Alderman, 13th District

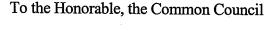
CHAIR:

Utilities & Licenses Committee

COMMITTEES:

Zoning, Neighborhoods and Development Steering & Rules Anti Graffitti Policy Administrative Review Appeals Board Resolutions Committee - League of Wisconsin Municipalities

January 9, 2003



Dear Members:

Re: Common Council File 020701

Recommendation of nonrenewal of a Class "D" Bartender License applications of Derry L. Groce based upon police report.

Recommendation of nonrenewal of a Class "D" Bartender License applications of the following individuals based upon non-appearance:

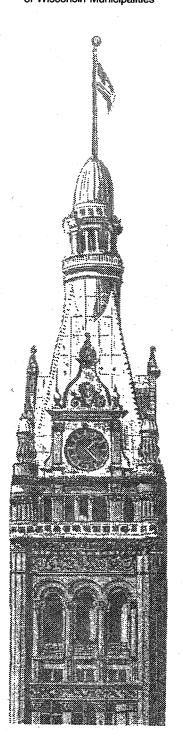
Dawana M. Hall Paul Leszczynski George M. Maddente Cindy A. Rothe

With regard to the items listed above, the Utilities and Licenses Committee held an evidentiary hearing on January 7, 2003.

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

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

These matters have been scheduled for a hearing before the full Common Council at its meeting on Wednesday, **January 22nd**, **2003** at 9:00 A.M. in the Common Council Chambers.



Respectfully.

JEFFREY A. PAWLINSKI, Chair Utilities & Licenses Committee

Attachment

cc: City Attorney's Office Common Council/City Clerk - License Division Milwaukee Police Department- License Investigation Unit All Council Members File No. 020701

Alderman, 13th District

CHAIR:

Utilities & Licenses Committee

COMMITTEES:

Zoning, Neighborhoods and Development Date:

Steering & Rules

Anti Graffitti Policy

Administrative Review Appeals Board

Resolutions Committee - League of Wisconsin Municipalities

To:

January 9, 2003

All Members of the Milwaukee Common Council

From:

Utilities and Licenses Committee

Re:

Report on the Renewal Application of the Class "D" Bartender License of Dawana M. Hall.

FINDINGS OF FACT

Dawana M. Hall (hereinafter the "Licensee") is the holder of a Class "D" Bartender License in the City and County of Milwaukee, Wisconsin. Said license expired at midnight. December 31, 2002.

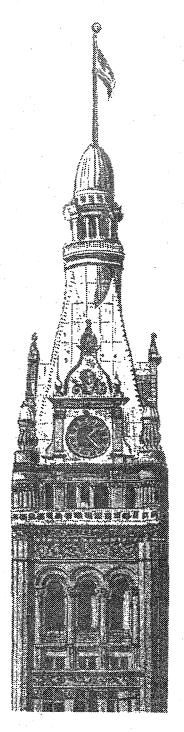
2. An application to renew said license was filed with the Office of the City Clerk on October 19, 2002.

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 October 23, 2002, the Milwaukee Police Department responded with a police report that created a basis for nonrenewal or suspension of said license.

On December 19, 2002, 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 January 7, 2003, commencing at 9:45 a.m. in Room 301B of City Hall. At said date, time and place, the Licensee failed to appear.

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

A. Notice of the hearing as well as a copy of the police report was sent to Dawana M. Hall at 5305 West Center Street,



No. D, Milwaukee, WI 53210 on December 19, 2002 by U.S. prepaid first-class mail in an envelope bearing the return address of the License Division. The address of 5305 West Center Street, No. D, Milwaukee, WI 53210 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 January 7, 2003.

CONCLUSIONS OF LAW

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

RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of three (3) ayes to zero (0) noes, recommends that the Class "D" Bartender License of Dawana M. Hall not be renewed based on non-appearance.

Dated and signed at Milwaukee, Wisconsin this 9th day of

January, 2003.

