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CITY OF MILWAUKEE

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UTILITIES & LICENSES COMMITTEE

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In the Matter of the Renewal Application for:
Class "B" Tavern Dance and Tavern Amusement

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ERETTA HONEY
"STARGAZERS, LLC"
7158 West Fond du Lac Avenue

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COMMITTEE MEMBERS

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

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LICENSING DIVISION by REBECCA BARRON
NEIGHBORHOOD SERVICES by PANDORA BENDER
HEALTH DEPARTMENT by KEVIN HULBERT
POLICE DEPARTMENT by SERGAENT CHESTER ULICKEY
OFFICE OF THE CITY ATTORNEY by ATTORNEY BRUCE SCHRIMPF

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Proceedings had and testimony given in
the above-entitled matter, before the LICENSES
COMMITTEE OF THE CITY OF MILWAUKEE, on
the 25th day of April, 2006.

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P R O C E E D I N G S

VICE-CHAIRMAN BOHL: A Class "B" Tavern
Dance renewal application and Tavern Amusement
renewal application, a change of entertainment as
agent for "Stargazers, LLC," for Stargazers at
7158 West Fond du Lac Avenue.

Good morning to you.

THE APPLICANT: Good morning.

VICE-CHAIRMAN BOHL: Ms. Honey, we'll
have you raise your right hand. Are there any
other neighbors who are here to testify on
Stargazers other than the gentleman who is here
with us? Any others here? Okay.

Please, we'll swear you both in. Thank
you.

(Whereupon the witnesses were sworn.)

VICE-CHAIRMAN BOHL: Name and address
for the record, please.

THE APPLICANT: Eretta Honey, 8990
North 95th Street, Milwaukee 53224.

VICE-CHAIRMAN BOHL: And, Ms. Honey, I
need to ask you if you acknowledge receiving
notice of today's meeting with the possibility
your application could be denied. It is cited
for matters contained within the - - a police

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1 report.
2 THE APPLICANT: Yes, sir.
3 VICE-CHAIRMAN BOHL: Going around the
4 horn. Health Department?
5 HEALTH DEPARTMENT: No objections.
6 VICE-CHAIRMAN BOHL: Neighborhood
7 Services.
8 DNS: No objection.
9 VICE-CHAIRMAN BOHL: Sergeant?
10 SERGEANT ULICKEY: On 3/26 of '06 at
11 approximately 2:11 a.m. Milwaukee Police
12 Department Officers were dispatched to the
13 licensed premises, Stargazers, 7158 West Fond du
14 Lac, to investigate a shooting. The licensee,
15 Honey, stated that - - that a DOE, Germane A.
16 Wright was attempting to settle an argument
17 between two unknown actors through the course of
18 the night. One of the actors left the bar and
19 returned with an unknown blunt object in his
20 right pocket. A door bouncer, Gary Burdine,
21 attempted to prevent the unknown subject from
22 reentering the bar by physically restraining him.
23 The actor was still able to fire off a round
24 striking the DOE behind the left ear. The
25 investigation shows the shooting took place in

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1 the doorway of the establishment, and the police
2 being called from the establishment.

3 VICE-CHAIRMAN BOHL: Questions by
4 Committee of Sergeant Ulickey at this point?

5 Ms. Honey, is there - - Are there any
6 questions or comments you want to raise at this
7 point relating to the matters as read into the
8 record by the Police Department?

9 THE APPLICANT: I tried to get a copy
10 of the police report last night. I was told that
11 the investigation is open, and that the City
12 Attorney had the - - the report and I could not
13 get it. I wanted to also get Detective Formello,
14 who had told me he would come and speak to you
15 all, but he was off last night. The last part of
16 that is true. The first part is not true. That
17 is not what I told him. I don't know how much I
18 can say, because the investigation is open. But
19 can I explain what - -

20 SERGEANT ULICKEY: Yes. That's up to
21 you, if you'd like to explain further. And I
22 will add that this is just a short summation.
23 This by no means is the entire investigation.

24 THE APPLICANT: Well, I - - I was not
25 aware - -

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1 VICE-CHAIRMAN BOHL: Ms. Honey, one - -
2 one second. Mr. Schrimpf, if you - -

3 MR. SCHRIMPF: Thank you, Mr. Chairman.
4 Mr. Chairman, because the term City Attorney was
5 used, I have no knowledge of the City Attorney's
6 office having any reports from this matter.

