

COMMITTEE ASSIGNMENTS

CHAIR

- Licenses Committee

VICE CHAIR

- Zoning, Neighborhoods and Development



MILELE A. COGGS
ALDERWOMAN, 6TH DISTRICT

MEMBER

- Finance and Personnel Committee
- Library Board
- Neighborhood Improvement Development Corporation Board
- Special Joint Committee on the Redevelopment of Abandoned and Foreclosed Homes
- Steering and Rules Committee
- Wisconsin Center District Board

December 1, 2023

To the Honorable, the Common Council

Honorable Members:

Common Council File Number 231162 contains the following recommendations:

Renewal with a 10 (ten) day suspension of the Food Dealer license for Salvador M. Elias, based upon the preponderance of the evidence in the applicant and aldermanic testimony which demonstrates excessive littering and failure to comply with the approved plan of operations; for the premises located at 10400 W Silver Spring Dr. #200 ("Pizza Hut #35672") in the 5th aldermanic district.

Renewal with a 45 (forty five) day suspension of the Tattoo and Body Piercing license for Francisco V. Flores. Jr., upon the preponderance of the evidence in the police report, the applicant and the aldermanic testimony that demonstrates the operation results in a threat to health, safety or welfare of the public; for the premises located at 3180 S 27th St. ("World Class Tattoos") in the 13th aldermanic district.

Renewal with a 10 (ten) day suspension of the Class B Tavern, Public Entertainment Premises and Food Dealer licenses for Reginald D. Butler, upon the preponderance of the evidence in the police report, the applicant and the aldermanic testimony that demonstrates the operation results in a threat to health, safety or welfare of the public; for the premises located at 2579 N Teutonia Av ("Vibe Lounge") in the 15th aldermanic district.

Respectfully,

Milele Coggs, Chair
Licenses Committee

cc: All Council Members
File 231162



COMMITTEE ASSIGNMENTS

CHAIR

- Licenses Committee

VICE CHAIR

- Zoning, Neighborhoods and Development



MEMBER

- Finance and Personnel Committee
- Library Board
- Neighborhood Improvement Development Corporation Board
- Special Joint Committee on the Redevelopment of Abandoned and Foreclosed Homes
- Steering and Rules Committee
- Wisconsin Center District Board

MILELE A. COGGS
ALDERWOMAN, 6TH DISTRICT

Date: December 1, 2023

To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report of the Renewal Application of Salvador M. Elias, Agent for EYM Pizza of Wisconsin, LLC, for a Food Dealer license for a premises located at 10400 West Silver Spring Drive, #200 in the City and County of Milwaukee, Wisconsin ("Pizza Hut #35672").

FINDINGS OF FACT

1. Salvador M. Elias (hereinafter the "Licensee") is the holder of a Food Dealer license for premises located at 10400 West Silver Spring Drive, #200 in the City and County of Milwaukee, Wisconsin ("Pizza Hut #35672"). Said license expires at midnight, January 17, 2024.
2. An application to renew said license was filed with the Office of the City Clerk on October 19, 2023.
3. Pursuant to Chapters 68 and 85 of the Milwaukee Code of Ordinances, the matter was referred to the Milwaukee Police Department for investigation.
4. On November 13, 2023, the City Clerk's Office provided notice to the Licensee pursuant to Chapters 68 and 85 of the Milwaukee Code of Ordinances of neighborhood and aldermanic objections and included copies of the objections. The matter was scheduled for a hearing on the objections on November 28, 2023 at 9:10 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 of hearing.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
 - A. Alderwoman Pratt moved to hold the application to the call of the chair. There were no objections. (Prevailed 4 0)
 - B. Alderman Borkowski moved to reconsider the application at 11:36 am. There were no objections.
 - C. The Licensee was present.

