

CITY OF MILWAUKEE  
LICENSES COMMITTEE

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In the Matter of: Neighborhood Pawn, LLC,  
Pawnbroker's License Application  
for Neighborhood Pawn and Resale  
at 5424-26 North Lovers Lane Road.

GLENN LAKRITZ,  
8104 West Kensington Drive.

\* \* \* \* \*

The above-entitled cause, transcribed by  
KAREN RENEE, Court Reporter and Notary Public in and  
for the State of Wisconsin.

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A P P E A R A N C E S

FRIEBERT, FINERTY & ST. JOHN, S.C., by  
MR. BRIAN RANDALL,  
Two Plaza East, Suite 1250,  
330 East Kilbourn Avenue,  
Milwaukee, Wisconsin 53202,  
appeared on behalf of the Glenn Lakritz.

\* \* \* \* \*

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Disposition Of Documents Entered Into The Record.  
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TRANSCRIPT OF PROCEEDINGS

ALDERMAN ZIELINSKI: Okay. Next one.  
Fifth District, Glenn Lakritz, Agent for  
Neighborhood Pawn, LLC, Pawnbroker's License  
Application for Neighborhood Pawn and Resale at  
5424-26 North Lovers Lane Road. Please have a  
seat and raise your right hand to be sworn in.

THE CLERK: Do you swear or affirm under  
the pains and penalties in the State of Wisconsin,  
the testimony you're about to give is the truth,  
the whole truth, and nothing but the truth?

MR. LAKRITZ: Yes.

ALDERMAN ZIELINSKI: Okay. Name and  
address, please.

MR. LAKRITZ: 8104 -- or name, Glenn  
Lakritz; address, 8104 West Kensington Drive.

ATTORNEY RANDALL: Good morning,  
Mr. Chair. Attorney Brian Randall of Friebert,  
Finerty & St. John, 330 East Kilbourn Avenue in  
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20 Milwaukee, here on behalf of Neighborhood Pawn,  
21 LLC, and the license agent, Mr. Lakritz, who is  
22 here.

23 ALDERMAN ZIELINSKI: Okay. Do you  
24 acknowledge receipt of today's meeting with the  
25 possibility that your application may be denied?

4

1 ATTORNEY RANDALL: We do.

2 ALDERMAN ZIELINSKI: Mr. Wessel, any  
3 holds?

4 MR. WESSEL: Neighborhood Services does  
5 have a hold for occupancy.

6 ALDERMAN ZIELINSKI: Sergeant Raden?

7 SERGEANT RADEN: No police report.

8 ALDERMAN ZIELINSKI: Okay. Well, this  
9 is your opportunity to share with the committee  
10 your intentions for the operation of this  
11 business, again.

12 ATTORNEY RANDALL: Thank you, Mr. Chair.  
13 This is somewhat of a unique situation. This is  
14 our second time before the committee, and we also  
15 had two meetings before the Board of Zoning  
16 Appeals on a special use permit application.

17 The committee may recall the sequence  
18 here -- and I will refresh, because we have  
19 Alderman Stamper and Alderman Puente who was not  
20 on the committee; I think Alderman Hamilton sat in  
21 on April 8th. But the application for this  
22 Pawnbroker's License was filed in January of 2014.

23 Board of Zoning Appeals -- a joint

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24 application or a separate application, I should  
25 say -- a special use permit was applied for at the

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1 same time, and the Board of Zoning Appeals held an  
2 extensive hearing in February; February 13th. And  
3 the March 13, 2014, Board of Zoning Appeals  
4 meeting is when the board deliberated and granted  
5 a special use permit.

6 In March, as well, the Common Council  
7 introduced Legislative File 131502, which was a  
8 rather comprehensive change to the licensing  
9 procedures and hearings and the like. That  
10 occurred, as indicated, subsequent to the  
11 application for this particular license.

12 On April 8th, the Licenses Committee  
13 considered the matter, neighbors were present and  
14 testified, Mr. Lakritz was here and testified as  
15 well as some other supporters. And the Licenses  
16 Committee recommended approval to the Common  
17 Council on April 8th.

18 On April 22nd at the Common Council  
19 meeting, the Chair referred the matter to the  
20 Office of the City Attorney for an opinion.  
21 Coincidentally, at that Common Council meeting,  
22 that's when the file, 131502, the Licenses Code  
23 Revision, was also adopted by the Common Council.  
24 The city attorney's opinion is dated June 4th, and  
25 it is in the legislative e-book before you. And

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1 I've had an opportunity to review that.

2 I also did send and submit a letter of  
3 July 1, 2014, that I don't believe made the  
4 e-book, and so I'd like to provide actual copies  
5 of that for the committee, if that is acceptable.  
6 I will give one to Alderman Bohl too, although  
7 everyone did receive it by e-mail.

8 I won't repeat the letter, but I do want  
9 to make several points under it, and two main  
10 points: The first is that, under Wisconsin case  
11 law, the new Common Council File 131502, which has  
12 since been codified in Section 85-2.7 of the  
13 municipal code, may not be applied retroactively.

14 In other words, that's why the timeline  
15 was important. The license application was filed  
16 in January, and the new law -- the ground rules,  
17 suddenly changed midstream, during the course of  
18 dependency of our license application. The city  
19 attorney cites case law in that opinion.

20 I believe the city attorney concludes  
21 that the committee has the discretion to  
22 retroactively apply the standards and consider the  
23 new ground rules for this license application.  
24 The points in my letter indicate that we believe  
25 Wisconsin law dictates otherwise, as well as

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1 simple common sense and fair dealing as far as  
2 when something was filed and the change of the  
3 ground rules and the holds throughout the process.  
4 And now here we are, more than six months later,  
5 looking for another approval on the same license

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application.

7 So our position first is -- the first  
8 point is that this license application ought to be  
9 considered under the old licensing standards, and  
10 we'll address them; we have once before.

