

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

May 18, 2020

To the Honorable, the Common Council

Honorable Members:

Common Council File Number 191811 contains the following recommendations:

Nonrenewal, based upon the police report and police, aldermanic, and applicant testimony of the Class B Tavern and Public Entertainment Premises licenses for Beverly Nelson for the premises located at 5048 N 35th St (“The Cheetah Club”) in the 1st aldermanic district.

Nonrenewal, based upon police, aldermanic, neighborhood, and applicant testimony of the Food Dealer and Weights & Measures licenses for Lonnie McCaffety for the premises located at 930 N 27th St (“Family Dollar #26182”) in the 4th aldermanic district.

Nonrenewal, based upon the police report and police, aldermanic, and applicant testimony of the Class B Tavern and Public Entertainment Premises licenses for Terry Clincy for the premises located at 1218 W Cherry St (“Lorenzo’s”) in the 15th aldermanic district.

Respectfully,

Milele, Chair
Licenses Committee

cc: All Council Members
File 191811



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- Wisconsin Center District Board

Date: May 15, 2020

To: All Members of the Milwaukee Common Council

From: Licenses Committee

Re: Report of the Renewal Application of the Class "B" Tavern and Public Entertainment Premises (PEP) Licenses of Beverly M. Nelson, Agent for The Cheetah Club, for the premises located at 5048 North 35th Street in the City and County of Milwaukee, Wisconsin ("The Cheetah Club").

FINDINGS OF FACT

1. Beverly M. Nelson (hereinafter "the Licensee") is the holder of Class "B" Tavern and PEP Licenses for the premises located at 5048 North 35th Street in the City and County of Milwaukee, Wisconsin ("The Cheetah Club"). Said licenses expired at midnight on April 12, 2020.
2. An application to renew said licenses was filed with the Office of the City Clerk on January 31, 2020.
3. Pursuant to Chapters 85, 90, and 108 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes, the matter was referred to the Milwaukee Police Department for investigation. On May 1, 2020, the Milwaukee Police Department responded with a report that could form the basis for nonrenewal of said licenses.
4. On April 30, 2020, the City Clerk's Office provided timely notice to the Licensee pursuant to Chapters 85, 90, and 108 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes of the neighborhood objections. The matter was scheduled for a hearing on the objections on May 12, 2020, commencing at approximately 4:00 p.m. in Room 301-B of the third floor of City Hall. At said date, time and place, the Licensee appeared with counsel, Attorney Jason Luczak, at the hearing, and admitted receipt of the notice of hearing.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:



- A. On May 3, 2019, officers conducted a licensed premise check at The Cheetah Club, 5048 North 35th Street. The officer spoke with security, who stated there will be armed security every day, with a male and female at the door conducting pat downs with a portable metal detector. The officer also spoke with the owner, Michael Ray, who stated there were 12 cameras inside and four cameras outside.
- B. On June 23, 2019, an officer took a complaint of a firearm theft that occurred on Jun 16, 2019 while the victim was at the licensed premise located at 5048 North 35th Street. The victim stated he parked his car around the corner and his pistol was inside while he went to Exotica's. The victim stated when he returned to his car his window was broken and his firearm missing.
- C. On January 26, 2020, Michael Ray walked into District 7 police station to report that an unknown male exchanged \$900.00 in fake movie money for \$600.00 in real money at The Cheetah Club. The subject was in the business for several hours without purchasing anything when he asked an employee to exchange money so he could pay the dancers. The subject did the exchange and fled the scene.
- D. On March 8, 2020, at 1:48 a.m. officers were dispatched to The Cheetah Club for a shooting. The investigation revealed there was an argument by the stage. The suspect produced a pistol and shot the victim. The suspect then went outside. Armed security followed the subject and fired several rounds at the subject. The officers located one victim inside, another victim lying outside, and a third suspect arrived at the hospital with gunshot wounds. The manager, Michael Ray, stated the armed security officers were provided by the promoter for the DJ he hired. Ray was cooperative and allowed the officers to view the video. On the video the subject was found to be 20 years old and was observed drinking alcohol. The applicant was issued citations for Allow Underage on Premise and Allow Consumption of Alcohol by Underage.

