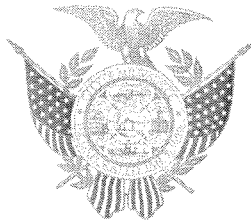


CHAIR

• Licenses Committee

MEMBER

• Community and Economic
Development Committee
• Steering and Rules Committee



TONY ZIELINSKI
ALDERMAN, 14TH DISTRICT

October 2, 2015

To the Honorable, the Common Council

Honorable Members:

Common Council File Number 150408 contains the following recommendations:

Nonrenewal, based upon police report, police testimony, applicant testimony, and failure to comply with the operation plan, of the Class B Tavern and Public Entertainment Premises license(s) for Robert Smith for the premises located at 730 N Old World Third St ("Rusty's Old 50") in the 4th aldermanic district.

Renewal, with a thirty (30) day suspension, based upon the police report and aldermanic testimony, of the Class B Tavern and Public Entertainment Premises licenses for Jennie Nuell for the premises located at 4001 W Fond du Lac Ave ("All Star Sports Bar") in the 7th aldermanic district.

Renewal, with a twenty-five (25) day suspension, based upon the police report, of the Class B Tavern and Public Entertainment Premises licenses for Lynn Goelzer for the premises located at 5321 W Green Tree Rd ("New Entertainers") in the 9th aldermanic district.

Renewal, with a ten (10) day suspension, based upon police report and aldermanic testimony, of Class B Tavern and Public Entertainment Premises license(s) for Francisco Gomez-Ortiz for the premises located at 1566-1570 S Muskego Ave ("Passion Nightclub") in the 12th aldermanic district.

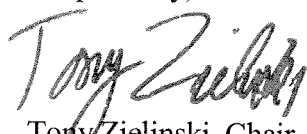
Renewal, with a twenty (20) day suspension, based upon the police report, aldermanic testimony, and applicant testimony of the Class B Tavern and Public Entertainment Premises licenses for Jason Moeller for the premises located at 1577 W Morgan Ave ("Coop's Tavern") in the 13th aldermanic district.

Renewal, with a ten (10) day suspension, based upon police report, of the Class D Operator's License for Veronica Vazquez-Castillo.

Nonrenewal, based on nonappearance, of the Class D Operator's License for Carin M. Neloms.

Nonrenewal, based on nonappearance, of the Class D Operator's License for Shalicia J. Walsh.

Respectfully,


Tony Zielinski, Chair
Licenses Committee

cc: All Council Members
Files 150408



CHAIR

• Licenses Committee

MEMBER

• Community and Economic
Development Committee
• Steering and Rules Committee



TONY ZIELINSKI
ALDERMAN, 14TH DISTRICT

Date: September 28, 2015

To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report of the renewal application of Robert F. Smith, Agent for Boardroom Entertainment Mke, LLC, for a Class "B" Tavern and Public Entertainment Premises, licenses for the premises located at 730 North Old World Third Street in the City and County of Milwaukee, Wisconsin ("Rusty's Old 50").

FINDINGS OF FACT

1. Robert F. Smith (hereinafter the "Licensee") is the holder of a Class "B" Tavern and Public Entertainment Premises licenses for the premises located at 730 North Old World Third Street in the City and County of Milwaukee, Wisconsin ("Rusty's Old 50"). Said license expires at midnight, October 30, 2015.
2. An application to renew said license was filed with the office of the City Clerk on September 1, 2015.
3. Pursuant to Chapters 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. The Milwaukee Police Department responded with a report that could form the basis of non-renewal or suspension of these licenses on September 2, 2015.
4. On September 11, 2015 the City Clerk's Office provided timely notice to the Licensee pursuant to Chapters 85, 90 and 108 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes with a copy of the Milwaukee Police Department report. The matter was scheduled for a hearing on September 17, 2015, commencing at 1:00 p.m. in Room 301B of City Hall. At said date, time and place, the Licensee appeared and was represented by Attorney Andrew Arena, 1110 North Old World Third Street, Riverfront Plaza, Suite 515, Milwaukee, WI 53203-1117 and Attorney Wayne Giampietro, Poltrock & Giampietro, 123 West Madison, Suite 1300, Chicago, IL 60602.
5. Based upon the sworn testimony heard and the evidence received at the hearing the Committee finds the following:
 - A. On January 14, 2015 Milwaukee police conducted a licensed premise check at 730 North Old World Third Street (Boardroom Entertainment). Several violations were observed and discussed with the applicant. These included not having the certificate of occupancy or food dealers license posted, and not having an ID scanner at the location. The applicant told the officers he was in the process of changing the listed agent for the business but would not elaborate.



