

## CITY OF MILWAUKEE OFFICE OF THE CITY CLERK

Friday, September 10, 2010

### **COMMITTEE MEETING NOTICE**

AD 02

Errol J. Jackson 4459A N 37th St Milwaukee, WI 53209

You are requested to attend a hearing which is to be held in Room 301-B, Third Floor, City Hall on:

### Monday, September 20, 2010 at 9:00 AM

Regarding: Your Food Dealer License application for "Shayla's World" at 6046 W. Fond du Lac Av.

There is a possibility that your application may be denied for the following reasons:

See attached police report.

Objection by the Common Council member in whose district the food establishment is located.

The proposed operation of the premises in such a manner that it creates a public nuisance of the premises will tend to contribute to neighborhood incidents and conditions identified in s. 68-4-11-g, Milwaukee Code of Ordinances (see attached).

An over-concentration of food dealer outlets in the neighborhood.

Please be advised that the public will be able to comment regarding the aforementioned issues.

Notice for applicants Proof of warrants or and time. Faunpaid 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 application. 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 own 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 Room 205, (City Clerk's Office) or 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.

RONALD D. LEONHARDT, CITY CLERK

By Rebecca N. Grill

License Division Manager

If you have questions regarding this notice please contact the License Division at (414) 286-2238.

200 E. Wells Street, Room 105, City Hall, Milwaukee, WI 53202. www.milwaukee.gov/license Phone: (414) 286-2238 Fax: (414) 286-3057 Email Address: License@milwaukee.gov

Ø001 PAGE Ø1/Ø1

### CITY OF MILWAUKEE HEALTH DEPARTMENT Consumer Environmental Health Division

841 N Broadway, Room 304, Milwaukee WI 53202 Telephone: 414.286.3674 Fax: 414.286.5164

Date: 6 3 /6	
AcFood Dealer License or Tattoo/Body Piercing	g Application has been submitted for the
following address:  60460 W. towic	bu Lac Due
Please run a background check on the following and return your results to the above fax number	individual(s) associated with this application as soon as possible:
ERROX J. JACKS	3D nov. 7.18.65
4459 N. 37TH STA	A MILWAUKEE, WI 536 5258-03.
JI DC 2050-2105-	5258-03.
·	DOB:
SEE ATTACHMENT PO GILBERT GWINN	
JUN 1.5 2018	
	DOB:
	×
	DOB:

### MILWAUKEE POLICE DEPARTMENT LICENSE INVESTIGATION UNIT

CRIMINAL RECORD/ORDINANCE VIOLATION/INCIDENTS SYNOPSIS

DATE: 06/15/2010

LICENSE TYPE: FOOD DEALER

New: X

RENEWAL:

No.

Application Date: 06/03/2010

Expiration Date:

License Location:

Business Name:

Aldermanic District:

Licensee/Applicant: Jackson, Errol J

(Last Name, First Name, MI) Date of Birth: 07/18/1955

Home Address: 4459 A N 37th St

City: Milwaukee

Home Phone: (414) 839 - 2307

State: WI

**Zip Cade:** 53209

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

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

1. On 03/05/1974 the applicant was arrested in Milwaukee County for Battery (Misd).

Charge : Battery

Finding : Guilty, Circuit Court

Sentence: 90 days in Jail

Date

: 03/28/1974

Case

: 2-172527

2. On 06/28/1974 the applicant was arrested in Milwaukee County for Theft (Misd).

Charge: Theft

Finding : Guilty, Municipal Court

Sentence: 90 days in Jail

Date

: 07/01/1974

Case

: 2-176783

### Page 2 Reg: JACKSON, Errol J.

3. On 04/15/1975 the applicant cited in the City of Brookfield for Retail Theft.

Charge

: Retail Theft

Finding

: Guilty

Sentence: Fined

Date

: 05/01/1975

4. On 06/20/1975 the applicant was arrested in Milwaukee County for Battery (Misd)(2 counts).

Charge

: Battery (2 counts)

