



JAMES N. WITKOWIAK
ALDERMAN, 12TH DISTRICT

November 2, 2007

To the Honorable, the Common Council

Dear Members:

Common Council File 070913 is a substitute motion suspending the Class "B" Tavern license for 30 days, based upon the complaint of Ald. Tony Zielinski, for the premises at 2155 S. Kinnickinnic Avenue ("Chaser's Pub") in the 14th aldermanic district.

Common Council File 070817 contains the following recommendations:

Renewal, with a 10-day suspension based on the police report, of the Class "B" Tavern license of Arnulfo Sosa for the premises at 1901 W. Grant St. ("Las Dos Estrellas") in the 13th aldermanic district.

Renewal, with a 30-day suspension based on the police report, of the Class "B" Tavern partnership license of Leonie and Ricardo McKenzie for the premises at 2035 W. Fond du Lac Ave. ("Leoric Sport Club Bar & Grill") in the 15th aldermanic district.

With regard to the files listed above, the Licenses Committee held an evidentiary hearing on October 29th 2007.

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 matters 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 Licensees.

These matters have been scheduled for a hearing before the full Common Council at its meeting on **Wednesday, November 21, 2007** at 9:00 A.M. in the Common Council Chambers.

Respectfully,


James N. Witkowiak, Chair
Licenses Committee

cc: All Council Members
Files 070913 and 070817



JAMES N. WITKOWIAK

ALDERMAN, 12TH DISTRICT

Date: November 2, 2007

To: All Members of the Milwaukee Common Council

From: Licenses Committee

Re: Report on the renewal application of Arnulfo Sosa for a Class "B" Tavern license for the premises located at 1901 West Grant Street in the City and County of Milwaukee, Wisconsin ("Las Dos Estrellas").

FINDINGS OF FACT

1. Arnulfo Sosa ("Licensee") is the holder of a Class "B" Tavern license for the premises located at 1901 West Grant Street in the City and County of Milwaukee, Wisconsin ("Las Dos Estrellas"). Said license expires at midnight, November 26, 2007.
2. An application to renew said license was filed with the Office of the City Clerk on September 25, 2007.
3. Pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes, the matter was referred to the Milwaukee Police Department for investigation. On September 26, 2007, the Milwaukee Police Department responded with a police report that could form a basis for non-renewal or suspension of said license. There were also neighborhood objections to loitering, littering, loud music and noise, parking and traffic problems, presence and sales to underage, disorderly patrons during and after hours, and conduct which is detrimental to the health, safety, and welfare of the neighborhood.
4. On October 19, 2007 the City Clerk's Office provided timely notice to the Licensee pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes of the report of the Milwaukee Police Department and neighborhood objections, and included therewith a copy of the Milwaukee Police Department report. The matter was scheduled for a hearing on the Police Department report on October 29, 2007, commencing at 9:30 a.m. in Room 301B of City Hall, 200 East Wells Street, Milwaukee, Wisconsin 53202. At said date, time and place, the Licensee appeared and admitted receipt of notice

