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CITY OF MILWAUKEE  
UTILITIES & LICENSING HEARING

In the Matter of:  
AUTO BARGAINS, LLC  
6502 West Fond du Lac Avenue

COMMITTEE MEMBERS

ALD. JAMES WITKOWIAK - Chairman  
ALD. JAMES BOHL, JR. - Vice Chairman  
ALD. JOSEPH A. DUDZIK  
ALD. ROBERT PUENTE  
ALD. WILLIE WADE

ALD. JOE DAVIS - 2nd District  
Proceedings had and testimony given in the  
above-entitled matter before the UTILITIES &  
LICENSING COMMITTEE OF THE CITY OF MILWAUKEE on the  
7th day of December, 2004, before Terese M. Schiebenes  
of Milwaukee Reporters Associated, Inc.

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PROCEEDINGS

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(All City Personnel were previously affirmed.)

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CHAIRMAN WITKOWIAK: In the 2nd District, Edward L. Jankowski, Jr., agent for Auto BarGains, LLC Secondhand Motor Vehicle Dealer application for Auto BarGains at 6502 West Fond du Lac Avenue. Let the record show Alderman Davis appears in this matter, also. Raise your right hands and be sworn in, please.

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(EDWARD JANKOWSKI and JOE DAVIS affirmed.)  
CHAIRMAN WITKOWIAK: Your name and address for the record, please.

MR. JANKOWSKI: Edward L. Jankowski, Jr., 837 South 84th Street, West Allis, Wisconsin, 53214.

CHAIRMAN WITKOWIAK: Mr. Jankowski, do you admit to receiving a notice there's a possibility that your application may be denied because of neighborhood objections to parking, traffic problems, littering, noise, nuisance, lighting problems, concentration of secondhand motor vehicle dealers in the area, and conduct which is detrimental to the health, safety, and welfare of the neighborhood?

MR. JANKOWSKI: Yes, I do, sir.

CHAIRMAN WITKOWIAK: Thank you. We've already heard from Health Department and Neighborhood

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1 Services on the matter at a previous meeting.  
2 Alderman Davis.

3 ALDERMAN DAVIS: Thank you, Mr. Chairman.  
4 After the approval of the committee at the past  
5 committee meeting, I had numerous calls in my  
6 aldermanic district of the concerns that the neighbors  
7 that are adjacent to this property had. And first of  
8 all, I'd like to thank you and the committee members  
9 for giving me be an opportunity to address the  
10 situation with my constituents, and I do have some  
11 constituents here who live in the immediate area who  
12 would like the opportunity to testify if, in fact, the  
13 committee will allow them to.

14 CHAIRMAN WITKOWIAK: Can I see a show a  
15 hands of how many people are here to testify in this  
16 matter? I show -- one, two, three, four -- five. Why  
17 don't you all raise your right hands now.

18 (All speakers duly affirmed.)

19 CHAIRMAN WITKOWIAK: Could you come up one  
20 at a time to this microphone over here and just give  
21 us your name, address and testimony, please. Don't  
22 all rush to be first now.

23 MS. DAVIS: Sadie M. Davis, 6203 West  
24 Spencer Place.

25 CHAIRMAN WITKOWIAK: And how close do you

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1 live to this proposed location?

2 MS. DAVIS: It's on Fond du Lac Avenue, the  
3 next street over is Medford, and I'm on Spencer, which  
4 is the next street.

5 CHAIRMAN WITKOWIAK: So two blocks?

6 MS. DAVIS: About a block-and-a-half.

7 CHAIRMAN WITKOWIAK: Okay. And your  
8 testimony, ma'am.

9 MS. DAVIS: I am against this because of the  
10 traffic that comes down from Hampton Avenue now going  
11 down Medford Avenue all the way to Baldwin Street, and  
12 there is no stop sign there on Baldwin and Armitage.  
13 It's like four blocks total, and you can do like 50,  
14 60 miles an hour down there, so that is my concern.

15 And the other concern I have is that about a  
16 half a block away from where this location is on the  
17 corner of Fond du Lac and Constance Street, there is  
18 an auto dealer already there, and we got somebody on  
19 the other end, and it's just too much for me. Thank  
20 you.

21 CHAIRMAN WITKOWIAK: Hold it. Questions by  
22 member of the committee?

23 ALDERMAN PUENTE: Mr. Chair.

24 CHAIRMAN WITKOWIAK: Alderman Puente.

25 ALDERMAN PUENTE: Alderman Davis sent out a

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1 postcard survey. Did you receive one of those?

2 MS. DAVIS: Yes, I did.

3 ALDERMAN PUENTE: Did you send it back to  
4 him?

5 MS. DAVIS: Yes, I did.

6 ALDERMAN PUENTE: In opposition?

7 MS. DAVIS: Yes, I did.

8 CHAIRMAN WITKOWIAK: Sadie, just for the  
9 record, are you related to the alderman?

10 MS. DAVIS: No.

11 ALDERMAN DUDZIK: Ma'am, I do have a  
12 question. I'm curious. What would you like to see at  
13 this location?

14 MS. DAVIS: I've been contemplating that.  
15 I'm not really sure. But it's been vacant for a long,  
16 long time, and I've been in the neighborhood since  
17 1980, so I really don't know what I would like to see  
18 there, but I do see more and more traffic in the area.

