

**City  
of  
Milwaukee**

**Office of the City Clerk**  
Council Services Division

**Ronald D. Leonhardt**  
City Clerk  
**Anthony J. Zielinski**  
Manager

March 14, 2003

Devon L. Reid, Agent  
Junior's, Inc.  
5409 North Green Bay Avenue  
Milwaukee, WI 53209

Dear Mr. Reid:

You are hereby notified that the Milwaukee Common Council will hold a hearing on March 25, 2003 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 53202 to consider your Class "B" Tavern and Tavern Dance License as agent for "Junior's Inc." for the premise located at 5409 North Green Bay Avenue, Milwaukee, Wisconsin ("Junior's Sports Bar & Grill").

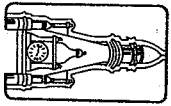
Attached you will find a copy of the Report of the Utilities and Licenses Committee which includes their Findings of Fact, Conclusions of Law and Recommendation, recommending renewal of the Class "B" Tavern and Tavern Dance license after undergoing a ten (10) day suspension. The recommendation is the result of a public hearing before the Committee held on March 11, 2003 along with neighborhood objections and the police report.

You may file a written objection to the Report of the Utilities and Licenses Committee and shall have the opportunity to present arguments in writing supporting that objection to the Common Council. Any written objections to the Committee's Report must be filed with the City Clerk at least two (2) days prior to the above-mentioned date set for hearing by the Common Council. You or a legal representative may also appear at the Common Council meeting and request an opportunity to address the Common Council for approximately five (5) minutes to present an oral argument on your own behalf.

Respectfully,

**RONALD D. LEONHARDT**  
City Clerk

Enclosure



**City  
of  
Milwaukee**

**Office of the City Clerk  
Council Services Division**

**Ronald D. Leonhardt**  
City Clerk

**Anthony J. Zielinski**  
Manager

March 14, 2003

Daniel Druml  
N80 W1451 St. George Ct.  
Menomonee Falls, WI 53051

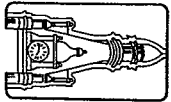
Dear Mr. Druml:

You are hereby notified that the City of Milwaukee Utilities and Licenses Committee, at its meeting of March 11, 2003, renewed your home improvement contractor's license for "Paul Davis Restoration of Southeastern Wisconsin", located at 2000 S. 4<sup>th</sup> St. with a ten (10) day suspension. The suspension was based upon customer complaint heard at the Committee hearing. Because your license expired on February 28<sup>th</sup>, 2003, the suspension is in effect from the Committee hearing until midnight, March 20<sup>th</sup>, 2003.

Under section 95-14-15 of the Milwaukee Code of Ordinances, you have the right to appeal the decision of the Committee to the full Common Council. If you wish to do so, you must file a written appeal to the City Clerk within 10 days of the Committee hearing.

Sincerely,

Ronald D. Leonhardt  
City Clerk



**City  
of  
Milwaukee**

**Office of the City Clerk**  
Council Services Division

**Ronald D. Leonhardt**  
City Clerk

**Anthony J. Zielinski**  
Manager

March 14, 2003

Maria D. Albiter  
556 West Rogers Street  
Milwaukee, WI 53204

Attorney William Padway  
7860 North Mohawk  
Fox Point, WI 53217

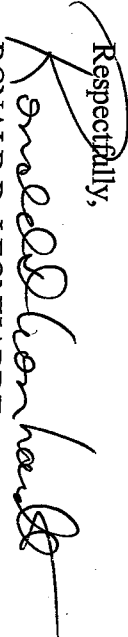
Dear Ms. Albiter and Attorney Padway:

You are hereby notified that the Milwaukee Common Council will hold a hearing on March 25, 2003 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 53202 to consider your Class "B" Tavern and Tavern Dance License for the premise located at 1900 West Lincoln Avenue ("Tex Mex Place").

Attached you will find a copy of the Report of the Utilities and Licenses Committee which includes their Findings of Fact, Conclusions of Law and Recommendation, recommending renewal of the Class "B" Tavern and Tavern Dance license after undergoing a forty (40) day suspension. The recommendation is the result of a public hearing before the Committee held on March 11, 2003 along with neighborhood objections and the police report.

