



Office of the City Clerk

Jim Owczarski
City Clerk

Rebecca N. Grill
Deputy City Clerk

July 11, 2014

Joseph Kuntz
The Chalk House MKE, LLC
1137 N Old World Third St
Milwaukee, WI 53203

Atty. Michael J Whitcomb
Michael A Whitcomb Law Offices
633 W Wisconsin Ave #510
Milwaukee, WI 53233

Dear Mr. Kuntz:

You are hereby notified that the Milwaukee Common Council will hold a hearing on Tuesday, July 22, 2014, commencing at 9:00 a.m., or as soon thereafter as this matter may be heard, in the Common Council chambers on the third floor of City Hall, 200 East Wells Street, Milwaukee, Wisconsin to consider whether to renew, renew with a suspension between 10 and 90 days, or not renew the Class B Tavern and Public Entertainment Premises license(s) for the premises located at 1137 N Old World Third St ("The Loaded Slate MKE").

Attached you will find a copy of the Report of the Licenses Committee, which includes its Findings of Fact, Conclusions of Law, and Recommendation, recommending a 30 day suspension of the Class B Tavern and Public Entertainment Premises license(s) based upon the police report and neighborhood testimony. This recommendation is the result of a public hearing before the Committee held on Tuesday, July 8, 2014.

Please be advised that the Common Council will determine whether to renew, renew with a suspension between 10 and 90 days, or not renew your Class B Tavern and Public Entertainment Premises license(s) based upon the Findings of Fact contained within the Licenses Committee report.

You may file written objections to the report of the Licenses Committee. The written objections must be filed with the City Clerk by 4:45 p.m. on Wednesday, July 16, 2014 in Room 205 of City Hall. If you wish to file your objections via e-mail, they must be sent to both jowcza@milwaukee.gov and jlelel@milwaukee.gov. You will be sent an e-mail notification that your objections were received within 24 hours. If you do not receive this notification, please contact City Clerk Jim Owczarski at (414)-286-2998. If you file written objections, you or a legal representative may then also appear at the Common Council to make oral arguments supporting the written objections. You will be given approximately five minutes to present the oral argument.

Respectfully,


JAMES R. OWCZARSKI
City Clerk



CHAIR
• Licenses Committee

MEMBER
• Community and Economic
Development Committee
• Steering and Rules Committee



TONY ZIELINSKI
ALDERMAN, 14TH DISTRICT

Date: July 11, 2014

To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report of the renewal application of Joseph M. Kuntz, Agent for The Chalk House MKE, LLC for Class "B" Tavern and Public Entertainment Premises licenses for the premises located at 1137 North Old World Third Street in the City and County of Milwaukee, Wisconsin ("The Loaded Slate MKE").

FINDINGS OF FACT

1. Joseph M. Kuntz (hereinafter the "Licensee") is the holder of Class "B" Tavern and Public Entertainment Premises licenses for the premises located at 1137 North Old World Third Street in the City and County of Milwaukee, Wisconsin ("The Loaded Slate MKE "). Said licenses expire at midnight, September 3, 2014.
2. An application to renew said licenses was filed with the office of the City Clerk on June 2, 2014.
3. Pursuant to Chapters 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. The Milwaukee Police Department responded with a report that could form the basis of non-renewal or suspension of these licenses on June 3, 2014.
4. On June 25, 2014 the City Clerk's Office provided timely notice to the Licensee pursuant to Chapters 90 and 108 of the Milwaukee Code of Ordinances, Chapter 125 of the Wisconsin Statutes and included therewith a copy of the Milwaukee Police Department report. The matter was scheduled for a hearing on July 8, 2014, commencing at 10:00 a.m. in Room 301B of City Hall. At said date, time and place, the Licensee appeared and was represented by Attorney Michael J. Whitcomb.
5. Based upon the sworn testimony heard and the evidence from the synopsis Police report received at the hearing, the Committee finds the following:
 - A. On March 2, 2013 at 12:00 a.m. Milwaukee police conducted a license check at 1137 North Old World Third Street. The investigation revealed underage patrons were inside the bar and were cited. Police spoke with Paul Schemelzer who was the doorman/security person, who stated they must have had fake IDs because he checked everyone's ID as they entered. Schemelzer was advised to ask for a school ID or some other form of ID when suspicious of a patron. The agent, Joseph Kuntz, was advised to have his security refer to the identification reference book that was provided to them earlier in the year by police.



