



JAMES A. BOHL JR.
Alderman, 5th District

June 12, 2003

To the Honorable, the Common Council

Dear Members:

Re: Common Council File 021402

Recommendation of nonrenewal based upon nonappearance of the Class "D" bartender application of Steven Radovich.
(Committee vote: Ayes: 4, Noes: 0).

Recommendation of renewal with a 15-day suspension based upon police report and neighborhood objections of the Class "B" Tavern and Tavern Amusement (Cabaret/Nite Club) renewal application of Joel Klamann for the premises at 4928 W. Vliet St. ("O'Briens") in the 16th Aldermanic District (Committee vote: Ayes: 3, Noes: 1).

Recommendation of renewal with a 20-day suspension based upon police report and neighborhood objections to the Public Dance Hall renewal application of James Harrison for the premises at 7427 W. Bradley Rd. ("Café H2O) in the 9th Aldermanic District (Committee vote: Ayes: 3, Noes: 1)

Recommendation of renewal with a 20-day suspension based upon police report and neighborhood objections of the Class "B" Tavern and Tavern Dance renewal applications of Olayinka George for the premises at 5318 W. Center St. ("Stepping Up Lounge") in the 7th Aldermanic District. (Committee vote: Ayes: 2, Noes: 1, Excused: 1).

With regard to the items listed above, the Utilities and Licenses Committee held evidentiary hearings on June 9 and 10, 2003.

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

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

These matters have been scheduled for a hearing before the full Common Council at its meeting on Tuesday, **June 24th, 2003** at 9:00 A.M. in the Common Council Chambers.

Respectfully,

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

cc: City Attorney's Office
Common Council/City Clerk - License Division
Milwaukee Police Department- License Investigation Unit
All Council Members
File No. 021402



JAMES A. BOHL JR.
Alderman, 5th District

Date: June 12, 2003
To: All Members of the Milwaukee Common Council
From: Utilities and Licenses Committee
Re: Report on the Renewal Application of the Class "D" Bartender License of Steven Radovich

FINDINGS OF FACT

1. Steven Radovich (hereinafter the "Licensee") is the holder of a Class "D" Bartender License in the City and County of Milwaukee, Wisconsin. Said license expired at midnight, December 31, 2002.
2. An application to renew said license was untimely filed with the Office of the City Clerk on May 27, 2003.
3. Pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes, the matter was referred to the Milwaukee Police Department for investigation. On May 29, 2003, the Milwaukee Police Department responded with a police report that could form a basis for non-renewal or suspension of said license.
4. On May 30, 2003, the City Clerk's Office provided timely notice to the Licensee pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes of the report of the Milwaukee Police Department and included therewith a copy of the Milwaukee Police Department report. The matter was scheduled for a hearing on the Police Department report on June 10, 2003, commencing at 9:30 a.m. in Room 301B of City Hall. At said date, time and place, the Licensee failed to appear.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:

- A. Notice of the hearing as well as a copy of the police report was sent to Steven Radovich at 8803 West Waterford, Greenfield, WI 53228 on May 30, 2003 by U.S. prepaid first-class mail in an envelope bearing the return address of the License Division. The address of 8803 West Waterford, Greenfield, WI 53228 is the address given by the applicant on his application. The envelope was not returned to the License Division by the United States Postal Service. The licensee failed to appear at the hearing on June 11, 2003.

CONCLUSIONS OF LAW

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

RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of four (4) ayes to zero (0) noes, recommends that the Class "D" Bartender License not be renewed based on non-appearance.

Dated and signed at Milwaukee, Wisconsin this 12th day of June, 2003.



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



JAMES A. BOHL JR.
Alderman, 5th District

Date: June 12, 2003

To: All Members of the Milwaukee Common Council

From: The Utilities and Licenses Committee

Re: Report of the Renewal Application of Joel J. Klamann, as agent for "PTP Enterprises, Inc." for a Class "B" Tavern and Tavern Amusement (Cabaret/Nite Club) license for the premises located at 4928 West Vliet Street in the City and County of Milwaukee, Wisconsin ("O'Briens").

