



COMMITTEE ASSIGNMENTS

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- Zoning, Neighborhoods, and Development Committee

JOCASTA ZAMARRIPA ALDERWOMAN, 8TH DISTRICT

November 15, 2024

To the Honorable, the Common Council

Honorable Members:

Common Council File Number 241096 contains the following recommendations:

Nonrenewal of the Class B Tavern and Public Entertainment Premises licenses for Ruben Albanil Coyotl based upon the preponderance of the evidence in the police report, aldermanic, police and applicant testimony that demonstrates the operation results in a threat to health, safety or welfare of the public; for the premises located at 1226 W National Av. ("El Cielo Bar") in the 8th aldermanic district.

Nonrenewal of the Class D Operator's license for Pierre A. Lewis based upon second nonappearance.

Nonrenewal of the Class D Operator's license for Alberto R. Valle based upon second nonappearance.

Sincerely,

JoCasta Zamarripa
Chairperson, Licenses Committee

cc: All Council Members
Files 241096





JOCASTA ZAMARRIPA
ALDERWOMAN, 8TH DISTRICT

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Date: November 15, 2024

To: All Members of the Milwaukee Common Council

From: Licenses Committee

Re: Report of the Renewal Application of the Class "B" Tavern and Public Entertainment Premises (PEP) Licenses, for Ruben Albanil Coyolt, Agent for El Cielo LLC, for the premises located at 1226 West National Avenue in the City and County of Milwaukee, Wisconsin ("El Cielo Bar").

FINDINGS OF FACT

1. Ruben Albanil Coyolt (hereinafter "the Licensee") is the holder of Class "B" Tavern and PEP Licenses, for the premises located at 1226 West National Avenue in the City and County of Milwaukee, Wisconsin ("El Cielo Bar"). Said licenses expired at midnight on August 2, 2024.
2. An application to renew said licenses was filed with the Office of the City Clerk on May 31, 2024.
3. Pursuant to Chapters 68, 85, 90 and 108 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes, the matter was referred to the Milwaukee Police Department for investigation. On June 3, 2024, the Milwaukee Police Department responded with a report that could form the basis for nonrenewal of said licenses.
4. On November 1, 2024, the City Clerk's Office provided timely notice to the Licensee pursuant to Chapters 68, 85, 90, and 108 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes of the police report. The matter was scheduled for a hearing on the police report and neighborhood objections on November 12, 2024, commencing at approximately 2:10 p.m. in Room 301-B of the third floor of City Hall. At said date, time and place, the Licensee appeared at the hearing with counsel, Attorney Vincent Bobot, and admitted receipt of the notice of hearing.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
 - A. On July 9, 2023 at 2:25 a.m., Milwaukee Police were dispatched to a Subject with Weapon at 1226 West National Avenue. Investigation revealed a physical altercation took place inside the establishment between patrons. The agent was notified and came downstairs and sprayed pepper spray in an attempt to disperse the crowd. The business was cooperative with the investigation and allowed officers to view video surveillance of the incident.



