



JAMES N. WITKOWIAK
ALDERMAN, 12TH DISTRICT

March 28, 2008

To the Honorable, the Common Council

Dear Members:

Common Council File 071384 contains the following recommendations:

Renewal, with a 45-day suspension based on neighborhood objection and the police report, of the Extended Hours Establishment license of **Rateb Abuinaaj**, Agent for "B&V of Milwaukee, Inc." for "Kwik Stop" at 3425 W. Silver Spring Dr. in the 1st aldermanic district (Committee vote: Ayes: 2, Noes: 1, Excused: 1, Abstaining: 1)(Ayes – Ald. Wade and Ald. Puente; No – Ald. Witkowiak; Excused – Ald. Bohl; Abstaining – Ald. Witkowski)

Renewal, with a 10-day suspension based on the police report, of the Extended Hours Establishment license of **Jehad Abunaaj**, Agent for "Pak Capital, Inc." for the premises at 2627 W. Capitol Dr. ("Kwik Stop") in the 7th aldermanic district.

Renewal, with a 10-day suspension based on neighborhood objections and the police report, of the Secondhand Motor Vehicle Dealer application of **Nick Antzoulatos** for the premises at 8144 W. Appleton Ave. ("Badger Auto Sales") in the 5th aldermanic district. (Committee vote: Ayes: 2, Noes: 1, Excused: 2)(Ayes – Ald. Bohl and Ald. Witkowski; No – Ald. Wade; Excused: Ald. Witkowiak and Ald. Puente)

Non-renewal, based on non-appearance, of the Extended Hours Establishment license of **Kalim Beg** for the premises at 9026 W. Brown Deer Rd. ("Brown Deer BP") in the 9th aldermanic district.

Non-renewal, based on non-appearance, of the Extended Hours Establishment license of **Kalim Beg** for the premises at 9425 W. Brown Deer Rd. ("Brown Deer Citgo") in the 9th aldermanic district.

Renewal, with a 10-day suspension based on the police report, of the Class "B" Tavern license with a change in the floor plan (remove basement storage) of **Jose Cervantes** for the premises at 600 W. Maple St. ("Jo Jo's") in the 12th aldermanic district.

Non-renewal, based on neighborhood objections, of the Extended Hours Establishment license of **Nadir Daya**, Agent for "Twenty-Fourth Corporation" for the premises at 2401 S. Howell Ave.

("Citgo Quick Pick Food Mart") in the 14th aldermanic district. Committee vote: Ayes: 4, Noes: 1)(Ayes – Ald. Witkowski, Ald. Bohl, Ald. Witkowiak and Ald. Wade; No – Ald. Puente)

Non-renewal, based on non-appearance, of the Extended Hours Establishment license of **Murad Hamdan**, Agent for "Chubby's Cheesesteaks, LLC" for the premises at 2232 N. Oakland Ave. ("Chubby's Cheesesteaks") in the 3rd aldermanic district.

Renewal, with a 20-day suspension based on the police report, of the Class "B" Tavern and Tavern Dance license of **Mary Harrell** for the premises at 4106 W. Lisbon Ave. ("Sisters and Brothers Place") in the 15th aldermanic district. (Committee vote: Ayes: 3, Noes: 1, Excused: 1)(Ayes – Ald. Bohl, Ald. Witkowiak and Ald. Witkowski; No – Ald. Puente; Excused – Ald. Wade)

Renewal, with a 30-day suspension based on the police report, of the Extended Hours Establishment license of **Diljeet Khahra**, Agent for "Khahra Oil Corporation" for the premises at 4811 N. Teutonia Ave. ("Akal Quick Mart") in the 1st aldermanic district. (Committee vote: Ayes: 3, Noes: 1, Excused: 1)(Ayes – Ald. Witkowski, Ald. Puente and Ald. Wade; No – Ald. Bohl; Excused – Ald. Witkowiak)

Renewal, with a 10-day suspension based on the police report, of the Class "B" Tavern and Tavern Amusement (Cabaret/Nite Club) license of **Harry Marr**, Agent for "Harlim, Inc." for the premises at 135 E. National Ave. ("Triangle") in the 12th aldermanic district.

Renewal, with a 90-day suspension based on the police report, of the Extended Hours Establishment license of **Younas Mohammad**, Agent for "Chicago Sub, Inc." for the premises at 4231 W. Capitol Dr. ("Chicago Sub") in the 7th aldermanic district.

Non-renewal, based on non-appearance, of the Class "D" Bartender license of **Lorenzo Roberson**.

Renewal, with a 25-day suspension of the Class "B" Tavern license and with a 90-day suspension of the Tavern Dance license, based on the police report and neighborhood objections, of **Frank Winston** for the premises at 2691 S. 6th St. ("Cleveland's Lounge") in the 14th aldermanic district (Committee vote: Ayes: 3, Noes: 1)(Ayes – Ald. Bohl, Ald. Witkowski and Ald. Witkowiak; No – Ald. Wade; Excused: Ald. Puente)

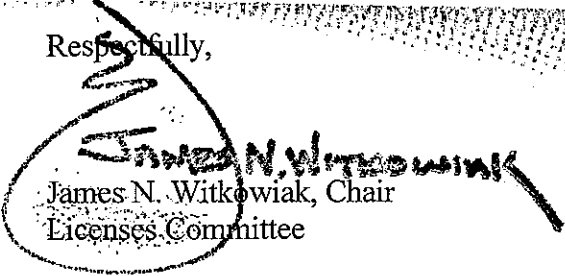
With regard to the file listed above, the Licenses Committee held an evidentiary hearing on March 25th.

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 **Wednesday, April 9, 2008** at 9:00 A.M. in the Common Council Chambers.

Respectfully,



James N. Witkowiak, Chair
Licenses Committee

cc: All Council Members
Files 071384



JAMES N. WITKOWIAK
ALDERMAN, 12TH DISTRICT

Date: March 27, 2008

To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report on the extended hours establishment renewal application of Rateb A. Abuinaaj, agent for B&V of Milwaukee, Inc. for the premises located at 3425 West Silver Spring Drive in the City and County of Milwaukee, Wisconsin ("Kwik Stop").

FINDINGS OF FACT

1. Rateb A. Abuinaaj, as agent for B&V of Milwaukee, Inc., holds an extended hours establishment license for the premises located at 3425 West Silver Spring Drive in the City and County of Milwaukee, Wisconsin ("Kwik Stop"). Said license expires at midnight, April 30, 2008.
2. An application to renew said license was filed with the Office of the City Clerk on February 15, 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 police report that could form the basis of nonrenewal or suspension of said license dated February 18, 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, trespassing, damage to private property, and conduct which is detrimental to the health, safety, and welfare of the neighborhood.
4. On March 13, 2008 the City Clerk's Office provided timely notice to the Licensee, pursuant to Section 84-7, of the police and neighborhood objections and included a copy of the police report. The matter was scheduled for a hearing on the neighborhood objections on March 25, 2008 at 10:00 a.m. in Room 301B of

the third floor of City Hall. At said date, time and place, the licensee did appear and admitted receipt of the notice 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 March 20, 2007 at 1:38 AM, officers of the Milwaukee Police Department were dispatched to the licensed premises at 3425 West Silver Spring Drive, Milwaukee, Wisconsin ("Kwik Stop") for a call for police complaint with the call being updated to an armed robbery. The investigation revealed that three armed suspects entered the business, but did not take anything. They all fled in different directions. The clerk was not injured.
 - B. There were two neighbors, Mavis McCallum and Thomas McCallum, who testified in opposition to this license. They related that during day time, operation of this premises is not a disturbance to the neighborhood. However, during the extended hours of operation (midnight to 5:00 a.m.), this premises attracts autos that "are flying up to 35th Street." In addition, young persons congregate, play music loudly, and cause disturbances. Further, the location attracts individuals who purchase candy which causes the litter of candy wrappers in the area. The McCallums have made complaints to the local police captain regarding these activities. Occasionally, during the extended hours of operation, children estimated to be 12 to 16 years of age are seen at the premises.
 - C. The licensee testified he calls the police and tells the youngsters to leave. The licensee has posted no loitering signs.

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, Rateb A. Abuinaaj, as agent for B&V of Milwaukee, Inc., which holds an extended hours establishment license for the premises at 3425 West Silver Spring Drive in the City and County of Milwaukee, Wisconsin ("Kwik Stop") 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 without undergoing a forty-five (45) day suspension of said license because of the police report and neighborhood objections. The Licenses Committee finds the police report and neighborhood objections, as stated above, to be true.

