

COMMITTEE ASSIGNMENTS

CHAIR

- Licenses Committee

VICE CHAIR

- Community and Economic Development Committee

MEMBER

- Steering and Rules Committee



TONY ZIELINSKI
ALDERMAN, 14TH DISTRICT

February 20, 2017

To the Honorable, the Common Council

Honorable Members:

Common Council File Number 160933 contains the following recommendations:

Renewal, with a ten (10) day suspension, based upon the police report and neighborhood and applicant testimony of the Class A Malt & Class A Liquor and Food Dealer license(s) for Isaac T Ragsdale for the premises located at 3305 N Martin Luther King Jr Dr ("Green Ring II") in the 6th aldermanic district.

Nonrenewal, based upon the second nonappearance of the Class D Operator's license for Cyril Gamble Sr.

Nonrenewal, based upon the second nonappearance of the Class D Operator's license for Elisha Marcus Jr.

Respectfully,

A handwritten signature in black ink that reads "Tony Zielinski".

Tony Zielinski, Chair
Licenses Committee

cc: All Council Members
File 160933

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TONY ZIELINSKI
ALDERMAN, 14TH DISTRICT

Date: February 17, 2017

To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report of the Renewal Application of Isaac T. Ragsdale for Class "A" Malt and Class "A" Liquor and Food Dealer licenses for the premises located at 3305 North Martin L King Jr., Drive in the City and County of Milwaukee, Wisconsin ("GREEN RING II").

FINDINGS OF FACT

1. Isaac T. Ragsdale (hereinafter the "Licensee") is the holder of a Class "A" Malt and Class "A" Liquor and Food Dealer licenses for the premises located at 3305 North Martin L King Jr., Drive in the City and County of Milwaukee, Wisconsin ("GREEN RING II"). Said licenses expire at midnight, March 3, 2017.
2. An application to renew said license was filed with the Office of the City Clerk on December 6, 2016.
3. Pursuant to Chapters 68, 85 and 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.
4. On February 2, 2017, the City Clerk's Office provided notice to the Licensee pursuant to Chapters 68, 85 and 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes of the police report and neighborhood objections and included a copy of the police report. The matter was scheduled for a hearing on the police report and neighborhood objections on February 14, 2017 at 10:30 a.m. in Room 301B of the third floor of City Hall.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
 - A. On 11/25/2015 a 16 year old, working in conjunction with Milwaukee police, was able to purchase a cigar from the cashier at 3305 N. Martin L. King Jr. Drive (Green Ring II). The applicant was given notice to enroll in the M.A.R.T.S. program. As of 01/29/2016, the agent had not enrolled in the M.A.R.T.S. program and a citation was issued;
 - B. On 01/09/2016 Milwaukee police responded to a subject with a gun complaint at

3305 N. Martin Luther King Jr. Drive (Green Ring II). The applicant denied calling police and stated he had not observed anyone with a gun. During this encounter, officers discovered marijuana in a clear plastic bag, crack cocaine in a clear plastic bag, and prescription drugs in a bottle with an unreadable name. Additionally, the applicant was taken into custody when officers discovered two handguns inside the business that had previously been reported stolen. Milwaukee police incident report #160090130 was filed.

- C. On 01/14/2016 Milwaukee police, along with the Department of Neighborhood Services, conducted follow-up regarding possible code violations at 3305 N. Martin Luther King Jr. Drive (Green Ring II). The inspector issued orders to correct for condition observed for; no heat, gasoline inside the building, illegal use of fuel fired equipment and blocked egress/exit. On 01/19/2016 the Department of Neighborhood Services returned and found the code violations had been corrected.
- D. The applicant stated the police officer told him that he was going to be charged with all the items located at the premises including the drugs. He added that he purchased the gun off the street and did not know it was stolen and through he did not need a license for it. He added that he installed more cameras, hired a security guard for 5 months, posted no loitering signs, and contacted the police regarding the loitering. He stated that not all the litter comes from his premises because he doesn't sell certain products. He stated that he does his best and will develop a game plan to straighten things out.
- E. Rick Banks, 2609 N. Fratney Street, stated there is loitering and he brought a bag of liquor bottles that he picked up himself from around the outside of the premises.
- F. Ald. Coggs stated she has witnessed loitering herself outside the premises and asked about the litter. She added that the issues in the police report are about management of the premises and abatement strategies needed to be developed.
- G. Ald. Zielinski stated the applicant has received several warning letters and it does not seem to be sinking in. He added that litter needs to be picked up more than once a day and loitering is not acceptable.

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 Chapters 68, 85 and 90 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concludes that the Licensee, Isaac T. Ragsdale who holds a Class "A" Malt and Class "A" Liquor and Food Dealer license for

the premise located at 3305 North Martin L King Jr., Drive in the City and County of Milwaukee, Wisconsin ("GREEN RING II") has not met the criteria of Chapter 90 of the Milwaukee Code of Ordinances to renew the Class "A" Malt and Class "A" Liquor licenses. The Committee finds the neighborhood and aldermanic objections as stated above to be true. The Committee based the renewal with a ten (10) day suspension on neighborhood and applicant testimony and the police report.

