complainant relayed some things that had happened. About 20 minutes later, a man walked out of Complainant's neighbor's yard. The male could not have entered the yard from the front or at the opening in the back next to Daddios. A security person spoke to the man. At this same time there were loud horns blowing and people were yelling as they left Daddios. Complainant went outside with her daughter and stopped two males from urinating on Complainant's lawn and neighbor's lawn. As Complainant and her daughter were standing outside they observed a truck squealing its tires on 1<sup>st</sup> Street from Plainfield to Waterford barely missing some parked cars.

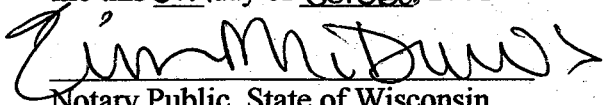
15. On August 11, 2001 at 12:55 a.m., a man urinated on a lawn across from Complainant's home.
16. On August 11, 2001 at 1:05 a.m., Complainant asked a female not to smoke pot in her neighborhood.
17. On August 11, 2001 at 1:40 a.m. and 1:45 a.m., Complainant observed males urinating.
18. On August 11, 2001 at 1:55 a.m., Milwaukee police were called regarding vehicles screeching down South 1<sup>st</sup> Street.
19. Complainant verily believes that the individuals involved in the incidents in ¶¶ 15-18, *supra*, were patrons of Daddios and would not have engaged in those actions in the absence of Daddios.
20. On August 11, 2001 at 2:15 a.m., patrons began leaving Daddios making noise, using foul language, and loud music emanating from vehicles.
21. On August 11, 2001 at 2:20 a.m., a male patron attempted to urinate on a tree.
22. On August 11, 2001 at 2:30 a.m., a white construction truck with a male sitting inside was flashing his brake lights and backed across the intersection to 4200 South 1<sup>st</sup> Street and talked to a passenger in a vehicle behind him. After 20 minutes Milwaukee police arrived and approached the vehicle behind the truck. A male exited the automobile and walked to the white truck fastening up his pants. But for Daddio's, Complainant believes this episode would not have occurred.
23. On August 18, 2001 the operator of a Chevrolet Blazer, license number 989CC2 was idling and revving the engine and burning rubber for about 30 seconds which caused burn holes in the pavement. There was also an incident of arguing and loud music at this time. A male also attempted to urinate on a neighborhood lawn which Complainant thwarted. Your Complainant believes that but for the operation of Daddios, this episode would not have occurred.

24. On August 18, 2001 at 1:20 a.m., another male urinated on a neighborhood lawn. Complainant and other neighbors yell at him to stop. There were numerous neighbors out witnessing these incidents.
25. On August 18, 2001 at 1:30 a.m., two female patrons and one male patron were arguing in front of 4166 South 1<sup>st</sup> Street. One female patron ran up the street yelling "Bob stop," etc. Foul language was used by these individuals.

Wherefore, your Complainant prays that the Class "B" tavern license of Michael F. DeSautel for the premises at 4177 South 1<sup>st</sup> Street in the City and County of Milwaukee, Wisconsin be revoked pursuant to the provisions of Section 125.12(2)2.3. and 4.

  
Shirley Chiaverotti

Subscribed and sworn to before  
me this 8<sup>th</sup> day of October 2001

  
Notary Public, State of Wisconsin  
My Commission Expires: August 15, 2005

44926



**AFFIDAVIT OF SERVICE**

STATE OF WISCONSIN }  
MILWAUKEE COUNTY } SS

Case No. \_\_\_\_\_

Court Date 10-16, 2001

Documents attached: [ ] Summons and Complaint [ ] Order [ ] Order to Show Cause [ ] Order to Appear before a Court Commissioner [ ] Subpoena  
[ ] Subpoena Duces Tecum [ ] Other \_\_\_\_\_

**CORPORATE SERVICE** I, B. Mejaki, as an agent for State Process Service, Inc. being duly sworn on oath state that I am an adult resident of the State of Wisconsin and that I am not a party to the action to which this affidavit is attached. Further, I do hereby swear I serve the attached document(s) to which this affidavit is attached by delivering to:

MPD - District 2 c/o Sergeant Wade Grubich and leaving it with  
LT. Rodriguez identified as

Officer [ ] Registered Agent  Person Apparently in Charge [ ] Managing Agent [ ] Authorized Agent [ ] Person Designated to Receive Legal Process

at 245 W Lincoln Ave City of Milwaukee or \_\_\_\_\_ of \_\_\_\_\_ WI

on the 12<sup>th</sup> day of October, 2001 at 6:55  am [ ] pm a true and correct copy of said document informing her of the contents thereof. I further swear I paid a check in the amount of \$ 8.00 in witness and/or travel fees to the above served party.

**GARNISHEE SERVICE [ ] Earnings [ ] Non-Earnings**

I, \_\_\_\_\_, as an agent for State Process Service, Inc., being duly sworn on oath state that I am an adult resident of the State of Wisconsin and that I am not a party to the action to which this affidavit is attached. I further swear I did serve the Garnishee Summons and Complaint in the above entitled action, hereto annexed, upon the named Garnishee identified as:

\_\_\_\_\_ by delivering to and leaving with \_\_\_\_\_

person in charge, personally, a true and correct (authenticated) copy thereof paying \_\_\_\_\_ the legal fee of \$ \_\_\_\_\_ at \_\_\_\_\_ [ ] am [ ] pm

on the \_\_\_\_\_ day of \_\_\_\_\_, 2001 at \_\_\_\_\_

City of Milwaukee, or \_\_\_\_\_ of \_\_\_\_\_ [ ] Milwaukee County or [ ] County of \_\_\_\_\_ WI