- B. On January 21, 2015 at 10:42 p.m., Milwaukee police conducted a licensed premise check at 730 North Old World Third Street (Boardroom Entertainment). Officers observed several young ladies inside the business that identified themselves as independent contractors that danced at the bar but received only tips as compensation. Some of the dancers wore see-through garments, thong underwear and "pasties." The applicant, Robert Smith, along with Radomir Buzdum and Timothy Miller were on scene. Buzdum told officers he had been informed by his attorney that the dancing was allowed because the dancers were independent contractors and not employees of the business. The applicant stated the women were wearing clothing similar to other women that attend clubs in Milwaukee. Miller stated he was asked by Radomir Buzdum to help at this location. Miller is a general manager at TNT Gentleman's club in Watertown.
- C. On January 22, 2015 at 10:53 p.m., Milwaukee police conducted a licensed premise check at 730 North Old World Third Street (Boardroom Entertainment). Upon entering officers observed a female dancing on a stage wearing a dress with horizontal slits on both sides. The dancer had her dress pulled below her breasts which were covered with pasties. Upon observing the police the dancer pulled her dress up. Officers also observed several other young ladies inside the business that identified themselves as dancers at the bar. These dancers were observed wearing various articles of underwear and bras and/or pasties. Officers located a room off the kitchen that was being used by the dancers as a dressing room, which was equipped with lockers. The applicant, Robert Smith along with Radomir Buzdum and Timothy Miller, were on scene. All three received citations for violations observed on January 22, 2015 as well as citations for violations observed the previous night (January 21, 2015). On January 23, 2015 at 1:50 a.m., Milwaukee police conducted follow-up at 730 North Old World Third Street (Rusty's). The follow-up was regarding a female who had provided false identification during an interview. The subject had initially identified herself as Quiana Monre but later told officers her real name was Azaria Wilder. During this encounter, officers observed a young lady dancing on a stage near the entrance wearing only underwear and high heels. The dancer had her breasts exposed without pasties. The dancer got off the stage and ran to the back of the location. The applicant was cited for Public Entertainment Premises License Required and Public Entertainment Premises License required (violation date January 21, 2015). He was found not guilty on both on August 24, 2015.

Radomir Buzdum was cited for Public Entertainment Premises License Required and Public Entertainment Premises License required (violation date of January 21, 2015). Both matters were dismissed without prejudice on June 4, 2015.

Timothy Miller was cited for Public Entertainment Premises License

Required and Public Entertainment Premises License required (violation date January 21, 2015). Both matters were dismissed without prejudice on June 4, 2015.

- D. On January 24, 2015 Milwaukee police conducted a licensed premise check at 730 North Old World Third Street (Boardroom Entertainment). Officers observed that the stage with a vertical pole that had been in the southwest corner of the business, had been removed. No dancing was observed. Two females were observed wearing bikini type outfits with the rest of the females dressed in normal casual clothing.
- E. On January 24, 2015 Milwaukee police conducted a licensed premise check at 730 North Old World Third Street (Boardroom Entertainment). During this check, several people admitted to officers that they smoked in the basement of the business. All females inside the business were wearing "club" type clothing (skirts, shorts, cropped shirts and bikini tops).
- F. On January 25, 2015 a Milwaukee police officer filed a PA33 regarding a conversation he had with Radomir Buzdum on January 21, 2015. During this conversation, Buzdum told the officer that he has dealt with other municipalities regarding licensed premises throughout the state. Buzdum stated that he has sued other communities over the adult entertainment license and every time he and the city have compromised or reached a settlement. He explained that he would sue for a large sum of money and ask for full nudity. In an effort to resolve the lawsuit, the municipality would counter with a requirement of bikini tops and bottoms and ultimately they would settle for "pasties" on top and thongs on the bottom. Buzdum said it was a revolving cycle and this was just the way he would have to play it.
- G. On April 19, 2015 Milwaukee police responded to 730 North Old World Third Street (Rusty's Old 50) for a loud music complaint. Officers observed approximately 10 patrons inside the business which appeared to operating as a normal tavern.
- H. Sergeant Thomas Akey testified that he oversaw two of the tavern checks on the 22nd and 23rd of January and issued citations for license violations. He believes they wanted the applicant to be shut down, and that the premise was a gentleman's club.
- J. Police Officer Raymond Bogust testified that he saw a female in a bra and panties who stated she was an independent dancer and cocktail waitress. He added that located in the backroom/locker room were other dancers and a jar of pasties.
- K. Police Officer Chris Martin stated he observed dancers exposing their

breasts at the premises.

