



**CITY OF MILWAUKEE
OFFICE OF THE CITY CLERK**

Friday, May 10, 2024

COMMITTEE MEETING NOTICE

AD 12

HERNANDEZ, Tomas, Agent
Diamante Negro LLC
2664 S 20TH St
Milwaukee, WI 53215

You are requested to attend a hearing which is to be held in the Council Chambers, Third Floor, City Hall:

Tuesday, May 21, 2024 at 08:45 AM

Regarding: Your Class B Tavern and Public Entertainment Premises License Renewal Applications as agent for "Diamante Negro LLC" for "Diamante Negro " at 1900 W LINCOLN Av.

There is a possibility that your application may be denied for one or more of the following reasons: The recommendation of the committee regarding the application shall be based on evidence presented at the hearing. Per MCO 85-4-4, unless otherwise specified in the code, probative evidence concerning non-renewal, suspension or revocation may include evidence of the following: failure of the applicant to meet municipal qualifications, pending charges against or the conviction of any felony, misdemeanor, municipal offense or other offense, the circumstances of which substantially relate to the circumstances of the particular licensed or permitted activity, by the applicant or by any employee or other agent of the applicant. If the activities of the applicant involve a licensed premises, whether the premises tends to facilitate a public or private nuisance or has been the source of congregations of persons which have resulted in any of the following: disturbance of the peace; illegal drug activity; public drunkenness; drinking in public; harassment of passers-by; gambling; prostitution; sale of stolen goods; public urination; theft; assaults; battery; acts of vandalism including graffiti, excessive littering, loitering, illegal parking, loud noise at times when the licensed premise is open for business; traffic violations; curfew violations; lewd conduct; display of materials harmful to minors, pursuant to s. 106-9.6; or any other factor which reasonably relates to the public health, safety and welfare, or failure to comply with the approved plan of operation. It is the intention of the Common Council to suspend or non-renew the licenses if objectors provide testimony related to the factors enumerated in MCO 85-4-4 that the Common Council finds to be true by a preponderance of the evidence and/or police reports are found to be true by a preponderance of the evidence. The police reports and other attached documents relating to objections to the license are a part of this notice and expressly incorporated in this notice. The licensee should be prepared to address these matters at the hearing.

**Notice for applicants with
warrants or unpaid fines:**

Proof of warrant satisfaction or payment of fines must be submitted at the hearing on the above date and time. Failure to comply with this requirement may result in a delay of the granting/denial of your application.

Failure to appear at this meeting may result in the denial of your license. Individual applicants must appear only in person or by an attorney. Corporate or Limited Liability applicants must appear only by the agent designated on the application or by an attorney. Partnership applicants must appear by a partner listed on the application or by an attorney. If you wish to do so and at your own expense, you may be accompanied by an attorney of your choosing to represent you at this hearing.

You will be given an opportunity to speak on behalf of the application and to respond and challenge any charges or reasons given for the denial. No petitions can be accepted by the committee, unless the people who signed the petition are present at the committee hearing and willing to testify. You may present witnesses under oath and you may also confront and cross-examine opposing witnesses under oath. If you have difficulty with the English language, you should bring an interpreter with you, at your expense, so that you can answer questions and participate in your hearing.

You may examine the application file at this office during regular business hours prior to the hearing date. Inquiries regarding this matter may be directed to the person whose signature appears below.

Limited parking for persons attending meetings during normal business hours is available at reduced rates (5 hour limit) at the Milwaukee Center on the southwest corner of Kilbourn Avenue and Water Street. You must present a copy of the meeting notice to the parking cashier.

PLEASE NOTE: Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through sign language interpreters or other auxiliary aids. For additional information or to request this service, contact the Council Services Division ADA Coordinator at (414) 286-2998, Fax - (414) 286-3456, TDD - (414) 286-2025.

JIM OWCZARSKI, CITY CLERK

BY: _____

**Jim Cooney
License Division Manager**

If you have questions regarding this notice, please contact the License Division at (414) 286-2238.

200 E. Wells Street, Room 105, City Hall, Milwaukee, WI 53202. www.milwaukee.gov/license
Phone: (414) 286-2238 Fax: (414) 286-3057 Email Address: License@milwaukee.gov

MILWAUKEE POLICE DEPARTMENT

LICENSING

CRIMINAL RECORD/ORDINANCE VIOLATION/INCIDENTS SYNOPSIS

DATE: 03/11/24

LICENSE TYPE: Class B Tavern

NEW: ☐

RENEWAL: ☒

No. 362677

Application Date:

License Location: 1900 W. Lincoln Avenue

Business Name: Diamante Negro

Licensee/Applicant: HERNANDEZ, Tomas
(Last Name, First Name, MI)

Date of Birth: 06/17/1981

Home Address: 2664 S. 20th Street

City: Milwaukee

State: WI **Zip Code:** 53215

Home Phone: 608-640-1227

This report is written by Police Officer Monreal, assigned to the License Investigation Unit, Days.