- B. On September 24, 2023 at 1:26 a.m., Milwaukee Police were dispatched to a Subject with a Gun at 1226 West National Avenue. Investigation revealed a subject was removed from the tavern due to causing a disturbance. The subject then fired multiple shots into the establishment, causing damage to the exterior. The subject fled the scene and officers. The subject crashed a short time later. Officers recovered spent casings and magazines in the unoccupied vehicle. The business was cooperative with the investigation and allowed officers to view video surveillance of the incident.
- C. On December 14, 2023 at 12:40 a.m., Milwaukee Police were dispatched to a fight at 1226 West National Avenue. Officers interviewed the agent who stated he observed two subjects from opposing gangs making threats to shoot one another, however, did not observe any weapons. The Licensee did not want the subjects removed, as they did not want involvement in any potential conflicts. The Licensee requested increased police presence.
- D. On April 29, 2024 at 1:36 a.m., Milwaukee Police were dispatched to a Property Damage at 1226 West National Avenue. Officers observed a subject who stated they were in pain due to being pepper sprayed at the location. Officers interviewed the Licensee as well as several witnesses who stated the patron was causing a disturbance in the bar and engaged in a physical altercation, at which time the Licensee pepper sprayed the subject and called for police. The Licensee stated officers could come back to view video surveillance once they retrieved the password.
- E. On July 30, 2024 at 8:30 p.m., Milwaukee Police conducted a License Premise Check at 1226 West National Avenue, regarding a complaint of underage bartenders. Assisting in this assignment were Agents from Wisconsin Department of Revenue Alcohol and Tobacco Division. On arrival officers found the business open and one employee inside (33 yo), who initially stated they were the bartender, however, then recanted and stated they were just opening up for the owner who lives upstairs. The DOR Agent found the following violations:
- No Licensed Operator on Premise
 - Seller's Permit was not posted
 - Beer Purchased from Unlicensed Distributors
 - Defaced Labels
 - Contaminated Liquor
 - Missing Invoices

The Agent confiscated a total of 139 liquor bottles, both open and unopened. The Agent advised the business agent this would be an educational visit and made suggestions to correct the violations.

- F. Milwaukee Police were dispatched to 1226 West National Avenue for Noise complaints on the following dates:
- 07/21/23 at 9:45 p.m. Music could be heard on officer's body cam from two properties away. Officers advised the business to close the door and lower the music
 - 07/23/23 at 12:51 a.m. No loud music could be heard from the premise



- 09/09/23 at 10:29 p.m. The officer determined the loud music was not coming from the premise
 - 02/10/24 at 9:52 p.m. Caller cancelled the squad because music was turned down
 - 02/13/24 at 12:30 a.m. Body cam showed music could not be heard until the door was open. The employee agreed to lower the music.
- G. On October 18, 2024, at approximately 12:21 p.m., Milwaukee Police Officers executed a search warrant in the tavern and residential units of 1226 West National Avenue. The warrant was requested because officers were investigating a shots fired incident from the residential unit and the Licensee was the suspect. Officers recovered cocaine, drug paraphernalia, a suspected drug sales ledger, and 9mm cartridges. Chickens were also located in the basement of the tavern. The Licensee was arrested; charges have been referred to the District Attorney's Office.
- H. Attorney Bobot said that the police report stated that the business has been cooperative with MPD, that there are cameras outside and inside the tavern and that surveillance videos have been provided when incidences are investigated. He added that the item from July 30, 2024 was an educational visit from the Department of Alcohol and Tobacco where bottles of alcohol were confiscated and they had subsequent violations from there. He also said that the rest of the calls are for loud music except for the incident on October 18, 2024. Attorney Bobot also said that he spoke to his client's defense attorney and that no charges have been filed against his client, that he maintains his innocence and that he is not the one who fired the shots and is not the owner of the recovered cocaine.

Individuals also present:

- I. Alderman Burgelis asked Attorney Bobot if he has something additional to say about the DOR raid that happened on July 30, 2024.
- J. Attorney Bobot said that he does not know if there are any actions taken against his client from the Department of Alcohol and Tobacco because they were told that it was an educational visit but by looking at the violations cited on the police report, now he knows that they exist. He added that the contaminated bottles refers to bottles with fruit flies and that he has no reason to dispute the violations and neither does his client.
- K. Alderwoman Zamarripa asked the Licensee if he had a permit to have the chickens in the basement.
- L. The Licensee said that he did not have a permit and that he buys chickens over the weekend, that he puts them in the basement and that they are gone by Monday.
- M. Attorney Bobot asked the Licensee how many chickens were there because it is not mentioned on the police report.
- N. The Licensee said that there were 2 chickens.
- O. Alderwoman Zamarripa asked what he does with the chickens.



