

# City of Milwaukee

City Hall 200 East Wells Street Milwaukee, WI 53202

# **Meeting Minutes**

# LICENSES COMMITTEE

ALD. JOCASTA ZAMARRIPA, CHAIR
Ald. Lamont Westmoreland, VICE-CHAIR
Ald. Scott P. Spiker, Ald. Andrea M. Pratt, and Ald. Peter
Burgelis

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Tuesday, January 28, 2025

9:00 AM

Room 301-B, Third Floor, City Hall

The meetig was called to order at 9:06 am

Present 5 - Zamarripa, Westmoreland, Spiker, Pratt, Burgelis

**1.** <u>241543</u>

Motion relating to the recommendations of the Licenses Committee relating to licenses.

#### Sponsors: THE CHAIR

04 KENNEDY, Sean M, Agent for "SKCO-WISCONSIN, LLC (FICT NAME) SKCO, LLC-WISCONSIN (COMP NAME)", Food Dealer License Renewal Application for "McDonald's" at 2455 W WISCONSIN Av. (Expired 11/14/2024)

The applicant was present and regarding the police report, he said that the first item was a fight between two staff members who were dismissed and that the store was closed for staff shortage after that. He added that the second item was about an employee who was dismissed for not cooperating with the police. For the thidr item he said that there are no bottle sauces at the store – the customer threw the bottle and the employee threw it back at him. He also said that they have a surveillance system at the parking lot for monitoring purposes and advises if someone is hanging out there for more than three minutes and that they have a security guard on site for families to feel safe there.

He explained that he purchased the store two years ago and with his business practices in place, the business is not a nuisance anymore and that he is aware of every single item on the police report.

Individuals also present:

Ald. Bauman asked why the surveillance system was not available immediately. The applicant says that he does not provide the password to his employees but that he sent the video to MPD.

Individuals in opposition:

Quetzsally Dzib – 2444 W Michigan St – said that the store is a mess with people fighting over orders not being right, that she has lived there for 10 years and the noise coming from the store is too loud, that they can hear the speakers at night when they are sleeping. She added that they see rats coming from the parking lot and drive thru

and that the garbage collection happens very early in the morning.

Ald. Burgelis asked the witness if she has reached out to the managers and reported the rat problem to the City.

Mrs. Dzib said that she tried many years ago and management was rude and that she was told that they have no control over the speakers. She also said that she did not report the rat problem to the City.

The applicant said that they have a pest control in place and recognizes that the garbage is picked up very early and that he can have the time changed. He added that everything else what the witness said is under control and that he is willing to work with neighbors and the community.

Ald. Bauman said that the location has been problematic over the years, that Mr. Kennedy was brought to clean up the location and that he has done it. He said that he recognizes that it is a difficult location but that the applicant has invested a lot in the business. He also mentioned that there is an ordinance about garbage being picked up after 7am.

Ald. Zamarripa asked the applicant to revise the time for garbage pick-up. The applicant agreed.

Ald. Spiker moved approval. There were no objections. (Prevailed 5-0)

#### **AMENDED**

Aye 5 - Zamarripa, Westmoreland, Spiker, Pratt, and Burgelis

**No** 0

04 PEARSALL, Taj M, Agent for "BUFFALO BOSS NORTH LLC", Food Dealer License Renewal Application for "Buffalo Boss North" at 540 N 27TH St. (Expired 10/1/2024)

The applicant was not present.

Individuals also present:

Ald. Bauman said that he has not heard from the applicant and that he does not know if they are still open.

Ald. Westmoreland moved to hold the application to the call of the chair upon first nonappearance. There were no objections. (Prevailed 5-0)

# HELD TO CALL OF THE CHAIR

Aye 5 - Zamarripa, Westmoreland, Spiker, Pratt, and Burgelis

**No** 0

02 KHAHRA, Rabinder S, Agent for "KHAHRA PETROLEUM, INC", Extended Hours Establishments, Filling Station, Food Dealer and Weights & Measures Licenses Renewal Application for "KD POWER MART" at 6325 N 76TH St. (Expires 1/31/2025)

The applicant was present and said that the panhandling is a problem, that he asks customers not to give money in order to keep them away.

Individuals also present:

Ald. Spiker asked if there are "no panhandling' signs on premises.

The applicant said that there are signs posted.

There were no neighbors present to testify.

Ald. Chambers said that this application was scheduled because of the objection, that he has been in communication with the applicant since last year, that he has curbed down the problems and that he has no objections.

Ald. Westmoreland moved approval. There were no objections. (Prevailed 5-0)

# **AMENDED**

Ave 5 - Zamarripa, Westmoreland, Spiker, Pratt, and Burgelis

**No** 0

07 MUMMANENI, Krishna Teja, Agent for "TPRG LLC", Class A Fermented Malt and Food Dealer Licenses Application for "Hopkins Food Mart" at 4601 N HOPKINS St.

The applicant was present.

Individuals also present:

Ald. Jackson said that it is an existing business with change of ownership and wanted to make sure that the applicant is going to do clean-ups 3 times/day.

Mr. Cooney said that an amendment is needed.

The applicant agreed.

Ald. Westmoreland moved to amend the application to do 3 clean ups/day. There were no objections.

Ald. Jackson said that he will work with DPW on some safety issues with school buses and that he has no objections.

Ald. Pratt moved approval as amended. There were no objections. (Prevailed 5-0) **AMENDED** 

Aye 5 - Zamarripa, Westmoreland, Spiker, Pratt, and Burgelis

**No** 0

15 SINGH, Kamal Preet, Agent for "Naarya Groceries Three Inc.", Class A Fermented Malt, Food Dealer and Weights & Measures Licenses Application for "Naarya Groceries Three Inc." at 2631 W VLIET St.

The applicant was present and said that he has multiple business in the city and that he always work on bringing communities up. He added that he is taking over an existing business.

Individuals also present:

Dameon Ellzey (LAS for Ald. Stamper) said that the store has been a good partner in the neighborhood, that he lives very close as well and, that he hopes that the collaboration continues.

Ald. Burgelis moved approval. There were no objections. (Prevailed 5-0) **AMENDED** 

Aye 5 - Zamarripa, Westmoreland, Spiker, Pratt, and Burgelis

No 0

03 HASSAN, Mahdi, Agent for "GBH2024 LLC", Food Dealer License Application for "Haraz Coffee House" at 2900 N OAKLAND Av.

The applicant was present and said that he hired an attorney for the item on the police report because he was not aware of the situation and that he never got a notice. He added that he found out until he applied for the food license. The applicant said that they have businesses in Michigan and that it is a Yemeni coffee and food experience. The applicant also said that he talked to Ald. Brostoff before his passing and that he directed him to talk to Mr. D'Amato and did everything that he was asked for. There were no neighbors present to testify.

Individuals also present:

Ald. Spiker said that the previous business closed at 10pm and asked the applicant and if he is willing to close at 10pm and apply for a change of hours when the new alderperson comes into the office. He added that he does not want to put his model business in trouble either.

The applicant agreed.

Ald. Zamarripa said that he appreciates Ald. Spiker point of view and asked the applicant if they will offer hookah.

The applicant said that no hookah at all.

Ald. Burgelis moved to amend the application to close at 10pm. There were no objections.