The Milwaukee Police Department's investigation regarding this application revealed the following:

1. On 09/26/21 at 2:20am, Milwaukee Police were dispatched to 1900 W. Lincoln Avenue for a fight complaint. Investigation revealed that a group of subjects tried to fight a single subject outside the tavern. The one subject handed security a firearm and all subjects began to fight (including security). The security guard who was handed the firearm, began striking subjects with that firearm. The applicant was on scene and was involved in the fight.
2. On 10/06/21 at 2:00pm, a subject walked into the Second District to report a battery which occurred on 10/01/21 at 1900 W. Lincoln Avenue. Investigation revealed that the subject was drinking at the tavern and got into an argument with two subjects. The argument turned physical and all subjects were removed by security. While outside the subject was assaulted by several people which required him to seek medical attention.

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3. On 05/15/22, officers and detectives responded to a shooting at 1913 W. Lincoln Avenue. Investigation revealed that the victim had patronized the tavern located at 1900 W. Lincoln Avenue and left the establishment at closing time. While sitting in his vehicle, a subject fired over forty rounds into his car killing him.
 4. On 06/10/22 at 9:45pm, Milwaukee Police, along with the Wisconsin Department of Revenue, conducted a license premise check at 1900 W. Lincoln Avenue. When entering the tavern

police observed two security guards who were armed (one had a firearm in his pants pocket and the other in a satchel). The applicant was upset with the Department of Revenue Agent and said he was going to call his cousin and complaint to her about the "tavern check". The applicant did not have any receipts for the liquor brought for the tavern but said he had them at his residence. The agent gave the applicant a chance to produce the receipts on a later date and confiscated all the liquor that was left by the previous owner.

5. On 06/11/22 at 1:03am, Milwaukee Police were dispatched to 1900 W. Lincoln Avenue for a noise complaint. Upon arrival, Officers observed that the tavern was closing and patrons were gathered outside playing loud music from their vehicles and loitering in front of the tavern. Police did not observe any security guards trying to get patrons to leave or stop playing their loud music. Officers interviewed the caller who stated that this is an ongoing problem.
6. On 06/12/22 at 1:38am, Milwaukee Police were dispatched to 1900 W. Lincoln Avenue for a ShotSpotter compliant. Investigation revealed that a subject was denied access to the tavern because he had a firearm. The subject became upset and a small altercation happened out front with security and the subject. A short time later the applicant heard multiple shots fired. Officers recovered 16 spent casings, with 3 rounds striking the address of 1834 W. Lincoln Avenue.
7. On 07/13/22 at 4:00pm, Milwaukee Police, along with other representatives of the city, conducted a meeting with the applicant from 1900 W. Lincoln Avenue. The reason for the meeting was to explain to the applicant that his premise was going to be designed a chronic nuisance property and the options or actions he can take. 19 calls for service were entered into the report.
8. On 08/21/22 at 2:03am, Milwaukee Police were dispatched to 1900 W Lincoln Avenue for a noise compliant. Upon arrival, the tavern was closed and there was only one person outside. Officers interviewed the manager who stated that she has been trying to control the people who go outside and plans to hire another security guard to help with the noise. She also said that she has an issue with the caller because he walks by the tavern when she's opening with a firearm on his hip and calls her a derogatory name. Officers tried to explain the report process to the caller but he hung up on police.

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9. On 03/25/23 at 1:10a.m., Milwaukee Police were dispatched to a Battery at a local hospital. It was determined the incident occurred at 1900 W. Lincoln Av. The victim stated while at the bar, the agent grabbed them by the arm, causing pain and injury. The officer did observe bruising to the arm. The officer attempted to contact the agent, however, there was no answer at the residence or via telephone.
10. On 02/11/24 at 1:50a.m., Milwaukee Police were dispatched to a Battery at 1900 W. Lincoln Av. Officers interviewed a security guard on scene who stated they had to remove two intoxicated patrons, however, other than escorting them out, there was no physical contact. The agent was unable to operate the cameras, therefore, officers were unable to review the incident.

