



**JAMES N. WITKOWIAK**  
ALDERMAN, 12TH DISTRICT

February 15, 2006

To the Honorable, the Common Council

Dear Members:

Re: Common Council File 051382

Recommendation of non-renewal, based on non-appearance, of the Class "D" Bartender license of Bennie Cooper, III.

Recommendation of renewal, with a 10-day suspension based on the police report, of the Class "D" Bartender license of Jermaine Williams.

Recommendation of renewal, with a 20-day suspension based on the police report, of the Class "D" Bartender license of Tami Graham.

Recommendation of renewal with a 20-day suspension, based on the police report, of the Class "B" Tavern license of Enrique Terrones for the premises at 1631 W. Grant St. ("Primos Place") in the 13th aldermanic district.  
(Committee vote: Ayes: 3, Noes: 1)

With regard to the items listed above, the Licenses Committee held an evidentiary hearing on February 14<sup>th</sup>, 2006.

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

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

These matters have been scheduled for a hearing before the full Common Council at its meeting on **Tuesday, February 28, 2006 at 9:00 A.M.** in the Common Council Chambers.

Respectfully,

James N. Witkowiak, Chair  
Licenses Committee

cc: All Council Members  
CCF 051382



**JAMES N. WITKOWIAK**

ALDERMAN, 12TH DISTRICT

Date: February 15, 2006

To: All Members of the Milwaukee Common Council

From: Licenses Committee

Re: Report on the Renewal Application of the Class "D" Bartender License of Bennie C. Cooper, III

FINDINGS OF FACT

1. Bennie C. Cooper, III (hereinafter the "Licensee") was the holder of a Class "D" Bartender License in the City and County of Milwaukee, Wisconsin. Said license expired at midnight, December 31, 2005.
2. An untimely application to renew said license was filed with the Office of the City Clerk on January 27, 2006.
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 January 30, 2006, the Milwaukee Police Department responded with a police report that could form a basis for non-renewal or suspension of said license.
4. On February 2, 2006, 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 14, 2006, 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. Notice of the hearing as well as a copy of the police report was sent to Bennie C. Cooper, III at 2767 North 9<sup>th</sup> Street, Milwaukee, Wisconsin 53206 on February 2, 2006 by U.S. prepaid first-class mail in an envelope

bearing the return address of the License Division. The address of 2767 North 9<sup>th</sup> Street, Milwaukee, Wisconsin 53206 is the address given by the applicant on his application. The envelope was not returned to the License Division by the United States Postal Service. The licensee failed to appear at the hearing on February 14, 2006.

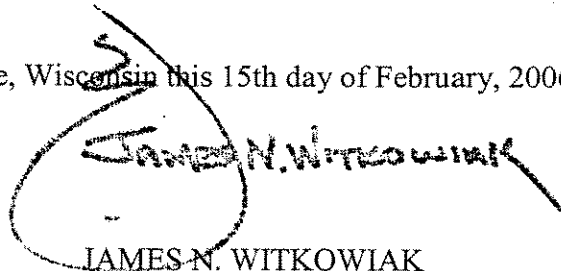
#### CONCLUSIONS OF LAW

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, Bennie C. Cooper, III 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 held by him because of 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 "D" Bartender License not be renewed based upon nonappearance.

Dated and signed at Milwaukee, Wisconsin this 15th day of February, 2006.

A handwritten signature in black ink that reads "James N. Witkowiak". The signature is written in a cursive style and is enclosed within a hand-drawn oval.

