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Office of the City Clerk

Ronald D. Leonhardt
City Clerk

Jim Owczarski
Deputy City Clerk

June 24, 2010

Jagdish Patel, Agent
Clybourn Supermarket, LLC
2903 W. Clybourn St.
Milwaukee, WI 53208

Atty. Jeffrey Guerard
6525 W. Bluemound Rd.
Suite 21
Milwaukee, WI 53213-4073

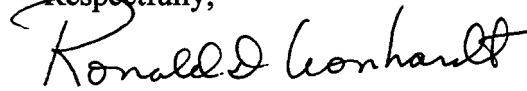
Dear Mr. Patel and Atty. Guerard:

You are hereby notified that the Milwaukee Common Council will hold a hearing on July 7, 2010, 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 the renewal of the Class "A" Malt license for the premises at 2903 W. Clybourn St. ("Milwaukee Foods").

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 renewal of the license with a 30-day suspension based on neighborhood testimony. The recommendation is the result of a public hearing before the Committee held on June 21, 2010.

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 June 30, 2010 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,


RONALD D. LEONHARDT
City Clerk

Enclosure



JAMES A. BOHL JR.
Alderman, 5th District

Date: June 24, 2010

To: All Members of the Milwaukee Common Council

From: Licenses Committee

Re: Report on the Renewal Application of the Class "A" Malt license of Jagdish Patel, Agent for Clybourn Supermarket, LLC, for the premises located at 2903 West Clybourn Avenue in the City and County of Milwaukee, Wisconsin ("Milwaukee Foods")

FINDINGS OF FACT

1. Jagdish Patel, as agent for Clybourn Supermarket, LLC (hereinafter "the Licensee"), is the holder of a Class "A" Malt license for the premises located at 2903 West Clybourn Avenue in the City and County of Milwaukee, Wisconsin ("Milwaukee Foods"). Said license expires at midnight on July 25, 2010.
2. An application to renew said license was filed with the Office of the City Clerk on May 4, 2010.
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 May 5, 2010, the Milwaukee Police Department responded with a report regarding the renewal of said license, which could form a basis of non-renewal or suspension. There were also claimed neighborhood objections to loitering, littering, loud music and noise, parking and traffic problems, drug and other criminal activity, including trespassing, public urination, vandalism, disorderly conduct, fights, and thefts; operation of the premises in such a manner that it creates a public nuisance, and conduct which is detrimental to the health, safety and welfare of the neighborhood.
4. On June 10, 2010, 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 the neighborhood objections, and included

therewith a copy of the Milwaukee Police Department report. The matter was scheduled for a hearing on the Milwaukee Police Department report and neighborhood objections on June 21, 2010, commencing at 2:30 p.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 represented by Attorney Jeffrey Guerard, 6525 West Bluemound Road, Suite 21, Milwaukee, Wisconsin 53213-4073.

5. Based upon the testimony heard and evidence received, the Committee makes the following findings of fact.
 - A. On December 13, 2009 at 11:06 a.m., officers of the Milwaukee Police Department were investigating sales of alcohol to minors and had a police aide, who was under the age of 21, enter the licensed premises at 2903 West Clybourn in attempts to purchase alcohol. The clerk sold a 6-pack of Miller Lite beer in bottles to the aide without asking for any identification. Officers spoke with the clerk who stated she did sell the beer but did not ask for any identification because she was dealing with a problem with the previous customer and forgot to ask. She further stated that it would not happen again. The licensee, Jagdish Patel, was issued a citation for sale of alcohol to underage person. He was found guilty on this citation on April 12, 2010 and fined \$70.00. While reported in the police report, the Committee understood that only one underage sale of alcohol in the last licensing year cannot be used as a basis for taking action on an alcohol beverage license under Wis. Stat. § 125.12 (1) (b) 2.
 - B. Objecting neighbors testified to numerous episodes of loitering that takes place in front of the store and hand to hand transactions that appear to be drug transactions between the persons loitering as well as between the loiterers and occupants of motor vehicles that stop briefly in front of the store. One resident of the area has written a letter of complaint to the Department of City Development regarding his complaints about the activities at the store and a promise that was made when he purchased his home that the store would be closed. The store continues to operate, and the resident sees the activity at the store as a blight upon the quality of life in the neighborhood. Some neighbors testified to seeing this activity numerous times per day or per week or month.
 - C. Supporters of the location in some cases denied that they had seen the loitering activity, but in other cases did frankly admit to having observed it, but dismissed it and noted that Mr. Patel tries to chase the loiterers away. In other cases, the supporters noted the

convenience of a store that sold a variety of items close to their homes. A number of supporters testified to obtaining their beer at this location, visiting the store a number of times per day, and in at least one case, obtaining credit for transactions when money was short. One supporter admitted that on one occasion Mr. Patel had to chase her away during an episode when she “went crazy.”

