

CITY OF MILWAUKEE

UTILITIES & LICENSES COMMITTEE

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In the Matter of:

AMANN, Mathew G., Agent for "Gus Amann, Inc.", Class B
Tavern and Tavern Dance renewal applications for "Gus
Amann's" at 9131 West Beloit Road.

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COMMITTEE MEMBERS

ALD. JAMES WITKOWIAK, Chairman

Ald. James Bohl, Jr. - Vice Chairman

Ald. Joseph A. Dudzik

Ald. Robert Puente

Ald. Willie Wade

COPY

DEPARTMENT OF NEIGHBORHOOD SERVICES by BRIAN KAUFMAN

HEALTH DEPARTMENT by PAUL ZEMKE

LICENSE DIVISION by JAMES COPELAND

POLICE DEPARTMENT by SERGEANT CHESTER ULICKEY

OFFICE OF THE CITY ATTORNEY by BRUCE SCHRIMPF

Proceedings had and testimony given in
the above-entitled matter, before the UTILITIES &
LICENSES COMMITTEE OF THE CITY OF MILWAUKEE, on
the 31st day of May, 2005, reported by Donna
Gulczynski of Milwaukee Reporters Associated, Inc.

MILWAUKEE REPORTERS ASSOCIATED, INC.
(414) 771-5253

1 CHAIRMAN WITKOWIAK: Neighborhood Services?

2 MR. KAUFMAN: No objection.

3 CHAIRMAN WITKOWIAK: Sergeant Ulickey?

4 SERGEANT ULICKEY: On March 19th of '04 at
5 six p.m., two underage police aides under the
6 direction of police officers purchased beer from the
7 applicant without showing I.D. He was subsequently
8 found guilty and fined \$152.

9 And on 3/30 of '05 at 3:38 a.m., officers
10 were investigating a cutting complaint at West Allis
11 Memorial Hospital, and that investigation revealed
12 that a patron of the bar was attacked and cut by a
13 person in the parking lot of the tavern after closing
14 time, and a suspect was arrested in that incident.

15 CHAIRMAN WITKOWIAK: Okay. Mr. Amann, do
16 you have any questions of the police report?

17 MR. AMANN: No, I don't.

18 CHAIRMAN WITKOWIAK: Any comments on it?

19 MR. AMANN: The minor was -- I was working
20 that day, and yes, I was at fault, and that was my
21 first offense in three or four years. And yes, I was
22 at fault.

23 The next one with the cutting, it happened
24 at three in the morning, and the bar closes at two,
25 and there was no charges filed, I understand. So what

1 we're doing now is we have somebody outside working
2 security, -- not security, but mostly for watching
3 people coming in and leaving for noise or protection,
4 you know.

5 CHAIRMAN WITKOWIAK: Thank you. Could I see
6 a show of hands? Is there anyone here to testify on
7 9131 West Beloit Road? Would you come forward,
8 please, sir?

9 (Whereupon Mr. Janson was sworn under oath.)

10 CHAIRMAN WITKOWIAK: Your name and address
11 for the record?

12 MR. JANSON: My name is Frank Janson. The
13 address is 2817 Jacqueline Drive, Waukesha.

14 CHAIRMAN WITKOWIAK: And are you here in
15 support or opposition?

16 MR. JANSON: In opposition or caution.

17 CHAIRMAN WITKOWIAK: Could you tell us what
18 your testimony is?

19 MR. JANSON: I'm the property manager of the
20 next-door building, and I had a tenant leave because
21 of loud noise, and I think you were the alderman that
22 was involved in it. The owner contacted the alderman
23 about problems that there were. I think it's gotten
24 better because he received a letter about the liquor
25 license coming up, but it's just a caution that it

1 doesn't pick up again.

2 The noise complaints from the previous
3 tenant were the doors were open after 10, and I mean
4 if the bar's open till two, people in that building
5 really are right next to it, and the loud bass in the
6 building is -- I don't know if you lowered it down,
7 but --

8 MR. AMANN: Correct.

9 MR. JANSON: But I just want to make sure
10 that it doesn't reoccur and spread up. I don't know
11 if you can put a caution on the liquor license or like
12 a --

13 CHAIRMAN WITKOWIAK: Okay. What sort of
14 business do you manage next door?

15 MR. JANSON: Rental units.

16 CHAIRMAN WITKOWIAK: Apartments?

17 MR. JANSON: Rental units for Landl One.
18 I manage two buildings there.

19 CHAIRMAN WITKOWIAK: How many units?

20 MR. JANSON: There's 24 units in one
21 building, so there's 48 units that I manage in the
22 complex which are right next to Beloit Road.