Individuals also present:



City Hall Room 205 • 200 East Wells Street • Milwaukee, WI 53202
PHONE (414) 286-2994 FAX (414) 286-3456 E-MAIL mcoggs@milwaukee.gov

WEBSITE www.milwaukee.gov/district6



CONCLUSIONS OF LAW

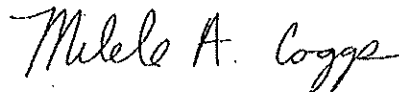
1. The Committee has jurisdiction to hold hearings and provided Findings of Fact and Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapters 68 and 85 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concludes that the Licensee, Salvador M. Elias who holds a Food Dealer licenses for premises located at 10400 West Silver Spring Drive, #200 in the City and County of Milwaukee, Wisconsin ("Pizza Hut #35672") has not met the criteria of Chapters 68 and 85 of the Milwaukee Code of Ordinances to renew the Food Dealer licenses without first undergoing a ten (10) day suspension. The Committee finds the aldermanic 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 not to renew the Food Dealer licenses for the premises located at 10400 West Silver Spring Drive, #200 in the City and County of Milwaukee, Wisconsin ("Pizza Hut #35672") without first undergoing a ten (10) day suspension. The Committee based its recommendation on the preponderance of the evidence in the Licensee and the aldermanic testimony, which demonstrates excessive littering and failure to comply with the approved plan of operations.

RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, including the Findings previously generated by the Committee in this matter, by a vote of **five (5) ayes, and zero (0)** recommends that the Food Dealer licenses held by Salvador M. Elias for the premises located at 10400 West Silver Spring Drive, #200 in the City and County of Milwaukee, Wisconsin ("Pizza Hut #35672") be renewed with a ten (10) day suspension. The recommendation is based on the preponderance of the evidence in the Licensee and the aldermanic testimony, which demonstrates excessive littering and failure to comply with the approved plan of operations.

Said suspension is in effect between 12:01 a.m. on January 18, 2024 until 11:59 p.m. on January 27, 2024.

Dated and signed at Milwaukee, Wisconsin this 1 day of December, 2023.



MILELE A. COGGS
Chairman, Licenses Committee

/288731



COMMITTEE ASSIGNMENTS

CHAIR

- Licenses Committee

VICE CHAIR

- Zoning, Neighborhoods and Development



MEMBER

- Finance and Personnel Committee
- Library Board
- Neighborhood Improvement Development Corporation Board
- Special Joint Committee on the Redevelopment of Abandoned and Foreclosed Homes
- Steering and Rules Committee
- Wisconsin Center District Board

MILELE A. COGGS **ALDERWOMAN, 6TH DISTRICT**

Date: December 1, 2023

To: All Members of the Milwaukee Common Council

From: Licenses Committee

Re: Report of the Renewal Application of Francisco V. Flores, Jr., Agent for a Tattoo and Body Piercing License, located at 3180 South 27th Street in the City and County of Milwaukee, Wisconsin ("World Class Tattoos").

FINDINGS OF FACT

1. Francisco V. Flores, Jr. (hereinafter the "Licensee") is the holder of a Tattoo and Body Piercing license located at 3180 South 27th Street in the City and County of Milwaukee, Wisconsin ("World Class Tattoos"). Said license expired at midnight on June 30, 2023.
2. An application to renew said license was filed with the Office of the City Clerk on October 12, 2023.
3. Pursuant to Section 75-23 and Chapter 85 of the Milwaukee Code of Ordinances, this matter was referred to Milwaukee Police Department for investigation. On October 13, 2023, the Milwaukee Police Department responded with a report that could form the basis for the suspension or nonrenewal of said licenses.
4. On November 16, 2023, the City Clerk provided timely notice to the Licensee pursuant to Section 75-23 and Chapter 85 of the Milwaukee Code of Ordinances of the police report. The matter was scheduled for a hearing on the police report on November 28, 2023, commencing at approximately 9:40 a.m. in Room 301B of the third floor of City Hall. At that date and time, the Licensee appeared with counsel Attorney Heather Richmond, and admitted receipt of the notice of hearing.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
 - A. On April 20, 2023 at 4:29 p.m., Milwaukee Police served a search warrant at the location of 3180 South 27th Street. The search warrant was for the whole building consisting of the business 3180 South 27th Street and upper residence of the building, 3178 South 27th. Various firearms were found to be in possession of the agent, who is a convicted felon. A second subject, was found to be in possession of an amount of THC, not used for personal use.



- B. The Licensee was present and said that his main residence has been in Green Bay for the past three years as he has been the solo artist at the Green Bay location. He added that he was in process of closing the Green Bay location because this store was lacking management and going downhill. He also said that multiple people have access to the property that was searched, that his employees use it as a break room (bathroom, cooking and to leave personal belongings); that he cannot speak for the marijuana found on one person and that nothing of what was raided belongs to him.

