



**JAMES A. BOHL JR.**  
Alderman, 5th District

June 3, 2008

To the Honorable, the Common Council

Dear Members:

Common Council File 080072 contains the following recommendation:

Non-renewal, based on the Department of Neighborhood Services and Police Department reports, of the Mobile Home Park license of Zellmer Fromm, Collegiate Mobile Home Park, for the premises at 6160 S. 6<sup>th</sup> St.

Common Council File 071674 contains the following recommendations:

Non-renewal, based on non-appearance, of the Class "D" Bartender license of Antonio Sandoval-Guzman.

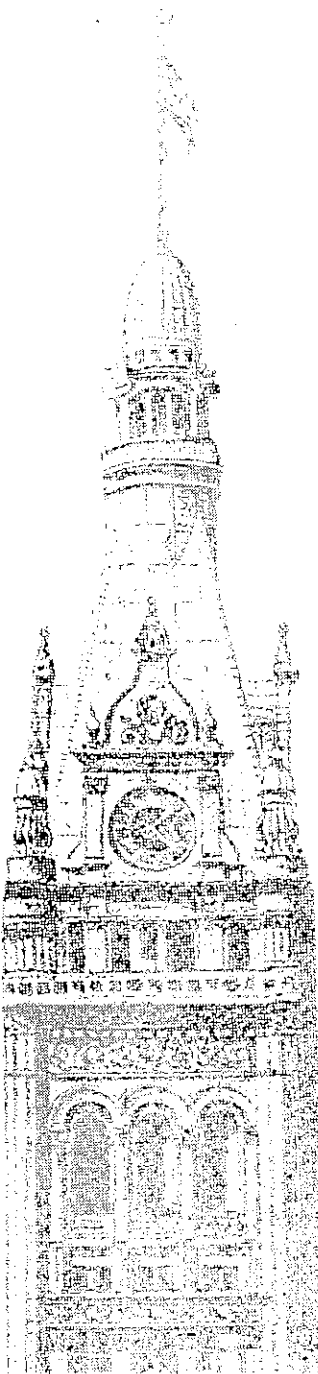
Non-renewal, based on non-appearance, of the Class "B" Manager license of Jesse Urban.

Non-renewal, based on non-appearance, of the Class "B" Tavern, Tavern Amusement (Cabaret/Nite Club) and Videogame Center license of Martin Belkin for the premises at 231 S. 2<sup>nd</sup> St. ("C'est La Vie") in the 12<sup>th</sup> aldermanic district.

Renewal, with a 10-day suspension based on the police report, of the Class "B" Tavern license of Joseph Goldman for the premises at 3749 W. National Ave. ("Moccasin Bar") in the 8th aldermanic district.  
(Committee vote: Ayes: 3, Noes: 1)

Renewal, with a 10-day suspension based on the police report, of the Public Dance Hall license of Michael Grosse, Agent for "20 Below, LLC" for the premises at 126 E. Mineral St. ("Sugar") in the 12<sup>th</sup> aldermanic district. (Committee vote: Ayes: 3, Noes: 2)

Renewal, with a 15-day suspension based on the police report, of the Public Dance Hall license of Thomas Holmes, Agent for "T&R



Entertainment, LLC", for the premises at 2342 W. North Ave. in the 15<sup>th</sup> aldermanic district.

Renewal, with a 30-day suspension based on neighborhood objection and the policed report, of the Class "B" Tavern and Tavern Dance license of Olayinka George for the premises at 5318 W. Center St. ("Infinity Lounge") in the 10<sup>th</sup> aldermanic district. (Committee vote: Ayes: 4, Noes: 1)

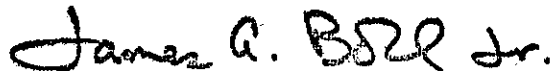
With regard to the file listed above, the Licenses Committee held evidentiary hearings on May 28<sup>th</sup> and May 30<sup>th</sup>

Pursuant to section 90-11, Milwaukee Code of Ordinances, and section 125.12(12), Wis. Stats., the Committee is transmitting a copy of its Report and Recommendations, regarding the above matters to your Honorable Body.

Pursuant to City Ordinances, prior to the time the Common Council acts on the Committee's Report, **a roll call vote will be taken** to confirm that all members present and voting have read the Committee's Report and any objections that have been filed by the Licensees.

These matters have been scheduled for a hearing before the full Common Council at its meeting on **Tuesday, June 10, 2008** at 9:00 A.M. in the Common Council Chambers.

Respectfully,



James A. Bohl, Jr., Chair  
Licenses Committee

cc: All Council Members  
Files 071674 and 080072  
✓

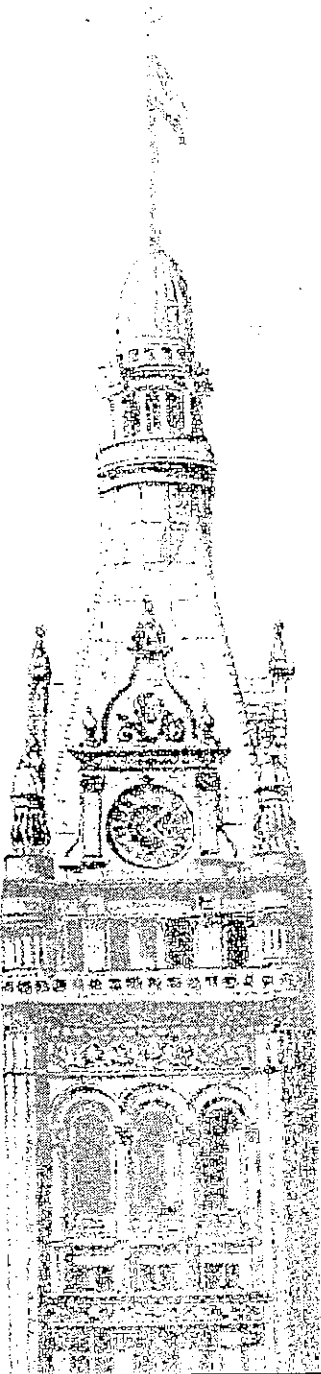


**JAMES A. BOHL JR.**  
Alderman, 5th District

Date: May 30, 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 Antonio Sandoval-Guzman

#### FINDINGS OF FACT

1. Antonio Sandoval-Guzman (hereinafter the "Licensee") is the holder of a Class "D" Bartender License in the City and County of Milwaukee, Wisconsin. Said license expired at midnight, December 31, 2007.
2. An untimely application to renew said license was untimely filed with the Office of the City Clerk on April 7, 2008.
3. Pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes, the matter was referred to the Milwaukee Police Department for investigation. On April 8, 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 May 16, 2008 the City Clerk's Office provided timely notice to the Licensee pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes of the report of the Milwaukee Police Department and included therewith a copy of the Milwaukee Police Department report. The matter was scheduled for a hearing on the Police Department report on May 30, 2008, commencing at 8:30 a.m. in Room 301A of City Hall. At said date, time and place, the licensee failed to 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. Notice of the hearing as well as a copy of the police report were sent to Antonio Sandoval-Guzman at 1112 W. Grant St., Milwaukee, Wisconsin 53215 on May 16, 2008 United States prepaid first-class mail in an envelope bearing the return address of the License Division. The address of 1112 W. Grant St., Milwaukee, Wisconsin 53215 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 May 30, 2008. This was the second time the applicant failed to appear for his renewal hearing.

### CONCLUSIONS OF LAW

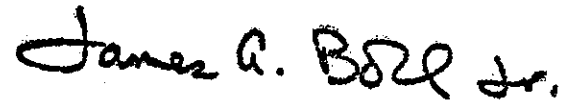
1. The Committee has jurisdiction to hold hearings and provide Findings of Fact, Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapter 125 of the Wisconsin Statutes and Chapter 90 of the Milwaukee Code of Ordinances.
2. Based on the above facts found, the Committee concludes that the licensee, Antonio Sandoval-Guzman, 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 because of non-appearance.
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 Antonio Sandoval-Guzman based upon the applicant's non-appearance.

### RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of five (5) ayes and zero (0) noes,

recommends that the Class "D" Bartender License held by Antonio Sandoval-Guzman not be renewed.

Dated and signed at Milwaukee, Wisconsin this 30th day of May, 2008.

A handwritten signature in black ink that reads "James A. Bohl, Jr." The signature is written in a cursive, slightly slanted style.

JAMES A. BOHL, Jr.  
Chairman Licenses Committee



**JAMES A. BOHL JR.**  
Alderman, 5th District

Date: May 30, 2008

To: All Members of the Milwaukee Common Council

From: Licenses Committee

Re: Report on the Renewal Application of Jesse J. Urban for a Class "B" Manager license.

#### **FINDINGS OF FACT**

1. Jesse J. Urban (hereinafter "the Licensee"), is the holder of a Class "B" Manager License in the City and County of Milwaukee, Wisconsin. Said license expires at midnight on June 30, 2008.
2. An application to renew said license was filed with the Office of the City Clerk on April 21, 2008.
3. Pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes, the matter was referred to the Milwaukee Police Department for investigation. On April 22, 2008, the Milwaukee Police Department responded with a report regarding the renewal of said license, which could form a basis of non-renewal or suspension.

4. On May 15, 2008 the City Clerk's Office provided timely notice to the Licensee pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes of the report of the Milwaukee Police Department and included therewith a copy of the Milwaukee Police Department report. The matter was scheduled for a hearing on the Police Department report on May 28, 2008, commencing at 10:30 am in Room 301B of the third floor of City Hall. At said date, time and place, the Licensee did not appear at the hearing. The Licensee was not he represented by counsel.

5. Based upon the testimony heard and evidence received, the Committee makes the following findings of fact.

- A Notice of the hearing as well as a copy of the police report was sent to Jesse J. Urban at 4935 Gunderson Road, Waterford, Wisconsin 53185 on May 15, 2008 by U.S. prepaid first-class mail in an envelope bearing the return address of the License Division. The address of 4935 Gunderson Road, Waterford, Wisconsin 53185 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 May 28, 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 upon the above facts found, the Committee concludes that the Licensee, Jesse J. Urban, has not met the criteria of Chapter 125 of the Wisconsin Statutes or Chapter 90 of the Milwaukee Code of Ordinances to allow renewal of his Class "B" Manager license because of non appearance.
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 not be renewed because of non appearance.

### 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 "B" Manager License of Jesse J. Urban not be renewed because of non appearance.

Dated and signed at Milwaukee, Wisconsin this 30<sup>th</sup> day of May, 2008.

*James A. Bohl Jr.*

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JAMES A. BOHL, Jr., Chairman  
Licenses Committee



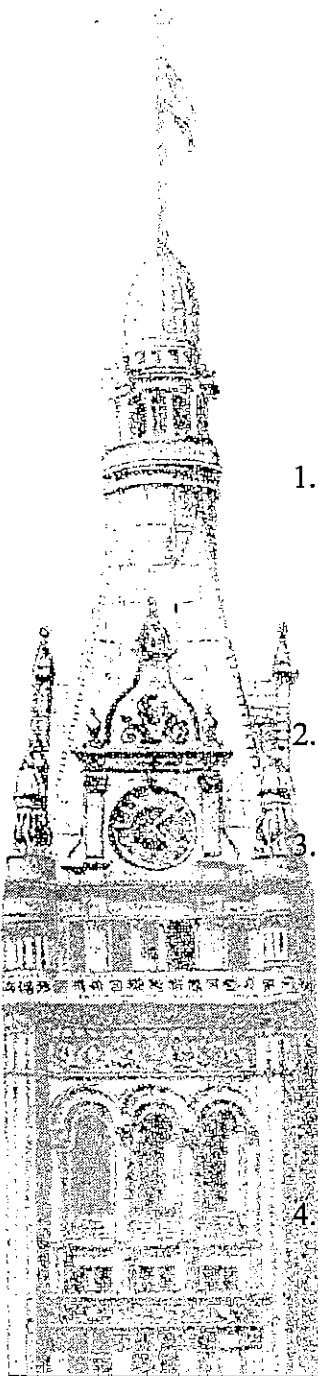
**JAMES A. BOHL JR.**  
Alderman, 5th District

Date: May 30, 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 Amusement (Cabaret/Nite Club) and Videogame Center License of Martin H. Belkin, Executor for the Estate of Clarence C. Germershausen, for the premises located at 231 South 2<sup>nd</sup> Street in the City and County of Milwaukee, Wisconsin ("C'est La Vie").

#### FINDINGS OF FACT

1. Martin H. Belkin (hereinafter "the Licensee") is the holder of a Class "B" Tavern and Tavern Amusement (Cabaret/Nite Club) and Videogame Center License for the Estate of Clarence C. Germershausen for the premises located at 231 South 2<sup>nd</sup> Street in the City and County of Milwaukee, Wisconsin ("C'est La Vie"). Said license expires at midnight on June 30, 2008.
2. An application to renew said license was filed with the Office of the City Clerk on April 3, 2008.
3. Pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes, the matter was referred to the Milwaukee Police Department for investigation. On April 8, 2008, the Milwaukee Police Department responded with a report that could form the basis for suspension or renewal of said 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, and conduct which is detrimental to the health, safety and welfare of the neighborhood.
4. On May 16, 2008, the City Clerk's Office provided timely notice to the Licensee pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes of the Milwaukee Police Department





report and neighborhood objections and included therewith a copy of the Milwaukee Police Department report. The matter was scheduled for a hearing on the police department report on May 28, 2008, commencing at 10:00 a.m. in Room 301B of the third floor of City Hall. At said date, time and place, the licensee failed to 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:

Notice of the hearing as well as a copy of the police report was sent to Martin H. Belkin, Executor of the Estate of Clarence C. Germershausen at 233 South Second Street # 4, Milwaukee, Wisconsin 53204 on May 16, 2008 United States prepaid first-class mail in an envelope bearing the return address of the License Division. The address of 233 South Second Street #4, Milwaukee, Wisconsin 53204 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 May 28, 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 upon the above facts found, the Committee concludes that the Licensee, Martin H. Belkin, has not met the criteria to allow renewal of his Class "B" Tavern and Tavern Amusement (Cabaret/Nite Club) and Videogame Center license for the premises located at 231 South 2<sup>nd</sup> Street in the City and County of Milwaukee, Wisconsin ("C'est La Vie") because of non-appearance.
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 not renew the Class "B" Tavern and Tavern Amusement (Cabaret/Nite Club) and Videogame Center license of Martin H. Belkin as Executor of the Estate of Clarence C. Germershausen for the premises located at 231 South 2<sup>nd</sup> Street in the City and County of Milwaukee, Wisconsin ("C'est La Vie ") based upon non-appearance.

## RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of five (5) ayes, and zero (0) noes recommends that the Class "B" Tavern and Tavern Amusement (Cabaret/Nite Club) and Videogame Center license held by Martin H. Belkin, Executor of the Estate of Clarence C. Germershausen for the premises located at 231 South 2<sup>nd</sup> Street in the City and County of Milwaukee, Wisconsin ("C'est La Vie") not be renewed.

Dated and signed at Milwaukee, Wisconsin this 30th day of May, 2008.