You may file a written objection to the Report of the Utilities and Licenses Committee and shall have the opportunity to present arguments in writing supporting that objection to the Common Council. Any written objections to the Committee's Report must be filed with the City Clerk at least two (2) days prior to the above-mentioned date set for hearing by the Common Council. You or a legal representative may also appear at the Common Council meeting and request an opportunity to address the Common Council for approximately five (5) minutes to present an oral argument on your own behalf.

Respectfully,

  
RONALD D. LEONHARDT  
City Clerk

Enclosure



**Jeff Pawlinski**  
Alderman, 13th District

CHAIR:  
Utilities & Licenses Committee

COMMITTEES:  
Zoning, Neighborhoods and Development  
Steering & Rules  
Anti Graffiti Policy  
Administrative Review Appeals Board  
Resolutions Committee - League  
of Wisconsin Municipalities

March 14, 2003

To the Honorable, the Common Council

Dear Members:

Re: Common Council File 021394

Recommendation of renewal with a 10-day suspension based on neighborhood objection police report of the Class "B" Tavern and Tavern Dance renewal applications of Devon L. Reid for the premises at 5409 N. Green Bay Ave.. ("Junior's Sports Bar & Grill") in the 1st Aldermanic District (committee vote 3-1).

Recommendation of renewal with a 40-day suspension based on police report of the Class "B" Tavern and Tavern Dance renewal applications of Maria D. Albiter for the premises at 1900 W. Lincoln Ave.. ("Tex Mex Place") in the 8th Aldermanic District.

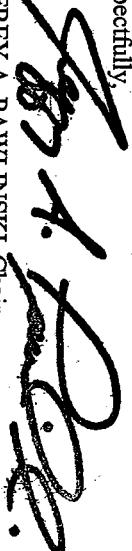
With regard to the items listed above, the Utilities and Licenses Committee held an evidentiary hearing on March 11, 2003.

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 Licensee.

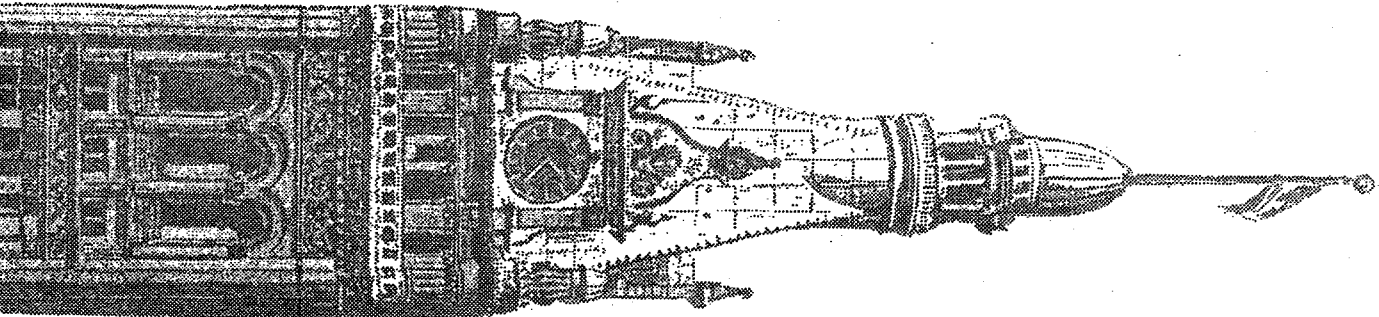
These matters have been scheduled for a hearing before the full Common Council at its meeting on Tuesday, **March 25th, 2003** at 9:00 A.M. in the Common Council Chambers.

