

CITY OF MILWAUKEE OFFICE OF THE CITY CLERK

Friday, September 10, 2010

COMMITTEE MEETING NOTICE

AD 15

Othman A. Farah, Agt. Farah Mini Mart, LLC 6455 S 20th St #1 Oak Creek, WI 53154

You are requested to attend a hearing which is to be held in Room 301-B, Third Floor, City Hall on:

Monday, September 20, 2010 at 9:00 AM

Regarding: Your Food Dealer License application as agent for "Farah Mini Mart, LLC" for "Farah Mini Mart" at 4431 W North Av.

There is a possibility that your application may be denied for the following reasons:

See attached police report. Objection by the Common Council member in whose district the food establishment is located.

The proposed operation of the premises in such a manner that it creates a public nuisance of the premises in such a manner that it creates a public nuisance of the premises will tend to contribute to neighborhood incidents and conditions identified in s. 68-4-11-g, Milwaukee Code of Ordinances (see attached).

An over-concentration of food dealer outlets in the neighborhood.

Please be advised that the public will be able to comment regarding the aforementioned issues.

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 appear at this meeting may result in the denial of your application. Individual applicants must appear only in person or by an attorney. Corporate or Limited Liability applicants must appear only by the agent designated on the application or by an attorney. Partnership applicants must appear by a partner listed on the application or by an attorney. 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 are present at the committee hearing and 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 bring an interpreter with you, at your own expense, so that you can answer questions and participate in your hearing.

You may examine the application file at this office during regular business hours prior to the hearing date. Inquiries regarding this matter may be directed to the person whose signature appears below.

Limited parking for persons attending meetings in City Hall is available at reduced rates (5 hour limit) at the Milwaukee Center on the southwest corner of East Kilbourn and North Water Street. Parking tickets must be validated in Room 205, (City Clerk's Office) or the first floor Information Booth in City Hall.

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.

RONALD D. LEONHARDT, CITY CLERK

By Rebecca N. Grill

License Division Manager

200 E. Wells Street, Room 105, City Hall, Milwaukee, WI 53202. www.milwaukee.gov/license Phone: (414) 286-2238 Fax: (414) 286-3057 Email Address: License@milwaukee.gov

Ø 001 PAGE Ø1/01

CITY OF MILWAUKEE HEALTH DEPARTMENT

Consumer Environmental Health Division 841 N Broadway, Room 304, Milwaukee WI 53202 Telephone: 414,286,3674 Fax: 414,286,5164

	Telephone: 414.286.3674 Fax: 414.286.5164
	Date: 4/26/10
	A Food Dealer License or Tattoo/Body Piercing Application has been submitted for the following address:
	4431 W. NORTH AVE
	Please run a background check on the following individual(s) associated with this application and return your results to the above fax number as soon as possible:
K	OTHHAN A. FARAH DOB: 11-09.86 55 S. 20TH STAL DAK CREEK, WI 5315
> √.	55 S. 20TH STAL OAK CREEK, WI 5315
	NI DC 7000-6418-2409-03
-	DOB:
~~	DOB:

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APR 2 6 2018 M

MILWAUKEE POLICE DEPARTMENT LICENSE INVESTIGATION UNIT

CRIMINAL RECORD/ORDINANCE VIOLATION/INCIDENTS
SYNOPSIS

DATE: 04/26/10

LICENSE TYPE FOOD DEALER

New: X

RENEWAL:

No.

Application Date: 04/26/10

Expiration Date:

License Location: 4431 W. North Ave.

Business Name:

Licensee/Applicant: FARAH, Othman A. (Last Name, First Name, MI)

Date of Birth: 11/29/82

Male: X

Female:

Aldermanic District:

Home Address: 6455 S. 20th St.

City: Oak Creek

State: WI

Zip Code: 53154

Home Phone:

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

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

1. On 04/29/06 the applicant was cited in the City of Milwaukee for Sale of Cigarettes to Minor/Underage at 4431 W. North Ave.