11 Second, if Common Council File 131502 is  
12 applied retroactively -- and the interesting and  
13 the important part of the retroactive nature, the  
14 city attorney's opinion points out that the cases  
15 cover instances such as this, where legislative  
16 files and laws indicate they shall be applied  
17 retroactively. There is no indication in the  
18 legislative file of our new code ordinance that it  
19 was intended to apply retroactively. And, in  
20 fact, this license was pending during that period  
21 of time, such that, if that was the intent of the  
22 Common Council, it very well should have been put  
23 in and made retroactive.

24 But if it is going to be applied  
25 retroactively, if the committee chooses to go in

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1 that direction, our position is that the  
2 comprehensive testimony on April 8th is already in  
3 the record and may be considered and may be  
4 weighed by the committee in applying the new  
5 standards of the license to the testimony that's  
6 already before you rather than taking new  
7 testimony. And we are here, we're prepared to  
8 address the standards, and we will, in  
9 anticipation that the committee will apply the new  
10 standards to this pending application.

11           So for those reasons, in my letter, I  
12           make those two objections. I will make them as a  
13           standing objection, if that is acceptable to the  
14           Chair. The first being that the old license  
15           standards should apply in this matter, and the new  
16           licensing framework should be applied to new  
17           license applications that come forward after May  
18           9th, the publication date of that new ordinance.

19           And secondly, that if the committee is  
20           going to apply it retroactively, that the  
21           testimony is already in, the committee simply  
22           deliberate on the record that's before you and not  
23           entertain another round of new testimony -- really  
24           the third: from Board of Zoning Appeals, to  
25           Licenses on April 8th, now another kick at that

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1           can here on July 8th.

2           ALDERMAN ZIELINSKI: Okay. Any  
3           questions by committee so far?

4           ALDERMAN STAMPER: Yes, Mr. Chair.

5           ALDERMAN ZIELINSKI: Alderman Stamper.

6           ALDERMAN STAMPER: Thank you, Mr. Chair.

7           I'm having a little bit of a hard time  
8           understanding what you're requesting. Right now,  
9           the license is pending, correct?

10          ATTORNEY RANDALL: The license  
11          application is pending, yes.

12          ALDERMAN STAMPER: But you are -- prefer  
13          the old license standards versus whatever the new  
14          standards are?

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15                   ATTORNEY RANDALL: Correct. At the time  
16 the license was applied for, January 10th, I  
17 think, of 2014, the law that was in place was  
18 codified in Section 92-1 of the license code  
19 applying to pawnbrokers. There was nothing in  
20 Chapter 85, the new section. Chapter 85-2.7 did  
21 not exist at the time the license was applied for  
22 in January. It became law in April.

23                   ALDERMAN STAMPER: What's the new law  
24 change? What's wrong with it?

25                   ATTORNEY RANDALL: There's nothing wrong

10

1 with it.

2                   ALDERMAN STAMPER: What's the difference  
3 in it?

4                   ATTORNEY RANDALL: The difference is  
5 that it puts a number of new requirements onto  
6 this license by way of what an acceptable and  
7 appropriate application is when the committee then  
8 considers how to approve or deny a license  
9 application. It adds five new subsections of  
10 requirements to the pawnbroker's license.

11                   ALDERMAN ZIELINSKI: Alderman, before we  
12 go to the next question, Alderman Bohl would like  
13 to help -- fully --

14                   ALDERMAN STAMPER: I just want to  
15 understand it, please.

16                   ALDERMAN ZIELINSKI: All right. Go  
17 ahead.

18                   ALDERMAN STAMPER: The five new  
19 standards of requirements -- the pawnshop -- you  
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20 don't have them?

21 ATTORNEY RANDALL: We will -- if the  
22 committee entertains this testimony, we will  
23 submit testimony, and we'll look to our plan of  
24 operation to show that we do meet all five new  
25 standards.

11

1 ALDERMAN STAMPER: Anyway?

2 ATTORNEY RANDALL: Correct.

3 ALDERMAN STAMPER: Okay.

4 Thank you, Mr. Chair.

5 ALDERMAN ZIELINSKI: Alderman Bohl, I  
6 think, will have some more information.

7 ALDERMAN BOHL: Thank you, Mr. Chairman.  
8 I always appreciate the job that Mr. Randall does.  
9 I think that there is a little bit of muddling of  
10 the record here.

11 Mr. Randall came to the Licenses  
12 Committee with a motion asking for a very narrow  
13 approach to the city code relating to these types  
14 of licenses. There was an initial review by the  
15 assistant city attorney, and that actually ran --  
16 buttressed up against the precedent that had been  
17 in this Common Council for decades, and that was,  
18 for decades, the very licenses allowed for  
19 neighborhood testimony.

20 He argued for a very narrow  
21 interpretation. The initial cursory review at the  
22 table by the assistant city attorney here was that  
23 that was perhaps sound. There was a request for a

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24 city attorney's opinion. That represents the  
25 strongest standard of legal opinion of review by

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1 the city attorney, and that opinion stated that we  
2 have broader discretion as a Common Council to  
3 consider neighborhood testimony; something that he  
4 was trying to muddle out at the last hearing.

5 So that's why it is back. The city  
6 attorney's opinion and Mr. Stephens, who was part  
7 and parcel to that opinion, can certainly address  
8 that.

9 But what I am indicating here is that  
10 there is a muddling of the record. Mr. Randall's  
11 attempting to try to get down to tight constraints  
12 and basically tell this body that it can't  
13 consider neighborhood testimony, something the  
14 city attorney's opinion says it can. Because  
15 otherwise, he's attempting to use that as a means  
16 of ramrodding through a license.

17 ALDERWOMAN COGGS: Mr. Chair.

18 ALDERMAN ZIELINSKI: Okay. Alderman  
19 Stamper, did you want to finish?

20 ALDERMAN STAMPER: Yes. I just had a  
21 quick question. What was the neighborhood  
22 testimony? In favor? In support? What was it?  
23 Sounds like it was not in favor.

24 ALDERMAN BOHL: There were, I believe,  
25 six individuals who were here at the last hearing

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1 from the neighborhood, five residents and one  
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2 businessowner. They were all here in opposition.