for the hearing, as well as notice of the objection to renewal of licenses. 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. On May 12, 2003 at 12:53 a.m., officers of the Milwaukee Police Department observed three subjects exit the licensed premises at 1901 West Grant Street, Milwaukee, Wisconsin ("Las Dos Estrellas ") drinking beer. Two of the subjects were under the legal drinking age. The applicant was on the scene at the time of the violation. The licensee was issued a citation for sale to underage and on July 1, 2003 was found guilty and fined \$300.
 - B. On October 3, 2004 at 2:00 a.m., officers of the Milwaukee Police Department, while investigating a robbery, went to the licensed premises at 1901 West Grant Street, Milwaukee, Wisconsin ("Las Dos Estrellas"). The officers discovered the doors locked and patrons inside. The licensee stated the door was locked because he feared being robbed. The licensee was issued a citation for immediate entry for police and on November 24, 2004 was found guilty and fined \$343.
 - C. On October 26, 2006 at 9:47 p.m., officers of the Milwaukee Police Department were dispatched to the licensed premises at 1901 West Grant Street, Milwaukee, Wisconsin ("Las Dos Es trellas") for underage drinking. The officers' investigation found two women who were under the age of 21 drinking Corona beer. The bartender, identified as the licensee Arnulfo Sosa, stated he never asked for identification. Mr. Sosa was issued a citation for presence of underage and sale to underage prohibited and was found guilty of both on December 18, 2006 and fined \$734 for the presence of underage and fined \$320 on the sale to underage prohibited.
 - D. On February 16, 2007 at 10:00 p.m., officers of the Milwaukee Police Department were dispatched to the licensed premises at 1901 West Grant Street, Milwaukee, Wisconsin ("Las Dos Es trellas") for underage drinking. The investigation revealed a female who was under the age of 21 inside the tavern. Police issued her a citation for presence of underage and also a citation for presence of underage to the licensee, Arnulfo Sosa. Mr. Sosa was found guilty of presence of underage on April 9, 2007 and fined \$426.

CONCLUSIONS OF LAW

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 facts found, the Committee finds that the Licensee, Arnulfo Sosa, has not met the criteria of Chapter 125, Wis. Stats. or Chapter 90 of the Milwaukee Code of Ordinances to allow renewal of the Class "B" Tavern license held by the Licensee for the premises located at 1901 West Grant Street in the City and County of Milwaukee, Wisconsin ("Las Dos Estrellas") without undergoing a ten (10) day suspension of said license. The Committee finds the police report as to the Class "B" Tavern license, as stated above, to be true.
3. The Committee recommends that the full Common Council of the City of Milwaukee exercise its judgment to renew the Class "B" Tavern license for the licensed premises at 1901 West Grant Street in the City and County of Milwaukee, Wisconsin ("Las Dos Estrellas") held by Arnulfo Sosa with a ten (10) day suspension of said license based upon the danger that his conduct represents 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 four (4) ayes and one (1) excused, recommends that the Class "B" Tavern License of Arnulfo Sosa for the premises located at 1901 West Grant Street in the City and County of Milwaukee, Wisconsin ("Las Dos Estrellas") be renewed with a ten (10) day suspension.

Said suspension is to be in effect between 12:01 a.m., November 27, 2007 and midnight, December 6, 2007.

Dated and signed at Milwaukee, Wisconsin this 2nd day of November, 2007.


JAMES N. WITKOWIAK
Chairman of the Licenses Committee

125156



JAMES N. WITKOWIAK

ALDERMAN, 12TH DISTRICT

Date: November 2, 2007

To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report of the Renewal Application of Leonie A. McKenzie and Ricardo D. McKenzie for a Class "B" Tavern partnership license for the premises located at 2035 West Fond du Lac Avenue in the City and County of Milwaukee, Wisconsin ("Leoric Sport Club Bar & Grill").

FINDINGS OF FACT

1. Leonie A. McKenzie and Ricardo D. McKenzie (hereinafter the "Licensees") are the holders of a Class "B" Tavern partnership license for the premises at 2035 West Fond du Lac Avenue in the City and County of Milwaukee, Wisconsin ("Leoric Sport Club Bar & Grill"). Said license expires at midnight, November 25, 2007.
2. An application to renew said license was filed with the Office of the City Clerk on September 12, 2007.
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 responded on September 13, 2007 with a report which could form a basis for non-renewal or suspension of the license.
4. On October 18, 2007, the City Clerk's Office provided timely notice to the Licensees, pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes of the Milwaukee police report, and neighborhood objections, and included a copy of the Milwaukee police report. The matter was scheduled for a hearing on the police report and neighborhood objections on October 29, 2007 at 2:30 p.m. in Room 301B of the third floor of City Hall. At said date, time and place the licensee, Ricardo D. McKenzie, did appear and admitted receipt of the notice and was not represented by counsel.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:

