

Jim Owczarski City Clerk

Rebecca N. Grill Deputy City Clerk

May 31, 2013

Vita V. Kakulis, Agt. Latvian House of Milwaukee, Inc. 8845 W. Lynx Ave. Milwaukee, Wisconsin 53225

Dear Mr. or Ms. Kakulis:

You are hereby notified that the Milwaukee Common Council will hold a hearing on Tuesday, June 11, 2013, commencing at 9:00 a.m., or as soon thereafter as this matter may be heard, in the Common Council chambers on the third floor of City Hall, 200 East Wells Street, Milwaukee, Wisconsin to consider whether to renew, renew with a suspension between 10 and 90 days, or not renew your Public Entertainment Premises license for the premises located at 8845 W. Lynx Ave. ("Latvian House of Milwaukee").

Attached you will find a copy of the Report of the Licenses Committee, which includes its Findings of Fact, Conclusions of Law, and Recommendation, recommending to not renew the Public Entertainment Premises license and to deny the application for Adding Concerts, Bands, and Theatrical Performances based on your nonappearance and testimony given at the hearing. The Committee recommended to renew your Class "B" license. These recommendations are the result of a public hearing before the Committee held on Wednesday, May 29, 2013.

Please be advised that the Common Council will determine whether to renew, renew with a suspension between 10 and 90 days, or not renew your Public Entertainment Premises license based upon the Findings of Fact contained within the Licenses Committee report.

You may file written objections to the report of the Licenses Committee regarding the Public Entertainment Premises license. The written objections must be filed with the City Clerk by 4:45 p.m. on Thursday, June 6, 2013 in Room 205 of City Hall. If you file written objections, you or a legal representative may then also appear at the Common Council to make oral arguments supporting the written objections. You will be given approximately five minutes to present the oral argument.

Respectfully,

AMES R. OWCZAR

y Clerk



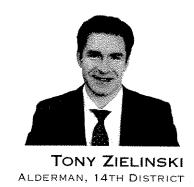


Licenses Committee

MEMBER

- Community and Economic Development Committee
- Steering and Rules Committee





Date: May 31, 2013

To: All Members of the Milwaukee Common Council

From: Licenses Committee

Re: Report on the Renewal Applications of the Class "B" Tavern and Public Entertainment Premises licenses of Vita V. Kakulis, agent for "Latvian House of Milwaukee, Inc.," for the premises located at 8845 West Lynx Avenue in the City and County of Milwaukee, Wisconsin ("Latvian House

of Milwaukee")

- 1. Vita V. Kakulis, agent for "Latvian House of Milwaukee, Inc." (hereinafter "the licensee"), is the holder of Class "B" Tavern and Public Entertainment Premises licenses for the premises located at 8845 West Lynx Avenue in the City and County of Milwaukee, Wisconsin ("Latvian House of Milwaukee"). Said licenses expire at midnight on July 5, 2013.
- 2. Applications to renew said licenses were filed with the Office of the City Clerk on April 25, 2013.
- 3. Pursuant to Chapters 90 and 108 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes, the matter was referred to the Milwaukee Police Department for investigation. The Milwaukee Police Department responded with no police report that could form a basis for non-renewal or suspension of said licenses.
- 4. On May 16, 2013, the City Clerk's Office provided timely notice to the licensee of a License's Committee hearing pursuant to Chapters 90 and 108 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes regarding neighborhood objections to the renewal of the licenses and provided a copy of the neighborhood objections to the licensee. The matter was scheduled for a hearing on the neighborhood objections on May 29, 2013, commencing at 8:45 a.m. in Room 301-B of the third floor of City Hall. At said date, time, and place, the licensee did not appear. The licensee was not represented by counsel.



- 5. Based upon the testimony heard and evidence received, the Committee makes the following findings of fact:
 - A. A notice of the hearing was sent to Vita V. Kakulis, agent for "Latvian House of Milwaukee, Inc." at 8845 West Lynx Avenue, Milwaukee, Wisconsin 53225 on May 16, 2013 by U.S. prepaid first-class mail in an envelope bearing the return address of the License Division. The address of 8845 West Lynx Avenue, Milwaukee, Wisconsin 53225 is the address given by the licensee on the application. The envelope was not returned to the License Division by the United States Postal Service. The licensee failed to appear at the hearing on May 29, 2013 following proper notice and mailing by United States first-class prepaid mail.
 - B. Ald. Joe Davis, 2nd aldermanic district, testified in support of the renewal of the Class B Tavern license. He opposed the renewal of the Public Entertainment Premises license and any additional entertainment to the license. He said that there have been extensive parties at the tavern that has contributed to litter and loitering in the neighborhood. The parties have generated complaints from residents. He was concerned that the Public Entertainment Premises license and any additional types of entertainment would allow the tavern to become an undesirable, full fledge night club like another similar business in the area.
 - C. Richard Schmidt, neighbor at 8702 W. Monrovia Ave., testified that he lives two blocks away and walks his dog past the tavern at least three times daily. He has personally witnessed the following at the tavern: the tavern's garbage and recycling carts not being timely returned to their storage sites, the tavern's garbage carts being overfilled with trash, overflowing trash from these garbage carts being blown away, the sidewalks around the tavern not being shoveled when there is snowfall under 3 inches, and ice all over the sidewalk around the tavern during the winter. The snow and ice on the sidewalks around the tavern pose a safety hazard. He was in opposition.

- 1. The Committee has jurisdiction to hold hearings and provide Findings of Fact, Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapter 125 of the Wisconsin Statutes and Chapters 90 and 108 of the Milwaukee Code of Ordinances.
- 2. Based upon the above findings of facts found, the Committee concludes that the licensee, Vita V. Kakulis, agent for "Latvian House of Milwaukee, Inc.," has not met the criteria of Chapter 90 of the Milwaukee Code of Ordinances to allow renewal of the Public Entertainment Premises license.

