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Office of the City Clerk

Ronald D. Leonhardt
City Clerk

Jim Owczarski
Deputy City Clerk

January 25, 2012

Jatinder Singh, Agt.
Pick N Choose, Inc.
6305 S. 20th St., #18
Oak Creek, WI 53154

Atty. Jeffrey J. Guerard
Ahmad & Guerard, LLP
4915 S. Howell Ave., Suite 300
Milwaukee, WI 53207

Dear Mr. Singh and Atty. Guerard:

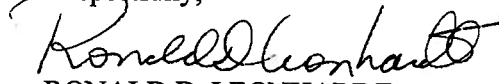
You are hereby notified that the Milwaukee Common Council will hold a hearing on Tuesday, February 7, 2012, commencing at 9:00 a.m., or as soon thereafter as this matter may be heard, in the Common Council chambers on the third floor of City Hall, 200 East Wells Street, Milwaukee, Wisconsin to consider whether to renew, renew with a suspension between 10 and 90 days, or not renew the Class "A" Fermented Malt Beverage Retailer's license for the premises at 1904 W. State St. ("Pick N Choose Grocery").

Attached you will find a copy of the Report of the Licenses Committee, which includes its Findings of Fact, Conclusions of Law and Recommendation, recommending to not renew the Class "A" Fermented Malt Beverage Retailer's license based upon the police report and aldermanic objections. The recommendation is the result of a public hearing before the Committee held on Monday, January 23, 2012.

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

You may file written objections to the report of the Licenses Committee. Your written objections must be filed with the City Clerk by 4:45 p.m. on Thursday, February 2, 2012 in Room 205 of City Hall. If you file written objections, you or a legal representative may then also appear at the Common Council to make oral arguments supporting your written objections. You will be given approximately five minutes to present your oral argument.

Respectfully,


RONALD D. LEONHARDT
City Clerk

Enclosure



JAMES A. BOHL JR.
Alderman, 5th District

Date: January 25, 2012

To: All members of the Milwaukee Common Council

From: Licenses Committee

Re: Report on the Renewal Application of the Class "A" Fermented Malt Beverage Retailer's license of Jatinder Singh, Agent for Pick N Choose, Inc. for the premises at 1904 West State Street in the City and County of Milwaukee, Wisconsin ("Pick N Choose Grocery").

FINDINGS OF FACT

1. Jatinder Singh (hereinafter the "Licensee") is the holder of a Class "A" Fermented Malt Beverage Retailer's license for the premises at 1904 West State Street in the City and County of Milwaukee, Wisconsin ("Pick N Choose"). Said license expires at midnight, February 25, 2012.
2. An application to renew said license was filed with the Office of the City Clerk on December 9, 2011.
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 December 12, 2012, the Milwaukee Police Department responded with a police report which could form the basis for non-renewal or suspension of said license.
4. On January 12, 2012, 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 and neighborhood objections on January 23, 2012, commencing at 9:45 a.m. in Room 301B of City Hall, 200 East Wells Street, Milwaukee, Wisconsin 53202. At said date, time, and place, the licensee appeared and admitted receipt of the notice and police report. He was represented by Attorney Jeffrey Guerard.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:

A. On January 13, 2011 at 7:16 p.m., officers of the Milwaukee Police Department observed several subjects loitering at the door of the Pick N Choose Foods located at 1904 West State Street. As police approached the subjects went inside the store. One subject was observed going into the back food preparation area and act as if he was making a sandwich. Police spoke with this subject who stated he works there occasionally and he can serve food. Police conducted a pat-down search and located a 50 ml bottle of vodka. This subject was found to be underage. Police believed that illegal drugs may be on site and had an officer with a K-9 dog responded to the scene. Once the K-9 arrived, he alerted the officer to a bottom shelf of a metal food preparation table near where the subject had been standing. Found was a clear plastic sandwich bag that contained 9 knotted corner cuts of a green leafy plant-like material suspected of being marijuana. It was later tested at the district station and found to test positive to be marijuana. Also found in the store were expired dairy products. Police spoke to Jagat Jeet Randhawa who was the clerk on duty at the time and he was found to have an expired bartender's license. Randhawa stated that he did not realize it was expired. Randhawa was advised if he could not find someone who was licensed to sell alcohol he would have to close up the business for the night. The business then closed. On January 14, 2011, police returned and found Randhawa to be selling alcohol again without a license. The expired dairy products were also still found to be on shelves. Randhawa was cited as well as the licensee, Jatinder Singh for the expired dairy products on the floor for both days and responsible person on premise required. Jagat Jeet Randhawa was issued a citation for Class "D" operator's liquor license and found guilty on April 14, 2011 and fined \$200.00. Jatinder Singh was issued two citations for responsible person on premise and found guilty on the second citation and fined \$368.00 on August 10, 201. Jatinder Singh was issued two citations for rotate milk inventory/remove outdated and found guilty on the second citation and fined \$186.00 on July 29, 2011.

