

MILWAUKEE COURT REPORTERS, LLC

LICENSES COMMITTEE

CITY OF MILWAUKEE

In the Matter of: WHISKEY RIVER SALOON - MILWAUKEE, LLC
Class B Tavern License Renewal
Application

JOHN R. SHEMITIS,
"Irish Rec Room"
1023-27 North Old World Third Street

The above-entitled cause, taken under and
pursuant to all applicable rules, before
KIMBERLY C. WATTENBACH, Court Reporter and Notary Public
in and for the State of Wisconsin, taken on
December 3, 2012.

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A P P E A R A N C E S

MR. ADAM STEPHENS
809 North Broadway,
Milwaukee, Wisconsin 53202,
appeared on behalf of The City of Milwaukee.

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TRANSCRIPT OF PROCEEDINGS

ALDERMAN ZIELINSKI: Okay. Next item in the 4th District, John Shemitis, agent for Whiskey River Saloon - Milwaukee, LLC, Class B license renewal application. Change in rooftop patio hours to close at 1 a.m. instead of 11 p.m. in Public Entertainment Premises Renewal Application adding four amusement machines as agent for Irish Rec Room at 1023-27 North Old World Third Street.

Mr. John Shemitis. Mr. John Shemitis. Let the record reflect that Mr. John Shemitis is not here.

Alderman Bauman, is it your wish or desire to have this matter held?

ALDERMAN BAUMAN: Probably. I don't know why they're not here. We're already 45 minutes after the scheduled time. This -- this -- there will be issues here. I know the Westtown Association is prepared to object. I have some concerns and may very well object based on how the testimony comes in. So I don't think it's fair to just --

ALDERMAN ZIELINSKI: How many --

ALDERMAN BAUMAN: -- terminate them here.

ALDERMAN ZIELINSKI: How many people are

1 here to testify in this matter? Okay. Let's take
2 the people that are here to testify. We'll still
3 hear your testimony, so if you can't make the next
4 meeting, at least you're on record. Keep your
5 right hands up, please.

6 THE CLERK: Do you solemnly affirm under
7 the pains and penalties of perjury in the State of
8 Wisconsin that the testimony you are about to give
9 is the truth, the whole truth, and nothing but the
10 truth?

11 ALDERMAN ZIELINSKI: Yes. Okay. Come on
12 forward. Have a seat in the first row, and then
13 whoever wants to stand up in front of the
14 microphone, please go ahead. Why don't you have a
15 seat? Everybody have a seat except for the person
16 that's -- that's testifying.

17 Okay, ma'am, please state your name and
18 address for the record.

19 MS. ERD: I'm Patricia Erd, and I own
20 1029 and 1031 North Old World Third Street. My
21 understanding was this was going to be a different
22 -- that they were taking the 1 a.m. patio time off
23 the plate. But they're not here.

24 So I live next door. I need to sleep at
25 night, and an open patio rooftop from 1 a.m. just

1 does not work for me. I have tenants that have
2 moved out of this building because of that fact, so
3 I'm losing income from that. That's my main
4 concern.

5 ALDERMAN ZIELINSKI: Okay. Questions by
6 Committee? Alderman Bauman.

7 ALDERMAN BAUMAN: Is this a full-scale
8 renewal, correct? It's not just a modification of
9 the plan of operation?

10 MR. WESSEL: It's a renewal in the change
11 of entertainment. The renewal is expired
12 1/18/2013.

13 ALDERMAN BAUMAN: So this is a
14 full-fledged renewal, not just change in operating
15 plan.

16 MS. ERD: Okay. So we have -- --

17 ALDERMAN ZIELINSKI: It expires on the
18 18th. We can hold this without any kind of
19 problems?

20 MS. ERD: -- serious issues with the 11
21 to 1 a.m.

22 MR. WESSEL: They submitted an e-mail to
23 us saying they were willing to amend the hours to
24 eleven o'clock without --

25 ALDERMAN ZIELINSKI: Okay. If they sent

1 an e-mail, then Alderman Dudzik would -- would move
2 to amend their application, so that the hours
3 remain the same, and they close at 11, is that
4 correct, Mr. Wessel?

5 MR. WESSEL: Yes, sir.

6 ALDERMAN ZIELINSKI: There being no
7 objections, so ordered.

8 So what's before us is no longer the
9 one o'clock time. It's the eleven o'clock time.

10 ALDERMAN BAUMAN: I have a question for
11 the witness. Being at the property next door --

12 MS. ERD: Mm-hmm.

13 ALDERMAN BAUMAN: -- are you aware of any
14 issues with the ownership of this building and any
15 issues regarding its status in terms of foreclosure
16 in terms of --

17 MS. ERD: It's under foreclosure. And,
18 again, the problem is there's different agents
19 running the bar, and now we're about to go launch
20 into new management, from my understanding. But
21 the track record is not very good. So we never
22 know who's coming or going.

23 ALDERMAN BAUMAN: It's odd that they
24 would not show up because I had communications
25 including communication from the 1st District CLO

1 raising some concerns, and --

2 ATTORNEY STEPHENS: Mr. Chair.

3 ALDERMAN ZIELINSKI: Attorney Stevens.

4 ATTORNEY STEPHENS: On that point, I
5 think Sergeant Raden has received an e-mail.

6 SERGEANT RADEN: I got the same e-mail
7 you did. I don't know if there's some confusion
8 from the application because at the top of the
9 e-mail, it says that the hearing is scheduled for
10 Monday, December 1 at one o'clock. So I don't know
11 if they got the wrong time -- is that what happened
12 here -- and that's what it says on the top of it.

13 ALDERMAN ZIELINSKI: Okay. So -- so
14 ma'am, now that the one o'clock timeframe is off
15 the table, do you have any testimony with respect
16 to the business on the renewal? Do you have
17 concerns and issues that rise to the level that you
18 feel something needs to be done with respect to the
19 license, or...

20 MS. ERD: No. I think they've
21 communicated with us, and they're bringing in
22 supposedly another new management that has a new
23 track record, so we're willing to let them go
24 again.

25 ALDERMAN ZIELINSKI: Okay. Okay. Thank

1 you. Next person. Remember, sir, before you
2 testify, the one o'clock thing is off the table.
3 Are you here to testify on the renewal of their
4 existing license?

5 MR. DEHNE: Yes.

6 ALDERMAN ZIELINSKI: Okay. State your
7 name and address.

8 MR. DEHNE: Jacob Dehne, D-E-H-N-E.

9 ALDERMAN ZIELINSKI: Okay. Your address?

10 MR. DEHNE: Address, 6923 West Wisconsin
11 Avenue, Wauwatosa, 53213.

12 ALDERMAN ZIELINSKI: Okay.

13 MR. DEHNE: I am the current owner of
14 Buckhead, Suite Nightclub, and Upper 90 Sports
15 Club. And I am here to talk a little -- I've been
16 on the street since 2001. I ran Have a Nice Day
17 Cafe for eight years. I purchased both Suite and
18 Buckhead from the Charlotte Company in March of
19 2010 and proceeded to Upper 90 Sports Pub last
20 year.

21 I've been on the street for a long time.
22 I never come and actually sat against any licenses,
23 but in the past year, with Debra Usinger passing,
24 she was kind of -- I would sense her confidence in
25 what was going on in the street. And so I felt

1 with -- with that, I should be more vocal when it
2 comes to situations on the street.

3 Currently, as I see it, Old World Third
4 Street has six night clubs right now. Of which, I
5 think three are operating on their original plan.
6 Buckhead Saloon has been Buckhead Saloon for three
7 years, same operation; Suite, for four years; and
8 then give-or-take there's a couple of questionable
9 whether or not they started as nightclubs but have
10 now become nightclubs.

