



JAMES N. WITKOWIAK
ALDERMAN, 12TH DISTRICT

October 18, 2004

To the Honorable, the Common Council

Dear Members:

Re: Common Council File 031487

Recommendation of nonrenewal based on the police report and non-appearance of the Public Passenger Vehicle Driver's license of Charles Barbee.

Recommendation of renewal of the Class "B" Tavern license with a 10-day suspension based on the police report of Maria Renta for the premises located at 1734 W. Greenfield Ave. ("Domino Club") in the 12th aldermanic district.

Recommendation of renewal of the Class "B" Tavern and Tavern Amusement (Cabaret/Nite Club) license with a 15-day suspension of based on items 1 and 2 in the police report of Leonie and Ricardo McKenzie for the premises located at 2035 W. Fond du Lac Ave. ("Leoric Sports Club Bar & Grill") in the 15th aldermanic district.

Recommendation of nonrenewal based on the 2nd non-appearance of the Class "A" Malt license of Mohammad El-hassan for the premises located at 416 E. North Ave. ("Quick Stop Foods") in the 6th aldermanic district.

With regard to the items listed above, the Utilities and Licenses Committee held an evidentiary hearing on October 13th, 2004.

Pursuant to section 90-11, Milwaukee Code of Ordinances, and section 125.12(12), Wis. Stats., the Committee is transmitting a copy of its Report and Recommendations, regarding the above matters to your Honorable Body.

Pursuant to City Ordinances, prior to the time the Common Council acts on the Committee's Report, **a roll call vote will be taken** to confirm that all members present and voting have read the Committee's Report and any objections that have been filed by the Licensee.

These matters have been scheduled for a hearing before the full Common Council at its meeting on **Wednesday, November 3, 2004** at 9:00 A.M. in the Common Council Chambers.

Respectfully,


James N. Witkowiak, Chair
Utilities & Licenses Committee

cc: All Council Members
File No. 031487



JAMES N. WITKOWIAK
ALDERMAN, 12TH DISTRICT

Date: October 18, 2004

To: All Members of the Milwaukee Common Council

From: The Utilities and Licenses Committee

Re: Report of the Renewal Application of Charles E. Barbee, Jr. for a Public Passenger Vehicle Driver License.

FINDINGS OF FACT

1. Charles E. Barbee, Jr. (hereinafter the "Licensee") is the holder of a Public Passenger Vehicle Driver license in the City and County of Milwaukee, Wisconsin. Said license expires at midnight, October 31, 2004.
2. An application to renew said license was filed with the Office of the City Clerk on October 1, 2004.
3. Pursuant to Chapter 100 of the Milwaukee Code of Ordinances and § 349.24 of the Wisconsin Statutes, the matter was referred to the Milwaukee Police Department for investigation. The Milwaukee Police Department filed an objection to renewal of this license dated October 4, 2004. That objection could form the basis of non-renewal or suspension of this license.
4. On October 5, 2004, the City Clerk's Office provided timely notice to the Licensee, pursuant to Chapter 100 of the Milwaukee Code of Ordinances and § 349.24 of the Wisconsin Statutes of police objections that could form the basis for suspension or non-renewal of the license of the licensee and included therewith a copy of the Milwaukee Police Department report. The matter was scheduled for a hearing on the police report on October 13, 2004 at 8:45 a.m. in Room 301B of City Hall. At said date, time and place, the licensee did not appear nor was he represented by counsel.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:

- A. Notice was sent to Charles E. Barbee, Jr. at 5724 North 96th Street, Milwaukee, WI 53225, along with a copy of the police report on October 5, 2004 in an envelope which was sent by U.S. first-class prepaid mail in an envelope bearing the return address of the License Division, 200 East Wells Street, Room 105, Milwaukee, WI 53202. The address of 5724 North 96th Street, Milwaukee, WI 53225 was the address given by the applicant on his renewal application. The notice included a copy of the police report. The licensee failed to appear at the hearing and the envelope containing the notice and police report was not returned to the License Division by the U.S. Postal Service.
- B. On July 9, 2003, the Wisconsin driver's license of Charles E. Barbee, Jr. was suspended for six month for an accumulation of points. Charles E. Barbee, Jr. was convicted on October 2, 2002 for speed intermediate 4 points on June 25, 2003 for speed intermediate 8 points. His driver's license was reinstated on January 16, 2004.
- C. Charles E. Barbee, Jr. is also on probation and parole until October 15, 2004 as a result of a March 3, 2003 armed robbery conviction. Additionally, Charles E. Barbee, Jr. has two open warrants for failure to support with the Milwaukee County Sheriff's D epartment.

CONCLUSIONS OF LAW

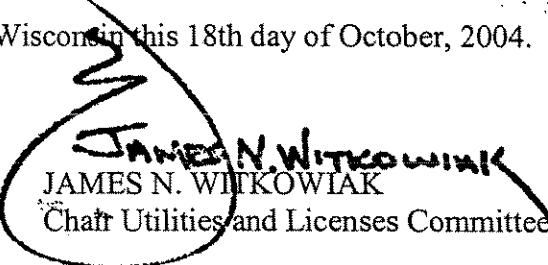
1. The Committee has jurisdiction to hold hearings and provide Findings of Fact and Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapter 100 of the Milwaukee Code of Ordinances and § 349.24, Wisconsin Statutes.
2. Based upon the above facts found, the Committee concludes that the licensee, Charles E. Barbee, Jr., has not met the criteria of Chapter 100 of the Milwaukee Code of Ordinances or § 349.24 of the Wisconsin Statutes to allow renewal of his Public Passenger Vehicle Driver license.
3. In order to protect the health, safety and welfare of the citizens of the City of Milwaukee, it is the recommendation of the Utilities and Licenses Committee that the full Common Council of the City of Milwaukee should exercise its judgment to not renew the Public Passenger Vehicle Driver license held by Charles E. Barbee, Jr. The Committee finds the police objection to be true.

RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of four (4) ayes, zero (0) noes and one (1) absent, recommends that the Public Passenger Vehicle Driver license of Charles E.

Barbee, Jr. not be renewed based on non-appearance and the police objection.

Dated and signed at Milwaukee, Wisconsin this 18th day of October, 2004.


JAMES N. WITKOWIAK
Chair Utilities and Licenses Committee

86229



JAMES N. WITKOWIAK
ALDERMAN, 12TH DISTRICT

Date: October 18, 2004

To: All Members of the Milwaukee Common Council

From: The Utilities and Licenses Committee

Re: Report of the Renewal Application of Maria Renta for a Class "B" Tavern license for the premises located at 1734 West Greenfield Avenue, in the City and County of Milwaukee, Wisconsin ("Domino Club").

FINDINGS OF FACT

1. Maria Renta (hereinafter the "Licensee") doing business at 1734 West Greenfield Avenue in the City and County of Milwaukee, Wisconsin ("Domino Club"). Said license expires at midnight, November 5, 2004.
2. An application to renew said license was filed with the Office of the City Clerk on September 10, 2004.
3. Pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes, the matter was referred to the Milwaukee Police Department for investigation. There was a Milwaukee Police Department report dated September 13, 2004, which could form the basis for non-renewal or suspension of the license. There were also neighborhood objections to loitering, littering, loud music and noise, disorderly patrons during and after hours, fights, parking and traffic problems, damage to private property, and conduct detrimental to the health, safety and welfare of the neighborhood.
4. On October 5, 2004, the City Clerk's Office provided timely notice to the Licensee, pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes of police objections that could form the basis for suspension or non-renewal of the license of the Licensee along with the neighborhood objections. A copy of the police report was included. The matter was scheduled for a hearing on the police objections on October 13, 2004 at 1:45 p.m. in Room 301B of the third floor of City Hall. At said date, time and place, the licensee appeared and admitted receipt of the notice and police report.

