



Office of the City Clerk

**Jim Owczarski**  
City Clerk

**Rebecca N. Grill**  
Deputy City Clerk

June 25, 2013

Shantel T. Stovall, Agt.  
Brooklyn's Restaurant & Lounge LLC  
4610 W. Fond Du Lac Ave.  
Milwaukee, WI 53216

Atty. Michael Maistelman  
Maistelman & Associates LLC  
5033 W. North Ave.  
Milwaukee, WI 53208

Dear Ms. Stovall and Atty. Maistelman:

You are hereby notified that the Milwaukee Common Council will hold a hearing on Tuesday, July 2, 2013, commencing at 9:00 a.m., or as soon thereafter as this matter may be heard, in the Common Council chambers on the third floor of City Hall, 200 East Wells Street, Milwaukee, Wisconsin to consider whether to renew, renew with a suspension between 10 and 90 days, or not renew the Public Entertainment Premises license for the premises located at 4610 W. Fond Du Lac Ave. ("Brooklyn's Restaurant & Lounge").

Attached you will find a copy of the Report of the Licenses Committee, which includes its Findings of Fact, Conclusions of Law, and Recommendation, recommending to not renew the Public Entertainment Premises license based on police report, witness testimony, and neighborhood objections. This recommendation is the result of a public hearing before the Committee held on Monday, June 24, 2013.

Please be advised that the Common Council will determine whether to renew, renew with a suspension between 10 and 90 days, or not renew the Public Entertainment Premises license based upon the Findings of Fact contained within the Licenses Committee report.

You may file written objections to the report of the Licenses Committee. The written objections must be filed with the City Clerk by 4:45 p.m. on Thursday, June 27, 2013 in Room 205 of City Hall. If you file written objections, you or a legal representative may then also appear at the Common Council to make oral arguments supporting the written objections. You will be given approximately five minutes to present the oral argument.

Respectfully,

  
JAMES R. OWCZARSKI  
City Clerk

Enclosure

Cc: 5001 N. 54<sup>th</sup> St., Milwaukee, WI 53218



**CHAIR**

• Licenses Committee

**MEMBER**

• Community and Economic  
Development Committee  
• Steering and Rules Committee



**TONY ZIELINSKI**  
ALDERMAN, 14TH DISTRICT

Date: June 25, 2013

To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report of the Renewal Application of Shantel T. Stovall, agent for "Brooklyn's Restaurant & Lounge, LLC," for a Public Entertainment Premises license for the premises located at 4610 West Fond Du Lac Avenue in the City and County of Milwaukee, Wisconsin ("Brooklyn's Restaurant & Lounge").

**FINDINGS OF FACT**

1. Shantel T. Stovall, agent for "Brooklyn's Restaurant & Lounge, LLC" (hereinafter the "Licensee"), is the holder of a Public Entertainment Premises license for the premises located at 4610 West Fond du Lac Avenue in the City and County of Milwaukee, Wisconsin ("Brooklyn's Restaurant & Lounge"). Said license expires at midnight, July 5, 2013.
2. An application to renew said license was filed with the Office of the City Clerk on May 17, 2013.
3. Pursuant to Chapters 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. The Milwaukee Police Department, on May 31, 2013, responded with a police report that could form a basis for non-renewal or suspension of said licenses.
4. On June 13, 2013, the Licenses Committee conducted an evidentiary hearing on the Licensee's related Class "B" Tavern license at this premises and subsequently issued a report of its Findings of Fact and Conclusions of Law, recommending to the Common Council that the Class "B" Tavern license renewal application be denied. However, the notices of that hearing did not identify that the licensee's related Public Entertainment Premises license was also subject to renewal at that time.
5. Therefore, on June 19, 2013, the City Clerk's Office provided notice to the Licensee pursuant to Chapter 108 of the Milwaukee Code of Ordinances of the police report and Department of Public Works objection and included copies of the police report, Department of Public Works objection, and the Licenses Committee report dated June 18, 2013. The matter was scheduled for a hearing on the Licenses Committee report, police report, and Department of Public Works objection on June 24, 2013 at 1:00 p.m. in Room 301A of the third floor of City Hall. At said date, time, and place, the licensee did appear and was represented by Attorney Michael Maistelman.