Charge 1: Allow Underage on Premise
2: Allow Consumption of Alcohol by Underage

Finding:

Sentence:

Date:

Citation: M5817RB00Z
M5817RB010

- E. On March 20, 2020, a meeting was held at District 7 regarding the shooting on March 8, 2020. The officer asked about ownership of the business and the licensee stated she owns the building and Michael Ray runs the business. Ray was advised he needs a manager's license to run the day to day operations of the business. The licensee stated they are working on a land contract to sell the land and business to Ray but it is on hold due to emergency order. The licensee was

advised that they were operating as a Collusive Agreement and Ray needs to get the license in his name. The officers then asked about security measures in place at the club. Ray stated he was contracted security, has pat downs at the door and visually checks ID's. Ray stated he was not aware there was an underage person in the club that night and stated security was to check ID's at the door. Ray also admitted security must have poorly searched customers, due to the number of firearms that made it into the business that night. The licensee stated she did not watch the video of the incident and did not know what occurred until it was on the news. Ray stated he told the licensee an incident occurred at the business but not the details. Ray stated that he is planning on buying metal detectors and an ID scanner. The licensee was advised that she is the licensed agent and is responsible for what happens at the business.

- F. Attorney Jason Luczak stated he is working out the business arrangement between the licensee and Mr. Ray. He added that there is an abatement plan and that the premises have been closed since the March 8th shooting. He stated that night there was a DJ that brought his own security that lead to issues with weapons getting into the premises. He added that they will no longer allow people to provide their own security, be purchasing metal detectors, ID scanners, will be hiring a different security company, will notify District 7 of any large events that are occurring, and will be enforcing their no weapons policy. He stated that this has been a business that has been running for an exceptionally long time and has only received a warning letter in 2016. He added that they accept responsibility for the incident and want to improve going forward. He stated that he would like a substantial suspension because the video is disturbing. He added that there is a reverse incentive for businesses to provide video because it can be used against their license. He stated that the licensee and Mr. Ray were cooperative and is willing to do anything to keep the premises open. He added that the incident is egregious, and the Committee should not impose the worst penalty possible.
- G. Michael Ray, 4750 North Hopkins St stated he apologizes for the situation that happened, but all he can do is ask for help. He added that he will give MPD access to his cameras and he deserves another chance because he has never been involved in a venue of this size before. He stated that he is willing to do whatever is necessary. He added the agreement was supposed to change months ago but there have been issues with the licensee's sole proprietorship. He stated that it is not fair to be punished after the first incident because he does not have the chance to rectify the situation.

Individual also present:

- H. Andrea Pratt - 1st District Legislative Assistant stated Alderman Hamilton is not in support of the renewal because of the March 8th incident on the video.

- I. The meeting recessed at 4:21 PM to attempt to arrange for the broadcast of the video; the meeting reconvened at 4:37 PM after deciding not to broadcast the video on the local channel due to its graphic nature.
- J. Alderman Ashanti Hamilton, the local alderperson, stated the video showed a dancer not properly dressed, an underage person in the premises, and the number of people that were in possession of firearms inside the premises. He added that he could not even count the number of people with firearms and there was shooting inside the premises and outside. He stated that the underage patron was a central player in the shooting, was over served, and needed help leaving the premises. He added that he has been in contact with the licensee and he has a long-standing relationship with the premises. He stated that this single homicide-shooting incident justifies nonrenewal, and he does not have the confidence that the current management can fix these issues. He added that the plan of action is not detailed enough to deal with the issues that occurred in the video. He stated that people felt comfortable being in the premises with firearms and the dancer's clothing violations were accepted. He added that there is a sense of lawlessness that spills over in to the neighborhood.
- K. Captain Murphy stated he agrees with Alderman Hamilton and there seemed to be a collusive agreement between the licensee and Mr. Ray. He stated the incident was egregious and he's surprised that more people were not shot.
- L. Alderman Kovac stated he has not seen the video and this is less about the video and more about the over served and underage patron being a central participant in the incident. He added that this is likely to happen again under current management.
- M. Alderman Kovac moved nonrenewal based on the police report, Licensee, aldermanic, and police testimony. (Prevailed 5-0)

CONCLUSIONS OF LAW

- 1. The Committee has jurisdiction to hold hearings and provided Findings of Fact and Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapters 68, 82, 85, and 108 of the Milwaukee Code of Ordinances.
- 2. Based upon the above facts found, the Committee concludes that the Licensee, Beverly M. Nelson who holds Class B Tavern and Public Entertainment Premise (PEP) licenses for the premise located at 5048 North 35th Street in the City and County of Milwaukee, Wisconsin ("The Cheetah Club") has not met the criteria of Chapters 85, 90, and 108 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes to not renew the Class B Tavern and Public Entertainment Premises. The Committee finds the police report and aldermanic objections as stated above to be true. The Committee based its recommendation on the police report, Licensee, aldermanic and police testimony.

