

CITY OF MILWAUKEE

UTILITIES & LICENSES COMMITTEE

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In the Matter of:

LOPEZ, Guillermo, Class 'B' Tavern, Tavern Dance and  
Billiard Hall applications for "Memos Place No. 2"  
at 1339 West Greenfield Avenue.

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COMMITTEE MEMBERS

ALD. JAMES BOHL, JR. - Chairman

ALD. FREDRICK G. GORDON - Vice Chairman

ALD. JEFFREY PAWLINSKI

ALD. JOSEPH A. DUDZIK

DEPARTMENT OF NEIGHBORHOOD SERVICES by KAREN JACOBS

HEALTH DEPARTMENT by KEVIN HULBERT

LICENSING DIVISION by JIM COPELAND

POLICE DEPARTMENT by SERGEANT JOHN HOGAN

OFFICE OF THE CITY ATTORNEY by BRUCE SCHRIMPF

Proceedings had and testimony given in  
the above-entitled matter, before the UTILITIES &  
LICENSING COMMITTEE OF THE CITY OF MILWAUKEE, on  
the 29th day of April, 2003, reported by Donna  
Gulczynski of Milwaukee Reporters Associated, Inc.

P R O C E E D I N G S

(NOTE: All City Personnel Were Sworn Under Oath Prior to These Proceedings.)

CHAIRMAN BOHL: The last item on the 1:30 agenda is Guillermo Lopez, Class B Tavern, Tavern Dance and Billiard Hall applications for Memos Place No. 2 at 1339 West Greenfield Avenue.

MR. KNOELLER: Good afternoon.

CHAIRMAN BOHL: Good afternoon, and please give me your name again.

MR. KNOELLER: Michael J. Knoeller, last name is spelled K-n-o-e-l-l-e-r, appearing on behalf of Mr. Lopez. Mr. Lopez is here in person.

CHAIRMAN BOHL: Okay. Mr. Knoeller, let me just put you on hold here for a second. Mr. Lopez, could you please raise your right hand to be sworn under oath.

(Whereupon Mr. Lopez was sworn under oath.)

CHAIRMAN BOHL: And Mr. Knoeller, I need you to ask Mr. Lopez if he has acknowledged receiving notice of today's meeting with the possibility that his application could be denied as to items in the police report in addition to neighborhood objections.

MR. KNOELLER: Yes.

CHAIRMAN BOHL: He does? Okay. And then

1 the items in here -- I'm going to ask you whether you  
2 acknowledge to me waiving it so I don't have to read  
3 the loitering, litter and the whole ball of wax.

4 MR. KNOELLER: He says he understands a  
5 little bit of it. He's seen it.

6 CHAIRMAN BOHL: Okay, he has seen it. We'll  
7 go around the horn. Health Department?

8 MR. HULBERT: Hold for inspection.

9 CHAIRMAN BOHL: Neighborhood Services?

10 MS. JACOBS: Hold for occupancy.

11 CHAIRMAN BOHL: This item does have a police  
12 report. Sergeant Hogan?

13 SERGEANT HOGAN: It does?

14 MR. SCHRIMPF: Sure does.

15 ALDERMAN SANCHEZ: Mr. Chair?

16 CHAIRMAN BOHL: One second, Alderman  
17 Sanchez.

18 SERGEANT HOGAN: If I'm reading it  
19 correctly, this is a renewal. There's nothing since  
20 the license was last issued.

21 CHAIRMAN BOHL: In fact, what it is,  
22 Sergeant Hogan, I believe, is a second location, and  
23 that Mr. Lopez owns another location.

24 SERGEANT HOGAN: Okay. My sheet is wrong.

25 CHAIRMAN BOHL: Alderman Sanchez.

1 ALDERMAN SANCHEZ: Thank you. Again, I  
2 apologize to be out of order here. This police report  
3 that I have, at least the copy that I have, is  
4 incomplete. I've gone through it, and -- in fact, I  
5 asked for Mrs. Behren to see if she could pull up  
6 where the other part of the police report is, and I  
7 don't -- What I was handed here shows the same thing  
8 that I have. But I know at least since I've been in  
9 office, at location number one, which is part of the  
10 police report, there have been some suspensions that  
11 have been approved by the Common Council, and they're  
12 not a part of this report, so we have an incomplete  
13 police report is what I'm getting at.