Alderman, 13th District

CHAIR:

Utilities & Licenses Committee

COMMITTEES:

Zoning, Neighborhoods and Development Steering & Rules Date:

Anti Graffitti Policy

Administrative Review Appeals Board

Resolutions Committee - League of Wisconsin Municipalities

To:

January 9, 2003

All Members of the Milwaukee Common Council

From:

Utilities and Licenses Committee

Re:

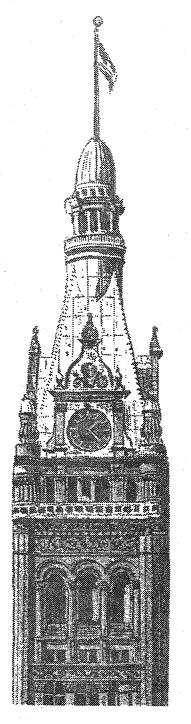
Report on the Renewal Application of the Class "D"

Bartender License of Paul Leszcynski

FINDINGS OF FACT

Paul Leszcynski (hereinafter the "Licensee") is the holder of a Class "D" Bartender License in the City and County of Milwaukee, Wisconsin. Said license expired at midnight. December 31, 2002.

- 2. An application to renew said license was filed with the Office of the City Clerk on November 11, 2002.
- 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 November 11, 2002, the Milwaukee Police Department responded with a police report that created a basis for nonrenewal or suspension of said license.
- On December 20, 2002, 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 January 7, 2003, commencing at 9:45 a.m. in Room 301B of City Hall. At said date, time and place, the Licensee failed to appear.
- 5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
 - A. Notice of the hearing as well as a copy of the police report was sent to Paul Leszcynski at 2435 North Calhoun Road.



Brookfield, WI 53045 on December 20, 2002 by U.S. prepaid first-class mail in an envelope bearing the return address of the License Division. The address of 2435 North Calhoun Road, Brookfield, WI 53045 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 January 7, 2003. This was the second time Mr. Leszcynski failed to appear for a hearing in this matter.

CONCLUSIONS OF LAW

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

RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of three (3) ayes to zero (0) noes, recommends that the Class "D" Bartender License of Paul Leszcynski not be renewed based on non-appearance.

Dated and signed at Milwaukee, Wisconsin this 9th day of

January, 2003.

Alderman, 13th District

CHAIR:

Utilities & Licenses Committee

COMMITTEES:

Zoning, Neighborhoods and Development Date:

Steering & Rules

Anti Graffitti Policy

Administrative Review Appeals Board

Resolutions Committee - League of Wisconsin Municipalities

To:

January 9, 2003

All Members of the Milwaukee Common Council

From:

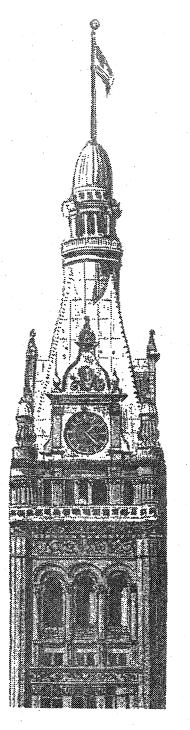
Utilities and Licenses Committee

Re:

Report on the Renewal Application of the Class "D" Bartender License of George M. Maddente.

FINDINGS OF FACT

- George M. Maddente (hereinafter the "Licensee") is the holder of a Class "D" Bartender License in the City and County of Milwaukee, Wisconsin. Said license expired at midnight, December 31, 2002.
- 2. An application to renew said license was filed with the Office of the City Clerk on November 1, 2002.
- 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 November 4, 2002, the Milwaukee Police Department responded with a police report that created a basis for nonrenewal or suspension of said license.
- 4. On December 19, 2002, 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 January 7, 2003, commencing at 9:45 a.m. in Room 301B of City Hall. At said date, time and place, the Licensee failed to appear.
- 5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
 - A. Notice of the hearing as well as a copy of the police report was sent to George M. Maddente at 3214 West Fairmount



Avenue, Milwaukee, WI 53209 on December 19, 2002 by U.S. prepaid first-class mail in an envelope bearing the return address of the License Division. The address of 3214 West Fairmount Avenue, Milwaukee, WI 53209 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 January 7, 2003.

