

COMMITTEE ASSIGNMENTS

CHAIR

- Licenses Committee

VICE CHAIR

- Community and Economic Development Committee

MEMBER

- Steering and Rules Committee



TONY ZIELINSKI
ALDERMAN, 14TH DISTRICT

January 9, 2017

To the Honorable, the Common Council

Honorable Members:

Common Council File Number 160713 contains the following recommendations:

Nonrenewal, based upon the second nonappearance of the Class D Operator's license for Robert Kriskovic.

Nonrenewal, based upon the second nonappearance of the Class D Operator's license for Michael Stikl.

Nonrenewal, based on neighborhood testimony of the Class A Malt & Class A Liquor license for Nael Jabbar for the premises located at 2643 W Atkinson Ave ("Hot Spot Supermarket") in the 1st aldermanic district.

Renewal, with a ten (10) day suspension, based upon not maintaining the property resulting in injury of the Filling Station, Food Dealer, and Weights & Measures license(s) for Mohammad Afzal for the premises located at 1203 E Oklahoma Ave ("Clark") in the 14th aldermanic district.

Respectfully,

A handwritten signature in black ink that reads "Tony Zielinski".

Tony Zielinski, Chair
Licenses Committee

cc: All Council Members
File 160713

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TONY ZIELINSKI
ALDERMAN, 14TH DISTRICT

Date: January 6, 2017

To: All Members of the Milwaukee Common Council

From: Licenses Committee

Re: Report on the Renewal Application of the Class "D" Operator's License of Robert M. Kriskovic

FINDINGS OF FACT

1. Robert M. Kriskovic (hereinafter the "Licensee") is the holder of a Class "D" Operator's License in the City and County of Milwaukee, Wisconsin. Said license expired on December 31, 2016.
2. An application to renew said license was thereafter filed with the Office of the City Clerk.
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. The Milwaukee Police Department responded with a police report that could form a basis for nonrenewal or suspension of said license.
4. On December 21, 2016 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 January 4, 2017 at 1:00 p.m. in Room 301B of City Hall. At said date, time and place, the Licensee did not appear.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
 - A. A notice of the hearing as well as a copy of the police report was sent to Robert M. Kriskovic, 11106 West Forest Home Avenue, Franklin, WI 53132 on December 21, 2016 by U.S. prepaid first-class mail in an envelope bearing the return address of the License Division. The address of 11106 West Forest Home Avenue, Franklin, WI 53132 is the address given by the Licensee on her application. The envelope was not returned to the License Division by the United States Postal Service. The Licensee failed to appear at the hearing on January 4, 2017 at 1:00 p.m.

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 on the above facts found, the Committee concludes that the Licensee, Robert M. Kriskovic has not met the criteria of Chapter 125 of the Wisconsin Statutes or Chapter 90 of the Milwaukee Code of Ordinances to allow renewal of the Class "D" Operator's license based upon nonappearance.
3. In order to protect the health, safety and welfare of the citizens of the City of Milwaukee, it is the recommendation of the Licenses Committee that the full Common Council should exercise its discretion to not renew the Class "D" Operator's license held by Robert M. Kriskovic based upon nonappearance.

RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above the Committee recommends by a vote of four (4) noes and one (1) excused that the Class "D" Operator's License of Robert M. Kriskovic not be renewed based upon nonappearance.

Dated and signed at Milwaukee, Wisconsin this 6th day of January, 2017.



TONY ZIELINSKI
Chairman Licenses Committee

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TONY ZIELINSKI
ALDERMAN, 14TH DISTRICT

Date: January 6, 2017

To: All Members of the Milwaukee Common Council

From: Licenses Committee

Re: Report on the Renewal Application of the Class "D" Operator's License of Michael T. Stikl

FINDINGS OF FACT

1. Michael T. Stikl (hereinafter the "Licensee") is the holder of a Class "D" Operator's License in the City and County of Milwaukee, Wisconsin. Said license expired on December 31, 2016.
2. An application to renew said license was thereafter filed with the Office of the City Clerk.
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. The Milwaukee Police Department responded with a police report that could form a basis for nonrenewal or suspension of said license.
4. On December 21, 2016 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 January 4, 2017 at 1:00 p.m. in Room 301B of City Hall. At said date, time and place, the Licensee did not appear.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
 - A. A notice of the hearing as well as a copy of the police report was sent to Michael T. Stikl, 2879 North 57th Street, Milwaukee, WI 53210 on December 21, 2016 by U.S. prepaid first-class mail in an envelope bearing the return address of the License Division. The address of 2879 North 57th Street, Milwaukee, WI 53210 is the address given by the Licensee on his application. The envelope was not returned to the License Division by the United States Postal Service. The Licensee failed to appear at the hearing on January 4, 2017 at 1:00 p.m.