14 MR. COPELAND: Mr. Chair, can I ask the  
15 alderman --

16 CHAIRMAN BOHL: Mr. Copeland, yes.

17 MR. COPELAND: When you use the term  
18 location number one, what are you referring to?

19 ALDERMAN SANCHEZ: Well, there is a Memos  
20 Place, which is located on Scott, 15th and Scott, and  
21 this application is for Memos Place Two, which would  
22 be on Greenfield Avenue. If you look at the police  
23 report that's attached here, it's incomplete is what  
24 I'm getting at.

25 MR. COPELAND: Sergeant, may I ask a

1 question? In the case of an applicant having two  
2 places, and the offense is on location number one,  
3 does that entire record show up on the location?

4 SERGEANT HOGAN: Yes, if there are multiple  
5 locations for licensees, any incidents occurring at  
6 any one of them will show up on the new location.

7 ALDERMAN SANCHEZ: Sergeant, if I may, he  
8 does not have multiple --

9 SERGEANT HOGAN: I understand that.

10 ALDERMAN SANCHEZ: Excuse me. Mr. Lopez  
11 does not have multiple locations. He has a location.  
12 Today he is here for potentially a new location, so  
13 there's only --

14 CHAIRMAN BOHL: Alderman Sanchez, we have a  
15 police report with nine items. Is that what you're  
16 saying is incomplete?

17 ALDERMAN SANCHEZ: Yes, it is incomplete.

18 CHAIRMAN BOHL: Well, I don't know how we  
19 rectify this, other than this is the police report  
20 that he was noticed with, and that's the police report  
21 we have. It is a new application. Go ahead, Alderman  
22 Sanchez.

23 ALDERMAN SANCHEZ: You could ask the  
24 applicant if he's ever been suspended during my tenure  
25 here as alderman, and if he affirms that, that will

1 prove that he's been suspended, and if it doesn't show  
2 it on the police report, that validates that it's  
3 incomplete, is what I'm getting at.

4 CHAIRMAN BOHL: Mr. Knoeller, do you want to  
5 ask your client if his license for Memos Place has  
6 been suspended in the last three years?

7 MR. KNOELLER: I can affirm that at one  
8 point it was suspended. I cannot say that it was in  
9 the last three years, to be very honest with you. I  
10 know at one point it was suspended. I think it was  
11 suspended for a period of 30 days is what I believe.

12 ALDERMAN SANCHEZ: Can you ask the  
13 applicant --

14 MR. KNOELLER: Please, please, please.  
15 Don't interrupt.

16 ALDERMAN SANCHEZ: All right. I apologize.

17 MR. KNOELLER: I didn't interrupt you.

18 CHAIRMAN BOHL: Mr. Knoeller, I'm going to  
19 ask that you address the committee here, and Alderman  
20 Sanchez is not going to address you. You will address  
21 me as well, Alderman Sanchez.

22 MR. KNOELLER: Thank you. My recollection  
23 is that there was a 30-day suspension. I cannot say  
24 for sure whether that was in the last three years, but  
25 I know there was because I remember going in front of

1 the Common Council on that.

2 CHAIRMAN BOHL: Mr. Schrimpf, do you have  
3 any thoughts on this matter here?

4 MR. SCHRIMPF: I can tell you that there  
5 were Findings of Fact issued on May 1st, 2001  
6 recommending suspension of a license held by Guillermo  
7 Lopez. It was a Class B for 1501 West Scott Street  
8 known as Memos Place. I don't know what happened at  
9 Common Council. I don't have the Common Council  
10 findings, but I -- this obviously were Findings of  
11 Fact and Conclusions of Law at the U & L Committee.  
12 It recommended renewal of the license with a 60-day  
13 suspension.

14 CHAIRMAN BOHL: Were there items in the  
15 police report that were cited that would have been  
16 current with that application year?

