



Office of the City Clerk

Ronald D. Leonhardt
City Clerk

Jim Owczarski
Deputy City Clerk

www.milwaukee.gov

June 4, 2009

Virginia Albano, Agent
Algre, Inc.
1605 West Wells Street
Milwaukee, WI 53233

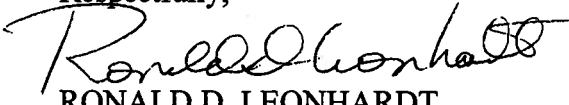
Dear Ms. Albano:

You are hereby notified that the Milwaukee Common Council will hold a hearing on June 16, 2009, commencing at 9:00 a.m., or as soon thereafter as this matter may be heard, in the Common Council chambers on the third floor of City Hall, 200 East Wells Street, Milwaukee, Wisconsin to consider the renewal of your Class "B" Tavern License application for the premises located at 1601 West Wells Street, Milwaukee, Wisconsin ("Angelo's Pizza").

Attached you will find a copy of the Report of the Licenses Committee, which includes its Findings of Fact, Conclusions of Law and Recommendation, recommending renewal of your license with a thirty (30) day suspension based upon the police report. The recommendation is the result of a public hearing before the Committee held on June 1, 2009.

You may file a written objection to the report of the Licenses Committee. If you file a written objection to the report you may also appear before the Milwaukee Common Council to make oral arguments supporting your written objections and present oral arguments supporting that objection to the Common Council. Any written objections to the Committee's Report must be filed with the City Clerk by 4:45 p.m. on June 11, 2009. You or a legal representative may then also appear at the Common Council meeting and request an opportunity to address the Common Council for approximately five (5) minutes to present an oral argument on your own behalf.

Respectfully,


RONALD D. LEONHARDT
City Clerk

Enclosure



JAMES A. BOHL JR.
Alderman, 5th District

Date: June 4, 2009

To: All Members of the Milwaukee Common Council

From: Licenses Committee

Re: Report on the Class "B" Tavern renewal application of Virginia Albano, agent for Algre, Inc., for the premises located at 1601 West Wells Street in the City and County of Milwaukee, Wisconsin ("Angelo's Pizza")

FINDINGS OF FACT

1. Virginia Albano (hereinafter "the Licensee"), is the holder of a Class "B" Tavern license for the premises located at 1601 West Wells Street in the City and County of Milwaukee, Wisconsin ("Angelo's Pizza"). Said license expires at midnight on June 30, 2009.
2. An application to renew said license was filed with the Office of the City Clerk on April 30, 2009.
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 1, 2009, the Milwaukee Police Department responded with a report regarding the renewal of said license, which could form a basis for non-renewal or suspension.
4. On May 21, 2009, 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 the neighborhood objections, and included therewith a copy of the Milwaukee Police Department report dated May 1, 2009. The matter was scheduled for a hearing on the Milwaukee Police Department report and neighborhood objections on June 1, 2009, commencing at 11:15 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 admitted receipt of the notice of hearing, together with a copy of the Milwaukee Police Department report. The Licensee was not represented by counsel.
5. Based upon the testimony heard and evidence received, the Committee makes the following findings of fact.

- A. On January 21, 2005 at 12:45 a.m., officers of the Milwaukee Police Department made a lawful inspection of the licensed premises at 1601 West Wells Street (Angelo's Pizza). Officers discovered three underage patrons who had all used false identification to gain entry to the tavern. All three were cited. The licensee was on the scene. An incident report was filed.
- B. On March 31, 2006 at 1:35 a.m., two police officers conducted a routine tavern check at Angelo's Pizza located at 1601 West Wells Street. One officer observed a customer who appeared to be underage drinking alcohol from a 12-ounce plastic cup. When asked for proof of age, the subject produced false identification.

The subject was cited for resisting/obstructing an officer and found guilty on May 16, 2006 and fined \$75.00. She was cited for consumption of alcohol and found guilty on May 16, 2006 and fined \$50.00.

The licensee, Virginia Albano, was cited for sale of alcohol to underage person and found guilty on June 23, 2006 and fined \$343.00.

- C. On March 16, 2006 at 1:35 a.m., the licensee received a citation for possession of alcohol/underage at 1101 West Wells. The licensee was found guilty on that citation on June 23, 2006 and fined \$343.00.
- D. On November 5, 2006, officers of the Milwaukee Police Department conducted a tavern check at 1601 West Wells Street. The investigation found patrons under the age of 21 consuming alcohol. Subjects obtained the alcohol by using fake identification. Some of the subjects refused to cooperate with police and refused to provide officers with their names and dates of birth. Several citations were issued for consumption by underage, misrepresenting age and obstructing.
- E. On February 10, 2007, officers of the Milwaukee Police Department conducted a tavern check at 1601 West Wells Street. The investigation revealed several patrons drinking beer who were underage the age of 21. The patrons stated they had identification and were of age. A further investigation revealed that the identification descriptions did not match the subjects in question. All of the patrons were intoxicated and had glassy eyes, slurred speech and an odor of an alcoholic beverage on their breath. Several citations were issued for consumption by underage and misrepresenting age. The identifications were confiscated and placed on inventory.

- F. On February 17, 2007, officers of the Milwaukee Police Department conducted a tavern check at 1601 West Wells Street. The investigation revealed patrons were consuming alcohol beverages and were under the age of 21. These patrons used fake identification to purchase the alcohol. Several citations were issued for consumption by underage and misrepresenting age.
- G. On February 2, 2008 at 12:10 a.m., officers of the Milwaukee Police Department conducted a tavern check at 1601 West Wells Street. Officers observed several subjects who appeared to be underage sitting at a table consuming beer. While conducting interviews on these subjects, it was learned that they were under the age of 21 and were able to purchase beer using fake identification. Officers wrote citations for consumption by underage and misrepresenting age.
- H. On May 5, 2008 at 12:30 a.m., officers of the Milwaukee Police Department conducted a license premise check at 1601 West Wells Street. Upon entry, officers observed two individuals who appeared to be underage and were consuming alcoholic beverages. Investigation revealed that booth patrons were underage the age of 21. Police spoke to the bartender, who believed fake identifications were used. Officers were unable to locate the identifications that were used by the patrons. Both patrons were issued citations for consumption of alcohol.
- I. On May 7, 2008 at 4:55 p.m., officers of the Milwaukee Police Department were conducting sales of alcohol to underage persons. A Milwaukee police aide, who is under the age of 21, entered 1601 West Wells Street and ordered a 12 ounce bottle of beer from the bartender, who never asked for any identification. Officers spoke with the manager, Michael Albano, and informed him of the violation. A citation was issued to Michael Albano and not the licensee Virginia Albano due to the licensee's failing health. Michael Albano was issued a citation for sale of alcohol to underage person and found guilty on June 25, 2008 and fined \$160.00.
- J. On January 22, 2009 at 1:30 a.m., officers of the Milwaukee Police Department conducted a license premise check at 1601 West Wells Street. Upon entry, officers observed numerous patrons who appeared to be underage and who were drinking alcohol. Officers asked the patrons for identification and the investigation revealed that 13 patrons were under the age of 21. Three patrons admitted to having fake/false identifications. Officers spoke with Michael Albano, who is the grandchild of the licensee, Virginia Albano. Mr. Albano stated he was in charge due to the failing health of his grandmother. Mr. Albano stated they card everyone who enters