*James A. Bohl Jr.*

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JAMES A. BOHL, Jr.  
Chairman, Licenses Committee

133209



**JAMES A. BOHL JR.**  
Alderman, 5th District

Date: May 30, 2008

To: All Members of the Milwaukee Common Council

From: Licenses Committee

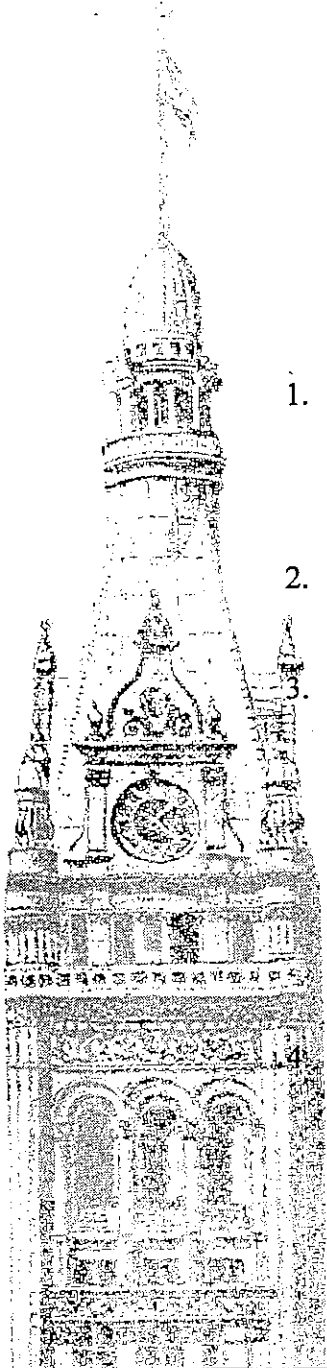
Re: Report on the Renewal Application of the Class "B" Tavern License of Joseph M. Goldman, for the premises located at 3749 West National Avenue in the City and County of Milwaukee, Wisconsin ("The Moccasin Bar")

#### FINDINGS OF FACT

1. Joseph M. Goldman (hereinafter "the Licensee"), is the holder of a Class "B" Tavern License for the premises located at 3749 West National Avenue in the City and County of Milwaukee, Wisconsin ("The Moccasin Bar"). Said license expires at midnight on June 12, 2008.
2. An application to renew said license was filed with the Office of the City Clerk on April 9, 2008.

Pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes, the matter was referred to the Milwaukee Police Department for investigation. On April 10, 2008, the Milwaukee Police Department responded with a report regarding the renewal of said license, which could form a basis of non-renewal or suspension. There were also neighborhood objections to loitering, littering, loud music and noise, parking and traffic problems, drug and criminal activity, prostitution, trespassing, public urination, fights, and conduct detrimental to the health, safety and welfare of the neighborhood.

On May 16, 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 the neighborhood objections, and included therewith a copy of the Milwaukee Police Department report. The matter was scheduled for a hearing on the Milwaukee Police Department report and neighborhood objections on May 28, 2008, commencing at 8:45 am in



Room 301B of the third floor of City Hall. At said date, time and place, the Licensee appeared at the hearing and admitted receipt of the notice of hearing, together with a copy of the Milwaukee Police Department report. The Licensee was/was not represented by counsel.

5. Based upon the testimony heard and evidence received, the Committee makes the following findings of fact.
  - A. On November 8, 1968 Joseph M. Goldman was convicted in Ashland County for theft and sentenced to 3 years in the Green Bay correctional institution.
  - B. On January 13, 1975 Joseph M. Goldman was convicted in Portage County circuit court for Theft and Defrauding an innkeeper and given probation.
  - C. On Friday, August 20, 1999 officers investigated a Fatal Auto accident at 29<sup>th</sup> and Orchard Street, Milwaukee, Wisconsin. The victim had attended the Moccasin Bar located at 3749 West National Avenue and purchased drinks for herself. The passenger in the vehicle stated that they were in the bar that evening and stayed until the bar closed, the bartender was not carding people and was selling alcohol to the victim. Further investigation revealed that the only person working that evening was Joseph M. Goldman who stated that he did not remember these people. Incident report filed.
  - D. On Monday, September 27, 1999 at about 1:58a.m., officers of the Milwaukee Police Department were dispatched to a shooting at the licensed premises located at 3749 West National Avenue in the City and County of Milwaukee, Wisconsin ("Moccasin Bar"). The investigation revealed that an argument took place inside the tavern. Upon exiting the tavern, a fight took place outside where two gunshots were fired, one of which struck a bystander. Since the shooting actually took place in West Milwaukee, it was investigated by the West Milwaukee Police Department.
  - E. On Sunday, November 14, 1999 at 1:38 p.m., officers were dispatched to a battery complaint at the licensed premises located at 3749 West National Avenue in the City and County of Milwaukee, Wisconsin ("Moccasin Bar"). Upon their arrival, the officers' investigation revealed that a patron was playing pool when a known subject struck the victim on the back of her head with a pool cue. The victim refused treatment, and refused to prosecute. A criminal complaint was filed, and a "no prosecution report" was filed.
  - F. On October 6, 2001, at 9:22 p.m., officers of the Milwaukee Police

Department observed a fight in the doorway of the licensed premises at 3749 West National Avenue in the City and County of Milwaukee, Wisconsin ("Moccasin Bar"). The investigation revealed that an intoxicated patron spilled beer on a woman and then pushed her against a wall. When the patron was arrested, he was found to be armed with a knife. An incident report was filed

- G. On July 8, 2002 at 12:43 a.m., officers of the Milwaukee Police Department were dispatched to a shooting at licensed premises located at 3749 West National Avenue in the City and County of Milwaukee, Wisconsin ("Moccasin Bar"). Three masked males armed with pistols entered the Moccasin Bar, fired one round, hitting the bouncer in the back, and then fled the scene on foot. An incident report was filed.
- H. On September 9, 2002 at 12:50 a.m., officers of the Milwaukee Police Department were dispatched to the licensed premises located at West National Avenue in the City and County of Milwaukee, Wisconsin ("Moccasin Bar") for a fight. Three males, who were very intoxicated, tried to enter the tavern. They were unwilling to provide the bouncers with any identification. A bartender stated that the bouncers and the owner attempted to push the three males out the door and one of the three swung a leather strap with keys attached and struck one of the bouncers. Punches were thrown and a fight ensued. Two of the three males were issued citations for disorderly conduct and one was issued a citation for assault and battery. One of the bouncers was also issued a citation for assault and battery. He was accused by one of the three of hitting him in the head with a hard object. The licensee, Joseph A. Goldman, was at the scene and was also very intoxicated.
- I. On March 18, 2004 at 6:30 p.m., an underage Milwaukee Police Aide entered the licensed premises located at 3749 West National Avenue in the City and County of Milwaukee, Wisconsin ("Moccasin Bar") under the direction of Milwaukee Police Officers. The aide was able to purchase a rum and coke from the bartender, even though the bartender checked the aide's proper identification.

As to the bartender:  
Charge: Sale To Underage  
Finding: Guilty  
Sentence: Fined \$152.00  
Date: 05/12/04  
Case: 04044330

- J. On July 9, 2006 at 2:37 a.m., officers of the Milwaukee Police Department were dispatched to the licensed premises located at 3748 West National Avenue in the City and County of Milwaukee, Wisconsin ("Moccasin

Bar”) for a battery-cutting complaint. The investigation revealed a fight broke out in the Moccasin Bar with one of the patrons being cut. That cut required 18 stitches to the left side of the face of the patron. Officers spoke to the bartender. He was asked why he did not call the police regarding the fight. The bartender stated there was only phone in the tavern and it didn’t work.

K. On August 12, 2006 at 2:31 a.m., officers of the Milwaukee Police Department were dispatched to a shots fired complaint at 37<sup>th</sup> and National. Investigation revealed a fight took place inside the licensed premises located at 3749 West National Avenue in the City and County of Milwaukee, Wisconsin (“Moccasin Bar”) resulting in a male patron being stabbed in the abdomen. Officers spoke to the bartender. It was determined that she was not truthful to police about what happened, claiming to police that she did not see anything. A view of the surveillance tape police obtained clearly showed the bartender watching the fight inside the tavern.