3 I believe Mr. Lakritz had one or two  
4 individuals who were in support of him. Those  
5 individuals, in my -- in my recollection, did not  
6 reside in the area.

7 ALDERMAN STAMPER: Thank you.  
8 Mr. Chair.

9 ALDERMAN ZIELINSKI: Alderwoman Coggs.

10 ALDERWOMAN COGGS: I just wanted to hear  
11 from the city attorney.

12 ALDERMAN ZIELINSKI: City attorney, she  
13 wants to hear from you.

14 CITY ATTORNEY: well, we did draft, at  
15 the request of the chair, a written legal opinion.  
16 It is part of the file.

17 I guess I would always caution that,  
18 initially, when I give advice at the table, I am  
19 unable to be doing any kind of significant legal  
20 research.

21 And so I opined initially when it came  
22 in, that the criteria that was set forth, only the  
23 pawnbroker's licenses should be considered, and  
24 therefore, there was a vote made and it went to  
25 the Common Council. Then there was a request for

14

1 the city attorney's opinion. I did draft it along  
2 with the city attorney and the deputy city  
3 attorney in charge of litigation, and that is part  
4 of the file.

5 And we opined that there was a historic

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6 practice. We actually found a city attorney's  
7 opinion from 1996 that suggested that the Common  
8 Council could consider neighborhood testimony,  
9 notwithstanding the fact that the criteria that  
10 were used in the pawnbroker's licenses really only  
11 had to do with the actual applicant; meaning, did  
12 he have a criminal record? And it was more of a  
13 license to the person rather than the premise.

14 However, like the opinion indicates,  
15 there has been a historic practice to allow for  
16 neighborhood testimony about negative secondary  
17 impacts. That practice was not supported by  
18 either statute or ordinance. It was acknowledged  
19 in 1996 by a city attorney's opinion.

20 As of April of this year, though, we  
21 codified -- the City of Milwaukee codified that  
22 practice into Chapter 85. So what Chapter 85 does  
23 is, it takes every single license that has to go  
24 to a place in the City of Milwaukee and overlays  
25 it over the substantive ordinance. So what

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1 happens, in effect, is that you have, in this  
2 case, the pawnbroker's license, you have the  
3 criteria that this body must consider as to  
4 Mr. Lakritz's, you know, criminal record or lack  
5 of criminal record and suitability -- his personal  
6 suitability to be a pawnbroker. But also, it  
7 allows you to consider neighborhood testimony to  
8 talk about negative secondary impacts that this  
9 business or any business would have on any  
10 particular neighborhood in the City of Milwaukee.

11           That is a distinct process from BOZA  
12           considerations. BOZA has to do more with land use  
13           and zoning -- well, it has solely to do with land  
14           use and zoning issues; whereas, this body looks at  
15           particular places and particular people under a  
16           licensing criteria.

17           So for today's purposes, neighborhood  
18           testimony that has to do with the potential for  
19           causing a public or private nuisance, causing  
20           undesirable secondary impacts such as traffic or  
21           parking congestion, litter, unreasonable noise,  
22           disorderly patrons, and so on and so forth, may be  
23           considered by the body.

24           ALDERWOMAN COGGS: Mr. Chair.

25           ALDERMAN ZIELINSKI: Alderwoman Coggs.

16

1           ALDERWOMAN COGGS: The assertion by  
2           Attorney Randall is that we should not use the new  
3           law; that he should be held to the standard of old  
4           law. But in hearing and reading your explanation,  
5           those secondary impacts in neighborhood testimony,  
6           regardless, we still would legally have been able  
7           to use, even with the old law, based upon practice  
8           in the 1996 decision that you were able to find.

9           CITY ATTORNEY: Based on the historic  
10          practice, you always had considered this.

11          ALDERWOMAN COGGS: It's just that now  
12          that we have codified it as of April?

13          CITY ATTORNEY: Correct.

14          ALDERWOMAN COGGS: So either way, we

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still can consider all of those things?

16 CITY ATTORNEY: It is within the sound  
17 discretion of the Chair or the body.

18 ALDERWOMAN COGGS: Thank you.

19 ALDERMAN ZIELINSKI: Okay. Any further  
20 questions by committee? Okay. What we are going  
21 to do is move to the neighborhood testimony  
22 portion of the meeting.

23 Any people in the audience who care to  
24 testify on this matter, please raise your right  
25 hand. Keep your right hand up, we're going to

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17

1 swear you in.

2 Ms. Celella.

3 MS. CELELLA: Do you soundly affirm  
4 under the pains and penalties of perjury in the  
5 State of Wisconsin that the testimony you are  
6 about to give is the truth, the whole truth, and  
7 nothing but the truth?

8 SPEAKERS: I do.

9 ALDERMAN ZIELINSKI: Okay. Now, how  
10 many people are here in opposition? Raise your  
11 hand. So we've got three people in opposition,  
12 and one person in favor? You are in favor, sir?  
13 Okay. Let's hear in opposition first.

14 Sir, with the glasses. You can go to  
15 the microphone. You can adjust the microphone.  
16 And start off with your name and address, please.

17 MR. GONZALES: My name is Larry  
18 Gonzales, I live at 10517 West Rohr Avenue, which  
19 is in the Robert William Park subdivision.

20 Our main concern, at this point, is we  
21 want -- is the safety of our property and the  
22 safety of our families and our children.

23 We are looking at a number of trends in  
24 the area that are troubling, to say the least.  
25 And we don't really think that the pawnshop would

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1 actually lend a positive influence in these  
2 situations. For example, I have from the  
3 neighborhood block watch report -- I think this is  
4 for February -- that talked about the drug  
5 activity in the area. And it listed, at the  
6 period from July to December, there were 58 drug  
7 busts in the area, which is the 4th District of  
8 the police department.

