

CITY OF MILWAUKEE OFFICE OF THE CITY CLERK

Monday, February 21, 2022

COMMITTEE MEETING NOTICE

AD 08

MCCANN, Samona, Agent Milwaukee Nights Pub, LLC 3536 N 23rd St Milwaukee, WI 53206

You are requested to attend a virtual hearing to be held on:

Tuesday, March 08, 2022 at 09:30 AM

Regarding:

Your Class B Tavern and Food Dealer License Renewal Applications as agent for "Milwaukee Nights Pub, LLC" for "Milwaukee Nights Pub" at 3830 W NATIONAL Av.

This meeting will be held via GoToMeeting. Please see the enclosed best practices document for further instructions. The access code is https://meet.goto.com/472904013. If you wish to call in, please call +1 (646) 749-3122 and use Access Code: 472-904-013

There is a possibility that your application may be denied for one or more of the following reasons: The recommendation of the committee regarding the application shall be based on evidence presented at the hearing. Per MCO 85-4-4, unless otherwise specified in the code, probative evidence concerning non-renewal, suspension or revocation may include evidence of the following: failure of the applicant to meet municipal 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 or permitted activity, by the applicant or by any employee or other agent of the applicant. If the activities of the applicant involve a licensed premises, whether the premises tends to facilitate a public or private nuisance or has been the source of congregations of persons which have resulted in any of the following: disturbance of the peace; illegal drug activity; public drunkenness; drinking in public; harassment of passers-by; gambling; prostitution; sale of stolen goods; public urination; theft; assaults; battery; acts of vandalism including graffiti, excessive littering, loitering, lilegal parking, loud noise at times when the licensed premise is open for business; traffic violations; curfew violations; lewd conduct; display of materials harmful to minors, pursuant to s. 106-9.6; or any other factor which reasonably relates to the public health, safety and welfare, or failure to comply with the approved plan of operation. See attached police report or correspondence.

Notice for applicants with warrants or unpaid fines:

Proof of warrant satisfaction or payment of fines must be submitted at the hearing on the above date and time. Failure to comply with this requirement may result in a delay of the granting/denial of your application.

Failure to attend this meeting may result in the denial of your license. Individual applicants and partnership applicants must attend or attend by an attorney. The agent or attorney for corporate or limited liability applicants must attend. If you wish to do so and at your own expense, you may be accompanied by an attorney of your choosing to represent you at this hearing.

You will be given an opportunity to speak on behalf of the application and to respond and challenge any charges or reasons given for the denial. No petitions can be accepted by the committee, unless the people who signed the petition attend the virtual hearing and are willing to testify. You may present witnesses under oath and you may also confront and cross-examine opposing witnesses under oath. If you have difficulty with the English language, you should request an interpreter attend the meeting with you, at your expense, so that you can answer questions and participate in your hearing.

PLEASE NOTE: Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through sign language interpreters or other auxiliary aids. For additional information or to request this service, contact the Council Services Division ADA Coordinator at (414) 286-2998, Fax - (414) 286-3456, TDD - (414) 286-2025.

JIM OWCZARSKI, CITY CLERK

BY:

Jim Cooney

License Division Manager

If you have questions regarding this meeting, please contact the staff assistant, Yadira Melendez at (414) 286-2775 or stasst5@milwaukee.gov

MILWAUKEE POLICE DEPARTMENT LICENSING

CRIMINAL RECORD/ORDINANCE VIOLATION/INCIDENTS SYNOPSIS

DATE:	01	114	4/	22

RENEWAL:

LICENSE Type: Class B Tavern No. 332850

NEW: Application Date: 01/13/22

License Location: 3830 W National Ave **Business Name:** Milwaukee Nights Pub

Licensee/Applicant: MCCANN, Samona L

(Last Name, First Name, MI)

Date of Birth: 02/26/1984

Home Address: 3536 N. 23rd Street

City: Milwaukee State: WI Zip Code: 53206

Home Phone: 414-759-8374

This report is written by Police Officer Corstan D. COURT, assigned to the License Investigation Unit, Days.

