

COMMITTEE ASSIGNMENTS

CHAIR

- Licenses Committee

VICE CHAIR

- Zoning, Neighborhoods and Development



MEMBER

- Finance and Personnel Committee
- Library Board
- Neighborhood Improvement Development Corporation Board
- Special Joint Committee on the Redevelopment of Abandoned and Foreclosed Homes
- Steering and Rules Committee
- Wisconsin Center District Board

MILELE A. COGGS
ALDERWOMAN, 6TH DISTRICT

April 8, 2021

To the Honorable, the Common Council

Dear Members:

Re: Common Council File Number 201305

Attached are written objections to file number 201305, Motion relating to the recommendations of the Licenses Committee relative to licenses, relating to a recommendation of:

Renewal, with a forty-five (45) day suspension, based on the police report, videos, and applicant and neighborhood testimony of the Class B Tavern, Food Dealer, and Public Entertainment Premises licenses for Toi Lisa Mark for the premises located at 2213 N Martin Luther King Jr Dr. ("Skybox Sports Bar") in the 6th aldermanic district.

Nonrenewal, based on the police report, and applicant, aldermanic, police, Health Department, and neighborhood testimony of the Class B Tavern and Food Dealer licenses for Edward Calloway Jr for the premises located at 3300 W Lincoln Ave. ("Junior's Cocktail Lounge") in the 8th aldermanic district.

Nonrenewal, based on the police report and aldermanic testimony, of the Extended Hours Establishment license for Rita Trimmel for the premises located at 369 E Oklahoma Ave. ("Speedway #4025") in the 14th aldermanic district.

Nonrenewal, based on the police report, and applicant, aldermanic, and neighborhood testimony of the Class A Malt, Food Dealer, and Weights & Measures licenses for Salah Qandeel for the premises located at 2672 N 35th St. ("Alliance Super Food Market") in the 15th aldermanic district.

This matter will be heard by the full Council at its Tuesday, March 2, 2021 meeting. Pursuant to City Ordinances, a roll call vote will be taken to confirm that all members have read the attached statement and materials.

Respectfully,

Milele Coggs, Chair
Licenses Committee

cc: All Council Members
City Attorney's Office
Common Council/City Clerk – License Division
CCF 201305



Owner/Agent: Toi Lisa Mark
Business Legal Name: Our Sports Bar/SB 2213 LLC
Doing Business As: SkyBox Sports Bar
2213 N MLK Dr.
Milwaukee, WI 53212
Common Council Meeting: April 13th, 2021 @ 9:00 am

The following packet contains information relevant to supporting the submission of the appeal for SkyBox Sports Bar. This packet has been written and put together by Toi Lisa Mark, Owner/Agent of SkyBox Sports Bar. The following pages are numbered and will be referred to throughout the appeals process.

Mission Statement

SkyBox Sports Bar will ensure that each guest enjoys the highest levels of service in the area, while maintaining prompt, professional, and friendly service. We will serve delicious, well-prepared meals, using high quality ingredients. We will achieve elite status simply because of the experience, food quality, along with our beer and cocktail service. We will treat all staff members with respect and dignity, while holding them accountable for the highest levels of guest service. We will maintain a clean, attractive, and safe place for guests to enjoy and for employees to work in.

To: The Common Council of the City of Milwaukee

Greetings:

As an Entertainment Liaison in the city of Milwaukee, more specifically in the Bronzeville district, I am aware of the role I must play as the owner of SkyBox Sports Bar as well as a community partner. In saying this, I am fully committed to the betterment of King Drive. As an integral part of Milwaukee's 6th district, SkyBox Sports Bar is respectfully known as the community's Cheer's. Knowing this, I, along with many others despise and detest the incident that occurred on February 28, 2021 and any incident of this nature. When things of this nature happen, the owner of the establishment MUST take a hard look at what led up to this...I did. Swift and immediate sustainable action was taken. Policies, procedures and consequences were revisited. Individuals and companies were terminated. At this time, I am respectfully asking that the Common Council seriously consider the following:

I. Decease the capacity to 200 on the plan of operation.

Appeal Request: Decease capacity to 200 on the plan of operation for a specific time frame with the option to reconsider the reduction amendment after 4-6 months.

II. Approval as amended with a 45-day suspension.

Appeal Request: Amend 45-day suspension to a 30-day suspension to help sustain economic vitality.

Appeal Request: During the 30-day suspension allow SkyBox Sports Bar to operate to-go orders only (NO DINE-IN) under reduced hours (11:00 pm close).