19 ALDERMAN DUDZIK: I guess my reason for  
20 asking is anything that you basically put in that  
21 location is going to increase traffic.

22 MS. DAVIS: No matter what you put, it's  
23 going to be traffic, unless you put a church in there  
24 that you only get traffic on weekends.

25 ALDERMAN DUDZIK: My parish is pretty busy

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1 seven days a week. Okay, thank you.

2 CHAIRMAN WITKOWIAK: Mr. Jankowski, do you  
3 have any questions of this witness?

4 MR. JANKOWSKI: Well, I've been there  
5 three-and-a-half years, working on the place on and  
6 off for three-and-a-half years. I take care of my  
7 property, take pride of my property, pride in all my  
8 neighbors, just like I do in West Allis. Thank you.

9 CHAIRMAN WITKOWIAK: Thank you, Sadie. Next  
10 person, please.

11 MR. FLORYANCE: Ronald Floryance, 6237 West  
12 Spencer Place.

13 CHAIRMAN WITKOWIAK: And how far away is  
14 that from the proposed location?

15 MR. FLORYANCE: It's about two blocks away.

16 CHAIRMAN WITKOWIAK: And your testimony,  
17 sir.

18 MR. FLORYANCE: Well, I have lived at this  
19 address for 37 years, and no matter what has been in  
20 that building has never gone over except a lawn mower  
21 repair shop. That was many, many years ago. I do say  
22 he takes care of the property. He's done different  
23 things to it.

24 I have a list here of used car dealerships  
25 in this particular area, and I think we're saturated

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1 enough. Traffic is a problem because I walk every  
2 morning, and Fond du Lac Avenue out there is like a  
3 speedway. Fond du Lac and Constance the other lady  
4 stated, Fond du Lac and Baldwin, 60th and Congress,  
5 60th just east of Hampton, Fond du Lac and Villard,  
6 76th and Villard, Capitol Drive, Appleton Avenue,  
7 Appleton and Congress, these are all used car  
8 dealerships or repair. I think we're saturated enough  
9 in that little part of town.

10 CHAIRMAN WITKOWIAK: Thank you. Any  
11 questions by members of the committee?

12 ALDERMAN PUENTE: Mr. Chair. Ron, how you  
13 doing?

14 MR. FLORYANCE: Fine.

15 ALDERMAN PUENTE: As stated earlier, the  
16 postcard survey, did you receive one of those?

17 MR. FLORYANCE: Yes. Mr. Davis came to my  
18 door on that rainy Saturday morning.

19 ALDERMAN PUENTE: So you told him verbally?

20 MR. FLORYANCE: Yes, I did, and I sent in a  
21 card, also.

22 ALDERMAN PUENTE: In opposition. Thank you  
23 very much.

24 CHAIRMAN WITKOWIAK: Alderman Bohl.

25 ALDERMAN BOHL: I just want to say hello to

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1 Mr. Floryance. I know his son as well two of his  
2 lovely daughters, too, from years back. It's good to  
3 see you.

4 MR. FLORYANCE: Thank you.

5 ALDERMAN DUDZIK: I guess I'll ask the same  
6 question I asked of the young lady. What would you  
7 like to see in there? What do you envision? I'm  
8 trying to give Alderman Davis some ideas because I  
9 know he's going to work towards them.

10 MR. FLORYANCE: I don't see anything that's  
11 going to make a go of it over there for the simple  
12 fact that everything that was in there, even his  
13 business when he did start, it was going to be a hand  
14 car wash, and that didn't do anything. He's tried to  
15 sell different various things from the place, and I  
16 don't think he's been too successful with that,  
17 although he does keep the property in nice shape. I  
18 must give him credit for that.

19 He's put up cables around his property so  
20 nobody can get in there, and it's always closed, but  
21 there's nothing that's been going in there. It just  
22 seems that there's not a need for anything there maybe  
23 that I want or anybody in the neighborhood would gain  
24 from it. The building in itself is pretty much of an  
25 eyesore itself, even though he's done work on it, like



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1 he said, trying to keep it up, but nothing is going to  
2 go there. Thank you.

3 CHAIRMAN WITKOWIAK: Next person.

4 MS. MITCHELL: My name is Laura Mitchell, I  
5 live at 6514 West Medford Avenue, which is about a  
6 block away from the property in question.

7 I oppose of this business being established  
8 there because, as everyone else said, there are a  
9 number of car dealerships already in the vicinity. I  
10 also oppose because I feel it would bring outside  
11 traffic into our area, and I would rather see a  
12 business that would service the community in that  
13 area. I had mentioned to Mr. Davis that a dry cleaner  
14 business is something that I would like to see there  
15 in that area.