FINDINGS OF FACT

1. Joel J. Klamann (hereinafter the "Licensee") is the agent for "PTP Enterprises, Inc." doing business at 4928 West Vliet Street in the City and County of Milwaukee, Wisconsin ("O'Briens"). Said license expires at midnight, July 23, 2003.
2. An application to renew said license was filed with the Office of the City Clerk on May 12, 2003.
3. Pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes, the matter was referred to the Milwaukee Police Department for investigation. There was a Milwaukee Police Department report dated May 23, 2003, which could form the basis for nonrenewal or suspension of this license. There were neighborhood objections to loitering, littering, loud music and noise (patrons after hours), traffic and parking problems, and conduct which is detrimental to the health, safety and welfare of the neighborhood.
4. On May 29, 2003, the City Clerk's Office provided timely notice to the Licensee, pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes of the police report that could form the basis for suspension or non-renewal of the licenses of the Licensee. The matter was scheduled for a hearing on the police report and neighborhood objections on June 9, 2003 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 was represented by Attorney E.J. Hunt, 316 North Milwaukee Street, Suite 317, Milwaukee, WI 53202 and admitted to 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. On 5/8/2003 the Milwaukee Police Department received information concerning the licensed premises at 4928 West Vliet Street ("O'Briens") operating after legal closing hours. The investigation determined that on Thursday, April 17, 2003 at approximately 2:30 a.m. and on Thursday, April 24, 2003 at approximately 2:20 a.m. the premises was operating after hours with patrons consuming alcoholic beverages. During these violations, it was unclear if the licensee was present during these violations, because the licensee, Joel J. Klamann, declined to answer questions on advise of legal counsel. Based on the lack of cooperation from the licensee, it was determined that there was one bartender on duty on both these dates and one person acting as a bartender without a valid Class "D" bartender's license. The licensee was issued a citation for patrons after hours (licensee responsibility), 7 counts for the first date and a second citation for patrons after hours (licensee responsibility), 3 counts concerning the date of April 24, 2003. The bartender was issued a citation for Class "B" tavern patrons after hours and the person acting as a bartender without a Class "D" bartender license was issued a citation for Class "D" bartender operator's license requi red. This matter is pending review in Municipal Court for the City of Milwaukee on Wednesday, July 16, 2003 at 9:15. a.m.
 - B. Contingent upon the receipt of a notarized affidavit by no later than June 24, 2003, the committee received into evidence a videotape provided by television station WTMJ showing activities within the licensed premises at 4928 West Vliet ("O'Briens") showing that on April 10, 17, 24 and May 1, 2003 the premise was open and serving alcoholic patrons beyond the 2:00 a.m. closing time required by ordinance.

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, Joel J. Klamann, as agent for "PTP Enterprises, Inc." doing business as "O'Briens" at 4928 West Vliet Street has not met the criteria of Chapter 90 of the Milwaukee Code of Ordinances to allow renewal of his Class "B" Tavern and Tavern Amusement (Cabaret/Nite Club) license without undergoing a fifteen (15)

day suspension. The Committee finds the police report and neighborhood objections to be true.

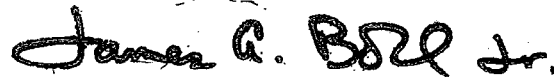
3. In order to protect the health, safety and welfare of the citizens of the City of Milwaukee, it is the recommendation of the Utilities and Licenses Committee that the full Common Council of the City of Milwaukee should exercise its judgment to renew the Class "B" Tavern and Tavern Amusement (Cabaret/Nite Club) license of Joel J. Klamann, as agent for "PTO Enterprises, Inc." for the premise located at 4928 West Vliet Street ("O'Briens") with a fifteen (15) 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 one (1) noes recommends that the Class "B" Tavern and Tavern Amusement (Cabaret/Nite Club) license held by Joel J. Klamann as agent for "PTP Enterprises, Inc." be renewed with a fifteen (15) day suspension.

Said suspension is to be in effect from midnight, July 23, 2003 through midnight, August 7, 2003.

Dated and signed at Milwaukee, Wisconsin this 12th day of June, 2003.