3. In order to protect the health, safety, and welfare of the citizens of the City of Milwaukee, it is the recommendation of the Licenses Committee that the full Common Council of the City of Milwaukee should exercise its judgment to renew the Class "B" Tavern license and not renew the Public Entertainment Premises license of Vita V. Kakulis, agent for "Latvian House of Milwaukee, Inc.," for the premises located at 8845 West Lynx Avenue in the City and County of Milwaukee, Wisconsin ("Latvian House of Milwaukee") based on nonappearance and testimony given at the hearing. The Committee finds the nonappearance and testimony, as stated above, to be true.

RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of two (2) ayes, one (1) no, and two (2) excused, recommends to renew the Class "B" Tavern license and not renew the Public Entertainment Premises license of Vita V. Kakulis, agent for "Latvian House of Milwaukee, Inc.," for the premises located at 8845 West Lynx Avenue in the City and County of Milwaukee, Wisconsin ("Latvian House of Milwaukee") based on nonappearance and testimony given at the hearing.

Dated and signed at Milwaukee, Wisconsin this 31st day of May, 2013.



Jim Owczarski City Clerk

Rebecca N. Grill Deputy City Clerk

May 31, 2013

Jose L. Gonzalez, Agt. Carniceria El Indio, Inc. 1709 S. Muskego Ave. Milwaukee, WI 53204 Atty. Vincent J. Bobot 5414 S. 13th St. Milwaukee, WI 53221

Dear Mr. Gonzalez and Atty. Bobot:

You are hereby notified that the Milwaukee Common Council will hold a hearing on Tuesday, June 11, 2013, commencing at 9:00 a.m., or as soon thereafter as this matter may be heard, in the Common Council chambers on the third floor of City Hall, 200 East Wells Street, Milwaukee, Wisconsin to consider whether to renew, renew with a suspension between 10 and 90 days, or not renew the Food Dealer Retail license for the premises located at 1709 S. Muskego Ave. ("Carniceria El Indio").

Attached you will find a copy of the Report of the Licenses Committee, which includes its Findings of Fact, Conclusions of Law, and Recommendation, recommending to not renew the Food Dealer Retail license based on the police report and testimony given at the hearing. This recommendation is the result of a public hearing before the Committee held on Wednesday, May 29, 2013.

Please be advised that the Common Council will determine whether to renew, renew with a suspension between 10 and 90 days, or not renew the Food Dealer Retail license based upon the Findings of Fact contained within the Licenses Committee report.

You may file written objections to the report of the Licenses Committee. The written objections must be filed with the City Clerk by 4:45 p.m. on Thursday, June 6, 2013 in Room 205 of City Hall. If you file written objections, you or a legal representative may then also appear at the Common Council to make oral arguments supporting the written objections. You will be given approximately five minutes to present the oral argument.

Respectfully,

JAMES R. OWCZAR

City Clerk

Enclosure

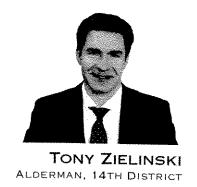


Licenses Committee

MEMBER

- Community and Economic Development Committee
- · Steering and Rules Committee





Date: May 31, 2013

To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report of the Renewal Application for a Food Dealer Retail License of Jose L. Gonzalez, agent for "Carniceria El Indio, Inc.," for the premises at 1709 South Muskego Avenue in the City and County of Milwaukee, Wisconsin ("Carniceria El Indio")

- Jose L. Gonzalez, agent for "Carniceria El Indio, Inc." (hereinafter the "licensee"), holds a Food Dealer Retail license for the premises at 1709 South Muskego Avenue in the City and County of Milwaukee, Wisconsin ("Carniceria El Indio"). Said license expires at midnight, June 30, 2013.
- An application to renew said license was filed with the Office of the City Clerk on May 3, 2013.
- 3. Pursuant to Chapter 68 of the Milwaukee Code of Ordinances, the matter was referred to the Milwaukee Police Department for investigation. The Milwaukee Police Department responded with a report, dated May 6, 2013, which could form the basis for denial or suspension of this license.
- 4. On May 16, 2013, the City Clerk's Office provided notice to the licensee pursuant to Chapter 68 of the Milwaukee Code of Ordinances of the police report and Milwaukee Police Department objections. The licensee was provided a copy of the police report and Milwaukee Police Department objections with the notice of hearing. The matter was scheduled for a hearing on the police report and Milwaukee Police Department objections on May 29, 2013, commencing at 9:30 a.m. in Room 301-B of City Hall. At said date, time, and place, the licensee did not appear. The licensee was represented by counsel, Attorney Vincent J. Bobot, 5414 South 13th Street, Milwaukee, WI 53221.
- 5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
 - A. On October 8, 2012, the applicant was cited at 1936 West Grant St. in the City of Milwaukee for Certificate of Occupancy Required. Guilty finding with a \$150 fine.



- B. On January 23, 2012, the applicant was cited at 2051 South 15th Pl. in the City of Milwaukee for Building Code Violations. Guilty finding with a \$280 fine.
- C. Between the dates of January 4, 2013 and February 9, 2013, an undercover State of Wisconsin Compliance Inspector, working in conjunction with Milwaukee police, observed several violations of Municipal Ordinance committed by an employee of Carniceria El Indio at the business (1709 South Muskego Avenue). This employee, Carlos Vega, purchased gold from the undercover inspector while inside the business without the appropriate license and failed to comply with additional ordinances as they apply to Precious Metal and Gem Dealers.

Officers also discovered several hundred tools in the basement of the building. Carlos Vega told officers he obtained the tools through his operation of a pawn type business. Vega was unable to produce the appropriate license for conducting this type of business.

On January 9, 2013, Carlos Vega, an employee of the store, sold a loose cigarette to a customer while inside the store. Additionally, several packs of cigarettes labeled "Tax Exempt for Use Outside of the U.S." were confiscated from the business.

During this investigation, 196 packages of prescription medications were discovered in various areas in the business, and were confiscated by police.

Carlos Vega was arrested for Possess With Intent to Deliver Prescription Drugs §450.11(7)(g) (2 counts). The finding is due for status conference on June 4, 2013 at 8:30 a.m. in Room 313, Safety Building.

