



**CITY OF MILWAUKEE
OFFICE OF THE CITY CLERK**

Tuesday, August 24, 2021

COMMITTEE MEETING NOTICE

AD 06

MOON, Joshua, Agent
WAL-MART STORES EAST, LP
702 SW 8TH St

BENTONVILLE, AR 72716

You are requested to attend a virtual hearing to be held on:

Wednesday, September 08, 2021 at 01:45 PM

Regarding: Your Public Entertainment Premises and Food Dealer License Renewal Applications with Change of Agent as agent for "WAL-MART STORES EAST, LP" for "WAL-MART STORE #2452" at 401 E CAPITOL DR.

This meeting will be held via GoToMeeting. Please see the enclosed best practices document for further instructions. The access code is <https://global.gotomeeting.com/join/175284253>. If you wish to call in, please call +1 (571) 317-3122 and use Access Code: 175-284-253.

There is a possibility that your application may be denied for one or more of the following reasons: The recommendation of the committee regarding the application shall be based on evidence presented at the hearing. Per MCO 85-4-4, unless otherwise specified in the code, probative evidence concerning non-renewal, suspension or revocation may include evidence of the following: failure of the applicant to meet municipal qualifications, pending charges against or the conviction of any felony, misdemeanor, municipal offense or other offense, the circumstances of which substantially relate to the circumstances of the particular licensed or permitted activity, by the applicant or by any employee or other agent of the applicant. If the activities of the applicant involve a licensed premises, whether the premises tends to facilitate a public or private nuisance or has been the source of congregations of persons which have resulted in any of the following: disturbance of the peace; illegal drug activity; public drunkenness; drinking in public; harassment of passers-by; gambling; prostitution; sale of stolen goods; public urination; theft; assaults; battery; acts of vandalism including graffiti, excessive littering, loitering, illegal parking, loud noise at times when the licensed premise is open for business; traffic violations; curfew violations; lewd conduct; display of materials harmful to minors, pursuant to s. 106-9.6; or any other factor which reasonably relates to the public health, safety and welfare, or failure to comply with the approved plan of operation. See attached police report or correspondence.

Notice for applicants with warrants or unpaid fines:

Proof of warrant satisfaction or payment of fines must be submitted at the hearing on the above date and time. Failure to comply with this requirement may result in a delay of the granting/denial of your application.

Failure to attend this meeting may result in the denial of your license. Individual applicants and partnership applicants must attend or attend by an attorney. The agent or attorney for corporate or limited liability applicants must attend. If you wish to do so and at your own expense, you may be accompanied by an attorney of your choosing to represent you at this hearing.

You will be given an opportunity to speak on behalf of the application and to respond and challenge any charges or reasons given for the denial. No petitions can be accepted by the committee, unless the people who signed the petition attend the virtual hearing and are willing to testify. You may present witnesses under oath and you may also confront and cross-examine opposing witnesses under oath. If you have difficulty with the English language, you should request an interpreter attend the meeting with you, at your expense, so that you can answer questions and participate in your hearing.

PLEASE NOTE: Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through sign language interpreters or other auxiliary aids. For additional information or to request this service, contact the Council Services Division ADA Coordinator at (414) 286-2998, Fax - (414) 286-3456, TDD - (414) 286-2025.

JIM OWCZARSKI, CITY CLERK

BY: _____

Jim Cooney
License Division Manager

If you have questions regarding this meeting, please contact the staff assistant, Molly Kuether-Steele at (414) 286-2775 or molly.kuether-steele@milwaukee.gov.

Moon Siefert, Linda

From: Byrd, Yashica
Sent: Monday, May 18, 2020 8:22 AM
To: Moon Siefert, Linda
Cc: Celella, Jessica; Cooney, Jim; Martin, Faviola
Subject: Fwd: 401 E Capitol Dr

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Red Category

Please add.

Sent from my iPhone

Begin forwarded message:

From: "Dantzler, Akuwa" <adantz@milwaukee.gov>
Date: May 18, 2020 at 1:12:47 AM CDT
To: "Byrd, Yashica" <Yashica.Byrd@milwaukee.gov>
Subject: Fwd: 401 E Capitol Dr

Good morning,

Hope you are staying healthy and safe. Residents have brought to Ald. Coggs attention the large amount of debris that is on the exterior of Walmart on E Capitol Dr.