Rationale:

Section 1 of the documents in this appeals packet show that the monthly rent for SkyBox is \$11,404.00/month. The owner of the building has allotted a *temporary* rent subsidy of \$3,400.00 due to COVID; however, the monthly insurance and taxes are still accessed. The monthly payment is still a little over \$10,000.00/month. (see enclosed invoices for verification)

It should be noted that in order for me to obtain the lease agreement, I had to come to the table with a significant amount of collateral. Section 2 of this document will show that the collateral used to secure this vibrant location was my completely paid-for current residence and condo; both located in the city of Milwaukee. Currently, the owner of the building where SkyBox is located (Midwest Management II, LLC) holds a lien against both properties. (see enclosed insurance policy page for verification)

Section 3 will show that as of the date of this letter, my payroll liability totals a little over \$38,000.00. I employ 27 individuals whose demographics include, but are not limited to college

students, single mothers, and second-income seekers. My diverse and loyal staff has weathered the storm of COVID and I sincerely wish to see them sustain during this unforeseen time. (see enclosed payroll liability sheet)

My commitment and allegiance to King Drive, this community, and its citizens will not falter. In addition to the initial steps taken prior to March 30th, (see additional documentation section) I continuously strive to see SkyBox Sports Bar as an entertainment establishment that uplifts, helps and builds a better community. As the owner, I will continue to help promote small businesses and start-up venues, pour resources in to my community and more importantly, be a needed and positive role model for young people (specifically females) in the CITY of MILWAUKEE!

In conclusion, it is my sincere desire that you (the Common Council) have faith in me, the immediate changes I've made, and my desire to be a positive business owner and philanthropist in the 6th district, in the Bronzeville community, and on King Drive.

Thank you for your time and consideration.

Respectfully submitted,

A handwritten signature in cursive script that reads "Toi Lisa Mark". The signature is written in black ink and is positioned above the typed name.

Toi Lisa Mark, Owner/Operator
SkyBox Sports Bar

Section 1



MIDWEST MANAGEMENT II, LLC

13435 S. McCall Rd. #16, Box # 348
Port Charlotte, FL 33981
(847) 305-2103
katy@midwestmanagement.net

Invoice

Date	Invoice #
4/5/2021	6707

Bill To
SkyBox Attn: ToiLisa Mark 2213 N. MLK Jr. Dr. Milwaukee, WI 53212

Please send all payments to:
Midwest Management II, LLC
 Attn: Tami Stombaugh
 2205 Kimberly Rd. - Office
 Bettendorf, IA 52722

Due Date
4/15/2021

Item	Description	Total Price
Rent	Rent Due - April 15, 2021	11,404.00
Rent	Temporary Rent Subsidy (Will need to be re-paid)	-3,400.00
Insurance	Monthly - 2213 N. MLK Jr. Drive	200.33
Taxes	2021 Prepaid - 2213 N. MLK Jr. Drive	1,700.00
Taxes	2021 Glenbrook Tax payments (Jan, Feb, Mar)	664.40

Regarding past due balances: Any amount past due is subject to late fees, if not paid in full within 5 days of the due date.

Total	\$10,568.73
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Payments/Credits	\$0.00
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Invoice Balance Due	\$10,568.73
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MIDWEST MANAGEMENT II, LLC

13435 S. McCall Rd. #16, Box # 348
Port Charlotte, FL 33981
(847) 305-2103
katy@midwestmanagement.net

Invoice

Date	Invoice #
3/1/2021	6513

Bill To
SkyBox Attn: ToiLisa Mark 2213 N. MLK Jr. Dr. Milwaukee, WI 53212

Please send all payments to:
Midwest Management II, LLC
 Attn: Tami Stombaugh
 2205 Kimberly Rd. - Office
 Bettendorf, IA 52722

Due Date
3/15/2021

Item	Description	Unit Price	Total Price
Rent	Rent Due - November 15, 2020	11,404.00	11,404.00
Rent	Temporary Rent Subsidy (Will need to be re-paid)	-3,400.00	-3,400.00
Insurance	Monthly - 2213 N. MLK Jr. Drive	200.33	200.33
Taxes	2021 Prepaid - 2213 N. MLK Jr. Drive	1,700.00	1,700.00
Taxes	January tax payment - Glenbrook	220.52	220.52

Regarding past due balances: Any amount past due is subject to late fees, if not paid in full within 5 days of the due date.

Total	\$10,124.85
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Payments/Credits	\$0.00
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Invoice Balance Due	\$10,124.85
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Section 2

Homeowners Policy

INSURED AND AGENT INFORMATION

(Named Insured)

Name and Mailing Address

TOI LISA MARK
9430 W ROCHELLE AVE
MILWAUKEE WI 53224-4644

Agent Information

TRAVELERS BUSINESS CENTER
P O BOX 59059
KNOXVILLE TN 379509059

The Residence premises is located at

9430 W ROCHELLE AVE
MILWAUKEE WI 53224-4644

Mortgagee Name and Address

1. WAHTWYT LLC
MIDWEST MANAGEMENT II LLC
1749 GOLF RD. STE. 362
MOUNT PROSPECT IL 60056
LOAN NUMBER

POLICY INFORMATION

Homeowners Policy No.