the establishment and orders alcohol and that they take it behind the bar. Officers viewed these identifications that were found behind the bar and found that nine of them were false/fake identifications with six of the patrons still at the location drinking alcohol. The fake/false identifications were confiscated and Mr. Albano was advised to purchase a black light or a bar code scanner to detect false/fake identifications. Mr. Albano stated that these items were too expensive and that he could not afford them. Officers advised Mr. Albano of the number of underage persons served in the establishment and he replied that he confiscated 30 fake/false identifications last week and that he thought that he was doing what he could to determine which identifications are false/fake. A Marquette public safety officer approached officers during the investigation and informed them that he observed 10 subjects appearing to be underage running from the rear door of the establishment as officers entered through the front door. The only way to gain access to the rear door is to go directly through the kitchen where Mr. Albano claimed to be. Mr. Albano stated he saw nothing to officers. Numerous citations were issued to the underage patrons for possession/consumption and misrepresenting age. Mr. Albano was cited for allowing consumption of alcohol by underage and was found guilty on March 18, 2009 and fined \$349.00.

- K. On February 11, 2009 at 1:09 p.m., officers of the Milwaukee Police Department were conducting sales of alcohol to underage and had a Milwaukee police aide, who is under the age of 21, enter 1601 West Wells in attempts to purchase alcohol. The police aide ordered one glass of beer from the bartender even after providing identification as requested by the bartender. When questioned regarding serving the beer, the bartender stated she only looked at the year on the identification. The licensee, Virginia Albano, was on scene and informed of the violation. A citation was issued to Michael Albano, who has been running the business due to the failing health of Virginia Albano. Mr. Albano was cited for sale of alcohol to underage person on April 1, 2009 and fined \$160.00.
- L. At hearing, the licensee's grandson produced a number of fake IDs that he had confiscated and a black light that he uses to see if IDs are fake. However, he admitted that he has not obtained a code scanner, a device that would be much more accurate.
- M. The following pertains to Michael Albano, grandson of the licensee, who is listed as a corporate officer and manages the premises because of the licensee's age and physical condition:

On February 3, 1991, Mr. Albano received a citation for underage person carrying official identification card that was altered by

UWM Police Department. Mr. Albano was found guilty and fined \$151.00.

On January 17, 1990, Mr. Albano was convicted of operating while intoxicated in Milwaukee County. Mr. Albano's license was suspended for 6 months.

CONCLUSIONS OF LAW

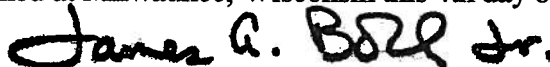
1. The Committee has jurisdiction to hold hearings and provide Findings of Fact, Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapter 125 of the Wisconsin Statutes and Chapter 90 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concludes that the Licensee, Virginia Albano, 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 her Class "B" Tavern license for the premises located at 1601 West Wells Street in the City and County of Milwaukee, Wisconsin ("Angelo's Pizza") without undergoing a thirty (30) day suspension of said license. The Committee finds the police report, as stated above, 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 Licenses Committee that the full Common Council of the City of Milwaukee should exercise its judgment to renew the Class "B" Tavern license of Virginia Albano, for the premises located at 1601 West Wells Street in the City and County of Milwaukee, Wisconsin ("Angelo's Pizza"), with a thirty (30) day suspension based upon the police report.

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 License of Virginia Albano, for the premises located at 1601 West Wells Street in the City and County of Milwaukee, Wisconsin be renewed with thirty (30) day suspension.

Said suspension is in effect from 12:01 a.m., July 1, 2009 through to midnight, July 30, 2009.

Dated and signed at Milwaukee, Wisconsin this 4th day of June, 2009.



JAMES A. BOHL, Jr., Chair
Licenses Committee



Office of the City Clerk

Ronald D. Leonhardt
City Clerk

Jim Owczarski
Deputy City Clerk

www.milwaukee.gov

June 4, 2009

Karen Jackson-Walls
2374 North 2nd Street
Milwaukee, WI 53212

Dear Ms. Jackson-Walls:

You are hereby notified that the Milwaukee Common Council will hold a hearing on June 16, 2009, commencing at 9:00 a.m., or as soon thereafter as this matter may be heard, in the Common Council chambers on the third floor of City Hall, 200 East Wells Street, Milwaukee, Wisconsin to consider the renewal of your Class "D" Bartender license.

Attached you will find a copy of the Report of the Licenses Committee, which includes its Findings of Fact, Conclusions of Law and Recommendation, recommending nonrenewal of your license based upon nonappearance. The recommendation is the result of a public hearing before the Committee held on June 1, 2009.

You may file a written objection to the report of the Licenses Committee. If you file a written objection to the report you may also appear before the Milwaukee Common Council to make oral arguments supporting your written objections and present oral arguments supporting that objection to the Common Council. Any written objections to the Committee's Report must be filed with the City Clerk by 4:45 p.m. on June 11, 2009. You or a legal representative may then also appear at the Common Council meeting and request an opportunity to address the Common Council for approximately five (5) minutes to present an oral argument on your own behalf.

Respectfully,

RONALD D. LEONHARDT
City Clerk

Enclosure



JAMES A. BOHL JR.
Alderman, 5th District

Date: June 4, 2009

To: All Members of the Milwaukee Common Council

From: Licenses Committee

Re: Report on the Class "D" Bartender renewal application of Karen Jackson-Walls

FINDINGS OF FACT

1. Karen Jackson-Walls (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, 2008.
2. An application to renew said license was untimely filed with the Office of the City Clerk on April 6, 2009.
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 April 7, 2009, 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 20, 2009, 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 1, 2009, commencing at 1:30 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 Karen Jackson-Walls at 2374 North 2nd Street, Milwaukee, Wisconsin 53212 on May 20, 2009 by

U.S. prepaid first-class mail in an envelope bearing the return address of the License Division. The address of 2374 North 2nd Street, Milwaukee, Wisconsin 53212 is the address given by the Licensee on her 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 1, 2009.

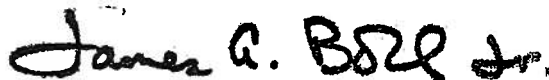
CONCLUSIONS OF LAW

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, Karen Jackson-Walls, 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" Bartender license based upon 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" Bartender license held by Karen Jackson-Walls based upon nonappearance.

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 "D" Bartender license be denied based upon nonappearance.

Dated and signed at Milwaukee, Wisconsin this 4th day of June, 2009.



JAMES A. BOHL, Jr.
Chair, Licenses Committee



www.milwaukee.gov

Office of the City Clerk

June 4, 2009

Ronald D. Leonhardt
City Clerk

Jim Owczarski
Deputy City Clerk

Alan S. Stevens
1108 North Hawley Road
Milwaukee, WI 53208

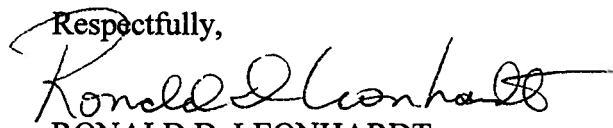
Dear Mr. Stevens:

You are hereby notified that the Milwaukee Common Council will hold a hearing on June 16, 2009, commencing at 9:00 a.m., or as soon thereafter as this matter may be heard, in the Common Council chambers on the third floor of City Hall, 200 East Wells Street, Milwaukee, Wisconsin to consider the renewal of your Class "B" Manager license.