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 Dealers license and renew the Class "A" Malt and Class "A" Liquor license for the premises located at 3305 North Martin L King Jr., Drive in the City and County of Milwaukee, Wisconsin ("GREEN RING II") with a ten (10) day suspension. The Committee based its recommendation on neighborhood and applicant testimony and the police report. The Committee recommends renewal of the food dealer license.

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 Class "A" Malt and Class "A" Liquor licenses held by Isaac T. Ragsdale for the premises located at 3305 North Martin L King Jr., Drive in the City and County of Milwaukee, Wisconsin ("GREEN RING II") be renewed with a ten (10) day suspension.

Said suspension to be in effect from 12:01 a.m. March 4, 2017 through 11:59 p.m. March 13, 2017.

Dated and signed at Milwaukee, Wisconsin this 17th day of February, 2017.



TONY ZIELINSKI, Chair
Licenses Committee

236875

COMMITTEE ASSIGNMENTS

CHAIR

- Licenses Committee

VICE CHAIR

- Community and Economic Development Committee

MEMBER

- Steering and Rules Committee



TONY ZIELINSKI
ALDERMAN, 14TH DISTRICT

Date: February 17, 2017

To: All Members of the Milwaukee Common Council

From: Licenses Committee

Re: Report on the Renewal Application of the Class "D" Operator's License of Cyril M. Gamble, Sr.

FINDINGS OF FACT

1. Cyril M. Gamble, Sr. (hereinafter the "Licensee") is the holder of a Class "D" Operator's License in the City and County of Milwaukee, Wisconsin. Said license expired on December 31, 2016.
2. An application to renew said license was thereafter filed with the Office of the City Clerk.
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 responded with a police report that could form a basis for nonrenewal or suspension of said license.
4. On February 3, 2017 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 included therewith a copy of the Milwaukee Police Department report. The matter was scheduled for a hearing on the police department report on February 14, 2017 at 11:30 a.m. in Room 301B of City Hall. At said date, time and place, the Licensee did not appear.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
 - A. A notice of the hearing as well as a copy of the police report was sent to Cyril M. Gamble, Sr., 3358 North 1st Street, Milwaukee, WI 53212 on February 3, 2017 by U.S. prepaid first-class mail in an envelope bearing the return address of the License Division. The address of 3358 North 1st Street, Milwaukee, WI 53212 is the address given by the Licensee on his 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 February 14, 2017 at 11:30 a.m.

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 on the above facts found, the Committee concludes that the Licensee, Cyril M. Gamble, Sr. 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 "D" Operator's license based upon nonappearance.
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 should exercise its discretion to not renew the Class "D" Operator's license held by Cyril M. Gamble, Sr. based upon nonappearance.

RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above the Committee recommends by a vote of five (5) ayes and zero (0) noes that the Class "D" Operator's License of Cyril M. Gamble, Sr. not be renewed based upon nonappearance.

Dated and signed at Milwaukee, Wisconsin this 17th day of February, 2017.



TONY ZIELINSKI
Chairman Licenses Committee

236879

COMMITTEE ASSIGNMENTS

CHAIR

- Licenses Committee

VICE CHAIR

- Community and Economic Development Committee

MEMBER

- Steering and Rules Committee



TONY ZIELINSKI
ALDERMAN, 14TH DISTRICT

Date: February 17, 2017

To: All Members of the Milwaukee Common Council

From: Licenses Committee

Re: Report on the Renewal Application of the Class "D" Operator's License of Elisha Marcus, Jr.

FINDINGS OF FACT

1. Elisha Marcus, Jr. (hereinafter the "Licensee") is the holder of a Class "D" Operator's License in the City and County of Milwaukee, Wisconsin. Said license expired on December 31, 2016.
2. An application to renew said license was thereafter filed with the Office of the City Clerk.
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 responded with a police report that could form a basis for nonrenewal or suspension of said license.
4. On February 3, 2017 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 included therewith a copy of the Milwaukee Police Department report. The matter was scheduled for a hearing on the police department report on February 14, 2017 at 11:30 a.m. in Room 301B of City Hall. At said date, time and place, the Licensee did not appear.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
 - A. A notice of the hearing as well as a copy of the police report was sent to Elisha Marcus, Jr., 2849 North Buffum Street, #2, Milwaukee, WI 53212 on February 3, 2017 by U.S. prepaid first-class mail in an envelope bearing the return address of the License Division. The address of 2849 North Buffum Street, #2, Milwaukee, WI 53212 is the address given by the Licensee on his 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 February 14, 2017 at 11:30 a.m.

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 on the above facts found, the Committee concludes that the Licensee, Elisha Marcus, Jr. 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 "D" Operator's license based upon nonappearance.
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 should exercise its discretion to not renew the Class "D" Operator's license held by Elisha Marcus, Jr. based upon nonappearance.

RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above the Committee recommends by a vote of three (3) ayes and two (2) excused that the Class "D" Operator's License of Elisha Marcus, Jr. not be renewed based upon nonappearance.

Dated and signed at Milwaukee, Wisconsin this 17th day of February, 2017.



TONY ZIELINSKI
Chairman Licenses Committee

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