



JAMES A. BOHL JR.
Alderman, 5th District

May 9, 2008

To the Honorable, the Common Council

Dear Members:

Common Council File 071554 contains the following recommendations:

Renewal, with a 30-day suspension based on the police report, of the Class "D" Bartender license of Susan Morgese. (Committee vote: Ayes: 4, Noes: 1)

Renewal, with a 10-day suspension based on the police report, of the Class "B" Tavern license of Terry Heinemeier, Agent for "Terry Lee's Corporation", for the premises at 3530 W. Silver Spring Dr. ("Silver Spring Tap") in the 1st aldermanic district.

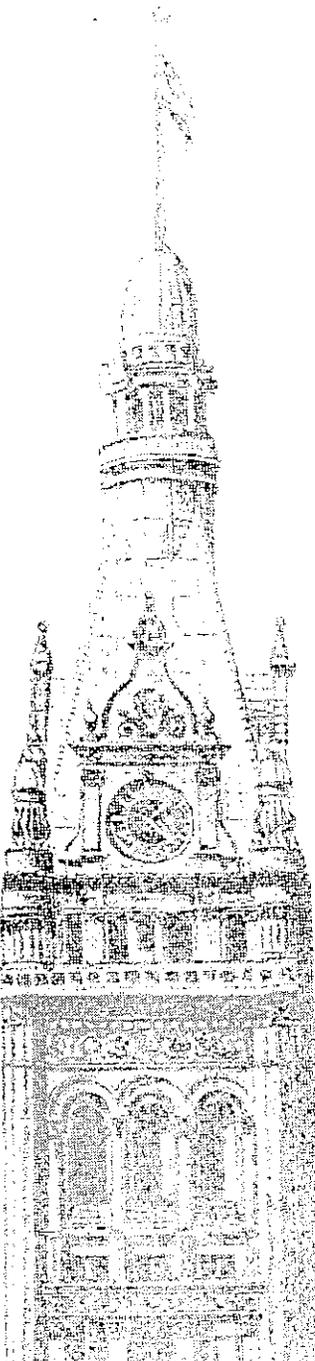
Non-renewal, based on the police report, of the Extended Hours Establishment license of Mohammad Choudry, Agent for "Red Hot Corporation", for the premises at 2651 W. Fond du Lac Ave. ("John's Red Hot") in the 15th aldermanic district.

Non-renewal, based on the police report and neighborhood objections, of the Class "B" Tavern and Tavern Amusement (Cabaret/Nite Club) licenses of Eretta Honey, Agent for "Stargazers, LLC" for the premises at 7158 W. Fond du Lac Ave. in the 2nd aldermanic district.

With regard to the file listed above, the Licenses Committee held an evidentiary hearing on May 6th.

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.

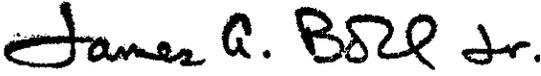
Pursuant to City Ordinances, prior to the time the Common Council acts on the Committee's Report, **a roll call vote will be taken** to confirm that all



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 **Tuesday, May 20, 2008** at 9:00 A.M. in the Common Council Chambers.

Respectfully,

A handwritten signature in black ink that reads "James A. Bohl, Jr." in a cursive style.

James A. Bohl, Jr., Chair
Licenses Committee

cc: All Council Members
Files 071554



JAMES A. BOHL JR.
Alderman, 5th District

Date: May 9, 2008

To: All Members of the Milwaukee Common Council

From: Licenses Committee

Re: Report on the Renewal Application of the Class "D"
Bartender License of Susan M. Morgese

FINDINGS OF FACT

1. Susan M. Morgese (hereinafter the "Licensee") is the holder of a Class "D" Bartender License in the City and County of Milwaukee, Wisconsin. Said license expired at midnight, December 31, 2006.
2. An application to renew said license was untimely filed with the Office of the City Clerk on March 17, 2008.
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 March 18, 2008, the Milwaukee Police Department responded with a police report that could form a basis for non-renewal or suspension of said license.
4. On April 24, 2008 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 May 6, 2008, commencing at 1:30 p.m. in Room 301B of City Hall. At said date, time and place, the licensee did appear 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 October 6, 1993 the applicant was convicted in Milwaukee County of operating while intoxicated (first offense) and the Wisconsin Department of Transportation suspended her driver's license for eight months.

