

CITY OF MILWAUKEE OFFICE OF THE CITY CLERK

Wednesday, February 01, 2023

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 hearing which is to be held in Room 301-B, Third Floor, City Hall or you may attend virtually using the link below.

Tuesday, February 14, 2023 at 10:40 AM

The access code is https://meet.goto.com/260379253. If you wish to call in: +1 (872) 240-3311 and use Access Code: 260-379-253. Please see the enclosed best practices document for further instructions.

Regarding:

Your Class B Tavern and Public Entertainment Premises License Renewal Applications as agent for "Milwaukee Nights Pub, LLC" for "Milwaukee Nights Pub" at 3830 W NAL Av.

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, illegal 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 appear at this meeting may result in the denial of your license. Individual applicants must appear only in person or by an attorney. Corporate or Limited Liability applicants must appear only by the agent designated on the application or by an attorney. Partnership applicants must appear by a partner listed on the application or by an attorney. 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 are present at the committee hearing and 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 bring an interpreter with you, at your expense, so that you can answer questions and participate in your hearing.

You may examine the application file at this office during regular business hours prior to the hearing date. Inquiries regarding this matter may be directed to the person whose signature appears below.

Limited parking for persons attending meetings in City Hall is available at reduced rates (5 hour limit) at the Milwaukee Center on the southwest corner of East Kilbourn and North Water Street. Parking tickets must be validated in the first floor information booth in City Hall.

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 notice, please contact the License Division at (414) 286-2238.

Cox, Andrew

AC

From:

Cooney, Jim

Sent:

Wednesday, January 25, 2023 7:36 PM

To:

Cox, Andrew

Cc:

Martin, Faviola; Milano, Marissa

Subject:

FW: MKE Nights Pub...

Please add.

REDACTED RECORD

From:

Sent: Thursday, February 11, 2021 7:20 PM **To:** License <LICENSE@milwaukee.gov>

Subject: MKE Nights Pub...

To Whom It May Concern:

I'm a resident, home owner and business owner, in Silver City. Regarding the application to renew the Milwaukee Night Pub's (3830 W. National Avenue) license, I would be in favor of it only if they improved their level of upkeep around their property, invested in the exterior of their building, even by taking advantage of many of the City of Milwaukee grants to improve its exterior appearance. Like all of us, they should be vigilant to remove weeds from their property in the Summer.

Additionally, my neighbors have expressed concern over litter and noise levels, at times. I do appreciate them owning a business in our neighborhood, but they should be held to the same standards we, as homeowners and residents, are held to.

Also, more so for the city parking/transportation officials, during evenings and weekends, at times, there is a high number of parked cars around this property. Many times, it's unsafe to pull out from southbound S. 39th Street to eastbound or westbound W. National Avenue. Conversely, it's very dangerous to pull into northbound S. 39th Street when there are parked cars on both sides of the street. Car traffic in only one direction can fit during these times. I know this may not be for the Licensing Committee, but if Milwaukee Night Pub can encourage their patrons to park elsewhere, a little further away from their property, that could help keep traffic flow safe. Maybe the City can install No Parking near both corners of S. 39th & National to improve visibility for drivers.

Thanks for your consideration and for the opportunity to comment.

Sincerely,

MILWAUKEE POLICE DEPARTMENT LICENSING

CRIMINAL RECORD/ORDINANCE VIOLATION/INCIDENTS SYNOPSIS

DATE: 01/04/23

LICENSE TYPE: Class B Tavern

No. 346581

Application Date: 01/03/23

New:
Renewal:

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:

- 1. 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

Date:

01/17/2019

Case: 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 into enrolling in the Pivot Program.
- 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 01/29/2020

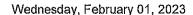
Date: Case:

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.

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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.







