



CITY OF MILWAUKEE  
OFFICE OF THE CITY CLERK

Thursday, September 15, 2022

COMMITTEE MEETING NOTICE

AD 05

BURNS, Charles, Agent  
Wal-Mart Stores East LP  
C/O Licensing Dept. 8916  
702 SW 8th St  
Bentonville, AR 72716

You are requested to attend a virtual hearing to be held on:

**Tuesday, September 27, 2022 at 11:25 AM**

**Regarding:** Your Class A Malt & Class A Liquor and Food Dealer License Renewal Applications with Change of Agent as agent for "Wal-Mart Stores East LP" for "Walmart #2936" at 10330 W SILVER SPRING DR.

This meeting will be held via GoToMeeting. Please see the enclosed best practices document for further instructions. The access code is <https://meet.goto.com/953593573>. If you wish to call in, please call +1 (872) 240-3412 and use Access Code: 953-593-573.

There is a possibility that your application may be denied for one or more of the following reasons: The recommendation of the committee regarding the application shall be based on evidence presented at the hearing. Per MCO 85-4-4, unless otherwise specified in the code, probative evidence concerning non-renewal, suspension or revocation may include evidence of the following: failure of the applicant to meet municipal qualifications, pending charges against or the conviction of any felony, misdemeanor, municipal offense or other offense, the circumstances of which substantially relate to the circumstances of the particular licensed or permitted activity, by the applicant or by any employee or other agent of the applicant. If the activities of the applicant involve a licensed premises, whether the premises tends to facilitate a public or private nuisance or has been the source of congregations of persons which have resulted in any of the following: disturbance of the peace; illegal drug activity; public drunkenness; drinking in public; harassment of passers-by; gambling; prostitution; sale of stolen goods; public urination; theft; assaults; battery; acts of vandalism including graffiti, excessive littering, loitering, illegal parking, loud noise at times when the licensed premise is open for business; traffic violations; curfew violations; lewd conduct; display of materials harmful to minors, pursuant to s. 106-9.6; or any other factor which reasonably relates to the public health, safety and welfare, or failure to comply with the approved plan of operation. See attached police report or correspondence.

**Notice for applicants with warrants or unpaid fines:**

**Proof of warrant satisfaction or payment of fines must be submitted at the hearing on the above date and time. Failure to comply with this requirement may result in a delay of the granting/denial of your application.**

Failure to attend this meeting may result in the denial of your license. Individual applicants and partnership applicants must attend or attend by an attorney. The agent or attorney for corporate or limited liability applicants must attend. If you wish to do so and at your own expense, you may be accompanied by an attorney of your choosing to represent you at this hearing.

You will be given an opportunity to speak on behalf of the application and to respond and challenge any charges or reasons given for the denial. No petitions can be accepted by the committee, unless the people who signed the petition attend the virtual hearing and are willing to testify. You may present witnesses under oath and you may also confront and cross-examine opposing witnesses under oath. If you have difficulty with the English language, you should request an interpreter attend the meeting with you, at your expense, so that you can answer questions and participate in your hearing.

PLEASE NOTE: Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through sign language interpreters or other auxiliary aids. For additional information or to request this service, contact the Council Services Division ADA Coordinator at (414) 286-2998, Fax - (414) 286-3456, TDD - (414) 286-2025.

JIM OWCZARSKI, CITY CLERK

BY: \_\_\_\_\_

Jim Cooney  
License Division Manager

**If you have questions regarding this meeting, please contact the staff assistant, Yadira Melendez at (414) 286-2775 or [stasst5@milwaukee.gov](mailto:stasst5@milwaukee.gov)**

# MILWAUKEE POLICE DEPARTMENT LICENSING

## CRIMINAL RECORD/ORDINANCE VIOLATION/INCIDENTS SYNOPSIS

DATE: 08/19/21  
LICENSE TYPE: ALQML  
NEW:   
RENEWAL:

No. 325447  
Application Date: 06/15/21

License Location: 10330 W Silver Spring Dr  
Business Name: Wal-Mart

Licensee/Applicant: MARX, Joseph P  
(Last Name, First Name, MI)  
Date of Birth: 09/08/1984

Home Address: 271 Amber Dr  
City: Whitewater State: WI Zip Code: 53190  
Home Phone: 608-988-6147

This report is written by Police Officer avier Benitez, assigned to the License Investigation Unit, Days.

