



Attorneys At Law

Writer's Direct Line: (414) 577-4017
E-Mail: msnider@kasdorf.com
www.kasdorf.com

June 7, 2012

City Clerk
City of Milwaukee
200 East Wells Street
Milwaukee, WI 53202

Common Council
City of Milwaukee
200 East Wells Street
Milwaukee, WI 53202

CITY OF MILWAUKEE
12 JUN -7 PM 3:30
CITY CLERK'S OFFICE

Re: Common Council Hearing: June 12, 2011 at 9:00 a.m.
Food Dealer Retail License Renewal
Family Dollar Store #5963, 5428 W. North Avenue

Dear Clerk and Common Council Members,

Family Dollar Stores of Wisconsin, Inc. hereby responds and objects to the Licenses Committee's recommendation to suspend the Food Dealer Retail License of Family Dollar store #5963 for 30 days effective July 1-July 30, 2012, and will appear by counsel at the June 12, 2012 hearing before the Common Council to contest the recommendation. In light of Family Dollar's response to the trash and litter concerns, open communication with the local Common Council member, implementation of additional security, and the detrimental effect a 30 day suspension would have on the neighborhood's residents, store #5963 should be renewed without suspension.

Shannon Losing testified to individuals publicly urinating in the alley behind her house, shoplifters going over her yard's back fence, patrons in neighboring backyards, and patrons of the store harassing and honking at her when she is outside of her house and her yard. (See Findings of Fact ¶ 4A). While Family Dollar recognizes these concerns, people creating problems off store premises may be outside of Family Dollar's control. It is not even clear whether Family Dollar would have the legal authority to police and control store customers off the premises. However, despite the fact that some of these issues may be outside the scope of Family Dollar's legal duty, Family Dollar corporate officers have decided to bring in a private security force to attempt to tighten up security at and around store #5963, as discussed more fully below.

Ms. Losing's remaining concerns are well taken, and Family Dollar has taken immediate action to abate trash and littering issues on and around the premises. Although the store's dumpsters were fitted with coil locks which cannot be cut, the public has nevertheless found a way into the dumpsters by damaging the lids. As a result, Family Dollar has ordered heavy duty "bear lids" with hidden locks for the dumpsters at many store locations, including Store #5963. Fitting the dumpsters with the heavy duty lids, which will occur within seven days, will make it

KLS

Kasdorf,
Lewis &
Swietlik

Attorneys At Law

June 7, 2012

Page 2

virtually impossible for anyone but Family Dollar personnel to access the dumpsters. This will prevent patrons from ransacking the dumpsters and trashing the premises and will also discourage nearby residents from using the dumpster as the neighborhood landfill – another one of Ms. Losing’s observations.

In addition to better dumpster security, many stores, including store #5963, have increased litter pickup to three times per day. Parking lots and areas surrounding the store are now cleaned before opening, at noon, and before sunset each day. The dumpster areas will also be checked and cleaned at these times. If three times per day is not sufficient, Family Dollar will add more litter patrol rounds. The improvements in store premises maintenance demonstrates that Family Dollar responded directly to Ms. Losing’s concerns and took appropriate measures to clean up this store location.

In addition, Family Dollar has implemented increased security measures in Store #5963 in the form of a private security force which will travel between five local Family Dollar store locations. We believe that the implementation of additional security personnel will reduce the amount of crime in and around the stores and likely make the neighborhoods safer.

Family Dollar acknowledges the concerns of Alderman Murphy regarding alleged staffing and management issues. Although management and staffing issues are not causes for suspension or non-renewal under § 68-4-11-G of the Milwaukee Code of Ordinances per se, Kecia Lamm, Family Dollar Group Vice President, has reached out to Alderman Murphy’s office to address these issues. Alderman Murphy’s remaining concerns of excessive littering, and disregard for the neighborhood have been treated above.

It is clear that the corporate officers at Family Dollar now realize the importance of cultivating healthy relationships with the individual store neighborhoods and City of Milwaukee as a whole. Corporate headquarters as well as regional management are communicating with local store personnel on a daily basis to immediately respond to issues as they arise. Corporate representatives have taken steps to meet with neighborhood associations, Business Improvement Districts, and local Common Council members to address individual store needs and are prepared to go above and beyond what is required of them under the ordinances. For example, nearly all store lots, including #5963 will have their parking lots resurfaced and striped in the immediate future, even those lots that are leased and not technically the responsibility of Family Dollar. This will present a cleaner image for the neighborhood and will send a message that Family Dollar cares about its neighborhoods.

KLS

**Kasdorf,
Lewis &
Swietlik**

*Attorneys At Law*June 7, 2012
Page 3

On May 29, 2012, the Licenses Committee concluded that Family Dollar Store #5963 has not met the criteria of Chapter 68 of the Milwaukee Code of Ordinances to allow renewal of its Food Dealer Retail License without serving a 30 day suspension. Family Dollar acknowledges the testimony of Shannon Losing and Alderman Murphy, but believes that a suspension is not necessary to protect the health, safety, and welfare of the citizens of Milwaukee, in light of the recent significant store improvements.

Family Dollar further requests that the Common Counsel consider the negative effect a 30 day suspension of food and beverage items would have on store #5963's neighborhood. Many Family Dollar customers around store #5963 may not have vehicles and rely on Family Dollar for ordinary, everyday grocery items. There are not many grocery stores in the neighborhood. A 30 day suspension would inconvenience those nearby residents without means of transportation who would be forced to travel farther distances from their homes for groceries.

Family Dollar therefore requests that the Common Council reject the Licenses Committee's recommendation, lift the 30 day suspension and renew the Food Dealer Retail License of Family Dollar Store #5963 upon its expiration on June 30, 2012. Thank you for your time and consideration in reviewing these written objections.

Very truly yours,



Michael A. Snider
Michael S. Murray

MAS/jab