

**JAMES N. WITKOWIAK**  
ALDERMAN, 12TH DISTRICT

May 17, 2004

To the Honorable, the Common Council

Dear Members:

Re: Common Council File 031474

Recommendation of nonrenewal of the Class "D" Bartender license of Janay Austin based upon non-appearance and the police report.

Recommendation of nonrenewal of the Public Passenger Vehicle Driver's License of Anthony Belcher based upon non-appearance and the police report

Recommendation of nonrenewal of the Class "B" Manager license of Jesse Urban for the premises at 813 S. 1<sup>st</sup> St. ("Club Paradise") based upon non-appearance and the police report .

Recommendation of renewal with a 10-day suspension of the Class "D" Bartender license of Pamela Weaver based upon the police report.

Recommendation of renewal of the Class "B" Tavern license and renewal of the Tavern Dance license with a 10-day suspension of Olayinka M. George based upon the police report and neighborhood objections for the premises located at 5318 W. Center St. ("Infinity Lounge") in the 10<sup>th</sup> aldermanic district.

Recommendation of renewal with a 10-day suspension of the Class "B" Tavern license of Willie Wash based upon the police report for the premises at 317-19 W. Center St. ("Wash Lounge") in the 6<sup>th</sup> aldermanic district.

Recommendation of renewal with a 10-day suspension of the Class "B" Tavern and Tavern Amusement (Cabaret/Nite Club) license of James F. Reidy, Jr. Agent for "Hillside Gentlemen's Club, Inc." based upon the police report for the premises located at 2724 S. 13<sup>th</sup> St. ("Hillside Gentlemen's Club") in the 14<sup>th</sup> aldermanic district.

Recommendation of renewal with a 45-day suspension of the Class "D" Bartender license of Andrea Kaplanek based upon the police report. (Committee vote: Ayes: 3, Noes: 2)

With regard to the items listed above, the Utilities and Licenses Committee held an evidentiary hearing on May 11, 2004.

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.

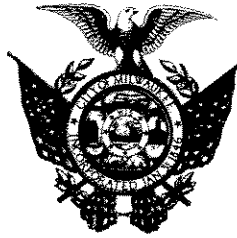
These matters have been scheduled for a hearing before the full Common Council at its meeting on Tuesday, **May 25, 2004** at 9:00 A.M. in the Common Council Chambers.

Respectfully,

James N. Witkowiak, Chair

Utilities & Licenses Committee

cc: Common Council/City Clerk - License Division  
All Council Members  
File No. 031474



**JAMES N. WITKOWIAK**  
ALDERMAN, 12TH DISTRICT

Date: May 17, 2004

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 Janay Y. Austin.

**FINDINGS OF FACT**

1. Janay Y. Austin (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, 2003.
2. An untimely application to renew said license was filed with the Office of the City Clerk on April 2, 2004.
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 5, 2004, the Milwaukee Police Department responded with a police report that could form a basis for non-renewal or suspension of said license.
4. On April 30, 2004, 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 11, 2004, 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 Janay Y. Austin at 3404 North 54<sup>th</sup> Street, Milwaukee, WI 53216 on April 30, 2004 by U.S. prepaid first-class mail in an envelope bearing the return address of the License Division. The address of 3404 North 54<sup>th</sup> Street, Milwaukee, WI 53216 is the address given by the applicant on her 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 11, 2004.
- B. On October 15, 1999, the applicant was cited for underage possession of alcohol. She was found guilty in the Circuit Court of Walworth County on November 17, 1999 and fined.
- C. On December 12, 2003, the applicant was stopped and arrested for operating an auto while intoxicated. On January 7, 2004 she was found guilty in the City of Whitewater Municipal Court, fined and given a six month driver's license revocation.

#### CONCLUSIONS OF LAW

1. The Committee has jurisdiction to hold hearings and provide Findings of Fact, Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapter 125 of the Wisconsin Statutes and Chapter 90 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concludes that the licensee Janay Y. Austin has not met the criteria of Chapter 90 of the Milwaukee Code of Ordinances or Chapter 125 of the Wisconsin Statutes to allow renewal of her Class "D" Bartender license.
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 not renew the Class "D" Bartender license held by Janay Y. Austin.

#### RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of five (5) ayes and zero (0) noes recommends that the Class "D" Bartender license of not be renewed based on non-appearance and police report.

Dated and signed at Milwaukee, Wisconsin this 17<sup>th</sup> day of May, 2004.

*James A. Boll Jr.* *for*

JAMES N. WITKOWIAK  
Chair, Utilities and Licenses Committee

80820



**JAMES N. WITKOWIAK**

ALDERMAN, 12TH DISTRICT

Date: May 17, 2004

To: All Members of the Milwaukee Common Council

From: The Utilities and Licenses Committee

Re: Report of the Renewal Application of Anthony Belcher for a Public Passenger Vehicle Driver renewal application.