JAMES N. WITKOWIAK  
Chairman Licenses Committee



## JAMES N. WITKOWIAK

ALDERMAN, 12TH DISTRICT

Date: February 15, 2006

To: All Members of the Milwaukee Common Council

From: Licenses Committee

Re: Report on the Renewal Application of the Class "D" Bartender License of Jermaine Williams

### FINDINGS OF FACT

1. Jermaine Williams (hereinafter the "Licensee") was the holder of a Class "D" Bartender License in the City and County of Milwaukee, Wisconsin. Said license expired at midnight, December 31, 2005.
2. An application to renew said license was untimely filed with the Office of the City Clerk on January 30, 2006.
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 January 31, 2006, the Milwaukee Police Department responded with a police report that could form a basis for non-renewal or suspension of said license.
4. On February 3, 2006 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 14, 2006, commencing at 1:30 p.m. in Room 301B of City Hall. At said date, time and place, the licensee did appear.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:

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

- A. The applicant was charged with battery on May 14, 2005 and placed on 12 months probation on February 8, 2006.
- B. The applicant was charged with disorderly conduct on July 14, 2005 and sentenced to 12 months probation on February 8, 2006.
- C. The licensee is presently on probation. The licensee did not provide information as to the position of his probation officer regarding his possession of a Class "D" Bartender license.

#### CONCLUSIONS OF LAW

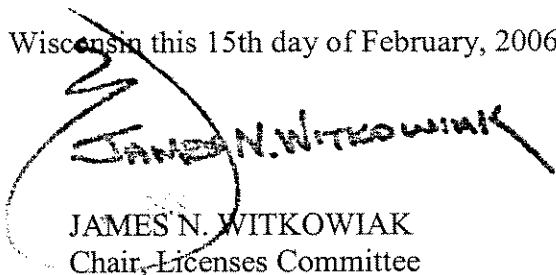
1. The Committee has jurisdiction to hold hearings and provide Findings of Fact, Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapter 125 of the Wisconsin Statutes and Chapter 90 of the Milwaukee Code of Ordinances.
2. Based on the above facts found, the Committee concludes that the licensee, Jermaine Williams 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 held by him without undergoing a ten (10) day suspension of said license because of the danger his activities represent to the health, safety and welfare of the citizens of the City of Milwaukee. The licensee should also be required to provide proof that his probation officer has no objection to his holding a Class "D" Bartender license.
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 renew the Class "D" Bartender license held by Jermaine Williams with a ten (10) day suspension of said license provided that licensee's probation officer has no objection.

#### 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 "D" Bartender License be renewed with a ten (10) day suspension, provided the probation officer of the licensee has no objection.

Said suspension is to be in effect upon action of the Common Council on February 28, 2006 through midnight, March 10, 2006.

Dated and signed at Milwaukee, Wisconsin this 15th day of February, 2006.



JAMES N. WITKOWIAK

JAMES N. WITKOWIAK  
Chair, Licenses Committee



**JAMES N. WITKOWIAK**  
ALDERMAN, 12TH DISTRICT

Date: February 14, 2006  
To: All Members of the Milwaukee Common Council  
From: Licenses Committee  
Re: Report on the Renewal Application of the Class "D" Bartender License of Tami J. Graham

FINDINGS OF FACT

1. Tami J. Graham (hereinafter the "Licensee") was the holder of a Class "D" Bartender License in the City and County of Milwaukee, Wisconsin. Said license expired at midnight, December 31, 2005.
2. An application to renew said license was untimely filed with the Office of the City Clerk on January 12, 2006.
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 January 13, 2006, the Milwaukee Police Department responded with a police report that could form a basis for non-renewal or suspension of said license.
4. On February 2, 2006 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 14, 2006, commencing at 1:30 p.m. in Room 301B of City Hall. At said date, time and place, the licensee did appear.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
  - A. The Milwaukee Police Department's investigation regarding this application revealed the following regarding the licensee:

- B. On January 14, 2000 the applicant was charged with operating auto while intoxicated in Milwaukee County Circuit Court.
- C. On August 12, 2004 the applicant was charged with operating auto while intoxicated (second offense) in Milwaukee County Circuit Court.

