



JAMES A. BOHL JR.
Alderman, 5th District

November 24, 2003

To the Honorable, the Common Council

Dear Members:

Re: Common Council File 030593

Attached are written objections to the recommendation of the Utilities and Licenses Committee to grant, with a 10-day suspension based upon the police report, the Class "B" Tavern renewal application of Mirtha Romero-Perez for "La Bachata Bar" at 625 S. 6th St. in the 12th Aldermanic District.

This matter will be heard by the full Council at its November 25, 2003 meeting. Pursuant to City Ordinances, a roll call vote will be taken to confirm that all members have read the attached objections.

Respectfully,

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

James A. Bohl, Chair
Utilities and Licenses Committee

cc: All Council Members
City Attorney's Office
Common Council/City Clerk – License Division
Milwaukee Police Department – License Investigation
CCF 030593

VELEZ MORENO & VARGAS LLC

1336 South 11th Street Milwaukee, WI 53204
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FACSIMILE TRANSMITTAL SHEET

TO: City Clerk	FROM: Atty. Ronnie Vargas
COMPANY: City Hall	DATE: Nov. 24, 2003
FAX NUMBER: 286-3456	TOTAL NO. OF PAGES INCLUDING COVER: 5
PHONE NUMBER:	SENDER'S REFERENCE NUMBER: (414) 383-2480
RE: Mirtha Romero-Perez	YOUR REFERENCE NUMBER:

URGENT FOR REVIEW PLEASE COMMENT PLEASE REPLY

NOTES/COMMENTS:

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ANDRES VELEZ & RONNIE VARGAS - ATTORNEYS / ABOGADOS

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November 20, 2003

City Clerk
City of Milwaukee
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200 East Wells Street
Milwaukee, WI 53202-3567

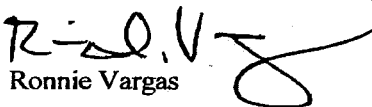
RE: Written objections regarding the Findings of Facts, Conclusion of Law &
Recommendation for the renewal application of Licensee
Re: Mirtha Romero-Perez

Dear City Clerk:

Cordial greetings to you. Attached to this letter please find a copy of a written objection to the report in the above captioned matter. The Milwaukee Common Council is scheduled to hear this matter on November 25, 2003 at 9:00am.

If there are any objections, please contact my office immediately. Thank you for your attention in this matter.

Sincerely


Ronnie Vargas

Attorney at Law

Encl/Cc

Mirtha Romero-Perez

RONNIE VARGAS - ATTORNEY/ABOGADO

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1336 South 11th Street Milwaukee, WI 53204

(414)-383-2480 FAX (414)383-2582

Date: November 20, 2003

To: All members of the Milwaukee Common Council

From: Atty. Ronnie Vargas representing Mirtha M. Romero (hereinafter the "licensee").

Re: Written objection regarding the Findings of Fact, Conclusions of Law & Recommendation for the renewal application of Licensee

This memorandum sets forth the written objections to the 11/11 /03 Report of the Utilities & Licensing Committee regarding the renewal application for Mirtha Romero-Perez, as agent for La Bachata Bar for a Class "B" Tavern license for the premises located at 625 S. 6th Street in the City and County of Milwaukee, WI.

In addition to considering these written objections, applicant respectfully requests the opportunity to address the Common Council to present an oral argument on the issues discussed below.

I. THE U&L COMMITTEE'S RECOMMENDATION OF A TEN DAY LICENSE SUSPENSION IS UNDULY HARSH IN LIGHT OF THE EVIDENCE

1. Licensee stipulates to the Findings, paragraphs 1,2,3,4.
2. With regards to paragraph 5(A) of the Findings, on February 6, 2002, Licensee went to the District 2 police stating that there was a disorderly individual in her tavern "La Bachata Bar", located at 625 S. 6th St., Milwaukee, WI. She asked her spouse, Jesus Reynoso de la Cruz, who was bartending under Licensee'e supervision at the time, to remove the disorderly individual. Mr. Reynoso refused and Licensee went to District 2. Licensee returned to the tavern and noticed that the disorderly individual was no longer there.
3. On February 7, 2002 Licensee and Mr. Reynoso opened the tavern together. During the course of the business day, Licensee was buying supplies and running other errands and failed to inform Mr. Reynoso that she was leaving the premises to run errands for the tavern. During one of her errands, the police conducted a license check at the tavern. Mr.

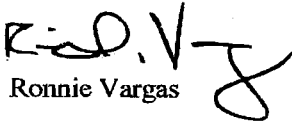
RONNIE VARGAS - ATTORNEY/ABOGADO

Reynoso was the only one there. He did not have a Class "D" bartender's license and there was no other properly licensed individual in the tavern. Licensee was charged with no responsible person upon a licensed premises. Licensee pleaded no contest to said charge and fined \$339.00. Mr. Reynoso was charged with Class "D" bartender's license required Mr. Reynoso pleaded no contest and was fined \$339.00.

4. Since February 7, 2002, Licensee has hired two (2) properly licensed Class "D" bartenders, one full time, one part time to avoid the above problems related in the above paragraph. With regards to the problems mentioned in paragraph 2, Licensee has hired full time security to deal with disorderly individuals. Since security has been hired, there have ben no other such incidents in over nineteen (19) months.
5. Licensee stipulates to paragraph 5(B) of the Findings. However licensee notes that the police report indicated that the female was standing outside of the tavern, not inside. That once she made out the police, she entered the tavern in the apparent hopes of alluding the police. Nothing in the report indicated that there was any drug dealing activity going on in the tavern. No other individual(s) inside of the tavern were found to be in possession of cocaine and the licensee was not ticketed by the police. On the contrary, Licensee was cooperative with the police. Eleven (11) months have passed and there have been no drug related arrests at the tavern
6. Licensee stipulates to paragraph 5(c) of the Findings. As Licensee explained at the November 11th hearing in front of the Utilities and Licenses Committee, there were drinking aged individuals in the tavern who would let in minor(s) into the tavern via the backdoor. Upon receiving a Municipal citation for presence of a minor prohibited, Licensee hired extra security to watch the back door of the tavern and no other similiar incidents have transpired. Licensee pleaded no contest to the above mentioned Municipal charge and was fined \$150.00. One (1) year has passed since said incident and Licensee has not been since ticketed for the same violation
7. Licensee stipulates to paragraph 5(D) of the Findings.
8. The Committee voted to renew Licensee's Class "B" tavern license with a ten (10) day suspension.
9. Whereby, Licensee hereby respectfully requests that the Common Council carefully consider the above mentioned facts and measures Licensee has taken to correct the above mentioned problems, that the Common Council carefully consider that Licensee contributes to the surrounding community via donations and sponsorships to little baseball teams, organizing billiard and domino leagues and the fact that there have been absolutely no complaints from fellow neighbors regarding the tavern in the three (3) plus years the tavern has been operating.

10. Whereby, Licensee hereby respectfully requests that the Common Council renew Licensee's Class "B" tavern license without the ten (10) suspension.

Sincerely,


Ronnie Vargas

Attorney for Licensee