16 CHAIRMAN WITKOWIAK: Thank you. Questions  
17 by members of the committee?

18 ALDERMAN PUENTE: Same question, ma'am.

19 MS. MITCHELL: Yes, I did receive a card,  
20 and I mailed it in of opposition.

21 ALDERMAN PUENTE: Thank you.

22 CHAIRMAN WITKOWIAK: Any other questions by  
23 members of the committee? Mr. Jankowski, any  
24 questions of this witness?

25 MR. JANKOWSKI: Excuse me. As far as dry

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1 cleaners, that ain't going to work for me. I'm a used  
2 car man. Thank you.

3 CHAIRMAN WITKOWIAK: We got that so far.  
4 Thank you very much.

5 MS. STRONG: My name is Louise Strong, 6419  
6 West Leon Terrace. Right in my back door.

7 CHAIRMAN WITKOWIAK: So you're right across  
8 the alley?

9 MS. STRONG: Right across the alley.

10 MR. JANKOWSKI: Hi, neighbor. How you  
11 doing?

12 MS. STRONG: Fine.

13 CHAIRMAN WITKOWIAK: Your testimony.

14 MS. STRONG: I'm opposed because there's a  
15 lot of walking traffic, and we do have a lot of  
16 business. The car wash. I'm a retired senior  
17 citizen, I don't get very much rest because of the  
18 loud noise from the car wash. Like the man said,  
19 we're saturated with business. There's a lot of  
20 walking traffic. I can look out my window on any  
21 given night, and I see walking traffic.

22 Not only that, my husband was robbed for his  
23 car coming in the alley there. So I oppose.

24 CHAIRMAN WITKOWIAK: Thank you. Questions  
25 by members of the committee? Alderman Puente.

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1 ALDERMAN PUENTE: Same question, ma'am. Did  
2 you receive the postcard survey and did you return it?  
3 MS. STRONG: I did.  
4 ALDERMAN PUENTE: And you are in opposition?  
5 MS. STRONG: Yes.  
6 ALDERMAN WADE: How long have you lived in  
7 back of this business?  
8 MS. STRONG: Almost 20 years.  
9 ALDERMAN WADE: So you recall the other  
10 businesses that were there before this business?  
11 MS. STRONG: Yes.  
12 ALDERMAN WADE: Did you have problems, any  
13 similar problems with foot traffic with the other  
14 businesses, also?  
15 MS. STRONG: Yes, yes.  
16 ALDERMAN WADE: Right now the business is  
17 not operating; is that correct?  
18 MS. STRONG: Not operating.  
19 ALDERMAN WADE: And you still have problems  
20 with traffic from the other businesses that are  
21 operating?  
22 MS. STRONG: Yes. I see people walking all  
23 the time, and when the business was there and the man  
24 would leave cars in the lot, you would look out the  
25 window all the time and see guys, you know, peeping in

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1 cars, trying to get things. It just create a lot of  
2 traffic.

3 ALDERMAN WADE: Do you have a suggestion of  
4 what business you would like to see at that location  
5 in your back yard?

6 MS. STRONG: No, not at this time. I don't  
7 want no car business.

8 ALDERMAN WADE: Thank you.

9 CHAIRMAN WITKOWIAK: Any other questions by  
10 members of the committee? Mr. Jankowski, any  
11 questions?

12 MR. JANKOWSKI: Well, not really. Yesterday  
13 I applied for issue a permit to put up a fence, and it  
14 said eight foot fence around the back part this way.  
15 I called up WE Energy. They're supposed to contact me  
16 for proper lighting and closed circuit cameras,  
17 whatever it takes to make it nice for the neighborhood  
18 and for my investment. This is my money, not bank  
19 money, you know.

20 MS. STRONG: I would just like to say one  
21 thing. He did his pavement there, and the hot tar  
22 -- he put hot tar, and he washed his container out,  
23 and all the water ran down the alley and ran in front  
24 of my garage. So I kind of confronted him and asked  
25 him why did he do that. I do not want that hot black

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1 water by my garage or my car.

2 MR. JANKOWSKI: I didn't do that. I  
3 personally didn't do that myself.

4 MS. STRONG: I don't know if it was you or  
5 your helper or one of you.

6 MR. JANKOWSKI: Do you know anything about  
7 that, Andrew?

8 AUDIENCE MEMBER: Sealer. It's coal tar  
9 base.

10 MR. JANKOWSKI: Ma'am, it will never happen  
11 again. Thank you for bringing it to my attention.  
12 It's a coal tar sealer. It's not hot. I deeply  
13 apologize.

14 CHAIRMAN WITKOWIAK: Alderman Davis, did you  
15 want to add something?

16 ALDERMAN DAVIS: Yes. I just want for a  
17 matter of record, because I don't want Mr. Jankowski  
18 to mislead this committee, it is not his property.  
19 What I understand right now, we did a search, and the  
20 a search is in -- and if I may submit this as public  
21 record, that's off of the City of Milwaukee's website.  
22 It says that there is a Mrs. Quaderer who is the owner  
23 of the property, and unless a property sale has  
24 occurred, it has not been brought to my attention.  
25 And one search was done in October and the other

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1 search was done in November.

