



**CITY OF MILWAUKEE
OFFICE OF THE CITY CLERK**

Thursday, July 02, 2020

COMMITTEE MEETING NOTICE


AD 13

PANEBOUNE, Khemphone, Agent
Thainakorn, LLC
3840 S 5TH St

Milwaukee, WI 53207

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

Tuesday, July 14, 2020 at 11:25 AM

Regarding: Your Food Dealer License Renewal Application  agent for "Thainakorn, LLC" for "Kim's Thai Restaurant" at 938 W Layton Av.

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/787163357>. If you wish to call in, please call **+1 (646) 749-3122** and use Access Code: 787-163-357.

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: _____
Jessica Celella
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.

Schafer, Nathan

From: Becker, Keren
Sent: Wednesday, October 16, 2019 8:59 AM
To: Schafer, Nathan
Subject: FW: Kim's Thai Layton Ave
Attachments: file.jpeg

Keren Becker
License Specialist III
City Clerk – License Division
O: (414) 286-2238
F: (414) 286-3057
License@Milwaukee.gov
www.Milwaukee.gov/license



From: Celella, Jessica
Sent: Wednesday, October 16, 2019 8:58 AM
To: Becker, Keren
Cc: Byrd, Yashica; Martin, Faviola
Subject: FW: Kim's Thai Layton Ave

Please add

Jessica Celella
License Division Manager
200 E Wells St Room 105, Milwaukee, WI 53202
(414) 286-2365



From: Evers, Claire <CEVERS@milwaukee.gov>
Sent: Tuesday, October 15, 2019 5:43 PM
To: Celella, Jessica <Jessica.Celella@milwaukee.gov>
Cc: Hegarty, Carly <HEGAR@milwaukee.gov>; Montejano, Marivel <MAMONTE@milwaukee.gov>; Otselberger, Michael <motzel@milwaukee.gov>
Subject: FW: Kim's Thai Layton Ave

Jessica,

Will you please place the below message in the file for Kim Thai at 938 w. Layton. This operator has made it nearly impossible to regulate and has threatened our inspectors.

Tyrone, do you recommend any other action?

Kindly,

Claire Evers, R.S. | Deputy Commissioner of Environmental Health
City of Milwaukee Health Department | [841 N. Broadway](#) | [Milwaukee, WI 53202](#)
Phone: [414-286-6014](#) | Cell: [414-308-3273](#) | Fax: [414-286-5164](#) | [www.milwaukee.gov/health](#)
[www.milwaukee.gov/health](#) | [Facebook](#) | [Twitter](#)



