

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

September 17, 2020

To the Honorable, the Common Council

Dear Members:

Re: Common Council File Number 200401

Attached are written objections to file number 200401, Motion relating to the recommendations of the Licenses Committee relative to licenses, relating to a recommendation of:

Renewal, with a thirty (30) day suspension, based upon the police report, and aldermanic, police, neighborhood, and applicant testimony of the Hotel/Motel license for Harjinder Singh for the premises located at 6798 W Appleton Ave ("American Inn Motel") in the 10th aldermanic district.

Renewal, with a ten (10) day suspension, based upon the police report, and aldermanic, police, and neighborhood testimony of the Class B Tavern and Public Entertainment Premises licenses for Miguel Martinez for the premises located at 828 S 1st St ("VIP Lounge") in the 12th aldermanic district.

This matter will be heard by the full Council at its Tuesday, September 22, 2020 meeting. Pursuant to City Ordinances, a roll call vote will be taken to confirm that all members have read the attached statement and materials.

Respectfully,

Milele Coggs, Chair
Licenses Committee

cc: All Council Members
City Attorney's Office
Common Council/City Clerk – License Division
CCF 200401



ARENA LAW OFFICES, L.L.C
1110 NORTH OLD WORLD THIRD STREET
RIVERFRONT PLAZA, SUITE 210
MILWAUKEE, WISCONSIN 53203

(414) 645-6100

ANDREW P. ARENA

FAX (414) 645-3500

September 15, 2020

City Clerk
City Hall, Room 205
200 East Wells Street
Milwaukee, WI 53202-3570

Re: Chahal Brother One, LLC d/b/a American Inn
Address 67988 W. Appleton Avenue

Dear Clerk:

Pursuant to Chapter 90 of the City of Milwaukee Ordinances the Licensee and owner of the American Inn, by their Attorney, Arena Law Offices, LLC files these written objections to the findings of fact and conclusions of law entered by Alderperson Milele A. Coggs dated September 11, 2020, from a hearing held on September 8, 2020.

The Licensee requests to be heard for oral argument in regards to the recommendations of the Licenses Committee. The Licensee objects to the punishment that is being recommended of a 30 day suspension. This is the first time this license is being reviewed at a hearing and the imposition of a 30 day suspension is not progressive and unduly harsh. The License expired at midnight on the 5th of September, 2020. Essentially, the license is currently suspended and will be suspended for an additional 17 days. Therefore, in meeting with the spirit and intent of the Committee a 30 day suspension should be reduced by 17 days. The reason for this request is that the American Inn will suffer financial hardship because the employees will have to be paid, the electric bill will be paid, the cable bill, insurance and taxes will be paid. The property costs \$25,000.00 to operate per month.

The objection is also to the findings of fact and conclusions of law. At the hearing Alderman Murphy asked for discipline based on the neighbors' complaints. There were three neighbors all of whom admitted to living a distance away. One of whom gave heresy testimony of a neighbor that walks by the American Inn, therefore, it was not based on personal knowledge. One neighbor was concerned about the property value of two apartment buildings with no proof that the value has been reduced because of the American Inn. All of the complaints were not specific as to date and time and none of the testifiers said they called the Police when they made their observations. The claims of drug dealing and dice playing were refuted by several of the over 30 witnesses that testified in support. These witnesses stated the

congregating and bad activity was at the bus stop near the property or in the park behind the property.

Sergeant Ross stated she was concerned with numerous calls and nuisance activity. She did not have a CAD report to establish unreasonable amount of calls. It was also established that the property is not currently considered a nuisance property. The police incidents all involved things that occurred in private rooms. There was one overdose. One car accident that resulted in a dispute between the drivers that occurred when the drivers stopped near the American Inn. The video obtained from the American Inn established that there was not a gun involved at all. There was a sexual assault of a girl that was allegedly abducted on Silver Spring Dr. The Licensee submitted video that clearly established that the victim was not abducted, and establishes that the victim has no credibility, and the crime may have not occurred. The video establishes that the victim exited a truck freely, she took a key to a room and walked to the room alone. She had plenty of opportunity to flee or seek help in the Office which she walked right by on her way to the room. Once in the room, she was alone for over 12 minutes with a phone, and could have called the Police. The assailant then is seen knocking on the door, and the victim let him in.