11 I was part of the Old World Third Street
12 Committee that strongly opposed Bootleggers going
13 into that location. We, as a group, hired an
14 attorney to come and speak on our behalf, and it
15 kind of fell on deaf ears that that was originally,
16 you know, that we had seen the potential that this
17 Bootleggers Group from Minnesota could lead to
18 something going out of business.

19 ALDERMAN ZIELINSKI: Okay. But, sir,
20 with respect to the renewal of this license, what
21 specific testimony do you have? Are you here to
22 object to the renewal of the existing license, and
23 if so, what are the specific reasons why?

24 MR. DEHNE: That's what I was getting to.
25 It was supposed to be a country bar, originally,

1 and then it has been switched to an Irish concept
2 in the last couple of months, which has led to it
3 has now become a pop-up rent-a-club. So different
4 groups have come in.

5 I witness -- I am an owner-operator
6 that's in the businesses on Fridays and Saturday
7 nights. I open. I close. I'm always around. I
8 always walk by because of the triangle in my three
9 businesses --

10 ALDERMAN ZIELINSKI: Okay. Okay. But,
11 you know, they can switch, you know -- do you have
12 problems with noise? I need firsthand testimony.
13 Are you saying they're too loud, they're too noisy,
14 there's loitering, there's excessive drinking?
15 That's the type testimony I need. Are you here in
16 objection?

17 MR. DEHNE: It's a nightlife district, so
18 I'm not -- my point is -- is the actual bones of
19 the business, the operation of who they're bringing
20 to the street, what type of -- or -- you know, what
21 are they? What are they? Are they an Irish bar?
22 Are they a country bar? Are they Bootleggers?

23 I've seen on our streets -- and we are
24 now a nightclub zone with six nightclubs -- and
25 it's one of those things where I think a lot of

1 times this Committee grants a license to a business
2 as a sports bar, and, all of the sudden, it's --

3 ALDERMAN ZIELINSKI: Okay. But what
4 we're here to do is -- is vote to renew this, not
5 renew this, hold this, or whatever. Are you in
6 support or objection to renewal?

7 MR. DEHNE: Objection.

8 ALDERMAN ZIELINSKI: Okay. And what is
9 the specific reason why you're objecting; because
10 they switched the theme of the bar? Any specific
11 issues with respect to noise or other problems?

12 MR. DEHNE: I have no issues with noise.

13 ALDERMAN ZIELINSKI: Okay. So your
14 objection is based solely on the fact they changed
15 the theme of the business, and you don't like that.

16 MR. DEHNE: Correct. That they're
17 operating outside their --

18 ALDERMAN ZIELINSKI: Okay. All the other
19 stuff is just extra, extra stuff. Alderman Bauman.

20 ALDERMAN BAUMAN: To the staff, is there
21 a plan of operation on file? And I think deviation
22 from the plan of operation is grounds for
23 nonrenewal. I mean --

24 ALDERMAN ZIELINSKI: Well, what's --

25 ALDERMAN BAUMAN: -- deviation from a

1 plan of operation.

2 ALDERMAN ZIELINSKI: Okay. So what is
3 the plan of operation?

4 MR. WESSEL: There is a plan of operation
5 on file listing it as a full service restaurant and
6 tavern.

7 ALDERMAN ZIELINSKI: Okay. And they're
8 operating a full service restaurant and tavern.
9 Okay. Thank you, sir. Okay. Next person who
10 wants to testify. Again, the one o'clock timeframe
11 is off the table. You're in objection to the
12 renewal of this license. Just tell us the reason
13 why you're objecting to the renewal of their
14 license.

15 MR. STREGGE: Edward A. Strege, manager of
16 the Old German Beer Hall, HB Milwaukee LLC, 1009
17 Old Word Third Street. And we are a few doors down
18 from the Irish Rec Room, or Rec Room, as it's being
19 called now.

20 Our main concern is they aren't a
21 full-scale restaurant. I don't believe they serve
22 food at all, from what I've heard. And you know,
23 we're all for more businesses on the -- I mean,
24 more businesses, or --

25 ALDERMAN ZIELINSKI: Okay. Wait. Okay.

1 So that's your objection, that they --

2 MR. STREGE: -- outside their business
3 plan.

4 ALDERMAN ZIELINSKI: Okay.

5 MR. STREGE: And they -- our other
6 objection would be, sir, is that they are bringing
7 in DJs that have come in the past and brought
8 unsavory crowds down. When these certain DJs come,
9 we have, you know, flyers promoting on December 15,
10 a DJ that has drawn a violent crowd down to our
11 area years ago. Things like that make us nervous.

12 There is loitering that we see outside
13 their business out the back alley. And we have
14 taken steps in our past to clean up our alley, keep
15 it clean because we have worked with our
16 neighbors --

17 ALDERMAN ZIELINSKI: Okay. But, sir,
18 what we got to do is, we're talking about this bar.
19 We're not --

20 MR. STREGE: Okay.

21 ALDERMAN ZIELINSKI: -- talking about
22 your bar. We're not here to listen to what you did
23 as far as this, that, and the other thing, with
24 your business.

25 MR. STREGE: Okay.

1 ALDERMAN ZIELINSKI: We're talking about
2 this business right now. We got to stick to the
3 point here. So you're objecting because of them
4 not serving food as their --

5 MR. STREGE: -- and loitering. They are
6 not open during the day, nor are they open Sunday
7 through Thursday, unless there's a dance or DJ
8 party that we're aware of. So it's just locked up
9 tight.

10 We also have a concern about things like
11 all-out wasted and loaded Fridays, like
12 all-you-can-drink type of events that they're
13 planning. And that makes us nervous when -- having
14 very drunk patrons might run into our well behaved
15 patrons.

16 ALDERMAN ZIELINSKI: Okay. So have you
17 personally witnessed drunk patrons outside this
18 bar, coming out of this bar?

19 MR. STREGE: I couldn't tell how drunk
20 they were, but, yes, they there intoxicated.

21 ALDERMAN ZIELINSKI: Okay. Okay.
22 Mr. Wessel, it says on the plan of operation that
23 they're going to serve food, right?

24 MR. WESSEL: That's correct.

25 ALDERMAN ZIELINSKI: Okay. So what

1 evidence do you have that they don't serve food,
2 sir?

3 MR. STREGE: I've had customers come into
4 our bar, and I said, how was it over there, and
5 they said, they don't have any food. I haven't
6 been there personally and asked for a burger, no.

7 ALDERMAN ZIELINSKI: So we don't accept
8 hearsay here. If you think they're not serving
9 food, you go in there, ask for food, if they say no
10 --

11 ALDERMAN BAUMAN: It's really not
12 hearsay.

13 ALDERMAN ZIELINSKI: Okay.

14 MR. STREGE: Can I e-mail you?

15 ALDERMAN ZIELINSKI: You come down to the
16 Committee, you know, the next time that comes up.

17 MR. STREGE: Okay.

18 ALDERMAN ZIELINSKI: So what we could do
19 is, what we're going to do is we're going to record
20 your objections and the reason why you're
21 objecting, and we're going to hear another --
22 because you know what we're going to do? We're
23 going to hold this over until the next cycle. So
24 --

25 ALDERMAN BAUMAN: Mr. Chair, if I could.

1 ALDERMAN ZIELINSKI: Yeah.

2 ALDERMAN BAUMAN: The applicant is on his
3 way per the advice of Mr. Randall (phonetic).

4 ALDERMAN ZIELINSKI: Okay. Mr. Randall.

5 ALDERMAN BAUMAN: He'll be here
6 momentarily -- he'll be here within a matter of
7 minutes, so --

8 ALDERMAN ZIELINSKI: Okay.

9 ALDERMAN BAUMAN: -- we might as well get
10 this out of the way while the witnesses are still
11 present rather than having to drag them all back.