**CITY OF MILWAUKEE
HEALTH DEPARTMENT**

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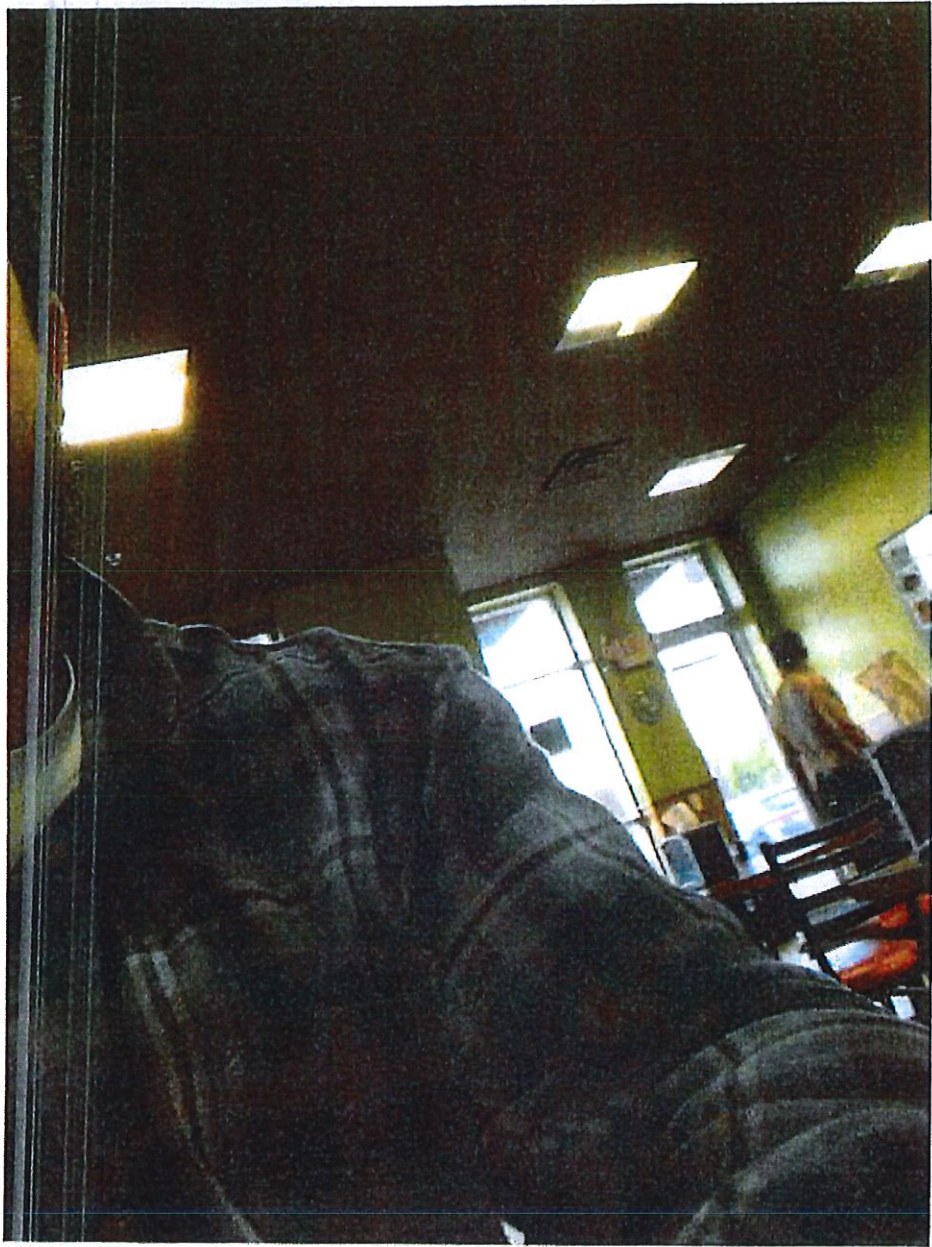
From: Otzelberger, Michael
Sent: Tuesday, October 15, 2019 4:59 PM
To: CEHSupervisor <CEHSupervisor@milwaukee.gov>; Salgado, Maria <MSALGA@milwaukee.gov>
Subject: Kim's Thai Layton Ave

This afternoon at 4:10pm Maria and I tried to do a second reinspection at Kim's Thai on Layton ave. Both operators were belligerent and refusing to cooperate, telling customers we were harassing them and shut down their kitchen. We took some temperatures and still had cold holding violations but did not feel it was safe to deliver the report or repeat violation fee as the gentleman was kicking doors, threatening to call his lawyer, telling us to go home and then ripped off his shirt and said I know Kung fu, you don't. We will have to go back with the police department to deliver report and fee.

As this establishment has a history of bullying inspectors this should be a documented incident and either a citation or some other enforcement action taken.

Mike Otzelberger MPH, R.S.
Consumer Environmental Health Coordinator
Zeidler Municipal Building | 841 N Broadway, 3rd floor | Milwaukee, WI
Phone: 414-286-8628 | Cell: 414-708-1591 | Fax: (414) 286-5164
[www.milwaukee.gov/health](#) | [Facebook](#) | [Twitter](#)

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Schafer, Nathan

From: License
Sent: Friday, November 1, 2019 4:47 PM
To: Schafer, Nathan
Subject: FW: Kims Thai's restaurant (INCIDENT)
Attachments: LP 938 w layton av.pdf

Plz add to objection

Keren Becker
License Specialist III
City Clerk – License Division
O: (414) 286-2238
F: (414) 286-3057
License@Milwaukee.gov
www.Milwaukee.gov/license



From: Montejano, Marivel
Sent: Friday, November 1, 2019 9:00 AM
To: License
Subject: FW: Kims Thai's restaurant (INCIDENT)

Marivel Montejano, R.S. | Consumer Environmental Health Supervisor
City of Milwaukee Health Department | 841 North Broadway, RM 304 | Milwaukee, WI 53202
Phone: 414-286-2800 | Cell: 414-708-5817 | Fax: 414-286-5164
www.milwaukee.gov/health | [Facebook](#) | [Twitter](#)



CITY OF MILWAUKEE
HEALTH DEPARTMENT

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From: Montejano, Marivel
Sent: Friday, November 1, 2019 8:38 AM
To: Celella, Jessica <Jessica.Celella@milwaukee.gov>; St. Junior, Tyrone <tstjun@milwaukee.gov>
Cc: Evers, Claire <CEVERS@milwaukee.gov>; Hegarty, Carly <HEGAR@milwaukee.gov>; Otzelberger, Michael <motzel@milwaukee.gov>
Subject: Kims Thai's restaurant (INCIDENT)

Good morning!!

