



CITY OF MILWAUKEE
OFFICE OF THE CITY CLERK

Friday, July 22, 2022


COMMITTEE MEETING NOTICE

AD 03

BOURAXIS-AWADALLAH, Dina, Agent
CANELA CAFE LLC
2553 W ORCHARD HILLS DR #210
Oak Creek, WI 53134,

You are requested to attend a hearing which is to be held in Council Chambers on:

Thursday, July 28, 2022 at 08:30 AM

Regarding: Your Class B Tavern and Food Dealer License Renewal Applications as agent for "CANELA CAFE LLC" for "Canela Cafe" at 2621 N DOWNER Av. 

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 appear at this meeting may result in the denial of your license. Individual applicants must appear only in person or by an attorney. Corporate or Limited Liability applicants must appear only by the agent designated on the application or by an attorney. Partnership applicants must appear by a partner listed on the application or by an attorney. 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 are present at the committee hearing and 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 bring an interpreter with you, at your expense, so that you can answer questions and participate in your hearing.

You may examine the application file at this office during regular business hours prior to the hearing date. Inquiries regarding this matter may be directed to the person whose signature appears below.

Limited parking for persons attending meetings in City Hall is available at reduced rates (5 hour limit) at the Milwaukee Center on the southwest corner of East Kilbourn and North Water Street. Parking tickets must be validated in the first floor information booth in City Hall.

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

MILWAUKEE POLICE DEPARTMENT LICENSING

CRIMINAL RECORD/ORDINANCE VIOLATION/INCIDENTS SYNOPSIS

DATE: 06/08/22

LICENSE TYPE: Class B Tavern

NEW:

RENEWAL:

No. 338805

Application Date: 06/07/22

License Location: 2621 N. Downer Avenue

Business Name: Canela Cafe

Licensee/Applicant: BOURAXIS-AWADALLAH, Dina
(Last Name, First Name, MI)

Date of Birth: 05/30/1973

Home Address: 2553 N. Orchard Hill Road #210

City: Oak Creek

State: WI **Zip Code:** 53154

Home Phone: 414-617-0992

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 03/07/22 at 12:04pm, Milwaukee Police were dispatched to 2621 N. Downer Avenue for a battery complaint. Investigation revealed that there was a dispute between one of the owners and a repairman who was supposed to fix an appliance from the establishment. The repairman told officers that the owner assaulted him and the owner said that he did not intentionally assault the repairman. A witness to the event could not substantiate an assault so both parties were advised.

Milwaukee Police Department

749 W. State Street Milwaukee, WI 53233

414-933-4444

Case #:220780075

OtherEvent #: 22-LP-0287

Incident

2621 N DOWNER AV MILWAUKEE, WISCONSIN 53211

Incident Date/Time:: 03/07/2022 12:00:00
CAD Number:: 220660733
District:: 1
Beat:: 120
Reporting Area:: 3136

Business Agent (1)

BOURAXIS AWADALLAH, DINA

Person Involvement: (Must choose Agent
AGENT from drop down): Agent
DOB:: 05/30/1973
Sex:: FEMALE
Race:: WHITE
Phone 1 Number:: (414)-617-0992
Phone 1 Type:: Phone
Address:: 2553 W ORCHARD HILLS DR
Apartment or Suite:: 210
City:: OAK CREEK
State:: WISCONSIN
Zip Code:: 53154

Licensed Persons Involved (1)

AWADALLAH, REIAD NMN

Person Involvement:: Employee
DOB:: 06/17/1971
Sex:: MALE
Race:: WHITE
Address:: 2553 ORCHARD HILLS 210
City:: OAK CREEK
State:: WISCONSIN
Zip Code:: 53154

Licensed Premise Data (1)

CANELA CAFE

Phone 1 Number:: (414)-226-6749
Address:: 2621 N DOWNER AV
City:: MILWAUKEE
State:: WISCONSIN
Zip Code:: 53211
License Type:: Alcohol
Licensee Notification Was Made:: Yes
Licensee Notified Date/Time:: 03/21/2022 16:12:00
Business Was Cited For Violation:: No

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OtherEvent #: 22-LP-0287

Licensee was cooperative: (If not explain in narrative): Yes

Licensee or Manager was on premises at time of violation/incident:: Yes

Narrative (1)

