

CITY OF MILWAUKEE OFFICE OF THE CITY CLERK

Thursday, November 19, 2015

COMMITTEE MEETING NOTICE

AD 06

EL-HASSAN, Mohammad I, Agent KRAYEM, INC 416 E NORTH AV

MILWAUKEE, WI 53202

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

Tuesday, November 24, 2015 at 08:45 AM

Regarding:

Your Class A Fermented Malt Beverage Retailer's License Renewal Appropriation as agent for "KRAYEM, INC" for "QUICK STOP FOODS" at 416 E NORTH 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

RV. Jason Schunk

Jason Schunk 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

MILWAUKEE POLICE DEPARTMENT LICENSE INVESTIGATION UNIT

CRIMINAL RECORD/ORDINANCE VIOLATION/INCIDENTS SYNOPSIS

DATE: 09/01/2015

LICENSE TYPE: CLASS A MALT

No. 217028

NEW:

Application Date: 08/31/2015

RENEWAL: X

Expiration Date:

License Location: 416 E North Ave

Aldermanic District: 06

Business Name: Quick Stop Foods

Licensee/Applicant: El Hassan, Mohammad I

(Last Name, First Name, MI)

Date of Birth: 6-28-1972

Male: x

Female:

Home Address: 3815 S 5th PI

City: Milwaukee

State: Wi

Zip Code: 53207

Home Phone: 414-383-9272

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 12/02/1999 the applicant was arrested for Battery and Disorderly Conduct. No Further Information Available

Charge

Battery (Misdemeanor)

Disorderly Conduct Misdemeanor)

Finding

Guilty-Amended to Disorderly Conduct, (Forfeiture) Circuit Court

Guilty

Sentence

Fined

Fined \$200.00 plus 60 Days H.O.C., 9 Months Probation

Date

02/16/2000

Case

99CM011812

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RE: El-Hassan, Mohammad I

2. On 01/01/2003 at 3:18 PM officers responded to the licensed premises at 416 E North regarding trouble with a customer. Investigation revealed that a customer had been causing trouble and was kicked out of the store. The customer, however, states that he was battered by a store employee. When officers tried to check the store video tape, the machine had run out of tape and the incident was not recorded. (The store employee, Hassan I El-Hassan was convicted 03/26/2003 for Disorderly Conduct. The applicant was cited for Convenient Store Security Camera Required.

Charge

Convenient Store Security Camera Required

Finding

Guilty, Municipal Court

Sentence

Fined \$165.00 02/27/2003

Date Case

03017321

- 3. On 03/14/2003 at 4:30 PM a 20 year old police-aide, under the direction of police officers purchased a 12-pack of beer from a clerk at the licensed premises at 416 E North Av. The clerk, Mustafa MOUNIR was convicted of Sale to Underage on 05/08/2003 and fined \$100.00. The applicant was not cited.
- 4. On 10-29-2003 an underage Milwaukee police aide enter Quick Stop Foods at 416 E North Ave., at the direction of Milwaukee police officers. The aide was able to purchase a 4 pack of Miller High Life from the clerk, Michael G Yarbrough. The clerk was charged with the following:

Charge

Sale To Underage

Finding

Guilty

Sentence

\$100.00

Date

12-18-2003

Case

03163689

5. On 4-16-2005 at 6:45pm, an underage Milwaukee police aide entered Quick Stop Foods, 416 E North Ave., at the direction of Milwaukee police officers. The aide was able to purchase 4 6 packs of beer from the cashier Christina D Edwards, who did not possess a Class d Bartenders license.

The Licensee, Mohammad I El Hassan was charged with the following:

Charge

Sale To Underage

Finding:

Dismissed w/o prejudice

Case

05052017

The Cashier, Christina D Edwards was charged with the following:

Charge

Class D Bartenders License Required

Finding

Guilty

Sentence

@0.40.00

Date

\$343.00

O

6-9-2005

Case

05051996

Item #5 previously reported, disposition now added.

6. On 07/22/06, Milwaukee Police were conducting sales of tobacco products sold to underage persons. Officers sent in an underage person to 416 E North Avenue and the underage was able to purchase tobacco without being asked for ID. The clerk was identified as Mohammad El-Hassan and he received a citation for Sale Tobacco Product to Minor. The citation was dismissed by the city attorney.