We have received the PA-33 form filled out by MPD for Kim's Thai Restaurant (938 W Layton Ave), can we have this added to the establishments file (next renewal/common counsel review).

Thank you,

Marivel Montejano, R.S. | Consumer Environmental Health Supervisor
City of Milwaukee Health Department | 841 North Broadway, RM 304 | Milwaukee, WI 53202
Phone: 414-286-2800 | Cell: 414-708-5817 | Fax: 414-286-5164
www.milwaukee.gov/health | [Facebook](#) | [Twitter](#)



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From: Salgado, Maria
Sent: Thursday, October 31, 2019 9:25 PM
To: CEHSupervisor <CEHSupervisor@milwaukee.gov>
Subject: Fwd: Community Meeting

The form was done and filed.

Please see the message and form attached.

Thank you,

Maria Salgado B.S.

Environmental Health Specialist

City of Milwaukee Health Department | 841 N. Broadway, Room 304 | Milwaukee, WI 53202

Phone: 414-286-5767 | Business Cell: 414-305-3255 | Fax: (414) 286-5990

email: msalga@milwaukee.gov

www.milwaukee.gov/health | [Facebook](#) | [Twitter](#)

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From: Garcia, Fabian <fgarci@milwaukee.gov>
Sent: Thursday, October 31, 2019 6:17:07 PM
To: Salgado, Maria <MSALGA@milwaukee.gov>
Subject: Re: Community Meeting

The attached is the report that was files for Kim Thai Restaurant. If you need anything else please feel free to contact me at any time. Have a good night.

Police Officer Fabian Garcia
Milwaukee Police Department
Community Liaison Officer/Community
District Six-Early Power 11am-7pm
3006 S. 27th Street
(414) 935-7198

From: Salgado, Maria <MSALGA@milwaukee.gov>
Sent: Thursday, October 31, 2019 1:05 PM
To: Garcia, Fabian <fgarci@milwaukee.gov>
Subject: RE: Community Meeting

Hello Officer Garcia,

I was wondering if you were able to do that form for us? My supervisor is asking me for it because it needs to be attached to the license file.

Cordially,

Maria Salgado Weberg, B.S.
Environmentl Health Specialist
Pronouns: She • Her • Hers
City of Milwaukee Health Department

Zeidler Municipal Building | 841 N. Broadway, 3rd Floor | Milwaukee, WI 53202

Phone: (414) 286-5767 | Business Cell: (414) 305-3255 | Fax: (414) 286-5990

msalga@milwaukee.gov

www.milwaukee.gov/health | [Facebook](#) | [Twitter](#)



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From: Salgado, Maria

Sent: Thursday, October 17, 2019 5:28 PM

To: Garcia, Fabian <fgarci@milwaukee.gov>; Ward, Michael <mward@milwaukee.gov>

Cc: Montejano, Marivel <MAMONTE@milwaukee.gov>

Subject: RE: Community Meeting

But off course, I am copying the emails so you can see all the narratives. If you can send the email cc my supervisor Marivel Montejano who I am copying on this email, it would be great. I am going to be out until the 30th and they need that form before. I attached the citation for you to take the info you'll need from it.

Thank you Fabian.

This afternoon at 4:10pm Maria and I tried to do a second re-inspection at Kim's Thai on Layton Ave. Both operators were belligerent and refusing to cooperate, telling customers we were harassing them and shut down their kitchen. We took some temperatures and still had cold holding violations but did not feel it was safe to deliver the report or repeat violation fee as the gentleman was kicking doors, threatening to call his lawyer, telling us to go home and then ripped off his shirt and said I know Kung fu, you don't. We will have to go back with the police department to deliver report and fee.

As this establishment has a history of bullying inspectors this should be a documented incident and either a citation or some other enforcement action taken.

I will also add that they were saying that what were we doing there? We were supposed to be at home by 3:30pm. The gentleman was watching the time. Also, they mentioned that we don't know nothing about their food, we only know

about Mexican food. It was very frustrating having customers in there and these two people yelling and screaming in front of everyone. A customer was waiting to make her order and the owner just kept screaming and the customer just left because she was told they couldn't take any orders. Mike explained to the customer we didn't closed them out and the gentleman was yelling that they were close, that he wasn't taking any orders. They were also saying that we came to take their money for the day, they were complaining about the re-inspection fee, he was saying that they got their A already, we shouldn't be there.