**FINDINGS OF FACT**

1. Anthony Belcher (hereinafter the "Licensee") is the holder of a Public Passenger Vehicle Driver license in the City and County of Milwaukee, Wisconsin. Said license expired at midnight, October 31, 2003.
2. An untimely application to renew said license was filed with the Office of the City Clerk on March 31, 2004.
3. Pursuant to Chapter 100 of the Milwaukee Code of Ordinances and § 349.24 of the Wisconsin Statutes, the matter was referred to the Milwaukee Police Department for investigation. There was a Milwaukee Police Department objection dated April 1, 2004, which could form the basis for non-renewal or suspension of the license.
4. On April 30, 2004, the City Clerk's Office provided timely notice to the Licensee, pursuant to Chapter 100 of the Milwaukee Code of Ordinances and § 349.24 of the Wisconsin Statutes of police objections that could form the basis for suspension or non-renewal of the license of the licensee and included therewith a copy of the Milwaukee Police Department report. The matter was scheduled for a hearing on the police report on May 11, 2003 at 9:15 a.m. in Room 301B of City Hall. At said date, time and place, the licensee did not appear nor was he represented by counsel.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
  - A. Notice was sent to Anthony Belcher at 1015A West Burleigh Street, Milwaukee, WI 53206, along with a copy of the police report on April 30,

2004 in an envelope which was sent by U.S. first-class prepaid mail in an envelope bearing the return address of the License Division, 200 East Wells Street, Room 105, Milwaukee, WI 53202. The address of 1015A West Burleigh Street, Milwaukee, WI 53206 was the address given by the applicant on his renewal application. The notice included a copy of the police report. The licensee failed to appear at the hearing and the envelope containing the notice and police report was not returned to the License Division by the U.S. Postal Service.

- B. On February 26, 2003, the Wisconsin Department of Transportation revoked the applicant's driver's license for a period of six months. The applicant's conviction record is as follows:

2/5/01	intermediate speed	4 point violation
3/1/03	intermediate speed	4 point violation
4/4/01	suspended for failure to pay forfeiture 225 days (FPF)	
9/27/01	operating while suspended	3 point violation
1/30/02	unregistered auto	
1/30/02	miscellaneous violation	
4/16/02	suspended for FPF 343 days	
8/12/02	operating after suspension	3 point violation
7/22/02	suspended for FPF 2 years	
1/9/03	operating after suspension	3 point violation
2/26/03	operating after suspension	3 point violation
2/26/03	improper lights	3 point violation
2/26/03	improper plates	
2/26/03	fail to fasten seatbelt	
1/9/03	operating after suspension	6 months violation
3/27/03	operating after suspension	3 point violation
3/27/03	operating with suspended registration	
3/27/03	operating after suspension	6 months
5/16/03	suspended for FPF 2 years	
6/1/03	suspended for FPF 2 years	

#### 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 100 of the Milwaukee Code of Ordinances and § 349.24, Wisconsin Statutes..
2. Based upon the above facts found, the Committee concludes that the licensee,

Anthony Belcher, has not met the criteria of Chapter 100 of the Milwaukee Code of Ordinances or § 349.24 of the Wisconsin Statutes to allow renewal of his Public Passenger Vehicle Driver license.

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 not renew the Public Passenger Vehicle Driver license held by Anthony Belcher.

#### 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 Public Passenger Vehicle Driver license of Anthony Belcher not be renewed based on non-appearance and a police report forming the basis of non-renewal of this license.

Dated and signed at Milwaukee, Wisconsin this 17th day of May, 2004.

James N. Witkowiak

JAMES N. WITKOWIAK  
Chair, Utilities and Licenses Committee

74764





**JAMES N. WITKOWIAK**

ALDERMAN, 12TH DISTRICT

Date: May 17, 2004

To: All Members of the Milwaukee Common Council

From: The Utilities and Licenses Committee

Re: Report of the Renewal Application of Jesse J. Urban for a Class "B" Manager license for the premises at 813 South 1<sup>st</sup> Street in the City and County of Milwaukee, Wisconsin ("Club Paradise").

**FINDINGS OF FACT**

1. Jesse J. Urban (hereinafter the "Licensee") hold a Class "B" Manager license for the premises at 813 South 1<sup>st</sup> Street in the City and County of Milwaukee, Wisconsin ("Club Paradise"). Said license expires at midnight, June 30, 2004.
2. An application to renew said license was filed with the Office of the City Clerk on April 20, 2004.
3. Pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes, the matter was referred to the Milwaukee Police Department for investigation. The Milwaukee Police Department responded with a report on April 21, 2004, which could form the basis for nonrenewal or suspension of the license.
4. On April 30, 2004, the City Clerk's Office provided notice to the Licensee pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes of the police report that could form the basis for nonrenewal or suspension and included a copy of the police report. The matter was scheduled for a hearing on the police report on March 11, 2004 at 9:15 a.m. in Room 301B of the third floor of City Hall. At said date, time and place the licensee did not appear nor was he represented by counsel.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:

- A. Notice was sent to Jesse J. Urban at 4935 Gunderson Road, Waterford, WI 53185, along with a copy of the police report on April 30, 2004 in an envelope which was sent by U.S. first-class prepaid mail in an envelope bearing the return address of the License Division, 200 East Wells Street, Room 105, Milwaukee, WI 53202. The address of 4935 Gunderson Road, Waterford, WI 53185 was the address given by the applicant on his renewal application. The notice included a copy of the police report. The envelope bearing the notice and police report was not returned to the License Division by the U.S. Postal Service. The licensee failed to appear.
- B. On November 18, 2000, the applicant was stopped and arrested in West Allis, Wisconsin for operating auto while intoxicated. On March 7, 2001 he was found guilty in the West Allis Municipal Court. He was fined and incurred a six month driver's license suspension.
- C. On December 3, 2001, the applicant was arrested for theft. On June 4, 2001, he was fined \$461 in the Racine County Circuit Court to an amendment to an ordinance violation.
- D. On August 30, 2003, the applicant was stopped and arrested for operating auto while intoxicated and possession of a controlled substance tetrahydrocannabinol (THC). He was found guilty in the Racine County Circuit Court and fined \$1,521 and 15 days in jail and incurred a one year suspension of his driver's license on November 11, 2003.