- L. Police Officer Xavier Benitez stated he observed a female dancing with a thong, pasties, and a see-through garment. Patrons were sitting at the bar drinking and in a room that was curtained off with chairs around the perimeter. A dancer with pasties was giving a private dance to a gentleman. The dancer stated she was a private contractor who works for tips. There was a stage with a fixed pole.
- M. Joe Werick, 930 East Lyon Street, stated he is concerned about adult entertainment at the location, and believes it is not conducive to the economic development of neighborhood. He stated the location has been sporadically open and he is objecting due to the secondary impact of the premises.
- N. John Hennessey, owner of St. James Court Apartments at 831 West Wisconsin Avenue. He is a board member of Westlawn Association, and chairs the CED Committee of the BID Board. Mr. Hennessey stated he is concerned about business development from secondary effects, and added most business do not want to be located next to a strip club.
- O. Stacy Callis, 633 West Wisconsin Avenue, Executive Director of Westtown Association and President of BID, stated she is opposed to this use at this location because it will negatively affect the revitalization effort in the area and affect property values.
- P. Red Budzum, 2270 North 4th Street, stated it was his idea that the premises would make a good gentleman's club, and the problem in the area is the homeless people. He also added that the dancers were customers, not employees.
- Q. Aaron Schulz, 231 West Wisconsin Avenue, stated he is in support.
- R. David Weir, 2602 Newberry Boulevard, stated he owns the building and the operator is a good tenant. He does not see the area as great for retail and does not believe neighbors are against it.
- S. Shane Kowall, 734 North Old World Third, stated the premises added security because of cameras and better lighting.
- T. Ira Robbins, 734 North Old World Third, stated the street is in disrepair and there is crime in the area.
- U. Pat James of South Milwaukee stated she saw homeless people sleeping in the alley, panhandling, lewd behavior and public urination. She believes men want to go to a gentleman's club after a Buck's game.

- V. Alderman Bauman stated applications are handled on a case-by-case basis. He added that the applicant has knowingly and defiantly operated outside of the plan of operation and is taunting the City. He recommends the license not be renewed.
- W. Attorney Giampietro stated the applicant is not taunting the City. The Buzdums found a location they thought would work for a gentlemen's club and adult entertainment is constitutionally protected. He stated licenses can be denied only if the business will show legitimate adverse effects in the community and no neighbors objected, and believes the business will improve neighborhood.
- X. Alderman Kovac stated he is concerned about the deception about the operating plan, and that the operator willfully and knowingly violating business plan. No business should be this openly defiant. He added that a strip club downtown does not mean a strip club anywhere downtown run by any operator.

CONCLUSIONS OF LAW

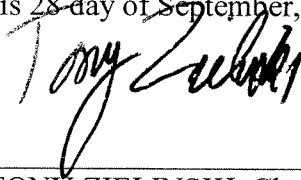
1. The Committee has jurisdiction to hold hearings and provide Findings of Fact and Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapter 125 of the Wisconsin Statutes and Chapters 85, 90 and 108 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concludes that the Licensee, Robert F. Smith, has not met the criteria of Chapters 85, 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 based upon the police report and hearing testimony. The Committee finds the police report, police testimony, applicant testimony and failure to comply with the operation plan 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 not renew the Class "B" Tavern and Public Entertainment Premises licenses for the premises located at 730 North Milwaukee in the City and County of Milwaukee, Wisconsin ("Rusty's Old 50") based upon the police report, police testimony, applicant testimony and failure to comply with the operation plan.
4. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee recommends the licenses not be renewed based upon the police

report, police testimony, applicant testimony and failure to comply with the operation plan.

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) noes recommends that the Class "B" Tavern and Public Entertainment Premises licenses not be renewed based on the police report, police testimony, applicant testimony and failure to comply with the operation plan.

Dated and signed at Milwaukee, Wisconsin this 28 day of September, 2015.

A handwritten signature in black ink, appearing to read "Tony Zielinski", written over a horizontal line.

TONY ZIELINSKI, Chair
Licenses Committee

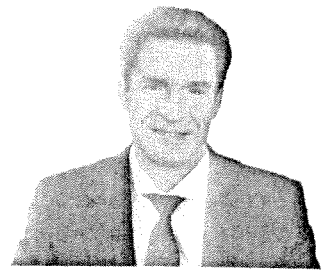
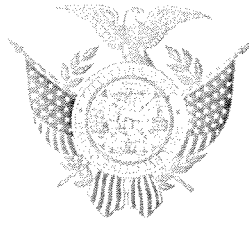
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CHAIR

• Licenses Committee

MEMBER

• Community and Economic
Development Committee
• Steering and Rules Committee



TONY ZIELINSKI
ALDERMAN, 14TH DISTRICT

Date: October 2, 2015

To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report of the renewal application of Jennie M. Nuell agent for Maximum Capacity, LLC for a Class "B" Tavern and Public Entertainment Premises licenses for the premises located at 4001 West Fond du Lac Avenue in the City and County of Milwaukee, Wisconsin ("All Star Sports Bar").

