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Office of the City Clerk

Jim Owczarski  
City Clerk

May 9, 2012

Robert S. Hrenak  
P.O. Box 100581  
Cudahy, WI 53110

Dear Mr. Hrenak:

You are hereby notified that the Milwaukee Common Council will hold a hearing on Tuesday, May 22, 2012, 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 your Junk Collector (Truck) license for the premises located at 2128-B W. National Ave. ("Robert's Towing").

Attached you will find a copy of the Report of the Licenses Committee, which includes its Findings of Fact, Conclusions of Law and Recommendation, recommending to not renew your Junk Collector (Truck) license based upon your three nonappearances. The recommendation is the result of a public hearing before the Committee held on Monday, May 7, 2012.

Please be advised that the Common Council will determine whether to renew, renew with a suspension between 10 and 90 days, or not renew the license based upon the Findings of Fact contained within the Licenses Committee report.

You may file written objections to the report of the Licenses Committee. Your written objections must be filed with the City Clerk by 4:45 p.m. on Thursday, May 17, 2012 in Room 205 of City Hall. If you file written objections, you or a legal representative may then also appear at the Common Council to make oral arguments supporting your written objections. You will be given approximately five minutes to present your oral argument.

Respectfully,

  
JAMES R. OWCZARSKI  
City Clerk

Enclosure

Cc: 2128-B W. National Ave., Milwaukee, WI 53204  
5023 S. Nicholson Ave., Cudahy, Wisconsin 53110



**CHAIR**

• Licenses Committee

**MEMBER**

• Community and Economic  
Development Committee  
• Steering and Rules Committee



**TONY ZIELINSKI**  
ALDERMAN, 14TH DISTRICT

Date: May 9, 2012

To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report of the Renewal Application of Robert S. Hrenak for a Junk Collector (Truck) License for the premises located at 2128-B W. National Avenue in the City and County of Milwaukee, Wisconsin ("Robert's Towing").

**FINDINGS OF FACT**

1. Robert S. Hrenak (hereinafter the "licensee") holds a Junk Collector (Truck) license for the premises located at 2128-B W. National Avenue in the City and County of Milwaukee, Wisconsin ("Robert's Towing"). Said license expired at midnight, April 30, 2012.
2. An application to renew said license was filed with the Office of the City Clerk on January 30, 2012.
3. Pursuant to Chapter 92 of the Milwaukee Code of Ordinances the matter was referred to the Milwaukee Police Department for investigation. The Milwaukee Police Department responded with a report dated January 31, 2012, which could form the basis for denial or suspension of this license.
4. On April 25, 2012, the City Clerk's Office provided notice to the licensee, pursuant to Chapter 92 of the Milwaukee Code of Ordinances of the police report that could be the basis of non-renewal or suspension of this license as well as of the neighborhood objections that could form the basis for suspension or non-renewal of the license of the licensee. The licensee was provided a copy of the police report with the notice of hearing. The matter was scheduled for a hearing on the neighborhood objections on May 7, 2012 at 8:30 a.m. The licensee did not appear and he was not represented by counsel. This was the licensee's third nonappearance.



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

A. A notice of the hearing was sent to Robert S. Hrenak at P.O. Box 100581, Cudahy, Wisconsin 53110 on April 25, 2012 by U.S. prepaid first-class mail in an envelope bearing the return address of the License Division. The address of P.O. Box 100581, Cudahy, Wisconsin 53110 is the address given by the licensee on his application. The envelope was returned to the License Division by the United States Postal Service.

A notice of the hearing was sent to Robert S. Hrenak at 2128-B West National Avenue, Milwaukee, Wisconsin 53204 and 5023 South Nicholson Avenue, Cudahy, Wisconsin 53110 on March 14, 2012 by U.S. prepaid first-class mail in an envelope bearing the return address of the License Division. The addresses of 2128-B West National Avenue, Milwaukee, Wisconsin 53204 and 5023 South Nicholson Avenue, Cudahy, Wisconsin 53110 are the addresses given by the licensee on his application. The envelopes were not returned to the License Division by the United States Postal Service. The licensee failed to appear at two hearings following proper notice and mailing by United States first-class prepaid mail.

#### **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 92 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concludes that the licensee has not met the criteria of Chapter 92 of the Milwaukee Code of Ordinances to allow renewal of his Junk Collector (Truck) license based on three nonappearances.
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 Junk Collector (Truck) license of Robert S. Hrenak based upon three nonappearances.