B. On February 16, 2011 at 6:03 p.m. officers of the Milwaukee Police Department observed three subjects loitering outside of the Pick N Choose at 1904 West State Street. The officers knew this store from previous investigations and arrests to be a place for illegal narcotics trafficking. As police drove by they observed a subject quickly enter the store as he continuously looked back at officers, which led officers to believe that he was attempting to avoid police contact. Police found the subject inside the store by the potato chip display and conducted a field interview on the subject. Offices found a single corner cut of a green plant material, which was found between the chip

display and the cooler. Police suspected the material to be marijuana. The subject was arrested and police spoke with the manager Raghbir Rana, Rana stated the subject was an employee of the store and works as a stocker and in the capacity of a butcher. Police also found several dairy products expired and displayed for sale and accessible to the public. The expired dairy product was pulled from the display and given to Rana. Rana was cited for the outdated dairy product. A check with the Municipal Court system could not locate the citation.

- C. There was aldermanic testimony of previous loitering and disorder problems at the premise.
- D. There was a lack of evidence offered by applicant that changes will be made to avoid future problems. The applicant testified that he was unaware of problems because he was not present at the store and that others were running the store for him when applicant was out of country. The committee finds that there is a significant threat of continued disorder and drug activity and the lack of responsive and effective management requires nonrenewal.

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 finds that the licensee, Jatinder Singh, Agent for "Pick N Choose, Inc.," has not met the criteria of Chapter 125, Wis. Stats. or Chapter 90 of the Milwaukee Code of Ordinances to allow renewal of the Class "A" Fermented Malt Beverage Retailer's license held by the licensee for the premises located at 1904 West State Street in the City and County of Milwaukee, Wisconsin ("Pick N Choose"). The Committee finds the police report and aldermanic objections as stated above to be true.
3. The Committee recommends that the full Common Council of the City of Milwaukee exercise its judgment to deny renewal of the Class "A" Fermented Malt Beverage Retailer's license for the licensed premises at 1904 West State Street in the City and County of Milwaukee, Wisconsin ("Pick N Choose") based upon the danger that the licensee's conduct and this premises poses to the health, safety, and welfare of the citizens of the City of Milwaukee.

RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of four (4) ayes and one (1) no, recommends

that the Class "A" Fermented Malt Beverage Retailer's license held by Jatinder Singh, Agent for "Pick N Choose, Inc.," for the premises at 1904 West State Street in the City and County of Milwaukee, Wisconsin ("Pick N Choose") not be renewed based on the police report and aldermanic objections.

Dated and signed at Milwaukee, Wisconsin this 25th day of January, 2012.



JAMES A. BOHL, Jr.
Chair, Licenses Committee

111005



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Office of the City Clerk

Ronald D. Leonhardt
City Clerk

Jim Owczarski
Deputy City Clerk

January 25, 2012

Saleh M. Salem, Agt.
Sal & Sal Group, LLC
4305 W. Tumble Creek Dr.
Franklin, WI 53132

Atty. Michael J. Whitcomb and
Atty. Michael A.I. Whitcomb
Whitcomb Law LLC
633 W. Wisconsin Ave., Suite 510
Milwaukee, WI 53203

Dear Mr. Salem, Atty. Whitcomb, and Atty. Whitcomb:

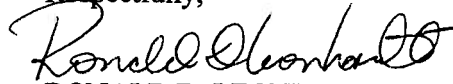
You are hereby notified that the Milwaukee Common Council will hold a hearing on Tuesday, February 7, 2012, commencing at 9:00 a.m., or as soon thereafter as this matter may be heard, in the Common Council chambers on the third floor of City Hall, 200 East Wells Street, Milwaukee, Wisconsin to consider whether to renew, renew with a suspension between 10 and 90 days, or not renew the Tavern Dance license for the premises at 430 S. 2nd St. ("Loft Ultra Lounge").

