

COMMITTEE ASSIGNMENTS

CHAIR

- Licenses Committee

VICE CHAIR

- Zoning, Neighborhoods and Development



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

MILELE A. COGGS
ALDERWOMAN, 6TH DISTRICT

July 20, 2020

To the Honorable, the Common Council

Honorable Members:

Common Council File Number 200186 contains the following recommendations:

Nonrenewal, based upon the second nonappearance of the Class B Tavern and Public Entertainment Premises licenses for Brenda Salas for the premises located at 2078 S 8th St (“El Coqui Bar”) in the 12th aldermanic district.

Renewal, with a thirty (30) day suspension, based upon the Health Department reports, and Health Department, aldermanic, and applicant testimony of the Class B Beer and Food Dealer licenses for Anhvu Nguyen for the premises located at 4756 S 27th St (“Pho Cali Restaurant”) in the 13th aldermanic district.

Respectfully,

Milele Coggs, Chair
Licenses Committee

cc: All Council Members
File 200186



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MILELE A. COGGS
ALDERWOMAN, 6TH DISTRICT

Date: July 14, 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 Brenda M. Salas, Agent for El Coqui Bar, LLC, for the premises located at 2078 South 8th Street in the City and County of Milwaukee, Wisconsin ("El Coqui Bar, LLC").

FINDINGS OF FACT

1. Brenda M. Salas (hereinafter "the Licensee") is the holder of Class "B" Tavern and PEP Licenses for the premises located at 2078 South 8th Street in the City and County of Milwaukee, Wisconsin ("El Coqui Bar, LLC"). Said licenses expired at midnight on July 1, 2020.
2. An application to renew said licenses was filed with the Office of the City Clerk on April 22, 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 April 22, 2020, the Milwaukee Police Department responded with a report that could form the basis for nonrenewal of said licenses.
4. On July 1, 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 July 10, 2020, commencing at approximately 1:50 p.m. in Room 301-B of the third floor of City Hall. At said date, time and place, the Licensee did not appear.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
 - A. The Licenses Manager confirmed on the record that notice of the hearing had been mailed to the applicant and nothing had been returned to the City of



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Milwaukee. The Manager further confirmed that this was the applicant's second nonappearance before the Licenses Committee.

B. Alderman Kovac moved denial based on second nonappearance. (Prevailed 4-0)

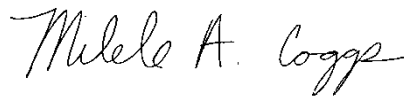
CONCLUSIONS OF LAW

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 85, 90, and 108 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concludes that the Licensee, Brenda M. Salas who holds Class B Tavern and Public Entertainment Premise (PEP) licenses for the premise located at 2078 South 8th Street in the City and County of Milwaukee, Wisconsin ("El Coqui Bar, LLC") 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 second nonappearance.
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 2078 South 8th Street in the City and County of Milwaukee, Wisconsin ("El Coqui Bar, LLC"). The Committee based its recommendation on second nonappearance.

RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of **four (4) ayes, zero (0) noes, and (1) excused**, recommends that the Class "B" Tavern and Public Entertainment Premises (PEP) Licenses of Brenda M. Salas for the premises located at 2078 South 8th Street ("El Coqui Bar, LLC") in the City and County of Milwaukee, Wisconsin not be renewed.

Dated and signed at Milwaukee, Wisconsin this 14th day of July, 2020.



MILELE A. COGGS
Chair, Licenses Committee

/269334



COMMITTEE ASSIGNMENTS

CHAIR

- Licenses Committee

VICE CHAIR

- Zoning, Neighborhoods and Development



MILELE A. COGGS
ALDERWOMAN, 6TH DISTRICT

MEMBER

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- 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: July 17, 2020

To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report of the Renewal Application of Anhvu T. Nguyen, Agent for Pho Cali Restaurant, for Class "B" Beer and Food Dealer licenses for the premises located at 4756 South 27th Street in the City and County of Milwaukee, Wisconsin ("Pho Cali Restaurant").

