



Office of the City Clerk

Jim Owczarski
City Clerk
jowcza@milwaukee.gov

Richard G. Pfaff
Deputy City Clerk
rpfaff@milwaukee.gov

May 1, 2015

Michael Tsirlin
Zarko's Nightclub
4126 N Teutonia Ave
Milwaukee, WI 53209

Atty. Michael Maistelman
8989 N Port Washington Rd Ste 221
Milwaukee, WI 53217

Dear Mr. Tsirlin:

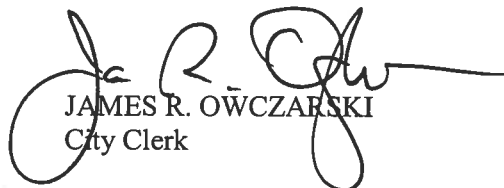
You are hereby notified that the Milwaukee Common Council will hold a hearing on Tuesday, May 12, 2015, commencing at 9:00 a.m., or as soon thereafter as this matter may be heard, in the Common Council chambers on the third floor of City Hall, 200 East Wells Street, Milwaukee, Wisconsin to consider whether 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 4126 N Teutonia Ave ("Zarko's Nightclub").

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, April 28, 2015.

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, May 6, 2015 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





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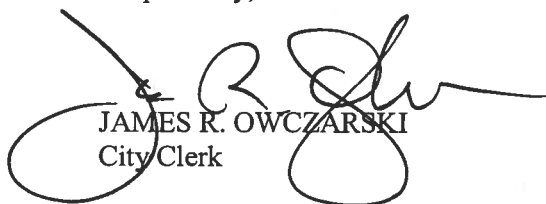
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Attached you will find a copy of the Report of the Licenses Committee, which includes its Findings of Fact, Conclusions of Law, and Recommendation, recommending a 10 day suspension of the Class B Tavern and Public Entertainment Premises license(s) based upon the police report. This recommendation is the result of a public hearing before the Committee held on Tuesday, April 28, 2015.

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.

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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: May 1, 2015

To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report of the renewal application of Michael Tsirlin for a Class "B" Tavern and Public Entertainment Premises licenses for the premises located at 4126 North Teutonia Avenue in the City and County of Milwaukee, Wisconsin ("Zarko's Nightclub").

FINDINGS OF FACT

1. Michael Tsirlin (hereinafter the "Licensee") is the holder of Class "B" Tavern and Public Entertainment Premises licenses for the premises located at 4126 North Teutonia Avenue in the City and County of Milwaukee, Wisconsin ("Zarko's Nightclub"). Said licenses expire at midnight, May 12, 2015.
2. An application to renew said licenses was filed with the office of the City Clerk on March 2, 2015.
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 March 12, 2015.
4. On April 16, 2015 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 April 28, 2015, commencing at 9:00 a.m. in Room 301B of City Hall. At said date, time and place, the Licensee appeared and was represented by Attorney Michael Maistelman.
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 4/08/2014 Milwaukee police met with the applicant at Milwaukee Police District 5 to discuss the applicant's plans to turn over the business to Montal L. Hinton. Mr. Hinton currently holds a Class B managers license and is the manager on scene of the business. The applicant told officers that his intention is to eventually turn over the business to Mr. Hinton under a land contract.



- B. On 7/13/2010 the applicant was cited in Washington County for Water Skiing at Prohibited Times.

Charge: Water Skiing at Prohibited times
Finding: Guilty
Sentence: Fine
Date: 9/02/2010
Case: 2010FO000669

- C. On 11/30/2014 Milwaukee police responded to a shooting at Zarkos Nightclub (4126 North Teutonia Avenue). Investigation revealed some patrons of the business were escorted out by security after being involved in a fight inside the bar. Surveillance video provided by the business displayed one of the patrons being escorted out was holding a handgun. Casings and unspent rounds were recovered from directly outside of the front door of business as well as the parking lot. Milwaukee police incident report #143340016 filed.
- D. Atty. Michael Maistelman appearing with the applicant. He states that a private security firm operates at the establishment each day of the week and the number of personnel are increased over the weekend. It is policy to wand customers, but that was not done the night of the police incident. They were now re-examining the security plan and are looking at hiring a different, bonded security company. They intend to work more on patrolling the area around the establishment and will investigate including ID scanners in the operation.
- E. The applicant states they have tried ID scanners in the past, but there are so many fake IDs that physically looking at ID has been more effective. They will investigate newer technology in scanners. They also have security escort people to cars.
- F. Ald. Hamilton present at the table. The business has been operating for many years and the applicant has consistently participated in the business improvement district. They have also communicated well. There has been a lapse however. The applicant has worked with the neighbors to occasionally shut down and reconfigure plans. He would like one person from the business assigned to attend the BID meetings so any issues could be addressed immediately.