Thank you

Sent from my iPhone

MILWAUKEE POLICE DEPARTMENT

LICENSING

CRIMINAL RECORD/ORDINANCE VIOLATION/INCIDENTS SYNOPSIS

DATE: 06/16/2021
LICENSE TYPE: FOOD
NEW:
RENEWAL:

No. 325439
Application Date: 06/15/2021

License Location: 401 E Capitol Dr
Business Name: Wal-Mart

Licensee/Applicant: MOON, Joshua B
(Last Name, First Name, MI)
Date of Birth: 01/04/1980

Home Address: 10513 W Garfield Av
City: Wauwatosa State: WI Zip Code: 53226
Home Phone:

This report is written by Police Officer David Novak, assigned to the License Investigation Unit, Days.

The Milwaukee Police Department's investigation regarding this application revealed the following:

1. On 09/25/2016 the applicant was cited for Operating while Intoxicated. He was convicted on 11/02/2016 and his license was revoked for 6 months.



Tuesday, August 24, 2021



Notice of Public Hearing

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notice

MOON, Joshua, Agent
WAL-MART STORE #2452 at 401 E CAPITOL DR
Public Entertainment Premises and Food Dealer License Renewal Applications with Change of
Agent

Wednesday, September 08, 2021 at 1:45 PM

To whom it may concern:

The above application has been made by the above named applicant(s). This requires approval from the Licenses Committee and the Common Council of the City of Milwaukee. The hearing before the Licenses Committee will take place virtually on 9/8/2021 at 1:45 PM. This is a public hearing. Those wishing to view the proceeding are able to do so via the City Channel – Channel 25 on Spectrum Cable – or on the Internet at <http://city.milwaukee.gov/citychannel>. Those wishing to provide oral testimony will be asked to do so by phone or internet and are asked to contact the staff assistant, Molly Kuether-Steele at (414) 286-2775 or molly.kuether-steele@milwaukee.gov for necessary information. Please make such requests no later than one business day prior to the start of the meeting. You are not required to attend the hearing, but please see the information below if you would like to provide testimony. Once the Licenses Committee makes its recommendation, this recommendation is forwarded to the full Common Council for approval at its next regularly scheduled hearing.

Important details for those wishing to provide information for the Licenses Committee to consider when making its recommendation:

1. The license application is scheduled to be heard at the above time. Due to other hearings running longer than scheduled, you may have to wait some time to provide your testimony.
2. You must testify as to matters that you have personally experienced or seen. (You cannot provide testimony for your neighbor, parent or anyone else; this is considered hearsay and cannot be considered by the committee.)
3. No letters or petitions can be accepted by the committee (unless the person who wrote the letter or the persons who signed the petition are willing to testify).
4. Persons opposed to the license application are given the opportunity to testify first; supporters may testify after the opponents have finished.
5. When you are called to testify, you will be sworn in and asked to give your name, and address. (If your first and/or last names are uncommon please spell them.)
6. You may then provide testimony.
 - a. Include only information relating to the above license application.
 - b. Include only information you have personally witnessed or seen.
 - c. Provide concise and relevant information detailing how this business has affected or may affect the peaceful enjoyment of your neighborhood.
 - d. If by the time you have the opportunity to testify, the information you wish to share has already been provided to the committee, you may state that you agree with the previous testimony. Redundant or repetitive testimony will not assist the committee in making its recommendation.
7. After giving your testimony, the members of the Licenses Committee and the licensee may ask questions regarding the testimony you have given or other factors relating to the license application.
8. Business Competition is not a valid basis for denial or non-renewal of a license.

Please Note: If you have submitted an objection to the above application your objection cannot be considered by the committee unless you personally testify at the hearing.

OCCUPANT	MAIL ADDRESS	CITY STATE ZIP
CURRENT OCCUPANT	105 E MELVINA ST	MILWAUKEE, WI 53212-1224
CURRENT OCCUPANT	118 E MELVINA ST	MILWAUKEE, WI 53212-1225
CURRENT OCCUPANT	122 E MELVINA ST	MILWAUKEE, WI 53212-1225
CURRENT OCCUPANT	130 E MELVINA ST	MILWAUKEE, WI 53212-1225
CURRENT OCCUPANT	3883 N PALMER ST	MILWAUKEE, WI 53212-1245
CURRENT OCCUPANT	3891 N PALMER ST	MILWAUKEE, WI 53212-1245
CURRENT OCCUPANT	3893 N PALMER ST	MILWAUKEE, WI 53212-1245
CURRENT OCCUPANT	3935 N PALMER ST	MILWAUKEE, WI 53212-1228
CURRENT OCCUPANT	4117 N RICHARDS ST	MILWAUKEE, WI 53212-1011
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Total Records: 9