Attached you will find a copy of the Report of the Licenses Committee, which includes its Findings of Fact, Conclusions of Law and Recommendation, recommending nonrenewal of your license based upon nonappearance. The recommendation is the result of a public hearing before the Committee held on June 1, 2009.

You may file a written objection to the report of the Licenses Committee. If you file a written objection to the report you may also appear before the Milwaukee Common Council to make oral arguments supporting your written objections and present oral arguments supporting that objection to the Common Council. Any written objections to the Committee's Report must be filed with the City Clerk by 4:45 p.m. on June 11, 2009. You or a legal representative may then also appear at the Common Council meeting and request an opportunity to address the Common Council for approximately five (5) minutes to present an oral argument on your own behalf.

Respectfully,



RONALD D. LEONHARDT
City Clerk

Enclosure



JAMES A. BOHL JR.
Alderman, 5th District

Date: June 4, 2009

To: All Members of the Milwaukee Common Council

From: Licenses Committee

Re: Report on the Class "B" Manager renewal
application of Alan S. Stevens

FINDINGS OF FACT

1. Alan S. Stevens (hereinafter the "Licensee") is the holder of a Class "B" Manager's license in the City and County of Milwaukee, Wisconsin. Said license expires at midnight, June 30, 2009.
2. An application to renew said license was timely filed with the Office of the City Clerk on March 30, 2009.
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 March 31, 2009, 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 20, 2009, 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 1, 2009, commencing at 1:30 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 Alan S. Stevens at 1108 North Hawley

Road, Milwaukee, Wisconsin 53208 on May 20, 2009 by U.S. prepaid first-class mail in an envelope bearing the return address of the License Division. The address of 1108 North Hawley Road, Milwaukee, Wisconsin 53208 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 June 1, 2009.

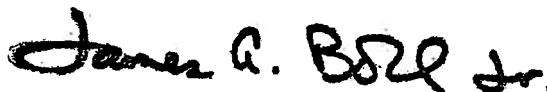
CONCLUSIONS OF LAW

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, Alan S. Stevens, 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 "B" Manager's license based upon 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 "B" Manager's license held by Alan S. Stevens based upon nonappearance.

RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of four (4) ayes, zero (0) noes and one (1) excused, recommends that the Class "B" Manager's license be denied renewal based upon nonappearance.

Dated and signed at Milwaukee, Wisconsin this 4th day of June, 2009.



JAMES A. BOHL, Jr.
Chair, Licenses Committee



Office of the City Clerk

Ronald D. Leonhardt
City Clerk

Jim Owczarski
Deputy City Clerk

www.milwaukee.gov

June 4, 2009

Rekha A. Gabhawala, Agent
Avenue Liquor, Inc.
610 West Wisconsin Avenue, No. 7
Milwaukee, WI 53203

Dear Mr. Gabhawala:

You are hereby notified that the Milwaukee Common Council will hold a hearing on June 16, 2009, commencing at 9:00 a.m., or as soon thereafter as this matter may be heard, in the Common Council chambers on the third floor of City Hall, 200 East Wells Street, Milwaukee, Wisconsin to consider the renewal of your Class "A" Liquor and Malt License application for the premises located at 616 West Wisconsin Avenue, Milwaukee, Wisconsin ("Avenue Liquor").

Attached you will find a copy of the Report of the Licenses Committee, which includes its Findings of Fact, Conclusions of Law and Recommendation, recommending renewal of your license with a ten (10) day suspension based upon the police report. The recommendation is the result of a public hearing before the Committee held on June 1, 2009.

You may file a written objection to the report of the Licenses Committee. If you file a written objection to the report you may also appear before the Milwaukee Common Council to make oral arguments supporting your written objections and present oral arguments supporting that objection to the Common Council. Any written objections to the Committee's Report must be filed with the City Clerk by 4:45 p.m. on June 11, 2009. You or a legal representative may then also appear at the Common Council meeting and request an opportunity to address the Common Council for approximately five (5) minutes to present an oral argument on your own behalf.

Respectfully,

RONALD D. LEONHARDT
City Clerk

Enclosure



JAMES A. BOHL JR.
Alderman, 5th District

Date: June 4, 2009

To: All Members of the Milwaukee Common Council

From: Licenses Committee

Re: Report on the Class "A" Liquor and Malt license renewal application of Rekha A. Gabhawala, agent for Avenue Liquor, Inc., for the premises located at 616 West Wisconsin Avenue in the City and County of Milwaukee, Wisconsin ("Avenue Liquor").

FINDINGS OF FACT

1. Rekha A. Gabhawala (hereinafter "the Licensee"), is the holder of a Class "A" Liquor and Malt license for the premises located at 616 West Wisconsin Avenue in the City and County of Milwaukee, Wisconsin ("Avenue Liquor"). Said license expires at midnight on July 6, 2009.
2. An application to renew said license was filed with the Office of the City Clerk on March 26, 2009.
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 March 27, 2009, the Milwaukee Police Department responded with a report regarding the renewal of said license, which could form a basis of non-renewal or suspension. There were also neighborhood objections to loitering, littering, loud music and noise, parking and traffic problems, drug and criminal activity, prostitution, trespassing, public urination, fights, shootings, vandalism, thefts, operation of the premises in such a manner that it creates a public nuisance, and conduct detrimental to the health, safety and welfare of the neighborhood.
4. On May 21, 2009, 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 the neighborhood objections, and included therewith a copy of the Milwaukee Police Department report. The matter was scheduled for a hearing on the Milwaukee Police Department report and neighborhood objections on June 1, 2009, commencing at 11:15 am in Room 301B 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, together with a copy of the Milwaukee Police Department report. The Licensee was not represented by counsel.

5. Based upon the testimony heard and evidence received, the Committee makes the following findings of fact.
 - A. On March 21, 2007 at 8:10 p.m., officers of the Milwaukee Police Department (plain-clothes squad) were conducting underage alcohol buys and went into Avenue Liquor at 616 West Wisconsin Avenue. An underage police aide was able to purchase a four-can pack of beer without being asked for identification. The clerk was cited for sale of alcohol to underage person and found guilty on June 8, 2007 and fined \$160.00. The licensee, Rekha A. Gabhawala, was cited for Class "B" licensee responsibility, which was dismissed on February 12, 2008 without prejudice.
 - B. On March 22, 2007 at 8:19 p.m., plain-clothes officers of the Milwaukee Police Department were conducting underage alcohol buys and went into Avenue Liquor at 616 West Wisconsin Avenue. An underage police aide attempted to purchase a six-pack of beer and was unable to produce identification, so the clerk would not sell her the beer. A customer offered to buy the underage the beer. She asked him several times if he was sure and he met her on the public sidewalk and gave her the beer. The clerk overheard the conversation. The clerk was cited for A&A misrepresentation of age by underage person, which was dismissed without prejudice on June 8, 2007.
 - C. On March 18, 2008 at 10:20 a.m., the licensee was cited by officers of the Milwaukee Police Department for sale of alcohol to underage person and on August 18, 2008 was found guilty and fined \$160.00.
 - D. On April 30, 2008 at 8:40 p.m., a 19-year old police aide, working in conjunction with Milwaukee police, was able to purchase a four-pack of a malt beverage at 616 West Wisconsin Avenue (Avenue Liquor). The clerk was issued a citation for sale of alcohol to underage person and was found guilty on October 3, 2008 and fined \$100.00.
 - E. On May 7, 2008 at 8:00 p.m. a 19-year old police aide, working in conjunction with Milwaukee police, was able to purchase alcohol at 616 West Wisconsin Avenue (Avenue Liquor). The clerk was issued a citation for sale of alcohol to underage person, was found guilty on September 26, 2008 and was fined \$100.00.
 - F. No neighbors appeared in opposition to the renewal of this license, and several appeared in support of renewal who are obviously over

21 years of age and are known to the licensee, yet who claim to be carded by the licensee regularly.

