



Office of the City Clerk
Council Services Division

Ronald D. Leonhardt
City Clerk

Anthony J. Zielinski
Manager

May 21, 2003

Maria L. Lopez
1032 South 29th Street
Milwaukee, WI 53215

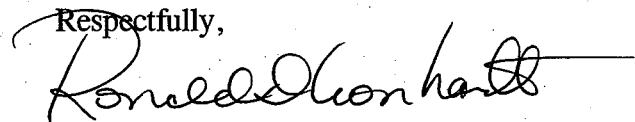
Dear Ms. Lopez:

You are hereby notified that the Milwaukee Common Council will hold a hearing on June 3, 2003 commencing at 9:00 a.m., or as soon thereafter as this matter may be heard, in the Common Council Chambers on the third floor of City Hall, 200 East Wells Street, Milwaukee, Wisconsin 53202 to consider your Class "D" Bartender License Renewal Application.

Attached you will find a copy of the Report of the Utilities and Licenses Committee which includes their Findings of Fact, Conclusions of Law and Recommendation, recommending non-renewal of your Class "D" Bartender License. The recommendation is the result of a public hearing before the Committee held on April 29, 2003 and your non-appearance despite being provided timely notice of the hearing.

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

Respectfully,


RONALD D. LEONHARDT
City Clerk

Enclosure

67896



Office of the City Clerk
Council Services Division

Ronald D. Leonhardt
City Clerk

Anthony J. Zielinski
Manager

May 21, 2003

Norman G. Landry
410 East North Avenue
Milwaukee, WI 53212

Dear Mr. Landry:

You are hereby notified that the Milwaukee Common Council will hold a hearing on June 3, 2003 commencing at 9:00 a.m., or as soon thereafter as this matter may be heard, in the Common Council Chambers on the third floor of City Hall, 200 East Wells Street, Milwaukee, Wisconsin 53202 to consider your Class "B" Tavern and Tavern Dance License for the premise located at 408 East North Avenue, Milwaukee, Wisconsin ("Blue Gardenia").

Attached you will find a copy of the Report of the Utilities and Licenses Committee which includes their Findings of Fact, Conclusions of Law and Recommendation, recommending renewal of the Class "B" Tavern and Tavern Dance license with a thirty (30) day suspension. The recommendation is the result of a public hearing before the Committee held on May 19, 2003 along with the police report.

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

Respectfully,

RONALD D. LEONHARDT
City Clerk

Enclosure
67899



Office of the City Clerk
Council Services Division

Ronald D. Leonhardt
City Clerk

Anthony J. Zielinski
Manager

May 21, 2003

L.C. Whitehead, Agent
Met Hall, Inc. Ink
8142 West Muriel Place
Milwaukee, WI 53218

Dear Mr. Whitehead:

You are hereby notified that the Milwaukee Common Council will hold a hearing on June 3, 2003 commencing at 9:00 a.m., or as soon thereafter as this matter may be heard, in the Common Council Chambers on the third floor of City Hall, 200 East Wells Street, Milwaukee, Wisconsin 53202 to consider your Class "B" Tavern and Tavern Dance License as agent for "Met Hall, Inc. Ink" for the premise located at 3400 North Holton Street, Milwaukee, Wisconsin ("Met Hall").

Attached you will find a copy of the Report of the Utilities and Licenses Committee which includes their Findings of Fact, Conclusions of Law and Recommendation, recommending renewal of the Class "B" Tavern and Tavern Dance license after undergoing a ten (10) day suspension. The recommendation is the result of a public hearing before the Committee held on May 19, 2003 along with the police report and neighborhood objections.

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

Respectfully,

RONALD D. LEONHARDT
City Clerk

Enclosure
67885



JAMES A. BOHL JR.
Alderman, 5th District

May 21, 2003

To the Honorable, the Common Council

Dear Members:

Re: Common Council File 021401

Recommendation of nonrenewal based upon nonappearance of the Class "D" operator application of Maria L. Lopez

Recommendation of renewal with a 10-day suspension based upon police report and neighborhood objections of the Class "B" Tavern and Tavern Dance renewal application of L.C. Whitehead for the premises at 3400 N. Holton Ave. ("Met Hall, Inc., Ink") in the 3rd Aldermanic District (Committee vote: Ayes: 2, Noes: 1).