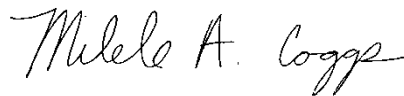


3. In order to protect the health, safety and welfare of the citizens of the City of Milwaukee, it is the recommendation of the Licenses Committee that the full Common Council of the City of Milwaukee should exercise its judgment to not renew the Class B Tavern and Public Entertainment Premise (PEP) licenses for the premises located at 5048 North 35th Street in the City and County of Milwaukee, Wisconsin ("The Cheetah Club"). The Committee based its recommendation on the police report, Licensee, aldermanic and police testimony.

RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of **five (5) ayes, and zero (0) noes**, recommends that the Class "B" Tavern and Public Entertainment Premises (PEP) Licenses of Beverly M. Nelson for the premises located at 5048 North 35th Street ("The Cheetah Club") in the City and County of Milwaukee, Wisconsin not be renewed.

Dated and signed at Milwaukee, Wisconsin this 15th day of May, 2020.



MILELE COGGS
Chair, Licenses Committee

//268287



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

Date: May 15, 2020

To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report of the Renewal Application of Lonnie W. McCaffety, Agent for Family Dollar Stores of Wisconsin LLC, for Food Dealer and Weights & Measures licenses for the premises located at 930 North 27th Street in the City and County of Milwaukee, Wisconsin ("Family Dollar").

FINDINGS OF FACT

1. Lonnie W. McCaffety (hereinafter the "Licensee") is the holder of Food Dealer and Weights & Measures licenses for the premises located at 930 North 27th Street in the City and County of Milwaukee, Wisconsin ("Family Dollar"). Said licenses expire at midnight, May 1, 2020.
2. An application to renew said licenses was filed with the Office of the City Clerk on February 19, 2020.
3. Pursuant to Chapters 68, 82, and 85 of the Milwaukee Code of Ordinances, the matter was referred to the Milwaukee Police Department for investigation.
4. On April 29, 2020, the City Clerk's Office provided notice to the Licensee pursuant to Chapters 68, 82, and 85 of the Milwaukee Code of Ordinances of the police report and neighborhood objections and included a copy of the police report. The matter was scheduled for a hearing on the police report and neighborhood objections on May 12, 2020, at 2:00 p.m. in Room 301B of the third floor of City Hall. At said date, time and place, the Licensee appeared and was represented by Attorney Josh Gimbel at the hearing and admitted receipt of the notice of hearing.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
 - A. Attorney Josh Gimbel stated the premises have tried to cut down on the loitering activities. He added that this location is difficult and they have had



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issues with employment, turnover, and ability to keep a manager. He stated this is an important business for the neighborhood and the premises are serving an important purpose in this COVID-19 times. He added that Alderman Bauman has a bias against this national chain and he is giving this store a death sentence. He stated that now the neighbors won't have a choice about where to shop. He added that the corporation does care about this store. He stated that this is an essential business in the neighborhood. He added that the managers will do everything in their power to immediately address the concerns and bring them to the attention of corporate headquarters.

- B. Harry Susman stated he is the district manager, he oversees 11 stores and is aware of the past issues. He added that he has reached out to the Near West Side Partners via email and met with Alderman Bauman during a neighborhood walk. He stated that he has reached out to corporate about the issues and is willing to have weekly meetings. He added that they restriped the parking lot, installed new coolers and freezers, installed a brick facade to abate loitering issues, and employ a full-time armed security guard. He stated that he has tried to hire residents but it has been hard. He added that he hears from the community how vital the premises is. He stated that he wants to get to the root cause of the issues and find sustainable solutions. He added that there can be daily maintenance and trash clean-up of the parking lot 3-4 times a day. He stated that with loitering, security tries to get patrons to move along, but sometimes they become combative. He added 8 months ago Alderman Bauman expressed to him his frustrations with the premises.
- C. Denelle Gordon stated she is the new regional manager and has been to the premises. She added that this premises is a valuable location to the neighborhood and they just added new coolers to the premises. She stated they will address the issues with the building to the best of their ability because they do not own the premises, but they can update the lighting and security services. She added that this location is the second highest SNAP benefit store in the company, and residents need to purchase products to service their home needs. She stated that she has been with the company for 7 years and she is here to stay. She added that she is at the premises a half day to full day once every two weeks.
- D. Mindy Yoho stated she was the previous manager at the 13th St & Oklahoma Avenue. She stated she ran a clean building and wants to bring her skills to this location, and hire good quality people.