Ald. Burgelis moved approval as amended. There were no objections. (Prevailed 5-0) **AMENDED** 

Aye 5 - Zamarripa, Westmoreland, Spiker, Pratt, and Burgelis

**No** 0

03 NORD, Steven J, Agent for "BOSS BABES, INC.", Class A Malt & Class A Liquor License Renewal Application for "Downer Avenue Wine & Spirits" at 2638 N DOWNER Av. (Expires 2/28/2025)

The applicant was present along with Sarah San Roman (business partner). The applicant said that the employee did not made the right decision and that they have taken responsibility. He added that it is an ongoing topic at the store and that they are committed to the community and the license.

Individuals also present:

Ald. Spiker said that he does not know what it can be different now when the rule is not to sell cigarettes to minors.

The applicant said that the employee made a mistake.

Ald. Spiker said that if it happens again it will be taken into the consideration for a disciplinary action.

There were no neighbors present to testify.

Ald. Burgelis moved approval with a warning letter. There were no objections. (Prevailed 5-0)

## **AMENDED**

Aye 5 - Zamarripa, Westmoreland, Spiker, Pratt, and Burgelis

**No** 0

03 AHMAD, Jawaad, Agent for "Jay Enterprises Petroleum 2 LLC", Extended Hours Establishments, Filling Station, Food Dealer and Weights & Measures Licenses Renewal Application for "Prospect Clark" at 2200 N PROSPECT Av. (Expires 2/26/2025)

Atty. Justin Padway appeared on behalf of the applicant. He said that there are some allegations on the process (waiting for a status conference on February 7, 2025) regarding the item on the police report and that his client is addressing any concerns. There were no neighbors present to testify.

Individuals also present:

Ald. Spiker moved approval holding open item 6 on the police report as is not related to the business. There were no objections. (Prevailed 5-0)

## **AMENDED**

Aye 5 - Zamarripa, Westmoreland, Spiker, Pratt, and Burgelis

**No** 0

03 MUTLAQ, Nabil M, Agent for "Mad Chicken WI LLC", Extended Hours Establishments and Food Dealer Licenses Renewal Application for "Mad Chicken WI" at 2045 E NORTH Av. (Expires 1/6/2025)

Atty. Obviagele appeared on behalf of the applicant. He said that his client was here before committee last year and that he was asked to conduct a CPTED which was completed on January 23, 2025 and based on that meeting, they have come up with an abatement plan that has been added to the file. He said that one of the key elements is that the patio will close at midnight and that a sign will be posted to avoid congregations in there. He added that they added more cameras, that they are working and that they have specific changes for July 4th. He explained that the patio won't be open from 9 to 10 pm while people leaves the lakefront after the fireworks and that they will reopen after the street is clear. He said that MPD was very helpful with providing mindful ideas.

Individuals also present:

Mr. Cooney said that the current closing hours are 3am and that in the abatement plan that was submitted the closing time is 5am.

Atty. Obviagele explained that google hours show the two hours needed before for prep purposes and 2 hours after for cleaning purposes. He added that there is no public activity during those times.

Mr. Cooney said that the current hours are to close at 3am and that employees can stay longer as long as they are not open to the public.

Ald. Spiker said that there are three items on the police report and that one was the homicide that happened on July 3rd at 1025 W North Av.

Sgt. Velasquez explained said that the initial fight started at Mad Chicken.

Ald. Spiker said that a fight can be carried out of the bar and continue down the road. He added that item 2 was about another fight where there was a shooting striking different vehicles. He said that the last item happened at 3:40 which is past the closing time, where someone was punched and loss consciousness. Ald. Spiker asked what is the purpose of closing pass midnight if there is going to be a scene for fights. He added that closing the patio might help but the last item happened after the business closed and people still congregating. He asked why the security plan absents security guards to deal with the issues that happen after midnight. He said if the need for chicken is that so great that we would need to tolerate these potentials threats to safety.

Atty. Obviagele said that he believes that the other establishment involved is going to get a gender approval only and that they have gone above and beyond for a business that has very small issues to address the concerns. He added that he does not think that the third item is related to his client's business and that they have followed MPD's guidance and the need of a security guard was not recommended.

The applicant and Ramez Aly (business partner) were sworn in.

Ald. Pratt asked for a clarification of the business hours once more.

Mr. Aly said that the lobby closes at 3am, that there is no food service after that. Ald. Burgelis asked if they make it impossible for people to sit at the patio after is closed.

Mr. Aly said that the furniture is heavy and that they cannot move it to block the entrance.

Ald. Burgelis said that another murder happened at the Mad Chicken in his district and wonders if they are going to have a plan by renewal time.

The applicant said that they will.

There were no neighbors present to testify.

Ald. Zamarripa said that it is a vacant district and that she hopes the applicant understands that the committee needed to do the proper diligences to ensure the public safety of the neighborhood.

Ald. Burgelis moved approval of the Extended Hours Establishment with a warning letter. (Prevailed 3-1)

Ald. Burgelis moved approval of the Food Dealer license. There were no objections. (Prevailed 4-0)

#### **AMENDED**

Aye 4 - Zamarripa, Spiker, Pratt, and Burgelis

**No** 0

#### Excused 1 - Westmoreland

12 HOSPITAL, Brian J, Agent for "MKE ULTRA LLC", Class B Fermented Malt, Class C Wine and Public Entertainment Premises Requesting Instrumental Musicians, Disc Jockey, Bands, Magic Shows, Poetry Readings, 50 Concerts/Yr., Comedy Acts, Dancing by Performers, Patrons Dancing and 12 Theatrical Performances/Yr for "MKE ULTRA" at 1535 W MITCHELL St.

The applicant was present along with Mr. Pacifico.

Individuals also present:

Ald. Perez said that the applicant and business partner were here before, that they got the BID support and that he has no objections.

Ald. Pratt moved approval. There were no objections. (Prevailed 5-0)

## **AMENDED**

Aye 5 - Zamarripa, Westmoreland, Spiker, Pratt, and Burgelis

**No** 0

12 SINGH, Anmoldeep, Agent for "AMIGOS LIQUOR LLC", Class A Malt & Class A Liquor, Food Dealer and Weights & Measures Licenses Application for "AMIGOS LIQUOR" at 1132 W LINCOLN Av.

The applicant was present and said that he made a mistake regarding the item on the police report. He added that he does not drink now, that he is a business owner and got his CDL back. Regarding the application, he said that his cousin owns liquor stores in Milwaukee, that he works for him and that he will follow his guidance. Neighbors present:

Mr. Rambaugh - 1024 W Lincoln Av — said that they are not opposed but that they do a lot to keep the neighborhood and park clean and safe and that the store must step up with their efforts to keep it that way because the nature of the business is a big part of the problem.

Mrs. Cheney-Trawinski - 620 W Lincoln – Lincoln Av Business Association – said that they are trying to push back and turn the corridor around, she asked the applicant to be conscious of the street, of the neighbors and community. She added that the garbage bin outside is overflowing as right now.

Individuals also present:

Ald. Perez said that this business have been there before he came to the office, that he has spoken with the applicant several times about the regular panhandlers and how to be conscious about the customers, neighbors and premises. He added that the applicant knows the rules and that he has no objections.

Ald. Zamarripa said that she is familiar with the area as neighboring districts and that not selling single serve alcoholic beverages could be helpful.

Ald. Perez said that we need to be consistent with the other businesses and that they can revisit that option down the road or for renewal.