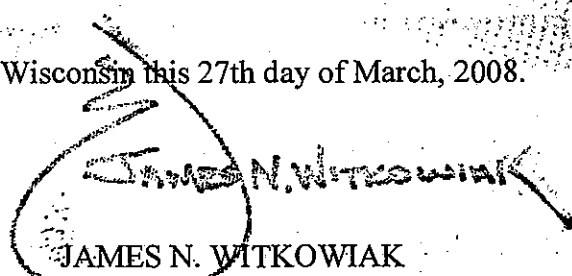
3. In order to protect the health, safety and welfare of the citizens of the City of Milwaukee, it is the recommendation of the Licenses Committee that the full Common Council should exercise its discretion to renew the extended hours establishment license held by Rateb A. Abuinaaj, as agent for B&V of Milwaukee, Inc. for the premises at 3425 West Silver Spring Drive in the City and County of Milwaukee, Wisconsin ("Kwik Stop") with a forty-five (45) day suspension because of the danger the operation of this 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 two (2) ayes, and one (1) no recommends that the extended hours establishment renewal application held by Rateb A. Abuinaaj, as agent for B&V of Milwaukee, Inc. for the premises at 3425 West Silver Spring Drive in the City and County of Milwaukee, Wisconsin ("Kwik Stop") be renewed with a forty-five (45) day suspension based upon a police report and neighborhood objections.

Said suspension is to be in effect between 12:01 a.m. May 1, 2008 through midnight, June 14, 2008.

Dated and signed at Milwaukee, Wisconsin this 27th day of March, 2008.



JAMES N. WITKOWIAK
Chairman of the Licenses Committee



JAMES N. WITKOWIAK
ALDERMAN, 12TH DISTRICT

Date: March 27, 2008

To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report on the extended hours establishment renewal application of Jehad A. Abunaaj, agent for Pak Capital, Inc. for the premises located at 2627 West Capitol Drive in the City and County of Milwaukee, Wisconsin ("Kwik Stop").

FINDINGS OF FACT

1. Jehad A. Abunaaj, holds an extended hours establishment license for the premises located at 2627 West Capitol Drive in the City and County of Milwaukee, Wisconsin ("Kwik Stop"). Said license expires at midnight, April 30, 2008.
2. An application to renew said license was filed with the Office of the City Clerk on February 29, 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 police report dated March 14, 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, trespassing, damage to private property, and conduct which is detrimental to the health, safety, and welfare of the neighborhood.
4. On March 17, 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 9:45 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 January 11, 2007 at 12:48 AM, officers of the Milwaukee Police Department were dispatched to the licensed premises at 2627 West Capitol Drive, Milwaukee, Wisconsin ("Kwik Stop") regarding trouble with two subjects who were panhandling at the premises. Officers spoke with the security guard who indicated the subjects had left.
 - B. On April 14, 2007 at 1:25 AM, officers of the Milwaukee Police Department were dispatched to the licensed premises at 2627 West Capitol Drive, Milwaukee, Wisconsin ("Kwik Stop") regarding a shooting. The officers located two victims that had been shot while standing near their vehicle in the parking lot. A victim stated that there were people and cars in the parking lot and that people were talking. When one of the cars left, a passenger in that vehicle stuck a gun outside of the window and fired 7 to 9 shots. An incident report was filed.
 - C. On June 1, 2007 at 11:22 AM, officers of the Milwaukee Police Department were dispatched to the licensed premises at 2627 West Capitol Drive, Milwaukee, Wisconsin ("Kwik Stop") regarding an armed robbery. Officers interviewed the licensee who was working at the time of this offense. The licensee stated that two male subjects tried to leave the store with merchandise without paying, so he locked the door to prevent them from leaving. The two subjects started pulling at the door while a third subject joined them and started pushing on the door. The subjects fled when they were able to get the door open. The subjects damaged the door. The licensee stated that the subjects never showed a weapon nor did they imply they had one. An incident report was filed.
 - D. On October 24, 2007 at 10:45 AM, an unknown actor kicked open the locked door of the business causing damage. An incident report was filed.
 - E. On December 19, 2007, officers of the Milwaukee Police Department investigated an attempted armed robbery that occurred at the licensed premises at 2627 West Capitol Drive ("Kwik Stop"). The victim stated she was seated in her vehicle after she was just in the store when a male subject tapped on her window. When the victim realized the subject was tapping on her window with a gun, she stepped on the gas and fled the parking lot.
 - F. On January 10, 2008, officers of the Milwaukee Police Department were dispatched to a shooting victim at St. Joseph Hospital. The investigation revealed that an incident had occurred at 12:45 AM at the licensed premises at 2627 West Capitol Drive, Milwaukee, Wisconsin ("Kwik Stop"). The victim had exited the store and was getting into her vehicle when she heard a popping sound. When she left the gas station, she observed blood on her

sock. The victim went home and then to the hospital where it was learned she had been shot with a BB gun. The victim did not see anyone with a gun at the gas station. An incident report was filed.

- G. On January 5, 2008 at 11:42 PM, officers of the Milwaukee Police Department were dispatched to the licensed premises at 2627 West Capitol Drive ("Kwik Stop") for a call for police request. Officers spoke with the licensee who stated that there was an unknown subject causing trouble, but the subject had left the area when the licensee had called the police.

CONCLUSIONS OF LAW

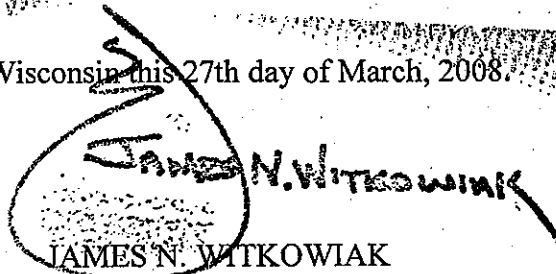
1. The Committee has jurisdiction to hold hearings and provided Findings of Fact and Conclusions of Law and a Recommendation to the full Common Council pursuant to Section 84-7 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concludes that the Licensee, Jihad A. Abunaaj, who holds an extended hours establishment license for the premises at 2627 West Capitol Drive in the City and County of Milwaukee, Wisconsin ("Kwik Stop") has not met the criteria of Section 84-7 of the Milwaukee Code of Ordinances to allow renewal of the extended hours establishment license without undergoing a ten (10) day suspension for this premises because of 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 extended hours establishment license held by Jihad A. Abunaaj for the premises at 2627 West Capitol Drive in the City and County of Milwaukee, Wisconsin ("Kwik Stop") with a ten (10) day suspension because of 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 zero (0) noes recommends that the extended hours establishment renewal application held by Jihad A. Abunaaj for the premises at 2627 West Capitol Drive in the City and County of Milwaukee, Wisconsin ("Kwik Stop") be renewed with a ten (10) day suspension based upon a police report.

Said suspension is to be in effect between 12:01 a.m., May 1, 2008 through midnight May 10, 2008.

Dated and signed at Milwaukee, Wisconsin this 27th day of March, 2008.

A handwritten signature in black ink, appearing to read "James N. Witkowiak", is written over a circular stamp. The signature is somewhat stylized and slanted.

JAMES N. WITKOWIAK
Chairman of the Licenses Committee

130800



JAMES N. WITKOWIAK
ALDERMAN, 12TH DISTRICT

Date: March 27, 2008

To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report of the Renewal Application of Nick Antzoulatos for a Secondhand Motor Vehicle Dealer's license for the premises at 8144 West Appleton Avenue ("Badger Auto Sales").

FINDINGS OF FACT

1. Nick Antzoulatos holds a Secondhand Motor Vehicle Dealer's license for the premises at 8144 West Appleton Avenue in the City and County of Milwaukee, Wisconsin ("Badger Auto Sales"). Said license expires at midnight, March 31, 2008.
2. An application to renew said license was filed with the Office of the City Clerk on March 5, 2008.
3. Pursuant to Chapter 93 of the Milwaukee Code of Ordinances, the matter was referred to the Milwaukee Police Department for investigation. The Milwaukee Police Department responded with a report dated March 6, 2008 which could form the basis for denial or suspension of this license. In addition, there were claimed neighborhood problems due to management of the location. It was claimed that the licensed premises is operated in such a manner that it constitutes a public or private nuisance and that the conduct on the licensed premises has had an adverse effect on the neighborhood, including but not limited to, failure to maintain property in accordance with the board of zoning appeals and department of neighborhood services guidelines. In addition, there were claimed neighborhood objections to undesirable neighborhood problems such as: parking and traffic problems which cause the normal flow of traffic on roadways and alleys to be impeded, parking vehicles in prohibited parking areas, parking vehicles in the excess of the approved number, loitering, littering, noise, loud music, and conduct which has an adverse impact on the public health, safety and welfare of the community.
4. On March 17, 2008, the City Clerk's Office provided notice to the Licensee,

pursuant to Chapter 93 of the Milwaukee Code of Ordinances, of the neighborhood objections that could form the basis for suspension or non-renewal of the license of the Licensee. The matter was scheduled for a hearing on the neighborhood objections on March 25, 2008 at 9:00 a.m. in Room 301B of the third floor of City Hall. The licensee appeared and admitted receipt of the notice, but 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 May 29, 2007 at 2:06 p.m., the applicant was cited by the City of Milwaukee for zoning violations at the licensed premises at 8144 West Appleton Avenue and a warrant was issued on October 11, 2007. At hearing, the Committee was informed that the warrant had been withdrawn.
 - B. The local alderman advised the Committee that a number of neighborhood complaints had been received regarding automobiles offered for sale being parked on the roadways, particularly Appleton Avenue. Those vehicles were parked in such a manner as to impede visibility to traffic entering Appleton Avenue (a state highway and a major thoroughfare) and thus creating a hazard. The licensee testified that his business has been very brisk, resulting in sales of many cars with not always enough space or off-street locations to keep them.

