



JAMES N. WITKOWIAK
ALDERMAN, 12TH DISTRICT

March 16, 2007

To the Honorable, the Common Council

Dear Members:

Re: Common Council File 061190

Attached are written objections to the recommendation of renewal, with a 10-day suspension based on the police report, of the Class "A" Liquor & Malt license of Paramjeet Kharag, Agent for "Capitol Liquor & Beer, Inc." for the premises at 7308 W. Capitol Dr. ("Capitol Liquor & Beer") in the 2nd aldermanic district.

This matter will be heard by the full Council at its March 22, 2007 meeting. Pursuant to City Ordinances, a roll call vote will be taken to confirm that all members have read the attached objections.

Respectfully,

A handwritten signature in black ink that reads "James N. Witkowiak". The signature is written in a cursive style and is positioned above the typed name.

James N. Witkowiak, Chair
Licenses Committee

cc: All Council Members
City Attorney's Office
Common Council/City Clerk – License Division
CCF 061190

CITY OF MILWAUKEE

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RONALD D. LEONHARDT
CITY CLERK

March 16, 2007

To: All Members of the Milwaukee Common Council
200 East Wells Street
Milwaukee, WI 53202

From: Paramjeet S. Kharag, Agent
Capitol Liquor & Beer, Inc.
W142 N5005 Golden Fields Drive
Menomonee Falls, WI 53051

Re: Appeal of the Report of the Licensing Committee Report in consideration of the Renewal of the Class "A" Liquor and Malt License Application for the premises located at 7308 West Capitol Drive, Milwaukee, Wisconsin ("Capitol Liquor & Beer").

ANSWER TO FINDINGS OF FACT

1. I, Paramjeet S. Kharag, am the Agent for the Class "A" Liquor and Malt License for the premises located at 7308 West Capitol Drive, Milwaukee, Wisconsin. Said license does in fact expire at midnight, April 10, 2007.
2. I did in fact file an application to renew said license with the Office of the City Clerk on January 17, 2007.
3. I am aware and do understand that an investigation was done by the Milwaukee Police Department for alleged neighborhood objections to some activities that may or may not have pertained to my establishment or the surrounding areas.
4. On March 16, 2007, I was present before the Common Council regarding the police report and neighborhood objections. I do understand that this can be the basis for suspension or non-renewal of the license to my establishment. At that time I was not represented by an attorney.
5. No paragraph 5 is contained in the Findings of Fact.
6. Pertaining to points:
 - A. The findings of fact correctly state that I received a citation for a taxi permit on November 1, 2006. I operated the taxi legally at all times. As such I had received the permit. The citation was given because the officer could not see the permit on the vehicle. When I produced the permit at the pre-trial conference, the charges were dismissed. I do not feel that this should have any impact on the license that is in question.
 - B. The officers who were on the scene for this incident never issued a ticket to Surjan S. Kamal for selling to underage customers. The only citation that was issued was for hours of operation, which has been dismissed. Therefore, no citations were upheld related to this incident.
 - C. The incident on December 31, 2006 regarding an alleged hours of sale violation is still pending. I deny all of these charges. I have a cash register

receipt from that date that shows that the sale in question was at 20:59 hours. 1 minute before 9:00 P.M. I will produce a copy of this receipt at the appeal hearing and at the citation hearing. As to the allegations about the customer stating he would "go to the back like usual", I do not know the customer's exact statement or his tone. I do know that I have not sold alcoholic beverages after 9:00 p.m. I also have not sold anything in the back of the store. All sales are at the cash register.

- D. I believe the fact that no neighbors objected at the hearing and Andra Lee testified in my support, indicates that there are not neighborhood objections related to my property.

CONCLUSIONS OF LAW

1. I do acknowledge that the Committee has jurisdiction to hold hearings and provide Findings of Fact and Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapter 125 of the Wisconsin Statutes and Chapter 90 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concluded that the I as the Agent for the licensed premises at 7308 West Capitol Drive, Milwaukee, Wisconsin ("Capitol Liquor & Beer") have not met the criteria of Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes to allow renewal of my Class "A" Liquor and Malt License without undergoing a ten (10) day suspension. The committee has not taken into account several important factors. All but one of the charges was dismissed. The remaining charge is being challenged, and I have proof that it is also incorrect. Therefore, a suspension, particularly of this length is not warranted.
3. I do agree that the City of Milwaukee does have an obligation to protect the health, safety and welfare of its citizens. However, I do not agree that a ten (10) day suspension is necessary in order for the license to be renewed. The citations and allegations have not been proven. Any suspension would be punishment for incidents that have not been proven and are disputed.

In conclusion, I would like to again ask that the Common Council to reconsider the ten (10) day suspension and allow my business to continue to function. Please reconsider your decision and I greatly appreciate your time in this matter. Please be assured that I will continue to work as hard as needed to continue to strive to conduct my business in the proper manner.

Paramjeet S. Kharag, Agent

Prepared by Navdeep Singh, Attorney