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24.
62.



City of West Allis Matter Summary

7525 W. Greenfield Ave.
West Allis, WI 53214

File Number	Title	Status
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2010-0164 Summons and Complaint In Committee

Summons and Complaint 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.(2009-2010 Cigarette License no. 513).

Introduced: 3/23/2010

Controlling Body: License & Health Committee

COMMITTEE RECOMMENDATION

POF

ACTION
DATE:
JUN 15 2010

MOVER	SECONDER	
	<input checked="" type="checkbox"/>	Barczak
		Czaplewski
		Kopplin
		Lajsic
		Narlock
		Reinke
<input checked="" type="checkbox"/>		Roadt
		Sengstock
	<input checked="" type="checkbox"/>	Vitale
		Weigel

AYE	NO	PRESENT	EXCUSED
<input checked="" type="checkbox"/>			
<input checked="" type="checkbox"/>			
<input checked="" type="checkbox"/>			
<input checked="" type="checkbox"/>			
<input checked="" type="checkbox"/>			

TOTAL

5 0

SIGNATURE OF COMMITTEE MEMBER

Chair

Vice-Chair

Member

COMMON COUNCIL ACTION

PLACE ON FILE

ACTION
DATE:
JUN 15 2010

MOVER	SECONDER	
<input checked="" type="checkbox"/>		Barczak
		Czaplewski
		Kopplin
		Lajsic
	<input checked="" type="checkbox"/>	Narlock
		Reinke
		Roadt
		Sengstock
		Vitale
		Weigel

AYE	NO	PRESENT	EXCUSED
<input checked="" type="checkbox"/>			
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<input checked="" type="checkbox"/>			

TOTAL

10



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

June 7, 2010

Atlas Tobacco Wholesale Corp.
West Allis Cigarette Depot
Kamal H. Issa, Agent
7023 W. Greenfield Ave.
West Allis, WI 53214

Dear Mr. Issa:

The Chairman of the License & Health Committee orders that you appear at its meeting on Tuesday, June 15, 2010, at 5:45 P.M. in Room 128, West Allis City Hall, 7525 W. Greenfield Ave., regarding an incident, which occurred on December 3, 2009.

Sincerely,

A handwritten signature in cursive script that reads "Monica Schultz". Below the signature, the initials "amn" are written in a smaller, simpler script.

Monica Schultz
Assistant City Clerk

/amn

cc: Kamal H. Issa (home)
Attorney Othman M. Atta



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

May 14, 2010

Atlas Tobacco Wholesale Corp.
West Allis Cigarette Depot
Kamal H. Issa, Agent
7023 W. Greenfield Ave.
West Allis, WI 53214

Dear Mr. Issa:

The Chairman of the License & Health Committee orders that you appear at its meeting on Tuesday, May 25, 2010, at 6:00 P.M. in Room 128, West Allis City Hall, 7525 W. Greenfield Ave., regarding an incident, which occurred on December 3, 2009.

Sincerely,

A handwritten signature in cursive script that reads "Monica Schultz". Below the signature, the initials "amn" are written in a smaller, simpler script.

Monica Schultz
Assistant City Clerk

/amn

cc: Kamal H. Issa (home)
Chybowski Properties (no enclosure)

RENEWAL APPLICATION FOR CITY OF WEST ALLIS
CIGARETTE AND TOBACCO PRODUCT LICENSE
July 1, 2009 to June 30, 2010

X	Renewal	<input type="checkbox"/>	New
Business Control No.	513		
License No.	09-513		
From Police	_____		
Placed on File	_____		
Denied	_____		
Issued	6-19-09		

\$100.00 NONREFUNDABLE FEE

The undersigned hereby applies for a license to sell, exchange, barter, dispose of, give away or keep for sale cigarettes, cigarette paper, cigarette wrappers, or tobacco products under the provisions of Section 9.04 of the Revised Municipal Code of the City of West Allis.