Milwaukee Police Department

749 W. State Street Milwaukee, WI 53233

414-933-4444

Case #:230850040

OtherEvent #: 23-LP-0729

Incident

1900 W LINCOLN AV MILWAUKEE, WISCONSIN 53215

Incident Date/Time:: 03/25/2023 01:10:00
CAD Number:: 230840372
District:: 2
Beat:: 226
Reporting Area:: 5830

Business Agent (1)

HERNANDEZ, TOMAS SILVA

Person Involvement: (Must choose Agent (License Holder)
AGENT from drop down):
DOB:: 06/17/1981
Sex:: MALE
Race:: WHITE
Phone 1 Number:: (414)-881-0648
Phone 1 Type:: Phone
Address:: 1328 W MINERAL ST
City:: Milwaukee
State:: WISCONSIN
Zip Code:: 53204

Licensed Premise Data (1)

DIAMANTE NEGRO

Phone 1 Number:: (608)-640-1227
Phone 1 Type:: Phone
Address:: 1900 W LINCOLN AV
City:: MILWAUKEE
State:: WISCONSIN
Zip Code:: 53215
License Type:: Alcohol
Licensee Notification Was Made:: No
Business Was Cited For Violation:: No
Licensee was cooperative: (If not explain in narrative): No
Licensee or Manager was on premises at time of violation/incident:: No

Narrative (1)

LICENSED PREMISE REPORT

Lukowski, Kevin R 018646

03/26/2023

This report was written by P.O. Kevin LUKOWSKI assigned to District 2 Day Shift.

Milwaukee Police Department

749 W. State Street Milwaukee, WI 53233

414-933-4444

Case #:230850040

OtherEvent #: 23-LP-0729

On Saturday March 25th, 2023, while working on Squad 2150 (solo) I was dispatched to 3237 S. 16th St (St. Francis Hospital) located in the City and County of Milwaukee for a Battery Complaint Along with Squad 2161 (P.O. CAMPOS and PO. SHABAKA).

Upon arrival I spoke to the Victim who was verbally identified as Deisy MORALES-CONTRERAS (w/f 2-21-94,414-389-7524), P.O. CAMPOS provided Spanish translation for Deisy who only speaks Spanish. Deisy stated that the incident occurred at 1900 W. Lincoln Av (Diamante Negro bar) located in the City and County of Milwaukee as well, Deisy stated that the owner of the bar who she verbally identified as Tomas Silva-HERNANDEZ (w/m 6-17-81) and described him as her " friend "grabbed her phone to look through it and went to the bathroom and she then followed after him to retrieve her phone and Tomas swings open the door forcefully hitting her in the right arm with the door causing her pain and discomfort. Deisy stated that she then left the establishment and called the police and waited too long for police, so she went into District 6 to make a report but became impatient and then went back to the bar around 4:00am to retrieve her phone. Deisy stated that when she got there Tomas grabbed her by the arm causing her pain and injury, and that's when she left and went to St. Francis Hospital for medical treatment. While speaking with Deisy I did observe bruising to her left forearm and upper arm area. Deisy stated that she was talking to Tomas and that he can be a very jealous person and that he likes her more than she likes him and doesn't want to have a romantic relationship with him. Deisy informed me that she wishes to have Tomas issued a citation for his actions.

I spoke to the staff at St. Francis Hospital Deisy was admitted to ER #11 at 7:47am and seen by Dr. WITTER. WITTER informed me that x-rays were taken of right arm, and nothing was broken.

Squad 2161 and I, changed locations to the area of 13th and Mineral where Tomas stays per Desiy, she did not know the exact address but identified his truck as a red dodge ram that parks next to the garage and that Tomas stays in the basement apartment, I observed the red dodge ram truck parked next to a garage and the address was 1328 W. Mineral, We knocked on the door with negative results.

I attempted to call Tomas at 608-640-1227 and 414-881-0648 and no one answered

This case pending

Officer (2)

Reporting Officer:	Lukowski, Kevin R (018646)	03/26/2023 09:12:00
Section: (Work Location):	21	
Approving Officer:	Vandervest, Daniel J (016084)	03/29/2023 11:49:13
Section: (Work Location):	21	

Milwaukee Police Department

749 W. State Street Milwaukee, WI 53233

414-933-4444

Case #:240420021

OtherEvent #: 24-LP-0400

Incident

1900 W LINCOLN AV Milwaukee, WISCONSIN 53215

Incident Date/Time:: 02/11/2024 01:50:00
CAD Number:: 240420123
District:: 2
Beat:: 250
Reporting Area:: 5830

Business Agent (1)

HERNANDEZ, TOMAS SILVA

Person Involvement: (Must choose Agent
AGENT from drop down):
DOB:: 06/17/1981
Sex:: MALE
Race:: WHITE
Phone 1 Number:: (414)-881-0648
Phone 1 Type:: Phone
Address:: 1328 W MINERAL ST
City:: Milwaukee
State:: WISCONSIN
Zip Code:: 53204