- P. The Licensee said that he buys the chickens to eat them.
- Q. P.O. Tracy – said that during the search warrant done at the Licensee’s residence, they found a bowl with cocaine that was easily linked to Mr. Albanil because his vehicle's insurance card was right on the middle of the bowl. He added that the chickens were found in the basement next to where beer and bar stuff is stored. He also said that the chickens were in an enclosed area separated by a small door.
- R. Alderman Spiker asked if MPD contacts the MHD in situations like this.
- S. P.O. Tracy said that they took the chickens to MADACC and that they do referrals to MHD and DNS.
- T. Alderman Spiker asked where exactly the cocaine was found.
- U. P.O. Tracy said that it was in the Licensee’s room (same room where the shots were fired from), that it was in a bowl with his car’s insurance card right in the middle. He added that in the same area, they also found small measuring spoons which looked to have small cocaine residue on them and next to small portions divided out in units to be sold.
- V. Alderwoman Zamarripa said that regarding Attorney Bobot’s statement about his client not being the one who fired the shots into the air; she asked P.O. Tracy if he witnessed and retrieved the video where the Licensee fired shots into the air.
- W. P.O. Tracy said that it is correct, that they recovered 3 spent 9mm casings in front of the address and that on the search warrant they found boxes of the same ammunition at the Licensee’s house. He added that the video was from a residence across the street. He also explained that the video is too far away to make out facial descriptions but that the Licensee admitted that he was alone at the residence at the time when the shots were fired. He also said that his description was compared with the footage of the body camera as well and it was determined that it was the Licensee in the video.
- X. Alderman Burgelis asked if they recovered the weapon during the search warrant.
- Y. P.O. Tracy said that they did not.
- Z. Alderman Spiker asked the Licensee if he fired the shots out of the window of his residence.
- AA. The Licensee said that he did not.
- BB. Attorney Bobot said that his defense attorney asked the Licensee not to disclose any information until the investigation is closed.
- CC. Alderman Burgelis asked the Licensee if he owns a 9mm gun.
- DD. The Licensee said that he does not.
- EE. Alderman Burgelis asked the Licensee if he uses cocaine.



- FF. The Licensee said that he uses cocaine sometimes.
- GG. There were no neighbors present to testify. Alderwoman Zamarripa said that this is a very concerning police report, that she understands the message that Attorney Bobot and the Licensee are trying to convey but that they also have the testimony of P.O. Tracy who was on the scene and that she cannot support this application.
- HH. Alderman Perez said that there is a history of disciplinary actions that speak for itself and that it is hard to support this application as this business was part of his district in the past and that the Licensee knows better than to get himself into the trouble he has gotten into.
- II. Attorney Bobot said that he is aware of the 10 day suspension only, that the committee must follow progressive discipline since there was no disciplinary action for the last two years. He thinks that a revocation does not fall in place. He added that the bar is profitable, that the Licensee is probably going to sell it as a result of this but that he cannot guarantee it.
- JJ. Alderman Perez said that this is a small business (capacity of 54) where no money needs to be spent on security to keep the crowd in order, that Attorney Bobot has mentioned that it is profitable. He added that he told the Licensee that he did not want any problem with the police department and with the neighbors and that he has violated both requests including the suspension. He also said that in 2 years, the Licensee has had noise complaints, the outdoor patio has been shut down, that there have been accusations in the past about him doing stuff upstairs including afterhours gatherings. He continued saying that with the recent interaction with the police, it makes it very hard to believe that the Licensee will change his ways with any progressive discipline.
- KK. Attorney Bobot said that we are talking about a 10-day suspension in 2021, that we are in 2024, and that the committee can go to a 90-day suspension since no one was killed/shot.
- LL. Alderman Spiker asked the Licensee if he has a security guard in regards to why people were pepper sprayed at the bar.
- MM. The Licensee said that he has a security guard on Thursday, Friday and Saturday and that he pepper sprayed the guy because he was punched in the face after throwing him out of the bar twice and that the security was not there that day because the incident happened on a Monday.
- NN. Alderman Perez moved nonrenewal based upon the preponderance of the evidence in the police report, aldermanic, police and Licensee testimony that demonstrates the operation results in a threat to health, safety or welfare of the public. There were no objections. (Prevailed 5 0)

CONCLUSIONS OF LAW

1. The Committee has jurisdiction to hold hearings and provide Findings of Fact and Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapters 68, 85, 90, and 108 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes.