2 CHAIRMAN WITKOWIAK: And Alderman Bohl moves  
3 to make this part of the record in this matter, and  
4 hearing no objections, so ordered.

5 MR. SCHRIMPF: Just for the record, what is  
6 this document?

7 CHAIRMAN WITKOWIAK: It's from the City of  
8 Milwaukee website, it's called Property Name Summary,  
9 property information, comes off the City of Milwaukee  
10 website.

11 MR. SCHRIMPF: And it lists this property at  
12 6502 West Fond du Lac Avenue?

13 CHAIRMAN WITKOWIAK: Yes, it does.

14 MR. SCHRIMPF: And the owner is who?

15 MR. JANKOWSKI: Delores Quaderer.

16 MR. SCHRIMPF: How do you spell that?

17 CHAIRMAN WITKOWIAK: R.J. Q-U-A-D-E-R-E-R.

18 MR. SCHRIMPF: That's all I have, Mr. Chair.

19 CHAIRMAN WITKOWIAK: Mr. Jankowski.

20 MR. JANKOWSKI: Yeah, I'd like to say  
21 something, sir. I bought the property from Randy and  
22 Dee Quaderer. Instead of going to the bank, they hold  
23 a note. Here's my lease, here's my purchase  
24 contract. The note is due in June. I owe \$40,000  
25 this coming June. I will go get a cashier's check,

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1 with the right paperwork drawn up, cut a check for  
2 40,000 and pay for the property 100 percent. When you  
3 own a property, even 100 percent, you still pay taxes  
4 on it, so you never really own a property. You have  
5 to pay taxes, maintain it, da, da, da, da, da, da.

6 CHAIRMAN WITKOWIAK: I'd like to make copies  
7 of this as part of the record. This is what would be  
8 called an unrecorded land contract; is that correct?

9 MR. SCHRIMPF: That's what it would be  
10 called.

11 CHAIRMAN WITKOWIAK: You, in fact, own the  
12 property under a land contract?

13 MR. SCHRIMPF: Not quite, Mr. Chairman.

14 CHAIRMAN WITKOWIAK: It's an unrecorded sale  
15 under contract. Are these extra copies?

16 MR. JANKOWSKI: No. I need them back,  
17 please.

18 CHAIRMAN WITKOWIAK: Alderman Dudzik would  
19 move to make this part of the record in this matter,  
20 and hearing no objections, so ordered. There's one  
21 other person that wanted to testify. Sir.

22 REV. STRONG: Yes, thank you. My name is  
23 Reverend William Strong. That was my wife that was  
24 here just a minute ago. I'm pastor of the Baptist  
25 Church here in Milwaukee for the last 35 years. We

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1 live right behind the property in question.

2 MR. JANKOWSKI: Hi, neighbor. How are you?

3 It's a pleasure.

4 REV. STRONG: My objection is basically for  
5 a clarification. There's a car lot right next door to  
6 it. We were here when the car lot was open, and they  
7 promised us that it would be quiet, clean, and there  
8 wouldn't be a lot of loitering around, which is just  
9 the opposite. A lot of loitering, music is so loud  
10 early in the morning that we can hardly sleep.

11 Sometimes it goes on into the night in the summertime.  
12 There's constant noise, people cursing. Matter of  
13 fact, several times I go and tell them elderly people  
14 live here in the area, sick people, we have black and  
15 white people in the area that's sick, that shouldn't  
16 be disturbed on those circumstances.

17 The gentleman here, he does keep this  
18 property clean right back of my home. Like my wife  
19 said, several times we've come out, and I don't know  
20 who did it because I work during the day, but there's  
21 black water in the alley right in front of the garage,  
22 and when you back in, you drive it right into the  
23 garage. He said awhile ago he didn't know who did it.

24 MR. JANKOWSKI: I'll find out.

25 REV. STRONG: I was robbed Thanksgiving



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1 three years ago in my garage. My car was taken  
2 and everything right in the garage right behind this  
3 place. I wouldn't like to see a population continue  
4 to walk. I don't know whether they were walking or  
5 riding, but when I got out of my car, they put a 38 in  
6 my head, told me they would kill me if I didn't give  
7 them everything I had, took my new car, and 45  
8 minutes, they found it later stripped down, \$17,000  
9 worth of damage.

10 It put a lot of fear in my heart. Still do  
11 sometimes when I go home. I drive by my garage  
12 because I be looking to see is anybody around. I  
13 don't know -- He has bars around the fence so people  
14 can't get in with a car or something, but it's easy to  
15 just walk over it. I don't know whether car lots  
16 require you to put up something higher.

17 And my property, it's just been appraised  
18 between \$120,000. When I bought it, it was 35,000.  
19 We've kept it up. And I wouldn't want for people to  
20 come by if I had to sell it and look and see junk cars  
21 right at my back door. This is what I don't want to  
22 see.

