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CITY OF MILWAUKEE

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UTILITIES & LICENSES COMMITTEE

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In the Matter of:

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ARSHAD, Inaam, Agent for "30503 Milwaukee Corp", 24 Hours
Establishment application for " 76th & Mill Citgo/Quik

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Mart" at 6366 North 76th Street.

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COMMITTEE MEMBERS

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ALD. JAMES BOHL - Chairman

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Ald. Joe Davis Sr. - Vice Chairman

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Ald. Fredrick G. Gordon

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Ald. Joseph A. Dudzik

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Ald. Terry L. Witkowski

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DEPARTMENT OF NEIGHBORHOOD SERVICES by BRIAN KAUFMANN

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LICENSING DIVISION by JAMES COPELAND

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POLICE DEPARTMENT by SERGEANT JOHN HOGAN

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OFFICE OF THE CITY ATTORNEY by BRUCE SCHRIMPF

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Proceedings had and testimony given in
the above-entitled matter, before the UTILITIES &
LICENSING COMMITTEE OF THE CITY OF MILWAUKEE, on
the 23rd day of March, 2004, reported by Donna
Gulczynski of Milwaukee Reporters Associated, Inc.

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P R O C E E D I N G S

(NOTE: All City Personnel Were Sworn Under Oath Prior to These Proceedings.)

CHAIRMAN BOHL: Before we proceed, I just want to go back here and see, is Deborah Allen present by chance? Inaam Arshad? We do have Mr. Arshad here, Alderman Davis.

ALDERMAN DAVIS: Which address?

CHAIRMAN BOHL: That's the second item. That is the 76th & Mill Road Citgo at 6366 North 76th Street. Mr. Arshad, do you want to come forward here now?

This is the second item on the 2:00 agenda for Inaam Arshad, agent for 30503 Milwaukee Corporation, 24-Hour Establishment application for 76th and Mill Citgo/Quik Mart at 6366 North 76th Street.

Alderman Witkowski would move for reconsideration on this item. Hearing no objection, so ordered.

ALDERMAN WITKOWSKI: Can I do that? I wasn't in the room.

CHAIRMAN BOHL: You can do that. Which one of you gentlemen is Mr. Arshad here? And, sir, for the record, -- and you'll want to pull the microphone

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1 up so we can hear you. Don't be a stranger. Grab
2 that thing and yank it all the way up to your mouth.
3 Your name and your address for the record here.

4 MR. MAZHAR: My name is Mohammad Mazhar, and
5 I'm the district manager for the store.

6 CHAIRMAN BOHL: And Mr. Mazhar, could you
7 spell your last name, please?

8 MR. MAZHAR: M-a-z-h-a-r.

9 CHAIRMAN BOHL: And your address for the
10 record, Mr. Mazhar?

11 MR. MAZHAR: My home address?

12 CHAIRMAN BOHL: Your address for the record
13 here, yes.

14 MR. MAZHAR: Okay. 1227 West Oklahoma
15 Avenue, Milwaukee, Wisconsin.

16 CHAIRMAN BOHL: Okay. Mr. Inaam, -- I'm
17 sorry. Mr. Arshad, we're going to have to swear you
18 in. We need you to raise your right hand as well,
19 too, Mr. Mazhar, both of you gentlemen.

20 (Whereupon Mr. Arshad and Mr. Mazhar were
21 sworn under oath.)

22 CHAIRMAN BOHL: And for Mr. Arshad, do you
23 acknowledge receiving notice of today's meeting with
24 the possibility that your application could be denied?
25 It is cited for an objection to the location of

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1 license as a 24-hour establishment would be the source
2 of excess traffic, loitering, littering, disorderly
3 behavior and noise generated by such traffic, which is
4 cruising. In addition, this location as a licensed
5 24-hour establishment will be an overconcentration of
6 after-hour businesses along 76th Street having an
7 adverse impact on the health, safety and welfare of
8 the neighborhood. Did you receive that notice?

9 MR. ARSHAD: Yeah.

10 CHAIRMAN BOHL: Thank you. Department of
11 Neighborhood Services?

12 NEIGHBORHOOD SERVICES: No objections.

13 CHAIRMAN BOHL: Okay. What we're going to
14 do is, -- I just want to see. Are there any neighbors
15 who are present to testify to this matter? I see
16 none. Alderman Davis?