Charge

Sale of Cigarettes to Minor/Underage

Finding

: Guilty, Municipal Court

Sentence :

\$152:00 fine

Date

: 06/26/06

Case

. 06052757



Tom Barrett Mayor

Bevan K. Baker, FACHE Commissioner of Health

Administration

Frank P. Zeidler Municipal Building, 841 North Broadway, 3rd Floor, Milwaukee, WI 53202-3653

phone (414) 286-3521 fax (414) 286-5990 web site: www.milwaukee.gov/health

May 7, 2010

Rebecca Grill License Division Manager 200 E. Wells Street, Room 105 Milwaukee, WI 53202

Dear Ms. Grill:

Based on criteria listed in the Milwaukee Code of Ordinances Chapter 68-4.11, the City of Milwaukee Health Department formally submits the attached objection to the release of the Food Dealer's License for Farah Mini Mart, LLC located at 4431 W North Av. doing business as Farah Mini Mart by, Alderman Willie L. Hines, Jr. The mailing address for the applicant is 6455 S 20th St Apt#1 Oak Creek, WI 53154.

Should you have any questions, please feel free to contact my office at 414-286-3521.

Sincerely,

Bevan K. Baker, FACHE Commissioner of Health

Hulbert, Kevin

From: Reese, Barbara

Sent: Wednesday, May 05, 2010 3:44 PM

To: Hulbert, Kevin

Subject: Food license at 4431 W. North Av.

Good afternoon Kevin:

Alderman Hines does not support the food license at 4431 W. North Av, Mr. Othman Farah. This application needs to go to the Licensing Committee.

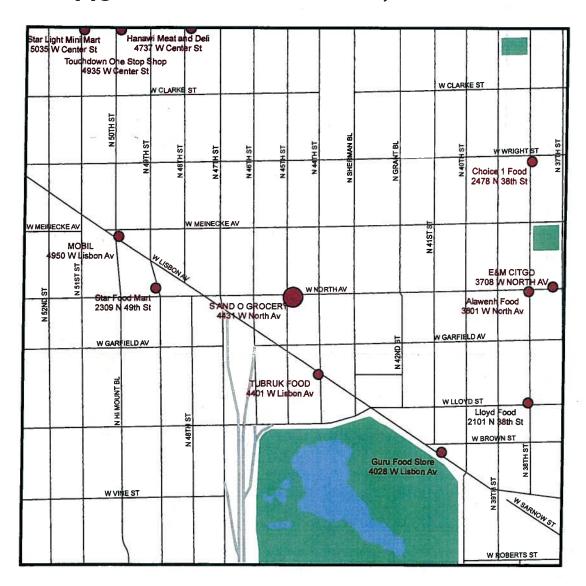
Barbara J.Reese Legislative Assistant 15th Aldermanic District City Hall, Room 205 200 E. Wells Street Milwaukee, WI 53202 (414)-286-3272 breese@milwaukee.gov