CONCLUSIONS OF LAW

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

RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of three (3) ayes to zero (0) noes, recommends that the Class "D" Bartender License of George M. Maddente not be renewed based on non-appearance.

Dated and signed at Milwaukee, Wisconsin this 9th day of

January, 2003.

Alderman, 13th District

CHAIR:

Utilities & Licenses Committee

COMMITTEES:

Zoning, Neighborhoods and Development

Steering & Rules Anti Graffitti Policy

Date:

January 9, 2003

Administrative Review Appeals Board

Resolutions Committee - League of Wisconsin Municipalities

To:

All Members of the Milwaukee Common Council

From:

Utilities and Licenses Committee

Re:

Report on the Renewal Application of the Class "D"

Bartender License of Cindy A. Rothe

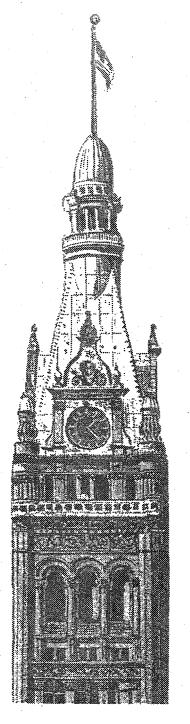


Cindy A. Rothe (hereinafter the "Licensee") is the holder of a . 1. Class "D" Bartender License in the City and County of Milwaukee, Wisconsin. Said license expires at midnight, December 31, 2002.

2. An application to renew said license was filed with the Office of the City Clerk on October 19, 2002.

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 October 23, 2002, the Milwaukee Police Department responded with a police report that created a basis for nonrenewal or suspension of said license.

- On December 19, 2002, 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 January 7, 2003, commencing at 11:00 a.m. in Room 301B of City Hall. At said date, time and place, the Licensee failed to appear.
- 5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:



A. Notice of the hearing as well as a copy of the police report was sent to Cindy A. Rothe at 2178 North 63rd Street, Milwaukee, WI 53213 on December 19, 2002 by U.S. prepaid first-class mail in an envelope bearing the return address of the License Division. The address of 2178 North 63rd Street, Milwaukee, WI 53213 is the address given by the applicant 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 January 7, 2003.

CONCLUSIONS OF LAW

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

RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of three (3) ayes to zero (0) noes, recommends that the Class "D" Bartender License of Cindy A. Rothe not be renewed based on non-appearance.

Dated and signed at Milwaukee, Wisconsin this 9th day of

December, 2003.

Alderman, 13th District

CHAIR:

Utilities & Licenses Committee

COMMITTEES:

Zoning, Neighborhoods and Development Date:

Steering & Rules

Anti Graffitti Policy

Administrative Review Appeals Board

Resolutions Committee - League of Wisconsin Municipalities

To:

January 9, 2003

All Members of the Milwaukee Common Council

From:

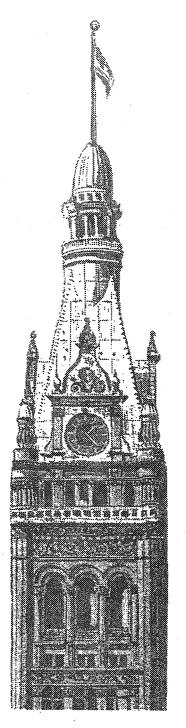
Utilities and Licenses Committee

Re:

Report on the Renewal Application of the Class "D" Bartender License of Derry L. Groce.