9 Now, they also list as incidents of  
10 things that are going on -- that robberies -- we  
11 have a large number of robberies. And one of the  
12 geographic hotspots which they list where  
13 robberies are occurring, routinely, repeatedly, is  
14 at the corner of 103rd and Silver Spring. This is  
15 a bus stop, and people are being robbed of their  
16 -- well, what are they being robbed of? It says  
17 here: People are being robbed of their  
18 electronics and their money. This is going on  
19 now, okay.

20 Just before, I have a report here from  
21 the crime watch committee -- I mean, the block  
22 watch for June 25th, and it talks about a robbery  
23 -- a strong-armed robbery that just happened in

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24 our subdivision. Now, this wasn't on the  
25 outskirts of our subdivision, this happened well

19

1 inside the subdivision. This was on Custer Avenue  
2 where a women getting out of her car, and the  
3 address was at -- was at 10421 Custer -- west  
4 Custer. And she was robbed. She was robbed at  
5 gunpoint.

6 Now, I have been in this subdivision for  
7 20-some years now, since 1990. We never had that.  
8 We never had that. And we never had the amount of  
9 -- and this wasn't the only incident that we had.

10 Now, I just want to point out one thing  
11 which raises our concern: Just prior to the last  
12 license meeting that you had, the police did a  
13 drug bust and a prostitution bust at La Quinta,  
14 which is a hotel, which is going to be about a  
15 couple hundred feet away from this new proposed  
16 location.

17 We don't really see this as being a  
18 positive as far as what's -- as far as stopping,  
19 you know, the burglaries and strong-armed stuff  
20 and the drugs that are going on in the  
21 neighborhood. Thank you.

22 ALDERMAN ZIELINSKI: Hold on, hold on.  
23 There may be questions.

24 MR. GONZALES: Okay.

25 ALDERMAN ZIELINSKI: Okay. Questions by

20

1 committee?



2 ALDERMAN DUDZIK: Sir.

3 ALDERMAN ZIELINSKI: Alderman Dudzik.

4 ALDERMAN DUDZIK: If I may. The robbery  
5 that you talked about, I believe you said it was  
6 on Custer. How far is that from this proposed  
7 location?

8 MR. GONZALES: About a half-mile.

9 ALDERMAN PUENTE: No.

10 ALDERMAN DUDZIK: Well, I'm --

11 MR. GONZALES: Well, okay. I know you  
12 from the neighborhood.

13 ALDERMAN PUENTE: Yes. That's why I  
14 know it's more than a half mile.

15 MR. GONZALES: Well, okay. It's across  
16 -- it's across -- a half-mile, three-quarter mile.

17 ALDERMAN DUDZIK: Half-mile,  
18 three-quarters of a mile?

19 MR. GONZALES: Right, right.

20 ALDERMAN DUDZIK: It's still a  
21 substantial distance.

22 MR. GONZALES: Right.

23 ALDERMAN DUDZIK: And I'm not sure that  
24 you can tie in -- I mean, there was a robbery in  
25 my subdivision, and, you know, I can't think of a

21

1 pawnbroker or a store like this within miles of my  
2 house. So I don't know that you can tie one to  
3 the other.

4 MR. GONZALES: Well, you know, that's a  
5 matter of, you know, that's in your subdivision,

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the way you look at it. And we have it how we  
7 look at it.

8 ALDERMAN DUDZIK: I understand.

9 ALDERMAN ZIELINSKI: Any further  
10 questions by committee? Questions by counsel?

11 ATTORNEY RANDALL: Thank you, Mr. Chair.  
12 Mr. Gonzales, this proposed location is  
13 in a shopping center called the Del Rio, correct?

14 MR. GONZALES: Yes, it is.

15 ATTORNEY RANDALL: Can you describe for  
16 the committee the Del Rio and how many businesses  
17 are operating there? Is it mostly vacant, would  
18 you say?

19 MR. GONZALES: I think right now, across  
20 the street is a gas station, convenience store.  
21 And in the Del Rio itself, I believe, there are  
22 about six storefronts that are in there. And of  
23 those storefronts, probably looking at about, from  
24 my recollection, about four of them are probably  
25 empty. I am thinking about this also, in the

22

1 parking lot -- adjacent to the parking lot,  
2 there's a KFC, and there's also, I believe, a  
3 Chinese fast food place.

4 ATTORNEY RANDALL: And I know it's  
5 difficult in an inline retail center to know how  
6 many storefronts exactly, but if I were to tell  
7 you the Del Rio has approximately 70 percent  
8 vacancy; meaning, only 30 percent of the  
9 storefronts are occupied, is that consistent with  
10 what you thought, for three or four businesses?

11 MR. GONZALES: I believe it would be,  
12 yeah.

13 ATTORNEY RANDALL: Has a pawnshop  
14 operated at that location before?

15 MR. GONZALES: No. But I believe we  
16 have a payroll loan place, easy credit place.

17 ATTORNEY RANDALL: But a pawnshop has  
18 not operated in that location?

19 MR. GONZALES: No, it has not.

20 ATTORNEY RANDALL: And has Mr. Lakritz  
21 operated a business at that location before?

22 MR. GONZALES: I have no idea.

23 ATTORNEY RANDALL: The crime statistics  
24 you explained about drugs, robberies; you actually  
25 mentioned you've never had that before, is that

23

1 correct?

2 MR. GONZALES: When I came -- and let me  
3 qualify my comment. When I moved into that  
4 neighborhood in 1990, there was no drugs like we  
5 have today. There was no incidents of robbery or  
6 burglary that we have today. Our neighbors at  
7 that time could leave your home open. That's what  
8 we did. Neighbors watched out for each other.  
9 And we didn't have strong-armed robberies going on  
10 in the neighborhood. We didn't have that.

11 ATTORNEY RANDALL: And during that  
12 period of time, a pawnshop has not been open at  
13 this location?

14 MR. GONZALES: No.

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15 ATTORNEY RANDALL: Correct?

16 MR. GONZALES: No. I will say, though,  
17 that we did -- the first time we started to  
18 experience problems that the police had to be  
19 called to was when they opened up the payroll loan  
20 place across the road at that first -- at the  
21 Timmerman Plaza. Then we started to have  
22 problems.