Ald. Burgelis moved to amend the plan of operations to do 2 clean ups/day at least. There were no objections.

Ald. Burgelis moved approval as amended. There were no objections. (Prevailed 5-0)

## **AMENDED**

Aye 5 - Zamarripa, Westmoreland, Spiker, Pratt, and Burgelis

**No** 0

12 CORTES REYNA, Gilari, Agent for "DULCE DIABLA BAR LLC", Class B Tavern and Public Entertainment Premises Licenses Application Requesting Instrumental Musicians, Disc Jockey, Bands, 5 Amusement Machines, Dancing by Performers and Patrons Dancing for "DULCE DIABLA BAR" at 1900 W LINCOLN Av.

The applicant was present along with Sam Dawson as interpreter.

The applicant said that she has worked in bars and that her plan is that friends and neighbors come to dance to decompress after work.

There were no neighbors present to testify.

Individuals also present:

Ald. Perez said that he talked to the applicant and that she is willing to close earlier and that they are going to have a committee meeting at the location on the way to make sure that things will move smoothly before CC.

The applicant agreed and said that she offers to have those meetings regularly.

Ald. Westmoreland moved to amend the application to close at 1am Sun – Thu and at 2am Friday - Sat. There were no objections.

Ald. Perez said that if the meeting goes south, he would hold the application.

Ald. Spiker moved approval as amended. There were no objections. (Prevailed 5-0)

AMENDED

Aye 5 - Zamarripa, Westmoreland, Spiker, Pratt, and Burgelis

**No** 0

12 MUKTAR, Muktar B, Agent for "Al-Kahf, LLC", Waiver Request of the Time Limit To Receive the Food Dealer License for "Al-Kahf Grocery" at 327 W NATIONAL Av.

The applicant was present.

There were no neighbors present to testify.

Individuals also present:

Ald. Perez asked the applicant what is his plan to avoid high school students from loitering at his location or if he has a contacted the school to help with students wandering around during school hours. He also asked for his business capacity The applicant said that capacity is about 10 and that he will put a signage up that he can take students in after 3 pm.

Ald. Burgelis asked the applicant if he is going to sell tobacco products.

The applicant said that he is not.

Ald. Pratt moved approval. There were no objections. (Prevailed 5-0)

## **AMENDED**

Aye 5 - Zamarripa, Westmoreland, Spiker, Pratt, and Burgelis

**No** 0

12 MARTINEZ VILLEGAS, Francisco, Agent for "La Sirenita Bar, LLC", Class B Tavern and Public Entertainment Premises Licenses Renewal Application for "La Sirenita Bar" at 1500 W MITCHELL St. (Expires 2/28/2025)

The applicant was not present.

Ald. Westmoreland moved to hold the application to the call of the chair upon first nonappearance. There were no objections. (Prevailed 5-0)

## HELD TO CALL OF THE CHAIR

Aye 5 - Zamarripa, Westmoreland, Spiker, Pratt, and Burgelis

**No** 0

14 GUAMAN-GANZHI, Rene A, Agent for "Beny-Boys Grill LLC", Food Dealer and Food Peddler Licenses Renewal Application for "Beny-Boys" at 1567 W OKLAHOMA Av. (Expires 3/14/2025)

The applicant was present and said that he is doing everything that he can and that he has received his treatment regarding the item on the police report.

Individuals also present:

Mr. Terri Williams (LAS for Ald. Dimitrijevic) asked the applicant if he is driving the food trucks.

The applicant said that he works at them but that his employees drive.

There were no neighbors present to testify.

Ms. Williams said that she wants to make sure that residents around where he parks the food truck are asking him to move the truck.

The applicant said that they have taken care of it.

Ald. Westmoreland said that they park at his district, that it has been taken care of, and that the applicant is in compliance.

Ald. Westmoreland moved approval. There were no objections. (Prevailed 5-0) **AMENDED** 

Aye 5 - Zamarripa, Westmoreland, Spiker, Pratt, and Burgelis

**No** 0

14 ELIAS, Salvador M, Agent for "EYM Pizza of Wisconsin, LLC", Extended Hours Establishments and Food Dealer Licenses Renewal Application for "Pizza Hut #35652" at 3131 S Kinnickinnic Av. (Expires 2/6/2025)

The applicant was not present.

There were no neighbors present to testify.

Individuals also present:

Mr. Cooney said that the applicant withdrew this application as yesterday and that the store is closed now.

Ald. Spiker moved to accept the withdrawal. There were no objections. (Prevailed 5-0) **AMENDED** 

Aye 5 - Zamarripa, Westmoreland, Spiker, Pratt, and Burgelis

**No** 0

13 RANDALL, Brian C, Agent for "Dolgencorp LLC", Food Dealer License Renewal Application Adding Stockholder and Transfer of Stock for "Dollar General Store #19324" at 4130 S Howell Av. (Expired 10/6/2024)

The applicant was present along with the business manager Kelly.

Atty. Randall said that the business has been cooperative except for the time of the retail theft when the store was closed. He added that Kelly and he are having a meeting with MPD later today just to make sure that they are in compliance as they recommended.

Ald. Spiker asked the applicant if they are willing to amend the application to include the additional brand new camera mounted on the side door/emergency exit that is not supposed to be used by the public.

The applicant agreed.

Ald Spiker moved to amend the application to include the additional new camera mounted on the side door/emergency exit. There were no objections.

Atty. Randall said that all DNS citations have been resolved.

A DNS representative confirmed it.

Ald. Spiker moved approval as amended. There were no objections. (Prevailed 4-0) **AMENDED** 

Aye 4 - Zamarripa, Westmoreland, Spiker, and Pratt

**No** 0

# Excused 1 - Burgelis

06 PATEL, Pushpak, Agent for "Mitra Midwest Operations LLC", Food Dealer License Renewal Application for "Kentucky Fried Chicken" at 2470 N MARTIN L KING DR. (Expires 3/12/2025)

The applicant was not present.

Ald. Westmoreland moved to hold the application to the call of the chair upon first nonappearance. There no objections. (Prevailed 4-0)

# **HELD TO CALL OF THE CHAIR**

Aye 4 - Zamarripa, Westmoreland, Spiker, and Pratt

**No** 0

#### Excused 1 - Burgelis

06 NAZER, Mohammad F, Food Dealer License Renewal Application for "CAPITOL MINI MART" at 2329 W CAPITOL DR. (Expires 2/12/2025)

The applicant was present along with Keith Nazer. Mr. Keith said that the surveillance video was not available at the moment when MPD requested in person due the lack of the password but that he send the video later to MPD when his father came to the store to retrieve it. He added that he is the employee cited on the police report. Individuals also present:

Ms. Dantzler (LAS for Ald. Coggs) asked the applicant if the employees have been trained on how to retrieve the video.

The applicant said that they are but only the administrator can rewind the footage. He added that they are planning to change the entire surveillance system before the end of next month.

Ms. Dantzler asked they change the surveillance system so everyone who works there would be able to retrieve the footage.

The applicant said that they will.

Ms. Dantzler asked that the change be done before February 11, 2025.

The applicant agreed.

Ms. Dantzler said that Ald. Coggs moved approval with a warning letter due the footage issue with MPD.

There were no neighbors present to testify.