CONCLUSIONS OF LAW

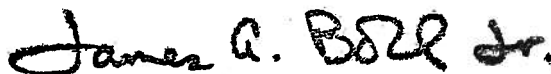
1. The Committee has jurisdiction to hold hearings and provide Findings of Fact, Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapter 125 of the Wisconsin Statutes and Chapter 90 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concludes that the Licensee, Rekha A. Gabhawala, 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 his Class "A" Liquor and Malt license without undergoing a ten (10) day suspension of said license. The Committee finds the police report, as stated above, 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 Licenses Committee that the full Common Council of the City of Milwaukee should exercise its judgment to renew the Class "A" Liquor and Malt license of Rekha A. Gabhawala, for the premises located at 616 West Wisconsin Avenue in the City and County of Milwaukee, Wisconsin ("Avenue Liquor"), with a ten (10) day suspension based upon the entire police report, including three underage citations.

RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of four (4) ayes and one (1) abstain, recommends that the Class "A" Liquor and Malt License of Rekha A. Gabhawala, for the premises located at 616 West Wisconsin Avenue in the City and County of Milwaukee, Wisconsin, be renewed with a ten (10) day suspension.

Said suspension is in effect from 12:01 a.m., July 7, 2009 through to midnight, July 16, 2009.

Dated and signed at Milwaukee, Wisconsin this 4th day of June, 2009.



JAMES A. BOHL, Jr., Chair
Licenses Committee



www.milwaukee.gov

Office of the City Clerk

June 5, 2009

Ronald D. Leonhardt
City Clerk

Jim Owczarski
Deputy City Clerk

Franco J. Ithier, Agent
K&F Entertainment, LLC
3610 South 15th Street
Milwaukee, WI 53221


Dear Mr. Ithier:

You are hereby notified that the Milwaukee Common Council will hold a hearing on June 16, 2009, commencing at 9:00 a.m., or as soon thereafter as this matter may be heard, in the Common Council chambers on the third floor of City Hall, 200 East Wells Street, Milwaukee, Wisconsin to consider the renewal of your Class "B" Tavern license for the premises located at 2685 South 9th Place, Milwaukee, Wisconsin ("Southern Comforts II").

Attached you will find a copy of the Report of the Licenses Committee, which includes its Findings of Fact, Conclusions of Law and Recommendation, recommending nonrenewal of your license based upon the police report and neighborhood testimony. The recommendation is the result of a public hearing before the Committee held on June 1, 2009.

You may file a written objection to the report of the Licenses Committee. If you file a written objection to the report you may also appear before the Milwaukee Common Council to make oral arguments supporting your written objections and present oral arguments supporting that objection to the Common Council. Any written objections to the Committee's Report must be filed with the City Clerk by 4:45 p.m. on June 11, 2009. You or a legal representative may then also appear at the Common Council meeting and request an opportunity to address the Common Council for approximately five (5) minutes to present an oral argument on your own behalf.

Respectfully,


RONALD D. LEONHARDT
City Clerk

Enclosure



JAMES A. BOHL JR.
Alderman, 5th District

Date: June 5, 2009

To: All Members of the Milwaukee Common Council

From: Licenses Committee

Re: Report on the Renewal Application of the Class "B" Tavern license of Franco J. Ithier, agent for K&F Entertainment, LLC, for the premises located at 2685 South 9th Place in the City and County of Milwaukee, Wisconsin ("Southern Comforts II")

FINDINGS OF FACT

1. Franco Ithier (hereinafter "the Licensee"), is the holder of a Class "B" Tavern license for the premises located at 2685 South 9th Place in the City and County of Milwaukee, Wisconsin ("Southern Comforts II"). Said license expires at midnight on July 10, 2009.
2. An application to renew said license was filed with the Office of the City Clerk on April 24, 2009.
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 April 28, 2009, the Milwaukee Police Department responded with a report regarding the renewal of said license, which could form a basis of non-renewal or suspension. There were also alleged neighborhood objections to racing and loud vehicles, loud music and noise, loitering, littering, illegal drug activity, cruising, fighting, prostitution, drunkenness, public urination, trespassing, vandalism, damage to private property, parking on private property, disturbing the peace, causing the normal flow of traffic on roadways to be impeded, excessive and inappropriate use of police resources, neighborhood problems due to mismanagement, endangering safety by exceeding capacity, shootings and gunshots, premises is operated in such a manner that it causes a public nuisance, and conduct which is detrimental to the health, safety and welfare of the neighborhood.
4. On May 22, 2009, 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 the neighborhood objections, and included therewith a copy of the Milwaukee Police Department report dated April 28, 2009. The matter was scheduled for a hearing on the Milwaukee Police Department report and neighborhood objections on June 1, 2009, commencing at 3:30 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 admitted receipt of the notice of hearing, together with a copy of the Milwaukee Police Department report. The Licensee was not represented by counsel.

5. Based upon the testimony heard and evidence received, the Committee makes the following findings of fact.

- A. On June 22, 2008 at 8:50 p.m., officers of the Milwaukee Police Department were dispatched to 2685 South 8th Street for a fight complaint. Officers were advised that a male was being beaten with a bat outside of the tavern. Upon arrival, officers observed no fighting nor could they find a victim. Neighbors advised police that the fight started in the tavern. Officers attempted to enter the tavern but found it to be locked and closed. Officers observed a female exit the rear side door and spoke with her. She was identified as the bartender for the tavern. Police escorted her back inside the tavern where officers asked her about a possible fight that occurred. She denied numerous times that any fights occurred in or outside of the tavern. Police then found a patron hiding in the bathroom who had a bloody nose and a large bruise on her forehead. The female was identified and she stated that she was the roommate of the bartender and came to the bar to bring the bartender something when she got knocked over trying to break up a fight outside. This female further stated that no one hit her and that she just fell, hitting her face on the curb and denied having anything to do with the fight. The licensee, Franco Ithier, arrived on scene and police advised Ithier of why police were there and the two women found in the tavern. Ithier was also advised that both women were not admitting to a fight that occurred at the tavern. Ithier stated he would find out what happened and briefly left the tavern. Upon returning, Ithier advised officers that a fight did occur when two patrons who were playing pool began to fight over money. One patron left with his winnings with the other patron following him outside. A physical fight then started between the two patrons. Officers were unable to locate a victim. Further investigation found that the woman who identified herself as a bartender was not a licensed bartender. Ithier was aware of this but still left her to bartend alone. Ithier received a warning regarding the fight that had occurred. The bartender was issued a

citation for Class "D" bartender's operator's license required which was dismissed without prejudice on October 3, 2008. Franco Ithier was issued a citation for Class "D" bartenders operator's license required and was found guilty on October 3, 2008 and fined \$200.00.