CONCLUSIONS OF LAW

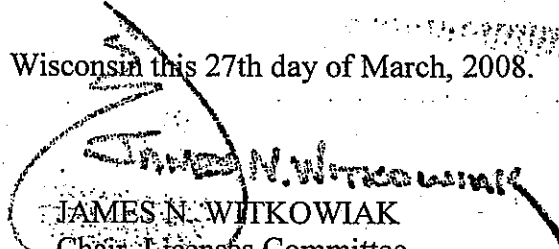
1. The Committee has jurisdiction to hold hearings and provided Findings of Fact and Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapter 93 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concludes that the licensee, Nick Antzoulatos, has not met the criteria of Chapter 93 of the Milwaukee Code of Ordinances to allow renewal of his Secondhand Motor Vehicle Dealer license without undergoing a ten (10) day suspension of said license for the premises located at 8144 West Appleton Avenue ("Badger Auto Sales"). The Committee finds the 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 with a ten (10) day suspension the Secondhand Motor Vehicle Dealer license of Nick Antzoulatos for the premises located at 8144 West Appleton Avenue in the City and County of Milwaukee, Wisconsin.

RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of two (2) ayes and one (1) no recommends that the Secondhand Motor Vehicle Dealer license of Nick Antzoulatos for the premises located at 8144 West Appleton Avenue in the City and County of Milwaukee, Wisconsin be renewed with a ten (10) day suspension.

Said suspension is to be in effect from 12:01 a.m. April 1, 2008 through midnight, April 10, 2008.

Dated and signed at Milwaukee, Wisconsin this 27th day of March, 2008.


JAMES N. WITKOWIAK
Chair, Licenses Committee

130741



JAMES N. WITKOWIAK
ALDERMAN, 12TH DISTRICT

Date: March 27, 2008

To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report on the extended hours establishment renewal application of Kalim M. Beg for the premises located at 9026 West Brown Deer Road in the City and County of Milwaukee, Wisconsin ("Brown Deer BP").

FINDINGS OF FACT

1. Kalim M. Beg holds an extended hours establishment license for the premises located at 9026 West Brown Deer Road in the City and County of Milwaukee, Wisconsin ("Brown Deer BP"). Said license expires at midnight, April 30, 2008.
2. An application to renew said license was filed with the Office of the City Clerk on February 15, 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 police report that could form the basis of nonrenewal or suspension of said license, dated February 18, 2008.
4. On March 13, 2008 the City Clerk's Office provided timely notice to the Licensee, pursuant to Section 84-7 of the police report and included a copy of said report. 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 not 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. A notice of the hearing was sent to Kalim M. Beg at 2715 Country Club Drive, Mequon, Wisconsin 53092 on March 13, 2008 by U.S. prepaid first-class mail in an envelope bearing the return address of the License Division.

The address of 2715 Country Club Drive, Mequon, Wisconsin 53092 is the address given by the applicant 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 March 25, 2008.

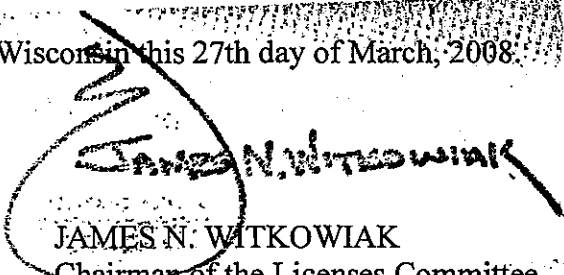
CONCLUSIONS OF LAW

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, Kalim M. Beg, who holds an extended hours establishment license for the premises at 9026 West Brown Deer Road in the City and County of Milwaukee, Wisconsin ("Brown Deer BP") 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 his nonappearance before the Committee.
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 the extended hours establishment license held by Kalim M. Beg for the premises at 9026 West Brown Deer Road in the City and County of Milwaukee, Wisconsin ("Brown Deer BP") because of the Licensee's nonappearance.

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) excused recommends that the extended hours establishment renewal application held by Kalim M. Beg for the premises at 9026 West Brown Deer Road in the City and County of Milwaukee, Wisconsin ("Brown Deer BP") be denied based upon nonappearance.

Dated and signed at Milwaukee, Wisconsin this 27th day of March, 2008:


JAMES N. WITKOWIAK
Chairman of the Licenses Committee



JAMES N. WITKOWIAK

ALDERMAN, 12TH DISTRICT

Date: March 27, 2008

To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report on the extended hours establishment renewal application of Kalim M. Beg for the premises located at 9425 West Brown Deer Road in the City and County of Milwaukee, Wisconsin ("Brown Deer Citgo").

FINDINGS OF FACT

1. Kalim M. Beg holds an extended hours establishment license for the premises located at 9425 West Brown Deer Road in the City and County of Milwaukee, Wisconsin ("Brown Deer Citgo"). Said license expires at midnight, April 30, 2008.
2. An application to renew said license was filed with the Office of the City Clerk on February 15, 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 police report dated February 18, 2008 that could form the basis of nonrenewal or suspension of said license.
4. On March 13, 2008 the City Clerk's Office provided timely notice to the Licensee, pursuant to Section 84-7 of the police report and included a copy of the report. The matter was scheduled for a hearing on the police report 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 not 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. A notice of the hearing was sent to Kalim M. Beg at 2715 Country Club Drive, Mequon, Wisconsin 53092 on March 13, 2008 by U.S. prepaid first-class mail in an envelope bearing the return address of the License Division.

The address of 2715 Country Club Drive, Mequon, Wisconsin 53092 is the address given by the applicant 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 March 25, 2008.

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, Kalim M. Beg, who holds an extended hours establishment license for the premises at 9425 West Brown Deer Road in the City and County of Milwaukee, Wisconsin ("Brown Deer Citgo") 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 his nonappearance before the Committee.
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 the renewal of the extended hours establishment license held by Kalim M. Beg for the premises at 9425 West Brown Deer Road in the City and County of Milwaukee, Wisconsin ("Brown Deer Citgo") because of the Licensee's nonappearance.

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) excused recommends that the extended hours establishment renewal application held by Kalim M. Beg for the premises at 9425 West Brown Deer Road in the City and County of Milwaukee, Wisconsin ("Brown Deer Citgo") be denied based upon nonappearance.

Dated and signed at Milwaukee, Wisconsin this 27th day of March, 2008


JAMES N. WITKOWIAK
Chairman of the Licenses Committee



JAMES N. WITKOWIAK
ALDERMAN, 12TH DISTRICT

Date: March 27, 2008

To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report of the Renewal Application of Jose A. Cervantes for a Class "B" Tavern license for the premises located at 600 West Maple Street in the City and County of Milwaukee, Wisconsin ("Jo Jo's").

FINDINGS OF FACT

1. Jose A. Cervantes (hereinafter the "Licensee") hold a Class "B" Tavern license for the premises at 600 West Maple Street in the City and County of Milwaukee, Wisconsin ("Jo Jo's"). Said license expires at midnight, May 19, 2008.
2. An application to renew said license was filed with the Office of the City Clerk on February 27, 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 Milwaukee Police Department responded with a report dated February 28, 2008, which could form the basis for nonrenewal or suspension of the license. There were also claimed neighborhood objections to loitering, littering, loud music and noise, parking and traffic problems, drug and criminal activity, prostitution, trespassing, public urination, gang activity and criminal activity, sales and presence of underage and conduct which is detrimental to the health, safety, and welfare of the neighborhood.
4. On March 14, 2008, the City Clerk's Office provided notice to the Licensee pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes of the police report that could form the basis for nonrenewal or suspension, and the neighborhood objections and included a copy of the police report. The matter was scheduled for a hearing on the police report and the neighborhood objections on March 25, 2008 at 3:15 p.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 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 24, 1980 the applicant was arrested in Milwaukee County for uniform controlled substance act (misdemeanor). On March 17, 1981 he was found guilty and sentenced to 6 months of probation.
 - B. On June 9, 1985 the applicant was arrested in Milwaukee County for manufacture/deliver non-narcotic. On August 19, 1985 he was found guilty and sentenced to one year probation.
 - C. On August 14, 1992 the applicant was arrested in Waukesha County for:
 - 1. Dealer possession/untaxed controlled substance (2 counts)(felony), which was dismissed on March 18, 1993 sentenced to 3 years probation and order for restitution and a fine were imposed.
 - 2. Possess with intent to deliver a non-narcotic (2 counts)(felony) and was found guilty on March 18, 1993 and sentenced to two years in state prison.
 - D. On April 30, 1990 the applicant was convicted of operating while intoxicated and had his driver's license suspended for 6 months.
 - E. On July 2, 2005 at 12:40 AM, officers of the Milwaukee Police Department conducted a premises check at the licensed premises at 600 West Maple Street, Milwaukee, Wisconsin ("Jo Jo's Place"). The officers observed the rear door was locked with a slide bolt. The observed a male who appear underage running from the premises into a common hallway and up the stairs. On the second floor, officers found another underage person. Both were checked and the first underage was the son of the licensee, the second was wanted on 4 municipal warrants. The officers never saw the second underage (wanted on warrants) on the Class "B" premises. One was arrested on warrants and a citation was issued for obstructed safe egress. The licensee was cited for safe egress from all doors and found guilty on September 2, 2005 and fined \$343.00.
 - F. On February 3, 2008 at 8:35 PM, officers of the Milwaukee Police Department along with members from the Department of Revenue, Alcohol & Tobacco conducted a tavern check at the licensed premises at 600 West Maple Street ("Jo Jo's"). Due to intelligence information, officers were advised that this tavern was known as a Latin Kings hang out and that there was a recent high profile arrest of a know Latin Kings member for homicide from this building. At hearing, the licensee testified that his son had a guest who was a member of the Latin Kings.