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

68701



JAMES A. BOHL JR.

Alderman, 5th District

Date: June 12, 2003

To: All Members of the Milwaukee Common Council

From: The Utilities and Licenses Committee

Re: Report of the Renewal Application of James J. Harrison, as agent for "Teen USA, LLC" for a public dance hall license for the premises located at 7427 West Bradley Road in the City and County of Milwaukee, Wisconsin ("Café H2O ").

FINDINGS OF FACT

1. James J. Harrison (hereinafter the "Licensee") is the agent for "Teen USA, LLC" doing business at 7427 West Bradley Road in the City and County of Milwaukee, Wisconsin ("Café H2O "). Said license expires at midnight, June 30, 2003.
2. An application to renew said license was filed with the Office of the City Clerk on May 12, 2003.
3. Pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes, the matter was referred to the Milwaukee Police Department for investigation. There was a Milwaukee Police Department report dated May 16, 2003, which could form the basis for nonrenewal or suspension of this license. There were neighborhood objections to parking and traffic problems, including speeding, cruising and loud car stereos as well as litter, vandalism, public urination, noisy patrons and after hours, gunshots, and conduct which is detrimental to the health, safety and welfare of the neighborhood.
4. On May 29, 2003, the City Clerk's Office provided timely notice to the Licensee, pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes of the police report that could form the basis for suspension or non-renewal of the licenses of the Licensee. The matter was scheduled for a hearing on the neighborhood objections on June 9, 2003 at 10:00 a.m. in Room 301B of the third floor of City Hall. At said date, time and place the licensee appeared at the hearing and was represented by Attorney Marjorie S. Stewart, 250 East Wisconsin Avenue, Milwaukee, WI 53202 and admitted to 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. On 8/05/2002 Milwaukee Police Department officers were dispatched to a noise nuisance complaint at 7800 W. Bradley Rd. The investigation revealed that the complainant was woken at 1:15 AM when she heard a loud thumping noise. The complaint related that she got out of bed, walked to the end of her drive way and observed that the noise was coming from Cafe H2O at 7427 W. Bradley Rd, approximately 4 blocks away. She also observed cars racing around the area and car horns, sirens and bullhorns coming from the club parking lot. The sirens were not from police or emergency vehicles. A second complainant who lives at 8104 W. Bradley Rd also related that he had heard loud noise coming from the club on the night before and that he had walked to the club to confirm that the noise was coming from the club. The licensee was on the scene. The licensee was charged with Noise Nuisances which is pending for 6/5/03.
 - B. On 8/12/2002 at 12:30 AM Milwaukee Police Department officers were dispatched to 7800 W. Bradley Rd. regarding a loud music complaint. Officers observed the loud music both in the complainant's yard and in the house, where officers observed a window vibrating from the noise. Officers then went to the location where the noise was coming from, Cafe H2O at 7427 W. Bradley Rd. Officers observed two doors open and several patrons outside. The licensee related that the air conditioning had not been installed yet and the doors were open to allow cool air in. The licensee was on the scene. The licensee was charged with Noise Nuisances which was dismissed on 6/5/03.
 - C. On 08/18/2002 at 12:10 AM Milwaukee Police Department officers were dispatched to check the welfare of a citizen at a club at N. 76th and W. Bradley Rd. Upon arrival officers observed some of the club's security personnel fighting with patrons in the parking lot of Cafe H2O, 7427 W Bradley Rd. Investigation revealed that a fight had broken out inside the club. Security personnel escorted the combatants outside; however, once outside, the security personnel became involved in the fight themselves. This fight continued until officers arrived. A large crowd of patrons from the club gathered. Additional officers were summoned. The crowd moved across the street to another parking lot, where additional arrests were made and handguns were recovered from two individuals. The licensee was on the scene. An incident report was filed.
 - D. On 8/24/2002 at 11:04 PM Milwaukee Police Department officers were dispatched to Club H2O, 7427 W. Bradley Rd. to meet Squad 4, Sgt. Craig Henry and City of Milwaukee Alderman Donald Richards regarding loud music coming from the club. Earlier in the evening Sgt. Henry interviewed a complainant at 7800 W. Bradley Rd. regarding the loud noise. Upon