995150518 633 1

Policy Period

01/06/21 - 01/06/22 12:01 A.M.
Standard Time at the residence premises

Your Insurer

The Travelers Home and Marine Insurance Company
One of The Travelers Property Casualty Companies
One Tower Square, Hartford, CT 06183

For Claim Service Call

1-800-CLAIM33

For Policy Service Call

1-877-490-4454

TOTAL POLICY PREMIUM

\$ 1,351.00

This is not a bill; you will be invoiced separately.

POLICY COVERAGES AND LIMITS OF LIABILITY

	LIMIT
Section I - Property Coverages	
A - DWELLING.....	\$ 357,000
B - OTHER STRUCTURES.....	\$ 35,700
C - PERSONAL PROPERTY.....	\$ 249,900
D - LOSS OF USE.....	\$ 107,100
LIMITED FUNGI, OTHER MICROBES OR ROT REMEDIATION	
Section I - Property Coverage.....	\$ 10,000
Section II - Liability Coverages	
E - Personal Liability (Bodily Injury and Property Damage) Each Occurrence..	\$ 100,000
F - Medical Payments to Others Each Person.....	\$ 1,000
LIMITED FUNGI LIABILITY COVERAGE	
Coverage E Aggregate Limit of Liability.....	\$ 50,000
Coverage F Sub-limit of Liability.....	\$ 1,000

POLICY SAVINGS AND DEDUCTIBLES

Your Savings

The following credits or discounts reduced your premium: Account Discount, Loss Free Discount, Protective Devices Discount

	DEDUCTIBLE
Section I Property Coverages Deductible (All Other Perils).....	\$ 1,000
Section I Windstorm Or Hail Deductible Percentage 3.0% of Coverage A	\$ 10,710

In case of loss under section I, only that part of the loss over the stated deductible is covered.

OPTIONAL ENDORSEMENTS AND COVERAGES

	LIMIT	PREMIUM
Optional Endorsements		
H0-290 (06-06) Personal Property Replacement Cost.....		Included*
Loss Settlement		
H0-312 (06-06) Windstorm or Hail Percentage Deductible.....		Included*
H0-420 (06-06) Additional Replacement Cost Protection.... 25%		Included*
H0-829 (06-06) Limited Fungi Other Microbes or Rot.....		Included*
Liability Coverage		

Continued on next page

MANDATORY FORMS AND ENDORSEMENTS

HO-3 (10-06) Homeowners 3 Special Form
HO-300 WI (10-16) Special Provisions - Wisconsin

The Declarations with your Homeowners Policy, HO-3 (10-06), and the optional Endorsements and coverages listed above, form your Homeowners Insurance Policy.

***Note:** The additional cost for any optional endorsement or coverage shown as "Included" is contained in the Total Policy Premium amount.

For Your Information

For information about how Travelers compensates independent agents and brokers, please visit www.Travelers.com or call our toll free telephone number 1-866-904-8348. You may also request a written copy from Marketing at One Tower Square, 2GSA, Hartford, Connecticut 06183.

You may be eligible for a policy in a newer product from one of our other Travelers companies. The way we determine the price for a policy is done differently for the newer product. For example, we may use new criteria, such as the building characteristics of your home, or we may use the existing criteria in a different manner. A new product policy might cost you less or more than what you now pay. It may also have different features than your current policy. You may continue with your current policy, or you may request a policy in the new program. We also offer many other ways to save on your premium. Travelers is here to help - so contact your agent or Travelers representative to discuss whether a different Travelers Homeowners insurance policy is right for you.

We have increased the coverage limit on your home by .3% to reflect the estimated cost to rebuild your home. This increase is based on information we received from CoreLogic, an independent firm specializing in construction costs. Each home is unique and you know your home best. Your coverage amount may need to be adjusted, higher or lower, based on your home's specific construction details, updates or upgrades. If you disagree with your coverage limit, please contact your Travelers representative or agent who can work with you to help you decide the appropriate amount of insurance for your home and process any necessary adjustments.

HOMESAVER POLICY

Named Insured

TOI LISA MARK
9430 W ROCHELLE AVE
MILWAUKEE WI 53224-4644

Your Agency's Name and Address

TRAVELERS BUSINESS CENTER
P O BOX 59059
KNOXVILLE TN 37950-9059

Your Policy Number: 600118284 664 1
Your Account Number: 600118284

For Policy Service Call: 1-877-490-4454
For Claim Service Call: 1-800-CLAIM33

Policy Period

FROM: 02-11-21 To: 02-11-22 12:01 A.M.
STANDARD TIME AT THE RESIDENCE PREMISES

Location of Residence Premises

6901 W GLENBROOK RD
MILWAUKEE, WI 532231111

Section I - Property Coverages

	Limits of Liability	Premium
A - Dwelling	\$ 5,000	INCL
B - Other Structures	1,000	INCL
C - Household Furnishings	3,000	\$ 95.00
D - Loss of Use	600	INCL

Section II - Liability Coverages

E - Premises Liability	\$ 100,000	\$ 13.00
F - Medical Payments	1,000	INCL

Policy Forms and Endorsements

HS 664 09 99	Rental Unit Owners Form	
HS 00 03 07 02	Special Coverage	
HS 01 48 10 16	Special Provisions - Wisconsin	
HS 04 16 09 99	Premises Alarm Or Fire Protection System	
HS 80 93 12 02	Limited Fungi, Other Microbes or Rot Remediation	
	Section I Property Coverage	\$10,000
	Section II Aggregate Sublimit	\$50,000

Total Premium

\$ 108.00

Your Premium Reflects the Following Credits or State Surcharges

Premises Alarm System-Fire 5.0%

Policy Deductible: \$ 500.00 All perils insured against

In case of loss under section I, only that part of the loss over the stated deductible is covered.