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 on the above facts found, the Committee concludes that the Licensee, Michael T. Stikl has not met the criteria of Chapter 125 of the Wisconsin Statutes or Chapter 90 of the Milwaukee Code of Ordinances to allow renewal of the Class "D" Operator's license based upon nonappearance.
3. In order to protect the health, safety and welfare of the citizens of the City of Milwaukee, it is the recommendation of the Licenses Committee that the full Common Council should exercise its discretion to not renew the Class "D" Operator's license held by Michael T. Stikl based upon nonappearance.

RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above the Committee recommends by a vote of four (4) noes and one (1) excused that the Class "D" Operator's License of Michael T. Stikl not be renewed based upon nonappearance.

Dated and signed at Milwaukee, Wisconsin this 6th day of January, 2017.



TONY ZIELINSKI
Chairman Licenses Committee

COMMITTEE ASSIGNMENTS

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TONY ZIELINSKI
ALDERMAN, 14TH DISTRICT

Date: January 6, 2017

To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report of the Renewal Application of Nael N. Jabbar for Class "A" Malt and Class "A" Liquor and Food Dealer licenses for the premises located at 2643 West Atkinson Avenue in the City and County of Milwaukee, Wisconsin ("HOT SPOT SUPERMARKET").

FINDINGS OF FACT

1. Nael N. Jabbar (hereinafter the "Licensee") is the holder of a Class "A" Malt and Class "A" Liquor and Food Dealer licenses for the premises located at 2643 West Atkinson Avenue in the City and County of Milwaukee, Wisconsin ("HOT SPOT SUPERMARKET"). Said licenses expire at midnight, February 6, 2017.
2. An application to renew said license was filed with the Office of the City Clerk on October 31, 2016.
3. Pursuant to Chapters 68, 85 and 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.
4. On December 20, 2016, the City Clerk's Office provided notice to the Licensee pursuant to Chapters 68, 85 and 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes of the police report and neighborhood objections and included a copy of the police report. The matter was scheduled for a hearing on the police report and neighborhood objections on January 4, 2017 at 9:00 a.m. in Room 301B of the third floor of City Hall. At said date, time and place the licensee did appear and was represented by counsel, Attorney Jeff Guerard.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
 - A. On February 20, 2016 a 17 year old, working in conjunction with Milwaukee police, was able to purchase a 2 pack of White Owl Cigars from the cashier at 2643 West Atkinson (Hot Spot Supermarket).
 - B. On September 6, 2016 Milwaukee police responded to a fight at 2643 West Atkinson Avenue (Hot Spot Foods). Investigation revealed there had been a fight inside the

store that escalated once the involved parties exited the business. One of the involved parties threatened to return and shoot the armed security guard. The subject who made the threat was cited for disorderly conduct.

- C. Atty. Jeff Guerard stated the applicant has taken steps to try to address the issues, and his goal is to make everyone comfortable. He added he will hire more security guards.
- D. Ald. Hamilton stated the residents both in support and opposition have made long time investments in the community. He stated there has to be some accountability in response to neighborhood concerns.
- E. Demetrious Brown, 4213 N 40th St., stated there is loitering and littering all around the premises and people feel unsafe.
- F. Maurice Fair, 2761 N 17th St., stated he agrees with the previous speaker and has seen drug trafficking in front of the premises. He has also witnessed a customer being robbed.
- G. Pastor Barbara Williams, 4344 N 27th St., stated her church is next to the premises and she has witnessed drug trafficking in front of the premises and her church. She added parishioners have had damage to their cars, the gate, and the parking lot has been damaged by patrons of the premises. She stated there has been liquor bottles on the roof of the church and in front of the church from the premises. She added that cars from customers of the premises block the church driveway.
- H. Dante Brown, 4424 N 28th St., stated he is concerned about the loitering and the traffic.
- I. Jannell Elder Green, 4333 N 29th St., stated there is drug, loitering, and prostitution activity daily. She stated the premises is destroying the neighborhood.
- J. Vince Tony, 2721 W Roosevelt Dr., stated he agrees with the previous speakers and the neighborhood gave the premises an opportunity to change and it has not happened.
- K. Shawn Moore, 4381 N 26th St., stated he has been working in the neighborhood for years and the premises is breeding death. He stated the premises does not need to sell liquor and the applicant does not care about the community.