Individual also present:

- E. Alderman Bauman stated the store manager should be present to address these issues. He added that this corporation could care less about this store and they would never know they lost this store. He stated there is fighting, shoplifting, loitering, littering, drug dealing, and other nuisance activities. He added that his neighbors and his wife shop at this premises. Ald. Bauman noted that this same location was called in for a hearing last year about the exact same issues of loitering, fighting, panhandling, etc., and a plan was presented and accepted to abate the nuisance. He observed that it has been a full calendar year later and the exact same problems are still happening with the same frequency. He added that the lack of management leads to the issues in at the premises. He recommends nonrenewal for the benefit of the community. Ald. Baumann noted that there is a similar store across the street, though slightly smaller and under local management. He noted that the store across the street does not have the problems that the Family Dollar has. He observed that the owner of the local store is constantly on the premises, and the citizens nearby would not be negatively affected by the loss of the Family Dollar.

Individuals present in opposition:

- F. Keith Stanley - Near West Side Partners stated there is value in this business for the neighborhood, however there have been constant issues with facade, landscaping, litter, lighting, management, and security. He added that there are also broken windows, graffiti, trash, and lack of maintenance of the parking lot and landscaping. He stated they are not as responsive to neighborhood concerns, and the premises have been a blight to 27th Street. He stated there is constant loitering at the premises. He added that he has received calls from residents regarding fighting in the store and poor security response. He stated that he is objecting to this renewal because of the management of the store. He added that there is no social distancing occurring at the premises. He stated that this is the main area of loitering in the 900 block of 27th Street.
- G. Bobby McQuay - Near West Side Partners stated he has checked in on the premises 10-15 times in the last year to make purchases and check out the store. He added that he has safety concerns for residents shopping at the premises because it does not seem that management has a handle on activities at the premises. He stated that he has asked employees to take out the trash and clean up the litter in the parking lot. He added that he has been told by employees that they cannot clean up the parking lot. He stated that he is not sure who the manager is from one month to the next. He added that he is concerned about employees fighting patrons in the store. He stated that he does not think the management cares about the safety of the people shopping at the premises. He added that there are people hanging out in the parking lot

and security guards talking with patrons outside the store for long periods of time.

- H. Milwaukee Police Department Captain Jeffrey Norman stated there are issues relating to loitering and upkeep of the premises. He added the premises became a nuisance property in August 2019. He stated there are issues with consistency of the management of the premises. He added that a lot of his resources are being used to intervene in fights, chronic loitering, and shoplifting activities. He stated that he is in support of a heavy suspension or nonrenewal. He added that communication with the district has been a challenge and the parking lot is not being maintained. He stated that a big issue is that there are more cameras outside than inside.
- I. Alderwoman Lewis stated there is always the same type of issues at these locations and the premises is beneficial to the company. She added that this should be a good, healthy, and safe environment for customers, but there have only been changes in leadership.
- J. Alderman Borkowski stated management is taking this store for granted, and they should be having weekly meetings with Alderman Bauman, Captain Norman, and Near West Side Partners.
- K. Alderman Kovac stated last year the Committee was told the landscaping, loitering, and littering would improve, and nothing has changed. He added that these issues have been effecting the neighborhood on a daily basis and there is a lack of accountability.
- L. Alderman Kovac moved nonrenewal based on applicant, neighborhood, aldermanic, and police testimony. (Prevailed 4-1, Ald. Coggs voting no)

CONCLUSIONS OF LAW

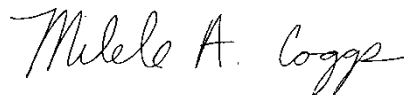
1. The Committee has jurisdiction to hold hearings and provided Findings of Fact and Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapters 68, 82 and 85 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concludes that the Licensee, Lonnie W. McCaffety who holds Food Dealer and Weights & Measures licenses for the premise located at 930 North 27th Street in the City and County of Milwaukee, Wisconsin ("Family Dollar") has not met the criteria of Chapters 68, 82 and 85, of the Milwaukee Code of Ordinances to not renew the Food Dealer and Weights & Measures licenses. The Committee finds the health department reports and aldermanic objections as stated above to be true. The Committee based its recommendation on the Licensee, aldermanic, neighborhood and police testimony.