- B. On March 7, 2013 at 12:20 a.m., Milwaukee police conducted a license premise check at 1137 North Old World Third Street. Upon entering the tavern, police observed an employee of the bar standing on top of the counter with a bottle of liquor in her hand pouring it into the mouths of patrons. Police spoke with the agent Joseph Kuntz and explained that this is a health code violation and the employee would have to stop. Kuntz stated he was unaware that it was a violation and was issued a warning.
- C. On April 6, 2013 at 12:10 a.m., Milwaukee police conducted a license premise check at 1137 North Old World Third Street. The investigation revealed the bar had patrons under the age of 21 and those patrons were cited for presence of underage and obstructing. Officers spoke with Jerome Mellon who was advised of the underage patrons. Mellon stated that he would hold a meeting with his security about the on-going problem with underage patrons.
- D. On July 28, 2013 Milwaukee police were flagged down for a battery complaint in the 1100 block of North Old World Third Street. The investigation revealed the victim, Nicholas P. Zillman, had been hit in the head with a hammer. Both Zillman and the unidentified suspect were observed inside The Loaded Slate Tavern (1137 North Old World Third Street) shortly before the incident. Zillman appeared to be intoxicated and was uncooperative with police during the investigation. An incident report was filed.
- E. On September 13, 2013 at 12:04 a.m. a Milwaukee police officer conducted a licensed premise check at 1137 North Old World Third Street (Loaded Slate). The officer observed that the business appeared to be very near its posted capacity of 99, and asked the person at the door to let 5 patrons exit the business to every 2 allowed to enter in order to alleviate the crowd. The officer also observed a bartender pouring liquor directly into the mouth of a patron. The officer also observed some patrons leave their drinks at the bar and go to the back of the establishment which is consistent behavior for underage patrons. Because the officer was alone, he advised Kuntz to have the bartender cease his actions and the possibility of underage patrons in his establishment. No additional action was taken at that time. On September 20, 2013 12:08 a.m. Milwaukee police conducted a licensed premise check at 1137 North Old World Third Street (Loaded Slate). Officers at the exits checked patron identification as they exited the business and discovered 13 were under the legal drinking age of 21. One patron became combative and was placed in handcuffs. Capacity inside the business is 99 with the back bar open. The back bar was closed and officers estimate the crowd at 125-130. Additionally, the rear exit was padlocked from the inside. A total of 29 citations were written to patrons for violations of municipal ordinance including presence

of minor/underage, possession/consumption of alcohol, minor misrepresent age, obstructing issuance of citation, loitering taverns, and resist/obstruct officer. The applicant was cited for sale of alcohol to underage person.

As to the applicant:

Charge: Sale of Alcohol to Underage Person

Finding: Not guilty plea entered. No additional information.

- F. On September 26, 2013 at 3:00 p.m. Milwaukee Police Captain Aaron Raap, Sgt. Scott Charles, Sgt. Jeffrey Lintonen, Police Officer Xavier Benitez, Police Officer Adam Bradley and Michele Klingbeil met with Attorney Michael Whitcomb, Joe Kuntz and Shawn Mellon at 1137 North Old World Third Street (Loaded Slate) at the request of Joe Kuntz. The business owners are looking for techniques to prevent underage patrons from entering the bar. Several suggestions were made to prevent underage patrons from entering the business and to help alleviate over capacity issues.

- G. On May 3, 2014 a 19 year old Milwaukee police aide, working in conjunction with Milwaukee police, was able to gain entry into and then purchase a beer from the bartender at 1137 North Old World Third Street (Loaded Slate). The applicant received two citations.

Charge 1: Sale to Underage Prohibited

2: Presence of Minor at Licensed Premise

Finding

1: No information available

2: Due for review 06/24/2014 1:15pm

- H. Attorney Michael J. Whitcomb stated that underage individuals used fake IDs which were not detected by the establishment's scanner to gain access to the establishment. The applicants contacted him immediately following the September 2013 underage incident to determine a way to improve their operations. They then met with the police to discuss how to prevent underage individuals from entering the establishment. The police department will keep the applicant updated with a book showing the new types of fake IDs that are circulating. They have purchased a scanner that captures information to verify which IDs have been checked. On May 3, 2014, a waitress who served an underage individual was filling in behind the bar and did not realize that IDs had not been checked at the door during the transition from food to bar service. She has since been trained properly. The bartender who poured alcohol into a patron's mouth has been reprimanded. The applicant and Mr. Mellon will give the objector their cell phone numbers in case noise is an issue in the future. The applicant has spoken with management of the neighboring residential

building to be proactive about complaints. He states the business is an active member of the community. Noise may be coming from other establishments in the area as well.

- I. Shawn Mellon, 1710 North Commerce, testified that stated the security guard was told not to engage with the person with a hammer on July 28, 2013, as security personnel are to avoid individuals with weapons.
- J. Alderman Robert Bauman was present and he is concerned with the pattern of issues with noise and underage incidents on the police report. There is a consistent pattern of poor management. He states the noise emanating from the establishment has a strong negative impact on the growth of the neighborhood. Individuals should be able to move downtown without having to hear noise in their homes.
- K. Jacklyn Bercheck, 1141 North Old World Third Street stated that the business is disrespectful of neighbors when it comes to noise issues. She has moved from the 9th floor to the 27th floor in her building in attempt to avoid the noise. She has heard music noise between the hours of 12 a.m. and 2 a.m. She attributes noise to this specific establishment because she contacted the police and the noise was turned down after they investigated the report. She has attempted to contact the establishment via telephone to discuss issues and could not reach anyone. She was aware of neighboring businesses when she moved to the building, but did not anticipate being able to hear music from the establishment. She states she hears noise through her walls every weekend. Now that she has moved, the noise is muffled.