The Milwaukee Police Department's investigation regarding this application revealed the following:

- On 12/03/2016officers received an anonymous call of a shooting at Milwaukee Nights Pub, 3830 W. National Av. The officers arrived on scene and determined the call was not legitimate.
- 2. On 02/07/2017 at 12:15am officers were dispatched to a noise complaint at Milwaukee Night Pub, 3830 W. National Av. The officers arrived and found the music inside was at a reasonable level but did increase when patrons opened the front door. The officer advised the bar to lower the music to fix this problem.
- 3. On 04/15/2017 at 2:11am officers responded to shots fired in the area of S. 38th St and W. National Av. Milwaukee Nights Pub was closed when officers arrived but the applicant was on scene and interviewed. She stated she told by her security that something was happening outside and she should close. She closed down but is not aware of what happened outside. Her security stated he was outside when he heard what sounded like two gun shots coming from around S. 39th St. The officers found no witnesses or evidence of shots being fired.
- 4. On 05/04/2017 officers conducted underage tavern enforcement in District 2. An underage Police Aid attempted to gain entry to Milwaukee Nights Pub, 3830 W. National Av. The Police Aid was turned away by security when she could not provide ID.

5. On 05/15/2017officers were dispatched to a noise complaint at Milwaukee Nights Pub, 3830 W. National Av. The officers arrived and did not find the noise level to be excessively loud. They spoke with Steven ESTRADA who agreed to turn the music down because he did not want any problems. He stated the neighbors have his phone number and will text when the music is loud and he will turn it down. The staff was cooperative with the officers.

6. On 02/10/2018 at 2:44am officers were dispatched to 3830 W. National Av for a battery complaint. The investigation revealed a fight occurred between two male patrons, who were fighting over a female patron. The male patrons both had stab wounds to the abdomen and the female had a cut to her wrist. The bartender, Dominique EWAN, got hit in the mouth by a bottle while attempting to break up the fight. The officers found 6 people in the bar after hours who were not employees. The business has cameras but they do not record. The applicant was cited for Class B Allow Patron After Hours.

Charge:

Class B Allow Patron After Hours

Finding:

Guilty

Sentence:

Fined \$1,637.95

into enrolling in the Pivot Program.

Date: Case: 01/17/2019 18043992

- 7. On 02/27/2018 a meeting was held regarding the incident on 02/10/2018 at Milwaukee Nights Bar. Present at the meeting was the applicant's husband, Steven ESTRADA, because the applicant was her day job. The officers stated they had concerns about the employees being uncooperative with the investigation and that no employees called to notify police about the incident. ESTRADA stated the employees no longer work at the bar, and he has brought back security on the weekends. He also stated he will fix the cameras so they record and will look
- 8. On 05/16/2018 officers were dispatched to Milwaukee Nights Pub, 3830 W. National Av, for a battery complaint. The officers located the victim who stated he was stabbed in the hand at the tavern. The officers interviewed the applicant and several witnesses who stated the subject was being disorderly and fell while walking out the door. The officer stated the injury was consistent with a fall. Steven ESTRADA stated there are no functional cameras at the location.
- 9. On 06/03/2018 at 2:08am officers were dispatched to Milwaukee Nights Pub, 3830 W. National Av, for a battery complaint. The officer spoke with the security guard, Raul PEREZ, who stated there were two large groups in the bar. A female from one group threw a drink on some one. In order to prevent a fight PEREZ put the female out of the bar and locked the door, preventing anyone from leaving until the female was gone. The officer did not observe anyone that was injured.

10. On 02/23/2019 at 9:00pm officers investigated a shooting at Milwaukee Nights Pub, 3830 W. National Av. The officer spoke with the bartender who stated the bar was having a "Rap Battle" and the two subjects ended up physically fighting throughout the bar. During the fight one of the subjects produced a firearm and shot the other subject. The patrons of the bar grabbed the victim and the suspect fled. The applicant arrived after the incident and spoke with the officers. She stated the cameras only record when the door opens or there is a break in. She stated she rented out the business to a group she only knew from Facebook. The officers advised her of the tavern violations and she said "I can't control everything like that". The applicant was cooperative with the detectives investigating the shooting.

