

**CHAIR**

- Licenses Committee
- City Information Management Committee

**VICE CHAIR**

- Milwaukee Arts Board

**MEMBER**

- Steering and Rules Committee
- Public Works Committee
- Milwaukee Public Library Board
- Employee's Retirement System Annuity & Pension Board



**NIK KOVAC**

ALDERMAN, 3RD DISTRICT

September 16, 2019

To the Honorable, the Common Council

Honorable Members:

Common Council File Number 190436 contains the following recommendations:

Nonrenewal, based upon the police report, and police, neighborhood, aldermanic, and Department of Neighborhood Services testimony of the Rooming House license for Anthony Katchever for the premises located at 2424 W Kilbourn Ave in the 4th aldermanic district.

Renewal, with a ten (10) day suspension, based upon the police report and applicant and aldermanic testimony of the Class B Tavern, Public Entertainment Premises, Food Dealer, and Sidewalk Dining licenses for Susanne Mayer for the premises located at 1023-27 N Old World Third St (“Trio”) in the 4th aldermanic district

Renewal, with a ten (10) day suspension, based upon the police report and aldermanic testimony of the Food Dealer license for Suhayb Abuasi for the premises located at 4326 W Burleigh St (“Three Brothers Plus”) in the 7th aldermanic district.

Nonrenewal, based upon the police report and applicant, aldermanic, and neighborhood testimony of the Extended Hours Establishments, Food Dealer, Filling Station, and Weights & Measures licenses for Kulwant Dhillon for the premises located at 3381 N 35<sup>th</sup> St (“35<sup>th</sup> Hometown”) in the 7th aldermanic district.

Renewal, with a ten (10) day suspension, based upon the police report and aldermanic testimony of the Class B Tavern and Public Entertainment Premises licenses for Michael Ray, Sr for the premises located at 4750 N Hopkins St (“Gold Diggers Milw”) in the 7th aldermanic district.

Renewal, with a sixty (60) day suspension, based upon the police report and applicant, neighborhood, and aldermanic testimony of the Food Dealer license for Adli Dahadha for the premises located at 2478 N 38th St (“Wright & Save Foods”) in the 15th aldermanic district.

Respectfully,

A handwritten signature in black ink, appearing to read 'Nik Kovac', written over a light blue background.

Nik Kovac, Chair  
Licenses Committee

cc: All Council Members  
File 190436

**CHAIR**

- Licenses Committee
- City Information Management Committee

**VICE CHAIR**

- Milwaukee Arts Board

**MEMBER**

- Steering and Rules Committee
- Public Works Committee
- Milwaukee Public Library Board
- Employee's Retirement System Annuity & Pension Board

**NIK KOVAC**

ALDERMAN, 3RD DISTRICT

Date: September 13, 2019

To: All Members of the Milwaukee Common Council

From: Licenses Committee

Re: Report of the Renewal Application of Anthony Katchever for a Rooming House License located at 2424 West Kilbourn Avenue in the City and County of Milwaukee, Wisconsin.

**FINDINGS OF FACT**

1. Anthony Katchever (hereinafter the "Licensee") is the holder of Rooming House license for the rooming house located at 2424 West Kilbourn Avenue in the City and County of Milwaukee, Wisconsin. Said license expires at midnight on September 30, 2019.
2. An application to renew said license was filed with the Office of the City Clerk on July 29, 2019.
3. Pursuant to Chapter 85 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes, this matter was referred to Milwaukee Police Department for investigation. On August 29, 2019, the Milwaukee Police Department responded with a report that could form the basis for nonrenewal of said license.
4. On September 3, 2019 the City Clerk provided timely notice to the Licensee pursuant to Chapters 85 and 275 of the Milwaukee Code of Ordinances of the neighborhood objections. The matter was scheduled for a hearing on the objections on September 10, 2019, commencing at approximately 2:00 p.m. in Room 301B of the third floor of City Hall. At that date and time the Licensee appeared at the hearing with counsel, Attorney Robert Pledl and admitted receipt of the notice of hearing.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
  - A. On September 29, 2018, at 4:16 a.m. officers were dispatched to a Battery complaint at 2424 West Kilbourn Avenue. Officers located the caller/victim

who stated that he was assaulted by one of the other rooming residents but could not identify him. Caller/victim was transported to the local hospital for treatment to his injuries.

- B. On October 8, 2019, at 9:30 p.m. officers were dispatched to a Trouble with Subject complaint at 2424 West Kilbourn Avenue, Room 8. Officers spoke with the resident of Room 8, who stated that he did not call or require police services. Officers were unable to locate the caller.
- C. On March 15, 2019, at 1:33 p.m. officers were flagged down at the location of 2424 West Kilbourn Avenue, by security, regarding a trouble with a subject complaint. Officers were informed that there were individuals at the location that were not supposed to be. Officers made contact with subjects, one of which was arrested, regarding a valid warrant. The other subjects were escorted off the premises, without incident.
- D. The applicant stated that he has some assistant managers, but he is there every day. He added that he would like to contract with Richard Lewis Security for the evening hours. He stated Milwaukee County places people at the premises because residents will have their own rooms and meals. He stated that the conditions are not deplorable and case managers are happy to place people with him. He added that mental health issues are the predominant problem at the premises. He stated that he wanted new roofs and solar panels, but he provides housing and is not a social service agency.

*Appearing with the applicant:*

- E. Attorney Robert Pledl stated the plan is to sell 2424 West Kilbourn Avenue as a side-by-side duplex. He explained that the Clark House, the name of the entire complex, is actually made up of five individually addressed buildings that each has a separate rooming house license. He agreed that general maintenance is below average. He added that the residents have disabilities and low income and are going to be difficult to place in a different residence. He added the Licensee applied for \$4 million in grants last year, but were only awarded \$700,000. He added that the Licensee listed the property for sale and had an offer that fell through. He stated that Sunny Side Development is still looking to purchase the properties on 24th St, with a maximum occupancy of 51. He added that he recommended selling the properties one at a time to help residents find new homes.
- F. Alderwoman Dodd moved to enter in to the record as exhibit #1 the “Request for Renewal of Licenses as a Reasonable Accommodation” letter from Attorney Pledl. (Prevailed 3-0).

- G. Kathy Fox, 520 S Pettibone Drive, La Crosse, Wisconsin stated she is the realtor for the property and she's had 2 offers for the property but they fell through. She added that she's been asking for help. She stated that the Licensee does not always collect full rent from the tenants because he understands their financial situation, so he does not have any money to reinvest in the property for repairs. She added that she's marketing the properties as a good rehab project.

*Individuals also present:*

- H. Alderman Bauman stated he has received complaints for many, many years and he has personal knowledge of the property because he lives 5 blocks away. He added problems are increasing and general maintenance is not occurring. He stated the properties are blighted and he is concerned for the safety of the residents. He added the Licensee is no longer capable of maintaining the welfare of the total 64 units that make up the entirety of the property. He stated that there have been hundreds of police calls for service in the last 5 years and the residents are in need of services. He stated that the Licensee is not able to manage the properties anymore. He added that last year the committee was sold a bill of goods, but there is no plan to rehab the property and make it livable for the residents therein. He stated that the Licensee is a landlord and there is an obligation to protect the residents if the landlord is not providing proper housing. He recommends nonrenewal based on testimony.
- I. Captain Norman stated there have been a number of calls for service and his team has been working with DNS, but this is a multifaceted problem. He added that he knows neighbors are concerned. He acknowledged that there have been hundreds of calls for service to the Clark House, but also stated that most of those calls end in a voluntary conveyance to a medical facility, not an arrest.
- J. Anthony Goodman, Department of Neighborhood Services, stated an interior and exterior inspection was performed in August and a progress inspection was done yesterday. He added extensive work is being done to the exterior of the property, but there are interior violations that remain involving sanitary conditions in 2 of the rooms, which is the result of hoarding. He stated a reinspection will happen on Friday. He added that the roof is leaking in to rooms and plaster is falling from the ceiling. In response to a question from Ald. Bauman, he indicated that there is water leaking inside the building. He also testified that he has personally been to the property for inspections. He indicated that the premise is not in imminent danger of collapse, but the general conditions are not up to code.