Licensed Persons Involved (1)

CRUZ, Jose

Person Involvement:: Employee
DOB:: 01/29/1979
Sex:: MALE
Race:: WHITE
Phone 1 Number:: 414-394-8040

Licensed Premise Data (1)

Tabasco Bar

Address:: 1900 W LINCOLN AV
City:: MILWAUKEE
State:: WISCONSIN
Zip Code:: 53215
License Type:: Alcohol
Licensee Notification Was Made:: No
Business Was Cited For Violation:: No
Licensee was cooperative: (If not explain in narrative): Yes
Licensee or Manager was on premises at time of violation/incident:: Yes

Narrative (1)

Milwaukee Police Department

749 W. State Street Milwaukee, WI 53233

414-933-4444

Case #:240420021

OtherEvent #: 24-LP-0400

LICENSED PREMISE REPORT

Munoz, Hector A 036939

02/18/2024

This report is written by PO Hector A. MUNOZ assigned to District Two Late Shift, Squad 2331 along with PO JACKSON. We were in full duty Milwaukee Police Department issued uniform with our Milwaukee Police Department Badge on our outermost garment, our axon body worn cameras were activated during this incident.

On Sunday, February 11, 2024, Squad 2321 PO JACKSON and I (PO MUNOZ) were dispatched to a Battery complaint located at 1900 W Lincoln Ave, which is in the City and County of Milwaukee. Upon arrival I spoke to the premise security who was identified as Jose CRUZ (H/M, 1/29/79).

CRUZ stated on Sunday, February 11, 2024, that he was working in the bar by himself. CRUZ stated he removed the two subjects from the premise because they were heavily intoxicated and acting disorderly. CRUZ stated he did not batter them and only escorted them outside. CRUZ stated does not anything else that happened after he escorted outside.

We were unable to review the surveillance footage of the premise regarding the owner being unable to operate the cameras.

While on scene, I observed the licenses posted and they were up to date. During my investigation for Battery, I did not observe any violations in the licensed premise. Per the district community partnership unit this location is a designated nuisance premise.

End of Report.

Officer (2)

Reporting Officer:	Munoz, Hector A (036939)	02/18/2024 02:39:00
Section: (Work Location):	23	
Approving Officer:	Albert, Joshua G (019226)	03/06/2024 05:41:31
Section: (Work Location):	23	

2024-2025 Plan of Operation for 1900 W LINCOLN AV

1. Litter & Security Plans			
How are the grounds kept clean? ☒ Sweep ☒ Pressure Wash ☒ Pick Up Litter ☐ Other:			
How often will grounds be cleaned? ☒ Daily ☒ Weekly ☐ Other:			
Who cleans the grounds? ☒ Licensee ☒ Building Owner ☒ Employees ☐ Hired Maintenance ☐ Other:			
How are noise issues prevented and/or addressed? ☐ Security ☐ Manager approaches customer(s) ☒ Call Police ☒ Signs Posted ☐ Other:			
Are there designated outdoor smoking areas? ☒ No ☐ Yes If Yes, Describe:			
Number of garbage cans: Inside <u>4</u> Locations: <u>2 bathrooms - 2 behind bar</u> Outside <u>2</u> Locations: <u>side of the building</u>			
Is a crowd control barrier used? ☒ No ☐ Yes If Yes, Describe:			
Number of restrooms: <u>2</u>		Name of solid waste contractor: <u>Waste Management</u>	
Are there parking spaces on the premises? ☒ No ☐ Yes If Yes, list number of spaces: _____ and describe security plans:			
Are there designated loading areas? ☒ No ☐ Yes If Yes, describe security plans:			
Do you have security personnel on the premise? ☒ No ☐ Yes If Yes, how many? _____ AND What are their responsibilities? _____ What security equipment do they use? _____ List their licensing, certification or training credentials: _____			
Are there security cameras? ☐ No ☒ Yes If Yes, list all locations: <u>inside - door - Register - back outside door</u>			
Are searches and/or identification checks conducted upon entry? ☐ No ☒ Yes If Yes, describe: <u>ID checks</u>			
2. Percentage of Sales (must total 100%)			
Alcohol <u>60</u> %	Food Sales _____ %	Entertainment <u>20</u> %	Other _____ %
3. Businesses On The Premises (choose all that apply):			
☐ Restaurant ☐ Cafe/Coffee Shop ☐ Cocktail Lounge ☐ Convenience Store ☐ Night Club ☐ Liquor Store ☒ Tavern ☐ Sports Facility ☐ Hotel ☐ Banquet Hall ☐ Supermarket ☐ Private/Fraternal/Veterans' Club ☐ Other:			
4. Hours of Operation and Age Restriction			
Are there any changes to the current hours of operation or age restriction? ☒ No ☐ Yes If Yes, Describe:			
Please Note: If you will be open earlier or later than the hours listed on your current license for even one event or holiday (for example, St. Patrick's Day, Brewers Opening Day, etc.) during the license period, this must be reported and printed on your license. Your hours of operation and age restriction are listed on your current license.			
5. Floor Plan and Capacity			
Are you requesting any changes to your capacity or floor plan? ☒ No ☐ Yes If yes, describe: _____ and submit a new floor plan with this renewal application. A sample plan can be found online at www.milwaukee.gov/licenses under License Forms and Related Information.			
Alcohol/Food Establishments: A "Permanent Extension of Premises Application" is required if you are adding any square footage to the licensed premises.			
6. Sidewalk Dining: Fee:			
Are there any changes to the sidewalk dining site plan? ☒ No ☐ Yes If Yes, submit an updated site plan with this application.			
7. Food License: Fee:		8. Weights and Measures: Fee:	
Your current food license includes the following food operations: Are there any changes to your food operations as listed above? ☒ No ☐ Yes, if Yes, explain _____		Number/Type of Devices: Are there any changes to the number or types of devices? ☒ No ☐ Yes If yes, contact our office for further instructions.	

