

73.



City of West Allis Matter Summary

7525 W. Greenfield Ave.
West Allis, WI 53214

File Number	Title	Status
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2010-0543 Communication Introduced

Stipulation In the Matter of the Complaint Against Atlas Tobacco Wholesale Corp., Kamal H. Issa, Agent, d/b/a West Allis Cigarette Depot at 7023 W. Greenfield Ave.

Introduced: 9/7/2010 Controlling Body: License & Health Committee

COMMITTEE RECOMMENDATION

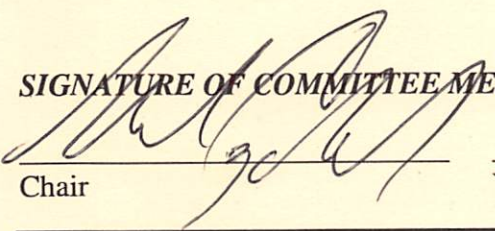
APPROVAL

ACTION DATE:
SEP 07 2010

MOVER	SECONDER	
_____	_____	Barczak
_____	_____	Czaplewski
_____	_____	Kopplin
_____	_____	Lajsic
_____	_____	Narlock
_____	_____	Reinke
_____	_____	Roadt
_____	_____	Sengstock
_____	_____	Vitale
_____	_____	Weigel

AYE	NO	PRESENT	EXCUSED
✓			
✓			
✓			
✓			
✓			

TOTAL 5 0 _____

SIGNATURE OF COMMITTEE MEMBER


Chair

Vice-Chair

Member

COMMON COUNCIL ACTION

APPROVAL

ACTION DATE:
SEP 07 2010

MOVER	SECONDER	
✓	✓	Barczak
_____	_____	Czaplewski
_____	_____	Kopplin
_____	_____	Lajsic
_____	_____	Narlock
_____	_____	Reinke
_____	_____	Roadt
_____	_____	Sengstock
_____	_____	Vitale
_____	_____	Weigel

AYE	NO	PRESENT	EXCUSED
✓			
✓			
✓			
✓			
✓			
✓			
✓			
✓			
✓			
✓			

TOTAL 10 - _____

UNANIMOUS

WEST ALLIS COMMON COUNCIL
LICENSE AND HEALTH COMMITTEE
CITY OF WEST ALLIS

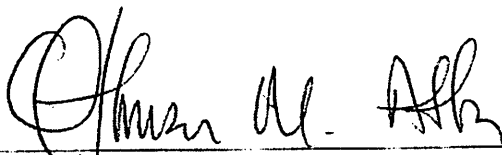
In the Matter of the Complaint against Kamal Issa,
D/b/a West Allis Cigarette Depot

STIPULATION

The West Allis City Attorney's Office, by Assistant City Attorney Jenna Merten, and Kamal Issa, by his attorney, Othman Atta, hereby agree and stipulate as follows:

1. That the Summons and Complaint against Kamal Issa, d/b/a West Allis Cigarette Depot, was filed with the City Clerk/Treasurer and served upon Kamal Issa;
2. That Kamal Issa, d/b/a West Allis Cigarette Depot, waives his right to a hearing under Section 9.04 (5) of the Revised Municipal Code;
3. That sufficient grounds are stated in the complaint for the imposition of sanctions set forth in Section 9.04 (5) of the Revised Municipal Code;
4. That on June 15, 2010, the Common Council approved a stipulation for West Allis Cigarette Depot, in regard to the facts and circumstances of the Summons and Complaint, that prohibited Issa from selling any tobacco products during a 10-day period;
5. That the stipulation was vacated and proceedings reinstated due to Issa's breaching the stipulation's terms and conditions by selling tobacco products to undercover officers during a time when he was prohibited from selling any tobacco product;
6. That after reinstatement of the proceedings, Issa agreed to enter another stipulation for the conduct described in the Summons and Complaint;

7. That the business at 7023 West Greenfield Avenue, West Allis, Wisconsin shall remain closed for a period of 30 consecutive days commencing at 12:00 a.m., September 1, 2010 and terminating at 11:59 p.m. September 30, 2010;
8. That the allegations which form the basis of this complaint shall not be used as grounds for any future suspension, revocation, or non-renewal proceeding, except to the extent that the facts alleged in the complaint demonstrate a pattern of conduct for Kamal Issa d/b/a West Allis Cigarette Depot;
9. That the West Allis Common Council must approve this stipulation prior to it becoming effective;
10. That if the West Allis Common Council does not approve the agreement, the matter shall return to the License and Health Committee of the West Allis Common Council for hearing pursuant to Section 9.04 (5) of the Revised Municipal Code;
11. That if the West Allis Common Council approves this stipulation, the City of West Allis and Kamal Issa are bound to the terms of the stipulation and failure to comply with said terms will result in continuation of the hearing procedures set forth in Section 9.04 (5) of the Revised Municipal Code.



Attorney Ohman Atta for Kamal Issa

8/24/10

Date



Jenna Merten
Assistant City Attorney
City of West Allis

8/20/10

Date



CITY CLERK/TREASURER'S OFFICE
414/302-8200 or 414/302-8207 (Fax)
www.ci.west-allis.wi.us
Paul M. Ziehler
City Admin. Officer, Clerk/Treasurer
Monica Schultz
Assistant City Clerk
Rosemary West
Treasurer's Office Supervisor

September 14, 2010

West Allis Cigarette Depot
Attn: Kamal Issa, Agent
7023 W. Greenfield Ave.
West Allis, WI 53214

Re: Stipulation
Atlas Tobacco Wholesale Corp., d/b/a West Allis Cigarette Depot

Dear Mr. Issa:

Enclosed please find the Stipulation and Order to Take Action approved by the City of West Allis Common Council on September 7, 2010 regarding voluntary closure of West Allis Cigarette Depot at 7023 W. Greenfield Ave.

Please feel free to contact me should you have any questions in this regard.

Sincerely,

A handwritten signature in cursive script that reads "Monica Schultz".

Monica Schultz
Assistant City Clerk

/amn

Encl.

cc: Chairman, License & Health Committee
City Attorney
Police Chief