First Mortgagee

WAHTWYT LLC
MIDWEST MANAGEMENT II LLC
1749 GOLF RD STE 362
MOUNT PROSPECT, IL 60056

Your Insurer: The Travelers Indemnity Company of America
One of The Travelers Property Casualty Companies
One Tower Square, Hartford, CT 06183

For Your Information

For information about how Travelers compensates independent agents and brokers, please visit www.Travelers.com or call our toll free telephone number 1-866-904-8348. You may also request a written copy from Marketing at One Tower Square, 2GSA, Hartford, Connecticut 06183.

You may be eligible for a policy in a newer product from one of our other Travelers companies. The way we determine the price for a policy is done differently for the newer product. For example, we may use new criteria, such as the building characteristics of your home, or we may use the existing criteria in a different manner. A new product policy might cost you less or more than what you now pay. It may also have different features than your current policy. You may continue with your current policy, or you may request a policy in the new program. We also offer many other ways to save on your premium. Travelers is here to help - so contact your agent or Travelers representative to discuss whether a different Travelers Homeowners insurance policy is right for you.

Coverage for your personal property has been increased by 3.1% to reflect the estimated cost to replace your covered property. This adjustment is based on information from a Consumer Price Index. It is your responsibility to know and understand the amount of insurance you have purchased. If you believe the renewal coverage limit is not appropriate, please contact your insurance representative to help you decide the appropriate amount of insurance for your personal property and process any necessary adjustments.

It is important that the information we used to rate your policy is correct. It is your responsibility to make sure that the information on these Declarations is accurate and complete, including checking that you are receiving all the discounts for which you are eligible. To see a full list of discounts offered, including discounts for having multiple policies with us and protecting your home with safety devices, go to www.travelers.com/discounts. Once at the website, type in your policy number 6001182846641 and product code SV1 to view the discounts available. If any of the information on the Declarations has changed, appears incorrect, or is missing, please advise your Travelers agent or representative immediately. Your Travelers agent or representative is also available to review the information on the Declarations with you.

HOMESAVER POLICY

Named Insured: TOI LISA
MARK
Policy Number: 600118284 664 1
Policy Period: 02-11-21 To: 02-11-22
Effective Date: 02-11-21

For Your Information (continued)

Thank you for insuring with Travelers. We appreciate your business. If you have any questions about your insurance, please contact your agent or representative.

These declarations are part of your Homesaver Insurance Policy, Rental Condominium Unit Form 664. If a change number and effective date appear at the top of this page, these Declarations replace any previous Declarations on that date.

Section 3

Payroll Liability

Total Cash Required	\$38,177.78
Debit for Checks (Net Pay)	\$7,769.74
Debit for FSDD (Full Service Direct Deposit)	\$20,360.25
Debit for Taxes	\$9,115.48
Debit for GPS (Garnishment Payment Services)	\$232.98
Debit for Pay-by-Pay	\$699.33

Important Note

Your cash required total does not include your fees for service. The invoice with the details of your fees will be sent the Monday after you process your payroll with the debit from your account occurring 3 banking days later.

Company: SB 2213

1 of 3

Date Printed: 04/07/2021 00:28

Check dates from: 1/20/2021 - Payroll 1 to:

4/2/2021 - Payroll 3

Pay Period from: 12/24/2020 to: 03/15/2021

23678579 - R4/8VG

Payroll Liability

PAY FREQUENCY: Biweekly

Net Pay

Checks	7,769.74	
Subtotal Net Pay		7,769.74
Void	0.00	
Total Net Pay Liability (Net Cash)		7,769.74

Taxes	Agency	Rate	Deposit Responsibility Client		Deposit Responsibility ADP		
			EE withheld	ER contrib	EE withheld	ER contrib	
Federal	Federal Income Tax		2,707.91				2,707.91
	Social Security		2,013.00		2,023.25		4,036.25
	Medicare		470.79		473.20		943.99
	Federal Unemployment Tax Act	0.6000			129.78		129.78
	Subtotal Federal		5,191.70		2,626.23		7,817.93
State	WI State Income Tax				1,263.19		1,263.19
	WI State Unemployment (Employer)	0.1200					34.36
	Subtotal WI				1,263.19		34.36
	Total Taxes				6,454.89		9,115.48

Other Transfers	Full Service Direct Deposit (FSDD)	20,360.25	41 Employee Transactions
	Pay-by-Pay Insurance	699.33	
	ADP Check	7,769.74	13 Transactions
	Garnishment Payment Service (GPS)	232.98	5 Transactions