The Milwaukee Police Department's investigation regarding this application revealed the following:

1. On 01/22/2019 the applicant was cited for Operating while Intoxicated. He was convicted on 03/06/2019 and his license was revoked for 6 months.

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2. On 05/22/2019, the applicant was cited in Walworth County with Disorderly Conduct.

Charge: Disorderly Conduct  
Finding: Guilty  
Sentence: fine  
Date: 06/12/19  
Case: 2019FO000283

3. On 12/08/2019 at 9:22pm, Milwaukee Police were dispatched to 10330 W. Silver Spring Drive for a sick/injured complaint. Investigation revealed a subject walked into the bathroom, had a medical emergency while in a stall, and died after the Milwaukee Fire Department was unable to revive him.
4. On 01/13/2020 the applicant was cited for Blood Alcohol Content (2<sup>nd</sup>). He was convicted on 02/14/2020 and his license was suspended for 6 months.

5. On 02/22/2020 at 2:00pm, Milwaukee Police were dispatched to 10330 W. Silver Spring Drive for a retail theft complaint. Investigation revealed a subject took merchandise past the last point of sale, was stopped, and fled the scene, leaving the merchandise behind. The subject was apprehended at another store by police and citations were issued.
  
6. 05/30/2020 at 1:40am The Police Department was advised there were subjects outside of the closed Walmart at 10330 W. Silver Spring Dr. attempting to break in the business. At 1:48am the subjects were observed inside the business. Squads arrived and arrested several subjects for Burglary. The applicant did arrive on scene.

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Up dated 08/19/21

7. On 06/23/21 at 12:32pm, Milwaukee Police were dispatched to 10330 W. Silver Spring Dr., for a shooting complaint. Officers reviewed the video of the location and it was discovered that two suspects that were in different vehicles exchanged gunfire. Suspect #1 exited his red auto, approached suspect #2 in a black Suv, and fired several shots at the auto. In the video, an employee of the business is seen exiting the black Suv, while suspect#2 returned gunfire. Both suspects and vehicles left the business lot in different directions. Evidence collected was 26 casings recovered on the lot, and blood from one of the possible suspects.
  
8. On 07/20/21 at 9:05pm, Milwaukee Police were dispatched to 10330 W. Silver Spring Dr., for a retail theft complaint. Officers spoke with security who stated that a female subject entered the store and left the business without paying for merchandise. Officers were allowed to review video and obtained suspect, vehicle description and the last direction of travel. Officers spoke with manger and provide the manger report information as well as a contact card.

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9. On 09/13/21 at 6:51pm, Milwaukee Police were dispatched to 10330 W. Silver Spring Drive for a shooting complaint. Investigation revealed that there was an physical altercation between two subjects in the parking lot of the location which resulted in a gun battle between multiple subjects. One subject was shot during the armed conflict.

**Item #9 was added to Previous Premise**



Thursday, September 15, 2022



# Notice of Public Hearing

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BURNS, Charles  
Walmart #2936 at 10330 W SILVER SPRING DR  
Class A Malt & Class A Liquor and Food Dealer License Renewal Applications with Change of Agent

**Tuesday, September 27, 2022 at 11:25 AM**

To whom it may concern:

The above application has been made by the above named applicant(s). This requires approval from the Licenses Committee and the Common Council of the City of Milwaukee. The hearing before the Licenses Committee will take place virtually on 09/27/2022 at 11:25 AM. This is a public hearing. Those wishing to view the proceeding are able to do so via the City Channel – Channel 25 on Spectrum Cable – or on the Internet at <http://city.milwaukee.gov/citychannel>. Those wishing to provide oral testimony will be asked to do so by phone or internet and are asked to contact the staff assistant, Yadira Melendez at (414) 286-2775 or [stasst5@milwaukee.gov](mailto:stasst5@milwaukee.gov) for necessary information. Please make such requests no later than one business day prior to the start of the meeting. You are not required to attend the hearing, but please see the information below if you would like to provide testimony. Once the Licenses Committee makes its recommendation, this recommendation is forwarded to the full Common Council for approval at its next regularly scheduled hearing.