- A. On March 27, 2004 at 1:15 a.m. officers of the Milwaukee Police Department were flagged down by two females at the location of 2035 West Fond du Lac Avenue in the City and County of Milwaukee, Wisconsin. The females stated there was a male inside the tavern who was "bleeding to death." Inside the licensed premises at 2035 West Fond du Lac Avenue in the City and County of Milwaukee, Wisconsin ("Leoric Sport Club Bar & Grill") officers observed broken bottles and glasses on the floor, trails of blood, overturned tables and chairs; broken pool cues and bloodied pool balls. Lying on the dance floor was a male bleeding heavily from deep lacerations about the head. Ricardo McKenzie called 911 to report the incident. At a birthday party the victim had been attacked by 25-30 patrons when he attempted to assist in breaking up a fight that occurred around the pool table. The victim was struck with bottles, chairs, pool cues and pool balls.

Security at the location was posted at the entrances to the premises, and had a difficult time getting to the victim because of the crowd that formed around the victim

- B. On May 4, 2004, at 2:07 a.m. while on patrol, officers of the Milwaukee Police Department observed that lights were on inside the licensed premises at 2035 West Fond du Lac Avenue in the City and County of Milwaukee, Wisconsin ("Leoric Sport Club Bar & Grill"). Approximately 15 cars were parked around the tavern. The officers could see numerous patrons inside the tavern (approximately 30), and music was still playing. An unknown patron locked the door and did not permit officers to enter. The officers were denied entry for approximately 5 minutes. Once inside, the officers discovered the pool table did not have a permit. The partner, Ricardo D. McKenzie, was cited for amusement machine permit (30 patrons after hours), and immediate entry to police. The citations with respect to amusement machine permit and patrons after hours were dismissed without prejudice. From previous hearings, the Committee is aware of the fact that in exchange for the dismissals, the partner pled no contest to immediate entry of police on August 26, 2004 and was found guilty and fined \$343.00.
- C. On June 5, 2004, at 12:40 a.m. while on patrol, officers of the Milwaukee Police Department heard loud music at the intersection of 24th and West Lloyd Street in the City and County of Milwaukee, Wisconsin. It was coming from the licensed premises at 2035 West Fond du Lac Avenue in the City and County of Milwaukee, Wisconsin ("Leoric Sport Club Bar & Grill"). The officers spoke to Ricardo D. McKenzie, who was advised by the officer personally, that on numerous occasions, that the music from the tavern that was too loud. He became argumentative and stated that the police were simply harassing him. When leaving the tavern, the officers observed five vehicles parked on the grass adjacent to the tavern. Patrons leaving were seen to be leaving in those vehicles. As the patrons left the tavern, the officer observed a male carrying an open bottle of beer out of the bar. The partner, Ricardo D. McKenzie, was cited for noise nuisance,

removal of an intoxicant, and off-street parking. As to the noise nuisance citation, Ricardo D. McKenzie was found guilty and fined \$399.50 on December 8, 2005. As to the removal of intoxicant citation, Ricardo D. McKenzie was found not guilty on December 8, 2004. As to the off street parking citation, it was dismissed on December 8, 2005.

