

**CHAIR**

- Licenses Committee
- City Information Management Committee

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- Milwaukee Arts Board

**MEMBER**

- Steering and Rules Committee
- Public Works Committee
- Milwaukee Public Library Board
- Employee's Retirement System Annuity & Pension Board



**NIK KOVAC**

ALDERMAN, 3RD DISTRICT

October 24, 2019

To the Honorable, the Common Council

Honorable Members:

Common Council File Number 190950 contains the following recommendations:

Renewal, with a twenty (20) day suspension, based upon the police report, and aldermanic and applicant testimony of the Class B Tavern and Public Entertainment Premises licenses for Debi Damron for the premises located at 2079 S 8th St (“On My Way Home”) in the 12th aldermanic district.

Nonrenewal, based on the second nonappearance of the Class D Operator’s License of Ashely Brown.

Nonrenewal, based on the second nonappearance of the Class D Operator’s License of Vanessa Martin.

Respectfully,

A handwritten signature in black ink, appearing to read "Nik Kovac".

Nik Kovac, Chair  
Licenses Committee

cc: All Council Members  
File 190950

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**NIK KOVAC**

ALDERMAN, 3RD DISTRICT

Date: October 24, 2019

To: All Members of the Milwaukee Common Council

From: Licenses Committee

Re: Report of the Renewal Application of the Class "B" Tavern and Public Entertainment Premises (PEP) Licenses of Debi Damron, Agent for The Clem-Pank Group LLC for the premises located at 2079 South 8th Street in the City and County of Milwaukee, Wisconsin ("On My Way Home").

**FINDINGS OF FACT**

1. Debi Damron (hereinafter "the Licensee") is the holder of Class "B" Tavern and Public Entertainment Premises (PEP) Licenses for the premises located at 2079 South 8th Street in the City and County of Milwaukee, Wisconsin ("On My Way Home"). Said licenses expire at midnight on November 18, 2019.
2. An application to renew said licenses was filed with the Office of the City Clerk on September 4, 2019.
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. September 4, 2019, the Milwaukee Police Department responded with a report that could form the basis for nonrenewal of said licenses.
4. On October 10, 2019, 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 of the neighborhood objections. The matter was scheduled for a hearing on the objections on October 22, 2019, commencing at approximately 9:00 a.m. in Room 301-B of the third floor of City Hall. At said date, time and place, the Licensee appeared at the hearing and admitted receipt of the notice of hearing.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
  - A. On February 24, 2019, at 2:26 a.m., officers investigated a theft of firearm at On Your Way Home, 2079 South 8<sup>th</sup> Street. The victim stated he had a gun visible in his pocket while at the tavern. Near closing time the victim got into an

argument with two unknown subjects. One of the subjects grabbed the victim's gun and took it, which caused a physical fight. The victim fled the scene when he could not retrieve his gun and the subjects also fled the scene. The applicant stated there is video inside the tavern but she was not able to view it due to a technical problem.

- B. On February 24, 2019, at 4:16 a.m. while investigating a theft of gun complaint at On Your Way Home, 20179 South 8<sup>th</sup> Street, officers observed a shell casing on the ground outside the bar. The applicant stated the night prior, at about 8:00 p.m., she had kicked out a disorderly patron and then heard a gunshot outside. The subject attempted to get back in the bar but was escorted out by other patrons and did not return.
- C. On June 25, 2019, at 3:46 a.m. officers investigated a battery DV complaint. The victim of that incident stated she was at On Your Way Home, 2079 South 8<sup>th</sup> Street. At about 1:14 a.m. her boyfriend got into a fight with a male subject and she got into a fight with the girlfriend of that subject. Her boyfriend ran into the business and the boyfriend of the girl she was fighting grabbed a gun and struck her to the head with it. He then pointed the gun at her. She was able to return to the tavern and the suspects fled the scene. The applicant came to the scene and provided the video of the incident to the officers.
- D. On July 30, 2019 at 4:44 a.m. officers investigated a damage to property complaint at 2079 South 8<sup>th</sup> Street. The upstairs tenant called and stated he heard glass breaking downstairs. The officers found the window broken and called the applicant. She arrived on scene and stated it appeared no one entered and nothing was missing. She was not able to access the video at this time and stated she would try and email the officers the video at a later time.
- E. At the hearing, the applicant was questioned as to why the surveillance video was inoperable on multiple occasions. The applicant stated she does not own the camera system, the landlord does. The applicant added that she can watch the cameras live on her phone and it usually works. She did not realize it was not operational until the police incidents. She added that she has been operating for a year and the camera system comes and goes because she does not have access to it to reboot it if necessary. She testified that she was looking into getting her own camera system that she would be able to operate.
- F. Regarding the theft of the firearm, the applicant stated that there was a birthday party and someone who was sitting at the bar all night had a gun, so she politely asked him to leave. She stated that two customers left and then came back and got into an altercation with the patron with a gun. She testified that she called the police when it was happening, and now scans people for guns after the incident. She stated that she has a posted sign saying no guns. She stated that she did not have security the night of the birthday party. She added that she