Maria Salgado Weberg, B.S.

Environmentl Health Specialist

Pronouns: She • Her • Hers

City of Milwaukee Health Department

Zeidler Municipal Building | 841 N. Broadway, 3rd Floor | Milwaukee, WI 53202

Phone: (414) 286-5767 | Business Cell: (414) 305-3255 | Fax: (414) 286-5990

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From: Garcia, Fabian

Sent: Wednesday, October 16, 2019 4:36 PM

To: Salgado, Maria <MSALGA@milwaukee.gov>; Ward, Michael <mward@milwaukee.gov>

Subject: Re: Community Meeting

Ok Maria I found out what it was. Its a license premise report. I will just need a brief synopsis from you regarding what occurred that day, I kind of got the gist of everything when you were explaining to the actual owner of what occurred. I will also need the date and time that that incident occurred and the citation number that was given to them. Thanks again and you can give me all that information tomorrow if you'd like and I can finish it then. Let me know if you need anything else.

Police Officer Fabian Garcia

Milwaukee Police Department

Community Liaison Officer

District Six-Early Power 11am-7pm

3006 S. 27th Street

(414) 935-7198

From: Salgado, Maria <MSALGA@milwaukee.gov>

Sent: Wednesday, October 16, 2019 4:17 PM

To: Garcia, Fabian <fgarci@milwaukee.gov>

Subject: Re: Community Meeting

Lol... I don't have any idea which form it is neither.... I guess we all are learning. Thanks so much

Maria Salgado

Environmental Health Specialist

City of Milwaukee Health Department | 841 N. Broadway, Room 304 | Milwaukee, WI 53202

Phone: 414-286-5767 | Business Cell: 414-305-3255 | Fax: (414) 286-5990

email: msalga@milwaukee.gov

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From: Garcia, Fabian <fgarci@milwaukee.gov>

Sent: Wednesday, October 16, 2019 4:11:58 PM

To: Salgado, Maria <MSALGA@milwaukee.gov>

Subject: Re: Community Meeting

Yes I will Pat ask me to do that. I am still trying to figure out what that form is lol. But yes I will do it as soon as I can and I can email it to you.

Police Officer Fabian Garcia

Milwaukee Police Department

Community Liaison Officer

District Six-Early Power 11am-7pm

3006 S. 27th Street

(414) 935-7198

From: Salgado, Maria <MSALGA@milwaukee.gov>

Sent: Wednesday, October 16, 2019 4:01 PM

To: Garcia, Fabian <fgarci@milwaukee.gov>

Subject: Re: Community Meeting

Fabián, I forgot to ask you for something, can you fill out a PA-33 form? My supervisor asked me for it because we need to add that to their file.

Maria Salgado B.S.

Environmental Health Specialist

City of Milwaukee Health Department | 841 N. Broadway, Room 304 | Milwaukee, WI 53202

Phone: 414-286-5767 | Business Cell: 414-305-3255 | Fax: (414) 286-5990

email: msalga@milwaukee.gov

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From: Garcia, Fabian <fgarci@milwaukee.gov>

Sent: Wednesday, October 16, 2019 1:29:16 PM

To: Salgado, Maria <MSALGA@milwaukee.gov>; Ward, Michael <mward@milwaukee.gov>

Subject: Re: Community Meeting

Yes 3pm would be better. I should be done by then. Thanks

Police Officer Fabian Garcia
Milwaukee Police Department
Community Liaison Officer
District Six-Early Power 11am-7pm
3006 S. 27th Street
(414) 935-7198

From: Salgado, Maria <MSALGA@milwaukee.gov>
Sent: Wednesday, October 16, 2019 12:48:34 PM
To: Garcia, Fabian <fgarci@milwaukee.gov>; Ward, Michael <mward@milwaukee.gov>
Subject: Re: Community Meeting

Yes, please call me at my work cell 414-305-3255. Pat, the Coordinator is coming from the downtown office to meet us there. If it is better for you, we can change the time, maybe 2:30 or 3:00?

Maria Salgado
Environmental Health Specialist
City of Milwaukee Health Department | 841 N. Broadway, Room 304 | Milwaukee, WI 53202
Phone: 414-286-5767 | Business Cell: 414-305-3255 | Fax: (414) 286-5990
email: msalga@milwaukee.gov
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From: Garcia, Fabian <fgarci@milwaukee.gov>
Sent: Wednesday, October 16, 2019 12:41:57 PM
To: Salgado, Maria <MSALGA@milwaukee.gov>; Ward, Michael <mward@milwaukee.gov>
Subject: Re: Community Meeting

Right now I'm currently tied up, and I am not sure if I will be done by 2pm but I will try my best. If I become available is your work cell phone number a good number to reach you at. Thanks and I will let you guys know either way if I will be available or not by that time.