- K. Alderwoman Lewis moved to enter in to the record as exhibit #2 the binder of documents provided by Jim Dieter. (Prevailed 3-0)

*Individuals present in opposition:*

- L. Ted Seibert, 3005 West Kilbourn Avenue, stated he moved in three months ago and the condition of the premises is appalling and the structural condition is dangerous.
- M. Barb Scotty, 3107 West Kilbourn Avenue, stated the property is not structurally sound and she has been propositioned for drugs and prostitution on the corner of the premises by adults in the morning and evening.
- N. Patrick Knealy, 3002 West State Street, stated the applicant has said for over a decade that he's going to fix the properties. He added that the landlord does not have the capacity to follow through on commitments.
- O. Laura Mosier, 3209 West Wells Street, stated when she bought her historical home she had 17 pages of code requirements to meet and the rooming houses do not seem to have any requirements.
- P. Rick Mosier, 3209 West Wells Street, stated the properties have broken windows and the roof is caving in.
- Q. Lindsey St. Arnold-Bell, Near Westside Partners, stated the condition of the property is abhorrent and blighted. She added that the plans from last year have not come to fruition and no improvements have been made.
- R. Steve Ewing, 3119 West Wells Street, Historic Westside Neighborhood Association, stated the properties are rundown and are not conducive to restoring a neighborhood.
- S. Jodi Lemmer, 4th District Legislative Assistant stated she visited the properties in person because she receives a lot of complaints. She stated that the exterior roofs and foundations are falling apart.
- T. Jim Dieter, 2432 West Kilbourn Avenue, stated when he moved in to his house he had 45 major orders from DNS. He stated that residents have complained to him about the conditions of the properties. He provided a flash drive of photos and video of the properties.
- U. Alderwoman Dodd moved to enter in to the record as exhibit #3 the flash drive of photos and videos. (Prevailed 3-0)

*Individuals present in support:*

- V. Paul Schechter, Sunny Side Development 1231 E Dayton St Madison, Wisconsin, stated he had an accepted offer to purchase the 5 properties last year. He added that he commissioned studies about the condition of the properties. He provided an award letter from the Affordable Housing Program for \$750,000. He stated that he applied for other loans and grant programs, but their applications were not approved.
- W. Alderwoman Lewis moved to enter in to the record as exhibit #4 the award letter. (Prevailed 3-0)
- X. James Jones, 2424 W Kilbourn Avenue, stated he has been a resident of the Clark House for 14 years and he is concerned that this is just a way to remove poor people from the neighborhood.
- Y. Richard Zenesky, 933 North 24th Street, stated he does a lot of handy work at the premises. He added that he has lived at the Clark House for a year and he cleans and sets up rooms for new tenants. He added that he never felt unsafe and was never asked about drugs or propositioned
- Z. Terry Tock, 2424 W Kilbourn Avenue, stated the premise does not have broken windows, but the outside could use paint. He added that it's a comfortable place with friendly people.
- AA. Joseph, 943 N 24th Street, stated the building is a good living condition.
- BB. Tracy Wabanuke, 933 N 24th Street, stated he is the cook at the Clark House and enjoys it.
- CC. Nadine Katchever, 326 W Main Street, Port Washington, Wisconsin, stated a lot of the time the landlords are blamed for the tenants filth. She added that she tries to collect rent in a timely fashion, but her husband has a soft heart.
- DD. Sally Balk, 933 N 24th Street, stated she has lived at the premises for 6 years, and residents are veterans, ex-cons, poor, disabled, and elderly. She added that the premises are a nice place like a family.
- EE. Jerome Gunderson, 520 S Pettibone Drive, La Crosse, Wisconsin, stated the applicant helps people and the homes are not falling down.
- FF. Michael McCrimin, 2424 West Kilbourn Avenue, stated Jim Dieter can call him.

- GG. Alderwoman Lewis stated the police report is similar to last year and asked the Licensee who is assisting him. She added that the code violations make the living conditions deplorable. She stated the people are amazing, but the condition of the building is the problem. She stated that she is concerned about the safety of residents and making sure the property is habitable. She added that the Licensee is doing good work by helping people, but this is about the building and management. She stated that she does not see the point of renewing the license if the Licensee is going to sell the properties. She added that the struggle is between making sure the residents have a place to live and ensuring that the place is actually safe and habitable.
- HH. Alderman Kovac stated last year there was a plan, and that the plan did not come to fruition. He explained that he understands that securing funding to support this kind of endeavor is incredibly difficult, but that no improvements have been made to the condition of the property have been made over the course of the last three years. He stated that this year is chaos. He added if there was a sincere plan came through with a credible operator the committee might support renewal of all five of the individual licenses that make up.
- II. Alderwoman Dodd stated that her heart bleeds for the residents, but she is concerned by the lack of communication between the Licensee and his team, and it seems like the Common Council was duped. She explained that the Licensee has to take some action to correct the issues at the premises that everyone concedes need to be resolved, but nothing has happened and there appears to be no plan to address those issues.
- JJ. Alderwoman Lewis moved nonrenewal based on police report and neighborhood, DNS, police, and applicant testimony. (Prevailed 3-0)

### 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 Chapters 85 and 275 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concludes that the Licensee, Anthony Katchever who holds a Rooming Home License for the premises located 2424 West Kilbourn Avenue in the City and County of Milwaukee, Wisconsin has not met the criteria of Chapters 85 and 275 of the Milwaukee Code of Ordinances, to not renew the Rooming House License. The Committee finds the police report, and aldermanic, police, Department of Neighborhood Services and neighborhood testimony as stated above to be true as stated above.

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 Rooming House License held by Anthony Katchever for the premises located at 2424 West Kilbourn Avenue. The Committee based its recommendation on the police report and Aldermanic, police, Department of Neighborhood Services, and neighborhood testimony.

### 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 two (2) excused** recommends that the rooming house license of Anthony Katchever for the premises located 2424 West Kilbourn Avenue in the City and County of Milwaukee, Wisconsin not be renewed based on the police report, and aldermanic, police, Department of Neighborhood Services and neighborhood testimony.

Said nonrenewal would be effective October 1, 2019.

Dated and signed at Milwaukee, Wisconsin this 13<sup>th</sup> day of September, 2019.



---

NIC KOVAC  
Chairman, Licenses Committee

/262787



**CHAIR**

- Licenses Committee
- City Information Management Committee

**VICE CHAIR**

- Milwaukee Arts Board

**MEMBER**

- Steering and Rules Committee
- Public Works Committee
- Milwaukee Public Library Board
- Employee's Retirement System Annuity & Pension Board

**NIK KOVAC**

ALDERMAN, 3RD DISTRICT

Date: September 13, 2019

To: All Members of the Milwaukee Common Council

From: Licenses Committee

Re: Report of the Renewal Application of the Class "B" Tavern, Food Dealer, Public Entertainment Premises (PEP), and Sidewalk Dining Licenses of Susanne M. Mayer, Agent for Evolution of Milwaukee LLC for the premises located at 1023-27 North Old World Third Street in the City and County of Milwaukee, Wisconsin ("Trio").

**FINDINGS OF FACT**

1. Susanne M. Mayer (hereinafter "the Licensee") is the holder of Class "B" Tavern, Food Dealer, Public Entertainment Premises (PEP) and Sidewalk Dining Licenses for the premises located at 1023-27 North Old World Third Street in the City and County of Milwaukee, Wisconsin ("Trio"). Said licenses expire at midnight on September 24, 2019.
2. An application to renew said licenses was filed with the Office of the City Clerk on June 22, 2019.
3. Pursuant to Chapters 68, 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 June 17, 2019, the Milwaukee Police Department responded with a report that could form the basis for nonrenewal of said licenses.
4. On September 5, 2019, the City Clerk's Office provided timely notice to the Licensee pursuant to Chapters 68, 85, 90, and 108 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes of the neighborhood objections. The matter was scheduled for a hearing on the objections on September 10, 2019, commencing at approximately 1:45 p.m. in Room 301-B of the third floor of City Hall. At said date, time and place, the Licensee appeared at the hearing with counsel, Attorney Michael Maistelman appeared and admitted receipt of the notice of hearing.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:

- A. On January 1, 2018, an officer was investigating a sexual assault complaint. The victim was 20 years of age and was working at Red White & Blue on the night of January 1, 2018. The investigation revealed the victim went out with friends after work to The Brass Alley, which was confirmed on video surveillance. The investigation revealed the complaint was baseless. The Licensee was cited for Allow Underage on Premise.