G. The licensee, Jose Cervantes, was on-scene and advised that a tavern check was going to be conducted. Cervantes stated he understood. The Special Agent asked Cervantes for the last two years of alcohol invoices and Cervantes stated he only had a few and the rest were at his accountant's office. The Special Agent advised Cervantes that Wisconsin law requires that invoices for beer and liquor purchases must remain on the premises for a period of two years. Cervantes was not able to produce all the required invoices. Cervantes stated he purchased most of his liquor from Oklahoma Liquor (which is not an authorized liquor distributor). The Special Agent also questioned Cervantes regarding refilling bottles and Cervantes admitted that on occasion he has poured the end of a bottle of liquor into a new bottle. The Special Agent advised Cervantes that this practice is also illegal. A total of 100 bottles of liquor was confiscated due to un-invoiced alcohol and Cervantes disposed of two bottles due to contamination. Cervantes was given a written warning by the Special Agent for restriction on dealing between manufacturers, rectifiers, wholesalers and retailers.

H. Wis. Stat. § 125.54(1) and (a) and (7)(b) provides:

125.54 Wholesalers' permits. (1) AUTHORIZED ACTIVITIES. The department shall issue wholesalers' permits authorizing the permittee to sell intoxicating liquor at wholesale from the premises described in the permit. Except as provided under s. 125.69 (1) (b) 3., the permittee may not sell intoxicating liquor for consumption on the premises. If a wholesale permit is issued to a brewery that holds a "Class B" license, the permit shall authorize the wholesale sale of wine only. Possession of a permit under this section does not authorize the permittee to sell tax-free intoxicating liquor and wine brought into this state under s. 139.03(5).

...

(7) BONA FIDE WHOLESALERS. (a) 1. The premises described in a permit issued under this section shall be capable of warehousing intoxicating liquor. Any intoxicating liquor sold by the permittee shall be physically unloaded at the premises described in the permit, or at any warehouse premises for which the permittee under this section also holds a permit issued under s. 125.19, prior to being delivered to a retail licensee or permittee or to another wholesaler.

...

(b) No intoxicating liquor retail licensee or permittee may receive a benefit from a violation under par. (a) with knowledge of the circumstances giving rise to the violation.

Wis. Stat. § 125.54(7)(c)1.,2.,3., and (d) provides:

(c) 1. A wholesaler who violates this subsection shall be fined not more than \$10,000. In addition, a court shall order the wholesaler to forfeit an amount equal to any profit gained by the wholesaler or by a retail licensee or permittee that violates par. (b), or by both, resulting from the violation, and the court shall further order that the wholesaler's permit be revoked.

2. A court shall order a retail licensee or permittee who violates this subsection to forfeit an amount equal to any profit gained by the retail licensee or permittee resulting from the violation, and the court shall further order that the retail license or permit be revoked.

3. This paragraph shall not affect the authority of any municipality or the department to revoke, suspend, or refuse to renew or issue a license or permit under s. 125.12.

(d) The department shall promulgate rules to administer and enforce the requirements under this subsection. The rules shall ensure coordination between the department's issuance and renewal of permits under this section and its enforcement of the requirements of this subsection, and shall require that all applications for issuance or renewal of permits under this section be processed by department personnel generally familiar with activities of intoxicating liquor wholesalers. The department shall establish by rule minimum requirements for warehouse facilities on premises described in permits issued under this section and for periodic site inspections by the department of such warehouse facilities.

Wis. Stat. § 125.69(6) "CAMPUSES AND RETAILERS TO PURCHASE FROM PERSONS HOLDING PERMITS" and (7) "LICENSE OR PERMIT REVOCATION" provide as follows:

(6) (a) No campus or retail licensee or permittee may purchase or possess intoxicating liquor purchased from any person other than a manufacturer, rectifier or wholesaler holding a permit under this chapter for the sale of intoxicating liquor.

(b) Any person who violates par. (a), if the total volume of intoxicating liquor purchased or possessed by that person in one month is 12 liters or less, may be required to forfeit not more than \$100. A person who purchases or possesses more than 12 liters of intoxicating in one month in

violation of par. (a) shall be fined not less than \$1,000 nor more than \$10,000.

(c) Notwithstanding par. (b), a "Class B" licensee who purchases intoxicating liquor from a "Class A" licensee for resale or who possess intoxicating liquor purchased from a "Class A" licensee for resale may be fined not more than \$100.

(7) LICENSE OR PERMIT REVOCATION. The violation of sub. (1), (3) or (5) is sufficient cause for the revocation of the license or permit of any licensee or permittee receiving the benefit from the prohibited act as well as the revocation of the license or permit of the licensee or permittee committing the prohibited act.

Finally, § Tax 8.21 of the Wisconsin Administrative Code provides:

Purchase by the retailer. (1) Every retail licensee shall retain invoices covering all purchases of intoxicating liquor for a period of 2 years from the date of the invoice. Such invoices shall be retained on the licensed premises in groups covering one month each and shall be open to inspection at all reasonable times by any representative of the department. The date of payment must be recorded on each invoice.

(2) An invoice retained by a retail licensee shall contain the following information:

- (a) Names and business addresses of both parties as shown on the permit or license of each.
 - (b) Date of sale.
 - (c) Invoice number.
 - (d) Quantity and package size of intoxicating liquor or by type and brand.
 - (e) Unit price per package.
 - (f) Discount, if any.
 - (g) Signature of the person receiving the intoxicating liquor.
 - (h) Date of payment.
- (Emphasis added).

- I. No neighbors appeared in opposition to renewal of this license, and a number of neighbors appeared in support.

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 Jose A. Cervantes has not met the criteria of Chapter 90 of the Milwaukee Code of Ordinances or Chapter 125 of the Wisconsin Statutes to allow renewal of the Class "B" Tavern without undergoing a ten (10) day suspension of said license because of the incidents recited in the police report, and the danger the operation of this premises poses to the health, safety and welfare of the citizens of the City of Milwaukee. 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 of the City of Milwaukee should exercise its judgment to renew the Class "B" Tavern license held by Jose A. Cervantes for the premises located at 600 West Maple Street in the city and County of Milwaukee, Wisconsin ("Jo Jo's") with a ten (10) day suspension based upon the police report.

RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of three (3) ayes and zero (0) noes recommends that the Class "B" Tavern license held by Jose A. Cervantes for the premises located at 600 West Maple Street in the city and County of Milwaukee, Wisconsin ("Jo Jo's") be renewed with a ten (10) day suspension.

Said suspension is to be in effect from 12:01 a.m., May 20, 2008 through midnight, May 29, 2008.

Dated and signed at Milwaukee, Wisconsin this 27th day of March, 2008.


JAMES N. WITKOWIAK, Chair
Licenses Committee



JAMES N. WITKOWIAK

ALDERMAN, 12TH DISTRICT

Date: March 27, 2008

To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report on the extended hours establishment renewal application of Nadir N. Daya, agent for Twenty-Fourth Corporation for the premises located at 2401 South Howell Avenue in the City and County of Milwaukee, Wisconsin ("Citgo Quick Pick Food Mart").

FINDINGS OF FACT

1. Nadir N. Daya, agent for Twenty-Fourth Corporation, holds an extended hours establishment license for the premises located at 2401 South Howell Avenue in the City and County of Milwaukee, Wisconsin ("Citgo Quick Pick Food Mart"). Said license expires at midnight, April 30, 2008.
2. An application to renew said license was filed with the Office of the City Clerk on February 15, 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 had no adverse report to file. There were claimed neighborhood objections to loitering, littering, loud music and noise, parking and traffic problems, drug and criminal activity, prostitution, trespassing, public urination, late night disturbances, fights, vandalism, and disorderly patrons, and conduct which is detrimental to the health, safety and welfare of the neighborhood.
4. On March 13, 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 9:00 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. Daniel Danowski, a neighbor at 2415 South Howell Avenue, appeared in opposition to the renewal of this license due to customers making noise, loitering and littering in the area of the licensed premise.
- B. Mr. Danowski testified to being disturbed each and every night by slamming doors and loud music emanating from car stereos of customers getting gas, and from the lights at this location. Mr. Danowski is awakened two to three times each night.
- C. In addition, deliveries are made to the gas station at 3:00 a.m., causing noise and litter disturbing Mr. Danowski.
- D. Mr. Danowski has talked to the persons operating the station and they have been polite, but nothing has been done to stop the disturbances.
- E. Mr. Daya admitted that he did not know if his pumps were equipped with speakers that would allow the station attendants to tell customers they must turn off stereos before allowing them to fill their cars, and also admitted he did not know if sitting in the cash cubicles, his attendants would even hear loud car stereos.
- F. Mr. Daya testified that he has been at the station at night and did not think the problems were too bad.