Finding

: Guilty 1 count

Sentence: 90 days in Jail

Date

: 07/01/1974

5. On 10/04/1975 the applicant was arrested in Milwaukee County for Theft (Misd).

Charge

: Theft

Finding

: Guilty, Circuit Court

Sentence: 2 years and 6 months in Prison

Date

: 02/27/1976

Case

: J-5361

6. On 11/18/1976 the applicant was cited in the City of Milwaukee for Theft (Misd).

Charge: Theft

Finding

: Guilty, Municipal Court

Sentence: Fined

Date

: 11/18/1975

7. On 11/30/1975 the applicant was cited in the City of Greenfield for Retail Theft.

Charge : Retail Theft

Finding

: Guilty, Municipal court

Sentence: Fined

Date

12/10/1975

On 02/03/1976 the applicant was cited in the City of Glendale for Theft.

Charge

Theft

Finding

; Guilty, Municipal Court

Sentence: Fined

Date

: 02/14/1976

9. 09/04/1977 the applicant was arrested in Milwaukee County for Retail Theft (Misd).

Charge: Retail Theft

Finding : Guilty, Circuit Court

Sentence: Fined

Date

. 09/10/1977

Page 3 Reg: JACKSON, Errol J.

10.09/04/1977 the applicant was arrested in Milwaukee County for Retail Theft (Misd).

Charge

: Retail Theft

Finding : Guilty, Circuit Court

Sentence: Fined

Date

: 09/10/1977

11. On 09/20/1977 the applicant was arrested in Milwaukee County for Forgery-Uttering Party to the Crime (Misd) 2. Financial Transaction Card violation Party to the Crime (Misd).

Charge ; 1. Forgery-Uttering Party to the Crime

2. Financial Transaction Card Violation

Finding : 1. Guilty, Circuit Court

2. Guilty, Circuit Court

Sentence: 1. 2 years in State Prison (Concurrent)

2. 2 Years in State Prison (Concurrent)

Date

: 07/20/1978

Case

: J-1148

12. On 10/04/1977 the applicant was cited in the City of Wauwatosa Municipal Court for Retail Theft.

Charge: Retail Theft

Finding : Guilty, Municipal Court

Sentence: Fined

Date

: 07/03/1978

13. On 11/27/1977 the applicant was cited in the City of Glendale Municipal Court for Retail Theft.

Charge: Retail Theft

Finding : Guilty, Municipal Court

Sentence: Fined

Date

: 11/27/1977

14. On 04/30/1983 the applicant was arrested in Washington County for Retail Theft.

Charge : Retail Theft

Finding

: guilty, Circuit Court

Date

Sentence: Fined

: 06/22/1983

Case

: 83TR57859

15. On 02/29/1984 the applicant was arrested in Dane County for Retail Theft (<=\$1000)(Misd).

Charge: Retail Theft (<=\$1000)

Finding : Guilty, Circuit Court

Sentence: Fined

Date

11/24/1984

Case

: 84CM388

Page 4 Re: Jackson, Errol J.

16. On 04/03/1984 the applicant was arrested in Milwaukee County for Battery to a Law Officer/Fire Fighter (Misd).

Charge : Battery to Law officer/fire fighter

Finding

: guilty to amended Charge Of Battery (Misd)

Sentence: 15 days in the House of Corrections, 6 months of Probation

Date

: 10/13/1986

Case

: 2-318560

17. On 01/20/1989 the applicant was arrested in Milwaukee County for Possession of a Controlled Substance with the Intent to Deliver §161.41(1) M; Conspiracy to Commit a Crime §939.31; Delivery of a Controlled Substance §161.41(1).

Charge

Possession of a Controlled Substance with the Intent to Deliver 1:

2: 3: Conspiracy to Commit a Crime Delivery of a Controlled Substance

Finding

1: Guilty

2: 3:

Guilty Guilty

Sentence

5 years state prison; 5 years probation

1: 2:

5 years state prison; 5 years probation

3:

5 years state prison; 5 years probation

Date

03/26/1992

Case

1989CF890235

18. On 04/20/2004 the applicant was cited in the City of Milwaukee for B & Z Violations.

Charge: B & Z Violations

Finding : Guilty, Municipal court

Sentence: \$520.00 fine

Date

: 04/21/2005

Case

: .04123216

19. On 10/25/1004 the applicant was cited in the City of Milwaukee for B & Z Violations.

Charge

: B & Z Violations

Finding : Guilty, Municipal Court

Sentence: \$620.00 fine

Date

: 06/16/2005

Case

: 05016994

20. On 10/13/2005 the applicant was cited by Milwaukee Police Department for:

Charge:

B & Z Violations

Finding:

Guilty - Milwaukee Municipal Court

Sentence: \$150.00 penalty

Date:

07/11/2006

Case#:

06012794



Tom Barrett Mayor

Bevan K. Baker, FACHE Commissioner of Health

Administration

Frank P. Zeidler Municipal Building, 841 North Broadway, 3rd Floor, Milwaukee, WI 53202-3653

phone (414) 286-3521 fax (414) 286-5990 web site: www.milwaukee.gov/health

June 29, 2010

Rebecca Grill License Division Manager 200 E. Wells Street, Room 105 Milwaukee, WI 53202

Dear Ms. Grill:

Based on criteria listed in the Milwaukee Code of Ordinances Chapter 68-4.11, the City of Milwaukee Health Department formally submits the attached objection to the release of the Food Dealer's License for Mr. Errol J. Jackson located at 6046 W Fond du Lac Av doing business as Shayla's World by, Ald. Joe Davis, Sr. The mailing address for the applicant is 4459A N 37<sup>th</sup> St Milwaukee, WI 53209.

Should you have any questions, please feel free to contact my office at 414-286-3521.

Sincerely,

Blvan K. Baker (RUF) Bevan K. Baker, FACHE

Commissioner of Health

### Hulbert, Kevin

From:

Morton, Sherman

Sent:

Monday, June 28, 2010 12:18 PM

To:

Hulbert, Kevin

Subject: Food Licenses

Kevin,

Alderman Davis would like to see the following application heard in front of The License Committee.

9114 W. Silver Spring 9040 W. Silver Spring

These will be based on previous neighborhood concerns about the up keep of these businesses

6046 W. Fond Du lac Ave This one is due to the extensive police record.

Please send to License Committee for scheduling

Thank You for your assistance.....

Sherman T. Morton, Legislative Aide To Alderman Joe Davis, Sr. 2nd Aldermanic District City Hall, Room 205 200 E. Wells Street Milwaukee, Wl. 53202 414-286-3787 Office 414-286-0916 Fax <a href="mailto:sherman.morton@milwaukee.gov">sherman.morton@milwaukee.gov</a>

### s. 68-4-11 Milwaukee Code of Ordinances

11. CAUSES FOR COUNCIL DENIAL, REVOCATION OR SUSPENSION OF LICENSE. An application for a new or renewal food dealer's license may be denied, or any license issued under this section may be suspended or revoked, by the common council for any of the following causes:

- a. Failure of the applicant or licensee to meet the statutory and municipal license qualifications, except for failure to meet sanitary or other health-related qualifications or other circumstances described in s. 68-6 as grounds for license revocation or suspension by the commissioner of health.
- b. A false or materially incorrect statement made by the applicant in his or her application.
- c. Violation of any provision of this section by the applicant, licensee or any employe of the food establishment.
- d. The conviction of the applicant or licensee, his or her agent, manager, operator or any other employe for sale or possession with intent to sell any controlled substance or for any felony related to the licensed operation which, in the judgment of the common council, is pertinent to the license being applied for or renewed.
- e. A showing that the applicant or licensee has violated any state law or city ordinance prohibiting the sale of tobacco products to underage persons.
- f. The violation of any of the excise laws of the state.
- g. A showing that the licensed premises has been the source of congregations of persons which have resulted in one or more of the following:
  - g-1. Disturbance of the peace.
  - g-2. Illegal drug activity.
  - g-3. Public drunkenness.
  - g-4. Drinking in public.
  - g-5. Harassment of passers-by.
  - g-6. Gambling.
  - g-7. Prostitution.
  - g-8. Sale of stolen goods.
  - g-9. Public urination.
  - g-10. Theft.
  - g-11. Assaults.
  - g-12. Battery.
  - g-13. Acts of vandalism, including graffiti.
  - g-14. Excessive littering.
  - g-15. Loitering.
  - g-16. Illegal parking.
  - g-17. Loud noise at times when the licensed operation is open for business.
  - g-18. Traffic violations.
  - g-19. Curfew violations.
  - g-20. Lewd conduct.
  - g-21. Display of materials harmful to minors, pursuant to s. 106-9.6.
- h. A showing that the premises proposed for licensing will be a convenience store as defined in s. 68-4.3-1, whether or not exempt as provided in s. 68-4.3-3, and that the proposed operation of the premises will tend to contribute to neighborhood incidents and conditions identified in par. g as the result of an over-concentration of convenience stores in the neighborhood. Evidence that a neighborhood is adequately served by existing retail food establishments may be considered in reaching a determination about whether granting a new license will result in over-concentration.