- D. On August 30, 2004, at 12:49 a.m. while on patrol at the intersection of North 21st Street and North Avenue in Milwaukee, Milwaukee Police officers could hear loud music. They found it to be coming from the licensed premises at 2035 West Fond du Lac Avenue ("Leoric Sport Club Bar & Grill"). Upon arriving at the tavern, they found the front doors as well as the side door to be open. A verbal warning was given to the security person at the front door that the door needed to be closed after 10:00 p.m. Officers observed the doors to be wide open for another 10 to 15 minutes. Ricardo D. McKenzie was issued a citation for doors closed after 10:00 p.m. The citation was dismissed without prejudice on May 11, 2005. Ricardo D. McKenzie was issued a citation for noise nuisance and was found guilty on May 11, 2005 and fined \$228.00.
- E. On September 2, 2004, at 1:35 a.m. a Milwaukee police officer was sent to back up another squad that had been sent to the licensed premises at 2035 West Fond du Lac Avenue in the City and County of Milwaukee, Wisconsin ("Leoric Sport Club Bar & Grill") on a complaint of trouble with a subject. The backup officer noticed a multitude of people standing in the parking lot at 2251 North 21st Street as well as people standing in the road blocking traffic on 21st Street. Large groups of patrons from the tavern were congregating around the tavern. The officer observed a Buick in the 2200 block of North 21st Street with the radio on so loud that it could be heard beyond 50 feet. The driver stated that he had just left the tavern and was cited for noise nuisance.
- F. On September 30, 2004 at 12:45 a.m. Milwaukee police officers could hear loud music coming from the licensed premises at 2035 West Fond du Lac Avenue in the City and County of Milwaukee, Wisconsin ("Leoric Sport Club Bar & Grill") while they were a block away from the premises.
- G. On January 8, 2005 at 1:32 am, officers of the Milwaukee Police Department were sent to investigate a subject with a gun at the licensed premises at 2035 W. Fond du Lac Avenue in the City and County of Milwaukee, Wisconsin ("Leoric Sport Club Bar & Grill"). A Security Officer from the tavern had called police and had observed a patron with a firearm. The person was arrested for carrying a concealed weapon.
- H. On January 23, 2005, Milwaukee police responded to a call of a subject with a gun at the licensed premises located at 2035 W. Fond du Lac Avenue, in the City and County of Milwaukee, Wisconsin, ("Leoric Sport Club Bar & Grill"). A security person stated there was no gun, but a fight had occurred between two patrons. One of the security officers had been struck in the head. One patron was

cited for assault & battery and the other for disorderly conduct.

- I. On January 28, 2005 at 1:30 am, Milwaukee police observed a male walk out of the licensed premises located at 2035 W. Fond du Lac Avenue in the City and County of Milwaukee, Wisconsin, ("Leoric Sport Club Bar & Grill"), with a bottle of beer and drink from it. He was issued a citation for public drinking.
- J. On February 8, 2005 at 1:07 am, officers of the Milwaukee Police Department were sent to a fight outside of the licensed premises located at 2035 W. Fond du Lac Avenue in the City and County of Milwaukee, Wisconsin, ("Leoric Sport Club Bar & Grill"). Two female patrons began fighting in the tavern; it continued in the parking lot. One was struck on the forehead by the other with a beer bottle. When police tried to enter the front door, it was locked. Approximately 100 patrons were in the tavern. As patrons were leaving the tavern at 2:00 am, they were observed by police yelling profanities loudly, revving the car motors and playing car stereos loudly. Patrons were observed walking over front lawns of neighboring houses.
- K. On February 15, 2005 at 1:32 am, Milwaukee police were sent to a fight at the licensed premises located at 2035 West Fond du Lac Avenue in the City and county of Milwaukee, Wisconsin, ("Leoric Sports Club Bar & Grill"). They observed about 75 people in front of the tavern, and about 20 were physically engaged in fighting. The fight started in the bar between patrons and security personnel. Once the crowd dispersed, an officer observed Mrs. McKenzie leave the back of the tavern, get into her pickup truck, rev the engine, and then spun the tires which hurled mud and rocks at a group of police standing behind her truck. One of the fighters was underage. Leonie A. McKenzie was issued citation for disorderly premise which was dismissed without prejudice on August 10, 2005. Leonie A. McKenzie was also issued a citation for presence of underage, found guilty and fined \$354.00 on August 10, 2005.
- L. On February 19, 2005 at 1:45 am, Milwaukee Police officers and a Milwaukee Code Enforcement Inspector conduct a license premises check of the licensed premises located at 2035 West Fond du Lac Avenue in the City and county of Milwaukee, Wisconsin, ("Leoric Sport Club Bar & Grill"). While attempting to gain entry to the tavern, they found the front door locked and had to pound on the door for access. At closing time, as patrons were leaving, the officers observed several patrons leave the tavern with open bottles of beer. Leonie A McKenzie was issued citations for Permitting Patrons to Leave premises with open intoxicants which was dismissed without prejudice on August 10, 2005; he was also issued a citation for Immediate Entry For Police and, on August 10, 2005 was found guilty and fined \$358.00.
- M. On February 23, 2005 at 12:15 am, Milwaukee police were sent to the licensed premises located at 2035 West Fond du Lac Avenue in the City and county of Milwaukee, Wisconsin, ("Leoric Sport Club Bar & Grill"), for trouble with a

