

COMMITTEE ASSIGNMENTS

CHAIR

- Licenses Committee

VICE CHAIR

- Zoning, Neighborhoods and Development



MILELE A. COGGS
ALDERWOMAN, 6TH DISTRICT

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

September 11, 2023

To the Honorable, the Common Council

Honorable Members:

Common Council File Number 230663 contains the following recommendations:

Renewal with a fifteen (15) day suspension of the Food Dealer and Food Peddler licenses (vehicles 251 and 960) based upon the preponderance of the evidence in the written objections and inconsistent applicant's testimony; for the premises located at 1704 S Pearl St. ("Mr. Taco") in the 8th aldermanic district.

Respectfully,

Milele Coggs, Chair
Licenses Committee

cc: All Council Members
File 230663



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MILELE A. COGGS
ALDERWOMAN, 6TH DISTRICT

Date: September 8, 2023

To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report of the Renewal Application of Julio Equihua Equihua, Agent for Mr. Taco LLC, for a Food Dealer and Food Peddler licenses for a food truck and premises located at 1704 South Pearl Street in the City and County of Milwaukee, Wisconsin ("Mr. Taco").

FINDINGS OF FACT

1. Julio Equihua Equihua (hereinafter the "Licensee") is the holder of a Food Dealer license for a food truck and premises located at 1704 South Pearl Street in the City and County of Milwaukee, Wisconsin ("Mr. Taco"). Said license expired at midnight, August 24, 2023.
2. An application to renew said license was filed with the Office of the City Clerk on August 7, 2023.
3. Pursuant to Chapters 68 and 85 and 108 of the Milwaukee Code of Ordinances, the matter was referred to the Milwaukee Police Department for investigation.
4. On August 24, 2023, the City Clerk's Office provided notice to the Licensee pursuant to Chapters 68 and 85 of the Milwaukee Code of Ordinances of the neighborhood objections and included a copy. The matter was scheduled for a hearing on the police report and neighborhood objections on September 6, 2023 at 1:55 p.m. in Room 301B of the third floor of City Hall. At said date, time and place, the Licensee appeared 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. The Licensee was present along with Vanessa Molina (wife).

Individuals also present:



- B. Alderwoman Zamarripa said that they want food trucks to thrive but that they also want brick and mortar businesses to thrive as well. She added that Mr. Taco has not been in compliance and that they received a warning letter last year for the same reasons that they are here today.
- C. Alderman Perez said that he is disturbed by the pictures in the file, and that they have continued using the pick-up truck with the handicap sign to save the parking spot for the food truck and that he wants business to follow the rules.
- D. Ms. Molina said that she has pictures that they are not the ones that dump the oil on the street on National Avenue.
- E. Alderman Perez said that she could submit those pictures to the License Division with the food truck information to be filed as an objection.

Individuals in opposition:

- F. Kelly – Cousins Subs Restaurant – said that she has approached the Licensee on numerous occasions about parking in front of the restaurant. She added that the food truck blocks traffic visibility and that the safety concern is taking customers away from this brick and mortar business.
- G. Alderwoman Zamarripa said that the Licensee must be a good neighbor and to work along with other food trucks and that, she supports the renewal but that there must be a progressive discipline with a 10 or 20-day suspension.
- H. Alderman Brostoff said that we have heard contradictory things from the Licensee today and that all food trucks must follow the rules.
- I. Alderman Brostoff moved renewal with a 15-day suspension based upon the preponderance of the evidence in the written objections and inconsistent applicant’s testimony. There were no objections. (Prevailed 5-0)

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 68 and 85 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concludes that the Licensee, Julio Equihua Equihua who holds a Food Dealer and Food Peddler licenses for a food truck and premises located at 1704 South Pearl Street in the City and County of Milwaukee, Wisconsin (“Mr. Taco”) has not met the criteria of Chapters 68 and 85, of the Milwaukee Code of Ordinances to renew the Food Dealer and Food Peddler licenses without undergoing a fifteen (15) day suspension. The Committee finds the neighborhood objections and aldermanic objections as stated above to be true. The recommendation is based on the preponderance of the evidence and inconsistent Licensee’s testimony.



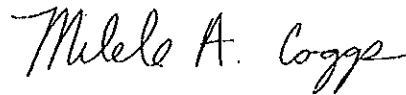
3. In order to protect the health, safety and welfare of the citizens of the City of Milwaukee, it is the recommendation of the Licenses Committee that the full Common Council of the City of Milwaukee should exercise its judgment to not renew the Food Dealer and Food Peddler licenses for the food truck and premises located at 1704 South Pearl Street in the City and County of Milwaukee, Wisconsin (“Mr. Taco”) without undergoing a fifteen (15) day suspension. The Committee based its recommendation on the preponderance of the evidence and inconsistent applicant’s testimony.

RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, including the Findings previously generated by the Committee in this matter, by a vote of **five (5) ayes and zero (0) noes** recommends that the Food Dealer and Food Peddler licenses held by Julio Equihua Equihua for the food truck and premises located at 1704 South Pearl Street in the City and County of Milwaukee, Wisconsin (“Mr. Taco”) not be renewed without undergoing a fifteen (15) day suspension, The recommendation is based on the a preponderance of the evidence and inconsistent Licensee’s testimony.

The suspension is in effect between 12:01 a.m. on September 13, 2023 until 11:59 p.m. on September 27, 2023.

Dated and signed at Milwaukee, Wisconsin this 8 day of September, 2023.



MILELE A. COGGS
Chairman, Licenses Committee

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