



CITY OF MILWAUKEE
OFFICE OF THE CITY CLERK

Wednesday, May 19, 2021

COMMITTEE MEETING NOTICE

AD 15

GEORGE C KUSAK

2500 N 35TH St

MILWAUKEE, WI 53210

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

Wednesday, June 02, 2021 at 01:10 PM

Regarding: Your Class A Malt & Class A Liquor License Renewal Application for "BUYRITE FOOD & LIQUOR" at 2500 N 35TH St.

This meeting will be held via GoToMeeting. Please see the enclosed best practices document for further instructions. The access code is <https://global.gotomeeting.com/join/851985373>. If you wish to call in, please call +1 (408) 650-3123 and use Access Code: 851-985-373.

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, Molly Kuether-Steele at (414) 286-2775 or molly.kuether-steele@milwaukee.gov.

REDACTED RECORD

Becker, Keren

From:
Sent: Saturday, May 1, 2021 2:44 PM
To: License
Subject: Concern regarding: 2500 N 35TH ST a RENEWAL Class A Malt & Class A Liquor License was applied for on 04/29/2021 for BUYRITE FOOD & LIQUOR, BUYRITE FOOD & LIQUOR.

To Whom It May Concern:

My Concern regarding: **2500 N 35TH ST** a **RENEWAL Class A Malt & Class A Liquor License** was applied for on **04/29/2021** for BUYRITE FOOD & LIQUOR, BUYRITE FOOD & LIQUOR.

This location should NOT have a renewed Class A Malt & Liquor License as this immediate area has more than enough police and emergency responses for criminal activity; furthermore, our community has multiple locations within walking distance that have liquor sales. The city of Milwaukee says it wants to uplift the community members of the North side... Why then do we need multiple liquor sale locations instead of multiple community centers or educational assistance locations. How about the city begin limiting the numerous locations of sales that contribute to Vices and INCREASE the number of locations that contribute to Virtues?

I oppose this renewal and of liquor sales not only at this location but the multiple locations in the surrounding area that do not provide on-site security, well lite areas, and positive influence in our neighborhood.

Very Respectfully,

MILWAUKEE POLICE DEPARTMENT
LICENSE INVESTIGATION UNIT

CRIMINAL RECORD/ORDINANCE VIOLATION/INCIDENTS
SYNOPSIS

DATE: 04/30/21

LICENSE TYPE: ALQML

NEW:

RENEWAL: X

No. 323178

Application Date: 04/29/21

Expiration Date:

License Location: 2500 N 35th Street

Aldermanic District:15

Business Name: Buyrite Food & Liquor

Licensee/Applicant: Kusak, George C

(Last Name, First Name, MI)

Date of Birth: 02/01/64

Male: X

Female:

Home Address: 1725 51ST Drive

City: Union Grove

State: Wi

Zip Code: 53182

Home Phone: (414) 445-2878

This report is written by Police Officer Corstan D. COURT, assigned to the License Investigation Unit, Days.

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

1. On 4-21-2002 at 11:40am, a 19 year old Milwaukee Police Aide, at the direction of Milwaukee Police Officers, entered Northtown Supermarket, 4402 N 27th St. The police aide was able to purchase a 6 pack of Budweiser beer from a clerk, Murat S Mukam, who did not ask for any ID. The manager on the premise was a Ihami Coskun. There were also 2 cartons of milk for sale which had expiration dates of 4-18-2002 on them. The licensee of the premise, George Kusak stated that the milk was a mistake and that he had never been cited for this before and also that this was a conspiracy and that the Milwaukee Police Department was out to get him.

The Licensee was cited for the following:

Charge: Sale To Underage
Out Dated Milk

Citation: 57363810

57363821

Both cases Scheduled for Municipal Court 6-11-2002

Citation #57361780 for Sale To Underage was also issued to the clerk, Murat S Mukam

Charge: Sale To Underage

Finding: Guilty

Sentence: \$150.00

Date: 8-6-2002

Case: 02075817

Continued on Page 2

Citation #57361791 for Out Dated Milk was also issued to the manager, Ilhami Coskun.