Radius: 1000.0 feet and Center of Circle: 401 E Capitol Dr

2021-2022 Public Entertainment Premises Plan of Operation for 401 E CAPITOL DR

1. Litter & Security Plans			
How are the grounds kept clean? <input checked="" type="checkbox"/> Sweep <input type="checkbox"/> Pressure Wash <input type="checkbox"/> Pick Up Litter <input type="checkbox"/> Other:			
How often will grounds be cleaned? <input checked="" type="checkbox"/> Daily <input type="checkbox"/> Weekly <input type="checkbox"/> Other:			
Who cleans the grounds? <input type="checkbox"/> Licensee <input type="checkbox"/> Building Owner <input checked="" type="checkbox"/> Employees <input type="checkbox"/> Hired Maintenance <input type="checkbox"/> Other:			
How are noise issues prevented and/or addressed? <input type="checkbox"/> Security <input checked="" type="checkbox"/> Manager approaches customer(s) <input type="checkbox"/> Call Police <input type="checkbox"/> Signs Posted <input type="checkbox"/> Other:			
Are there designated outdoor smoking areas? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes If Yes, Describe:			
Number of garbage cans: Inside _____ Locations: <u>See Attached.</u> Outside _____ Locations: _____			
Is a crowd control barrier used? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If Yes, Describe:			
Number of restrooms: <u>6</u>			
Name of solid waste contractor: _____			
Are there parking spaces on the premises? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes If Yes, list number of spaces: <u>100+</u> and describe security plans:			
Are there designated loading areas? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes If Yes, describe security plans:			
Do you have security personnel on the premise? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If Yes, how many? _____			
AND What are their responsibilities? _____			
What security equipment do they use? _____			
List their licensing, certification or training credentials: _____			
Are there security cameras? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes If Yes, list all locations: <u>44 In Various Locations</u>			
Are searches and/or identification checks conducted upon entry? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If Yes, describe:			
2. Percentage of Sales (must total 100%)			
Alcohol <u>0</u> %	Food Sales <u>24.82</u> %	Entertainment _____ %	Other <u>75.18</u> %
3. Businesses On The Premises (choose all that apply):			
<input type="checkbox"/> Restaurant	<input type="checkbox"/> Cafe/Coffee Shop	<input type="checkbox"/> Cocktail Lounge	<input type="checkbox"/> Convenience Store <input type="checkbox"/> Other:
<input type="checkbox"/> Night Club	<input type="checkbox"/> Tavern	<input type="checkbox"/> Banquet Hall	<input type="checkbox"/> Sports Facility
<input type="checkbox"/> Liquor Store	<input type="checkbox"/> Hotel	<input checked="" type="checkbox"/> Supermarket	<input type="checkbox"/> Private/Fraternal/Veterans' Club
4. Hours of Operation and Age Restriction			
Are there any changes to the current hours of operation or age restriction? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If Yes, Describe: _____			
Please Note: If you will be open earlier or later than the hours listed on your current license for even one event or holiday (for example, St. Patrick's Day, Brewers Opening Day, etc.) during the license period, this must be reported and printed on your license. Your hours of operation and age restriction are listed on your current license.			
5. Floor Plan and Capacity			
Are you requesting any changes to your capacity or floor plan*? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If Yes, Describe: _____			
*If there are changes to the floor plan, a new floor plan must be submitted with this renewal application. A sample plan can be found online at www.milwaukee.gov/licenses under License Forms and Related Information. Changes in floor plan include changing the location of tables, games, etc. within your current licensed premises. If your changes include adding any additional areas or square footage to your premises, or any renovations to the building will be done, a "Permanent Extension of Premises Application" must be also filed.			
6. Sidewalk Dining (if renewing a current license)			
Are there any changes to the sidewalk dining site plan? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If Yes, submit an updated site plan with this application.			

1. CURRENT APPROVED ENTERTAINMENT FOR WAL-MART STORE #2452 at 401 E CAPITOL DR

The following types of entertainment have been approved for your current Public Entertainment Premises license:

7 Amusement Machines

2. ADDING ENTERTAINMENT

If applicable, check any entertainment you wish to add: **ONLY CHECK ENTERTAINMENT TYPE(S) YOU ARE ADDING. YOUR CURRENT APPROVED ENTERTAINMENT IS LISTED ABOVE.**