CONCLUSIONS OF LAW

- 1. The Committee has jurisdiction to hold hearings and provided Findings of Fact and Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapter 125 of the Wisconsin Statutes and Chapters 90 and 108 of the Milwaukee Code of Ordinances.
- 2. Based upon the above facts found, the Committee concludes that the Licensee, Joseph M. Kuntz, has not met the criteria of Chapters 90 and 108 of the Milwaukee Code of Ordinances or Chapter 125 of the Wisconsin Statutes to allow renewal of his Class "B" Tavern and Public Entertainment Premises licenses without undergoing a thirty (30) day suspension of said licenses based upon the police report and neighborhood testimony. The Committee finds the police report and testimony, 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 to renew

the Class "B" Tavern and Public Entertainment Premises licenses for the premises located at 1137 North Old World Third Street in the City and County of Milwaukee, Wisconsin ("The Loaded Slate MKE ") with a thirty (30) day suspension based upon the police report and witness testimony to the Committee.

RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of three (3) ayes, one (1) noe and one (1) abstention recommends that the Class "B" Tavern and Public Entertainment Premises licenses be renewed with a thirty (30) day suspension based on the police report and witness testimony.

Said suspension is to be in effect between 12:01 a.m. on September 4, 2014 through midnight, October 3, 2014.

Dated and signed at Milwaukee, Wisconsin this 11th day of July, 2014.

A handwritten signature in black ink, reading "Tony Zielinski". The signature is written in a cursive, flowing style.

TONY ZIELINSKI, Chair
Licenses Committee

205149



Office of the City Clerk

Jim Owczarski
City Clerk

Rebecca N. Grill
Deputy City Clerk

July 11, 2014

Suzette Allen
Just Jazz & Blues Lounge
2961 N 9th St
Milwaukee, WI 53206

Dear Ms. Allen:

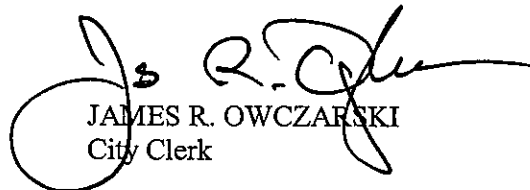
You are hereby notified that the Milwaukee Common Council will hold a hearing on Tuesday, July 22, 2014, commencing at 9:00 a.m., or as soon thereafter as this matter may be heard, in the Common Council chambers on the third floor of City Hall, 200 East Wells Street, Milwaukee, Wisconsin to consider whether to renew, renew with a suspension between 10 and 90 days, or not renew the Class B Tavern and Public Entertainment Premises license(s) for the premises located at 634 W North Ave ("Just Jazz & Blues Lounge").

Attached you will find a copy of the Report of the Licenses Committee, which includes its Findings of Fact, Conclusions of Law, and Recommendation, recommending a 10 day suspension of the Class B Tavern and Public Entertainment Premises license(s) based upon the police report. This recommendation is the result of a public hearing before the Committee held on Tuesday, July 8, 2014.

Please be advised that the Common Council will determine whether to renew, renew with a suspension between 10 and 90 days, or not renew your Class B Tavern and Public Entertainment Premises license(s) based upon the Findings of Fact contained within the Licenses Committee report.

You may file written objections to the report of the Licenses Committee. The written objections must be filed with the City Clerk by 4:45 p.m. on Wednesday, July 16, 2014 in Room 205 of City Hall. If you wish to file your objections via e-mail, they must be sent to both jowcza@milwaukee.gov and jlcelel@milwaukee.gov. You will be sent an e-mail notification that your objections were received within 24 hours. If you do not receive this notification, please contact City Clerk Jim Owczarski at (414)-286-2998. If you file written objections, you or a legal representative may then also appear at the Common Council to make oral arguments supporting the written objections. You will be given approximately five minutes to present the oral argument.

Respectfully,



JAMES R. OWCZARSKI
City Clerk



CHAIR
• Licenses Committee

MEMBER
• Community and Economic
Development Committee.
• Steering and Rules Committee



TONY ZIELINSKI
ALDERMAN, 14TH DISTRICT

Date: July 11, 2014

To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report of the renewal application of Suzette R. Allen for Class "B" Tavern and Public Entertainment Premises licenses for the premises located at 634 West North Avenue in the City and County of Milwaukee, Wisconsin ("Just Jazz & Blues Lounge").