- D. The current licensee has operated this store for one year and three months, that the store last had a ten day suspension before he acquired it.
- E. There also were complaints about the condition of the store, but the licensee testified that he has spoken to the landlord in an effort to have improvements made. The licensee also testified that he has a number of security cameras that allow him to monitor what is going on, and that he supplies tapes of the activity to the Milwaukee Police Department when it is needed.

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, Jagdish Patel, 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 his Class “A” Malt license for the premises located at 2903 West Clybourn Avenue in the City and County of Milwaukee, Wisconsin, without undergoing a thirty (30) day suspension of said license. The Committee finds the neighborhood objections and 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 the Class “A” Malt license of Jagdish Patel, for the premises located at 2930 West Clybourn Avenue in the City and County of Milwaukee, Wisconsin (“Milwaukee Foods”), with a thirty (30) day suspension based upon neighborhood testimony.

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 "A" Malt license of Jagdish Patel, agent for Clybourn Supermarket, LLC, for the premises located at 2903 West Clybourn Avenue in the City and County of Milwaukee, Wisconsin ("Milwaukee Foods") be renewed with thirty (30) day suspension.

Said suspension is to be in effect between 12:01 a.m., July 26, 2010 a.m. and midnight, August 24, 2010.

Dated and signed at Milwaukee, Wisconsin this 24th day of June, 2010.



JAMES A. BOHL, Jr., Chair
Licenses Committee



www.milwaukee.gov

Office of the City Clerk

Ronald D. Leonhardt
City Clerk

Jim Owczarski
Deputy City Clerk

June 24, 2010

Salvatore Salvo, Agent
Pop Promotions, LLC
1033 N. Old World Third St., #502
Milwaukee, WI 53203

Atty. David Halbrooks
Atty. Matt Lerner
Maistelman & Associates
5027 W. North Ave.
Milwaukee, WI 53208


Dear Mr. Salvo and Attys Halbrooks and Lerner:

You are hereby notified that the Milwaukee Common Council will hold a hearing on July 7, 2010, 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 the renewal of the Class "B" Tavern and Tavern Amusement (Cabaret/Nightclub) license for the premises at 606 S. 5th St. ("Texture").

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 renewal of the license with a 25-day suspension based on a police report and neighborhood objections. The recommendation is the result of a public hearing before the Committee held on June 21, 2010.

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 June 30, 2010 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,


RONALD D. LEONHARDT
City Clerk

Enclosure



JAMES A. BOHL JR.
Alderman, 5th District

Date: June 24, 2010

To: All Members of the Milwaukee Common Council

From: Licenses Committee

Re: Report on the Renewal Applications of the Class "B" Tavern and Tavern Amusement (cabaret/nite club) licenses of Salvatore Salvo, Agent for Pop Promotions, LLC, for the premises located at 606 South 5th Street in the City and County of Milwaukee, Wisconsin ("Texture")

FINDINGS OF FACT

1. Salvatore Salvo, as agent for Pop Promotions, LLC (hereinafter "the Licensee"), is the holder of Class "B" Tavern and Tavern Amusement (Cabaret/Nightclub) licenses for the premises located at 606 South 5th Street in the City and County of Milwaukee, Wisconsin ("Texture"). Said licenses expire at midnight on July 25, 2019
2. Applications to renew said licenses were filed with the Office of the City Clerk on April 15, 2010.
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 16, 2010, the Milwaukee Police Department responded with a report regarding the renewal of said license, which could form a basis of non-renewal or suspension. There were also claimed neighborhood objections to loitering, littering, loud music and noise, racing of vehicles and parking and traffic problems; congregation of unruly patrons; drug and criminal activity, including trespassing, public urination, vandalism, disorderly conduct, fights, and thefts; actions and practices of security personnel; operation of the premises in such a manner that it creates a public nuisance; and conduct which is detrimental to the health, safety and welfare of the neighborhood.
4. On June 10, 2010, 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 the neighborhood objections, and included therewith a copy of the Milwaukee Police Department report. The matter was scheduled for a hearing on the Milwaukee Police Department report and neighborhood objections on June 21, 2010, commencing at 4:00 p.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 represented by Attorney David Halbrooks and Attorney Matthew Lerner, Maistelman & Associates, 5027 West North Avenue, Milwaukee, WI 53208.