Charge: Outdated Dairy Products
Finding: Guilty
Sentence: \$155.00
Date: 6-11-2002
Case: 02075768

2. On 04/08/06, Milwaukee Police officers were conducting investigations of sales of tobacco products to underage persons. Officers sent in a male who was 15 years of age into the Buyrite Food & Liquor to purchase a pack of cigarettes. The clerk, identified as Tayfun Eke, sold a pack of Newport cigarettes to the 15 year old without asking for any identification. A citation was issued for Sale Of Tobacco Products to Underage.

Charge: Sale of Tobacco Products to Underage
Finding: Guilty
Sentence: Fined \$288.00
Date: 06/05/06
Case: 06046813

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3. On 05/09/07 at 10:54 am, Milwaukee police were dispatched to 2500 N 35th Street for an Armed Robbery complaint. Investigation revealed the victim was approached by two suspects demanding property as the victim was delivering produce to Buy Rite Food Store. The victim ran into the store and the suspects followed only to be chased away by other employees who were inside the store. Officers attempted to speak with the owner, George Kusak, who was uncooperative and argumentative. Kusak was hindering the investigation by attempting to clean up produce that was dropped at the crime scene and Kusak was also allowing citizens to walk under the crime scene tape so they could enter his business to shop after he was told by officers no business could be conducted until after the investigation was completed.

4. On 10/03/07 at 1:21 am, Milwaukee police were dispatched to 35th and Wright a Burglar Alarm complaint. Investigation revealed that an entry was found at the Buy Rite Food located at 2500 N 35th Street. Entry was gained through an inner window with the front door found wide open. Officers watch the store's video tape recordings and observed unknown suspects removing items from the store. A report was filed.

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5. On 12/30/12 at 3:50 pm, Milwaukee police conducted a License Premise Check at 2500 N 35th Street. Investigation found the clerk, Abdel Muhamad, did not possess a valid bartender's license and was selling alcohol at the business. Officers then called the agent, George Kusak, and advised him of the violation. Kusak became angry when he learned he would be cited and was uncooperative with officers.

Charge: Responsible Person on Premise Required
Finding: Guilty
Sentence: \$150.00 fine
Date: 03/11/2013
Case: 13009534

6. On 01/17/13 at 10:30 am, Milwaukee police, along with an agent from Department of Revenue, conducted a License Premise Check at 2500 N 35th Street. Investigation found the business had tobacco products and did not have invoices for them. Also observed were single cigarettes for sale on the counter. The agent confiscated several brands of tobacco and advised George Kusak of the violations found.

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Item #5 previously reported, disposition added 03/06/2014.

7. On 08/05/2013 the applicant was cited in Racine County for Intoxicant in Vehicle-Operator.

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8. On 08/14/2016 Milwaukee police responded to an entry complaint at 2500 North 35th Street (BuyRite Food & Liquor). Investigation revealed several subjects gained entry to the closed business by prying a locked door. The suspects stole an ATM machine, a television, and an undetermined amount of alcohol. Milwaukee police incident report #162270048 filed.

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9. On 01/01/17 at 10:27 pm, Milwaukee police responded to an entry at 2500 W Libson. Investigation found that a side door to the business had been forced open by unknown means. Interior security cameras were viewed and showed that no entry to the business itself was made. A review of the exterior cameras could not produce any suspects due to some painting that had been done on the building in which the cameras had been partially painted over. A report for the damage was filed.

10. On 03/18/17 at 4:29 pm, Milwaukee police observed a known subject to be sitting on the front steps of the Buy Rite Liquor store. This subject had been banned from the location by the owner and it was known by police that she was not allowed on the premise. She was arrested and later cited for trespassing, loitering and possession of drug paraphernalia.