arrival at the club, officers observed that a window in the building had been smashed out and was covered with plywood. Officers also observed that the windows east of the boarded up window were vibrating from the noise. Officers were met by security personnel who related that they were in the process of escorting out people who had been involved in a fight in the club. Five patrons were escorted out and ordered to leave. The licensee was on the scene and was requested to turn the music down on several occasions. Officers remained on the scene to monitor the situation. About 30 minutes after Sgt. Henry and Alderman Richards left, the loud noise started again. Again the licensee was told to turn the music down. While there, officers learned of another fight in the club. Several patrons were removed from the club. One was arrested for disorderly conduct. While still on the scene officers also observed the parking lot at 8010 N. 76th St., a hardware store's lot which Cafe H2O leases. There was a large crowd of patrons who had attempted to get into the club but were turned away. That crowd was observed getting into autos and cruising up and down N. 76th St and W. Bradley Rd. Finally at 1:10 AM, officers were ordered to close the club down. After the club was closed a large crowd of patrons started cruising in the area, causing traffic problems until 4:00 AM. The licensee was on the scene. The licensee was charged with Noise Nuisances (2 counts) which were dismissed on 6/5/03.

- E. On 9/01/2002 at 10:04 PM Milwaukee Police Department officers were dispatched to Cafe H2O, 7427 W. Bradley Rd. regarding loud music. Officers heard loud music as far away as 1,338 feet, as measured by a LTI Speed/Distance Laser Gun. The licensee was informed of the complaint and cited. Officers remained on the scene to monitor the crowd. While there, officers observed the front window still boarded up and the east windows vibrating from the loud noise. Officers also observed people loitering in the area waiting to be allowed into the club. The licensee was on the scene. The licensee was charged with Noise Nuisances which was dismissed on 6/5/03.
- F. On 10/05/2002 at 1:09 AM Milwaukee Police Department officers were dispatched to a noise nuisance complaint at 7800 W. Bradley Rd. Upon arrival officers heard loud music in the complainant's yard that was coming from Cafe H2O, 7427 W. Bradley Rd. Officers spoke to the license James J. Harrison and the "owner" James 'Sonny' Harrison. Officers observed the doors were open and were informed that there had been an earlier incident in which someone discharged Oleoresin Capsicum (O.C.) in the club. The licensee was on the scene. The licensee was cited for Door Open (90-27-2), which was not issued by the City Attorney's Office. An incident report was filed.
- G. On 11/10/2002 at 1:00 AM Milwaukee Police Department officers were in the area of Café H2O, 7427 W. Bradley Rd. regarding cruising

complaints. Officers heard loud music coming from the club. Officers checked the premises and discovered an underage person in violation of the curfew ordinance. That person was arrested and a second person was cited for obstructing after refusing to leave. The licensee was on the premises. The licensee was cited for the loud music which was dismissed on 6/5/03.

- H. On 12/14/2002 at 12:25 AM Milwaukee Police Department officers were dispatched to 7800 W. Bradley Rd. regarding loud noise. Officers heard loud noises coming from Café H2O, 7427 W. Bradley Rd., about two blocks away from both outside and inside the complainant's home. The licensee was on the scene. The licensee was charged with noise nuisances, which was not issued.
- I. On 12/28/2002 at 11:45 PM Milwaukee Police Department officers did a lawful inspection of Café H2O, 7427 W. Bradley Rd. Officer heard loud music coming from the club from 199 feet away, as measured by a LTI Speed/Distance measuring device. The licensee was on the scene. The licensee was charged with noise nuisances and found guilty on 6/4/03.
- J. On 1/27/2003 at 11:06 AM Milwaukee Police Department officers were sent to investigate a property damage complaint at Café H2O at 7427 W. Bradley Rd. The officers discovered several bullet holes to the property. Bullet casings were found outside in the parking lot. James J Harrison stated that when he left the business at 12:30 a.m. and everything was fine. An anonymous complainant discovered the bullet holes.
- K. On 5/11/2003 at about 12:40 AM, Milwaukee Police Department officers responded to a report of a fight at the rear of the licensed premises at 7427 West Bradley Road (Café H2O). Upon their arrival, officers found that security personnel were detaining two subjects for causing a disturbance. The licensee informed the officers that these two individuals were inside the club and were flashing "gang signs," which is not permitted. These individuals were then told to leave and as they were being escorted from the premises they became profane and threatening toward security and then refused to leave, causing a scuffle to ensue with security who then detained them for police. One individual had to be physically restrained by police officers. Both individuals were taken into custody and cited for disorderly conduct and resisting an officer. One individual alleged he was pepper sprayed by an unknown person, an allegation that could not be substantiated.
- L. On 6/8/2003 at about 2:19 AM, a Milwaukee Police Department officer was dispatched to St. Michael's Hospital to investigate a battery complaint. The victim related that at about 12:30 AM, he was trying to leave the licensed premises, Café H2O, when he was punched in the face without provocation by an unknown person and when he attempted to defend himself the actor's accomplices punched and kicked him. The