17 MR. SCHRIMPF: Yes.

18 CHAIRMAN BOHL: And the last one we have  
19 listed here is January of 2000 which, if we're looking  
20 at from May to May or even June to June, would not  
21 have fallen within that license application year. I  
22 have an inclination to believe that Alderman Sanchez  
23 is correct, that we don't have a full and complete  
24 police report.

25 MR. SCHRIMPF: The last incident that I have

1 occurring at the premises, Mr. Chairman, was --  
2 according to the police report, was occurring on  
3 January 24th, 2000 at 6:05 p.m.

4 SERGEANT HOGAN: Mr. Chairman?

5 CHAIRMAN BOHL: Go ahead, Sergeant Hogan.

6 SERGEANT HOGAN: I have no reason to believe  
7 there are any other incidents other than what is  
8 listed in the police report.

9 CHAIRMAN BOHL: So you believe this is the  
10 full and complete report, Sergeant Hogan?

11 SERGEANT HOGAN: Yes. Now, also understand  
12 that is not the police department's responsibility to  
13 keep track of when the license is suspended or revoked  
14 or anything else. That's Mr. Copeland's job. That's  
15 not necessarily a part of our report.

16 CHAIRMAN BOHL: Alderman Sanchez, I'll tell  
17 you, we can move forward. This is a new application.  
18 We can hold this item if you fully believe that there  
19 is an additional report here, but the License  
20 Investigation Unit is saying that they believe that  
21 this is full and complete.

22 ALDERMAN SANCHEZ: Well, I think that --

23 CHAIRMAN BOHL: We can acknowledge and we  
24 can get the applicant to acknowledge that there was,  
25 based on the Findings of Fact, a suspension of 60 days



1 if that's the one item that's missing.

2 ALDERMAN SANCHEZ: Well, that's the one  
3 item -- Okay. I would -- First of all, if you'd asked  
4 his translator and legal counsel to ask him that, he  
5 can affirm whether or not that took place, for one.

6 CHAIRMAN BOHL: Mr. Knoeller, does your  
7 client acknowledge that according to the information  
8 that Assistant City Attorney Schrimpff provided us,  
9 that in May 2001, your client did receive a 60-day  
10 suspension from the Common Council?

11 MR. KNOELLER: 2001?

12 CHAIRMAN BOHL: Correct.

13 MR. KNOELLER: He says there was a  
14 suspension for 60 days.

15 CHAIRMAN BOHL: He said there was not?

16 MR. KNOELLER: There was a suspension for  
17 60 days.

18 CHAIRMAN BOHL: Alderman Sanchez, he's under  
19 oath, and he's affirming that there was a suspension,  
20 so if that's where we're at, we can move forward on  
21 that.

22 ALDERMAN SANCHEZ: That's right, we can move  
23 forward. I'm fine with that. You know, I'm more than  
24 certain that Attorney Knoeller was also his attorney  
25 at that time, and whether the attorney remembers that

1 or not is also fine. I'll get right to my comments.  
2 I'd like to pass out some maps. I'll provide his  
3 attorney with a copy. I'll keep a copy for myself.

4 CHAIRMAN BOHL: And Alderman Dudzik will  
5 move to make this concentration map a part of our  
6 record. Hearing no objection, so ordered. Go ahead,  
7 Alderman.

8 ALDERMAN SANCHEZ: I think if you look at  
9 the police report and go through what is available to  
10 us today, it kind of speaks for itself. The applicant  
11 here has been suspended several times over the decade.  
12 He has been --

13 CHAIRMAN BOHL: Mr. Knoeller, I appreciate  
14 that you have to translate, but I think that you're  
15 disturbing me as the chairman of this committee, and I  
16 certainly believe that you're probably disturbing  
17 Alderman Sanchez. I will ask Alderman Sanchez to  
18 break it up if you want to relay the information to  
19 your client, but I can't have two people talking at  
20 the same time. I just can't do that, okay?

21 Alderman Sanchez, I'm going to ask you for  
22 convenience to Mr. Lopez to kind of provide your  
23 comments, and we'll provide some brevity and some  
24 time, but I just -- If you want to whisper in his ear,  
25 fine, but I'm not going to have you providing loud

1           comments. Go ahead, Alderman Sanchez.

