

**COMMITTEE ASSIGNMENTS**

**CHAIR**

- Licenses Committee

**VICE CHAIR**

- Zoning, Neighborhoods and Development



**MEMBER**

- Finance and Personnel Committee
- Library Board
- Neighborhood Improvement Development Corporation Board
- Special Joint Committee on the Redevelopment of Abandoned and Foreclosed Homes
- Steering and Rules Committee
- Wisconsin Center District Board

**MILELE A. COGGS**  
ALDERWOMAN, 6TH DISTRICT

June 7, 2021

To the Honorable, the Common Council

Honorable Members:

Common Council File Number 201608 contains the following recommendations:

Nonrenewal, based on the second nonappearance of the Class D Operator's license for Matthew Miller.

Nonrenewal, based on the police report, and aldermanic, applicant, and neighborhood testimony of the Class B Tavern, Food Dealer, and Public Entertainment Premises licenses for Gary Lieske for the premises located at 927 N 27th St. ("Gare-Bear's") in the 4th aldermanic district.

Respectfully,

A handwritten signature in black ink that reads "Milele A. Coggs".

Milele Coggs, Chair  
Licenses Committee

cc: All Council Members  
File 201608



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**MILELE A. COGGS**  
ALDERWOMAN, 6TH DISTRICT

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Date: June 4, 2021

To: All Members of the Milwaukee Common Council

From: Licenses Committee

Re: Report on the Renewal Application of the Class "D" Operator's License of Matthew J. Miller

### **FINDINGS OF FACT**

1. Matthew J. Miller hereinafter the "Licensee") is the holder of a Class "D" Operator's License in the City and County of Milwaukee, Wisconsin. Said license expired on December 31, 2020.
2. An application to renew said license was thereafter filed with the Office of the City Clerk.
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 police report that could form a basis for nonrenewal or suspension of said license.
4. On May 19, 2021 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 June 2, 2021 at 1:00 p.m. in Room 301B of City Hall. At said date, time and place, the Licensee appeared at the hearing and admitted receipt of the notice of hearing.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
  - A. A notice of the hearing as well as a copy of the police report was sent to Matthew J. Miller, 2618 North Stowell Avenue, Milwaukee, WI 53211 on May 19, 2021 by U.S. prepaid first-class mail in an envelope bearing the return address of the License Division. The address of 2618 N Stowell Avenue, Milwaukee, WI 53211 is the address given by the Licensee on his application. The envelope was not returned to the License Division by the United States Postal Service. The Licensee appeared at the hearing on June 2, 2021 at 1:00 p.m.



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## CONCLUSIONS OF LAW

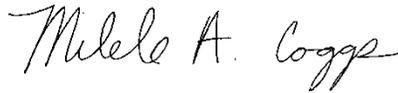
1. The Committee has jurisdiction to hold hearings and provide Findings of Fact, Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapter 125 of the Wisconsin Statutes and Chapter 90 of the Milwaukee Code of Ordinances.
2. Based on the above facts found, the Committee concludes that the Licensee, Matthew J. Miller 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" Operator's license based upon their second nonappearance.
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 not renew the Class "D" Operator's license held by Matthew J. Miller based upon their second nonappearance.

## RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of **four (4) ayes, and zero (0) noes** recommends that the Class "D" Operator's License of Matthew J. Miller not be renewed based upon their second nonappearance.

Said nonrenewal is effective June 15, 2021.

Dated and signed at Milwaukee, Wisconsin this 4th day of June, 2021.



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MILELE A. COGGS  
Chair, Licenses Committee

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- Licenses Committee

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### **MEMBER**

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- Wisconsin Center District Board

**MILELE A. COGGS**  
ALDERWOMAN, 6TH DISTRICT

Date: June 4, 2021

To: All Members of the Milwaukee Common Council

From: Licenses Committee

Re: Report of the Renewal Application of the Class "B" Tavern, Food Dealer, and Public Entertainment Premises (PEP) Licenses of Gary Lieske, for the premises located at 927 N 27th Street in the City and County of Milwaukee, Wisconsin ("Gare-Bear's").