victim received a broken nose and lacerations requiring six stitches. The investigation is pending. There is no information from club personnel indicated.

- M. The committee took testimony from citizen witnesses. Patrick Moore, 7816 North 78th Street, Milwaukee, Wisconsin testified that he is opposed to the license. He has called police on several occasions. He testified that he lives two to five blocks away from the licensed premises and that at times his windows shake and rattle. On occasion he has been unable to get past the site due to double-parked vehicles, and has observed racing and tire squealing on 76th Street.
- N. The committee heard testimony from John Rezzel, 7700 West Lolita, Milwaukee, Wisconsin. He testified that he finds garbage and trash on his property on a regular basis. He has also observed tire tread marks on his lawn. He hears loud music blasting from cars in the area. He observed no such problems prior to the opening of the establishment.
- O. The committee heard testimony from Maria Bluma, 7800 West Bradley, Road, Milwaukee, Wisconsin. She testified that on numerous occasions she has seen trash, paper and broken glass in close proximity to the establishment. The witness further testified that she has observed an advertising flying distributed by the licensee indicating that the premises remains open until 2:00 a.m. on a regular basis.
- P. The committee heard testimony from Duane Robertson, 8025 North 76th Street, Milwaukee, Wisconsin. He testified on behalf of the Autocare Center strip mall located at 8025-8085 North 76th Street. The witness testified that the parking lot of Autocare Center is used by patrons of the licensee and he has observed urination, drug dealing, drinking and has incurred costs to remove debris and trash from the parking lot.
- Q. The committee heard testimony from Harold Rubnitz, claiming a business address at 7429 West Bradley Road, Road, Milwaukee, Wisconsin, but refusing to give his home address. He is the landlord of the licensee and is in favor of the granting of the renewal.
- R. The committee heard testimony from Ken Neitzel, 7741 West Bradley Road, Milwaukee, Wisconsin. He testified that he lives in close proximity to the establishment, and that he has only heard unusually loud noise on one occasion.

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.

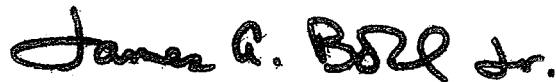
2. Based upon the above facts found, the Committee concludes that the licensee, James J. Harrison, as agent for "Teen USA, LLC" doing business as Café H2O at 7427 West Bradley Road has not met the criteria of Chapter 90 of the Milwaukee Code of Ordinances to allow renewal of his public dance hall license without undergoing a twenty (20) day suspension. The Committee finds the police report and neighborhood objections to be true.
3. In order to protect the health, safety and welfare of the citizens of the City of Milwaukee, it is the recommendation of the Utilities and Licenses Committee that the full Common Council of the City of Milwaukee should exercise its judgment to renew the public dance hall license of James J. Harrison, as agent for "Teen USA, LLC" for the premise located at 7427 West Bradley Road ("Café H2O") with a twenty (20) 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 one (1) noes recommends that the public dance hall license held by James J. Harrison as agent for "Teen USA, LLC" be renewed with a twenty (20) day suspension.

Said suspension is to be in effect from midnight, June 30, 2003 through midnight, July 19, 2003.