FINDINGS OF FACT

1. Suzette R. Allen (hereinafter the "Licensee") is the holder of Class "B" Tavern and Public Entertainment Premises licenses for the premises located at 634 West North Avenue in the City and County of Milwaukee, Wisconsin ("Just Jazz & Blues Lounge"). Said license expires at midnight, July 22, 2014.
2. An application to renew said licenses was filed with the office of the City Clerk on June 5, 2014.
3. Pursuant to Chapters 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. The Milwaukee Police Department responded with a report that could form the basis of non-renewal or suspension of these licenses on June 6, 2014.
4. On June 26, 2014 the City Clerk's Office provided timely notice to the Licensee pursuant to Chapters 90 and 108 of the Milwaukee Code of Ordinances, Chapter 125 of the Wisconsin Statutes and included therewith a copy of the Milwaukee Police Department report. The matter was scheduled for a hearing on July 8, 2014, commencing at 2:45 p.m. in Room 301B of City Hall. At said date, time and place, the Licensee appeared and was not represented by counsel.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
 - A. On April 25, 2013 the applicant was cited at 2961 North 9th Street in the City of Milwaukee for Building Code Violations.

Charge:	Building Code Violations
Finding:	Guilty
Sentence:	\$1280.00 fine - in warrant status
Date:	01/09/2014



- B. On August 3, 2013 at 2:22 a.m. Milwaukee police responded to a shots fired complaint at North 6th Street and West North Avenue. Officers discovered a victim lying in the crosswalk at North 6th Street and West North Avenue. Witnesses told officers that the victim and two other subjects had been involved in an altercation at 634 West North Avenue (Just Jazz & Blues Lounge). One of the two subjects involved in the altercation with the victim shot at the victim with a black semi-automatic handgun. Milwaukee police filed an incident report.
- C. On August 8, 2013 the applicant met with representatives from the Milwaukee Police Department as well as the City Attorney's Office at Milwaukee Police District #5 to discuss the homicide of a patron of their business at 634 West North Avenue (Just Jazz and Blues) which occurred on August 3, 2013. The applicant stated this event was out of character for their clientele and that she was concerned about entry into customers cars parked in the area. The applicant was advised to install security cameras.
- D. On January 14, 2014 Milwaukee police conducted a licensed premise check at 634 West North Avenue (Just Jazz & Blues Lounge). During this check, it was discovered there was no licensed bartender on duty and that the only source of heat was portable space heaters and portable propane heaters. The bartender who was working, Eddie Nuell, was cited for Class "D" Operator's license required.

As to Eddie Nuell:

Charge: Class D Operator's Liquor License
Finding: Guilty
Sentence: \$184.00
Date: 03/06/2014

- E. On February 2, 2014 Milwaukee police conducted a licensed premise check at 634 West North Avenue (Just Jazz & Blues Lounge). During this check, it was discovered there was no licensed bartender on duty. The applicant was cited for responsible person on premises required.

Charge: Responsible Person on Premises Required
Finding: Not adjudicated***warrant for failure to appear Issued***

CONCLUSIONS OF LAW

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

2. Based upon the above facts found, the Committee concludes that the Licensee, Suzette R. Allen, has not met the criteria of Chapters 90 and 108 of the Milwaukee Code of Ordinances or Chapter 125 of the Wisconsin Statutes to allow renewal of her Class "B" Tavern and Public Entertainment Premises licenses without undergoing a ten (10) day suspension of said licenses based upon the police report. The Committee finds the police report, 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 to renew the Class "B" Tavern and Public Entertainment Premises licenses for the premises located at 634 West North Avenue in the City and County of Milwaukee, Wisconsin ("Just Jazz & Blues Lounge") with a ten (10) day suspension based upon the police report.

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 "B" Tavern and Public Entertainment Premises licenses be renewed with a ten (10) day suspension based on the police report.

Said suspension is to be in effect between 12:01 a.m. on July 23, 2014 through midnight, August 1, 2014.

Dated and signed at Milwaukee, Wisconsin this 11th day of July, 2014.



TONY ZIELINSKI, Chair
Licenses Committee

205150



Office of the City Clerk

Jim Owczarski
City Clerk

Rebecca N. Grill
Deputy City Clerk

July 11, 2014

Archie Hamilton
My Spot
2474 W Hopkins St
Milwaukee, WI 53206

Dear Mr. Hamilton:

You are hereby notified that the Milwaukee Common Council will hold a hearing on Tuesday, July 22, 2014, commencing at 9:00 a.m., or as soon thereafter as this matter may be heard, in the Common Council chambers on the third floor of City Hall, 200 East Wells Street, Milwaukee, Wisconsin to consider whether to renew, renew with a suspension between 10 and 90 days, or not renew the Class B Tavern and Public Entertainment Premises license(s) for the premises located at 2474 W Hopkins St ("My Spot").

Attached you will find a copy of the Report of the Licenses Committee, which includes its Findings of Fact, Conclusions of Law, and Recommendation, recommending nonrenewal of the Class B Tavern and Public Entertainment Premises license(s) based upon licensee testimony and the police report. This recommendation is the result of a public hearing before the Committee held on Tuesday, July 8, 2014.

Please be advised that the Common Council will determine whether to renew, renew with a suspension between 10 and 90 days, or not renew your Class B Tavern and Public Entertainment Premises license(s) based upon the Findings of Fact contained within the Licenses Committee report.