Carlos Vega was also issued citations for:

Sell Cigarette in Package/Container Without Stamp
Secondhand Dealer License Required (2 citations)
Pawnbroker License Required
Precious Metal/Gem Dealer Required (2 citations)
Precious Metal/Gem Dealer – Hold Period (2 citations)
Junk Collector/Dealer Reporting Required (2 citations)
Dealers-Transaction Records Content (2 citations)
Precious Metal/Gem Dealer-ID Check Required (2 citations)

There has been guilty finding in Milwaukee Municipal court for all of the above citations.

D. On April 6, 2013, Milwaukee police discovered that the cameras inside the store at 1709 South Muskego Avenue (Carniceria El Indio) are not

- functioning. Officers provided Carlos Vega with a copy of Milwaukee Municipal Ordinance 68-4.3 as it pertains to camera requirements in corner stores.
- E. Officer Jeffrey Thiele, Milwaukee Police Department District 2, testified in opposition. Jose Gonzalez has been absent in the direct operations of the store. The store has been operating illegal activities A complaint originated from the local beyond its food operation. alderman's office prompting a police investigation. Police investigation and an undercover operation found the following at the store: illegal sale of federally banned medication and cigarettes from Mexico; buying of secondhand items from the public without the proper license by Mr. Vega; buying of gold by Mr. Vega on two occasions; and recovery of 499 hardware and construction tools in the store's basement that were bought by Mr. Vega from the public. Many of secondhand items and tools were stolen and are believed to be stolen. The secondhand items included GPS devices, cell phones, laptops, and iPods. Mr. Vega had admitted to partaking in these activities and has been arrested. Jose Gonzalez has not contacted Mr. Thiele.
- F. Oscar Gonzalez, 4846 W. 24th Pl., Cicero, IL, testified that Mr. Vega was the previous store manager and that his father, Jose Gonzalez, would visit the store once about every other month or two months. He added that he just recently became manager of the store since Mr. Vega's firing from the store. He was in opposition.
- G. Ald. Robert Donovan, 8th aldermanic district, testified in opposition due to the nonappearance of the agent at the meeting and the store's illegal activities as described by the police report and police testimony.

- 1. The Committee has jurisdiction to hold hearings and provided Findings of Fact, Conclusions of Law, and a Recommendation to the full Common Council pursuant to Chapter 68 of the Milwaukee Code of Ordinances.
- 2. Based upon the above facts found, the Committee concludes that the licensee, Jose L. Gonzalez, agent for "Carniceria El Indio, Inc.," has not met the criteria of Chapter 68 of the Milwaukee Code of Ordinances to allow renewal of the Food Dealer Retail license for the premises located at 1709 South Muskego Avenue ("Carniceria El Indio").
- In order to protect the health, safety, and welfare of the citizens of the City of Milwaukee, it is the recommendation of the Licenses Committee that the full Common Council of the City of Milwaukee should exercise its judgment to not renew the Food Dealer Retail license of Jose L. Gonzalez, agent for "Carniceria El Indio, Inc.," for the premises located at 1709 South Muskego Avenue in the City and County of Milwaukee, Wisconsin ("Carniceria El Indio") based on the police report and testimony given at the hearing. The Committee finds the police report and testimony, as stated above, to be true.

RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of five (5) ayes and zero (0) noes, recommends that the Food Dealer Retail license of Jose L. Gonzalez, agent for "Carniceria El Indio, Inc.," for the premises located at 1709 South Muskego Avenue in the City and County of Milwaukee, Wisconsin ("Carniceria El Indio") not be renewed based upon the police report and testimony given at the hearing.

Dated and signed at Milwaukee, Wisconsin this 31st day of May, 2013.

T. ANTHONY ZIEL

Chair, Licenses Committee



Jim Owczarski City Clerk

Rebecca N. Grill Deputy City Clerk

May 31, 2013

James C. White 1727-33 W. Atkinson Ave. Milwaukee, WI 53206

Atty. James E. Toran Law Offices of James Toran 3900 W. Brown Deer Rd., Ste. A 159 Milwaukee, WI 53209

Dear Mr. White and Atty. Toran:

You are hereby notified that the Milwaukee Common Council will hold a hearing on Tuesday, June 11, 2013, commencing at 9:00 a.m., or as soon thereafter as this matter may be heard, in the Common Council chambers on the third floor of City Hall, 200 East Wells Street, Milwaukee, Wisconsin to consider whether to renew, renew with a suspension between 10 and 90 days, or not renew the Class "B" Tavern and Public Entertainment Premises licenses for the premises located at 1727-33 W. Atkinson Ave. ("J & J's Tap").

Attached you will find a copy of the Report of the Licenses Committee, which includes its Findings of Fact, Conclusions of Law, and Recommendation, recommending to not renew the licenses based on the police report and neighborhood testimony. This recommendation is the result of a public hearing before the Committee held on Wednesday, May 29, 2013.

Please be advised that the Common Council will determine whether to renew, renew with a suspension between 10 and 90 days, or not renew the Class "B" Tavern and Public Entertainment Premises licenses based upon the Findings of Fact contained within the Licenses Committee report.

You may file written objections to the report of the Licenses Committee. The written objections must be filed with the City Clerk by 4:45 p.m. on Thursday, June 6, 2013 in Room 205 of City Hall. If you file written objections, you or a legal representative may then also appear at the Common Council to make oral arguments supporting the written objections. You will be given approximately five minutes to present the oral argument.