- B. On August 2, 2008 at 2:00 a.m., officers of the Milwaukee Police Department were dispatched to a shots fired complaint at 2685 South 9th Place (Southern Comforts II). Officers spoke to the owner, Franco Ithier, who was bartending at the time, who stated an argument between two patrons occurred with both subjects being kicked out of the tavern. One of the actors slammed a handgun against the front window and then began to fire shots outside of the tavern. A total of four bullets were found to have hit the outer siding of the wall but did not enter the inside of tavern. Ithier stated he was trying hard to keep gang members out of the tavern and that he was going to look into installing a surveillance system and possibly require his patrons to be checked with a metal detector.
- C. On August 17, 2008 at 12:55 p.m., officers of the Milwaukee Police Department were dispatched to 2685 South 9th Place (Southern Comforts II) for a burglary complaint. Officers spoke to Franco Ithier who stated he closed the tavern between 2:00 and 2:15 a.m. on August 17th. His janitor arrived around 4:30 a.m. and found someone had entered the bar and broken into the video poker machines and removed the cash. An incident report was filed.
- D. On September 27, 2008 at 12:06 a.m., officers of the Milwaukee Police Department were dispatched to a fight at 2685 South 9th Place (Southern Comforts II). The investigation revealed that several patrons became argumentative when asked to leave the bar. During the argument, a bottle was thrown at a tavern window, but no damage was caused. These subjects were gone prior to the arrival of police. No incident report or citations were written as a result of this incident.
- E. On September 29, 2008 at 12:06 a.m., officers of the Milwaukee Police Department were dispatched to a property damage complaint at 2685 South 9th Place (Southern Comforts II). The investigation revealed the bartender on duty at the time called police regarding the incident of September 27, 2008. The bartender reported that two of the subjects involved in the incident on September 27, 2008 returned to the bar. These subjects were

gone prior to the arrival of police. No incident report or citations were written as a result of this incident.

- F. On December 2, 2008 at 7:56 p.m., officers of the Milwaukee Police Department were conducting a follow-up regarding a shot fired into a home complaint that took place on November 26, 2008 at 2683 South 9th Place (Southern Comforts II). Officers were advised by a witness that the subject who was shot at was involved in a fight that took place at the tavern located at 2685 South 9th Place (Southern Comforts II). Officers spoke to Franco Ithier and Ithier was asked if he recalled the shots that were fired on November 26, 2008. Ithier stated he had not heard anything and did not know what happened. Ithier was asked about a fight that occurred in his tavern that night and Ithier stated that there was a male patron who was yelling racial slurs to another patron when a third patron also got involved. Ithier stated he put out all three patrons and stated shortly after that he closed the bar and left the tavern. Ithier stated he heard no shots fired nor saw any police squads parked at the house of where it occurred.
- G. On February 2, 2009 at 2:10 a.m., officers of the Milwaukee Police Department were dispatched to 2685 South 9th Place (Southern Comforts II) for a shots fired into a tavern complaint. Upon arrival, officers observed five shotgun casings lying in front of tavern and a football size hole in the upper left corner of the left front window where the shot gun pellets entered the business. Once inside, officers observed at least twenty pellet holes scattered in the ceiling as well as several pieces of metal pellets scattered on the left side of the bar. The flat screen TV behind the bar had been struck and shattered from the impact. The bartender was inside of the bar when the shots were fired. Police interviewed witnesses who stated a fight took place approximately at 1:15 a.m. Witnesses stated two patrons were arguing when one patron struck the other in the face. The patron who was struck in the face left the tavern but later returned with two other subjects who fired shots into the tavern. There were three surveillance cameras in the tavern; however, they were found to be inoperable. The cables from the cameras lead to the basement but were not hooked up to any recording device. It should be noted that on February 16, 2009 at 2:20 a.m., a detective responded to South 9th Place and Lincoln Avenue to assist officers regarding a traffic stop, which was possibly related to this incident. The detective interviewed the four occupants in the auto, which has just left Southern Comforts II. The vehicle was stopped because it had been linked to the shots fired into the tavern on February 2, 2009. The detective's investigation revealed these occupants admitted to being Los

Primos gang members. They also admitted to hanging out at Southern Comforts II.

- H. On April 3, 2009 at 3:00 p.m., Assistant City Attorneys Jarely Ruiz and Adam Stephens, along with District Six Captain Gaglione and other district personnel, meet with the licensee, Franco Ithier, in regards to his tavern at 2985 South 9th Place (Southern Comforts II). On March 19, 2009, a Milwaukee Code of Ordinances § 80-10 letter was sent out to Ithier's last known address of 2685 South 9th Place informing him that the Milwaukee Police Department had responded to his property for repeated nuisances pursuant to Milwaukee Code of Ordinances § 80-10-(2)(b-5)(b9)(b12). It further stated the responses to his property were for violations that are defined in Milwaukee Code of Ordinances § 80-10 as nuisance activity. Ithier denied receiving this letter and when asked to verify his address, he gave an address that was not reported on his liquor license application. Ithier was given his second notice ("failed to respond") and a copy of the original letter that was sent out on March 19, 2009. Ithier was also issued a citation for failure to report change of address, which was scheduled for court hearing on May 27, 2009. The citation in question will have to be reissued. At hearing, the licensee admitted that when he changed address he did not know he was to report the change within ten days to the City Clerk. Mr. Ithier ultimately received the letter from the Milwaukee Police Department, but has never submitted a nuisance abatement plan.
- I. On April 4, 2009 at 12:10 a.m., officers of the Milwaukee Police Department conducted a license premise check at 2685 South 9th Place (Southern Comforts II). Officers found the emergency exit door at the rear of the bar to be locked with both a deadbolt and doorknob lock. Once officers were able to open the door, they found that it led out to a hallway where another exterior exit door to the building was also found to be closed and locked with a deadbolt and doorknob lock. A citation was issued to the licensee, Franco Ithier, for safe egress from all entrance doors and serving rooms, which was scheduled for a court hearing on May 17, 2009. However, it cannot be found in the system.
- J. Objecting neighbors testified to regular episodes of shots being fired by patrons exiting this tavern, as well as to fights taking place involving patrons. One neighbor testified to patrons conducting after-hour parties on a picnic table he has in his yard and cursing during those episodes. That same neighbor has had a bullet fired into a glass block bathroom window.

- K. At hearing, it was disclosed that the holding company, which is the licensee, has not been renewed and the legal entity is suspended by the Wisconsin Department of Financial Institutions.
- L. The Milwaukee Police Department Second District captain testified that the agent of the licensee is incapable of controlling this tavern. Even one supporter testified to "having to hit the floor" on two occasions in the summer and fall of 2008 due to gunfire.

