



Office of the City Clerk

Ronald D. Leonhardt
City Clerk

Jim Owczarski
Deputy City Clerk

www.milwaukee.gov

June 5, 2009

Johnnie Lee Little, Jr.
2027 West Juneau Avenue
Milwaukee, WI 53233

Dear Mr. Little, Jr.:

You are hereby notified that the Milwaukee Common Council will hold a hearing on June 16, 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 your food dealer license application for the premises located at 2027 West Juneau Avenue, Milwaukee, Wisconsin ("Johnnie's Candy Box").

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 your license based upon nonappearance. The recommendation is the result of a public hearing before the Committee held on May 29, 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 by 4:45 p.m. on June 11, 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



JAMES A. BOHL JR.
Alderman, 5th District

Date: June 5, 2009

To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report of the application of Johnnie Lee Little, Jr. for a food dealer license for the premises located at 2027 West Juneau Avenue in the City and County of Milwaukee, Wisconsin ("Johnnie's Candy Box").

FINDINGS OF FACT

1. Johnnie Lee Little, Jr. applied for a food dealer license for the premises located at 2027 West Juneau Avenue in the City and County of Milwaukee, Wisconsin ("Johnnie's Candy Box") with the Office of the Commissioner of Health on April 6, 2009.
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 April 6, 2009 that could form the basis for nonrenewal or suspension of the license. There were also aldermanic objections due to the past criminal history of the applicant and to the fitness of the location.
3. On May 22, 2009, the City Clerk's Office provided timely notice to the applicant, pursuant to Chapter 68 of the Milwaukee Code of Ordinances of the objections that could form the basis for denial of the application for a food dealer's license. The matter was scheduled for a hearing on the objections on May 29, 2009, at 9:00 a.m. in Room 301B of the third floor of City Hall. At said date, time and place the applicant did not 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. A notice of the hearing as well as a copy of the police report was sent to Johnnie Lee Little, Jr. at 2027 West Juneau Avenue, Lower Rear, Milwaukee, Wisconsin 53233 on May 21, 2009 by U.S. prepaid first-class mail in an

envelope bearing the return address of the office of the City Clerk. The address of 2027 West Juneau Avenue, Lower Rear, Milwaukee, Wisconsin 53233 is the address given by the Licensee on his application. The envelope was not returned to the License Division by the United States Postal Service. The applicant failed to appear at the hearing on May 29, 2009.

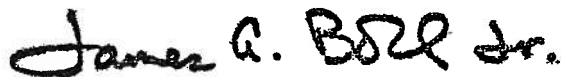
CONCLUSIONS OF LAW

1. The Committee has jurisdiction to hold hearings and provide 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, Johnnie Lee Little, Jr., has not met the criteria of Chapter 68 of the Milwaukee Code of Ordinances to allow him to be granted a food dealer license based upon nonappearance and aldermanic testimony.
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 the food dealer license application of Johnnie Lee Little, Jr. for the premises at 2027 West Juneau Avenue in the City and County of Milwaukee, Wisconsin ("Johnnie's Candy Box") based upon nonappearance and aldermanic testimony.

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 food dealer license application of Johnnie Lee Little, Jr. for the premises at 2027 West Juneau Avenue in the City and County of Milwaukee, Wisconsin ("Johnnie Candy Box") be denied based upon nonappearance and aldermanic testimony.

Dated and signed at Milwaukee, Wisconsin this 5th day of June, 2009.



JAMES A. BOHL, Jr.
Chair, Licenses Committee