



Office of the City Clerk

Ronald D. Leonhardt
City Clerk

Jim Owczarski
Deputy City Clerk

www.milwaukee.gov

March 31, 2008

Nick Antzoulatos
5429 West Galena Street
Milwaukee, WI 53208

Dear Mr. Antzoulatos:

You are hereby notified that the Milwaukee Common Council will hold a hearing on April 9, 2008, 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 secondhand motor vehicle dealer license for the premises located at 8144 West Appleton Avenue ("Badger Auto Sales").

Attached you will find a corrected copy of the Report of the Licenses Committee, which includes its Findings of Fact, Conclusions of Law and Recommendation, recommending renewal of the secondhand motor vehicle dealer 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 March 25, 2008. The correction relates to the days of suspension.

You may file a written objection to the report of the Licenses Committee. Any written objections to the Committee's Report must be filed with the City Clerk by 4:45 p.m. on April 4, 2008. You or a legal representative may 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 N. WITKOWIAK
ALDERMAN, 12TH DISTRICT

CORRECTED 3/31/08

Date: March 31, 2008

To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report of the Renewal Application of Nick Antzoulatos for a Secondhand Motor Vehicle Dealer's license for the premises at 8144 West Appleton Avenue ("Badger Auto Sales").

FINDINGS OF FACT

1. Nick Antzoulatos holds a Secondhand Motor Vehicle Dealer's license for the premises at 8144 West Appleton Avenue in the City and County of Milwaukee, Wisconsin ("Badger Auto Sales"). Said license expires at midnight, March 31, 2008.
2. An application to renew said license was filed with the Office of the City Clerk on March 5, 2008.
3. Pursuant to Chapter 93 of the Milwaukee Code of Ordinances, the matter was referred to the Milwaukee Police Department for investigation. The Milwaukee Police Department responded with a report dated March 6, 2008 which could form the basis for denial or suspension of this license. In addition, there were claimed neighborhood problems due to management of the location. It was claimed that the licensed premises is operated in such a manner that it constitutes a public or private nuisance and that the conduct on the licensed premises has had an adverse effect on the neighborhood, including but not limited to, failure to maintain property in accordance with the board of zoning appeals and department of neighborhood services guidelines. In addition, there were claimed neighborhood objections to undesirable neighborhood problems such as: parking and traffic problems which cause the normal flow of traffic on roadways and alleys to be impeded, parking vehicles in prohibited parking areas, parking vehicles in the excess of the approved number, loitering, littering, noise, loud

music, and conduct which has an adverse impact on the public health, safety and welfare of the community.

4. On March 17, 2008, the City Clerk's Office provided notice to the Licensee, pursuant to Chapter 93 of the Milwaukee Code of Ordinances, of the neighborhood objections that could form the basis for suspension or non-renewal of the license of the Licensee. The matter was scheduled for a hearing on the neighborhood objections on March 25, 2008 at 9:00 a.m. in Room 301B of the third floor of City Hall. The licensee appeared and admitted receipt of the notice, but was not represented by counsel.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
 - A. On May 29, 2007 at 2:06 p.m., the applicant was cited by the City of Milwaukee for zoning violations at the licensed premises at 8144 West Appleton Avenue and a warrant was issued on October 11, 2007. At hearing, the Committee was informed that the warrant had been withdrawn.
 - B. The local alderman advised the Committee that a number of neighborhood complaints had been received regarding automobiles offered for sale being parked on the roadways, particularly Appleton Avenue. Those vehicles were parked in such a manner as to impede visibility to traffic entering Appleton Avenue (a state highway and a major thoroughfare) and thus creating a hazard. The licensee testified that his business has been very brisk, resulting in sales of many cars with not always enough space or off-street locations to keep them.

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 Chapter 93 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concludes that the licensee, Nick Antzoulatos, has not met the criteria of Chapter 93 of the Milwaukee Code of Ordinances to allow renewal of his Secondhand Motor Vehicle Dealer license without undergoing a ten (10) day suspension of said license for the premises located at 8144 West Appleton Avenue ("Badger Auto Sales"). The 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 of the City of Milwaukee should exercise its judgment to renew

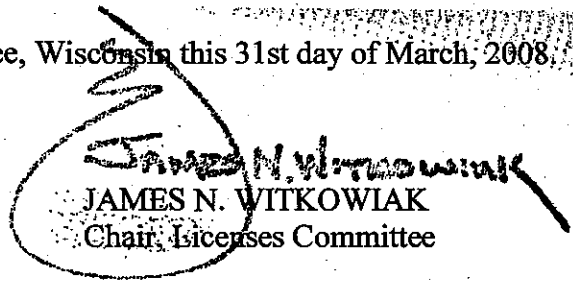
with a ten (10) day suspension the Secondhand Motor Vehicle Dealer license of Nick Antzoulatos for the premises located at 8144 West Appleton Avenue in the City and County of Milwaukee, Wisconsin.

RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of two (2) ayes and one (1) no recommends that the Secondhand Motor Vehicle Dealer license of Nick Antzoulatos for the premises located at 8144 West Appleton Avenue in the City and County of Milwaukee, Wisconsin be renewed with a ten (10) day suspension.

Said suspension is to be in effect from Council action on April 9, 2008 through midnight, April 18, 2008.

Dated and signed at Milwaukee, Wisconsin this 31st day of March, 2008.


JAMES N. WITKOWIAK
Chair, Licenses Committee

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