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11. On 07/16/2019 at 11:42am officers were dispatched to a subject with weapon complaint at Buy Rite Foods, 2500 N. 35th St. The officers interviewed the manager, who stated a known subject came into the business with a broken beer bottle causing a disturbance. The officer advised the manager on how to get a restraining order against the subject.

12. On 12/08/2019 officers investigated an attempt burglary at Buy Rite Foods, 2500 N. 35th St. The investigation revealed a masked subject used a pry bar to open the back door which set off the alarm, causing the subject to flee. The owner, Willy KUSAK, was on scene and cooperative, providing video of the incident to the officers.

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Wednesday, May 19, 2021



Notice of Public Hearing

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notice

KUSAK, George C
BUYRITE FOOD & LIQUOR at 2500 N 35TH St
Class A Malt & Class A Liquor License Renewal Application

Wednesday, June 02, 2021 at 1:10 PM

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 6/2/2021 at 1:10 PM. 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, Molly Kuether-Steele at (414) 286-2775 or molly.kuether-steele@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.

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	2826 W LISBON AVE B	MILWAUKEE, WI 53208
CURRENT OCCUPANT	1839 N 29TH ST	MILWAUKEE, WI 53208
CURRENT OCCUPANT	1713 N 29TH ST	MILWAUKEE, WI 53208
CURRENT OCCUPANT	1819 N 29TH ST	MILWAUKEE, WI 53208
CURRENT OCCUPANT	1831 N 29TH ST	MILWAUKEE, WI 53208
CURRENT OCCUPANT	1822 N 30TH ST	MILWAUKEE, WI 53208
CURRENT OCCUPANT	1824 N 30TH ST	MILWAUKEE, WI 53208
CURRENT OCCUPANT	1828 N 30TH ST	MILWAUKEE, WI 53208
CURRENT OCCUPANT	2923 W VINE ST	MILWAUKEE, WI 53208
CURRENT OCCUPANT	1719 N 29TH ST	MILWAUKEE, WI 53208
CURRENT OCCUPANT	2812 W LISBON AVE B	MILWAUKEE, WI 53208
CURRENT OCCUPANT	2816 W LISBON AVE	MILWAUKEE, WI 53208
CURRENT OCCUPANT	2818 W LISBON AVE	MILWAUKEE, WI 53208
CURRENT OCCUPANT	2826 W LISBON AVE	MILWAUKEE, WI 53208
CURRENT OCCUPANT	1837 N 28TH ST	MILWAUKEE, WI 53208
CURRENT OCCUPANT	2921 W VINE ST	MILWAUKEE, WI 53208
CURRENT OCCUPANT	1724 N 29TH ST	MILWAUKEE, WI 53208
CURRENT OCCUPANT	1723 N 29TH ST	MILWAUKEE, WI 53208
CURRENT OCCUPANT	1822 N 29TH ST	MILWAUKEE, WI 53208
CURRENT OCCUPANT	1818 N 30TH ST	MILWAUKEE, WI 53208
CURRENT OCCUPANT	1834 N 29TH ST	MILWAUKEE, WI 53208
CURRENT OCCUPANT	1840 N 29TH ST	MILWAUKEE, WI 53208
CURRENT OCCUPANT	1845 N 29TH ST	MILWAUKEE, WI 53208
CURRENT OCCUPANT	1819 N 28TH ST	MILWAUKEE, WI 53208
CURRENT OCCUPANT	2808 W LISBON AVE	MILWAUKEE, WI 53208
CURRENT OCCUPANT	2826 W LISBON AVE A	MILWAUKEE, WI 53208
CURRENT OCCUPANT	1831 N 28TH ST	MILWAUKEE, WI 53208
CURRENT OCCUPANT	1839 N 28TH ST	MILWAUKEE, WI 53208
CURRENT OCCUPANT	1715 N 29TH ST	MILWAUKEE, WI 53208
CURRENT OCCUPANT	2812 W LISBON AVE A	MILWAUKEE, WI 53208
CURRENT OCCUPANT	2812 W LISBON AVE	MILWAUKEE, WI 53208
CURRENT OCCUPANT	1818A N 30TH ST	MILWAUKEE, WI 53208
CURRENT OCCUPANT	1820 N 30TH ST	MILWAUKEE, WI 53208
CURRENT OCCUPANT	1843 N 29TH ST	MILWAUKEE, WI 53208
CURRENT OCCUPANT	1830 N 29TH ST	MILWAUKEE, WI 53208
CURRENT OCCUPANT	1825 N 29TH ST	MILWAUKEE, WI 53208
CURRENT OCCUPANT	1826 N 30TH ST	MILWAUKEE, WI 53208
CURRENT OCCUPANT	1846 N 29TH ST	MILWAUKEE, WI 53208