Respectfully,

AMES R. OWCZARS

Enclosure

Cc: 3618 N. 12th St., Milwaukee, WI 53206

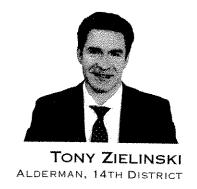


Licenses Committee

MEMBER

- Community and Economic Development Committee
- · Steering and Rules Committee





Date: May 31, 2013

To: All Members of the Milwaukee Common Council

From: Licenses Committee

Re: Report on the Renewal Applications of the Class "B" Tavern and Public Entertainment Premises licenses of James C. White for the premises located at 1727-33 West Atkinson Avenue in the City and County of Milwaukee, Wisconsin ("J & J's Tap")

- 1. James C. White (hereinafter "the licensee"), is the holder of Class "B" Tavern and Public Entertainment Premises licenses for the premises located at 1727-33 West Atkinson Avenue in the City and County of Milwaukee, Wisconsin ("J & J's Tap"). Said licenses expire at midnight on June 30, 2013.
- 2. Applications to renew said licenses were filed with the Office of the City Clerk on April 16, 2013.
- 3. Pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes, the matter was referred to the Milwaukee Police Department for investigation. The Milwaukee Police Department, on April 16, 2013, responded with a police report that could form a basis for non-renewal or suspension of said licenses.
- 4. On May 16, 2013, the City Clerk's Office provided timely notice to the licensee of a License's Committee hearing pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes regarding the police report and neighborhood objections. The licensee was provided a copy of the police report and neighborhood objections along with the notice of the hearing. The matter was scheduled for a hearing on the police report and neighborhood objections on May 29, 2013, commencing at 10:00 a.m. in Room 301-B of the third floor of City Hall. At said date, time, and place, the licensee did appear. The licensee was represented by counsel Attorney James E. Toran, 3900 W. Brown Deer Rd., Suite A 159, Milwaukee, WI 53209.



- 5. Based upon the testimony heard and evidence received, the Committee makes the following findings of fact:
 - A. On July 17, 2012 at 11:43 p.m., Milwaukee police responded to 1731 W. Atkinson Avenue for a shooting complaint. Investigation revealed a patron, who was in the bar prior to the shooting, was shot outside of the bar and died on the scene. Police spoke with the bartender, Veronica Stringer, who stated she was unsure of what happened. Police attempted to view surveillance but found that the two cameras inside the bar were not working.
 - B. On April 3, 2013 at 12:55 a.m., Milwaukee police were dispatched to 1731 W. Atkinson Avenue for a shooting complaint. Officers spoke with the bartender Veronica Stringer who stated a patron stepped outside to have a cigarette when he was shot. Stringer stated she didn't' hear or see anything that happened outside. Police spoke with the victim who stated he went outside for a smoke when he was shot. Police also interviewed a witness who stated he and the victim stepped outside for a smoke when the victim went around the corner to urinate. He stated that two subjects approached the witness and tried to grab him when he fought back and ran into the bar. He further stated that the victim then came into the bar saying he had been shot. No video cameras were located outside of the tavern and the cameras that are inside are currently not operating and haven't been for approximately three months.
 - C. Cherri Hampton, neighbor at 3928 N. 20th St., testified that she has witnessed the following at the tavern: panhandling, loitering outside, patrons using the bathroom outside, no video surveillance, smoking outside without any ash trays, and the tavern exterior maintained properly like other successful establishments. She was in opposition.
 - D. Margaret Crowley, neighbor at 3927 N. 19th Pl., testified that it was one of her sons that was killed at the tavern and that there is a church that she attends next door. She was in opposition.
 - E. Anthony Martin, one of Ms. Crowley's sons, testified that it was his younger brother that was killed at the tavern. He was in opposition.
 - F. Seven individuals appeared and testified in support saying that they saw no problems at the tavern during the times that they would were there.

1. The Committee has jurisdiction to hold hearings and provide Findings of Fact, 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 findings of facts found, the Committee concludes that the licensee, James C. White, has not met the criteria of Chapter 125 of the Wisconsin Statutes or Chapter 90 of the Milwaukee Code of Ordinances to allow renewal of his Class "B" Tavern and Public Entertainment Premises licenses.
- 3. In order to protect the health, safety, and welfare of the citizens of the City of Milwaukee, it is the recommendation of the Licenses Committee that the full Common Council of the City of Milwaukee should exercise its judgment to not renew the Class "B" Tavern and Public Entertainment Premises licenses of James C. White for the premises located at 1727-33 West Atkinson Avenue in the City and County of Milwaukee, Wisconsin ("J & J's Tap") based upon the police report and neighborhood testimony. The Committee finds the police report and neighborhood testimony, as stated above, to be true.

RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of five (5) ayes and zero (0) noes, recommends to not renew the Class "B" Tavern and Public Entertainment Premises licenses of James C. White for the premises located at 1727-33 West Atkinson Avenue in the City and County of Milwaukee, Wisconsin ("J & J's Tap") based upon the police report and neighborhood testimony.

Dated and signed at Milwaukee, Wisconsin this 31st day of May, 2013.

Chair/Licenses Committe



Jim Owczarski City Clerk

Rebecca N. Grill Deputy City Clerk

May 31, 2013

Joseph M. Kuntz, Agt. The Chalk House MKE, LLC 1137 N. Old World Third St. Milwaukee, WI 53203

Dear Mr. Kuntz:

You are hereby notified that the Milwaukee Common Council will hold a hearing on Tuesday, June 11, 2013, commencing at 9:00 a.m., or as soon thereafter as this matter may be heard, in the Common Council chambers on the third floor of City Hall, 200 East Wells Street, Milwaukee, Wisconsin to consider whether to renew, renew with a suspension between 10 and 90 days, or not renew the Class "B" Tavern and Public Entertainment Premises licenses for the premises located at 1137 N. Old World Third St. ("The Loaded Slate MKE").

Attached you will find a copy of the Report of the Licenses Committee, which includes its Findings of Fact, Conclusions of Law, and Recommendation, recommending to renew the licenses with a ten (10) day suspension based on the police report and aldermanic testimony. This recommendation is the result of a public hearing before the Committee held on Wednesday, May 29, 2013.

Please be advised that the Common Council will determine whether to renew, renew with a suspension between 10 and 90 days, or not renew the Class "B" Tavern and Public Entertainment Premises licenses based upon the Findings of Fact contained within the Licenses Committee report.

You may file written objections to the report of the Licenses Committee. The written objections must be filed with the City Clerk by 4:45 p.m. on Thursday, June 6, 2013 in Room 205 of City Hall. If you file written objections, you or a legal representative may then also appear at the Common Council to make oral arguments supporting the written objections. You will be given approximately five minutes to present the oral argument.