5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
- A. On March 1, 2002, officers of the Milwaukee Police Department entered the licensed premises at 1734 West Greenfield Avenue in the City and County of Milwaukee, Wisconsin ("Domino Club"). Upon entering the premises officers observed a patron sitting at the bar. The patron appeared to be underage and when asked for identification she stated she was 18 years of age. Officers noted there was a DJ playing prerecorded music. The licensee, Maria Renta, who was behind the bar stated that she had a doorman but that he was not working on that day. She also stated that she had not been checking any IDs herself and that she had not checked the ID from the 18 year old patron. Maria Renta was issued citations and when she was given the citations she complained that the city was not letting her make a dime because of the citations she keeps receiving. Both citations issued on this occasion, for presence of underage and prerecorded music, were dismissed on November 18, 2002.
 - B. On April 7, 2002 at 3:10 a.m., officers of the Milwaukee Police Department observed the licensed premises at 1734 West Greenfield Avenue in the City and County of Milwaukee, Wisconsin ("Domino Club") open for business with patrons inside. Due to daylight saving time, clocks were set ahead one hour at 2:00 a.m. All taverns in the city were required to close for the evening at 2:00 a.m. The owner told the officers she was unaware that the clocks were to be changed. The licensee was cited for patrons after hours upon a Class "B" premises, and on May 30, 2002 was found guilty. A suspended sentence was imposed.
 - C. On December 27, 2002 at 1:11 a.m., officers of the Milwaukee Police Department observed a male in the 1700 block of West Greenfield Avenue with a baseball bat in his hand smashing all the windows in a 1993 Chevy Blazer 4-door. The officer activated his vehicle's lights and siren. The suspect jumped into a Nissan Sentra and fled the scene. After a brief chase, the vehicle was stopped and the suspect apprehended. After further investigation, it was found that the suspect had been in the licensed premises at 1734 West Greenfield Avenue in the City and County of Milwaukee, Wisconsin ("Domino Club"). A fight broke out inside of the license premises. The suspect was struck in the head with a beer bottle by an unknown person. The suspect thought the Chevy Blazer belonged to the person who struck him with the bottle so he proceeded to smash all the windows. The suspect, along with two other persons involved in the fight, were conveyed to St. Luke's

Hospital for treatment of head contusions, lacerations and some required stitches.

When officers returned to the license premises, the licensee was on the scene along with two security guards who were working in the tavern when the fight broke out. The security guard stated that the beer bottles and chairs were thrown by numerous people in the tavern. There were numerous persons hurt but they all left before the police arrived on the scene. The tavern had also been cleaned up before the police arrived. The police were never notified of the fight at the bar or the fact that there were injured people in the bar. The licensee was cited for disorderly premises, however, that citation was dismissed on February 20, 2003.

- D. On February 1, 2004 at 1:59 a.m., officers of the Milwaukee Police Department were dispatched to a fight at the licensed premises at 1734 West Greenfield Avenue in the City and County of Milwaukee, Wisconsin ("Domino Club"). Police observed approximately 25 people in front of the tavern and multiple vehicles leaving the scene. An investigation revealed that a large fight broke out inside of the license premises where beer bottles were being thrown. Three persons were injured and one with a severe laceration to his arm resulting in him being transported by Flight for Life. No arrests were made.
- E. On July 18, 2004 at 1:43 a.m., officers of the Milwaukee Police Department observed a large group of people (approximately 20-30) gathering outside of the licensed premises at 1734 West Greenfield Avenue in the City and County of Milwaukee, Wisconsin ("Domino Club"). An argument took place between a male and three females. The male struck one of the females in the mouth who also struck a police officer. The male was arrested for battery to a police officer, disorderly conduct and obstructing an officer.

CONCLUSIONS OF LAW

1. The Committee has jurisdiction to hold hearings and provided 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 concludes that the licensee, Maria Renta, for the licensed premises at 1734 West Greenfield Avenue ("Domino Club") has not met the criteria of Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes to allow renewal of

her Class "B" Tavern license without undergoing a ten (10) day suspension. The Committee finds the police report to be true.