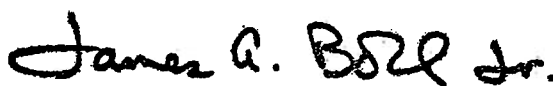
CONCLUSIONS OF LAW

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 upon the above facts found, the Committee concludes that the Licensee, Franco Ithier, 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 his Class "B" Tavern license. The Committee finds the police report and neighborhood objections, as stated above, 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 Licenses Committee that the full Common Council of the City of Milwaukee should exercise its judgment to not renew the Class "B" Tavern license of Franco Ithier for the premises located at 2685 South 9th Place in the City and County of Milwaukee, Wisconsin (Southern Comforts II) based upon the police report and for the danger the operation of this premises posed to the health, safety and welfare of the citizens of the community.

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 License of Franco Ithier, for the premises located at 2685 South 9th Place in the City and County of Milwaukee, Wisconsin, not be renewed based upon the police report and neighborhood objections.

Dated and signed at Milwaukee, Wisconsin this 5th day of June, 2009.



JAMES A. BOHL, Jr., Chair
Licenses Committee



www.milwaukee.gov

Office of the City Clerk

Ronald D. Leonhardt
City Clerk

Jim Owczarski
Deputy City Clerk

June 5, 2009

Olayinka M. George
5318 West Center Street
Milwaukee, WI 53210

Atty. Vincent Bobot
1919 W. Henry Ave.
Milwaukee, WI 53221-5017

Dear Mr. George and Atty. Bobot:

You are hereby notified that the Milwaukee Common Council will hold a hearing on June 16, 2009, commencing at 9:00 a.m., or as soon thereafter as this matter may be heard, in the Common Council chambers on the third floor of City Hall, 200 East Wells Street, Milwaukee, Wisconsin to consider the renewal of the Class "B" Tavern and Tavern Dance licenses for the premises located at 5318 West Center Street, Milwaukee, Wisconsin ("Infinity Lounge").

Attached you will find a copy of the Report of the Licenses Committee, which includes its Findings of Fact, Conclusions of Law and Recommendation, recommending nonrenewal of the licenses based upon the police report and neighborhood testimony. The recommendation is the result of a public hearing before the Committee held on June 3, 2009.

You may file a written objection to the report of the Licenses Committee. If you file a written objection to the report you may also appear before the Milwaukee Common Council to make oral arguments supporting your written objections and present oral arguments supporting that objection to the Common Council. Any written objections to the Committee's Report must be filed with the City Clerk by 4:45 p.m. on June 11, 2009. You or a legal representative may then also appear at the Common Council meeting and request an opportunity to address the Common Council for approximately five (5) minutes to present an oral argument on your own behalf.

Respectfully,


RONALD D. LEONHARDT
City Clerk

Enclosure



JAMES A. BOHL JR.
Alderman, 5th District

Date: June 5, 2009

To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report of the Renewal Application of Olayinka M. George for Class "B" Tavern and Tavern Dance licenses for the premises located at 5318 West Center Street in the City and County of Milwaukee, Wisconsin ("Infinity Lounge").

FINDINGS OF FACT

1. Olayinka M. George (hereinafter the "Licensee") is the holder of Class "B" Tavern and Tavern Dance licenses for the licensed premises at 5318 West Center Street in the City and County of Milwaukee, Wisconsin ("Infinity Lounge"). Said licenses expire at midnight, June 23, 2009.
2. Applications to renew said licenses were filed with the office of the City Clerk on April 3, 2009.
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. A report from the Milwaukee Police Department was dated April 6, 2009 could form a basis for non-renewal or suspension of the license. There were also claimed neighborhood objections to littering, loitering, loud music and noise, parking and traffic problems, drug and criminal activity, prostitution, trespassing, public urination, fights, shootings, vandalism, thefts, operation of the premises in such a manner that it creates a public nuisance, failure to comply with the requirements regarding garbage, dumpsters and recycling and conduct detrimental to the health, safety and welfare of the neighborhood.
4. On April 29, 2009 and May 27, 2009, 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 neighborhood objections and of the police report, including a copy of the police report. The matter was scheduled for a hearing on May 11, 2009 and June 3, 2009 at 9:30 a.m. in Room 301A of the third floor of City Hall. At said dates, times and place, the licensee appeared at the hearing and admitted receipt of the notice of hearing and the attachments. The

attachments. The licensee was represented by Attorney Vincent Bobot, 1919 West Henry, Milwaukee, Wisconsin 53221.

5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:

A. The licensee was cited for:

Charge:	Issue of Worthless Check — Non Criminal
Finding:	Guilty
Sentence:	Fined - unknown amount
Date:	09/08/82

- B. On Tuesday, August 17, 1999 at 1:10 a.m., officers of the Milwaukee Police Department conducted a tavern check at the licensed premises located at 5318 West Center Street in the City and County of Milwaukee, Wisconsin (Steppin' Up Lounge). Upon their arrival officers found an underage person drinking beer inside the tavern. The licensee was on the scene. At the time the licensee was the licensee for the Steppin' Up Lounge.

As to Licensee (George, Olayinka M.):

Charge:	Sale of Alcohol to Underage Person
Finding:	Guilty
Sentence:	Fined \$145.00
Date:	11/05/99

- C. On Friday, November 26, 1999 at about 10:53 p.m., an underage police aide, along with two undercover officers of the Milwaukee Police Department, entered the Steppin' Up Lounge located at 5318 West Center Street. The police aide walked directly past the doorman who did not ask for identification. The police aide purchased two alcoholic drinks from the bartender. An investigation revealed that there were two unlicensed bartenders on the scene who were not supervised by a licensed person. The licensee arrived on the scene approximately 20 minutes into the officers' investigation. The doorman was arrested on a warrant for delivery of a controlled substance.

As to the bartender:

Charge:	Ct. 1 Sale of Alcohol to Underage Person
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Ct. 2 Class "D" Bartender License Required

Finding: Ct. 1 Guilty
Ct. 2 Not issued
Ct. 1 Fined \$146.00
Ct. 2 Not Issued

Date: Ct. 1 02/08/00
Ct. 2 01/11/00

As to bartender #2:

Charge: Class D Bartender License Required
Finding: Warrant Issued
Date: 02/08/00

As to Licensee (George, Olayinka M.):

Charge: Ct. 1 Class D Bartender License Required
(Licensee Responsibility)
Ct. 2 Sale of Alcohol to Underage Person
(Licensee Responsibility)
Ct. 3 Responsible Person Upon Licensed
Premise
Ct. 4 Presence of Underage Person
(Licensee Responsibility)
Ct. 5 Class D Bartender License Required
(Licensee Responsibility)

Finding: Ct. 1 Dismissed without prejudice
Ct. 2 Guilty
Ct. 3 Dismissed without prejudice
Ct. 4 Guilty
Ct. 5 Dismissed without prejudice
Ct 1 Dismissed
Ct. 2 Fined \$146.00
Ct. 3 Dismissed
Ct. 4 Fined \$346.00
Ct. 5 Dismissed

Date: All Cts. 02/08/00

- D. On January 9, 2000 at 1:30 a.m., officers of the Milwaukee Police Department responded to a loud music complaint at the Steppin' Up Lounge located at 5318 West Center Street. As the officers approached the tavern they could hear the music coming from this tavern as the they started to enter the 5200 block of West Center Street. Upon their arrival the officers advised the licensee to turn down the

music. Mr. George stated "ya, ok", and shrugged his shoulders. At this time officers conducted a check of the tavern. During this check, the music was not turned down, and the licensee again was advised to turn the music down, which he did. A citizen/complainant stated that he called the tavern to complain to the manager regarding the music, but whoever answered the phone told him to "Fuck Off", and hung up the phone.