L. On May 21, 2007 at 10:35 pm officers of the Milwaukee Police Department were dispatched to 3803 West National Avenue in the City and County of Milwaukee, Wisconsin. The investigation revealed two patrons were involved in a fight inside the licensed premises at 3749 West National Avenue in the City and County of Milwaukee, Wisconsin (“Moccasin Bar”). Officers, upon entering the bar, could smell a strong odor of Pine Sol and spoke to the bartender who stated they were “just cleaning”. Police observed fresh blood smeared under a mat to the door and more fresh blood in the back of the tavern by the pool tables. When officers questioned the bartender again about the blood found, she stated there was a fight between two patrons and one of them was bleeding. The bartender stated she called the owner, Joseph Goldman, who told her to get all the customers out of the bar and he would send over some help. Officers spoke to Goldman who at first denied having any knowledge of what occurred. Officers observed a video camera and requested to view the tape. Police observed Goldman going to the recorder at 22:23 and the video was shut down until 22:35, when it then resumed recording. When police questioned why there was a skip in the video Goldman at first replied he didn’t know. Goldman then stated he must have accidentally shut it off when he was watching the incident.

The portion missing was determined to be the cleaning of the bar after the fight. The bartender could not provide her bartenders’ license to officers and was cited for Display of License. Joseph Goldman was cited for Disorderly Premises which was not issued by city attorney. At hearing, the licensee insisted that he did nothing wrong, and that he was merely acting to protect his customers from possible injury from the blood. Regarding the video tape, the licensee testified that the machine

does not record when rewinding for playback, and that is why the portion of the tape was missing. He denied that he was thwarting the investigation of the Police Department.

As to the bartender:  
Charge: Display of License  
Finding: Record Check 08/18/08 8:30 a.m. (for dismissal).  
Sentence:  
Date:  
Case: 07064286

- M. On December 18, 2007 at 7:00 a.m., officers of the Milwaukee Police Department were dispatched to an armed robbery at the licensed premises located 3749 West National Avenue in the City and County of Milwaukee, Wisconsin ("Moccasin Bar"). Officers spoke to an employee who stated she was opening the bar for morning business when an unknown male came into the bar armed with a handgun. The suspect demanded and received money from the register and fled the scene. No injuries were reported.
- N. On February 4, 2008 at 2:07 a.m., officers of the Milwaukee Police Department were dispatched to 1111 South 38<sup>th</sup> Street for a battery/cutting complaint. Police spoke to the victim who stated he and a friend were at the Moccasin Bar at 3749 West National Avenue when words were exchanged between them and a couple of other patrons. A fight began with one of the patrons striking the victim in the face with a beer mug. An unknown female then produced a knife to the victim and his friend and they both fled the bar. The victim sustained a one inch laceration above his left eye that required 15 stitches to close. Police attempted to check for a scene at the tavern but the bar was closed. No one from the tavern called for police. Follow up was conducted by officers on February 4, 2008 at 11:31 p.m. and police spoke to the bartender. The bartender stated he observed two patrons fighting and when the fight was over, everyone involved in the fight left the tavern. As of April 10, 2008 the victim has yet to view photos at the police department.
- O. No neighbors testified in opposition to the 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, Joseph M. Goldman, has not met the criteria of Chapter 125 of the Wisconsin Statutes or Chapter 90 of the Milwaukee Code of Ordinances to allow renewal of his Class "B" Tavern license without undergoing a ten (10) day suspension of said license. 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 of Joseph M. Goldman, for the premises located at 3749 West National Avenue in the City and County of Milwaukee, Wisconsin ("The Moccasin Bar"), with a ten (10) day suspension based upon his past activities as a licensee, and for the danger the operation of this premises posed to the health, safety and welfare of the citizens of the community.

#### 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 of Joseph M. Goldman, for the premises located at 3749 West National Avenue in the City and County of Milwaukee, Wisconsin be renewed with a ten day suspension.

Said suspension is in effect from 12:01 a.m., June 13, 2008 through to midnight, June 23, 2008.

Dated and signed at Milwaukee, Wisconsin this 30<sup>th</sup> day of May, 2008.

*James A. Bohl Jr.*

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JAMES A. BOHL, Jr., Chairman  
Licenses Committee





**JAMES A. BOHL JR.**  
Alderman, 5th District

Date: May 30, 2008

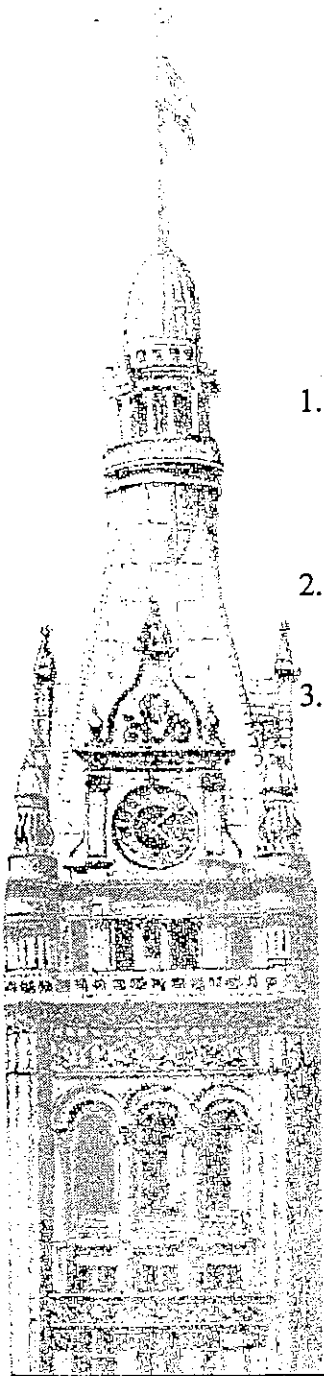
To: All Members of the Milwaukee Common Council

From: Licenses Committee

Re: Report on the Renewal Application of the Public Dance Hall License of Michael L. Grosse, as agent for 20 Below LLC, for the premises located at 126 East Mineral Street in the City and County of Milwaukee, Wisconsin ("Sugar")

#### FINDINGS OF FACT

1. Michael L. Grosse, as agent, (hereinafter "the Licensee"), is the holder of a Public Dance Hall License for 20 Below LLC for the premises located at 126 East Mineral Street in the City and County of Milwaukee, Wisconsin ("Sugar"). Said license expires at midnight on June 30, 2008.
2. An application to renew said license was filed with the Office of the City Clerk on May 1, 2008.
3. Pursuant to Chapter 108 of the Milwaukee Code of Ordinances, the matter was referred to the Milwaukee Police Department for investigation. On May 2, 2008, the Milwaukee Police Department responded with a report regarding the renewal of said license, which could form a basis of non-renewal or suspension. There were also claimed neighborhood objections to the appropriateness of the location for this dance hall license, and congregations of patrons that disturb the peace, use illegal drugs, engage in public drunkenness, harass passers by, gamble, engage in prostitution, sell stolen goods, engage in public urination, engage in thefts, assaults, battery, vandalism, trespass, litter, fight, engage in shootings, loitering, illegal parking, loud noise and disorderly conduct curfew violation, lewd conduct, display of materials harmful to minors, cruising and impede the normal flow of traffic. In addition there were claimed violation of Chapter 108 of the Milwaukee Code of Ordinances and failure of the licensee to meet the qualifications of Chapter 108 of the MCO.