-1-1001

s. 68-4-11 Milwaukee Code of Ordinances

- 11. CAUSES FOR COUNCIL DENIAL, REVOCATION OR SUSPENSION OF LICENSE. An application for a new or renewal food dealer's license may be denied, or any license issued under this section may be suspended or revoked, by the common council for any of the following causes:
 - a. Failure of the applicant or licensee to meet the statutory and municipal license qualifications, except for failure to meet sanitary or other health-related qualifications or other circumstances described in s. 68-6 as grounds for license revocation or suspension by the commissioner of health.
 - b. A false or materially incorrect statement made by the applicant in his or her application.
 - c. Violation of any provision of this section by the applicant, licensee or any employe of the food establishment.
 - d. The conviction of the applicant or licensee, his or her agent, manager, operator or any other employe for sale or possession with intent to sell any controlled substance or for any felony related to the licensed operation which, in the judgment of the common council, is pertinent to the license being applied for or renewed.
 - e. A showing that the applicant or licensee has violated any state law or city ordinance prohibiting the sale of tobacco products to underage persons.
 - f. The violation of any of the excise laws of the state.
 - g. A showing that the licensed premises has been the source of congregations of persons which have resulted in one or more of the following:
 - g-1. Disturbance of the peace.
 - g-2. Illegal drug activity.
 - g-3. Public drunkenness.
 - g-4. Drinking in public.
 - g-5. Harassment of passers-by.
 - g-6. Gambling.
 - g-7. Prostitution.
 - g-8. Sale of stolen goods.
 - g-9. Public urination.
 - g-10. Theft.
 - g-11. Assaults.
 - g-12. Battery.
 - g-13. Acts of vandalism, including graffiti.
 - g-14. Excessive littering.
 - g-15. Loitering.
 - g-16. Illegal parking.
 - g-17. Loud noise at times when the licensed operation is open for business.
 - g-18. Traffic violations.
 - g-19. Curfew violations.
 - g-20. Lewd conduct.
 - g-21. Display of materials harmful to minors, pursuant to s. 106-9.6.
 - h. A showing that the premises proposed for licensing will be a convenience store as defined in s. 68-4.3-1, whether or not exempt as provided in s. 68-4.3-3, and that the proposed operation of the premises will tend to contribute to neighborhood incidents and conditions identified in par. g as the result of an over-concentration of convenience stores in the neighborhood. Evidence that a neighborhood is adequately served by existing retail food establishments may be considered in reaching a determination about whether granting a new license will result in over-concentration.

CONVENIENCE FOOD STORES WITHIN A ONE-SQUARE-MILE AREA CENTERED ON 4431 W. NORTH AVENUE, JUNE 2010



CONVENIENCE FOOD STORE SUMMARY

12 TOTAL ESTABLISHMENTS

Friday, September 10, 2010



Notice of Public Hearing



Othman A. Farah, Agt. Farah Mini Mart at 4431 W North Av

Food Dealer License application

Monday, September 20, 2010 at 9:00 AM

To Whom it may concern:

Food Dealer License application for Farah Mini Mart at 4431 W North Av has been made by the above named applicant. 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 on 9/20/2010 at 9:00 AM, in Room 301-B, Third Floor, City Hall, 200 East Wells Street. If you wish, you may provide testimony at the hearing regarding the request; see below for further information. You are not required to attend the hearing. Once the Licenses Committee makes its recommendation, this recommendation is forwarded to the full Common Council for approval at its next regularly scheduled hearing. Please review the information below and if you have further questions regarding this process, please contact the License Division at (414) 286-2238.

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 appear in person and 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 present at the committee hearing and 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: Attendance is not required.

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CURRENT	2231 N 44TH ST	MILWAUKEE, WI 53208-
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Record Count: 83		
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Radius: 250.0 feet and Center of Circle: 4431 W North AV



Office of the City Clerk License Division Room 105, City Hail 200 E. Weils Street Milwaukee, Wisconsin 53202

Othman A. Farah Farah Mini Mart, LLC 4431 W. North Avenue Milwaukee, WI 53208



City of Milwaukee Signature

200 E. Wells Street Milwaukee, Wisconsin 53202

Motion

INTRODUCED:	6/15/2010	×	FILE NO:	100275
ASSIGNED TO:	LICENSES COMMITT	EE		
SPONSORS:	THE CHAIR		8	
		<u>Title</u>		8
	the new application for a for the premises 4431 W. Nor istrict.			
			*	
74				
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	ND SUBMITTED TO R, THE MAYOR, ON:		APPROVED	ON:
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Tom Barrett Mayor

Bevan K. Baker, FACHE Commissioner of Health

Health Department

Administration

Frank P. Zeidler Municipal Building, 841 North Broadway, 3rd Floor, Milwaukee, WI 53202-3653

phone (414) 286-3521 fax (414) 286-5990 web site: www.milwaukee.gov/health

May 7, 2010

Rebecca Grill License Division Manager 200 E. Wells Street, Room 105 Milwaukee, WI 53202

