



Office of the City Clerk

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Deputy City Clerk
rpfaff@milwaukee.gov

May 20, 2015

Cedric Horton
C-Notes Sports Lounge
9022 W Palmetto Ave
Milwaukee, WI 53225

Dear Mr. Horton:

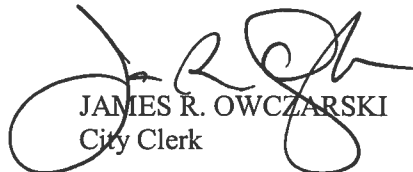
You are hereby notified that the Milwaukee Common Council will hold a hearing on Tuesday, June 2, 2015, commencing at 9:00 a.m., or as soon thereafter as this matter may be heard, in the Common Council chambers on the third floor of City Hall, 200 East Wells Street, Milwaukee, Wisconsin to consider whether to renew, renew with a suspension between 10 and 90 days, or not renew the Class B Tavern license(s) for the premises located at 5138 N 37th St ("C-Notes Sports 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 15 day suspension of the Class B Tavern license(s) based upon the police report. This recommendation is the result of a public hearing before the Committee held on Thursday, May 14, 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 a written response to the report of the Licenses Committee. The written response must be filed with the City Clerk by 4:45 p.m. on Wednesday, May 27, 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



CHAIR

- Licenses Committee

MEMBER

- Community and Economic Development Committee
- Steering and Rules Committee



TONY ZIELINSKI
ALDERMAN, 14TH DISTRICT

Date: May 20, 2015

To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report of the renewal application of Cedric R. Horton for Class "B" Tavern license for the premises located at 5138 North 37th Street in the City and County of Milwaukee, Wisconsin ("C-Note's Sports Lounge").

FINDINGS OF FACT

1. Cedric R. Horton (hereinafter the "Licensee") is the holder of Class "B" Tavern license for the premises located at 5138 North 37th Street in the City and County of Milwaukee, Wisconsin ("C-Note's Sports Lounge"). Said licenses expire at midnight, June 10, 2015.
2. An application to renew said licenses was timely filed with the office of the City Clerk on April 30, 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 May 1, 2013.
4. On May 5, 2015 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 May 14, 2015, commencing at 11:00 a.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 May 6, 2014 Milwaukee police responded to a battery complaint at Mt. Sinai Hospital. The victim, Ariana Bankhead, told officers she had been involved in an argument inside the tavern and that the argument escalated outside. Bankhead said a man named "Mario" attacked her and her friends and that she believed "Mario" worked there. Officers spoke to the applicant who told them that he was not aware of any employees or regulars of the business named "Mario." An incident report was filed.



- B. On June 6, 2015 Milwaukee police responded to a sexual assault complaint at 4132 North 24th Place. The victim, Shayevon Blue-Craig, told officers she had been sexually assaulted in the bathroom at her place of employment, C-Notes Upscale Sports Lounge (5138 North 37th Street). The victim was conveyed to her mother's home following this incident and was then conveyed by ambulance to Mt. Sinai Hospital. An incident report was filed.
- C. On March 20, 2015 Milwaukee police responded to a shooting at 5138 North 37th Street (C-Note's Sports Lounge). The investigation revealed the victim, Kevin Whately, and another patron of the business became involved in an altercation inside the bar. The victim was shot three times by the suspect he had been arguing with outside the bar. An incident report was filed.

CONCLUSIONS OF LAW

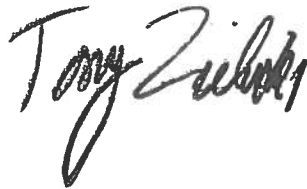
1. The Committee has jurisdiction to hold hearings and provided Findings of Fact and Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapter 125 of the Wisconsin Statutes and Chapters 90 and 108 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concludes that the Licensee, Cedric R. Horton, 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 license without undergoing a fifteen (15) 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 license for the premises located at 5138 North 37th Street in the City and County of Milwaukee, Wisconsin ("C-Note's Sports Lounge") with a fifteen (15) 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, recommends that the Class "B" Tavern license be renewed with a fifteen (15) day suspension based on the police report.

Said suspension is to be in effect between 12:01 a.m. on June 11, 2015 through 11:59 p.m., June 25, 2015.

Dated and signed at Milwaukee, Wisconsin this 20th day of May, 2015.

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

TONY ZIELINSKI, Chair
Licenses Committee

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