Individuals also present:

- C. Alderwoman Coggs asked if any of the guns were his.
- D. The Licensee said that none of the guns were his.
- E. Alderman Borkowski said that he is having a hard time understanding with people coming and going but that the stockpile that was recovered was very serious without even going into the narcotics and asked the Licensee who are these people going into the store.
- F. The Licensee said that they are all clients, that his son has a CCW permit and that none of the firearms were illegal. He added that the Subway across the street has been robbed at gunpoint multiple times, that his business is a cash business and that they want to be protected.
- G. Alderman Borkowski said that he is curious about the reason for the search because there has to be reason for it.

Individuals in support:

- H. Michael La Fuente – 8515 S 27th St – said that he has known the Licensee for 15 years and that the Licensee has been a mentor in becoming a business owner, conducting his business and his presence in the community.
- I. Alderman Borkowski asked Mr. La Fuente if he has a gun at his business.
- J. Mr. La Fuente said that he also has a CCW permit, that he carries a gun because he handles cash at his business and that he has a good relationship with the Greenfield Police Department.
- K. Alderwoman Coggs asked for a clarification about the guns being in possession of the Licensee and if the guns were in the building or on his person.
- L. Officer Benitez said that possession means that were found in the building which is the Licensee's property.
- M. Alderwoman Coggs asked Attorney Farris what is the law about to have firearms in possession (even in the building) as a felon. Attorney Farris later advised the Committee and actual or constructive knowledge of the presence of the guns is an element of the crime of possession of a firearm by a felon.

- N. Officer Benitez said that according to his experience, the firearms are not allowed in the felon's property.
- O. Alderwoman Coggs said that the Licensee is saying that the firearms were not his but that they were in the premises that belongs to him and recommended the Licensee to get some legal advice.
- P. The Licensee said that his attorney is here.
- Q. Attorney Heather Richmond mentioned her appearance.
- R. Alderwoman Coggs said that the police report is giving the Licensee credit for all the firearms and based on what he said, none of them were his.
- S. The Licensee said that he has been working with his attorney on his expungement over the last three years with the Second Chance Act through Gov. Evers. He added that many things have changed since the incident, that he has gotten rid of the staff that was messing with his business and the ways to support his family. He added that he has been 12 years at this location with no police report. He added that he never has had a HD issue, not even a violation and that he has a good relationship with neighbors and the local businesses. He also said that the firearms were there but that they are not a threat to the community.
- T. Alderwoman Coggs asked what is his policy now.
- U. The Licensee said that no firearms are allowed even if the person has a CCW permit. He also added that they have upgraded the surveillance and lighting system around the premises.

Individuals in support:

- V. Maria Taylor – 3333A S 6th St she said that she is the manager at Einstein's and that this business brings customers where she works and that she calls them whenever she needs help with people loitering around. She added that they have a good business relationship and that having this business closed has affected her sales as well.
- W. Erin Rodriguez 3126A W Madison St –said that he is one of the tattoo artists who worked there, that he has known the Licensee for 21 years and that he is sad for what happened. He added that 2 of the guns were his, that he has a CCW permit and that he has seen people robbed at the Walmart's parking lot while working late at night and that the store was broken into twice before the raid. He added that the Licensee is a great man who gives people chances. He added that this situation feels like animosity from somebody because there is nothing illegal going on there. He added that the officers just took the firearms and left and that he does not know who to who contact in order to follow up.
- X. Alderman Spiker asked the Licensee if he was present when the location was raided.
- Y. The Licensee said that he was not. He added that he used to be there on Mondays (when they are closed) for banking and purchasing supplies purposes.