Attached you will find a copy of the Report of the Licenses Committee, which includes its Findings of Fact, Conclusions of Law and Recommendation, recommending to renew the Class B Tavern license and to not renew the Tavern Dance license based upon the police report and neighborhood testimony. The recommendation is the result of a public hearing before the Committee held on Monday, January 23, 2012.

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

You may file written objections to the report of the Licenses Committee. Your written objections must be filed with the City Clerk by 4:45 p.m. on Thursday, February 2, 2012 in Room 205 of City Hall. If you file written objections, you or a legal representative may then also appear at the Common Council to make oral arguments supporting your written objections. You will be given approximately five minutes to present your oral argument.

Respectfully,


RONALD D. LEONHARDT
City Clerk

Enclosure



JAMES A. BOHL JR.
Alderman, 5th District

Date: January 25, 2012

To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report of the Renewal Application of Saleh M. Salem, Agent for "Sal & Sal Group, LLC," for Class "B" Tavern and Tavern Dance licenses for the premises located at 430 South 2nd Street in the City and County of Milwaukee, Wisconsin ("Loft Ultra Lounge").

FINDINGS OF FACT

1. Saleh M. Salem (hereinafter the "Licensee") is the holder of Class "B" Tavern and Tavern Dance licenses for the premises located at 430 South 2nd Street in the City and County of Milwaukee, Wisconsin ("Loft Ultra Lounge"). Said licenses expire at midnight, February 25, 2011.
2. An application to renew said licenses was timely filed with the Office of the City Clerk on December 16, 2011.
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 December 19, 2011.
4. On January 13, 2012, the City Clerk's Office provided notice to the licensee pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes of the police report that could form the basis for nonrenewal or suspension and the 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 January 23, 2012 at 10:15 a.m. in Room 301B on the third floor of City Hall. At said date, time, and place the licensee did appear and admitted receipt of the notice, and he was represented by Attorney Michael J. Whitcomb.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:

- A. On November 7, 2010 at 1:06 a.m. officers of the Milwaukee Police Department on routine patrol observed a large group of subjects in front of Club Fuego. They also observed numerous vehicles illegally parked in front of the club, including the owner's auto, all of which were cited. There were numerous autos stopping in traffic creating a traffic jam and several subjects were dancing in the street and in nearby parking lots, screaming profanities and causing a disturbance. While police were on scene, there was an additional call for trouble with a subject at the club location. Club Fuego security also assisted with crowd dispersement. A total of five squads and one supervisor were on scene to clear the area.
- B. On January 30, 2011 at 1:17 a.m., officers of the Milwaukee Police Department were monitoring Club Fuego due to recent problems in the past few days. Police observed a large crowd exit Club Fuego with patrons walking in the street screaming and yelling, forcing squads to close traffic in both directions on South 2nd Street in front of the club. A total of seven squads and one supervisor were needed to clear the area. Police did not speak with the licensee of Club Fuego due to limited resources that night and the amount of squads that were on this particular assignment.
- C. On February 12, 2011 at 11:45 p.m., officers of the Milwaukee Police Department spoke with Saleh Salem who stated he was going to be closing early tonight because there were a lot of people inside the club. At 1:00 a.m., Club Fuego let everyone out all at once from the club. There were approximately 300 people leaving the bar at once. Police had to shut down traffic at South 2nd Street because autos could not get down the street due to people leaving the bar and walking in the street. Police observed Club Fuego security doing nothing to assist in moving the crowd. At 1:13 a.m., an officer observed people still inside the club standing and drinking in the club. Security was not asking people to leave. Officers spoke with Saleh Salem about his security and he stated they were doing their best at which only two security officers were observed trying to move the crowd. Some patrons were waiting for their jackets. Salem was advised that a report would be filed to which he responded it was not his fault or problem that the crowd wasn't moving outside. Ten squads were needed to restore order and were on scene for about 40 minutes. Five arrests were made for obstructing police and disorderly conduct.
- D. On March 5, 2011 at 2:55 a.m., officers of the Milwaukee Police Department were dispatched to 2nd and Virginia for a battery complaint. Police spoke with the victim who stated she was battered by Club Fuego security guards who refused to let her inside. The victim stated she left to pick up a friend and that they both returned to Club Fuego with her friend being allowed inside