Notice of Public Hearing

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MCCANN, Samona, Agent
Milwaukee Nights Pub at 3830 W NATIONAL Av
Class B Tavern and Public Entertainment Premises License Renewal Applications

Tuesday, February 14, 2023 at 10:40 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 on 2/14/2023 at 10:40 AM in Room 301-B, Third Floor, City Hall. 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 via phone or internet 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.
- 2. You must appear in person and 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 present at the committee hearing and 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 |
| Blank Notice | | |
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Total Records: 31 Radius 250.0 feet and Center of Circle: 3830 W National Av 2022-2023 Plan of Operation for 3830 W NATIONAL AV

| 1. Litter & Security Plans | | | | |
|---|--|--|--|--|
| How are the grounds kept clean? Sweep Pressure Wash, Pick Up Litter Other: | | | | |
| How often will grounds be cleaned? , Daily Weekly Other: | | | | |
| Who cleans the grounds? | | | | |
| How are noise issues prevented and/or addressed? [5] ecurity [5] Manager approaches customer(s] [5] Call Police [5] Signs Posted [6] Other: | | | | |
| Are there designated outdoor smoking areas No Yes If Yes, Describe: | | | | |
| Number of garbage cans: Inside Locations: 3 DChind Dar 1, In fach 1xthrom Outside Locations: | | | | |
| Is a crowd control barrier used ₹ No ☐ Yes If Yes, Describe: | | | | |
| Number of restrooms: A Name of solid waste contractor: Waste Management | | | | |
| 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 Nes If Yes, how many? AND What are their responsibilities? Check this, help clear out at the end of night 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: | -ont and back door | | | |
| Are searches and/or identification checks conducted upon entry? \(\subseteq \text{No } \subseteq \) | | | | |
| Identification is check out the | door or by bortender | | | |
| 2. Percentage of Sales (must total 100%) | | | | |
| Alcohol CC % Food Sales % E | Entertainment% Other% | | | |
| 3. Businesses On The Premises (choose all that apply): | | | | |
| Restaurant Cafe/Coffee Shop Cocktail Lounge Convenience Store Night Club Liquor Store Tavern Sports Facility | | | | |
| | aternal/Veterans' Club | | | |
| 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: and submit a new floor plan with this renewal application. A sample plan can be found online at <u>www.milwaukee.gov/licenses</u> 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 plane No Yes If Yes, submit an updated site plan with this application. | | | | |
| 7. Food License: Fee: | 8. Weights and Measures: Fee: | | | |
| if Yes, explain | Number/Type of Devices: Are there any changes to the number or types of devices? No Yes If yes, contact our office for further instructions. | | | |

3830 W NATIONAL AV CURRENT APPROVED ENTERTAINMENT for Milwaukee Nights Pub 1. The following types of entertainment have been approved for your current Public Entertainment Premises license: Jukebox, 1 Pool Table, 5 Amusement Machines ADDING ENTERTAINMENT 2. If applicable, check any entertainment you wish to add: ONLY CHECK ENTERTAINMENT TYPE(S) YOU ARE ADDING. YOUR CURRENT APPROVED ENTERTAINMENT IS LISTED ABOVE. Comedy Acts Battle of the Bands Bands Instrumental Musicians □ Dancing by Performers Magic Shows Poetry Readings Disc Jockey Patron Contests Patrons Dancing Wrestling Jukebox Pool Tables ☐ Bowling Alley Adult Entertainment/ How many? ____ How many? _____ Strippers/Erotic Dance ☐ Theatrical Performances Concerts Motion Pictures (movies by admission) Amusement Machines How many screens? _____ Approx. # per year? ____ How many? _____ Approx. # per year? ___ ___ Other: _____ No entertainment changes can take place until approved by Common Council and a new license has been issued and posted on the premises. 3. REMOVING ENTERTAINMENT If applicable, list any entertainment you wish to remove: PROMOTERS/SOUND AMPLIFICATION Will promoters ever be used for any of the entertainment? No Tyes If Yes, Describe: At any time will sound amplification be used? No Yes If Yes, Describe: 5. **SIGNATURE** I understand that after the license has been issued, a change to the plan of operation will require a written request to change and approval from the Common Council. l agree to inform the City Clerk within 10 days of any substantial changes in the information supplied in this application. I understand that I shall not willfully refuse to provide the services offered under this license, or add charges or require deposits not required of the general public because of race, color, sex, religion, national origin or ancestry, age, handicap, lawful source of income, marital status, sexual orientation, gender identity or expression, familial status or the fact that a person is now or has been a member of the military service, whether dressed in uniform or not; and shall not seek such information as a condition of employment, or penalize any employee or discriminate in the selection of personnel for training or promotion on the basis of such information. I have knowledge of the City Ordinances currently regulating public entertainment, and understand that the license may be subject to suspension, non-renewal or revocation, if I violate any rule, law or regulation of the city of Milwaukee and State of Wisconsin.

Signature of Sole Proprietor, a Partner, or if a Corporation or LLC, the Agent must sign