You may file written objections to the report of the Licenses Committee. The written objections must be filed with the City Clerk by 4:45 p.m. on Wednesday, July 16, 2014 in Room 205 of City Hall. If you wish to file your objections via e-mail, they must be sent to both jowcza@milwaukee.gov and jlcelel@milwaukee.gov. You will be sent an e-mail notification that your objections were received within 24 hours. If you do not receive this notification, please contact City Clerk Jim Owczarski at (414)-286-2998. If you file written objections, you or a legal representative may then also appear at the Common Council to make oral arguments supporting the written objections. You will be given approximately five minutes to present the oral argument.

Respectfully,

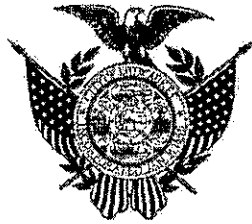


JAMES R. OWCZARSKI
City Clerk



CHAIR
• Licenses Committee

MEMBER
• Community and Economic
Development Committee
• Steering and Rules Committee



TONY ZIELINSKI
ALDERMAN, 14TH DISTRICT

Date: July 11, 2014

To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report of the renewal application of Archie L. Hamilton, for Class "B" Tavern and Public Entertainment Premises licenses and request to add patrons dancing for the premises located at 2474 West Hopkins Street in the City and County of Milwaukee, Wisconsin ("My Spot").

FINDINGS OF FACT

1. Archie L. Hamilton (hereinafter the "Licensee") is the holder of Class "B" Tavern and Public Entertainment Premises licenses for the premises located at 2474 West Hopkins Street in the City and County of Milwaukee, Wisconsin ("My Spot"). Said license expired at midnight, July 5, 2014.
2. An application to renew said licenses was filed with the office of the City Clerk on June 4, 2014.
3. Pursuant to Chapters 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. The Milwaukee Police Department responded with a report that could form the basis of non-renewal or suspension of these licenses on June 11, 2014.
4. On June 25, 2014 the City Clerk's Office provided timely notice to the Licensee pursuant to Chapters 90 and 108 of the Milwaukee Code of Ordinances, Chapter 125 of the Wisconsin Statutes and included therewith a copy of the Milwaukee Police Department report. The matter was scheduled for a hearing on July 8, 2014, commencing at 2:45 p.m. in Room 301B of City Hall. At said date, time and place, the Licensee appeared and was not represented by counsel.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
 - A. On June 5, 2014 a Milwaukee police officer received information from Alderwoman Coggs' office that the business at 2474 West Hopkins Street (My Spot) is being run by someone other than the applicant. An employee of the business, Lyle A. McDowell, told the officer that the business is run by Archie Hamilton (applicant). The applicant also told the officer, by phone, that he is responsible for the day-to-day operation of the business.



- B. On June 6, 2014, Milwaukee police officers met Lyle McDowell at Milwaukee Police District 5 regarding the business at 2474 West Hopkins Street. This meeting was held at the request of Milwaukee Police. McDowell was contacted after officers were not able to make contact with the applicant and they discovered that the applicant has removed his name with WE Energies for this address. McDowell told officers that he is in the process of purchasing the building and has been subleasing the business from Archie Hamilton for over a month. McDowell was told that because he does not possess a manager's license, Hamilton must be in control and present for the daily operations of the business.
- C. At the July 8th hearing, the applicant stated to the Licenses Committee that he is running the bar, but Mr. McDowell will help after getting a Class "B" Manager's license. He is the owner of the building and Mr. McDowell is an employee. He stated that he pays Mr. McDowell in cash, but does not have receipts. The utilities in the building were shut off, so the utilities were put in the name of Mr. McDowell's friend, but he does not know the friend's name.
- D. Lyle McDowell, 3606 North 2nd Lane testified that the WE Energies bill for the establishment is under the name of Parkers Hospitality-Kelly Parker. He would like to get back into the bar business, but is starting out by bartending at the establishment. He states that there was a misunderstanding on the police report, which states he is leasing the business. He states he told police that he would like to get back in the business by starting out as a bartender and then becoming a manager. He states that when he was ready to get back into business he would lease the building.
- E. Alderwoman Coggs testified that she has received letters, notifications on social media, and phone calls suggesting there is a collusive agreement at the establishment. She received a letter that is in the file indicating that the licensee has had a pattern of allowing other individuals to run the bar.

CONCLUSIONS OF LAW

1. The Committee has jurisdiction to hold hearings and provided Findings of Fact and Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapter 125 of the Wisconsin Statutes and Chapters 90 and 108 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concludes that the Licensee, Archie L. Hamilton, has not met the criteria of Chapters 90 and 108 of the Milwaukee Code of Ordinances or Chapter 125 of the Wisconsin Statutes to allow

renewal of his Class "B" Tavern and Public Entertainment Premises license based upon the police report and licensee testimony. The Committee finds the police report and testimony, as stated above, to be true. The Committee finds that the licensee allowed another person to use his licenses, contrary to MCO 90-9, and that the licensee testified untruthfully to the Committee regarding this matter.