Respectfully,

Lity Clerk

Enclosure

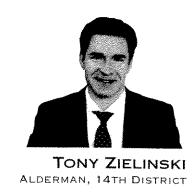


· Licenses Committee

MEMBER

- Community and Economic Development Committee
- · Steering and Rules Committee





Date: May 31, 2013

To: All Members of the Milwaukee Common Council

From: Licenses Committee

Re: Report on the Renewal Applications of the Class "B" Tavern and Public Entertainment Premises licenses of Joseph M. Kuntz, agent for "The Chalk House MKE LLC," for the premises located at 1137 North Old World Third Street in the City and County of Milwaukee, Wisconsin ("The Loaded Slate

MKE")

- 1. Joseph M. Kuntz, agent for "The Chalk House MKE LLC" (hereinafter "the licensee"), is the holder of Class "B" Tavern and Public Entertainment Premises licenses for the premises located at 1137 North Old World Third Street in the City and County of Milwaukee, Wisconsin ("The Loaded Slate MKE"). Said licenses expire at midnight on June 13, 2013.
- 2. Applications to renew said licenses were filed with the Office of the City Clerk on April 25, 2013.
- 3. Pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes, the matter was referred to the Milwaukee Police Department for investigation. The Milwaukee Police Department, on April 25, 2013, responded with a police report that could form a basis for non-renewal or suspension of said licenses.
- 4. On May 17, 2013, the City Clerk's Office provided timely notice to the licensee of a License's Committee hearing pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes regarding the police report and provided a copy of the police report to the licensee. The matter was scheduled for a hearing on the neighborhood objections on May 29, 2013, commencing at 11:15 a.m. in Room 301-B of the third floor of City Hall. At said date, time, and place, the licensee did appear. The licensee was not represented by counsel.



- 5. Based upon the testimony heard and evidence received, the Committee makes the following findings of fact:
 - A. On August 3, 2012 at 1:30 a.m., Milwaukee police conducted a license premise check at 1137 N. Old World Third Street. Investigation revealed the bar had underage patrons, some which fled upon seeing police. Officers observed there was no one at the door checking ID's and spoke with Joe Kuntz. Kuntz stated it was unusually busy this particular night and had the doorman also acting as a barback, stocking coolers. Kuntz was advised he must always have someone at the door checking ID's. The underage patrons were cited.
 - B. On March 2, 2013 at 12:00 a.m., Milwaukee police conducted a license premise check at 1137 N. Old. World Third Street. Investigation revealed underage patrons were inside the bar and were cited. Police spoke with Paul Schemelzer who was the doorman/security person, who stated they must have had fake ID's because he checked everyone's ID as they entered. Schemelzer was advised to ask for a school 1D or some other form of ID when suspicious of a patron. The agent, Joseph Kuntz, was advised to have his security refer to identification reference book that was provided to them earlier in the year by police.
 - C. On March 7, 2013 at 12:20 a.m., Milwaukee police conducted a license premise check at 1137 N. Old World Third Street. Upon entering the tavern, police observed an employee of the bar standing on the top of the counter with a bottle of liquor in her hand pouring it into the mouths of patrons. Police spoke with the agent Joseph Kuntz and explained that this is a health code violation and the employee would have to stop. Kuntz stated he was unaware that it was a violation and was issued a warning.
 - D. On April 6, 2013 at 12:10 a.m., Milwaukee police conducted a license premise check at 1137 N. Old World Third Street. Investigation revealed the bar had patrons under the age of 21 and those patrons were cited for presence of underage and obstructing. Officers spoke with Jerome Mellon who was advised of the underage patrons. Mellon stated that he would hold a meeting with his security about the ongoing problem with underage patrons.
 - E. Ald. Robert Bauman, 4th aldermanic district, testified that he was concerned with this fairly new bar already having encountered a number of underage patrons as reflected in the police report. He added that some type of suspension was warranted.

- The Committee has jurisdiction to hold hearings and provide Findings of Fact, 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 findings of facts found, the Committee concludes that the licensee, Joseph M. Kuntz, agent for "The Chalk House MKE LLC," has not met the criteria of Chapter 125 of the Wisconsin Statutes or Chapter 90 of the Milwaukee Code of Ordinances to allow renewal of the Class "B" Tavern and Public Entertainment Premises licenses without undergoing a ten (10) day suspension of said licenses.
- 3. In order to protect the health, safety, and welfare of the citizens of the City of Milwaukee, it is the recommendation of the Licenses Committee that the full Common Council of the City of Milwaukee should exercise its judgment to renew the Class "B" Tavern and Public Entertainment Premises licenses of Joseph M. Kuntz, agent for "The Chalk House MKE LLC," for the premises located at 1137 North Old World Third Street in the City and County of Milwaukee, Wisconsin ("The Loaded Slate MKE") with a ten (10) day suspension based upon the police report and aldermanic testimony. The Committee finds the police report and aldermanic testimony, as stated above, to be true.

RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of five (5) ayes and zero (0) noes, recommends to renew the Class "B" Tavern and Public Entertainment Premises licenses of Joseph M. Kuntz, agent for "The Chalk House MKE LLC," for the premises located at 1137 North Old World Third Street in the City and County of Milwaukee, Wisconsin ("The Loaded Slate MKE") with a ten (10) day suspension based upon the police report and aldermanic testimony.

Said suspension will be in effect between 12:01 a.m., June 14, 2013 through midnight, June 23, 2013.

Dated and signed at Milwaukee, Wisconsin this 31st day of May, 2013.

T. ANZHONY ZIELINSKI Chair Licenses Committee



Jim Owczarski City Clerk

Rebecca N. Grill Deputy City Clerk

May 31, 2013

Amritdeep Kaur, Agt. Shubh Alliance, Inc. 714 N. 27th St. Milwaukee, WI 53208

Enclosure

Attys. Michael Maistelman and Michael Rud Maistelman & Associates LLC 5033 W. North Ave. Milwaukee, WI 53208

Dear Mr. or Ms. Kaur, Atty. Maistelman, and Atty. Rud:

You are hereby notified that the Milwaukee Common Council will hold a hearing on Tuesday, June 11, 2013, commencing at 9:00 a.m., or as soon thereafter as this matter may be heard, in the Common Council chambers on the third floor of City Hall, 200 East Wells Street, Milwaukee, Wisconsin to consider whether to renew, renew with a suspension between 10 and 90 days, or not renew the Food Dealer Retail license for the premises located at 714 N. 27th St. ("Shubh Mobil").