12 ALDERMAN ZIELINSKI: Okay. Good.

13 ALDERMAN BAUMAN: And I might add, the
14 plan of operation, which I think we can take notice
15 of here does say they will be opening at 11 a.m.,
16 and I think we heard direct testimony that they do
17 not open at 11 a.m., is that correct, sir?

18 MR. STREGE: That's correct.

19 ALDERMAN BAUMAN: When are they open,
20 typically?

21 MR. STREGE: From my knowledge, on Old
22 World Third Street, almost seven days a week, they
23 don't open until Thursday, Friday, Saturday night.
24 That's all I've really seen the doors open at.

25 ALDERMAN ZIELINSKI: Okay.

1 Attorney Stephens, we have firsthand testimony.
2 I'm sure we'll be hearing from the applicant soon,
3 but they're not opening at eleven o'clock in the
4 morning as the plan of operation indicates. Okay.
5 It that sufficient grounds to discipline in and of
6 itself or not renew the license?

7 ATTORNEY STEPHENS: Recognize the whole
8 purpose of regulating taverns is to reduce the
9 negative -- or eliminate the negative secondary
10 impacts that businesses have. So that's really the
11 discussion.

12 Plans of operations are those things that
13 people come up with to present to the Committee to
14 say, we won't have your negative secondary impacts,
15 or this is my plan to reduce the negative secondary
16 impacts, and you are allowed to hold them to their
17 word.

18 After all, when they appear before you,
19 they're sworn in, and if they violate their plan of
20 operation, I think the Committee could take
21 negative disciplinary action for a lack of, for
22 instance, truthfulness, or, you know, if there was
23 evidence that they said one thing and did something
24 else.

25 Now, of course, in the course of a year,

1 a business could change its mind. It could change
2 its focus. And I don't believe that just changing
3 your plan of operation alone is sufficient to take
4 negative action because that's kind of a calculated
5 business decision.

6 But if there are negative secondary
7 impacts, the relevance of that plan of operation is
8 really up to the Committee. So it really depends
9 on what the applicant says.

10 ALDERMAN ZIELINSKI: Okay.

11 ALDERMAN BAUMAN: If I could add,
12 Mr. Chair, on Old World Third Street in particular,
13 I, with the support of Westown and the other
14 businesses on the street, have always stressed the
15 need to have a daytime operation, a lunchtime
16 operation.

17 Because, otherwise, you have a street
18 that's basically shuttered during the day and looks
19 dead and has no people. And what we wanted there
20 was -- business is fine. They can operate late in
21 the evening. They can operate as nightclubs into
22 the evening as several do like Mr. Dehne there, and
23 they operate nightclubs.

24 But any new applicants that come in
25 including this one, I remember very vividly being

1 open for lunch, serving food during the lunch hour
2 was a very big deal, and they very specifically
3 agreed to that.

4 Now, there has been erosion of that
5 proposition as we hear from the eye witness down
6 the block, they were never open for lunch, and they
7 barely open -- and they don't even open every day.

8 ALDERMAN ZIELINSKI: Even when they first
9 opened, they weren't open?

10 ALDERMAN BAUMAN: At first, they
11 absolutely served food. Absolutely.

12 ALDERMAN ZIELINSKI: They did initially,
13 and then they gradually faded away from that plan
14 of operation.

15 ALDERMAN BAUMAN: It has morphed into a
16 very different operation than what is represented
17 on this application, and that different operation
18 is the source of the adverse secondary effects
19 which the witnesses are referring to.

20 ALDERMAN ZIELINSKI: Okay.

21 ATTORNEY STEPHENS: Mr. Chair.

22 ALDERMAN ZIELINSKI: Attorney Stevens.

23 ATTORNEY STEPHENS: And on that note, the
24 Committee could view an empty street scape or a
25 dead street scape posed by a business that's

1 shuddered throughout the day as a negative
2 secondary impact.

3 ALDERMAN ZIELINSKI: Okay.

4 ATTORNEY STEPHENS: So that is something
5 you can consider.

6 ALDERMAN ZIELINSKI: Okay. Okay. So are
7 you finished now?

8 MR. STREGE: I am.

9 ALDERMAN ZIELINSKI: Thank you. Next
10 speaker.

11 ALDERMAN DUDZIK: Mr. Chairman.

12 ALDERMAN ZIELINSKI: Alderman Dudzik.

13 ALDERMAN DUDZIK: Only because we're
14 anticipating the arrival of this applicant
15 momentarily, I would just ask that this be held to
16 the call of the Chair. And when the individual
17 gets here, we can --

18 ALDERMAN ZIELINSKI: Okay.

19 ALDERMAN DUDZIK: -- to have them sit
20 through the testimony, and then come back up, which
21 I'm sure they'll have the legal right to do, once
22 the applicant is here, it seems --

23 ALDERMAN ZIELINSKI: Well, I'm going to
24 tell you, since the applicant wasn't here at his
25 scheduled time, that's something he's going to have

1 to deal with. But if you can wait, ma'am, are you
2 going to able to wait another 15, 20 minutes?

3 THE WITNESS: Yes.

4 ALDERMAN ZIELINSKI: You can wait 15 or
5 20 minutes. Okay. So what we'll do is we'll hold
6 this to the call of the Chair temporarily until he
7 has an opportunity to arrive.

8 And if the other two speakers want to
9 stay here, so that they can get, you know, an
10 opportunity for response, you'll have that chance
11 as well. Okay, what we're going to do is in the
12 1st District --

13 ALDERMAN BAUMAN: No. There's two more.
14 We've got another fight here.

15 ALDERMAN ZIELINSKI: Another fight.

16 ALDERMAN BAUMAN: Well, you have two
17 competing --

18 ALDERMAN ZIELINSKI: Well, we've got --
19 Alderman Davis had something he wanted us --

20 ALDERWOMAN COGGS: Hamilton.

21 ALDERMAN ZIELINSKI: Okay. So Alderwoman
22 Coggs moves to hold to the call of the Chair to
23 this previous item.

24 (Licensing Hearing Continued.)

25 ALDERMAN ZIELINSKI: Okay. We're still

1 waiting on the Shemitis -- he's here?

2 ALDERMAN DUDZIK: I don't think so.

3 ALDERMAN ZIELINSKI: Okay.

4 ALDERMAN DUDZIK: Oh, somebody's standing
5 up in the back.

6 MR. VECITIS: Sorry. I lost my voice.

7 I'm not John Shemitis, but I'm Kelly Vecitis.

8 I'm --

9 ALDERMAN ZIELINSKI: Okay. Have a seat.
10 We'll take you up in a minute.

11 ALDERMAN DUDZIK: Mr. Chair --

12 ALDERMAN ZIELINSKI: Have a seat in the
13 audience, sir. We have the City Attorney here.
14 When did you get your law license? Okay.

15 These two are going to discuss this.
16 We're going to take a temporary recess. Five
17 minutes. Get this straightened out.

18 (Recess taken.)

19 ALDERMAN ZIELINSKI: The License
20 Committee will reconvene.

21 ALDERMAN BAUMAN: We've got -- oh, yeah.

22 ALDERMAN ZIELINSKI: We've got three. I
23 made sure. Okay. We're in the Alderman --
24 Alderwoman Milele Coggs moves for reconsideration
25 of the item in the 4th District with John Shemitis,

1 agent for Whiskey River Saloon, Milwaukee LLC,
2 Class B license renewal application changing --
3 well -- okay, at 1023 to 27 Old World Third Street.
4 Okay.

5 Mr. Shemitis, please come forward. Have
6 a seat. Raise your right hand, please. Any one of
7 those two seats is fine. Go ahead. Have a seat.