#### **RECOMMENDATION**

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee recommends, by a vote of five (5) ayes and zero (0) noes,

that the Junk Collector (Truck) license of Robert S. Hrenak for the premises located at 2128-B W. National Avenue ("Robert's Towing") not be renewed based upon three nonappearances.

Dated and signed at Milwaukee, Wisconsin this 9<sup>th</sup> day of May, 2012.

Handwritten signature of T. Anthony Zielinski in cursive script.

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T. ANTHONY ZIELINSKI  
Chair, Licenses Committee

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Office of the City Clerk

Jim Owczarski  
City Clerk

May 9, 2012

Roberto De Leon  
1005 S. 35<sup>th</sup> St.  
Milwaukee, WI 53215

Dear Mr. De Leon:

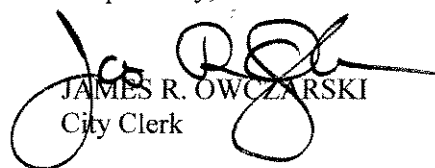
You are hereby notified that the Milwaukee Common Council will hold a hearing on Tuesday, May 22, 2012, commencing at 9:00 a.m., or as soon thereafter as this matter may be heard, in the Common Council chambers on the third floor of City Hall, 200 East Wells Street, Milwaukee, Wisconsin to consider whether to renew, renew with a suspension between 10 and 90 days, or not renew your Class "B" Tavern and Public Entertainment licenses for the premises located at 1117 W. Lincoln Ave. ("Mi Casita Bar Club").

Attached you will find a copy of the Report of the Licenses Committee, which includes its Findings of Fact, Conclusions of Law and Recommendation, recommending to not renew your Class "B" Tavern and Public Entertainment licenses based upon the police report, neighborhood objections, and your nonappearance. The recommendation is the result of a public hearing before the Committee held on Monday, May 7, 2012.

Please be advised that the Common Council will determine whether to renew, renew with a suspension between 10 and 90 days, or not renew the license based upon the Findings of Fact contained within the Licenses Committee report.

You may file written objections to the report of the Licenses Committee. Your written objections must be filed with the City Clerk by 4:45 p.m. on Thursday, May 17, 2012 in Room 205 of City Hall. If you file written objections, you or a legal representative may then also appear at the Common Council to make oral arguments supporting your written objections. You will be given approximately five minutes to present your oral argument.

Respectfully,

  
JAMES R. OWCZARSKI  
City Clerk

Enclosure



**CHAIR**

- Licenses Committee

**MEMBER**

- Community and Economic Development Committee
- Steering and Rules Committee



**TONY ZIELINSKI**  
ALDERMAN, 14TH DISTRICT

Date: May 9, 2012

To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report of the Renewal Application of Roberto De Leon for Class "B" Tavern and Public Entertainment licenses for the premises located at 1117 West Lincoln Avenue in the City and County of Milwaukee, Wisconsin ("Mi Casita Bar Club").

**FINDINGS OF FACT**

1. Roberto De Leon (hereinafter the "licensee") is the holder of Class "B" Tavern and Public Entertainment licenses for the premises located at 1117 West Lincoln Avenue in the City and County of Milwaukee, Wisconsin ("Mi Casita Bar Club"). Said licenses expire at midnight, June 2, 2012.
2. An application to renew said licenses was filed with the Office of the City Clerk on March 16, 2012.
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. The Milwaukee Police Department responded with a report that could form the basis of non-renewal or suspension of this license on March 18, 2012.
4. On April 26, 2012 and May 1, 2012, the City Clerk's Office provided notice to the licensee pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes of the police report that could form the basis for nonrenewal or suspension and included a copy of the police report. The matter was scheduled for a hearing on the police report and neighborhood objections on May 7, 2012 at 3:00 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. A notice of the hearing was sent to Roberto De Leon at 1005 South 35<sup>th</sup> Street, Milwaukee, Wisconsin 53215 on May 1, 2012 by U.S. prepaid first-class mail in an envelope bearing the return address of the License Division. The address of 1005 South 35<sup>th</sup> Street, Milwaukee, Wisconsin 53215 is the address given by the licensee on his application. The envelope was not returned to the License Division by the United States Postal Service. Enclosed with this mailing were the police report, a shooting incident police report, and DVD from complaining neighbors.

A previous notice of the hearing was sent to Roberto De Leon at 1005 South 35<sup>th</sup> Street, Milwaukee, Wisconsin 53215 on April 26, 2012 by U.S. prepaid first-class mail in an envelope bearing the return address of the License Division. The address of 1005 South 35<sup>th</sup> Street, Milwaukee, Wisconsin 53215 is the address given by the licensee on his application. The envelope was not returned to the License Division by the United States Postal Service. Enclosed with this mailing was the police report.