B. On February 17, 2000 the applicant was convicted in Milwaukee County of operating while intoxicated (second offense) section 346.63(1)(a) and prohibited alcohol concentration section 346.63(1)(b) (misdemeanor). The applicant was found guilty of the charge of operating while intoxicated (second offense) on May 2, 2000 and sentenced to 100 days in the House of Corrections and a fine imposed and an 18-month revocation of her driver's license. The charge of prohibited alcohol concentration was dismissed on May 2, 2000.

C. On August 10, 2006 the applicant was charged in Green County with operating while intoxicated (third offense) section 346.63(1)(a) and prohibited alcohol concentration section 346.63(1)(b) (misdemeanor). The applicant was found guilty of the charge of operating while intoxicated (third) on October 30, 2006 and sentenced to 120 days in jail (Huber) and a fine imposed and a 33-month revocation of her driver's license. The charge of prohibited alcohol concentration was dismissed on October 30, 2006.

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, Susan M. Morgese, 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" Bartender license without undergoing a thirty (30) day suspension based upon 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 should exercise its discretion to renew the Class "D" Bartender license held by Susan M. Morgese with a thirty (30) day suspension of said license based upon the police report.

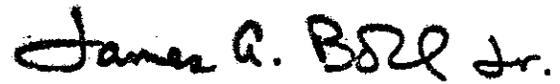
RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of four (4) ayes and one (1) no

recommends that the Class "D" Bartender License be renewed with a thirty (30) day suspension.

Said suspension shall take effect upon the action of the Common Council on May 20, 2008 through June 18th.

Dated and signed at Milwaukee, Wisconsin this 9th day of May, 2008.

A handwritten signature in black ink that reads "James A. BOHL Jr." The signature is written in a cursive style with a prominent "J" and "B".

JAMES A. BOHL, Jr.
Chairman Licenses Committee



JAMES A. BOHL JR.
Alderman, 5th District

Date: May 9, 2008

To: All Members of the Milwaukee Common Council

From: Licenses Committee

Re: Report on the Renewal Application of the Class "B" Tavern License of Terry L. Heinemeier, agent for Terry Lee's Corporation" for the premises located at 3530 West Silver Spring Drive in the City and County of Milwaukee, Wisconsin ("Silver Spring Tap ").

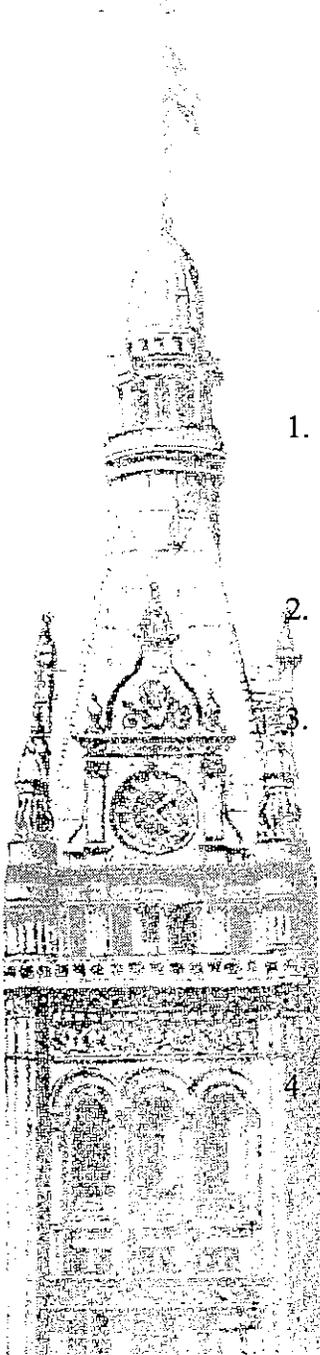
FINDINGS OF FACT

1. Terry L. Heinemeier (hereinafter "the Licensee") is the holder of a Class "B" Tavern License for the premises located at 3530 West Silver Spring Drive in the City and County of Milwaukee, Wisconsin ("Silver Spring Drive "). Said license expires at midnight on June 12, 2008.