- Z. Alderman Spiker said that the amount of firearms was excessive and that the silencer is not for self-defense purposes and asked the Licensee if he has given thought to whether his business should be trafficking in this much cash and that the 140 grams of THC suggest that they may be a reason why.
- AA. The Licensee said that he cannot speak on the THC matter but that his annual credit card sales go from \$400 \$500K and that the annual cash sales go anywhere from \$100K to \$250K. He also said that the businesses around do more or less the same amounts and they have been robbed multiple times.
- BB. Alderman Spiker said that the search was granted by a court commissioner and that target of the search was Mr. Flores and asked the Licensee if he knows why he was the target.
- CC. The Licensee said that his name was not in the original search warrant; only his business name and address and that he has a copy.
- DD. Alderman Spiker said that he is highly disturbed by the fact that a felon was in possession of all these weapons even if they were their employees and having switched practices. He also said that he is bothered by the amount of THC found over there which also causes him a great deal of concern because the shop was neglected at the point that the Licensee did not know what was going on and that it is a safety issue for the community. He recommended a 90-day suspension.
- EE. Alderman Chambers asked the Licensee if he has thought about having an armed security guard instead of having the staff carrying guns.
- FF. The Licensee said that he has given the thought but he thinks that it won't be a good vibe for his business.
- GG. Alderwoman Coggs suggested leaning more on being cashless like other establishments.
- HH. The Licensee said that he wanted to clarify that the THC was found in someone's vehicle and has nothing to do with the store. He added that he has been in the business for 12 years, that he has a good relationship with the health inspectors, that he has done many things trying to turn this industry around. He also said that they are not a nuisance to the neighborhood, that they never had an issue before and that he does not understand where all this comes from. He also said that they have been open except for the last month and that no one has been charged, not even the person in possession of the THC. He added that they did not get a copy of the police report until they received this hearing's notice. He also said that the police reports were never released to his attorney and that the raid took place back in April.
- II. Alderman Borkowski said that the Licensee has taken responsibility, that it has been closed for the last month or so and that no one has been charged.
- JJ. Alderman Chambers said that he is also conflicted by the fact that no one has been charged or fined.
- KK. Ald. Chambers moved renewal with a 45 (forty-five) day suspension based upon the preponderance of the evidence in the police report, aldermanic testimony and the

Licensee's testimony for the admission of the things that had occurred at the location that demonstrates the operation results in a threat to health, safety and welfare of the public. (Prevailed 4-1)

- LL. Alderwoman Coggs said to the Licensee that he may have had 12 years of success but that there was a lapse in his management even staying open after the license expired.

CONCLUSIONS OF LAW

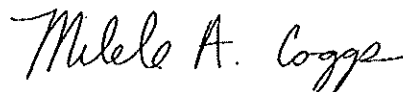
1. The Committee has jurisdiction to hold hearings and provided Findings of Fact and Conclusions of Law and a Recommendation to the full Common Council pursuant to Section 75-23 and Chapter 85 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concludes that the Licensee, Francisco V. Flores, Jr. who holds a Tattoo and Body Piercing License for the premises located at 3180 South 27th Street in the City and County of Milwaukee, Wisconsin ("World Class Tattoos") has not met the criteria of Section 75-23 and Chapter 85 of the Milwaukee Code of Ordinances, to renew the Tattoo and Body Piercing License without undergoing a forty-five (45) day suspension. The Committee finds the police report and aldermanic testimony as stated above to be true as stated above.
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 Tattoo and Body Piercing License held by Francisco V. Flores, Jr. for the premises located at 3180 South 27th Street with a forty-five (45) day suspension. The Committee based its recommendation upon the preponderance of the evidence in the police report, aldermanic testimony and the Licensee's testimony that demonstrate that the operation results in a threat to health, safety and welfare of the public.

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) noes** recommends that the Tattoo and Body Piercing license of Francisco V. Flores, Jr. for the premises located at 3180 South 27th Street in the City and County of Milwaukee, Wisconsin ("World Class Tattoos") be renewed with a forty-five (45) suspension based upon the preponderance of the evidence in the police report, aldermanic testimony and the Licensee's testimony that demonstrate the operation results in a threat to health, safety and welfare of the public.

Said suspension is in effect between 12:01 a.m. on December 12, 2023 until 11:59 p.m. on January 25, 2024.

Dated and signed at Milwaukee, Wisconsin this 1 day of December, 2023.