Total Biweekly Pay Frequency

Total Direct Deposit (FSDD)	\$20,360.25
Total Pay-by-Pay Insurance	\$699.33
Total GPS	\$232.98
Total ADP Check	\$7,769.74
Total Taxes	\$9,115.48
Total Amount ADP Debited from your Account(s)	\$38,177.78

Total For 1/20/2021 - Payroll 1 to 4/2/2021 - Payroll 3

Total Direct Deposit (FSDD)	\$20,360.25
Total Pay-by-Pay Insurance	\$699.33
Total GPS	\$232.98

Payroll Liability

Total ADP Check	\$7,769.74
Total Taxes	\$9,115.48
Total Amount ADP Debited from your Account(s)	\$38,177.78

Company: SB 2213

3 of 3

Date Printed: 04/07/2021 00:28

Check dates from: 1/20/2021 - Payroll 1 to:

4/2/2021 - Payroll 3

23678579 - R4/8VG

Pay Period from: 12/24/2020 to: 03/15/2021

Additional Documentation

The following are the steps taken/implemented to proactively prevent/discourage any reoccurrence.

- Immediate removal of the security team as their direct and blatant disregard for our COVID Safety Plan placed the business, patrons and the community at-risk.
- Hired new security team (TSS Security) w/enhanced an scanning system
- Formal introduction of security team to Tavern Squad Officers
- Immediate removal of all promoters (Until security team is in place and familiar with business and COVID procedures)
- Early weekend closures/reduced hours (Until security team is familiar with business and COVID procedures)
- No Trespassing Orders sent to last known address found on CCAP for ALL parties involved (Total 10)
- Organized 14 bars throughout the city and instituted an Across-the-Bars BAN list of individuals who blatantly disregard an establishment's code of conduct. Issues/Individuals of this nature should not be allowed to move to another establishment/district and possibly caused another unwarranted disturbance.
- Capacity reduced to 50%
- All Staff (including security) meeting to reiterate COVID Safety Plan, expectations, and consequences for failure to follow non-negotiable directives.
- Additional management added to team
- Monday check-in (email) with Alderwoman's office to inform of any incidents. To date there are none to report.
- Regular check-in's with Officer Rebro (District #5) Community Liaison Officer

Additional Actions taken since March 30, 2021

- Successful completion of COVID-19 Awareness
- Conversation with 3 of the 8 female fighters. They have committed to volunteering with our community clean-up scheduled for May 2021.

What I would like to do

- Partner with a health organization to promote and educate our target population about the various vaccinations and their importance; possibly hold a vaccination drive.
- Promote entrepreneurship in the community; Utilize funding from Governor Evers' proposed budget to continue and strengthen our efforts
- Continue to build our Entertainment Liaison Group comprised of bar owners so that we not only provide positive entertainment venues, but that we also build a movement that will uplift our community.

It is my hope that the licensing committee does not overlook the positive interactions that have been established, cultivated and maintained by SkyBox for the betterment of our community and the city as a whole. During the past year SkyBox has:

- Donated food to emergency room hospital staff at various hospitals in the area
- Donated basketball courts to MPD District #3 to help cultivate positive interactions between the police and the community during the height of the Black Lives Matter movement
- Donated \$1,000 to Milwaukee's Finest Scholarship fund to help fund deserving students' college education
- Donated pre-filled college trucks to the Greek Pan-Hellenic Council and to Adopt-a-Senior so that they can make the donation to students entering college.
- Donated water bottles and ice to police officers in District #5
- Weekly Sunday delivery of hot soul food meals to elderly sick and shut in
- Maintained part-time employment for our essential workers/employees during the COVID pandemic
- Hosted and sponsored turkey giveaways, coat drives, and school-supply filled book bag distributions
- Hosted and sponsored fundraising events for victims of deadly violence, victims of house fires, and young people in various AAU teams.
- Distributed COVID readiness kits and partnered with various barbers to giveaway free haircuts.
- We continue to maintain positive relations with the Halyard Park community, their block watch, as well as other businesses in our neighborhood.



CERTIFICATE OF COMPLETION

This certifies that

Toi Lisa Mark

has successfully completed the course

COVID-19 Awareness



Completion Date
04/02/2021



Certificate #
000018682924



A handwritten signature in black ink, appearing to read 'Sarah [unclear]'. The signature is written in a cursive style.