but not her. She asked one of guards to let her in because she needed to use the bathroom but he refused and pushed her back. The victim stated it was at this time that security began kicking and punching her and that she began to defend herself and fight back. She then heard another guard say, "No, no. She's ok. She's been In here". The victim stated that her friend helped her up and that the owner yelled to her that that security guard would be fired. On March 6, 2011 at 1:30 a.m., police spoke with Saleh Salem who stated that he was there for the Incident and that the woman attempted to force her way into the club and that she had been kicked out earlier for disorderly behavior. Salem stated he observed her spitting and shouting at his security guards who were preventing her from re-entering the club. Police spoke with a security guard identified as George Willis who stated he did remember the incident and that she Was trying to force her way back in and that she was spitting and screaming at him. Willis admitted to physically pushing the victim out of the entranceway. Willis was issued a citation for assault and battery.

- E. On August 13, 2011 at 1:33 a.m., officers of the Milwaukee Police Department were dispatched to 430 South 2nd Street for a shots fired complaint that another squad called in with. A police sergeant observed 30-40 patrons exiting out from Club Fuego when some of these patrons got into a physical confrontation in the street. This fight was blocking traffic when the sergeant requested more squads. Shortly after, someone in the crowd fired a gun 6-7 times. The Sergeant informed the dispatcher and got a description of the actor from Club Fuego security. As squads responded, one observed the suspect and after a brief foot chase, took the suspect into custody. Police then discovered that the suspect had two gunshot wounds that were grazes on his upper right back and right arm. He was treated at a nearby hospital. When interviewed by a police detective, the subject stated he did not even know there was a fight outside and that he heard three gunshots and was running from the scene for safety. The subject stated he did not know he was shot until police stopped him and stated that he was under the influence of Ecstasy and alcohol. A gun was recovered inside a garbage can at 219 West Florida and was believed to be the gun used in this offense. Also recovered were shell casings. A report was filed.
- F. Cindy Miller, 410 South 3rd Street, Milwaukee, WI 53204 testified to witnessing loud club noise, littering, smashing of liquor bottles from patrons and being informed by her husband of seeing police tape in their backyard from the shots fired, which occurred on August 13, 2011.
- G. Ann Pogoresc, 414 South 2nd Street, Milwaukee, WI 53204, objected to the renewal of the dance license. She testified to witnessing constant police presence at the club, flashing lights, streets being closed at night, and peopled bloodied and carried to

their vehicles. She said she experienced these issues on a weekly basis under the previous business, Club Fuego. She testified that customers are turned away from her own business, Tony's Tavern, due to the activities of Club Fuego.