- | | | | |
|---|--|--|---|
| <input type="checkbox"/> Instrumental Musicians | <input type="checkbox"/> Bands | <input type="checkbox"/> Battle of the Bands | <input type="checkbox"/> Comedy Acts |
| <input type="checkbox"/> Disc Jockey | <input type="checkbox"/> Magic Shows | <input type="checkbox"/> Poetry Readings | <input type="checkbox"/> Dancing by Performers |
| <input type="checkbox"/> Jukebox | <input type="checkbox"/> Wrestling | <input type="checkbox"/> Patron Contests | <input type="checkbox"/> Patrons Dancing |
| <input type="checkbox"/> Adult Entertainment/
Strippers/Erotic Dance | <input type="checkbox"/> Karaoke | <input type="checkbox"/> Bowling Alley | <input type="checkbox"/> Pool Tables |
| <input type="checkbox"/> Motion Pictures (movies by admission)
How many screens? _____ | <input type="checkbox"/> Amusement Machines
How many? _____ | <input type="checkbox"/> Concerts
Approx. # per year? _____ | <input type="checkbox"/> Theatrical Performances
Approx. # per year? _____ |
| <input type="checkbox"/> Other: _____ | | | |

No entertainment changes can take place until approved by Common Council and a new license has been issued and posted on the premises.

3. REMOVING ENTERTAINMENT

If applicable, list any entertainment you wish to remove:

4. PROMOTERS/SOUND AMPLIFICATION

Will promoters ever be used for any of the entertainment? No Yes If Yes, Describe:

At any time will sound amplification be used? No Yes If Yes, Describe:

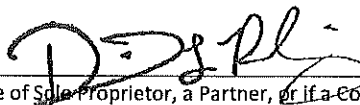
5. SIGNATURE

I understand that after the license has been issued, a change to the plan of operation will require a written request to change and approval from the Common Council.

I agree to inform the City Clerk within 10 days of any substantial changes in the information supplied in this application.

I understand that I shall not willfully refuse to provide the services offered under this license, or add charges or require deposits not required of the general public because of race, color, sex, religion, national origin or ancestry, age, handicap, lawful source of income, marital status, sexual orientation, gender identity or expression, familial status or the fact that a person is now or has been a member of the military service, whether dressed in uniform or not; and shall not seek such information as a condition of employment, or penalize any employee or discriminate in the selection of personnel for training or promotion on the basis of such information.

I have knowledge of the City Ordinances currently regulating public entertainment, and understand that the license may be subject to suspension, non-renewal or revocation, if I violate any rule, law or regulation of the city of Milwaukee and State of Wisconsin.



 Signature of Sole Proprietor, a Partner, or if a Corporation or LLC, the Agent must sign

Office Use Only:

If Only PEP, queue to MPD



BUSINESS LICENSE RENEWAL PLAN OF OPERATION

Office of the City Clerk License Division
200 E. Wells St. Room 105, Milwaukee, WI 53202

Licenses to be Renewed	Renewal Fee(s)	
Food Dealer - FOOD 10846	\$2,050.00	Expiration Date: 5/26/2021 File By Date: 3/4/2021 Date Late Fee Begins: 3/5/2021 Late Fee Amount: \$75.00
Extended Hours -		
Filling Station -		
Cigarette & Tobacco - CIG 1029127	\$100.00	
Weights & Measures -		
Sidewalk Dining -		
TOTAL DUE	\$2,150.00	

Legal Entity Name: **WAL-MART STORES EAST, LP**

Premises Address: **401 E CAPITOL DR**

Changes Since Last Application?

Are there any changes in your plans to address litter, noise, and/or security? No Yes If yes, describe: _____

Are there any changes to the hours of operation (as listed on your current license)? No Yes If yes, describe: _____

Are there any changes to your current plan of operation or floor plan*? No Yes If yes, describe: _____

*If there are changes to the floor plan, a new floor plan must be submitted with this renewal application. A sample plan can be found online at www.milwaukee.gov/licenses under License Forms and Related Information.

Weights & Measures Licensees Only

Number/Type of Devices:
Are there any changes to the number or types of devices?
 No Yes If yes, contact our office for further instructions.

Sidewalk Dining

Are there any changes to the sidewalk dining site plan?
 No Yes If yes, submit an updated site plan with this application.

Food Dealer Licensees Only

Your current food license includes the following business operations: **Processing, Hazardous Foods, Sales > \$2,000,000, Food Store**
Are there any changes to your plan of operation (for example, adding processing, changing sales amount or complexity, etc.)? No Yes
If yes, you must complete a "Request to Modify Food Establishment/Food Operation Plan" which can be obtained at www.milwaukee.gov/licenses under "Forms and Related Information" or by contacting our office.

All Applicants: Signature



 Signature of Sole Proprietor or Partner; or if a Corporation or LLC, the Agent must sign