

CHAIR

- Licenses Committee
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- Milwaukee Public Library Board
- Employee's Retirement System Annuity & Pension Board



NIK KOVAC

ALDERMAN, 3RD DISTRICT

February 21, 2020

To the Honorable, the Common Council

Honorable Members:

Common Council File Number 191466 contains the following recommendations:

Nonrenewal, based upon the police report and aldermanic and applicant testimony of the Class B Tavern and Public Entertainment Premises licenses for Mary Harrell for the premises located at 4106 W Lisbon Ave (“Overtime Sports Bar”) in the 15th aldermanic district.

Nonrenewal, based on the second nonappearance of the Class D Operator’s License of Thomas Medrow II.

Nonrenewal, based on the second nonappearance of the Class D Operator’s License of Kadajah Sheriff.

Respectfully,

A handwritten signature in black ink, appearing to read "Nik Kovac".

Nik Kovac, Chair
Licenses Committee

cc: All Council Members
File 191466

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NIK KOVAC

ALDERMAN, 3RD DISTRICT

Date: February 21, 2020

To: All Members of the Milwaukee Common Council

From: Licenses Committee

Re: Report of the Renewal Application of the Class "B" Tavern and Public Entertainment Premises (PEP) Licenses of Mary M. Harrell, Agent for Overtime Sports Bar, for the premises located at 4106 West Lisbon Avenue in the City and County of Milwaukee, Wisconsin ("Overtime Sports Bar").

FINDINGS OF FACT

1. Mary M. Harrell (hereinafter "the Licensee") is the holder of Class "B" Tavern and PEP Licenses for the premises located at 4106 West Lisbon Avenue in the City and County of Milwaukee, Wisconsin ("Overtime Sports Bar"). Said licenses expired at midnight on February 25, 2020.
2. An application to renew said licenses was filed with the Office of the City Clerk on February 5, 2020.
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 February 6, 2020, the Milwaukee Police Department responded with a report that could form the basis for nonrenewal of said licenses.
4. On February 10, 2020, 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 police report. The matter was scheduled for a hearing on the police report on February 19, 2020, commencing at approximately 11:00 a.m. in Room 301-B of the third floor 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. On August 2, 2019 at 2:56 a.m., officers observed a subject sitting on the steps of Overtime Sports Bar, 4106 West Lisbon Avenue. The officers observed two subjects approach, knock on the door, and be allowed inside. The officers approached the door and heard music inside. The owner, Wesley Harrell opened the door and stated he wanted to have a gathering of employees. He was advised the business needed to close immediately and he complied. The officer observed 12 people leave the business.
 - B. On August 28, 2019 officers were dispatched to St. Joseph's Hospital for a Sexual Assault. The victim stated she was at Overtime Sports Bar last night and was accompanied by a subject she stated is the bouncer of the bar. She stated this subject wanted her to leave to go to a different bar but she refused. She stated they argued and he then pushed her down causing injury. She stated she did not lose consciousness but then only remembers waking up on North 38th Street and West Clarke Street and not knowing how she got there. She also stated she had luggage with her at the bar that was missing. She first stated they gave the luggage to her outside but then stated it might be still inside the location. The victim stated she was not sexually assaulted but injured when he pushed her. The victim seemed confused and made random statements. She stated she was a victim of human trafficking and believed if she entered the "uber" with him he was going to traffic her. On September 15, 2019 the officers went to Overtime Sports bar and interviewed Wesley Harrell, who stated he does not remember any problems from that night. The bar has no cameras that could have recorded the event.
 - C. On October 26, 2019, officers were dispatched to a shooting at Overtime Sports Bar, 4106 West Lisbon Avenue. The investigation revealed the victim was attempting to get into the bar but refused to be searched by security. He was refused entry and walked away. He retrieved a pistol from his ankle and fired shots at the bar. Wesley Harrell and another subject identified as Christopher Garner (unknown if he was a patron or employee) returned fire hitting the victim in the head, causing his death. The gun Harrell used had been reported stolen in 2012. The Licensee arrived on scene and allowed the Detectives to search but withdrew her consent making the Detectives get a warrant.
 - D. On November 14, 2019, a meeting was held at District 3 regarding recent incidents at Overtime Sports Bar, 4106 West Lisbon Avenue. The Licensee

stated she runs the bar with her children and grandchildren. She stated she has already spoke to them in regards to closing time and having everyone out that is not cleaning. In regards to the shooting the Licensee stated that when she arrived the detective told her she could give consent to search or they would get a warrant. She told them to get a warrant after the detective became rude and took her sons phone. The Licensee stated her security is people she hires from the neighborhood and the shooting occurred because the subject was armed and was denied entry. The Licensee was advised to hire security that is licensed and bonded. The issue of cameras was brought up and the Licensee stated she was looking into possibly getting cameras. The License was given copies of the nuisance guidelines and she was advised of the requirement of cameras if the business was declared a nuisance.