subject. A security person employed by Leoric Sport Club Bar & Grill patted down a person entering the tavern, and found a plastic baggie with white chunky substance. The patron was arrested for possession of controlled substance-cocaine.

- N. On May 9, 2005 at 12:37 am, Milwaukee police were sent to a trouble with a subject at the licensed premises located at 2035 West Fond du Lac Avenue in the City and county of Milwaukee, Wisconsin, ("Leoric Sport Club Bar & Grill"). A security officer stated that during a weapons check she found a corner-cut baggie of off-white chunky substance in a purse of a person entering the tavern. The person was arrested for possession of controlled substance – cocaine.
- O. On July 21, 2005 at 12:36 am, Milwaukee police were sent to the licensed premises located at 2035 West Fond du Lac Avenue in the City and county of Milwaukee, Wisconsin, ("Leoric Sports Club Bar & Grill"), for a wanted subject. Security officers from Leoric Sport Club Bar & Grill were instructed in the past to call police if this subject returned. In the past, this subject pulled out a handgun on the security personnel. Because he was 19 years old, he was issued a citation for Presence of minor and arrested for disorderly conduct armed. The tavern owners and the security officers were very cooperative with police.
- P. This premise was renewed with a fifteen (15) day suspension for the 2005 license year based upon items 5A and 5B only.
- Q. On September 4, 2005 at 12:50 a.m., City of Milwaukee police officers were flagged down for a fight that involved security officers at Leoric Sport Club Bar & Grill located at 2035 West Fond du Lac Avenue in the City and County of Milwaukee, Wisconsin. Officers entered the tavern and observed a subject fighting with security officers employed by the tavern. The subject continued to fight with security and officers despite officers continuously identifying themselves as police. Security officers also turned over to police a bag of white chunky substance believe to be cocaine. Security officers stated they had found it on the floor inside the tavern. The subject was issued citations for disorderly conduct, resisting/obstructing an officer and assault and battery. The substance was tested and found positive for cocaine base.
- R. On October 5, 2005 at 11:30 p.m., City of Milwaukee police officers were flagged down for a trouble with a subject at the licensed premises located 2035 West Fond Du Lac Avenue in the City and County of Milwaukee, Wisconsin, ("Leoric Sport Club Bar & Grill"). Officers found security restraining a male subject on the floor at the tavern. The security personnel stated the subject provided a false ID and was refused entry into the bar. The subject then became upset and started to fight with security officers. The subject also resisted officers' arrest and became combative when placed into custody. The subject was issued citations for underage misrepresenting and disorderly conduct.