23 The business is a business. I'm in business  
24 myself, I'm a general contractor for the last 32  
25 years. The city's businesses is what pays taxes for

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1 the city. Not so much that I'm trying to stop him  
2 from opening a business, but then if it's a business  
3 there, then I want it to be safe for me and my family  
4 and my neighbors.

5 CHAIRMAN WITKOWIAK: Thank you very much.  
6 Any questions of this witness? Mr. Jankowski?

7 MR. JANKOWSKI: Sir, all I want to say is  
8 if I wanted a junk yard, I could have had it 20 years  
9 ago, open an automobile dealership up with all nice  
10 diamond cars, sharp, clean merchandise, safe. I'll  
11 take care of a lot of the riffraff around there,  
12 believe me.

13 ALDERMAN DAVIS: If he wants to take care of  
14 riffraff, then he should move into the neighborhood  
15 then.

16 MR. JANKOWSKI: That's possible.

17 ALDERMAN DAVIS: And not live in the suburb.

18 MR. JANKOWSKI: I lived in Milwaukee 28  
19 years. I'm not in the suburbs, I'm in West Allis. If  
20 you call me up, I'll tell you I'm in Milwaukee because  
21 the sign is about three blocks away.

22 CHAIRMAN WITKOWIAK: Thank you. All right.  
23 Are there any other questions by members of this  
24 committee?

25 ALDERMAN PUENTE: Mr. Chair. Alderman

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1 Davis, when you did the postcard survey and you were  
2 before this committee last time, there were five  
3 returns?

4 ALDERMAN DAVIS: Yes.

5 ALDERMAN PUENTE: According to the record,  
6 you had three in opposition and two in support. Did  
7 you get more of the postcard survey back in the  
8 interim since last time you were here, and if so,  
9 could you give us those numbers, please.

10 ALDERMAN DAVIS: Yes, sir. It's increased  
11 to 13 in opposition and still two in favor.

12 ALDERMAN PUENTE: So you got an extra 10  
13 back?

14 ALDERMAN DAVIS: Yes. Alderman Puente, if I  
15 may, Mr. Chair. On a Saturday when my constituents  
16 called me, not last Saturday but the previous  
17 Saturday, I took it upon myself to walk in the rain to  
18 make sure that I knocked on every door around this  
19 location, and it was overwhelmingly people who was  
20 objecting to this location. And the reason why they  
21 object is because there's an alleyway between Fond du  
22 Lac Avenue and Leon Terrace. We have a Shell gas  
23 station on the corner and we have also a car washing  
24 stall that's right there in between that's adjacent to  
25 his property.

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1                   As Ms. Strong had mentioned before, there's  
2 a lot of foot traffic in the alley, and what I've  
3 heard was is that residents are concerned about the  
4 foot traffic that will come along in the alleyways  
5 along with the Phoenix Bar & Grill, which is in the  
6 same specific alley along with this particular parcel  
7 of land. It's a long alley, it stretches all the way  
8 from Spencer all the way down to Armitage. It's like  
9 two city blocks long because Fond du Lac Avenue runs  
10 on an angle.

11                   Those are the concerns with the neighbors  
12 that's in that neighborhood. I've been working with  
13 them about businesses along Fond du Lac Avenue, as I  
14 had testified before, and I think we're doing very  
15 well. Lowe's is ready to open up in January,  
16 Appleby's will be opening up December 20th, and we're  
17 starting to reoccurr with that area. I'm just asking  
18 the committee to give me the tools in order for me to  
19 keep my neighborhood safe on behalf of the  
20 constituents which I represent.

21                   CHAIRMAN WITKOWIAK: Thank you. I have a  
22 question for our assistant city attorney.  
23 Concentration of secondhand motor vehicle dealers,  
24 what legal standing does that -- I guess I don't --  
25 I'm not familiar enough with that.

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1 MR. SCHRIMPF: Pardon me while I turn to  
2 Chapter 93.

3 ALDERMAN BOHL: While he's looking, I'd be  
4 happy to expound on that. This was legislation that  
5 was created about three years ago. I sponsored it.  
6 Prior to the change, what this did was create a  
7 Chapter 90-type procedure for used car automobile  
8 dealerships. Prior to the enactment of the change, it  
9 was either a vote up or vote down for used car  
10 automobile dealerships. It also in the past would not  
11 have allowed concentration to be factored.  
12 Additionally, it would not have allowed residential  
13 testimony, only testimony from the Department of  
14 Neighborhood Services or Police Department or some  
15 other city department.

16 We did open up the procedure to allow for  
17 residents to have input and also to factor in other  
18 such things such as concentration, because too often  
19 we had problems with dealers that were doing all sorts  
20 of things from parking too many cars on the front  
21 street, and it's things that the city didn't always  
22 catch but neighbors certainly see and have to deal  
23 with on a daily basis.