8 THE CLERK: Do you solemnly affirm --

9 ALDERMAN ZIELINSKI: Raise your right
10 hand.

11 MR. SHEMITIS: Oh, I'm sorry.

12 THE CLERK: Do you solemnly affirm under
13 the pains and penalties of perjury in the State of
14 Wisconsin that the testimony you are about to give
15 is the truth, the whole truth, and nothing but the
16 truth?

17 MR. VECITIS: I do.

18 MS. SHEMITIS: I do.

19 ALDERMAN ZIELINSKI: Okay. Please state
20 your name and address for the record.

21 MR. VECITIS: I am Kelly Vecitis. I have
22 been on board to help out the Irish Rec Room for
23 the last 14 days.

24 ALDERMAN ZIELINSKI: Okay. So you're
25 helping, but you're not the agent.

1 MR. VECITIS: I'm sorry?

2 ALDERMAN ZIELINSKI: You're not the
3 agent, correct?

4 MR. VECITIS: No, I am not the agent.

5 ALDERMAN ZIELINSKI: You're helping.
6 Okay. This is the agent. Please share with us
7 your name and address.

8 MR. SHEMITIS: John R. Shemitis. 2935
9 North 73rd Street, Milwaukee, Wisconsin, 53210.

10 ALDERMAN ZIELINSKI: Okay. Do you
11 acknowledge receipt of today's meeting with the
12 possibility your application may be denied?

13 MR. SHEMITIS: Yes.

14 ALDERMAN ZIELINSKI: Okay. So what we
15 did previous to you coming here is we heard this
16 matter. We got an e-mail notification from you
17 indicating that you no longer desire to apply for a
18 one o'clock in the morning for the patio. So we
19 took that off of your application. That's off the
20 table.

21 So what's before us now is just the
22 continued renewal operation of your existing
23 license. Okay. So please share with the Committee
24 what you're doing with this bar. What your -- what
25 your plans are to make sure they operate smoothly

1 because there are people that have testified.
2 There are still people that need to testify with
3 respect to problems that they have experienced with
4 respect to your business.

5 I will tell you this: On your
6 application, it says that you're going to serve
7 food starting at one o'clock in the morning. We've
8 had direct testimony stating that you do not serve
9 food at eleven o'clock in the morning, so why don't
10 you start off with that.

11 MR. SHEMITIS: You are 100 percent
12 correct on the food issue. We do not serve lunch.
13 It was just too tough during the summer in those
14 months down there to serve lunch. It is on our
15 application as serving lunch.

16 ALDERMAN ZIELINSKI: Okay. You know that
17 a deviation from a plan of operation is pretty
18 serious.

19 MR. SHEMITIS: Mm-hmm.

20 ALDERMAN ZIELINSKI: And especially given
21 the fact that the alderman in that the area has
22 provided testimony that when you first applied for
23 this licence it was made absolutely clear that it
24 was important to have a lunchtime operation for
25 that strip, correct?

1 MR. SHEMITIS: You are correct.

2 ALDERMAN ZIELINSKI: Okay.

3 MR. SHEMITIS: And then with the new
4 manager Kelly Vecitis here that's been with us,
5 that was something that we talked about to
6 reconvene doing, especially now that Marquette's
7 back in school, into doing the lunches.

8 ALDERMAN ZIELINSKI: Okay. Anything else
9 you care to share with the Committee about the
10 operation of your business?

11 MR. SHEMITIS: We, you know, based --
12 having this operation for the last two years from
13 Whiskey River to Irish Rec Room, yes, we've had
14 certain things that have come up that I think I've
15 handled in a timely matter, and I don't think I've
16 done anything but.

17 We met with the police department with
18 the liaison officer for two hours on Friday this
19 past Friday to discuss stuff. We know that we've
20 had management changes since August of 2012 this
21 year.

22 And those -- that person is no longer
23 with us. He was taking the establishment of what
24 we had proposed into a different direction, and
25 that's why Kelly is here with me today. Because he

1 has a managing partner and has 20 years of
2 experience in the bar business from Kelly's
3 Bleachers to Kelly's Wind Lake.

4 ALDERMAN ZIELINSKI: Okay. Now, what I
5 want to do is, ma'am, do you want come forward at
6 this time? Did we swear you in before? We did
7 swear you in. Okay. Just state your name for the
8 record.

9 MS. CALLIES: I --

10 ALDERMAN ZIELINSKI: Well, yeah. Chris,
11 why don't you get that. Okay.

12 MS. CALLIES: My name is Stacy Callies,
13 C-A-L-L-I-E-S. My address is 633 West Wisconsin
14 Avenue --

15 ALDERMAN ZIELINSKI: Okay.

16 MS. CALLIES: -- Suite 409, Milwaukee.

17 ALDERMAN ZIELINSKI: Okay. And what is
18 this? What are these papers that you've provided?

19 MS. CALLIES: I wanted to provide a
20 letter to the Committee as some background
21 information. It was signed and sent to me by
22 Mr. Shemitis in 2010 prior to opening the facility.

23 It was a follow-up by him after numerous
24 community meetings with our organization, the
25 Westown Association, and neighboring businesses. I

1 just -- I think this is a good illustration of how
2 they haven't followed through on all the
3 commitments they've made to the neighborhood, and
4 to the city.

5 So I'm here representing the Westtown
6 Association. We're the downtown association west
7 of the river in downtown Milwaukee, and we're
8 actually here to oppose the renewal of the Class B
9 Tavern and Public Entertainment License for this
10 business.

11 The Westtown Association opposed the
12 issuance of the tavern dance license in
13 January 2003 when the business was opening. And
14 you may recall, and that was before you were Chair,
15 Mr. Zielinski, but we took a standing opposition to
16 any new tavern dance licenses in the Westtown
17 neighborhood for a 12-month period, which coincided
18 with a Responsible Hospitality Initiative.

19 Which we thought would help us deal with
20 some of the issues of the problem nightclubs in --
21 on Third Street particularly, but in the
22 neighborhood. And I think that although the RHI
23 Initiative was successful in many regards with Code
24 R.E.D. and the Downtown Neighborhood Association.

25 And the one thing it failed in our

1 organization's opinion to deal with is one of the
2 single most biggest problems we find with the
3 licensing process, and that is when a licensee
4 files a plan of operation and makes commitments to
5 the neighborhood, but then very frequently, soon
6 after that time, changes business plans and totally
7 deviates from any commitment --

8 ALDERMAN ZIELINSKI: Well, let me just
9 say something because you're covering a lot of
10 territory here. When they do deviate from that
11 plan, and you do your homework like give us copies
12 like this, there's action that the Committee, you
13 know, is likely to take.

14 Now, the first thing I want to do is
15 enter this into the record. Mr. Shemitis, do you
16 see a copy of this?

17 MR. SHEMITIS: Yes.

18 ALDERMAN ZIELINSKI: Okay. Do you have
19 any problems with the authenticity of this letter?

20 MR. SHEMITIS: No.

21 ALDERMAN ZIELINSKI: Okay. So
22 Alderman Perez moves to enter this letter into the
23 record, and there being no objection, so ordered.
24 And I do -- I do know one of the big issues for
25 Alderman Bauman was serving lunch. And if you look

1 on page 2, where it says, "lunch," "while we do not
2 -- while we had not initially intended to provide
3 lunch service, we were convinced by what Debra --
4 meaning Debra Usinger -- had to say about the
5 importance of maintaining an active street during
6 the day, we pledge to offer daily lunch menu."

7 So that's a direct contradiction to
8 something that was very important to the alderman
9 in the businesses and residences in the area. So
10 you did do your homework. We do recognize that.
11 That is officially on the record.

12 MS. CALLIES: Okay.

13 ALDERMAN ZIELINSKI: Okay.

14 MS. CALLIES: In the last two years, this
15 business in particular, at first, claimed to be a
16 country theme bar with live music and a full dinner
17 menu. Now, according to Mr. Shemitis, it is a
18 sports theme -- or Irish theme sports bar.