Police Officer Fabian Garcia

Milwaukee Police Department

Community Liaison Officer

District Six-Early Power 11am-7pm

3006 S. 27th Street

(414) 935-7198

From: Salgado, Maria <MSALGA@milwaukee.gov>

Sent: Wednesday, October 16, 2019 11:30 AM

To: Garcia, Fabian <fgarci@milwaukee.gov>; Ward, Michael <mward@milwaukee.gov>

Subject: Re: Community Meeting

Sounds good. The Coordinator is available at 2pm. Does that work? Also, I was wondering if we could use the interpreter service over the phone since the operator requested it.

Maria Salgado

Environmental Health Specialist

City of Milwaukee Health Department | 841 N. Broadway, Room 304 | Milwaukee, WI 53202

Phone: 414-286-5767 | Business Cell: 414-305-3255 | Fax: (414) 286-5990

email: msalga@milwaukee.gov

www.milwaukee.gov/health | Facebook | Twitter

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From: Garcia, Fabian <fgarci@milwaukee.gov>

Sent: Wednesday, October 16, 2019 11:23:26 AM

To: Salgado, Maria <MSALGA@milwaukee.gov>; Ward, Michael <mward@milwaukee.gov>

Subject: Re: Community Meeting

Good afternoon, yes I will be able to at what time where you planning on heading down there. I just have some follow up that I have to do right now, which should maybe take me an hour or so.

Police Officer Fabian Garcia

Milwaukee Police Department

Community Liaison Officer

District Six-Early Power 11am-7pm

3006 S. 27th Street

(414) 935-7198

From: Salgado, Maria <MSALGA@milwaukee.gov>

Sent: Wednesday, October 16, 2019 8:40 AM

To: Ward, Michael <mward@milwaukee.gov>

Cc: Garcia, Fabian <fgarci@milwaukee.gov>

Subject: RE: Community Meeting

Good morning Officers,

We had a bad situation yesterday with the owners at the Kim's Thai Restaurant. I still need to deliver their Re-inspection report, Re-inspection fee, and probably a citation for intimidating an inspector. Are you available today to go over there with me and a Coordinator?

Thank you so much,

Maria Salgado Weberg, B.S.

Environmental Health Specialist

Pronouns: She • Her • Hers

City of Milwaukee Health Department

Zeidler Municipal Building | 841 N. Broadway, 3rd Floor | Milwaukee, WI 53202

Phone: (414) 286-5767 | Business Cell: (414) 305-3255 | Fax: (414) 286-5990

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From: Ward, Michael
Sent: Thursday, August 1, 2019 9:02 AM
To: Salgado, Maria <MSALGA@milwaukee.gov>
Cc: Garcia, Fabian <fgarci@milwaukee.gov>
Subject: Community Meeting

Hi Maria,

I wanted to say thank you for coming last night. I am sorry I didnt introduce you to the community. I have been sharing your event with whoever i can. We held on to the extra flyers and will be distributing tonight at another event. Where you able to make contact regarding the Garden District night out? Anyways, thanks again and thanks for doing what you do. Have a great day.

Police Officer Michael Ward
District 6, CLO/CPU
Early Power
935-7198

Milwaukee Police Department

749 W. State Street Milwaukee, WI 53233

414-933-4444



Case #:192890110

OtherEvent #: 19-LP-1123

Incident

938 W LAYTON AV Milwaukee, WISCONSIN 53221

Incident Date/Time:: 10/16/2019 15:00:00
CAD Number:: 192891509
District:: 6
Beat:: 630
Reporting Area:: 7318

Business Agent (1)

PANEBOUNE, KHEMPHONE

Person Involvement: (Must choose Agent
AGENT from drop down):
DOB:: 02/07/1967
Sex:: FEMALE
Race:: ASIAN
Phone 1 Number:: (414)-216-1600
Phone 1 Type:: Cell
Address:: 938 W LAYTON AV
City:: Milwaukee
State:: WISCONSIN
Zip Code:: 53221

Licensed Persons Involved (1)

PANEBOUNE, PHIM MA SONE

Person Involvement:: Manager
DOB:: 10/22/1993
Sex:: FEMALE
Race:: ASIAN
Phone 1 Number:: 4142161800
Phone 1 Type:: CELL
Address:: 938 W LAYTON AV
City:: Milwaukee
State:: WISCONSIN
Zip Code:: 53221