2                   ALDERMAN SANCHEZ: Thank you. I'll keep my  
3           remarks short. Simply that the police report here  
4           indicates that over the past decade, several times  
5           Mr. Lopez has been suspended. It shows activity that  
6           has taken -- that's he's been cited for, that has  
7           taken place at his facility which includes, apparently  
8           here, that there's a .380 handgun, that there's also  
9           other episodes of concealed weapons. Item six shows  
10          things dealing with cocaine. Getting past item nine,  
11          there is a 60-day suspension that I put in place. So  
12          I think that the police report speaks for itself as  
13          far as some of the activities taking place at his  
14          current location.

15                   Now, with respect to the new location, if  
16          you look at the these concentration maps, -- I guess  
17          here's a question. The question is this. There are  
18          66 licenses in this area. If you recall, there was  
19          also an application from a business that was directly  
20          across the street in which this committee did not  
21          renew that license based on overconcentration. Well,  
22          this location is, you know, again 40, 50 feet away.

23                   There's been a heavy problem in that area  
24          with drugs, there's been prostitution. This is within  
25          75 feet where my cousin was murdered from. I thought

1 I'd throw that in there because there's been problems  
2 with drug houses in the area as well. But I don't  
3 think this is the most suitable location for an  
4 establishment of this nature.

5 Again, between the maps here, between his  
6 police record and suspensions, I don't know that if  
7 indeed this committee would even consider opening up a  
8 place, this would be the most suitable licensee. So  
9 those were my comments, so I'd ask you not to approve  
10 it this afternoon.

11 CHAIRMAN BOHL: First off, I'm going to have  
12 Alderman Dudzik move to make the entire police report  
13 part of our record. Hearing no objection to that, so  
14 ordered. Mr. Schrimpf?

15 MR. SCHRIMPF: Thank you, Mr. Chairman. A  
16 couple of things. First of all, the police record is  
17 not yet a part of the record for purposes of this  
18 proceeding, and I would call the committee's attention  
19 to the fact that a few minutes ago, you recommended  
20 approval of a Class A Malt at 1110 West Greenfield  
21 Avenue, which is two blocks from this location. Now,  
22 that's a Class A Malt and this is a Class B Tavern,  
23 but keep that in mind.

24 ALDERMAN SANCHEZ: Mr. Chair.

25 CHAIRMAN BOHL: Alderman Sanchez.

1 ALDERMAN SANCHEZ: That was just a renewal.  
2 That's an existing location. That was not a new  
3 place.

4 CHAIRMAN BOHL: Is that correct,  
5 Mr. Copeland?

6 MR. COPELAND: Yes.

7 CHAIRMAN BOHL: Okay. That should be  
8 clarified, Mr. Schrimpf.

9 MR. SCHRIMPF: No, all it says is Class A  
10 Malt application. It doesn't say renewal.

11 ALDERMAN SANCHEZ: But it is a renewal.

12 MR. COPELAND: What was that address,  
13 Mr. Schrimpf.

14 MR. SCHRIMPF: 1110 West Greenfield.

15 MR. COPELAND: It's a renewal. It says  
16 renewal.

17 MR. SCHRIMPF: It doesn't say renewal on the  
18 notice.

19 MR. COPELAND: That's a typo then on the  
20 agenda. If you look, it says renewal.

21 MR. SCHRIMPF: Just so long as we clarify  
22 it.

23 CHAIRMAN BOHL: That is clarified. Any  
24 questions for Alderman Sanchez by committee?  
25 Mr. Knoeller, this is your opportunity to address to

1 the committee the reasons why you believe that your  
2 applicant should receive a license and any concerns  
3 that Alderman Sanchez provided us.

4 MR. KNOELLER: May it please the committee,  
5 Mr. Lopez has run a location for a number of years.  
6 Now, there have been some problems, but if you note  
7 from the police report, the last problem I believe in  
8 2000 didn't relate to -- didn't relate to him, it  
9 related to a bartender who lives on the premises, but  
10 basically has nothing to do with him.