FINDINGS OF FACT

1. Jennie M. Nuell (hereinafter the "Licensee") is the holder of Class "B" Tavern and Public Entertainment Premises licenses for the premises located at 4001 West Fond du Lac Avenue in the City and County of Milwaukee, Wisconsin ("All Star Sports Bar"). Said licenses expire at midnight, October 22, 2015.
2. An application to renew said licenses was filed with the office of the City Clerk on September 15, 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 September 16, 2015.
4. On September 18, 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 September 29, 2015, commencing at 8:30 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 from the synopsis Police report received at the hearing, the Committee finds the following:
 - A. On October 4, 2014 at approximately 2:10 a.m., Milwaukee police observed a fight in the street in the 4000 block of West Fond du Lac Avenue. Officers observed traffic backing upon West Fond du Lac. Officers observed pedestrians in the roadway with a crowd of approximately ten individuals fighting into the street. Citations were issued for disorderly conduct and resisting. An officer spoke to the agent by phone on October 12, 2014. The agent stated she observed the fight and believed the subjects might have been ejected from the tavern prior to the incident. She further stated she could not confirm if all the actors were in her establishment prior to the fight.



- B. On December 18, 2014, Milwaukee police responded to a shooting at 4001 West Fond du Lac Avenue (All Stars Sports Bar). The investigation revealed a patron of the bar was shot in the parking lot of the business of another patron following a game of pool inside the bar. The victim of this incident was 22 years old (the business has a 25-year old age restriction on their Class "B" license). Additionally, video from the establishment showed that security guards from the business did not "pat down" or check the identification of the suspect. The applicant cooperated with officers during this investigation. A Milwaukee police incident report was filed.
- C. On January 17, 2015, Milwaukee police responded to a shotspotter generated report of shots fired at 4001 West Fond du Lac Avenue (All Stars Sports Bar). Officers recovered seven spent casing from the parking lot of the business. The applicant cooperated with offices during this investigation, providing access to video of the incident. This video showed two subjects leaving the bar and walking to a parked vehicle. The driver of this auto removed a rifle from the car and fired seven shots into the air. The driver then backed up, striking a vehicle and fleeing the area. A Milwaukee police incident report was filed.
- D. Alderman Wade stated the gun problems are serious mater and are related to security, but that it is getting better.
- E. The applicant stated there has not been any issues since November, 2015 and that she has implemented an ID scanner, security staff has been hired, and some patrons are banned from the premise.

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 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, Jennie M. Nuell, 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 aldermanic testimony. The Committee finds the police report 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 4001 West Fond du Lac Avenue in the City and County of Milwaukee,

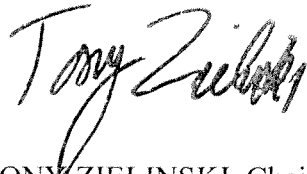
Wisconsin ("All Star Sports Bar") with a thirty (30) day suspension based upon the police report and aldermanic testimony.

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 be renewed with a thirty (30) day suspension based upon the police report and aldermanic testimony.

Said suspension is to be in effect between 12:01 a.m. on October 23, 2015 through 11:59 p.m., November 21, 2015.

Dated and signed at Milwaukee, Wisconsin this 2nd day of October, 2015.

A handwritten signature in black ink, appearing to read "Tony Zielinski". The signature is fluid and cursive, with the first name "Tony" and last name "Zielinski" clearly distinguishable.

TONY ZIELINSKI, Chair
Licenses Committee

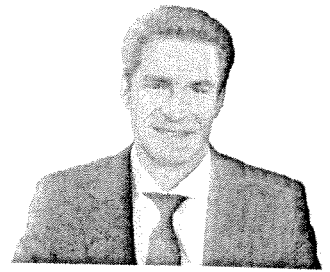
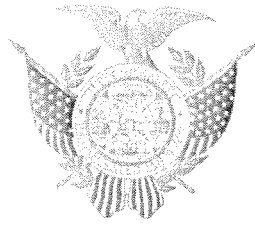
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CHAIR

• Licenses Committee

MEMBER

• Community and Economic
Development Committee
• Steering and Rules Committee



TONY ZIELINSKI
ALDERMAN, 14TH DISTRICT

Date: October 2, 2015

To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report of the renewal application of Lynn M. Goelzer agent for L. Sharodel, Inc. for a Class "B" Tavern and Public Entertainment Premises licenses for the premises located at 5321 West Green Tree Road in the City and County of Milwaukee, Wisconsin ("New Entertainers").

FINDINGS OF FACT

1. Lynn M. Goelzer (hereinafter the "Licensee") is the holder of Class "B" Tavern and Public Entertainment Premises licenses for the premises located at 5321 West Green Tree Road in the City and County of Milwaukee, Wisconsin ("New Entertainers"). Said licenses expire at midnight, November 1, 2015.
2. An application to renew said licenses was filed with the office of the City Clerk on August 11, 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 August 12, 2015.
4. On September 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 September 29, 2015, commencing at 9:00 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 from the synopsis Police report received at the hearing, the Committee finds the following:
 - A. On January 22, 2014, the applicant met with Milwaukee police at the Fourth District Police Station. This meeting was held to discuss incidents involving criminal activity at the business. The applicant expressed a desire to address the recent issues and outlined changes she would make to policies and practices at the business. The applicant was told to contact police with any additional questions or concerns she may have regarding her business.