Licensed Premise Data (1)

KIM'S THAI RESTAURANT

Phone 1 Number:: (414)-282-8687
Phone 1 Type:: Work
Address:: 938 W LAYTON AV
City:: Milwaukee
State:: WISCONSIN
Zip Code:: 53221
License Type:: Food Dealer
Licensee Notification Was Made:: Yes
Licensee Notified Date/Time:: 10/16/2019 15:30:00

Milwaukee Police Department

749 W. State Street Milwaukee, WI 53233

414-933-4444



Case #:192890110

OtherEvent #: 19-LP-1123

Business Was Cited For Violation:: Yes
Citation Number: (Additional Citations List In Narrative): 6160713-6
Violation/Ordinance Number:: MCO 68-5.3(C)
Licensee was cooperative: (If not explain in narrative): No
Licensee or Manager was on premises at time of violation/incident:: Yes

Narrative (1)

INITIAL INVESTIGATION

Garcia, Fabian 022611

10/18/2019

This report was written by Police Officer Fabian GARCIA assigned to District Six-Early Power, Squad 6264.

On Wednesday, October 16, 2019, at 2:49 pm, I was asked by the Environmental Health Specialist Maria SALGADO to go with her to the address of 938 W. Layton Avenue Kim's Thai Restaurant.

Upon arrival, I was met by SALGADO, who advised me that on October 15, 2016 at approximately 4:10, she and another Health Department employee entered Kim's Thai Restaurant to conduct an inspection. SALGADO stated that as soon as they entered the premise they were met by the owner, Khemphone PANEBOUNE (a/f, 02/07/67) and her husband/employee Surasak MONGKOLMAFAI (a/m, 04/20/72) from the restaurant who began yelling at them and stated that they should be home by 3:30pm. SALGADO said that they told her that she does not know anything about "their" food and only knows about Mexican food. SALGADO stated there were customers in the restaurant during this incident. SALGADO stated there was a customer waiting to order her food but PANEBOUNE and MONGKOLMAFAI just kept screaming and yelling to the point where the customer just left the restaurant. SALGADO stated the employees began saying that SALGADO was just there to take their money. SALGADO stated after they conducted their inspection they sat down to write reports. While they were sitting down conducting their reports MONGKOLMAFAI began kicking the doors which swings open into the kitchen and at one point took off his shirt in a threatening manner.

SALGADO stated that she believes he made a comment in regards that he knows Kung Fu and they did not. SALGADO stated that she and her partner feared for their safety and stated they will be returning to the restaurant with a police escort to issue reports and a citation. SALGADO also stated that this establishment has a history of bullying inspectors and does not feel safe anymore coming to this establishment by herself.

As SALGADO and myself approached the establishment there was a "Close" sign posted on the front entrance door, indicating they were closed at the time. While standing out side for several minutes, PANEBOUNE unlocked the front entrance door for us. PANEBOUNE seemed agitated and began telling us

Milwaukee Police Department

749 W. State Street Milwaukee, WI 53233

414-933-4444



Case #:192890110

OtherEvent #: 19-LP-1123

to go check what we want inside of the restaurant, and answering very limited questions. SALGADO indicated to her that she was not there for an additional inspection but just to drop off reports. PANEBOUNE stated that her daughter Phim Ma Sone PANEBOUNE (a/m, 10/22/93), who is the manager and part owner was on her way.

SALGADO then made contact with Phim Ma Sone and advised her of the results of the inspection that was done and told her about the incident that occurred on yesterdays date. Phim Ma Sone was very apologetic for what occurred and has spoke to her father and mother about their behavior and stated that was unacceptable. Phim Ma Sone was issued a citation (#6160713-6) with a future court date. Phim Ma Sone stated that it's hard for her to be at the restaurant all the time because she attends college. Phim Ma Sone stated she was going to have another talk with her parents regarding there behavior so this incident does not happen again in the future.

This concludes my report.

Officer (2)

Reporting Officer:	Garcia, Fabian (022611)	10/16/2019 17:47:00
Section: (Work Location):	62	
Approving Officer:	Raden, Chad M (010032)	10/26/2019 11:28:22
Section: (Work Location):	27	

MILWAUKEE POLICE DEPARTMENT LICENSING

CRIMINAL RECORD/ORDINANCE VIOLATION/INCIDENTS SYNOPSIS

DATE: 06/15/20

LICENSE TYPE: FOOD DEALER RESTAURANT

NEW:

RENEWAL:

No. 310843

Application Date:

License Location: 938 W. Layton Av.