5. Based upon the testimony heard and evidence received, the Committee makes the following findings of fact.
 - A. On March 21, 2009, officers of the Milwaukee Police Department were flagged down by Texture's security regarding a subject with a weapon complaint. Security stated a subject in a dark colored Dodge Durango was seen waving a gun out of the window. Police located the auto and conducted a traffic stop. Officers recovered a gun and the suspect was arrested and charged. At hearing, a corporate officer stated that he saw the patron wave the gun, alerted the police officer, and asked him to chase the patron.
 - B. On October 31, 2009 at 1:35 a.m., officers of the Milwaukee Police Department conducted a license premise check at the licensed premises at 606 South 5th Street. As officers conducted the tavern check, a patron who was highly intoxicated became disorderly and was interfering with the investigation. Security attempted to escort the patron out of the tavern but he began to argue with the guards. Officers arrested and cited the patron with disorderly conduct. At hearing, a corporate officer testified that the policy of the Club is not to over-serve patrons.
 - C. On November 7, 2009 at 2:14 a.m., officers of the Milwaukee Police Department were monitoring the Texture tavern for crowd and traffic control when officers responded to a fight in a parking lot used by the bar's patrons [the Club asserts it does not own a parking lot]. Officers observed security for the bar struggling with a patron. Security stated to officers that the subject started arguing with other patrons when he threatened violence. Security stated they feared it would turn physical so they attempted to remove the patron when he struck one of the guards in the face. The patron was issued citations for disorderly conduct and assault and battery.
 - D. On November 19, 2009 at 1:04 a.m., officers of the Milwaukee Police Department were dispatched to 606 South 5th Street for an

altered currency complaint. Officers spoke to the manager who stated a patron attempted to pass a counterfeit \$100 at the front door for the ten-dollar cover charge. He stated the subject was no longer on scene but that he had video surveillance of the incident. The police were contacted by the Club. An incident report was filed.

- E. On November 23, 2009 at 12:36 a.m., officers of the Milwaukee Police Department were dispatched to 606 South 5th Street for a subject with a gun complaint. Officers spoke with Donato Salvo who stated that a known patron was inside the club and was escorted out by security when he was observed flashing gang signs. Once the patron was outside, he threatened security that he was going to shoot them and the tavern. The patron continued to make threats and refused to leave so security detained him until police arrived. The Club contacted the police. The subject was issued a citation for disorderly conduct and told he was no longer welcome at the club
- F. On January 11, 2010 at 12:10 a.m., officers of the Milwaukee Police Department were dispatched to 3rd and National for a battery while armed complaint. Officers spoke to the victim who stated he was in the Texture Night Club when he was intentionally struck in the face with a glass causing a laceration that required stitches. Police continued the investigation at Texture and found that management and security were untruthful in their involvement and knowledge of the incident. At hearing, the Club objected to the reference of not being truthful, and testified that it had its personnel stay long into the morning to review the video tapes with the police, which did not show the incident.
- G. On February 14, 2010 at 1:57 a.m., officers of the Milwaukee Police Department were dispatched to 5th and Bruce for a battery complaint. Police spoke to the victim who stated he was sprayed with mace by security from Texture. Officers continued the investigation at Texture and spoke to a security guard. The security guard stated the patron was escorted out of the club for fighting. The patron attempted to re-enter the club and was putting his hands on security when he was sprayed with mace. Security provided water and flushed his eyes out. Officers reviewed video surveillance that showed the incident.
- H. On February 15, 2010 at 12:33 a.m., officers of the Milwaukee Police Department were flagged down for a trouble with subject complaint at 600 South 5th Street. Officers observed two subjects physically fighting with Texture security. Security stated the fight

started when a patron was asked to put her shoes back on. The patron's boyfriend got angry and started arguing with security. Security escorted both parties out and that's when the argument turned physical. Both patrons were cited for disorderly conduct.