- S. On October 8, 2005 at 1:21 a.m., City of Milwaukee police officers were dispatched to the licensed premises located at 2035 West Fond du Lac Avenue in the City and County of Milwaukee, Wisconsin ("Leoric Sport Club Bar & Grill") for crowd and cruising control due to tavern closing. Officers arrived to find about 100 cars cruising the area and it took several squads to clear the area. Officers cleared the scene by 3:37 a.m. No violations were found in the tavern.
- T. On October 9, 2005 at 2:15 a.m., City of Milwaukee police officers were dispatched to the licensed premises located at 2035 West Fond du Lac Avenue in the City and County of Milwaukee, Wisconsin ("Leoric Sport Club Bar & Grill") for crowd and traffic control. It took seven squad cars 30 minutes to gain traffic control and clear the area.
- U. On November 11, 2005, City of Milwaukee police officers were dispatched to the licensed premises located at 2035 West Fond du Lac Avenue in the City and County of Milwaukee, Wisconsin ("Leoric Sport Club Bar & Grill") for a disorderly subject. Officers found security detaining a subject for attempting to fight with same. Security personnel stated the subject became disruptive and security attempted to remove him from the tavern when he became combative. A citation was issued to the subject for disorderly conduct.
- V. On December 8, 2005 at 12:50 a.m., squads were sent to monitor the crowds at licensed premises located at 2035 West Fond du Lac Avenue in the City and County of Milwaukee, Wisconsin ("Leoric Sport Club Bar & Grill"). Officers in an unmarked squad car observed a male at the back door of the business about to urinate. This subject, upon seeing officers, discarded a baggy under a car that was nearby. Officers stopped this subject and identified him. The subject stated to officers that he had just walked out from Leoric bar with a friend and needed to use the bathroom. The substance tested positive for cocaine. The subject was arrested for possession of a controlled substance-cocaine.
- W. On January 15, 2006 at 2:28 a.m., City of Milwaukee police officers were dispatched to the licensed premises located at 2035 West Fond du Lac Avenue in the City and County of Milwaukee, Wisconsin ("Leoric Sport Club Bar & Grill") for a shooting. Officers found a 21-year old male lying on the pavement in a parking lot across the street from the bar. This male had 4 gun shot wounds and was semi-conscious. This subject was identified as the same subject that had been cited in the past for disorderly conduct at the Leoric Sport Club Bar & Grill on November 11, 2005. (See Item 5 U, above.) The investigation revealed that a black female shot the subject and then fled in a white Cadillac. It was also determined that two security personnel on the scene had fired rounds at the female shooter. Security personnel also stated that the shooter and the subject had been inside of Leoric just a short time earlier.
- X. On January 26, 2006 at 1:30 a.m., applicant received a citation for posting of occupancy capacity at the licensed premises located at 2035 West Fond du Lac

Avenue ("Leoric Sport Club Bar & Grill"). The matter was tried on September 21, 2006. The licensee was found guilty on that date and fined \$5,000.

- Y. On January 31, 2006 at 1:35 a.m., City of Milwaukee police officers were dispatched to the licensed premises located at 2035 West Fond du Lac Avenue in the City and County of Milwaukee, Wisconsin ("Leoric Sport Club Bar & Grill") for a fight complaint. Upon arrival, officers observed a male subject exiting the tavern and being chased by 5-6 security personnel, who had their guns drawn. Security officers were able to decentralize this subject to the ground. Security personnel assisted and this subject continued to resist officers and not remove his hands from under his body. Security personnel used OC and were able to get the subject into custody. Investigation revealed that security was escorting out another patron the subject became involved. The subject was also escorted out of the tavern along with the other patron. The subject then proceeded to pick up a brick and throw it at a 1' x 3" window on the front door, breaking it, then reached in and unlocked the door and walked back into the bar. The subject then punched a security officer in the eye causing pain and swelling. Milwaukee Police officers spoke to the other patron regarding this incident. The other patron provided officers false names earlier and would not provide his date of birth. The other patron was eventually fingerprinted and positively identified. The subject was arrested and charged with battery, resisting arrest and damage to property. The other patron was also arrested and charged with resisting/obstructing officer and received a citation for disorderly conduct by patron prohibited. The licensee, Ricardo McKenzie, received a citation for disorderly premises prohibited. Ricardo McKenzie was cited with disorderly premises prohibited and the ticket is not able to be found in system under the citation number or name. At the hearing, the Committee was told by the licensee that, in fact, the citation as to him did not exist.
- Z. On March 9, 2006 at 12:17 a.m., City of Milwaukee Police were dispatched to the licensed premises located at 2035 West Fond du Lac Avenue in the City and County of Milwaukee, Wisconsin ("Leoric Sport Club Bar & Grill") for a battery complaint. The investigation revealed that security for the bar had a policy of patrons under 23 to be patted down for weapons before entering the bar. A subject tried to gain entry, but refused to be patted down. Security refused entry to the subject and asked him to leave. The subject became angry and refused to leave. The subject started to become disorderly and was creating a public disturbance. More security officers were called to help out with this disturbance. Security attempted to restrain the subject until police arrived, but the subject resisted. Security then stated that they threw the subject to the ground and his head hit a snow bank, causing a small abrasion. The subject refused medical attention. A friend of the subject also refused to leave the area also and began yelling profanities. The friend of the subject was handcuffed by security officers and detained until police arrived. Both the subject and his friend were each issued two citations for trespassing and disorderly conduct.