# CONVENIENCE FOOD STORES WITHIN A ONE-SQUARE-MILE AREA CENTERED ON 6046 W. FOND DU LAC AVE., JUNE 2010



### CONVENIENCE FOOD STORE SUMMARY

• 4 TOTAL ESTABLISHMENTS

CITY OF MILWAUKEE HEALTH DEPARTMENT- Consumer Environmental Health
841 N Broadway Room 304 Milwaukee WI 53202 (Telephone 414.286.3674 Fax 414.286.5164)
FOOD DEALER LICENSE APPLICATION (License year is July 1-June 30)

PLEASE PRINT CLEARLY	TARGET OPENING DATE JUNE 15	2010 DATE OF APPLICATION MAY 03 2	010
ADDRESS OF BUSINESS 6046 LUFS	• /	TY NUMBERSTATE WIZIP 53218	<u> </u>
APPLICANT ISR ERROS		STATE OF THE STATE	
		or LLC registered with the Dept of Financial Institutions)	
If applying in your own personal name(s) as opposed t	o a Corporation or LLC, also complete the following	a two lines:	
		(s) (414) 839-2307	
		TY LLI LUAUKEE STATELUIZIP 53209	
	1 1	ADDRESS	
BUSINESS TELEPHONE NUMBER 414)517-4	·		
MAILING ADDRESS 4459 A MORTH		TY MILLUAUKE STATE/WI ZIP 53209	
ØFor Billing? ØFor Licenses?	· · · · · · · · · · · · · · · · · · ·		_
ANSWER YES	S (Y) TO THE FOLLOWING ITEMS THAT A	APPLY TO YOUR BUSINESS	
Do you sell, cater or give away restaurant food sandwiches, pizza, hot dogs, etc.) that is:		ou sell frozen or refrigerated prepackaged foods, such as	
<u>A/O</u> Limited to individually wrapped/sealed sin		, milk, eggs, ice cream, etc.?	
supplied by a licensed processor?	· ,	ou sell fresh fruits and/or vegetables? ou sell prepackaged foods such as canned/boxed goods,	
A/O Prepared by you from raw, canned, dried		y, chips, cereal, etc?	
foods?		which of the following items you prepare in your store:	
∧O Only given away or sold to the needy?	coffee	e, espresso, cappuccino, latte, deli salads, fruit cups, ice,	
	soft-s	erve ice cream, yogurt, slushies, candy, popcorn, cotton	,
<u>MO</u> Are you selling beer or liquor?		y, snow cones, shaved ice, cakes, pastries, cookies,	
Mo Is this a Mobile Service Base for a pusho		ou use a grinder, slicer, band saw, and/or knives?	
<u>M</u>		e those you use)	
A/a_Is your building newly constructed?	_ <del>\/</del> \/○_Are yo	ou a wholesale distributor of prepackaged foods?	
Are you doing any remodeling? If yes, w		ou a wholesale food manufacturer?	
		do you have a retail shop at the same location?	
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### CITY OF MILWAUKEE HEALTH DEPARTMENT

Consumer Environmental Health 841 North Broadway, Room 304 Milwaukee, WI 53202 414-286-3674

ADDRESS OF BUSINESS: 6046 WEST FOND DU LAC AVE

APPLICANT: EMAL & GACKSON / ERROL J. JACKSON

IMPORTANT NOTICE: The Milwaukee Health Department's acceptance of your application and payment does not give you permission to operate. It is illegal to operate without a license. You may only operate upon receiving written approval from the Milwaukee Health Department.