INITIAL INVESTIGATION

X, Jutiki C 011010

03/19/2022

This report is being typed by P.O. Jutiki X District #1, Squad 1121. On Monday, March 7, 2022 at 12:04 p.m. I was dispatched to the address of 2621 N. Downer Ave. (Canela Cafe) along with Squad 1120 (P.O. S. Bell) for a complaint of a battery. Upon arriving at the location I spoke to the caller Eddie L. HATCH B/M (09-14-64). HATCH informed me that he owns a repair business. HATCH went on to say that he had done some work for the Canela Cafe located at 2621 N. Downer Ave. HATCH stated about a month ago someone from the business later identified as Reiad Nmi AWADALLAH W/M (06-17-71) contacted him about fixing a toaster. HATCH told me that he informed AWADALLAH how much it would cost to fix the toaster. HATCH stated AWADALLAH agreed to the price and dropped off the toaster for him to fix it. HATCH stated he fixed the toaster and it was returned to AWADALLAH. HATCH stated after he returned the toaster to AWADALLAH he was informed that the toaster still didn't work. HATCH stated he told AWADALLAH to return the toaster to him and he would look at again and check to see what was wrong with it. HATCH stated AWADALLH dropped off a different toaster to him than the original one he had worked on.

HATCH stated he informed AWADALLAH that he had dropped off a different toaster then the one he originally worked on. HATCH stated he asked AWADALLAH if he wanted to pay additional fees for the new toaster he had dropped off. HATCH stated he and AWADALLAH exchanged several text messages about the warranty on the original toaster he had fixed and on the price he charged AWADALLAH. HATCH stated today he brought the toaster back to Canela Cafe because AWADALLAH never came back to his residence to pick it up. HATCH stated he walked into the business to return the toaster and AWADALLAH kept on saying "where's my money," over and over. HATCH stated he didn't owe AWADALLAH any money because he had to be compensated for his time spent looking at and repairing the original toaster. HATCH stated he set the toaster down inside the business and AWADALLAH started cursing at him and walked up to him and got in his face. HATCH stated AWADALLAH was saying "mother fucker I ain't no punk." "I know where you live."

HATCH stated he turned and attempted to leave the store and AWADALLAH started blocking his way as he attempted to leave the business. HATCH stated he turned and AWADALLAH grabbed his left arm and then intentionally spit in his face. HATCH stated after AWADALLAH assaulted him he walked outside and called 911. HATCH stated that there was a female employee standing right there and observed the whole incident. I finished speaking to HATCH and P.O. Bell and I walked into the Canela Cafe and spoke to AWADALLAH. AWADALLAH stated the following.

AWADALLAH stated he had a commercial toaster that went bad and a friend referred HATCH to him

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about fixing the broken toaster. AWADALLAH stated he took the toaster to HATCH to fix and HATCH started changing the price of how much it was going to cost to fix. AWADALLAH stated they exchanged a few text messages about the price. AWADALLAH stated he finally just paid HATCH the price he wanted to fix the toaster. AWADALLAH stated a few weeks after HATCH fixed the toaster it stopped working. AWADALLAH stated he contacted HATCH again about fixing the broken toaster he supposedly had fixed. AWADALLAH stated they exchanged some more text messages about him fixing the toaster. AWADALLAH stated HATCH agreed to look at the toaster he had fixed to see what was wrong with it. AWADALLAH stated he dropped off the toaster again to HATCH to look at it. AWADALLAH stated after he dropped the toaster off to HATCH he received a message from HATCH about him dropping off a different toaster to HATCH'S residence than the original one he had fixed.

AWADALLAH stated he had made a mistake and dropped off the wrong toaster to HATCH. AWADALLAH stated he and HATCH started messaging each other about him charging him for looking at the second toaster. AWADALLAH stated they continued to message each other about the fixing of the first toaster and the price of the repair. AWADALLAH stated today HATCH walked into the business with the toaster. AWADALLAH stated after HATCH got inside the business and sat the toaster down he asked him if he had his money. AWADALLAH stated HATCH stated that he didn't have any money for him and started walking towards the exit. AWADALLAH stated as HATCH was walking towards the exit he put his hand out and sat it on top of HATCH'S arm as he was attempting to leave the store. AWADALLAH demonstrated to me how he did it and said it wasn't done with any force. AWADALLAH stated he continued to ask HATCH about his money as HATCH was attempting to leave the store. AWADALLAH stated as he was speaking to HATCH he had some gum in his mouth and it came out his mouth as he was talking to HATCH. AWADALLAH stated he never intentionally tried to spit on HATCH as they were talking about the money he was owed. AWADALLAH stated after his gum came out his mouth HATCH started yelling "you touching on me," "you spitting on me". AWADALLAH stated he told HATCH when your done dancing we can talk. AWADALLAH stated HATCH was trying to put on a show in the store.