Charge:

Public Entertainment Premise-License Required

Finding:

Guilty

Sentence:

Fined \$699.00

Date:

01/29/2020

Case: 19021161

- 11. On 03/07/2019 a meeting was held at District 2 regarding recent incidents at 3830 W. National Av. The officers stated their concerns with only one employee working, security cameras not recoding, liquor bottles not purchased at a distributor, food sales without a permit and events not covered by her PEP license. The applicant was advised her PEP does not cover DJ's and the use of promotors could impact her license. She was also advised a food dealers license was required even if food was given away. The applicant stated she will not have Rap Battles again, has updated her security cameras, and is getting a new security company.
- 12. On 03/09/2019 officers conducted a licensed premise check at 3830 W. National Av. The applicant stated she has security on Friday and Saturday nights starting at 9:00pm and has new security cameras that she can view on her phone. The officer advised her to have security pat down patrons for weapons and to use the front door as the main entrance and only use the side door for emergencies. No violations were observed.
- 13. On 03/14/2019 officers, along with agents from the Wisconsin Department of Revenue, conducted a licensed premise check at 3830 W. National Av. The agents located six bottles of alcohol that the applicant didn't have proof of purchase and one bottle of liquor contaminated with fruit flies. The applicant was advised to not advertise special events due to the tavern not having a food license. No other violations observed.

Item #10 updated with disposition on 02/08/2021	

14. On 03/12/21 at 2:30am, Milwaukee Police were dispatched to 3900 W. National Avenue to assist West Milwaukee at a shots fired complaint. A total of 19 spent casings and 1 unfired bullet were found. West Milwaukee tried to interview an employee of the tavern but he refused to identify himself and refused to answer any questions about what happen outside the establishment.

Milwaukee Police Department

749 W. State Street Milwaukee, WI 53233 414-933-4444

Case #:210710020

OtherEvent #: 21-LP-0791

Incident

3830 W NATIONAL AV MILWAUKEE, WISCONSIN 53215

Incident Date/Time::

03/12/2021 02:00:00

CAD Number::

210710245

District::

2

Beat::

220

Business Agent (1)

MCCANN, SAMONA

Person involvement: (Must choose

Agent

AGENT from drop down): DOB::

12/05/2061

Sex::

FEMALE

Race::

BLACK/AFRICAN AMERICAN

Address::

2736 W HIGHLAND AVE

Apartment or Suite::

16

City::

MILWAUKEE

State::

WISCONSIN

Zip Code::

53208

Licensed Premise Data (1)

MKE NIGHTS BAR

Phone 1 Number::

(414)-988-4136

Phone 1 Type::

Cell

Address::

3830 W NATIONAL AV

City:: State:: MILWAUKEE WISCONSIN

Zip Code::

53215

zih ooge"

Alcohol

License Type::

...

Licensee Notification Was Made::

...

Business Was Cited For Violation::

No

Licensee was cooperative: (If not

erauve: (ii riot

explain in narrative):

Licensee or Manager was on

No

premises at time of violation/incident::

Narrative (1)

INITIAL INVESTIGATION

Tomaszewski, Jacob 030930

03/12/2021

This report is being written by PO Jacob TOMASZEWSKI assigned to District Two, Late Shift, Squad 2320. On March 12, 2021 at approximately 2:30 AM my partner PO Hector SOSA JR and I were dispatched to 3900 W National Ave, which is located in the City and County of Milwaukee, to meet with West Milwaukee Police

Milwaukee Police Department

749 W. State Street Milwaukee, WI 53233 414-933-4444

Case #:210710020

OtherEvent #: 21-LP-0791

Department regarding a shots fired complaint where they discovered several spent casings on S 39TH ST.

Upon arrival we located a total of (6) spent 9mm casings; (13) spent 45mm casings; and (1) unfired 45mm cartridge. These items were placed on MPD Evidence inventory #(21008587) and (21008590).

During the investigation West Milwaukee PD attempted to speak with a male employee who was on scene at MKE Nights. The male employee refused to identify himself and refused to answer any questions about what had happened outside of the bar. The male employee then closed the bar and left the scene.