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## Important details for those wishing to provide information for the Licenses Committee to consider when making its recommendation:

1. The license application is scheduled to be heard at the above time. Due to other hearings running longer than scheduled, you may have to wait some time to provide your testimony.
2. You must testify as to matters that you have personally experienced or seen. (You cannot provide testimony for your neighbor, parent or anyone else; this is considered hearsay and cannot be considered by the committee.)
3. No letters or petitions can be accepted by the committee (unless the person who wrote the letter or the persons who signed the petition are willing to testify).
4. Persons opposed to the license application are given the opportunity to testify first; supporters may testify after the opponents have finished.
5. When you are called to testify, you will be sworn in and asked to give your name, and address. (If your first and/or last names are uncommon please spell them.)
6. You may then provide testimony.
  - a. Include only information relating to the above license application.
  - b. Include only information you have personally witnessed or seen.
  - c. Provide concise and relevant information detailing how this business has affected or may affect the peaceful enjoyment of your neighborhood.
  - d. If by the time you have the opportunity to testify, the information you wish to share has already been provided to the committee, you may state that you agree with the previous testimony. Redundant or repetitive testimony will not assist the committee in making its recommendation.
7. After giving your testimony, the members of the Licenses Committee and the licensee may ask questions regarding the testimony you have given or other factors relating to the license application.
8. Business Competition is not a valid basis for denial or non-renewal of a license.

**Please Note: If you have submitted an objection to the above application your objection cannot be considered by the committee unless you personally testify at the hearing.**

OCCUPANT	MAIL ADDRESS	CITY STATE ZIP
CURRENT OCCUPANT	10101 W APPLETON AVE, 101	MILWAUKEE, WI 53225-2536
CURRENT OCCUPANT	10101 W APPLETON AVE, 102	MILWAUKEE, WI 53225-2536
CURRENT OCCUPANT	10101 W APPLETON AVE, 103	MILWAUKEE, WI 53225-2536
CURRENT OCCUPANT	10101 W APPLETON AVE, 104	MILWAUKEE, WI 53225-2536
CURRENT OCCUPANT	10101 W APPLETON AVE, 201	MILWAUKEE, WI 53225-2536
CURRENT OCCUPANT	10101 W APPLETON AVE, 202	MILWAUKEE, WI 53225-2536
CURRENT OCCUPANT	10101 W APPLETON AVE, 203	MILWAUKEE, WI 53225-2536
CURRENT OCCUPANT	10101 W APPLETON AVE, 204	MILWAUKEE, WI 53225-2536
CURRENT OCCUPANT	10105 W APPLETON AVE, 101	MILWAUKEE, WI 53225-2534
CURRENT OCCUPANT	10105 W APPLETON AVE, 102	MILWAUKEE, WI 53225-2534
CURRENT OCCUPANT	10105 W APPLETON AVE, 103	MILWAUKEE, WI 53225-2534
CURRENT OCCUPANT	10105 W APPLETON AVE, 104	MILWAUKEE, WI 53225-2534
CURRENT OCCUPANT	10105 W APPLETON AVE, 201	MILWAUKEE, WI 53225-2534
CURRENT OCCUPANT	10105 W APPLETON AVE, 202	MILWAUKEE, WI 53225-2534
CURRENT OCCUPANT	10105 W APPLETON AVE, 203	MILWAUKEE, WI 53225-2534
CURRENT OCCUPANT	10105 W APPLETON AVE, 204	MILWAUKEE, WI 53225-2534
CURRENT OCCUPANT	10111 W APPLETON AVE, 101	MILWAUKEE, WI 53225-2535
CURRENT OCCUPANT	10111 W APPLETON AVE, 102	MILWAUKEE, WI 53225-2535
CURRENT OCCUPANT	10111 W APPLETON AVE, 103	MILWAUKEE, WI 53225-2535
CURRENT OCCUPANT	10111 W APPLETON AVE, 104	MILWAUKEE, WI 53225-2535
CURRENT OCCUPANT	10111 W APPLETON AVE, 201	MILWAUKEE, WI 53225-2535
CURRENT OCCUPANT	10111 W APPLETON AVE, 202	MILWAUKEE, WI 53225-2535
CURRENT OCCUPANT	10111 W APPLETON AVE, 203	MILWAUKEE, WI 53225-2535
CURRENT OCCUPANT	10111 W APPLETON AVE, 204	MILWAUKEE, WI 53225-2535
CURRENT OCCUPANT	10201 W APPLETON AVE	MILWAUKEE, WI 53225-2519
CURRENT OCCUPANT	10325 W SILVER SPRING DR	MILWAUKEE, WI 53225-3247
CURRENT OCCUPANT	10333 W SILVER SPRING DR	MILWAUKEE, WI 53225-3247
CURRENT OCCUPANT	10341 W SILVER SPRING DR	MILWAUKEE, WI 53225-3247
CURRENT OCCUPANT	10405 W SILVER SPRING DR	MILWAUKEE, WI 53225-3249
CURRENT OCCUPANT	5556 N 103RD ST	MILWAUKEE, WI 53225-3204
CURRENT OCCUPANT	5568 N 103RD ST	MILWAUKEE, WI 53225-3204
CURRENT OCCUPANT	5576 N 103RD ST	MILWAUKEE, WI 53225-3204