- H. Robert Weiss, 2430 Mayfair Drive, Brookfield, WI 53005 stated that he owns a restaurant called "Shakers," located at 422 South 2nd Street, which is next door to the club. Mr. Weiss testified to witnessing a client and business plan change at the club but felt there is not enough time to all for the change to yield positive results. Mr. Weiss also testified to having his front window broken from an altercation that stemmed from the club and that he accepted Mr. Salem's payment for the broken window.
- I. Robert Klemm, 524 South 2nd Street, Milwaukee, WI 53204, testified that he is the owner of Fuzion Café and Lounge at 524 South 2nd Street, which is near the licensed premise. He voiced concern that the licensed premises may revert back to the previous business plan of Club Fuego.
- J. Victor Ray of the Walker's Point Association, 1137 South 3rd Street, Milwaukee, WI 53204 testified, on behalf of the association, to meeting with Mr. Salem and residents on September 19, 2011 with the position to shut the club down. Mr. Ray added that Mr. Salem is trying to change the climate but old patrons are coming back. Mr. Ray requested that the committee issue a warning letter.
- K. Licensee, through counsel, agreed to amend his capacity to 200 persons.
- L. Attorney Michael A.I. Whitcomb testified that he represented the licensee early on before his son took over representation and said that he told Mr. Salem that he could reopen after the meeting with the Walker's Point Association. He stated that he was unable to contact the local alderman due to being out of town. He also added that prior to his assistance, the licensee did not have the skill-set to handle a high volume of customers and business activities at the club.
- M. Christina Limbach, 2260 North Summit Avenue, Milwaukee, WI 53203, testified that she is a V.I.P. server at the club. She testified to witnessing a business oriented clientele with patrons from ages 25 to 30 years old, no big crowds, and efforts to change the clientele from the previous operation.
- N. Alderman James Witkowiak, 12th Aldermanic District, testified in opposition to the license. He testified that Mr. Salem told him that the club was going to reasonably be turned into a restaurant and that the previous counsel, Atty. Michael A.I. Whitcomb, told him that the club would be shut down indefinitely and not

reopened. Alderman Witkowiak added that he opposed the license based upon the police report and neighborhood objections. He requested that the committee not renew the tavern dance license.

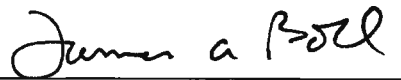
CONCLUSIONS OF LAW

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, Saleh M. Salem, Agent for "Sal & Sal Group, LLC," who holds Class "B" Tavern and Tavern Dance licenses for the premises located at 430 South 2nd Street in the City and County of Milwaukee, Wisconsin ("Loft Ultra Lounge") 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 the Tavern Dance license based upon the police report and neighborhood objections. The committee recommends the Class "B" Tavern license be renewed.
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 renew the Class "B" Tavern license and not renew the Tavern Dance license of Saleh M. Salem, Agent for "Sal & Sal Group, LLC," for the premises located at 430 South 2nd Street in the City and County of Milwaukee, Wisconsin ("Loft Ultra Lounge") based upon the police report 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 and two (2) noes, recommends that the Class "B" Tavern license be renewed and that the Tavern Dance license held by Saleh M. Salem, Agent for "Sal & Sal Group, LLC," for the premises located at 430 South 2nd Street in the City and County of Milwaukee, Wisconsin ("Loft Ultra Lounge") not be renewed based on the police report and neighborhood testimony.

Dated and signed at Milwaukee, Wisconsin this 25th day of January, 2012.



JAMES A. BOHL, Jr.
Chair, Licenses Committee

111005



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Office of the City Clerk

Ronald D. Leonhardt
City Clerk

Jim Owczarski
Deputy City Clerk

January 25, 2012

Nicole A. Guenther
7201 Elstead Ave.
Greendale, WI 53129

Dear Ms. Guenther:


You are hereby notified that the Milwaukee Common Council will hold a hearing on Tuesday, February 7, 2012, commencing at 9:00 a.m., or as soon thereafter as this matter may be heard, in the Common Council chambers on the third floor of City Hall, 200 East Wells Street, Milwaukee, Wisconsin to consider whether to renew, renew with a suspension between 10 and 90 days, or not renew your Class "D" Bartender's license.

Attached you will find a copy of the Report of the Licenses Committee, which includes its Findings of Fact, Conclusions of Law and Recommendation, recommending renewal of your license with a ten (10) day suspension based upon the police report. The recommendation is the result of a public hearing before the Committee held on Monday, January 23, 2012.

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

You may file written objections to the report of the Licenses Committee. Your written objections must be filed with the City Clerk by 4:45 p.m. on Thursday, February 2, 2012 in Room 205 of City Hall. If you file written objections, you or a legal representative may then also appear at the Common Council to make oral arguments supporting your written objections. You will be given approximately five minutes to present your oral argument.