### **FINDINGS OF FACT**

1. Gary Lieske (hereinafter "the Licensee") is the holder of Class "B" Tavern, Food Dealer, and PEP Licenses for the premises located at 927 N 27th Street in the City and County of Milwaukee, Wisconsin ("Gare-Bear's"). Said licenses expire at midnight on July 6, 2021.
2. An application to renew said licenses was filed with the Office of the City Clerk on May 13, 2021.
3. Pursuant to Chapters 68, 82, 85, 90, and 108 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes, the matter was referred to the Milwaukee Police Department for investigation. On May 17, 2021, the Milwaukee Police Department responded with a report that could form the basis for nonrenewal of said licenses.
4. On May 20, 2021, the City Clerk's Office provided timely notice to the Licensee pursuant to Chapters 68, 82, 85, 90, and 108 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes of the neighborhood objections. The matter was scheduled for a hearing on the objections on June 2, 2021, commencing at approximately 10:20 a.m. in Room 301-B of the third floor of City Hall. At said date, time and place, the Licensee appeared and admitted receipt of the notice of hearing, together with a copy of the Milwaukee Police report.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:



- A. On October 21, 2020 at 10:54pm, officers were flagged down by the bartender of Gare Bears, 927 N. 27<sup>th</sup> St. Officers were advised a subject had entered the bar armed with a pellet rifle, causing customers to fear for their safety. The bartender advised the subject multiple times to leave the bar, however the subject refused. The bartender then began hitting the rifle with a Louisville Slugger bat until the subject dropped it. The subject was conveyed to the hospital for a small laceration to his finger and subsequently arrested for Disorderly Conduct while Armed. No violations were found and the business was cooperative.
- B. On December 27, 2020 at 11:35pm, officers were dispatched to a Subject with Gun complaint at Gare Bears, 927 N. 27<sup>th</sup> St. Officers were advised a subject became upset inside the bar and made statements to shoot up the bar. The subject was then asked to leave the bar and the employee locked the door so the subject could not re-enter. The subject then began throwing objects at the door and windows. The subject was issued a citation for the violation. No violations were found and the employee was cooperative.
- C. On December 29, 2020 at 7:59pm, officers were dispatched to an Entry at Gare Bears, 927 N. 27<sup>th</sup> St. Officers were advised by the employee a patron entered the bar causing a disturbance, therefore was kicked out and the door was locked to prevent re-entry. The subject then threw a garbage can at the door and attempted to get back in. Officers checked the area, however, were unable to locate the subject. No violations were found and employees were cooperative.
- D. The Licensee stated most of this stuff is happening from the sidewalk and everyone has guns now. He added that everyone has been cooperative, he now has security seven days a week, and he also closes earlier. He stated that he's at the end of his time and he's ready to sell. He added that he just wants to continue his business until he can sell it, and he's trying to make it all work. He stated that he's been there for 38 years and drugs and prostitution has always been an issue. He added that they moved the people across the street so now they are Wendy's problem to deal with, but it doesn't cure the issues on 27th Street. He stated that his bartenders spend more time on the sidewalk than they do selling drinks. He added that the park has always been an issue with people having barbeques, sleeping, and washing their behinds with the water tank. He stated that Family Dollar has poor management and that's not his problem. He added that he is trying to cooperate with the neighborhood.

***Individual also present:***

- E. Ald. Bauman stated he is concerned about the neighborhood park because the City asked Neighborhood House to manage the park and it has now become a negative experience instead of an amenity for families and children. He added that the goal has been eviscerated because of the people loitering, smoking, and bathing in the public space. He stated that not all of the disorder is associated with the premises, but a large portion is and has been for some time. He added that there is a significant police record, including a homicide two cycles ago, and he does not think it should be tolerated anymore. He stated that there were two hearings for Family Dollar across street, in which their main defense was that all of the problems were coming from tavern. He added that the applicant repeatedly indicated that he is not interested in solving the issues in the neighborhood, based on his comments blaming Wendy's, Family Dollar, and the park for the issues surrounding the establishment. Ald. Bauman noted that there are other businesses in the surrounding areas that do not have nearly this level of problems, in part because they do not serve alcohol. He recommends nonrenewal based on the applicant's comments about how these nuisance activities are not his problem.