17 ALDERMAN DAVIS: Thank you, Mr. Chairman.
18 As I had stated before, and I will not belabor my
19 fellow committee members with the detail, but one
20 compelling thing that I would just like to spell out
21 is that \$2 million of the Violent Crimes Task Force we
22 had to allocate for police overtime, and this is the
23 reason why I would like to at least have the district
24 calm down.

25 As I had stated before, if I can show you,

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1 this particular location is located at 76th and Mill
2 Road, which is on the edge of the 9th Aldermanic
3 District and the 2nd Aldermanic District. This
4 particular route has always been known as a route for
5 those who would, quote-unquote, cruise into the 2nd
6 Aldermanic District with stops at this particular
7 location and as we ascend down into the center of the
8 district. My objective is, with the ordinance that we
9 passed, with the additional demerit points on those
10 violators, also to find out if the district could calm
11 down and to deny this 24-hour application.

12 This is granted for a one-year period, and
13 after we make an assessment as far as where the
14 problems is coming from, we may end up reconsidering
15 for the next time, but I would hope that we would move
16 forward to deny this particular application.

17 CHAIRMAN BOHL: Mr. Arshad, what are your
18 present hours of operation? Are you operating 24
19 hours?

20 MR. ARSHAD: Operating 24 hours.

21 CHAIRMAN BOHL: You are operating 24 hours.
22 Have you witnessed problems with cruising on 76th
23 Street here?

24 MR. ARSHAD: We never had any complaint or
25 anything like that.

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1 CHAIRMAN BOHL: Have you seen any cruising
2 on 76th Street at all late at night?

3 MR. ARSHAD: Not regular. Well, it
4 happened once when there was some parade or something
5 coming down 76th and Mill Road, and that was the only
6 time. The police came over there, and they had to
7 shut all the businesses across that road, and it never
8 happened otherwise.

9 CHAIRMAN BOHL: Okay. In terms of your
10 presence at this -- at your establishment here, do
11 you frequent the late night hours, or are you working
12 first shift? Are you on site at the location at all,
13 or --

14 MR. ARSHAD: Yeah, I go daily, visit at
15 night and in the morning. He does that, too. We have
16 two people working at night, and we just go there to
17 check that.

18 CHAIRMAN BOHL: In terms of your security
19 and in the plan of operation, you've indicated you
20 have video surveillance. Is that inside the
21 establishment?

22 MR. ARSHAD: Yeah, it's inside the
23 establishment.

24 CHAIRMAN BOHL: Do you have any surveillance
25 of the exterior of the premises at all?

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MR. ARSHAD: No.

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CHAIRMAN BOHL: Do you employ any security company, any additional security measures, outside of what you've indicated here?

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MR. ARSHAD: No.

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CHAIRMAN BOHL: Okay. Mr. Mazhar, same question to you here. Have you had any late night operating problems, any problems with cruising in the area that you've experienced?

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MR. MAZHAR: No, I never had those problems.

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CHAIRMAN BOHL: No late night runs on the gas station?

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MR. MAZHAR: No.

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CHAIRMAN BOHL: Now, this particular station, -- Correct me if I'm wrong. Does this station have an access from 76th Street, or do you have to get in from Mill Road?

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MR. ARSHAD: We have both sides.

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CHAIRMAN BOHL: You're on both sides. You're on the corner of 76th and --

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MR. ARSHAD: From the corner.

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CHAIRMAN BOHL: Okay. All right. Are there any questions of Alderman Davis at this point here? Okay. Mr. Inaam, -- I'm sorry, I keep calling you your first name. Mr. Arshad, this is your opportunity

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1 to tell the committee why you believe that this
2 application for 24 hours should be approved here.

3 MR. ARSHAD: This location was Seven-Eleven
4 before, but we have never had any complaint from any
5 neighbors for anything like that, and I don't know why
6 the alderman wants this location only. The other
7 location is 24 hours, too, so why is this location to
8 be denied for this 24-hour.

9 CHAIRMAN BOHL: All right. Are there any
10 questions by committee?

11 ALDERMAN DUDZIK: Mr. Chairman, I just want
12 to be clear. Is this location currently operating 24
13 hours?

14 MR. ARSHAD: Yes.

15 ALDERMAN DUDZIK: How long have you been
16 operating 24 hours?

17 MR. ARSHAD: For more than a year.

18 ALDERMAN DUDZIK: Thank you.

19 CHAIRMAN BOHL: Any other questions by
20 committee at this point? Mr. Arshad, anything you
21 want to add?

22 MR. ARSHAD: No.

23 CHAIRMAN BOHL: Otherwise we are in
24 committee.

25 ALDERMAN DAVIS: May I close, Mr. Chair?

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1 CHAIRMAN BOHL: Absolutely.

