

COMMITTEE ASSIGNMENTS

CHAIR

- Licenses Committee

VICE CHAIR

- Community and Economic Development Committee

MEMBER

- Steering and Rules Committee



TONY ZIELINSKI
ALDERMAN, 14TH DISTRICT

September 26, 2017

To the Honorable, the Common Council

Honorable Members:

Common Council File Number 170416 contains the following recommendations:

Nonrenewal, based upon the police report and aldermanic testimony of the Class B Tavern and Public Entertainment Premises license(s) for Raquel Perez for the premises located at 2000 S 13th St. ("La Zacatecana") in the 12th aldermanic district.

Renewal, with a ten (10) day suspension, based upon the police report of the Class B Tavern and Food Dealer license(s) for Brett Henning for the premises located at 7424 N 60th St. ("Brett's Far,mhouse") in the 9th aldermanic district.

Nonrenewal, based upon nonappearance of the Food Dealer Retail license(s) for Mahmoud Alghrouz for the premises located at 4326 W Burleigh St. ("Alghrouz Grocery") in the 7th aldermanic district.

Respectfully,

A handwritten signature in black ink that reads "Tony Zielinski".

Tony Zielinski, Chair
Licenses Committee

cc: All Council Members
File 170416



Office of the City Clerk

Jim Owczarski
City Clerk
jowcza@milwaukee.gov

Richard G. Pfaff
Deputy City Clerk
rpfaff@milwaukee.gov

September 14, 2017

Raquel Perez
1418 W Harrison Avenue
Milwaukee, WI 53215

Dear Ms. Perez:

You are hereby notified that the Milwaukee Common Council will hold a hearing on Tuesday, September 26, 2017, commencing at 9:00 a.m., or as soon thereafter as this matter may be heard, in the Common Council chambers on the third floor of City Hall, 200 East Wells Street, Milwaukee, Wisconsin to consider whether to renew, renew with a suspension between 10 and 90 days, or not renew the Class B Tavern and Public Entertainment Premises license(s) for the premises located at 2000 S 13th St. ("La Zacatecana").

Attached you will find a copy of the Report of the License Committee, which includes its Findings of Fact, Conclusions of Law, and Recommendation, recommending nonrenewal of the Class B Tavern and Public Entertainment Premises license(s) based upon the the police report and aldermanic testimony. This recommendation is the result of a public hearing before the Committee held on Tuesday, September 12, 2017.

Please be advised that the Common Council will determine whether to renew, renew with a suspension between 10 and 90 days, or not renew your Class B Tavern and Public Entertainment Premises license(s) based upon the Findings of Fact contained within the License Committee report.

You may file a written response to the report of the License Committee. The written response must be filed with the City Clerk by 4:45 p.m. on Wednesday, September 20, 2017 in Room 205 of City Hall. If you wish to file your objections via e-mail, they must be sent to both jowcza@milwaukee.gov and yashica.byrd@milwaukee.gov. You will be sent an e-mail notification that your objections were received within 24 hours. If you do not receive this notification, please contact City Clerk Jim Owczarski at (414)-286-2998. If you file written objections, you or a legal representative may then also appear at the Common Council to make oral arguments supporting the written objections. You will be given approximately five minutes to present the oral argument.

Respectfully,


JAMES R. OWCZARSKI
City Clerk



CHAIR

- Licenses Committee

MEMBER

- Community and Economic Development Committee
- Steering and Rules Committee



TONY ZIELINSKI
ALDERMAN, 14TH DISTRICT

Date: September 14, 2017

To: All Members of the Milwaukee Common Council

From: Licenses Committee

Re: Report on the Renewal Application of the Class "B" Tavern and Public Entertainment Premises (PEP) Licenses of Raquel Perez, for the premises located at 2000 South 13th Street in the City and County of Milwaukee, Wisconsin ("La Zacatecana").