#### 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, Jesse J. Urban, has not met the criteria of Chapter 90 of the Milwaukee Code of Ordinances or Chapter 125 of the Wisconsin Statutes to allow renewal of his Class "B" Manager.
- 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 not renew the Class "B" Manager license held by Jesse J. Urban for the licensed premises at 813 South 1<sup>st</sup> Street in the City and County of Milwaukee, Wisconsin ("Club Paradise"). This recommendation is based upon the police report filed by the Milwaukee Police Department as well as the applicant's refusal to appear before the Utilities and Licenses Committee and answer that report.

## RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of four (4) ayes, zero (0) noes and one (1) excused recommends that the Class "B" Manager license of Jesse J. Urban for the licensed premises at 813 South 1<sup>st</sup> Street in the City and County of Milwaukee, Wisconsin ("Club Paradise") not be renewed.

Dated and signed at Milwaukee, Wisconsin this 17th day of May, 2004.

*James A. BOLL Jr.* 

JAMES N. WITKOWIAK, Chair  
Utilities and Licenses Committee

80811



**JAMES N. WITKOWIAK**

ALDERMAN, 12TH DISTRICT

Date: May 17, 2004

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 Pamela E. Weaver.

**FINDINGS OF FACT**

1. Pamela E. Weaver (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 untimely application to renew said license was filed with the Office of the City Clerk on March 29, 2004.
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 March 30, 2004, the Milwaukee Police Department responded with a police report that could form a basis for non-renewal or suspension of said license.
4. On April 30, 2004, 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 11, 2004, commencing at 9:45 a.m. in Room 301B 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:

Municipal Court of West Allis, Wisconsin, fined and incurred a six month driver's license suspension.

- B. On November 3, 2002 the applicant was stopped and arrested for operating an auto while intoxicated. On June 2, 2003 she was found guilty in the Milwaukee Circuit Court, fined \$766 and incurred a six month driver's license revocation.
- C. The Committee notes that ten years has passed since the licensee's first conviction.

### CONCLUSIONS OF LAW

- 1. The Committee has jurisdiction to hold hearings and provide Findings of Fact, Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapter 125 of the Wisconsin Statutes and Chapter 90 of the Milwaukee Code of Ordinances.
- 2. Based upon the above facts found, the Committee concludes that the licensee, Pamela E. Weaver, has not met the criteria of Chapter 90 of the Milwaukee Code of Ordinances or Chapter 125 of the Wisconsin Statutes to allow renewal of her Class "D" Bartender license without undergoing a 10-day suspension.
- 3. In order to protect the health, safety and welfare of the citizens of the City of Milwaukee, it is the recommendation of the Utilities and Licenses Committee that the full Common Council of the City of Milwaukee should exercise its judgment to renew the Class "D" Bartender license held by Pamela E. Weaver with a 10-day suspension.

### RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of five (5) ayes and zero (0) noes recommends that the Class "D" Bartender license be renewed with a 10-day suspension based on the police report.

Said suspension is to be in effect upon action of the Common Council on May 25, 2004 and midnight, June 3, 2004.

Dated and signed at Milwaukee, Wisconsin this 17th day of May, 2004.

*James A. Bode Jr.*

JAMES N. WITKOWIAK  
Chair, Utilities and Licenses Committee

80826



**JAMES N. WITKOWIAK**

ALDERMAN, 12TH DISTRICT

Date: May 17, 2004

To: All Members of the Milwaukee Common Council

From: The Utilities and Licenses Committee

Re: Report of the Renewal Application of Olayinka M. George for a Class "B" Tavern and Tavern Dance license for the premises located at 5318 West Center Street in the City and County of Milwaukee, Wisconsin ("Infinity Lounge").

**FINDINGS OF FACT**

1. Olayinka M. George (hereinafter the "Licensee") is the holder of a Class "B" Tavern and Tavern Dance license for the licensed premises at 5318 West Center Street in the City and County of Milwaukee, Wisconsin ("Infinity Lounge"). Said license expires at midnight, June 23, 2004.
2. An application to renew said license was filed with the Office of the City Clerk on March 1, 2004.
3. Pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes, the matter was referred to the Milwaukee Police Department for investigation. The Milwaukee Police report was dated March 2, 2004 and could form a basis for non-renewal or suspension. There were also neighborhood objections to littering, loitering, loud music, parking, and traffic problems, shooting and gunshots, vandalism, trespassing, and conduct detrimental to the health, safety and welfare of the neighborhood.
4. On May 3, 2004, 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 neighborhood objections and of the police report, including a copy of the report. The matter was scheduled for a hearing on the neighborhood objections on May 11, 2004 at 1:30 p.m. in Room 301B of the third floor of City Hall. At said date, time and place the licensee appeared at the hearing and but 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, 1982, the licensee was found guilty of the issuance of a worthless check.
- B. On August 17, 1999 at 1:10 AM officers of the Milwaukee Police Department conducted a tavern check at the licensed premises located at 5318 West Center Street in the City and County of Milwaukee, Wisconsin (then known as "Stepping Up Lounge"). Upon their arrival officers found an underage person drinking beer inside the tavern. The licensee was on the scene.