Dear Ms. Grill:

Based on criteria listed in the Milwaukee Code of Ordinances Chapter 68-4.11, the City of Milwaukee Health Department formally submits the attached objection to the release of the Food Dealer's License for Farah Mini Mart, LLC located at 4431 W North Av. doing business as Farah Mini Mart by, Alderman Willie L. Hines, Jr. The mailing address for the applicant is 6455 S 20th St Apt#1 Oak Creek, WI 53154.

Should you have any questions, please feel free to contact my office at 414-286-3521.

Sincerely,

Bevan K. Baker, FACHE Commissioner of Health

Hulbert, Kevin

From: Reese, Barbara

Sent: Wednesday, May 05, 2010 3:44 PM

To: Hulbert, Kevin

Subject: Food license at 4431 W. North Av.

Good afternoon Kevin:

Alderman Hines does not support the food license at 4431 W. North Av, Mr. Othman Farah. This application needs to go to the Licensing Committee.

Barbara J.Reese Legislative Assistant 15th Aldermanic District City Hall, Room 205 200 E. Wells Street Milwaukee, WI 53202 (414)-286-3272 breese@milwaukee.gov

5-10-10

CITY OF MILWAUKEE HEALTH DEPARTMENT Disease Control and Environmental Health 841 North Broadway, Room 304 Milwaukee, WI 53202

April 26, 2010

TO:

Ald. Willie L. Hines, Jr.

FROM:

Kevin Hulbert

Environmental Health Program Supervisor

RE:

4431 W North Av

The attached letter from the Milwaukee Police Department relates to an applicant for a new food license in your district.

City ordinance 68-4-3 states licenses must be issued to those who meet requirements unless there is an objection by the health commissioner, the department of neighborhood services, the common council member in whose district the food establishment is located, or any neighbor or other interested person. Such objections must be heard before the and License Committee. Only causes listed in 68-4-11 (reproduced at the end of this letter) serve as cause for license denial by the Committee.

Neither the Health Department nor, to our knowledge, the Police Department, are making a request to deny the license application for this individual. We are forwarding this information to you for your information.

Unless we hear from you in ten (10) business days, we will continue processing the license application under the food code. If you wish to expedite the release of this license prior to the ten days OR file an objection related to the stipulations cited at the end of this letter, please contact me at 286-5747 or khulbe@milwaukee.gov.

Thank you for your help in keeping Milwaukee healthy.

Chapter 68-4(11)

- 11. CAUSES FOR COUNCIL DENIAL, REVOCATION OR SUSPENSION OF LICENSE. An application for a new or renewal food dealer's license may be denied, or any license issued under this section may be suspended or revoked, by the common council for any of the following causes:
- a Failure of the applicant or licensee to meet the statutory and municipal license qualifications, except for failure to meet sanitary or other health-related qualifications or other circumstances described in s. 68-6 as grounds for license revocation or suspension by the commissioner of health.
- b A false or materially incorrect statement made by the applicant in his or her application.
- c Violation of any provision of this section by the applicant, licensee or any employee of the food establishment.
- d The conviction of the applicant or licensee, his or her agent, manager, operator or any other employee for sale or possession with intent to sell any controlled substance or for any felony related to the licensed operation which, in the judgment of the common council, is pertinent to the license being applied for or renewed.
- e A showing that the applicant or licensee has violated any state law or city ordinance prohibiting the sale of tobacco products to underage persons.
- f The violation of any of the excise laws of the state.
- g A showing that the licensed premises has been the source of congregations of persons which have resulted in one or more of the following:
 - g-1. Disturbance of the peace.
 - g-2. Illegal drug activity.
 - g-3. Public drunkenness.
 - q-4. Drinking in public.
 - g-5. Harassment of passers-by.
 - g-6. Gambling.
 - g-7. Prostitution.
 - g-8. Sale of stolen goods.
 - g-9. Public urination.
 - g-10. Theft.
 - g-11. Assaults.
 - g-12. Battery.
 - g-13. Acts of vandalism, including graffiti.
 - g-14. Excessive littering.
 - g-15. Loitering.
 - g-16. Illegal parking.
 - g-17. Loud noise at times when the licensed operation is open for business.
 - g-18. Traffic violations.
 - g-19. Curfew violations.
 - g-20. Lewd conduct.
 - g-21. Display of materials harmful to minors, pursuant to s. 106-9.6.
- h. A showing that the premises proposed for licensing will be a convenience store as defined in s. 68-4.3-1, whether or not exempt as provided in s. 68-4.3-3, and that the proposed operation of the premises will tend to contribute to neighborhood incidents and conditions identified in par. g as the result of an over-concentration of convenience stores in the neighborhood. Evidence that a neighborhood is adequately served by existing retail food establishments may be considered in reaching a determination about whether granting a new license will result in over concentration.