The manager was not on scene at the time of the investigation and was unable to be contacted.

END OF REPORT

Off	cer	121

Reporting Officer:

Approving Officer:

Tomaszewski, Jacob (030930)

03/12/2021 05:54:00

Section: (Work Location):

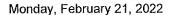
23

Albert, Joshua G (019226)

03/12/2021 08:26:32

Section: (Work Location):

23







Notice of Public Hearing

Blank Notice			

MCCANN, Samona
Milwaukee Nights Pub at 3830 W NATIONAL Av.
Class B Tavern and Food Dealer License Renewal Applications

Tuesday, March 08, 2022 at 09:30 AM

To whom it may concern:

The above application has been made by the above named applicant(s). This requires approval from the Licenses Committee and the Common Council of the City of Milwaukee. The hearing before the Licenses Committee will take place virtually on 3/08/2022 at 09:30 AM. This is a public hearing. Those wishing to view the proceeding are able to do so via the City Channel – Channel 25 on Spectrum Cable – or on the Internet at http://city.milwaukee.gov/citychannel. Those wishing to provide oral testimony will be asked to do so by phone or internet and are asked to contact the staff assistant, Yadira Melendez at (414) 286-2775 or stasst5@milwaukee.gov for necessary information. Please make such requests no later than one business day prior to the start of the meeting. You are not required to attend the hearing, but please see the information below if you would like to provide testimony. Once the Licenses Committee makes its recommendation, this recommendation is forwarded to the full Common Council for approval at its next regularly scheduled hearing.

Important details for those wishing to provide information for the Licenses Committee to consider when making its recommendation:

- 1. The license application is scheduled to be heard at the above time. Due to other hearings running longer than scheduled, you may have to wait some time to provide your testimony.
- You must testify as to matters that you have personally experienced or seen. (You cannot provide testimony for your neighbor, parent or anyone else; this is considered hearsay and cannot be considered by the committee.)
- 3. No letters or petitions can be accepted by the committee (unless the person who wrote the letter or the persons who signed the petition are willing to testify).
- 4. Persons opposed to the license application are given the opportunity to testify first; supporters may testify after the opponents have finished.
- 5. When you are called to testify, you will be sworn in and asked to give your name, and address. (If your first and/or last names are uncommon please spell them.)

- 6. You may then provide testimony.
- a. Include only information relating to the above license application.
- b. Include only information you have personally witnessed or seen.
- c. Provide concise and relevant information detailing how this business has affected or may affect the peaceful enjoyment of your neighborhood.
- d. If by the time you have the opportunity to testify, the information you wish to share has already been provided to the committee, you may state that you agree with the previous testimony. Redundant or repetitive testimony will not assist the committee in making its recommendation.
- 7. After giving your testimony, the members of the Licenses Committee and the licensee may ask questions regarding the testimony you have given or other factors relating to the license application.
- 8. Business Competition is not a valid basis for denial or non-renewal of a license.

Please Note: If you have submitted an objection to the above application your objection cannot be considered by the committee unless you personally testify at the hearing.