- B. On October 28, 2011 at 2:42 a.m., Milwaukee police were dispatched to 1117 West Lincoln Avenue to investigate a fire. The investigation revealed a garbage cart with refuse piled on top if it was placed by the front door of the business and set on fire. Milwaukee Fire Department was on scene and advised police that an accelerant was used and called this an arson. Damage was observed to the front entry way and door and estimated at \$500.00. Police interviewed possible witnesses and also spoke with Ruben Albamil who stated he was the bartender for the bar. Albamil stated he observed a known female arguing with a male for about 10 minutes when the male left. The known patron returned to the bar and ordered a drink but was refused service because she was drunk. The patron was asked to leave the bar and she did so yelling and screaming. Albamil stated he saw her standing by the side of the drive when he closed the tavern at 1:40 a.m. Police checked for video surveillance in the areas but did not find any cameras.
- C. On January 25, 2012 at 3:40 a.m., Milwaukee police were dispatched to 1117 West Lincoln Avenue regarding a structure fire. The investigation revealed the bar had been closed and not open for business, however, a fire originated in side the business near a pool table causing structure damage that was estimated around \$250.00. Police contacted Roberto De Leon, the licensee, regarding the fire who then responded to the scene along with the manager, Ruben Albamil-Coyolt. An incident report was filed.
- D. Robert Tolbert, 2306 South 11<sup>th</sup> Street, testified that he has personally witnessed at or from the bar unlicensed live DJ events on Friday and Saturday nights, disc jockey playing music with doors wide open, patrons publicly urinating on the side of his house, littering, trash, broken beer bottles, fights on the outside of the bar, and loud noise. He also added that he phoned for police.
- E. Steve Arensen, 1111 West Lincoln Avenue, testified that his business is next door to the licensed premise and has endured repeated window

damage (breakage) as a result of the operations of the licensed premise over the past several years, which has played a factor in the cancellation of his business insurance. He added that garbage at the bar gets picked up once a month.

- F. Andrew Wazagow, 1130 West Lincoln Avenue, testified to witnessing patrons squealing tires, revving engines, and engaging in reckless driving with their cars during evenings from Friday through Sunday. He added that he has witnessed patrons dancing in the bar and outside, sex shows outside of the bar, and patrons fighting. Mr. Wazagow played an audio clip for the committee of an occasion when he witnessed patrons fighting.
- G. Barbara Nelson, 1022 West Lincoln Avenue, testified that she has come to oppose the license for the third or fourth time. She testified to witnessing windows rattling from loud music, fights, patrons squealing tires of their cars, and a drug deal outside of the bar involving a patron. She added that she objected to the license due to the shooting incident mentioned in the police report and due to penalties that the bar received from the past concerning its license, which included a 60-day suspension, multiple warning letters, and denial of its entertainment license.
- H. Rick Petrie representing Urban Anthropology, 3455 North Fratney Street, was opposed to the license based upon strong objections from residents and the neighborhood.

### **CONCLUSIONS OF LAW**

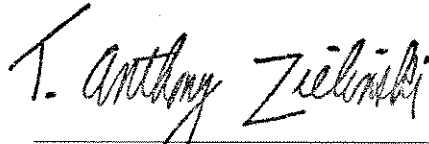
1. The Committee has jurisdiction to hold hearings and provided Findings of Fact and Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapter 125 of the Wisconsin Statutes and Chapter 90 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concludes that the licensee, Roberto De Leon, who holds Class "B" Tavern and Public Entertainment licenses for the premises located at 1117 West Lincoln Avenue in the City and County of Milwaukee, Wisconsin ("Mi Casita Bar Club"), has not met the criteria of Chapter 90, of the Milwaukee Code of Ordinances together with the police report, neighborhood objections, and nonappearance to allow renewal of his licenses. The Committee finds the 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 to not renew the Class "B" Tavern and Public Entertainment licenses of Roberto De Leon for the premises located at 1117 West Lincoln Avenue in the City and County of Milwaukee, Wisconsin ("Mi Casita Bar Club ") based upon the police report, neighborhood objections, and nonappearance.



## 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 Class "B" Tavern and Public Entertainment licenses held by Roberto De Leon for the premises located at 1117 West Lincoln Avenue in the City and County of Milwaukee, Wisconsin ("Mi Casita Bar Club") not be renewed based upon the police report, neighborhood objections, and nonappearance.

Dated and signed at Milwaukee, Wisconsin this 9<sup>th</sup> day of May, 2012.



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T. ANTHONY ZIELINSKI  
Chair, Licenses Committee

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