The licensee was cited for Sale of Alcohol to Underage Person and on November 5, 1999, was sentenced to a six month hold open.

- C. On August 17, 1999 at 1:10 AM City of Milwaukee police officers entered the licensed premises located at 5318 West Center Street in the City and County of Milwaukee, Wisconsin ("Stepping Up Lounge"). Upon their arrival, officers found an underage person drinking beer inside the tavern. The licensee was on the scene. The licensee was cited for sale of alcohol to an underage person on November 5, 1999 and sentenced to a six month hold open.
- D. On November 26, 1999, at 10:53 PM an underage police aide along with two undercover police officers entered the licensed premises located at 5318 West Center Street in the City and County of Milwaukee, Wisconsin ("Stepping Up Lounge"). The police aide walked past the doorman who did not ask for any identification. The police aide purchased two alcoholic drinks from the bartender one Vanessa Herrins. The investigation revealed that there were two unlicensed bartenders on the scene who were not being supervised by a licensed bartender. The licensee arrived on the scene approximately 20 minutes into the officers' investigation. The doorman was arrested on a warrant for delivery of a controlled substance. The bartender, Vanessa Herrins, was cited for sale of alcohol to an underage person and Class "D" bartender license required. She was found guilty of sale of alcohol to an underage person and the charge with respect to Class "D" Bartender license required was not issued. She was fined \$146 on the citation for sale of alcohol to an underage person on February 8, 2000. Another bartender, Lathsha McAfee, was cited for Class "D" bartender license required and on February 8, 2000 a warrant was issued on that citation. The licensee George M. Olayinka was cited for Class "D" bartender license required (licensee responsibility), sale of alcohol to underage person (licensee responsibility), no responsible person upon a licensed premise, presence of an underage person (licensee responsibility), presence of an underage person upon a licensed premises (licensee responsibility), and Class "D" bartender license required (licensee responsibility).

The licensee was found guilty on the citation for sale of alcohol to an underage person, presence of an underage person (licensee responsibility). The remaining citations were dismissed without prejudice. The licensee was fined \$146 on sale of alcohol to an underage person and \$346 on presence of underage person (licensee responsibility) on February 8, 2000.



- E. On January 9, 2000 at 1:30 AM officers of the Milwaukee Police Department responded to a loud music complaint at the licensed premises located at 5318 West Center Street in the City and County of Milwaukee, Wisconsin ("Stepping Up Lounge"). As the officers approached the tavern they could hear the music coming from the tavern as they entered the 5200 block of West Center Street. Upon their arrival the officers advised the licensee to turn down the music. Mr. George stated "ya, ok", and shrugged his shoulders. The officers conducted a check of the tavern. During this check the music was not shut down, and the licensee again was advised to turn the music down, which he did. A citizen complainant stated that the tavern had been called by the citizen to complain to the manager regarding the music, but whoever answered the phone told him to "Fuck Off", and hung up the phone.
- F. On March 2, 2000 at 11:30 PM Milwaukee Police Department officers were dispatched to a loud music complaint at the licensed premises located at 5318 West Center Street in the City and County of Milwaukee, Wisconsin ("Stepping Up Lounge"). Officers stood mid-block in the 5400 block of West Center Street and were able to hear music being played in the premises. Upon entering the tavern officers found a coin-operated dart machine being operated without a valid permit. The licensee, Olayinka M. George, stated that people are constantly complaining about the music being loud, and he is getting tired of the police entering his establishment every week. Regarding the expired permit on the machine he stated that it is not his responsibility because he does not own the machine. Olayinka M. George was cited for noise nuisance and video game permit required. He was found guilty of the noise nuisance complaint and fined \$100.
- G. On June 20, 2000 the licensee was found guilty of littering of premises and fined \$115.
- H. On August 14, 2000, Sgt. Alan Johnson of the Milwaukee Police Department, filed a report revealing that within the last six months there had been 5 calls for police service made from the licensed premises. There have been 28 other calls from the area regarding the licensed premises at 5318 West Center Street in the City and County of Milwaukee, Wisconsin. Those calls have included problems at the tavern, trouble with subjects, loud music, fights, and noise nuisances. The responding squads spent 14 hours and 47 minutes at these calls. A Tavern Directed Patrol Mission has spent 121 hours since July 1, 2000 monitoring the tavern and the area around it. This resulted in 73 field interviews, 14 city arrests, 15 state arrests, and 118 parking citations.
- I. On May 16, 2002 officers of the Milwaukee Police Department were dispatched to licensed premises at 5318 West Center Street ("Stepping Up Lounge") to investigate a battery complaint. The victim, Kenneth Johnson, stated to police that he was beaten without consent by 6 to 8 unknown black males while inside the licensed premises at 5318 West Center Street ("Stepping Up Lounge"). Mr. Johnson sustained several serious lacerations as a result and received several stitches. Officers spoke with the licensee, Olanyinka George, who stated that he

did observed several subjects fighting inside the premises but that he was unaware that anyone was hurt. A substantial battery report filed.