Official Signature

PROFILE

Education is not the learning of facts,
but the training of the mind to THINK!
-Albert Einstein-

Objective

Searching for a demanding role as a
High School Assistant
Principal/Implementer. Will assist with
responsibilities that support other
administrators, teachers, and students
for the purpose of executing the
vision, mission and strategic goals of
the school while promoting high

TOI LISA MARK

EDUCATION

Indiana University

August 1995 - May 1998

Master's Degree Secondary Education/English

Marquette University

August 1990 - December 1993

Bachelors of Science/Business

University of Wisconsin-Milwaukee

Marquette University

Additional course work towards Administration license



Office of the City Clerk

Jim Owczarski
City Clerk
jowcza@milwaukee.gov

Jessica Celella
Deputy City Clerk
Jessica.Celella@milwaukee.gov

April 1, 2021

Toi Lisa Mark
Our Sports Bar Inc
2213 N Martin Luther King Jr Dr
Milwaukee, WI 53212

Dear Ms. Mark:

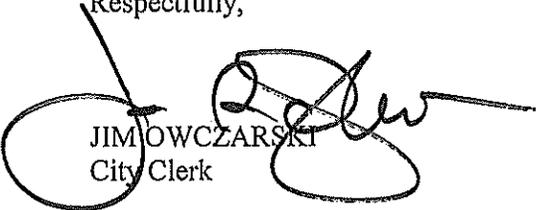
You are hereby notified that the Milwaukee Common Council will hold a hearing on Tuesday, April 13, 2021, commencing at 9:00 a.m., or as soon thereafter as this matter may be heard, in the Common Council chambers on the third floor of City Hall, 200 East Wells Street, Milwaukee, Wisconsin to consider whether to renew, renew with a suspension between 10 and 90 days, or not renew the Class B Tavern, Food Dealer, and Public Entertainment Premises licenses for the premises located at 2213 N Martin Luther King Jr Dr ("Skybox Sports Bar").

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, with a forty-five (45) day suspension, of the Class B Tavern, Food Dealer, and Public Entertainment Premises licenses based on the police report, videos, and applicant and neighborhood testimony. This recommendation is the result of a public hearing before the Committee held on Tuesday, March 30, 2021.

Please be advised that the Common Council will determine whether to renew, renew with a suspension between 10 and 90 days, or not renew the Class B Tavern, Food Dealer, and Public Entertainment Premises licenses 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, April 7, 2021 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 molly.kuether-steele@milwaukee.gov. Within 24 hours, you will be sent an e-mail notification that your objections were received and the information to appear virtually before the Common Council. 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,


JIM OWCZARSKI
City Clerk



Kuether-Steele, Molly

From: Ecallio Calloway <ecalloway29@gmail.com>
Sent: Monday, April 05, 2021 10:59 AM
To: Owczarski, Jim; Kuether-Steele, Molly
Subject: License revoked Juniors Cocktail Lounge

Categories: Licenses

Hello,

This is Edward Calloway Jr., I'm sending this email to object to the license revoked for my bar Junior's Cocktail Lounge. I would like to plead my case and hopefully reinstate my license soon as possible.

On Tue, Mar 16, 2021, 11:07 AM Ecallio Calloway <ecalloway29@gmail.com> wrote:

Hello,

This is Edward Calloway Jr., I'm sending this email to object to a 60 day suspension for my bar Junior's Cocktail Lounge. I would like to plead my case and possibly cut some time off of the 60 days of being closed.

Thank you for your time in this matter.

Edward R.Calloway Jr



Direct Line: (414) 577-4036
E-Mail: mmurray@kasdorf.com

April 7, 2021

VIA E-MAIL – jowcza@milwaukee.gov

Mr. Jim Oszczarski
City Clerk
City of Milwaukee
City Hall
200 East Wells Street, Room 205
Milwaukee, WI 53202

VIA E-MAIL – molly.kuether-
steele@milwaukee.gov

Ms. Molly Kuether-Steele
City of Milwaukee
City Hall
200 East Wells Street, Room 205
Milwaukee, WI 53202

Re: City of Milwaukee v. Speedway
File No. 3067.231642

Dear Mr. Oszczarski and Ms. Kuether-Steele:

Thank you so much for the opportunity to file an objection to the City of Milwaukee Licenses Committee's recommendation to non-renew Speedway's Extended Hours Establishment License at its store at 369 E. Oklahoma St.

Speedway believes that through the plan developed and being executed with the Milwaukee Police Department, it can operate safely and securely from 12am – 5am and serve the members of the Milwaukee community who need fuel, food, and other items during those hours. Our police force, healthcare workers, and other overnight essential workers rely on the ability to obtain necessary items when they are on the clock or coming to and from work, and Speedway believes that it can continue providing this service to them in a safe manner. I will outline the plan with the Milwaukee PD below in detail.

The Licenses Committee asked us to commit to fuel-only sales during the hours of 12am – 5am in order to secure a recommendation to renew our Extended Hours License. However, Speedway could not (and cannot) commit to unattended fuel sales during the hours of 12am – 5am because 1) at the time of the hearing, it was our understanding that wasn't allowed by the State of Wisconsin, and 2) operating in this manner gives rise to a number of serious safety concerns that seemed counterproductive to the collective goal of making this site safer and more secure. While we have since had the time to clarify the State of Wisconsin's requirements regarding unattended fuel sales and know that they are permitted with the approval of the State

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A Limited Liability Service Corporation



April 7, 2021

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Fire Marshal, our safety concerns remain the same. In Speedway's experience, unattended fuel sales increases the risk of our patrons being victimized by bad actors and increases the risk of serious, negative consequences in the event a trained associate isn't present to respond to a potential vehicle/pump strike or similar situation. In sum, we believe that operating overnight with a BR glass enclosure dramatically reducing the risk of an armed robbery is far safer than allowing unattended fuel sales at the pumps, risking our customers' safety. Speedway believes it can operate safely overnight, the plan details of which we will provide below.