19 In fact, as other people have testified,
20 it is solely a nightclub that's open three nights a
21 week, and I have witnessed that, that they're not
22 open on the other days. I have firsthand knowledge
23 of that. And they are not serving lunch.

24 In the last six months, I have received a
25 number of complaints from neighboring businesses on

1 behavior of patron, and as well as had discussion
2 with District 1 MPD about different issues they
3 were having with this particular business, which
4 included disorderly behavior from their patrons,
5 loitering, fighting, such things.

6 And that letter that I submitted to you,
7 I believe Mr. Shemitis made a pledge to our
8 organization on many regards, one of which is that
9 he would not utilize event promoters, which he has
10 very much admitted to us that he has violated that.
11 And that was as a result of the management team in
12 place this summer.

13 And, in fact, Mr. Shemitis blames this
14 management team for a lot of the problems that went
15 on this year, but he, as the agent, is accountable
16 for this. And he's accountable to the commitments
17 that he made to the neighborhood, that he made in
18 his license application to the city under oath.

19 So we ask that you, you know, take those
20 commitments seriously. I know he said he's taking
21 the business in another direction by bringing on
22 this management team with the successful track
23 record. But I think at this point, I don't have a
24 lot of faith in him upholding the things he's said
25 he would do.

1 ALDERMAN ZIELINSKI: Okay. So why don't
2 you hold onto that. Let's take this point by
3 point. Where he took the lunch -- the event
4 planners promotions. Okay.

5 On the letter that was entered into the
6 record under event planners promoters, it states in
7 the letter from this -- from the agent, "You shared
8 with us some of the problems that you have
9 experienced in the past with license holders
10 renting their space out to event planners and
11 promoters.

12 We've never had any intention of doing
13 this and are happy to give Westown our pledge that
14 this type of activity will not take place at our
15 establishment. We will retain personal control
16 over everything that happens at our establishment."

17 Okay. So, Mr. Shemitis, what's been the
18 experience with event planners and promoters?

19 MR. SHEMITIS: Yes. There were some --
20 and the previous management team -- and they are no
21 longer with the company. Like I said, we did not
22 want that -- the worst stuff -- there's event
23 promoters out there that actually promote our bar
24 without our knowledge, which we found out in the
25 last couple of weeks.

1 And that's why we met with the police
2 department showing them flyers that we did not --
3 we did not authorize or say they're having events
4 there. We have in-house promotion with Lou Dunn
5 (phonetic), Bill Hoig (phonetic), and, you know,
6 Kelly.

7 But, yes, there has been stuff in the
8 past. That's why they're no longer there, and
9 that's, you know, we have talked to the police
10 department about that. And I do agree with Stacie.
11 That's -- yes, there was stuff going on.

12 ALDERMAN ZIELINSKI: But you do know that
13 you're responsible.

14 MR. SHEMITIS: I am responsible, yes.

15 ALDERMAN ZIELINSKI: Okay. Okay.

16 MR. VECITIS: Can I make a statement,
17 please? They are not renting the place out to
18 promoters. They had promoter teams that were
19 coming in and trying to do business with them, but
20 they were not renting it out to them.

21 ALDERMAN ZIELINSKI: Mm-hmm.

22 MR. SHEMITIS: We've never rented our
23 facility to anybody for a lump sum of money and
24 say, take our bar, and you can do what you want.

25 ALDERMAN ZIELINSKI: Okay. So did your

1 -- did your understanding with them go beyond not
2 renting this out and included --

3 MS. CALLIES: It -- the event promoters
4 in general that they were using is our concern,
5 which kind of --

6 ALDERMAN ZIELINSKI: Okay.

7 MS. CALLIES: -- is a common denominator
8 with many of the problems --

9 ALDERMAN ZIELINSKI: Okay.

10 MS. CALLIES: -- downtown with
11 nightclubs.

12 ALDERMAN ZIELINSKI: Okay. So I think
13 that's something that is -- is contrary to what the
14 intention was or the expectation from the
15 businesses and the alderman in the area. Okay. Is
16 there anything else that you have to add?

17 MS. CALLIES: It's just the final point
18 about hands on management. He states in the letter
19 that he'd be involved in the day-to-day operations,
20 which clearly did not happen over the course of the
21 year. So that just leaves me -- I mean, he's
22 placing blame on this previous management team and
23 bringing in a new one.

24 I question whether he, as an agent, will
25 be involved in the day-to-day operation and will,

1 you know, remedy these problems that we've had over
2 the course of the last year.

3 ALDERMAN ZIELINSKI: Also under
4 management and security on the letter that you
5 provided to us that was entered into the record, it
6 says here, "We make it clear that John Shemitis,
7 who has vested interest in the ownership of the
8 business as the local agent who is responsible of
9 the day-to-day operations.

10 He will not be an absentee operator -- we
11 will not be absentee operators. John will be
12 present at the premise on a daily basis." That's
13 not the case either.

14 MR. SHEMITIS: Well, I refute that. I am
15 hands on, and I think you can ask anybody there.

16 ALDERMAN ZIELINSKI: Uh-huh.

17 MR. SHEMITIS: I am there for a lot of
18 events. I am not there every day, but when we do
19 have stuff, I am there. I do make sure that it's
20 cleaned up in the night. And in the morning, I do
21 make sure that the snow is shoveled, and I think
22 that -- and I don't have, you know, responses to
23 this.

24 But, you know, from anytime Deb Usinger
25 had something -- you know, rest her soul -- to Tom

1 at the Spice House, anybody, whether it be snow
2 removal, garbage, whatever they've wanted, I've
3 always done it. There's not one thing that I've
4 never not done.

5 Everybody's got my e-mail and my phone
6 number. And if anything -- if, you know, whether
7 there's garbage in back, whether it's ours or not,
8 it's always been done. I --

9 ALDERMAN ZIELINSKI: But the thing that I
10 don't understand is that you said the people that
11 were working for you before are no longer with you
12 because of the event planners and promotions.

13 MR. SHEMITIS: Well, like I said, with --
14 with them, you know, I want to say booking events,
15 not renting our place out, but certain things with
16 the events that we had that weren't run by me, like
17 I said, that was not in our -- what we wanted.

18 ALDERMAN ZIELINSKI: That's what I don't
19 understand. If you're there and involved with the
20 day-to-day operations, how could that occur without
21 you knowing about it?

22 MR. SHEMITIS: Right. Well, no. I knew
23 about the stuff, but, like, what I was saying,
24 like, with Kelly is that there is stuff that popped
25 up, and I talked to the police department about

1 that we don't even know about. There's stuff all
2 over the Internet saying, New Year's Eve party at
3 the Irish Rec Room, and we don't even know about
4 it.

5 ALDERMAN ZIELINSKI: Okay. That stuff,
6 that's different.

7 MR. SHEMITIS: Right.

8 ALDERMAN ZIELINSKI: But you had people
9 there --

10 MR. SHEMITIS: Sure.

11 ALDERMAN ZIELINSKI: -- that were in your
12 business --

13 MR. SHEMITIS: Sure.

14 ALDERMAN ZIELINSKI: -- actually doing
15 that.

16 MR. SHEMITIS: Right.

17 ALDERMAN ZIELINSKI: Okay. So that's --
18 okay. So -- okay. Okay. So you're finished. Did
19 any of the previous speakers, did you want to come
20 forward again? You made your points. Okay.

21 They talked about issues with loitering,
22 noise, excessive noise, and the stuff that you
23 mentioned as well. Okay. Is -- sure -- because he
24 wasn't here before. Normally, we don't do this,
25 but he wasn't here before. Go ahead.