Business Name: Kim's Thai

Licensee/Applicant: Paneboun, Khemphone
(Last Name, First Name, MI)

Date of Birth: 02/07/67

Home Address: 3840 S. 5th St.

City: Milwaukee

State: WI **Zip Code:** 53221

Home Phone:

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

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

1. On 10/16/19 Milwaukee Police were dispatched to escort the City of Milwaukee Health Department to Kim's Thai, located at 938 W. Layton Av. On arrival the health inspector advised officers that she conducted an inspection on 10/15/19 and was met with hostility and threats by the owner and her husband/manager. This caused the health inspector to fear for her safety, therefore, she requested police to assist her in issuing her reports and citation. They were met by the agent's daughter (Phim Ma Sone PANEBOUNE) who was very apologetic and stated she would speak to her parents about their behavior.

Milwaukee Police Department

749 W. State Street Milwaukee, WI 53233

414-933-4444



Case #: 192890110

OtherEvent #: 19-LP-1123

Incident

938 W LAYTON AV Milwaukee, WISCONSIN 53221

Incident Date/Time:: 10/16/2019 15:00:00
CAD Number:: 192891509
District:: 6
Beat:: 630
Reporting Area:: 7318

Business Agent (1)

PANEBOUNE, KHEMPHONE

Person Involvement: (Must choose Agent
AGENT from drop down): Agent
DOB:: 02/07/1967
Sex:: FEMALE
Race:: ASIAN
Phone 1 Number:: (414)-216-1600
Phone 1 Type:: Cell
Address:: 938 W LAYTON AV
City:: Milwaukee
State:: WISCONSIN
Zip Code:: 53221

Licensed Persons Involved (1)

PANEBOUNE, PHIM MA SONE

Person Involvement:: Manager
DOB:: 10/22/1993
Sex:: FEMALE
Race:: ASIAN
Phone 1 Number:: 4142161600
Phone 1 Type:: CELL
Address:: 938 W LAYTON AV
City:: Milwaukee
State:: WISCONSIN
Zip Code:: 53221

Licensed Premise Data (1)

KIM'S THAI RESTAURANT

Phone 1 Number:: (414)-282-8687
Phone 1 Type:: Work
Address:: 938 W LAYTON AV
City:: Milwaukee
State:: WISCONSIN
Zip Code:: 53221
License Type:: Food Dealer
Licensee Notification Was Made:: Yes
Licensee Notified Date/Time:: 10/16/2019 15:30:00

Milwaukee Police Department

749 W. State Street Milwaukee, WI 53233
414-933-4444



Case #:192890110

OtherEvent #: 19-LP-1123

Business Was Cited For Violation:: Yes
Citation Number: (Additional Citations List In Narrative): 6160713-6
Violation/Ordinance Number:: MCO 68-5.3(C)
Licensee was cooperative: (If not explain in narrative): No
Licensee or Manager was on premises at time of violation/incident:: Yes

Narrative (1)

INITIAL INVESTIGATION

Garcia, Fabian 022611

10/18/2019

This report was written by Police Officer Fabian GARCIA assigned to District Six-Early Power, Squad 6264.

On Wednesday, October 16, 2019, at 2:49 pm, I was asked by the Environmental Health Specialist Maria SALGADO to go with her to the address of 938 W. Layton Avenue Kim's Thai Restaurant.

Upon arrival, I was met by SALGADO, who advised me that on October 15, 2016 at approximately 4:10, she and another Health Department employee entered Kim's Thai Restaurant to conduct an inspection. SALGADO stated that as soon as they entered the premise they were met by the owner, Khemphone PANEBOUNE (a/f, 02/07/67) and her husband/employee Surasak MONGKOLMAFAI (a/m, 04/20/72) from the restaurant who began yelling at them and stated that they should be home by 3:30pm. SALGADO said that they told her that she does not know anything about "their" food and only knows about Mexican food. SALGADO stated there were customers in the restaurant during this incident. SALGADO stated there was a customer waiting to order her food but PANEBOUNE and MONGKOLMAFAI just kept screaming and yelling to the point where the customer just left the restaurant. SALGADO stated the employees began saying that SALGADO was just there to take their money. SALGADO stated after they conducted their inspection they sat down to write reports. While they were sitting down conducting their reports MONGKOLMAFAI began kicking the doors which swings open into the kitchen and at one point took off his shirt in a threatening manner.