4. On May 16, 2008, the City Clerk's Office provided timely notice to the Licensee pursuant to Chapter 108 of the Milwaukee Code of Ordinances of the report of the Milwaukee Police Department and the claimed neighborhood objections, and included therewith a copy of the Milwaukee Police Department report. The matter was scheduled for a hearing on the Police Department report on May 28, 2008, commencing at 10:00 am in Room 301B of the third floor of City Hall. At said date, time and place, the Licensee appeared at the hearing and admitted receipt of the notice of hearing, together with a copy of the Milwaukee Police Department report. The Licensee was represented by counsel, Attorney Michael Maistelmann, Maistelman & Associates, LLC, 5027 West North Avenue, Milwaukee, WI 53208, and Attorney David Halbrooks, 2924 East Linnwood Avenue, Milwaukee, WI 53211.
5. Based upon the testimony heard and evidence received, the Committee makes the following findings of fact.
  - A On March 28, 2008 at 10:50 p.m., Milwaukee police were flagged down for a trouble with subject complaint at the licensed premises located at 126 East Mineral Street in the City and County of Milwaukee, Wisconsin ("Sugar"). Police spoke to the security guard Michael Schrank who advised police that a male subject told Schrank that he had sexually assaulted approximately 15 females inside and outside of the Sugar. Officers observed this subject who fled from police. After a brief foot pursuit, officers caught and placed this suspect into custody. A female juvenile came forth and provided officers information regarding the assault that took place inside Sugar. The case is currently pending in Circuit Court. While the police officers were inside the hall, they observed no license displayed and spoke to Sean Pliss regarding displaying of license. Pliss stated the plaque that contained the license fell from the wall and that he would fix the problem so the license was properly displayed. A citation was issued for certificate to be posted. However, the citation was not found in the municipal system.
  - B On April 18, 2008 at 10:15 p.m., Milwaukee police were sent to monitor the crowd at 126 East Mineral Street in the City and County of Milwaukee, Wisconsin ("Club Sugar"). As police arrived, officers were flagged down by a bouncer and security guard who stated, "These kids are out of control, we are full to capacity and they won't leave, get them out of here!" Officers observed at least 100 people standing in front of the building and several others walking up and down the streets. Police also observed autos to be double parked as well as people in passing autos opening doors and yelling to the crowd outside of Sugar. A total of seven squads and a supervisor were needed to gain control and disperse the crowd. Police also issued numerous parking citations for violations that were observed.

- C The District Police Captain testified to numerous incidents of use of Milwaukee Police Department squads being used to control the crowds at this location as well as other entertainment venues in the area. Although the District Police Captain could not isolate individual squad assignment attributable to "Sugar," it is nonetheless clear that the "Sugar" is a source of disturbances that consume police resources and impact on at least one other business in the neighborhood. It is further clear from the police report as stated above, that the security personnel from Sugar are sometimes unable to control the crowds without the assistance of the Milwaukee Police Department.
- D The local alderman also testified to the problems created when the young crowd at "Sugar" lets out, stops traffic in the streets, creates noisy disturbances, and congregates at a nearby gas station. The operators of the establishment testified to efforts they take to control the crowd, particularly having their security personnel go to the gas station in question and remove the congregating crowds of the patrons of Sugar. The operators of this establishment also testified to efforts to quell the disturbances taken following a neighborhood meeting where it became clear that the neighbors are unhappy and would likely seek non renewal of the license. Those efforts will include preventing lines of patrons from waiting to get into the Club, increases in the security presence, the use of devices to find out if any of the patrons have been drinking, and efforts to control those less than seventeen years of age from getting into the Club and risking a curfew violation.
- E No neighbors, save for the local alderman and the Second District Police Captain, testified 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 108 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concludes that the Licensee, Joseph M. Goldman, has not met the criteria of Chapter 108 of the Milwaukee Code of Ordinances to allow renewal of his Public Dance Hall license without undergoing a ten (10) day suspension of said license. The Committee finds that the incidents in the Police Department 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 Public Dance Hall license of Michael L. Grosse, as agent for 20 Below LLC for the premises located at 126 East Mineral Street in the City and County of Milwaukee, Wisconsin ("Sugar"), with a ten (10) day suspension based upon his past activities as a licensee, and for the danger the operation of this premises posed to the health, safety and welfare of the citizens of the community.

#### RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of three ayes and 2 noes recommends that the Public Dance Hall license held by Michael L. Grosse, as agent for 20 Below LLC for the premises located at 126 East Mineral Street in the City and County of Milwaukee, Wisconsin ("Sugar") be renewed with a ten (10) day suspension.

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

Dated and signed at Milwaukee, Wisconsin this 30<sup>th</sup> day of May, 2008.

*James A. Bohl Jr.*

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JAMES A. BOHL, Jr., Chairman  
Licenses Committee



**JAMES A. BOHL JR.**  
Alderman, 5th District

Date: June 2, 2008

To: All Members of the Milwaukee Common Council

From: Licenses Committee

Re: Report on the Renewal Application of the Public Dance Hall License of Thomas J. Holmes, Agent for "T&R Entertainment, LLC", for the premises located at 2342 West North Avenue in the City and County of Milwaukee, Wisconsin ("Amistad Pavilion")

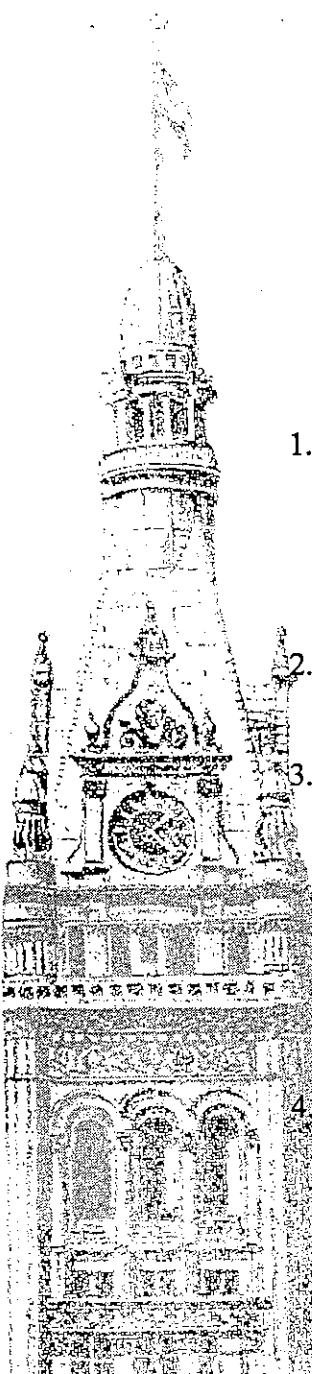
#### FINDINGS OF FACT

1. Thomas J. Holmes, agent for T&R Entertainment, LLC (hereinafter "the Licensee"), is the holder of a Public Dance Hall License for the premises located at 2342 West North Avenue in the City and County of Milwaukee, Wisconsin ("Amistad Pavilion" or "licensed premises"). Said license expires at midnight on June 30, 2008.

2. An application to renew said license was filed with the Office of the City Clerk on May 1, 2008.

3. Pursuant to Chapter 108 of the Milwaukee Code of Ordinances ("MCO"), the matter was referred to the Milwaukee Police Department for investigation. On May 5, 2008, the Milwaukee Police Department responded with a report regarding the renewal of said license, which could form a basis of non-renewal or suspension. There were also neighborhood objections noticed to management or the appropriateness of the location and premises where the public dance hall is located, as well as other alleged conduct possibly justifying non-renewal or suspension under MCO § 180-4.

4. On May 16, 2008 the City Clerk's Office provided timely notice to the Licensee pursuant to Chapter 108 of the Milwaukee Code of Ordinances 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 and neighborhood objections on May 30, 2008, commencing at 10:00 a.m. in Room 301-A of



City Hall. At said date, time and place, the Licensee appeared at the hearing and admitted receipt of the notice of hearing, together with a copy of the Milwaukee Police Department report. The Licensee was represented by counsel. No neighbors appeared at the hearing to object to the Licensee's renewal application.

5. At the May 30, 2008 Committee hearing, the Committee received the Police Report into evidence, but, at the direction of the Committee Chairman limited the focus of the hearing to Items 19-28, the incidents that occurred within the previous license year.
6. Based upon the testimony heard and evidence received, the Committee makes the following findings of fact.
  - A. On 5/26/07 at 1:05 a.m., undercover officers were monitoring closing time at the licensed premises. Officers observed a drug transaction in the parking lot. The suspect was driving away when officers heard five gunshots. Officers drove to the rear of the licensed premises to look for the person firing the shots. Officers found five spent cartridges where the shots were fired and vehicles were bunched together in the area. The drug suspect was still there, was arrested, and found to have 2.97 grams of marijuana in his possession.
  - B. On 07/07/07 at 10:42 p.m. officers were at 2349 W. Oak, which is near the rear parking lot of the licensed premises. Officers heard yelling from inside the dimly lit, gated parking lot. Officers responded to the parking lot, and learned that security guards encountered a male with a gun, who was just kicked out of the club. The armed security guard drew his weapon and the suspect dropped his gun. The guard struck the suspect with a fist and pepper-sprayed him. The suspect fled on foot and was not caught. The gun was recovered from security.
  - C. On 11/22/07 at 10:22 p.m., Milwaukee police were dispatched to 2340 W. North Avenue for a Cruising complaint. Responding officers observed the area filled with autos and people standing in the roadway dancing. Officers also observed people standing on a car in traffic, stomping out the windshield, breaking it as well as other windows on the car. More squads were called to help move traffic along. Officers observed about 200 people waiting to get into the dance hall. The crowd was blocking the main entrance and exit, preventing safe egress. Security was also observed standing there doing nothing to direct patrons to keep the egress open. Officers spoke to Thomas Holmes, Sr. who became upset when he learned a tavern report was going to be filed. He began to yell profanities stating that the traffic problem was not his problem insisting that officers direct traffic away from other businesses like the Bradley Center. Holmes then asked patrons who were waiting outside to enter or leave the

business. Some of the patrons refused to leave and began pushing past security. Officers assisted in removing some of the patrons until order was restored. One patron was issued a citation for Resisting an Officer.