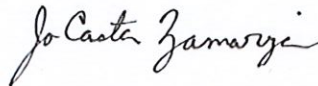
2. Based upon the above facts found, the Committee concludes that the Licensee, Ruben Albanil Coyolt who holds Class B Tavern and Public Entertainment Premise (PEP) licenses for the premise located at 1226 West National Avenue in the City and County of Milwaukee, Wisconsin ("El Cielo Bar") has not met the criteria of Chapters 68, 85, 90, and 108 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes for the renewal of his Class B Tavern and Public Entertainment Premises, licenses. The Committee finds the police report and aldermanic objections as stated above to be true.
3. In order to protect the health, safety and welfare of the citizens of the City of Milwaukee, it is the recommendation of the Licenses Committee that the full Common Council of the City of Milwaukee should exercise its judgment for non-renewal of the Class B Tavern and Public Entertainment Premise (PEP) licenses for the premises located at 1226 West National Avenue in the City and County of Milwaukee, Wisconsin ("El Cielo Bar"). The Committee based its recommendation upon the preponderance of the evidence in the police report, aldermanic and police testimony that demonstrates the operation results in a threat to health, safety or welfare of the public.

RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of **three (3) ayes, one (1) noes and (1) abstained**, recommends that the Class "B" Tavern and Public Entertainment Premises (PEP) Licenses of Ruben Albanil Coyolt for the premises located at 1226 West National Avenue ("El Cielo Bar") in the City and County of Milwaukee, Wisconsin not be renewed.

Said nonrenewal is effective November 26, 2024.

Dated and signed at Milwaukee, Wisconsin this 15 day of November, 2024.



JOCASTA ZAMARRIPA
Chairperson, Licenses Committee

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MEMBER

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JOCASTA ZAMARRIPA ALDERWOMAN, 8TH DISTRICT

Date: November 15, 2024

To: All Members of the Milwaukee Common Council

From: Licenses Committee

Re: Report on the Renewal Application of the Class "D" Operator's License of Pierre A. Lewis

FINDINGS OF FACT

1. Pierre A. Lewis (hereinafter the "Licensee") is the holder of a Class "D" Operator's License in the City and County of Milwaukee, Wisconsin. Said license expired on December 31, 2023.
2. An application to renew said license was thereafter filed with the Office of the City Clerk.
3. Pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes, the matter was referred to the Milwaukee Police Department for investigation. On September 5, 2024, the Milwaukee Police Department responded with a report that could form the basis for the suspension or nonrenewal of said licenses.
4. On October 30, 2024 the City Clerk's Office provided timely notice to the Licensee pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes of the report of the Milwaukee Police Department and included therewith a copy of the Milwaukee Police Department report. The matter was scheduled for a hearing on the police department report on November 12, 2024 at 1:15 p.m. in Room 301B of City Hall. At said date, time and place, the Licensee did not appear.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
 - A. A notice of the hearing as well as a copy of the police report was sent to Pierre A. Lewis, 740 West Wisconsin Avenue, #203, Milwaukee, WI 53223 on October 30, 2024 by U.S. prepaid first-class mail in an envelope bearing the return address of the License Division. The address of 740 West Wisconsin Avenue, #203,



Milwaukee, WI 53223 is the address given by the Licensee on the application. The envelope was not returned to the License Division by the United States Postal Service. The Licensee failed to appear at the hearing on November 12, 2024 at 1:15 p.m.