The June 19, 2013 notice stated as follows:

“There is a possibility that your application may be denied for one or more of the following reasons: failure of the applicant to meet the statutory and municipal license qualifications; pending charges against or the conviction of any felony, misdemeanor, municipal offense or other offense, the circumstances of which substantially relate to the circumstances of the particular licensed activity, on behalf of the licensee, his or her employes, or patrons; the appropriateness of the location and premises; neighborhood problems due to management or location; failure of the licensee to operate the premise in accordance with the floor plan and plan of operation; and any factors which reasonably relate to the public health, safety and welfare. See attached police report and/or written correspondence regarding this application including the Cover Letter and Findings of Fact from the June 13, 2013 License Committee Meeting regarding the Class B Tavern Renewal Application for the same premises. Please be advised the public will be able to provide information to the committee in person. The committee will receive and consider evidence regarding the above mentioned criteria.”

6. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
  - A. Assistant City Attorney Adam Stephens advised the Committee that it could rely on its collective memory of the previous hearing and subsequent Licenses Committee report from its June 13, 2013 meeting (see items F through W below).
  - B. Attorney Michael Maistelman, on behalf of Ms. Stovall, advised the committee that Brooklyn’s takes full ownership of some of the incidents in the police report. Brooklyn’s filed with the committee on June 24<sup>th</sup> a supplemental plan of operation addressing various problems. Brooklyn’s will not be open from Monday through Wednesday, will close at 1:00 a.m. and stop serving alcohol 30 minutes before bar close at 12:30 a.m.; stop playing hip hop and other types of music that would cause people to be more energetic one hour before close; raise its age restriction to 26 years and older; increase its food sales to 60 percent of total sales; decrease alcohol sales to 40 percent; purchase ID scanner; will scan the ID’s of all customers; and, maintain a working relationship with the new Milwaukee Police Department captain. Brooklyn’s has hired Richard Lucas as a seasoned security person to assess security needs and develop a game plan for the establishment. Mr. Lucas and Ms. Stovall will reach out to the neighbors to open a line of communication with them. Mr. Lucas and Ms. Stovall will meet with neighbors once a month. Brooklyn’s would request that the captain and police come to the establishment to give recommendations regarding camera installation and placement at the site. Security will now use a counter to combat over-capacity issues at Brooklyn’s.
  - C. Ms. Stovall testified that she attempted to contact the adjacent neighbors, who testified in opposition at the June 13, 2012 meeting, this past Sunday. She was told by these neighbors that Sunday was the only day that they were available to meet her. She does not have their phone numbers and knocked on their doors, which no one answered. She will attempt again today and try to obtain their

phone numbers. She has spoken with other neighbors adjacent to those who were in opposition.

- D. Richard Lucas testified he was contacted to do a security survey at Brooklyn's. He has met Ms. Stovall and told her that neighbors should be the main concern. She has agreed to his proposed plan to meet with neighbors weekly, update security staff on the inside, and have a guard at the front door with a counter. Ms. Stovall will try to get the adjoining space to use as exits for the establishment instead of the front doors to prevent music from blasting into the parking lot.
- E. There was no new neighborhood testimony. The following incidents were considered and adopted from the previous hearing and subsequent Licenses Committee report dated June 18, 2013:
- F. On July 1, 2012 at 11:12 p.m. officers of the Milwaukee Police Department responded to a shots fired complaint at 4709 West Leon Terrace. A witness, who was a patron of Brooklyn's, observed a subject leave the Brooklyn's and go into a vehicle parked in the tavern's parking lot. The subject retrieved a firearm and then fired several rounds at the witness and his friends, who were walking down the alley. The investigation found one round struck a nearby home causing damage. Police attempted to view surveillance video from Brooklyn's, but it did not provide any information regarding this incident.
- G. On October 15, 2012 at 2:18 a.m., Milwaukee police were flagged down by Shantel Stovall who stated there were two autos with multiple occupants in her parking lot, acting suspicious. Stovall stated, when she pulled into the parking lot of her business at 2:00 a.m., a suspicious silver auto followed her into the lot. The passenger window of the vehicle rolled down and something was pointed at her. Stovall stated she heard someone say, "Pull up next to her". Stovall exited the lot and drove down the street when she observed a squad car and notified them of the suspicious auto. Police attempted to conduct field interview on the suspicious silver auto when one subject ran on foot. The subject was later apprehended and police recovered two guns on the path of where the subject fled.
- H. On November 22, 2012 at 2:15 a.m., Milwaukee police were dispatched to 4600 West Leon Terrance for a shots fired complaint. Officers were later advised that two shooting victims walked into St. Joseph's Hospital. The investigation revealed that shots were fired in the parking lot of Brooklyn's located at 4610 West Fond du Lac. Police recovered casings in the parking lot and police spoke with Shantel Stovall. Stovall stated there were no problems inside the bar prior to the shooting and that she did not witness or hear the shooting.
- I. On January 1, 2013 at 3:32 a.m. officers of the Milwaukee Police Department responded to 4610 West Fond du Lac Avenue (Brooklyn's) regarding a shooting. The investigation revealed an unknown actor had discharged a firearm striking two victims. The shooting occurred in the parking lot of the business. Three autos parked in the business' parking lot were struck.
- J. On March 31, 2013, at 1:30 a.m., officers conducted a tavern check at 4610 West Fond du Lac (Brooklyn's). Upon arrival, the officers believed the establishment was over capacity due to their observations. An officer was staged at the front