Ald. Pratt moved approval with a warning letter. There were no objections. (Prevailed 5-0)

## **AMENDED**

Ave 5 - Zamarripa, Westmoreland, Spiker, Pratt, and Burgelis

**No** 0

06 PATTERSON, II, Yuhl, Agent for "3501 N 6TH LLC", Class B Tavern, Public Entertainment Premises and Food Dealer Licenses Renewal Application Requesting to Add Disc Jockey, Karaoke and Comedy Acts for "Yari's" at 3501 N 6TH St. (Expires 3/20/2025)

The applicant was present.

There were no neighbors present to testify.

Individuals also present:

Ms. Dantzler asked the applicant if he has pulled out temporary permits.

The applicant said that he did not.

Ms. Dantzler said that they did not receive any temporary permits and that it is very hard for them to measure the capacity of the business to handle disc jockey for example.

The applicant said that he was not aware of the option.

Ms. Dantzler said that he needs to contact the office if he needs to apply for a temporary one.

Mr. Cooney said that the applicant can use up to 4 per month and 20 per year.

Ald. Pratt moved to hold the request for Disc Jockey, Karaoke and Comedy Acts.

There were no objections. (Prevailed 5-0)

Ald. Pratt moved renewal of the Class B Tavern, Public Entertainment Premises and Food Dealer licenses. There were no objections. (Prevailed 5-0)

#### **AMENDED**

Aye 5 - Zamarripa, Westmoreland, Spiker, Pratt, and Burgelis

**No** 0

06 SANGHA, Gamdoor S, Agent for "GP2 Petroleum, LLC", Filling Station, Food Dealer and Weights & Measures Licenses Renewal Application for "GP2 Petroleum" at 122 W Capitol DR. (Expires 2/27/2025)

The applicant was present along with Atty. Vince Bobot.

Atty. Bobot said that both instances on the police report were about two juveniles that were terrorizing his client's business and others. He added that the juveniles and the parents have been identified. He also said that his client has been in business for 12 years with everything in place to be on board with safety and security. He also said that they have increased the number of staff members at the store.

Mr. Singh (employee) was sworn in. He added that during the summer months they see an increase of shoplifting issues and that they were told by MDP not to confront juveniles, to call the police and wait for them to move or being moved away.

There were no neighbors present to testify.

Ms. Dantzler said that Ald. Coggs has no objections.

Ald. Pratt moved approval. There were no objections. (Prevailed 5-0)

# **AMENDED**

Aye 5 - Zamarripa, Westmoreland, Spiker, Pratt, and Burgelis

**No** 0

06 VELARDE, Adam J, Agent for "Cave Enterprises Operations, LLC", Food Dealer License Renewal Application for "Burger King #4054" at 2862 N Martin L King Jr DR. (Expires 3/3/2025)

Atty. Brian Randall appeared on behalf of the applicant along with Janice Johnson - Director of Operations based in Oak Creek, WI.

Atty. Randall said that they have cooperated with the police, that for item 4 on the police report, the drive thru window was fixed within 24 hours but that there was not surveillance video available because the incident happened while the business was closed. As for the last item he said that both employees were terminated after the fight. He also mentioned that they think the licenses were not displayed because they were knocked down accidentally but that they have addressed that issue as well. Individuals also present:

Ms. Dantzler asked if the employees are trained to talk to police always.

Atty. Randall said that they are.

Ms. Dantzler said that there is no recommendation from Ald. Coggs.

There were no neighbors present to testify.

Ald. Pratt moved approval. There were no objections. (Prevailed 5-0)

## **AMENDED**

Aye 5 - Zamarripa, Westmoreland, Spiker, Pratt, and Burgelis

**No** 0

06 DHILLON, Baljinder S, Agent for "Fateh Petroleum Inc", Extended Hours Establishments, Filling Station, Food Dealer and Weights & Measures Licenses Renewal Application for "Hometown Quick Mart" at 3476 N HOLTON St. (Expires 3/2/2025)

Atty. Obviagele appeared on behalf of the applicant.

Regarding the items of the police report, he said that they agreed with MPD to install a live surveillance system, that his client has hired a security agency since the last item happened, that they have agreed to clean up the premises and the alley every two hours from 5am to 9pm.

Individuals in objection:

Linda Rosland – 3412 N Pierce St – said that there has been many problems with the gas station, that the garbage has become unbearable, that she is glad to hear that they will clean up the alley every two hours but that she doubts it. She added that when the people is moved away from the gas station, they go into the alley to do drugs among other things. She added that being open 24hr is great for businesses but not for the neighborhood. She also said that neighbors are scared to speak up or call the police because the general sentiment is that they do not show up. Individuals also present:

Ald. Zamarripa asked the neighbors to call the police no matter what because it becomes data available for the committee.

Ald. Westmoreland moved to amend the application to do clean ups every two hours from 5am to 9pm. There were no objections.

Ms. Dantzler said that Ald. Coggs recommends approval with a warning letter.

Ald. Westmoreland moved approval with a warning letter as amended. There were no objections. (Prevailed 5-0)

## **AMENDED**

Aye 5 - Zamarripa, Westmoreland, Spiker, Pratt, and Burgelis

**No** 0

06 ORTIZ, George L, Class B Tavern and Public Entertainment Premises Licenses Renewal Application for "Club 99" at 2579 N Pierce St. (Expires 3/2/2025)

The applicant was not present.

Ald. Westmoreland moved to hold the application to the call of the chair upon first nonappearance. There were no objections. (Prevailed 5-0)

## HELD TO CALL OF THE CHAIR

Aye 5 - Zamarripa, Westmoreland, Spiker, Pratt, and Burgelis

**No** 0

06 LLOYD, Kimberly, Agent for "Lounge 340, LLC", Class B Tavern, Public Entertainment Premises and Food Dealer Licenses Transfer Application with Change of Agent, Removing/Adding Stockholder and Transfer of Stock for "Lush Lounge" at 340 W Reservoir Av.

The applicant was not present.

There were neighbors present to testify who were advised that they could not be heard because the applicant has the right to make questions to the witnesses. They were also told that the application would be scheduled for February 19, 2025 and the time will be available once the agenda is final and notices go out.

Ald. Spiker moved to hold the application to the call of the chair upon first nonappearance. There were no objections. (Prevailed 5-0)

The meeting paused at 12:32pm
The meeting reconvened at 1:08pm

HELD TO CALL OF THE CHAIR

Aye 5 - Zamarripa, Westmoreland, Spiker, Pratt, and Burgelis

**No** 0

BROWN, Jessica Class D Operator's License Application

The applicant was not present.

Individuals also present:

Mr. Cooney said that this is her second nonappearance but that the notice for the first appearance was returned undeliverable by USPS.

Ald. Westmoreland moved to hold the application to the call of the chair upon second nonappearance. There were no objections. (Prevailed 3-0)

# **HELD TO CALL OF THE CHAIR**

Aye 5 - Zamarripa, Westmoreland, Spiker, Pratt, and Burgelis

**No** 0

GONZALES, Alicia Class D Operator's License Application

The applicant was not present.

Ald. Burgelis moved denial based upon second nonappearance. There were no objections. (Prevailed 5-0)

# **AMENDED**

Aye 5 - Zamarripa, Westmoreland, Spiker, Pratt, and Burgelis

**No** 0

JONES, Whitney D Class D Operator's License Application

The applicant was not present.

