

COMMITTEE ASSIGNMENTS

CHAIR

- Licenses Committee

VICE CHAIR

- Zoning, Neighborhoods and Development



MILELE A. COGGS
ALDERWOMAN, 6TH DISTRICT

MEMBER

- Finance and Personnel Committee
- Library Board
- Neighborhood Improvement Development Corporation Board
- Special Joint Committee on the Redevelopment of Abandoned and Foreclosed Homes
- Steering and Rules Committee
- Wisconsin Center District Board

October 26, 2023

To the Honorable, the Common Council

Honorable Members:

Re: Common Council File Number 230874

Attached are written objections to File Number 230874 Motion relating to the recommendations of the Licenses Committee relative to licenses, relating to a recommendation of:

Renewal with a 30 day suspension of the Hotel/Motel license for Alpa N. Patel, based upon the preponderance of the evidence in the police report and the applicant's testimony that demonstrates the operation results in a threat to health, safety or welfare of the public; for the premises located at 4600 S 27th St. ("Suburban Motel"), in the 13th aldermanic district.

Renewal with a 10 day suspension of the Extended Hours Establishments, Filling Station, Food Dealer and Weights & Measures licenses for Rajmaninder S. Sangha based upon the preponderance of the evidence in the police report and the applicant's testimony that demonstrates the operation results in a threat to health, safety or welfare of the public; for the premises located at 4928 W Villard Av. ("Citgo"), in the 1st aldermanic district.

This matter will be heard by the full Council at its Tuesday, October 31, 2023 meeting. Pursuant to City Ordinances, a roll call vote will be taken to confirm that all members have read the attached statement and materials.

Respectfully,

Milele Coggs, Chair
Licenses Committee

cc: All Council Members
City Attorney's Office
Common Council/City Clerk – License Division
CCF 230874





THE ROSE GROUP
ATTORNEYS AT LAW

October 25, 2023

VIA EMAIL ONLY

Milwaukee Common Council
City Hall, Room 205
233 E. Wells St
Milwaukee, WI 53202
jowcza@milwaukee.gov
stasst5@milwaukee.gov

RE: Statement and Objections of Ms. Alpa Patel, agent of Dahi Corp., on Behalf of Suburban Motel

Application # 356368

Address: 4600 S. 27th St

Dear Council Members:

This firm represents Ms. Alpa Patel and Dahi Corp. (collectively referred to as “Ms. Patel”) in connection with the above-referenced license application.

As the Milwaukee Common Council (the “Council”) is aware, a public hearing occurred on October 17, 2023, before the Licenses Committee (the “Committee”). As a result of that hearing, the Committee issued the attached findings of fact and recommendation to this Council. Specifically, the Committee has recommended that the license application be approved with a 30-day suspension based on the finding that the operation of the Suburban Motel (the “Motel”) “results in a threat to health safety or welfare of the public.”

In reaching this conclusion, the Committee predominantly relied upon the police reports issued in connection with the Motel and noted that there were seven reports generated in 2023. The Committee expressed concern over the number of reports and the police resources used in connection with the operation of the Motel. As a result, the Committee recommended approval with a 30-day suspension to allow the licensee “time to work on a plan of operations to correct all these issues.”

As set forth in greater detail below, Ms. Patel has developed a security plan and retained private security services to address the Committee’s concerns. Consequently, Ms. Patel now respectfully requests that this Council approve the license application and reduce the 30-day suspension to minimize damage to her business and to allow the Motel to honor the upcoming reservations made by members of the community and visitors.

Suburban Motel Background

The Motel is a family business, that was originally owned and operated by Ms. Patel’s father, Mr. Narottambhai Patel (“Mr. Patel”). Unfortunately, Mr. Patel passed away in April of 2023. Prior to his passing, due to health concerns, management of the Motel was left solely to Ms. Patel’s brother, Mr. Jatin

Patel. During this time, it is Ms. Patel's understanding that police reports and criminal activity greatly increased.

