



CITY OF MILWAUKEE  
OFFICE OF THE CITY CLERK

Friday, July 02, 2021

COMMITTEE MEETING NOTICE

AD 14

TRIMMEL, Rita A, Agent  
Speedway LLC  
P.O. Box 1580 License Dept.

Springfield, OH 45501

You are requested to attend a hearing which is to be held in Common Council chamber, Third Floor, City Hall on:

**Wednesday, July 07, 2021 at 08:45 AM**

**Regarding:** Your Extended Hours Establishments License Renewal Application as agent for "Speedway LLC" for "Speedway #4025" at 369 E Oklahoma 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 notice, please contact the License Division at (414) 286-2238.



July 1, 2021

**VIA E-MAIL**

**jowcza@milwaukee.gov**  
Mr. James Owczarski, City Clerk  
City of Milwaukee  
City Hall – Room 205  
200 East Wells Street  
Milwaukee, WI 53202

**RE: *Speedway LLC / City of Milwaukee, WI – Licensing Matters for Speedway Store #4025 at 369 East Oklahoma Avenue***

**SUBJ: Common Council File No. 210445: Motion relating to the Extended Hours Establishment license for Rita Trimmel, agent for Speedway LLC dba “Speedway #4025” for the premises located at 369 E. Oklahoma Ave. in the 14th aldermanic district.**

Dear Mr. Owczarski:

As you know, we serve as co-counsel with respect to Speedway, LLC’s application for an Extended Hours Establishment license. This letter is filed on behalf of Speedway in connection with the above-referenced matter and in conjunction with Michael Murray, Speedway’s counsel of record in Milwaukee County Circuit Court Case No. 21-CV-2792.

Speedway respectfully requests that the Common Council grant an Extended Hours Establishment license for its overnight operations at 369 East Oklahoma Avenue in the 14th District.

Since the application was considered earlier this year, Speedway has had open and direct dialogue through ongoing discussions with Ald. Dimitrijevic, Milwaukee Police Department District 6 officers, and City staff. Speedway has also enhanced its existing security system features at the store including the installation of additional exterior security cameras on the exterior of the building. A secure enclosure was custom-designed and constructed inside the store for the safety of Speedway’s employees and point-of-sale operations. Finally, Speedway

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has maintained the security officer presence at the store and it is committed to continuing that service during the key overnight hours 7 days per week.

These details and commitments are set forth in Speedway's Supplemental Plan of Operation dated June 18, 2021 that accompanies this letter. We previously presented the document to the Community Liaison Officers at Milwaukee Police Department District 6 as well as Ald. Dimitrijevic and confirmed that Speedway has fulfilled all of its terms.

We therefore request that the Supplemental Plan of Operation be placed in the file and entered into the record by the Licenses Committee.

Finally, Speedway expressly waives its right to the required 7 days' notice in order for the hearing to be held on July 7th for the Common Council to consider the Extended Hours Establishment license application.

We appreciate the Common Council's consideration of the requested license so that Speedway may reinstate all of the employee shifts and fully serve its customers and the community at this store.

Please do not hesitate to contact me should you or any other City official have questions, wish to discuss, or need anything further from us.

Very truly yours,

Davis & Kuelthau, s.c.



Brian C. Randall

BCR:las  
Attachment

cc: All Via E-Mail (w/ Attachment)  
Ald. Marina Dimitrijevic – 14th District  
Tyrone St. Junior, Esq. – Assistant City Attorney  
Mr. Jim Cooney – License Division Manager  
Erin A. Moosbrugger, Esq. – Speedway, LLC  
Michael S. Murray, Esq. – Kasdorf, Lewis & Swietlik S.C.  
Henry P. Twomey, Esq. – Kasdorf, Lewis & Swietlik S.C.  
Katherine M. Hampel, Esq. – Davis & Kuelthau, s.c.

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Tyrone St. Junior, Esq. – Assistant City Attorney  
Mr. Jeff Shullaw – Midwest Medical Transport Company, LLC\_\_



## Supplemental Plan of Operation

Speedway Store 4025  
369 East Oklahoma Avenue  
Milwaukee, WI

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Speedway LLC submits this supplemental plan of operation in connection with the renewal application materials on file for its Extended Hour Establishment License for the above-referenced store as follows:

1. A custom security enclosure has been installed inside of the store to ensure the safety of its employees and point-of-sale operations.



2. Speedway has enhanced its security system and equipment at the store, including by installing additional exterior security cameras on the west facade of the building.
3. As part of the safety plan for its customers and employees, Speedway contracted with a third-party professional security provider to staff the store with licensed, bonded and insured security officers who are either off-duty or retired law enforcement personnel. For its Extended Hour Establishment operations, the security will be present seven nights per week between the hours of 12:00 a.m. to 4:00 a.m. which is the appropriate timeframe given the incident history and feedback from the Milwaukee Police Department.
4. Speedway will continue the open and ongoing contact with MPD District 6 officers.
5. The City's direct contact for a Speedway company executive generally – and the store specifically – is Region Manager Rich Yost: 630-777-8914 and [RTYost@Speedway.com](mailto:RTYost@Speedway.com).

Respectfully submitted June 18, 2021,

Speedway LLC by Erin Moosbrugger, Senior Attorney  
Davis & Kuelthau, s.c. by Brian C. Randall, Attorney for Licensee



## BUSINESS LICENSE RENEWAL PLAN OF OPERATION

Office of the City Clerk License Division  
200 E. Wells St. Room 105, Milwaukee, WI 53202

Licenses to be Renewed	Renewal Fee(s)	
Food Dealer - 10622	\$1,325.00	Expiration Date: 1/31/2021 File By Date: 10/15/2020 Date Late Fee Begins: 10/16/2020 Late Fee Amount: \$75.00
Extended Hours - 199141	\$225.00	
Filling Station - 1279	\$250.00	
Cigarette & Tobacco - 1028938	\$100.00	
Weights & Measures - 4677 5554	\$130.00 \$1,440.00	
Sidewalk Dining -		
<b>TOTAL DUE</b>	<del>\$3,220.00</del>	$\$3470 + \$75 = \$3545$

Legal Entity Name: **Speedway LLC**

Premises Address: **369 E OKLAHOMA AV**

### Changes Since Last Application?

Are there any changes in your plans to address litter, noise, and/or security?  No  Yes If yes, describe: \_\_\_\_\_

Are there any changes to the hours of operation (as listed on your current license)?  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](http://www.milwaukee.gov/licenses) under License Forms and Related Information.

### Weights & Measures Licensees Only

Number/Type of Devices:

Scanners = 3 Or Less 5554

Are there any changes to the number or types of devices?  No  Yes If yes, contact our office for further instructions.

### Food Dealer Licensees Only

Your current food license includes the following business operations: **Processing, Hazardous Foods, Sales \$200,001 - \$2,000,000, Convenience - Gas Station**

Are there any changes to your plan of operation (for example, adding processing, changing sales amount or complexity, etc.)?  No  Yes

If yes, you must complete a "Request to Modify Food Establishment/Food Operation Plan" which can be obtained at [www.milwaukee.gov/licenses](http://www.milwaukee.gov/licenses) under "Forms and Related Information" or by contacting our office.

### All Applicants: Signature

X

Rita A. Trimmel, Agent for Speedway LLC

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