FINDINGS OF FACT

1. Raquel Perez (hereinafter "the Licensee") is the holder of a Class "B" Tavern and PEP Licenses for the premises located at 2000 South 13th Street in the City and County of Milwaukee, Wisconsin ("La Zacatecana"). Said licenses expire at midnight on October 12, 2017.
2. An application to renew said licenses was filed with the Office of the City Clerk on July 14, 2017.
3. Pursuant to Chapters 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 July 17, 2017, the Milwaukee Police Department responded with a report that could form the basis for nonrenewal of said license.
4. On August 30, 2017 the City Clerk's Office provided timely notice to the Licensee pursuant to Chapters 85, 90, and 108 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes of the Milwaukee Police Department and included therewith a copy of the Milwaukee Police Department report, and on the neighborhood objections. The matter was scheduled for a hearing on the police department report on September 12, 2017, commencing at approximately 9:00 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 Department report.



5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
- A. On November 14, 2016 at 1:55 a.m. officers responded to 2000 S 13th Street to investigate a shooting. The investigation revealed the Licensee and several subjects were approached by a suspect as they were exiting the tavern. The suspect produced a firearm and demanded money. The subjects with the Licensee fought the suspect and were attempting to restrain him when the Licensee's ex-husband shot the suspect in the head. The Licensee initially lied about being at the tavern that night but later turned herself in to the police with her ex-husband.
 - B. On November 22, 2016 a meeting was held at District 2 regarding November 14 shooting. At the meeting, Alderman Jose Perez stated he called the meeting because he was concerned about the Licensee lying to the police. The Licensee stated she panicked and was manipulated by the security officers. She stated she was considering surrendering her license.
 - C. On December 31, 2016 at 11:59 p.m. officers responded to 2000 S 13th Street for a battery complaint. The officers interviewed a security guard who stated around 9:00 p.m. two patrons were kicked out. The patrons refused to leave and after a time one a security guard pepper sprayed one of the patrons who refused to leave. These same patrons were arrested and conveyed to District 2 where they were cited and released. At 2:00 a.m. the subjects returned to 2000 S 13th Street causing the security guards to again pepper spray the subject and call the police. The Licensee was on scene but appeared unaware of the incident.
 - D. On February 4, 2017 officers responded to 2000 S 13th Street for a battery complaint. When officers arrived they found two subjects being treated by Bell ambulance that had been pepper sprayed by security. The security guard stated the subjects exited the tavern talking then began fighting. He was not able to separate the subjects so he pepper sprayed them both. The officer conducted a license premise check but observed no violations.
 - E. On May 11, 2017 officers responded to 2000 S 13th Street for a Battery Domestic Violence complaint. The Licensee was the caller and stated her ex-husband came to the tavern and argued with her. The officers conducted a license premise check and observed no violations.
 - F. At the Committee meeting, Ms. Fabiola Romo acted as a translator for the Licensee. Ald. Perez also recused himself from the committee for the purposes of this application for renewal.
 - G. The Licensee stated that she does not want to surrender her license and leaves the decision up to the Committee. The Licensee asked the committee whether "everything" would be suspended if she lost the license. After clarification from the Licenses Manager, the Licensee indicated that she understood all the licenses for the location were at risk of suspension or nonrenewal.

- H. Ald. Perez stated that the first incident on the police report is unacceptable. He stated that she has operated the business successfully with the normal incidents that occur with this type of license.
- I. Ald. Zielinski stated that the Licensee must report incidents in a timely and truthful manner.
- J. The Licensee was given an opportunity offer comments on the police report.
- K. Ald. Rainey moved nonrenewal of the licenses based on the police report and aldermanic testimony.

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 Chapters 85, 90, and 108 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concludes that the Licensee, Raquel Perez, has not met the criteria to allow renewal of her Class "B" Tavern and PEP licenses.
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 Class "B" Tavern and PEP licenses of Raquel Perez for the premises located at 2000 South 13th Street in the City and County of Milwaukee, Wisconsin ("La Zacatecana ") based upon the police report and aldermanic testimony.

RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of **four (4) ayes, zero (0) noes, and one (1) excused** recommends that the Class "B" Tavern and PEP Licenses of Raquel Perez for the premises located at 2000 South 13th Street ("La Zacatecana") in the City and County of Milwaukee, Wisconsin not be renewed based upon the police report and aldermanic testimony.

Dated and signed at Milwaukee, Wisconsin this 14th day of September, 2017.