After her brother's unsuccessful management, Ms. Patel stepped in to remediate the hotel and preserve her father's legacy. After assuming control of the Motel, Ms. Patel made substantial renovations and changes to the operation of the business including each of the following:

Physical Updates to the Premises

- Extensive renovations to hotel rooms and guest accommodations.
- Updated security cameras installed on the exterior of the building
- Security camera coverage that covers all of the exterior instead of limited areas, and which is visible to the public
- Installation of signage indicating that the property is under video surveillance to deter crime and loitering
- Bright exterior lighting outside room entrances which automatically turn on at night to illuminate the premises and deter crime
- Bright spotlighting at exterior corners to illuminate areas not in front of guest rooms and deter crime.
- Installation of "Ring" brand sensors to alert the Motel to movement and to assist with monitoring the premises.
- Updating of premises security monitoring with assistance of former MPD forensic video examiner, Mr. Robbie Lloyd.
- Two-way audio system to allow Motel staff to speak with guests without opening the premises or allowing access.
- Entry to premises beyond lobby is restricted and requires key to access.

Policy Updates

- Reduction in long term rentals
- Requirement for ID and deposit to reserve a room
- Requirements for clients who wish to stay on a week-to-week basis to provide proof of work (pay stub) and \$100 deposit. Many of these rentals are also booked directly through employers relating to specific long-term work projects.
- Requirement that a credit card be placed on file, all cash payments are not accepted
- Additional signage and policy that guns/weapons are not permitted on the premises

Photos taken on 10/23/23 documenting these renovations and security changes are attached to this submission. Ms. Patel has expended significant sums and has personally spent countless hours updating and improving the Motel.

As a small family business, Ms. Patel takes operation of the Motel very seriously and fully intends to honor her father's legacy by engaging in responsible business management and operation practices. It is Ms. Patel's sincere desire to make this Motel a destination in the area and to improve the surrounding community.

The Motel and the Community

In addition to the above efforts to improve the Motel, Ms. Patel has also worked to make the Motel a benefit to the community at large. Located on Milwaukee's South Side, the Motel is conveniently situated

near the airport, Fiserv Forum, and various medical centers. Although there are other hotels in the area, the Motel is unique in that it is designed to be affordable and caters to the needs of the residents in the neighborhood in which it exists. As this Council is aware, the average household income in the City of Milwaukee is approximately \$43,125.00 with great disparities existing within that figure.¹ This is especially true in historically underserved areas of the City, including the neighborhood in which the Motel exists. Thus, the Motel's goal of providing "budget friendly" prices is of particular importance for those who may be "priced out" of other establishments in the very neighborhoods in which they reside.

In addition to the Motel's general business model of serving the community in which it exists, the Motel provides other valuable services to the City's most vulnerable populations. In cooperation with MPD, the Motel has proudly provided quality accommodations for homeless populations during weather events which would otherwise jeopardize health and safety.

Although Ms. Patel acknowledges that there is work yet to be done to transform the Motel into a model business, Ms. Patel's efforts have been externally recognized and commended when the Motel was named as a preferred location for the upcoming Republican National Convention. Simply put, Ms. Patel has taken an active role in serving her community and is in the process of bettering the Motel in the hopes that it can become a source of pride and growth for the community.

Committee Concerns & Ms. Patel's Recent Efforts to Address these Concerns

Ms. Patel acknowledges that her ambitions have not yet been fully realized and also acknowledges that there has been more police activity at the Motel than is acceptable. In part, this activity is due to the Motel's prior reputation and policies. As set forth above, Ms. Patel has engaged in substantial efforts to renovate and reimagine the Motel since she assumed management. Although the Motel is now fully renovated, its reputation has proven more difficult to expunge.

As the Committee noted, there have been seven police reports at the Motel in 2023. This number was not acceptable to the Committee and is not acceptable to Ms. Patel. In light of these incidents, Ms. Patel has taken immediate and affirmative steps to correct these issues and has been working to address security concerns. Even prior to the Committee hearing, Ms. Patel was in the process of installing an entirely new security system and making changes to secure the Motel.