door, while officers conducted a count. A total of 316 patrons were counted with the occupancy of the bar area being 99. The count was conducted in the bar area only. The banquet room was not being used on the night of the tavern check and has a separate capacity of 99. The licensee Shantel Stovall was on scene and was advised of the violation. Stovall was issued a citation for the violation.

- K. On May 31, 2013, at 9:00 a.m., Milwaukee police officers contacted Stovall regarding her camera system. Stovall informed officers that the camera system for the exterior does not function. On January 14, 2013 Stovall was sent a Notice of Mandatory Security Measures. The letter was sent by Captain Howard of District Seven to Stovall informing her that 3 or more incidents of violent or firearm related crimes had occurred at the establishment in a year's time. The letter informed Stovall she was being mandated to install security cameras pursuant to Milwaukee Ordinance 105-91.
- L. Licensee Shantel Stovall testified in response to the police report. A fence separating Brooklyn's parking lot from the alley would have made it difficult for the shooter to go directly into the parking lot on July 1, 2012. She contacted police directly regarding the individuals following her on October 15, 2012 to which police responded and made arrests. Casings were found on November 22, 2012 on Brooklyn's parking lot to which an event was cancelled in response. The January 1, 2013 shooting did occur and Brooklyn's videos were given to police. Videos are given to police when incidents occur contrary to the January 20, 2013 conversation mentioned in the police report. She did make an effort to meet with police but was denied a meeting with them. Her cameras were never returned from the police. She drives around her facility on bigger nights of business. Security has been told to walk around the facility. Cameras will be put outside to capture footage of the parking lot. She was told through conversation with the local alderman that it was the building owner's responsibility to put cameras outside the plaza where her establishment was located at.
- M. Captain Regina Howard, Milwaukee Police Department District 7, testified in opposition. Casings were found on Brooklyn's parking lot, one round struck the home of one of her police officers on Leon Terrace, and the fence between the parking lot and alley was found to have a broken section from the investigation of the July 1, 2012 shots fired incident. No one from Brooklyn's contacted police regarding the shooting at their parking lot on November 22, 2012. The property at Brooklyn's has been designated a nuisance property per MCO § 80-10 since January 2013. A police command post at Brooklyn's on January 1, 2013 was moved across the street at Ms. Stovall's request. A shooting occurred on the parking lot of Brooklyn's on January 1, 2013. Brooklyn's has been draining police resources due to the high frequency of incidents requiring police responses at the establishment.
- N. Alderman Willie Wade, 7th Aldermanic District, was present and gave testimony that, although Brooklyn's was responsible for some of the incidents mentioned in the police report, several items contained in the police report were questionable and should not be considered punitive. The October 15, 2012 incident was an attempt by Ms. Stovall to protect herself. Brooklyn's was not open during the December 5, 2012 incident. The January 29, 2013 police item in the police report is about a conversation regarding a meeting with police to which only the