2. An application to renew said license was filed with the Office of the City Clerk on April 11, 2008.

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 April 17, 2008, the Milwaukee Police Department responded with a report that could form the basis for suspension or renewal of said license. There were also neighborhood objections to loitering, littering, loud music and noise, parking and traffic problems, drug and criminal activity, prostitution, trespassing, public urination, fights, and conduct which is detrimental to the health, safety and welfare of the neighborhood.

4. On April 25, 2008 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 report 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 May 6, 2008, commencing at



10:45 a.m. in Room 301B of the third floor of City Hall. At said date, time and place, the licensee appeared and admitted receipt of the notice and was represented by Attorney Jerome Randall, 10233 W. North Avenue, Wauwatosa, WI 53226.

5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
 - A. On April 9, 2007, applicant received a citation for a building code violations at 2651 North 21st Street and on October 4, 2007 was found guilty and fined \$275.00.
 - B. On April 29, 2007 at 1:10 am, officers of the Milwaukee Police Department were dispatched to the licensed premises at 3530 West Silver Spring Drive, Milwaukee, Wisconsin (Silver Spring Tap) for a theft complaint. Officers spoke to the bartender who stated at approximately 12:20 am, two males and two females entered the tavern and were asked for identification. The males became upset, reached behind the bar and removed four bottles of alcohol. The four subjects then left the tavern with the bottles of liquor. The area was checked for these suspects but police were unable to locate anyone matching the descriptions. An incident report was filed.
 - C. On June 17, 2007 at 2:30 am, officers of the Milwaukee Police Department were dispatched to the licensed premises at 3530 West Silver Spring Drive, Milwaukee, Wisconsin (Silver Spring Tap) for a shooting complaint. Officers found a male patron who was shot inside the tavern after having an argument with another patron earlier that night. The suspect fled the scene before police arrived. At hearing, the Committee was informed that the patron was asked to leave and did but returned later with a gun.
 - D. On June 18, 2007 at 11:09 pm, officers of the Milwaukee Police Department were dispatched to the licensed premises at 3530 West Silver Spring Drive, Milwaukee, Wisconsin (Silver Spring Tap) for an armed robbery complaint. Officers spoke to the bartender who stated an unknown male entered the tavern, implied he had a gun, and stole a bottle of liquor. Officers observed video cameras on the premises but were told they were not taping. Attempts to make contact with licensee, Terry Heinemeier, were unsuccessful. An incident report was filed. At hearing, the licensee insisted he never got the message. In addition, the licensee has installed a new video surveillance system.

- E. On October 3, 2007 at 1:23 am, officers of the Milwaukee Police Department were dispatched to licensed premises at 3530 West Silver Spring Drive, Milwaukee, Wisconsin (Silver Spring Tap) for a fight complaint. The investigation found that an unknown male was behind the bar and was asked to leave by a security guard. This subject and several other males then jumped on the security guard, punching him in the face. The guard stated he did not know who was punching him. Officers also interviewed the bartender who stated she did not notice anything until after the fight broke out. The bartender stated the subjects who were fighting then left the tavern. Police attempted to contact the licensee, Terry Heinemeier, who was not home but officers left a voicemail message with instructions to contact the officers. Mr. Heinemeier never called back. Police were told that the surveillance system in the tavern was not functional. At hearing, the licensee insisted he did not get any message to call the police.
- F. On December 5, 2007 at 5:54 am, officers of the Milwaukee Police Department were dispatched to the licensed premises at 3530 West Silver Spring Drive, Milwaukee, Wisconsin (Silver Spring Tap) for an armed robbery complaint. Police spoke to an employee of the Silver Spring Tap. The employee stated three armed suspects approached her while she was in her auto and forced her to open the side door to the tavern. In there, she was told to give them the money from the till. The employee stated the suspects then demanded money from the safe located in the back room. The employee told them she didn't have the combination and the suspects pushed her into the back room, attempting to lock her in. The actors fled out of the bar in an unknown direction. No injuries were reported.
- G. The licensee has a security guard seven days per week, from 10:00 p.m. to close. The licensee has changed the music to attract an older crowd.
- H. No neighbors appeared in opposition to renewal of this license.