3. Based upon the above facts found, the Committee concludes that the Licensee, Archie L. Hamilton, has violated MCO 90-8-5. Use of License by Another Prohibited [No person may allow another to use his or her alcohol beverage retail establishment license to sell alcohol beverages].
4. In order to protect the health, safety and welfare of the citizens of the City of Milwaukee, it is the recommendation of the Licenses Committee that the full Common Council of the City of Milwaukee should exercise its judgment to not renew the Class "B" Tavern and Public Entertainment Premises licenses for the premises located at 2474 West Hopkins Street in the City and County of Milwaukee, Wisconsin ("My Spot") with based upon the above police report and testimony.

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 "B" Tavern and Public Entertainment Premises licenses not be renewed based on the police report and testimony before the Licenses Committee.

Dated and signed at Milwaukee, Wisconsin this 11th day of July, 2014.



TONY ZIELINSKI, Chair
Licenses Committee

205157



Office of the City Clerk

Jim Owczarski
City Clerk

Rebecca N. Grill
Deputy City Clerk

July 11, 2014

Sherlise Jewell
SRJewell Entertainment, LLC
6546 N 55th St
Milwaukee, WI 53223

Attorney Patrick Brennan
1110 N Old World Third St #200
Milwaukee, WI 53203

Dear Ms. Jewell:

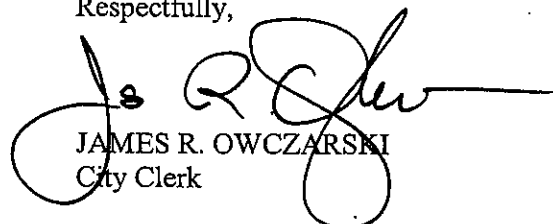
You are hereby notified that the Milwaukee Common Council will hold a hearing on Tuesday, July 22, 2014, commencing at 9:00 a.m., or as soon thereafter as this matter may be heard, in the Common Council chambers on the third floor of City Hall, 200 East Wells Street, Milwaukee, Wisconsin to consider whether to renew, renew with a suspension between 10 and 90 days, or not renew the Class B Tavern and Public Entertainment Premises license(s) for the premises located at 4200 W Burleigh St ("42nd Street Bar & Grill").

Attached you will find a copy of the Report of the Licenses Committee, which includes its Findings of Fact, Conclusions of Law, and Recommendation, recommending a 30 day suspension of the Class B Tavern and Public Entertainment Premises license(s) based upon the police report, excluding item #25. This recommendation is the result of a public hearing before the Committee held on Tuesday, July 8, 2014.

Please be advised that the Common Council will determine whether to renew, renew with a suspension between 10 and 90 days, or not renew your Class B Tavern and Public Entertainment Premises license(s) based upon the Findings of Fact contained within the Licenses Committee report.

You may file written objections to the report of the Licenses Committee. The written objections must be filed with the City Clerk by 4:45 p.m. on Wednesday, July 16, 2014 in Room 205 of City Hall. If you wish to file your objections via e-mail, they must be sent to both jowcza@milwaukee.gov and jcelel@milwaukee.gov. You will be sent an e-mail notification that your objections were received within 24 hours. If you do not receive this notification, please contact City Clerk Jim Owczarski at (414)-286-2998. If you file written objections, you or a legal representative may then also appear at the Common Council to make oral arguments supporting the written objections. You will be given approximately five minutes to present the oral argument.

Respectfully,



JAMES R. OWCZARSKI
City Clerk



CHAIR

• Licenses Committee

MEMBER• Community and Economic
Development Committee
• Steering and Rules Committee

TONY ZIELINSKI
ALDERMAN, 14TH DISTRICT

Date: July 11, 2014

To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report of the renewal application of Sherlise A. Jewell, Agent for Srjewell Entertainment, LLC for Class "B" Tavern and Public Entertainment Premises licenses for the premises located at 4200 West Burleigh Street in the City and County of Milwaukee, Wisconsin ("42nd Street Bar & Grill").

FINDINGS OF FACT

1. Sherlise A. Jewell (hereinafter the "Licensee") is the holder of Class "B" Tavern and Public Entertainment Premises licenses for the premises located at 4200 West Burleigh Street in the City and County of Milwaukee, Wisconsin ("42nd Street Bar & Grill"). Said licenses expire at midnight, September 15, 2014.
2. An application to renew said licenses was timely filed with the office of the City Clerk on June 25, 2014.
3. Pursuant to Chapters 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. The Milwaukee Police Department responded with a report that could form the basis of non-renewal or suspension of these licenses on June 25, 2014.
4. On June 26, 2014 the City Clerk's Office provided timely notice to the Licensee pursuant to Chapters 90 and 108 of the Milwaukee Code of Ordinances, Chapter 125 of the Wisconsin Statutes and included therewith a copy of the Milwaukee Police Department report. The matter was scheduled for a hearing on July 8, 2014, commencing at 3:15 p.m. in Room 301B of City Hall. At said date, time and place, the Licensee appeared and was represented by Attorney Patrick Brennan.