TONY ZIELINSKI
Chairman, Licenses Committee



Office of the City Clerk

Jim Owczarski
City Clerk
jowcza@milwaukee.gov

Richard G. Pfaff
Deputy City Clerk
rpfaff@milwaukee.gov

September 14, 2017

Brett Henning
BAJ, Inc.
4322 W Woodale Avenue
Brown Deer, WI 53223

Dear Mr. Henning:

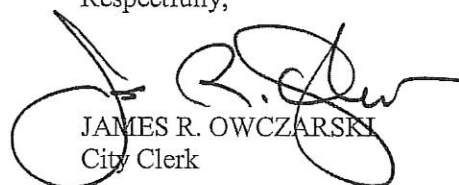
You are hereby notified that the Milwaukee Common Council will hold a hearing on Tuesday, September 26, 2017, commencing at 9:00 a.m., or as soon thereafter as this matter may be heard, in the Common Council chambers on the third floor of City Hall, 200 East Wells Street, Milwaukee, Wisconsin to consider whether to renew, renew with a suspension between 10 and 90 days, or not renew the Class B Tavern and Food Dealer license(s) for the premises located at 7424 N 60th St. ("Brett's Farmhouse").

Attached you will find a copy of the Report of the License Committee, which includes its Findings of Fact, Conclusions of Law, and Recommendation, recommending renewal with a 10 day suspension of the Class B Tavern and Food Dealer license(s) based upon the the police report. This recommendation is the result of a public hearing before the Committee held on Tuesday, September 12, 2017.

Please be advised that the Common Council will determine whether to renew, renew with a suspension between 10 and 90 days, or not renew your Class B Tavern and Food Dealer license(s) based upon the Findings of Fact contained within the License Committee report.

You may file a written response to the report of the License Committee. The written response must be filed with the City Clerk by 4:45 p.m. on Wednesday, September 20, 2017 in Room 205 of City Hall. If you wish to file your objections via e-mail, they must be sent to both jowcza@milwaukee.gov and yashica.byrd@milwaukee.gov. You will be sent an e-mail notification that your objections were received within 24 hours. If you do not receive this notification, please contact City Clerk Jim Owczarski at (414)-286-2998. If you file written objections, you or a legal representative may then also appear at the Common Council to make oral arguments supporting the written objections. You will be given approximately five minutes to present the oral argument.

Respectfully,



JAMES R. OWCZARSKI
City Clerk



CHAIR

- Licenses Committee

MEMBER

- Community and Economic Development Committee
- Steering and Rules Committee



TONY ZIELINSKI
ALDERMAN, 14TH DISTRICT

Date: September 14, 2017

To: All Members of the Milwaukee Common Council

From: Licenses Committee

Re: Report on the Renewal Application of the Class "B" Tavern and Food Dealer Licenses of Brett A. Henning, Agent for BAJ, Inc., for the premises located at 7424 North 60th Street in the City and County of Milwaukee, Wisconsin ("Brett's Farmhouse").

FINDINGS OF FACT

1. Brett A. Henning, Agent for BAJ, Inc. (hereinafter "the Licensee") is the holder of a Class "B" Tavern License and a Food Dealer Licenses for the premises located at 7424 North 60th Street in the City and County of Milwaukee, Wisconsin ("Brett's Farmhouse"). Said licenses expire at midnight on October 17, 2017.
2. An application to renew said licenses was filed with the Office of the City Clerk on August 2, 2017.
3. Pursuant to Chapters 68, 85, and, 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 August 2, 2017, the Milwaukee Police Department responded with a report that could form the basis for nonrenewal of said license.
4. On September 1, 2017 the City Clerk's Office provided timely notice to the Licensee pursuant to Chapters 68, 85, and, 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes 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 September 12, 2017, commencing at approximately 10:00 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 Department report.



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

A. On April 1, 2016 Milwaukee police responded to Milwaukee police district #4 and spoke to Mark Duquaine. Duquaine told officers that while at Brett's Farmhouse (7424 North 60th Street) he became involved in an argument with the bartender. Duquaine states that when he left the bar, the bartender followed him, grabbing his arms and pushed him into his car. Duquaine was cited for Disorderly Conduct. The bartender, Richard Sasser, was cited for Assault and Battery.