Individuals also present

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

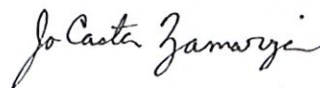
CONCLUSIONS OF LAW

1. The Committee has jurisdiction to hold hearings and provide Findings of Fact, Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapter 125 of the Wisconsin Statutes and Chapter 90 of the Milwaukee Code of Ordinances.
2. Based on the above facts found, the Committee concludes that the Licensee, Pierre A. Lewis has not met the criteria of Chapter 125 of the Wisconsin Statutes or Chapter 90 of the Milwaukee Code of Ordinances to allow renewal of the Class "D" Operator's license based upon Licensee's second nonappearance.
3. In order to protect the health, safety and welfare of the citizens of the City of Milwaukee, it is the recommendation of the Licenses Committee that the full Common Council should exercise its discretion to not renew the Class "D" Operator's license held by Pierre A. Lewis based upon Licensee's second nonappearance.

RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of **five (5) ayes and zero (0) noes** recommends that the Class "D" Operator's License of Pierre A. Lewis not be renewed based upon Licensee's second nonappearance.

Dated and signed at Milwaukee, Wisconsin this 15 day of November, 2024.



JOCASTA ZAMARRIPA
Chairperson Licenses Committee

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JOCASTA ZAMARRIPA ALDERWOMAN, 8TH DISTRICT

Date: November 15, 2024

To: All Members of the Milwaukee Common Council

From: Licenses Committee

Re: Report on the Renewal Application of the Class "D" Operator's License of Alberto R. Valle

FINDINGS OF FACT

1. Alberto R. Valle (hereinafter the "Licensee") is the holder of a Class "D" Operator's License in the City and County of Milwaukee, Wisconsin. Said license expired on December 31, 2023.
2. An application to renew said license was thereafter filed with the Office of the City Clerk.
3. Pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes, the matter was referred to the Milwaukee Police Department for investigation. On April 22, 2024, the Milwaukee Police Department responded with a report that could form the basis for the suspension or nonrenewal of said licenses.
4. On October 30, 2024 the City Clerk's Office provided timely notice to the Licensee pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes of the report of the Milwaukee Police Department and included therewith a copy of the Milwaukee Police Department report. The matter was scheduled for a hearing on the police department report on November 12, 2024 at 1:15 p.m. in Room 301B of City Hall. At said date, time and place, the Licensee did not appear.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
 - A. A notice of the hearing as well as a copy of the police report was sent to Alberto R. Valle, 1437 North Jefferson Street, Milwaukee, WI 53202 on October 30, 2024 by U.S. prepaid first-class mail in an envelope bearing the return address of the License Division. The address of 1437 North Jefferson Street, Milwaukee, WI



53202 is the address given by the Licensee on the application. The envelope was not returned to the License Division by the United States Postal Service. The Licensee failed to appear at the hearing on November 12, 2024 at 1:15 p.m.

Individuals also present

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

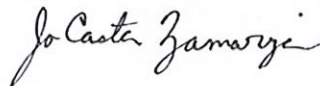
CONCLUSIONS OF LAW

1. The Committee has jurisdiction to hold hearings and provide Findings of Fact, Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapter 125 of the Wisconsin Statutes and Chapter 90 of the Milwaukee Code of Ordinances.
2. Based on the above facts found, the Committee concludes that the Licensee, Alberto R. Valle has not met the criteria of Chapter 125 of the Wisconsin Statutes or Chapter 90 of the Milwaukee Code of Ordinances to allow renewal of the Class "D" Operator's license based upon Licensee's second nonappearance.
3. In order to protect the health, safety and welfare of the citizens of the City of Milwaukee, it is the recommendation of the Licenses Committee that the full Common Council should exercise its discretion to not renew the Class "D" Operator's license held by Alberto R. Valle based upon Licensee's second nonappearance.

RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of **five (5) ayes and zero (0) noes** recommends that the Class "D" Operator's License of Alberto R. Valle not be renewed based upon Licensee's second nonappearance.

Dated and signed at Milwaukee, Wisconsin this 15 day of November, 2024.



JOCASTA ZAMARRIPA
Chairperson, Licenses Committee

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