now has security every night. She stated that the argument began outside after bar close and she showed the police the video.

- G. Regarding the single gunshot incident on February 24, 2019, the applicant testified that she called the police when she heard a gunshot after she kicked out a patron. She stated that she will install her own camera system, because she's not happy with the current one. She added that she will contact the police to help her with the cameras. She stated that the current camera only has a two-week storage window. She added that she's sorry that she did not want everybody, but she's stepped up her level of security and started kicking people out, because she does not want problems. She stated that she managed bars in Ohio, but now understands that the laws are different here.

#### Individual also present

- H. Alderman Perez stated he is surprised about the lack of video because the previous premise had issues with gun play. He added that the security cameras were state of the art and a picture window was installed to be able to see inside. He stated that having these incidents within a year and the cameras not working is concerning and disappointing. He added that the applicant understands the neighborhood well, and understands security and scrutiny. He stated that wandering was supposed to be at the top of the list, and it clearly is not. He recommended a suspension because the premises has only been open for a year and the level of incidents is concerning. He stated the applicant needs time improve management and security. He added that if there are any further incidents with guns he will not be in support. He stated that the applicant should participate in the Pivot Program.
- I. Alderwoman Lewis asked if the applicant scans people for weapons. She added that the applicant is running the establishment blind and needs more training and management to run a successful bar. She added that she is concerned because this is the first year of business, and policies and procedures should be implemented.
- J. Alderman Kovac stated he is concerned about the gunshots and someone pointed a gun at someone else and they had been drinking at the premises. He added that there is more scrutiny because it is the first year of operations, and there have been three incidents involving guns. He stated that guns are guns and alcohol is alcohol and there's no state to state nuance.
- K. Alderwoman Lewis moved approval with a 20 day suspension based on the police report and aldermanic and applicant testimony. (Prevailed 3-0-2)

## 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 Chapters 85, 90, 108 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin State Statutes.
2. Based upon the above facts found, the Committee concludes that the Licensee, Debi Damron who holds Class "B" Tavern and Entertainment Premises (PEP) licenses for the premise located at 2079 South 8th Street in the City and County of Milwaukee, Wisconsin ("On My Way Home") has not met the criteria of Chapters 85, 90, 108 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin State Statutes, to not renew the Class "B" Tavern and Public Entertainment Premises (PEP) licenses without undergoing a twenty (20) day suspension. The Committee finds the police report and aldermanic objections as stated above to be true.
3. In order to protect the health, safety and welfare of the citizens of the City of Milwaukee, it is the recommendation of the Licenses Committee that the full Common Council of the City of Milwaukee should exercise its judgment to not renew the Class "B" Tavern and Public Entertainment Premises (PEP) licenses without undergoing a twenty (20) day suspension for the premises located at 2079 South 8th Street in the City and County of Milwaukee, Wisconsin ("On My Way Home"). The Committee based its recommendation the police report, applicant and aldermanic testimony.

## RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of **three (3) ayes, zero (0) noes, and two (2) abstentions**, recommends that the Class "B" Tavern and Public Entertainment Premises (PEP) Licenses of Debi Damron for the premises located at 2079 South 8th Street ("On My Way Home") in the City and County of Milwaukee, Wisconsin not be renewed without undergoing a twenty (20) day suspension based upon on the police report, and applicant and aldermanic testimony.

The suspension is in effect between 12:01 a.m. on November 19, 2019 until 11:59 p.m. on December 8, 2019.

Dated and signed at Milwaukee, Wisconsin this 24th day of October, 2019.