23 ATTORNEY RANDALL: And does Mr. Lakritz  
24 operate that payroll loan place?

25 MR. GONZALES: Not that I know of.

24

1 ATTORNEY RANDALL: And how close is  
2 Timmerman Plaza to the Del Rio?

3 MR. GONZALES: Oh, I'd say probably  
4 maybe a mile, maybe three-fourths of a mile.

5 ATTORNEY RANDALL: If there has not been  
6 a pawnshop in this location and you've never had  
7 the problems, but the neighborhood is already  
8 experiencing these trends that you talked about  
9 relating to safety, what is your testimony based  
10 upon that the Neighborhood Pawn location that's  
11 being applied for will result in these types of  
12 issues going on?

13 MR. GONZALES: Once again, our feeling  
14 is -- and I guess that is the wrong thing to say.  
15 Our feeling is that this will contribute nothing  
16 to a positive trend in any of these areas.  
17 Nothing.

18 ATTORNEY RANDALL: Is it more likely, in  
19 your mind, to have a presence in that storefront,

20 employees that may be there seven days a week and  
21 who have instant access to phone lines and calling  
22 the police if something happens at that bus stop  
23 on 103rd, that they could call for help or it  
24 could be a refuge? Or is it better that there is  
25 a vacancy to these crime concerns that you are

25

1 concerned about?

2 MR. GONZALES: I think the neighborhood,  
3 my neighbors, would probably tell you, depending  
4 on the type of business that is going to be in  
5 Del Rio, they would rather have -- not have it  
6 there.

7 ATTORNEY RANDALL: And, finally, you  
8 mentioned the La Quinta, that I think was actually  
9 on the licenses committee agenda of April 8th.  
10 Did you speak in concern to the prostitution and  
11 drug issues that they had when their license was  
12 up and before this committee?

13 MR. GONZALES: I can't speak to any  
14 particulars, but I know that they sent one of  
15 their corporate representatives who met with our  
16 alderman, and he was very concerned with what was  
17 going on there.

18 ATTORNEY RANDALL: And are you aware  
19 that the committee, with the support of the  
20 alderman, issued a warning letter despite those  
21 issues in the police report?

22 MR. GONZALES: I would imagine he would.

23 ATTORNEY RANDALL: No other questions.

24 070814License Lakritz  
Thank you.

25 ALDERMAN PUENTE: Mr. Chair.

26

1 ALDERMAN BOHL: Mr. Chair.

2 ALDERMAN ZIELINSKI: Okay. Alderman  
3 Puente.

4 ALDERMAN PUENTE: Refresh my memory,  
5 sir. Across the street, is it still called  
6 Timmerman Plaza on Silver Spring?

7 MR. GONZALES: Yes.

8 ALDERMAN PUENTE: Okay. What's all in  
9 there? I know there is a bowling alley --

10 MR. GONZALES: No, the bowling alley  
11 closed.

12 ALDERMAN PUENTE: -- Sam's Club?

13 MR. GONZALES: There is a Wal-Mart.  
14 There's a Pick 'n Save that's going to be -- I  
15 understand is going to be --

16 ALDERMAN PUENTE: What about the  
17 outlets?

18 MR. GONZALES: Huh?

19 ALDERMAN PUENTE: The outlets, right  
20 along Silver Spring. I thought -- is there a  
21 Payday Loan right there?

22 MR. GONZALES: Yeah. There's two of  
23 them in there.

24 ALDERMAN PUENTE: That's an outlet  
25 closer to your subdivision than the one on North

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1 Lovers Lane, correct?  
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MR. GONZALES: Right, right.

ALDERMAN PUENTE: Okay. what else do you have in there?

MR. GONZALES: A cell phone place. Like I say, there's two pay loan, easy credit places.

ALDERMAN PUENTE: There's two right there?

MR. GONZALES: There's two.

ALDERMAN PUENTE: Okay.

MR. GONZALES: And a cell phone place. I believe there's a beauty supply place. There's also a Guaranty Bank there.

ALDERMAN PUENTE: Okay. Thank you.

ALDERMAN ZIELINSKI: Okay. Alderman Bohl.

ALDERMAN BOHL: Mr. Gonzales, good morning. Mr. Gonzales, you indicated you have been a longstanding resident of this particular area here?

MR. GONZALES: Yes, I have.

ALDERMAN BOHL: Are you -- are you, in your activities, are you involved in the neighborhood in any capacity?

MR. GONZALES: I'm a member of the block

watch, and I'm also a member of the water board for the Robert William Park Water Association.

ALDERMAN BOHL: That is the neighborhood association for the area here?

MR. GONZALES: Yes.

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6 ALDERMAN BOHL: In that capacity, how  
7 often do you meet as a block watch? would you say  
8 that you are active, or are you one of these  
9 inactive block watches that hardly ever meets?

10 MR. GONZALES: The block watch meets  
11 every month, and it has been doing so for about  
12 the last year and a half.

13 ALDERMAN BOHL: And you meet at one of  
14 the area hotels?

15 MR. GONZALES: La Quinta.

16 ALDERMAN BOHL: You meet at the  
17 La Quinta?

18 MR. GONZALES: Mmm mm.

19 ALDERMAN BOHL: In your -- in your  
20 knowledge of the area and having been an active  
21 member of the association and the block watch, are  
22 you cognizant of the crime trends in the area?

23 MR. GONZALES: Yes.

24 ALDERMAN BOHL: I mean, over the course  
25 of time, has crime gone up; has it gone down?

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1 Twenty years ago, did you see more crime or less  
2 crime?

3 MR. GONZALES: Well, obviously, you saw  
4 less crime. I recall, on a personal level, that  
5 Timmerman Plaza was really a good place to shop.  
6 We had a JCPenny outlet store, and there was a  
7 number of shops, but it was very good.