OCCUPANT	MAIL ADDRESS	CITY STATE ZIP
CURRENT OCCUPANT	3739 W NATIONAL AVE, 1	MILWAUKEE, WI 53215-1007
CURRENT OCCUPANT	3739 W NATIONAL AVE, 2	MILWAUKEE, WI 53215-1007
CURRENT OCCUPANT	3739 W NATIONAL AVE, 3	MILWAUKEE, WI 53215-1007
CURRENT OCCUPANT	3739 W NATIONAL AVE, 4	MILWAUKEE, WI 53215-1007
CURRENT OCCUPANT	3748 W HILDA PL	MILWAUKEE, WI 53215-1426
CURRENT OCCUPANT	3810A W NATIONAL AVE	MILWAUKEE, WI 53215-1010
CURRENT OCCUPANT	3812 W NATIONAL AVE	MILWAUKEE, WI 53215-1010
CURRENT OCCUPANT	3814 W NATIONAL AVE	MILWAUKEE, WI 53215-1010
CURRENT OCCUPANT	3814A W NATIONAL AVE	MILWAUKEE, WI 53215-1010
CURRENT OCCUPANT	3814B W NATIONAL AVE	MILWAUKEE, WI 53215-1010
CURRENT OCCUPANT	3830A W NATIONAL AVE	MILWAUKEE, WI 53215-1010
CURRENT OCCUPANT	734 S 39TH ST	MILWAUKEE, WI 53215-1005
CURRENT OCCUPANT	740 S 39TH ST	MILWAUKEE, WI 53215-1005
CURRENT OCCUPANT	740A S 39TH ST	MILWAUKEE, WI 53215-1005
CURRENT OCCUPANT	744 S 39TH ST	MILWAUKEE, WI 53215-1005
CURRENT OCCUPANT	744A S 39TH ST	MILWAUKEE, WI 53215-1005
CURRENT OCCUPANT	745 S 38TH ST	MILWAUKEE, WI 53215-1044
CURRENT OCCUPANT	800 S 39TH ST	MILWAUKEE, WI 53215-1006
CURRENT OCCUPANT	802 S 39TH ST	MILWAUKEE, WI 53215-1006
CURRENT OCCUPANT	802A S 39TH ST	MILWAUKEE, WI 53215-1006
CURRENT OCCUPANT	803 S 38TH ST	MILWAUKEE, WI 53215-1002
CURRENT OCCUPANT	806 S 39TH ST	MILWAUKEE, WI 53215-1006
CURRENT OCCUPANT	809 S 38TH ST	MILWAUKEE, WI 53215-1002
CURRENT OCCUPANT	809A S 38TH ST	MILWAUKEE, WI 53215-1002
CURRENT OCCUPANT	812 S 39TH ST	MILWAUKEE, WI 53215-1006
CURRENT OCCUPANT	815 S 38TH ST	MILWAUKEE, WI 53215-1002
CURRENT OCCUPANT	818 S 39TH ST	MILWAUKEE, WI 53215-1006
CURRENT OCCUPANT	819 S 38TH ST	MILWAUKEE, WI 53215-1002
CURRENT OCCUPANT	825 S 38TH ST	MILWAUKEE, WI 53215-1002
CURRENT OCCUPANT	827 S 38TH ST	MILWAUKEE, WI 53215-1002
CURRENT OCCUPANT	906 S 38TH ST	MILWAUKEE, WI 53215-1302
Rlank Notice		

Blank Notice Total Records: 31

Radius: 250.0 feet and Center of Circle: 3830 W National Av

2021-2022 Plan of Operation for 3830 W NATIONAL AV 1. Litter & Security Plans 🗶 Sweep 🗌 Pressure Wash 🕍 Pick Up Litter 🗌 Other: How are the grounds kept clean? aily Weekly Other: How often will grounds be cleaned? Licensee Building Owner Employees Hired Maintenance Other: Who cleans the grounds? How are noise issues prevented and/or addressed? Security Manager approaches customer(s) Call Police Signs Posted Are there designated outdoor smoking areas? XNo Yes if Yes, Describe: Locations: Number of garbage cans: Outside Locations: No Yes If Yes, Describe: Is a crowd control barrier used? Number of restrooms: Name of solid waste contractor: Are there parking spaces on the premises? No Yes If Yes, list number of spaces: _ and describe security plans: Are there designated loading areas? 📈 No 🗌 Yes If Yes, describe security plans: Do you have security personnel on the premise? No Yes If Yes, how many? What are their responsibilities? Check ID'S, help clear bar not at end of night. AND What security equipment do they use? List their licensing, certification or training credentials: Are there security cameras? No X Yes If Yes, list all locations: Are searches and/or identification checks conducted upon entry? \(\begin{align*}\) No \(\begin{align*}\begin{align 2. Percentage of Sales (must total 100%) Alcohol VOO % % **Food Sales** Entertainment Other 3. Businesses On The Premises (choose all that apply): Convenience Store Night Club Liquor Store Sports Facility Cocktail Lounge ☐ Restaurant Cafe/Coffee Shop Other: Private/Fraternal/Veterans' Club Hotel Banquet Hali Supermarket 4. Hours of Operation and Age Restriction Are there any changes to the current hours of operation or age restriction? No Yes If Yes, Describe: Please Note: If you will be open earlier or later than the hours listed on your current license for even one event or holiday (for example, St. Patrick's Day, Brewers Opening Day, etc.) during the license period, this must be reported and printed on your license. Your hours of operation and age restriction are listed on your current license. 5. Floor Plan and Capacity Are you requesting any changes to your capacity or floor plan*? No Yes If yes, describe: submit a new floor plan with this renewal application. A sample plan can be found online at www.milwaukee.gov/licenses under License Forms and Related Information. Alcohol/Food Establishments: A "Permanent Extension of Premises Application" is required if you are adding any square footage to the licensed premises. 6. Sidewalk Dining: Fee: Are there any changes to the sidewalk dining site plan? 🔼 No 🗌 Yes If Yes, submit an updated site plan with this application. 8. Weights and Measures: Fee: 7. Food License: Fee: Your current food license includes the following food operations:

Are there any changes to your food operations as listed above? No Yes, Number/Type of Devices: Are there any changes to the number or types of devices? No Yes if Yes, explain If yes, contact our office for further instructions.

1. CURRENT APPROVED ENTERTAIN	IMENT for Milwaukee Night	s Pub 3830 W NATION	IAL AV	
The following types of entertainment have b	een approved for your current	Public Entertainment Premises I	icense:	
Jukebox, 1 Pool Table, 5 Amusement Machi				
2. ADDING ENTERTAINMENT				
If applicable, check any entertainment you wENTERTAINMENT IS LISTED ABOVE.	rish to add: ONLY CHECK ENTER	RTAINMENT TYPE(S) YOU ARE A	ADDING. YOUR CURRENT APPROVED	
☐ Instrumental Musicians	Bands	Battle of the Bands	Comedy Acts	
☐ Disc Jockey	☐ Magic Shows	Poetry Readings	☐ Dancing by Performers	
Jukebox	Wrestling	Patron Contests	Patrons Dancing	
Adult Entertainment/	☐ Karaoke	Bowling Alley	Pool Tables	
Strippers/Erotic Dance		How many?	How many?	
☐ Motion Pictures (movies by admission)	Amusement Machines	Concerts	☐ Theatrical Performances	
How many screens?	How many?	Approx. # per year?		
Other:		•		
No entertainment changes can take place un	til approved by Common Counc	cil and a new license has been is:	sued and posted on the premises.	
3. REMOVING ENTERTAINMENT				
If applicable, list any entertainment you wish	to ramous.			
in applicable, list any entertainment you wish	rto remove:			
4. PROMOTERS/SOUND AMPLIFICA	TION			
Will promoters ever be used for any of the en		If Yes. Describe:		
At any time will sound amplification be used	No Yes If Yes, Descri	be:		
5. SIGNATURE				
I understand that after the license has been i	ssued, a change to the plan of c	pperation will require a written r	request to change and approval from	
the Common Council.				
I agree to inform the City Clerk within 10 day	s of any substantial changes in t	the information supplied in this	application.	
I understand that I shall not willfully refuse to the general public because of race, color, sex	, religion, national origin or anc	estry, age, handicap, lawful sour	rce of income, marital status, several	
orientation, gender identity or expression, fa	milial status or the fact that a p	erson is now or has been a mem	ther of the military service, whether	
dressed in uniform or not; and shall not seek selection of personnel for training or promot	such information as a condition	n of employment, or penalize an	y employee or discriminate in the	
I have knowledge of the City Ordinances curr suspension, non-renewal or revocation, if I vi	ently regulating public entertain	nment, and understand that the	license may be subject to	
supplied in the real of revocation, it is vi				
	ams	na Mce	Mr. A.	
	Signature of Cala	Proprietor a Partner "f - 2	ec m	
	Signature or sole	r rophetor, a Partner, or it a Cor	poration or LLC, the Agent must sign	

* *