3. In order to protect the health, safety and welfare of the citizens of the City of Milwaukee, it is the recommendation of the Licenses Committee that the full Common Council of the City of Milwaukee should exercise its judgment to not renew the Food Dealer and Weights & Measures licenses for the premises located at 930 North 27th Street in the City and County of Milwaukee, Wisconsin ("Family Dollar"). The Committee based its recommendation on the Licensee, aldermanic, neighborhood and police testimony.

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) noes** recommends that the Food Dealer and Weights & Measures licenses held by Lonnie W. McCaffety for the premises located at 930 North 27th Street in the City and County of Milwaukee, Wisconsin ("Family Dollar") not be renewed based on the Licensee, aldermanic, neighborhood and police testimony.

Dated and signed at Milwaukee, Wisconsin this 15th day of May, 2020.



MILELE COGGS
Chair, Licenses Committee

/268295



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VICE CHAIR

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- Steering and Rules Committee
- Wisconsin Center District Board

Date: May 15, 2020

To: All Members of the Milwaukee Common Council

From: Licenses Committee

Re: Report of the Renewal Application of the Class "B" Tavern and Public Entertainment Premises (PEP) Licenses of Terry D. Clincy, Agent for Lorenzo's, for the premises located at 1218 West Cherry Street in the City and County of Milwaukee, Wisconsin ("Lorenzo's").

FINDINGS OF FACT

1. Terry D. Clincy (hereinafter "the Licensee") is the holder of Class "B" Tavern and PEP Licenses for the premises located at 1218 West Cherry Street in the City and County of Milwaukee, Wisconsin ("Lorenzo's"). Said licenses expired at midnight on March 25, 2020.
2. An application to renew said licenses was filed with the Office of the City Clerk on March 25, 2020.
3. Pursuant to Chapters 85, 90, and 108 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes, the matter was referred to the Milwaukee Police Department for investigation. On March 26, 2020, the Milwaukee Police Department responded with a report that could form the basis for nonrenewal of said licenses.
4. On April 30, 2020, the City Clerk's Office provided timely notice to the Licensee pursuant to Chapters 85, 90, and 108 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes of the neighborhood objections. The matter was scheduled for a hearing on the objections on May 12, 2020, commencing at approximately 11:00 a.m. in Room 301-B of the third floor of City Hall. At said date, time and place, the Licensee appeared, and admitted receipt of the notice of hearing.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
 - A. On August 10, 2019, at 2:49 a.m. officers were dispatched to a Noise Nuisance around North 14th Street and West Cherry Street. When the officer arrived, she observed multiple vehicles parked in front of Lorenzo's, 1218 West Cherry Street, playing loud music. The officer activated her lights and the crowd dispersed. The officer observed people walking in and out of the bar and two subjects inside with



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drinks on the bar. The licensee opened the door and stated he lived at the bar and could do what he wanted. The licensee stated the people outside had nothing to do with him. The licensee stated he was mad because he was intoxicated and could not locate the business license. The officer attempted to speak with the other occupants of the tavern, but Mr. Clincy would not let them speak. The officer advised the licensee to follow the tavern rules to avoid citations in the future and he again stated he lived there and he could do what he wanted.