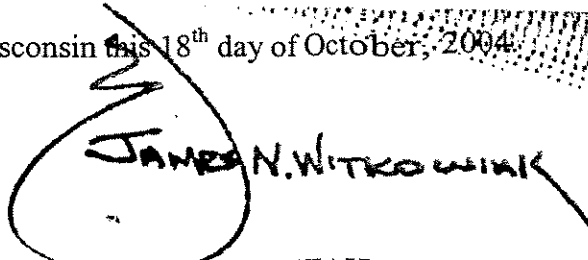
3. In order to protect the health, safety and welfare of the citizens of the City of Milwaukee, it is the recommendation of the Utilities and Licenses Committee that the full Common Council of the City of Milwaukee should exercise its discretion to renew the Class "B" Tavern license of Maria Renta for the premises at 1734 West Greenfield Avenue in the City and County of Milwaukee, Wisconsin ("Domino Club") with a ten (10) day suspension.

RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of five (5) ayes and zero (0) noes recommends that the Class "B" Tavern license held by Maria Renta for the premises at 1734 West Greenfield Avenue in the City and County of Milwaukee, Wisconsin ("Domino Club") be renewed with a ten (10) day suspension.

Said suspension is to be in effect from 12:01 a.m., November 6, 2004 through 12:01 a.m. November 16, 2004.

Dated and signed at Milwaukee, Wisconsin this 18th day of October, 2004.

A handwritten signature in black ink that reads "JAMES N. WITKOWIAK". The signature is written in a cursive style with a large, looping initial "J".

JAMES N. WITKOWIAK
Chair, Utilities and Licenses Committee

86258



JAMES N. WITKOWIAK
ALDERMAN, 12TH DISTRICT

Date: October 18, 2004

To: All Members of the Milwaukee Common Council

From: The Utilities and Licenses Committee

Re: Report of the Renewal Application of Leonie A. McKenzie and Ricardo D. McKenzie for a Class "B" Tavern and Tavern Amusement (Cabaret/Nite Club) partnership license for the premises located at 2035 West Fond du Lac Avenue in the City and County of Milwaukee, Wisconsin ("Leoric Sport Club Bar & Grill").

FINDINGS OF FACT

1. Leonie A. McKenzie and Ricardo D. McKenzie (hereinafter the "Licensees") are the holders of a Class "B" Tavern and Tavern Amusement (Cabaret/Nite Club) partnership license for the premises at 2035 West Fond du Lac Avenue in the City and County of Milwaukee, Wisconsin ("Leoric Sport Club Bar & Grill"). Said license expires at midnight, November 25, 2004.
2. An application to renew said license was filed with the Office of the City Clerk on September 15, 2004.
3. Pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes, the matter was referred to the Milwaukee Police Department for investigation. The Milwaukee police responded on September 16, 2004 with a report which could form a basis for non-renewal or suspension of the license. There were also neighborhood objections to loitering, littering, loud music and noise, traffic problems including cruising, fights, damage to private property, vandalism, and conduct detrimental to the health, safety and welfare of the neighborhood.
4. On October 5, 2004, the City Clerk's Office provided timely notice to the Licensees, pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes of the Milwaukee police report as well as the neighborhood objections and included a copy of the Milwaukee police report. The matter was scheduled for a hearing on the police report and neighborhood objections on October 13, 2004 at 9:30 a.m. in Room 301B of the third floor of

City Hall. At said date, time and place the licensees did appear and were represented by Attorney James H. Hall, Jr., Hall, Charne, Burce & Olson, S.C., 324 East Wisconsin Avenue, Suite 1200, Milwaukee, WI 53202.