8 I saw -- I personally, in the past --  
9 excuse me, I'm kind of dry. But I personally have  
10 been verbally assaulted in that parking lot. And



11 I've also, like, I've been shopping at Pick 'n  
12 Save where people are actually coming in and  
13 hitting people up for money in there. So -- and  
14 having your neighbors strong-armed, you never had  
15 that kind of thing.

16 ALDERMAN BOHL: So over the course of  
17 time, approximately how long has it been since  
18 you've seen the establishment of a Payday Loan or  
19 installment loan place in one of the area  
20 neighborhood shopping centers?

21 MR. GONZALES: I can't say exactly, but  
22 it seems to me like it's at least about ten years  
23 ago when that first came in.

24 ALDERMAN BOHL: When would you say you  
25 saw an increase in crime?

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1 MR. GONZALES: It was probably about  
2 then, about then.

3 ALDERMAN BOHL: And would it surprise  
4 you if I were to tell you that the statistics that  
5 were relayed by Mr. Randall here, in terms of the  
6 number of vacancies, is incorrect? Because I was  
7 in that shopping center, the Del Rio shopping  
8 center, where this is locating, yesterday.

9 MR. GONZALES: Would it surprise me?  
10 Probably not.

11 I don't really find it to be an  
12 attractive area myself.

13 ALDERMAN BOHL: Okay. And are you aware  
14 that since the time that they first made

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16 application, that there is an installment loan  
17 place that has opened and operated there?

18 MR. GONZALES: That surprises me. I  
19 didn't know that.

20 ALDERMAN BOHL: You weren't aware of  
21 that?

22 MR. GONZALES: I didn't know that.

23 ALDERMAN BOHL: In terms of overall  
24 issues with panhandling and issues of crime, do  
25 you believe that this particular establishment  
will be a neutral force or an increasing force in

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1 the overall panhandling that you spoke of; in the  
2 overall issue of some of the petty crime that has  
3 occurred that you describe has gone up in one of  
4 the adjacent neighborhood shopping centers in the  
5 last decade?

6 MR. GONZALES: No. I can't see it being  
7 that way. One of the things that --

8 ALDERMAN BOHL: Can't see it what way?

9 MR. GONZALES: That it would be a  
10 positive influence in this, in some of -- on  
11 crime.

12 ALDERMAN BOHL: So is it your testimony  
13 that you believe that this will be an adverse  
14 effect on the issues of crime and panhandling and  
15 some of the other issues with drug dealing that  
16 have gone on in the area, including in one of the  
17 hotels that is adjacent to that?

18 MR. GONZALES: I would see it that way,  
19 yes.

20 ALDERMAN BOHL: And among other reasons,  
21 are you aware -- what occurs at pawnshops? What  
22 do individuals typically do?

23 MR. GONZALES: Well, what I did was,  
24 this week, I went on a website for a couple of  
25 pawnshops, and they do deal in electronics and

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1 they deal in jewelry, okay.

2 ALDERMAN BOHL: But what do individuals  
3 walk out with after --

4 MR. GONZALES: Cash.

5 ALDERMAN BOHL: So the very thing that  
6 you've described taking place in area shopping  
7 centers, individuals panhandling and other issues  
8 with that related crime, does that occur around  
9 places in which individuals walk out with sums of  
10 cash?

11 MR. GONZALES: Well, I --

12 ALDERMAN BOHL: In your experience,  
13 did --

14 MR. GONZALES: Well, my experience with  
15 pawnshops was when I was in the Army at Fort Dix.

16 ALDERMAN BOHL: I'm not asking  
17 about pawnshops.

18 MR. GONZALES: When we walked out of the  
19 pawnshop -- a guy walked into a pawnshop, he  
20 walked out with cash. And the next place he  
21 usually went was to the bar.

22 ALDERMAN BOHL: Now, in terms of the  
23 overall area of Lovers Lane, is that -- you look

24 070814License Lakritz  
at crime statistics for a squad area. Is that in  
25 your same general squad area?

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1 MR. GONZALES: Yes. We basically get  
2 the crime statistics for the entire 4th District.

3 ALDERMAN BOHL: Okay.

4 MR. GONZALES: Right.

5 ALDERMAN BOHL: Do you -- are you aware  
6 of a lot of apartment complexes in or around that  
7 location?

8 MR. GONZALES: Yes, I am aware that  
9 there are -- we don't have so many in our  
10 particular subdivision, but ringing it, yes, there  
11 are.

12 ALDERMAN BOHL: Adjacent to where this  
13 business is located --

14 MR. GONZALES: Yes.

15 ALDERMAN BOHL: -- a lot of multifamily  
16 -- hundreds of units?

17 MR. GONZALES: I would think so, yes.

18 ALDERMAN BOHL: Are you -- have you ever  
19 had any discussions related to other businesses in  
20 crimes from individuals coming from those  
21 apartments going to other adjacent businesses?

22 MR. GONZALES: I had heard in other  
23 meetings of people who live adjacent to those  
24 apartments talking about what they have seen.  
25 Yes, I have heard other things going on, yes.

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1 ALDERMAN BOHL: Anything ever from the  
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2 police department? Liaison officers?

3 ALDERMAN PUENTE: Mr. Chair.

4 MR. GONZALES: No, we haven't.

5 ALDERMAN ZIELINSKI: Alderman Puente.

6 ALDERMAN PUENTE: Is this hearsay  
7 testimony when he's talking about he heard it from  
8 somebody else?

9 ALDERMAN ZIELINSKI: Right. We need to  
10 stick with firsthand testimony.

11 ALDERMAN PUENTE: He just keeps leading  
12 the witness to what I believe is hearsay.

13 ALDERMAN BOHL: Thank you, Mr. Chairman.

14 ALDERMAN PUENTE: Mr. Chair, if I may?

15 ALDERMAN ZIELINSKI: Alderman Puente.

16 ALDERMAN PUENTE: All right. You  
17 mentioned earlier about your experiences at  
18 Timmerman Plaza --

19 MR. GONZALES: Yes.

20 ALDERMAN PUENTE: -- blah, blah, blah.  
21 what has your personal experience been at this  
22 location on North Lovers Lane?