- B. On January 1, 2015, Milwaukee police responded to a fight complaint at North 54th Street and West Green Tree Road. A passing motorist called police and stated there was a fight outside Entertainers club. When officers arrived, they observed no fight or argument. Officers then spoke to the manager of New Entertainers, Charles Derrell Anderson, who stated the fight had occurred at a house east of the bar and that the involved parties left prior to the arrival of officers. Anderson also told officers that the parties involved did not come from the bar. Officers observed no violations and the tavern appeared to be under capacity.
- C. On February 8, 2015, Milwaukee police responded to a shooting complaint at 5321 West Green Tree Road. Officers discovered two subjects on the ground and motionless inside the business. Officers later observed video from inside the business which depicts three suspects following the two victims inside the business towards the exit. There is an altercation between the individuals inside the establishment near the exit. During the altercation the video shows one of the suspects produce a firearm from his pocket. Muzzle flashes are observed on the video but no direct images of the shooting are observed. A second video camera captures the suspects fleeing through the parking lot.
- D. (Charles) Derrell Anderson stated that though they had metal detecting hand wands, they were not used that night.
- E. On February 23, 2015, the applicant, as well as (Charles) Derrell Anderson, met with Milwaukee police regarding the double homicide that took place on February 8, 2015. The applicant was reminded that all of the steps of the plan must be adhered to. Captain Beecher suggested the business hire a security company, add more lighting to the parking lot and they continue to cooperate with police.
- F. On February 26, 2015, Milwaukee police, along with a representative from the Department of Neighborhood Services, the Health Department and the Department of Revenue, conducted a licensed premise check at 5321 West Green Tree Road (New Entertainers). During this check, it was discovered that 27 bottles of liquor had been purchased illegally and were seized. Additionally, officers discovered that no licenses were posted behind the bar and advised the business to post it within five days.
- G. (Charles) Derrell Anderson, 4333 West Grace Avenue, Mequon, WI stated that armed security was hired in March and security cameras have been added. He added that they also have forums about violence prevention at the premises.
- H. Alderman Davis stated that he was impressed by the operations of the premise and the operators have good intentions.

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, Lynn M. Goelzer, 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 twenty-five (25) 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 5321 West Green Tree Road in the City and County of Milwaukee, Wisconsin ("New Entertainers") with a twenty-five (25) 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 twenty-five (25) day suspension based upon the police report.

Said suspension is to be in effect between 12:01 a.m. on November 2, 2015 through 11:59 p.m. November 26, 2015.

Dated and signed at Milwaukee, Wisconsin this 2nd day of October, 2015.


TONY ZIELINSKI, Chair
Licenses Committee

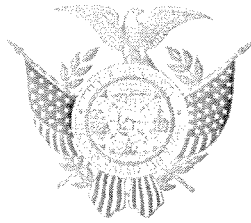
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CHAIR

• Licenses Committee

MEMBER

• Community and Economic
Development Committee
• Steering and Rules Committee



TONY ZIELINSKI
ALDERMAN, 14TH DISTRICT

Date: October 2, 2015

To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report of the renewal application of Francisco Gomez-Ortiz, agent for Cantaritos Bar, LLC for a Class "B" Tavern and Public Entertainment Premises licenses for the premises located at 1566-1570 South Muskego in the City and County of Milwaukee, Wisconsin ("Passion Nightclub").

FINDINGS OF FACT

1. Francisco Gomez-Ortiz, agent for Cantaritos Bar, LLC, (hereinafter the "Licensee") is the holder of Class "B" Tavern and Public Entertainment Premises licenses for the premises located at 1566-1570 South Muskego Avenue in the City and County of Milwaukee, Wisconsin ("Passion Nightclub "). Said licenses expire at midnight, October 11, 2015.
2. An application to renew said licenses was filed with the office of the City Clerk on July 29, 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 July 30, 2015.
4. On September 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 September 29, 2015, 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 Vincent Bobot. 5414 South 13th Street, Milwaukee, WI 53221
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 July 1, 2014, Milwaukee police were dispatched to an armed robbery complaint at Passion Nightclub (1568 South Muskego Avenue). The investigation revealed that a bartender and a security guard from the business were robbed at gunpoint while standing in the front entrance of the bar. One of the suspects was identified by the victims and was later arrested. The suspect, during a mirandized interview, stated he went to the bar because he knew of a security guard that sold cocaine at the location.



The security guard was identified by the suspect as Gustavo Torres. The suspect stated that when he was exchanging money with the security guard for drugs, two subjects approached them and robbed them at gunpoint. A Milwaukee police Incident report was filed.