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NIC KOVAC  
Chairman, Licenses Committee

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- Licenses Committee
- City Information Management Committee

**VICE CHAIR**

- Milwaukee Arts Board

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**NIK KOVAC**

ALDERMAN, 3RD DISTRICT

Date: October 24, 2019

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 Ashley N. Brown

**FINDINGS OF FACT**

1. Ashley N. Brown (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, 2018.
2. An application to renew said license was thereafter filed with the Office of the City Clerk.
3. Pursuant to Chapters 85 and 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 October 10, 2019 the City Clerk's Office provided timely notice to the Licensee pursuant to Chapters 85 and 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 October 22, 2019 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 Ashley N. Brown, 4454 North 89th Street, Milwaukee, WI 53225 on October 10, 2019 by U.S. prepaid first-class mail in an envelope bearing the return address of the License Division. The address of 4454 North 89th Street, Milwaukee, WI 53225 is the address given by the Licensee on his application. The envelope was not



returned to the License Division by the United States Postal Service. The Licensee failed to appear at the hearing on October 22, 2019 at 1:00 p.m.

B. The applicant owes the following past due fine to Milwaukee Municipal Court:

18085616 Exceeding Speed Zones \$66.00 due on 3/12/19

C. Alderwoman Dodd moved denial based on the second nonappearance.

### 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, Ashley N. Brown has not met the criteria of Chapter 125 of the Wisconsin Statutes or Chapters 85 and 90 of the Milwaukee Code of Ordinances to allow renewal of the Class "D" Operator's license based upon the second nonappearance.
3. In order to protect the health, safety and welfare of the citizens of the City of Milwaukee, it is the recommendation of the Licenses Committee that the full Common Council should exercise its discretion to not renew the Class "D" Operator's license held by Ashley N. Brown based upon the second nonappearance.

### RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above the Committee recommends by a vote of **four (4) ayes, zero (0) noes, and one (1) excused** that the Class "D" Operator's License of Ashley N. Brown not be renewed based upon the second nonappearance.

Dated and signed at Milwaukee, Wisconsin this 24th day of October, 2019.



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NIK KOVAC  
Chairman Licenses Committee

/264242

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**VICE CHAIR**

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**NIK KOVAC**

ALDERMAN, 3RD DISTRICT

Date: October 24, 2019

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 Vanessa C. Martin

**FINDINGS OF FACT**

1. Vanessa C. Martin (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, 2018.
2. An application to renew said license was thereafter filed with the Office of the City Clerk.
3. Pursuant to Chapters 85 and 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 October 10, 2019 the City Clerk's Office provided timely notice to the Licensee pursuant to Chapters 85 and 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 October 22, 2019 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 Vanessa C. Martin, 7133 West Hampton Avenue, Milwaukee, WI 53218 on October 10, 2019 by U.S. prepaid first-class mail in an envelope bearing the return address of the License Division. The address of 7133 West Hampton Avenue, Milwaukee, WI 53218 is the address given by the Licensee on his application. The envelope



was not returned to the License Division by the United States Postal Service. The Licensee failed to appear at the hearing on October 22, 2019 at 1:00 p.m.

- B. The applicant has the following past due fines owed to Milwaukee municipal Court:

17043150	Display Unauth. Veh. Registration Plate	\$161.80 due 02/05/18
17043151	Non-Registration of Vehicle	\$ 98.80 due 02/05/18
17043152	Operating After Suspension	\$124.00 due 02/05/18
17043153	Operating Motor Veh. Without Insurance	\$124.00 due 02/05/18

- C. Alderman Spiker moved denial based on the second nonappearance.

### 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, Vanessa C. Martin has not met the criteria of Chapter 125 of the Wisconsin Statutes or Chapters 85 and 90 of the Milwaukee Code of Ordinances to allow renewal of the Class "D" Operator's license based upon the second nonappearance.
3. In order to protect the health, safety and welfare of the citizens of the City of Milwaukee, it is the recommendation of the Licenses Committee that the full Common Council should exercise its discretion to not renew the Class "D" Operator's license held by Vanessa C. Martin based upon the second nonappearance.

### RECOMMENDATION

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

Dated and signed at Milwaukee, Wisconsin this 24th day of October, 2019.



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NIK KOVAC  
Chairman Licenses Committee

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