Immediately following the Committee hearing on October 17, 2023, Ms. Patel has stopped accepting daily reservations and has cancelled upcoming reservations.

Additionally, immediately following the hearing, Ms. Patel contacted private security companies to discuss security options. The primary concern of the Committee, and the primary purpose of imposing a 30-day suspension, was to allow Ms. Patel to develop a plan to reduce criminal activity and to reduce the incidents which require police intervention. Ms. Patel has taken these concerns seriously and has developed a meaningful plan to reduce such events. Specifically, Ms. Patel has entered into a Security Service Agreement with Citywide Security for the premises. Pursuant to this agreement, regular patrols of the premises, including parking areas, will occur. Additionally, Ms. Patel will be able to utilize private security as needed for disruptive events which may occur. A copy of this agreement is attached.

¹ See

https://datacommons.org/place/geoid/5553000/?utm_medium=explore&mprop=income&popt=Person&cpv=aqe,Years15Onwards&hl=en

Notably, the majority of the prior police reports listed in the Committee's report relate to minor property damage and welfare checks.² After discussing these issues with security, it is Ms. Patel's understanding that welfare checks, and minor property incidents will be addressed by private security without requiring MPD intervention. However, Ms. Patel is committed to ensuring the safety and welfare of her guests and acknowledges that, in appropriate circumstances, police intervention may still be required from time to time. That being said, Ms. Patel has no intention of utilizing MPD resources in lieu of or as a substitute for private security and has taken appropriate action to secure the Motel.

Additionally, Ms. Patel has made policy changes to reduce crime. Ms. Patel requires credit cards on file to ensure that guest identities are known, and that appropriate deposits and penalties for property destruction can be imposed. Additionally, Ms. Patel has worked with local employers concerning long-term rentals for employees based on job-specific considerations.

Finally, Ms. Patel has also obtained a no-contact order against a repeat perpetrator of criminal activity at the Motel and is evaluating her legal options with counsel relating to a possible restraining order against this offender. Although not all criminal activity is perpetrated by known offenders, Ms. Patel is taking action against offenders that loiter on the premises and repeatedly cause disruptions. Additionally, it is Ms. Patel's intent to have private security remove repeat offenders who are not authorized to be on the premises in an effort to ensure that only matters which truly require MPD involvement are escalated.

Productive Path Forward

Ms. Patel has made genuine and substantial efforts to improve the Motel and to reduce crime, including the recent hiring of private security. Ms. Patel will continue these efforts and will continue to strive for reductions in police intervention and criminal activity including continued evaluation of security measures, and a continued dialogue with security experts to determine what, if any, additional measures are required.

Although Ms. Patel will comply with any restriction or suspension issued by this Council, it is Ms. Patel's position that a full 30-day suspension is no longer required as a meaningful security plan and policies have been put into place to address criminal activity. Further, a 30-day suspension will jeopardize the economic viability of Ms. Patel's small business and will prevent the Motel from honoring upcoming reservations through the month of November. Many of the hotel's guests cannot afford to book another hotel in the area and rely upon the Motel for accommodation. The Motel's inability to operate for 30 days would negatively impact the community and will result in lasting economic and reputational harm to the Motel.

Based on the above efforts, and in consideration of the services which cannot be provided by the Motel during the recommended suspension, Ms. Patel respectfully requests that the license be approved and that the proposed suspension be reduced or eliminated.

Thank you,

² 3/9/23 police report regarding property damage

5/8/23 welfare check on guest

8/1/23 welfare check on guest

Of the seven police reports issued in 2023, it is reasonably believed that private security and measures put into place following the hearing would have eliminated four of the seven reports relating to minor incidents.