Ald. Burgelis moved to hold the application to c all of the chair upon first nonappearance. There were no objections. (Prevailed 5-0)

## **HELD TO CALL OF THE CHAIR**

Aye 5 - Zamarripa, Westmoreland, Spiker, Pratt, and Burgelis

**No** 0

BASHAW, Justin C Class D Operator's License Application

The applicant was present and said that he has a mindful set when he is behind the bar and that he is no longer driving, that he has an state id instead. Individuals also present:

Sgt. Velasquez confirmed that the fines have been paid as January 28, 2025. Ald. Burgelis moved approval. There were no objections. (Prevailed 3-0)

#### **AMENDED**

Aye 3 - Zamarripa, Pratt, and Burgelis

**No** 0

Excused 2 - Westmoreland, and Spiker

BRANCH, Maileka Class D Operator's License Application

The applicant was not present.

Ald. Burgelis moved to hold the application to the call of the chair upon first non appearance. There were no objections. (Prevailed 3-0)

#### **HELD TO CALL OF THE CHAIR**

Aye 3 - Zamarripa, Pratt, and Burgelis

**No** 0

Excused 2 - Westmoreland, and Spiker

NAVARRO PEDRAZA, Ingrid L Class D Operator's License Application

The applicant was not present.

Ald. Burgelis moved denial based upon second nonappearance. There were no objections. (Prevailed 3-0)

## **AMENDED**

Aye 3 - Zamarripa, Pratt, and Burgelis

**No** 0

Excused 2 - Westmoreland, and Spiker

BRAZIL, Kelly H Class D Operator's License Renewal Application

The applicant was present and said that her address is 5220 N 68th St #8. The applicant said that she has completed everything for the second item on the police report and that she still working on the third item with a court date coming up and that there are no pending warrants or tickets to pay. She also said that she is trying to keep her bartender's license because it is the only job that she has. She added that the court date is on February 14, 2025.

Individuals also present:

Ald. Zamarripa asked the applicant if her driver's license has been revoked. The applicant answered "ves".

Ald. Burgelis asked the applicant if she realizes the difficulty/conflict that the committee might have with her bartender application while she was caught driving intoxicated for the third time and without a driver's license.

The applicant said that she was using an occupational driver's license and that she did not have the blowing device because it was not her car.

Ald. Burgelis said that were are not here to discuss her criminal case but to discuss if the City should trust her with a bartender license while she was caught driving intoxicated for the third time.

The applicant said that working as a bartender she understands when people have reached their level.

Ald. Burgelis said that the problem is that the applicant does not know when she has reached her own level.

Ald. Burgelis moved nonrenewal based upon the preponderance of the evidence in the police report and applicant testimony that demonstrates that the license would result in a threat to health, safety and welfare of the public. (Prevailed 3-1)

# **AMENDED**

Aye 3 - Spiker, Pratt, and Burgelis

No 1 - Zamarripa

Excused 1 - Westmoreland

OWENS, Jennifer M Class D Operator's License Renewal Application

The applicant was not present.

Individuals also present:

Mr. Cooney said that this the second nonappearance but that the notice for the first appearance was returned undeliverable by USPS.

Ald. Spiker moved to hold the application to the call of the chair upon second nonappearance. There were no objections. (Prevailed 5-0)

## **HELD TO CALL OF THE CHAIR**

Aye 5 - Zamarripa, Westmoreland, Spiker, Pratt, and Burgelis

**No** 0

CURRO, Sam N, Agent for "Third Coast Heating and Cooling LLC", Home Improvement Contractor's License Application for "Third Coast Heating and Cooling" at 1650 E Bolivar Av.

The applicant was present and said that he has been in a custody battle for 5 years with two different sets of mothers. He said that he has gotten any tickets in the last years. He added that he helps people with medical issues almost at the cost in order to pay his share and move forward.

Ald. Burgelis moved to amend the business address per applicant's testimony to 4571 N 125th St. Butler, WI.

Ald. Westmoreland moved approval as amended. There were no objections. (Prevailed 5-0)

## **AMENDED**

Ave 5 - Zamarripa, Westmoreland, Spiker, Pratt, and Burgelis

**No** 0

08 DUNLAY, Sean, Agent for "Blue Kangaroo Inc", Self Service Laundry License Renewal Application with Change of Agent as agent for "Blue Kangaroo" at 2909 W GREENFIELD Av. (Expires 1/30/2025)

The applicant was present.

Individuals also present:

Ald. Zamarripa said that this application was scheduled because the license lapsed and she wants to make sure that they never miss the date again.

Mr. Cooney read the mailing address on file.

The applicant said that they are based in lowa.

Ald. Zamarripa said that they need a local contact to address any issues with the stores.

The applicant said that he will send an email with the local contact information.

Ald. Zamarripa moved approval. There were no objections. (Prevailed 4-0)

#### **AMENDED**

Aye 4 - Zamarripa, Westmoreland, Spiker, and Burgelis

**No** 0

#### Excused 1 - Pratt

08 HERNANDEZ, Tomas, Agent for "DIAMANTE NEGRO LLC", Class B Tavern and Public Entertainment Premises Licenses Transfer Application with Change of Location, Adding Stockholder and Transfer of Stock and Food Dealer License Application for "DIAMANTE NEGRO" at 2501 W Greenfield Av.

The applicant was present with his sister Leonor Hernandez and with Atty. Michael Maistelman.

Atty. Maistelman said that the trial is coming up as Sgt. Velasquez just read and that his client is a regular at the safety neighborhood meetings and a long standing business owner.

Individuals also present:

Ald. Zamarripa said that the items on the police report are very ugly and that she wishes to hear from the applicant.

Atty. Maistelman said that this was about a relationship with more than one significant other involved and that the woman pressed those charges against his client.

Atty. Travis said that the committee could hold this item open to revisit next year. There were no neighbors present to testify.

Ald. Zamarripa said that she approved the food license at the end of last year, that she has spoken to Ald. Perez and that she was told that he is good business owner and feels comfortable moving forward.

Ald. Zamarripa moved approval holding open the item on the police report. There were no objections. (Prevailed 5-0)

# **AMENDED**

Aye 5 - Zamarripa, Westmoreland, Spiker, Pratt, and Burgelis

**No** 0

08 LAYTON, Antonio R, Agent for "La Cueva LLC", Class B Tavern, Public Entertainment Premises and Food Dealer Licenses Renewal Application for "La Cueva" at 2537 W National Av. (Expires 2/12/2025)

The applicant was present along with Atty. Vince Bobot (both virtual). The police report was read.

Atty. Bobot said that there has been a significant decline of egregious activities at the premises after the applicant met with the police and Ald. Zamarripa. He mentioned the following examples: that item 6 (7/27/2024) the access was denied for not providing ID, item 7 (8/02/2024) no violations were found, item 8 (9/11/2024) someone got shot by a passing auto and that he does not know if it was related to the situation that was taken care of earlier. He added that for item 9 (10/16/2024) it was check conducted by DOR where four bottles were contaminated and discarded and the tobacco was seized and that from that point, there was no more tobacco at the establishment. He also said that the flyers promoting the business were discarded and taken down from social media (item 10) and item 11 (12-06/24) was a premises check where no violations were observed. He said that his client has been cooperative with the police and has a security system in place and is willing to have multiple security guards to remain in business

Individuals also present:

Atty. Nathaniel Adams (on behalf of MPD) requested to wait for swearing the officers in as one more is on his way here and that he is going to testify relating on an incidence that is not on the licensed premises report but it has been noticed out through Captain's Pajot objection. He added for the record, that this establishment on December 31, 2024 as a capacity of 99 people was at 172-180 and that the bar had to be shutdown. He said that he received information this morning, which is obviously passed the time to be noticed but that last night there, was...