5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:

A. On March 27, 2004 at 1:15 a.m. officers of the Milwaukee Police Department were flagged down by two females at the location of 2035 West Fond du Lac Avenue in the City and County of Milwaukee, Wisconsin. The females stated there was a male inside the tavern who was "bleeding to death." Inside the licensed premises at 2035 West Fond du Lac Avenue in the City and County of Milwaukee, Wisconsin ("Leoric Sport Club Bar & Grill") officers observed broken bottles and glasses on the floor, trails of blood, overturned tables and chairs; broken pool cues and bloodied pool balls. Lying on the dance floor was a male bleeding heavily from deep lacerations about the head. Ricardo McKenzie called 911 to report the incident. At a birthday party the victim had been attacked by 25-30 patrons when he attempted to assist in breaking up a fight that occurred around the pool table. The victim was struck with bottles, chairs, pool cues and pool balls.

Security at the location was posted at the entrances to the premises, and had a difficult time getting to the victim because of the crowd that formed around the victim.

B. On May 4, 2004, at 2:07 a.m. while on patrol, officers of the Milwaukee Police Department observed that lights were on inside the licensed premises at 2035 West Fond du Lac Avenue in the City and County of Milwaukee, Wisconsin ("Leoric Sport Club Bar & Grill"). Approximately 15 cars were parked around the tavern. The officers could see numerous patrons inside the tavern (approximately 30), and music was still playing. An unknown patron locked the door and did not permit officers to enter. The officers were denied entry for approximately 5 minutes. Once inside, the officers discovered the pool table did not have a permit. The partner, Ricardo D. McKenzie, was cited for amusement machine permit (30 patrons after hours), and immediate entry to police. The citations with respect to amusement machine permit and patrons after hours were dismissed without prejudice. In exchange, the partner pled no contest to immediate entry of police on August 26, 2004 and was found guilty and fined \$343.00.

C. On June 5, 2004, at 12:40 a.m. while on patrol, officers of the Milwaukee Police Department heard loud music at the intersection of 24th and West Lloyd Street in the City and County of Milwaukee, Wisconsin. It was coming from the licensed premises at 2035 West Fond du Lac Avenue in the City and County of Milwaukee, Wisconsin ("Leoric Sport Club Bar & Grill"). The officer spoke to Ricardo D. McKenzie, who was advised by the officer that he personally on numerous occasions heard music from the tavern that was too loud. Ricardo D. McKenzie became argumentative and stated that the police were simply harassing him. When leaving the tavern, the officers observed five vehicles parked in the grass adjacent to

the tavern. Patrons leaving were seen to be leaving in those vehicles. As the patrons left the tavern, the officer observed a male carrying an open bottle of beer out of the bar. The partner, Ricardo D. McKenzie, was cited for noise nuisance, removal of an intoxicant, and off street parking. All matters are pending court appearance on October 15, 2004 at 1:30 p.m.

- D. On August 30, 2004, at 12:49 a.m. while on patrol at the intersection of North 21st Street and North Avenue in the City and County of Milwaukee, Wisconsin, Milwaukee Police officers could hear loud music who found it to be coming from the licensed premises at 2035 West Fond du Lac Avenue in the City and County of Milwaukee, Wisconsin ("Leoric Sport Club Bar & Grill"). Upon arriving at the tavern, they found the front doors as well as the side door to be open. A verbal warning was given to the security person at the front door that the door needed to be closed after 10:00 p.m. Officers observed the doors to be wide open for another 10 to 15 minutes. At tavern closing at 1:30 a.m., several squads were assigned to monitor the crowd of patrons that left the tavern. It took 30 minutes to disperse the crowd. Members of the crowd were singing, dancing and played loud music in their vehicles in the parking lot. The partner, Ricardo D. McKenzie, was cited for doors open after 10:00 p.m. and noise nuisance. This matter is pending court appearance on October 18, 2004.
- E. On September 2, 2004, at 1:35 a.m. a Milwaukee police officer was sent to back up another squad that had been sent to the licensed premises at 2035 West Fond du Lac Avenue in the City and County of Milwaukee, Wisconsin ("Leoric Sport Club Bar & Grill") on a complaint of trouble with a subject. The backup officer noticed a multitude of people standing in the parking lot at 2251 North 21st Street in the City and County of Milwaukee, Wisconsin, as well as people standing in the road blocking traffic on 21st Street. Large groups of patrons from the tavern were congregating around the tavern. The officer observed a Buick in the 2200 block of North 21st Street with the radio on so loud that it could be heard beyond 50 feet. The driver stated that he had just left the tavern. He was cited for noise nuisance.
- F. Because several of the matters are still pending, the committee concluded to consider only item numbers A and B above and as to items numbers A and B, recommended renewal with a 15-day suspension, and allowed a change of entertainment.
- G. The Committee reserves consideration of items C, D, and E, above to further disposition pending before the Municipal Court.