- B. On August 17, 2019, at 12:43 a.m. officers were dispatched to a Noise Nuisance at 1218 West Cherry Street. The caller stated there were cars parked in front of Lorenzo's playing loud music. The caller stated the subjects standing around the cars did not appear to be going in the bar. The officer spoke with the licensee, who stated he has a problem getting people in his bar, they just stand around outside. The Licensee stated the Police need to clear out the people outside because if they are not in his bar they are not his problem. The officers were outside when a large group exited the tavern stating the bar was closing for the night, complaining because they paid a cover charge and were being kicked out early. The officer spoke with the licensee about the cover charge and he confirmed he was charging but the officer did not observe a sign notifying patrons of the charge. The licensee was provided the number for the tavern car and advised to call if there were people outside causing a disturbance.
- C. On September 22, 2019, at 12:33 a.m. officers observed several illegally parked cars at Lorenzo's. The officers advised the licensee, who stated he would make an announcement to his patrons to move their cars. At 2:52 am the officer drove by and observed 10 cars parked outside the bar. As the officers approached, 10 people exited the bar. The officers observed 4 additional people in the bar and the licensee sitting at the bar with an open bottle of liquor in front of him on the bar. The officers spoke to the licensee, who had slurred speech. He stated he lived there and could drink after closing time.
- D. On November 10, 2019, at 1:57 am officers observed a large number of cars outside Lorenzo's, which has a closing time of 2:00 am. The officers observed the business until 2:10 am. They counted 30 cars parked outside and conducted a licensed premise check. As they approached they heard someone yell "You go to go" and 8 people left the bar. They entered and observed approximately 8 people inside including staff. The officer spoke with the licensee and advised him he needed to have the bar cleared out by closing time. The licensee stated it takes time to get people to finish up but stopped himself and just stated he was a bit buzzed and would leave it at that. The licensee was given a warning.
- E. On November 17, 2019, at 2:10 am officers observed 18 cars parked outside of Lorenzo's, 1218 West Cherry Street, after closing time. Then as the officers approached to conduct a license premise check they found the front door locked. After knocking several times the officers were let inside. They observed approximately 12 people inside the bar including the licensee. Several people had alcohol on the tables. Upon seeing the officers, the licensee yelled "Everyone out". The officers spoke with the licensee and reminded him it's his responsibility to

make sure everyone is out of the bar by the closing time listed on his license. The licensee stated he sleeps on a cot in the back room so that makes the bar his residence and he can have guests over at any time. The licensee was issued a citation for Class B Allow Patron After Hours.

Charge: Class B Allow Patron After Hours
Finding: pending Pre-Trial on 06/24/2020
Sentence:
Date:
Citation: 200009686

- F. On November 24, 2019, at 12:51 am officers observed 67 cars parked by Lorenzo's knowing the capacity of the bar is 65 the officers decided to do a license premise check. When the officer approached the door they found it locked. The officers knocked and were let inside by the door man. They asked the doorman if he knew the capacity and he just looked down. The officers then had all patrons exit and counted a total of 134 people inside. The officer asked why the front door was locked and the licensee stated because the glass was broken out and they could not see out the door. The officer asked if the licensee knows his capacity and he responded by asking the officer if he knew the bar's capacity. The investigation revealed the bar was charging a cover

Charge: Licensed Establishment-Exceeding Occupy Limit
Finding: pending Pre-Trial on 06/24/2020
Sentence:
Date:
Citation: 200009685

- G. On January 7, 2020, a meeting was held at District 3 regarding Lorenzo's, 1218 West Cherry Street. The licensee stated he drinks most nights and was intoxicated the night of the overcapacity violation. The licensee stated he has not had fights or shootings so he does not think there is a problem. The licensee stated all the people in the bar after hours are workers, even though they were observed drinking alcohol. He stated he would probably close 30 minutes early to give patrons time to get out. The licensee was issued citations for the November 17, 2019 and November 24, 2019 incidents.

- H. On March 7, 2020, at 1:58 pm officers responded to a ShotSpotter called at North 12th and West Cherry Street. While en-route officers were advised that three shooting victims arrived at local hospitals regarding this incident. When the officers arrived they observed the front glass broken at Lorenzo's, 1218 West Cherry Street, and a subject cleaning up the glass. The officers observed several casings on the ground in front of the business. Officers located 9 spent casings and 3 unspent casings in the area. The officers spoke with the licensee who stated there was a fight outside and a subject fired a gun. Witnesses and victims stated there was a fight inside the bar between 5 females and security kicked everyone out. Once outside there was a single gunshot, followed by 5-10 shots several seconds later. The bar has cameras but the licensee stated the police have his system since



the last shooting. The caller was from the area, no one from the business called regarding this incident.

