

COMMITTEE ASSIGNMENTS

CHAIR

- Licenses Committee

VICE CHAIR

- Community and Economic Development Committee

MEMBER

- Steering and Rules Committee



TONY ZIELINSKI
ALDERMAN, 14TH DISTRICT

October 6, 2016

To the Honorable, the Common Council

Dear Members:

Re: Common Council File Number 160629

Attached is the written objection to file number 160629, Motion relating to the recommendations of the Licenses Committee relative to licenses, relating to the recommendation of:

Renewal, with a warning letter, based on previous neighborhood testimony of the Food Peddler license(s), and approval of the Food Dealer-Restaurant license for Matthew Schmehl for the premises located at 2018 S 1st St #330 ("Dave Fromans") in the 14th aldermanic district.

This matter will be heard by the full Council at its Tuesday, October 11, 2016 meeting. Pursuant to City Ordinances, a roll call vote will be taken to confirm that all members have read the attached statements and materials.

Respectfully,

A handwritten signature in black ink that reads "Tony Zielinski".

Tony Zielinski, Chair
Licenses Committee

cc: All Council Members
City Attorney's Office
Common Council/City Clerk – License Division
CCF 160629

Matthew Schmehl

Dave Fromans

3048 N. Bartlett Ave.

Milwaukee, WI 53211

I, Matt Schmehl, owner of Dave Fromans, I'm filing my notice to the licensing department for the Tuesday October 10th subjugate council meeting. Once again this concerns the fact that I had a base kitchen in the Third Ward. Just before the last week of April the owner decided to sell their business without any warning to our previous contract.

Under Milwaukee ordinance a food cart Peddler must have a base kitchen for storage of cold food and washing facilities like any other commercial kitchen. These bylaws are put into place for public health reasons and that a mobile kitchen here's to the same health code requirements as if this was a catering business. I realize that's my 3rd Kart is being hold till May 23rd 2017; however, my other two Kart are allowed to keep operating. The location at Lincoln Warehouse currently has two other cart as a base (Sushi Go is one of them) and is approved by the chief mobile kitchen health inspector as a public health certified commercial kitchen.

As to the discussion placed at Tuesday the 27th of September, the aforementioned requirements of the citizen's request of moving the kart away from their apartment has been executed. Under the ordinances passed by the city of Milwaukee I must be 5 feet away from all building exits and give pedestrians 5ft of sidewalk. Make notice that I never violated any of those requirements when setting up at a disputed spot. This is also why when the 2nd District police would come to my Kart I would show them the Milwaukee cart moving packet and have a tape measure to prove I was within all legal requirements. Note I'm enclosing a document that was presented May 2nd as a compromise of the businesses on 2nd and National just before I took my trip to Northern Wisconsin. The same trip that's caused myself to not get summoning notice for May 10th. Once again a compromise was made with the citizen in question to being on the opposite side of the street, although 2:30 a.m. city noise really doesn't alter from my lack of presence. I can provide video being closed if required by the council.

In the sept 27th meeting it was stated that this study retreat and consequence UWM computer science Final on May 10th was a weak reason for missing meeting. I'm just stating what did happen with evidence to confirm my whereabouts. And why I did miss the summons notice when these packets are mailed 5 days prior to the meeting itself with no email attachments. Any alternative actions from what is stated could have changed Finals day or rescheduling for the hearing.

I look forward to the Tuesday after Columbus Day to have a final verdict on said service kitchen as is necessary for Milwaukee Public Health demands.

Matthew Schmehl Owner of Dave Fromans

Mitch,

Whether it was Lizzy or Dave I've always instructed my employees to stay away from the exits of your nightclub and clean up all the napkins & whatever in front of your establishment. I know between Fluid and La Caga is a piece of sidewalk that my karts can operate in.

However, last Friday night my top employee Dave moved over to Point upon your request and the tenant of Fluid. And to my surprise, I was above average sales night despite the change in location. Dave informs me that at the end of the night you remind your patrons that the sausage stand is right outside. This seems to be effective. So for me setting up at that spot on the eastside of 2nd street permanently I have three requests.

- 1) That you keep having your DJ reminding everyone the food kart is right outside as your shuffling people out the door. It seem to work so well on Friday, and Dave told me this kept him busy without being overwhelmed.
- 2) I have a chained up signacade on the corner. I always put my staff on the westside of 2nd because fear of someone being hit by car upon crossing the street to get a dog. However, if I was to place a folded sign to cross at the intersection, I would have both your patrons' security and some exposure too. I going through a marketing redesign on all of my equipment. So I'll something to show in June.
- 3) I've finished building a larger kart that can handle double the menu items. This won't work for a nightly bases. However my employee, Dave, told me that you have two block parties besides Pridefest in the summer. I would like my new cart to be at those block parties. Just tell my employee Dave, whom the organizer is and the dates you plan to have the road closed.

I'm willing to a try setting up next to the lesbian bar if you're willing to see this requests too. And I apologize if my employee Dave seemed apprehensive to move. Ever since he was pepper sprayed on New Year's he has wanted to get as close to your bounders as possible. Tell Adam and Turtle that Lizzy says hi from Whitewater. Thank you reading this.

Owner of D Fromans,
Matt Schmehl

Matthew Schmehl

Dave Fromans

3048 N. Bartlett Ave.

Milwaukee, WI 53211

I, Matt Schmehl, owner of Dave Fromans, is appealing letter sent July 7th 2016. Local common Council member to whom this application curtails, and Licensing Division of the city of Milwaukee. For city zoning and Health Department have approved of my forced change of service kitchen location. My service kitchen on record is Kasana Catering LLC. I'm appealing on the grounds that my current kitchen base no longer exists and I have a new location under Milwaukee law.

The business had a pipe burst in late April and the owners decided to end operations without informing the other karts that use their kitchen. The owners took the accident insurance and left kart owners like, myself, to quickly find a new base. I was given strong advisement, under the information that Kristine Vlosich from the Milwaukee City Health Department referred to me. And that I had to search for a new base address ASAP. This all went down at the same time I had to focus on finals for the 18 credits at UWM I needed to complete May 9th through the 15th. As I was planning on adding a third kart to my business after UWM finals.

I found and signed a new contract with the owners of Top Note at 2018 s 1st and had an approved health inspection less than 10 days after municipality zoning approved the location as well.

I want to emphasize that my current food dealer license is an address that is currently being converted into underground parking. I'm not opening a new business or expanding just forced to change addresses. I'm aware that because of circumstances on May 10th 2016 that happened at the same time as my computer science finals that I am not allowed a third Kart till May 26th 2017. That is also something I would like to appeal, however, at this time this letter is only focus on service kitchen location.

I'm in an approved location that I had to reapply as a New Food Dealers license comma because under the filing shared kitchens there isn't a process for just relocation. After losing my deposit with Kasana on 241 North Broadway I also had to rebuy all my licenses as if I was starting out a new business or under the city's process a food dealer. Kristine Vlosich from the Milwaukee Health Department and three of the licensing Clarks that have been going through this process with me during the month of June can confirm all facts above.

Matthew Schmehl

Owner of Dave Fromans