Respectfully,


RONALD D. LEONHARDT
City Clerk

Enclosure



JAMES A. BOHL JR.
Alderman, 5th District

Date: January 25, 2012

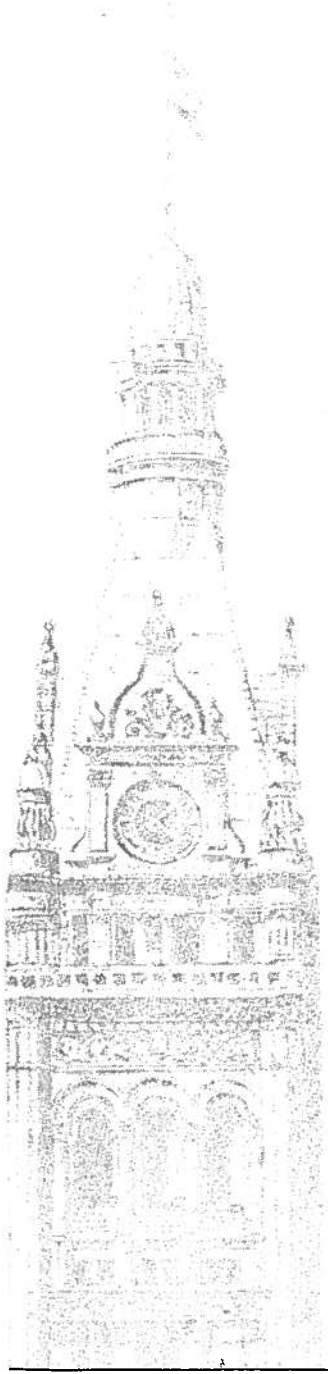
To: All Members of the Milwaukee Common Council

From: Licenses Committee

Re: Report on the Renewal Application of the Class "D" Bartender License of Nicole A. Guenther

FINDINGS OF FACT

1. Nicole A. Guenther (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, 2011.
2. An application to renew said license was filed with the Office of the City Clerk on October 9, 2011.
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 October 10, 2011, the Milwaukee Police Department responded with a police report that could form a basis for nonrenewal or suspension of said license.
4. On January 13, 2012 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 January 23, 2012, commencing at 1:30 p.m. in Room 301B of City Hall. At said date, time, and place, the licensee appeared and she 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 25, 2010, the licensee was convicted of blood alcohol content and her license was suspended for six months.
 - B. On March 25, 2011, the licensee was convicted of operating while intoxicated (second offense) in Milwaukee County Circuit Court and her license was revoked for 13 months.



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 on the above facts found, the Committee concludes that the licensee, Nicole A. Guenther, has not met the criteria of Chapter 125 of the Wisconsin Statutes or Chapter 90 of the Milwaukee Code of Ordinances to allow renewal of the Class "D" Bartender license without undergoing a ten (10) day suspension based upon the police report.
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 should exercise its discretion to renew the Class "D" Bartender license held by Nicole A. Guenther with a ten (10) day suspension based upon the police report.

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 ten (10) day suspension based upon the police report.

Said suspension is to be in effect from February 7, 2012 and for ten days thereafter.

Dated and signed at Milwaukee, Wisconsin this 25th day of January, 2012.



JAMES A. BOHL, Jr.
Chair, Licenses Committee

111005



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Office of the City Clerk

Ronald D. Leonhardt
City Clerk

Jim Owczarski
Deputy City Clerk

January 25, 2012

Gerardo M. Ramirez-Martinez
3047 S. 8th St.
Milwaukee, WI 53215

Dear Mr. Ramirez-Martinez:

You are hereby notified that the Milwaukee Common Council will hold a hearing on Tuesday, February 7, 2012, commencing at 9:00 a.m., or as soon thereafter as this matter may be heard, in the Common Council chambers on the third floor of City Hall, 200 East Wells Street, Milwaukee, Wisconsin to consider whether to renew, renew with a suspension between 10 and 90 days, or not renew your Class "D" Bartender's license.

Attached you will find a copy of the Report of the Licenses Committee, which includes its Findings of Fact, Conclusions of Law and Recommendation, recommending renewal of your license with a ten (10) day suspension based upon the police report. The recommendation is the result of a public hearing before the Committee held on Monday, January 23, 2012.