2 ALDERMAN DAVIS: As these items move
3 forward, I need to make sure that the committee knows
4 that, you know, when business owners close their
5 doors, and then all of a sudden they depend on people
6 to come and serve them through the glass doors but
7 don't open up their businesses, that's where we have
8 the problems. Because when people start congregating,
9 then we have to use law enforcement in order for them
10 to be their private security, and it has -- you know,
11 I'm not going to get into the semantics of if it's
12 right or if it's wrong, but what I can tell you is
13 that in my late night enforcement of trying to find
14 out where this phenomena of cruising occurs, there
15 are lots where I've noticed and I've observed
16 congregation, and I've noticed that there are
17 establishments that will not shut down their lights,
18 that will keep serving them until law enforcement
19 comes in, until law enforcement, -- particularly the
20 4th District police station, -- breaks it up, and this
21 is the thing that we're trying to get under control.

22 Granted, it's a 24-hour location, but if
23 they close at 12:00 and open up at 5:00 in the
24 morning, I think that's more appropriate for the
25 community in which we're trying to make sure that we

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1 strive to stabilize, and I will leave you with that
2 comment. Thank you.

3 CHAIRMAN BOHL: Thank you, Alderman Davis.
4 Mr. Arshad, -- I just want to ask you, Mr. Mazhar, one
5 more time here. You've indicated that there was maybe
6 one instance of late night cruising in the area?

7 MR. MAZHAR: Yeah, that was in the whole
8 area. There was some, but not much, and it happened
9 in March or April. There was some fair going on, and
10 when that fair closed, there was -- all the people
11 were all dancing. There was probably --

12 CHAIRMAN BOHL: Was that St. Peter-Immanuel?

13 MR. MAZHAR: Yeah, yeah, I think so.

14 CHAIRMAN BOHL: That was going to be in
15 June?

16 MR. MAZHAR: That's the only incident. The
17 police was there. And it was in the whole area.

18 CHAIRMAN BOHL: But you're telling me you've
19 had no other instances of problems there?

20 MR. MAZHAR: No, no. No problems like that.

21 MR. SCHRIMPF: Mr. Chairman?

22 CHAIRMAN BOHL: I'm just -- Mr. Schrimpf,
23 I'm just aware of there being more problems than that.
24 Now, this may not be a nightly occurrence, but, you
25 know, my district ends just a block away from you

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1 right up smack dab in the middle, and I personally am
2 aware, because I've gotten phone calls, regarding car
3 cruising problems. I just have -- You know, when
4 people call me at 12:00, I don't think that they're
5 calling me just to check in and see if I'm home here
6 in the district. I'm just telling you that.

7 MR. SCHRIMPF: Mr. Chairman, I'm not
8 disputing that, but I have a question of Alderman
9 Davis.

10 CHAIRMAN BOHL: Go ahead, Mr. Schrimpf.

11 MR. SCHRIMPF: Have you observed this
12 location of 6366 North 76th Street as being the
13 source of cruising?

14 ALDERMAN DAVIS: Yes.

15 MR. SCHRIMPF: When?

16 ALDERMAN DAVIS: Specific date, a specific
17 day, or a general specific month?

18 MR. SCHRIMPF: Well, let's start with the
19 most specific. Can you recall a day?

20 ALDERMAN DAVIS: Yes.

21 MR. SCHRIMPF: When?

22 ALDERMAN DAVIS: Saturday in June.

23 MR. SCHRIMPF: Of 2003?

24 ALDERMAN DAVIS: 2003.

25 MR. SCHRIMPF: Any other day?

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1 ALDERMAN DAVIS: Not to my recollection.

2 MR. SCHRIMPF: Okay. That's all I have.

3 CHAIRMAN BOHL: Okay. All right. Any

4 additional questions here at this point?

5 ALDERMAN GORDON: I just have a question of

6 the alderman.

7 CHAIRMAN BOHL: Alderman Gordon.

8 ALDERMAN GORDON: I know that you frequent

9 the locations that you pointed out on the map on a

10 regular basis. Has that increased since last year?