Charge: Allow Underaged on Premise  
Finding: Guilty  
Sentence: Fined \$321.00  
Date: 04/13/2018  
Case: 18034343

- B. On January 2, 2018, an officer was conducting follow up on the incident from January 1, 2018. The officer spoke with Daniel Ewing, who stated he was the manager. The officer asked for video surveillance, but Ewing did not have access to the system. The officer checked licenses and found the bartender, Jonathan Dollar, who was working the lower bar, was not licensed. The upper bar had a licensed bartender, so the upper bar was closed and that bartender went downstairs to work the lower bar. Dollar was cited for not having a license.

- C. On July 24, 2018, officers were dispatched to a noise nuisance complaint at 1023 North Old World Third Street. The complaint was for the patio being open past 11:00 p.m. The officers arrived at 11:23 p.m. and found the patio still open. The manager stated she lost track of time and asked the patrons inside and closed the patio. The agent was issued a citation for a public entertainment violation.

Charge: Hours for Public Entertainment Regulations  
Finding: Guilty  
Sentence: Fined \$699.00  
Date: 09/10/2018  
Case: 18065922

- D. On July 26, 2018, at 11:00 p.m. officers conducted a license premise check at 1023 North Old World Third Street. The officer observed the large front windows and doors open and had knowledge that the business license required the doors closed at 10:00 p.m. The manager, Sonja Burton, stated she thought the windows needed to be closed at 11:00 p.m. The manager was cooperative and closed the windows.

- E. On July 27, 2018, at 11:19 p.m. officers conducted a license premises check at 1023 North Old World Third Street. The officer observed the large front

windows and doors open after 10:00 p.m., which is stated on the license. The manager, Daniel Ewing, stated he was not aware of the time the windows were required to be closed. The Licensee was issued a citation for the violation.

Charge: Hours for Public Entertainment Regulations  
Finding: Guilty  
Sentence: Find \$699.00  
Date: 10/15/2018  
Case: 18071418

- F. On September 13, 2018, at 12:01 a.m. an officer observed seven females, who appeared to be under 21 years of age, enter The Brass Alley at 1023 North Old World Third Street. The officer entered and the manager, Sonja Burton, pointed out the females in the rear area of the bar stating she did not think they were old enough to be in the bar. The officer stopped the females and he found that all of the females were 18 years old and had obtained fake ID cards over the internet. The officer showed the ID cards to the security officer at the door who did not have any indication the ID's were fraudulent.
- G. On September 19, 2018, at 2:44 a.m. officers observed a female lying on the ground at North Old World Third Street and West Juneau Street. The female was 19 years old and stated she lost her wallet inside The Brass Alley where she was drinking all night with her friend. The officers located her wallet inside the Brass Alley, which contained her driver's license and a fake ID card. The officers had previously warned the bar on September 13, 2018 that there were subjects getting inside with fake ID's.
- H. On November 4, 2018, officers were flagged down for a subject down at 1023 North Old World Third Street. The officers found an unconscious female outside who a witness stated was inside Trio at the location. She stated the female was dancing and slipped on a wet spot, falling to the floor and a table landing on top of her. The witness stated security then carried her friend outside and she had to call for medical attention. The officer spoke with the manager, Sonja Burton, who stated she was upstairs at the time of the incident. The officer was advised there was no video of the incident.
- I. On November 29, 2018, officers conducted underage tavern enforcement in District 1 at Trio, 1023 North Old World Third Street. The tavern passed the check.
- J. On August 4, 2019 at 2:09 a.m., Milwaukee Police responded to a battery complaint at 1023 North Old World Third Street. Investigation revealed that an employee of the establishment hit a customer in the head causing the

customer to lose consciousness and sustain a laceration to the back of the head. The employee had been assigned to work the front door to the business as security. The business provided video of the incident. The video showed a disturbance inside the business that was pushed out into the street. The victim was standing next to the suspect when without warning the suspect struck the victim to the head with his fist. The employee was arrested and charged with substantial battery.

- K. On August 24, 2019, at 12:43 a.m., Milwaukee Police were flagged down for a battery complaint at 1023 North Old World Third Street. The victim/employee stated that a subject struck him in the face because he would not allow him inside the establishment because he did not have proper identification. The subject then fled the scene on foot and was not apprehended. The personnel was cooperative with the investigation.
- L. The Licensee stated she takes things seriously with this property and she wants to have a good business. She added that with underage drinking they have done as much as they can, including having ID scanners. She stated that she trusts the security company to train their security guards. She added that the security company fired the security guard from #14 in the police report because he was completely in the wrong. She stated the noise issues have been resolved and there has been a change in management and ownership. She stated there were some hiccups during the transition period and they are not allowing the incidents from last year to continue.

*Appearing with the applicant:*

- M. Attorney Michael Maistelman stated the applicant took over managing in the last year and there has not been any noise issues since then or problems with the police from November to August. He added ID scanners were purchased to prevent patrons entering with fake IDs. He stated progress is being made. He stated that they have a new security company, new management company, and they are working on things and progress is being made.

*Individual also present:*

- N. Alderman Bauman stated he understands fake IDs because they're very well done, but the problem is what happens to the underage patrons and their excessive drinking. He added that the police report includes an employee injuring someone. He stated there are problems at the premises, including underage patrons lying face down on the sidewalk and he recommends a 15 day suspension.

- O. Alderman Kovac stated the old problems of noise were solved, but new problems have occurred. He added that there were serious issues of a security guard punching a patron unprovoked and an underage patron unconscious on the sidewalk.
- P. Alderwoman Lewis stated the record is not as bad as it was, but there is still cause for concern. She added that operations need to be tight when running an establishment with alcohol, and issues should be mitigated. She stated that baby steps have been made and the applicant needs time to figure out the issues. She stated that the premise is not problem-free and there were several incidents with underage patrons being injured.
- Q. Alderman Kovac moved approval with a 10 day suspension based on the police report, aldermanic testimony, and applicant testimony. (Prevailed 3-0-1)

### **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 Chapters 68, 82, 85, 90, 108 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin State Statutes.
2. Based upon the above facts found, the Committee concludes that the Licensee, Susanne M. Mayer, who holds Class "B" Tavern, Food Dealer, Public Entertainment Premises (PEP), and Sidewalk Dining licenses for the premise located at 1023-27 North Old World Third Street in the City and County of Milwaukee, Wisconsin ("Trio") has not met the criteria of Chapters 68, 82, 85, 90, 108 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin State Statutes, to not renew the Class "B" Tavern, Food Dealer, Public Entertainment Premises (PEP), and Sidewalk Dining licenses without undergoing a ten (10) day suspension. The Committee finds the police report, aldermanic and Licensee testimony as stated above to be true. The Committee based its recommendation on the police report, aldermanic and Licensee testimony.
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, Food Dealer, Public Entertainment Premises (PEP), and Sidewalk Dining licenses without undergoing a ten (10) day suspension for the premises located at 1023-27 North Old World Third Street in the City and County of Milwaukee, Wisconsin ("Trio"). The Committee based its recommendation on the police report, aldermanic and Licensee testimony.

## 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, one (1) excused and one (1) abstain**, recommends that the Class "B" Tavern, Food Dealer, Public Entertainment Premises (PEP) and Sidewalk Dining of Susanne M. Mayer for the premises located at 1023-27 North Old World Third Street ("Trio") in the City and County of Milwaukee, Wisconsin not be renewed without undergoing a twenty (10) day suspension based upon on the police report, Licensee, and aldermanic testimony.

The suspension is in effect between 12:01 a.m. on September 25, 2019 until 11:59 p.m. on October 4, 2019.

Dated and signed at Milwaukee, Wisconsin this 13<sup>th</sup> day of September, 2019.



---

NIC KOVAC  
Chairman, Licenses Committee

/262775

**CHAIR**

- Licenses Committee
- City Information Management Committee

**VICE CHAIR**

- Milwaukee Arts Board

**MEMBER**

- Steering and Rules Committee
- Public Works Committee
- Milwaukee Public Library Board
- Employee's Retirement System Annuity & Pension Board

**NIK KOVAC**

ALDERMAN, 3RD DISTRICT

Date: September 13, 2019

To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report of the Renewal Application of Suhayb S. Abuasi, Agent for Top Line Grocery, LLC, for a Food Dealer license for the premises located at 4326 West Burleigh Street in the City and County of Milwaukee, Wisconsin ("Three Brothers Plus").