Atty Bobot objected to any information that was not noticed.

Atty. Adams said that he appreciates that because he wants to make sure that whatever behavior occurred last night and if this committee recommends renewal of this license, that this be noted specifically that it should be considered at the new cycle.

Atty. Travis advised the Chair to address Atty. Bobot's objection if Atty. Adams wants to use that information as evidence.

Atty. Bobot said that we should wait for the witness instead of having Atty. Adams putting in some type of evidence.

Atty. Adams said that he is not offering as an evidence but as a potential over capacity from last night that has not been investigated because the head count has not been completed yet.

Atty. Bobot objected to the comment and asked to strike that comment from the record.

Ald. Westmoreland denied the objection.

Atty. Adams said that for accuracy and clarity of the record, on the notice that was sent out, item 5 on the police report, the last paragraph reads: "The business is a designated nuisance premise and is in billing status or has submitted an abatement plan." He commented that it has been placed there in error and that it was based on a police report that was submitted in error (page 23 of the total ebook). He also said that this business has not been designated a nuisance by MPD, and was not in the nuisance status at the time of item 5.

Ald. Zamarripa said that there some videos attached to the notice that she would like the committee to see. She added that the first one is from social media.

Atty. Travis advised the Chair to explain where the videos came from.

Mr. Cooney said that the videos were made public on social media.

The first video was played.

Ald. Zamarripa said that it is her understanding that this video is pertaining to the item 4 (6/08/2024) on the police report which mentions that the video was captured on facebook, the large fight that occurred in front of 2537 W National Av. "La Cueva".

Atty. Bobot had technical difficulties.

Atty. Bobot asked if the date could be verified.

Atty. Adams answered "yes" and that Officer Vodicka could verify it.

Officers Vodicka, Dehen and Powell were sworn in.

Officer Vodicka said that he received an email from Ald. Perez's office with two videos of fights. He said that he recognized the exterior of the premises as La Cueva and that to be sure, because the video was not time stamped; he and his partner Officer Dehne went "Taqueria El Toro" to check the surveillance system there and that it captured the same fight.

Ald. Zamarripa said that she wants to play the horizontal video to show the members that this business in both applications (new and renewal) indicate that they are a food restaurant and a tavern and did not check off the nightclub option. She said that when they met with them, Mr. Layton told her that he was looking to hire a chef from Bartolotta's to be another potential Bartolotta's, so she wants the committee to see how they went from what is on the application to the business that they are running now

The video was played.

Atty. Adams said that Officer Powell is here to testify on the item of December 31, 2024 and asked him to explain his relation with this establishment and knowledge of this establishment.

Officer Powell said that he works at MPD District 2 with the Violent Crime Reduction Team. He added that his introduction to La Cueva was when they first opened, and that during the weekends, they do tavern patrols and deal with tavern problems. He said that he talked to Kurtis who was his point of contact or head manager, and gave him the break down about being in a bad spot, that also told him that the previous business was kicked out and gave him certain guidance points. Officer Powell said that it started with small incidences like noise complaints or a little fight outside the bar and that it got progressively worse as time went on. As for the December 31, 2024 incident, he said that he, another uniformed squad and two supervisors, went to La Cueva at 11;13 pm because they believe it was operating over capacity. He said that the initial area seemed moderately crowded and where the DJ was (the lounge area at the back), it was over packed. He also said that he talked to the security guard at the door who told him that they were at 120 people. He added that he, Officer Lomeli and Officer Merrill went in with their body cameras on and that Officer Lomeli and Officer Merrill walked through the bar with the hand clicker to get the head count of the people as they were passing by. He explained that the first count was 160 just walking though the bar and after reporting it to Captain's Yanick, they got permission to shut down the bar for over capacity. He continued saying that Officer Lomeli was positioned outside, Officer Merrill inside with the clickers reset and started to count people as they were exiting the bar. He said that the counts were 172 and 180 including the staff present at the bar at that time. He added that there were another four incidents where he responded as primary officer, assisting investigating or doing follow-ups in regards to La Cueva. He said that one of those incidents were about a stabbing that took place just outside La Cueva where there was a gentleman who was hitting his brother inside the establishment and that they were overserved at the point that they could not take care of themselves. He explained that the brothers were pushed out by security, that they had some type of issue with the security guard and kicked the door. He said that he gave La Cueva those kind of warnings about unruly patrons, to call MPD and to let MPD deal with them. He continued saying that La Cueva security took it upon themselves and that the video shows the security brutally assaulting these two men to the point that one needed stitches and that when they were trying to file the police report, this person became uncooperative. He added that other person was left on the street unattended and later got in an argument with another person and was stabbed. Officer Powell said that La Cueva security guards have been less than helpful to say the least. He added that one of the securities is on parole for first-degree reckless endangered safety, which is a serious felony, and that there are rumors from patrons that the security has been armed and that there are two or three people that are

convicted felons that should not be armed but there's no case found against them yet. Atty. Adams asked Officer Powell if there have been any other recent issues with over capacity that have yet to be fully investigated by MPD.

Officer Powell said that as this morning, several officers from the night shift were dispatched to La Cueva to do a tavern check, that they parked at McDonald's lot from where they saw two to three large groups of 15-20 people exiting the bar. He thinks that La Cueva staff saw the officers and the establishment began moving people out of the bar. He added that after getting enough resources, they went inside the bar to conduct the check and they counted about 96 people.

Atty. Bobot asked Officer Powell if MPD has identified the stabbing victim.

Officer Powell said that the victim was identified and that there is a police report filed. Ald. Burgelis asked if during those tavern checks any weapons were found inside the premises.

Officer Powell answered "no".

Individuals in objection:

Martha Alamo – 716 S 26th St – said that they met with the applicant at the beginning and that they were told that it was going to be a pretty restaurant which is not. She added that she owns 6 properties on the block, that she is concerned about her properties, her neighbors and tenants and that she was told that what happens outside La Cueva is not their responsibility. She also said that people are overserved, they park all over, they spin wheels, they are loud and that the amount of people coming out from this establishment is like from a Bucks game. She added that neighbors are tired, that she has tenants and she expects them to be respectful to their neighbors because it is her business and that La Cueva should do the same.

Chris Gramling -1020 S 36th St – block organizer – said that problems are developing since the owner changed. He said that he is here to represent his neighbors that are tired of the fights, overserved patrons and seeing people pulling out guns and even fired them. He added that security guards are not patrolling the street, that they are inside the bar drinking and that crowds become rowdy.

Chris Logan – Mitchell Court Apartments- resident for 13 years – said that many of her neighbors are fearful to appear but that there have been shootings, that people park at their lot, that it is a nightmare with the shootings and stabbings and that they don't want to go out when the bar is open. She added that they do not need a license there and that they all can hear what is going on there. She added that there is a lot that they go thru and is not something to live with.

Ald. Zamarripa asked the applicant if he has a good relation or is in a good standing with the landlord.

The applicant said that an eviction order has been filed.