23 MR. GONZALES: Other than -- I have seen  
24 that it is vacant. I -- my experience, I used to  
25 go for haircuts there. I used to do that. I used

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1 to go to Kentucky Fried Chicken.

2 ALDERMAN PUENTE: What negative impact  
3 did you see when you were up there personally?  
4 Did you get assaulted? Did somebody swear at you?  
5 Did you see panhandling? Any of that?

6 MR. GONZALES: No. Because I didn't go  
7 back there.

8 ALDERMAN PUENTE: Okay. But you  
9 personally have not seen any of that?

10 MR. GONZALES: I don't go there that  
11 much. No. You're right, you're right.

12 ALDERMAN PUENTE: So you have no  
13 personal testimony about this location?

14 MR. GONZALES: No, I do not.

15 ALDERMAN PUENTE: Okay. Thank you.

16 ALDERMAN ZIELINSKI: Okay. Before you  
17 stopped going there, did you -- did you see --  
18 what was it that precipitated you no longer  
19 frequenting that location? Would you see  
20 panhandling or anything like that? I mean, just  
21 all of a sudden?

22 MR. GONZALES: I don't go.

23 ALDERMAN ZIELINSKI: Well, I want to  
24 know why. I mean, if he didn't see any problems  
25 there --

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1 MR. GONZALES: The barber left, see.  
2 Yeah.

3 ALDERMAN ZIELINSKI: I'm sorry. Can you  
4 repeat that?

5 MR. GONZALES: I said, the barber left,  
6 and I had no reason to go there anymore.

7 ALDERMAN ZIELINSKI: Oh, okay.

8 MR. GONZALES: Yeah.

9 ALDERMAN ZIELINSKI: So you basically  
10 just understood through conversations with other

11 people that panhandling and other such related  
12 activities were taking place?

13 MR. GONZALES: No, no. I didn't make  
14 any comments about panhandling at Del Rio. I am  
15 talking about panhandling at the Timmerman Plaza,  
16 close to where I live. That's what I'm talking  
17 about, right.

18 ALDERMAN ZIELINSKI: Okay. Any further  
19 questions? Alderman Dudzik.

20 ALDERMAN DUDZIK: Sir, you opened up  
21 with a statement that I wanted to get back to.  
22 You said, there's been a large number of robberies  
23 and the like. Larger than what?

24 MR. GONZALES: Larger than 1990.

25 ALDERMAN DUDZIK: Okay. Can you tell

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1 me, in the past 20 or so years, how many  
2 apartments have gone up in that -- how many  
3 apartment units have gone up in that area?

4 MR. GONZALES: I am thinking there's --  
5 over on Lovers Lane, there's a fairly -- that's  
6 got to be fairly new over there. I'm thinking --  
7 in the past -- I think that's about a  
8 20-year-old --

9 ALDERMAN DUDZIK: Hundreds of units?

10 MR. GONZALES: I would say so, yeah.

11 ALDERMAN DUDZIK: Okay. Do you -- as a  
12 member of the block watch, crime watch, how long  
13 have you been with that organization?

14 MR. GONZALES: Year and a half.

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15 ALDERMAN DUDZIK: Year and a half. And  
16 in that year and a half, have you ever been made  
17 aware of the uptick in crime as reported in the  
18 media, both at the local level and at the national  
19 level?

20 MR. GONZALES: Well, we do get the --

21 ALDERMAN DUDZIK: It's a yes or no  
22 answer.

23 MR. GONZALES: Yes. Yes, I've been --  
24 yeah.

25 ALDERMAN DUDZIK: You are aware of that?

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1 MR. GONZALES: Yes.

2 ALDERMAN DUDZIK: So it is just not  
3 isolated to your subdivision or this particular  
4 location? Crime, apparently, has gone up locally  
5 and nationally over the past 20 years?

6 MR. GONZALES: Yes, that's true.

7 ALDERMAN DUDZIK: Okay. Thank you.

8 ALDERMAN ZIELINSKI: Okay. What we're  
9 going to do at this time is have Alderman Puente  
10 move to enter the --

11 ALDERMAN BOHL: Mr. Chairman.

12 ALDERMAN ZIELINSKI: Yes, Alderman Bohl.

13 ALDERMAN BOHL: The last comment where  
14 crime has gone up in the last 20 years, I'd like  
15 to see the evidence of that.

16 ALDERMAN DUDZIK: Ask him.

17 ALDERMAN BOHL: Well, I know --

18 ALDERMAN DUDZIK: He's saying that crime  
19 has gone up in the area in the last 20 years. I'm



20 saying, okay, fine.

21 ALDERMAN BOHL: Nationally --  
22 nationally, I am not aware of that.

23 ALDERMAN DUDZIK: Okay. And that is  
24 what I am saying. He's making some broad  
25 generalizations about --

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1 ALDERMAN BOHL: No, no, no, no. No.  
2 I'm saying --

3 ALDERMAN DUDZIK: Sir, I am talking,  
4 sir.

5 ALDERMAN ZIELINSKI: Sir, hold on a  
6 second.

7 MR. GONZALES: Okay.

8 ALDERMAN ZIELINSKI: We're going to give  
9 you a chance to speak.

10 ALDERMAN DUDZIK: Making some broad  
11 generalizations about his area, and I think you  
12 can expand on that, Alderman Boh1. You know as  
13 well as I, there's a perception in the City of  
14 Milwaukee that crime is out of control and has  
15 gone up in the past 20 years. And I think if you  
16 talk to most people, the perception in this  
17 country is that crime has gone up in this country  
18 in the last 20 years.

19 ALDERMAN BOHL: Okay. Gotcha.

20 ALDERMAN ZIELINSKI: Okay. Did you want  
21 to respond to that, sir?

22 MR. GONZALES: Yes, I would. First of  
23 all, let me say that I can't make a -- I will not

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24 try to generalize or say anything about the  
25 national thing. Only thing I can say is what I

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1 actually have experienced personally in my area  
2 since 1990. Have I gone to Timmerman Plaza and be  
3 verbally assaulted and be accosted in my car?  
4 Yes, I have. Have I been approached, and  
5 aggressively, by people inside the Pick 'n Save  
6 trying to get money from me? Yes, I have. Have  
7 my neighbors, in fact, been assaulted with guns  
8 and robbed of their property? Yes, they have.