As to Licensee (George, Olayinka M.):

Charge: Noise Nuisance
Finding: Dismissed without prejudice
Date: 05-21-01

- E. On March 2, 2000 at 11:30 p.m., officers of the Milwaukee Police Department were dispatched to a loud music complaint at the Steppin' Up Lounge located at 5318 West Center Street. Officers stood mid block in the 5400 block of West Center Street and were able to hear music being played in the premise. Upon entering the tavern officers found a coin operated dart machine being operated without a valid City permit. The licensee, Olayinka George, stated that people are always complaining about the music being loud, and he is getting tired of the Police entering his establishment every week. Regarding the expired permit on the machine, he stated that it's not his responsibility because he does not own the machine.

As to Licensee (George, Olayinka M.):

Charge: Ct. 1 Noise Nuisance
Ct. 2 Video game permit required
Finding: Ct. 1 Court appearance on 6/23/2000
Ct. 2 Not Issued
Sentence: Ct. 1 Guilty
Ct. 2
Date: Ct. 1 Fined \$100.00
Ct. 2

- F. Charge: Littering of Premises
Finding: Guilty
Sentence: Fined \$115.00
Date: 06/20/2000

- G. On August 14, 2000, Sergeant Alan Johnson of District #7 late shift filed a report that revealed the following

information: within the last six months there had been calls for police service made from 5318 West Center Street, Milwaukee, Wisconsin ("Steppin' Up Lounge"). There have been 28 other calls from the area of this tavern. These calls have been for problems at the tavern, including trouble with subjects, loud music, fights, and noise nuisances. Responding squads spent 14 hours and 47 minutes at these calls. A Tavern Directed Patrol Mission has spent 121 hours since July 1, 2000 monitoring this tavern and the area around it, resulting in 73 field interviews, 14 city arrests, 15 state wrests, and 118 parking citations.

- H. On May 16, 2002, officers of the Milwaukee Police Department were dispatched to the licensed premises located at 5318 West Center Street in the City and County of Milwaukee, Wisconsin ("The Steppin' Up Lounge") 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 Steppin' Up Lounge. The victim sustained several serious lacerations as a result and received several stitches. Officers spoke with the owner, Olayinka George, who stated that he did observe several subjects fighting inside the business but that he was unaware that anyone was hurt. Substantial Battery report filed #02-130-3029.
- I. On June 12, 2002, officers of the Milwaukee Police Department were dispatched to investigate a shooting at the licensed premises located at 5318 West Center Street in the City and County of Milwaukee, Wisconsin ("Steppin' Up Lounge"). The victim stated he was shot in the left elbow and left leg by unknown person(s) after exiting the tavern.
- J. On May 20, 2003 at 11:07 p.m., officers of the Milwaukee Police Department were sent to a fight in the street outside of the licensed premises located at 5318 West Center Street in the City and County of Milwaukee, Wisconsin ("The Steppin' Up Lounge"). While patrolling the rear of the tavern, the police heard numerous gun shots which came from inside the tavern and numerous people coming out of the rear of the tavern, two of them being victims of the shooting. One was shot in the neck and the other in a hand. One other victim was discovered inside the tavern with a gunshot wound to the chest. The investigation showed that the shooting was as a result of an argument that started inside the tavern.

- K. Saturday, November 29, 2003 at about 2:10 a.m., officers of the Milwaukee Police Department were dispatched to 53rd and Center for a complaint of shots fired. They were met by Olayinka M. George who stated he saw a male pull out a gun on the street in front of the licensed premises located at 5318 West Center Street in the City and County of Milwaukee, Wisconsin ("Steppin' Up Lounge") and fire three shots. Four casings were found on the scene.
- L. On February 27, 2004 at about 12:33 a.m., officers of the Milwaukee Police Department were flagged down for a battery complaint. The complainant stated that she got into an argument with a patron at the licensed premises located at 5318 West Center Street in the City and County of Milwaukee, Wisconsin ("Infinity Lounge"), and was struck with an unknown object. The complaint stated that when she entered the tavern along with other friends, one of which was underage, they were not asked for identification. The owner of the tavern insisted that they ask all patrons entering for a picture ID.
- M. On March 31, 2004 at 11:15 p.m., an underage Milwaukee police aide, at the direction of Milwaukee police officers, entered the Infinity Lounge located at 5318 West Center Street. The aide was able to purchase a bottle of Corona beer from the bartender, Busola I. George.

As to the Licensee, George, Olayinka M:

Charge: Sale To Underage
Finding: Guilty
Sentence: \$75.00
Date: 6-18-2004

As to the Bartender:

Charge: Sale To Underage
Finding: Guilty
Sentence: \$152.00
Date: 5-21-2004

- N. On November 10, 2004 at 1:30 a.m., officers of the Milwaukee Police Department responded to licensed premises located at 5318 West Center Street in the City and County of Milwaukee, Wisconsin ("Infinity Lounge"), with several other squads to investigate a shots fired complaint. Officers found two autos outside of the infinity Lounge that appeared to have been damaged by the impact of bullets.

They recovered five 9mm spent casings, two bullet fragments and one bullet from the street in front of the Infinity Lounge and another licensed premises, the "Vibe," located 5319 West Center Street. Each tavern owner believed the problem to have come from the other's tavern.

- O. On December 14, 2004 at 11:55 p.m., officers of the Milwaukee Police Department responded to the licensed premises at 5318 West Center Street in the City and County of Milwaukee, Wisconsin ("Infinity Lounge"), for a fight inside the tavern. When police arrived, Olayinka M George, the licensee, stated that the bouncers broke up the fight before arrival of the police.
- P. On December 18, 2005, at 1:38 a.m., officers of the Milwaukee Police Department were flagged down by the licensee at 5318 West Center Street. He reported a fight inside the bar. Five citations issued for disorderly conduct.
- Q. On December 6, 2006 at 12:31 a.m., officers of the Milwaukee Police Department were dispatched to 54th and Center Streets for a shots fired complaint. Upon arrival, officers observed several subjects walking to their autos whom had exited from the infinity Lounge. When asked if they had heard any gun shots, the subjects stated, "No." Officers then spoke to Olayinka George, licensee of the bar, who also stated he had not heard any gun shots. Officers then spoke to the caller who stated he heard 10-12 shots fired and observed "many" people running out of the rear exit of the tavern. No casings were found on the scene and no witnesses could provide any descriptions of the person(s) shooting.
- R. On February 23, 2007 at 12:05 a.m., officers of the Milwaukee Police Department were dispatched to 5318 West Center Street in the City and County of Milwaukee, Wisconsin ("Infinity Lounge") for a loud music complaint. About one block away from the Infinity Lounge officers could clearly hear loud music bass coming from the tavern. Officers spoke with Olayinka George and had him turn down the music, which he complied. As officers were exiting the tavern, the music was turned back up to the previous noise level. A citation was issued for noise nuisance. Officers were about to conduct a capacity check, but many patrons began to leave and officers were unable to conduct a proper head count.