Back in January, the Milwaukee PD through Officers Garcia and Ward, reached out to Speedway regarding this Store after multiple events had occurred at the Store to discuss a safety plan. We quickly explained, in writing, the safety plan Speedway had immediately begun developing once these robberies occurred. I am attaching to this email the correspondence with the Milwaukee PD, including the agreed-upon plan, which includes but is not limited to:

- A \$100,000 investment in a custom-made BR glass enclosure, which has already been designed and ordered through our vendor.
- Increased security presence since January 7, 2021, until the BR glass enclosure was installed, 4 days a week for overnight shifts of 8 hours. **Per the License Committee's request and as committed at the License Committee Hearing, we have since increased the security presence to 7 days a week overnight shifts from 9pm – 5am.**
- Additional training conversations with our Store employees by our Safety Security Dept.

The Milwaukee Police Department accepted our plan, and we continued with its execution. We also had a number of meetings and calls with the Milwaukee PD since that time, collaborating on our plan and jointly addressing a repeated theft offender issue at our Store which accounted for a number of the calls to the Milwaukee PD cited in the Findings of Fact and Conclusions of Law. This Store has not experienced another robbery or any other violent crime since we began this implementation. We believe that the BR glass enclosure, once installed, will make it even safer and less likely to experience a violent crime. We intend to continue to work with the Milwaukee PD to address Mr. Luis-Soto's repeated thefts at our Store, including issuing him a no trespass letter, officially banning him from our Store.

In sum, we believe that we have executed a plan—and will continue to enhance and execute the plan—that will enable us to operate safely during the overnight hours. Speedway asks that the Council allow us to continue with this collaborative plan that's been blessed by the



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Page 3

Milwaukee PD and allow us to continue to serve our overnight essential workers during the hours of 12am – 5am.

Very truly yours,

Electronically signed by Michael S. Murray

Michael S. Murray

MSM/lms
Attachments



Erin A. Moosbrugger
Attorney
Law Organization

Speedway LLC

P. O. Box 1500
Springfield, Ohio 45501
Telephone 937-863-6954
Fax 937-863-6954
E-mail: eamoosbrugger@speedway.com

January 22, 2021

Re: Speedway's Response to Nuisance Notice

Officers Garcia and Ward,

Thank you again for speaking to me last week. This letter will serve as Speedway's response to Captain Riestra's January 6, 2021 Notice of Nuisance letter regarding our Store at 369 East Oklahoma Ave. As an initial matter, Speedway disputes that its Store is a nuisance. While we certainly have been the victim of unpredictable criminal activity by bad actors lately, we are a responsible company that has always taken the safety and security of our customers and employees seriously. And as you will see below, we immediately took additional measures at this Store in an effort to address the recent rash of crime. In that vein, thank you for working with us in our effort to keep our property as safe as possible for our customers and employees. We've always enjoyed a good relationship with the Milwaukee Police Department, value our collaboration, and have always been committed to partnering with local law enforcement to further the wellbeing and success of the communities in which we operate.

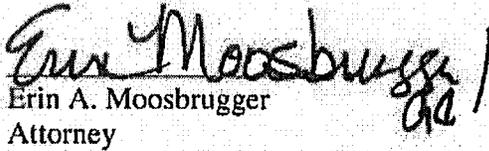
As you likely know, Speedway has always employed nuisance-abating measures at its Stores such as ample interior and exterior lighting, 24-hour video surveillance, 24/7 alarm center monitoring, and employee new-hire and annual training regarding robbery deterrence and other safety and security issues to name just a few. As is evident from the Notice, our employees do as they are trained and immediately call police when crimes occur. However, when the incidents in December occurred, we immediately began additional efforts to abate such criminal activity. On 12/17/21, Mr. John Cunningham from our Loss Prevention Department traveled to the Store to evaluate its security measures and meet with employees. While there, he reviewed with the employees robbery deterrent procedures, employee and customer safety, security incident reporting, and working with local Police. After communicating with leadership in our Operations group, and in a further effort to abate the criminal activity at the Store, he then hired Off Duty Services, a third-party security provider, to provide a security guard at the Store beginning January 7, 2021. Security is currently contracted to be at the store 4 days a week for overnight shifts of 8 hours. Friday and Saturday nights are always covered, and the other two nights rotate each week in an additional effort to minimize predictability and deter criminal activity on certain nights. Finally, we plan to install a custom Bullet Resistant Enclosure in this Store and started the process of procuring the Enclosure weeks ago. Our contractor has already visited the Store to take measurements for the Enclosure, and it is in the process of being designed and built. We will install it as soon as it is ready.