5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
 - A. On June 20, 2013 at 1:45 a.m., Milwaukee police were dispatched to 3114 North Sherman Boulevard for a fight in progress complaint. Upon police arrival, officers heard shots being fired one block east of their location on West Burleigh Street. Police responded to the area and the investigation revealed an incident occurred at the Glory Daze bar between bar employees and an individual in the bar's parking lot. Police viewed surveillance video, which showed an auto entering the parking lot around 1:23 a.m. by driving over cones and almost striking two citizens. The auto continued to the north side of the parking lot and it appeared that a male was pointing a handgun at the auto. A further investigation revealed the male pointing the gun was an employee of Glory Daze and was identified as Justin North. Video then shows the car backing out of the parking lot and almost striking two parked autos, however, there was no indication of shots being fired due to no muzzle flashes being seen. The video continues to show the car returning to the parking lot around 1:46 a.m. with North and another employee of the bar having a conversation. The driver of the auto then pulls out a gun and begins to walk west on Burleigh. It was later determined the conversation was over money being owed to the individual by one of the bar's employees. The video then depicts another employee, identified as Tyrone Sanford, taking cover behind a pick-up truck parked on the southwest corner of the parking lot. It appears that Sanford is extending his arms around the truck towards the individual. Sanford's statement to police was that he and another employee, Justin North, were on the parking lot handing out flyers for an upcoming event, but that he (Sanford) was not working that night. Sanford stated that the subject, who had exited the auto, pulled out a gun after a brief argument about money owed to him. Sanford stated he did not draw his weapon and that he attempted to talk the male down. Sanford stated he walked away westbound on Burleigh when he then took cover behind a green pick up truck after hearing shots fired. It was also determined that another employee, Martell Booker, was armed as well.

Officers spoke with Sherlise and Rickey Jewell on June 28, 2013 and they informed police that they do not allow firearms in the tavern and that they have not given any of the employees permission to carry a weapon in the tavern while working. Both Sherlise and Rickey Jewell stated they were unaware that their employees, Booker and Sanford were armed. Both Booker and Sanford had their guns confiscated by police, which were placed on police inventory.

As police were initially investigating the shots fired, officers confronted the suspect believed to be firing the shots and who was not complying with police orders and officers used deadly force. This subject was found to be the individual who had driven his auto in the Glory Daze parking lot and had an argument with one of the employees.

- B. On January 26, 2014 Milwaukee police observed several patrons exit 42nd Street Bar and Grill, these patrons were arguing and yelling while walking to their cars. Some of these same patrons stopped their cars in traffic to speak to other patrons. One of the officers making these observations heard 4-5 shots in close proximity to their location. Shortly after hearing the gunshots, an additional officer was flagged down by a citizen who stated he had been shot while in his vehicle outside 42nd Street Bar and Grill. Milwaukee police filed an incident report.
- C. On March 22, 2014 Milwaukee police responded to a shooting complaint at 4200 West Burleigh Street (42nd Street Bar and Grill). The investigation revealed that several shots had been fired inside and outside the business, but no injuries were reported or discovered. An incident report was filed.
- D. Attorney Patrick Brennan stated that on the June 20, 2013 incident, an individual showed up at closing time and ran over cones. Security personnel confronted the individual and told him to leave. He states no one associated with the business, including Justin North, pointed a weapon at the individual. No tavern violation tickets were issued. On August 6, 2013, the only connection between the incident and the establishment is that the charged individual was an employee of the establishment. The employee, Harold Jewell, has been terminated. The incident is pending circuit court prosecution, but no tavern violation tickets were issued. On March 22, 2014 someone fired shots from outside into the bar. Someone in the bar fired back. Mr. Jewell was on site and cooperative with police. Police were unable to determine who fired shots from security footage. Shooting from the inside of the establishment should not have happened and will not happen again. Based on recommendations from the police department, the business now wands all patrons, whereas they previously did some wandering and some pat-downs. He states the applicant and her husband are committed to the neighborhood and are involved with community outreach. They have been cooperative with police.
- E. Rickey Jewell, 6546 North 55th Street testified.
- F. Alderman Willie Wade was present and stated that he has only gotten one call about the business since the business began operating. None of the incidents on the police report resulted in tickets being issued to the bar.

CONCLUSIONS OF LAW

1. The Committee has jurisdiction to hold hearings and provided Findings of Fact and Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapter 125 of the Wisconsin Statutes and Chapters 90 and 108 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concludes that the Licensee, Sherlise A. Jewell, has not met the criteria of Chapters 90 and 108 of the Milwaukee Code of Ordinances or Chapter 125 of the Wisconsin Statutes to allow

renewal of her Class "B" Tavern and Public Entertainment Premises licenses without undergoing a thirty (30) day suspension of said licenses based upon the police report. The Committee finds the police report, 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 to renew the Class "B" Tavern and Public Entertainment Premises licenses for the premises located at 4200 West Burleigh Street in the City and County of Milwaukee, Wisconsin ("42nd Street Bar & Grill") with a thirty (30) day suspension based upon the police report.

RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of three (3) ayes and two (2) noes, recommends that the Class "B" Tavern and Public Entertainment Premises licenses be renewed with a thirty (30) day suspension based on the police report.

Said suspension is to be in effect between 12:01 a.m. on September 16, 2014 through midnight, October 15, 2014.

Dated and signed at Milwaukee, Wisconsin this 11th day of July, 2014.



TONY ZIELINSKI, Chair
Licenses Committee

205149



Office of the City Clerk

Jim Owczarski
City Clerk

Rebecca N. Grill
Deputy City Clerk

July 11, 2014

Anthony Woodland
2108 N 29th St
Milwaukee, WI 53208

Dear Mr. Woodland,

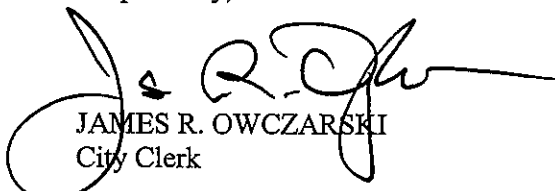
You are hereby notified that the Milwaukee Common Council will hold a hearing on Tuesday, July 22, 2014, commencing at 9:00 a.m., or as soon thereafter as this matter may be heard, in the Common Council chambers on the third floor of City Hall, 200 East Wells Street, Milwaukee, Wisconsin to consider whether to renew, renew with a suspension between 10 and 90 days, or not renew your Ice Cream Peddler license.

Attached you will find a copy of the Report of the Licenses Committee, which includes its Findings of Fact, Conclusions of Law, and Recommendation, recommending nonrenewal of your Ice Cream Peddler license, based upon nonappearance. This recommendation is the result of a public hearing before the Committee held on Tuesday, July 8, 2014.

Please be advised that the Common Council will determine whether to renew, renew with a suspension between 10 and 90 days, or not renew your Ice Cream Peddler license based upon the Findings of Fact contained within the Licenses Committee report.

You may file written objections to the report of the Licenses Committee. The written objections must be filed with the City Clerk by 4:45 p.m. on Wednesday, July 16, 2014 in Room 205 of City Hall. If you wish to file your objections via e-mail, they must be sent to **both** jowcza@milwaukee.gov and jlcel@milwaukee.gov. You will be sent an e-mail notification that your objections were received within 24 hours. If you do not receive this notification, please contact City Clerk Jim Owczarski at (414)-286-2998. If you file written objections, you or a legal representative may then also appear at the Common Council to make oral arguments supporting the written objections. You will be given approximately five minutes to present the oral argument.

Respectfully,



JAMES R. OWCZARSKI
City Clerk



CHAIR

• Licenses Committee

MEMBER

• Community and Economic
Development Committee
• Steering and Rules Committee



TONY ZIELINSKI
ALDERMAN, 14TH DISTRICT

Date: July 11, 2014

To: All Members of the Milwaukee Common Council

From: Licenses Committee

Re: Report on the renewal application for an Ice Cream Peddler License for Anthony Woodland.

FINDINGS OF FACT

1. Anthony Woodland (hereinafter the "Applicant") applied for renewal of the Ice Cream Peddler License. Said license expired on June 30, 2014.
2. An application for an Ice Cream Peddler's License in the name of Anthony Woodland was filed on April 11, 2014.
3. On June 23, 2014 the City Clerk's Office provided timely notice to the Licensee pursuant to Chapter 68. The matter was scheduled for a hearing on July 8, 2014, commencing at 1:45 p.m. in Room 301B of City Hall. At said date, time and place, the licensee did not appear and was not represented by counsel.
4. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds:
 - A. A notice of the hearing as well as a copy of the police report was sent to Anthony Woodland, 2108 North 29th Street, Milwaukee, Wisconsin 53208 on June 23, 2014 by U.S. prepaid first-class mail in an envelope bearing the return address of the License Division. The address of 2108 North 29th Street, Milwaukee, Wisconsin 53208 is the address given by the Licensee on his 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 July 8, 2014.

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 68 of the Milwaukee Code of Ordinances.
2. Based on the above facts found, the Committee concludes that the Applicant, Anthony Woodland has not met the criteria of Chapter 68 of the Milwaukee Code of Ordinances to allow the renewal of an Ice Cream Peddler License based on 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 Ice Cream Peddler License of Anthony Woodland based on 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 Ice Cream Peddler License application of Anthony Woodland be denied based upon nonappearance.

Dated and signed at Milwaukee, Wisconsin this 11th day of July, 2014.

A handwritten signature in black ink, reading "Tony Zielinski". The signature is written in a cursive, flowing style with a large initial "T" and a long, sweeping underline.

TONY ZIELINSKI
Chairman Licenses Committee