



City of Milwaukee

200 E. Wells Street
Milwaukee, Wisconsin 53202

Meeting Minutes - Draft ALCOHOL BEVERAGE LICENSING TASK FORCE

JUSTICE LOUIS BUTLER, CHAIR

**Joel Brennan, Sallie Ferguson, Rebecca Grill, Edward J. Lump, Comptroller Wally Morics,
Sharon Nowak, Bruce Schrimpf, Chet Ulickey**

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Thursday, December 11, 2008

7:00 PM

Room 102, Frank P. Zeidler Municipal Building
841 N. Broadway

Meeting commenced at 7:02 p.m.

Present 9 - Morics, Schrimpf, Grill, Brennan, Ulickey, Butler, Ferguson, Lump and Nowak

1. Introduction of members and opening remarks, Chair Justice Louis Butler.

Chair Butler made short opening remarks regarding the purpose of the Task Force. Members introduced themselves.

2. Comments from neighborhood organizations and business organizations about the process by which the city licenses Alcohol Beverage establishments. Suggestions for changes in the licensing process or input on its adequacy are also requested.

Larry Kress, Greenwich Village Association and the East Side Business District. He said that the notion of aldermanic influence has always bothered him. He said that representatives from the City Attorney's office, the Fire and Police Commission, the Mayor's office and the Department of City Development should be involved in the licensing process. Mr. Kress said that would be a good representation of departments affected by the licensing process and that it would make the process harder to circumvent.

Bob Greene, Executive Director of the Merrill Park Neighborhood Association. He said that alcohol establishments have contributed to the decline of the quality of life in the area. He also said that beer and convenience items became more prevalent in small stores, and grocery stores became convenience stores since selling beer was more profitable.

Mr. Greene mentioned a candy store that tried to sell alcohol and said that it highlights the necessity for strict guidelines for getting an alcohol beverage license. He also suggested a cap on the percentage of total sales that alcohol can account for at convenience stores, such as twenty percent.

Mr. Greene also said that there should be more diligence in the Health Department and that there should be penalties for convenience stores that violate the health code. He also said that tavern owners should be held more accountable for what happens in their businesses and with their patrons and that he doesn't think that council members have clear guidance in the ordinances to make decisions on alcohol licensing.

Carey Flowers, Thurston Woods Block Watch Association. He said he would like to see more support for community opposition to bad businesses and that the community works very hard to create a nice environment and is hurt by problem businesses, which are bad neighbors.

Justice Butler asked if the organization could put the proposed changes or thoughts in writing. Mr. Flowers said that organizations have been told that it is hearsay if someone does not appear in person at the Licenses Committee meeting. Mr. Flowers also said that a PA33 (a detailed police report filed after police contact with an establishment) from the police should be mandatory if there is any police contact with a business.

Craig Berry, Metro Milwaukee Entertainment Association. He said that police presence should be applied equally to all alcohol beverage establishments. He also said that Water Street gets overwhelming support from the police, but the North side clubs and taverns do not get the same police support.

Mr. Berry said that was once of the principal owners of the Matrix nightclub and was an owner of Club Escape. He said that PA33s can be the death of a business, even though he said he does not think that it was meant to be that way, and he said that the PA33 can be abused and gives a police officer too much power.

When it comes to aldermanic influence, Mr. Berry said that an application can be delayed by a council member. He also said that there is no consistency in how many neighbors the council member decides to notify when an application is filed.

Mr. Brennan asked Mr. Berry if there is a reasonable time frame in which the license would be processed and scheduled for committee. Mr. Berry said that his alderman, Ald. Hamilton, suggests that applicants meet with neighborhood groups before the application can be scheduled. But Mr. Berry said that sometimes neighborhood groups don't meet often or that meetings don't occur between the applicant and the neighborhood group, which delays the application. He said that thirty to sixty days is a reasonable amount of time after the police report has been completed.

3. Comments from the general public regarding its knowledge of the Alcohol Beverage licensing process and its perception of the process. Suggestions for changes in the licensing process or input on its adequacy are also requested.

Thomas McNeil, business owner and property owner. He said that the council members have the attitudes of dictators or "kings of the district" and that they forget that they are here to help business owners. He said that the council members seem intent on destroying businesses instead of helping them thrive.