**FINDINGS OF FACT**

1. Suhayb S. Abuasi (hereinafter the "Licensee") is the holder of a Food Dealer license for the premises located at 4326 West Burleigh Street in the City and County of Milwaukee, Wisconsin ("Three Brothers Plus"). Said license expires at midnight, September 27, 2019.
2. An application to renew said license was filed with the Office of the City Clerk on July 2, 2019.
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 29, 2019, 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 10, 2019, at 2:30 p.m. in Room 301B of the third floor of City Hall. At said date, time and place, Attorney Michael Maistelman appeared on behalf of Licensee, and admitted receipt of the notice of hearing.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
  - A. On June 5, 2019 the applicant was charged in Milwaukee County with Disorderly Conduct (Forfeiture).

Charge: Disorderly Conduct  
Finding: pending initial court appearance on 08/07/2019  
Sentence:  
Date:  
Case: 2019FO000664

*Appearing on behalf of Licensee:*

- B. Attorney Michael Maistelman explained that the applicant recognizes that there can be some improvement in the operation surrounding the store. He added that he would submit an updated plan of operation to Alderman Khalif Rainey, the district alderperson, in advance of the Common Council meeting
- C. Alderman Dodd moved to enter in to the record as exhibit #1 the expungement of record. (Prevailed 3-0)

*Individual also present:*

- D. Alderman Rainey stated he has received complaints about loitering, litter, and the sale of single cigarettes, and when he himself asked to purchase a loose cigarette the cashier pulled one out to sell to him. He added that he witnessed a fight break out near the parking lot and the applicant came out and watched the fight without doing anything. He stated that there are ongoing issues with cleanliness and loitering, and that he receives neighborhood complaints regarding the same. He recommends a 10 day suspension.
- E. In response the applicant indicated that based on the limited police report and the store's track record, a 10-day suspension would be excessive.
- F. Alderwoman Lewis stated the sale of single cigarettes seems like a regular occurrence and is illegal. She moved approval with a 10 day suspension based on the police report and aldermanic testimony. (Prevailed 3-0)

### **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 Chapters 68 and 85 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concludes that the Licensee, Suhayb S. Abuasi who holds a Food Dealer license for the premise located at 4326 West Burleigh Street in the City and County of Milwaukee, Wisconsin ("Three Brothers Plus") has not met the criteria of Chapters 68 and 85 of the Milwaukee Code of Ordinances to renew the Food Dealer license without undergoing a ten (10) day suspension.





The Committee finds the police and aldermanic objections as stated above to be true. The Committee based its recommendation on the police report and aldermanic testimony.

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 Food Dealer license without undergoing a ten (10) day suspension for the premises located at 4326 West Burleigh Street in the City and County of Milwaukee, Wisconsin ("Three Brothers Plus"). The Committee based its recommendation on 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 **three (3) ayes, zero (0) noes and two (2) excused** recommends that the Food Dealer license held by Suhayb S. Abuasi for the premises located at 4326 West Burleigh Street in the City and County of Milwaukee, Wisconsin ("Three Brothers Plus") not to be renewed without undergoing a ten (10) day suspension based upon the police report and aldermanic testimony.

The suspension is in effect between 12:01 a.m. on September 28, 2019 until 11:59 p.m. on October 7, 2019.

Dated and signed at Milwaukee, Wisconsin this 13<sup>th</sup> day of September, 2019.



---

NIC KOVAC  
Chairman, Licenses Committee

/262776

**CHAIR**

- Licenses Committee
- City Information Management Committee

**VICE CHAIR**

- Milwaukee Arts Board

**MEMBER**

- Steering and Rules Committee
- Public Works Committee
- Milwaukee Public Library Board
- Employee's Retirement System Annuity & Pension Board

**NIK KOVAC**

ALDERMAN, 3RD DISTRICT

Date: September 13, 2019

To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report of the Renewal Application of Kulwant Dhillon, Agent for KOOL PETROLEUM, INC., for Extended Hours Establishments, Food Dealer, Filing Station and Weights & Measures licenses for the premises located at 3381 North 35th Street in the City and County of Milwaukee, Wisconsin ("35<sup>TH</sup> Hometown").

**FINDINGS OF FACT**

1. Kulwant Dhillon (hereinafter the "Licensee") is the holder of for Extended Hours Establishments, Food Dealer, Filing Station and Weights & Measures licenses for the premises located at 3381 North 35th Street in the City and County of Milwaukee, Wisconsin ("35<sup>TH</sup> Hometown"). Said licenses expire at midnight, September 24, 2019.
2. An application to renew said licenses was filed with the Office of the City Clerk on May 31, 2019.
3. Pursuant to Chapters 68, 82, and 85 of the Milwaukee Code of Ordinances, the matter was referred to the Milwaukee Police Department for investigation.
4. On August 29, 2019, the City Clerk's Office provided notice to the Licensee pursuant to Chapters 68, 82 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 10, 2019 at 3:15 p.m. in Room 301B of the third floor of City Hall. At said date, time and place, the Licensee appeared and was represented by Attorney Emil Obviagele and Attorney Paul Oberer, at the hearing and admitted receipt of the notice of hearing.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:

- A. The Committee readopts the police report as read at the prior hearing in this matter on July 16, 2019, and hereby incorporates the same by reference. The Committee also readopts the Findings of Fact and Conclusions of Law dated July 19, 2019. Said Findings are attached and incorporated herein by reference.**

*Appearing with the Licensee:*

- B. Attorney Paul Oberer, the Licensee's attorney in the criminal prosecution of the male party engaged in the sex act, stated the Licensee was willing to testify but the man ended up pleading guilty.
- C. Attorney Emil Obviagele stated that the man involved in the sex act has a history of doing this all over the city. He read into the record a letter from Milwaukee County Assistant District Attorney Patrick O'Keefe, thanking the Licensee for his assistance in prosecuting the men involved in the sex act and a physical assault. He stated the Licensee was scared for his life and that is why he did not call the police. He added that the Licensee purchased silent alarm necklaces for employees to call the police without using a phone. He stated that the Licensee has a 20 year record of operating the premises without incident. He added that the Licensee made a mistake that he deeply regrets, he's worked diligently to correct, and will never happen again. He added the Licensee's family has lived in the community, has lost family to the community, and gives out scholarships to the community. He stated that the Licensee takes this very seriously and he is sorry about his inaction.

*Individual also present:*

- D. Alderman Rainey stated beyond the alcohol container, open pack of cigarettes, and the Quest cards he is most troubled about the sex act taking place in the store lasting 20 minutes and watched by employees and the Licensee. He added that the video was brought to his attention by a resident. He stated that given that Milwaukee is first in the nation for human trafficking there was no regard given for the woman in the sex act. He added that he is also concerned about health issues because the sex act took place near food that was for sale. He stated that a 20 day suspension is unreasonable and he understands the Licensee has a 40 year positive track record, but sometimes you mess up and it's over with. He added that the premise is open 24 hours and the sex act took place at 3 AM, so they should not be open 24 hours anymore. He added residents feel they are victims of predatory practices and are not treated with respect and dignity they deserve. He stated that he cannot let his concerns go unchecked. He stated the Licensee only offered to testify after his office became aware of the video. He stated that the Licensee is responsible for his

inaction for not calling the police or his office. He recommends nonrenewal because the situation is egregious.

*Individuals present in opposition:*

- E. Mabel Lamb, Sherman Park Community Association stated she supports the residents in the community.
- F. John Reid, 3356 N 36th St stated he sees littering, loitering, and drug use at the premises. He added that the Licensee does not do anything for the neighborhood. He stated that he wants the premises closed to improve the quality of life in the neighborhood.
- G. Claudia Reid, 3356 N 36th St stated everything in the premises is overpriced and the food is often expired.
- H. Paula Bangura, 4887 N 66th St stated that she has witnessed drug dealing at the premises. She added that residents have a right to a quality of life without fear.
- I. Clinton Day, 3352 N 36th St stated the neighborhood is deteriorating and he was appalled when he saw the video. He stated there's noise and shooting in the neighborhood.
- J. Martin Childs, 4796 N 90th St stated he is concerned about children or others walking in on the sex act taking place. He added that the Licensee has no plan to address the issues. He stated that the woman in the video may have been a victim of human trafficking and no attempt to call the police was made. He added that he's sick of people coming in to the community and allowing anything to happen.