#### CONCLUSIONS OF LAW

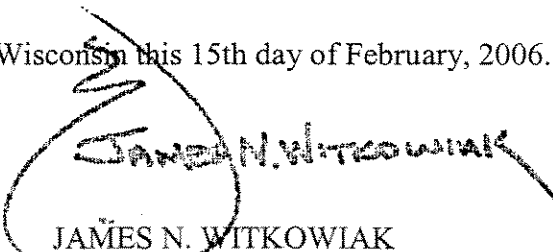
1. The Committee has jurisdiction to hold hearings and provide Findings of Fact, Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapter 125 of the Wisconsin Statutes and Chapter 90 of the Milwaukee Code of Ordinances.
2. Based on the above facts found, the Committee concludes that the licensee, Tami J. Graham 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 held by her without undergoing a twenty (20) day suspension of said license because of the danger her activities represent to the health, safety and welfare of the citizens of the City of Milwaukee.
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 renew the Class "D" Bartender license held by Tami J. Graham with a twenty (20) day suspension of said license based upon the danger her activities represent to the health, safety and welfare of the citizens of the City of Milwaukee.

#### 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 "D" Bartender License be renewed with a twenty (20) day suspension.

Said suspension is to be in effect upon action of the Common Council on February 28, 2006 through midnight, March 20, 2006.

Dated and signed at Milwaukee, Wisconsin this 15th day of February, 2006.

  
JAMES N. WITKOWIAK  
Chairman Licenses Committee





**JAMES N. WITKOWIAK**  
ALDERMAN, 12TH DISTRICT

Date: February 15, 2006

To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report of the Renewal application of Enrique Terrones for a Class "B" Tavern license for the premises located at 1631 West Grant Street in the City and County of Milwaukee, Wisconsin ("Primos Place").

FINDINGS OF FACT

1. Enrique Terrones (hereinafter the "Licensee") is the holder of a Class "B" Tavern license for the premises located at 1631 West Grant Street in the City and County of Milwaukee, Wisconsin ("Primos Place"). Said license expires at midnight, March 7, 2006.
2. An application to renew said license was filed with the Office of the City Clerk on February 1, 2006.
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 police department filed a police report dated February 2, 2006 that could form the basis for nonrenewal or suspension of the license. There were also neighborhood objections to loitering, littering, loud music and noise, patrons after hours, parking and traffic problems, drug activity, shootings and conduct which is detrimental to the health, safety and welfare of the neighborhood.
4. On February 7, 2006, 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. The matter was scheduled for a hearing on the police report and neighborhood objections for February 14, 2006 at 10:15 a.m. in Room 301B of the third floor of City Hall. At said date, time and place, the licensee appeared and admitted receipt of the notice and police report. The applicant was represented by Attorney Michael Knoeller, 610 West Lincoln Avenue, Milwaukee, Wisconsin 53215.

5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
  - A. On March 21, 1988, the applicant was issued a citation for aiding and abetting patrons after hours and on April 12, 1988 was found guilty and fined \$132.10
  - B. On September 1, 1990, the applicant was issued a citation for resisting and obstructing issuance of a citation and on September 21, 1990 was found guilty and fined \$109.00.
  - C. On November 29, 1993, the applicant was issued a citation for truth of statements and affidavits (falsifying) and on April 13, 1994 was found guilty and fined \$150.00.
  - D. On November 17, 1994, the applicant was issued a citation for patrons after hours-licensee responsibility and the case was held open and dismissed one year later.
  - E. On February 4, 1995, officers of the Milwaukee Police Department conducted a premises check of the licensed premises at 1631 West Grant Street in the City and County of Milwaukee, Wisconsin ("Primos Place"). They made an arrest for possession of cocaine and another arrest for carrying a concealed weapon (gun). In addition, two pistols were recovered from behind the bar. Nobody claimed ownership and the guns were inventories. An incident report was filed.
  - F. On March 30, 1995, officers of the Milwaukee Police Department were dispatched to a disturbance at South 17<sup>th</sup> Street and West Grant Street. A patron on the premises was assaulted by two other females. She sustained superficial flesh wounds to the forearm and face. Two suspects were identified and arrested for assault and battery.
  - G. On August 23, 1996, officers of the Milwaukee Police Department conducted a premises check of the licensed premises at 1631 West Grant Street in the City and County of Milwaukee, Wisconsin ("Primos Place"). They found an unlicensed bartender. The licensee was issued a citation for responsible person upon a licensed premises and on January 28, 1997 was found guilty and fined \$150.00. The bartender was issued a citation for Class "D" bartender license required and found guilty and fined \$100.00 on November 11, 1996. Officers also arrested one patron for possession of 1.92 grams of cocaine.
  - H. On January 1, 2001, officers of the Milwaukee Police Department were dispatched to a shooting at the licensed premises at 1631 West Grant Street in the City and County of Milwaukee, Wisconsin ("Primos Place"). They found that a patron at the licensed premises was shot in the leg by an unknown male after an argument. The suspect fled the scene. An incident report was filed.