7. On 10/27/12, Milwaukee police were working the Wisconsin WINS Tobacco Initiative and had an underage student enter 416 E North Avenue in attempts to purchase tobacco products. The student was able to purchase a Swisher Sweet cigar without being asked for ID. The clerk was identified as Mohammad El-Hassan and El-Hassan was cited for the violation.

Charge:

Sale of Cigarette To Underage/Minor

Finding:

Guilty

Sentence:

Fined \$171.00

Date:

12/20/12

Case:

12125737

- 8. On 06/02/13 at 12:30 pm, Milwaukee police conducted a Licensed Premise Check at 416 E North Avenue. No violations were observed and officers provided Mohammad El-Hassan a copy of MCO Chapter 92, as well as a copy of the NEWPRS manual.
- 9. On 07/13/13, Milwaukee police were working the Wisconsin WINS Tobacco Initiative and had an underage student enter 416 E North Avenue in attempts to purchase tobacco products. The student was able to purchase a pack of Newport cigarettes without being asked for ID. The clerk was identified as Mohammad El-Hassan and El-Hassan was cited for the violation.

Charge:

Sale of Cigarette To Underage/Minor

Finding:

Guilty

Sentence:

Fined \$171.00

Date:

09/10/13

Case:

13075008

10. On 08/09/2013 the applicant was cited at 3815 South 5th Place in the city of Milwaukee for Building Code Violations.

Charge:

Building Code Violations

Finding:

Guilty

Sentence:

\$150.00 fine

Date:

09/10/2014

Case:

14054067

11. On 12/13/2014 a 17 year old, working in conjunction with Milwaukee police, was able to purchase two Swisher Sweet cigars from the cashier at 416 East North Avenue. The applicant was cited.

Charge:

Sale of Cigarettes to Minor/Underage

Finding:

Guilty

Sentence:

\$260.00 fine

Date:

02/11/2015

Case:

15000904

PA-33E (Rev. 1/14)

MILWAUKEE POLICE DEPARTMENT

REPORT OF INCIDENTS INVOLVING LICENSED PERSONS OR PREMISES

TO: Regina M. HOWARD Business Name: Quick Stop Foods Address of Licensed Premises: 416 E. North Ave. District: 5 Business Phone: 414-265-5500 Type of License: Class A ∀ Violation / Incident # Date of Incident: 12/13/14 Licensee or Manager on premises at time of violation / incident? Yes No Licensee cooperative? X Yes No (if no, explain in narrative section) Licensee Notified by Officer: P.O. Dean DRAJKOWSKI Date: 12/13/14 Time: 1005 Licensee or Agent's Name: EL-HASSAN, Mohamad I. Home Address: $3815 \text{ S. } 5^{\text{th}} \text{ Pl.}$ Date of Birth: 06/28/72 Home Phone: 414-469-4792 Co-Licensee Name: Date of Birth: Home Address: Home Phone: Class S License Number: Bartender Name: Date of Birth: Home Address: Home Phone: Class D License Number: Licensed Person / Public Pass. Vehicle, etc.: EL-HASSAN, Hassan I. Date of Birth: 09/19/77 Home Address: 3815 S. 5th Pl. Home Phone: Class D License Number: <u>VIOLATION/INCIDENT - DESCRIBE FACTS AND CIRCUMSTANCES IN NARRATIVE SECTION</u> Name of Person Cited: EL-HASSAN, Mohamad I. Date of Birth: 06/28/72 Citation Number: 48970711090 Court Date: 01/30/15 Violation & Ord. / Statue No.: 106-30-2-a Tobacco Name of Person Cited: Date of Birth: Citation Number: Violation & Ord. / Statue No.: Court Date: Name of Person Cited: Date of Birth: Citation Number: Violation & Ord. / Statue No.: Court Date: Name of Person Cited: Date of Birth: Citation Number: Violation & Ord. / Statue No.: **Court Date:** Name of Person Cited: Date of Birth: Citation Number: Violation & Ord. / Statue No.: Court Date: District / Bureau: 27 Investigating Officer: P.O. Dean DRAJKOWSKI Date: 12/15/14 Commanding Officer Date **DISPOSITION - FOR LICENSING ONLY** Citation No. **Case Number** Disposition Judge **Date**

PA-33E Narrative

This report was written by P.O. Dean DRAJKOWSKI assigned to the License Unit day shift.

