

CHAIR

- Licenses Committee

MEMBER

- Community and Economic Development Committee
- Steering and Rules Committee



TONY ZIELINSKI
ALDERMAN, 14TH DISTRICT

December 11, 2015

To the Honorable, the Common Council

Dear Members:

Re: Common Council File Number 151023

Attached is the written objection to file number 151023, Motion relating to the recommendations of the Licenses Committee relative to licenses, relating to the recommendation of:

Nonrenewal, based upon neighborhood, applicant and aldermanic testimony, the threat to the safety, health, and welfare of the community, poor condition of the store, and the unwillingness to cooperate with the community, of the Food Dealer license for Asad Mustafa for the premises located at 3627 W Lisbon Ave ("Ashraf Foods") in the 15th aldermanic district.

This matter will be heard by the full Council at its Tuesday, December 15, 2015 meeting. Pursuant to City Ordinances, a roll call vote will be taken to confirm that all members have read the attached statement and materials.

Respectfully,

A handwritten signature in black ink that reads "Tony Zielinski". The signature is written in a cursive, flowing style.

Tony Zielinski, Chair
Licenses Committee

cc: All Council Members
City Attorney's Office
Common Council/City Clerk – License Division
CCF 151023





AHMAD & GUERARD, LLP

Attorneys at Law

Date: December 8, 2015

TO: Members of the Milwaukee Common Council via City Clerk

(jowcza@milwaukee.gov; molly.kuether@milwaukee.gov)

From: Asad Mustafa by and through his Attorney Jeffrey J. Guerard

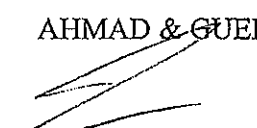
Re: Nonrenewal of Food Dealer's license for Asad Mustafa for the premise located at 3627 W. Lisbon Avenue.

OBJECTIONS TO THE LICENSES DECEMBER 1, 2015 REPORT

1. Under "Recommendations" the report states there were 5 ayes and 0 noes on the vote for nonrenewal. This is incorrect. The vote was actually 4 ayes and 1 no with Alderman Puente voting against the motion for nonrenewal.
2. The Licenses Committee reports that the license is being non-renewed because the location is a threat to the "health, safety and welfare of the community." There is nothing in the record to indicate that the store is such a threat. The alderman testified at the hearing that the store was dirty and in poor condition. However, the Department of Neighborhood Services has no holds on the property and there are no work orders or other violations at the property. According to the Department of Neighborhood Services' standards the property is not a threat to the health, safety or welfare of the community.
3. The Committee also based its decision on neighborhood objection. While there was neighborhood objection, there was also a significant amount of neighborhood testimony in support of the license. Anthony Robinson, Aaron Terrance and Nyisha Givens all gave testimony that was in support of license. The Committee's Findings of Fact do not adequately state the testimony in support these three individuals offered.
4. The Applicant respectfully requests the Common Council renew the license with a warning letter or alternatively with a suspension.

Sincerely,

AHMAD & GUERARD, LLP



Jeffrey J. Guerard