Recommendation of renewal with a 30-day suspension based on police report of the Class "B" Tavern and Tavern Dance renewal applications of Norman G. Landry for the premises at 408 E. North Ave. ("Blue Gardenia") in the 6th Aldermanic District.

With regard to the items listed above, the Utilities and Licenses Committee held an evidentiary hearing on May 19, 2003.

Pursuant to section 90-11 Milwaukee Code of Ordinances, and section 125.12(12), Wis. Stats., the Committee is transmitting a copy of its Report and Recommendations, regarding the above matters to your Honorable Body.

Pursuant to City Ordinances, prior to the time the Common Council acts on the Committee's Report, **a roll call vote will be taken** to confirm that all members present and voting have read the Committee's Report and any objections that have been filed by the Licensee.

These matters have been scheduled for a hearing before the full Common Council at its meeting on Tuesday, **June 3rd, 2003** at 9:00 A.M. in the Common Council Chambers.

Respectfully,

A handwritten signature in black ink that reads "James A. Bohl Jr." with a stylized flourish at the end.

James A. Bohl, Jr., Chair
Utilities & Licenses Committee

cc: City Attorney's Office
Common Council/City Clerk - License Division
Milwaukee Police Department- License Investigation Unit
All Council Members
File No. 021401

5/22/03 - Corrected



JAMES A. BOHL JR.
Alderman, 5th District

Date: May 21, 2003

To: All Members of the Milwaukee Common Council

From: Utilities and Licenses Committee

Re: Report on the Renewal Application of the Class "D" Bartender License of Maria L. Lopez

FINDINGS OF FACT

1. Maria L. Lopez (hereinafter the "Licensee") is the holder of a Class "D" Bartender License in the City and County of Milwaukee, Wisconsin. Said license expired at midnight, December 31, 2002.
2. An application to renew said license was untimely filed with the Office of the City Clerk on April 24, 2003.
3. Pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes, the matter was referred to the Milwaukee Police Department for investigation. On April 25, 2003, the Milwaukee Police Department responded with a police report that could form a basis for non-renewal or suspension of said license.
4. On May 8, 2003, the City Clerk's Office provided timely notice to the Licensee pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes of the report of the Milwaukee Police Department and included therewith a copy of the Milwaukee Police Department report. The matter was scheduled for a hearing on the Police Department report on May 19, 2003, commencing at 9:30 a.m. in Room 301B of City Hall. At said date, time and place, the Licensee failed to appear.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
 - A. Notice of the hearing as well as a copy of the police report was sent to Maria L. Lopez at 1032 South 29th Street, Milwaukee, WI 53215 on May 8, 2003

by U.S. prepaid first-class mail in an envelope bearing the return address of the License Division. The address of 1032 South 29th Street, Milwaukee, WI 53215 is the address given by the applicant on his application. The envelope was not returned to the License Division by the United States Postal Service. The licensee failed to appear at the hearing on May 19, 2003.

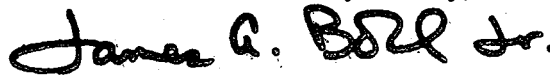
CONCLUSIONS OF LAW

1. The Committee has jurisdiction to hold hearings and provide Findings of Fact, Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapter of the Wisconsin Statutes and Chapter 90 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee recommends that the Class "D" Bartender license of Maria L. Lopez not be renewed because of non-appearance.

RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of three (3) ayes to zero (0) noes, recommends that the Class "D" Bartender License not be renewed based on non-appearance.

Dated and signed at Milwaukee, Wisconsin this 21st day of May, 2003.



JAMES A. BOHL, Jr.
Chair of the Utilities and Licenses Committee



JAMES A. BOHL JR.
Alderman, 5th District

Date: May 21, 2003

To: All Members of the Milwaukee Common Council

From: The Utilities and Licenses Committee

Re: Report of the Renewal Application of the L.C. Whitehead, as agent for "Met Hall, Inc. Ink" for a Class "B" Tavern and Tavern Dance license for the premises located at 3400 North Holton Street in the City and County of Milwaukee, Wisconsin ("Met Hall") [formerly known as "Ret Lounge"].