9 So I am not speaking about what's going  
10 on in Washington or Madison. I am speaking about  
11 what's going on in the Robert William subdivision  
12 that I live in.

13 ALDERMAN DUDZIK: I appreciate that.

14 ALDERMAN ZIELINSKI: Okay. Thank you.  
15 I would just like to add that, statistically --  
16 because this has come up in the Bay View portion  
17 of my district, but statistically, crime is down  
18 in Bay View, the last six, seven years. So we  
19 just --

20 ALDERMAN PUENTE: So are we just going  
21 to promote all of our districts now about crime?

22 ALDERMAN ZIELINSKI: No. I am just  
23 stating a fact here. I'm just saying just because  
24 he's experiencing an uptick in --

25 ALDERMAN DUDZIK: He's saying crime in

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1 the City of Milwaukee.

2 ALDERMAN PUENTE: That's not Robert  
3 William subdivision.

4 ALDERMAN ZIELINSKI: Okay. So -- but in  
5 his area, he's testifying to the fact he's  
6 experiencing an increase in crime. So whether  
7 there's an increase nationwide or decrease in some  
8 other area, to me, that doesn't have any bearing.  
9 At least as far as I am concerned. Okay.

10 So we don't have any -- did you have a  
11 question?

12 ATTORNEY RANDALL: No. After this  
13 witness, I have a point of clarification.

14 ALDERMAN ZIELINSKI: Okay. What we are  
15 going to do is move this into the record. This is  
16 the handout by Alderman -- excuse me, not  
17 alderman. We don't want to give you a pay cut,  
18 Attorney Randall.

19 Alderman Puente will move Attorney  
20 Randall's handout into the record. There being no  
21 objections, so ordered.

22 Thank you very much for your testimony,  
23 sir. And I appreciate your spirit. We need more  
24 people active in block watches like you. Thank  
25 you.

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1 ATTORNEY RANDALL: Mr. Chair.

2 ALDERMAN ZIELINSKI: Yes.

3 ATTORNEY RANDALL: Just a point of  
4 clarification -- an I concur, I appreciate the  
5 spirit, and we do need more people in block

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watches.

As it relates to this matter, though, I do have some concern with the scope of the testimony as it strays to examples of Timmerman Plaza, as the witness indicated, a mile away from this location as well as other types of establishments. Alderman Bohl, in fact, mentioned installment agencies, Payday Loans. The new ordinance, which it appears that the committee is operating under, under 85-2.7 4(b), couches things in terms of this location.

One of the standards, the appropriateness of the location and premise where the licensed premises is to be located and whether use of the premise is for the purposes or activities permitted by the license would tend to facilitate those types of things.

So it's really apples and oranges if we are taking gas stations and banks and payday loan agencies that have different license requirements

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or none whatsoever and this type of license, which is why I asked specific questions about pawnbroker's licenses.

So simply, I wish to make that point to the committee. I would ask that the testimony be focused on that. And I would invite you to look at Pages 8 to 9 of the city attorney's opinion that does characterize the testimony in the past as being very general, not specific to the location; thus, suggesting that under the new

11 framework, it must be specific to this location.  
12 I would just ask that that's what the testimony be  
13 geared toward this morning.

14 ALDERMAN ZIELINSKI: Attorney Stephens,  
15 if I understood you correctly, and I want to get a  
16 clarification from you, based upon the 1996 city  
17 attorney opinion, it's been common practice for  
18 the council or the committee to entertain  
19 testimony as it relates to negative secondary  
20 impacts?

21 CITY ATTORNEY: Correct.

22 ALDERMAN ZIELINSKI: Okay. Okay. Next  
23 speaker.

24 ALDERWOMAN COGGS: Mr. Chair.

25 ALDERMAN ZIELINSKI: Alderwoman Coggs.

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1 ALDERWOMAN COGGS: Just for clarity.  
2 The "negative secondary impacts," is it what  
3 Attorney Randall is suggesting that it's about  
4 that location? Or can you come up here and talk  
5 about Timmerman, and we're supposed to take -- a  
6 mile away, and we're supposed to take that into  
7 consideration?

8 CITY ATTORNEY: I think that's within  
9 the scope of the chairman's discretion in terms of  
10 whether or not to limit the testimony and whether  
11 or not the committee wants to hear from it. Part  
12 of the difficulty in licensing a new premise is  
13 that you don't have a track record to base it on,  
14 so oftentimes, you will use similar-type

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15 locations, hopefully within a physical proximity,  
16 or similar in nature.

17 So whether or not this committee chooses  
18 to use a, for example, retail strip mall that is  
19 located within a mile or less, or whatever it is,  
20 if you can make the logical leap that these  
21 facilities are similar enough that whatever  
22 happened at one may likely happen at the other  
23 because of physical proximity and the nature of  
24 the neighborhood as, you know, as testified to by  
25 witnesses and neighbors who are familiar with

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1 both, you can rely on that.

2 If, however, there is concern by the  
3 committee that the neighbor is trying to compare a  
4 strip mall that really has nothing in similarity  
5 to the strip mall at issue here, then you discount  
6 it. I guess that's part of the weighing of the  
7 evidence and the testimony that you have to take  
8 in each --

9 ALDERMAN ZIELINSKI: So I am not going  
10 to limit the testimony as requested by counsel. I  
11 am going to provide a lot of latitude for  
12 residents that take the time to come down here to  
13 provide their testimony on negative secondary  
14 impacts. I am going to allow them to present  
15 their case, and then the committee can draw their  
16 own inference as to the strength of those  
17 arguments. Okay.

18 Name and address, please.

19 MRS. CHAUDHRY: Rita B. Chaudhry, 5253  
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