The Licensee also submitted a written plan to add additional armed security and an additional front desk employee. More lights and cameras were also added to surveille the property. A new policy that no children of a renter could be left without the person that rented the room being present. Also, all people on the property would have to submit identification to be copied and scanned. Once scanned the American Inn has a computer system that does a back ground check. People are regularly denied rooms based on the information provided in the scan.

In conclusion, 30 days is harsh an excessive considering they will be closed for 17 days. The record does not expose bad motives, or a desire of the Licensee not to be vigilant in preventing illegal activities. All the witnesses were refuted, and the lack of a much greater police record of investigating loitering or illegal drug dealing establishes that these things are not actually taking place to any great extent. There actually was no proof of any of the claims made by the witnesses.

Respectfully Submitted this 16th day of September, 2020. Via email

By: /s Attorney Andrew Arena sbn 1019417
Attorney Andrew P. Arena



BOBOT LAW OFFICE

VINCENT J BOBOT

September 9th, 2020

Milwaukee Common Council
200 E. Wells Street
Milwaukee WI 53202

Jim Owczarski - City Clerk
City of Milwaukee
200 E. Wells Street
Milwaukee, WI 53202

RE: The Flow DJ's Entertainment LLC
d/b/a "VIP Lounge"
Miguel Martinez, Agent
828 S. 1st Street

Dear City Clerk Owczarski:

I have been retained by the Flow DJ's Entertainment LLC d/b/a "VIP Lounge" to represent it regarding a ten (10) day suspension recommendation from the Licenses Committee on Friday, September 4, 2020 regarding their Class B Tavern and Public Entertainment Premise License.

At this time, I am filing a written objection to the 10 day suspension recommendation to the full member Common Council on behalf of my client.

The objection is based upon the information received from the police report, as follows:

Item #17 – The "after party" occurring on August 11, 2019, did not involve the licensed premises. It was an event held by the person living in the upstairs apartment. The entrance to the event was from a rear door of the building. The business was closed at the time.

Item #18 – On August 18, 2019, Milwaukee Police investigated a complaint for an after hour violation. No violation was found to have occurred and no citations were issued.

Item #19 – On September 22, 2019, Milwaukee Police investigated a subject with a weapon located at 838 S. 1st Street. That is not the address of the licensed premises. It is the address of a parking lot located south of the premises. Security from the VIP Lounge told the officers there was no fight, but a subject walked to his car to arm himself with a bat, but security stopped him. Subject then drove away. Upon further investigation by the officers, apparently, a fight did occur and that is why a subject tried arming himself with a bat.



BOBOT LAW OFFICE

VINCENT J BOBOT

*It should be noted that no arrests or citations were issued to anyone. Of importance, the investigating officer stated, "I observed no violations."

Item #20 – On November 10, 2019, Milwaukee Police investigated a fight at the premises. A fight did occur at the premises. Security broke up the fight and escorted the assailant out of the premises. Police were not notified by the VIP Lounge, but were cooperative with the investigation and provided officers the videotape of the altercation.

Item #21 – On August 1, 2020, Milwaukee Police investigated a sexual assault at the premises. Apparently, the victim accidentally bumped into a patron while closing out her bar tab.

Victim apologized to patron and he grabbed her buttocks then left the nightclub.

Item #22 – On August 16, 2020, Milwaukee Police Officers investigated a shots fired at 904 S. 1st Street. Caller stated he observed someone fire shots into the air while seated in a car. The car was in a parking lot used by patrons of the VIP Lounge.

*It should be noted that VIP Lounge was closed at the time of the incident.

In reviewing the police report(s), it is our position that a 10 day suspension is too harsh. We respectfully request that the full member Common Council not suspend the license issued to the Flow DJ's Entertainment LLC.

Respectfully submitted,

Vincent J. Bobot
Attorney at Law
State Bar No. 1020732