- B. On August 17, 2014, Milwaukee police were dispatched to a shooting at 1726 West Arrow Street. The investigation revealed the victim had been a patron at Passion Nightclub (1566 South Muskego Avenue) earlier and had gone outside of the bar to help a friend of his that was being beaten. The victim was shot while intervening. The establishment was cooperative and provided video of the incident. A Milwaukee police incident report was filed.
- C. On October 6, 2014 at 8:22 p.m., Milwaukee police were dispatched to 1566 South Muskego Avenue to determine if the business was the scene of a battery/cutting that was being investigated at St. Luke's hospital. The bartender, who started her shift at 4:00 p.m., stated during her shift an altercation occurred at the business between several men. During the altercation one individual was struck with a bottle. She was able to break up the fight and the individuals left the bar. A Milwaukee police incident report was filed.
- D. On November 1, 2014 Milwaukee police were dispatched to a subject with a weapon complaint at 1566 West Muskego Avenue. The investigation revealed a security guard was struck in the back of the head with a glass bottle, resulting in an injury that required stitches. A Milwaukee police incident report was filed.
- E. On December 28, 2014, Milwaukee police conducted a licensed premise check at 1566 South Muskego Avenue (Passion Nightclub) to determine if the business had implemented improvements previously expressed to Officer Vodicka during a meeting on October 21, 2014. During this check, officers did not observe metal detectors being used. Additionally, officers did not observe any signs indicating that weapons were not allowed, that loitering was not allowed, and that the premise was under 24-hour surveillance. The officer was approached by a security guard named Jason who told him that the applicant would bend the rules allowing patrons into the bar without identification, that he would not enforce the dress code for certain patrons, and that he allowed under age people into the bar. Officers did not observe any violations.
- F Attorney Bobot stated the applicant has installed 15 cameras, employs two security guards, terminated problem employees, the disruptive patrons have been removed and the premise has been remodeled.

- G. Alderman Perez also objected to renewal of the license without undergoing a suspension

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, Francisco Gomez-Ortiz, 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 and aldermanic testimony. The Committee finds the police report 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 1566-1570 South Muskego Avenue in the City and County of Milwaukee, Wisconsin ("Passion Nightclub") with a ten day suspension based upon the police report and aldermanic 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 be renewed with a ten (10) day suspension based upon the police report and aldermanic testimony.

Said suspension is to be in effect on October 13, 2015 through 11:59 p.m., October 22, 2015.

Dated and signed at Milwaukee, Wisconsin this 2nd day of October, 2015.

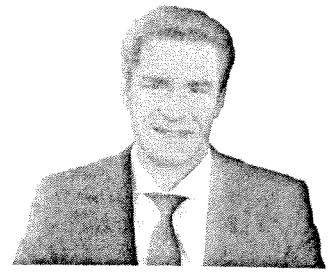
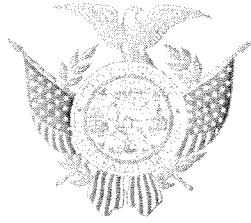

TONY ZIELINSKI, Chair
Licenses Committee

CHAIR

• Licenses Committee

MEMBER

• Community and Economic
Development Committee
• Steering and Rules Committee



TONY ZIELINSKI
ALDERMAN, 14TH DISTRICT

Date: October 2, 2015

To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report of the renewal application of Jason L. Moeller agent for PTG, LLC for a Class "B" Tavern and Public Entertainment Premises licenses for the premises located at 1577 West Morgan Avenue in the City and County of Milwaukee, Wisconsin ("Coop's Tavern").

FINDINGS OF FACT

1. Jason L. Moeller (hereinafter the "Licensee") is the holder of Class "B" Tavern and Public Entertainment Premises licenses for the premises located at 1577 West Morgan Avenue in the City and County of Milwaukee, Wisconsin ("Coop's Tavern "). Said licenses expire at midnight, November 4, 2015.
2. An application to renew said licenses was filed with the office of the City Clerk on August 19, 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 August 20, 2015.
4. On September 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 September 29, 2015, commencing at 8:30 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 from the synopsis Police report received at the hearing, the Committee finds the following:
 - A. On October 27, 2014 at 2:52 a.m., Milwaukee police were dispatched to 1577 West Morgan Avenue regarding a suspicious person complaint. The bartender, Brayan Beltran-Ponce, told officers he was the only person in the business. When officers discovered 17 people in the basement of the business, Beltran-Ponce apologized for lying and told officers he was planning on having a party where he charged each person \$5.00. He also told officers he had used his key to gain access to the business after everyone else had left. The applicant was cited for Class "B" Premises Allow Patron After Hours and found guilty on February 13, 2015 and fined \$6,426.00.