building owner attended. Ms. Stovall and he as the alderman of the district were not invited to the January 29, 2013 meeting with police. He told the building owner to not evict Ms. Stovall with police because he did not fully understand until recently the number of incidents that could prompt a property to be designated a nuisance under § 80-10 of the Milwaukee Code of Ordinances. The February 14, 2013 item in the police report is about a conversation. Brooklyn's should be responsible for March 31, 2013 overcapacity incident. There were some issues with the Department of Neighborhood Services as reported in the police report. The May 31, 2013 shooting was a result of a road rage incident between drivers who happen to stop in front of the bar. Most complaints made to his office about Brooklyn's are primarily from the police department. He has received little complaint calls from residents regarding Brooklyn's. The fence openings at Brooklyn's are due to snow, and the fence was fixed several times.

- O. Officer Lisa Saffold, District 7, Nuisance Abatement, testified in opposition. The nuisance property designation was based on 3 reckless endangering safety and one substantial battery. Ms. Stovall was not invited to the 2013 meeting because she did not rectify issues from past meetings with the police in 2012 and 2011. She sent the MCO § 105-91 letter detailing the time frame to respond with adequate interior and exterior camera installations at Brooklyn's. Ms. Stovall failed to comply and install the video cameras. A video from Brooklyn's appeared to have been erased regarding a battery there. There are no working video surveillance cameras outside Brooklyn's. She has met with the building owner and has not invited alderpersons for such meetings until recently at the direction of Captain Howard. Neither she nor the police suggested the idea of eviction. The building owner suggested eviction. Ms. Stovall has not returned any phone calls from her partner.
- P. Mr. Timothy Scott, 4545 West Leon Terrace, testified in opposition. He has lived in his home since 2001 directly behind the alley from Brooklyn's and has a direct view of the establishment's front door and parking lot from his bedroom. He has witnessed almost every weekend at Brooklyn's from his home rowdy patrons, loud music, shootings, broken fence, litter, and fights for the last year to the present. His conversation with Ms. Stovall one night about three weeks to a month ago due to loud music from Brooklyn's shaking his house. The conversation did not go well. Ms. Stovall did turn down the music after that conversation, but the same noise problems have resurfaced since then. These issues due to Brooklyn's, especially the loud music, have caused sleeping problems for him and his family due to being awakened at night. Since Brooklyn's has opened about four to five years ago, there have been noticeable incidents of loud music, traffic, disrespectful people, and noise in the area.
- Q. Ms. Teresa Scott, 4545 West Leon Terrace, testified in opposition. She has had the same experiences mentioned by her husband, Timothy Scott, and those incidents reported in the police report. There is a way for patrons of Brooklyn's to enter directly into the lounge's parking lot. The loud music from Brooklyn's has been a big problem for her and her family. Her children, some school aged, can sing and dance along to the music of Brooklyn's from their home at night. She and her husband preferred to meet Ms. Stovall with other residents and were not able to meet Ms. Stovall as requested by the lounge owner. There are bottles that she has to pick up outside her garage in the morning. She and her husband

have made multiple calls to Brooklyn's but their calls were refused to be transferred to any owner and were hung up. She and her husband have decided to not call Brooklyn's anymore. She has seen shootings and girls being beat up at Brooklyn's. In her opinion, Brooklyn's has deviated from its original plan of operation as a restaurant and lounge into a full fledged night club since its opening.