1 MR. DEHNE: Do you need me to restate
2 anything?

3 ALDERMAN ZIELINSKI: Yeah. Just restate
4 your name again.

5 MR. DEHNE: Jake Dehne. 6923 West
6 Wisconsin.

7 ALDERMAN ZIELINSKI: Okay.

8 MR. DEHNE: My -- you know, listening to
9 this portion, are you -- I don't know if I can
10 address you directly -- but, you know, this
11 Saturday, you have the Mung New Year Party. That
12 was something that they came to me, and I turned it
13 away because DJ Psycho is known as bringing a
14 crowd.

15 If you're not paying attention to your
16 Facebook page, which is very simple to go to and
17 either go under Rec Room or Irish Rec Room, there's
18 the 15th, there's another event. There's an
19 18-plus New Year's event. Me, as a manager, I
20 would change that immediately.

21 It sounds like for 14 days, you've been
22 changing your operations back to how it should be,
23 but that's how we work; Facebook. So I don't know
24 if that's something that's been missed through this
25 process of changing.

1 And for -- for when it comes to the
2 outside events and promoters, I don't rent my
3 places or anything like that. They take cover, so
4 they take cash at the door --

5 ALDERMAN ZIELINSKI: Mm-hmm.

6 MR. DEHNE: -- as their payment for doing
7 that. Which is recorded for however anyone chooses
8 to do that, I guess. So that was my addition to
9 that. I think the street is saturated with
10 nightclubs. There has been nuisance complaints
11 from my managers at Upper 90 outside the back door
12 in the alley. Of course, I can't say. I wasn't a
13 witness to that, and also, I guess that's my --

14 ALDERMAN ZIELINSKI: Okay. Good.

15 MR. DEHNE: My addition.

16 ALDERMAN ZIELINSKI: Okay.

17 MR. VECITIS: Mr. Zielinski.

18 ALDERMAN ZIELINSKI: Go ahead.

19 MR. VECITIS: I understand they're
20 speaking of the Facebook and the social media. The
21 Facebook page has been shut down to a certain
22 extent, and things are being changed on it and
23 improved on it.

24 I'll be honest with you, some of the
25 events that were there weren't on our own Facebook

1 page. We were finding through searching Facebook
2 for some of the events, the 18-plus that they're
3 speaking of. As soon as that was found, the
4 promoter was called, and it was canceled.

5 There's a lot of that stuff that is going
6 on through social media like Jake says, isn't
7 controlled by us. I mean, people are talking on
8 Facebook and Twitter and all that about places that
9 they may not even have a right to speak about.

10 So we have done due diligence on
11 searching for all these events and all these things
12 that are going on. I have personally talked to the
13 sergeant down there -- is it Mr. Grable (phonetic)?

14 MR. SHEMITIS: Graber (phonetic).
15 Peter Graber.

16 MR. VECITIS: Peter Graber about these
17 events. And as we find them, we are canceling
18 them. We are not going on with the -- excuse me --
19 The Mung event that he is speaking of is something
20 that is being canceled and is canceled, per say.

21 We wanted to do it in person with these
22 guys because the event was booked, and we feel
23 personally responsible for letting these guys know
24 what goes on.

25 ALDERMAN ZIELINSKI: Have you been hired

1 already?

2 MR. VECITIS: I have been down there for
3 -- operating for about 10 days. I've been there
4 for about 21.

5 ALDERMAN ZIELINSKI: Okay. And what's
6 your title?

7 MR. VECITIS: I'm manager.

8 ALDERMAN ZIELINSKI: Manager. Okay.
9 Does that need to be -- Mr. Wessel, is that
10 reflected on the license -- on the -- on the
11 license?

12 MR. VECITIS: Mr. Chair, we did fill out
13 a form last week.

14 MR. WESSEL: Okay.

15 ALDERMAN ZIELINSKI: You did fill out a
16 form last week? Okay. Right. Okay. So
17 Alderman Bauman, you're sitting here.

18 ALDERMAN BAUMAN: Thank you, Mr. Chair.
19 You know, a couple of things here, you've heard
20 neighborhood testimony about the plan of operation
21 issue, which, to me is a big deal.

22 Because I remember when the original
23 applicants came in for what was a very large venue,
24 and taking a look at their application, there's a
25 few things. I assume now, do you close right now

1 at 11 p.m.

2 MR. SHEMITIS: Bar time.

3 ALDERMAN BAUMAN: Well, the -- what are
4 the -- okay. You -- this is a renewal of the
5 entire application, correct?

6 MR. SHEMITIS: Right.

7 ALDERMAN BAUMAN: This is a very large
8 venue. This is a 729 capacity establishment. I'm
9 looking at the hours of operation, which say they
10 close at 11 p.m. currently. Now, he's saying that
11 the rooftop -- I don't even have the document
12 pertaining to their -- to the rest of the premises.

13 MR. WESSEL: No. The regular hours are
14 until 2 a.m., and then 2:30 on Friday and Saturday.

15 ALDERMAN BAUMAN: Okay. That's fine.
16 I'm not sure how that didn't get in here, but
17 that's fine. That's neither here nor there.

18 MR. SHEMITIS: That was for the -- I'm
19 sorry, Alderman Bauman. That was for the -- when I
20 went in to talk to Jessica about the rooftop hours
21 for back in April.

22 ALDERMAN BAUMAN: So I don't even --

23 MR. SHEMITIS: No.

24 ALDERMAN BAUMAN: -- have the full
25 application here.

1 MR. SHEMITIS: That was just for the --
2 that was subsequent to the app renewal. That was
3 -- I remember filling out with Jessica for the
4 rooftop, which I withdrew.

5 ALDERMAN BAUMAN: So I don't even have
6 their documentation.

7 MR. WESSEL: I would think --

8 ALDERMAN BAUMAN: I should direct it to
9 him, or I should direct it to the staff? I mean, I
10 don't even have -- who gives me this packet every
11 month?

12 MR. WESSEL: That does come through our
13 office, sir.

14 ALDERMAN BAUMAN: Okay. Well, all I have
15 is, apparently, the application for the patio,
16 which was going to raise some concerns about it
17 because it says 60 percent alcohol, 40 percent
18 food. It says it's a full-service restaurant, and
19 that only pertains to the patio, apparently.

20 So I really can't even ask any questions
21 about the establishment relative to the full
22 application. And that -- you can come and look at
23 the packet that you guy delivered to me, and that
24 does not include any -- no. That's all I have.

25 It is apparently what is pertaining to

1 the patio. So for the purposes of the staff with
2 the License Division, there appears to be some
3 documents to have fallen between the cracks.

4 We've had admissions here that they have
5 not been serving lunch. We've had admissions that
6 they've been operating and subleasing. Even if
7 it's not technically a lease, it's an arrangement
8 whereby an outside party accepts, promotes, then
9 takes the cash at the door. And then, of course,
10 the bar generates whatever income they can from
11 liquor sales.

12 We've heard testimony about nuisance
13 behavior. There is a police report which hasn't
14 yet been read in the record. I don't think. I
15 didn't hear it read into the record. There are
16 items on the police report, verified guilty
17 findings relative to disorderly premise.

18 And I would very honestly recommend
19 nonrenewal here based on the testimony that's been
20 received and the violate -- deviations from the
21 plan of operation.

22 ALDERMAN ZIELINSKI: Okay. What I want
23 to do is have Sergeant Raden read the police
24 report.

25 SERGEANT RADEN: On 4/17, 2012, the

1 applicant was cited at 1023 North Old World Third
2 Street in the City of Milwaukee for consumption of
3 alcohol at a Class B premise. There is a guilty
4 finding with \$100 fine.

5 On 4/18, 2012, the applicant was cited at
6 1023 North Old World Third Street in the City of
7 Milwaukee for disorderly premise prohibited with a
8 guilty finding with a \$200 fine.