**COURT COMMISSIONER SERVICE**

I, \_\_\_\_\_, as an agent for State Process Service, Inc., being duly sworn on oath state that I am an adult resident of the State of Wisconsin and that I am not a party to the action to which this affidavit is attached. I further swear that I did serve the above identified attached document in the above entitled action by delivering to and leaving with \_\_\_\_\_

a true and correct (authenticated) copy thereof, exhibiting to \_\_\_\_\_ the original signed by the Honorable \_\_\_\_\_

[ ] Judge [ ] Court Commissioner at \_\_\_\_\_ [ ] am [ ] pm on the \_\_\_\_\_ day of \_\_\_\_\_, 2001 at:

[ ] City of Milwaukee or \_\_\_\_\_ of \_\_\_\_\_ [ ] County of Milwaukee or \_\_\_\_\_ of \_\_\_\_\_ WI

Subscribed and sworn to before me this  
12 day of October, 2001

Notary Public  
State of Wisconsin, Milwaukee County

My Commission Expires 10/04

**STATE PROCESS SERVICE, INC.**

*[Signature]*  
Agent  
©1999 State Process Service, Inc.

Affidavit \_\_\_\_\_ of \_\_\_\_\_  
1 HOUR MIN \_\_\_\_\_  
Fee for Service \$ 27.50  
20 MIN MIN \_\_\_\_\_  
Mileage Fee 6.00  
Special Fees \_\_\_\_\_  
Total Fees: \$ 33.50

COMMON COUNCIL OF THE CITY OF MILWAUKEE - COMMITTEE SUBPOENA  
STATE OF WISCONSIN )  
 )  
CITY OF MILWAUKEE )

The State of Wisconsin, to Sgt. Wade Grubich  
Police District #2  
245 W. Lincoln Avenue  
Milwaukee, WI 53207

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You are required to appear before the Utilities and Licenses

Committee of the Common Council of the City of Milwaukee, in Room 301-B, City Hall,  
200 East Wells Street, in said city, on the 16th day of October, 2001, at 8:00 o'clock in the  
morning of said day, to give evidence in the matter of the license application of  
Michael DeSautel, on the part of the complainants and you are further required to  
bring with you the following papers and documents: any day book entries or other documents in your possession relating to any calls or incidents relating to the premises at 4177 S. Howell Avenue.

Given under my hand this 11th day of October, 2001.

COMMON COUNCIL OF THE CITY OF MILWAUKEE  
Utilities and Licenses Committee

By   
JEFFREY A. PAWLINSKI, Chair

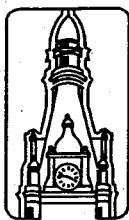
STATE OF WISCONSIN )  
 )  
CITY OF MILWAUKEE )

SERVICE OF SUBPOENA

I HEREBY CERTIFY, that I have duly subpoenaed the within-

Named witness at \_\_\_\_\_ o'clock \_\_\_\_\_ M., this \_\_\_\_\_ day

Of \_\_\_\_\_, 2001, and that said service was made:



CITY OF MILWAUKEE

# NEWS RELEASE

200 E. Wells Street, Milwaukee, WI 53202

October 5, 2001

**For information call:**

David Halbrooks  
Asst. City Attorney  
286-2601

## **City To Ask Judge To Shut Down South Side Tavern**

### *Hearing Today Will Seek To Temporarily Close Daddios*

The City of Milwaukee will ask a judge today to grant a temporary restraining order that would close Daddios, 4177 S. Howell Ave., until the Common Council can review the tavern's license.

A hearing has been scheduled before Judge Dennis Moroney in Milwaukee County Circuit Court at 1:30 p.m. today, Friday, October 5, 2001 in room 502 of the county courthouse. The media is invited and encouraged to attend the hearing.

According to court documents filed by David Halbrooks, assistant city attorney, Daddios has had a troubled history that includes dozens of police calls, arrests, reported crimes and disturbances. Police records show:

- The tavern generated 13 calls for police service from August 28 to September 30, 2001.
- There were 24 reported crimes at the tavern between Jan. 1, 2000 and Oct. 2, 2001.
- On Sept. 30, 2001, a disturbance broke out at the tavern and seven police squads were needed to restore order. One police officer was injured at the scene.
- Police calls for service include loud music, fighting, reckless use of weapons, trouble with patrons, crowd control, tavern violations, parking trouble, shots fired, threats, reports of drug use, and assault and batteries. Arrests at the tavern have included trouble with patrons, battery, disorderly conduct, purchase or possession of alcohol by minors, resisting and obstructing, retail theft and loitering.

-More-

**Daddios/ADD ONE**

• On May 5, 2001, neighbors reported extremely loud noise and commotion emanating from the tavern from 11 p.m. until 2:15 a.m. They reported that at about 2:30 a.m., patrons parked in a truck on the street were observed having sex in the front seat.

The city action asks that Daddios remain closed until the Common Council's Utilities & Licenses Committee, chaired by Alderman Jeff Pawlinski, in whose 13<sup>th</sup> Aldermanic District the tavern is located, has an opportunity to meet and evaluate the tavern's license. The city also asks that the court appoint a receiver to manage the tavern's building to ensure that any nuisances are abated and that no further damage or interference occurs to neighboring property owners.

Alderman Pawlinski, who has said he is intimately aware of the issues involving Daddios and the circumstances that have necessitated today's hearing, is currently out of town on city business and is referring all calls and questions on the matter to Assistant City Attorney Halbrooks, 286-2601.

**End**