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, Michael Tsirlin, 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 ten (10) day suspension of said licenses based upon the police report. 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 4126 North Teutonia Avenue in the City and County of Milwaukee, Wisconsin ("Zarko's Nightclub") 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 four (4) ayes and one (1) excused 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 May 13, 2015 through 11:59 PM, May 22, 2015.

Dated and signed at Milwaukee, Wisconsin this 1st day of May, 2015.



TONY ZIELINSKI, Chair
Licenses Committee



Office of the City Clerk

Jim Owczarski
City Clerk
jowcza@milwaukee.gov

Richard G. Pfaff
Deputy City Clerk
rpfaff@milwaukee.gov

May 1, 2015

Stephen Jaszowski
Pepper 200, LLC
200 E Washington St
Milwaukee, WI 53204

Atty. William Fenger
2820 E Layton Ave
St Francis, WI 53235

Dear Mr. Jaszowski:

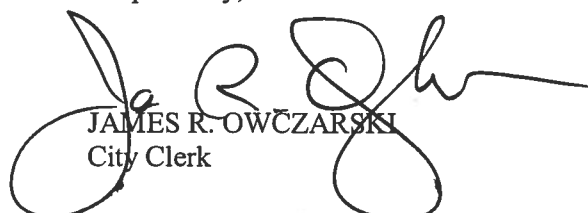
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Attached you will find a copy of the Report of the Licenses Committee, which includes its Findings of Fact, Conclusions of Law, and Recommendation, recommending renewal of the Class B Tavern License and renewal with a 30 day suspension of the Public Entertainment Premises license based upon police, aldermanic, and public testimony and the police report. This recommendation is the result of a public hearing before the Committee held on Tuesday, April 28, 2015.

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.

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May 1, 2015

Atty. William Fenger
2820 E Layton Ave
St Francis, WI 53235

Stephen Jaskowski
Pepper 200, LLC
200 E Washington St
Milwaukee, WI 53204

Dear Mr. Jaskowski:

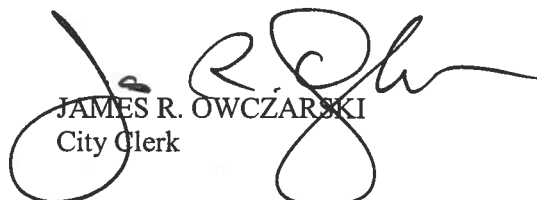
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Attached you will find a copy of the Report of the Licenses Committee, which includes its Findings of Fact, Conclusions of Law, and Recommendation, recommending renewal of the Class B Tavern License and renewal with a 30 day suspension of the Public Entertainment Premises license based upon police, aldermanic, and public testimony and the police report. This recommendation is the result of a public hearing before the Committee held on Tuesday, April 28, 2015.

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.

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JAMES R. OWCZARSKI
City Clerk



CHAIR

- Licenses Committee

MEMBER

- Community and Economic Development Committee
- Steering and Rules Committee



TONY ZIELINSKI
ALDERMAN, 14TH DISTRICT

Date: May 1, 2015

To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report of the renewal application of Stephen G. Jaszowski, Agent for PEPPER 200, LLC for a Class "B" Tavern and Public Entertainment Premises licenses for the premises located at 200 East Washington Street in the City and County of Milwaukee, Wisconsin ("Studio 200").

FINDINGS OF FACT

1. Stephen G. Jaszowski, (hereinafter the "Licensee") is the holder of Class "B" Tavern and Public Entertainment Premises licenses for the premises located at 200 East Washington Street in the City and County of Milwaukee, Wisconsin ("Studio 200"). Said licenses expire at midnight, May 2, 2015.
2. An application to renew said licenses was filed with the office of the City Clerk on April 16, 2015.
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.
4. On April 16, 2015, 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 April 28, 2015, commencing at 10:15 a.m. in Room 301B of City Hall. At said date, time and place, the Licensee did not appear but was represented by Atty. William Fenger
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 4/13/2014 Milwaukee police responded to a loud music complaint at 200 East Washington Street (Club 200). Officers spoke to the caller who stated he just wanted the music turned down. Officers then spoke to staff at the business, which turned down the music.



