

COMMITTEE ASSIGNMENTS

CHAIR

- Licenses Committee

VICE CHAIR

- Zoning, Neighborhoods and Development



MILELE A. COGGS
ALDERWOMAN, 6TH DISTRICT

MEMBER

- Finance and Personnel Committee
- Library Board
- Neighborhood Improvement Development Corporation Board
- Special Joint Committee on the Redevelopment of Abandoned and Foreclosed Homes
- Steering and Rules Committee
- Wisconsin Center District Board

December 2, 2022

To the Honorable, the Common Council

Honorable Members:

Common Council File Number 221159 contains the following recommendations:

Renewal with a ten (10) day suspension of the Extended Hours Establishments and Food Dealer licenses based on the aldermanic recommendation for Latherin Thomas Jr., for the premises located at 920 W North Av. ("Mc Donald's") in the 7th aldermanic district.

Nonrenewal of the Food Dealer license based upon second nonappearance for Andrell D. Howard, for the premises located at 837 W Historic Mitchell St. ("Milwaukee Unified Soul Inc") in the 12th aldermanic district.

Respectfully,

Milele Coggs, Chair
Licenses Committee

cc: All Council Members
File 221159



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MILELE A. COGGS
ALDERWOMAN, 6TH DISTRICT

Date: December 2, 2022

To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report of the Renewal Application of Latherin Thomas, Jr., Agent for Neptunelt Jr., LLC, for Extended Hours Establishments and Food Dealer licenses for the premises located at 920 West North Avenue in the City and County of Milwaukee, Wisconsin ("MC DONALD'S").

FINDINGS OF FACT

1. Latherin Thomas, Jr. (hereinafter the "Licensee") is the holder of Extended Hours and Food Dealer licenses for the premises located at 920 West North Avenue in the City and County of Milwaukee, Wisconsin ("MC DONALD'S"). Said licenses expired at midnight, October 11, 2022.
2. An application to renew said licenses was filed with the Office of the City Clerk on September 27, 2022.
3. Pursuant to Chapters 68, 84, and 85 of the Milwaukee Code of Ordinances, the matter was referred to the Milwaukee Police Department for investigation.
4. On November 16, 2022, the City Clerk's Office provided notice to the Licensee pursuant to Chapters 68, 84, and 85 of the Milwaukee Code of Ordinances of the police report and neighborhood objections. The matter was scheduled for a hearing and neighborhood objections on November 29 at 1:15 p.m. in Room 301B of the third floor of City Hall. At said date, time and place, the Licensee appeared at the hearing, and admitted receipt of the notice of hearing.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
 - A. Mr. Ellzey said that this premises has been operating with an expired license and, that this application was scheduled because the office received pictures depicting a lack of cleanness, people loitering and employees doing drugs on site. He added that Alderman Stamper went to the store and that he did not like what he saw and, that is the reason why he did not approve the provisional. He added that despite that, the Licensee was operating still and that there must be disciplinary action.



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- B. Alderwoman Coggs asked if those pictures were submitted to the License Division because they are not part of the file.
- C. Mr. Ellzey said that he does not remember if he submitted the pictures.
- D. The Licensee said that he remained open even after the provisional license was denied but that he did not mean to do wrong and apologized for keeping the store open. He added that those photos posted on the social media are not from this store and that the McDonald's Corporation is aware of it.
- E. Mr. Ellzey said that Alderman Stamper was at the store and that he saw things that he did not like and that there is an issue with operating a business without a license. He asked that the extended hours license be denied and requested a discipline action for operating without a license.
- F. Alderwoman Coggs said the photographs are not part of the file and that the decision that will be made today are not based on those photographs.
- G. Alderman Borkowski asked Mr. Ellzey for specifics on the discipline that Alderman Stamper recommends.
- H. Mr. Ellzey said that regardless of the photographs, he said that the Extended Hours license is a privilege and must be denied.
- I. Alderman Borkowski moved approval with a 10-day suspension based upon the Licensee's testimony of operating with an expired license and after the denial of the provisional license and the aldermanic testimony. There were no objections.
(Prevailed 5-0)

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 Chapters 68, 84, and 85 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concludes that the Licensee, Latherin Thomas, Jr. who holds Extended Hours Establishments and Food Dealer licenses for the premise located at 920 West North Avenue in the City and County of Milwaukee, Wisconsin ("MC DONALD'S") has not met the criteria of Chapters 68, 82, 84, and 85, of the Milwaukee Code of Ordinances to renew the Extended Hours Establishment and Food Dealer licenses without undergoing a ten (10) day suspension. The Committee finds the police report and aldermanic objections as stated above to be true. The Committee based its recommendation on the 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 judgment to not renew the Extended Hours Establishments and Food Dealer license, without undergoing a ten (10) day suspension for the premises located at 920 West North Avenue in the City and County of Milwaukee,



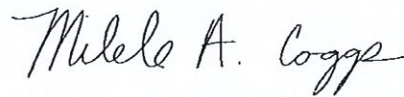
Wisconsin ("MC DONALD'S"). The Committee based its recommendation on the aldermanic testimony.

RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, including the Findings previously generated by the Committee in this matter, by a vote of **five (5) ayes and zero (0) noes**, recommends that the Extended Hours Establishment and Food Dealer licenses held by Latherin Thomas, Jr. for the premises located at 920 West North Avenue in the City and County of Milwaukee, Wisconsin ("MC DONALD'S") not be renewed, without undergoing a ten (10) day suspension; based on the aldermanic testimony.

The suspension is in effect between 12:01 a.m. on December 13, 2022 until 11:59 p.m. on December 22, 2022.

Dated and signed at Milwaukee, Wisconsin this 2 day of December, 2022.



MILELE A. COGGS
Chairman, Licenses Committee

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MILELE A. COGGS
ALDERWOMAN, 6TH DISTRICT

Date: December 2, 2022

To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report of the Renewal Application of Andrell D. Howard, Agent for MILWAUKEE UNIFIED SOUL, INC., for a Food Dealer license for the premises located at 837 West Historic Mitchell Street in the City and County of Milwaukee, Wisconsin ("Milwaukee Unified Soul Inc").

FINDINGS OF FACT

1. Andrell D. Howard (hereinafter the "Licensee") is the holder of a Food Dealer license for the premises located at 837 West Historic Mitchell Street in the City and County of Milwaukee, Wisconsin ("Milwaukee Unified Soul Inc"). Said license expired at midnight, June 15, 2022.
2. An application to renew said license was filed with the Office of the City Clerk on September 22, 2022.
3. Pursuant to Chapters 68 and 85 of the Milwaukee Code of Ordinances, the matter was referred to the Milwaukee Police Department for investigation. On September 23, 2022, the Milwaukee Police Department responded with a report that could form the basis for nonrenewal of said license.
4. On November 16, 2022, the City Clerk's Office provided notice to the Licensee pursuant to Chapters 68 and 85 of the Milwaukee Code of Ordinances of the police report and neighborhood objections and included a copy of the police report. The matter was scheduled for a hearing on the police report and neighborhood objections on November 29, 2022 at 1:35 p.m. in Room 301B of the third floor of City Hall. At said date, time and place, the Licensee was not present.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
 - A. The applicant was not present.



- B. Alderman Perez moved denial based upon second nonappearance. There were no objections. (Prevailed 5-0)

CONCLUSIONS OF LAW

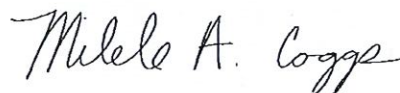
1. The Committee has jurisdiction to hold hearings and provided Findings of Fact and Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapters 68 and 85 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concludes that the Licensee, Andrell D. Howard who holds a Food Dealer license for the premise located at 837 West Historic Mitchell Street in the City and County of Milwaukee, Wisconsin ("Milwaukee Unified Soul Inc") has not met the criteria of Chapters 68 and 85, of the Milwaukee Code of Ordinances to renew the Food Dealer license. The Committee finds the police report and aldermanic objections as stated above to be true. The Committee based its recommendation on the Licensee's second non-appearance.
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 not renew the Food Dealer license for the premises located at 837 West Historic Mitchell Street in the City and County of Milwaukee, Wisconsin ("Milwaukee Unified Soul Inc"). The Committee based its recommendation on the Licensee's second non-appearance.

RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, including the Findings previously generated by the Committee in this matter, by a vote of **five (5) ayes and zero (0) noes** recommends that the Food Dealer license held by Andrell D. Howard for the premises located at 837 West Historic Mitchell Street in the City and County of Milwaukee, Wisconsin ("Milwaukee Unified Soul Inc") not be renewed, based on the Licensee's second non-appearance.

Said nonrenewal is effective on December 13, 2022.

Dated and signed at Milwaukee, Wisconsin this 2 day of December, 2022



MILELE A. COGGS
Chairman, Licenses Committee

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