Atty. Bobot said that they are contesting the eviction because the rent has been paid and that his client has the legal possession of the building.

Ald. Burgelis asked the applicant if there any other allegation to breaking the lease agreement.

The applicant's attorney said that he has not.

Ald. Zamarripa said that she met with Mr. Layton and number of his partners at the MPD district's 2 office after the very first incident happened (less than a month after they opened) when he did not want to share the footage because he said that he did not have it and locked the door on MPD. She asked the applicant if he recalls that the purpose of the meeting was to discuss the next steps and that Mr. Layton told her that his plan was to run a Bartolotta's style restaurant and that he would hire staff who worked there.

The applicant answered "yes".

Ald. Zamarripa asked what happened because this business has operated as a nightclub since then.

The applicant said that he brought someone in to train the staff to make gourmet

pizzas and sell wings so they sell lots of food.

Ald. Zamarripa asked if it is also a nightclub.

The applicant said that dancing with a DJ is not a nightclub.

Ald. Zamarripa asked the applicant if he offers bottle service.

The applicant said that he discontinued the bottle service.

Ald. Zamarripa asked when it was discontinued.

The applicant said that last year, December.

Ald. Zamarripa asked the applicant if he offered bottle service on New Year's Eve.

The applicant said that he gave bottles of champagne to some guests.

Ald. Zamarripa said that she is disappointed about the lack of transparency.

Atty. Bobot said that the applicant said that he discontinued the bottle service in

December but had bottles of champagne in New Year's Eve.

Ald. Zamarripa asked Atty. Bobot if he does not think that the answer is inconsistent.

Atty. Bobot said that New Year's Eve is a bad example so he asked Mr. Layton when did he discontinued the bottle service.

The applicant said that the first week of December.

Atty. Bobot asked the applicant if he provided champagne in New Year's Eve.

The applicant answered "yes, sir".

Ald. Zamarripa asked the applicant how often he is at La Cueva because at the meeting he said that he lives in Sheboygan.

The applicant said that two-three times/wk.

Atty. Bobot asked the applicant how long he has been in business.

The applicant said "one year".

Atty. Adams asked the applicant what kind of steps he took to secure his security quards.

The applicant said that they have screeners, bouncers and then security and that he did interviews and references.

Atty. Adams said that the applicant indicated to have five armed security guards and asked him what they are armed with.

The applicant said that he got rid of all armed security guards.

Atty. Adams asked what sort of background check he did.

The applicant said "only CCAPs".

Atty. Adams asked the applicant if he was aware of the felony convictions of some of his security guards.

The applicant said that just for the bouncers and not for the security guards.

Atty. Adams asked the applicant why he and his staff are not calling the police when fights happens.

The applicant said that the fights resolve quickly.

Atty. Adams asked why nobody called the police and why no one was reprimanded when there were no calls for service (in regards to the fight video).

The applicant said that security broke the fight, that everyone was gone and it was not necessary.

Atty. Adams asked how many dining table he has.

The applicant said about 15.

Atty. Adams asked why did he obtained tobacco to sell before obtaining the proper permit.

The applicant said that the manager was trying to save money and bought the wrong stuff.

Atty. Adams asked the applicant why he was allowing his business to be open and serving alcohol without a licensed bartender on the premises.

The applicant said that they were renewing the licenses.

Atty. Adams said that for the shooting that occurred with the juvenile drinking at the applicant's bar, the person did not apply for the bartender license until March 12, which means 11 days after. He asked the applicant why no one working at the establishment

had an application in for a bartender's license at the time when the first shooting happened.

The applicant said that the manager he hired before told him that the person had a bartender license.

Atty. Adams asked the applicant if he, as the liquor licensee, did not verify that. The applicant answered "correct".

Markos Lopez – landlord & building owner – 1345 N Jefferson St # 495 - said that he is currently in the process of evicting "La Cueva" and asked the committee not to renew the license. He added that the applicant tried to sublease the property without his permission, which goes against one of the sections of the lease agreement; also for the numerous noise complaints, that they are also late with paying the rent for a month or two and that they need to pay the water bill. He added that he has received the payment for the rent but that he has not received the associated fees for the late payment and that the water bill has not been fully paid yet. He added that his tenant signed as the building owner on the food dealer application submitted by Mr. C Grill and Sushi LLC on June 11, 2024 and that it is a public record.

Atty. Bobot asked if the sublease application was for using the building. The applicant said that it was for a food truck.

Mr. Lopez said that they do not have permission to do so, not even for a food truck.
Mr. Cooney explained that the License Division received a food dealer application on
June 11, 2024 for Mr. C Grill and Sushi LLC with the first floor kitchen as the premises
description and that Mr. Layton signed the application for a shared kitchen

Ald. Zamarripa asked Atty. Bobot if Mr. Kurtis Peterson retained his services.

Atty. Bobot said that the applicant (Mr. Layton) retained him and that it is his understanding that Mr. Kurtis works at the establishment.

Ald. Zamarripa said that he has a representative statement from Mr. Layton authorizing Kurtis Peterson to pick up his licenses.

Atty. Bobot said that it is possible but that Mr. Layton retained him.

Ald. Zamarripa noted that Mr. Layton and Mr. Peterson have the same home address. The applicant said that Mr. Peterson is the general manager and he lives with him. Ald. Zamarripa said that she asked earlier to the applicant if he offers bottle service and that he said no and that he discontinued it last year. She added that her staff assistant just texted a photo from a Facebook posted by Kurtis Peterson on January 26, 2025 at 12:37 pm that reads; "Man, it's up for real, we got Ernest Montgomery and Kid Lil Fett in the building. Guest Bottle Girls, Cashy Cash and Jelly, some of my

Attv. Bobot said that this was new to him.

The applicant said that he has to follow up with Kurtis.

favorite bartenders so on and so forth. Don't miss it".

Ald. Zamarripa said that it is on Facebook right now if they want to pull it up and that she wants to point out once more her continued frustration on the lack of transparency that she is getting from the applicant.

Ald. Burgelis asked the applicant if he saw the video that was played earlier.

The applicant answered "yes".

Ald. Burgelis asked the applicant if he saw any tables on that video.

The applicant said that the tables were moved out.

Ald. Burgelis asked why the restaurant moved the tables out.

The applicant said that it was a birthday party.

Ald. Burgelis said that it did not look like a restaurant to him and asked the applicant if it look like a restaurant to him.

The applicant said that he could see how it does not. He added that they serve food until 1:30 am.

Ald. Burgelis asked if that is a common occurrence at his business.

The applicant said that not that he is aware of.

Ald. Burgelis asked if he was present when the video was taken on June 8, 2024.

The applicant answered "yes, sir" and after he said "no".

Ald. Burgelis said that the applicant testified earlier that he stops at the location 3 times/wk and asked him for how long he remains there.

The applicant said that it depends from two hours to all night.

Ald. Burgelis asked the applicant if he knows that he needs a food license to sell food at his establishment.

The applicant answered "yes, sir".

Ald. Burgelis asked the applicant if he knew that he needed a tobacco license to sell tobacco products.

The answer was "yes, sir".

Ald. Burgelis asked if the manager was disciplined for selling tobacco without a license.

The applicant answered, "yes, she was".

Ald. Burgelis asked when did he find out that his business was selling tobacco without a license.