- D. On 12/06/07 at 3:30 p.m., Milwaukee police were dispatched to 9847 West Lisbon Avenue to investigate a Reckless Use complaint. The victim stated that the incident happened inside of the licensed premises and that Thomas Holmes, Sr. and Thomas Holmes, Jr. intentionally and without consent pointed a handgun in the direction of the victim and his mother causing them to fear for their safety. Both suspects also made threats to kill or cause great bodily harm to the victim while armed with a handgun. The victim stated this incident occurred over an argument in which Thomas Holmes, Sr. would not let the victim remove his belongings from the business. Officers attempted to speak with Thomas Holmes, Sr. regarding the incident, but he refused to speak with the officers.
- E. On 01/01/08 at 10:13 p.m., Milwaukee police were dispatched to 20<sup>th</sup> and North Avenue for a Shots Fired complaint. An anonymous caller stated the shots came from a nearby club. As officers arrived they were flagged down by Thomas Holmes, Sr. who stated six adult males forced themselves past security, entered the club and began to be disruptive by starting a fight with some of the patrons. Police were then told by Holmes that the adult males must have left the club when officers arrived and police could not locate any victims. After about 20 minutes, and while officers investigated the complaint, Holmes, Sr. offered information stating that two of the suspects had guns. Holmes, Sr. gave conflicting statements to police as to what happened. Officers then spoke to Thomas Holmes, Jr. who stated that he saw an altercation at the door and that six males tried to push past security but never got past the entrance. Holmes, Jr. further stated that he never saw any guns.
- F. On 01/04/08 at 1:09 a.m., Milwaukee police were dispatched to 5000 W. Chambers regarding a battery complaint. Officers spoke to the victim who stated he was assaulted and threatened with a gun by a security officer while he was at the licensed premises. The victim stated that he had argued with another patron when a security guard approached the victim and told the victim to leave his brother alone. They continued to argue and the security guard hit the victim in the face with his gun and pointed the gun in his face. The victim was treated at a nearby hospital for a laceration to the right side of his face that required three stitches. As of 05/05/08, no arrests were made.
- G. On 02/22/08 at 10:30 p.m., Milwaukee police were patrolling the area of 2342 W. North Avenue when police observed a large group of people pushing and shoving each other in the parking lot of the licensed premises. A large fight broke out, requiring the officers to call for more squads.

Investigation revealed that security determined that the licenses premises was at capacity and asked everyone in the parking lot to leave. Several patrons refused and were issued citations for resisting/obstructing an officer. After the crowd dispersed, narcotics were discovered in the area where the fight took place and were placed on inventory.

- H. On 03/07/08 at 12:12 a.m., Milwaukee police were dispatched to Mt. Sinai Hospital to interview two shooting victims who had been admitted. The officers spoke to the male victims who stated that they were at the licensed premises with two females. The two females started fighting with two other patrons and security escorted the victims' friends out of the club. The two victims joined the women outside. While they were standing outside of the licensed premises somebody started shooting. One victim was treated for a gunshot wound to his left leg and the other victim had a small cut to his right palm, which did not appear to be a gunshot wound. Officers checked the area of the licensed premises and found evidence of shots fired in the fenced-in parking lot at the location.
- I. On 03/16/08 at 12:50 a.m., Milwaukee police were monitoring the area of the licensed premises due to recent problems with patrons leaving and causing a disturbance. Officers observed suspects driving out of the lot at high rates of speed, driving in opposite lanes of traffic and playing loud music from cars. Police estimated 100 cars were stopped with occupants hanging out of the vehicles and observed people dancing in the street. This disturbance was videotaped for further reference.
- J. On 03/29/08 at 11:50 p.m., Milwaukee police were working a juvenile curfew Directed Patrol Mission at 2342 W. North Avenue. Police found 15 underage individuals who were unaccompanied by their parents. Officers removed them from the licensed premises. Officers cited them for curfew violations and released them to parents/guardians at the scene. Police spoke to Thomas Holmes, Sr. who stated it was the responsibility of the security staff to monitor the door. Holmes, Sr. received a citation for Curfew Responsibility of Operator, which case (08046461) was pending in Municipal Court as of the Committee hearing date.
- K. At the Committee hearing, Licensee disputed the statements contained in items 19-28 of the Police Report.

#### 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 108 of the Milwaukee Code of Ordinances.



2. Based upon the above facts found, the Committee concludes that the Licensee, Thomas J. Holmes, has not met the criteria of Chapter 108 of the Milwaukee Code of Ordinances to allow renewal of his Public Dance Hall license without undergoing a fifteen (15) day suspension. The Committee finds that the incidents in the Police Department report are 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 Public Dance Hall license of Thomas J. Holmes, Agent for "T&R Entertainment, LLC", for the premises located at 2342 West North Avenue in the City and County of Milwaukee, Wisconsin ("Amistad Pavilion"), with a fifteen (15) day suspension.

#### 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 Public Dance Hall license of Thomas J. Holmes, for the premises located at 2342 West North Avenue in the City and County of Milwaukee, Wisconsin ("Amistad Pavilion") be renewed with a fifteen (15) day suspension.

Said suspension is in effect from 12:01 a.m., July 1, 2008 through to midnight, July 15, 2008.

Dated and signed at Milwaukee, Wisconsin this 2nd day of June, 2008.

*James A. Bohl Jr.*

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JAMES A. BOHL, Jr., Chairman  
Licenses Committee



**JAMES A. BOHL JR.**  
Alderman, 5th District

Date: June 2, 2008

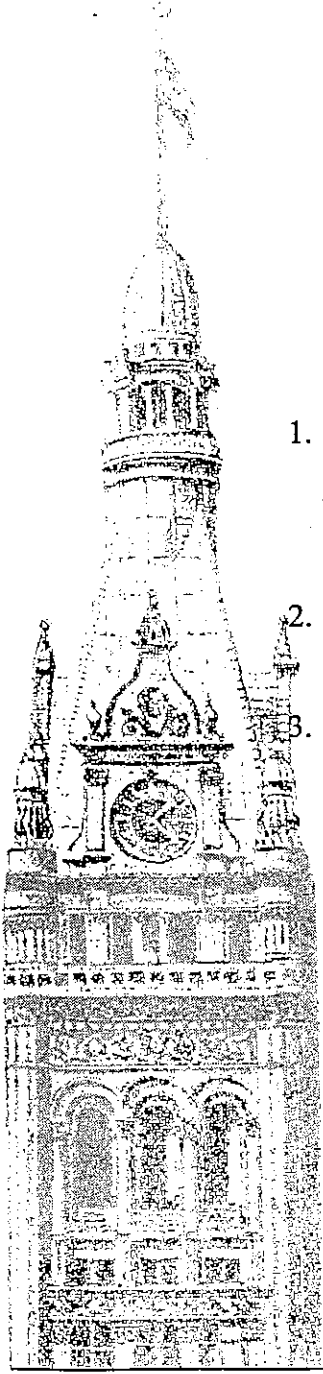
To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report of the Renewal Application of Olayinka M. George for a Class "B" Tavern and Tavern Dance license for the premises located at 5318 West Center Street in the City and County of Milwaukee, Wisconsin ("Infinity Lounge").