*Individuals present in support:*

- K. David Romero, 2538 N 39th St stated he works at the premises picking up trash, stocking the coolers, and removing expired food and the Licensee does a lot for the community and helps people out. He added that the sex act should not be held against him because anything can happen.
- L. Mr. Howard, 3346 N 38th St stated the Licensee helps the community and the sex act happening was unfortunate. He added that everyone makes mistakes and the License should be forgiven. He stated that the premises should remain open because it's the only place he has to get stuff from.
- M. Jamal McCall, 2657 N 34th St stated the police are not doing their job and that is why there are problems in the neighborhood.

- N. Donell Poe, 3385 N 34th St stated he is in support.
- O. Sujit Kaur Dhillon, 3159 W Greenfield Ave, Greenfield, WI stated he used to live in the neighborhood and has lived in the neighborhood 40 years. He added that his brother was shot and killed at the premises in 1990. He stated that he ran the gas station for 15 years and he apologized on behalf of his brother for not calling the police, and asked for forgiveness.
- P. Terry Taper, 3401 N 35th St stated he is there every day and the integrity of the neighborhood has declined. He added that the Licensee supports the neighborhood. He stated that he would have called the police if he witnessed the sex act.
- Q. Warren May, 3615 North 36th St stated the premises is good for the community and it's not the Licensee's fault because he did not expect the sex act to take place.
- R. Ashley Torrence, 2220 W Vine St stated people do anything these days and she feels safe at the gas station. She added that the woman in the sex act looks like she was dating the man in the sex act. She stated that you cannot control what people do for attention.
- S. Mr. McCall, 5200 W Wilber Rd, Brown Deer, WI stated the Licensee is being destroyed for what someone else did and he is a good person.
- T. Tanicka Scott, 3171 N 33rd St stated the Licensee has helped her out in the past when she didn't have enough money for formula. She added the Licensee should not be held responsible for what occurred in the store. She stated that the Licensee should have called the police, but the man in the sex act is doing this everywhere and out of control.
- U. Joseph Bogan, 2537 N 56th St stated the man in the video does this to make money. He added that people from outside the neighborhood come in and litter and do whatever. He stated something needs to happen but the premises should not be shut down.
- V. Alderwoman Dodd stated she does not feel any differently than she did the first time this application was heard. She added that it speaks volumes that no phone call was made for 20 minutes or even after the fact. She stated that the inaction is concerning and a decision needs to be made that is best for the community.

- W. Alderwoman Dodd moved nonrenewal based on the police report and aldermanic and neighborhood testimony. (Prevailed 3-0)

### 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 Chapters 68, 82 and 85 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concludes that the Licensee, Kulwant Dhillon who holds Extended Hours Establishments, Food Dealer, Filing Station and Weights & Measures licenses for the premise located at 3381 North 35th Street in the City and County of Milwaukee, Wisconsin ("35<sup>TH</sup> Hometown") has not met the criteria of Chapters 68, 82 and 85, of the Milwaukee Code of Ordinances to not renew the Extended Hours Establishments, Food Dealer, Filing Station and Weights & Measures licenses. The Committee finds the health department reports and aldermanic objections as stated above to be true. The Committee based its recommendation on the police report and aldermanic, and neighborhood testimony.
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 Extended Hours Establishments, Food Dealer, Filing Station and Weights & Measures licenses for the premises located at 3381 North 35th Street in the City and County of Milwaukee, Wisconsin ("35<sup>TH</sup> Hometown"). The Committee based its recommendation on the police report and aldermanic, and neighborhood testimony.

### 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 two (2) excused** recommends that the Extended Hours Establishments, Food Dealer, Filing Station and Weights & Measures licenses held by Kulwant Dhillon for the premises located at 3381 North 35th Street in the City and County of Milwaukee, Wisconsin ("35<sup>TH</sup> Hometown") not be renewed based on the police report, aldermanic, neighborhood and Licensee testimony, incorporating the Findings of Fact and Conclusions of Law from the July 19, 2019 hearing.

Said nonrenewal will be effective September 25, 2019.

Dated and signed at Milwaukee, Wisconsin this 13<sup>th</sup> day of September, 2019.



---

NIK KOVAC  
Chairman Licenses Committee

/262795



**CHAIR**

- Licenses Committee
- City Information Management Committee

**VICE CHAIR**

- Milwaukee Arts Board

**MEMBER**

- Steering and Rules Committee
- Public Works Committee
- Milwaukee Public Library Board
- Employee's Retirement System Annuity & Pension Board

**NIK KOVAC**

ALDERMAN, 3RD DISTRICT

Date: July 19, 2019

To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report of the Renewal Application of Kulwant Dhillon, Agent for KOOL PETROLEUM, INC., for Extended Hours Establishments, Food Dealer, Filing Station and Weights & Measures licenses for the premises located at 3381 North 35th Street in the City and County of Milwaukee, Wisconsin ("35<sup>TH</sup> Hometown").

**FINDINGS OF FACT**

1. Kulwant Dhillon (hereinafter the "Licensee") is the holder of for Extended Hours Establishments, Food Dealer, Filing Station and Weights & Measures licenses for the premises located at 3381 North 35th Street in the City and County of Milwaukee, Wisconsin ("35<sup>TH</sup> Hometown"). Said licenses expire at midnight, September 24, 2019.
2. An application to renew said licenses was filed with the Office of the City Clerk on May 31, 2019.
3. Pursuant to Chapters 68, 82, and 85 of the Milwaukee Code of Ordinances, the matter was referred to the Milwaukee Police Department for investigation.
4. On July 5, 2019, the City Clerk's Office provided notice to the Licensee pursuant to Chapters 68, 82 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 July 16, 2019 at 3:15 p.m. in Room 301B of the third floor of City Hall. At said date, time and place, the Licensee appeared and was represented by Attorney Emil Obviagele, at the hearing and admitted receipt of the notice of hearing.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
  - A. On August 20, 2018, at 1:00 p.m., a meeting was held with the Licensee regarding an incident where two people had intercourse inside the establishment and the act was posted on the website "Pornhub.com." Present at the meeting were a police officer, 2 Sergeants, an Assistant District Attorney, the Alderman from the 7<sup>th</sup>



District, the Licensee, and his attorney. In the video production, employees could be seen watching the act from behind the counter and made no effort to stop the incident. The Licensee confirmed that the video was taken at his establishment and that he would cooperate with police to find out who the employees were that watched the incident in real time. No further communication came from the Licensee after the meeting.

- B. On October 9, 2018, at 12:00 p.m., a meeting was held with the Licensee regarding an incident where 2 people had intercourse inside the establishment and the act was posted on the website “Pornhub”. Present at the meeting were a police officer, 2 Sergeants, an Assistant District Attorney, the Licensee, and his attorney. In the video production, employees could be seen watching the act from behind the counter and made no effort to stop the incident. The Licensee confirmed that the video was taken at his establishment and that he would cooperate with police to find out who the employees were that watched the incident in real time. No further communication came from the Licensee after the meeting.
- C. On January 16, 2019 at 12:04 p.m., Milwaukee Police, along with agents from the Wisconsin Department of Revenue, conducted a license premise check at 3381 North 35<sup>th</sup> Street. During the inspection, Liquor, an open pack of cigarettes, and Quest cards were all found behind the front counter. The employee told officers/agents that the liquor belonged to another employee whose wife will not allow him to drink at home, so he drank after work. The open pack of cigarettes belonged to an employee that was not working and the Quest cards had been left by various customers. The employee was told that he cannot keep other people’s Quest cards, cannot sell single cigarettes, and cannot have liquor on the premise. The liquor was seized and the license premise check was concluded.
- D. The Licensee stated he terminated the employee who sold the tobacco to minors and implemented an electronic system to check birthdates. He stated that the liquor found by DOR was a gift from a wholesaler and the open bottle of liquor was an employee’s. He added that the Quest cards had been left by patrons. He stated that he told the people involved in the video to stop and they threatened to shoot up the place. He added that he cooperated with the police. He stated the employee who recorded the sex act was terminated.