- I. On February 21, 2010 at 1:38 a.m., officers of the Milwaukee Police Department met a battery victim at District 5. The victim stated she was at the Texture Club when her ex-boyfriend and father of her child approached her and punched her in the mouth. The victim stated they had a brief argument before he punched her. Security then escorted her ex boyfriend from the club and she left shortly after. The victim further stated she got into car when her ex-boyfriend began kicking it, breaking her driver side mirror. The victim stated that is when she drove the police station. An incident report was filed.
- J. On February 28, 2010 at 2:00 a.m., officers of the Milwaukee Police Department observed a fight at the intersection of 5th and Bruce. The investigation found a patron was fighting with Texture security and officers cited him for disorderly conduct and resisting/obstructing an officer. Officers also were flagged down for a property damage that occurred instead of the club. A patron punched a hole in the wall and the subject was identified and found to be only twenty years of age. The subject stated to police that he just showed his identification and they let him in. The subject admitted to drinking and was cited for possession/consumption of alcohol and vandalism. No citation was written to the Club.
- K. On March 14, 2010 at 1:44 a.m., officers of the Milwaukee Police Department were flagged down by security for Texture for a trouble with subject complaint. Security stated they escorted a patron out after he became disorderly and he became confrontational with security. The patron was cited for disorderly conduct.
- L. On March 20, 2010 at 11:57 p.m., officers of the Milwaukee Police Department conducted a license premise check at 606 South 5th Street. Officers observed several patrons paying cover charges but found no sign posted. Police spoke to the licensee who stated he was not aware he needed to post a sign for cover charges. He was shown the city ordinance and issued a citation for tavern charges to be posted. This citation was scheduled a court hearing on May 10, 2010. A not guilty plea has been entered.
- M. The following applies to corporate officer Salvatore Safina: On November 25, 2009, Safina received a citation for place, use, hunt

wild animals with bait in Adams County. Safina was found guilty of this citation on January 13, 2010 and fined.

- N. One objecting neighbor testified to some forty instances during 2009 in which she was disturbed by the noise generated from patrons of Texture which included honking motor vehicle horns and bull horns used by Club security to move patrons along. This witness knew that a parking lot owned by Milwaukee Public Schools was used by Texture patrons, and when the Club closed, they returned to their cars and continued to party. This witness knew that the patrons were from Texture because she saw them coming from the establishment.
- O. One objecting neighbor brought flyers and handbills which he testified he picked up around the area of Texture which advertised events at the club. The corporate officer of Texture testified that the items were used for internal advertising and had marks of having been removed from the Club and were supposed to have been put in trash receptacles, but which none the less found their way as litter along National Avenue. That same witness testified to having seen seven fights involving patrons of the Texture. He did not call the police. That same witness has also seen fights involving patrons of Texture in the parking lot of La Fuente Restaurant.
- P. The owner of La Fuente Restaurant testified as to video clips that he presented from his restaurant's video surveillance system showing unruly crowds at Club Texture engaging in fights in 5th Street, partying in the street, and generally blocking traffic.
- Q. The owner of Pagano's Mexican Restaurant testified that he is "sick and tired" of picking up when Texture closes. He testified to litter in the street and pints of booze bottles and condoms in the street and parking lot. He has tried to tell the patrons not to do that, but when he talks to them they give him an uplifted index finger. He knows these to be patrons of Texture because he sees them get in line to go into the club. The conduct about which he complains occurs every weekend.
- R. The local alderman of district has also observed patrons of Texture engage in parties in the Bradley Tech parking lot and then go to Texture.
- S. The individuals testifying in favor of the renewal of the Club's licenses insist that litter is routinely picked up at closing time by Club personnel, and that Club itself undertook to make sure the

patrons of Texture could not use the parking lot by closing it. Further, the disc Jockey tones the music down one hour before closing and stops the music entirely one half hour before closing. Bar time is called in such a way as to make sure that at least ten minutes are available to clear patrons. The security personnel, a new firm, Tower Security, escorts patrons to their cars.

- T. Attorney Peter Donohue testified in favor the renewal of the license, and he is a tenant of the same building in which Texture is located, along with the landlord for Texture. One individual, Mr. Tim Greene, testified that his dining room is directly above a parking lot used by Club patrons and that he has noticed a decline in the noise being generated by them and cruising activity on the part of Club patrons. Mr. Greene has lived there three years.
- U. Mr. Scott Reynolds testified in favor of renewal and noted that Texture used to circulate flyers in the neighborhood, but hat it has not been done for two years.

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, Salvatore Salvo, as agent for Pop Promotions, LLC for the premises located at 606 South 6th Street in the City and County of Milwaukee, Wisconsin ("Texture") 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 "B" Tavern and Tavern Amusement (Cabaret/Nightclub) licenses held by him without undergoing a twenty-five (25) day suspension of the Class "B" Tavern license and a twenty-five (25) day suspension of the Tavern Amusement (Cabaret/Nightclub) license. The Committee finds the police report and neighborhood objections, 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 the Class "B" Tavern and Tavern Amusement (Cabaret/Nightclub) license held by Salvatore Salvo, as agent for Pop Promotions, LLC for the premises located at 606 South 5th Street in the City and County of Milwaukee, Wisconsin ("Texture"), with a twenty-five

(25) day suspension on each license, based upon a police report and neighborhood objections.