- R. Mr. Ike Moore, 4531 West Leon Terrace, testified in opposition. He has lived at his house since 1986. The first owner of Brooklyn's invited him to eat food there as a restaurant. Since that time, there have been changes in owners at Brooklyn's and growing trend of problems. His bedroom is adjacent to Brooklyn's parking lot. From his bedroom sometime in July 2012, he and his wife saw a man on Brooklyn's parking lot shoot a gun about five or six times into the air.
- S. Ms. Carla Harris, 4541 West Leon Terrace, testified in opposition. Since last summer 2012, her house has developed a rodent problem to which City inspectors have told them the rodents came directly from Brooklyn's. The fence at Brooklyn's was fixed a week ago, but it is broken in many places. There is an opening where people can walk directly from Brooklyn's to the alley. Beer bottles from Brooklyn's have been left by patrons up against her garage and others in the neighborhood. She would have to pick up the beer bottles to avoid having her tires be damaged by them in the morning. Loud music has disrupted her and her family, especially with her daughter's studying at night. She has called the police many times. She has not seen any security from Brooklyn's or police patrolling the establishment. These issues mentioned are ongoing.
- T. Mr. Prince Harris, 4541 West Leon Terrace, testified in opposition. He has never met Ms. Stovall. He has had several conversations and called Alderman Wade several times about the issues offence, noise, and shootings due to Brooklyn's. There is a 30 foot gap in the fence on the north end of Brooklyn's. A car show at Brooklyn's resulted in about 1000 to 1500 people in the area. The car show has caused parking problems with illegally parked cars in the alleyway blocking his garage and other neighbors' garages. The Department of Neighborhood Services inspector, in response to his rodent problem in his house, indicated to him garbage on the ground and overfilled dumpsters at the site of Brooklyn's dumpsters. He has lived in his house for 16 years.
- U. Mr. Don Reynolds, 4604 West Leon Terrace, testified in opposition. He agreed with the testimony made by other neighbors. He has lived in his home since 1990. The night crowd can get out of hand. He has seen his wife jumped out of bed when they were asleep due to gunshots heard at night. He did not experience gun shots 8 years ago prior to Brooklyn's opening there. He believes the gunshots and loud music come from Brooklyn's and its parking lot. He would be supportive of the license if a plan of action can be shown.
- V. Mr. Larry Williams, 4465 North Houston Avenue, testified in support. He is a friend of Ms. Stovall and has worked with her to give her advice, talk with the men, give a man's perspective, and meet with residents about complaints. Brooklyn's conducted two meetings for residents to attend, but residents did not show up at the second meeting. He does not have a Class "B" Manager's license. Ms. Stovall has hired a new security team.

W. Ms. Stovall further testified. She has a new security team, will have a company install cameras, and will get an ID card reader She has obtained a bigger dumpster. She has offered meetings with neighbors but nothing came about from them. DJ's have been told to turn down music, and security has been told to keep doors shut. Some of the changes have been in effect for a few months. She has not received the nuisance letter, and there have been problems with her receiving her mail at Brooklyn's. There is a club atmosphere one night a week

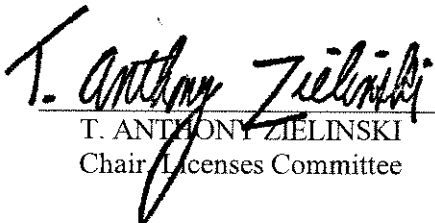
### CONCLUSIONS OF LAW

1. The Committee has jurisdiction to hold hearings and provided Findings of Fact and Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapter 108 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concludes that the Licensee, Shantel T. Stovall, agent for "Brooklyn's Restaurant & Lounge, LLC," who holds a Public Entertainment Premises license for the premise located at 4610 West Fond du Lacey Avenue in the City and County of Milwaukee, Wisconsin ("Brooklyn's Restaurant & Lounge") has not met the criteria of Chapter 108 of the Milwaukee Code of Ordinances to renew the license. The Committee finds the police records, witness testimony, and neighborhood objections as stated above to be true.
3. In order to protect the health, safety, and welfare of the citizens of the City of Milwaukee, it is the recommendation of the Licenses Committee that the full Common Council of the City of Milwaukee should exercise its judgment to not renew the Public Entertainment Premises license of Shantel T. Stovall, agent for "Brooklyn's Restaurant & Lounge, LLC," for the premises located at 4610 West Fond du Lac Avenue in the City and County of Milwaukee, Wisconsin ("Brooklyn's Restaurant & Lounge") based upon the police report, witness testimony, and neighborhood objections.

### RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of four (4) ayes, zero (0) noes, and one (1) abstention, recommends that the Public Entertainment Premises license held by Shantel T. Stovall, agent for "Brooklyn's Restaurant & Lounge, LLC," for the premises located at 4610 West Fond du Lac Avenue in the City and County of Milwaukee, Wisconsin ("Brooklyn's Restaurant & Lounge") not be renewed based upon the police report, witness testimony and neighborhood objections.

Dated and signed at Milwaukee, Wisconsin this 25<sup>th</sup> day of June, 2013.

  
T. ANTHONY ZIELINSKI  
Chair, Licenses Committee