Dated and signed at Milwaukee, Wisconsin this 12th day of June, 2003.



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



JAMES A. BOHL JR.
Alderman, 5th District

Date: June 12, 2003

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 ("Stepping Up Lounge").

FINDINGS OF FACT

1. Olayinka M. George (hereinafter the "Licensee") doing business at 5318 West Center Street in the City and County of Milwaukee, Wisconsin ("Stepping Up Lounge"). Said license expires at midnight, June 21, 2003.
2. An application to renew said license was filed with the Office of the City Clerk on March 11, 2003.
3. Pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes, the matter was referred to the Milwaukee Police Department for investigation. There was a Milwaukee Police Department report dated March 17, 2003, which could form the basis for non-renewal or suspension of the license. There were also neighborhood objections to shooting and gunshots, parking and traffic congestion, loud music, loitering, littering, loud patrons during and after hours, and conduct which is detrimental to the health, safety and welfare of the neighborhood.
4. On May 30, 2003, the City Clerk's Office provided timely notice to the Licensees, pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes of a police report that could form the basis for suspension or non-renewal of the license of the Licensee. The matter was scheduled for a hearing on the police report on June 10, 2003 at 2:00 p.m. in Room 301B of the third floor of City Hall. At said date, time and place, the licensee did appear and was represented by Attorney Michael A. I. Whitcomb, 633 West Wisconsin Avenue, Suite 510, Milwaukee, Wisconsin 53203.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
 - A. On 5/16/2002 officers of the Milwaukee Police Department were dispatched to The Stepping Up Lounge, 5318 W. Center St., to investigate a battery complaint. The victim stated to police that he was beaten without consent by 6 to 8 unknown black males while inside the Stepping Up Lounge. Victim sustained several serious lacerations as a result and received several stitches. Officers spoke with the owner Olanyinka George who stated that he did observed several subjects fighting

inside the business but that he was unaware that anyone was hurt. A substantial battery report was filed.

- B. On 6/12/2002 officers of the Milwaukee Police Department were dispatched to investigate a shooting at the Stepping Up Lounge, 5318 W. Center St. The victim stated he was shot in the left elbow and left leg after exiting the tavern by unknown person(s).
- C. On 5/20/2003, officers were on the scene and heard shots fired from within the licensed premises. The investigation revealed that an argument between two groups of individuals escalated into physical violence. An unknown person drew a handgun and shots were fired. Three patrons were injured by gunfire.

CONCLUSIONS OF LAW

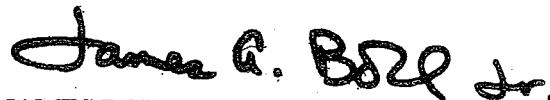
- 1. The Committee has jurisdiction to hold hearings and provided Findings of Fact and Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapter 125 of the Wisconsin Statutes and Chapter 90 of the Milwaukee Code of Ordinances.
- 2. Based upon the above facts found, the Committee concludes that the licensee, Olayinka M. George, for the licensed premises at 5318 West Center Street ("Stepping Up Lounge") has not met the criteria of Chapter 90 of the Milwaukee Code of Ordinances to allow renewal of his Class "B" Tavern and Tavern Dance license without undergoing a twenty (20) day suspension. The Committee finds the police report and neighborhood objections to be true.
- 3. In order to protect the health, safety and welfare of the citizens of the City of Milwaukee, it is the recommendation of the Utilities and Licenses Committee that the full Common Council of the City of Milwaukee should exercise its judgment to renew the Class "B" Tavern and Tavern Dance license of Olayinka M. George for this premises with a twenty (20) day suspension.

RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of two (2) ayes, one (1) noe and one (1) excused recommends that the Class "B" Tavern and Tavern Dance license held by Olayinka M. George be renewed with a twenty (20) day suspension.

Said suspension is to be in effect upon granting of license on June 24, 2003 by the Common Council through midnight, July 13, 2003.

Dated and signed at Milwaukee, Wisconsin this 12th day of June, 2003.



JAMES BOHL, Jr.
Chairman, Utilities and
Licenses Committee