24 CHAIRMAN WITKOWIAK: Mr. Schrimpf.

25 MR. SCHRIMPF: Thank you, Mr. Chairman.

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1 93-9-3 Subparts A-4, 5, and 6: "The appropriateness  
2 of the location of the premises to be licensed.  
3 Probative evidence relating to these matters may be  
4 taken from the plan of operations, whether or not such  
5 location will create undesirable neighborhood  
6 problems." And finally, "Whether there's an  
7 overconcentration of businesses licensed under Chapter  
8 93" -- which is secondhand motor vehicles -- "in the  
9 neighborhood, such that the concentration will have an  
10 adverse impact upon the public health, safety, welfare  
11 of the neighborhood. Among the factors to be  
12 considered are litter, noise, and traffic."

13 CHAIRMAN WITKOWIAK: Just a side question on  
14 that. Does that now include gas stations, also?

15 MR. SCHRIMPF: It's specific to secondhand  
16 motor vehicles, so if you had a gas station -- which  
17 happened to be my family's business -- ran a  
18 secondhand motor vehicle business, then it would be  
19 applicable. But incidentally, we ran that business in  
20 Sheboygan.

21 CHAIRMAN WITKOWIAK: Any other questions by  
22 members of the committee?

23 MR. JANKOWSKI: Pardon me, Mr. Chairman.

24 CHAIRMAN WITKOWIAK: In closing, go ahead.

25 MR. JANKOWSKI: When I looked at this

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1 property, there was a gentleman in there, he had a  
2 wholesaler dealer's license, and there was no problem  
3 when he got this license. I thought a wholesale  
4 license, I'd rather be retail. I figured why should I  
5 have all this trouble, three-and-a-half years, you  
6 know, then I got an alderman here, he's a nice fellow,  
7 but I want to just open up a regular legal legit  
8 business. I'm not trying to open up a porno shop or a  
9 tavern or something like this. I'll keep an eye on  
10 it. I watch this property.

11 I'm not putting in a junkyard. If I wanted  
12 a junkyard, I could have had one 25 years ago. I'm a  
13 used car, I love old cars, I got a few classics, and I  
14 know how to treat people nice like I've been treated.  
15 I worked at A.O. Smith for 19 years, and a lot of my  
16 friends, I talked to them, they say, hey, Ed, why  
17 don't you come on down by us because I know how you  
18 fix the cars, you know how to take care of cars. I  
19 used to sell a lot of cars at work. I'd come home  
20 many a times on a bus.

21 I just want to say I'm not having a junkyard  
22 there. The right lighting, if I got to get security  
23 third shift, whatever it takes. I'm not a  
24 millionaire, but I ain't broke, not yet.  
25 Three-and-a-half years I still ain't broke, but I tell

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1 you what, you're getting me down on my knees here.

2 ALDERMAN BOHL: Mr. Jankowski, I just want  
3 to confirm. This particular site, to your knowledge,  
4 has never been a used car automobile dealership; is  
5 that correct?

6 MR. JANKOWSKI: No, that's wrong. It was a  
7 used car wholesale dealership.

8 ALDERMAN BOHL: The sale doesn't take place.  
9 That just serves as an office.

10 MR. JANKOWSKI: It's an office, and they  
11 stored the cars outside.

12 ALDERMAN BOHL: No. Actually, wholesalers  
13 it's illegal to store on the site.

14 MR. JANKOWSKI: Excuse me, sir. You're very  
15 wrong. I know Brendemuehl Motors is a wholesale  
16 dealer on Appleton Avenue. I've known them for almost  
17 40 years. If you go by them, it says wholesale only,  
18 not open to the public. It's all wholesale cars.  
19 They're in this fence all locked in there. That's the  
20 way it is. I know a bunch of other wholesale dealers  
21 on the south side.

22 ALDERMAN BOHL: They're either grandfathered  
23 in or they're operating illegally.

24 MR. JANKOWSKI: I think that's the way it  
25 was. Where are they going to put these cars if



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1 they're a wholesale dealer? They can't put them in  
2 their pocket, they're not little Tonka cars. They  
3 have to have a place to put them to work on them, to  
4 test them, shoving them up to fix the brakes to make  
5 them safe so they can sell them to another dealer.  
6 Then when the used car dealer gets them, we go over  
7 these cars and make sure they're safe for the public.  
8 I know about cars, sir.

9 ALDERMAN BOHL: Mr. Jankowski, there were  
10 never direct sales at that location, correct?

11 MR. JANKOWSKI: Not as a used car retail, no,  
12 but as a wholesale, right. Thank you.

13 CHAIRMAN WITKOWIAK: Any other questions by  
14 member of the committee? This matter is in committee.

15 ALDERMAN DAVIS: May I close?

16 CHAIRMAN WITKOWIAK: Go ahead.

17 ALDERMAN DAVIS: I just want to thank the  
18 residents who took time out of their schedule, my  
19 constituents who took time out of their schedule to  
20 come down here and testify. Believe me, I understand  
21 when I got the calls, "Alderman Davis, this is going  
22 to be difficult, but I want to protect my  
23 neighborhood." I appreciate that, so I publicly want  
24 to thank them for coming down and testifying and  
25 addressing the committee.