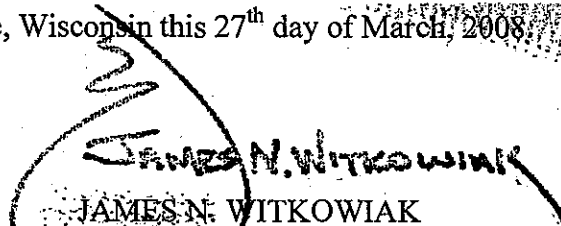
CONCLUSIONS OF LAW

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, Nadir N. Daya as agent for Twenty-Fourth Corporation, which holds an extended hours establishment license for the premises at 2401 South Howell Avenue in the City and County of Milwaukee, Wisconsin ("Citgo Quick Pick Food Mart") 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 neighborhood objections. The Committee finds the 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 should exercise its discretion to deny renewal of the extended hours establishment license held by Nadir N. Daya, as agent for Twenty-Fourth Corporation, for the premises at 2401 South Howell Avenue in the City and County of Milwaukee, Wisconsin ("Citgo Quick Pick Food Mart") because of neighborhood objections.

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 extended hours establishment renewal application held by Nadir N. Daya, as agent for Twenty-Fourth Corporation, for the premises at 2401 South Howell Avenue in the City and County of Milwaukee, Wisconsin ("Citgo Quick Pick Food Mart") be denied renewal based upon neighborhood objections.

Dated and signed at Milwaukee, Wisconsin this 27th day of March, 2008.


JAMES N. WITKOWIAK
Chairman of the Licenses Committee

130781



JAMES N. WITKOWIAK

ALDERMAN, 12TH DISTRICT

Date: March 27, 2008

To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report on the Extended Hours Establishment renewal application of Murad J. Hamdan, agent for Chubby's Cheesesteaks, LLC of Milwaukee for the premises located at 2232 North Oakland Avenue in the City and County of Milwaukee, Wisconsin ("Chubby's Cheesesteaks").

FINDINGS OF FACT

1. Murad J. Hamdan, agent for Chubby's Cheesesteaks, LLC of Milwaukee for the premises located at 2232 North Oakland Avenue in the City and County of Milwaukee, Wisconsin ("Chubby's Cheesesteaks"). Said license expires at midnight, April 30, 2008.
2. An application to renew said license was filed with the Office of the City Clerk on January 15, 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 had no adverse report to file. There were, however, claimed neighborhood objections to granting the license with a change in hours that will lead to further 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, and conduct which is detrimental to the health, safety and welfare of the neighborhood. Additionally, this location already has late hours for the weekend when it is generally acceptable for a restaurant to be open late, the high concentration of late hours outlets and bars in the vicinity, this location has not presented to or received the approval of the local Business Improvement District board for extended hours.
4. On March 14, 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 9:00 a.m. in Room 301B of the third floor of City Hall. At said date, time and place, the licensee did not 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. A notice of the hearing was sent to Murad J. Hamdan at 8686 South Roxbury Way, Oak Creek, Wisconsin 53154 on March 14, 2008 by U.S. prepaid first-class mail in an envelope bearing the return address of the License Division. The address of 8686 South Roxbury Way, Oak Creek, Wisconsin 53154 is the address given by the applicant 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 March 25, 2008.

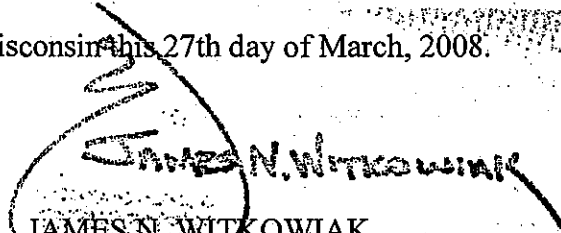
CONCLUSIONS OF LAW

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, Murad J. Hamdan, agent for Chubby's Cheesesteaks, LLC who holds an Extended Hours Establishment license for the premises at 2232 North Oakland Avenue in the City and County of Milwaukee, Wisconsin ("Chubby's Cheesesteaks") 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 his nonappearance before the Committee.
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 Murad J. Hamdan for the premises at 2232 North Oakland Avenue in the City and County of Milwaukee, Wisconsin ("Chubby's Cheesesteaks") because of the Licensee's nonappearance.

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) excused recommends that the Extended Hours Establishment renewal application held by Murad J. Hamdan for the premises at 2232 North Oakland Avenue in the City and County of Milwaukee, Wisconsin ("Chubby's Cheesesteaks") be denied renewal based upon nonappearance.

Dated and signed at Milwaukee, Wisconsin this 27th day of March, 2008.


JAMES N. WITKOWIAK
Chairman of the Licenses Committee

130745



JAMES N. WITKOWIAK
ALDERMAN, 12TH DISTRICT

Date: March 27, 2008

To: All Members of the Milwaukee Common Council

From: Licenses Committee

Re: Report on the Renewal Application of the Class "B" Tavern and Tavern Dance License of Mary M. Harrell, for the premises located at 4106 West Lisbon Avenue in the City and County of Milwaukee, Wisconsin ("Sisters and Brothers Place").

FINDINGS OF FACT

1. Mary M. Harrell (hereinafter "the Licensee") is the holder of a Class "B" Tavern and Tavern Dance License for the premises located at 4106 West Lisbon Avenue in the City and County of Milwaukee, Wisconsin ("Sisters and Brothers Place"). Said license expires at midnight on April 22, 2008.
2. An application to renew said license was filed with the Office of the City Clerk on February 1, 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 February 4, 2008, the Milwaukee Police Department responded with a report that could form the basis for suspension or non-renewal of said license along with newspaper articles dated January 12, 2008 and November 11, 2007. There were also claimed neighborhood objections to loitering, littering, loud music and noise, parking and traffic problems, fights and shootings, drug and criminal activity, prostitution, trespassing, public urination, and conduct which is detrimental to the health, safety and welfare of the neighborhood.
4. On March 13, 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 March 25, 2008, commencing at 8:15 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 but 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 February 13, 2005 at 2:07 a.m., officers of the Milwaukee Police Department conducted a premises check at the licensed premises located at 1619 South 1st Street in the City and County of Milwaukee, Wisconsin ("Viva LaFemme"), which is another licensed premises owned by the licensee. Upon their arrival, the officers observed a crowd standing outside of the tavern waiting to get in. When they entered the premises, they were unable to continue the premises check due to the large crowd. The premises was closed by a corporate officer of the tavern. The patrons were counted as they walked out of the tavern. The count was 174 patrons. The occupancy placard indicates a maximum of 65 occupants. The licensee was issued a citation for exceeding posted occupancy capacity and was found guilty on June 20, 2005 and fined \$5,000.00.

B. On August 6, 2006 at 1:20 a.m., officer of the Milwaukee Police Department observed numerous subjects standing on the sidewalk in front of the tavern at 1619 South 1st Street ("Viva LaFemme"). Officers conducted a premises check. It appeared there were more than 150 persons in the tavern, with a posted capacity of 65 persons. Officers spoke to the bartender about being over capacity. The lights were turned on and the music turned off. Officers started counting patrons as they exited the front door. Approximately 30-40 patrons ran out the side door. The total count of patrons out the front door was 117, plus 7 persons who were employees. The licensee was not on the premises. The licensee was issued a citation for exceeding posted occupancy capacity, found guilty on February 5, 2007 and fined \$500.00.

At hearing the licensee reminded the Committee that incidents A and B above involved a different premises.

C. On October 27, 2007 at 2:18 a.m., officers of the Milwaukee Police Department were dispatched to the licensed premises 4106 West Lisbon Avenue Milwaukee, Wisconsin ("Sisters and Brothers Place") for a shooting. Officers found the victim on the steps outside of the tavern. The victim was shot multiple times to the stomach, thigh, pelvis area and buttocks. The victim stated he was shot by an unknown actor at 2015 North 41st Street. A further investigation from the offense report filed found that the victim stated that he had an altercation inside the bar with the person who later shot him.

- D. On November 10, 2007 at 1:58 a.m., officers of the Milwaukee Police Department were dispatched to the licensed premises at 4106 West Lisbon Avenue, Milwaukee, Wisconsin ("Sisters and Brothers Place") for a battery. The investigation revealed the victim was in the licensed premises when three patrons began to taunt him and his family. This started an argument that became physical outside of the bar. The three unknown actors beat the victim severely causing a spinal injury that resulted in the paralysis of the victim from the neck down. In this incident, the licensee denied any fight occurred in the bar. She testified it occurred as one group of patrons left at closing time. The patrons left the bar, and it was closed. Later the licensee found one of the patrons in a park who informed the licensee that one of her companions had been beaten. The licensee used her cell phone to call 911.
- E. On January 12, 2008 at 2:18 a.m., officers of the Milwaukee Police Department responded to a shooting at the licensed premises at 4106 West Lisbon Avenue, Milwaukee, Wisconsin ("Sisters and Brothers Place"). The investigation revealed that the licensee sustained a shot to the lower right leg. A second victim was found to be shot on the right side of the abdomen. Both victims were outside the tavern when the shooting happened. The licensee testified that in this matter she was the innocent victim of drive-by shooting, and that no one has been apprehended.
- F. The licensee has been cooperative with the local alderman.
- G. The licensee has been at this location for six years with no prior difficulties.
- 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, Mary M. Harrell has not met the criteria to allow renewal of her Class "B" Tavern and Tavern Dance license for the premises located at 4106 West Lisbon Avenue in the City and County of Milwaukee, Wisconsin ("Sisters and Brothers Place") without undergoing a twenty (20) day suspension of said license. The Licenses Committee of the Milwaukee Common Council finds the police report as stated above to be true.

