



Office of the City Clerk

Jim Owczarski  
City Clerk

Rebecca N. Grill  
Deputy City Clerk

October 24, 2012

Ralph E. Neely  
3525 N. 50<sup>th</sup> St.  
Milwaukee, WI 53216

Dear Mr. Neely:

You are hereby notified that the Milwaukee Common Council will hold a hearing on Thursday, November 8, 2012, 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 Class "B" Tavern and Public Entertainment Premises licenses for the premises at 4538 W. Lisbon Ave. ("Ralph's Coffee").

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 your Class "B" Tavern and Public Entertainment Premises licenses with a fifteen (15) day suspension based on the police report. The recommendation is the result of a public hearing before the Committee held on Monday, October 22, 2012.

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 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. Your written objections must be filed with the City Clerk by 4:45 p.m. on Monday, November 5, 2012 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 your written objections. You will be given approximately five minutes to present your oral argument.

Respectfully,

  
JAMES R. OWCZARSKI  
City Clerk

Enclosure

CC: 4538 W. Lisbon Ave., Milwaukee, WI 53208

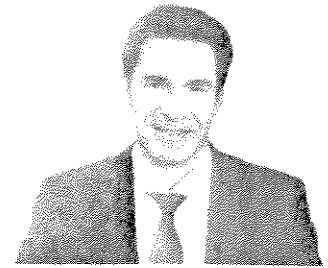


**CHAIR**

• Licenses Committee

**MEMBER**

• Community and Economic  
Development Committee  
• Steering and Rules Committee



**TONY ZIELINSKI**  
ALDERMAN, 14TH DISTRICT

Date: October 24, 2012

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 Ralph E. Neely for the premises located at 4538 West Lisbon Avenue ("Ralph's Coffee") in the City and County of Milwaukee, Wisconsin.

**FINDINGS OF FACT**

1. Ralph E. Neely (hereinafter the "licensee") is the holder of the Class "B" Tavern and Public Entertainment Premises licenses for the premises located at 4538 West Lisbon Avenue in the City and County of Milwaukee, Wisconsin ("Ralph's Coffee"). Said licenses expire at midnight on December 19, 2012.
2. Applications to renew said licenses were filed with the Office of the City Clerk on September 19, 2012.
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 20, 2012, the Milwaukee Police Department responded with a report that could form the basis for non-renewal or suspension of said licenses.
4. On October 11, 2012, 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 Milwaukee Police Department 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 22, 2012, commencing at 8:45 a.m. in Room 301B of the third floor of City Hall. At said date, time, and place, the licensee appeared at the hearing and admitted receipt of the notice of hearing, together with a copy of the Milwaukee Police Department report. 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 September 22, 2011 at 11:00 p.m., Milwaukee police were dispatched to 49<sup>th</sup> and Garfield for a shots fired complaint. Additional calls revealed the shots were fired from the parking lot of Ralph's Coffee located at 4538 West Lisbon. The investigation revealed shots were fired with casings being recovered from the parking lot and an empty field next to Ralph's Coffee. A car was found to have had its driver's side window shot out and the owner was inside Ralph's when this occurred. No one was injured and reports were filed.
  - B. On December 5, 2011 at 10:07 p.m., Milwaukee police were dispatched to 44<sup>th</sup> and North for a shots fired complaint. While canvassing the area, officers pulled into the parking lot of Ralph's Coffee and could smell a strong odor of marijuana. Police then observed two males inside an auto that was parked in the lot. Investigation revealed these subjects were in possession, smoking marijuana, and were arrested. Officers were not able to obtain video surveillance from the business due to the fact it does not record.
  - C. On December 13, 2011 at 7:01 p.m., a citizen who flagged down police was pointing to the parking lot of Ralph's Coffee stating that someone had been shot. The investigation revealed two patrons had been inside the business eating food. The two patrons left and were sitting inside the car that was parked in the parking lot of Ralph's when they were approached by an unknown male who was asking for a light. The two subjects stated they did not have a light and the unknown male attempted to open the car door. The driver attempted to drive out of the parking when several shots were fired striking both subjects. Police interviewed the bartender and brother of the licensee, Willie Neely, who both stated they did not see or hear anything. The surveillance system for the business does not record; therefore, officers were unable to view this incident.

### **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.

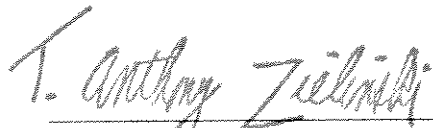
2. Based upon the above facts found, the Committee concludes that the licensee, Ralph E. Neely, has not met the criteria to allow renewal of his Class "B" Tavern and Public Entertainment Premises licenses without undergoing a fifteen (15) day suspension based on the above-stated findings of fact.
3. 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 Ralph E. Neely for the premises located at 4538 West Lisbon Avenue in the City and County of Milwaukee, Wisconsin ("Ralph's Coffee") with a fifteen (15) day suspension based on the above-stated findings of fact.

### **RECOMMENDATION**

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of three (3) ayes, one (1) no, and one (1) abstention, recommends that the Class "B" Tavern and Public Entertainment Premises licenses of Ralph E. Neely for the premises located at 4538 West Lisbon Avenue ("Ralph's Coffee") in the City and County of Milwaukee, Wisconsin be renewed with a fifteen (15) day suspension.