All Food Dealer and Tattoo/Body Piercing applicants are subject to a police background check. If certain criminal activity is identified through the police background check, the Common Council is advised and may decide to hold a hearing as to whether the license should be granted. Anyone can file an objection showing reasons why the license should not be issued, which may result in a Common Council hearing. If there is no objection and the establishment is in compliance with health requirements, the license can usually be approved and issued in about a month. In the case of an objection resulting in a Common Council hearing, the process of deciding whether a license will be issued may take several months.

Signature of Applicant: Signat

RESIDENT	MAIL ADDRESS	CITY AND ZIP CODE
CURRENT	4458 N 60TH ST	MILWAUKEE, WI 53218-
CURRENT	4462 N 60TH ST	MILWAUKEE, WI 53218-
CURRENT	4464 N 60TH ST	MILWAUKEE, WI 53218-
CURRENT	4476A N 60TH ST	MILWAUKEE, WI 53218-
CURRENT	4476 N 60TH ST	MILWAUKEE, WI 53218-
CURRENT	4482 N 60TH ST	MILWAUKEE, WI 53218-
CURRENT	4502 N 60TH ST	MILWAUKEE, WI 53218-
CURRENT	4503 N 60TH ST	MILWAUKEE, WI 53218-
CURRENT	4508A N 60TH ST	MILWAUKEE, WI 53218-
CURRENT	4508 N 60TH ST	MILWAUKEE, WI 53218-
CURRENT	4514 N 60TH ST	MILWAUKEE, WI 53218-
CURRENT	4518 N 60TH ST	MILWAUKEE, WI 53218-
CURRENT	4535 N 60TH ST	MILWAUKEE, WI 53218-
CURRENT	4543 N 60TH ST	MILWAUKEE, WI 53218-
CURRENT	4545 N 60TH ST	MILWAUKEE, WI 53218-
CURRENT	6029 W FOND DU LAC AVE	MILWAUKEE, WI 53218-
CURRENT	6029 W FOND DU LAC AVE	MILWAUKEE, WI 53218-
CURRENT	6041 W FOND DU LAC AVE	MILWAUKEE, WI 53218-
CURRENT	6051 W FOND DU LAC AVE	MILWAUKEE, WI 53218-
CURRENT	6109A W FOND DU LAC	MILWAUKEE, WI 53218-
CURRENT	6125 W FOND DU LAC AVE	MILWAUKEE, WI 53218-
CURRENT	6003 W LEON TER	MILWAUKEE, WI 53218-
CURRENT	6007 W LEON TER	MILWAUKEE, WI 53218-
CURRENT	6009 W LEON TER	MILWAUKEE, WI 53218-
CURRENT	6019 W LEON TER	MILWAUKEE, WI 53218-
CURRENT	6025 W LEON TER	MILWAUKEE, WI 53218-
CURRENT	6031 W LEON TER	MILWAUKEE, WI 53218-
CURRENT	6041 W LEON TER	MILWAUKEE, WI 53218-
CURRENT	6045 W LEON TER	MILWAUKEE, WI 53218-
Record Count: 29		

Radius: 250.0 feet and Center of Circle: 6046 W Fond Du Lac AV

Friday, September 10, 2010



## **Notice of Public Hearing**



Errol J. Jackson
Shayla's World at 6046 W Fond du Lac Av
Food Dealer License application

### Monday, September 20, 2010 at 9:00 AM

To Whom it may concern:

Food Dealer License application for Shayla's World at 6046 W Fond du Lac Av has been made by the above named applicant. 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 on 9/20/2010 at 9:00 AM, in Room 301-B, Third Floor, City Hall, 200 East Wells Street. If you wish, you may provide testimony at the hearing regarding the request; see below for further information. You are not required to attend the hearing. Once the Licenses Committee makes its recommendation, this recommendation is forwarded to the full Common Council for approval at its next regularly scheduled hearing. Please review the information below and if you have further questions regarding this process, please contact the License Division at (414) 286-2238.

## 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 appear in person and 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 present at the committee hearing and 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: Attendance is not required.