FINDINGS OF FACT

1. L.C. Whitehead (hereinafter the "Licensee") is the agent for "Met Hall, Inc. Ink" doing business at 3400 North Holton Street in the City and County of Milwaukee, Wisconsin ("Met Hall "). Said license expires at midnight, June 17, 2003.
2. An application to renew said license was filed with the Office of the City Clerk on April 30, 2003.
3. Pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes, the matter was referred to the Milwaukee Police Department for investigation. There was a Milwaukee Police Department report dated May 1, 2003 that could form the basis of non-renewal or suspension of this license. There were also neighborhood objections to litter, loitering, traffic problems, noisy patrons, public drinking by patrons of the establishment and conduct which is detrimental to the health, safety and welfare of the neighborhood.
4. On May 9, 2003, the City Clerk's Office provided timely notice to the Licensee, pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes of the police report that could form the basis for suspension or non-renewal of the licenses of the Licensee and the neighborhood objections. A copy of the Milwaukee Police Department report was included with the notice. The matter was scheduled for a hearing on the neighborhood objections on May 19, 2003 at 11:00 a.m. in Room 301B of the

third floor of City Hall. At said date, time and place the licensee appeared at the hearing and was not represented by counsel.

5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
 - A. On February 11, 1995 at about 1:45 a.m. one Corey Pittman was in the process of exiting the licensed premises at 3400 North Holton Street in the City and County of Milwaukee, Wisconsin ("Ret Lounge") regarding a confrontation with patrons who were entering the tavern. One Mr. Pittman was shot at least six times and died on the sidewalk in front of the tavern. At least 23 shots were fired at Mr. Pittman and a friend.
 - B. On August 17, 1996 at 2:30 a.m. officers of the Milwaukee Police Department were dispatched to the licensed premises at 3400 North Holton Street in the City and County of Milwaukee, Wisconsin ("Ret Lounge") for shots fired. Officers spoke to the bar manager who stated that she had had a problem with a customer but he had left. She also stated that she heard two shots from outside in front of the tavern but she did not see anything.
 - C. On September 1, 1996 at 2:39 a.m. officers of the Milwaukee Police Department were dispatched to the licensed premises at 3400 North Holton Street in the City and County of Milwaukee, Wisconsin ("Ret Lounge") regarding a shooting. Officers found two subjects inside the tavern that had been shot. The investigation revealed that the two subjects had been in the Ret Lounge and left at closing and were shot while standing in front of the tavern. Two of the projectiles had penetrated into the wall of the tavern.
 - D. On January 5, 1997 at 2:20 a.m. officers of the Milwaukee Police Department were flagged down by a citizen regarding a battery complaint which occurred at the licensed premises at 3400 North Holton Street in the City and County of Milwaukee, Wisconsin ("Ret Lounge"). The victim stated that two of her friends got into an argument inside the tavern, and turned on her, hitting her in the head with a beer bottle, biting her on the arm, and beating her about her face and body. The suspects were arrested for battery.
 - E. On November 12, 1998 the licensee was issued a citation for failing to pay his 1998/1999 food license for the licensed premises at 3400 North Holton Street in the City and County of Milwaukee, Wisconsin ("Ret Lounge"). The citation was dismissed without prejudice on June 3, 1999.
 - F. On February 3, 2001 an anonymous citizen reported that a man was pistol-whipped at the licensed premises at 3400 North Holton Street in the City

and County of Milwaukee, Wisconsin ("Ret Lounge"). The caller hinted that the actors were gang members. The investigating officers confirmed that the incident had occurred. The victim was attacked by three males with handguns. The bartender stated she threatened to call the police to stop the suspects from hitting the victim, but she never called. Once the incident was over the victim related that he did not need an ambulance and asked that the police not be called. The reason was that he was on parole, and feared that having police contacted would violate his parole. The victim was beaten because he made it known that he no longer wanted to be in the gang, and he was confronted by at least six Vice Lord gang members, while at the Ret Lounge. The suspects were identified and are all members of the Vice Lord street gang. The incident is currently under review by the District Attorney's Office and a disposition is pending.