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.

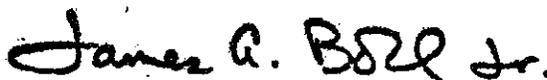
2. Based upon the above facts found, the Committee concludes that the Licensee, Terry L. Heinemeier, has not met the criteria to allow renewal of his Class "B" Tavern license for the premises located at 3530 West Silver Spring Drive in the City and County of Milwaukee, Wisconsin ("Silver Spring Tap") without undergoing a ten (10) day suspension of said license. The Licenses Committee of the Milwaukee Common Council 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 ten (10) day suspension of the Class "B" Tavern license of Terry L. Heinemeier for the premises located at 3530 West Silver Spring Drive in the City and County of Milwaukee, Wisconsin ("Silver Spring Tap") based upon a police report and the danger the operation of the premises poses to the health, safety and welfare of the citizens 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 zero (0) noes recommends that the Class "B" Tavern license held by Terry L. Heinemeier for the premises located at 3530 West Silver Spring Drive in the City and County of Milwaukee, Wisconsin ("Silver Spring Tap") be renewed with a ten (10) day suspension.

Said suspension is to be in effect from 12:01 a.m. June 13, 2008 and midnight, June 22, 2008.

Dated and signed at Milwaukee, Wisconsin this 9th day of May, 2008.



JAMES A. BOHL, Jr.
Chairman, Licenses Committee



JAMES A. BOHL JR.
Alderman, 5th District

Date: May 9, 2008

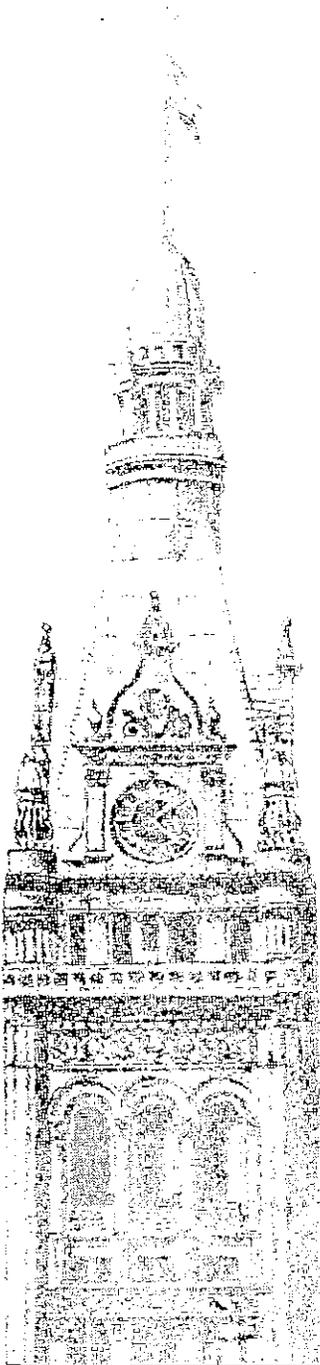
To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report on the extended hours establishment renewal application of Mohammad A. Choudry, Agent for Red Hot Corporation for the premises located at 2651 West Fond du Lac Avenue in the City and County of Milwaukee, Wisconsin ("John's Red Hot").

FINDINGS OF FACT

1. Mohammad A. Choudry, Agent for Red Hot Corporation, for the premises located at 2651 West Fond du Lac Avenue in the City and County of Milwaukee, Wisconsin ("John's Red Hot") is the holder of an Extended Hours Establishment. Said license expired at midnight, April 30, 2008.
2. An untimely application to renew said license was filed with the Office of the City Clerk on April 19, 2008.
3. Pursuant to Section 84-7 of the Milwaukee Code of Ordinances, the matter was referred to the Milwaukee Police Department for investigation and the police department responded with a report dated April 29, 2008. There were claimed neighborhood objections to disturbing the peace, illegal drug activity, public drunkenness, drinking in public, harassment of passers-by, gambling, prostitution, sale of stolen goods, public urination, armed robberies, theft, assaults, battery, vandalism, excessive littering, loitering, illegal parking, loud music and noise, traffic violations, cruising, curfew violations, lewd conduct, operating the business during the hours of 12:00 a.m. and 5:00 a.m. without the required license, and conduct which is detrimental to the health, safety and welfare of the neighborhood.