9 ALDERMAN ZIELINSKI: Okay. Any questions
10 on the police report?

11 MR. SHEMITIS: No.

12 ALDERMAN ZIELINSKI: Okay. Okay. So
13 what we're going to do is Mr. Shemitis, we're going
14 to give you some closing remarks, and we're going
15 to take this into Committee. So in your closing
16 remarks, I'd also reference what kind of actions
17 you're planning on taking to address noise issues
18 because there's been a lot of testimony with noise,
19 nuisance, loitering, litter, that type of stuff.

20 So apparently that hasn't been addressed
21 adequately for your neighbors. What are you going
22 to be doing differently with respect to that?

23 MR. SHEMITIS: Well, first off, I'd like
24 to apologize for being late. I thought it was at
25 one o'clock. And what I was working on -- and --

1 was the plan of operation new to Irish Rec Room.

2 As you know, this is under Whiskey River.
3 I was the previous owner of Whiskey River. And for
4 many different reasons that the Committee doesn't
5 need -- you know, need, you know, we had -- we had
6 a name change because of a lawsuit with
7 Dale Earnhardt Jr., and had to change to Irish Rec
8 Room.

9 Obviously, from a country bar that we had
10 submitted, when I went to renewal last year, had
11 this stuff done. It wasn't asking for me to submit
12 a 47 page plan of operation. So that's what I was
13 working on, was the Irish Rec Room, which is
14 similar to the Whisky River, except for the country
15 music, to present to you today.

16 However, since I had my time drawn, I do
17 have that for you. So -- and -- and with the
18 licensing because it is Whiskey River, I was the
19 holder of both. There was never a problem applying
20 for the renewal. As far as moving forward, I think
21 bringing on Kelly Vecitis that has many years of
22 experience and seeing, you know, what he has done.

23 He's my partner, Chuck Vecitis' nephew,
24 and has 25 years experience in this industry, and,
25 you know, to help us out. I think that he is the

1 proper person to move forward with the Irish Rec
2 Room and what we want to do and what we have to
3 accomplish here on Old World Third Street.

4 You know, there's a lot of stuff that we
5 can talk about as far as not being open for
6 lunches. Should we be open for lunches. You know,
7 that's all something that, yes, we did say it, and
8 I do apologize that we did not do the lunches. We
9 are open for food. We had staff changes for that
10 as well.

11 We have to get through the City of
12 Milwaukee Health Department. We have -- which will
13 be this week and should be ready for the Marquette
14 Wisconsin Badger game on Saturday. And I do have a
15 copy of the menu, but I left it in my truck, and
16 it's, you know, a good menu. And, you know, that's
17 -- that's what we're shooting for.

18 ALDERMAN ZIELINSKI: Okay. It's been
19 testified that you're only open three nights a
20 week, three or four nights a week. Is that true?

21 MR. SHEMITIS: That's not true.

22 ALDERMAN ZIELINSKI: How many days a week
23 are you open?

24 MR. SHEMITIS: Six.

25 ALDERMAN ZIELINSKI: Open six days a

1 week?

2 MR. SHEMITIS: Except for -- well, yes.
3 I mean, that's -- that's the plan. I can't say
4 that -- you know, that -- you know, the Thursday --
5 Friday -- we had comedy on Tuesday. Poker on
6 Wednesday. Certain things on Thursday, Friday, and
7 Saturday.

8 ALDERMAN ZIELINSKI: So you're open six
9 days a week?

10 MR. SHEMITIS: Correct.

11 MR. VECITIS: And the reason,
12 Mr. Zielinski -- excuse my voice -- I have gone in
13 there to clean up the place, so we have shut down
14 on Sunday, Monday, Tuesday, Wednesday to clean this
15 place up and get it back open. The kitchen has
16 been fully cleaned, bleached, whatever you may want
17 to say to get this operation back up to a
18 full-time, six days a week.

19 ALDERMAN ZIELINSKI: So it's closed
20 Sunday, Monday, Tuesday, and Wednesday?

21 MR. VECITIS: Of the last two weeks that
22 I have been there.

23 ALDERMAN ZIELINSKI: Of the last two
24 weeks.

25 MR. VECITIS: Yes. Two weeks.

1 ALDERMAN ZIELINSKI: But you have been
2 operational for six days a week prior to that?

3 MR. VECITIS: To my knowledge of getting
4 that, they were open Sunday, Monday, Tuesday and
5 that, and then --

6 MR. SHEMITIS: Mondays, we were not.

7 MR. VECITIS: Wednesday was karaoke when
8 I first got there.

9 ALDERMAN ZIELINSKI: Okay.

10 MR. VECITIS: And that I understand the
11 thing about lunch and hearing all that. Whatever I
12 need to do to, I am more than willing to work it.
13 My track record, through the establishments that
14 we've had, and that I've developed, have been very
15 strong with the City of Milwaukee and also in
16 Racine County.

17 ALDERMAN ZIELINSKI: Okay. So what I'm
18 going to do right now is -- did you have any
19 questions because I'd like to go into Committee.
20 If you have a question, we'll entertain a couple
21 more questions.

22 ALDERMAN KOVAC: No. I was just going to
23 make -- I'm glad you clarified that because I --
24 obviously, until we had the clarification, someone
25 was lying --

1 ALDERMAN ZIELINSKI: Right.

2 ALDERMAN KOVAC: -- and we wouldn't be --
3 Stacie Callies, because I know her reputation with
4 Westown Association. So to be clear, for two
5 weeks, most recently, you were only open three days
6 a week, but that was because you were going through
7 a transitional period. And previous to that and
8 going forward, you intend to be open six days a
9 week.

10 MR. SHEMITIS: Correct.

11 MR. VECITIS: Correct.

12 ALDERMAN ZIELINSKI: I want to get
13 something clear. Okay. Was it you, Ms. Callies
14 that said that they were only open three nights a
15 week?

16 MS. CALLIES: Yeah. I was --

17 ALDERMAN ZIELINSKI: Okay. Come back to
18 the table here. Okay. So you personally saw --

19 MS. CALLIES: Yeah.

20 ALDERMAN ZIELINSKI: -- or you heard that
21 they're only open --

22 MS. CALLIES: No. I actually have taken
23 it upon myself with many of the issues on Third
24 Street going on right now.

25 ALDERMAN ZIELINSKI: Okay.

1 MS. CALLIES: And the volume of e-mails
2 and calls we've been getting to be proactive to
3 walk. I have done that on several occasions, and I
4 can't give you a date, but there were two times
5 that I stopped there, and they were not open.

6 ALDERMAN ZIELINSKI: When was this, prior
7 to the last two weeks?

8 MS. CALLIES: Yes.

9 ALDERMAN ZIELINSKI: And were they on
10 like a Thursday, Wednesday, do you remember?

11 MS. CALLIES: No. Because I -- it was, I
12 believe Tuesday night of a Bucks game --

13 ALDERMAN ZIELINSKI: Mm-hmm.

14 MS. CALLIES: -- that I attended, and
15 they were not open. And as a sports bar, that kind
16 of --

17 ALDERMAN ZIELINSKI: So it's in your
18 opinion that they're not open -- that they're only
19 open three nights a week. I mean, how do you know,
20 if you went there twice, and they weren't open,
21 that they're open three days a week?

22 MS. CALLIES: Well, of course, I'm not
23 going to go there every day and check it out, but
24 --

25 ALDERMAN ZIELINSKI: Okay. But how do

1 you come up with that as opposed to four days or
2 five days?

3 MS. CALLIES: Well, that is based on the
4 overall discussion on the street and my --

5 ALDERMAN ZIELINSKI: So it's what you're
6 hearing from other people?

7 MS. CALLIES: Correct.

8 ALDERMAN ZIELINSKI: Okay. And, sir,
9 you've got firsthand testimony about how many days
10 that you've gone in there, and they're not open?