As to Mark Duquaine:

Charge: Disorderly Conduct
Finding: Dismissed
Sentence:
Date:
Case: 16024462

As to Richard Sasser:

Charge: Assault and Battery
Finding: Guilty
Sentence: Fined \$376.00
Date: 10/04/2016
Case: 16039116

B. On January 7, 2017 at 12:09 a.m. officers responded to a shooting at Brett's Farm House, 7424 N 60th Street. The officers found the victim on the floor by the bar with a gunshot wound to the chest. The officers performed CPR on the victim who was not breathing. The officers viewed the video surveillance which showed the incident. At 10:00 p.m. the video showed the victim and suspect entering with a third subject (Andre Holly). They were drinking at the bar when a fight broke out at 12:00 a.m. The victim got involved in the fight with the unknown subjects. The suspect then goes over to the fight and fires a shot striking the victim. The suspect and Holly are then observed exiting the bar and surrounding a car in the lot. Holly is observed giving a gun to the suspect who then leaves as Holly reenters the tavern to wait for police. During the investigation two underage patrons were located on the premises.

Charge: Presence of Minor at Licensed Premises

Finding: Guilty
Sentence: Fined \$384.00
Date: 02/28/2017
Case: 17003731

- C. On January 13, 2017 a meeting was held at District 4 regarding the homicide on January 7, 2017. The Licensee stated his bar is a family place where most of the customers know each other. He was asked how he handles fights and he stated he gets between the parties before it escalates. The officers recommended the Licensee have security at the door on weekends, use a wand to make sure no weapons are brought into the tavern and post a “no firearms allowed” sign on the front door.
- D. On July 5, 2017 officers were dispatched to Brett’s Farm House, 7424 N 60th Street for a fight. The Licensee was the caller and stated there was a fight in the corner of the parking lot. He stated there was no fight inside the tavern. He was cooperated with officers.
- E. Alderwoman Coggs asked the Licensee what, if any, recommendations he implemented. The Licensee stated that he has not applied any of the recommendations of the police and maintained that he never allow weapons in the establishment. He stated that the bar is safe with few incidents and intervenes to break up disagreements.
- F. Ald. Zielinski asked the Licensee what is done when someone enters that appears to be suspicious. The Licensee stated that he and some of his regular patrons monitor who comes in the establishment, but he has not hired security.
- G. Ald. Zielinski noted that the applicant seemed resistant to adapt to changing times and add more security measures to the bar.
- H. Ald. Lewis stated that incidents occur where there is no security and recommends a 10-day suspension.

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 Chapters 68, 85, and, 90 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concludes that the Licensee, Brett A. Henning, Agent for BAJ, Inc., has not met the criteria to renew of his Class "B" Tavern and Food Dealer licenses without the issuance of a ten (10) day suspension.
3. In order to protect the health, safety and welfare of the citizens of the City of Milwaukee, it is the recommendation of the Licenses Committee that the full Common Council of the City of Milwaukee should exercise its judgment to renew the Class "B" Tavern and Food Dealer licenses of Brett A. Henning, Agent for BAJ, Inc. for the premises located at 7424 North 60th Street in the City and County of Milwaukee, Wisconsin ("Brett's Farmhouse") with a ten (10) day suspension based upon the police report.

RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of **four (4) ayes, and one (1) noes**, and recommends that the Class "B" Tavern and Food Dealer Licenses of Brett A. Henning, Agent for BAJ, Inc. for the premises located at 7424 North 60th Street ("Brett's Farmhouse") in the City and County of Milwaukee, Wisconsin be renewed with a ten (10) day suspension.

Said suspension to be in effect from 12:01 a.m. October 18, 2017 through midnight October 27, 2017.

Dated and signed at Milwaukee, Wisconsin this 14th day of September, 2017.



TONY ZIELINSKI
Chairman, Licenses Committee



Office of the City Clerk

Jim Owczarski
City Clerk
jowcza@milwaukee.gov

Richard G. Pfaff
Deputy City Clerk
rpfaff@milwaukee.gov

September 14, 2017

Mahmoud Alghrouz
Alghrouz Grocery, LLC
4326 W Burleigh Street
Milwaukee, WI 53210

Dear Mr. Alghrouz:

You are hereby notified that the Milwaukee Common Council will hold a hearing on Tuesday, September 26, 2017, commencing at 9:00 a.m., or as soon thereafter as this matter may be heard, in the Common Council chambers on the third floor of City Hall, 200 East Wells Street, Milwaukee, Wisconsin to consider whether to renew, renew with a suspension between 10 and 90 days, or not renew the Food Dealer Retail license(s) for the premises located at 4326 W Burleigh St. ("Alghrouz Grocery").