Attached you will find a copy of the Report of the Licenses Committee, which includes its Findings of Fact, Conclusions of Law, and Recommendation, recommending to not renew the Food Dealer Retail license based on the police report and testimony given at the hearing. This recommendation is the result of a public hearing before the Committee held on Wednesday, May 29, 2013.

Please be advised that the Common Council will determine whether to renew, renew with a suspension between 10 and 90 days, or not renew the Food Dealer Retail license based upon the Findings of Fact contained within the Licenses Committee report.

You may file written objections to the report of the Licenses Committee. The written objections must be filed with the City Clerk by 4:45 p.m. on Thursday, June 6, 2013 in Room 205 of City Hall. If you file written objections, you or a legal representative may then also appear at the Common Council to make oral arguments supporting the written objections. You will be given approximately five minutes to present the oral argument.

Respectfully,

ty Clerk

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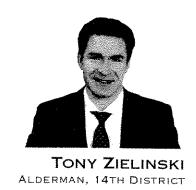


Licenses Committee

MEMBER

- Community and Economic
 Development Committee
- Steering and Rules Committee





Date: May 31, 2013

To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report of the Renewal Application for a Food Dealer Retail License of Amritdeep Kaur, agent for "Shubh Alliance, Inc.," for the premises at 714 North 27th Street in the City and County of Milwaukee, Wisconsin

("Shubh Mobil")

- 1. Amritdeep Kaur, agent for "Shubh Alliance, Inc." (hereinafter the "licensee"), holds a Food Dealer Retail license for the premises at 714 North 27th Street in the City and County of Milwaukee, Wisconsin ("Shubh Mobil"). Said license expires at midnight, June 30, 2013.
- 2. An application to renew said license was filed with the Office of the City Clerk on March 27, 2013.
- 3. Pursuant to Chapter 68 of the Milwaukee Code of Ordinances, the matter was referred to the Milwaukee Police Department for investigation. The Milwaukee Police Department responded with a report, dated May 14, 2013, which could form the basis for denial or suspension of this license.
- 4. On May 22, 2013, the City Clerk's Office provided notice to the licensee pursuant to Chapter 68 of the Milwaukee Code of Ordinances of the police report, Milwaukee Police Department memorandum, and aldermanic objections. The licensee was provided a copy of the police report, Milwaukee Police Department memorandum, and aldermanic objections with the notice of hearing. The matter was scheduled for a hearing on the police report and Milwaukee Police Department objections on May 29, 2013, commencing at 11:15 a.m. in Room 301-B of City Hall. At said date, time, and place, the licensee did appear. The licensee was represented by counsel, Attorney Michael Maistelman and Attorney Michael Rud, 5033 West North Avenue, Milwaukee, WI 53208.
- 5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
 - A. On April 24, 2012 at 11:55 p.m., Milwaukee police responded to a shots fired complaint at the Mobil gas station on the corner of North 27th Street



- and West Wisconsin Avenue (Mobil). Investigation revealed the victim was in the back seat of a vehicle that pulled into the parking lot of the business. Almost immediately, another vehicle pulled up behind them. The passenger in that vehicle produced a chrome handgun and fired 3-4 shots at the vehicle the victim was sitting in, striking the victim in the thigh and hand. Milwaukee police incident report #121160006 filed.
- B. On July 2, 2012 at 7:22 p.m., Milwaukee police, while on patrol, observed a known drug dealer (Reginald Hiley) loitering inside the business at 714 North 27th Street (Mobil Gas). A baggy containing 19 individually wrapped corner cuts containing crack cocaine was recovered from a shelf next to the front door of the business. Hiley was cited for, and later convicted of, Loitering-Illegal Drug Activity.
- C. On August 1, 2012 at 5:40 p.m., a Milwaukee police officer observed a hand-to-hand drug deal take place in a vehicle parked near pump #2 in the parking lot of the business at 714 North 27th Street (Mobil Gas). Clear plastic bags containing marijuana were recovered from the vehicle and from the two parties involved in the hand-to-hand drug deal. Both parties were arrested for, and later convicted in Circuit Court, of possession of THC. Milwaukee police attempted to retrieve video of this incident but were informed by the applicant that the video surveillance was not functioning.
- D. On August 1, 2012 at 9:50 p.m. while conducting follow-up regarding a narcotics investigation at 714 North 27th Street (Mobil Gas), Milwaukee police discovered milk in the cooler of the business that had passed its expiration date. The applicant was cited. Guilty finding for Rotate Milk Inventory/Remove Outdated with a \$114 fine.
- E. On August 4, 2012 at 12:10 a.m., Milwaukee police observed a number of vehicles and citizens inside and outside the business at 714 North 27th Street (Mobil Gas). The applicant was cited for License Required if Establishment Open 12 a.m. 5 a.m. Dismissed without prejudice finding.
- F. On September 22, 2012 at 8:46 p.m., Milwaukee police were dispatched to a battery complaint at 714 North 27th Street (Mobil Gas). Investigation revealed that an employee of the store was beaten by a shoplifter in the parking lot of the business. Milwaukee police incident report #122660156 was filed. While the store clerk was being beaten in the parking lot, another individual entered the business and removed cash from the register. Milwaukee police incident report #122660164 was filed.
- G. On December 2, 2012 at 2:05 p.m., a Milwaukee police officer, while on routine patrol, observed two subjects loitering in the parking lot of the gas station at 714 N. 27th Street (Mobil). During the field interview, a pat down search was conducted of the subjects. One of the subjects possessed