- E. The Licensee has the following past due fines owed to Milwaukee Municipal Court:

16048827 Building Code Violations \$360.00 due 12/20/2017

- F. The Licensee stated the premises has been open since 2000 and she has explained herself for every incident in the police report. She added that the fact that the alderman was unaware the premises was open in unfortunate and speaks to poor communication. She stated that they have 3 pool teams and 2 dart clubs, and they are only open Thursday through Sunday. She stated that the 12 people in the premises after hours were family members, people cleaning and the DJ, and their significant others; they were not patrons. She added that she knows nothing about the incident with the bouncer and the police came back two to three weeks later to talk about it. The applicant testified that she understood why the police might perceive the bar to be open based on the number of people inside.

- G. With regard to the shooting incident, the licensee testified that that a man came to the door and was denied entry because he had a weapon. She added that he starting shooting at the premises and even shot his own sister who was trying to stop him, and people from the bar returned fire. She stated that there is a variable of the random public, not regulars that come in and cause a problem for bar owners. She added that they have security outside and inside and they abide by the law. She stated that the shooting in 2008 was just her standing outside and someone was randomly shooting who was not associated with the premises. She added that she cannot be responsible for people outside just shooting, because she operates a good business and works hard. When questioned, the licensee indicated that she did not know the legal names of the people who do her security. She stated

that people will ask her if they can work the door or DJ, and she will pay them in cash. She further explained that she does not know the names of the people who were working on the day of the shooting.

- H. The applicant stated that she does not allow weapons on the premise, but was unable to explain why her son and the security guard were both armed on the night of the shooting.
- I. She stated that she told MPD in November of 2019 that she would look into hiring professional security and installing cameras. She added that after the shooting they closed for a week. She stated they do not make a lot of money and security systems cost money. She stated that she does not know who Mr. Christopher Garner is. She added that she has a “ma and pa” bar and she knows all the patrons because they are coworkers of hers or her children at their regular jobs. She stated that she's not lax in her management and that the shooting has affected the reputation her bar. She added that she's never been cited, ticketed, or suspended because they have only had issues periodically. She stated that they wand people, pat them down, talk to them, and do not overserve their patrons.

Individual also present

- J. Dameon Ellzey - 15th District Legislative Assistant, stated in 2008 the Licensee was shot, there was 4 years of inactivity, and in 2013 there were several battery incidents. He added that he was shocked to see the premises open last year because they thought it was closed. He indicated that neighbors have begun complaining about the activity occurring at the licensed premises. Mr. Ellzey testified that both he and the local alderman, Russell W. Stamper, live near this location. He explained that he has driven by and personally observed people outside with red cups when the premise is open. He added that for the last 13 years these types of incidents have been occurring. He stated that things have not improved and the premise does not have cameras, even after the shootings. He stated Alderman Stamper recommends nonrenewal. He added that the atmosphere is fostering this type of disruptive activity.
- K. In response, the licensee stated that the premise has been open, uninterrupted since its original licensure. She stated that she had a relationship with the prior alderman, but had been unable to make contact with Ald. Stamper. The licensee also testified that she had a good relationship with Sgt. Chad Raden of the MPD License Investigation Unit, and was very familiar with the prior police captain.

- L. Alderman Kovac stated an employee killing employee person on the sidewalk is bad enough. He added that the Licensee not knowing anyone's name, not having employees, and just paying people cash has left a deep impression on him.
- M. Ald. Lewis indicated that she was troubled by the lack of response to the shooting from the applicant. MPD recommended certain abatement measures in November, but none of those measures have been adopted. The licensee did not have any invoices or bids to show that she even explored any of those options.
- N. Alderwoman Coggs stated that she recognizes that things happen, and asked what the plan of abatement was to prevent the issues from occurring further. She added that the belief in the Licensee to properly manage the premises safely in concerning and her responses are troubling. She stated that to not know the names of the contractors or employees that business is done with, or were present on very specific days that major incidents occurred, makes it difficult to have confidence in the management of the premises. She added that Alderwoman Lewis asked why it has taken so long to implement the recommendations from MPD. She stated that it is concerning and problematic because another incident could have occurred since November. She added that not having any plans or things in place shows that the applicant is not being proactive.
- O. Alderman Spiker stated this shooting may have been self-defense, but with no professional security service or knowing who is being hired, there's no confidence that something like this won't happen again in the future.
- P. Alderman Spiker moved nonrenewal based on the police report, Licensee and aldermanic testimony. (Prevailed 5-0)