CONCLUSIONS OF LAW

- 1. The Committee has jurisdiction to hold hearings and provided 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 in items A and B, the Committee concludes that the licensees, Leonie A. McKenzie and Ricardo D. McKenzie have not met the criteria of Chapter 90 of the Milwaukee Code of Ordinances or Chapter 125 of the Wisconsin Statutes to allow renewal of their Class "B" Tavern and Tavern Amusement (Cabaret/Nite Club) partnership license without undergoing a fifteen (15) day suspension of said license. The Committee finds items 1 and 2 of the police report to be true.

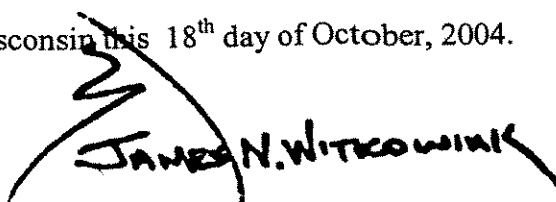
3. In order to protect the health, safety and welfare of the citizens of the City of Milwaukee, it is the recommendation of the Utilities and Licenses Committee that the full Common Council of the City of Milwaukee should exercise its judgment to renew with a fifteen (15) day suspension the Class "B" Tavern and Tavern Amusement (Cabaret/Nite Club) partnership license held by Leonie A. McKenzie and Ricardo D. McKenzie for the premises at 2035 West Fond du Lac Avenue in the City and County of Milwaukee, Wisconsin ("Leoric Sport Club Bar & Grill").

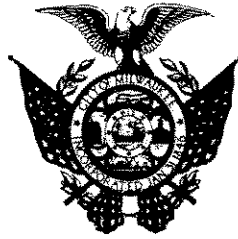
RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of three (3) ayes and two (2) noes recommends that the Class "B" Tavern and Tavern Amusement (Cabaret/Nite Club) partnership license held by Leonie A. McKenzie and Ricardo D. McKenzie for premises at 2035 West Fond du Lac Avenue in the City and County of Milwaukee, Wisconsin ("Leoric Sport Club Bar & Grill") be renewed with a fifteen (15) day suspension.

Said suspension is to be in force from 12:01 a.m. November 26, 2004 through 12:01 a.m. December 10, 2004.

Dated and signed at Milwaukee, Wisconsin this 18th day of October, 2004.


JAMES N. WITKOWIAK, Chair
Utilities and Licenses Committee



JAMES N. WITKOWIAK
ALDERMAN, 12TH DISTRICT

Date: October 18, 2004

To: All Members of the Milwaukee Common Council

From: The Utilities and Licenses Committee

Re: Report of the Renewal Application of the Mohammad I. El-hassan, as agent for "Krayem, Inc." for a Class "A" Malt license for the premises located at 416 East North Avenue in the City and County of Milwaukee, Wisconsin ("Quick Stop Foods").