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1                   For me it's not a fundamental issue of me  
2 opposing Mr. Jankowski, because the history of this  
3 piece of property was his son applying and then his  
4 wife applying and now Mr. Jankowski is applying. It  
5 is about development in the community to try to make  
6 sure that we retain the synergy within the residents  
7 in that area. It's a long-standing history of how Mr.  
8 Floryance had talked about how he stayed in that area  
9 for over 30 years, and he comes because he wants to  
10 keep his community safe, because if, in fact, he sells  
11 his property for \$120,000 and he gets ready to try to  
12 purchase another piece of property for \$120,000  
13 someplace else, he's going to go into debt. So this  
14 is home for a lot of people in my neighborhood.

15                   I appreciate and I respect them for actually  
16 coming down here and fighting for their neighborhood.  
17 That's what I'm supposed to do as their elected  
18 representative. So with that being said, I would hope  
19 that because of additional traffic and the public  
20 health and safety and welfare of the community in  
21 which I represent, I would hope that this license be  
22 denied. Thank you.

23                   MR. JANKOWSKI: Could I say one more thing,  
24 please?

25                   CHAIRMAN WITKOWIAK: Go ahead.

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1 MR. JANKOWSKI: There's two neighbors  
2 that live across from me; Irv, his wife is very ill,  
3 he's been there 57 years. He's one that sent the  
4 letter in. There's a mason I think that lives right  
5 next door, and his wife passed away, he's very ill.  
6 They would both have liked to come down here.  
7 Unfortunately, due to health, they couldn't make it.

8 CHAIRMAN WITKOWIAK: I appreciate that, Mr.  
9 Jankowski. We really can't consider that as evidence,  
10 though. Okay, this matter is in committee.

11 ALDERMAN BOHL: Mr. Chairman, I appreciate  
12 the time that neighbors came down here. I know this  
13 neighborhood well. I grew up in -- This was my  
14 stomping grounds. I can just say that we have seen a  
15 great deal of development in the old Capitol Court,  
16 now Midtown Center, and it's an area that, while that  
17 we see that revitalization, still has some challenges,  
18 and I just am not convinced, and I know that in my own  
19 district I do not want to create a new retail license  
20 where one does not exist.

21 The northwest side, while this area may not  
22 be ultraconcentrated, the northwest side in general is  
23 inundated, whether it be Appleton Avenue, Lisbon, 76th  
24 Street, Fond du Lac Avenue down the road with a number  
25 of used car automobile dealerships, I don't believe

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1 that an additional one would be of tremendous benefit  
2 to the neighborhood. I will just say that my  
3 objection, and I would move to object based on  
4 potential neighborhood objection to traffic problems,  
5 noise nuisance, and potential conduct detrimental to  
6 to the health, safety, and welfare.

7 The only thing, Mr. Jankowski seems like a  
8 very respectable, very nice gentleman. I think that  
9 this is not unlike the situation of the gentleman who  
10 was here before applying for the tavern license. The  
11 only thing I can say is I wouldn't support a new  
12 automobile dealership in my district where one didn't  
13 exist, but Mr. Jankowski, if you can get out of that  
14 land contract, ET Motors, Appleton Avenue and  
15 Congress, see me about it because that place is a  
16 dive, and if you're as earnest as you say you are  
17 here, I'd be happy to have you look at that location  
18 and make some improvements to that property. It is an  
19 existing license. I'll support you there. My motion  
20 is for denial based on neighborhood objection.

21 CHAIRMAN WITKOWIAK: The motion by Alderman  
22 Bohl is to recommend denial based on neighborhood  
23 objections to parking, traffic problems, and the other  
24 items listed on the notice. On the motion? Is there  
25 any discussion on the motion?

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1 ALDERMAN DUDZIK: Mr. Chairman, I feel  
2 compelled to speak only because I think that this  
3 location -- and that's why I kept asking what the  
4 neighbors wanted in this location. I don't understand  
5 what or how you're going to put at this location that  
6 would not increase traffic. I'm sorry, I just don't.

7 One gal mentioned dry cleaners. People are  
8 going to be bringing their clothes, I guarantee you,  
9 in one form or another via a motor vehicle to that  
10 location. I have a hard time supporting the motion  
11 because you have a major thoroughfare that people  
12 don't want anybody to drive on, and I have a hard time  
13 with that.

14 I know in my own district I have Forest Home  
15 Avenue, county trunk of a state highway, number of  
16 used car dealerships on it and in some cases the used  
17 car dealerships literally butt up against private  
18 residences. I don't understand how someone come can  
19 here and say we don't want a business here because of  
20 traffic when they live next door to a major  
21 thoroughfare, and I won't deny any one of the people  
22 that testified, I won't deny the traffic on that  
23 particular thoroughfare has increased severalfold in  
24 the last 20 years. It's increased severalfold in most  
25 locations in the City of Milwaukee in the last 20

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1 years. That's all I have.