1. CURRENT APPROVED ENTERTAINMENT for Diamante Negro 1900 W LINCOLN AV

The following types of entertainment have been approved for your current Public Entertainment Premises license:

Disc Jockey, Amusement Machines, Jukebox, Karaoke, Patrons Dancing, Instrumental Musicians, Bands

2. ADDING ENTERTAINMENT

If applicable, check any entertainment you wish to add: **ONLY CHECK ENTERTAINMENT TYPE(S) YOU ARE ADDING. YOUR CURRENT APPROVED ENTERTAINMENT IS LISTED ABOVE. ALSO SUBMIT AN UPDATED FLOOR PLAN AND PLAN OF OPERATION OR CONFIRMATION STATEMENT IF THE NEW ENTERTAINMENT DOES NOT CHANGE THE CURRENT PLAN OF OPERATION.**

- | | | | |
|---|--|--|---|
| ☐ Instrumental Musicians | ☐ Bands | ☐ Battle of the Bands | ☐ Comedy Acts |
| ☐ Disc Jockey | ☐ Magic Shows | ☐ Poetry Readings | ☐ Dancing by Performers |
| ☐ Jukebox | ☐ Wrestling | ☐ Patron Contests | ☐ Patrons Dancing |
| ☐ Adult Entertainment/
Strippers/Erotic Dance | ☐ Karaoke | ☐ Bowling Alley | ☐ Pool Tables |
| ☐ Motion Pictures (movies by admission)
How many screens? _____ | ☐ Amusement Machines
How many? _____ | ☐ Concerts
Approx. # per year? _____ | ☐ Theatrical Performances
Approx. # per year? _____ |
| ☐ Other: _____ | | | |

No entertainment changes can take place until approved by Common Council and a new license has been issued and posted on the premises.

3. REMOVING ENTERTAINMENT

If applicable, list any entertainment you wish to remove:

4. PROMOTERS/SOUND AMPLIFICATION

Will promoters ever be used for any of the entertainment? ☒ No ☐ Yes If Yes, Describe:

At any time will sound amplification be used? ☒ No ☐ Yes If Yes, Describe:

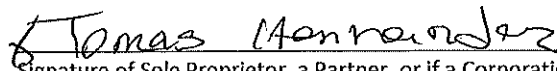
5. SIGNATURE

I understand that after the license has been issued, a change to the plan of operation will require a written request to change and approval from the Common Council.

I agree to inform the City Clerk within 10 days of any substantial changes in the information supplied in this application.

I understand that I shall not willfully refuse to provide the services offered under this license, or add charges or require deposits not required of the general public because of race, color, sex, religion, national origin or ancestry, age, handicap, lawful source of income, marital status, sexual orientation, gender identity or expression, familial status or the fact that a person is now or has been a member of the military service, whether dressed in uniform or not; and shall not seek such information as a condition of employment, or penalize any employee or discriminate in the selection of personnel for training or promotion on the basis of such information.

I have knowledge of the City Ordinances currently regulating public entertainment, and understand that the license may be subject to suspension, non-renewal or revocation, if I violate any rule, law or regulation of the city of Milwaukee and State of Wisconsin.


Signature of Sole Proprietor, a Partner, or if a Corporation or LLC, the Agent must sign