Individuals present in support:

- L. Rodney Campbell stated he is a long time resident and he agrees with previous speakers, but the issues are from the community as a whole, not the premises. He added the applicant has been kind to the residents. He stated he has talked to the applicant about closing down or not selling liquor. He stated another boarded up building is not the answer.

- M. James Cockroft, 2615 W Atkinson Ave., stated he has a problem with the loitering but the applicant has worked with the police to stop the loitering and drug dealing. He added that the employees of the premises pick up litter from his yard. He added the applicant needs time to work on the problems because they did not occur overnight, so they cannot be fixed overnight. He added that the premises isn't the problem the culture of the neighborhood is.
- N. Lashaunda Jordan, 2609 W Roosevelt Dr., stated she has seen changes throughout the neighborhood and has seen security guards stopping people from loitering. She added that it is convenient because you can buy food, liquor, clothes, and pay your cell phone bill.
- O. David Detmar, 4408 N 29th St., stated he walks to the premises from his house and there is a lot of loitering but there is loitering everywhere.
- P. John Pickin, 3551 N 20th St., stated he agrees with the previous speakers.
- Q. Joe Bouva, 4468 N 26th St., Secretary of the Garden Homes Neighborhood Association, stated he set up meetings with the applicant, MPD and the City Attorney's Office regarding loitering and drug dealing in the area because he believes it is a community problem, not a problem with the premises. He stated witnessed no loitering at the premises 95% of the time he drives past.
- R. Janet Mays, 2940 N Downer Ave., stated she owns a property in the neighborhood and she has seen improvements since the meeting last summer.
- S. Dareil Farmer, 5016 N 51st Blvd., stated he has met with the owner and if he sees loitering he contacts the owner.
- T. Royce Carter, 3450 N 46th St., has been the security guard at the premises since the summer and he agrees with the previous speakers. He stated he has contacted MPD and the response time for drug dealer is 2 hours.
- U. Ald. Rainey stated the hot spot is an appropriate name for the premises because there is prostitution, drug dealing, and all things happening like the tv show "The Wire".
- V. Ald. Zielinski stated he believes the applicant doesn't know how to run this type of operation based on neighborhood testimony. He added that the applicant has had plenty of time to fix the problems and he has not.
- W. Ald. Lewis stated she supports a suspension to give the neighbors some relief.
- X. Ald. Coggs stated the testimony is reflective of the city as a whole. She added whatever efforts have been made in the last 15 years have not been enough to support the quality of life in the community.

Y. Ald. Rainey moved nonrenewal of the Class A Malt & Class A Liquor license and renewal of the Food Dealer license based on neighborhood testimony.

CONCLUSIONS OF LAW

1. The Committee has jurisdiction to hold hearings and provided Findings of Fact and Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapter 125 of the Wisconsin Statutes and Chapters 68, 85 and 90 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concludes that the Licensee, Nael N. Jabbar who holds a Class "A" Malt and Class "A" Liquor and Food Dealer license for the premise located at 2643 West Atkinson Avenue in the City and County of Milwaukee, Wisconsin ("HOT SPOT SUPERMARKET") has not met the criteria of Chapter 90 of the Milwaukee Code of Ordinances to renew the Class "A" Malt and Class "A" Liquor licenses. The Committee finds the neighborhood and aldermanic objections as stated above to be true. The Committee based the non-renewal on neighborhood testimony.
3. In order to protect the health, safety and welfare of the citizens of the City of Milwaukee, it is the recommendation of the Licenses Committee that the full Common Council of the City of Milwaukee should exercise its judgment to renew the Food Dealers license and not renew the Class "A" Malt and Class "A" Liquor license for the premises located at 2643 West Atkinson Avenue in the City and County of Milwaukee, Wisconsin ("HOT SPOT SUPERMARKET"). The Committee based its recommendation on neighborhood testimony. The Committee recommends renewal of the Food Dealer license.

RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of five (5) ayes and zero (0) noes recommends that the Class "A" Malt and Class "A" Liquor licenses held by Nael N. Jabbar for the premises located at 2643 West Atkinson Avenue in the City and County of Milwaukee, Wisconsin ("HOT SPOT SUPERMARKET") not be renewed.