11 You said you cited one date when you personally

12 observed cruising emanating from this location, and I

13 know you go out at night to check on hot spots, for

14 lack of a better term, and has that increased over the

15 last six to eight months?

16 ALDERMAN DAVIS: On 76th Street, Alderman,

17 it is known on the weekends that that is a concern,

18 and it is coming from the north hitting south on 76th

19 Street.

20 The reason why I didn't answer it

21 specifically on another day is because I do not

22 remember a specific day that I was out there, but

23 I'm out there on a normal basis because, as you know,

24 Barry Givens is very involved in the Anti-Cruising

25 Task Force, and at 1, 2:00 in the morning, he'll call

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1 me and let me know that it's starting up.

2 In the wintertime it calms down because
3 it's so cold outside, but we're starting to see the
4 escalation on it, and I try to make sure, not only to
5 try to protect the integrity of the area, but also the
6 businesses along the district, so yes, I've seen it,
7 but I can't pinpoint it. You know, I don't have my
8 steno pad to write down every occurrence that I was
9 out there, but I can tell you that Mr. Schrimpf
10 brought up a good idea, and I will start documenting
11 it.

12 MR. SCHRIMPF: Mr. Chairman, I think the
13 committee -- Before you deny a 24-hour license,
14 especially if a location is operating under the
15 24-hour basis right now, there's got to be some
16 evidence that demonstrates that the location that's
17 under consideration is the source of it, contributes
18 to it, is a terminus of it; you know, some connection
19 to the cruising that's observed.

20 CHAIRMAN BOHL: All right. And
21 Mr. Schrimpf, what you're indicating is if they're
22 currently operating in those hours, --

23 MR. SCHRIMPF: Right.

24 CHAIRMAN BOHL: -- if there are problems
25 that are in the immediate vicinity, somebody is

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1 seeking new hours, that would be --

2 MR. SCHRIMPF: That's a whole other issue.

3 CHAIRMAN BOHL: Okay. That's a whole other
4 issue. All right. Anything else, Alderman Davis, you
5 want to add here?

6 ALDERMAN DAVIS: No, Mr. Chairman.

7 CHAIRMAN BOHL: Okay. Thank you. Otherwise
8 we are in committee. Is there a motion by committee
9 members?

10 ALDERMAN DUDZIK: Move approval.

11 CHAIRMAN BOHL: The motion by Alderman
12 Dudzik is for approval of the application. Is there
13 any discussion on that? Is there any objection to it?

14 ALDERMAN WITKOWSKI: I'll object.

15 CHAIRMAN BOHL: Hearing one objection, so
16 ordered. Mr. Arshad, this is a new process here. I'm
17 just going to tell you, I understand where Alderman
18 Davis is coming from, and I'm about as eager as I can
19 to try to squelch these problems, as Alderman Davis I
20 know is. I will just give you one suggestion, because
21 we are going to be able to bring you back here on an
22 annual basis at the very least, and if there are
23 problems sooner than that, if you have any immediate
24 problems, -- I'm going to give you some sound advice.
25 You don't have to follow it, but my sound advice is

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1 this. If cruising starts developing around your
2 establishment, get on the phone with the police, boom,
3 the lights go off. Get out. That's going to be my
4 sound advice for you. Take it for what you will.

5 MR. ARSHAD: Yeah, yeah.

6 CHAIRMAN BOHL: But that's what it boils
7 down to. I mean this is a very serious problem here
8 in the city, and Alderman Davis has been on the
9 forefront of having to deal with these problems here,
10 and, you know, it is something that I take extremely
11 seriously. I've not had the problems that Alderman
12 Davis has had, but I think you get a sense of his
13 concerns here at this point here.

14 So the recommendation is for approval here
15 at this point. That is a recommendation to go before
16 the full Common Council on the 13th, okay? Like I
17 said, work hard to keep this alderman happy.

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2 STATE OF WISCONSIN)

) ss:

3 MILWAUKEE COUNTY)

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I, DONNA GULCZYNSKI, of Milwaukee Reporters
Associated, Inc., 5120 West Bluemound Road, Milwaukee,
Wisconsin, certify that the foregoing transcript,
consisting of pages 2 through 15 inclusive, is a
full and complete transcript of the proceedings taken
in this cause.

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Donna Gulczynski - Court Reporter

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Dated this day of , 2004
Milwaukee, Wisconsin

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