2 CHAIRMAN WITKOWIAK: Any further discussion  
3 on the motion?

4 ALDERMAN WADE: On the motion, Mr. Chair.

5 CHAIRMAN WITKOWIAK: Alderman Wade.

6 ALDERMAN WADE: I agree with my colleague  
7 from the 11th District. It's Fond du Lac Avenue, it's  
8 traffic. If you put a dry cleaners there, a church  
9 there, people are going to come and go from that  
10 establishment. It's a business. The whole grounds  
11 for having a business is for people to patronize you  
12 and come and go from your business.

13 With all the development that's going on at  
14 Midtown, I live near Midtown, right now, the amount of  
15 traffic around Midtown is ridiculous, and they haven't  
16 even opened up the Lowe's and the Appleby's and the  
17 IHOP. The traffic has grown that amount. Fond du Lac  
18 in that area is going to be inundated with traffic,  
19 when Lowe's opens up and those other businesses,  
20 there's going to be an increase of traffic in that  
21 area.

22 As far as concentration go, you know, when I  
23 look at the map, I see, what, one, maybe two, and  
24 there's areas in the city where they got -- in  
25 Alderman Dudzik's area along Appleton along some other

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1 avenues where there are many more car dealerships  
2 lined up next to each other than in this area. As a  
3 matter of fact, there was a car dealership in that  
4 area that has left that area. This addition puts us  
5 back where we were.

6 Concentration and traffic, I just don't see  
7 it as a legitimate argument in this particular case,  
8 so I won't be supporting the motion.

9 CHAIRMAN WITKOWIAK: Thank you. The motion  
10 by Alderman Bohl is to recommend denial based on  
11 neighborhood objections and concentration.

12 ALDERMAN BOHL: Concentration was not part  
13 of my argument.

14 CHAIRMAN WITKOWIAK: Based on neighborhood  
15 objections to parking and traffic problems.

16 ALDERMAN DAVIS: Mr. Chair.

17 CHAIRMAN WITKOWIAK: This matter is in  
18 committee.

19 ALDERMAN DAVIS: There's traffic in the  
20 alley, and a lot of people are focusing on traffic on  
21 Fond du Lac Avenue, and I just feel compelled to at  
22 least take into consideration the traffic in the  
23 alley, which is not a public thoroughfare. That's  
24 where people go into their garages. I know I'm out of  
25 order, but I wanted to make sure that I make that

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1 point.

2 ALDERMAN WADE: I'd like to speak to that.  
3 The gentleman expressed his desire to do what was  
4 necessary to deal with that. He has recently put in  
5 paperwork to get a fence to prevent traffic from going  
6 from his property off into the alley. I think he  
7 stated that this would be a six-foot fence --  
8 eight-foot fence, so I don't know too many people that  
9 are eight feet tall. So I think he's doing the things  
10 that he need to do to be coherent and in concert with  
11 the community. Thank you.

12 CHAIRMAN WITKOWIAK: Thank you. The motion  
13 by Alderman Bohl is to recommend denial based on  
14 neighborhood objections. Let's do the roll call.

15 THE SECRETARY: Alderman Bohl.

16 ALDERMAN BOHL: Aye.

17 THE SECRETARY: Alderman Puente.

18 ALDERMAN PUENT: No.

19 THE SECRETARY: Alderman Wade.

20 ALDERMAN WADE: No.

21 THE SECRETARY: Alderman Dudzik.

22 ALDERMAN DUDZIK: No.

23 THE SECRETARY: Mr. Chair.

24 CHAIRMAN WITKOWIAK: No.

25 THE SECRETARY: Motion fails one to four.



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1                   CHAIRMAN WITKOWIAK: This matter is still in  
2 committee.

3                   ALDERMAN DUDZIK: Mr. Chair, I guess the  
4 alternative is to move approval.

5                   CHAIRMAN WITKOWIAK: The motion by Alderman  
6 Dudzik is to recommend approval of this application  
7 despite items contained in the notice. Call the roll  
8 on that, please.

9                   THE SECRETARY: Alderman Bohl.

10                  ALDERMAN BOHL: No.

11                  THE SECRETARY: Alderman Puente.

12                  ALDERMAN PUENT: Aye.

13                  THE SECRETARY: Alderman Wade.

14                  ALDERMAN WADE: Aye.

15                  THE SECRETARY: Alderman Dudzik.

16                  ALDERMAN DUDZIK: Aye.

17                  THE SECRETARY: Mr. Chair.

18                  CHAIRMAN WITKOWIAK: Aye.

19                  THE SECRETARY: Motion approved four to one.

20                  CHAIRMAN WITKOWIAK: Thank you.

21                  MR. JANKOWSKI: Thank you very much. Happy  
22 holidays everybody. Thank you.

23                  ALDERMAN DUDZIK: Get that fence up.

24   \* \* \*

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