11 The police did not give him any type of a  
12 citation for that, so we go back to 1997 on that  
13 report. There was a suspension. Again, this has  
14 nothing to do with him. It was a -- what's the word  
15 I'm looking for, -- vicarious suspension.

16 I'd like to know whether any type of request  
17 for neighborhood input was sent out in this case and  
18 how many people did not show up; whether they were  
19 sent regarding El Pieso, which was the prior name of  
20 this establishment, or whether it was sent regarding  
21 this new establishment. I'm sure there were some type  
22 of -- there was some type of input requested, and I'd  
23 like to know what was on that input, if there was any  
24 type of letter sent out. I'd like to know how they  
25 were addressed, what was included on there, and why

1 there'd be some type of -- if there was any objection  
2 at all, or if there wasn't any objection at all.

3 I can see where the inclusions on the letter  
4 were -- on the map. I'd like to know if any of these  
5 establishments were closed or have been closed since  
6 this -- This is April of 2003. I don't know if this  
7 is -- if these amounts were accurate because I don't  
8 know -- I haven't had an opportunity to review this  
9 with the client. I know that some of these, just by  
10 looking at them, have been closed within a recent  
11 period of time. Therefore, there would be an  
12 opportunity for Mr. Lopez to open his establishment.

13 He has -- he has opened -- He's preparing a  
14 situation where the establishment would not be solely  
15 a bar. There are restaurant facilities which he is  
16 beginning, and I was in there. There are tables where  
17 a restaurant would be or could be set up. There is a  
18 bar section, and that's basically where he would be  
19 starting at. But if you go in there, you would see  
20 that the first floor is really set up for a  
21 restaurant, and the second floor would also  
22 accommodate a large restaurant.

23 I would certainly like to know what input  
24 was set forth to the neighbors. Concentration of  
25 the Class B Tavern, -- there are a lot in the

1 neighborhood. However, I believe that since there  
2 was -- When was Pieso closed? I'd like to know when  
3 Pieso closed. That was about a year ago, I think.  
4 It must be within a year, because it was something  
5 which was an ongoing business. I think it closed  
6 within that year, so --

7 CHAIRMAN BOHL: Alderman Sanchez, can you  
8 shed light on that? Do you have any idea?

9 ALDERMAN SANCHEZ: I don't know when they  
10 closed. I think it would certainly be within the year  
11 at some point.

12 MR. KNOELLER: So it would basically -- if  
13 it was within the year, it would not be subject to  
14 the, what is it, 91 point -- Oh, I can't think of it  
15 right now, the statute of being renewed after being  
16 closed for a year. I can't think of what that statute  
17 is right off the top of my head right now. But I  
18 think it could be classified as an ongoing business  
19 coming from Pieso into Mr. Lopez's business.

20 He does have experience. He does not -- he  
21 does not have any problems with the police in the last  
22 year or so, or two years really. He has kept his  
23 place clean, he has learned his lesson. He has gone  
24 to considerable lengths and expenses to establish a  
25 position here, a place here, which is not suitable to



1 any type of drug activity, any type of -- anything  
2 that would be conducive to the type of illegal or  
3 improper activity that Alderman Sanchez referred to.

4 The front is lighted. There is a sufficient  
5 area -- If you go inside, it's not a darkened place.  
6 It's light on the inside. There's one section, a  
7 large section, it's like a Hawaiian village where  
8 there's hay coming over the top of little, like,  
9 booths. And it looks like a restaurant. There's a  
10 little dance floor section and a bar section that's  
11 kind of off to the side.

12 CHAIRMAN BOHL: Mr. Knoeller, you're getting  
13 to the point where you're writing a novel.

14 MR. KNOELLER: Yeah, I am, because it's not  
15 a darkened bar like you see usually in some of these  
16 places. It's different. It's something which is  
17 conducive to a family going in there and sitting down,  
18 rather than a bar with loud music playing and thumping  
19 rap music. It's something different than that. It's  
20 something which would change the atmosphere of the  
21 neighborhood.

