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Office of the City Clerk

Ronald D. Leonhardt
City Clerk

Jim Owczarski
Deputy City Clerk

March 30, 2011

Qamruddin A. Metalwala, agt
Al-Rahimi Corporation
7609 W. Capitol Dr.
Milwaukee, WI 53222

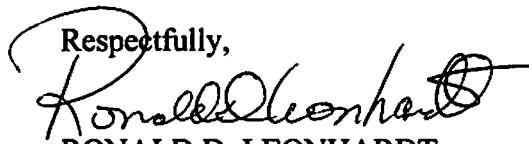
Dear Mr. Metalwala:

You are hereby notified that the Milwaukee Common Council will hold a hearing on Tuesday, April 12, 2011, 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 renewal of your Extended Hours Establishment license for the premises at 7609 W. Capitol Dr. ("Capitol Citgo Gas & Wash").

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 renewal of your license with a ten (10) day suspension based upon neighborhood objections. The recommendation is the result of a public hearing before the Committee held on Monday, March 28, 2011.

You may file written objections to the report of the Licenses Committee. Your written objections must be filed with the City Clerk by 4:45 p.m. on Thursday, April 7, 2011 in Room 205 of City Hall. If you file written objections, you or a legal representative may then also appear at the Common Council to make oral arguments supporting your written objections. You will be given approximately five minutes to present your oral argument.

Respectfully,



RONALD D. LEONHARDT
City Clerk

Enclosure



JAMES A. BOHL JR.
Alderman, 5th District

Date: March 30, 2011

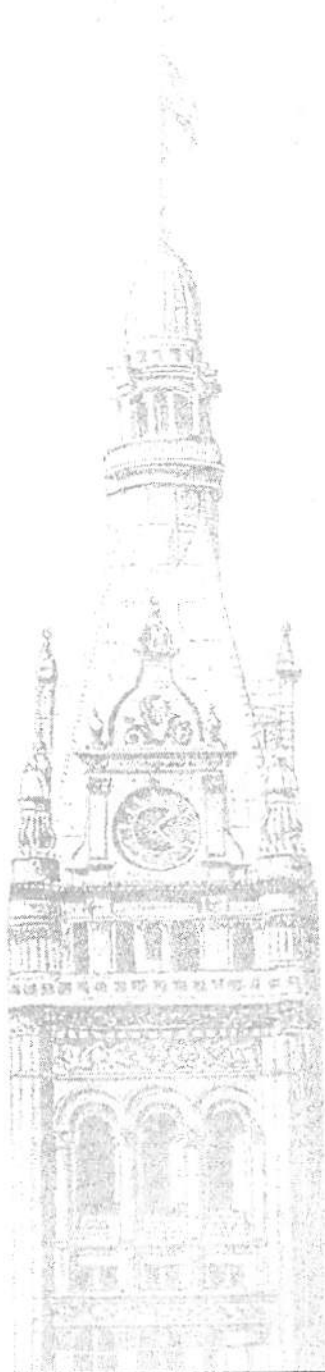
To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report of the Renewal Application of Qamruddin A. Metalwala, agent for Al-Rahimi Corp. for an Extended Hours Establishment license for the premises located at 7609 West Capitol Drive in the City and County of Milwaukee, Wisconsin ("Capitol Citgo Gas & Wash").

FINDINGS OF FACT

1. Qamruddin A. Metalwala (hereinafter the "Licensee") is the holder of an Extended Hours Establishment license for the premises located at 7609 West Capitol Drive in the City and County of Milwaukee, Wisconsin ("Capitol Citgo Gas & Wash"). Said license expires at midnight, April 30, 2011.
2. An application to renew said license was filed with the Office of the City Clerk on February 22, 2011.
3. Pursuant to Section 84-7 of the Milwaukee Code of Ordinances, the matter was referred to the Milwaukee Police Department for investigation and the police department responded with no police report. There were claimed neighborhood objections to the renewal of this license.
4. On March 16, 2011 the City Clerk's Office provided timely notice to the Licensee, pursuant to Section 84-7 of the neighborhood objections. The matter was scheduled for a hearing on the neighborhood objections on March 28, 2011 at 8:30 a.m. in Room 301B of the third floor of City Hall. At said date, time and place, the licensee did appear and was with a "business counsel."
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:



- A. Peter Berres, 3444 North 80th Street, Milwaukee, WI 53222 testified as to the following:

On October 17, 2009, between 4:00 a.m. to 4:30 a.m., he witnessed money and an item being transferred between two vehicles parked on the parking lot. Also, at other times, including between the hours of midnight and 5:00 a.m., he witnessed that the exterior and interior of the building were poorly maintained, loitering of cars and people on the parking lot, and litter on the parking lot.

- B. The license applicant appeared by Qamruddin A. Metalwala, agent, 7609 West Capitol Drive, Milwaukee, WI 53222 and Eugene Lombness, business counsel, 8301 West Lisbon Avenue, Milwaukee, WI 53222.

The witnesses provided a business plan and photographs of building and signage improvements. The applicant acknowledged panhandling incidents and mentioned efforts to stop the panhandling.

The applicant acknowledged the lack of cleaning and had made employees aware of this issue.

The applicant agreed with the Committee Chair's request to establish outside cameras and night security.

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 Section 84-7 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concludes that the Licensee, Qamruddin A. Metalwala, who holds an Extended Hours Establishment license for the premises at 7609 West Capitol Drive in the City and County of Milwaukee, Wisconsin ("Capitol Citgo Gas & Wash") has not met the criteria of Section 84-7 of the Milwaukee Code of Ordinances to allow renewal of the extended hours establishment license without undergoing a ten (10) day suspension of said license for this premises because of the neighborhood testimony. The Licenses Committee finds the neighborhood objections, as stated above, to be true.

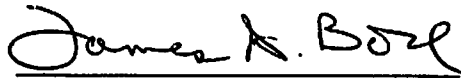
3. In order to protect the health, safety and welfare of the citizens of the City of Milwaukee it is the recommendation of the Licenses Committee that the full Common Council should exercise its discretion to renew the Extended Hours Establishment license held by Qamruddin A. Metalwala, for the premises at 7609 West Capitol Drive in the City and County of Milwaukee, Wisconsin ("Capitol Citgo Gas & Wash") with a ten (10) day suspension because of the neighborhood objections.

RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of four (4) ayes and one (1) no recommends that the Extended Hours Establishment license held by Qamruddin A. Metalwala for the premises at 7609 West Capitol Drive in the City and County of Milwaukee, Wisconsin ("Capitol Citgo Gas & Wash") be renewed with a ten (10) day suspension based upon the neighborhood objections.

Said suspension is to be in effect between 12:01 a.m., May 1, 2011 through midnight May 10, 2011 wherein the establishment must be closed between the hours of 12:00 a.m. and 5:00 a.m.

Dated and signed at Milwaukee, Wisconsin this 30th day of March, 2011.



JAMES A. BOHL, Jr.
Chair, Licenses Committee