The Rose Group

/s/ Jennifer Geller Baumann

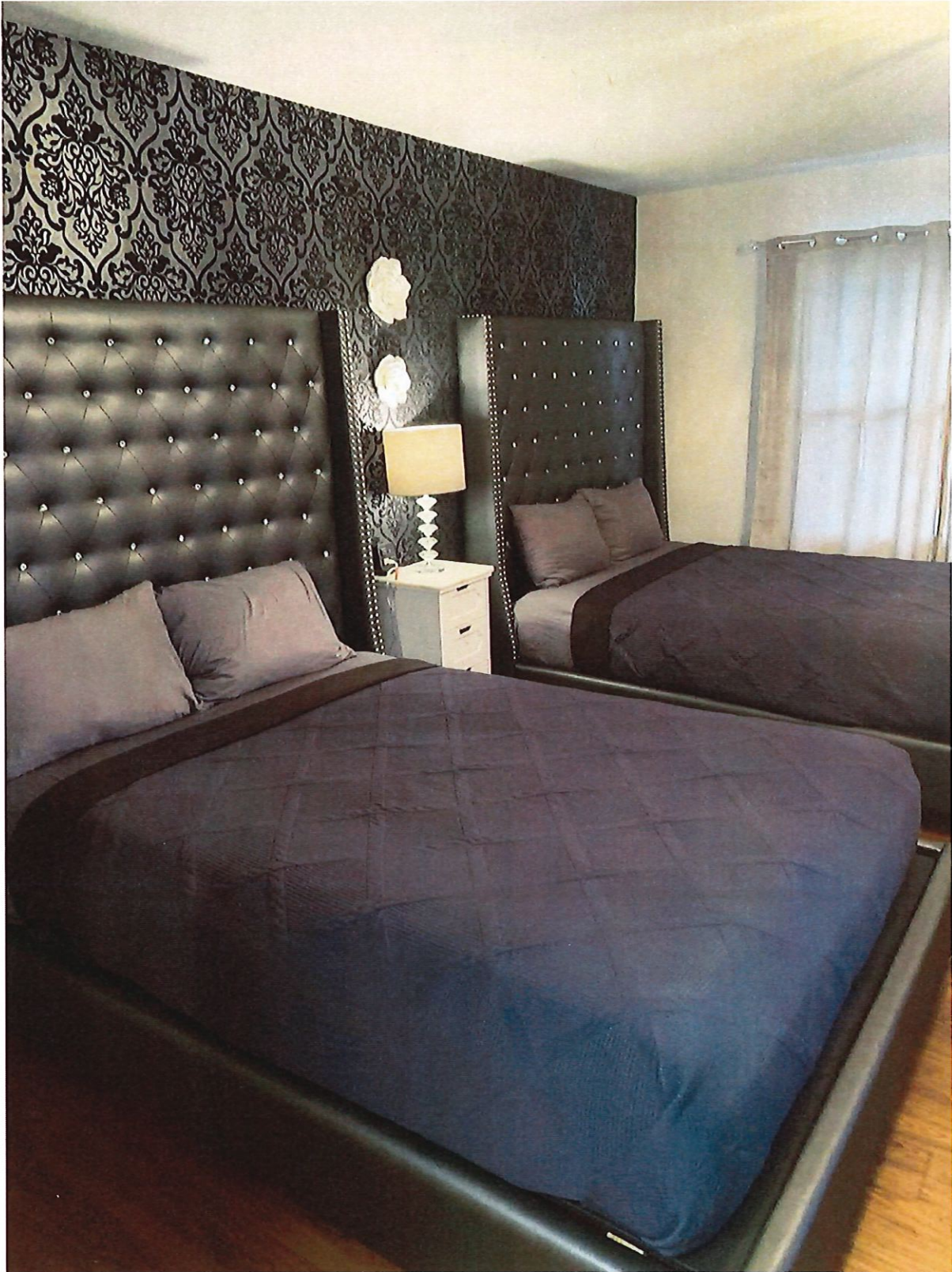
Jennifer Geller Baumann
Neal A. Schlavensky
nas@rosegrouplaw.com
jgb@rosegrouplaw.com

cc: Client

Ens.



*Example of interior of rented room.







*New updated security cameras installed outside the buildings.



*Security cameras showing "ubiquitous" nature of system covering all sides of building.



*General view of the exterior of the building showing security cameras throughout and signage clearing indicating the building is being monitored by security cameras to try and deter improper behavior.