*Appearing with the Licensee:*

- E. Attorney Emil Obviagele stated the police report is grossly inadequate because the October meeting was a follow up to the August meeting. He provided a copy of the written statement the Licensee provided to the police and a copy of the temporary restraining order. He added that when he saw the video of the sex act he was shocked and the Licensee was ashamed that he did not do the right thing by calling the police, but he did not because he was afraid. He added that he helped in the prosecution of the perpetrator, who was convicted of battery. Atty.

Obviagele explained that the Licensee obtained a restraining order against the individual who took and posted the video. He added that the individual was known in the area as a dangerous subject, and that the person threatened to shoot up the store.

- F. He stated the premises has been in business 23 years and there are only 5 incidents on the police report. He added that the Licensee is a part of the community and he is sorry that he did not do the right thing initially, but he did the right thing eventually. He stated that the Licensee works at the premises every day and is a member of the Sherman Park Community Association. He added that the Licensee is reinvesting in the community. He explained that he made multiple attempts to reach out to the alderperson's office in the wake of the video to discuss the matter, but was unsuccessful.
- G. Alderwoman Coggs moved to enter in to the record as exhibit #1 the written statement. (Prevailed 4-0)
- H. Alderwoman Dodd moved to enter in to the record as exhibit #2 the temporary restraining order. (Prevailed 4-0)
- I. Attorney Paul Oberer stated the Licensee was always cooperative with the District Attorney's Office with the prosecution of the violent offender who beat a young man in front of the premises. He described the Licensee as the state's star witness, and because of the Licensee's cooperation, this individual was convicted of a felony. He added that the Licensee has been a good operator. He stated that he helps people in need and sells products such as canned goods, diapers, and formula, not just gas.
- J. Alderwoman Coggs asked why no one at the store called the police when the people were having intercourse in the store. The Licensee explained that he was afraid to do anything because the individual threatened him. He further testified that he is ashamed of his inaction, and took a number of steps to make the situation right afterwards.

*Individual also present:*

- K. Sherman Morton, 7th District Legislative Assistant, stated he saw the video of the sexual act. He stated Alderman Rainey is seeking nonrenewal because he's sick of places doing the right thing after they get caught. He stated Alderman Rainey found out about all the items in the police report and the sex act because they got caught. He added that he was unaware the Licensee was at the premises during the sex act.

*Individuals present in support:*

- L. Shawn Norwood, 3720 North 22nd Street, stated he frequents the premises and the Licensee does good things in the neighborhood.
- M. Tamara Carson, 2638 North 38th Street, stated she has lived in the neighborhood and frequented the premises her entire life.
- N. Joseph Miller 2537 North 56th Street, stated he is an employee and he used to be in a gang in the 90's and there will be repercussions if the Licensee called the police.
- O. David Romero, 9126 West Montana Street, stated he is an employee and when he was shot the Licensee helped him financially.
- P. Cortina Wright, 2648 North 40th Street, stated she witnessed the Licensee being threatened this morning by someone panhandling.
- Q. Bill Hutchins, 3366 North 38th Street, stated he never had a problem at with the premises and the neighborhood is not like it used to be.
- R. Latina Campbell, 3222 North 34th Street, stated the Licensee helps the community with book bags and hotdogs.
- S. Ronnie Willis, 4649 North 30th Street, stated there was nothing the Licensee could have done about the sex act, but he should have called the police.
- T. Alderman Kovac stated there was good and bad regarding the incident of the sex act. He stated if the egregious incident of the sex act was the only one in the police report he would be more lenient and that he cooperated with the District Attorney's Office was good. He added that the neighborhood testimony raises issues of security at the premises, which raises the question of competence. He stated being a nice guy is not enough; you need to be a nice guy who knows how to run a business effectively in a way that does not hurt the neighbors. However, he indicated that the amount of neighborhood testimony in favor of the location was an influence.
- U. Alderman Kovac moved renewal with a 20 day suspension based on the police report and aldermanic, neighborhood, and Licensee testimony. (Prevailed 4-0)

**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 Chapters 68, 82 and 85 of the Milwaukee Code of Ordinances.

2. Based upon the above facts found, the Committee concludes that the Licensee, Kulwant Dhillon who holds Extended Hours Establishments, Food Dealer, Filing Station and Weights & Measures licenses for the premise located at 3381 North 35th Street in the City and County of Milwaukee, Wisconsin ("35<sup>TH</sup> Hometown") has not met the criteria of Chapters 68, 82 and 85, of the Milwaukee Code of Ordinances to not renew the Extended Hours Establishments, Food Dealer, Filing Station and Weights & Measures licenses without undergoing a twenty (20) day suspension. The Committee finds the police department reports and aldermanic objections as stated above to be true. The Committee based its recommendation on the police report, aldermanic, neighborhood and Licensee testimony.
  
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 Extended Hours Establishments, Food Dealer, Filing Station and Weights & Measures licenses for the premises located at 3381 North 35th Street in the City and County of Milwaukee, Wisconsin ("35<sup>TH</sup> Hometown") without undergoing a twenty (20) day suspension. The Committee based its recommendation on the police report, aldermanic, neighborhood and Licensee 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 Extended Hours Establishments, Food Dealer, Filing Station and Weights & Measures licenses held by Kulwant Dhillon for the premises located at 3381 North 35th Street in the City and County of Milwaukee, Wisconsin ("35<sup>TH</sup> Hometown") not be renewed without undergoing a twenty (20) day suspension based on the police report, aldermanic, neighborhood and Licensee testimony.

The suspension is in effect between 12:01 a.m. on September 25, 2019, until 11:59 p.m. on October 14, 2019.

Dated and signed at Milwaukee, Wisconsin this 19th day of July, 2019.



---

NIK KOVAC  
Chairman Licenses Committee

**CHAIR**

- Licenses Committee
- City Information Management Committee

**VICE CHAIR**

- Milwaukee Arts Board

**MEMBER**

- Steering and Rules Committee
- Public Works Committee
- Milwaukee Public Library Board
- Employee's Retirement System Annuity & Pension Board

**NIK KOVAC**

ALDERMAN, 3RD DISTRICT

Date: September 13, 2019

To: All Members of the Milwaukee Common Council

From: Licenses Committee

Re: Report of the Renewal Application of the Class "B" Tavern and Public Entertainment Premises (PEP) Licenses and Transfer Applications with Change of Legal Entity of Michael Ray, Sr., Agent for Michael Ray Gents Plus LLC for the premises located at 4750 North Hopkins Street in the City and County of Milwaukee, Wisconsin ("Gold Diggers Milw").

**FINDINGS OF FACT**

1. Michael Ray, Sr. (hereinafter "the Licensee") is the holder of Class "B" Tavern and Public Entertainment Premises (PEP) Licenses for the premises located at 4750 North Hopkins Street in the City and County of Milwaukee, Wisconsin ("Gold Diggers Milw"). Said licenses expire at midnight on October 15, 2019.
2. An application to renew said licenses was filed with the Office of the City Clerk on August 8, 2019.
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 August 19, 2019, the Milwaukee Police Department responded with a report that could form the basis for nonrenewal of said licenses.
4. On September 3, 2019, 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 neighborhood objections. The matter was scheduled for a hearing on the objections on September 10, 2019, commencing at approximately 2:45 p.m. in Room 301-B of the third floor of City Hall. At said date, time and place, the Licensee appeared at the hearing with counsel, Attorney Michael Maistelman and admitted receipt of the notice of hearing.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:

- A. On August 10, 2018, at 1:58am officers were investigating a shots fired in the 4700 block of North Hopkins Street, when they observed a group of people in the vicinity of Gold Diggers. At 2:10 a.m. the officers conducted a licensed premise check and patrons inside consuming alcohol. The bartender stated the patron do not listen to her when she tells them its closing time and they do not have security on Thursday nights to assist her in getting the patrons to leave. The License was issued a citation for Allow Patrons after Hours.