4. On April 29, 2008 the City Clerk's Office provided timely notice to the Licensee, pursuant to Section 84-7 of the neighborhood objections. The matter was scheduled for a hearing on the neighborhood objections on March 25, 2008 at 8:30 a.m. in Room 301B of the third floor of City Hall. At said date, time and place, the licensee did appear 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 October 2, 2004 at 3:23 a.m., the applicant was cited for food dealer license required at 2651 West Fond du Lac Avenue, Milwaukee, Wisconsin ("John's Red Hot"). The applicant was found guilty of the food dealer license required on November 22, 2004 and fined \$283.00.

 - B.

June 7, 2005	building code violation	Milwaukee Municipal Court
July 28, 2005	building code violation	Milwaukee Municipal Court
October 27, 2005	building code violation	Milwaukee Municipal Court
January 17, 2006	theft-movable property	Milwaukee County Cir. Ct.

(2 counts)

Found guilty on building code violation on May 18, 2006 and fined \$536.00

This item was previously reported and the disposition is now added.

 - C. On February 11, 2007 at 1:21 a.m., officers of the Milwaukee Police Department were dispatched to 27th and Fond du Lac for a large fight complaint. As officers arrived, no fight was observed, but numerous cars were leaving the parking lot of John's Red Hot at 2651 West Fond du Lac Avenue, Milwaukee, Wisconsin. Officers spoke to the manager, Mohammad Saleem, who stated he did not see a fight but heard two or three shots fired from the parking lot. Officers also spoke to another employee, Eric Tumasyna, who stated that a customer came in and told him that they were shooting in the parking lot and asked that police be called. Police found no one shot, but did locate spent casings in the parking lot. Police observed a camera mounted on the restaurant but were told by the licensee, Mohammad Choudry, that the camera did not work.

- D. On February 16, 2007 the applicant received a citation for a building code violation at 1920 North 19th Street. He was found guilty of this violation on December 11, 2007 and fined \$220.00.
- E. On March 15, 2007 at 2:50 a.m., officers of the Milwaukee Police Department were dispatched to a robbery/battery complaint at the licensed premises at 2651 West Fond du Lac Avenue, Milwaukee, Wisconsin ("John's Red Hot"). The investigation revealed the victim was at the licensed premises to purchase food when he was approached by three unknown males in the parking lot. The suspects had a tire jack and broke the victim's car window when the victim began to fight with the suspects. The victim was then cut by one of the suspects, who were armed with a knife, and the suspects took \$250 from the victim and fled the scene. The victim sustained a severe cut to his right upper arm that required surgery. Officers found the victim's damaged auto with blood found at the scene, along with the tire iron nearby. Police did interview the employee of John's Red Hot, but no one observed the fight.
- F. On April 12, 2007 at 10:00 a.m., the applicant received a citation for fire protection at 2412-14 West Fond du Lac Avenue and was found guilty of this charge on December 11, 2007 and fined \$250.00.
- G. On October 9, 2007 at 3:10 p.m., officers of the Milwaukee Police Department investigated a reckless use complaint that occurred sometime between September 19, 2007 and September 30, 2007. The investigation revealed the victim, who did not initially report this incident, was at the licensed premises at 2651 West Fond du Lac Avenue, Milwaukee, Wisconsin ("John's Red Hot") purchasing food with a friend of his. The victim stated that after purchasing the food, he and his friend returned to their auto when a subject fired five to six shots at them striking the auto several times. No injuries were reported and as of April 29, 2008, this investigation is still pending.
- H. On February 1, 2008 at 2:38 a.m. officers of the Milwaukee Police Department were dispatched to the licensed premises at 2651 West Fond du Lac, Milwaukee, Wisconsin ("John's Red Hot") for a man with a gun complaint. Police were advised that a subject was firing shots in the restaurant parking lot and that he ran back into the lobby of the restaurant. As police arrived, the subject was no longer on scene. Officers spoke to an employee regarding the surveillance cameras and were told that the cameras "just" broke and that it would be fixed in a couple of days.