Attached you will find a copy of the Report of the License Committee, which includes its Findings of Fact, Conclusions of Law, and Recommendation, recommending nonrenewal of the Food Dealer Retail license(s) based upon the nonappearance. This recommendation is the result of a public hearing before the Committee held on Tuesday, September 12, 2017.

Please be advised that the Common Council will determine whether to renew, renew with a suspension between 10 and 90 days, or not renew your Food Dealer Retail license(s) based upon the Findings of Fact contained within the License Committee report.

You may file a written response to the report of the License Committee. The written response must be filed with the City Clerk by 4:45 p.m. on Wednesday, September 20, 2017 in Room 205 of City Hall. If you wish to file your objections via e-mail, they must be sent to both jowcza@milwaukee.gov and yashica.byrd@milwaukee.gov. You will be sent an e-mail notification that your objections were received within 24 hours. If you do not receive this notification, please contact City Clerk Jim Owczarski at (414)-286-2998. If you file written objections, you or a legal representative may then also appear at the Common Council to make oral arguments supporting the written objections. You will be given approximately five minutes to present the oral argument.

Respectfully,



JAMES R. OWCZARSKI
City Clerk



CHAIR

• Licenses Committee

MEMBER

• Community and Economic
Development Committee
• Steering and Rules Committee



TONY ZIELINSKI
ALDERMAN, 14TH DISTRICT

Date: September 14, 2017

To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report of the Renewal Application of Mahmoud Alghrouz, Agent for Food Dealer Retail license for the premises located at 4326 West Burleigh Street in the City and County of Milwaukee, Wisconsin ("Alghrouz Grocery LLC").

FINDINGS OF FACT

1. Mahmoud Alghrouz, Agent (hereinafter the "Licensee") is the holder of a Food Dealer Retail licenses for the premises located at 4326 West Burleigh Street in the City and County of Milwaukee, Wisconsin ("Alghrouz Grocery LLC"). Said license expired at midnight, June 30, 2017.
2. An application to renew said license was filed with the Office of the City Clerk on June 19, 2017.
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 August 31, 2017, the City Clerk's Office provided notice to the Licensee pursuant to Chapters 68 and 85 of the Milwaukee Code of Ordinances of the police report and neighborhood objections and included a copy of the police report. The matter was scheduled for a hearing on the police report and neighborhood objections on September 12, 2017 at 1:45 p.m. in Room 301B of the third floor of City Hall. At said date, time and place the licensee did not appear and was not represented by counsel.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
 - A. Ald. Rainey moved for denial based upon nonappearance.



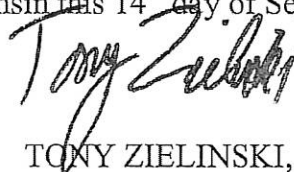
CONCLUSIONS OF LAW

1. The Committee has jurisdiction to hold hearings and provide 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, Mahmoud Alghrouz, Agent who holds a Food Dealer Retail license for the premise located at 4326 West Burleigh Street in the City and County of Milwaukee, Wisconsin ("Alghrouz Grocery LLC") has not met the criteria of Chapter 68, of the Milwaukee Code of Ordinances to renew the Food Dealer Retail licenses. The Committee finds the aldermanic testimony as stated above to be true. The Committee based its recommendation on nonappearance of the Licensee.
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 Food Dealer Retail license for the premises located at 4326 West Burleigh Street in the City and County of Milwaukee, Wisconsin ("Alghrouz Grocery LLC"). The Committee based its recommendation on nonappearance of the Licensee.

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 Food Dealer Retail license of Mahmoud Alghrouz for the premises located at 4326 West Burleigh Street ("Alghrouz Grocery LLC") in the City and County of Milwaukee, Wisconsin not be renewed based on the nonappearance of the Licensee.

Dated and signed at Milwaukee, Wisconsin this 14th day of September, 2017.



TONY ZIELINSKI, Chair
Licenses Committee