FINDINGS OF FACT

1. Mohammad I. El-hassan, as agent for "Krayem, Inc." (hereinafter the "Licensee") is the agent for "Krayem, Inc." doing business at 416 East North Avenue in the City and County of Milwaukee, Wisconsin ("Quick Stop Foods"). Said license expires at midnight, October 14, 2004.
2. An application to renew said license was filed with the Office of the City Clerk on August 2, 2004.
3. Pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes, the matter was referred to the Milwaukee Police Department for investigation. There was a Milwaukee Police Department report that could form the basis of non-renewal or suspension of this license dated August 3, 2004. There were also neighborhood objections to loitering, littering, parking and traffic problems, suspected drug and criminal activity, and conduct which is detrimental to the health, safety and welfare of the neighborhood.
4. On October 4, 2004, the City Clerk's Office provided timely notice to the Licensee, pursuant to Chapter 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes of the police report that could form the basis for suspension or non-renewal of the licenses of the Licensee. The matter was scheduled on the police report for a hearing on October 13, 2004 at 10:45 a.m. in Room 301B of the third floor of City Hall. At said date, time and place the licensee did not appear and was not represented by counsel. Said failure to appear was the second nonappearance of this licensee.

5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
 - A. Notice of the hearing as well as a copy of the police report was sent to Mohammad I. El-hassan, at 5006 West Oklahoma Avenue, No. 8, Milwaukee, WI 53219 on October 4, 2004 by U.S. first-class prepaid mail in an envelope bearing the return address of the License Division. The address of 5006 West Oklahoma Avenue, No. 8, Milwaukee, WI 53219 is the address given by the applicant on his application. The envelope was not returned to the License Division by the United States Postal Service. The licensee failed to appear at the hearing on October 13, 2003.
 - B. Notice of the hearing of September 28, 2004 as well as a copy of the police report was sent to Mohammad I. El-hassan, at 5006 West Oklahoma Avenue, No. 8, Milwaukee, WI 53219 on September 17, 2004 by U.S. first-class prepaid mail in an envelope bearing the return address of the License Division. The address of 5006 West Oklahoma Avenue, No. 8, Milwaukee, WI 53219 is the address given by the applicant on his application. The envelope was not returned to the License Division by the United States Postal Service. The licensee failed to appear at the hearing on September 28, 2004.
 - C. At no time prior to October 13, 2004 did the licensee file a notice of change of address as required by § 90-5-12 of the Milwaukee Code of Ordinances. Because the licensee changed his home address and did not report that fact on his renewal application or to the license office, it was sent to the wrong address.

CONCLUSIONS OF LAW

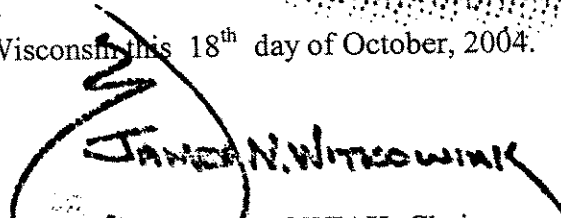
1. The Committee has jurisdiction to hold hearings and provided Findings of Fact and Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapter 125 of the Wisconsin Statutes and Chapter 90 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concludes that the licensee, Mohammad I. El-hassan, as agent for "Krayem, Inc." at 416 East North Avenue has not met the criteria of Chapter 90 of the Milwaukee Code of Ordinances or Chapter 125 of the Wisconsin Statutes to allow renewal of his Class "A" Malt license because of nonappearance and failure to report changes.
3. In order to protect the health, safety and welfare of the citizens of the City of Milwaukee, it is the recommendation of the Utilities and Licenses Committee that the full Common Council of the City of Milwaukee should exercise its judgment

to not renew the Class "A" Malt license of Mohammad I. El-hassan, as agent for "Krayem, Inc." for this premises located at 416 East North Avenue.

RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of five (5) ayes and zero (0) noes recommends that the Class "A" Malt license held by Mohammed I. El-hassan as agent for "Krayem, Inc." not be renewed.

Dated and signed at Milwaukee, Wisconsin, this 18th day of October, 2004.


JAMES N. WITKOWIAK, Chair
Utilities and Licenses Committee

86243