- B. On 4/20/2014 Milwaukee police responded to a loud music complaint at 200 East Washington Street (Club 200). Officers could hear music from the business from approximately 620 feet away. The applicant was cited.
- C. On 6/5/2015 Milwaukee police responded to a loud music complaint at 200 East Washington Street (Club 200). Officers spoke to the called who asked that officers speak to the owner of the club and ask them to turn the music down. Officers then spoke to staff at the business, which turned down the music.
- D. On 7/12/2014 Milwaukee police conducted a licensed premise check at 200 East Washington Street (Club 200). No violations were observed.
- F. On 12/31/2014 Milwaukee police conducted licensed premise checks at 1100 South Barclay Street (Pandemonium 2) and 200 East Washington Street (Club 200). The two businesses are across the street from each other and information had been received that an "underground dance party" would be held at Pandemonium 2 with club 200 acting as a licensed bar in conjunction with the event. Officers spoke to a promoter for the event who stated the event had been moved to a venue outside of Milwaukee. No violations were observed.
- H. Atty. William Fenger stated that when the alderman has contacted the establishment about problems, he had requested Sharon Dixon respond. He is the owner of the business and Sharon Dixon is the property owner. There is a possibility that he has been unaware of some issues at the establishment. Bartenders do the day to day management of the business. He states the disc jockeys determine their own music and once they turn the music up too loud, the business does not hire the disc jockey again. They have told four or five promoters that they will no longer do business with them. An agent at the business hires the disc jockeys. The owner is not at the events, but is aware of when they occur and approves them. If disc jockeys do not follow the establishment's rules, they are not re-hired. The speakers on the patio can be controlled by contract and the bartenders can keep the noise under control. He will give the neighbors his phone number so they can contact him if there are issues.
- I. Doug Quigley – 1110 South 1st Street –There have been issues at the establishment for many years. He approached Ms. Dixon several years ago and told her that his home was pulsating from the music. He states she was combative in response. Since then he has been contacting the police department, the Department of Neighborhood Services, and now the alderman regard noise.

- J. Curtis Peck – 1108 South 1st Street – He agrees with the previous speaker. He has known Ms. Dixon for many years and he has spoken to her about the loud music. He states her response was that she can play music as loud as she'd like. Her Facebook page has patrons of the establishment thanking her for a good night. Music has been so loud that he has seen panels of a parked truck vibrate. The establishment has music both inside and outside.
- K. Kathleen Hamilton – 1128 South 1st Street – She agrees with both of the previous speakers. On one night, she was speaking with a police officer outside the establishment at 1:30 AM and Ms. Dixon approached them to state she spoke with other neighbors and no one else had problems with the noise. Ms. Dixon gave her a phone number to call if there were issues. She called the number and got no answer. She contacted the alderman and immediately saw improvements, but the noise has recently become an issue again.
- L. Officer Kevin Vodicka – A report was received about an event across the street from the establishment. The event was to occur at an unlicensed premise. Ms. Dixon stated that both locations would be having disc jockeys and those attending the other event would be given wristbands for access to the licensed establishment.
- M. Sonia Conipo – 170 West Crawford Avenue – She is a disc jockey at the establishment. She works with the business to hold food drives, clothing drives, and blood drives. Last fall the amplifier settings area had been locked up, but some disc jockeys bring their own equipment. She tries to keep the volumes low and not play music too late. She says music also emanates from area house parties and cars in a nearby gas station parking lot. She contracts through one of the bartenders. Ms. Dixon comes to the establishment when the music is too loud to have it turned down.
- N. Ald. Perez states he has witnessed loud music at the establishment and went in to ask that it be turned down. He spoke with Sharon Dixon during the incident. He states it is not clear who manages the establishment.
- O. Ald. Zielinski moved to remove speakers from the patio per Atty. Fenger. (Prevailed 5-0).

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, Stephen G. Jaskowski, has not met the criteria of Chapter 108 of the Milwaukee Code of Ordinances to allow renewal of his Public Entertainment Premises licenses without undergoing a thirty (30) day suspension of said license based upon the police report, neighborhood testimony, police testimony and aldermanic testimony. The Committee finds the police report, neighborhood testimony, police testimony and aldermanic 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 200 East Washington Street in the City and County of Milwaukee, Wisconsin ("Studio 200"), but that the Public Entertainment Premises license be suspended for thirty (30) days based upon the police report, neighborhood testimony, police testimony and aldermanic testimony to the Committee.

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 license be renewed, but that the Public Entertainment Premises license be suspended for thirty (30) days based on the police report, neighborhood testimony, police testimony and aldermanic testimony.

Said suspension of the Public Entertainment Premises license is to be in effect between 12:01 a.m. on May 3, 2015 through 11:59 PM, June 1, 2015.

Dated and signed at Milwaukee, Wisconsin this 1st day of May, 2015.