MILELE A. COGGS
Chairman, Licenses Committee

/288769



COMMITTEE ASSIGNMENTS

CHAIR

- Licenses Committee

VICE CHAIR

- Zoning, Neighborhoods and Development



MEMBER

- Finance and Personnel Committee
- Library Board
- Neighborhood Improvement Development Corporation Board
- Special Joint Committee on the Redevelopment of Abandoned and Foreclosed Homes
- Steering and Rules Committee
- Wisconsin Center District Board

MILELE A. COGGS
ALDERWOMAN, 6TH DISTRICT

Date: December 1, 2023

To: All Members of the Milwaukee Common Council

From: Licenses Committee

Re: Report of the Renewal Application of the Class "B" Tavern, Public Entertainment Premises (PEP) and Food Dealer Licenses, with Change of Hours from Opening at 11 AM Sunday through Friday and Closing at 2 AM on Sunday through Friday and at 2:30 AM on Saturday, to Open at 12 PM Every day and Close at 12 AM Thursday through Sunday and at 10 PM Monday through Wednesday, of Reginald D. Butler, Agent for 2579 Teutonia LLC, for the premises located at 2579 North Teutonia Avenue in the City and County of Milwaukee, Wisconsin ("Vibe Lounge").

FINDINGS OF FACT

1. Reginald D. Butler (hereinafter "the Licensee") is the holder of Class "B" Tavern, PEP and Food Dealer Licenses for the premises located at 2579 North Teutonia Avenue in the City and County of Milwaukee, Wisconsin ("Vibe Lounge"). Said licenses expires at midnight on December 13, 2023.
2. An application to renew said licenses was filed with the Office of the City Clerk on September 20, 2023.
3. Pursuant to Chapters 68, 85, 90, and 108 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 September 21, 2023, the Milwaukee Police Department responded with a report that could form the basis for nonrenewal of said licenses.
4. On November 15, 2023, the City Clerk's Office provided timely notice to the Licensee pursuant to Chapters 68, 85, 90, and 108 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes of the police report. The matter was scheduled for a hearing on the police report on November 28, 2023, commencing at approximately 9:30 a.m. in Room 301-B 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 report.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
 - A. On December 23, 2022 at 10:30 p.m., Milwaukee Police were dispatched to a Battery by cutting at a local hospital. Officers met with the 20-year-old victim, who sustained a large cut to her lower back, as well as multiple injuries to the victim's face. The victim stated they were at 2579 North Teutonia Avenue consuming alcohol, when they observed two employees they did not get along with. The victim stated a fight took place but did not recall being cut. She was not sure who did it, but believed it was done by the employees. The victim further



City Hall Room 205 • 200 East Wells Street • Milwaukee, WI 53202
PHONE (414) 286-2994 FAX (414) 286-3456 E-MAIL mcoggs@milwaukee.gov

WEBSITE www.milwaukee.gov/district6



Individuals also present:

- E. Mr. Cooney said that the change of hours was filed.
- F. Alderman Borkowski said that what happened on St. Patrick's day were a lot of gun shots and asked if the security guard cited on the police report still working with him.
- G. The Licensee said that no one involved in that incident are still employed.
- H. Alderman Chambers said that he would like to have some more clarity because the report says that the hard drive was not retrieved on March 18 but in October.
- I. The Licensee said that it was on March 18 when the police got the hard drive and the review of the event was done in October.
- J. Alderwoman Pratt asked the Licensee if he has started to do background checks.
- K. The Licensee said that he has.
- L. Alderwoman Pratt asked if the current security is insured and bonded.
- M. The Licensee said that it is.

Individuals in support:

- N. Sheryl Holmes, 116 West Keefe – said that she is a regular, that it is a better place and that the food is good.
- O. Jeffrey Paul, 3525 N 2nd St – said that he feels safe there and that he has been a regular for 15 years.
- P. Mr. Ellzey said that he has an e mail from MPD dated on 6/9/23 about having the surveillance videos and that he does not understand why there is a confusion on the police report. He also said that Alderman Stamper has been in communication with the Licensee, that there have been some changes in the operation and that the Licensee is willing to amend to Service Bar only.
- Q. Alderman Borkowski moved to amend the plan of operations to Service Bar only. There were no objections.
- R. Mr. Ellzey said that they are fine moving forward as it is now and that they leave it up to the committee if they feel that there must be a disciplinary action for the record.
- S. Mr. Butler said that he voluntarily closed his business after the St. Patrick's day incident and that he reopened back in July.
- T. Alderman Borkowski asked Mr. Ellzey if they were aware of the self-imposed suspension.
- U. Mr. Ellzey said that they were aware of the self-imposed suspension and of the amendments to the plan of operations.