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notice

Total Records: 38

Radius: 250.0 feet and Center of Circle: 2900 W Lisbon Ave

2021-2022 Plan of Operation for 2500 N 35TH ST

1. Litter & Security Plans			
How are the grounds kept clean? <input checked="" type="checkbox"/> Sweep <input 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 checked="" type="checkbox"/> Licensee <input type="checkbox"/> Building Owner <input checked="" type="checkbox"/> Employees <input type="checkbox"/> Hired Maintenance <input type="checkbox"/> Other:			
How are noise issues prevented and/or addressed? <input type="checkbox"/> Security <input checked="" type="checkbox"/> Manager approaches customer(s) <input type="checkbox"/> Call Police <input checked="" type="checkbox"/> Signs Posted <input type="checkbox"/> Other:			
Are there designated outdoor smoking areas? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If Yes, Describe:			
Number of garbage cans: Inside <u>2</u> Locations: <u>at the door and by the counter</u> Outside <u>2</u> Locations: <u>entry and behind the building</u>			
Is a crowd control barrier used? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If Yes, Describe:			
Number of restrooms: <u>NONE</u>		Name of solid waste contractor: <u>GFL</u>	
Are there parking spaces on the premises? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If Yes, list number of spaces: _____ and describe security plans:			
Are there designated loading areas? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If Yes, describe security plans: <u>Back of the building Camera</u>			
Do you have security personnel on the premise? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If Yes, how many? _____			
AND What are their responsibilities? _____			
What security equipment do they use? _____			
List their licensing, certification or training credentials: _____			
Are there security cameras? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes If Yes, list all locations: <u>3 inside 3 outside</u>			
Are searches and/or identification checks conducted upon entry? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If Yes, describe:			
2. Percentage of Sales (must total 100%)			
Alcohol <u>80</u> %	Food Sales <u>20</u> %	Entertainment _____ %	Other _____ %
3. Businesses On The Premises (choose all that apply):			
<input type="checkbox"/> Restaurant	<input type="checkbox"/> Cafe/Coffee Shop	<input type="checkbox"/> Cocktail Lounge	<input checked="" type="checkbox"/> Convenience Store
<input type="checkbox"/> Hotel	<input type="checkbox"/> Banquet Hall	<input type="checkbox"/> Supermarket	<input type="checkbox"/> Private/Fraternal/Veterans' Club
<input type="checkbox"/> Night Club	<input checked="" type="checkbox"/> Liquor Store	<input type="checkbox"/> Tavern	<input type="checkbox"/> Sports Facility
<input type="checkbox"/> Other:			
4. Hours of Operation and Age Restriction			
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.			
5. Floor Plan and Capacity			
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 www.milwaukee.gov/licenses 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.			
6. Sidewalk Dining: Fee:			
Are there any changes to the sidewalk dining site plan? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If Yes, submit an updated site plan with this application.			
7. Food License: Fee:		8. Weights and Measures: Fee:	
Your current food license includes the following food operations. Are there any changes to your food operations as listed above? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes, if Yes, explain _____		Number/Type of Devices: <u>N/A</u> 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.	