Said nonrenewal is effective February 7, 2017.

Dated and signed at Milwaukee, Wisconsin this 6th day of January, 2017.



TONY ZIELINSKI, Chair
Licenses Committee

COMMITTEE ASSIGNMENTS

CHAIR

- Licenses Committee

VICE CHAIR

- Community and Economic Development Committee

MEMBER

- Steering and Rules Committee



TONY ZIELINSKI
ALDERMAN, 14TH DISTRICT

Date: January 6, 2017

To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report of the Renewal Application of Mohammad Afzal for Filling Station, Food Dealer, and Weights & Measures licenses for the premises located at 1203 East Oklahoma Avenue in the City and County of Milwaukee, Wisconsin ("Clark").

FINDINGS OF FACT

1. Mohammad Afzal (hereinafter the "Licensee") is the holder of Filling Station, Food Dealer and Weights & Measures licenses for the premises located at 1203 East Oklahoma Avenue in the City and County of Milwaukee, Wisconsin ("Clark"). Said licenses expire at midnight, January 31, 2017.
2. An application to renew said licenses was filed with the Office of the City Clerk on November 17, 2016.
3. Pursuant to Chapters 68, 85 and 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.
4. On December 20, 2016, the City Clerk's Office provided notice to the Licensee pursuant to Chapters 68, 85 and 90 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes of the police report and neighborhood objections and included a copy of the police report. The matter was scheduled for a hearing on the police report and neighborhood objections on January 4, 2017 at 9:00 a.m. in Room 301B of the third floor of City Hall. At said date, time and place the licensee did appear and was not represented by counsel.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
 - A. The applicant stated he has insurance, and they paid, and has not been contacted by Ms. Stuempfl's insurance. He acknowledges the incident occurred and stated he would pay for the injuries. The applicant stated he is aware of a \$300 co-pay, but has not yet paid anything to Ms. Stuempfl.

- B. Susan Stuempfl, 2051 W. Howard Ave., stated she was injured at the premises when she slipped on ice getting out of her car. She has a torn meniscus in her hip and she also hit her head. She stated her insurance company sent the applicant letters and he has refused to respond or pay.
- C. Ald. Coggs asked the applicant if he has spoken with Ms. Stuempfl about her injuries or her insurance company.
- D. Ald. Zielinski stated the applicant is giving contradictory testimony because he said his insurance paid, and then he said they did not pay.

CONCLUSIONS OF LAW

1. The Committee has jurisdiction to hold hearings and provided Findings of Fact and Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapter 125 of the Wisconsin Statutes and Chapters 68, 85 and 90 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concludes that the Licensee, Mohammad Afzal who holds Filling Station, Food Dealer, and Weights & Measures licenses for the premise located at 1203 East Oklahoma Avenue in the City and County of Milwaukee, Wisconsin ("Clark") has not met the criteria of Chapter 90, of the Milwaukee Code of Ordinances to not renew the Filling Station, Food Dealer, and Weights & Measures licenses without undergoing a ten (10) day suspension. The Committee finds the neighborhood and aldermanic objections as stated above to be true. The Committee based its recommendation on the applicant's failure to maintain the property resulting in the injury of Ms. Stuempfl.
3. In order to protect the health, safety and welfare of the citizens of the City of Milwaukee, it is the recommendation of the Licenses Committee that the full Common Council of the City of Milwaukee should exercise its judgment to not renew the Filling Station, Food Dealer, and Weights & Measures licenses without undergoing a ten (10) day suspension for the premises located at 1203 East Oklahoma Avenue in the City and County of Milwaukee, Wisconsin ("Clark"). The Committee based its recommendation on the applicant's failure to maintain the property resulting in the injury of Ms. Stuempfl.

RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of four (4) ayes and one (1) no recommends that the Filling Station, Food Dealer and Weights & Measures licenses held by Mohammad Afzal for the premises located at 1203 East Oklahoma Avenue in the City and County of Milwaukee, Wisconsin ("Clark") be renewed with a ten (10) day suspension based its recommendation on the applicant's failure to maintain the property resulting in the injury of Ms. Stuempfl.

The suspension is in effect between 12:01 a.m. on February 1, 2017 until 11:59 p.m. on February 10, 2017.

Dated and signed at Milwaukee, Wisconsin this 6th day of January, 2017.

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

TONY ZIELINSKI, Chair
Licenses Committee

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