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 Class "B" Tavern and Tavern Amusement (Cabaret/Nightclub) held by Salvatore Salvo, as agent for Pop Promotions, LLC for the premises located at 606 South 5th Street in the City and County of Milwaukee, Wisconsin ("Texture") be renewed with twenty-five (25) day suspension on each license.

Said suspension will be in effect between 12:01 a.m. July 26, 2010 a.m., and midnight, August 19, 2010.

Dated and signed at Milwaukee, Wisconsin this 24th day of June, 2010.



JAMES A. BOHL, Jr., Chair
Licenses Committee



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Office of the City Clerk

Ronald D. Leonhardt
City Clerk

Jim Owczarski
Deputy City Clerk

June 24, 2010

Steven R. Preston
904 E. Pearson St.
#313
Milwaukee, WI 53202

Dear Mr. Preston:

You are hereby notified that the Milwaukee Common Council will hold a hearing on July 7, 2010, 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 the renewal of your Class "D" Bartender's license.

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 nonrenewal of your license based upon non-appearance. The recommendation is the result of a public hearing before the Committee held on June 21, 2010.

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 June 30, 2010 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,

RONALD D. LEONHARDT
City Clerk

Enclosure



JAMES A. BOHL JR.
Alderman, 5th District

Date: June 24, 2010
To: All Members of the Milwaukee Common Council
From: Licenses Committee
Re: Report on the Renewal Application of the Class "D"
Bartender License of Steven R. Preston

FINDINGS OF FACT

1. Steven R. Preston (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, 2009.
2. An application to renew said license was untimely filed with the Office of the City Clerk on March 30, 2010.
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 31, 2010, the Milwaukee Police Department responded with a police report that could form a basis for non-renewal or suspension of said license.
4. On June 9, 2010, 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 June 21, 2010, commencing at 1:30 p.m. in Room 301B of City Hall. At said date, time and place, the licensee did not appear and she was not represented by counsel. That was the applicant's second nonappearance.
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 Steven R. Preston at 904 East Pearson Street, No. 313, Milwaukee, Wisconsin 53202 on June 9, 2010 by U.S. prepaid first-class mail in an envelope bearing the return address of the License Division. The address of 904 East Pearson, No. 313, Milwaukee, Wisconsin 53002 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 June 21, 2010.

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, Steven R. Preston, 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 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" Bartender license held by Steven R. Preston based upon nonappearance.

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 "D" Bartender License be denied based upon nonappearance.

Dated and signed at Milwaukee, Wisconsin this 24th day of June, 2010.



JAMES A. BOHL, Jr., Chair
Licenses Committee



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Office of the City Clerk

Ronald D. Leonhardt
City Clerk

Jim Owczarski
Deputy City Clerk

June 24, 2010

Lacy J. Landre
W7333 County Road W
Adell, WI 53001

Dear Ms. Landre:

You are hereby notified that the Milwaukee Common Council will hold a hearing on July 7, 2010, 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 the renewal of your Class "D" Bartender's license.

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 nonrenewal of your license based upon non-appearance. The recommendation is the result of a public hearing before the Committee held on June 21, 2010.

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 June 30, 2010 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,

RONALD D. LEONHARDT
City Clerk

Enclosure



JAMES A. BOHL JR.
Alderman, 5th District

Date: June 24, 2010

To: All Members of the Milwaukee Common Council

From: Licenses Committee

Re: Report on the Renewal Application of the Class "D"
Bartender License of Lacy J. Landre

FINDINGS OF FACT

1. Lacy J. Landre (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, 2009.
2. An application to renew said license was untimely filed with the Office of the City Clerk on April 20, 2010.
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 22, 2010, the Milwaukee Police Department responded with a police report that could form a basis for non-renewal or suspension of said license.
4. On June 9, 2010, 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 June 21, 2010, commencing at 1:30 p.m. in Room 301B of City Hall. At said date, time and place, the licensee did not appear and she was not represented by counsel. That was the applicant's second nonappearance.
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 Lacy J. Landre at W7333 County Road W, Adell, Wisconsin 53001 on June 9, 2010 by U.S. prepaid first-class mail in an envelope bearing the return address of the License Division. The address of W7333 County Road W, Adell, Wisconsin 53001 is the address given by the Licensee on her 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 June 21, 2010.

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, Lacy J. Landre, 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 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" Bartender license held by Lacy J. Landre based upon nonappearance.

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 "D" Bartender License be denied based upon nonappearance.

Dated and signed at Milwaukee, Wisconsin this 24th day of June, 2010.



JAMES A. BOHL, Jr., Chair
Licenses Committee