- I. On November 7, 2004 at 11:20 p.m., officers of the Milwaukee Police Department conducted a premises check of the licensed premises at 1631 West Grant Street in the City and County of Milwaukee, Wisconsin ("Primos Place"). Upon their arrival, they observed the back and only exit door of the tavern locked during hours of operation. Also, no occupancy placard was posted as required. The officer spoke to the bartender who told officers he was in charge while his brother, the licensee, was in Mexico for the holidays.

The bartender, Jose L. Terrones-Valdivia was issued a citation for posting of occupancy capacity and found guilty on February 18, 2005 and fined \$343.00. The bartender was issued a citation for safe egress from all entrance doors which was dismissed on February 18, 2005.

- J. On August 30, 2005 an undercover narcotics investigation began at the licensed premises at 1631 West Grant Street in the City and County of Milwaukee, Wisconsin ("Primos Place"). On five occasions an undercover Milwaukee detective was able to purchase cocaine salt from a bartender, Pedro Monroy, at Primos Place. The transactions occurred inside the men's restroom in the tavern. On one of the five occasions (September 1, 2005), the licensee witnessed the transaction. Monroy was the only licensed bartender on the premises. Another bartender, Jose Terrones (date of birth September 7, 1974) was also on the premises. The bartender Pedro Monroy was arrested for delivery of controlled substance (cocaine). A bench warrant was issued on January 23, 2006 for manufacture/delivery cocaine (less than one gram, felony); manufacture/delivery cocaine (less than one gram, felony), and manufacture/delivery cocaine (less than one gram, felony). At hearing the licensee disputed that he saw the transaction. The licensee affirmatively stated that he informed Mr. Monroy that he was banned from the premises. The licensee also disputed that the bathroom was big enough for more than three people to be in it at one time.

#### CONCLUSIONS OF LAW

1. The Committee has jurisdiction to hold hearings and provided Findings of Fact and Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapter 125 of the Wisconsin Statutes and Chapter 90 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concludes that the licensee, Enrique Terrones has not met the criteria of Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes to allow renewal of his Class "B" Tavern license with a twenty (20) day suspension. 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 discretion to renew with a twenty (20) day suspension the Class "B" Tavern license of Enrique Terrones for the premises at 1631 West Grant Street in the City and County of Milwaukee, Wisconsin ("Primos Place").

#### RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of three (3) ayes, one (1) noes and one (1) excused recommends that the Class "B" Tavern license held by Enrique Terrones for the premises at 1631 West Grant Street in the City and County of Milwaukee, Wisconsin ("Primos Place") be renewed with a twenty (20) day suspension.

Said suspension is to be in effect between 12:01 a.m., March 8, 2006 and midnight, March 27, 2006.

Dated and signed at Milwaukee, Wisconsin this 15th day of January, 2006.



JAMES N. WITKOWIAK

JAMES N. WITKOWIAK  
Chairman of the Licenses Committee