- G. On January 17, 2002 at the licensed premises at 3400 North Holton Street in the City and County of Milwaukee, Wisconsin ("Ret Lounge"), Milwaukee Police Department officers were dispatched to meet a parking checker regarding a battery complaint. At 3:20 a.m. the checker pulled up to a vehicle in front of 3400 North Holton Street to put a parking ticket on it, when L.C. Whitehead came out of the tavern and grabbed the checker's right wrist and twisted it, and grabbed the parking citation out of his right hand while he sat in the jeep with his arm out of the window trying to put the citation on the auto. L.C. Whitehead then crumpled up the citation and threw it down onto the street. L.C. Whitehead then proceeded to go up to the lounge door, and called the parking checker a M----- F----- approximately three times and told him to mail the ticket. The licensee was found guilty of disorderly conduct on June 25, 2002 and fined \$100.00
- H. On May 14, 2002 at about 1:59 a.m., officers of the Milwaukee Police Department were dispatched to investigate a report of shots fired call from 3423 North Buffum Street. Upon their arrival, officers found several bullet casings in front of the licensed premises at 3400 North Holton Street in the City and County of Milwaukee, Wisconsin ("Ret Lounge"). Upon interviewing the bartender of the tavern, police were informed that after the tavern closed she heard shots fired outside of the tavern. No one observed the person who fired the shots. Officers did recover 34 casings from the area. No one from the tavern called the police. A criminal complaint was filed.
- I. On August 9, 2002 at 541 West Clarke Street at about 10:20 p.m. officers of the Milwaukee Police Department were dispatched to a loud music complaint. The officers interviewed the complainant, who stated that he lived about ½ block away and the radio at the licensed premises at 3400 North Holton Street in the City and County of Milwaukee, Wisconsin ("Ret Lounge") was so loud, he could hear it from his front porch. He

related to officers that he sometimes can hear it booming in his bedroom. The neighbor claimed he was always calling the police regarding this problem. Anthony D. Whitehead was issued a citation for noise nuisances where sound level measured and found guilty and fined \$75.00 on November 6, 2002.

- J. On February 20, 2003 at 8:00 p.m. officers of the Milwaukee Police Department were sent to the licensed premises at 3400 North Holton Street in the City and County of Milwaukee, Wisconsin ("Ret Lounge") to check for a man wanted for robbery. Upon their arrival officers found the suspect sitting at a table. From the suspect's jacket, officers discovered a Glock pistol, which was later discovered stolen. Also observed seated at the bar was another male who appeared young. Upon checking he was found to be 19 years old. The licensed bartender, Annie D. Reed, was given a verbal warning and the licensee, L.C. Whitehead was advised.

As to the corporation vice president, Anthony D. Whitehead:

- K. On December 17, 1984 Anthony D. Whitehead was arrested by the Milwaukee Police for disorderly conduct and was found guilty on March 29, 1985 and sentenced to one year probation.
- L. On March 30, 2000, at 9:00 a.m. in the 1400 block of East Brady Street, a Milwaukee Police Department officer on patrol observed Anthony D. Whitehead disappear into the yards. The officer also observed several Walgreen employees on the sidewalk who stated that Whitehead had stolen merchandise and fled the store. Whitehead was taken into custody in the 1500 block of North Farwell Avenue. the Walgreen employees stated that they had been watching Whitehead because of his suspicious behavior in the store. Whitehead had filled a shopping basket with merchandise and when at the cash register he suddenly fled the store and when exiting stepped around the merchandise alarm at the doorway in what they thought was a deliberate attempt to leave the store without paying. After Whitehead was apprehended, he had no store property in his possession and there was no store property found in checking the path that Whitehead had ran. Whitehead stated that he did not take anything. He was cited for prowling and found guilty on May 24, 2000 and fined \$145.00.
- M. At committee, the committee was informed that no neighbors could attend the hearing because of work conflicts. Nonetheless, the committee finds the neighborhood objections to be true based upon the police report.

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.

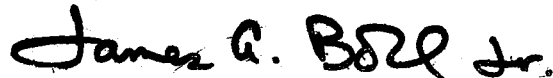
2. Based upon the above facts found, the Committee concludes that the licensee, L.C. Whitehead, as agent for "Met Hall, Inc. Ink" at 3400 North Holton Street has not met the criteria of Chapter 90 of the Milwaukee Code of Ordinances to allow renewal of his Class "B" Tavern and Tavern Dance license without undergoing a ten (10) day suspension. The Committee finds the police department and neighborhood objections to be true.
3. In order to protect the health, safety and welfare of the citizens of the City of Milwaukee, it is the recommendation of the Utilities and Licenses Committee that the full Common Council of the City of Milwaukee should exercise its judgment to renew the Class "B" Tavern and Tavern Dance license of L.C. Whitehead, as agent for "Met Hall, Inc. Ink" for this premises with a ten (10) day suspension.

RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of two (2) ayes and one (1) noes recommends that the Class "B" Tavern and Tavern Dance license held by L.C. Whitehead as agent for "Met Hall, Inc. Ink" be renewed with a ten (10) day suspension.

Said suspension is to be in effect from midnight, June 18, 2003 through midnight, June 28, 2003.

Dated and signed at Milwaukee, Wisconsin this 21st day of May, 2003.



JAMES A. BOHL, Jr.
Chair, Utilities and Licenses Committee

67882

5/22/03 - Corrected



JAMES A. BOHL JR.

Alderman, 5th District

Date: May 21, 2003

To: All Members of the Milwaukee Common Council

From: The Utilities and Licenses Committee

Re: Report of the Renewal Application of Norman G. Landry for a Class "B" Tavern and Tavern Dance license for the premises located at 408 East North Avenue in the City and County of Milwaukee, Wisconsin ("Blue Gardenia").

FINDINGS OF FACT

1. Norman G. Landry (hereinafter the "Licensee") doing business at 408 East North Avenue in the City and County of Milwaukee, Wisconsin ("Blue Gardenia "). Said license expires at midnight, June 30, 2003.
2. An application to renew said license was filed with the Office of the City Clerk on April 29, 2003.
3. Pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes, the matter was referred to the Milwaukee Police Department for investigation. There was a Milwaukee Police Department report dated May 2, 2003, which could form the basis for non-renewal or suspension of the license.
4. On May 8, 2003, the City Clerk's Office provided timely notice to the Licensees, pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes of police objections that could form the basis for suspension or non-renewal of the license of the Licensee. The matter was scheduled for a hearing on the police objections on May 19, 2003 at 10:15 a.m. in Room 301B of the third floor of City Hall. At said date, time and place, the licensee appeared 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. On September 8, 2002, officers of the Milwaukee Police Department were dispatched to the licensed premises at 408 East North Avenue in

the City and County of Milwaukee, Wisconsin ("Blue Gardenia") regarding a man with a gun complaint. Officers found two males on the premises, a Mr. Derry Groce and a Mr. Gary Wethersby, both of whom had a handgun on their persons. Wethersby was observed by officers to drop on the floor a black bag containing what appeared to be "crack" cocaine. Groce was charged with felon in possession of a firearm and Wethersby was charged with carrying a concealed weapon and possession of a controlled substance with intent to deliver while armed.

- B. On April 8, 2003, at 1:29 a.m. the Milwaukee Police Department responded to a complaint of a shooting at the premises at 408 East North Avenue in the City and County of Milwaukee, Wisconsin ("Blue Gardenia"). The licensee, Norman Landry, and the bartender, Gary Groce, stated that someone had shot five times through the front door. The Milwaukee Fire Department was on the scene and treated the victim who was in the tavern at the time. The victim had been shot in the lower left leg. Two female patrons were involved in the altercation and one of them left the tavern with three males. Moments later someone fired five shots through the front door.

CONCLUSIONS OF LAW

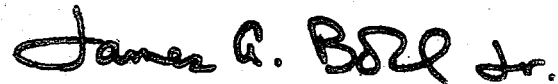
1. The Committee has jurisdiction to hold hearings and provided Findings of Fact and Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapter 125 of the Wisconsin Statutes and Chapter 90 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concludes that the licensee, Norman G. Landry for the licensed premises at 408 East North Avenue ("Blue Gardenia") has not met the criteria of Chapter 90 of the Milwaukee Code of Ordinances to allow renewal of his Class "B" Tavern and Tavern Dance license without undergoing a thirty (30) day suspension. The Committee finds the police report to be true.
3. In order to protect the health, safety and welfare of the citizens of the City of Milwaukee, it is the recommendation of the Utilities and Licenses Committee that the full Common Council of the City of Milwaukee should exercise its judgment to renew the Class "B" Tavern and Tavern Dance license of Norman G. Landry for this premises with a thirty (30) day suspension.

RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of three (3) ayes and zero (0) noes recommends that the Class "B" Tavern and Tavern Dance license held by Norman G. Landry be renewed with a thirty (30) day suspension.

Said suspension is to be in effect from midnight, June 30, 2003 through
midnight, July 30, 2003.

Dated and signed at Milwaukee, Wisconsin this 21st day of May, 2003.

A handwritten signature in black ink that reads "James A. Bohl, Jr." in a cursive style.

JAMES A. BOHL, Jr.
Chair, Utilities and Licenses Committee

67898