- J. On June 12, 2002 officers of the Milwaukee Police Department were dispatched to investigate a shooting at the licensed premises located 5318 West Center Street in the City and County of Milwaukee, Wisconsin ("Stepping Up Lounge"). The victim stated he had been shot in the left elbow and left leg after exiting the tavern by unknown person(s).
- K. On May 20, 2003 at 11:07 PM officers of the Milwaukee Police Department were dispatched to the licensed premises at 5318 West Center Street ("Stepping Up Lounge"). While patrolling the rear of the tavern, police heard numerous gunshots come from inside the tavern. Numerous persons were coming out of the rear of the tavern, two of them being victims of the shooting. One had been shot in the neck and the other in the hand. One other victim was discovered inside the tavern with a gunshot wound to the chest. The investigation revealed that the shooting was as a result of an argument that started inside the tavern.
- L. On November 29, 2003 at about 2:10 AM, officers of the Milwaukee Police Department were dispatched to the licensed premises located at 5318 West Center Street on a complaint of shots fired. They were met by the licensee, Olayinka M. George, who stated he saw a male pull out a gun on the street in front of the tavern and fire 3 shots. Four casings were found on the scene. At the hearing the licensee stated that he reported this incident.
- M. On February 27, 2004 at about 12:33 AM officers of the Milwaukee Police Department were flagged down at the licensed premises located 5318 West Center Street (now named "Infinity Lounge") regarding a battery complaint. A patron was struck with an unknown object. The complainant stated that she entered the tavern along with other friends, one of which was underage, and they were not asked for identification. The owner of the premises, Mr. George, insisted that he asks all patrons entering for IDs.
- N. Neighbors testified to patrons urinating upon exiting the premises, loud music and congregations of individuals drinking outside of the licensed premises. One witness testified that he has driven past the tavern five times at 10:30 in the evening and each of those five times was able to observe such congregations.
- O. The Committee notes that while not perfect, the licensee is improving in the control he exercises over the operation of this premises.

#### CONCLUSIONS OF LAW

1. The Committee has jurisdiction to hold hearings and provided Findings of Fact and Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapter 125 of the Wisconsin Statutes and Chapter 90 of the Milwaukee Code of Ordinances.

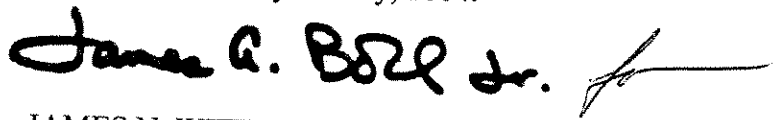
2. Based upon the above facts found, the Committee concludes that the Class "B" Tavern License of Mr. Olayinka M. George can be renewed, but that the Tavern Dance License of Mr. Olayinka M. George for the premises at 5318 West Center Street in the City and County of Milwaukee, Wisconsin (Infinity Lounge), cannot be renewed without undergoing a ten (10) day suspension. The Committee makes that recommendation based upon the police report and to the extent stated above, the neighborhood objections.
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 Class "B" Tavern License of Mr. Olayinka M. George be renewed and the Tavern Dance License held by Mr. Olayinka M. George for the premises at 5318 West Center Street in the City and County of Milwaukee, Wisconsin ("Infinity Lounge") be renewed with a ten (10) day suspension.

#### RECOMMENDATION

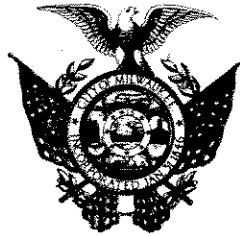
Based upon the Findings of Fact and Conclusions of Law stated above, the Committee by a vote of four (4) ayes, zero (0) noes, and one (1) excused recommends that the Class "B" Tavern License of Mr. Olayinka M. George be renewed and that the Tavern Dance License held by Mr. Olayinka George be renewed with a ten (10) day suspension.

Said suspension is to be in effect from midnight, June 23, 2004 through midnight, July 3, 2004.

Dated and signed at Milwaukee, Wisconsin this 17th day of May, 2004.



JAMES N. WITKOWIAK, Chair  
Utilities and Licenses Committee



**JAMES N. WITKOWIAK**  
ALDERMAN, 12TH DISTRICT

Date: May 17, 2004

To: All Members of the Milwaukee Common Council

From: The Utilities and Licenses Committee

Re: Report of the Renewal Application of Willie H. Wash for a Class "B" Tavern license for the premises located at 317-19 West Center Street in the City and County of Milwaukee, Wisconsin ("Wash Lounge").