FINDINGS OF FACT

- 1. Derry L. Groce (hereinafter the "Licensee") is the holder of a Class "D" Bartender License in the City and County of Milwaukee, Wisconsin. Said license expired at midnight, December 31, 2002.
- 2. An application to renew said license was filed with the Office of the City Clerk on December 10, 2002.
- 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 December 11, 2002, the Milwaukee Police Department responded with a police report that created a basis for nonrenewal or suspension of said license.
- 4. On December 19, 2002, 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 January 7, 2003, commencing at 9:45 a.m. in Room 301B of City Hall. At said date, time and place, the Licensee appeared and was not represented by counsel.
- Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:



- A. On September 23, 1982 the applicant was arrested by the Milwaukee police for burglary and found guilty on April 11, 1983 and sentenced to 1 year and 8 months probation.
- C. On August 26, 1986 the applicant was arrested by Milwaukee police for theft, battery, and obstructing and was found guilty of theft and battery on November 18, 1986 and sentenced to 45 days in the House of Corrections and 2 years probation.
- D. On February 12, 1987 the applicant was arrested by Milwaukee County Sheriff for escape violations and was found guilty on May 7, 1987 and fined.
- E. On February 28, 1994 the applicant was charged in Milwaukee Circuit Court with possession of a controlled substance-marijuana and fined \$250 on April 23, 1994.
- F. On May 11, 1995 the applicant was charged in Milwaukee Circuit Court with felony failure to support and found guilty on April 11, 1997 and sentence to 3 years probation.
- G. On September 8, 2002, a Milwaukee police officer made a lawful inspection of the licensed premises at 408 East North Avenue, the Blue Gardenia. The applicant was found to be in possession of a loaded handgun. A patron of the establishment was also found to be in possession of a controlled substance and a loaded handgun. The applicant was charged in Milwaukee County Circuit Court with felon in possession of a firearm and carrying a concealed weapon on October 31, 2002 and sentenced to 6 months in the House of Corrections and fined \$170.00.

CONCLUSIONS OF LAW

- 1. The Committee has jurisdiction to hold hearings and provide Findings of Fact, Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapter of the <u>Wisconsin Statutes</u> and Chapter 90 of the <u>Milwaukee Code of Ordinances</u>.
- 2. Based upon the above facts found, the Committee concludes that the licensee, Mr. Derry L. Groce does not meet the criteria necessary to allow renewal of his 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 Utilities and Licenses Committee that the full Common Council of the City of Milwaukee should exercise its judgment to not renew the Class "D" Bartender license of Derry L. Groce based upon his past activities as a licensee and for the danger that the continued licensure of Derry L. Groce poses 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 three (3) ayes to zero (0) noes, recommends that the Class "D" Bartender License of Derry L. Groce not be renewed based on his past activities as a licensee.

Dated and signed at Milwaukee, Wisconsin this 9th day of

January, 2003.



January 9, 2003

Ronald D. Leonhardt
City Clerk

Carolyn Hill Robertson Deputy City Clerk

www.milwaukee.gov

Derry L. Groce 720 East Center Street Milwaukee, WI 53212

Dear Mr. Groce:

You are hereby notified that the Milwaukee Common Council will hold a hearing on January 22, 2003 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 53202 to consider your Class "D" Bartender License Renewal Application.

Attached you will find a copy of the Report of the Utilities and Licenses Committee which includes their Findings of Fact, Conclusions of Law and Recommendation, recommending non-renewal of the Class "D" Bartender License. The recommendation is the result of a public hearing before the Committee held on January 7, 2003 and your police report.

You may file a written objection to the Report of the Utilities and Licenses Committee and shall have the opportunity to present arguments in writing supporting that objection to the Common Council. Any written objections to the Committee's Report must be filed with the City Clerk at least two (2) days prior to the above-mentioned date set for hearing by the Common Council. You or a legal representative may 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



Ronald D. Leonhardt

City Clerk

www.milwaukee.gov

January 9, 2003

Carolyn Hill Robertson Deputy City Clerk

Dawana M. Hall 5305 West Center Street, No. D Milwaukee, WI 53210

Dear Ms. Hall:

You are hereby notified that the Milwaukee Common Council will hold a hearing on January 22, 2003 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 53202 to consider your Class "D" Bartender License Renewal Application.

