

Date: July 22, 2010

To: All Members of the Milwaukee Common Council

From: Licenses Committee

Re: Report on the application for a Food Dealer's License for Adli Dahadha, Agent for Atari Food, LLC, d/b/a Atari Food, located at 2478 North 38th Street.

FINDINGS OF FACT

1. Adli Dahadha (hereinafter the "Applicant") is the agent for Atari Food, LLC, and has applied for a Food Dealer's License for the premises located at 2478 North 38th Street in the City and County of Milwaukee, Wisconsin ("Atari Food").
2. The application for a Food Dealer's License in the name of Adli Dahadha was filed with the Milwaukee Health Department on March 31, 2010. On April 23, 2010 Health Department Commissioner Bevan K. Baker objected to the issuance of that license based upon objections from Alderman Willie Hines, 15th Aldermanic District.
3. There were no objections by the Milwaukee Police Department but there were neighborhood objections to the grant of this license pursuant to § 68 of the Milwaukee Code of Ordinances.
4. On June 30, 2010 the City Clerk's Office provided timely notice to the Licensee pursuant to Chapter 68 of the Milwaukee Code of Ordinances of the objection to the Food Dealer license. The matter was scheduled for a hearing on the objections of the neighbors on July 12, 2010, commencing at 8:00 a.m. in Room 301B of City Hall. At said date, time and place, the Licensee did appear and 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. Vanessa Robins, 2534 North 37th Street, appeared in opposition to the license due to the drug activities, appearance of the building, littering and problems to the Metcalf neighborhood residents.

- B. An overconcentration of licenses in this area (the concentration map was made part of the record in this matter).

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 68 of the Milwaukee Code of Ordinances.
2. Based on the above facts found, the Committee concludes that the Licensee, Adli Dahadha has not met the criteria of Chapter 68 of the Milwaukee Code of Ordinances to allow the issuance of a Food Dealer License based upon objections by the neighbors and concentration.
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 grant a Food Dealer License to Adli Dahadha, Agent for Atari Food, LLC for the premises at 2478 North 38th Street (“Atari Food”).

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 Food Dealer License application of Adli Dahadha, Agent for Atari Food, LLC for the premises at 2478 North 38th Street (“Atari Food”) be denied based upon neighborhood objections and concentration.

Dated and signed at Milwaukee, Wisconsin this 22nd day of July, 2010.

JAMES A. BOHL, Jr.
Chair, Licenses Committee