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Kathleen Mallak-Shallow, Agt.
KR Mallak's Family Hair Design, Inc.
3674 South Howell Avenue
Milwaukee, WI 53207

Office of the City Clerk

July 15, 2009

Ronald D. Leonhardt
City Clerk

Jim Owczarski
Deputy City Clerk

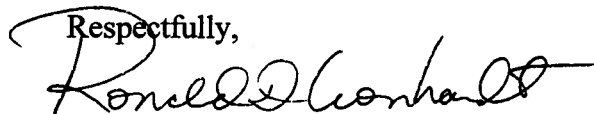
Kathleen Mallak-Shallow
8610 Golden Lake Way
Franklin, WI 53132

Dear Ms. Mallak-Shallow:

You are hereby notified that the Milwaukee Common Council will hold a hearing on July 28, 2009, 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 the recommendation of the Licenses Committee as to your loading zone permit for the premises located at 3674 South Howell Avenue, Milwaukee, Wisconsin.

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 revocation of the loading zone permit in that there was no longer a need for the loading zone permit for your premises and based on your nonappearance. The recommendation is the result of a public hearing before the Committee held on July 13, 2009.

You may file a written objection to the report of the Licenses Committee. If you file a written objection to the report you may also appear before the Milwaukee Common Council to make oral arguments supporting your written objections and present oral arguments supporting that objection to the Common Council. Any written objections to the Committee's Report must be filed with the City Clerk in Room 205 of City Hall by 4:45 p.m. on July 23, 2009. You or a legal representative may then 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

cc: file

Allan R. McFayden
W2858 Kniep Road
Elkhorn, WI 53121



JAMES A. BOHL JR.
Alderman, 5th District

Date: July 15, 2009

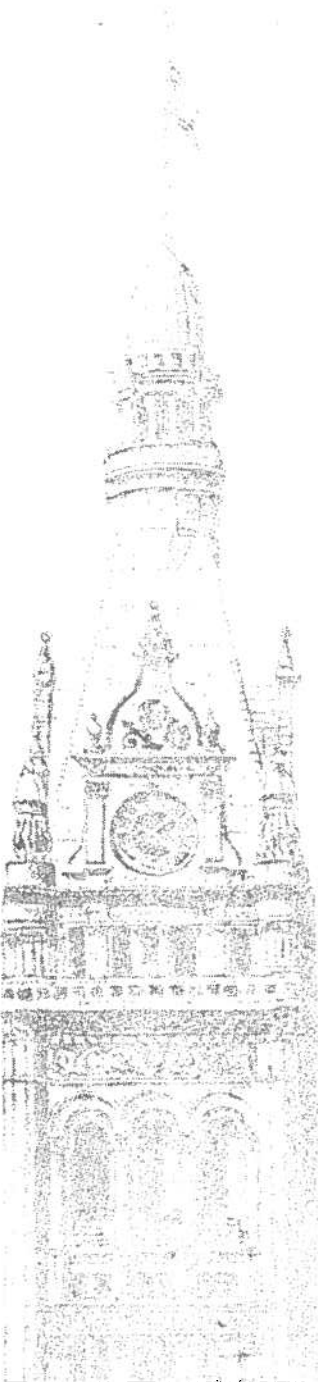
To: All members of the Milwaukee Common Council

From: Licenses Committee

Re: Report on the Complaint for Revocation of the Loading Zone permit of Kathleen Mallak-Shallow, Agent for KR Mallak's Family Hair Design, Inc., for the premises at 3674 South Howell Avenue in the City and County of Milwaukee, Wisconsin.

FINDINGS OF FACT

1. Kathleen Mallak-Shallow (hereinafter the "Licensee") is the holder of a Loading Zone permit for the premises at 3674 South Howell Avenue in the City and County of Milwaukee, Wisconsin. Said permit expires at midnight, November 30, 2010.
2. An application to renew said loading zone permit was filed with the Office of the City Clerk on January 30, 2009 and the permit was granted on March 3, 2009.
3. A complaint for revocation of this license was filed on April 28, 2009 by Allan R. McFadyen. The complaint alleged that he was never notified of the request for a loading zone permit and that the permittee had adequate parking behind her business and a loading zone permit was unnecessary. A summons was issued and attempted service was made to serve the complaint upon Kathleen Mallak-Shallow without success. Subsequently, the matter was published noticing the hearing for July 13, 2009 at 8:15 a.m. The permittee did not appear, but did get the notice via a mailing of the complaint to her.
4. Based upon the testimony heard and evidence received, the Licenses Committee makes the following findings of fact:



- A. A summons and complaint were attempted to be served on the licensee on the following dates and places:
- 5/23/09- 8610 Golden Lake Way, Franklin, WI
 - 5/26/09- 8610 Golden Lake Way, Franklin, WI
 - 5/27/09- 8610 Golden Lake Way, Franklin, WI
 - 5/28/09- 3674 South Howell Avenue, Milwaukee, WI
 - 6/15/09- 8610 Golden Lake Way, Franklin, WI
 - 6/16/09- 8610 Golden Lake Way, Franklin, WI
 - 6/16/09- 3674 South Howell Avenue, Milwaukee, WI
 - 6/16/09 - 8610 Golden Lake Way, Franklin, WI
- B. Personal service could not be effectuated and service by publication was accomplished by publication in the *Daily Reporter* on July 1, 2009.
- C. The permit holder corresponded with the Licenses Committee chairman by letter dated July 7, 2009, but did not appear on July 13, 2009, despite having received notice of the hearing.
- D. The complainant appeared and testified the loading zone permit was unnecessary because of the need for parking spaces by other businesses, while the permit holder had parking space in the rear of her business.

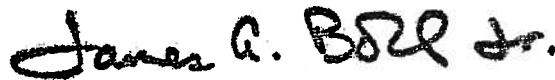
CONCLUSIONS OF LAW

1. The Committee has jurisdiction to hold hearings and provide Findings of Fact, Conclusions of Law and a Recommendation regarding complaints seeking revocation to the full Common Council pursuant to § 101-23.7 the Milwaukee Code of Ordinances.
2. The permit holder has failed to appear and give competent evidence as to why the loading zone permit is necessary.
3. Based upon the above facts found, the Licenses Committee is satisfied that the complainant has failed to show that the loading zone permit is necessary. Accordingly, the Licenses Committee finds that the loading zone permit for the premises at 3674 South Howell Avenue in the City and County of Milwaukee, Wisconsin should be revoked.

RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of four (4) ayes, zero (0) noes and one (1) excused, recommends that the loading zone permit of Kathleen Mallak-Shallow, Agent for KR Mallak's Family Hair Design, Inc., for the premises at 3674 South Howell Avenue be revoked due to the permit holder's non-appearance.

Dated and signed at Milwaukee, Wisconsin this 15th day of July, 2009.



JAMES BOHL, Jr., Chairman
Licenses Committee