

Jeff Pawlinski
Alderman, 13th District

CHAIR:
Utilities & Licenses Committee

COMMITTEES:
Zoning, Neighborhoods and Development
Steering & Rules
Anti Graffiti Policy
Administrative Review Appeals Board
Resolutions Committee - League
of Wisconsin Municipalities



July 9, 2002

To the Honorable, the Common Council:

Re: File Number 020117 **Nonrenewal of a Class "D" bartender license** for Musa R. Saleh (Committee vote: Ayes: 4, Noes: 0) (no written exceptions have been filed)

With regard to the item listed above, the Utilities and Licenses Committee held an evidentiary hearing on July 2, 2002.

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 matter to your Honorable Body.

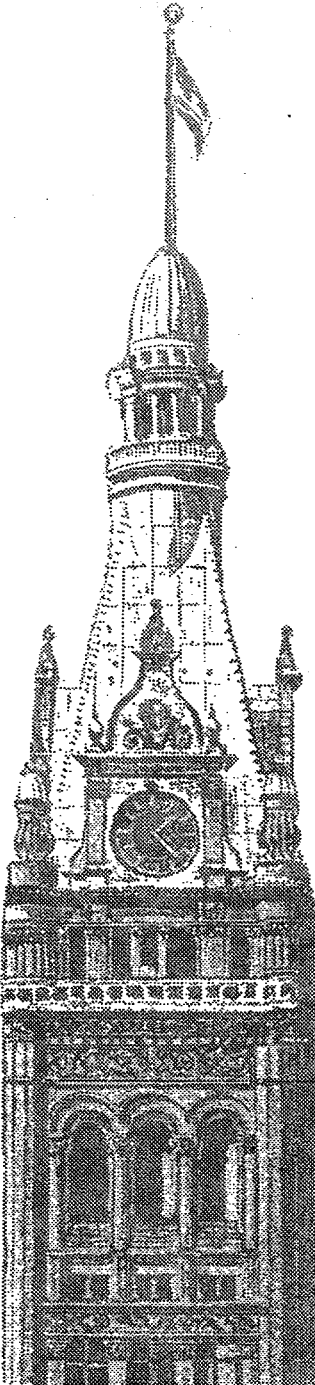
Pursuant to City Ordinances, prior to the time the Common Council acts on the Committee's Report, **a roll call vote will be taken** to confirm that all members present and voting have read the Committee's Report and any objections that have been filed by the Licensee.

This matter has been scheduled for a hearing before the full Common Council at its meeting on Tuesday, July 16, 2002, at 9:30 A.M. in the Common Council Chambers.

Respectfully,

JEFFREY A. PAWLINSKI, Chair
Utilities & Licenses Committee

JAP:BS:crr
ulrecomm
Attachment
cc: City Attorney's Office
License Division
Milwaukee Police Department-
License Administration
All Council Members
File No. 020117





www.milwaukee.gov

Office of the City Clerk

Ronald D. Leonhardt
City Clerk

Carolyn Hill Robertson
Deputy City Clerk

July 3, 2002

Musa R. Saleh
4261 South Clement Avenue
Milwaukee, WI 53207

Dear Ms. Saleh:

You are hereby notified that the Milwaukee Common Council will hold a hearing on July 16, 2002 commencing at 9:30 a.m., or as soon thereafter as this matter may be heard, in the Common Council Chambers on the third floor of City Hall, 200 East Wells Street, Milwaukee, Wisconsin 53202 to consider the Class "D" Bartender License Renewal Application of Musa R. Saleh.

Attached you will find a copy of the Report of the Utilities and Licenses Committee which includes their Findings of Fact, Conclusions of Law and Recommendation, recommending non-renewal of the Class "D" Bartender License. The recommendation is the result of a public hearing before the Committee held on July 2, 2002 and your nonappearance before said Committee.

You may file a written objection to the Report of the Utilities and Licenses Committee and shall have the opportunity to present arguments in writing supporting that objection to the Common Council. Any written objections to the Committee's Report must be filed with the City Clerk at least two (2) days prior to the above-mentioned date set for hearing by the Common Council. You or a legal representative may also appear at the Common Council meeting and request an opportunity to address the Common Council for approximately five (5) minutes to present an oral argument on your own behalf.

Respectfully,

RONALD D. LEONHARDT
City Clerk

Enclosure
55237

Date: July 3, 2002

To: All Members of the Milwaukee Common Council

From: Utilities and Licenses Committee

Re: Report on the Renewal Application of the Class "D" Bartender License of Musa R. Saleh.

FINDINGS OF FACT

1. Musa R. Saleh (hereinafter the "Licensee") is the holder of a Class "D" Bartender License in the City and County of Milwaukee, Wisconsin. Said license expired at midnight, December 31, 2001.
2. An untimely application to renew said license was filed with the Office of the City Clerk on June 7, 2002.
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. On June 10, 2002, the Milwaukee Police Department responded with a police report that created a basis for non-renewal of said license.
4. On June 29, 2002, 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 report of the Milwaukee Police Department and included therewith a copy of the Milwaukee Police Department report. The matter was scheduled for a hearing on the Police Department report on July 2, 2002, commencing at 9:30 a.m. in Room 301B of City Hall. At said date, time and place, the Licensee failed to appear at the hearing.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
 - A. Notice of hearing was sent to Musa R. Saleh at 4261 South Clement Avenue, Milwaukee, WI 53207 on June 20, 2002 by the Office of the City Clerk. This was the address given by the licensee as her home address. It was sent in an envelope with the return address of the License Division. It was sent by United States prepaid mail. The envelope containing the notice was not returned to the License Division. The Licensee failed to appear at the hearing on July 2, 2002.

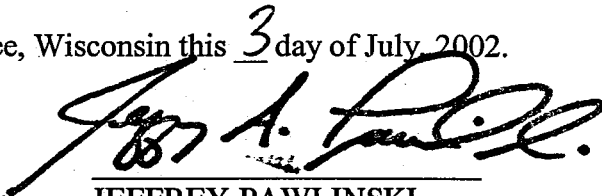
CONCLUSIONS OF LAW

1. The Committee has jurisdiction to hold hearings and provide Findings of Fact, 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 recommends that the Class "D" Bartender license of Musa R. Saleh not be renewed because of non-appearance.

RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of four (4) ayes to zero (0) noes, recommends that the Class "D" Bartender License of Musa R. Saleh not be renewed based on non-appearance.

Dated and signed at Milwaukee, Wisconsin this 3 day of July 2002.

A handwritten signature in black ink, appearing to read "Jeffrey A. Pawlinski", written over a horizontal line.

JEFFREY PAWLINSKI
Chairman of the Utilities
and Licenses Committee