23 CHAIRMAN WITKOWIAK: Okay.

24 ALDERMAN PUENTE: Mr. Chair?

25 CHAIRMAN WITKOWIAK: Alderman Puente.

1 ALDERMAN PUENTE: What have you personally
2 observed?

3 MR. JANSON: That tenants leave because of
4 noise complaints.

5 ALDERMAN PUENTE: As it pertains to the
6 tavern.

7 MR. JANSON: I pick up bottles on the
8 street.

9 ALDERMAN PUENTE: Can you say those bottles
10 came from this establishment?

11 MR. JANSON: No, I can't.

12 ALDERMAN PUENTE: And you never heard the
13 loud music?

14 MR. JANSON: Well, I heard the loud bass in
15 the evenings when I'm there.

16 ALDERMAN PUENTE: Have you seen the doors
17 open after 10:00?

18 MR. JANSON: No.

19 ALDERMAN PUENTE: Thank you.

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

22 ALDERMAN DUDZIK: Mr. Chair?

23 CHAIRMAN WITKOWIAK: Alderman Dudzik.

24 ALDERMAN DUDZIK: If you'd be so kind, I
25 would like Miss Elmer to pass out a letter that I

1 sent Mr. Amann, and a letter that I received from
2 his employer, Miss Palmer. I would ask that they be
3 entered into the record.

4 CHAIRMAN WITKOWIAK: Alderman Dudzik moves
5 to make the police report a part of the permanent
6 record in this matter. Hearing no objection, so
7 ordered.

8 Alderman Dudzik moves to make this letter
9 dated November 29th, 2004 from his office a part of
10 the record. Hearing no objection, so ordered.

11 And Alderman Dudzik moves to make this copy
12 of a fax that's dated March 29th, 2005 from Landl One,
13 LLC to his office part of the permanent record in this
14 matter. Hearing no objection, so ordered. This fax
15 is a cover page and then two typewritten pages.
16 Hearing no objection to that, so ordered.

17 ALDERMAN DUDZIK: Mr. Chairman?

18 CHAIRMAN WITKOWIAK: Alderman Dudzik.

19 ALDERMAN DUDZIK: Mr. Amann, on more than
20 one occasion you've observed me at your establishment?

21 MR. AMANN: Yes.

22 ALDERMAN DUDZIK: Accompanied by my wife,
23 frequently?

24 MR. AMANN: Yes.

25 ALDERMAN DUDZIK: On more than one occasion

1 I've been at your establishment and have indicated to
2 you or your staff that the music is too loud. We can
3 hear it 50, 60 feet away easy. I just want to make it
4 very clear that I have been working with you and Miss
5 Palmer to try to iron out this problem.

6 You do have a situation where your business
7 is very close to her apartment, so I do realize it
8 makes it difficult, and I know in conversations that
9 I've had with you that you're making attempts, but I
10 want to make it very clear to you here and now that if
11 that continues, you do jeopardize your license at some
12 point in the future.

13 MR. AMANN: I understand.

14 ALDERMAN DUDZIK: Thank you very much.

15 CHAIRMAN WITKOWIAK: Any other questions by
16 members of the committee? Anything in closing to say,
17 Mr. Amann?

18 MR. AMANN: No, no. I think we covered most
19 of it. But as far as with the tenant, we put a sign
20 out that says, "No motorcycles in the parking lot,
21 only on the street." We put out a sign, also, "Please
22 respect our neighbors." So we're -- If I could give
23 you my phone number, --

24 MR. JANSON: I know it has gotten better,
25 but I wanted to voice my opinion. The owner probably

1 would have been here, but she's not in town, so --

2 MR. AMANN: Sure, sure.

3 MR. JANSON: And it has gotten better.

4 There was the complaining of the one tenant, and she
5 called the police several times. She left because it
6 was too loud for her, and she --

7 MR. AMANN; Right next to it, okay.

8 MR. JANSON: Okay. Thank you. You can give
9 me your phone number.

10 CHAIRMAN WITKOWIAK: I would suggest
11 regardless of the disposition in this case, if you
12 would trade phone numbers and work in cooperation
13 to take care of these matters, I'm sure it would be
14 appreciated by this committee. This matter's in
15 committee.

16 ALDERMAN PUENTE: Mr. Chairman?

17 CHAIRMAN WITKOWIAK: Alderman Puente.

18 ALDERMAN PUENTE: I would like to make the
19 police report a part of the report.

20 CHAIRMAN WITKOWIAK: It already is.

21 ALDERMAN PUENTE: Oh. Disregard that then.
22 I would recommend a warning letter based on the police
23 report and neighborhood objections to the loud music
24 and noise.

25 CHAIRMAN WITKOWIAK: And are you

1 recommending approval of the renewal --

2 ALDERMAN PUENTE: Yes, that too.

3 CHAIRMAN WITKOWIAK: -- as part of your
4 motion? Okay. Motion by Alderman Puente is recommend
5 the renewal of this license with an issuance of a
6 warning letter based on items contained in the police
7 report and neighborhood objection.

8 Is there any discussion on that motion? Are
9 there any objections to that motion? Hearing none, so
10 ordered. Okay. Good luck. Work with the neighbors,
11 and I'm sure everything will be fine.

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STATE OF WISCONSIN))
) SS:
MILWAUKEE COUNTY)

I, DONNA GULCZYNSKI, of Milwaukee Reporters Associated, Inc., 5120 West Bluemound Road, Milwaukee, Wisconsin, certify that the foregoing transcript, consisting of pages [-] through [-] inclusive, is a full and complete transcript of the proceedings taken in this cause.

Donna Gulczynski - Court Reporter

Dated this _____ day of _____, 2005
Milwaukee, Wisconsin