#### FINDINGS OF FACT

1. Olayinka M. George (hereinafter the "Licensee") is the holder of a Class "B" Tavern and Tavern Dance license for the licensed premises at 5318 West Center Street in the City and County of Milwaukee, Wisconsin ("Infinity Lounge"). Said license expires at midnight, June 23, 2008.
2. An application to renew said license was filed with the office of the City Clerk on March 28, 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 report was dated March 31, 2008 and could form a basis for non-renewal or suspension. There were also neighborhood objections to littering, loitering, loud music and noise, public urination, drug and criminal activity, vandalism, damage to private property, parking on private property, disturbing the peace, causing the normal flow of traffic on roadways to be impeded, endangering safety by exceeding capacity, excessive and inappropriate use of police resources, fitness of location based: on the appropriateness of the location, neighborhood problems due to mismanagement, and premises is operated in such a manner that it causes a public nuisance, and conduct detrimental to the health, safety and welfare of the neighborhood.



4. On May 16, 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 neighborhood objections and of the police report, including a copy of the report. The matter was scheduled for a hearing on the neighborhood objections on May 28, 2008 at 2:00 p.m. in Room 301B of the third floor of City Hall. At said date, time and place the licensee appeared at the hearing and admitted receipt of the notice of hearing and the attachments. The licensee was represented by Attorney Michael A.I. Whitcomb, Law Offices of Michael A.I. Whitcomb, 633 West Wisconsin Avenue, Suite 510, Milwaukee, WI 53203-1918.

5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:

A. The licensee was cited for:

Charge:	Issue of Worthless Check — Non Criminal
Finding:	Guilty
Sentence:	Fined - unknown amount
Date:	09/08/82

B. On Tuesday, August 17, 1999 at 1:10 a.m., officers of the Milwaukee Police Department conducted a tavern check at the Steppin' Up Lounge located at 5318 West Center Street. Upon their arrival, officers found an underage person drinking beer inside the tavern. The licensee was on the scene. At the time the licensee was the licensee for the Steppin' Up Lounge.

As to Licensee (George, Olayinka M.)

Charge:	Sale of Alcohol to Underage Person
Finding:	Guilty
Sentence:	Fined \$145.00
Date:	11/05/99

C. On Friday, November 26, 1999 at about 10:53 p.m., an underage police aide along with two undercover officers of the Milwaukee Police Department entered the Steppin' Up Lounge located at 5318 West Center Street. The police aide walked directly past the doorman who did not ask for identification. The police aide purchased two alcoholic drinks from the bartender. Investigation revealed that there were two unlicensed bartenders on the scene who were not supervised by a licensed person. The licensee arrived on the scene approximately 20 minutes into the officers' investigation. The doorman was arrested on a warrant for delivery of a controlled substance.

As to Bartender:

Charge: Ct. 1 Sale of Alcohol to Underage Person  
Ct. 2 Class D Bartender License Required  
Finding: Ct. 1 Guilty  
Ct. 2 Not issued  
Ct. 1 Fined \$146.00  
Ct. 2 Not Issued  
Date: Ct. 1 02/08/00  
Ct. 2 01/11/00

As to the 2<sup>nd</sup> Bartender:

Charge: Class D Bartender License Required  
Finding: Warrant Issued  
Date: 02/08/00

As to Licensee (George, Olayinka M.):

Charge: Ct. 1 Class D Bartender License Required  
(Licensee Responsibility)  
Ct. 2 Sale of Alcohol to Underage Person  
(Licensee Responsibility)  
Ct. 3 Responsible Person Upon Licensed  
Premises  
Ct. 4 Presence of Underage Person  
(Licensee Responsibility)  
Ct. 5 Class D Bartender License Required  
(Licensee Responsibility)  
Finding: Ct. 1 Dismissed without prejudice  
Ct. 2 Guilty  
Ct. 3 Dismissed without prejudice  
Ct. 4 Guilty  
Ct. 5 Dismissed without prejudice  
Ct 1 Dismissed  
Ct. 2 Fined \$146.00  
Ct. 3 Dismissed  
Ct. 4 Fined \$346.00  
Ct. 5 Dismissed  
Date: All Cts. 02/08/00

D. On January 1, 2000 at 1:30 a.m., officers of the Milwaukee Police Department responded to a loud music complaint at the Steppin' Up Lounge located at 5318 West Center Street. As the officers

approached the tavern they could hear the music coming from this tavern as they started to enter the 5200 block of West Center Street. Upon their arrival the officers advised the licensee to turn down the music. Mr. George stated "ya, ok", and shrugged his shoulders. At this time, Officers conducted a check of the tavern. During this check the music was not turned down, and the licensee again was advised to turn the music down, which he did. A citizen/complainant stated that he called the tavern to complain to the manager regarding the music, but whoever answered the phone told him to "Fuck Off, and hung up the phone.

As to Licensee (George, Olayinka M.):

Charge: Noise Nuisance  
Finding: Dismissed without prejudice  
Date: 05-21-01

- E. On March 2, 2000 at 11:30 p.m., officers of the Milwaukee Police Department were dispatched to a loud music complaint at the Steppin' Up Lounge located at 5318 West Center Street. Officers stood mid block in the 5400 block of West Center Street and were able to hear music being played in the premise. Upon entering the tavern, officers found a coin operated dart machine being operated without a valid City permit. The licensee, Olayinka George, stated that people are always complaining about the music being loud, and he is getting tired of the Police entering his establishment every week. Regarding the expired permit on the machine he stated that it's not his responsibility because he does not own the machine.

As to Licensee (George, Olayinka M.):

Charge: Ct. 1 Noise Nuisance  
Ct. 2 Video game permit required  
Finding: Ct. 1 Pending Court appearance on 6/23/2000  
Ct. 2 Not Issued  
Sentence: Ct. 1 Guilty  
Ct. 2  
Date: Ct. 1 Fined \$100.00  
Ct. 2

- F. Charge: Littering of Premises  
Finding: Guilty  
Sentence: Fined \$115.00  
Date: 06/20/2000

- G. On August 14, 2000, Sergeant Alan Johnson of District #7 late shift filed a report that revealed the following information. Within the last six months, there had been calls for police service made from 5318 West Center Street, Milwaukee, Wisconsin ("Steppin' Up Lounge"). There have been 28 other calls from the area of this tavern. These calls have been for problems at the tavern, including trouble with subjects, loud music, fights, and noise nuisances. Responding squads spent 14 hours and 47 minutes at these calls. A Tavern Directed Patrol Mission has spent 121 hours since July 1, 2000 monitoring this tavern and the area around it, resulting in 73 field interviews, 14 city arrests, 15 state arrests, and 118 parking citations.
- H. On May 16, 2002, officers of the Milwaukee Police Department were dispatched to the licensed premises located at 5318 West Center Street in the City and County of Milwaukee, Wisconsin ("The Steppin' Up Lounge") to investigate a battery complaint. The victim stated to Police that he was beaten without consent by 6 to 8 unknown black males while inside the Steppin' Up Lounge. The victim sustained several serious lacerations as a result and received several stitches. Officers spoke with the owner Olanyinka George who stated that he did observe several subjects fighting inside the business but that he was unaware that anyone was hurt. Substantial Battery report filed #02-130-3029.
- I. On June 12, 2002, officers of the Milwaukee Police Department were dispatched to investigate a shooting at the licensed premises located at 5318 West Center Street in the City and County of Milwaukee, Wisconsin ("Steppin' Up Lounge"). The victim stated he was shot in the left elbow and left leg after exiting the tavern by unknown person(s).
- J. On May 20, 2003 at 11:07 p.m., officers of the Milwaukee Police Department were sent to a fight in the street outside of the licensed premises located at 5318 West Center Street in the City and County of Milwaukee, Wisconsin ("The Steppin' Up Lounge"). While patrolling the rear of the tavern, the police heard numerous gun shots which came from inside the tavern and numerous people coming out of the rear of the tavern, two of them being victims of the shooting. One was shot in the neck and the other in a hand. One other victim was discovered inside the tavern with a gunshot wound to the chest. The investigation showed that the shooting was as a result of an argument that started inside the tavern.
- K. Saturday, November 29, 2003 at about 2:10 a.m., officers of the Milwaukee Police Department were dispatched to 53<sup>rd</sup> and Center for a complaint of shots fired. They were met by Olayinka M George who stated he saw a male pull out a gun on the street in front of the licensed premises located at 5318 West Center Street in the City and County of Milwaukee, Wisconsin ("Steppin' Up Lounge") and fire three shots. Four casings were found on the scene.