Charge: Noise Nuisance

Finding: Guilty
Sentence: Fined \$237.00
Date: 08/30/07

- S. On February 28, 2007 at 12:36 a.m., officers of the Milwaukee Police Department were dispatched to 5318 West Center Street in the City and County of Milwaukee, Wisconsin for a noise nuisance complaint. Upon arrival, officers could only hear music when the front door was open. Music could not be heard from the alley, or from the street when the door was closed. Due to no complainant information, no citation was issued. While officers were at the premises a patron walked up to one of the officers and kissed him on the right cheek. This patron, who was highly intoxicated, was arrested and cited for mashing.
- T. On April 29, 2008 at approximately 10:02 p.m., officers of the Milwaukee Police Department were dispatched to 2719 North 53rd Street in the City and County of Milwaukee, Wisconsin for a complaint of "shots fired." The investigation revealed that a shooting did occur and the victim was located at his home at 3948 North 17th Street. The victim stated that he went to the Infinity Lounge (5318 West Center Street.) and had some shots and some beers. He exited the tavern and started to walk eastbound when he heard two gunshots so he started running. While running, he realized that he was hit in the arm and back. He continued running and eventually hid under a car and called his brother to come pick him up and take him home. The victim stated he did not see anyone outside of the bar and did not have an altercation with anyone while he was inside the bar.
- U. On May 3, 2009 at 1:00 a.m., officers of the Milwaukee Police Department observed a large group of patrons exiting Infinity Lounge and congregating in the street. Officers could hear these subjects making comments about fighting other patrons and observed several subjects to be agitated. Officers also observed patrons that had exited the tavern to be standing in the street blocking traffic, congregating on the sidewalks shouting and acting disorderly. More squads responded to the scene and the crowd was dispersed. Officers spoke to the licensee Olayinka George and when asked if there had been a fight inside the bar, George stated that the crowd had been pushing and shoving inside the bar but that there had been no fight. George further stated that he closed the bar to stop any fight from starting. As officers began to leave the

premises, they were informed that there was a possibility battery victim at St. Joseph's Hospital. Officers proceeded to the hospital where they spoke to the victim Lamont Gary. Gary stated he was the bouncer for Infinity Lounge and that he was assaulted inside the bar. Officers observed several lacerations to Gary's face and hands. Gary needed 50 stitches to repair his lacerations. Gary stated that an argument between two different groups started inside the bar when he attempted to talk to the parties and have them leave the tavern. Gary stated the crowd started to push him and he accidentally bumped into a patron, who then spilled her drink. Gary stated the crowd then began to beat him and he ran behind the bar to escape the crowd. Gary further stated the crowd started throwing bottles and glasses at him and that is how he got cut. Gary stated he observed Olayinka George take the till money and exit the tavern through the rear door while the crowd was still throwing bottles inside the bar. (But see ¶ V below). Officers immediately returned to the bar and secured the scene. George and the rest of the staff were still cleaning the inside the premise. Officers instructed everyone inside to stop cleaning and spoke again to George asking him if there had been a fight that night. George stated that a fight took place outside of the tavern and not inside. Officers did not observe any blood or broken glass outside of the tavern. However, they observed a large amount of broken glass behind the bar and on counter tops at the back of the bar. Also observed was blood on the bar and on the floor leading from the bar to the rear entrance. Police once again asked George what happened, stating they were aware of Gary being injured inside the bar. George then stated that Gary had followed the patrons outside and got into a fight outside. George stated he did not realize how serious Gary's injuries were and that he did call 911 to report the fight. Statements from employees were taken and George had to be asked several times to stop cleaning up until photos of the scene were taken. Officers also confirmed through the dispatcher that no 911 calls were received from the bar. George was arrested for resisting/obstructing an officer and was also cited for disorderly premises prohibited, and at the time of the hearing on June 3, 2009, those matters were pending.

- V. At hearing, Mr. Gary testified that a fight occurred, and he attempted to break it up when he was assaulted by something more than ten persons who threw bottles and glasses at him causing a laceration that required 50 stitches to close. At hearing, Mr. Gary testified that believed that

he had seen Mr. George in and behind the bar while the incident was occurring. As Mr. Gary was leaving the bar through the rear, he noticed that the cash register had been opened and the cash gone, and that is when he realized that Mr. George had left the bar, Mr. Gary believed, while the fight was in progress.

- W. During the hearing, Mr. George denied that he was in the bar when the incident occurred and claimed that he had noticed problems with some of the patrons flashing gang signs and gave instructions to his sister, who was bartending, to close the tavern. He took the cash out of the cash register and was in the rear yard of the tavern when the assault upon Mr. Gary took place. Thus, when the police officers asked him what happened, he told them that no fight occurred, because he had not seen the fight. Mr. George also claimed that he attempted to call 911 from his cell phone at 12:45 a.m., but when he explained what happened he was told to call back on the non-emergency number. He says he did so at approximately 1:00 am.
- X. Adjoining neighbors testified to constant episodes of loud music, noise and litter from patrons of this establishment, and to acts of public urination and defecation involving patrons of this premises. One of the objectors is an employee of a day care service close to the establishment, which is required to close by 8 pm so that its clients are not affected by the activities of this tavern and its patrons.
- Y. The neighbors are convinced it is the operation of this location that is causing these problems because the bar only operates a few nights per week and on nights when it is not operating they do not experience these problems.
- Z. In 2008, this location was renewed with a 30 day suspension; in 2007, it was renewed with a 90 day suspension; in 2006, it was renewed with a warning letter; in 2005, it was renewed with a 30 day suspension and in 2004, it was renewed with a 10 day suspension.

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 recommends that the Common Council of the City of Milwaukee should exercise its discretion

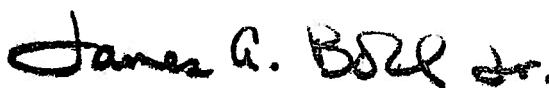
to not renew the Class "B" Tavern and Tavern Dance license of Olayinka M. George for the premises located at 5318 West Center Street in the City and County of Milwaukee, Wisconsin ("Infinity Lounge") based upon the danger the operation of this premises represents to the health, safety, and welfare of the citizens of the City of Milwaukee as evidenced by the police report. The Committee finds the police report and neighborhood objections as stated above 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 Licenses Committee that the Class "B" Tavern and Tavern Dance licenses of Olayinka M. George for the premise located at 5318 West Center Street in the City and County of Milwaukee, Wisconsin ("Infinity Lounge") not be renewed based on the police report and neighborhood 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) no and one (1) abstention, recommends that the Class "B" Tavern and Tavern Dance licenses of Olayinka M. George for the premises located at 5318 West Center Street in the City and County of Milwaukee, Wisconsin not be renewed based upon the police report and neighborhood testimony.

Dated and signed at Milwaukee, Wisconsin this 5th day of June, 2009.



JAMES A. BOHL, Jr., Chair
Licenses Committee