



Office of the City Clerk

**Ronald D. Leonhardt**  
City Clerk

[www.milwaukee.gov](http://www.milwaukee.gov)

November 2, 2006

**Carolyn Hill Robertson**  
Deputy City Clerk

Billy Hill  
4422A North 36<sup>th</sup> Street  
Milwaukee, WI 53209

Dear Mr. Hill:

You are hereby notified that the Milwaukee Common Council will hold a hearing on November 14, 2006 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 53202 to consider your food dealer license application for the premises at 6715 West Villard Avenue, Milwaukee, Wisconsin ("The Sweet Shop").

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 denial of the food dealer license. The recommendation is the result of a public hearing before the Committee held on October 30, 2006, a police report and neighborhood objections.

You may file a written objection to the report of the License Committee and shall have the opportunity to present arguments in writing supporting that objection to the Common Council. Any written objections to the Committee's Report must be filed with the City Clerk at least two (2) days prior to the above-mentioned date set for hearing by the Common Council. You or a legal representative may also appear at the Common Council meeting and request an opportunity to address the Common Council for approximately five (5) minutes to present an oral argument on your own behalf.

Respectfully,

RONALD D. LEONHARDT  
City Clerk

Enclosure

c: License Division  
CCF 060818



**JAMES N. WITKOWIAK**

ALDERMAN, 12TH DISTRICT

Date: November 2, 2006

To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report of the application of Billy Hill for a food dealer's license for the premises located at 6715 West Villard Avenue in the City and County of Milwaukee, Wisconsin ("The Sweet Shop").

FINDINGS OF FACT

1. Billy Hill applied for a food dealer's license for the premises located at 6715 West Villard Avenue in the City and County of Milwaukee, Wisconsin with the Office of the Commissioner of Health on August 24, 2006.
2. Pursuant to Chapter 68 of the Milwaukee Code of Ordinances, the matter was referred to the Milwaukee Police Department for investigation. The police department filed a police report dated September 7, 2006 that could form the basis for nonrenewal or suspension of the license. There were also aldermanic objections to this applicant obtaining this license because of the extensive loitering at this location.
3. On October 19, 2006, the City Clerk's Office provided timely notice to the applicant, pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes of the objections that could form the basis for denial of the application for a food dealer license of the applicant. The matter was scheduled for a hearing on the objections on October 30, 2006 at 8:30 a.m. in Room 301B of the third floor of City Hall. At said date, time and place the applicant did appear and was not represented by counsel.
4. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
  - A. The applicant is on probation for possession of marijuana until 2012. However, the probation agent does not have an objection to Mr. Hill obtaining this license.

- B. The purpose of this license will be to sell candy, potato chips, and soda. The store is close to the Westlawn Housing Project. This store will be frequented by youngsters.
- C. Mr. Hill was selling these items without the requisite license until August 25, 2006 when he was informed by a Health Department inspector that he needed a license to sell candy, potato chips, and soda.
- D. The neighbors in the area are concerned about loitering and littering.
- E. There is a gas station close by that sells these items, and the neighbors believe the operation of this premises with this license will cause those problems to become worse. The applicant maintains that the operation of his store selling these items was not the source of the littering and loitering, but, rather, the gas station was the source of the litter and an adjacent barber shop was the source of the loitering.

#### CONCLUSIONS OF LAW

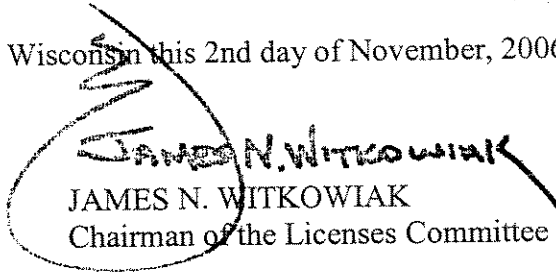
1. The Committee has jurisdiction to hold hearings and provided Findings of Fact and Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapter 68 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concludes that the applicant, Billy Hill, has not met the criteria of Chapter 68 of the Milwaukee Code of Ordinances to allow him to be granted a food dealer's license. The Committee finds the 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 discretion to deny food dealer license application of Billy Hill for the premises at 6715 West Villard Avenue in the City and County of Milwaukee, Wisconsin ("The Sweet Shop").

#### 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 Billy Hill for the premises at 6715 West Villard

Avenue in the City and County of Milwaukee, Wisconsin ("The Sweet Shop") be denied.

Dated and signed at Milwaukee, Wisconsin this 2nd day of November, 2006.

  
JAMES N. WITKOWIAK  
Chairman of the Licenses Committee