**FINDINGS OF FACT**

1. Willie H. Wash (hereinafter the "Licensee") is the holder of a Class "B" Tavern license for the licensed premises at 317-19 West Center Street in the City and County of Milwaukee, Wisconsin ("Wash Lounge"). Said license expires at midnight, June 1, 2004.
2. An application to renew said license was filed with the Office of the City Clerk on April 12, 2004.
3. Pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes, the matter was referred to the Milwaukee Police Department for investigation. The Milwaukee Police report was April 13, 2004 and could form a basis for non-renewal or suspension of the license. There were also neighborhood objections to littering, loitering, noisy patrons, suspected drug activities, fights and conduct detrimental to the health, safety and welfare of the neighborhood.
4. On May 3, 2004, 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 neighborhood objections. The matter was scheduled for a hearing on the neighborhood objections on May 11, 2004 at 2:00 p.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 June 13, 2001, at 4:30 PM, the applicant was cited by the Milwaukee Police Department for allowing patrons to leave with open intoxicants. He was found guilty in Milwaukee Municipal Court on August 2, 2001 and fined \$335.
- B. On August 11, 2001 at 12:50 PM officers of the Milwaukee Police Department responded to the licensed premises at 317-19 West Center Street in the City and County of Milwaukee, Wisconsin ("Wash Lounge") regarding a fight. The investigation revealed that two female patrons were physically fighting inside the tavern. Both were cited for disorderly conduct and an incident report was filed.
- C. On September 18, 2002 at 4:17 PM officers of the Milwaukee Police Department were sent to the licensed premises at 317-19 West Center Street in the City and County of Milwaukee, Wisconsin ("Wash Lounge") regarding a male sitting in a chair in the tavern. He has a laceration to his right eye and the top of his head. Another other person had already been conveyed to Sinai Samaritan Hospital. That person received 10 staples in his head and 3 stitches to his right eye. A substantial battery investigation was being conducted.
- D. On June 10, 2003 at 3:15 PM an undercover officer of the Milwaukee Police Department was able to purchase four \$10 quantities of crack cocaine from a patron inside the licensed premises at 317-19 West Center Street in the City and County of Milwaukee, Wisconsin ("Wash Lounge"). That person was arrested. The officers talked to Mr. Wash and informed him of the transaction. He stated that he could not control the actions of his patrons. The officer also told the licensee that the person that was arrested had a bottle of wine. Mr. Wash stated that he does not sell that brand of wine and did not allow anyone in his tavern to bring drinks into the tavern.
- E. On January 1, 2004 at 9:16 AM officers of the Milwaukee Police Department investigated a battery complaint at St. Joseph's Hospital. The complainant stated that 8:00 AM on January 1, 2004 she entered Wash Lounge at 317-319 West Center Street in the City and County of Milwaukee, Wisconsin, when she attempted to go into the restroom. An unknown female exited the restroom and smashed a glass in her face causing several lacerations to her forehead which required five stitches.

#### 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, Willie H. Wash has not met the criteria of Chapter 90 of the Milwaukee Code of Ordinances or Chapter 125 of the Wisconsin Statutes to allow renewal of his Class "B" Tavern license without undergoing a ten (10) day suspension. The Committee finds the police report and neighborhood objections as stated above to be true.

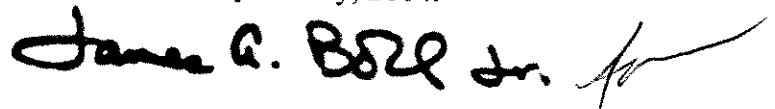
3. In order to protect the health, safety and welfare of the citizens of the City of Milwaukee, it is the recommendation of the Utilities and Licenses Committee that the full Common Council of the City of Milwaukee should exercise its judgment to renew the Class "B" Tavern license of Willie H. Wash for the premises located at 317-319 West Center Street ("Wash Lounge") 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 four (4) ayes, zero (0) noes and one (1) excused recommends that the Class "B" Tavern license held by Willie H. Wash be renewed with a ten (10) day suspension.

Said suspension is to be in effect from midnight, June, 1, 2004 through midnight, June 11, 2004.

Dated and signed at Milwaukee, Wisconsin this 17<sup>th</sup> day of May, 2004.

A handwritten signature in black ink, appearing to read "James N. Witkowiak", followed by a stylized flourish.

JAMES N. WITKOWIAK, Chair  
Utilities and Licenses Committee

80847



**JAMES N. WITKOWIAK**

ALDERMAN, 12TH DISTRICT

Date: May 17, 2004

To: All Members of the Milwaukee Common Council

From: The Utilities and Licenses Committee

Re: Report of the renewal application of James J. Reidy, Jr., as agent for "Hillside Gentlemen's Club, Inc." for a Class "B" Tavern and Tavern Amusement (Cabaret/Nite Club) license for the premises located at 2724 South 13<sup>th</sup> Street in the City and County of Milwaukee, Wisconsin ("Hillside Gentlemen's Club ").

**FINDINGS OF FACT**

1. James J. Reidy, Jr. (hereinafter the "Licensee") is the agent for "Hillside Gentlemen's Club, Inc." doing business at 2724 South 13<sup>th</sup> Street in the City and County of Milwaukee, Wisconsin ("Hillside Gentlemen's Club "). Said license expires at midnight, June 30, 2004.
2. An application to renew said license was filed with the Office of the City Clerk on April 1, 2004.
3. Pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes, the matter was referred to the Milwaukee Police Department for investigation. The Milwaukee Police Department responded with a report that could form the basis of non-renewal or suspension of this license on April 8, 2004.
4. On May 3, 2004, the City Clerk's Office provided notice to the Licensee pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes of the police report that could form the basis for nonrenewal or suspension and included a copy of the police report. The matter was scheduled for a hearing on the police report on May 11, 2004 at 1:45 p.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 November 13, 1996 at 10:30 p.m. officers of the Milwaukee Police Department assigned to the anti-prostitution unit entered the licensed premises at 2724 South 13<sup>th</sup> Street in the City and County of Milwaukee, Wisconsin ("Hillside Gentlemen's Club"). Upon entering the premises officers observed an exotic dancer later identified as Dorcus A. Bates. She was dancing on stage and failed to have any covering over the areolas and nipples of her breasts. After her performance she walked to all of the patrons in the bar for tips. As she walked to one of the undercover officers she grabbed him by his penis and stated, "Would you like a table dance?" The officer stated, "Sure." During her performance she stated to the officer, "I do date if you're interested." Upon the officer stating that he was interested, she stated, "I will give you one hour of sex, and head for \$150.00, and you will be satisfied." At that time she was placed under arrest. The bartender, Penny Telford, advised officers that she had warned this dancer in the past regarding keeping her breasts covered, but did not have a chance to check on this evening in question. Citations were written by the Milwaukee Police Department regarding these events, but they were dismissed.

