

COMMITTEE ASSIGNMENTS

CHAIR

- Licenses Committee

VICE CHAIR

- Community and Economic Development Committee

MEMBER

- Steering and Rules Committee



TONY ZIELINSKI
ALDERMAN, 14TH DISTRICT

July 21, 2016

To the Honorable, the Common Council

Dear Members:

Re: Common Council File Number 151876

Attached is the written objection to file number 151876, Motion relating to the recommendations of the Licenses Committee relative to licenses, relating to the recommendation of:

Renewal, with a thirty-nine (39) day suspension, based upon the police report and applicant testimony of the Class A Malt and Food Dealer license(s) for Abrar Musaitif for the premises located at 103 E Keefe Ave ("Sunshine Food Market") in the 6th aldermanic district.

This matter will be heard by the full Council at its Tuesday, July 26, 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 151876



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MICHAEL F. HART*
CRAIG S. POWELL
GEOFFREY R. MISFELDT
DANIEL H. SANDERS **

* ALSO ADMITTED IN MICHIGAN
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CITY OF MILWAUKEE
JUL 20 PM 1:52
CITY CLERK'S OFFICE

July 20, 2016

Via hand-delivery

Jim Owczarski, City Clerk
City of Milwaukee
200 East Wells Street, Room 205
Milwaukee, WI 53202

Re: Response to July 15, 2016 Findings of Fact, Conclusions of Law, and Recommendation of Licenses Committee Regarding Food and Class A Beverage Licenses of Sunshine Food Market, 103 East Keefe Avenue

Dear Clerk Owczarski:

The Licenses Committee's recommendation for a renewal of the above-referenced licenses with a 39-day suspension is unduly punitive.

The Sunshine Food Market has been an institution on Keefe Avenue for nearly 20 years, during which time Ms. Musaitif's father has been an employee. Sunshine Food Market has been good for the community. At the July 12, 2016 Licenses Committee meeting, there were no objections from the community and no record of substantiated police calls.

Ms. Musaitif became the license-holder for the institution in 2014. The Licenses Committee notes from May 20, 2014 reflect that the licenses were recommended for approval with community support:

The applicant states she wants to continue the previous operations. She has experience from working in a small convenience store. Appearing with the applicant: Samer Hussein 308 W College Ave Individuals appearing in support: Shavon Sanders - 3034 N 1st St - All of the neighbors help keep the area clean and she has no problems with the application. Robert Washington Jr - 125 W Randolph - He agrees with the





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previous speaker. Nathan James - 2479 N Pierce Hamm Musaitif - 2121 S Ridge St - He helps in the store. He hasn't witnessed any problems.

Musaitif's application for renewal of licenses for the Market were approved in 2015, again without objections from the community or the police.

Then, this year, Ms. Musaitif timely submitted her application for license renewal, but mistakenly made out the check for \$735.00 instead of \$785.00. She did not learn of this scrivener's error from the City until late May. Upon learning of the error, Ms. Musaitif tried to rectify the situation by amending her check, then by sending in a new application with a sufficient check on June 1st.

Ms. Musaitif then applied for a provisional license on June 13th. She was informed by the licenses division her provisional license would be approved shortly thereafter. She did not learn she needed Alderwoman Coggs' approval for the provisional license until June 20th. Ms. Musaitif repeatedly tried to reach Alderwoman Coggs after June 20th by phone and by a visit to City Hall, but was unable to reach Alderwoman Coggs and no action was taken on her provisional license application.

At the Licenses Committee hearing on July 12, 2016, Ms. Musaitif admitted she made a mistake with her application and admitted that Sunshine Food Market sold food after June 2nd during a period of time in which the City took no action on her applications. She has rectified the mistake on her application and, upon clarifying orders from the Committee not to sell food or beverages, the Sunshine Food Market has been subject to a *de facto* suspension from July 12, 2016 to present.

Ms. Musaitif has no prior discipline. Thus, in accordance with the principles of progressive discipline, she respectfully urges the Common Council to find that the 14-day suspension from the Committee meeting to the Common Council meeting is punishment enough. To adopt the Committee's 39-day suspension recommendation (in addition to the *de facto* 14-day suspension) will jeopardize a longstanding and upstanding family business and its customers.

Your consideration and the consideration of the Common Council is greatly appreciated.

Sincerely,

Michael F. Hart