Charge: Class B Premise Allow Patrons After Hours  
Finding: Guilty  
Sentence: Fined \$378.00  
Date: 09/24/2018  
Case: 18068089

- B. On December 5, 2018, at 1:43 a.m. officers conducted .a licensed premise check on Gold Diggers, 4750 N. Hopkins Street. The officers spoke with the manager, Kevin Clayton, who stated they were closing for the night. The officers did not observe any violations.
- C. On December 29, 2018, officers observed an auto blocking traffic in front of 4750 N. Hopkins Street. They observed the driver exit the auto and walk toward the sidewalk. The officers stopped the subject and found he was employed as a DJ by Gold Diggers but was not working that night. The subject was observed throwing down suspected marijuana and he stated he had a firearm in his waist band. The subject was arrested for Possession of Marijuana while Armed.
- D. On February 7, 2019, officers conducted a licensed premise check at Gold Diggers, 4750 N. Hopkins Street. The officers were at the location for follow up regarding an incident that happened at another location but the victim and suspect had been at Gold Diggers prior to the incident. The bar was cooperative with the officer and provided the video. On February 8, 2019 the officer received a complaint from a neighbor that stated there was loud music coming from Gold Diggers on February 7, 2019. The time of the complaint was 1:58 a.m. but the officer was in the tavern at that time and stated the music was turned off at 1:45 a.m. and never turned back on. The officer determined the complaint to be baseless.
- E. On February 9, 2019, at 2:15 a.m. officers heard loud music coming from an unoccupied auto parked in front of Gold Diggers, 4750 N. Hopkins Street. The officers waited with the auto until they observed the owner exit Gold Diggers at 2:30 a.m. The subject was issued a citation for loud music.

- F. On February officers were dispatched to a Noise Nuisance at Gold Diggers, 4750 N. Hopkins Street. The caller stated the music was coming from 2-3 autos parked outside the tavern. The officers checked the location and did not locate an autos playing loud music. The officers conducted a licensed premise check and spoke with the security staff. They stated they would try and alleviate the noise but stated it can be difficult because the autos on N. Hopkins Street are often not associated with their business.
- G. On March 14, 2019 officers conducted underage tavern enforcement at Gold Diggers. An underage Police Aide attempted to gain entry and was denied entry at the door when he could not produce an ID.
- H. On April 19, 2019 at 12:19am officers were dispatched to a Shot Spotter call at 4782 N. Hopkins Street. When the officers arrived they observed an employee of Gold Diggers cleaning up glass from the street. This employee stated he did not know how the glass got there. Another employee stated he was inside and he heard shots fired outside. When he went out he observed a subject carrying another subject to a car on N. 37<sup>th</sup> Street. The car then fled the scene. While on scene a shooting victim arrived at St Joseph's Hospital that was related to this incident. The victim stated he was going to Gold Diggers but never got inside. The officers spoke with the manager, Kevin Clayton, who was cooperative with the investigation and provided the officers with the surveillance footage.
- I. The Licensee stated that he does not want to approach people's cars and ask them to leave because it can be scary. He stated that there is no club in Milwaukee that has silence at the end of the night and he asks his customers to leave peacefully. He added that the police have been around a lot recently at closing time.

*Appearing with the applicant:*

- J. Attorney Michael Maistelman stated #7 on the police report they take ownership of and they were in violation, #8 showed no violations, #9 was an employee who was not working, but was smoking marijuana in the parking lot and the applicant encourages his employees not to do illegal things, #10 was baseless claim by a neighbor and the police didn't find any violations, #11 the police issued citation to a person playing loud music in their car, #12 the police didn't find anything, #13 was an underage police aide denied entry for no ID, #14 was a person shot on way to premises, and the premises cooperated and provided surveillance video. He added that the applicant has a pretty clean record. He stated the Licensee has reached out to the one neighbor who complains numerous times, but she refuses to engage with the applicant at all.

*Individual also present:*

- K. Alderman Rainey stated there is one neighbor who complains about the premises and the police report corroborates some of her complaints. He added that in her emails she complains about noise, loitering, and marijuana smoking. He stated that there have been several community meetings to discuss the issues. He added that the Licensee cannot get a handle on the issues and he recommends a 10 day suspension. He stated that the premise affects the quality of life for neighbors.
  
- L. Alderwoman Dodd stated she used to live on the block and understands the problems in the area. Alderwoman Dodd moved renewal of the licenses, and approval of the change of legal entity, with a 10 day suspension based on the police report and aldermanic testimony. (Prevailed 3-0)

### **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 Chapters 85, 90, 108 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin State Statutes.
  
2. Based upon the above facts found, the Committee concludes that the Licensee, Michael Ray, Sr. who holds Class "B" Tavern and Entertainment Premises (PEP) licenses for the premise located at 4750 North Hopkins Street in the City and County of Milwaukee, Wisconsin ("Gold Diggers Milw") has not met the criteria of Chapters 85, 90, 108 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin State Statutes, to not renew the Class "B" Tavern and Public Entertainment Premises (PEP) licenses without undergoing a ten (10) day suspension. The Committee recommends approval of the Change of Legal Entity. The Committee finds the police report and aldermanic objections as stated 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 Premises (PEP) licenses and Transfer Applications with Change of Legal Entity without undergoing a ten (10) day suspension for the premises located at 4750 North Hopkins Street in the City and County of Milwaukee, Wisconsin ("Gold Diggers Milw"). The Committee based its recommendation on 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 **three (3) ayes, zero (0) noes, two (2) excused**, recommends that the Class "B" Tavern and Public Entertainment Premises (PEP) Licenses, Sr. for the premises located at 4750 North Hopkins Street ("Gold Diggers Milw") in the City and County of Milwaukee, Wisconsin not be renewed without undergoing a ten (10) day suspension based upon on the police report and aldermanic testimony. The Committee further recommends that the Application for Change of Legal Entity be granted.

The suspension is in effect between 12:01 a.m. on October 16, 2019 until 11:59 p.m. on October 25, 2019.

Dated and signed at Milwaukee, Wisconsin this 13<sup>th</sup> day of September, 2019.



---

NIC KOVAC  
Chairman, Licenses Committee

/262779

**CHAIR**

- Licenses Committee
- City Information Management Committee

**VICE CHAIR**

- Milwaukee Arts Board

**MEMBER**

- Steering and Rules Committee
- Public Works Committee
- Milwaukee Public Library Board
- Employee's Retirement System Annuity & Pension Board

**NIK KOVAC**

ALDERMAN, 3RD DISTRICT

Date: September 13, 2019

To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report of the Renewal Application of Suhayb S. Abuasi, Agent for Top Line Grocery, LLC, for a Food Dealer license for the premises located at 4326 West Burleigh Street in the City and County of Milwaukee, Wisconsin ("Three Brothers Plus").

**FINDINGS OF FACT**

1. Suhayb S. Abuasi (hereinafter the "Licensee") is the holder of a Food Dealer license for the premises located at 4326 West Burleigh Street in the City and County of Milwaukee, Wisconsin ("Three Brothers Plus"). Said license expires at midnight, September 27, 2019.
2. An application to renew said license was filed with the Office of the City Clerk on July 2, 2019.
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 29, 2019, 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 10, 2019, at 2:30 p.m. in Room 301B of the third floor of City Hall. At said date, time and place, Attorney Michael Maistelman appeared on behalf of Licensee, and admitted receipt of the notice of hearing.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
  - A. On June 5, 2019 the applicant was charged in Milwaukee County with Disorderly Conduct (Forfeiture).

Charge: Disorderly Conduct  
Finding: pending initial court appearance on 08/07/2019  
Sentence:  
Date:  
Case: 2019FO000664

*Appearing on behalf of Licensee:*

- B. Attorney Michael Maistelman explained that the applicant recognizes that there can be some improvement in the operation surrounding the store. He added that he would submit an updated plan of operation to Alderman Khalif Rainey, the district alderperson, in advance of the Common Council meeting
- C. Alderman Dodd moved to enter in to the record as exhibit #1 the expungement of record. (Prevailed 3-0)

*Individual also present:*

- D. Alderman Rainey stated he has received complaints about loitering, litter, and the sale of single cigarettes, and when he himself asked to purchase a loose cigarette the cashier pulled one out to sell to him. He added that he witnessed a fight break out near the parking lot and the applicant came out and watched the fight without doing anything. He stated that there are ongoing issues with cleanliness and loitering, and that he receives neighborhood complaints regarding the same. He recommends a 10 day suspension.
- E. In response the applicant indicated that based on the limited police report and the store's track record, a 10-day suspension would be excessive.
- F. Alderwoman Lewis stated the sale of single cigarettes seems like a regular occurrence and is illegal. She moved approval with a 10 day suspension based on the police report and aldermanic testimony. (Prevailed 3-0)

### **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 Chapters 68 and 85 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concludes that the Licensee, Suhayb S. Abuasi who holds a Food Dealer license for the premise located at 4326 West Burleigh Street in the City and County of Milwaukee, Wisconsin ("Three Brothers Plus") has not met the criteria of Chapters 68 and 85 of the Milwaukee Code of Ordinances to renew the Food Dealer license without undergoing a ten (10) day suspension.