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Total Records: 32

Radius 250.0 feet and Center of Circle: 10330 W Silver Spring Dr

**2022-2023 Plan of Operation for 10330 W SILVER SPRING DR**

<b>1. Litter &amp; Security Plans</b>			
How are the grounds kept clean? <input checked="" type="checkbox"/> Sweep <input checked="" type="checkbox"/> Pressure Wash <input checked="" type="checkbox"/> Pick Up Litter <input type="checkbox"/> Other:			
How often will grounds be cleaned? <input checked="" type="checkbox"/> Daily <input type="checkbox"/> Weekly <input type="checkbox"/> Other:			
Who cleans the grounds? <input type="checkbox"/> Licensee <input type="checkbox"/> Building Owner <input checked="" type="checkbox"/> Employees <input checked="" type="checkbox"/> Hired Maintenance <input type="checkbox"/> Other:			
How are noise issues prevented and/or addressed? <input checked="" type="checkbox"/> Security <input checked="" type="checkbox"/> Manager approaches customer(s) <input checked="" type="checkbox"/> Call Police <input type="checkbox"/> Signs Posted <input type="checkbox"/> Other:			
Are there designated outdoor smoking areas? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes If Yes, Describe: <u>Patio areas by parking lot and on west side of building.</u>			
Number of garbage cans: Inside <u>30%</u> Locations: <u>Various locations throughout the store and in restrooms</u> Outside <u>50%</u> Locations: <u>At entrance doors and at cart corrals</u>			
Is a crowd control barrier used? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If Yes, Describe:			
Number of restrooms: <u>5</u>		Name of solid waste contractor: <u>Waste Management</u>	
Are there parking spaces on the premises? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes If Yes, list number of spaces: <u>934</u> and describe security plans: <u>Security guards (third party) on premises; cameras used throughout the store and parking lot</u>			
Are there designated loading areas? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes If Yes, describe security plans: <u>Doors are locked; alarms on doors</u>			
Do you have security personnel on the premise? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes If Yes, how many? <u>2</u> AND What are their responsibilities? <u>Parking lot surveillance and asset protection</u> What security equipment do they use? <u>Walkie-talkies, vehicle</u> List their licensing, certification or training credentials: <u>Third-party security / CBL training</u>			
Are there security cameras? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes If Yes, list all locations: <u>All around interior and exterior of premises</u>			
Are searches and/or identification checks conducted upon entry? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If Yes, describe:			
<b>2. Percentage of Sales (must total 100%)</b>			
Alcohol <u>1.0</u> %	Food Sales <u>44.0</u> %	Entertainment <u>0</u> %	Other <u>55.0</u> %
<b>3. Businesses On The Premises (choose all that apply):</b>			
<input type="checkbox"/> Restaurant <input type="checkbox"/> Cafe/Coffee Shop <input type="checkbox"/> Cocktail Lounge <input type="checkbox"/> Convenience Store <input type="checkbox"/> Night Club <input type="checkbox"/> Liquor Store <input type="checkbox"/> Tavern <input type="checkbox"/> Sports Facility <input type="checkbox"/> Hotel <input type="checkbox"/> Banquet Hall <input type="checkbox"/> Supermarket <input type="checkbox"/> Private/Fraternal/Veterans' Club <input checked="" type="checkbox"/> Other: <u>Supermarket/Retail Store</u>			
<b>4. Hours of Operation and Age Restriction</b>			
Are there any changes to the current hours of operation or age restriction? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If Yes, Describe:			
Please Note: If you will be open earlier or later than the hours listed on your current license for even one event or holiday (for example, St. Patrick's Day, Brewers Opening Day, etc.) during the license period, this must be reported and printed on your license. Your hours of operation and age restriction are listed on your current license.			
<b>5. Floor Plan and Capacity</b>			
Are you requesting any changes to your capacity or floor plan*? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If yes, describe: _____ and submit a new floor plan with this renewal application. A sample plan can be found online at <a href="http://www.milwaukee.gov/licenses">www.milwaukee.gov/licenses</a> under License Forms and Related Information.			
Alcohol/Food Establishments: A "Permanent Extension of Premises Application" is required if you are adding any square footage to the licensed premises.			
<b>6. Sidewalk Dining: Fee:</b>			
Are there any changes to the sidewalk dining site plan? <input type="checkbox"/> No <input type="checkbox"/> Yes If Yes, submit an updated site plan with this application.			
<b>7. Food License: FOOD 10304 Fee: \$2,050.00</b>		<b>8. Weights and Measures: Fee:</b>	
Your current food license includes the following food operations: Processing, Hazardous Foods, Sales > \$2,000,000, Food Store. Are there any changes to your food operations as listed above? <input type="checkbox"/> No <input type="checkbox"/> Yes, if Yes, explain _____		Number/Type of Devices: Are there any changes to the number or types of devices? <input type="checkbox"/> No <input type="checkbox"/> Yes If yes, contact our office for further instructions.	

