

Windsor Licensing Commission Meeting held September 26, 2018

A meeting of the Windsor Licensing Commission is held this day commencing at 9:30 o'clock a.m. in Room 140, 350 City Hall Square West, there being present the following members:

Councillor Ed Sleiman, Chair
Councillor Paul Borrelli
Councillor John Elliott
Gino Conte
Jack Fathers

Also present are the following resource personnel:

Gary Cian, Deputy Licence Commissioner and Senior Manager of Policy, Gaming, Licensing & By-law Enforcement
Craig Robertson, Supervisor of Licensing
Ken Passa, Supervisor Environmental Quality
Bill Tetler, Manager of By-law Enforcement
Janna Tetler, Senior Licensing Issuer
Ashley Shoemaker, Licensing Clerk
Shannon Tilson, Licence Issuer
Karen Kadour, Committee Coordinator

1. Call to Order

The Chair calls the meeting to order at 9:30 o'clock a.m. and the Windsor Licensing Commission considers the Agenda being Schedule "A" attached hereto, matters which are dealt with as follows:

2. Minutes

Moved by Councillor Elliott, seconded by G. Conte,
That the minutes of the Windsor Licensing Commission of its meeting held July 25, 2018 **BE ADOPTED** as presented.
Carried.

3. Disclosure of Interest

None disclosed.

4. Requests for Deferrals, Referrals or Withdrawals

None.

5. Communication

1988845 Ontario Inc. o/a Wildwood Grill – Hospitality Food/Liquor Service

C. Robertson provides a chronological record of events relating to this matter – 1988845 Ontario Inc. o/a Wildwood Grill (Rasko Perkovic) Application for Hospitality Food Liquor Service Licence, **attached** as Appendix “A”. He adds the applicant does not agree with the procedures outlined in Business Licensing By-law #395-2004 and the history of events as provided.

Moved by Councillor Borrelli, seconded by G. Conte,
WLC11/2018 That the matter relating to 1988845 Ontario Inc. o/a Wildwood Grill (Rasko Perkovic) Application for Hospitality Food Liquor **BE RECEIVED** and further, that the regulations of Business Licensing By-law #395-2004 **BE UPHeld**.

Carried.

Councillor Elliott voting nay.

Councillor Borrelli leaves the room at 10:00 o'clock a.m.

6. Licence Transfers

(a) Transfer of Plate #136

Mr. Mohamed Ali, Transferor and Mr. Fadi Nazim, Transferee are present and available for questions.

Moved by J. Fathers, seconded by Councillor Elliott,
WLC12/2018 That the transfer of Taxicab Plate #136 from Mr. Mohamed Ali to Mr. Fadi Nizam **BE APPROVED** with the following conditions:

- Mr. Nizam be given thirty (30) days from the date of this decision to submit a vehicle for inspection that complies with Schedule 5 to By-law 137-2007.
- Mr. Nizam must submit a Plate Holder application and pay the application fee.
- Mr. Nizam shall provide verification that full compensation has been made to Mr. Ali in consideration of the transfer of taxicab plate #136.
- Mr. Nizam shall not lease the plate for a one year period as stated in Schedule 5, Section 21.3 of Licensing By-law 137-2007.

Carried.

Councillor Borrelli was out of the room when the vote was taken.

(b) Transfer of Plate #1

Mr. Andom Gebrzgie, Transferee is present and available for questions.

Moved by G. Conte, seconded by J. Fathers,
WLC13/2018 That the transfer of Taxicab Plate #1 from 1287609 Ontario Ltd. to Mr. Andom Gebrzgie **BE APPROVED** with the following conditions:

- Mr. Gebrzgie be given thirty (30) days from the date of this decision to submit a vehicle for inspection that complies with Schedule 5 to By-law 137-2007.
- Mr. Gebrzgie must submit a Plate Holder application and pay the applicable fee.
- Mr. Gebrzgie shall provide verification that full compensation has been made to 1287609 Ontario Ltd. in consideration of the transfer of taxicab plate #1.
- Mr. Gebrzgie shall not lease the plate for a one year period as stated in Schedule 5, Section 21.3 of Licensing By-law 137-2007.

Carried.

Councillor Borrelli was out of the room when the vote was taken.

Councillor Borrelli returns to the meeting at 10:05 o'clock a.m.

(c) Taxicab Plate #37

Mr. Ashenafi Mulugeta, Transferee is present and available to answer questions.

Moved by J. Fathers, seconded by G. Conte,
WLC14/2018 That the transfer of Taxicab Plate #37 from 1287609 Ontario Ltd. to Mr. Ashenafi Mulugeta **BE APPROVED** with the following conditions:

- Mr. Mulugeta be given thirty (30) days from the date of this decision to submit a vehicle for inspection that complies with Schedule 5 to By-law 137-2007.
- Mr. Mulugeta must submit a Plate Holder application and pay the applicable fee.
- Mr. Mulugeta shall provide verification that full compensation has been made to 1287609 Ontario Ltd. in consideration of the transfer of taxicab plate #37.
- Mr. Mulugeta shall not lease the plate for a one year period as stated in Schedule 5, Section 21.3 of Licensing By-law 137-2007.