- I. On February 3, 2008 at 1:45 a.m., officers of the Milwaukee Police Department were dispatched to the licensed premises at 2651 West Fond du Lac, Milwaukee, Wisconsin ("John's Red Hot") for an armed robbery complaint. The investigation revealed a subject was robbed of his food and money at gunpoint as he left John's Red Hot. The victim was hit with an unknown object, but refused any medical attention. Video cameras were observed but the manager informed officers that the camera "just broke" and that it would get fixed.
- J. On March 21, 2008 at 1:54 a.m., officers of the Milwaukee Police Department were dispatched to the licensed premises at 2651 West Fond du Lac, Milwaukee, Wisconsin ("John's Red Hot") for a subject with a weapon complaint. Officers were advised that six females were hitting a male subject with a crowbar in the parking lot of John's Red Hot. All of these subjects were gone upon the arrival of the police.
- K. On April 22, 2008 at 1:55 a.m., officers of the Milwaukee Police Department were conducting a business check at the licensed premises at 2651 West Fond du Lac, Milwaukee, Wisconsin ("John's Red Hot") to determine if the video surveillance system was operations. Past checks were conducted and employees advised officers that they did not have access to the surveillance room. At this time, the officers spoke to the manager, Faisal Siddiqui, and a check of the cameras revealed that none of them were working. Siddiqui stated that they were working before and further stated that getting the surveillance system up and running was not his problem and that he did not have anything to do with it.
- L. On April 28, 2008 at 12:25 a.m., officers of the Milwaukee Police Department were dispatched to the licensed premises at 2651 West Fond du Lac, Milwaukee, Wisconsin ("John's Red Hot") for a shooting complaint. The investigation revealed that one patron bumped into another while at John's Red Hot. The actor then confronted the other asking if he had a problem, with the victim replying he did not. The actor informed the victim he did and pointed a gun at the victim's lower extremities shooting him twice in the leg. As the suspect fled the scene on foot, he was firing shots from his gun into the air.
- M. The licensee claimed that he is installing a new surveillance system, but has repaired the old one. The licensee also claimed he is trying to have a security guard.

- N. No neighbors testified in opposition to renewal of this license.

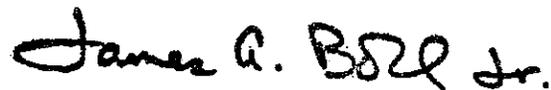
CONCLUSIONS OF LAW

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 Section 84-7 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concludes that the Licensee, Mohammad A. Choudry, as agent for Red Hot Corporation which holds an extended hours establishment license for the premises at 2651 West Fond du Lac Avenue in the City and County of Milwaukee, Wisconsin ("John's Red Hot") has not met the criteria of Section 84-7 of the Milwaukee Code of Ordinances to allow renewal of the extended hours establishment license for this premises because of the police report. 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 should exercise its discretion to deny renewal of the extended hours establishment license held by Mohammad A. Choudry, as agent for Red Hot Corporation, for the premises at 2651 West Fond du Lac Avenue in the City and County of Milwaukee, Wisconsin ("John's Red Hot") because of the police report.

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 extended hours establishment renewal application held by Mohammad A. Choudry, as agent for Red Hot Corporation, for the premises at 2651 West Fond du Lac Avenue in the City and County of Milwaukee, Wisconsin ("John's Red Hot") be denied based upon the police report.

Dated and signed at Milwaukee, Wisconsin this 9th day of May, 2008.