- a clear plastic corner cut baggie, which contained "crack" cocaine. This subject was arrested. Milwaukee police incident report #123370076 filed.
- H. On December 9, 2012 at 8:22 p.m., a Milwaukee police officer, while on routine patrol, observed a subject loitering in the parking lot of the gas station at 714 N. 27th Street (Mobil). During the field interview, the subject explained to officers that he had a knife on his person and consented to be searched. During the search, five clear plastic corner cuts bags containing marijuana were discovered. This subject was arrested. Milwaukee police incident report #123440139 filed.
- I. June Moberly of Avenues West Association, 624 N. 24th St., testified that the gas station looks dirty, trash is not picked up at the gas station, and that the operators of the gas station have not acted on their promises that were discussed in meetings with Avenues West Association since 2005. She was in opposition.
- J. Terry Radke, Amanda St., Ashippun, WI, testified that he witnessed litter, loitering, roaches, prostitutes, drug dealing, and panhandling at the gas station for many years during the times that he used to live in the area, take the bus there, or buy gas there. He said that within the last licensing year, someone attempted to mug him two months ago when he was buying gas at the gas station. He was in opposition.
- K. Richard Lucas, 544 E. Ogden Ave., testified that he has seen prostitutes, drug dealings, and panhandling during the times that he works at security in the neighborhood. He added that he goes by the gas station at least 25 times a day and would personally witness these activities. He was in opposition.
- L. John Hennessy, 2627 W. Wells St., testified that the gas station has been a blight that has discouraged many clients from leasing his SOHI commercial building at 760 N. 27th St. in the area, which has caused economic hardship not only for his business but for other businesses in the area. His office is also near the gas station, and he is there at his office about five times out of the week. While in the area, he has personally witnessed at the gas station loitering, people yelling at him, trash on the lot and blowing over to his property as recently as this morning, potholes on the gas station lot, and dirty windows at the gas station. He added that this morning he went inside the gas station and saw a low number of food products and items of real value in his opinion. He was in opposition.
- M. Bob Green of Merril Park Neighborhood Association, 461 N. 35th St., testified that he has observed many prostitutes and loitering in the area, particularly at the gas station site. He added that he has seen people sitting in their cars, on their car's hoods, and on their car's back trucks at the gas station. He was in opposition.
- N. Rhonda Altenberg, 6460 Upper Pkwy N., testified that she sees litter at the gas station when she drives past it to her workplace at Marquette University

- every day. She added that she has seen limited items for sale inside the gas station. She was in opposition.
- O. Captain Michael J. Brunson, Milwaukee Police Department District 3, testified that since 2012 there have been 269 calls for service (CADs) at the gas station relating to 21 nuisance activities as described in the Milwaukee Code of Ordinances sec. 68-4-11-g. Of those 269 CADs, 115 have occurred in 2013. Loitering has been the most significant nuisance activity at the gas station. Other examples of nuisance activities at the gas station included disturbance of the peace, illegal drug activity, and public drunkenness. There have also been a lot of traffic violations at the gas station site. Since June 21, 2012 to May 14, 2013 the gas station has produced 508 CADs, which represents 34.2 percent of the total amount of CADs (1486) produced by food dealer establishments within a ten block radius. The gas station has been designated a nuisance property. The CADs have been draining resources from the police department. These nuisance activities are continuing, and he is convinced that the operator of the gas station will not change and address the issues there. He was in opposition.
- P. Officer Scott Lesniewski, Milwaukee Police Department District 3, testified that a significant portion of the CADs regarding the Mobil gas station have come from police officers who would take the time to make the CADs when on duty with other priorities or obligations. He added that the gas station operator has not submitted any plans to the police after the gas station was given nuisance status. He was in opposition.
- Q. Harriet Callier, 3030 W. Michigan St., testified that she has been living in the area for the last three years and would frequent the gas station. She added that she has seen unacceptable things at the gas station, but these things are expected in her opinion. She was in support.
- R. Ald. Robert Bauman, 4th aldermanic district, testified in opposition based on the gas station being a radioactive site of nuisance that has hindered economic activity around it.

- 1. The Committee has jurisdiction to hold hearings and provided Findings of Fact, Conclusions of Law, and a Recommendation to the full Common Council pursuant to Chapter 68 of the Milwaukee Code of Ordinances.
- 2. Based upon the above facts found, the Committee concludes that the licensee, Amritdeep Kaur, agent for "Shubh Alliance, Inc.," has not met the criteria of Chapter 68 of the Milwaukee Code of Ordinances to allow renewal of the Food Dealer Retail license for the premises located at 714 North 27th Street ("Shubh Mobil").
- 3. In order to protect the health, safety, and welfare of the citizens of the City of Milwaukee, it is the recommendation of the Licenses Committee that the full Common Council of the City of Milwaukee should exercise its judgment to not renew the Food Dealer Retail license of Amritdeep Kaur, agent for "Shubh

Alliance, Inc.," for the premises located at 714 North 27th Street in the City and County of Milwaukee, Wisconsin ("Shubh Mobil") based on the police report and testimony given at the hearing. The Committee finds the police report and testimony, as stated above, to be true.

RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of five (5) ayes and zero (0) noes, recommends that the Food Dealer Retail license of Amritdeep Kaur, agent for "Shubh Alliance, Inc.," for the premises located at 714 North 27th Street in the City and County of Milwaukee, Wisconsin ("Shubh Mobil") not be renewed based upon the police report and testimony given at the hearing.

Dated and signed at Milwaukee, Wisconsin this 31st day of May, 2013.

Chair, Licenses Committee



Jim Owczarski City Clerk

Rebecca N. Grill Deputy City Clerk

May 31, 2013

Amanda L. Velfling, Agt. Little Caesar Enterprises, Inc. 2211 Woodward Ave., #4th Floor Detroit, MI 48201

Dear Ms. Velfling 3

You are hereby notified that the Milwaukee Common Council will hold a hearing on Tuesday, June 11, 2013, commencing at 9:00 a.m., or as soon thereafter as this matter may be heard, in the Common Council chambers on the third floor of City Hall, 200 East Wells Street, Milwaukee, Wisconsin to consider whether to renew, renew with a suspension between 10 and 90 days, or not renew the Food Dealer - Restaurant license for the premises located at 2831 N. Oakland Ave. ("Little Caesars #305").