- B. On December 27, 2014 at 2:38 a.m., Milwaukee police responded to a shots fired complaint in the area of South 16th Street and West Morgan Avenue. As part of this investigation, officers conducted a traffic stop at 3151 South 15th Place. The operator of the vehicle, Brandan Starr, was arrested for possession of marijuana. It was subsequently discovered that Starr was underage and had come from Coop's. During this same investigation, a passenger in the vehicle admitted to officers that she had discharged a firearm. This subject also told officers she had been a patron at a bar she knew as Coop's and that she had used a fake ID to gain entry because she is underage. On the following night officers interviewed a bartender (Brayan M. Beltran-Ponce) who stated he was working the previous night. Beltran-Ponce stated when he was cleaning up around 2:30 a.m. he heard approximately 5 gunshots from the rear of the location. He checked outside and did not see anyone hurt or shooting. Officers showed a picture of Starr to Beltran-Ponce, who recognized him from being in the bar on that night and was arguing with other subjects. Beltran-Ponce stated there was no one carding at the door and that he did not card Starr because he looked old enough. Beltran-Ponce did not recognize the person who admitted to firing the gun. An incident report was filed.
- C. On April 3, 2015 Milwaukee police responded to a fight at 1577 West Morgan Avenue (Coop's Bar). In route to the assignment, officers observed a vehicle fleeing in the alley. During a subsequent traffic stop, a passenger in the vehicle told officers she had been involved in an altercation with another patron while at the bar. Officers then interviewed subjects inside the business who stated they were aware that there had been an altercation, but that the entire incident took place outside of the bar. An incident report was filed.
- D. On April 15, 2015 a 20-year old Milwaukee police aide, working in conjunction with Milwaukee police, was able to purchase two mixed drinks from the bartender at 1577 West Morgan Avenue (Coop's Tavern). The bartender was advised about the Respect 21 program and no citations were issued.
- E. On May 5, 2015 a police officer at Milwaukee police district #6 was informed that the applicant had completed and mailed the paperwork for the Respect 21 program.
- F. Alderman Witkowski stated that the applicant has the worst record in his district and recommended a suspension.
- G. The applicant also testified to his efforts to ensure that his bar is run properly. He stated that the employee who participated in the after-hours party was terminated. The person who shot the gun was not a employee or patron of the tavern. The marijuana incident occurred in the parking lot. He also stated that he understood that having the license was a privilege.

CONCLUSIONS OF LAW

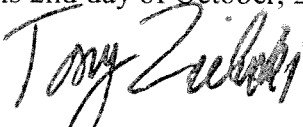
1. The Committee has jurisdiction to hold hearings and provided Findings of Fact and Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapter 125 of the Wisconsin Statutes and Chapters 90 and 108 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concludes that the Licensee, Jason L. Moeller, 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 twenty (20) day suspension of said licenses based upon the police report, aldermanic testimony and applicant testimony. The Committee finds the police report, aldermanic testimony and applicant 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 1577 West Morgan Avenue in the City and County of Milwaukee, Wisconsin ("Coop's Tavern") with a twenty (20) day suspension based upon the police report, aldermanic testimony and applicant testimony.

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) abstention recommends that the Class "B" Tavern and Public Entertainment Premises licenses be renewed with a twenty (20) day suspension based upon the police report, aldermanic testimony and applicant testimony.

Said suspension is to be in effect between 12:01 a.m. on November 5, 2015 through 11:59 p.m., November 24, 2015.

Dated and signed at Milwaukee, Wisconsin this 2nd day of October, 2015.

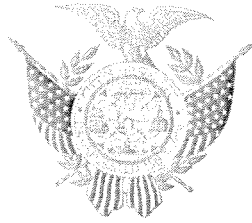

TONY ZIELINSKI, Chair
Licenses Committee

CHAIR

• Licenses Committee

MEMBER

• Community and Economic
Development Committee
• Steering and Rules Committee



TONY ZIELINSKI
ALDERMAN, 14TH DISTRICT

Date: October 2, 2015

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 Veronica Vazquez-Castillo

FINDINGS OF FACT

1. Veronica Vazquez-Castillo (hereinafter the "Licensee") is the holder of a Class "D" Operator's License in the City and County of Milwaukee, Wisconsin. Said license expired at midnight, December 31, 2014.
2. An application to renew said license was 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 November May 29, 2015, the Milwaukee Police Department responded with a police report that could form a basis for nonrenewal or suspension of said license.
4. On September 21, 2015, 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 September 29, 2015, commencing at 1:00 p.m. in Room 301B of City Hall. At said date, time and place, the Licensee did appear and she 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. The Milwaukee Police Department's investigation regarding this applicant revealed the following:

On August 7, 2014, the applicant was charged with battery and disorderly conduct in Milwaukee County which pending a probation review hearing.

On January 28, 2015, the applicant was convicted of operating while intoxicated in Milwaukee County. Her license was revoked for six months. On January 28, 2015 the applicant was convicted of implied consent. Her license was revoked for one year.