Respectfully,

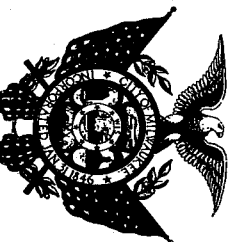


JEFFREY A. PAWLINSKI, Chair  
Utilities & Licenses Committee

cc: City Attorney's Office  
Common Council/City Clerk - License Division  
Milwaukee Police Department- License Investigation Unit  
All Council Members  
File No. 021394



**Jeff Pawlinski**  
Alderman, 13th District



CHAIR:  
Utilities & Licenses Committee

Date: March 14, 2003

COMMITTEES:  
Zoning, Neighborhoods and Development  
Steering & Rules  
Anti Graffiti Policy  
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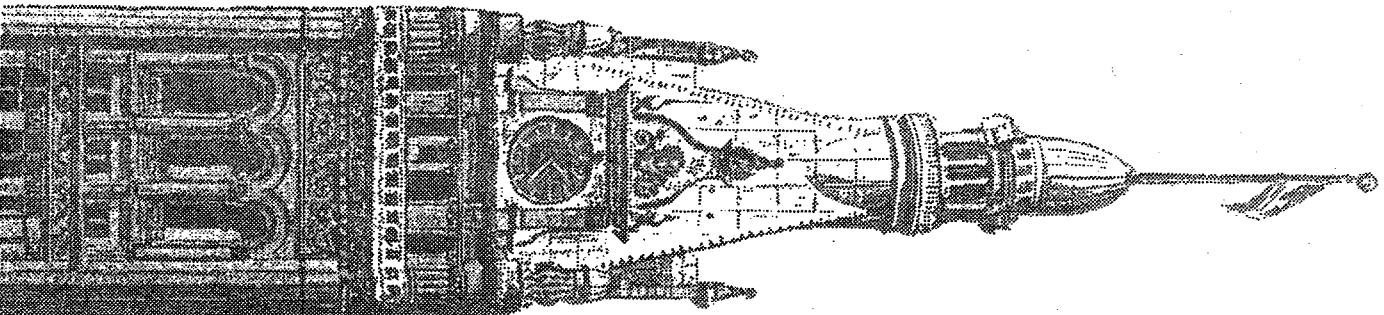
To: All Members of the Milwaukee Common Council

From: The Utilities and Licenses Committee

Re: Report of the Renewal Application of the Devon L. Reid, as agent for "Junior's, Inc." for a Class "B" Tavern and Tavern Dance license for the premises located at 5409 North Green Bay Avenue in the City and County of Milwaukee, Wisconsin ("Junior's Sports Bar & Grill").

FINDINGS OF FACT

1. Devon L. Reid (hereinafter the "Licensee") is the agent for "Junior's, Inc." doing business at 5409 North Green Bay Avenue in the City and County of Milwaukee, Wisconsin ("Junior's Sports Bar & Grill "). Said license expires at midnight, April 25, 2003.
2. An application to renew said license was filed with the Office of the City Clerk on February 17, 2003.
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. There was no Milwaukee Police Department report which could form the basis for non-renewal or suspension of the license. There were, however, neighborhood objections to loitering, littering, gunshots, armed robberies, thefts, drug-related activities, public urination, speeding vehicles, traffic problems, loud music and noise, and conduct detrimental to the health, safety and welfare of the neighborhood.
4. On February 25, 2003, 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 neighborhood objections that could form the basis for suspension or non-renewal of the licenses of the Licensee. The matter was scheduled for a hearing on the neighborhood objections on March 11, 2003 at 9:15 a.m. in Room 301B of the third floor of City Hall. At said date, time and place, the agent



of the Licensee appeared at the hearing 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. Neighbors have experienced congregations of patrons during operating hours and at closing time playing music from their cars and drinking intoxicants to the disturbance of the adjoining neighbors. Frequently people in these congregations scream at each other and patrons report that there have been gunshots involving individuals in those congregations.
- B. One neighbor testified that she actually leaves her home one or two weekends per month and stays with a son in order to avoid the noise and disturbances emanating from patrons of this establishment on weekends.
- C. Patrons have observed what they believe to be the passing of "joints" in cars occupied by patrons of the premises. One automobile that is known as a "drug car" frequents the parking lot of the premises. The parking lot in question is actually owned and operated by a church.
- D. Neighbors have observed patrons publicly urinate upon leaving the premises.
- E. This location has been the source of large numbers of automobiles driven by patrons that "cruise" the neighborhood, go the wrong way on a boulevard, double park, and illegally park in driveways.
- F. One neighbor testified that patrons leaving the premises tore down her fence and then used the pickets from the fence to engage in a fight with each other.
- G. Neighbors have regularly had their sleep disturbed, particularly on weekends, during the summer time by operation of this premises.
- H. The licensee admits there is noise generated by patrons at closing time. The licensee has also testified that he has

individuals patrol the parking lot, and has requested patrons to not engage in disorderly acts or noisy conduct at closing time and when leaving the premises.