FINDINGS OF FACT

1. Anhvu T. Nguyen (hereinafter the "Licensee") is the holder of a Class "B" Beer and Food Dealer licenses for the premises located at 4756 South 27th Street in the City and County of Milwaukee, Wisconsin ("Pho Cali Restaurant"). Said licenses expired at midnight, May 28, 2020.
2. An application to renew said license was filed with the Office of the City Clerk on May 15, 2020.
3. Pursuant to Chapters 68, 85, and 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.
4. On July 2, 2020, the City Clerk's Office provided notice to the Licensee pursuant to Chapters 68, 85, and 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes of the Police Department report and neighborhood objections. The matter was scheduled for a hearing on the Police Department report and aldermanic objections on July 14, 2020, at 11:40 a.m. in Room 301B of the third floor of City Hall. At said date, time and place, the Licensee, appeared and admitted receipt of the notice of hearing.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
 - A. No Milwaukee Police Department report was generated for this location. However, representatives from the Milwaukee Health Department appeared in objection to the license. Michael Otzelberger - Health Department stated since November 2018 they have been closed 6 times for pest issues, including roaches and mice, and for making food in a private home. He added that they issued closure orders 4 times in



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2019, and once on January 15, 2020. He stated that they need assurances that cleaning will be done and there will be active managerial control. He added that they were called in for a compliance meeting and they have since cleaned the premises and made changes. He stated that the last time an inspector was out was February 7th and she approved all of the open orders.

- B. The Licensee stated they are addressing the rodent situation and they check every day. He added that they clean 3 times a day and check the temperatures of food. He stated that they have a pest control company and the employees are cleaning. He added that he and his employees are doing their best to clean every day and they close half an hour early to clean. He stated that he previously had a pest control company spray, but they have to spray again and again. He added that he defrosted the refrigerator and cleaned it out. He stated that COVID-19 is killing his business and they're just getting back to opening. He added that they have tried really hard, and cleaned every corner to make it look nice and they're following all the instructions regarding COVID-19. He stated that he just wants a chance because his family depends on the business.

Individuals also present:

- C. Alderman Spiker asked about the nature of the closures regarding pests. He stated there is a disturbing pattern at the premises of 5 closures in 2019, and once in 2020. He added that he has real concerns about remedying this situation, and he recommends a 30 day suspension.
- D. Alderman Kovac moved approval with a 30 day suspension based on the Health Department reports, Health Department, aldermanic, and applicant testimony. (Prevailed 4-1)

CONCLUSIONS OF LAW

1. The Committee has jurisdiction to hold hearings and provided Findings of Fact and Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapter 125 of the Wisconsin Statutes and Chapters 68, 85, and 90 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concludes that the Licensee, Anhvu T. Nguyen who holds a Class "B" Beer and Food Dealer license for the premise located at 4756 South 27th Street in the City and County of Milwaukee, Wisconsin ("Pho Cali Restaurant") has not met the criteria of Chapters 68, 85, and 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes to renew the Class "B" Beer and Food Dealer licenses without undergoing a thirty (30) day suspension. The Committee finds the aldermanic objections as stated above to be true. The Committee based its recommendation on the Health Department reports, and Health Department, aldermanic, and Licensee 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

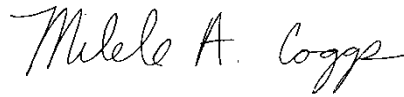
City of Milwaukee should exercise its judgment not to renew the Class “B” Beer and Food Dealer licenses for the premises located at 4756 South 27th Street in the City and County of Milwaukee, Wisconsin (“Pho Cali Restaurant”) without undergoing a thirty (30) day suspension. The Committee based its recommendation on the Health Department reports, and Health Department, aldermanic, and Licensee 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 Class “B” Beer and Food Dealer licenses held by Anhvu T. Nguyen for the premises located at 4756 South 27th Street in the City and County of Milwaukee, Wisconsin (“Pho Cali Restaurant”) not to be renewed without undergoing a thirty (30) day suspension.

The suspension is in effect from July 28, 2020 until 11:59 p.m. on August 26, 2020.

Dated and signed at Milwaukee, Wisconsin this 17th day of July, 2020.



MILELE A. COGGS
Chair, Licenses Committee

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