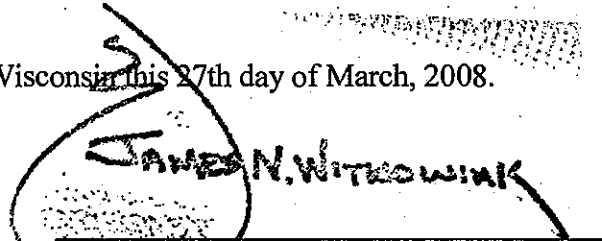
3. In order to protect the health, safety and welfare of the citizens of the City of Milwaukee, it is the recommendation of the Licenses Committee that the full Common Council of the City of Milwaukee should exercise its judgment to renew with a twenty (20) day suspension of the Class "B" Tavern and Tavern Dance license of Mary M. Harrell for the premises located at 4106 West Lisbon Avenue in the City and County of Milwaukee, Wisconsin ("Sisters and Brothers Place ") 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 three (3) ayes and one (1) no recommends that the Class "B" Tavern and Tavern Dance license held by the licensee for the premises located at 4106 West Lisbon Avenue in the City and County of Milwaukee, Wisconsin ("Sisters and Brothers Place") be renewed with a twenty (20) day suspension.

Said suspension is to be in effect from 12:01 a.m. April 23, 2008 through midnight May 12, 2008.

Dated and signed at Milwaukee, Wisconsin this 27th day of March, 2008.



JAMES N. WITKOWIAK
Chairman, Licenses Committee



JAMES N. WITKOWIAK
ALDERMAN, 12TH DISTRICT

Date: March 27, 2008

To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report on the extended hours establishment renewal application of Diljeet S. Khahra, agent for Khahra Oil Corporation for the premises located at 4811 North Teutonia Avenue in the City and County of Milwaukee, Wisconsin ("Akal Quick Mart").

FINDINGS OF FACT

1. Diljeet Khahra holds an extended hours establishment license for the premises located at 4811 North Teutonia Avenue in the City and County of Milwaukee, Wisconsin ("Akal Quick Mart"). Said license expires at midnight, April 30, 2008.
2. An application to renew said license was filed with the Office of the City Clerk on February 28, 2008.
3. Pursuant to Section 84-7 of the Milwaukee Code of Ordinances, the matter was referred to the Milwaukee Police Department for investigation. The Police Department responded with a police report that could form the basis of nonrenewal or suspension of said license dated March 14, 2008. There were also 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, trespassing, shootings, gunshots, lewd conduct, and conduct which is detrimental to the health, safety, and welfare of the neighborhood.
4. On March 17, 2008 the City Clerk's Office provided timely notice to the Licensee, pursuant to Section 84-7, of the police report and neighborhood objections and included a copy of the police report. The matter was scheduled for a hearing on the neighborhood objections on March 25, 2008 at 10:15 a.m. in Room 301B of the third floor of City Hall. At said date, time and place, the

licensee did appear and was represented by Attorney John Foley, 13500 West Capitol Drive, No. 201, Brookfield, Wisconsin 53005.

5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
 - A. On April 10, 2007 officers of the Milwaukee Police Department were at the licensed premises at 4811 North Teutonia Avenue, Milwaukee, Wisconsin ("Akai Quick Mart") and were told by a citizen that the store was separating "buy one and get one free" packages of cigars and selling them individually. The employee was issued a citation for not selling in stamped packages and was found guilty on August 2, 2007 and fined \$70.00.
 - B. On April 16, 2007, officers of the Milwaukee Police Department investigated a shooting that occurred at the licensed premises at 4811 North Teutonia Avenue, Milwaukee, Wisconsin ("Akai Quick Mart") where the victim received a gunshot wound to the hip. Officers found 14 bullet casings in the parking lot. The clerk on duty stated that at approximately 2:15 a.m., a van pulled into the gas station lot and a passenger armed with a gun got out. The passenger walked around to the driver's side and the clerk heard several gunshots and then more gunshots. After the gunshots stopped, the passenger ran back to the van, got in, and the van left. The clerk stated he did not call the police regarding this incident. An incident report was filed.
 - C. On August 22, 2007, an officer working with the Wisconsin Initiative went to the licensed premises at 4811 North Teutonia Avenue, Milwaukee, Wisconsin ("Akai Quick Mart") where an underage person was able to purchase a pack of Newport cigarettes from the clerk. The underage person informed the officer of the purchase and the officer went into the store. The officer spoke with clerk who stated he did not remember selling cigarettes to anyone underage. The licensee was charged with sale of tobacco products to underage person and found guilty on October 11, 2007 and fined \$160.00.
 - D. On February 16, 2008, officers of the Milwaukee Police Department responded to a shooting at the licensed premises at 4811 North Teutonia Avenue, Milwaukee, Wisconsin ("Akai Quick Mart"). A witness stated that there was an argument about a gun in the parking lot between two men. A struggle over the gun ensued and the gun went off. As the witness fled the parking lot, he heard several more gunshots. The investigation revealed that one of the actors involved in the argument was shot and subsequently died. An incident report was filed. This shooting occurred during the daytime hours; however, this location has experienced gunshots during extended hours. (See Item B, above).
 - E. This location has security cameras and lighting.

F. No neighbors appeared in opposition to the renewal of this license.

CONCLUSIONS OF LAW

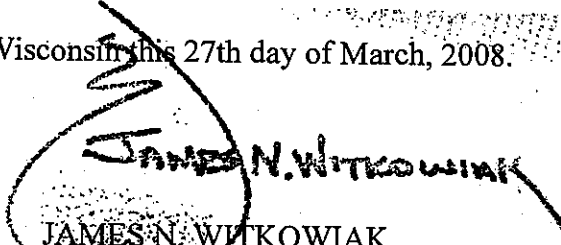
1. The Committee has jurisdiction to hold hearings and provided Findings of Fact and Conclusions of Law and a Recommendation to the full Common Council pursuant to Section 84-7 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concludes that the Licensee, Diljeet S. Khahra, who holds an extended hours establishment license for the premises at 4811 North Teutonia Avenue in the City and County of Milwaukee, Wisconsin ("Akal Quick Mart") 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 without undergoing a thirty (30) day suspension of said license because of the incidents related in 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 renew the extended hours establishment license held by Diljeet S. Khahra for the premises at 4811 North Teutonia Avenue in the City and County of Milwaukee, Wisconsin ("Akal Quick Mart") with a thirty (30) day suspension of said license because of the 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 three (3) ayes and one (1) no recommends that the extended hours establishment renewal application held by Diljeet S. Khahra for the premises at 4811 North Teutonia Avenue in the City and County of Milwaukee, Wisconsin ("Akal Quick Mart") be renewed with a thirty (30) day suspension based upon the incidents reflected in the police report.

Said suspension is to be in effect between 12:01 a.m. May 1, 2008 through midnight, May 30, 2008.

Dated and signed at Milwaukee, Wisconsin this 27th day of March, 2008.


JAMES N. WITKOWIAK
Chairman of the Licenses Committee



JAMES N. WITKOWIAK
ALDERMAN, 12TH DISTRICT

Date: March 27, 2008

To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report of the Renewal Application of Harry J. Marr, agent for Harlim, Inc., for a Class "B" Tavern and Tavern Amusement (Cabaret/Nite Club) license for the premises located at 135 East National Avenue in the City and County of Milwaukee, Wisconsin ("Triangle").