2001 PAGE 01/01

CITY OF MILWAUKEE HEALTH DEPARTMENT

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Consumer Environmental Health Division

841 N Broadway, Room 304, Milwaukee WI 53202

Telephone: 414.286.3674 Fax: 414.286.5164 A Food Dealer License or Tattoo/Body Piercing Application has been submitted for the Please run a background check on the following individual(s) associated with this application and return your results to the above fax number as soon as possible: STAL OAK CREEK, WI 5 COO-6418-2409-03 DOB: DOB:

MILWAUKEE POLICE DEPARTMENT LICENSE INVESTIGATION UNIT

CRIMINAL RECORD/ORDINANCE VIOLATION/INCIDENTS SYNOPSIS

DATE: 04/26/10

LICENSE TYPE FOOD DEALER

New: X

RENEWAL:

No.

Application Date: 04/26/10

Expiration Date:

License Location: 4431 W. North Ave.

Aldermanic District:

Business Name:

Licensee/Applicant: FARAH, Othman A.

(Last Name, First Name, Mi)

Date of Birth: 11/29/82

Male: X

Female:

Home Address: 6455 S. 20th St.

City: Oak Creek

State: WI

Zip Code: 53154

Home Phone:

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

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

1. On 04/29/08 the applicant was cited in the City of Milwaukee for Sale of Cigarettes to Minor/Underage at 4431 W. North Ave.

Charge : Sale of Cigarettes to Minor/Underage

Finding : Guilty, Municipal Court

Sentence: \$152,00 fine

Date

: 06/26/06

Case

06052757

CITY Of ".WAUKEE HEALTH DEPARTMENT- Consumer Envi ental Health
841 N Broadway om 304 Milwaukee WI 53202 (Telephone 414.286.3674 414.286.5164)
FOOD DEALER LICENSE APPLICATION (License year is July 1-June 30)