***Individuals present in opposition:***

- F. Gale Johnson 426 N 35th Street stated they're trying to build the neighborhood up and there are too many places to buy liquor. She added that her neighborhood needs to stay safe and there are more people in the streets. She stated that there is too much stuff going on to have a neighborhood bar, like drug activity and prostitution.
- G. Keith Stanley Executive Director of the Near West Side Partners stated there have been challenges with the premises and other organizations in the neighborhood have struggled with the problems caused by the premises. He added that there are issues with loitering and he hopes it will be better next year. He stated that when there are new owners he hopes to work with them. He added that there are issues with the premises and he wants to make sure there's a plan to address the issues and make improvements.
- H. Jeff Martinka Executive Director of the Neighborhood House of Milwaukee stated the patrons congregate on 27th Street in front of the bar drinking and smoking, so it is hard to have the garden park as an amenity for residents. He added that he has talked with the applicant and his staff and he would like the employees to better police their patrons. He stated that they had to start locking the park because of the behaviors of the patrons. He added that they spent \$45,000 to improve the park for residents. He stated that they used to have benches, tables, and a water collection system that had to be removed because they were being misused. He added that he would like the patrons to stay inside the bar and should leave their containers inside the bar instead of littering on the street. He stated that not everyone causing problems in the park are patrons of the premises, but some of them are patrons.

- I. Ald. Kovac noted that when the hearing started, he was leaning against non-renewal, however, the applicant's testimony showed that he was not committed to resolving the problems surrounding the establishment. He also noted that he was troubled by the applicant's repeated statements that the issues in the neighborhood were the fault of every business except his. He no longer had confidence in the applicant's ability to successfully run the business in a manner that benefited the surrounding neighborhood.
- J. Ald. Kovac moved nonrenewal of the based on the police report, and applicant, neighborhood, and aldermanic testimony. (Prevailed 3-1, Ald. Coggs voting no)

### **CONCLUSIONS OF LAW**

1. The Committee has jurisdiction to hold hearings and provided Findings of Fact and Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapters 68, 82 85, 90, and 108 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concludes that the Licensee, Gary Lieske who holds Class B Tavern, Food Dealer, and Public Entertainment Premise (PEP) licenses for the premise located at 927 N 27th Street in the City and County of Milwaukee, Wisconsin ("Gare-Bear's") has not met the criteria of Chapters 68, 82, 85, 90, and 108 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes to not renew the Class B Tavern, Food Dealer and Public Entertainment Premises licenses. The Committee finds the police report and, neighborhood and aldermanic objections as stated above to be true. The Committee based its recommendation on the police report, and neighborhood, aldermanic, and applicant testimony.
3. In order to protect the health, safety and welfare of the citizens of the City of Milwaukee, it is the recommendation of the Licenses Committee that the full Common Council of the City of Milwaukee should exercise its judgment to not renew the Class B Tavern, Food Dealer and Public Entertainment Premise (PEP) licenses based on the police report, and neighborhood, aldermanic, and applicant testimony for the premises located at 927 N 27th Street in the City and County of Milwaukee, Wisconsin ("Gare-Bear's"). The Committee based its recommendation on the police report, and neighborhood, aldermanic, and applicant testimony.

### **RECOMMENDATION**

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of **three (3) ayes, one (1) noes, and one (1) excused**, recommends that the Class "B" Tavern and Public Entertainment Premises (PEP) Licenses of Gary Lieske for the premises located at 927 N 27th Street ("Gare-Bear's") in the City and County of Milwaukee, Wisconsin not be renewed.

Said nonrenewal is in effect beginning 12:01 a.m. on July 7, 2021.

Dated and signed at Milwaukee, Wisconsin this 4th day of June, 2021.

*Milele A. Coggs*

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MILELE A. COGGS  
Chair, Licenses Committee