FINDINGS OF FACT

1. Harry J. Marr, as agent for Harlim, Inc. (hereinafter the "Licensee") hold a Class "B" Tavern and Tavern Amusement (Cabaret/Nite Club) license for the premises at 135 East National Avenue in the City and County of Milwaukee, Wisconsin ("Triangle"). Said license expires at midnight, May 18, 2008.
2. An application to renew said license was filed with the Office of the City Clerk on March 4, 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 Milwaukee Police Department responded with a report dated March 5, 2008, which could form the basis for nonrenewal or suspension of the license. There were also claimed neighborhood objections to loitering, littering, loud music and noise, parking and traffic problems, drug and criminal activity, prostitution, trespassing, public urination, fights, gunshots, cruising, mismanagement of premises, and behavior which is detrimental to the health, safety, and welfare of the neighborhood.
4. On March 14, 2008, the City Clerk's Office provided notice to the Licensee pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes of the police report that could form the basis for nonrenewal or suspension and neighborhood objections, and included a copy of the police report. The matter was scheduled for a hearing on the police report and the neighborhood objections on March 25, 2008 at 3:00 p.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 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 November 1, 1994, in Milwaukee, Wisconsin, the subject was charged with assault and battery and found guilty on December 13, 1994 and fined \$200.00.
 - B. On April 12, 2003, officers of the Milwaukee Police Department, accompanied by an underage police aide, conducted a premises check at the licensed premises at 135 East National Avenue, Milwaukee, Wisconsin ("Triangle Bar"). The police aide entered the premises and purchased a 12 ounce bottle of Corona beer from the bartender, who did not ask for any identification. The bartender was issued a citation for sale of alcoholic beverage to underage person, which was dismissed on February 23, 2004. The licensee, who was not on the scene, was also issued a citation for licensee responsibility which was dismissed on August 22, 2003.
 - C. On February 26, 2004, officers of the Milwaukee Police Department, accompanied by an underage police aide, conducted a premises check at the licensed premises at 135 East National Avenue ("Triangle Bar"). The police aide entered the premises and purchased three bottles of Corona beer from the bartender. The licensee was also on the scene at the time. The licensee was cited for sale to underage-licensee responsibility. The bartender was issued a citation for sale to underage. No additional information on either is available.
 - D. On December 10, 2004, at 10:45 PM, officers of the Milwaukee Police Department, along with an underage police aide, conducted a premises check at the licensed premises at 135 East National Avenue ("Triangle Bar"). The underage police purchased an alcoholic beverage (cranberry and vodka) from the bartender without being asked for identification. The licensee was issued a citation for sale to underage prohibited (licensee responsibility) and was found guilty on March 22, 2005 and fined \$75.00. The bartender was issued a citation for sale of alcohol to underage and was found guilty on March 22, 2005 and a suspended sentence was imposed.
 - E. On June 10, 2007 at 10:00 PM, Milwaukee police handled a walk-in complaint at District Two regarding a theft at the Triangle Bar. The victim stated he was dancing at the bar when he was bumped into. Shortly after, he went to the bar to order a drink and noticed he no longer had his wallet. A report was filed.

- F. On June 13, 2007 at 12:52 AM, officers of the Milwaukee Police Department were dispatched to the licensed premises at 135 East National Avenue ("Triangle Bar") for a fight complaint. The investigation revealed the bartender, along with security, got into a verbal argument with two patrons who provided fake ID's with security refusing to return the ID's to the patrons. The patrons left and returned shortly with four more subjects who began physically fighting with the bartender and security. The bartender received lacerations to his head and face, which required stitches and a staple to close. The licensee was on scene and the victim was requested to view photos.
- G. On July 13, 2007, the telephone reporting unit filed a theft complaint in which a victim reported his jacket, along with his keys and glasses, were stolen from him when he was at the licensed premises at 135 East National Avenue ("Triangle Bar") by an unknown actor. An incident report was filed.
- H. On August 10, 2007, the telephone reporting unit filed a theft complaint in which a victim reported her wallet was stolen by an unknown actor while she was in the licensed premises at 135 East National Avenue ("Triangle Bar"). An incident report was filed.
- I. On September 17, 2007 at 12:35 AM, officers of the Milwaukee Police Department were dispatched to the licensed premises at 135 East National Avenue ("Triangle Bar") for a fight complaint. Officers spoke to the bouncer for the Triangle Bar. The bouncer stated two known subjects were intoxicated and starting fighting outside of the bar. He stated that he went to break up the fight when he was hit in the head with a beer bottle. One of the subjects then went to his auto and obtained a hammer and returned threatening the other subject. The bartender advised police that the fight occurred outside of the bar; however, officers found blood on the floor inside the tavern as they entered to obtain the license information. The floor was already being cleaned as officers entered. The bouncer refused to press any charges on the two known subjects for the battery.
- J. On September 21, 2007 at 11:30 PM, officers from the Vice Control Section were investigating complaints of prostitution occurring in the 100 block of West National. Their investigation found a subject in front of the Triangle Bar offering to perform sexual acts for money to an undercover officer. This subject was arrested and charged with disorderly conduct and prostitution.
- K. At hearing, the licensee testified that a problem has occurred in the last half of 2007 in that a number of bars had closed and the Triangle Bar was getting a number of patrons from those bars that were causing trouble.

Between December 10, 2004 and June 10, 2007 there were no reported police incidents at this location, and between September 21, 2007 and March 5, 2008 (the date of the 2008 police report) there were no police incidents reported at this location.

- L. No neighbors appeared in opposition to renewal of this license and several persons appeared in support.

CONCLUSIONS OF LAW

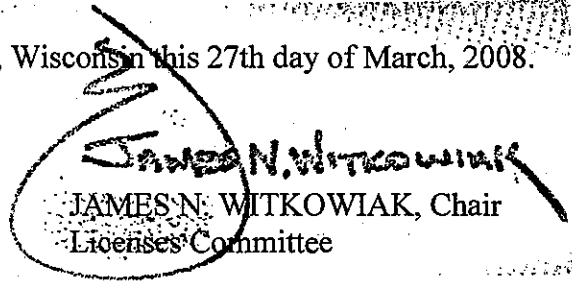
1. The Committee has jurisdiction to hold hearings and provided Findings of Fact and Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapter 125 of the Wisconsin Statutes and Chapter 90 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concludes that Harry J. Marr has not met the criteria of Chapter 90 of the Milwaukee Code of Ordinances or Chapter 125 of the Wisconsin Statutes to allow renewal of the Class "B" Tavern and Tavern Amusement (Cabaret/Nite Club) license held by him as agent for Harlim, Inc., for the premises located at 135 East National Avenue, without undergoing a ten (10) day suspension of said license because of the incidents recited in the police report, and the danger the operation of this premises poses to the health, safety and welfare of the citizens of the City of Milwaukee. 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 of the City of Milwaukee should exercise its judgment to renew the Class "B" Tavern and Tavern Amusement (Cabaret/Nite Club) license held by Harry J. Marr as agent for Harlim, Inc. for the premises at 135 East National Avenue in the City and County of Milwaukee, Wisconsin ("Triangle Bar") with a ten (10) day suspension based upon the police report.

RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of three (3) ayes recommends that the Class "B" Tavern and Tavern Amusement (Cabaret/Nite Club) license be renewed with a ten (10) day suspension.

Said suspension is to be in effect from 12:01 a.m., May 19, 2008, through midnight, May 28, 2008.

Dated and signed at Milwaukee, Wisconsin this 27th day of March, 2008.



JAMES N. WITKOWIAK, Chair
Licenses Committee

130777



JAMES N. WITKOWIAK
ALDERMAN, 12TH DISTRICT

Date: March 25, 2008

To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report on the extended hours establishment renewal application of Younas I. Mohammad, agent for Chicago Sub, Inc. for the premises located at 4231 West Capitol Drive in the City and County of Milwaukee, Wisconsin ("Chicago Sub").

FINDINGS OF FACT

1. Younas I. Mohammad, holds an extended hours establishment license for the premises located at 4231 West Capitol Drive in the City and County of Milwaukee, Wisconsin ("Chicago Sub"). Said license expires at midnight, April 30, 2008.
2. An application to renew said license was filed with the Office of the City Clerk on February 8, 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 police report dated February 11, 2008 that could form the basis of nonrenewal or suspension of said license.
4. On March 13, 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 police report on March 25, 2008 at 9:15 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 July 8, 2007 at 10:36 PM, officers of the Milwaukee Police Department were dispatched to Sherman and Capitol for an armed robbery complaint. The investigation revealed that an armed robbery occurred at the licensed premises 4231 West Capitol Drive, Milwaukee, Wisconsin

("Chicago Sub"). The victim stated she parked her car in the parking lot of Chicago Subs and as she exited her auto, she was approached by a male who was armed with a gun and demanded her vehicle. No injuries were reported.

- B. On August 13, 2007 at 2:13 AM, officers of the Milwaukee Police Department were dispatched to the licensed premises at 4231 West Capitol Drive ("Chicago Subs") for an armed robbery complaint. The investigation revealed a customer who parked on the restaurant lot attempted to enter Chicago Subs and was approached by two subjects who were armed and demanded his money and property. Obtaining the victims property, the subjects fled. There were no injuries.
- C. On October 21, 2007 at 2:43 AM, officers of the Milwaukee Police Department were driving by the licensed premises at 4231 West Capitol Drive ("Chicago Subs") when officers heard shots fired coming from Chicago Subs. Officers then observed people running out of the restaurant and with one of the patrons stating that someone was shot. Officers then observed the victim exit from the restaurant bleeding from his left thigh. The victim stated five guys jumped him on and they began fighting when he heard gunshots. A medical unit arrived and it was learned that the victim was shot twice to the stomach and one to the left thigh. The victim also stated that he could not provide descriptions of the suspects.
- D. On January 19, 2008 at 2:40 AM, officers of the Milwaukee Police Department were dispatched to the licensed premises at 4231 West Capitol Drive ("Chicago Sub") for a substantial battery. The investigation revealed patrons who were inside Chicago Subs waiting for their food got into an argument that became physical. One patron received a cut requiring three staples and another was believed to have a broken nose.