*Bright lighting installed throughout the buildings by the outside room entrances. Run on timers.



*Bright spotlights installed at the corners of the hotel buildings.

Security Service Agreement

From: Citywide Security
1225 W. Mitchell Street
Milwaukee, WI 53202

To: Red Lotus Inn
4600 S. 27th Street
Milwaukee, WI 53221

Re: Security Service

Under the conditions of this service agreement, Citywide will provide security at Red Lotus Inn on an as needed basis.

Service Includes:

- On site patrolling of building (vacant rooms in addition) and parking lot and reporting to any illegal activities to police.

Service Hours:

One uniform guard at \$27.50/ hr.

Service Hours: At the discretion of Management. Minimum of four patrols per day.

The agreement may be amended with both parties' permission. A written 30-day notice must be given to the other party to terminate this agreement.

Please provide the following information regarding the service address and the contact person.

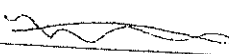
Service address: 1600 S 27th Milwaukee, WI

Contact Person: Alpa Patel - Agent, POA

Phone Number: 414-678-8633, 414-282-9595

If you agree with the terms of contact, please sign and date below.

x  10/24/23

 10/24/23
Richard Lucas, Agent of Owner Date



Security Service Agreement

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

02/13/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not constitute an endorsement of the certificate holder in lieu of such endorsement(s).

PRODUCER 4600 S. 27 th Street Badger Insurance Services, LLC 333 Bishops Way, Suite 104 Brookfield, WI 53005	CONTACT NAME: Vicki Dahm PHONE: (262) 789-7400 FAX: (262) 789-1615 E-MAIL: vicki@badger-ins.com ADDRESS: 4600 S. 27 th Street, Brookfield, WI 53005
INSURED Re: Security Service Citywide Public Safety LLC PO Box 51487 Milwaukee, WI 53203-0261	INSURER(S) AFFORDING COVERAGE INSURER A: Summit Specialty Insurance Company INSURER B: Society Insurance Company INSURER C: INSURER E: INSURER F:

COVERAGES

CERTIFICATE NUMBER: 00001043-335422

REVISION NUMBER: 14

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. IN THE EVENT OF A LOSS, THE INSURED SHALL BE RESPONSIBLE FOR THE PROPER FILING OF A CLAIM AND REPORTING TO ANY

INSURANCE	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	COMMERCIAL GENERAL LIABILITY CLAMS-MADE: <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> Errors & Omissions One uniform guard at \$27.50/ hr. GEN'L AGGREGATE LIMIT: \$2,000,000 X POLICY PROTECT LOC OTHER: Service Hours: At the discretion of Management. Minimum of four patrols per day.	SCGL005000018101	02/20/2023	02/20/2024	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
A	AUTOMOBILE LIABILITY ANY AUTO OWNED SCHEDULED X AUTOS ONLY X NON-OWNED X AUTOS ONLY X AUTOS ONLY The agreement may be amended with both parties permission. A written 30 day notice must be given to the other party to terminate this agreement. Please provide the following information regarding the service address and the contact person.	SCGL005000016101	02/20/2023	02/20/2024	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ EACH OCCURRENCE \$ AGGREGATE \$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETARY EMPLOYER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATION: Address: 4600 S. 27 th Street, Milwaukee, WI Phone Number: 414-678-8633	WP18003528-5	01/30/2023	01/30/2024	PER STATUTE X OTHER E.L. EACH ACCIDENT \$ 500,000 E.L. DISEASE - EA EMPLOYER \$ 500,000 E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

If you agree with the terms of contact, please sign and date below.

CERTIFICATE HOLDER

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Richard Lucas, Agent of Owner

Date

(VLD)



LAW & CONSULTING, S.C.