B. On March 5, 1997 officers of the Milwaukee Police Department conducted a check of the premises at 3000 West Lincoln Avenue in the City and County of Milwaukee, Wisconsin ("The Best Place South"). Upon entering the tavern, officers found a 17-year old male on the premises. The officers advised the bartender of the violation to which he stated that he just got there 10 minutes ago. The licensee at the time was James J. Reidy, Jr. He was in his office. The patron was cited for presence of underage person, found guilty and fined \$250 on April 23, 1997.

The bartender was cited for presence of an underage person and found guilty and given a suspended sentence on April 23, 1997.

The licensee, James J. Reidy, Jr., was cited for presence of underage person (licensee responsibility) and on April 24, 1997 was found guilty and fined \$250.

C. On August 26, 1998, officers of the Milwaukee Police Department were dispatched to investigate a battery complaint at the licensed premises at 2724 South 13<sup>th</sup> Street in the City and County of Milwaukee, Wisconsin ("Hillside Gentlemen's Club"). Upon their arrival, officers talked to the complainant, Jennifer Huebner, a strip dancer at the licensed premises. She complained that another dancer hit her and attempted to attack her three different times. Ms. Huebner further stated that the bouncer and other dancers witnessed this and did nothing. Ms. Huebner stated that this occurred near bar closing time on August 26, 1998. The investigation



revealed that Ms. Huebner was equally to blame for the fight as well as fighting herself. Ms. Huebner and strip dancer Michele A. Griffin were both issued disorderly conduct citations.

Jennifer L. Huebner' citation for disorderly conduct resulted in guilty finding on December 9, 1998 and she was fined \$115. The disorderly conduct citation to Michele A. Griffin was not issued on November 12, 1998.

- D. On March 3, 1999, officers of the Milwaukee Police Department were dispatched to a complaint of a subject with a gun to the licensed premises at 2724 South 13<sup>th</sup> Street in the City and County of Milwaukee, Wisconsin ("Hillside Gentlemen's Club"). Upon their arrival, officers met with the victim who stated he was hit in the head by an unknown male who came into the bar with a second subject. The victim was bleeding from the head and refused medical attention. The bartender stated that she saw several people fighting in the bar next to the dance stage. At this time, the victim came up to the bar and told the bartender, "Bitch, I'll beat your ass." The bartender stated that the victim was extremely intoxicated and that she feared for her safety and the safety of her patrons so she called 911. Officers conducted a tavern check and discovered four bottles of liquor, which were contaminated with deceased bugs inside. The bartender was advised of the contaminated alcohol. She destroyed the liquor immediately. Officers also interviewed another patron who became extremely agitated and stated he observed a male suspect strike the victim. James J. Reidy, Jr. was cited for sanitation, four counts, was found guilty and fined \$335 on those citations on June 21, 1999.
- E. One Anita M. Fuller, bartender for the licensed premises located at 3000 West Lincoln Avenue in the City and County of Milwaukee, Wisconsin ("Best Place South") on five occasions sold an undercover police officer cocaine inside the tavern. She was found guilty of delivering of cocaine in Milwaukee County Circuit Court on June 14, 2001 and sentenced to 2 years in prison, 2 years probation and 2 years extended supervision. James J. Reidy, Jr., was the licensee for 3000 West Lincoln Avenue at the time in question.
- F. On September 1, 2001, officers of the Milwaukee Police Department were Responded to the licensed premises at 3000 West Lincoln Avenue in the City and County of Milwaukee, Wisconsin ("Best Place South"), which is also operated by James J. Reidy, Jr. The complaint regarded a person with a gun. The investigation revealed that a patron armed with a gun got into a confrontation with other patrons. The suspect fired several shots from his gun outside the tavern striking neighbors' homes. The suspect was arrested on the scene and an incident report was filed.

- G. On November 7, 2001 at 12:22 PM, officers of the Milwaukee Police Department responded to the licensed premises at 3000 West Lincoln Avenue in the City and County of Milwaukee, Wisconsin ("Best Place South"), which is also operated by James J. Reidy, Jr. The complaint regarded trouble with a patron. The investigation revealed that the suspect was the bartender's ex-boyfriend. The suspect was arrested on the scene and cited for trespassing and obstructing. An incident report was filed.
- H. On May 21, 2003 at 10:00 PM Detective Daniel Wilcox and Officer Jose Medina of the Milwaukee Police Department investigated a complaint of dancers using a backroom for prostitution at the licensed premises at 2724 South 13<sup>th</sup> Street in City and County of Milwaukee, Wisconsin ("Hillside Gentlemen's Club"). Officer Medina, while in an undercover capacity, was propositioned by a dancer, later identified as Dawn M. Messenger, who offered sex for money. Dawn Messenger was arrested on June 5, 2003 at 1677 North Farwell Avenue, Milwaukee, Wisconsin for prostitution. That charge was later amended to disorderly conduct and on March 12, 2003 she was fined \$475.
- I. On January 28, 2004 at 10:20 PM, Detective Chris Ederesinghe and Detective Daniel Wilcox investigated a complaint of dancers engaging in prostitution at the licensed premises at 2724 South 13<sup>th</sup> Street in City and County of Milwaukee, Wisconsin ("Hillside Gentlemen's Club"). Detective Ederesinghe, while in an undercover capacity, was propositioned by a dancer later identified as Nicole M. Tercher. Tercher offered Ederesinghe sex and drugs for money. Nicole M. Tercher was arrested on January 29, 2004 at 6798 West Appleton Avenue for prostitution and possession of a controlled substance (Ecstasy). She was cited for prostitution-sexual conduct and possession of a controlled substance. The matter is set for motions on July 21, 2004.
- J. At the hearing, the licensee explained that he has a house mother who manages the dancers and that the house mother in question had hired both Nicole M. Tercher and Dawn M. Messenger.