We are happy to discuss our additional efforts with you further as well as the protections we already had in place. Mr. Cunningham and our District Manager, Adrian Poulisse, are available at your convenience to continue the collaboration here. I'm including their contact information below so that you have a direct contact with Speedway corporate, which I understand from our call was a concern of yours.

Adrian Poulisse: ssalake186@speedway.com

John Cunningham: jjcunningham@speedwayconnect.com

Thank you again. We look forward to your response.


Erin A. Moosbrugger
Attorney



Milwaukee Police Department
Police Administration Building
749 West State Street
Milwaukee, Wisconsin 53233
<http://www.milwaukee.gov/police>

Jeffrey B. Norman
Acting Chief of Police

(414) 933-4444

January 27, 2021

Speedway SuperAmerica LLC
Speedway #4025
539 S. Main Street
Findlay, OH 45840

Re: Notice of Acceptance of Proposed Course of Action

Dear Speedway SuperAmerica LLC:

This letter is notice to you that the Milwaukee Chief of Police, by the chief's designee, the district commander, has received, reviewed, and accepted your proposed course of action for abatement of nuisance activities occurring at the premises located at **369 East Oklahoma Avenue** ("the premises"), pursuant to Milwaukee Code of Ordinances ("MCO") § 80-10, Chronic Nuisance Premises.

Be advised that you now have 45 days from the date of this notice of acceptance to implement the course of action. The premises will be monitored during the implementation period and if you follow through and properly implement the course of action, no further action will be taken; except that if nuisance activities persist thereafter, you may be asked to modify and re-submit your course of action for review, and acceptance or rejection.

If you fail to properly implement the accepted course of action within 45 days, and a subsequent nuisance activity occurs at the premises, you will be subject to a collections action for the cost of any police services and enforcement.

Once you have been billed for the costs of enforcement for three or more separate nuisance activities within one year, the premises may be designated a chronic nuisance, pursuant to MCO § 80-10-6, and each and every subsequent incident of nuisance activity at the premises may be deemed a separate violation and result in a citation being issued to you for failure to abate the nuisance activity. Each citation would subject you to a forfeiture of not less than \$1,000.00 or more than \$5,000.00. Upon default of payment of a chronic nuisance citation you would be subject to imprisonment in the county jail or house of correction for a period of not less than 40 days or more than 90 days for each violation.

Please contact **Police Officer Fabian Garcia** at **414-935-7198** with any questions.

Best regards,

JEFFREY B. NORMAN
ACTING CHIEF OF POLICE



Captain Kristin Riestra
DISTRICT COMMANDER

Attachment: Notice of Nuisance Premises
CC: Department of Neighborhood Service, Lake Tower 1st Floor – Pete Laritson
City Hall Common Council
Building owner

v. 9/19



Date: April 7, 2019

TO: Members of the Milwaukee Common Council via City Clerk

(jowcza@milwaukee.gov; molly.kuether-Steele@milwaukee.gov)

From: Salah Qandeel Agent for Y & A Food, Inc by and through her Attorney Jeffrey J. Guerard

Re: Nonrenewal of Class A Malt, Food Dealer and Weights and Measures License for Y&A Food, Inc the premise located at 2672 N. 35th Street Milwaukee, Wisconsin.

RESPONSE TO THE LICENSES COMMITTEE APRIL 1, 2021 REPORT

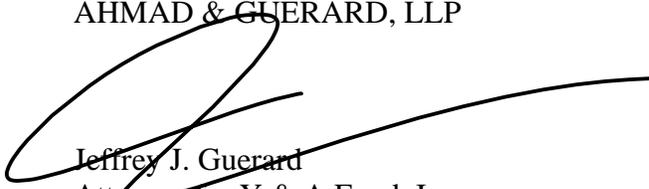
The Licenses Committee recommended for nonrenewal of the Y & A Food, Inc. The Committee has routinely given, at most, suspensions for discipline in cases where the conduct of the applicant and the business is much more severe. *See File No. 160154, 90 day Suspension of Le Cabaret, Inc. d/b/a "Texas Jays" for a fight that resulted in felony charges; File No. 160637 10 day suspension of Premier Milwaukee, LLC;* These are but a handful of examples where the Committee has recommended suspensions in light of similar conduct. The Committee's recommendation in this case is arbitrary and overly harsh.

The applicant has submitted a detailed mitigation plan that will ensure that issues like the one issue in the past will not happen again. In particular, the applicant will ensure that he screens his employees and makes them attend a Mental Health Training program to be better able to identify and handle encounters with individual suffering from mental health difficulties.

This store has existed for approximately 30 years. In those 30 years, the store has had very little discipline. In the interest of progressive discipline, we are asking the Common Council not following the recommendation of the Licenses Committee and instead issue a short suspension.

Sincerely,

AHMAD & GUERARD, LLP



Jeffrey J. Guerard
Attorney for Y & A Food, Inc.