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, Younas I, Mohammad, who holds an extended hours establishment license for the premises at 4231 West Capitol Drive in the City and County of Milwaukee, Wisconsin ("Chicago Sub") has not met the criteria of Section 84-7 of the Milwaukee Code of Ordinances to allow renewal of the extended hours establishment license without undergoing a ninety (90) day suspension of said license for this premises because of the incidents reflected in the police report of this premises and for the danger the operation of this premises poses to the health,

safety and welfare of the citizens of Milwaukee. The Committee finds that 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 renew the extended hours establishment license held by Younas I. Mohammad for the premises at 4231 West Capitol Drive in the City and County of Milwaukee, Wisconsin ("Chicago Sub") with a ninety (90) day suspension 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 Younas I. Mohammad for the premises at 4231 West Capitol Drive in the City and County of Milwaukee, Wisconsin ("Chicago Sub") be approved with a ninety (90) day suspension based upon incidents in the police report.

Said suspension is to be in effect between 12:01 a.m. and 5:00 a.m. for the time period of April 1, 2008 through midnight June 29, 2008.

Dated and signed at Milwaukee, Wisconsin this 27th day of March, 2008.


JAMES N. WITKOWIAK
Chairman of the Licenses Committee



JAMES N. WITKOWIAK
ALDERMAN, 12TH DISTRICT

Date: March 27, 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 Lorenzo L. Roberson

FINDINGS OF FACT

1. Lorenzo L. Roberson (hereinafter the "Licensee") was the holder of a Class "D" Bartender License in the City and County of Milwaukee, Wisconsin. Said license expired at midnight, December 31, 2007.
2. An application to renew said license was untimely filed with the Office of the City Clerk on February 14, 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 February 15, 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 March 13, 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 March 25, 2008, commencing at 1:30 p.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 Lorenzo L. Roberson at 7123 North 40th Street, Milwaukee, Wisconsin 53209

on March 13, 2008 by U.S. prepaid first-class mail in an envelope bearing the return address of the License Division. The address of 7123 North 40th Street, Milwaukee, Wisconsin 53209 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 March 25, 2008.

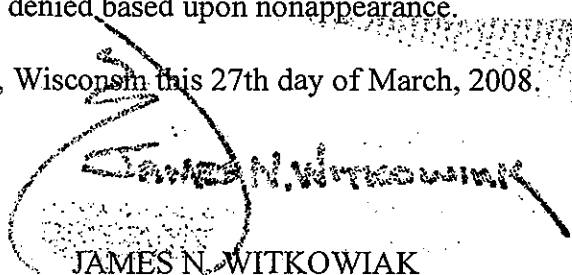
CONCLUSIONS OF LAW

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, Lorenzo L. Roberson, 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 Lorenzo L. Roberson based upon nonappearance.

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) excused, recommends that the Class "D" Bartender License be denied based upon nonappearance.

Dated and signed at Milwaukee, Wisconsin this 27th day of March, 2008.



JAMES N. WITKOWIAK
Chairman, Licenses Committee



JAMES N. WITKOWIAK

ALDERMAN, 12TH DISTRICT

Date: March 27, 2008

To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report of the Renewal Application of Frank L. Winston for a Class "B" Tavern and Tavern Dance license for the premises located at 2691 South 6th Street in the City and County of Milwaukee, Wisconsin ("Cleveland's Lounge").

FINDINGS OF FACT

1. Frank L. Winston (hereinafter the "Licensee") holds a Class "B" Tavern and Tavern Dance license for the premises at 2691 South 6th Street in the City and County of Milwaukee, Wisconsin ("Cleveland's Lounge"). Said license expires at midnight, April 9, 2008.
2. An application to renew said license was filed with the Office of the City Clerk on January 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 Milwaukee Police Department responded with a report on March 3, 2008, that could form the basis for nonrenewal or suspension of the license. There were also claimed neighborhood objections to loitering, littering, loud music and noise, parking and traffic problems causing the normal flow of traffic to be impeded and blocking the roadways and alleys, drug and criminal activity, prostitution, trespassing, public urination, disorderly patrons during and after hours, and conduct which is detrimental to the health, safety, and welfare of the neighborhood.
4. On March 13, 2008, the City Clerk's Office provided notice to the Licensee pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes of the police report that could form the basis for nonrenewal or suspension and the neighborhood objections and included a copy of the police report. The matter was scheduled for a hearing on the police report and the neighborhood objections on March 25, 2008 at 8:45 a.m. in Room 301B

of the third floor of City Hall. At said date, time and place the licensee appeared 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 December 21, 2003 at 12:45 a.m., officers of the Milwaukee Police Department responded to the licensed premises at 2691 South 6th Street in the City and County of Milwaukee, Wisconsin ("Cleveland's Lounge") regarding a shooting. Upon arrival, officers found the doors locked and could observe patrons inside the premises. Officers also observed a pool of blood in front of the premises. After a few minutes of pounding on the door, the officers were allowed entry. Upon entry, the officers observed food thrown around along with broken glass and pool cues with blood on them. The investigation revealed that a fight broke out during a birthday party. A patron pulled out a handgun and fired several shots into the ceiling. That suspect fled before officers arrived. An incident report was filed.
 - B. On November 12, 2005 at 1:34 a.m., an officer of the Milwaukee Police Department while on patrol observed a large group (about 30) of people on the sidewalk outside of the licensed premises at 2691 South 6th Street, Milwaukee, Wisconsin ("Cleveland's Lounge") who appeared ready to fight. Two females in the crowd were yelling at each other and were being held back by the crowd. Officers attempted to control the subjects but they continued to yell. When one of the females approached the officer yelling, "he is going to draw and use his O.C. spray", several male patrons attempted to intervene. The officer called for back-up. At that time, about 40-50 patrons began to leave the bar and the females involved were able to leave the scene. The officers spoke to the bartender who stated that the women had gotten into an argument on the dance floor and eventually went outside. No one in the tavern called the police to report this incident.
 - C. On April 22, 2007 at 1:34 a.m., officers of the Milwaukee Police Department responded to a fight complaint at 6th and Cleveland. The investigation revealed that patrons who were inside the licensed premises at 2691 South 6th Street, Milwaukee, Wisconsin ("Cleveland's Lounge") had an argument that led to a physical altercation. Security escorted these patrons out of the tavern. No one required medical attention. Two of the patrons claimed their purses were missing from the tavern and could not be located.
 - D. On December 9, 2007 at 1:34 a.m., officers of the Milwaukee Police Department were dispatched to the licensed premises at 2691 South 6th Street, Milwaukee, Wisconsin ("Cleveland's Lounge") for a shots-fired

complaint. There were also two calls for a fight. On arrival, officers observed a large number of tavern patrons outside and inside of the tavern. As officers entered the tavern, they observed tables and stools overturned and broken glass on the ground. Officers were unable to locate any witnesses who were willing to state what happened. Officers spoke to the bartender who stated there was an argument that led to a fight, but that it was quickly pushed outside. She denied hearing any shots being fired. A further investigation revealed no one from the tavern called police regarding these incidents.

- E. An adjoining neighbor and one of her children (12 years of age) testified in opposition to renewal of this license. The adult neighbor testified to being awoken every Friday and Saturday night in the summer because of noisy patrons, fights, frequently with gunshots, between one and two in the morning. This neighbor testified to one episode in the summer of 2007 where the rear window of an automobile was shot out by a patron. That same neighbor and her 12-year old son testified to bullet holes in the exterior walls of the structure and their home is directly in back of the bar. It is a reasonable inference the bullet holes are caused by the patrons of this bar.
- F. In addition, there are episodes when departing patrons stand in the street, stop traffic, and party, playing music and disturbing the neighbors.
- G. There is another bar across the street. This neighbor has no problems with that tavern.
- H. The licensee is at the bar every day until seven or eight in the evening, but is only occasionally present at closing.

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, Frank L. Winston, has not met the criteria of Chapter 90 of the Milwaukee Code of Ordinances or Chapter 125 of the Wisconsin Statutes to allow renewal of the Class "B" Tavern license held by him without undergoing a twenty-five (25) day suspension of said license. In addition, the Committee concludes that Frank L. Winston has not met the criteria of Chapter 90 of the Milwaukee Code of Ordinances to allow renewal of the Tavern Dance license held by him without undergoing a suspension of ninety (90) days of said license based upon the incidents recited in the police report, and neighborhood objections and the danger

the operation of this premises poses to the health, safety and welfare of the citizens of the City of Milwaukee. 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 judgment to renew the Class "B" Tavern license held by Frank L. Winston with a twenty-five (25) day suspension and the Tavern Dance license held by Frank L. Winston with a ninety (90) day suspension for the premises located at 2691 South 6th Street in the City and County of Milwaukee, Wisconsin ("Cleveland's Lounge ") based upon the 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 one (1) noe recommends that the Class "B" Tavern license held by Frank L. Winston for the premises located at 2691 South 6th Street ("Cleveland's Lounge") be renewed with a twenty-five (25) day suspension and the Tavern Dance be renewed with a ninety (90) day suspension.

Said suspension of the Class "B" Tavern license is to be in effect from 12:01 a.m. April 10, 2008 through midnight, May 4, 2008.

Said suspension of the Tavern Dance license is to be in effect from 12:01 a.m. April 10, 2008 through midnight, July 8, 2008.

Dated and signed at Milwaukee, Wisconsin this 27th day of March, 2008.


JAMES N. WITKOWIAK, Chair
Licenses Committee

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