**1. CURRENT APPROVED ENTERTAINMENT**

The following types of entertainment have been approved for your current Public Entertainment Premises license:

N/A

**2. ADDING ENTERTAINMENT**

If applicable, check any entertainment you wish to add: **ONLY CHECK ENTERTAINMENT TYPE(S) YOU ARE ADDING. YOUR CURRENT APPROVED ENTERTAINMENT IS LISTED ABOVE.**

- |   |  |  |   |
|---|--|--|---|
| <input type="checkbox"/> Instrumental Musicians   | <input type="checkbox"/> Bands                                 | <input type="checkbox"/> Battle of the Bands                   | <input type="checkbox"/> Comedy Acts  |
| <input type="checkbox"/> Disc Jockey  | <input type="checkbox"/> Magic Shows                           | <input type="checkbox"/> Poetry Readings                       | <input type="checkbox"/> Dancing by Performers                                |
| <input type="checkbox"/> Jukebox  | <input type="checkbox"/> Wrestling                             | <input type="checkbox"/> Patron Contests                       | <input type="checkbox"/> Patrons Dancing                                      |
| <input type="checkbox"/> Adult Entertainment/<br>Strippers/Erotic Dance                   | <input type="checkbox"/> Karaoke                               | <input type="checkbox"/> Bowling Alley<br>How many? _____      | <input type="checkbox"/> Pool Tables<br>How many? _____                       |
| <input type="checkbox"/> Motion Pictures (movies by admission)<br>How many screens? _____ | <input type="checkbox"/> Amusement Machines<br>How many? _____ | <input type="checkbox"/> Concerts<br>Approx. # per year? _____ | <input type="checkbox"/> Theatrical Performances<br>Approx. # per year? _____ |
| <input type="checkbox"/> Other: _____   |  |  |   |

No entertainment changes can take place until approved by Common Council and a new license has been issued and posted on the premises.

**3. REMOVING ENTERTAINMENT**

If applicable, list any entertainment you wish to remove:

**4. PROMOTERS/SOUND AMPLIFICATION:**

Will promoters ever be used for any of the entertainment?  No  Yes If Yes, Describe:

At any time will sound amplification be used?  No  Yes If Yes, Describe:

**5. SIGNATURE**

I understand that after the license has been issued, a change to the plan of operation will require a written request to change and approval from the Common Council.

I agree to inform the City Clerk within 10 days of any substantial changes in the information supplied in this application.

I understand that I shall not willfully refuse to provide the services offered under this license, or add charges or require deposits not required of the general public because of race, color, sex, religion, national origin or ancestry, age, handicap, lawful source of income, marital status, sexual orientation, gender identity or expression, familial status or the fact that a person is now or has been a member of the military service, whether dressed in uniform or not; and shall not seek such information as a condition of employment, or penalize any employee or discriminate in the selection of personnel for training or promotion on the basis of such information.

I have knowledge of the City Ordinances currently regulating public entertainment, and understand that the license may be subject to suspension, non-renewal or revocation, if I violate any rule, law or regulation of the city of Milwaukee and State of Wisconsin.

Signature of Sole Proprietor, a Partner, or if a Corporation or LLC, the Agent must sign