The Committee finds the police and aldermanic objections as stated above to be true. The Committee based its recommendation on the police report and aldermanic testimony.

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 Food Dealer license without undergoing a ten (10) day suspension for the premises located at 4326 West Burleigh Street in the City and County of Milwaukee, Wisconsin ("Three Brothers Plus"). The Committee based its recommendation on 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 **three (3) ayes, zero (0) noes and two (2) excused** recommends that the Food Dealer license held by Suhayb S. Abuasi for the premises located at 4326 West Burleigh Street in the City and County of Milwaukee, Wisconsin ("Three Brothers Plus") not to be renewed without undergoing a ten (10) day suspension based upon the police report and aldermanic testimony.

The suspension is in effect between 12:01 a.m. on September 28, 2019 until 11:59 p.m. on October 7, 2019.

Dated and signed at Milwaukee, Wisconsin this 13<sup>th</sup> day of September, 2019.



---

NIC KOVAC  
Chairman, Licenses Committee

/262776

**CHAIR**

- Licenses Committee
- City Information Management Committee

**VICE CHAIR**

- Milwaukee Arts Board

**MEMBER**

- Steering and Rules Committee
- Public Works Committee
- Milwaukee Public Library Board
- Employee's Retirement System Annuity & Pension Board

**NIK KOVAC**

ALDERMAN, 3RD DISTRICT

Date: September 13, 2019

To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report of the Renewal Application of Adli A. Dahadha for a Food Dealer license for the premises located at 2478 North 38th Street in the City and County of Milwaukee, Wisconsin ("Wright & Save Foods").

**FINDINGS OF FACT**

1. Adli A. Dahadha (hereinafter the "Licensee") is the holder of a Food Dealer license for the premises located at 2478 North 38th Street in the City and County of Milwaukee, Wisconsin ("Wright & Save Foods"). Said licenses expire at midnight, September 28, 2019.
2. An application to renew said license was filed with the Office of the City Clerk on July 16, 2019.
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 29, 2019, 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 10, 2019, at 1:15 p.m. in Room 301B of the third floor of City Hall. At said date, time and place, the Licensee appeared and admitted receipt of the notice of hearing.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
  - A. On August 14, 2018, a youth working in conjunction with Milwaukee Police entered Wright & Save Foods located at 2478 North 38<sup>th</sup> Street, and purchased a Swisher Sweet cigar from the clerk, who was later identified as the agent:

Adli A. Dahadha. Dahadha stated he was distracted due to a personal problem and did not recall the sale. Dahadha did enroll in the MARTS Program, however, failed a secret shopper. Therefore a citation for the initial violation was issued.

Charge: Sale of Cigarettes to Minor  
Finding: Guilty  
Sentence: Fine  
Date: 03/11/19  
Case: 19008724

- B. The applicant stated he was on the phone and was not paying attention when he sold the tobacco to a minor. He added that he enrolled in the MARTS program, but his son failed the 4th check. He stated that he helps the community and the school down the street. He stated that he cleans every second and has three garbage cans around the premises. He stated that he and the neighbors work together as a family. He stated that he bought new coolers, has security cameras, painted the outside of the premises, and he tries to do his best to solve the problems. He stated that he cannot attend the monthly community meetings because he has to pick his kids up from school. He added that he cleans up but there is more garbage after one hour and in the morning. He stated that he will keep the area clean of trash and people loitering and selling drugs.

*Individuals also present:*

- C. Alderman Stamper stated this premises is a significant concern of his and the residents. He added that he has witnessed significant drug dealing, loitering, trash around the store, and lack of concern for the residents. He stated the residents do not have to accept the loitering and trash. He stated that he wants to see the store removed from the area. He added that the neighborhood deserves better and he recommends a 90 day suspension, to see if the closure improves the neighborhood. He would like to see improvement on the outside, security to help with loitering and drugs, the applicant attending monthly community meetings, and no more loitering.

*Individuals present in opposition:*

- D. Sherry Fuquanas, 2500 N 38th Street, stated the applicant does not come to the monthly community meetings nor does anything to improve the neighborhood. She added that there is litter and people loitering outside the store daily.

- E. Ofiti Fuquanas, 2531 N 38<sup>th</sup> Street, stated the corner is a nuisance area and he agrees with the previous speaker. He added that the applicant is not doing anything to address the issues.
- F. Mabel Lamb Executive Director, Sherman Park Community Association, stated she is in support of the neighbors and there is a lot of trash around the premises.

*Individuals present in support:*

- G. Lee James, 2521 N 39th Street, stated teenagers sell drugs in front of the store, but the applicant is working so he cannot do anything about it . He added that there needs to be more police around the area to address the issues.
- H. Christina Adams, 2431 N 39th Street, stated the store is very convenient and she does not have any problems.
- I. Aliyaah Johnson, 2367 N 38th Street, stated she goes to the store every morning and there is not that much trash. She added that the applicant does clean up around the store.
- J. Lanette Baker, 2129 N 39th Street, stated she has been going to the store for 10 years and the applicant is always willing to help out.
- K. Robert Wood, 2431 N 39th Street, stated he cleans up trash at the store and makes sure no one steals anything from the store. He added that there are other people that clean up trash too
- L. Shauntelle Whitfield, 2501 N 38th Street, stated there is a lot of drug activity and litter on the block. She added that the store is an asset and the applicant is always willing to work with customers who are short on money. She stated that the applicant looks out for the children in the neighborhood and he is a good person.
- M. Alderwoman Lewis stated that the applicant needs more employees, security, and it is admirable that the applicant helps people, but he needs to do more to help the area because the community deserves better. She added that people need to feel safe and secure and the loitering needs to be addressed. She stated that the applicant should be a help to the neighborhood, not a hindrance.
- N. Alderman Kovac stated the premise has been to the committee before and promises were made, but were not fulfilled. He stated that he hears the residents loud and clear about the issues in the neighborhood.

- O. Alderman Scott Spiker stated that while is concerned about the concerns of the neighbors, he did not see a connection between the food dealer license and the issues that the residents described. He then moved renewal with a warning letter. The motion was defeated by a vote of 1 Aye to 2 No.
- P. Alderwoman Lewis moved approval with a 60 day suspension based on the police report and neighborhood, applicant, and aldermanic testimony. She indicated that the neighbor testimony indicated that but for the activity going on at the store, the activity the residents described would not occur. (Prevailed 2-1)

### 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 Chapters 68, 85, and 90 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concludes that the Licensee, Adli A. Dahadha who holds a Food Dealer license for the premise located at 2478 North 38th Street in the City and County of Milwaukee, Wisconsin ("Wright & Save Foods") has not met the criteria of Chapters 68 and 85 of the Milwaukee Code of Ordinances to renew the Food Dealer license without undergoing a sixty (60) day suspension. The Committee finds the police, neighborhood and aldermanic objections as stated above to be true. The Committee based its recommendation on the police report, neighborhood, aldermanic and applicant testimony.
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 Food Dealer licenses without undergoing a sixty (60) day suspension for the premises located at 2478 North 38th Street in the City and County of Milwaukee, Wisconsin ("Wright & Save Foods"). The Committee based its recommendation on the police report, neighborhood, aldermanic and applicant testimony.

### RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of **two (2) ayes, one (1) noes and two (2) excused** recommends that the Food Dealer license held by Adli A. Dahadha for the premises located at 2478 North 38th Street in the City and County of Milwaukee, Wisconsin ("Wright & Save Foods") not to be renewed without undergoing a sixty (60) day suspension based upon the police report, neighborhood, aldermanic and applicant testimony.



The suspension is in effect between 12:01 a.m. on September 29, 2019 until 11:59 p.m. on November 27, 2019.

Dated and signed at Milwaukee, Wisconsin this 13<sup>th</sup> day of September, 2019.



---

NIC KOVAC  
Chairman, Licenses Committee

/262771