Applicant Is: Individual Partnership Corporation LLC

Name of Applicant KAMAL H. ISSA
(Name of individual, Partners, Corporation or LLC)

Applicant's Mailing Address 310 N. 111 TH ST., WAUWATOSA - WIS3226

Applicant's Phone No. (414) 771-4856 cell (414) 416-1089

Licensee or Corporate/LLC Agent Date of Birth 04-26-1965

Address of Licensed Premises 7023 W. Greenfield Ave, West Allis, WI 53214

Business Phone No. (414) 302-1923

Business Trade Name West Allis Cigarette Depot
(Doing Business As)

Over the Counter Vending Machine Both

Date of Application

KAMAL H. ISSA
Print Name of Individual, Partners, Corporation or LLC

Print Name of Agent for Corporation or LLC

[Signature] 4/8/09
Signature of Licensee or Agent, if a Corporation or LLC

NOTE: By signing this application, the licensee or corporate/LLC agent assumes personal responsibility and liability for the operation of the licensed establishment, including, but not limited to, City, State and Federal laws regarding the sale of tobacco products to persons under eighteen (18) years of age.

NO CHANGE IN RECORD SINCE
LAST LICENSE WAS ISSUED.

APR 21 2009 TLM

OK ms
4/23



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

March 17, 2010

Atlas Tobacco Wholesale Corp.
West Allis Cigarette Depot
Kamal H. Issa, Agent
7023 W. Greenfield Ave.
West Allis, WI 53214

Dear Mr. Issa:

The Chairman of the License & Health Committee orders that you appear at its meeting on Tuesday, March 23, 2010, at 6:00 P.M. in Room 128, West Allis City Hall, 7525 W. Greenfield Ave., regarding an incident, which occurred on December 3, 2009.

Sincerely,

Monica Schultz
amn

Monica Schultz
Assistant City Clerk

/amn

cc: Kamal H. Issa (home)
Chybowski Properties (no enclosure)

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

**In the Matter of the
Complaint Against**

SUMMONS

**Kamal Issa, d/b/a West Allis Cigarette Depot,
310 North 111th Street,
Wauwatosa, Wisconsin 53226**

STATE OF WISCONSIN)
) SS.
COUNTY OF MILWAUKEE)

THE WEST ALLIS COMMON COUNCIL TO KAMAL ISSA:

You are hereby notified that a sworn complaint, a copy of which is attached, has been duly made and filed, requesting a hearing on the suspension, revocation, or non-renewal of your Cigarette and Tobacco Product License, pursuant to the provisions of § 134.65 Wis. Stats and 9.04 of the West Allis Revised Municipal Code.

NOW THEREFORE, you, Kamal Issa, are hereby summoned to appear before the License and Health Committee of the West Allis Common Council in Room 128 of the West Allis City Hall, 7525 West Greenfield Avenue, West Allis, Wisconsin, on March 23, 2010, at 6:00 p.m., or as soon thereafter as this matter can be heard, to admit or deny the allegations in the complaint. You may be represented by counsel on this date.

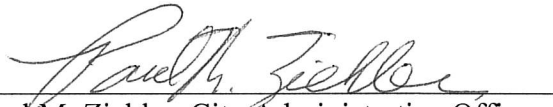
In the case of your failure to appear as required by this summons, the allegations in the complaint against you shall be taken as true and, if the License and Health Committee of the West Allis Common Council finds the allegations sufficient, a recommendation that your license(s) be suspended or revoked will be made to the full Common Council. The Common Council may then vote to suspend, revoke, or not renew your license(s).

You are further notified that if you appear as required by this summons and contest the allegations in the complaint, a hearing will be scheduled at a later date before the License and Health Committee, at which time you may be represented by counsel, cross examine the witnesses who testify adversely against you, and present witnesses in your own behalf. A written transcript of said hearing shall be made and you may obtain a copy of the transcript of this proceeding at your expense.