CONCLUSIONS OF LAW

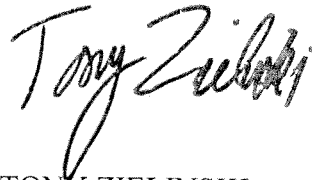
1. The Committee has jurisdiction to hold hearings and provide Findings of Fact, Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapter 125 of the Wisconsin Statutes and Chapter 90 of the Milwaukee Code of Ordinances.
2. Based on the above facts found, the Committee concludes that the Licensee, Veronica Vazquez-Castillo 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 without undergoing a ten (10) day suspension based upon the police report.
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 renew the Class "D" Operator's license held by Veronica Vazquez-Castillo 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) noe recommends that the Class "D" Operator's License be renewed with a 10-day suspension based upon the police report.

Said suspension is to be in effect from October 13, 2015 through 11:59 p.m. October 22, 2015.

Dated and signed at Milwaukee, Wisconsin this 2nd day of October, 2015.



TONY ZIELINSKI
Chairman Licenses Committee

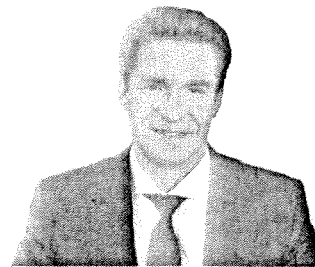
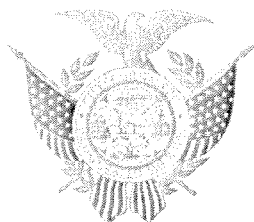
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CHAIR

• Licenses Committee

MEMBER

• Community and Economic
Development Committee
• Steering and Rules Committee



TONY ZIELINSKI
ALDERMAN, 14TH DISTRICT

Date: October 2, 2015

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 Carin M. Neloms

FINDINGS OF FACT

1. Carin M. Neloms (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, 2014.
2. An application to renew said license was 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. The Milwaukee Police Department responded with a police report that could form a basis for nonrenewal or suspension of said license.
4. On September 21, 2015 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 September 29, 2015 at 1:00 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 Carin M. Neloms, 4765 North 32nd Street, No. 300, Milwaukee, WI 53209 on September 21, 2015 by U.S. prepaid first-class mail in an envelope bearing the return address of the License Division. The address of 4765 North 32nd Street, No. 300, Milwaukee, WI 53209 is the address given by the Licensee on her 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 September 29, 2015 at 1:00 p.m.



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, Carin M. Neloms 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 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 Carin M. Neloms based upon nonappearance.

RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, recommends that the Class "D" Operator's License not be renewed based upon nonappearance.

Dated and signed at Milwaukee, Wisconsin this 2nd day of October, 2015.



TONY ZIELINSKI
Chairman Licenses Committee

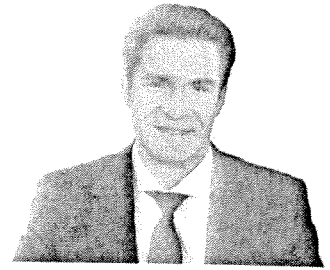
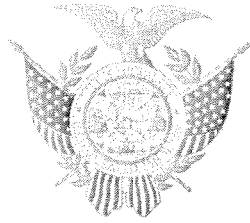
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CHAIR

• Licenses Committee

MEMBER

• Community and Economic
Development Committee
• Steering and Rules Committee



TONY ZIELINSKI
ALDERMAN, 14TH DISTRICT

Date: October 2, 2015

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 Shalicia J. Walsh

FINDINGS OF FACT

1. Shalicia J. Walsh (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, 2014.
2. An application to renew said license was 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. The Milwaukee Police Department responded with a police report that could form a basis for nonrenewal or suspension of said license.
4. On September 21, 2015 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 September 29, 2015 at 1:00 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 Shalicia J. Walsh, 3685 South Rivershire Drive, No. 8, Milwaukee, WI 53228 on September 21, 2015 by U.S. prepaid first-class mail in an envelope bearing the return address of the License Division. The address of 3685 South Rivershire Drive, No. 8, Milwaukee, WI 53228 is the address given by the Licensee on her 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 September 29, 2015 at 1:00 p.m.



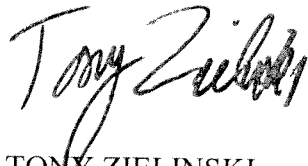
CONCLUSIONS OF LAW

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, Shalicia J. Walsh 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 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 Shalicia J. Walsh based upon nonappearance.

RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, recommends that the Class "D" Operator's License not be renewed based upon nonappearance.

Dated and signed at Milwaukee, Wisconsin this 2nd day of October, 2015.



TONY ZIELINSKI
Chairman Licenses Committee

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