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 and 85 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concludes that the Licensee, Mary M. Harrell who holds Class B Tavern and Public Entertainment Premise (PEP) licenses for the premise located at 4106 West Lisbon Avenue in the City and County of Milwaukee, Wisconsin ("Overtime Sports Bar") 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 and Public Entertainment Premises. The Committee finds the police report and aldermanic objections as stated above to be true. The Committee based its recommendation on the police report, and Licensee, aldermanic 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 and Public Entertainment Premise (PEP) licenses for the premises located at 4106 West Lisbon Avenue in the City and County of Milwaukee, Wisconsin ("Overtime Sports Bar"). The Committee based its recommendation on the police report, and Licensee and aldermanic testimony.

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 "B" Tavern and Public Entertainment Premises (PEP) Licenses of Mary M. Harrell for the premises located at 4106 West Lisbon Avenue ("Overtime Sports Bar") in the City and County of Milwaukee, Wisconsin not be renewed.

Dated and signed at Milwaukee, Wisconsin this 21st day of February, 2020.



NIK KOVAC
Chairman, Licenses Committee

/267003

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- City Information Management Committee

VICE CHAIR

- Milwaukee Arts Board

MEMBER

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NIK KOVAC

ALDERMAN, 3RD DISTRICT

Date: February 21, 2020

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 Thomas E. Medrow, II

FINDINGS OF FACT

1. Thomas E. Medrow, II (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, 2019.
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 February 5, 2020 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 February 19, 2020 at 1:00 p.m. in Room 301B of City Hall. At said date, time and place, the Licensee did not appear.
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 Thomas E. Medrow, II, 2323 South Kinnickinnic Avenue, #1, Milwaukee, WI 53207 on February 5, 2020 by U.S. prepaid first-class mail in an envelope bearing the return address of the License Division. The address of 2323 South Kinnickinnic Avenue, #1, Milwaukee, WI 53207 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 failed to appear at the hearing on February 19, 2020 at 1:00 p.m.

B. The Licensee owes the following past due fines to Milwaukee Municipal Court:

18000093 Non-Registration of Vehicle \$68.80 due on 07/23/19
18019870 Operating After Suspension \$124.00 due on 07/23/19

C. Alderwoman Dodd moved denial based on his second non-appearance.

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, Thomas E. Medrow, II 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 his 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 Thomas E. Medrow, II based upon his second nonappearance.

RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above the Committee recommends by a vote of **three (3) ayes, zero (0) noes, and two (2) excused** that the Class "D" Operator's License of Thomas E. Medrow, II not be renewed based upon his second nonappearance.

Dated and signed at Milwaukee, Wisconsin this 21st day of February, 2020.



NIK KOVAC
Chairman Licenses Committee

/267001

CHAIR

- Licenses Committee
- City Information Management Committee

VICE CHAIR

- Milwaukee Arts Board

MEMBER

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- Public Works Committee
- Milwaukee Public Library Board
- Employee's Retirement System Annuity & Pension Board



NIK KOVAC

ALDERMAN, 3RD DISTRICT

Date: February 21, 2020

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 Kadijah S. Sheriff

FINDINGS OF FACT

1. Kadijah S. Sheriff (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, 2019.
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 February 5, 2020 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 February 19, 2020 at 1:00 p.m. in Room 301B of City Hall. At said date, time and place, the Licensee did not appear.
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 Kadijah S. Sheriff, 1828 West Wright Street, Milwaukee, WI 53206 on February 5, 2020 by U.S. prepaid first-class mail in an envelope bearing the return address of the License Division. The address of 1828 West Wright Street, Milwaukee, WI 53206 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 failed to appear at the hearing on February 19, 2020 at 1:00 p.m.

B. Alderman Spiker moved denial based on second nonappearance.

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, Kadajah S. Sheriff 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 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 Kadajah S. Sheriff based upon second nonappearance.

RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above the Committee recommends by a vote of **three (3) ayes, zero (0) noes, and two (2) excused** that the Class "D" Operator's License of Kadajah S. Sheriff not be renewed based upon second nonappearance.

Dated and signed at Milwaukee, Wisconsin this 21st day of February, 2020.



NIK KOVAC
Chairman Licenses Committee

/267000