JAMES A. BOHL, Jr.
Chairman of the Licenses Committee



JAMES A. BOHL JR.
Alderman, 5th District

Date: May 9, 2008

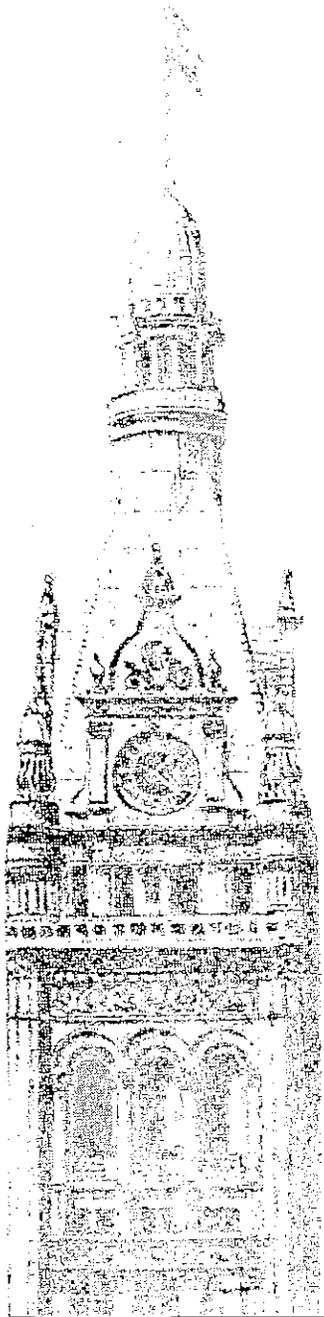
To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report of the Renewal application of Eretta A. Honey, agent for "Stargazers, LLC" for a Class "B" Tavern and Tavern Amusement (Cabaret/Nite Club) license for the premises located at 7158 West Fond du Lacey Avenue in the City and County of Milwaukee, Wisconsin ("Stargazers").

FINDINGS OF FACT

1. Eretta A. Honey (hereinafter the "Licensee") as agent for "Stargazers, LLC" is the holder of a Class "B" Tavern and Tavern Amusement (Cabaret/Nite Club) license for the premises located at 7158 West Fond du Lac Avenue in the City and County of Milwaukee, Wisconsin ("Stargazers"). Said license expires at midnight, May 29, 2008.
2. An application to renew said license was filed with the Office of the City Clerk on February 29, 2008.
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 police department filed a police report dated March 3, 2008 that could form the basis for nonrenewal or suspension of the license. There were also neighborhood objections to loitering, littering, loud music and noise, parking and traffic problems, drug and criminal activity, prostitution, trespassing, public urination, fights, gunshots, racing, loud vehicles, illegal drug activity, cruising, vandalism, damage to private property, parking on private property, disturbing the peace, causing the normal flow of traffic on roadways to be impeded, excessive and inappropriate use of police resources, neighborhood problems due to mismanagement, and conduct



which is detrimental to the health, safety, and welfare of the neighborhood. The notice contained an allegation that the premises is operated in such a manner that it causes a public nuisance, making it an unfit location.

4. On May 1, 2008, 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. The matter was scheduled for a hearing on the police report for May 6, 2008 at 11:15 a.m. in Room 301B of the third floor of City Hall. At said date, time and place, the licensee appeared and admitted receipt of the notice and police report. The applicant 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 August 16, 2004 at 9:45 p.m., officers of the Milwaukee Police Department made a lawful inspection of the licensed premises at 7158 West Fond du Lac Avenue ("Stargazers") Milwaukee, Wisconsin and they found an unlicensed amusement machine. The licensee was on the premises and she was cited for amusement machine license required and on May 11, 2005 was found guilty and fined \$212.00.
 - B. On March 26, 2006 at approximately 2:11 a.m., officers of the Milwaukee Police Department were dispatched to the licensed premises at 7158 West Fond du Lac Avenue ("Stargazers") Milwaukee, Wisconsin to investigate a shooting. The licensee, Eretta Honey stated that an individual was attempting to settle an argument between two unknown actors through the course of the night. One of the actors left the bar and returned with an unknown blunt object in his right pocket. The door bouncer attempted to prevent the unknown subject from reentering the bar by physically restraining him. The actor was still able to fire off a round striking the individual who was attempting to settle the argument behind the left ear, killing him. The investigation shows the shooting took place in the doorway of the establishment and the police being called from the establishment.
 - C. On June 26, 2007 at 1:46 a.m., officers of the Milwaukee Police Department were dispatched to the licensed premises at 7158 West Fond du Lac Avenue ("Stargazers") Milwaukee, Wisconsin for a shots fired complaint. Officers spoke to two employees who both stated they heard several gun shots in the area but did not observe who fired the shots. Both stated they believed the shots were not

related to the club. Officers did find casings approximately 50 yards north of the premises. An incident report was filed. The licensee denied that the casings were attributable to patrons of her establishment, and claimed that there is a tavern next to hers, "Stage," that is responsible for much of the activity about which the neighbors complained, and which appeared on the police report.