The answer was "when the DOR contacted my manager" (same day).

Ald. Burgelis asked the applicant if he did not know that he was selling tobacco or if he did not know that he did not have the license to sell tobacco.

The applicant said that he did not know that the product was tobacco based.

Ald. Burgelis said, "So you were not in control of your business" to the applicant.

Ald. Burgelis asked the applicant if he knew that he needed a liquor license to sell liquor in a business in the City of Milwaukee.

The applicant answered "yes".

Ald. Burgelis asked the applicant if he was aware that his staff was selling liquor without being licensed as bartenders.

The applicant answered "no".

Ald. Burgelis said, "So you were not in control of your business" to the applicant. The applicant said that it was the manager who hired the staff and that she was terminated.

Ald. Burgelis asked what date was that.

The applicant answered, "I don't recall".

Ald. Burgelis asked the applicant if he knew that his business offered service bottles two days ago.

Mr. Layton had technical difficulties.

Atty. Bobot said that this was new to him, that he was not aware of the Sunday's incident.

Ald. Burgelis asked Atty. Bobot if he recognizes that there is pattern where his client does not know what is going on with his business.

Atty. Bobot said that his client answered the questions.

Mr. Layton was back and Ald. Burgelis repeated the question about his business offered service bottles two days ago and if the manager still employed.

The applicant answered "apparently".

Ald. Burgelis said that there is a pattern with the applicant not knowing what is going on at the business.

Ald. Zamarripa said that the applicant appears to be pushing back when he is asked if this business is a nightclub and continues say that it is not. She added that there is another video inside the establishment that was also noticed and, that she would like to see. She added that video conveys what she says about this business being a nightclub and not a food establishment.

The video was played.

Ald. Zamarripa asked both Atty. Bobot and the applicant: "is this a nightclub?"

Atty. Bobot asked for the date of the video.

Ald. Zamarripa said that it was noticed also.

The applicant said that the backside of the bar is no longer open.

Atty. Bobot declined to make any further questions.

Atty. Bobot said that we know that there is no prior discipline, that it is a new business, that they have security, that they have a camera system that is apparently functioning now, that they showed up at the police station meeting to talk about the safety concerns at the establishment and that it was never designated as a nuisance property. He added that looking at the police report, there has not been much recent activity. He also said that there has been an alleged over capacity issues that have not been adjudicated to the municipal court. He added that a suspension with a length up to the committee would serve as ample warning and justification instead of denying the license.

Ald. Zamarripa said that this is the first renewal, that she considers herself a very fair alderperson and that she is always willing to work with business owners over safety issues because she wants businesses to thrive. She added that she sat down with the applicant as soon as the problems started. She also said that this business has been so egregious, disingenuous and untruthful with her, neighbors, her constituents that here today and to the local law enforcement as well. She added that the purpose of the meeting with MPD, the applicant, Mr. Peterson and Mr. Gomez was to try to figure out how to move forward. She said that at the very beginning and at the same meeting with MPD, they assured that it was going to be a Bartolotta's style food operations restaurant with wedding and quinceaneras and that it did not happen and that the business is run as a nightclub since day one and not run well.

Ald. Zamarripa moved nonrenewal based upon the preponderance of the evidence in the police report, residents, aldermanic, applicant and MPD testimony that demonstrates operation results in a threat to health, safety and welfare of the public for the reckless driving of patrons, excessive loitering, assaults, battery, loud noise at the time that the bar is operating and the failure to comply with the approved plan of operations. There were no objections. (Prevailed 5-0)

Ald. Burgelis said that on the motion the applicant did not show any signs of respect and that the opportunity for a discipline action was long gone because the applicant does not have control of his business.

#### **AMENDED**

Aye 5 - Zamarripa, Westmoreland, Spiker, Pratt, and Burgelis

**No** 0

Agenda Only

- 03 DONOVAN, Ryan W, Agent for "Ian's Pizza Milwaukee, LLC", Class B Fermented Malt, Class C Wine, Extended Hours Establishments, Food Dealer and Sidewalk Dining Licenses Renewal Application with Adding/Removing Stockholders and Transfer of Stock for "Ian's Pizza Milwaukee" at 2035 E NORTH Av.
- 03 KIM, Jongsoo, Agent for "Woori Wells Corp", Class B Tavern and Food Dealer Licenses Renewal Application with Change of Floor Plan by Removing the Basement for "Maru" at 2150 N Prospect Av.
- 06 BOYD, Thomas, Recycling, Salvaging, or Towing Premises License Renewal Application Adding 1 Vehicle for "T&N Tire Service" at 2923 N Teutonia Av.
- 06 FEEST, Richard J, Agent for "PINKEY'S CAPITAL AUTO BODY CORP", Recycling, Salvaging, or Towing Premises and Additional Yard (3819 N Hubbard) Licenses Renewal Application with Change of Agent, Removing/Adding Stockholder and Transfer of Stock for "PINKEY'S CAPITAL AUTO BODY INC./SALES/SALVAGE" at 255 E ABERT PI.

- 10 BAHR, Daniel J, Agent for "AssetsBiz Wisconsin, LLC", Recycling, Salvaging, or Towing Premises License Application Requesting Non-Consensual Towing (Total of 2 Vehicles) for "AssetsBiz Wisconsin" at 7225 W Main St.
- 14 YANKE, Lisa J, Agent for "C & R MARKET, LLC", Class A Fermented Malt and Food Dealer Licenses Renewal Application with Change of Hours From Closing at 12PM Sun and 5PM Mon To Close at 5:30PM Sun & Mon for "C & R MARKET" at 3001 S 9TH Pl.

Ald. Spiker moved approval of the "Agenda Only" items. There were no objections. (Prevailed 5-0)

#### **AMENDED**

Aye 5 - Zamarripa, Westmoreland, Spiker, Pratt, and Burgelis

**No** 0

Warning Letter

KRANZ, Amanda A Class D Operator's License Application

KLAVE, Max A Class D Operator's License Application

- 02 SINGH, Balvir, Agent for "M & R PETROLEUM, INC ", Filling Station, Food Dealer and Weights & Measures Licenses Renewal Application for "CITGO" at 6410 W SILVER SPRING DR.
- 04 WARGULA, Brian J, Agent for "Mojo MKE LLC", Class B Tavern and Public Entertainment Premises Licenses Renewal Application with Removing/Adding Stockholders and Transfer of Stock for "Mojo MKE" at 134 E JUNEAU Av.
- 15 COLEMAN, Wanetta M, Agent for "WC's Rhythm and Blues LLC", Class B Tavern and Public Entertainment Premises Licenses Renewal Application for "WC's Rhythm and Blues" at 1201 W Wright St.

Ald. Zamarripa moved approval of the "Warning Letter" items. There were no objections. (Prevailed 5-0)

#### **AMENDED**

Ave 5 - Zamarripa, Westmoreland, Spiker, Pratt, and Burgelis

**No** 0

Ald. Spiker moved approval of the File 241543 as amended. There were no objections. (Prevailed 5-0)

# RECOMMENDED FOR APPROVAL

Aye 5 - Zamarripa, Westmoreland, Spiker, Pratt, and Burgelis

**No** 0

The meeting adjourned at 3:11pm

Yadira Melendez Staff Assistant

This meeting can be viewed in its entirety through the City's Legislative Research Center at http://milwaukee.legistar.com/calendar.

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