On Saturday, December 13, 2014, I was assigned to the Wisconsin WINS Youth Tobacco Initiative, which checks area vendors for age compliance tobacco purchases. I was working with Xavier T. ASHFORD, B/M, 04-07-97, of 618 W. Locust St., phone #262-617-1811, who is 17 years old and not of legal age to purchase tobacco. A photo of ASHFORD was taken at the beginning of the assignment for identification.

At about 10:05 AM, ASHFORD entered the Quick Stop Foods located at 416 E. North Ave. and purchased two Swisher Sweets grape cigars for \$0.99. ASHFORD provided a description of the cashier that sold him the tobacco. I entered the store and identified the cashier as Hassan I. EL-HASSAN, A/M, 09-19-77, of 3815 S. 5th Pl. EL-HASSAN admitted selling tobacco to ASHFORD. EL-HASSAN stated ASHFORD looked at least 20 years old and old enough to purchase tobacco. EL-HASSAN stated he did not check ASHFORD for id. EL-HASSAN stated his brother is the owner of the store.

The licensec/agent for Quick Stop Foods was Mohamad I. EL-HASSAN, A/M, 06-28-72, of 3815 S. 5th Pl. EL-HASSAN was issued a citation for adult sell tobacco to person under 18.

2015-2016 Plan of Operation for 416 E NORTH AV

| 1. Litter and Noise |
|--|
| How are the grounds kept clean? Sweep Pressure Wash Pick Up Litter Other: |
| How often will grounds be cleaned? Daily Weekly Other: |
| Grounds Cleaned By: Licensee Building Owner Employees Hired Maintenance Other: |
| How are noise issues prevented and/or addressed? Security Manager approaches customer(s) Call Police Signs Posted Other: |
| 2. Smoking and Sanitation |
| Are there designated outdoor smoking areas? No Yes If yes, describe the area(s) and provide location(s): |
| Number of Garbage Cans: Inside: 1 Locations: By Front Counter. |
| Outside: Locations: 10 front of Store |
| Is a Crowd Control Barrier used? No Yes If yes, describe: |
| Describe sanitation facilities (restrooms): / restroom at back of store |
| Provide name of solid waste contractor: Advanced Disposal |
| 3. Security |
| Are there parking spaces on the premises? No Yes If yes, number of spaces: and describe security provisions: |
| Are there designated loading areas? No Yes If yes, describe security provisions |
| Do you have security personnel on the premise? No Yes If yes, how many? |
| AND What are their responsibilities? |
| What security equipment do they use? |
| List their licensing, certification or training credentials: |
| Are there security cameras? No Yes If yes, list all locations: 2 inside front & bock, 1 Outside |
| Are searches and/or identification checks conducted upon entry? No Yes If yes, describe: |
| 4. Percentage of Sales (must total 100%) |
| Alcohol 35 % Food Sales 45 % Entertainment 0 % Other 20 % |
| 5. Businesses On The Premise (choose all that apply): |
| Full Service Restaurant Cafe/Coffee Shop Deli or Fast Food Rest. Private/Fraternal/Veterans' Club |
| ☐ Night Club ☐ Tavern ☐ Cocktail Lounge ☐ Teen Club |
| ☐ Bowling Alley ☐ Hotel ☐ Banquet Hall ☐ Sports Facility |
| ☐ Liquor Store ☐ Convenience Store ☐ Convenience Store |
| Gas Station Other |
| 6. Hours of Operation and Age Restriction |
| Are there any changes to the current hours of operation or age restriction? V No Yes If yes, describe |
| 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. Your hours of operation and age restriction are listed on your current license. |
| 7. Floor Plan |
| Are there any changes to the current floor plan? V No Yes If yes, describe |
| AND submit a new floor plan with this application. Changes in floor plan include changing the location of tables, games, etc. within your current licensed premises. If your changes include adding any additional areas or square footage to your premises, or any renovations to the building will be done, a Permanent Extension of Premises application must be filed. |