Mr. McNeil said the system could be improved by not putting so many unjustified responsibilities on the business owners. He thinks the police should try to help the businesses to thrive.

Mr. McNeil also said that thirty days from the completion of the police report, an application should be scheduled for the Licenses Committee.

Mary Harrell, owns a tavern at 4106 W. Lisbon Avenue and has been in business almost seven years. When it comes to PA33s, she said that they are used against the business owners even though they are not always true or verified.

She said that Licenses Committee hearings should not be televised and that during the committee meetings, committee members talk down to applicants and demean them.

Ms. Harrell said that an applicant should not be judged on the actions of the previous owner of a tavern and that the public should have real issues when they come before the committee to object to a license, not superficial ones like parking problems. She said that she was previously suspended because of neighbor complaints about parking.

She also said that people who own bars should not be discriminated against just because they sell alcohol and that personal opinions of committee members should not be aired at committee meetings.

Guillermo Rodriguez, owns a business at 1135 W. Lapham Street. Sylvia Rodriguez, his wife, with him at the podium as translator. He said that when a business owner loses a license due to problems at a liquor establishment, sometimes someone else will get a liquor license for the person, but the person who was running the business previously and lost their license continues to run the business. He asked if there can be a stipulation that if a person is listed as the agent or individual on an application, that person has to spend a certain amount of time on the premises. He also said that he sees people applying for licenses as restaurants, when in reality they are really nightclubs that don't sell food at all.

Mr. Rodriguez said that he doesn't have a lot of problems at his bar because he is almost always at the establishment and he said that if a business is managed properly, there will not be problems.

Craig Berry, back at the podium. Mr. Berry asked Sgt. Ulickey if a PA33 should be filed in all instances of police contact, such as underage drinking and disorderly conduct. Sgt. Ulickey said yes. Mr. Berry then pointed out that Summerfest doesn't receive any PA33s despite all the incidents that occur there.

Carey Flowers, back at the podium. He said that the PA33 really kills businesses because they are not interpreted in the way they are intended. He said that there should be better education for police officers about the impact of PA33s on businesses. He also said that the neighbors are the people directly affected by bad businesses and that if a business is bad neighbor, the licensing process is effective in getting rid of the bad neighbor.

Archie Brown, back at the podium. He asked why an age limit has anything to do with alcohol licensing. He agreed with Mr. McNeil in that no one can predict what any person could do in his or her establishment, so age should not matter. He said that certain components of a license, like age and music, should not have any bearing on whether a license is granted.

Obiora Obi, business owner. He said that PA33s can be abused depending on the license location and that police officers should do more investigating before PA33s are filed. He also said that the police department's Tavern Squad, which checks for violations at taverns, is rude to patrons when it comes to check for problems.

Mr. Brennan said would like to look at a PA33 and see how it is involved in the licensing process. Ms. Grill pointed out that what is read at committee is not a PA33 but is a summary of the PA33s on an establishment's record.

Sgt. Ulickey said that there might be follow-up after a PA33 is issued, but a simple PA33 may be the beginning and the end of an investigation.

Sylvia Rodriguez, wife of business owner Guillermo Rodriguez, was a sergeant for the Milwaukee County Sheriff's office. She asked if business owners are notified when and if they receive a PA33. She also said that the committee has to be careful about how much weight the testimony of neighbors is given. Ms. Rodriguez said that all the liquor regulations for alcohol beverage licenses, like restrictions on from where alcohol can be bought, are not given to applicants when they apply for a liquor license.

Thomas McNeil, back at the podium. He said that censorship is happening at the committee level. He said that if certain types of music are indicated on the application, like hip-hop, it puts up a red flag to the committee and that there is a penalty if a certain type of music is being played in the business that was not listed on the application or if the clientele is younger than the age limit listed on the application. He said that fines being imposed in lieu of suspensions are preferable because suspensions are too devastating to businesses.

Mr. Scrimpf asked Mr. Berry if the organizations to which he belongs have made any suggestions to business owners as to how they can defend themselves with regards to certain activities, such as underage patrons trying to enter a bar. Mr. Berry said that his organization did cover some things, like obtaining ID scanners.

Mr. Schrimpf asked if Ms. Harrell belongs to an association. She said that she does not belong to any business organization.

Chair Butler mentioned the date of the next meeting of Task Force but clarified that it will not be a public hearing.

Meeting adjourned at 8:45 p.m.