Attached you will find a copy of the Report of the Licenses Committee, which includes its Findings of Fact, Conclusions of Law, and Recommendation, recommending to not renew the Food Dealer – Restaurant license based on testimony given at the hearing. This recommendation is the result of a public hearing before the Committee held on Wednesday, May 29, 2013.

Please be advised that the Common Council will determine whether to renew, renew with a suspension between 10 and 90 days, or not renew the Food Dealer – Restaurant license based upon the Findings of Fact contained within the Licenses Committee report.

You may file written objections to the report of the Licenses Committee. The written objections must be filed with the City Clerk by 4:45 p.m. on Thursday, June 6, 2013 in Room 205 of City Hall. If you file written objections, you or a legal representative may then also appear at the Common Council to make oral arguments supporting the written objections. You will be given approximately five minutes to present the oral argument.

Respectfully,

JAMES R. OWCZAJ

City Clerk

Enclosure

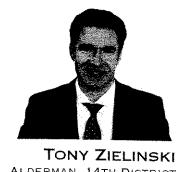


Licenses Committee

MEMBER

- Community and Economic Development Committee
- Steering and Rules Committee





ALDERMAN, 14TH DISTRICT

Date: May 31, 2013

To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report of the Renewal Application for a Food Dealer - Restaurant License of Amanda L. Velfling, agent for "Little Caesar Enterprises, Inc.," for the premises located at 2831 North Oakland Avenue in the City and County of Milwaukee, Wisconsin ("Little Caesars #305")

- 1. Amanda L. Velfling, agent for "Little Caesar Enterprises, Inc." (hereinafter the "licensee"), holds a Food Dealer - Restaurant license for the premises located at 2831 North Oakland Avenue in the City and County of Milwaukee, Wisconsin ("Little Caesars #305"). Said license expires at midnight, June 30, 2013.
- 2. An application to renew said license was filed with the Office of the City Clerk on April 26, 2013.
- 3. Pursuant to Chapter 68 of the Milwaukee Code of Ordinances, the matter was referred to the Milwaukee Police Department for investigation. The Milwaukee Police Department responded with no report which could form the basis for denial or suspension of this license.
- 4. On May 16, 2013, the City Clerk's Office provided notice to the licensee pursuant to Chapter 68 of the Milwaukee Code of Ordinances of neighborhood objections and provided a copy of the neighborhood objections to the licensee. The matter was scheduled for a hearing on the neighborhood objections on May 29, 2013, commencing at 1:30 p.m. in Room 301-B of City Hall. At said date, time, and place, the licensee did not appear. The licensee was not represented by counsel.
- 5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
 - A. Carl Ramirez, 1734 E. Geneva Pl., testified that he has witnessed at or from Little Caesars the following: litter from its pizza boxes to litter from its customers, the nearby park having pizza boxes and litter there from the pizza shop, too many customers, glass shattered on his driveway next door from Little Caesars' parking lot, loud music during moments in the day, lack of



from Little Caesars' parking lot, loud music during moments in the day, lack of consistent adherence to Board of Zoning Appeals rules, chains not being put up there other than two days, customers from the restaurant parking on his driveway, confrontation with customers and him over parking on his driveway, uncertainty regarding a consistent manager in control of the operations there, and poor management. His business is next door to Little Caesars. He has spoken to management at Little Caesars but that little action has taken place to address his concerns. He added that he has never seen or met the individuals representing Little Caesars who are present at the hearing today. He was in opposition.

- B. John Fox of Urban Ecology Center, 1500 E. Park Pl., testified that pizza boxes and litter from Little Caesars' is prevalent at the restaurant and area around it, expecially the park. He added that the restaurant no longer picking up garbage and providing extra garbage carts as originally promised with the Urban Ecology Center.
- C. Ald. Nik Kovac, 3rd aldermanic district, testified to issues of litter, complaints from neighbors in the area, concerns and call logs from the Department of Neighborhood Services, and lack of a signed, written agreement with the Urban Ecology Center regarding Little Caesars.
- D. Joseph Tetolo, 2831 N. Oakland Ave., testified that he has been the area supervisor for two months, picks up litter at the restaurant and park when he visits the restaurant, and has been making efforts to address the concerns mentioned, especially regarding litter and garbage carts.
- E. Two other individuals appeared and were present with Mr. Tetolo in representing the business.

CONCLUSIONS OF LAW

- 1. The Committee has jurisdiction to hold hearings and provided Findings of Fact, Conclusions of Law, and a Recommendation to the full Common Council pursuant to Chapter 68 of the Milwaukee Code of Ordinances.
- 2. Based upon the above facts found, the Committee concludes that the licensee, Amanda L. Velfling, agent for "Little Caesar Enterprises, Inc.," has not met the criteria of Chapter 68 of the Milwaukee Code of Ordinances to allow renewal of the Food Dealer Restaurant license for the premises located at 2831 North Oakland Avenue ("Little Caesars #305") without undergoing a ten (10) day suspension of said license.
- 3. In order to protect the health, safety, and welfare of the citizens of the City of Milwaukee, it is the recommendation of the Licenses Committee that the full Common Council of the City of Milwaukee should exercise its judgment to renew the Food Dealer Restaurant license of Amanda L. Velfling, agent for "Little Caesar Enterprises, Inc.," for the premises located at 2831 North Oakland Avenue in the City and County of Milwaukee, Wisconsin ("Little Caesars

#305") with a ten (10) day suspension based on testimony given at the hearing. The Committee finds the testimony, as stated above, to be true.

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 Food Dealer - Restaurant license of Amanda L. Velfling, agent for "Little Caesar Enterprises, Inc.," for the premises located at 2831 North Oakland Avenue in the City and County of Milwaukee, Wisconsin ("Little Caesars #305") be renewed with a ten (10) day suspension based upon testimony given at the hearing.

Said suspension will be in effect between 12:01 a.m., July 1 2013 through midnight, July 10, 2013.

Dated and signed at Milwaukee, Wisconsin this 31st day of May, 2013.

Chair, Licenses Committee