Carried.

(d) Taxicab Plate #55

Mr. Kedir Shamy, Transferee and Mr. Walter Bezzina, Vets Cab are present and available to answer questions.

Moved by Councillor Elliott, seconded by J. Fathers,
WLC15/2018 That the transfer of Taxicab Plate #55 from 1287609 Ontario Ltd. to Mr. Kedir Shamy **BE APPROVED** with the following conditions:

- Mr. Shamy be given thirty (30) days from the date of this decision to submit a vehicle for inspection that complies with Schedule 5 to By-law 137-2007.
- Mr. Shamy must submit a Plate Holder application and pay the applicable fee.
- Mr. Shamy shall provide verification that full compensation has been made to 1287609 Ontario Ltd. in consideration of the transfer of taxicab plate #55.
- Mr. Shamy shall not lease the plate for a one year period as stated in Schedule 5, Section 21.3 of Licensing By-law 137-2007.

Carried.

(e) Transfer of Taxicab Plate #81

Mr. Mohammad Al-Barazi, Transferee, and Mr. Walter Bezzina, Vets Cab are present and available to answer questions.

Moved by Councillor Elliott, seconded by J. Fathers
WLC16/2018 That the transfer of Taxicab Plate #81 from 538526 Ontario Ltd. to Mr. Mohammad Al-Barazi **BE APPROVED** with the following conditions:

- Mr. Al-Barazi be given thirty (30) days from the date of this decision to submit a vehicle for inspection that complies with Schedule 5 to By-law 137-2007.
- Mr. Al-Barazi must submit a Plate Holder application and pay the applicable fee.
- Mr. Al-Barazi shall provide verification that full compensation has been made to 538526 Ontario Ltd. in consideration of the transfer of taxicab plate #81.
- Mr. Al-Barazi shall not lease the plate for a one year period as stated in Schedule 5, Section 21.3 of Licensing By-law 137-2007.

Carried.

7. Applications/Hearings

(a) 1945516 Ontario Inc. o/a Eastern Flavours – Hospitality Food/Liquor Licence

Mr. Ahmed Zabian and Mr. Farid Rhaman are present and available to answer questions.

C. Robertson indicates that Administration recommends to the Windsor Licensing Commission a refusal to issue a Hospitality Food/Liquor Service Licence as there are ongoing issues with the Public Works Department and consistently failing to maintain their grease trap. He adds the licence has not been issued at this point pending approval by Fire & Rescue Services.

K. Passa advises when inspectors make an assessment of the grease trap, a screwdriver is inserted into the contents to determine the amount of oil. If there are more than 2 inches of grease, the restauranteur is requested to skim the grease off the top.

Mr. Zabian disagrees with the grease trap procedure and adds the inspector opens the grease trap lid and closes it immediately. He adds he has retained a company to clean the grease trap every six weeks and the grease is skimmed on a weekly basis.

C. Robertson states the Commission could provide an extension of time to allow the applicant to work with Pollution Control.

Moved by Councillor Borrelli, seconded by J. Fathers,
WLC17/2018 That **APPROVAL BE GIVEN** to an extension of time of 30 days from the date of this decision to allow for the applicant to comply with all requirements of the Hospitality Food/Liquor Licence subject to periodic inspections by Pollution Control.
Carried.

(b) Stir Crazy Grille Inc. – Hospitality Food/Liquor Service Licence

No one is present to speak to the matter.

Moved by J. Fathers, seconded by Councillor Borrelli,
WLC18/2018 That Hospitality Food/Liquor Service Licence #18 122788 issued to Stir Crazy Grille Inc., at 4044 Walker Road, Unit 6, Windsor, Ontario N8W 3T5, **BE SUSPENDED** until the licensee operates in compliance with the requirements set out by the Public Works Department, and further that, Hospitality Food/Liquor Service Licence #18 122788, issued to Stir Crazy Grille Inc., **BE REVOKED** should the licensee fail to comply within thirty (30) days from the date of this decision.
Carried.

8. Reports and Administrative Matters

(a) Expired Application(s) for Business Licence

Moved by J. Fathers, seconded by G. Conte,
That the report of the Supervisor of Licensing dated September 7, 2018 entitled "Expired Application(s) for Business Licence" **BE RECEIVED**.
Carried.

9. In Camera

No In Camera session is held.

10. Date of Next Meeting

The next meeting will be held on October 24, 2018 at 9:30 a.m. in Room 204, 350 City Hall Square West.

11. Adjournment

There being no further business, the meeting is adjourned at 10:45 o'clock a.m.

CHAIR

SECRETARY