11 MR. STREGGE: Before the last two weeks, I
12 stopped by, and nobody was there, just to say
13 what's going on, are you guys switching? And,
14 yeah, I'm there almost every day walking up and
15 down that street. And maybe they do open.

16 I do -- also, I'll be at my bar late --
17 later at night, but they might have opened at eight
18 or nine or six, but yeah, during the day, they
19 weren't open. And that's been going on for more
20 than two weeks.

21 ALDERMAN ZIELINSKI: So. Okay.

22 MR. STREGGE: And, no, I don't tally. You
23 know, like --

24 ALDERMAN ZIELINSKI: If you come down
25 here, and you say they're not open six nights a

1 week --

2 MR. STREGGE: Right.

3 ALDERMAN ZIELINSKI: -- you need to
4 personally go down there. If you're going to make
5 that -- that accusation before this Committee.

6 MR. STREGGE: Sure.

7 ALDERMAN ZIELINSKI: We need firsthand
8 testimony. You can't say, well, I went in there
9 two times, so therefore, they're only open three
10 nights a week. That's not going carry any water.
11 Okay. Thank you.

12 ALDERMAN KOVAC: Mr. Chair.

13 ALDERMAN ZIELINSKI: Alderman Kovac.

14 ALDERMAN KOVAC: One more question. You
15 know, this letter, and I recall this when you first
16 opened, this issue of lunch, and, you know, you say
17 right here, "We pledge to offer a daily lunch
18 menu."

19 Now you're saying that for various
20 reasons, you couldn't. Are you now -- you cleaned
21 up the kitchen. You've cleaned up -- or you
22 clarified who can promote what and what goes on.
23 Are you going to be offering lunch again, or you're
24 not sure?

25 MR. VECITIS: We have no problem going

1 forward to offer lunch. Right now there was a
2 staff problem with only having seven workers there.
3 And that's why I have now come in there and done 76
4 different interviews. We did go through this
5 Saturday and clean the kitchen as we speak --
6 excuse me -- as we speak.

7 Now we're going through the process of
8 trying to hire the right help in the kitchen and
9 the service staff to be open all that time.

10 ALDERMAN KOVAC: So when do you plan on
11 being open for lunch?

12 MR. VECITIS: I hope that we can do it in
13 the next weak or so.

14 ALDERMAN KOVAC: You understand that this
15 Committee can be cynical given that we have a
16 letter from December of 2010 that's pretty
17 emphatic. "We pledge to offer a daily lunch menu."

18 Now, I think you probably don't get three
19 strikes. You get two strikes, or maybe you only
20 get one strike. Alderman Bauman wants you to only
21 get one strike. You told the Committee one thing
22 once, and it ain't true.

23 So what's -- what's different this time,
24 or give us a little bit more context of what
25 happened with that issue.

1 MR. VECITIS: I cannot speak from the
2 past. I can only speak moving forward. All of my
3 places that I've ever operated have been open for
4 lunch.

5 ALDERMAN KOVAC: Well, then maybe the
6 question would be for Mr. Shemitis.

7 MR. SHEMITIS: Please repeat the
8 question. I'm sorry.

9 ALDERMAN KOVAC: What's different about
10 your pledge in 2012 and your pledge in 2010 to
11 serve lunch?

12 MR. SHEMITIS: There's nothing different.
13 Like I said, you know, we had full menus from
14 Whiskey River to Irish Rec Room that we offered for
15 dinner. And, you know, the lunch, like I said, it
16 was probably my decision to discontinue the lunches
17 because the business wasn't there.

18 And I take full responsibility for that.
19 But Kelly, with his bar experience, we had talked
20 about this when he came on board because he is
21 there at eight o'clock in the morning, every
22 morning, you know, doing the stuff that he needs to
23 do, that you know, we had talked about opening it
24 back up for lunch to a limited menu.

25 And that's what we were just doing before

1 I came down here today was the new menu.
2 Specifically, obviously, to, you know, we -- we
3 hadn't had the kitchen open because of the --
4 because of the changeover and plus the Health
5 Department -- two minor things, we didn't renew our
6 license, which we have since renewed.

7 And we have Sue Blaustein coming through
8 this week to give us the final stamp to open for
9 food for the Marquette-Badger game on Saturday,
10 which is a big part of our business. And it's
11 actually hurt us not having it. That's why we've
12 been trying to get it ready.

13 Because of the Bucks games, people come
14 in. Even in the last week Marquette game, when I
15 was there, people come in. We don't offer food at
16 this time, and we had nothing.

17 ALDERMAN KOVAC: And what about weekday
18 lunch?

19 MR. SHEMITIS: Yes. Weekday lunch, as
20 well.

21 ALDERMAN ZIELINSKI: Okay. Additional
22 questions, Alderman?

23 ALDERMAN KOVAC: No.

24 ALDERMAN ZIELINSKI: Okay. We're in
25 Committee. And I will say this, that I am leaning

1 toward some strong disciplinary action. Because I
2 take -- and I take the comments of the previous
3 speakers very seriously.

4 If somebody puts something in print --
5 for anybody that's listening to this on TV -- if
6 you put something in print, especially when you get
7 support from the neighborhood because you agreed to
8 provide lunch, and you agreed to do certain things,
9 that -- and you deviate from that, that's very
10 serious. And we have to send a message.

11 So when you made that statement earlier,
12 Ms. Callies, that these people come in, they say
13 one thing, and they do something different. If it
14 comes before the Committee, and you provide us
15 evidence, we're going to take action. Okay. With
16 that, we're in Committee.

17 ALDERMAN DUDZIK: Mr. Chair.

18 ALDERMAN ZIELINSKI: Alderman Dudzik.

19 ALDERMAN DUDZIK: I would move nonrenewal
20 based on neighborhood objections, the deviation
21 from the plan of operation, and I'll leave it at
22 that.

23 ALDERMAN ZIELINSKI: Okay. Any
24 discussion on the motion --

25 ALDERMAN DUDZIK: And the police report.

1 Thank you very much.

2 ALDERMAN ZIELINSKI: Okay. Any
3 discussion on the motion for nonrenewal by
4 Alderman Dudzik? Okay. What we're going to do is
5 take a role call and vote on that.

6 THE CLERK: On the motion of nonrenewal,
7 Alderman Perez.

8 ALDERMAN PEREZ: Yes.

9 THE CLERK: Alderman Dudzik.

10 ALDERMAN DUDZIK: Aye.

11 THE CLERK: Alderman Kovac.

12 ALDERMAN KOVAC: No.

13 THE CLERK: Alderwoman Coggs.

14 ALDERWOMAN COGGS: Abstain.

15 THE CLERK: Mr. Chair.

16 ALDERMAN ZIELINSKI: Aye.

17 THE CLERK: Three ayes. One no. One
18 abstain.

19 ALDERMAN ZIELINSKI: Okay. The motion
20 prevails. Mr. Stephens.

21 ATTORNEY STEPHENS: The Committee will be
22 doing a report of its findings of facts and
23 conclusions of law recommending to the Milwaukee
24 Common Council your license be non-renewed. You
25 will receive a copy of the report. You will also

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have an opportunity to file written exceptions.

If you do, they must be received by the City Clerk's Office by 4:45 p.m. on December 13, 2012. If you submit written objections, you will also have the opportunity to appear before the Common Council when it considers this matter on December 18, 2012, in the Common Council Chambers of this building.

Please be advised that this report is a recommendation to the full Common Council. The Common Council makes the final decision whether your license will be renewed, renewed with a suspension between 10 and 90 days, or not renewed. Do you understand that, sir?

MR. SHEMITIS: Yes.

ATTORNEY STEPHENS: Thank you, Mr. Chair.
(Whereupon the proceedings concluded.)

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