22 It's not something that -- You have to see  
23 it, really, in order to appreciate it. It's different  
24 from the 1501 address, which I'm sure Alderman Sanchez  
25 is aware of and which is reflected in this police

1 report. I'm sure if you put him in there, it's not  
2 going to be at all like the 1501 or the majority of  
3 these other bars around. I can see these other bars  
4 that are around there, and I can see -- I've been in a  
5 lot of these, and I know exactly the nature of these  
6 bars, and they are basically Class B and only Class B  
7 dark bars, nothing like this, which is -- I would say  
8 you give him a chance here, and you're going to find a  
9 Class B -- you're going to find a Class B operation,  
10 which probably in a couple of years is going to be  
11 more -- 50 percent or more restaurant, and he's going  
12 to be coming in here and asking for a -- going over to  
13 the annex over here and asking for a food license.

14 CHAIRMAN BOHL: Okay. Mr. Knoeller, you've  
15 got to wrap this up because you're just getting  
16 repetitive.

17 MR. KNOELLER: I'm wrapping right now.

18 CHAIRMAN BOHL: Please do so.

19 MR. KNOELLER: Not the music, but I'm  
20 wrapping. Thank you.

21 CHAIRMAN BOHL: Okay. This item is cited  
22 for neighborhood objections. Are there any neighbors  
23 here to testify on this matter? Are there any  
24 questions for the applicant or counsel? Alderman  
25 Sanchez, very briefly if you want to wrap this up.

1 ALDERMAN SANCHEZ: Very brief. Just simply,  
2 I guess the question is regarding this applicant and  
3 the behavior -- or the instances that have occurred at  
4 his current location in the past. The question for me  
5 is has he learned his lesson.

6 Item four shows that he was cited. Item  
7 five, not even a month later, the same citation is  
8 there. Do you think the applicant would tell his  
9 employees, we're cited for a wrongdoing, do not do  
10 this? Item five shows that he was cited. Item six  
11 shows drugs, shows that there was some drugs that were  
12 found and some dollar bills on the pool table in '96.  
13 Do you think he'd get the lesson straight that drugs  
14 are not a good thing, that they're illegal?

15 Item nine, four years later, shows that his  
16 girl friend -- It says here the officer spoke to  
17 Mrs. Melandez, Carmen, who stated that she bartends  
18 for her boyfriend who is the licensee. She further  
19 stated that she had numerous baggies of cocaine inside  
20 her bra. She then handed the officer six corner-cut  
21 plastic baggies which contained cocaine. Well, she's  
22 not here, he is. He's the licensee. He's the one  
23 that's responsible for his employees and all those  
24 citations. So, again, my comments are simply there's  
25 congestion here, and then number two, even if there

1 weren't congestion, would you license him based on his  
2 past history. Thanks.

3 CHAIRMAN BOHL: This item is in committee.  
4 Is there a motion?

5 ALDERMAN GORDON: Mr. Chair.

6 CHAIRMAN BOHL: Alderman Gordon.

7 ALDERMAN GORDON: Thank you. Mr. Chair, at  
8 this time I'm going to move to deny this applicant  
9 based on concentration. We have 66 total licenses in  
10 this one square mile area; five Class A Liquor Malt,  
11 10 Class A Malt, one Class B Beer, and 50 Class B  
12 Tavern. I think it's clear that this area is over-  
13 saturated.

14 The 12th Aldermanic District probably has  
15 the largest concentration of liquor and restaurant  
16 establishments in the City of Milwaukee, and there's  
17 no need for another one. And as Alderman Sanchez  
18 indicated, this licensee's record is replete with  
19 every indicia that suggests that he's fortunate to be  
20 able to run this establishment that he's already  
21 running, and to give him another opportunity would not  
22 be in the best interests of the 12th Aldermanic  
23 District and the citizens, so I'm going to move for  
24 denial.

25 CHAIRMAN BOHL: The motion before us is to

1 deny the license based on overconcentration. Is there  
2 any objection to that motion? Hearing none, so  
3 ordered. Mr. Knoeller, Mr. Lopez, good luck to you.

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