- AA. On April 1, 2006, City of Milwaukee police officers were flagged down for a fight complaint by security for the licensed premises located at 2035 West Fond du Lac Avenue in the City and County of Milwaukee, Wisconsin ("Leoric Sport Club Bar & Grill"). Officers observed a large number of patrons exiting the tavern arguing loudly and pushing one another. Security attempted to disperse this group; however, it continued to gather into a larger crowd. Officers were able to disperse the crowd with most subjects complying, except for a female subject. That female subject was attempting to entice the crowd to fight by running up to autos, kicking at the doors and yelling profanities at the occupants. The female subject opened the door to one auto, trying to strike one of the passengers. Officers attempted to arrest her, and she began to resist arrest. The female subject was arrested and given two citations for disorderly conduct and resisting/obstructing officers.
- BB. On October 20, 2006, at 2033-2035 West Fond du Lac Avenue in the City and County of Milwaukee, Wisconsin, ("Leoric Sport Club Bar & Grill"), Leonie McKenzie was issued a citation for Fire Prevention and was found guilty on July 26, 2007 and fined \$545.
- CC. On November 25, 2006, officers of the Milwaukee Police Department responded to a "Subject with a Gun" call, at the licensed premises at 2035 West Fond du Lac Avenue ("Leoric Sport Club Bar & Grill"). Officers learned that as the club was closing, several security guards for the tavern observed a subject that had just left; standing by parked vehicles discharge a handgun into the air. The subject discharged approximately 6 rounds from a .357 caliber revolver before being detained by security guards. The subject was arrested and charged with endangering safety by use of dangerous weapon and felon in possession of a firearm.
- DD. On February 1, 2007, at 1:33 a.m., officers of the Milwaukee Police Department, while on patrol in the area of 2035 West Fond du Lac Avenue in the City and County of Milwaukee, Wisconsin ("Leoric Sport Club Bar & Grill"), observed a fight in front of the licensed premises. Investigating, they found that one of the security guards on the premises had been shot in the leg outside the premises, while trying to disperse the patrons as some were arguing outside the premises. The arguments started inside the premises around closing time, and continued outside. The shooter was identified and arrested at the scene for reckless endangering safety, and felon in possession of a firearm. Another patron, who was one of the persons involved in the arguments, was arrested for disorderly conduct.
- EE. On March 15, 2007 at 1:05 a.m., officers of the Milwaukee Police Department conducted a premises check at the licensed premises located at 2035 West Fond du Lac Avenue in the City and County of Milwaukee, Wisconsin ("Leoric Sports Club Bar and Grill"). Upon entering the premises they observed numerous patrons (about 20) crowded around the DJ booth. Some of the tables and chairs were pushed aside, and numerous subjects were dancing. Leonie McKenzie was issued

a citation for tavern dance hall license required and found guilty on May 22, 2007 and fined \$200.