TONY ZIELINSKI, Chair
Licenses Committee



Office of the City Clerk

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jowcza@milwaukee.gov

Richard G. Pfaff
Deputy City Clerk
rpfaff@milwaukee.gov

May 1, 2015

Manuel Escobar
Manny's Club 69, LLC
1663 S 11th St
Milwaukee, WI 53204

Dear Mr. Escobar:

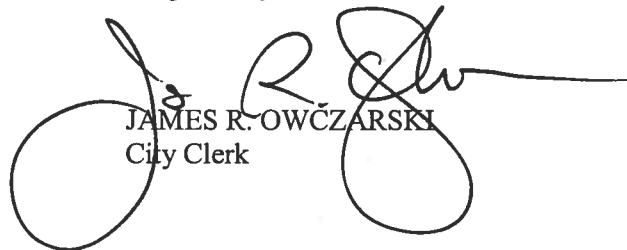
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Attached you will find a copy of the Report of the Licenses Committee, which includes its Findings of Fact, Conclusions of Law, and Recommendation, recommending a 10 day suspension of the Class B Tavern license(s) based upon the police report, aldermanic testimony, and neighborhood testimony. This recommendation is the result of a public hearing before the Committee held on Tuesday, April 28, 2015.

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 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, May 6, 2015 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.

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City Clerk



CHAIR

- Licenses Committee

MEMBER

- Community and Economic Development Committee
- Steering and Rules Committee



TONY ZIELINSKI
ALDERMAN, 14TH DISTRICT

Date: May 1, 2015

To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report of the renewal application of Manuel Escobar, Agent for Manny's Club 69, LLC for a Class "B" Tavern license for the premises located at 1663 South 11th Street in the City and County of Milwaukee, Wisconsin ("Club 69").

FINDINGS OF FACT

1. Manuel Escobar, Agent for Manny's Club 69, LLC (hereinafter the "Licensee") is the holder of Class "B" Tavern license for the premises located at 1663 South 11th Street in the City and County of Milwaukee, Wisconsin ("Club 69"). Said licenses expire at midnight, May 20, 2015.
2. An application to renew said licenses was filed with the office of the City Clerk on March 30, 2015.
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. The Milwaukee Police Department responded with a report that could form the basis of non-renewal or suspension of these licenses on March 31, 2015.
4. On April 20, 2015 the City Clerk's Office provided timely notice to the Licensee pursuant to Chapter 90 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 April 28, 2015, commencing at 10:15 a.m. in Room 301B of City Hall. At said date, time and place, the Licensee appeared and was represented not represented by counsel.
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 June 6, 2014 Milwaukee police received a complaint from Alderman Jose Perez's office regarding loud music and trouble with the patrons at 1663 South 11th Street (Club 69). On August 2, 2014, officers contacted the applicant to discuss these issues and explain that if the complaints continue additional police action could be taken.



- B. On December 5, 2014 Milwaukee police conducted a licensed premise check at 1663 South 11th Street (Club 69). No violations were observed.
- C. On March 21, 2015 at 3:01 a.m., officers were dispatched to 1663 South 11th Street (Club 69) for an after-hours complaint. Upon arrival officers observed two people crouching down inside the bar. The door was locked and no one opened the door when the officers knocked. The officers could hear voices inside but it took several minutes before the applicant opened the door. Upon entry the officers observed about 15 people inside. When asked why the people were in the bar after closing the applicant stated he was planning a party with his friends. .
- D. Daniel Barella, 2110 South 7th Street, translated for the licensee who testified that on the night of the after hours incident on March 21, 2015, there were 15 people on premise who were not drinking, but were planning a party. It took a minute to open the door for police because the applicant was on the other side of the bar. He did not know about his outstanding citation, but he will pay for it. The applicant intends to add more security and resolve the issue of loud music. He will never have people in the bar after hours again.
- E. Nancy Bush – 1635 South 8th Street, BID 4 – She states the businesses in the business improvement district have been concerned with the last few incidents. She had met with the applicant when he first applied and again met with him a few weeks ago. She was not aware of the issues when they met. If the applicant continued with the initial business plan and had no further incidents, the board would be in support.
- F. Ald. Perez testified that he has concerns about the incident with people in the establishment after hours. His office has also received complaints about noise from the establishment. There are many residential units near the establishment and less noise should be emanating from such a small business.

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 Chapter 90 of the Milwaukee Code of Ordinances.

2. Based upon the above facts found, the Committee concludes that the Licensee, Manuel Escobar, has not met the criteria of Chapters 90 of the Milwaukee Code of Ordinances or Chapter 125 of the Wisconsin Statutes to allow renewal of his Class "B" Tavern license without undergoing a ten (10) day suspension of said licenses based upon the police report and hearing 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 license for the premises located at 1663 South 11th Street in the City and County of Milwaukee, Wisconsin ("Club 69") with a ten (10) day suspension based upon the police report, neighborhood testimony, police testimony and aldermanic 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 and one (1) no recommends that the Class "B" Tavern license be renewed with a ten (10) day suspension based on the police report, neighborhood testimony, police testimony and aldermanic testimony.

Said suspension is to be in effect between 12:01 a.m. on May 21, 2015 through 11:59 PM, May 30, 2015.

Dated and signed at Milwaukee, Wisconsin this 1st day of May, 2015.



TONY ZIELINSKI, Chair
Licenses Committee