SALGADO stated that she believes he made a comment in regards that he knows Kung Fu and they did not. SALGADO stated that she and her partner feared for their safety and stated they will be returning to the restaurant with a police escort to issue reports and a citation. SALGADO also stated that this establishment has a history of bullying inspectors and does not feel safe anymore coming to this establishment by herself.

As SALGADO and myself approached the establishment there was a "Close" sign posted on the front entrance door, indicating they were closed at the time. While standing out side for several minutes, PANEBOUNE unlocked the front entrance door for us. PANEBOUNE seemed agitated and began telling us

Milwaukee Police Department

749 W. State Street Milwaukee, WI 53233

414-933-4444



Case #:192890110

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to go check what we want inside of the restaurant, and answering very limited questions. SALGADO indicated to her that she was not there for an additional inspection but just to drop off reports. PANEBOUNE stated that her daughter Phim Ma Sone PANEBOUNE (a/m, 10/22/93), who is the manager and part owner was on her way.

SALGADO then made contact with Phim Ma Sone and advised her of the results of the inspection that was done and told her about the incident that occurred on yesterdays date. Phim Ma Sone was very apologetic for what occurred and has spoke to her father and mother about their behavior and stated that was unacceptable. Phim Ma Sone was issued a citation (#6160713-6) with a future court date. Phim Ma Sone stated that it's hard for her to be at the restaurant all the time because she attends college. Phim Ma Sone stated she was going to have another talk with her parents regarding there behavior so this incident does not happen again in the future.

This concludes my report.

Officer (2)

Reporting Officer:	Garcia, Fabian (022611)	10/16/2019 17:47:00
Section: (Work Location):	62	
Approving Officer:	Raden, Chad M (010032)	10/26/2019 11:28:22
Section: (Work Location):	27	



Thursday, July 02, 2020



Notice of Public Hearing

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notice

PANEBOUNE, Khemphone, Agent
Kim's Thai Restaurant at 938 W Layton Av
Food Dealer License Renewal Application

Tuesday, July 14, 2020 at 11:25 AM

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 7/14/2020 at 11:25 AM. 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	1007A W LAYTON AVE 3	MILWAUKEE, WI 53221
CURRENT OCCUPANT	1007A W LAYTON AVE 4	MILWAUKEE, WI 53221
CURRENT OCCUPANT	1007 W LAYTON AVE 6	MILWAUKEE, WI 53221
CURRENT OCCUPANT	1007 W LAYTON AVE 5	MILWAUKEE, WI 53221
CURRENT OCCUPANT	1007 W LAYTON AVE 7	MILWAUKEE, WI 53221
CURRENT OCCUPANT	1007A W LAYTON AVE 2	MILWAUKEE, WI 53221
CURRENT OCCUPANT	1202 W LAYTON AVE	MILWAUKEE, WI 53221
CURRENT OCCUPANT	1007 W LAYTON AVE 1	MILWAUKEE, WI 53221
blank	notice	

Total Records: 8

Radius: 250.0 feet and Center of Circle: 938 W Layton Ave



FOOD DEALER LICENSE SUPPLEMENTAL Renewal APPLICATION

Office of the City Clerk License Division
200 E. Wells St. Room 105, Milwaukee, WI 53202
(414) 286-2238 license@milwaukee.gov www.milwaukee.gov/license

PANEBOUNE, Khemphone, Agent
Thainakorn, LLC
3840 S 5TH ST
Milwaukee WI 53207

License # FREST 13159 Fee: \$1,250.00

SECTION 1 - CHANGES TO THE PLAN OF OPERATION?

Are there any changes to the current hours of operation? No Yes

If yes, describe: SUN 5:00 pm - 8:00 pm, MON - SAT 11:00 Am - 8:30 pm

Your current hours of operation are listed on your current license.

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.

Are there any changes in your plans to address litter, noise, and/or security? No Yes

If yes, describe: _____

Are there any changes to your current plan of operation or floor plan*? No Yes

If yes, describe: _____

*If there are changes to the floor plan, a new floor plan must be submitted with this renewal application. A sample plan can be found online at www.milwaukee.gov/licenses under License Forms and Related Information. However, a "Permanent Extension of Premises Application" is required if you are adding any square footage to the licensed premises.

SECTION 2 - ACKNOWLEDGEMENT & SIGNATURE

Your current food license includes the following business operations: **DHS - MODERATE, Restaurant, Sales \$200,001 - \$2,000,000**
Except for any changes listed in Section 1 or 2 above, I confirm that no changes are being made to the business operations for the next renewal period.

Signature of Sole Proprietor; a Partner; or if a Corporation or LLC, the Agent must sign

ALSO COMPLETE REVERSE SIDE