P.O. Bell and I finished speaking to AWADALLAH and spoke to Darlene M. SMITH W/F (07-01-89) who stated that she was the manager at the restaurant. SMITH stated that she was there when HATCH and AWADALLAH were talking about the toaster oven. SMITH stated the following.

SMITH stated HATCH came in the store with the toaster and AWADALLAH started asking him about fixing the toaster. SMITH stated they kept going back and forth about the toaster and about AWADALLAH getting his money back. SMITH stated HATCH started backing up towards the door and AWADALLAH walked towards him and continued talking to HATCH about the toaster and the money. SMITH stated as AWADALLAH was walking towards HATCH she told him to just leave it alone and HATCH walked out the store. I asked SMITH if they had any cameras in the front entrance where this incident happened and SMITH stated that they didn't.

P.O. Bell and I finished speaking to SMITH and I checked the front entrance and didn't observe any cameras in the area where this incident happened. P.O. Bell and I walked back outside and spoke to HATCH about AWADALLAH and SMITH had stated. HATCH stated that they were lying and insisted that he was spit on and was assaulted by AWADALLAH. I informed HATCH that I didn't have any outside witnesses and couldn't substantiate if he was assaulted or not. HATCH became upset after I stated that

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and informed me that he wanted a supervisor to respond to this location. I contacted District #1 dispatcher and informed her that I needed a supervisor to respond to my scene. Squad 1114 (Sgt. J. Lintonen) arrived on scene and I informed him of the complaint I was investigating. After I finished speaking to Sgt. Lintonen he spoke to HATCH and then walked into the Canela Cafe and spoke to AWADALLAH. After Sgt. Lintonen finished speaking to AWADALLAH he came back outside and told HATCH that he couldn't substantiate his claim of a battery. HATCH became further upset and started making comments about race playing a factor in our decision. I tried to inform HATCH several times that race didn't play a factor in our decision. I later gave HATCH a contact card and a business card and I informed him how he could get a copy of this CAD regarding this investigation and how he could possibly obtain the body worn camera footage from this incident.

On Monday, March 21, 2022 at 4:12 p.m. I contacted Dina Nmi BOURAXIS-AWADALLAH W/M (05-30-73) by phone and informed her about the incident between HATCH and AWADALLAH. I told BOURAXIS-AWADALLAH that I would be filling a report regarding this incident.

Officer (2)		
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Reporting Officer:	X, Jutiki C (011010)	03/19/2022 17:05:00
Section: (Work Location):	11	
Approving Officer:	Velasquez, Guadalupe (018673)	03/24/2022 14:05:15
Section: (Work Location):	04	

2022-2023 Plan of Operation for 2621 N DOWNER AV

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 type="checkbox"/> Licensee <input checked="" 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 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>12</u> Locations: <u>Throughout restaurant</u> Outside _____ Locations: _____			
Is a crowd control barrier used? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If Yes, Describe:			
Number of restrooms: <u>4</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 type="checkbox"/> No <input checked="" type="checkbox"/> Yes If Yes, describe security plans: <u>Alley (back door)</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>Dining room, Kitchen, front + back doors</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>5</u> %	Food Sales <u>95</u> %	Entertainment <u>—</u> %	Other <u>—</u> %
3. Businesses On The Premises (choose all that apply):			
<input checked="" 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 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: FREST 16007 Fee: \$1,250.00		8. Weights and Measures: Fee:	
Your current food license includes the following food operations: DHS - MODERATE, Sales \$200,001 - \$2,000,000, Restaurant. 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: Are there any changes to the number or types of devices? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If yes, contact our office for further instructions.	

1. CURRENT APPROVED ENTERTAINMENT for Canela Cafe 2621 N DOWNER AV

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

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/
Strippers/Erotic Dance | <input type="checkbox"/> Karaoke | <input type="checkbox"/> Bowling Alley
How many? _____ | <input type="checkbox"/> Pool Tables
How many? _____ |
| <input type="checkbox"/> Motion Pictures (movies by admission)
How many screens? _____ | <input type="checkbox"/> Amusement Machines
How many? _____ | <input type="checkbox"/> Concerts
Approx. # per year? _____ | <input type="checkbox"/> Theatrical Performances
Approx. # per year? _____ |
| <input type="checkbox"/> Other: <u>None</u> | | | |

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:

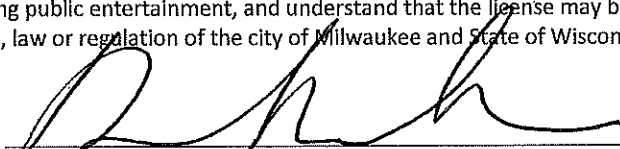
5. SIGNATURE

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