- FF. On March 27, 2007, at 1:24 a.m., patrolling officers of the Milwaukee Police Department were flagged down regarding a fight at the licensed premises located at 2035 West Fond du Lac Avenue in the City and County of Milwaukee, Wisconsin ("Leoric Sports Club Bar & Grill"). Additional squads were called to the scene due to the significant number of people involved in several fights at that location. Upon arrival, several officers were occupied in the back parking lot of the 2100 block of West North Avenue. Several fights were occurring there, and the officers had a few subjects in custody. The officers observed 30-50 people behaving wildly and screaming at police officers. Approximately 10 security officers were working both inside and at the front door of the premises. In addition, during the fight 5-10 more security officers arrived on the scene, due to the large number of people engaged in the fighting. It was determined that the security officers did make some of those who were involved. The fight began inside the tavern, near the woman's restroom and continued outside on the tavern property and the City owned parking lot on the corner of 21st Street and North Avenue, which, at this time of the night is used only by the patrons of Leoric Sports Bar. There were 6 arrests for disorderly conduct, and/or resisting/obstructing an officer.
- GG. On April 10, 2007, at 12:42 a.m., officers of the Milwaukee Police Department responded to the licensed premises located at 2035 West Fond du Lac Avenue in the City and County of Milwaukee, Wisconsin ("Leoric Sports Club Bar & Grill"), after a call from private security officers on scene reported a fight/battery. Upon arriving at the scene, the police officers were met by a security officer. The security officer was escorting a female subject in handcuffs who was later identified and found to be 20 years old. She had attempted to gain entry to the premises with an ID belonging to someone else. She became belligerent when she was handcuffed. She flailed her elbows at the security officer. She continued to claim the ID belonged to her. She was given four chances to tell the truth, and when she did not, she was issued citations for misrepresenting age and resisting/obstructing an officer.
- HH. This licensee was first licensed for this premise in 2002. It was renewed with an amended tavern supplement in 2003; renewed with a fifteen day suspension in 2004; and renewed with a ten day suspension in 2005. In 2006, this premise was renewed with a sixty day suspension and the cabaret license was denied renewal.
- II. The Licensee advised the Committee he is closed on Tuesdays and Thursdays and has reduced the amount of hip hop music.

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 the Committee concludes that the licensees, Leonie A. McKenzie and Ricardo D. McKenzie, have not met the criteria of Chapter 90 of the Milwaukee Code of Ordinances or Chapter 125 of the Wisconsin Statutes to allow renewal of their Class "B" Tavern License for the premises located at 2035 West Fond du Lac Avenue in the City and County of Milwaukee, Wisconsin without undergoing a thirty (30) day suspension of said license. The Committee finds the police report, as stated above, to be true.

3. In order to protect the health, safety and welfare of the citizens of the City of Milwaukee, it is the recommendation of the Licenses Committee that the full Common Council of the City of Milwaukee should exercise its judgment to renew with a thirty (30) day suspension the Class "B" Tavern partnership license held by Leonie A. McKenzie and Ricardo D. McKenzie for the premises at 2035 West Fond du Lac Avenue in the City and County of Milwaukee, Wisconsin ("Leoric Sport Club Bar & Grill").

RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of four (4) ayes and one (1) excused recommends that the Class "B" Tavern license for the premises located at 2035 West Fond dud Lac Avenue in the City and County of Milwaukee, Wisconsin (Leoric Sport Club Bar & Grill") be renewed with a thirty (30) day suspension.

Said suspension is to be in force from 12:01 a.m. November 26, 2007 through midnight, December 25, 2007.

Dated and signed at Milwaukee, Wisconsin this 2nd day of November, 2007.


JAMES N. WITKOWIAK, Chair
Licenses Committee

125167