- I. Another supporter of the licensee testified that the church has been the source of traffic difficulties even on Sunday mornings when services are held and that, in fact, the problems connected with this location have actually been reduced in the period of time that the current licensee has been the operator of the premises.

#### 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 concludes that the licensee, Devon L. Reid, as agent for "Junior's, Inc." at 5409 North Green Bay Avenue has not met the criteria of Chapter 90 of the Milwaukee Code of Ordinances to allow renewal of his Class "B" Tavern and Tavern Dance license without undergoing a ten (10) day suspension. The Committee finds the neighborhood objections to be true as to loitering, littering, public urination, speeding cars, traffic problems, loud music, noise, and conduct detrimental to the health, safety and welfare of the neighborhood.
3. In order to protect the health, safety and welfare of the citizens of the City of Milwaukee, it is the recommendation of the Utilities and Licenses Committee that the full Common Council of the City of Milwaukee should exercise its judgment to renew the Class "B" Tavern and Tavern Dance license of Devon Reid, as agent for "Junior's, Inc." for this premises with a ten (10) day suspension.

#### RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of three (3) ayes, zero (0) noes and one (1) excused recommends that the Class "B" Tavern and

Tavern Dance license held by Devon L. Reid as agent for "Junior's, Inc." be renewed with a ten (10) day suspension.

Said suspension is to be in effect from midnight, April 25, 2003 through midnight, May 5, 2003.

Dated and signed at Milwaukee, Wisconsin this 14th day of March, 2003.

A handwritten signature in black ink, appearing to read "Jeffrey A. Pawlinski". The signature is stylized and written in a cursive-like font.

JEFFREY A. PAWLINSKI  
Chairman, Utilities and  
Licenses Committee

65128



**Jeff Pawlinski**  
Alderman, 13th District



CHAIR:  
Utilities & Licenses Committee

Date: March 14, 2003

COMMITTEES:  
Zoning, Neighborhoods and Development  
Steering & Rules  
Anti Graffiti Policy

To: All Members of the Milwaukee Common Council

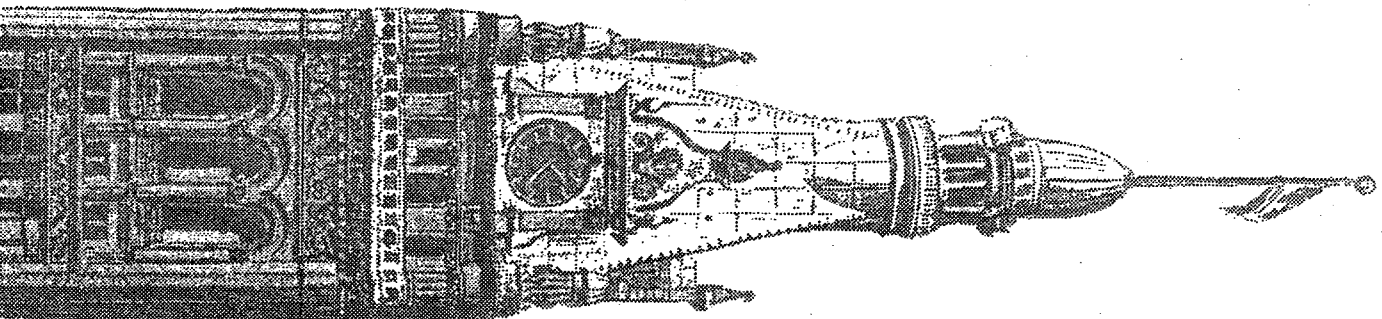
Administrative Review Appeals Board  
Resolutions Committee - League  
of Wisconsin Municipalities

From: Utilities and Licenses Committee

Re: Report on the Renewal Application of the Class "B" Tavern  
and Tavern Dance License of Maria D. Albiter for the  
premises located at 1900 West Lincoln Avenue in the City and  
County of Milwaukee, Wisconsin ("Tex Mex Place").