- D. On October 28, 2007 officers of the Milwaukee Police Department were dispatched to the licensed premises at 7158 West Fond du Lac Avenue ("Stargazers") Milwaukee, Wisconsin for an armed robbery complaint. Officers spoke to the victim who stated she was a dancer for Stargazers and as she walked to her auto she was robbed at gunpoint by an unknown male. The suspect obtained her property and fled the scene. No injuries were sustained. The licensee explained that her security staff escorts entertainers to their cars, and that the entertainers are then required to leave. Because the entertainer in this case did not, and because she did not report the incident to the security staff of Stargazers, the entertainer was fired.

- E. On March 12, 2008 at 2:12 a.m., officers of the Milwaukee Police Department were dispatched to the licensed premises at 7158 West Fond du Lac Avenue ("Stargazers") Milwaukee, Wisconsin to check for a shooting scene. The Shorewood Police Department was at 1800 East Capitol Drive with a shooting victim who was driven to this location from Stargazers. The investigation revealed that two separate fights broke out inside Stargazers. The fights continued in the parking lot at which time the victim received three gunshot wounds to the head causing his death. Again the licensee denied that the victim and the perpetrators were arguing in the tavern, and claimed that the video tapes showed them leaving together with no apparent problem. The Police Department, however, provided evidence that the licensee's own security staff witnessed an argument between the victim and the persons with him before they left the tavern. At least one supporter testified that there was an argument between the victim and one of the other individuals in the bar.

- F. Two neighbors testified in opposition to the renewal of the licenses of this establishment. They testified to numerous and recurring incidents of cars speeding from the parking lot and congregations of patrons in the parking lot and frequently firing guns. The licensee claimed that the individuals in the parking lot of Stargazers were frequently, in fact, patrons of Stage, next door. It was disclosed that patrons of Stage come out of the parking lot for

that premises and to do so, there is a common entry and exit to the parking lot for Stage and Stargazers.

- G. There were supporters to testify on behalf of renewal of the license, many of them patrons and some of them employees of the tavern.
- H. The licensee testified that no weapon has ever made it past her security staff, and gotten into the tavern itself.

CONCLUSIONS OF LAW

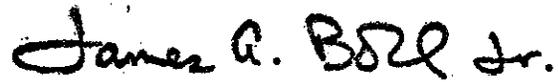
1. The Committee has jurisdiction to hold hearings and provided Findings of Fact and Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapter 125 of the Wisconsin Statutes and Chapter 90 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concludes that the licensee, Eretta A. Honey, has not met the criteria of Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes to allow renewal of her "B" Tavern and Tavern Amusement (Cabaret/Nite Club) license. The Committee finds the police report and neighborhood objections, and set forth 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 discretion to not renew the Class "B" Tavern and Tavern Amusement (Cabaret/Nite Club) license of Eretta A. Honey as agent for "Stargazers, LLC" for the premises at 7158 West Fond du Lacey Avenue in the City and County of Milwaukee, Wisconsin ("Stargazers").

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 "B" Tavern and Tavern Amusement (Cabaret/Nite Club) license held by Eretta A. Honey for the

premises at 7158 West Fond du Lac Avenue in the City and County of Milwaukee, Wisconsin ("Stargazers") not be renewed based upon the police report and neighborhood objections .

Dated and signed at Milwaukee, Wisconsin this 9th day of May, 2008.

A handwritten signature in black ink that reads "James A. BOHL Jr." The signature is written in a cursive style with some capital letters.

JAMES A. BOHL, Jr.
Chairman of the Licenses Committee