PLEASE PRINT CLEARLY	TARGET OPENING DATE 5/1/i8	1110014
		DATE OF APPLICATION 4/83/15
ADDRESS OF BUSINESS 4431 () Y	1044 AUR CHYM	LWILLKER STATEWI ZIP 53268
APPLICANT Farah mini mo	n a sole proprietor(s) or a Corporation, Ltd Partnership, or LLC	
If applying in your own personal name(s) as opposed to	to a Corporation or LLC, also complete the following two li	nes;
DATE OF BIRTH(S) 11 29 1982		114-708-6940
HOME ADDRESS(S) 6455 5 20-14	$\frac{1}{1}$ $\frac{1}$	214 Cree 14 STATE WI ZIP 53154
BUSINESS NAME Farah wini m	art LLC E-MAIL ADDRE	ss
BUSINESS TELEPHONE NUMBER_UM_YY9_3	<u> 34/7</u> cell phone number <u>4/4 - 708 - 64</u>	146 FAX NUMBER
MAILING ADDRESS_UU3/ W MOYIU □For Billing? □For Licenses?	, ,	1 wau 14ec STATE wi ZIP 53208
	S (Y) TO THE FOLLOWING ITEMS THAT APPLY	
Do you sell, cater or give away restaurant foo sandwiches, pizza, hot dogs, etc.) that is:	·	frozen or refrigerated prepackaged foods, such as eggs, ice cream, etc.?
Limited to individually wrapped/sealed sign	ngle food servings	fresh fruits and/or vegetables?
supplied by a licensed processor?		prepackaged foods such as canned/boxed goods.
Prepared by you from raw, canned, dried		s, cereal, etc?
foods?		of the following items you prepare in your store:
Only given away or sold to the needy?	coffee, espi	resso, cappuccino, latte, deli salads, fruit cups, ice,
100		ce cream, yogurt, slushies, candy, popcorn, cotton
<u>A/(2</u> Are you selling beer or liquor?		w cones, shaved ice, cakes, pastries, cookies,
<u>No</u> Is this a Mobile Service Base for a pusho		a grinder, slicer, band saw, and/or knives?
<u>ر، لر</u> s this a Bed and Breakfast? ls your building newly constructed?	(Circle thos	
is your building newly constituted? Are you doing any remodeling? If yes, w		holesale distributor of prepackaged foods? holesale food manufacturer?
	• •	ou have a retail shop at the same location?
ESTIMATED MONTHLY GROSS FOOD (not a	alcohol) SALES \$ 15,000 SIGNATUR	RE OF APPLICANT AM
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CITY OF MILWAUKEE HEALTH DEPARTMENT

Disease Control and Environmental Health 841 North Broadway, Room 304 Milwaukee, WI 53202 414-286-3674

CONVENIENCE FOOD STORE DETERMINATE CHECKLIST

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ADDRES	SS OF BUSINESS OWNER OF BUSINESS
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1.	Is your primary business the sale of basic food items and in addition do you sell household products?
	Basic food items may include, but are not limited to, milk and dairy products, bread products, prepared sandwiches, frozen entrees, refrigerate food and baby food.
	$\frac{\checkmark}{\text{Yes}} = {\text{No}}$
2)	Household products may include, but are not limited to, cleaning products, paper products, baby products and pet food.
	Yes No
2.	Is your business a gas station that sells basic food items and in addition sells household products mentioned in item 1. above?
	Yes No
3.	Does your business contain less than 5,000 square feet of retail sales space?
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1 1/2	$\frac{\sqrt{Y_{es}}}{\sqrt{N_0}}$
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Signati	are of Applicant Date
CONVENI	IENCE FOOD STORE 4 YES NO
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0AK CREEK, WI 53154

Epire 11-29-2013

CITY OF MILWAUKEE HEALTH DEPARTMENT

Consumer Environmental Health 841 North Broadway, Room 304 Milwaukee, WI 53202 414-286-3674

ADDRESS OF BUSINESS: 4431 W HOY HA	Ave milwaulage-wi 5320
APPLICANT: Othman Farah	· · · · · · · · · · · · · · · · · · ·

IMPORTANT NOTICE: The Milwaukee Health Department's acceptance of your application and payment does not give you permission to operate. It is illegal to operate without a license. You may only operate upon receiving written approval from the Milwaukee Health Department.

All Food Dealer and Tattoo/Body Piercing applicants are subject to a police background check. If certain criminal activity is identified through the police background check, the Common Council is advised and may decide to hold a hearing as to whether the license should be granted. Anyone can file an objection showing reasons why the license should not be issued, which may result in a Common Council hearing. If there is no objection and the establishment is in compliance with health requirements, the license can usually be approved and issued in about a month. In the case of an objection resulting in a Common Council hearing, the process of deciding whether a license will be issued may take several months.

Signature of Applicant:

_ Date: 4-23-10