



City of Racine

Meeting Agenda - Final

City Hall
730 Washington Ave.
Racine, WI 53403
www.cityofracine.org

Public Safety and Licensing Committee

*Chairman David L. Maack, Vice Chair Q.A. Shakoor, II,
Alderman Gregory Holding, Alderman Tim Hermes,
Alderman Jim Kaplan*

Thursday, December 14, 2006

5:00 PM

City Hall, Room 205

SPECIAL MEETING

Call To Order

1. [06-2994](#) **Subject:** 1. Due Process Hearing on Item 06-2648 of December 14, 2006, being the recommendation of the Public Safety and Licensing Committee to consider revocation or suspension of the "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License for 262 Lounge, 1846 Mead Street (2nd District).

CLOSED SESSION

At the conclusion of the hearing, it is intended that the Committee will convene in closed session pursuant to Section 19.85(1)(a) of the Wisconsin Statutes to deliberate concerning the quasi-judicial hearing regarding 262 Lounge, 1846 Mead Street, and the Committee will reconvene in open session to announce its findings and recommendation.

OPEN SESSION

2. Announcement of committee finds and recommendation.

Recommendation of the Special Public Safety & Licensing

Committee: That the matter of the 262 Lounge, 1846 Mead Street, Melvin T. Bumpus, Jr., Agent, the license be revoked.

Fiscal Note: The approximate cost is \$8,000.00.

DUE PROCESS HEARING RECOMMENDATION (12-14-06):

IN THE MATTER OF: Hearing on the License of Melvin Bumpus for "Class B" Intoxicating Liquor and Fermented Malt Beverage License for 1846 Mead Street,

Racine, Wisconsin.

FINDINGS OF FACT

1. That Melvin Bumpus holds a "Class B" intoxicating liquors and fermented malt beverages license for 1846 Mead Street, Racine, Wisconsin, which authorized the sale of intoxicating liquors and fermented malt beverages for the current license year of 2005 - 2006.
2. Melvin Bumpus has held such license for 1846 Mead Street since June 30, 2006.
3. Notice of Hearing to Suspend or Revoke the "Class B" License held by Melvin Bumpus signed by the Deputy City Clerk on November 29, 2006 and a Complaint signed by a member of the Public Safety and Licensing Committee on December 4, 2006, was served on Melvin Bumpus on December 5, 2006 with said documents notifying Melvin Bumpus that the City intended to consider suspension or revocation of said license.
4. On December 14, 2006, at a special meeting of the Public Safety and Licensing Committee, Mr. Bumpus appeared without counsel, and the City appeared by special counsel Ken Rusch, and the Committee held a due process hearing at which time the City presented evidence, and examined witnesses under oath, with the proceedings being recorded by a court reporter.
5. During a closed session following hearing, the Committee members deliberated with regard to the allegations contained in the Notice of Hearing regarding the License for 1846 Mead Street, and the Committee hereby makes the following findings, conclusions and recommendations:
 - a) The allegation as set forth in ¶ 6 of the Complaint (contained in Hearing Ex. 12) that a shooting and homicide did occur in the premises of "262 Lounge" located at 1846 Mead St., Racine, WI, on May 19, 2006, as set forth more particularly in Hearing Ex. 3, is sustained.
 - b) The allegation as set forth in ¶ 7 of the Complaint that a fight and a large disorderly, disruptive civil disturbance occurred in and adjacent to the "262 Lounge" on October 8, 2006, as set forth more particularly in Hearing Ex. 4, is sustained.
 - c) The allegation as set forth in ¶ 8 of the Complaint that a serious assault had occurred on October 13, 2006 in the "262 Lounge" as set forth more particularly in Hearing Ex. 5 (Ex. E attached to the Complaint) and photographic Hearing Exhibits 6 through 9 is sustained. The Committee members find that Mutale Chisela was beaten by at least one of Melvin Bumpus' employees. The

Committee also finds that the allegation as set forth in ¶ 8 of the Complaint that there was a shooting on October 13, 2006 in or near the "262 Lounge" is not sustained.

- d) The committee finds, based on the testimony elicited from City of Racine police officers at the hearing of Dec. 14, 2006, that Melvin Bumpus has been evasive and uncooperative with Racine police officers who were investigating the incidents of October 8 and October 13, 2006.
- e) Melvin Bumpus is operating said premises as a disorderly, riotous, indecent or improper house within the meaning of Section 125.12(2) (ag)2 of the Wisconsin Statutes and Section 6-12 of the City of Racine Municipal Code of Ordinances.

CONCLUSIONS OF LAW

The above findings constitute violations of City of Racine Municipal Code and Wisconsin Statutes relating to premises that are licensed for the sale of alcohol beverages.

RECOMMENDATION

That the "Class B" Intoxicating Liquor and Fermented Malt Beverage License, for The Cruise Inn at 1846 Mead Street, Racine, Wisconsin, be revoked.

Dated this 15th day of December, 2006.

Public Safety and Licensing Committee

Alderman David L. Maack, Chairman

Alderman Q.A. Shakoor, II

Alderman Gregory T. Holding

Alderman Tim Hermes

Alderman Jim Kaplan

Alderman Maack called the Open Session to order at 8:15pm. The committee unamiously voted to revoke the license.

Miscellaneous Business

None

Adjourn

The meeting adjourned at 8:20 PM.