Dated at West Allis, Wisconsin, this 18th day of March, 2010.

WEST ALLIS COMMON COUNCIL

By:



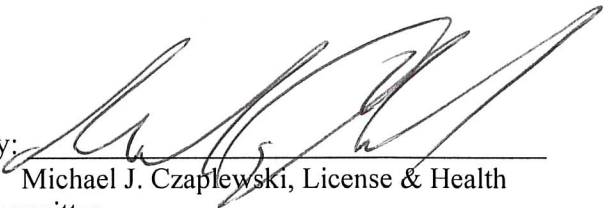
Paul M. Ziehler, City Administrative Officer,
Clerk/Treasurer

5. That later that day, R.W. went to the Cigarette Depot and sold the bus tickets for \$200 to Kamal Issa and Mousa Salem. R.W. stated that Salem told him that he would give him a good price if he brings in any other merchandise.
6. That on December 3, 2009, R.W. confessed to stealing the bus tickets to his principal, Guy Powell, and Powell called the West Allis Police Department to investigate the incident.
7. That later on December 3, 2009, at approximately 4:30 p.m., R.W. returned to the West Allis Cigarette Depot and told Salem that he stole the bus passes and needed to buy them back.
8. That Salem told R.W. that he wanted \$250 for the passes so that he could make a profit.
9. That only after R.W. told him the police were involved, did Salem agree to sell the tickets back to R.W. for \$200. Since R.W. did not have the full \$200 at the time, he told Salem and Issa that he would return later that evening.
10. That on December 3, 2009, at approximately 5:00 p.m., West Allis Police Detectives Mark Rumler and Donald Krueger spoke to Salem and Issa, who stated that they had not and would not purchase any bus passes from anyone other than an official representative of the Milwaukee County Transit System. They denied purchasing any tickets from someone who came in from the street to sell them.
11. That on December 3, 2009, at approximately 6:15 p.m., R.W. and his father went to the West Allis Cigarette Depot with \$200 to buy back the bus tickets. When R.W. asked about the tickets, Salem initially denied knowing about the tickets, but eventually agreed to give them back to R.W. Further, he told R.W. and his father that the police had come earlier that day to the store, but that he had told the police that he did not purchase the bus tickets in question.


12. That upon returning the tickets to R.W., Salem asked him why he had called the police when he (Salem) had helped him (R.W.) by purchasing the stolen tickets.
13. That on December 8, 2009, West Allis Police officers arrested Salem and Issa.
14. That in an interview, Issa admitted that he had lied to the police and that he knew that they had purchased the bus passes from R.W. and that they were stolen.
15. That in an interview, Salem again denied purchasing the tickets. Salem did not admit that he had purchased the stolen bus tickets until after Issa told him to tell the truth.
16. That the Milwaukee County District Attorney's Office charged Salem with receiving stolen property and obstructing an officer.
17. That the Milwaukee County District Attorney's Office charged Issa with obstructing an officer.
18. That the conduct of Kamal Issa, d/b/a West Allis Cigarette Depot, substantially relates to the licensed activity contrary to West Allis Revised Municipal Ordinance 9.04 and Wis. Stat. § 134.65 and is grounds for non-renewal, suspension, or revocation of its Cigarette and Tobacco license.

WHEREFORE, Michael J. Czaplewski requests that Kamal Issa, d/b/a West Allis Cigarette Depot, be summoned to appear before the License and Health Committee of the West Allis Common Council to answer this complaint and, if the material allegations of the complaint are denied, that a hearing be held to determine whether the Cigarette and Tobacco Product License of Kamal Issa, d/b/a West Allis Cigarette Depot should be revoked, suspended, or not renewed.

Dated at this 18 day of March, 2010.

By: 
Michael J. Czaplewski, License & Health
Committee
West Allis Common Council

Subscribed and sworn to before me
this 18 day of March, 2010.


(Jeanne Mertes)
Notary Public, State of Wisconsin
My Commission expires permanent