October 25, 2023

Samantha H. Baker
samantha@ovblaw.com

[via Email & Hand Delivery]

City of Milwaukee
Office of the City Clerk, Licensing Division
Attn: Jim Owczarski & Dana J. Zelanzy
City Hall, Rm. 205
200 E Wells St.
Milwaukee, WI 53202
jowcza@milwaukee.gov
d.zalanzy@milwaukee.gov

**RE: OBJECTION TO FINDINGS OF FACT &
CONCLUSIONS OF LAW
Sahej & Saheb LLC – 4928 W Villard Ave.**

To the City of Milwaukee Common Council,

Please be advised that my office represents Sahej & Saheb LLC (“Business”), located at 4928 W Villard Ave., Milwaukee, WI (“Premises”), as it relates to the City of Milwaukee Licensing Committee’s recommendation of a ten (10) day suspension for my client’s Extended Hours Establishment, Filling Station, Food Dealer and Weights & Measures licenses (“Licenses”).

On Tuesday, October 24, 2023, my office received the Report of the Licenses Committee relating to the Committee’s Findings of Fact and Conclusions of Law, dated October 20, 2023, which recommends a 10-day suspension of the Licenses.

Please accept this letter as my client’s objection to the Committee’s findings and request to the Common Council to reject the Committee’s recommendation for a 10-day suspension, or in the alternative, amend the Committee’s recommendation and impose the 10-day suspension only against the Business’s Extended Hours Establishment license to allow the Business to remain operational from 5:00 AM until 12:00 AM during the suspension period.

The current issue with the Committee’s findings primarily rests on their assertion that my client’s actions did not meet the Committee’s specific guidelines, which were unbeknownst to my client prior to their licensing hearing, and arguably unspecified at the hearing. In fact, my client provided several measures that they have taken, and that will be taken, to avoid nuisance and criminal activities at the Premises and Business, such as implementing new training measures and procedures for all employees and proactively attempting to secure security personnel to assist with abating criminal activities at the Premises and Business, while also attempting to seek restraining

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orders where appropriate and practicable. Unfortunately, the Committee lacked understanding that obtaining bonded and insured security personnel in the City of Milwaukee is more difficult than it appears and poses challenges amongst the number of gas station owners in the City of Milwaukee who all compete to retain bonded and insured security personnel at the demand of the Licenses Committee.

Further, the Committee insinuated that my client is utilizing the Milwaukee Police Department as their own private security, a statement which provides harmful precedent for all gas station owners in the City of Milwaukee and clouds the purpose of contacting MPD for situations where their services are necessary. Especially when it is demanded from the alderpersons that the Business report instances of crime that occur at its location. This catch-22 effectively punishes my client whether or not it reports criminal activity at the location.

To ensure that all criminal and nuisance activity is properly documented and those committing said crimes are punished to the fullest extent of the law, the Business has contacted MPD in matters and situations involving crime, regardless of the severity of such crime, such as theft of property, illegal panhandling, and issues concerning disorderly conduct and weapons brandished and utilized to threaten my client's employees. Crimes where the business was the victim. To strip a business of its property interest in its business licenses for instances in which they are the victim is a blatant violation of due process. A business petitioning its government when it is the victim of a crime does not yield the conclusion that the business is a threat to the health, safety, or welfare of the public. Further, the fact that a business is expending government resources/taxpayer dollars to do what it must to protect itself against a city's crime, does not demonstrate that the business is a threat to the health, safety, or welfare of the public.

Simply put, in reviewing the findings of facts and conclusions of law, the recommendation by the Committee to suspend the Premises' licenses for 10 days is solely based on the amount of police calls, and specifically that 10 of the calls occurred between the hours of midnight and 5:00 a.m. *See Findings of Fact ¶ 55; Conclusions of Law ¶ 2*. As a result, if any disciplinary action is appropriate, it would be a suspension only against the Extended Hours Establishment license. A complete 10-day suspension is not warranted for my client's Business, and is not supported by the Findings of Facts dated October 20, 2023.

Very Truly Yours,

OVB Law & Consulting, S.C.

/s/

Samantha H. Baker, JD
Attorney

SHB/ab



LAW & CONSULTING, S.C.

Page 3 of 3

cc. stasst5@milwaukee.gov (via email)
City Attorney Todd Farris (via email)
Client (via email)

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