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

You may file written objections to the report of the Licenses Committee. Your written objections must be filed with the City Clerk by 4:45 p.m. on Thursday, February 2, 2012 in Room 205 of City Hall. If you file written objections, you or a legal representative may then also appear at the Common Council to make oral arguments supporting your written objections. You will be given approximately five minutes to present your oral argument.

Respectfully,

RONALD D. LEONHARDT
City Clerk

Enclosure



JAMES A. BOHL JR.
Alderman, 5th District

Date: January 25, 2012

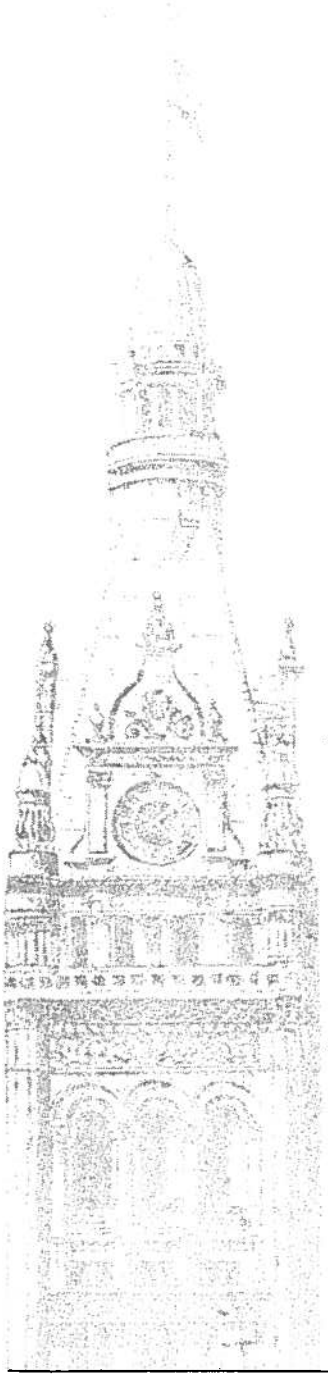
To: All Members of the Milwaukee Common Council

From: Licenses Committee

Re: Report on the Renewal Application of the Class "D" Bartender License of Gerardo M. Ramirez-Martinez

FINDINGS OF FACT

1. Gerardo M. Ramirez-Martinez (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, 2011.
2. An application to renew said license was untimely filed with the Office of the City Clerk on January 9, 2012.
3. Pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes, the matter was referred to the Milwaukee Police Department for investigation. On January 11, 2012, the Milwaukee Police Department responded with a police report that could form a basis for nonrenewal or suspension of said license.
4. On January 13, 2012, 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 January 23, 2012, commencing at 1:30 p.m. in Room 301B of City Hall. At said date, time, and place, the licensee appeared and he 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 January 1, 2012, the applicant was arrested for operating while intoxicated by Wisconsin State Patrol.



CONCLUSIONS OF LAW

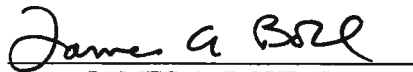
1. The Committee has jurisdiction to hold hearings and provide Findings of Fact, Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapter 125 of the Wisconsin Statutes and Chapter 90 of the Milwaukee Code of Ordinances.
2. Based on the above facts found, the Committee concludes that the licensee, Gerardo M. Ramirez-Martinez, has not met the criteria of Chapter 125 of the Wisconsin Statutes or Chapter 90 of the Milwaukee Code of Ordinances to allow renewal of the Class "D" Bartender license without undergoing a ten (10) day suspension based upon the police report.
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 should exercise its discretion to renew the Class "D" Bartender license held by Gerardo M. Ramirez-Martinez with a ten (10) day suspension based upon the police report.

RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of four (4) ayes and one (1) no, recommends that the Class "D" Bartender License be renewed with a ten (10) day suspension based upon the police report.

Said suspension is to be in effect from February 7, 2012 and for ten days thereafter.

Dated and signed at Milwaukee, Wisconsin this 25th day of January, 2012.



JAMES A. BOHL, Jr.
Chair, Licenses Committee

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