Attached you will find a copy of the Report of the Utilities and Licenses Committee which includes their Findings of Fact, Conclusions of Law and Recommendation, recommending non-renewal of the Class "D" Bartender License. The recommendation is the result of a public hearing before the Committee held on January 7, 2003 and your non-appearance.

You may file a written objection to the Report of the Utilities and Licenses Committee and shall have the opportunity to present arguments in writing supporting that objection to the Common Council. Any written objections to the Committee's Report must be filed with the City Clerk at least two (2) days prior to the above-mentioned date set for hearing by the Common Council. You or a legal representative may 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



Ronald D. Leonhardt
City Clerk

www.milwaukee.gov

January 9, 2003

Carolyn Hill Robertson Deputy City Clerk

Paul Leszczynski 2435 North Calhoun Road Brookfield, WI 53045

Dear Mr. Leszczynski:

You are hereby notified that the Milwaukee Common Council will hold a hearing on January 22, 2003 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 53202 to consider your Class "D" Bartender License Renewal Application.

Attached you will find a copy of the Report of the Utilities and Licenses Committee which includes their Findings of Fact, Conclusions of Law and Recommendation, recommending non-renewal of the Class "D" Bartender License. The recommendation is the result of a public hearing before the Committee held on January 7, 2003 and your non-appearance.

You may file a written objection to the Report of the Utilities and Licenses Committee and shall have the opportunity to present arguments in writing supporting that objection to the Common Council. Any written objections to the Committee's Report must be filed with the City Clerk at least two (2) days prior to the above-mentioned date set for hearing by the Common Council. You or a legal representative may 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



Ronald D. Leonhardt

City Clerk

www.milwaukee.gov

January 9, 2003

Carolyn Hill Robertson Deputy City Clerk

George M. Maddente 3214 West Fairmount Avenue Milwaukee, WI 53209

Dear Mr. Maddente:

You are hereby notified that the Milwaukee Common Council will hold a hearing on January 22, 2003 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 53202 to consider your Class "D" Bartender License Renewal Application.

Attached you will find a copy of the Report of the Utilities and Licenses Committee which includes their Findings of Fact, Conclusions of Law and Recommendation, recommending non-renewal of the Class "D" Bartender License. The recommendation is the result of a public hearing before the Committee held on January 7, 2003 and your non-appearance.

You may file a written objection to the Report of the Utilities and Licenses Committee and shall have the opportunity to present arguments in writing supporting that objection to the Common Council. Any written objections to the Committee's Report must be filed with the City Clerk at least two (2) days prior to the above-mentioned date set for hearing by the Common Council. You or a legal representative may 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



Ronald D. Leonhardt City Clerk

www.milwaukee.gov

January 9, 2003

Carolyn Hill Robertson Deputy City Clerk

Cindy A. Rothe 2178 North 63rd Street Milwaukee, WI 53213

Dear Ms. Rothe:

You are hereby notified that the Milwaukee Common Council will hold a hearing on January 22, 2003 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 53202 to consider your Class "D" Bartender License Renewal Application.

Attached you will find a copy of the Report of the Utilities and Licenses Committee which includes their Findings of Fact, Conclusions of Law and Recommendation, recommending non-renewal of the Class "D" Bartender License. The recommendation is the result of a public hearing before the Committee held on December 10, 2002 and your non-appearance.

You may file a written objection to the Report of the Utilities and Licenses Committee and shall have the opportunity to present arguments in writing supporting that objection to the Common Council. Any written objections to the Committee's Report must be filed with the City Clerk at least two (2) days prior to the above-mentioned date set for hearing by the Common Council. You or a legal representative may 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