#### 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, James J. Reidy, Jr., as agent for "Hillside Gentlemen's Club, Inc." for a Class "B"

Tavern and Tavern Amusement (Cabaret/Nite Club) license for the premises located at 2724 South 13<sup>th</sup> Street in the City and County of Milwaukee, Wisconsin ("Hillside Gentlemen's Club") has not met the criteria of Chapter 90 of the Milwaukee Code of Ordinances or Chapter 125 of the Wisconsin Statutes to allow renewal of his Class "B" Tavern and Tavern Amusement license without undergoing a ten (10) day suspension. The Committee finds the police report to be true.

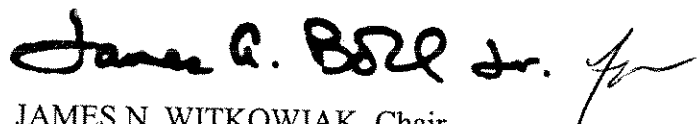
3. In order to protect the health, safety and welfare of the citizens of the City of Milwaukee, it is the recommendation of the Utilities and Licenses Committee that the full Common Council of the City of Milwaukee should exercise its judgment to renew the Class "B" Tavern and Tavern Amusement (Cabaret/Nite Club) license of James J. Reidy, Jr., agent for "Hillside Gentlemen's Club, Inc." for a Class "B" Tavern and Tavern Amusement (Cabaret/Nite Club) license for the premises located at 2724 South 13<sup>th</sup> Street in the City and County of Milwaukee, Wisconsin ("Hillside Gentlemen's Club") 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 four (4) ayes, zero (0) noes and one (1) excused recommends that the Class "B" Tavern and Tavern Amusement (Cabaret/Nite Club) license of James J. Reidy, Jr., agent for "Hillside Gentlemen's Club, Inc." for a Class "B" Tavern and Tavern Amusement (Cabaret/Nite Club) license for the premises located at 2724 South 13<sup>th</sup> Street in the City and County of Milwaukee, Wisconsin ("Hillside Gentlemen's Club") be renewed with a ten (10) day suspension.

Said suspension is to be in effect from midnight, June 30, 2004 through midnight, July 10, 2004.

Dated and signed at Milwaukee, Wisconsin this 17<sup>th</sup> day of May, 2004.



JAMES N. WITKOWIAK, Chair  
Utilities and Licenses Committee



**JAMES N. WITKOWIAK**

ALDERMAN, 12TH DISTRICT

Date: May 17, 2004

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 Andrea D. Kaplanek.

**FINDINGS OF FACT**

1. Andrea D. Kaplanek (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, 2003.
2. An untimely application to renew said license was filed with the Office of the City Clerk on April 21, 2004.
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 22, 2004, the Milwaukee Police Department responded with a police report that could form a basis for non-renewal or suspension of said license.
4. On April 30, 2004, 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 11, 2004, commencing at 9:45 a.m. in Room 301B 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 July 2, 1993 the applicant was arrested for resisting/obstructing an officer. On October 14, 1998 she was found guilty in the Circuit Court of Fond du Lac County and fined \$180.
- B. On May 22, 2003 the applicant was arrested for operating an auto while intoxicated. She was found guilty on June 25, 2003 in the Municipal Court in the City of Greenfield, Wisconsin. She was fined and incurred a six month revocation of her driver's license.
- C. On February 16, 2004 the applicant was stopped and arrested for operating an auto while intoxicated, second offense. This matter is pending in the City of Milwaukee Municipal Court
- D. The Committee notes that the licensee has incurred two Operating While Intoxicated violations in less than 4 years.

#### CONCLUSIONS OF LAW

- 1. The Committee has jurisdiction to hold hearings and provide Findings of Fact, Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapter 125 of the Wisconsin Statutes and Chapter 90 of the Milwaukee Code of Ordinances.
- 2. Based upon the above facts found, the Committee concludes that the licensee, Andrea D. Kaplanek, has not met the criteria of Chapter 90 of the Milwaukee Code of Ordinances or Chapter 125 of the Wisconsin Statutes to allow renewal of her Class "D" Bartender license without undergoing a 45-day suspension.
- 3. In order to protect the health, safety and welfare of the citizens of the City of Milwaukee, it is the recommendation of the Utilities and Licenses Committee that the full Common Council of the City of Milwaukee should exercise its judgment to renew the Class "D" Bartender license held by Andrea D. Kaplanek with a 45-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 two (2) noes recommends that the Class "D" Bartender license be renewed with a 45-day suspension based on the police report.

Said suspension is to be in effect upon action of the Common Council on May 25, 2004 through midnight, July 8, 2004.

Dated and signed at Milwaukee, Wisconsin this 17th day of May, 2004.

*James G. Boll Jr. ja*

JAMES N. WITKOWIAK  
Chair, Utilities and Licenses Committee

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