Said suspension is to be in effect between 12:01 a.m. December 20, 2012 through midnight January 3, 2013.

Dated and signed at Milwaukee, Wisconsin this 24<sup>th</sup> day of October, 2012.

  
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T. ANTHONY ZIELINSKI  
Chair, Licenses Committee



Office of the City Clerk

Jim Owczarski  
City Clerk

Rebecca N. Grill  
Deputy City Clerk

October 24, 2012

Lorraine Hoffmann, Agt.  
Harri Hoffmann Co., Inc.  
3021 N. Lake Dr.  
Milwaukee, WI 53211

Dear Ms. Hoffman:

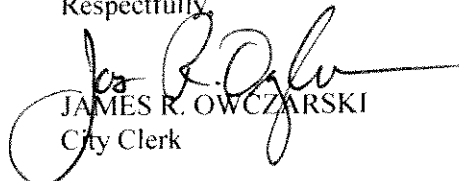
You are hereby notified that the Milwaukee Common Council will hold a hearing on Thursday, November 8, 2012, commencing at 9:00 a.m., or as soon thereafter as this matter may be heard, in the Common Council chambers on the third floor of City Hall, 200 East Wells Street, Milwaukee, Wisconsin to consider whether to renew, renew with a suspension between 10 and 90 days, or not renew your Loading Zone Permit located at 125 N. Water St. ("Harri Hoffmann Co.").

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 your Loading Zone Permit based on aldermanic objection, neighbor objection, and applicant testimony. The recommendation is the result of a public hearing before the Committee held on Monday, October 22, 2012.

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 permit based upon the Findings of Fact contained within the Licenses Committee report.

You may file written objections to the report of the Licenses Committee. Your written objections must be filed with the City Clerk by 4:45 p.m. on Monday, November 5, 2012 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 your written objections. You will be given approximately five minutes to present your oral argument.

Respectfully,

  
JAMES R. OWCZARSKI  
City Clerk

Enclosure

CC: P.O. Box 510856, Milwaukee, WI 53203

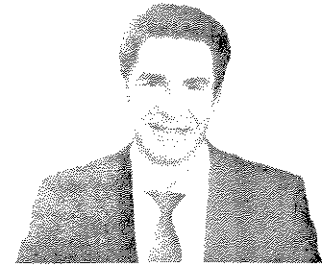
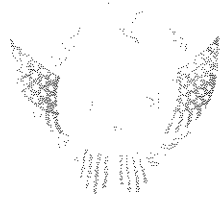


**CHAIR**

- Licenses Committee

**MEMBER**

- Community and Economic  
Development Committee  
- Steering and Rules Committee



**TONY ZIELINSKI**  
ALDERMAN, 14TH DISTRICT

Date: October 24, 2012

To: All Members of the Milwaukee Common Council

From: Licenses Committee

Re: Report on the Renewal Application of the Loading Zone Permit of Lorraine Hoffmann, agent for "Harri Hoffmann Co., Inc.," for the location at 125 North Water Street ("Harri Hoffmann Co.") in the City and County of Milwaukee, Wisconsin

**FINDINGS OF FACT**

1. Lorraine Hoffmann (hereinafter the "licensee"), agent for "Harri Hoffmann Co., Inc.", is the holder of a Loading Zone Permit for 125 North Water Street in the City and County of Milwaukee, Wisconsin. Said permit will expire at midnight, November 30, 2012.
2. An application to renew said Loading Zone Permit was filed with the Office of the City Clerk on September 14, 2012.
3. On October 10, 2012, the City Clerk's Office provided timely notice to the licensee pursuant to Chapters 85 and 101 of the Milwaukee Code of neighborhood objections. The matter was scheduled for a hearing on the neighborhood objections on October 22, 2012, commencing at 9:15 a.m. in Room 301B of the third floor of City Hall. At said date, time, and place, the licensee appeared at the hearing and admitted receipt of the notice of hearing. The licensee was not represented by counsel.
4. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
  - A. Neighbor, Heather Aldridge, appeared in opposition to the permit and testified that she has seen Ms. Hoffmann park her own personal vehicle at the loading zone spot.
  - B. Alderman Bauman testified in opposition to the permit due to receiving frequent complaints about Ms. Hoffmann parking her personal vehicle in the loading zone spot.
  - C. Lorraine Hoffmann testified that she did park her own personal vehicle at the loading zone spot on many occasions.



## 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 Chapters 85 and 101 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Licenses Committee concludes that the licensee has not met the criteria to allow renewal of the Loading Zone Permit based on the above-stated findings of fact.
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 Loading Zone Permit of Lorraine Hoffmann, agent for "Harri Hoffmann Co., Inc.," for the location at 125 North Water Street ("Harri Hoffmann Co.") based on the above-stated findings of fact.

## 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 Loading Zone Permit held by Lorraine Hoffmann, agent for "Harri Hoffmann Co., Inc.," for the location at 125 North Water Street ("Harri Hoffmann Co.") not be renewed.

Dated and signed at Milwaukee, Wisconsin this 24<sup>th</sup> day of October, 2012.



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T. ANTHONY ZIELINSKI  
Chair, Licenses Committee