- L. On February 27, 2004 at about 12:33 a.m., officers of the Milwaukee Police Department were flagged down for a battery complaint. The complainant stated that she got into an argument with a patron at the licensed premises located at 5318 West Center Street in the City and County of Milwaukee, Wisconsin ("Infinity Lounge"), and was struck with an unknown object. The complaint stated that when she entered the tavern along with other friends, one of which was underage, they were not asked for identification. The owner of the tavern insisted that they ask all patrons entering for a picture ID.
- M. On March 31, 2004 at 11:15 p.m., an underage Milwaukee police aide, at the direction of Milwaukee police officers, entered the Infinity Lounge, located at 5318 West Center Street. The aide was able to purchase a bottle of Corona beer from the bartender.

As to the Licensee, George, Olayinka M:

Charge: Sale To Underage  
Finding: Guilty  
Sentence: \$75.00  
Date: 6-18-2004

As to the Bartender:

Charge: Sale To Underage  
Finding: Guilty  
Sentence: \$152.00  
Date: 5-21-2004

- N. On November 10, 2004 at 1:30 a.m., officers of the Milwaukee Police Department responded to licensed premises located at 5318 West Center Street in the City and County of Milwaukee, Wisconsin ("Infinity Lounge"), with several other squads to investigate a shots fired complaint. Officers found two autos outside of the Infinity Lounge that appeared to have been damaged by the impacts of bullets. They recovered five 9mm spend casings, two bullet fragments and one bullet from the street in front of the Infinity Lounge and another licensed premises, the "Vibe," located 5319 West Center Street. Each tavern owner believed the problem to have come from the other's tavern.
- O. On December 14, 2004 at 11:55 p.m., officers of the Milwaukee Police Department responded to the licensed premises at 5318 West Center Street in the City and County of Milwaukee, Wisconsin ("Infinity Lounge"), for a fight inside the tavern. When police arrived Olayinka M George, the

licensee, stated that the bouncers broke up the fight before arrival of the police.

- P. On December 18, 2005, at 1:38 a.m., officers of the Milwaukee Police Department were flagged down by the licensee at 5318 West Center Street. He reported a fight inside the bar. Five citations issued for disorderly conduct.
- Q. On December 6, 2006 at 12:31 a.m., officers of the Milwaukee Police Department were dispatched to 54<sup>th</sup> and Center Streets for a shots fired complaint. Upon arrival, officers observed several subjects walking to their autos whom had exited from the infinity Lounge. When asked if they had heard any gun shots, the subjects stated, "No." Officers then spoke to Olayinka George, licensee of the bar, who also stated he had not heard any gun shots. Officers then spoke to the caller who stated he heard 10-12 shots fired and observed "many" people running out of the rear exit of the tavern. No casings were found on the scene and no witnesses could provide any descriptions of the person(s) shooting.
- R. On February 23, 2007 at 12:05 a.m., officers of the Milwaukee Police Department were dispatched to 5318 West Center Street in the City and County of Milwaukee, Wisconsin ("Infinity Lounge") for a loud music complaint. About one block away from the Infinity Lounge officers could clearly hear loud music bass coming from the tavern. Officers spoke with Olayinka George and had him turn down the music, which he complied. As officers were exiting the tavern, the music was turned back up to the previous noise level. A citation was issued for noise nuisance. Officers were about to conduct a capacity check, but many patrons began to leave and officers were unable to conduct a proper head count.

Charge: Noise Nuisance  
Finding: Guilty  
Sentence: Fined \$237.00  
Date: 08/30/07

Incident "R" was previously reported, disposition now added on 03/31/08.

- S. On February 28, 2007 at 12:36 a.m., officers of the Milwaukee Police Department were dispatched to 5318 West Center Street in the City and County of Milwaukee, Wisconsin for a noise nuisance complaint. Upon arrival, officers could only hear music when the front door was open. Music could not be heard from the alley, or from the street when the door was closed. Due to no complainant information, no citation was issued. While officers were at the premises a patron walked up to one of the officers and kissed him on the right cheek. This patron, who was highly intoxicated, was arrested and cited for mashing.



- T. On April 29, 2008 at approximately 10:02 p.m., officers of the Milwaukee Police Department were dispatched to 2719 North 53<sup>rd</sup> Street in the City and County of Milwaukee, Wisconsin for a complaint of "shots fired." The investigation revealed that a shooting did occur and the victim was located at his home at 3948 North 17<sup>th</sup> Street. The victim stated that he went to the Infinity Lounge (5318 West Center Street.) and had some shots and some beers. He exited the tavern and started to walk eastbound when he heard two gunshots so he started running. While running, he realized that he was hit in the arm and back. He continued running and eventually hid under a car and called his brother to come pick him up and take him home. The victim stated he did not see anyone outside of the bar and did not have an altercation with anyone while he was inside the bar.
- U. An adjoining neighbor testified that he has personally seen a patron of the establishment fire a weapon into the air. That incident happened within the last license year. The same neighbor has heard numerous gunshots that he attributes to this tavern. The neighbor's home is situated so that he has a view of the back of the Infinity Lounge. He has seen patrons urinating outside of the rear of the tavern. When the tavern operates (usually Tuesday and Thursday evenings) he hears the bass coming from the music system. In addition he testified to litter because of the operation of this tavern. This neighbor has called the tavern and has tried to get the music turned down, but it always is returned to a level he can hear at his home.
- V. The prior record of this location discloses that in 2007 it was renewed with a 90 day suspension, in 2005 it was renewed with a 30 day suspension, in 2004 it was renewed with a 10 day suspension, and 2003 it was renewed with a 20 day suspension. In 2006 and 2002 this license was renewed automatically.

#### 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 recommends that the Common Council of the City of Milwaukee should exercise its discretion to renew the Class "B" Tavern and Tavern Dance license of Olayinka M. George for the premises located at 5318 West Center Street in the City and County of Milwaukee, Wisconsin ("Infinity Lounge") with a thirty (30) day suspension based upon the danger the operation of this premises

represents to the health, safety, and welfare of the citizens of the City of Milwaukee as evidenced by the police report and the testimony of the adjoining neighbor. The Committee finds the police report and neighborhood objections as stated above to be true.

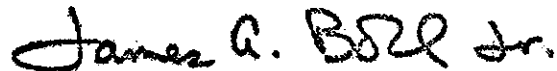
3. In order to protect the health safety and welfare of the citizens of the City of Milwaukee, it is the recommendation of the Licenses Committee that the Class "B" Tavern and Tavern Dance license of Olayinka M. George for the premise located at 5318 West Center Street in the City and County of Milwaukee, Wisconsin ("Infinity Lounge") be renewed and with a thirty (30) day suspension.

#### RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee by a vote of four (4) ayes and one (1) no recommends that the class "B" Tavern and Tavern Dance license of Olayinka M. George for the premises located at 5318 West Center Street in the City and County of Milwaukee, Wisconsin be renewed with a thirty (30) day suspension based upon the police report and neighborhood objections as stated above.

Said suspension is to be in effect from 12:01 a.m. on, June 24, 2008 through midnight, June 23, 2008.

Dated and signed at Milwaukee, Wisconsin this 2nd day of June, 2008.



JAMES BOHL, Chairman  
Licenses Committee