#### FINDINGS OF FACT

1. Maria D. Albiter (hereinafter "the Licensee") is the holder of a Class "B" Tavern and Tavern Dance License for the premises located at 1900 West Lincoln Avenue in the City and County of Milwaukee, Wisconsin ("Tex Mex Place "). Said license expires at midnight on April 22, 2003.
2. An application to renew said license was filed with the Office of the City Clerk on January 27, 2003.
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 January 28, 2003, the Milwaukee Police Department responded with a report that could form the basis for non-renewal or suspension of said license.
4. On February 28, 2003 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 and included therewith a copy of the Milwaukee Police Department report. There were also neighborhood objections to loitering, littering, noisy patrons, traffic congestion, suspected drug activity, and conduct detrimental to the health, safety and welfare of the neighborhood. The matter was scheduled for a hearing on the police department report on March 11, 2003, commencing at 9:30 a.m. in Room 301A of the third floor of City Hall. At said date, time and place, the licensee appeared in person and by Attorney William Padway, 7860 North Mohawk, Fox Point, WI 53217.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:



- A. Jose L. Albiter, born April 5, 1965, is married to the licensee, Maria D. Albiter. Milwaukee Code of Ordinances § 90-4-10(b) states: "Any member of the immediate family and household of the licensee 21 years or older shall be considered as holding a Class "D" operator's license so long as he or she is working only on the family premises."
- B. On August 10, 2002 at 2:48 a.m. at 1900 West Grant Street in the City and County of Milwaukee, Wisconsin, Jose L. Albiter obstructed and tried to divert police officers conducting a drug investigation by arguing with them. He was issued a citation for resisting/obstructing an officer. On October 1, 2002 he was found guilty and fined \$165.
- C. On December 4, 2002 at the licensed premises at 1900 West Lincoln Avenue in the City and County of Milwaukee, Wisconsin ("Tex Mex Place") Jose L. Albiter delivered to an undercover police officer 110.62 grams of cocaine. On December 12, 2002 Jose L. Albiter delivered to the same officer 106.56 grams of cocaine. On December 28, 2002 Jose L. Albiter delivered approximately 14.23 grams of cocaine to the same undercover officer. On January 3, 2003, Jose L. Albiter delivered approximately 3.1 grams to the same undercover officer. Each of the transactions occurred within the licensed premises or at the attached garage of the tavern. On January 7, 2003 a search warrant was executed at the licensed premises and Mr. Albiter's residence. Approximately \$12,000 was recovered in U.S. currency from the licensed premises, several documents and one firearm. Another firearm was recovered from the attached garage. A \$50 bill recovered from the safe in the office area of the tavern was discovered to match part of the "buy money" that was used in the undercover transaction with Albiter. Albiter has admitted his involvement in conspiring with another person to distribute the cocaine. The street value of the cocaine sold to the undercover officer was estimated to be in excess of \$50,000. Joseph L. Albiter is currently under arrest for and charged with delivery of cocaine (over 100 grams). The matter is scheduled for a jury trial on April 28, 2003.
- D. Jose L. Albiter does bartend at this location.

## 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, Maria D. Albiter has not met the criteria to allow renewal of her Tavern and Tavern Dance license without undergoing a forty (40) day suspension. With respect to the drug transactions, the Committee finds the neighborhood objections and police report 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 Utilities and Licenses Committee that the full Common Council of the City of Milwaukee should exercise its judgment to renew the Class "B" Tavern and Tavern Dance license for the premises located at 1900 West Lincoln Avenue in the City and County of Milwaukee, Wisconsin ("Tex Mex Place ") with a forty (40) day suspension.

## 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 Tavern Dance License of Maria D. Albiter for the premises located at 1900 West Lincoln Avenue ("Tex Mex Place") in the City and County of Milwaukee, Wisconsin be renewed with a forty (40) day suspension.

Said suspension is to be in effect between midnight, April 22, 2003 and midnight, June 1, 2003.

Dated and signed at Milwaukee, Wisconsin this 14th day of March, 2003.



JEFFREY A. PAWLINSKI  
Chairman, Utilities and  
Licenses Committee