- I. On March 14, 2020, at 1:27 am officers conducted a license premise check at Lorenzo's, 1218 West Cherry Street. The bar began closing at 1:40 pm and the patrons were orderly when leaving the establishment. No violations were observed.
- J. On March 17, 2020, at 12:24 am officers conducted a license premise check at Lorenzo's, 1218 West Cherry Street. The officers advised the licensee of the emergency order requiring business to close. He stated he was aware of the order.
- K. At the hearing the licensee stated the police would come every weekend and the police report is not true. He added that he received tickets for overcapacity, but there was no way there were 167 people in the premises. He stated that the police had not been to his bar for 2-3 years before last year. The licensee stated that the same police officer is at his bar every weekend, and the officer has a problem with him.
- L. He added that now the police come to his bar every day. He stated that two girls were fighting in the bar and they broke it up and closed the bar, but then there was a shooting outside 10 minutes later. He added that they heard shots but no one was outside when they went outside to look. He added that he has three armed security guards. He stated that he has owned the premises for 14 years and never had a problem. He added that all the incidents happened in the last three months. He stated that he does not understand the noise nuisance because there are no houses next to his premises, and he has always had the same sound system. He added that the incidents occurred in the area surrounding his premises. He stated that he drinks in the bar on the weekends because the premises are not open during the week. He added that he's probably just going to start closing at midnight and will not drink while his business is open. He stated that he has not had any police contact since the meeting at the district. He added that everybody needs a chance and that he can change.

Individuals also present:

- M. Dameon Ellzey - 15th District Legislative Assistant stated Alderman Stamper is concerned about the safety of the public. He added that the safety of the public is not being considered when the licensee is intoxicated every time the police come to check. He stated that the trajectory of the incidents taking place, including the shooting in March, after all the police contacts leads Alderman Stamper to believe that there will not be a change. He added that the management of the premises has gone down and does not believe the safety of the public is a priority for the applicant. He stated that Alderman Stamper requests nonrenewal.

Individual present in opposition:

- N. Milwaukee Police Department Captain Jeffrey Norman stated this premises has overcapacity and noise nuisance issues. He added that he instructed his officers to pay attention to the bar because of the complaints about noise, loitering, and other nuisance behavior. He stated that every time officers make contact with the licensee, he is intoxicated. Cpt. Norman stated that this causes him grave concern about the licensee's ability to actually run the business. He added that every time his officers spoke with the licensee the contacts were always negative. He stated that this behavior is unacceptable from a business owner. He testified that there is a concern that the licensee was unaware of what is going on at the premises because he was intoxicated. He stated that it was no longer a matter of if, but when a serious incident would occur; and then there was a triple shooting. He added that he believes the licensee will not change his behavior and he requests nonrenewal. Cpt. Norman testified that his policy is that he will point out problems, but does not tell any licensee what to do or how to run their premises. He added that tavern checks have occurred after the meeting at the district.
- O. Alderwoman Lewis stated she is uncomfortable with the licensee's responses that the problems are because the police are harassing him, and that it is rare for a captain to come forward and ask for nonrenewal. She added that the licensee does not have a plan of abatement or any type of way to improve operations. She stated there have been so many incidents and it does not seem that the licensee is taking ownership of the problems.
- P. Alderwoman Lewis moved nonrenewal based on the police report, and applicant, aldermanic, and police testimony. (Prevailed 5-0)

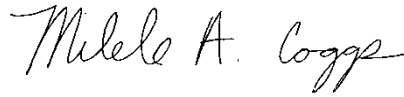
CONCLUSIONS OF LAW

1. The Committee has jurisdiction to hold hearings and provided Findings of Fact and Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapters 82, 85, and 108 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concludes that the Licensee, Terry D. Clincy who holds Class B Tavern and Public Entertainment Premise (PEP) licenses for the premise located at 1218 West Cherry Street in the City and County of Milwaukee, Wisconsin ("Lorenzo's") has not met the criteria of Chapters 85, 90, and 108 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes to not renew the Class B Tavern and Public Entertainment Premises. The Committee finds the police report and aldermanic objections as stated above to be true. The Committee based its recommendation on the police report, Licensee, aldermanic and police testimony.
3. In order to protect the health, safety and welfare of the citizens of the City of Milwaukee, it is the recommendation of the Licenses Committee that the full Common Council of the City of Milwaukee should exercise its judgment to not renew the Class B Tavern and Public Entertainment Premise (PEP) licenses for the premises located at 1218 West Cherry Street in the City and County of Milwaukee, Wisconsin ("Lorenzo's"). The Committee based its recommendation on the police report, Licensee, aldermanic and police testimony.

RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of **five (5) ayes, and zero (0) noes**, recommends that the Class "B" Tavern and Public Entertainment Premises (PEP) Licenses of Terry D. Clincy for the premises located at 1218 West Cherry Street ("Lorenzo's") in the City and County of Milwaukee, Wisconsin not be renewed.

Dated and signed at Milwaukee, Wisconsin this 15th day of May, 2020.



MILELE COGGS
Chair, Licenses Committee

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