7 THE APPLICANT: That's what the - - I
8 went to the police station on Fond du Lac and
9 Capitol to speak to Detective Formello to let him
10 know about today's meeting. They told me that he
11 works out of downtown and to call down there.
12 And I called down there. They told me I could
13 get the reports at open records this morning.
14 When I called down there last night, they told me
15 that - - They called me back, as a matter of
16 fact, and told me that there were no reports
17 available to me, because it's an open
18 investigation. But that the City Attorney had
19 the report, so.

20 ALDERMAN PUENTE: Mr. Chair.

21 VICE-CHAIRMAN BOHL: Alderman Puente.

22 ALDERMAN PUENTE: Yeah, that's - -
23 that's not accurate if you were told that. The
24 District Attorney would handle this type of case.
25 So if they said City Attorney, they - -

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1 THE APPLICANT: They said City
2 Attorney. As a matter of fact - -
3 ALDERMAN PUENTE: Just so you know.
4 It's not the City Attorney. It's the District
5 Attorney that would handle a homicide.
6 THE APPLICANT: Okay.
7 ALDERMAN PUENTE: And I would ask you,
8 what would this Detective tell you or - -
9 THE APPLICANT: Well, he just told me
10 during the investigation that if I needed someone
11 to come and speak on - - on the behalf of the - -
12 of the club that he would come.
13 ALDERMAN PUENTE: Does he frequent your
14 club?
15 THE APPLICANT: No. Never seen him
16 before.
17 ALDERMAN PUENTE: That would be very
18 unusual.
19 THE APPLICANT: Well, sir, I'm - - I'm
20 telling who he is, and you can speak to him if
21 you want to, but that's what he said. That - - I
22 was not aware of any type of problem that night.
23 So what the report is saying about I had said
24 that he was attempting to settle a disagreement
25 is - - is untrue. I - - I had no idea that there

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1 was any type of verbal disagreement going on. I
2 was bartending that night. The reason Stargazers
3 has not had a problem in the past is because when
4 there are any type of verbal issues, I tend to
5 handle them myself even over security. And that
6 is because I feel that I can handle them better
7 than security.

8 Now, if it were ever to get physical,
9 then that's their job. But a lot of people call
10 me "mom," and I guess maybe that's why. I - - I
11 wouldn't - - I would not have a customer trying
12 to solve an issue. That just doesn't make sense.
13 I did not know there was a problem until I heard
14 the "pop," and even at that time I didn't know
15 what it was. So the rest of it is - - is true.
16 But that part, I didn't know there was anything
17 going on.

18 VICE-CHAIRMAN BOHL: Ms. Honey, I - - I
19 have a question for you. Why - - Why is it that
20 you are applying for some additional
21 entertainment?

22 THE APPLICANT: My - - My change - -
23 - - hasn't - - I don't know what that part is.

24 VICE-CHAIRMAN BOHL: Well, in - - in -
25 - in the past year you have not - - you have not

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1 applied for nor been approved for disc jockeys.
2 And in addition, in terms of the type of music
3 that you play in the past you have not had either
4 hip-hop or Top 40 as music choices, and you have
5 applied for those this year.

6 THE APPLICANT: There's - - I've been
7 using a - - a jukebox, and just to keep up with
8 more current music sometimes, I just figured I'd
9 cover my bases. I - - I didn't know it was that
10 - - that, you know, I didn't know it was that big
11 an issue.

12 VICE-CHAIRMAN BOHL: No, I just - - I -
13 - I was - - I just wanted to - - to know if there
14 was any specific reason. You have every right to
15 apply for that. I just - -

16 THE APPLICANT: No.

17 VICE-CHAIRMAN BOHL: - - wanted to know
18 if there was any reason for doing that. Alderman
19 Davis?

20 ALDERMAN DAVIS: I have a constituent
21 here, that's here.

22 VICE-CHAIRMAN BOHL: Alderman Davis,
23 legally we cannot hear from him.

24 ALDERMAN DAVIS: You can't?

25 VICE-CHAIRMAN BOHL: This is not - -

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1 This item has not been cited for neighborhood
2 objections. And I'll apologize. I'm not
3 responsible for that, but it has to be cited for
4 neighborhood objection, and it is not in the
5 legal notice.

6 THE APPLICANT: And I - -
7 VICE-CHAIRMAN BOHL: So for whatever
8 reason the omission occurred, it's not there,
9 sir. And I will apologize here, but We don't
10 have the ability to legally hear from you.
11 Otherwise, it will throw this into some legal
12 jeopardy, and I don't know that you want to - -
13 us to get into that.

14 THE APPLICANT: If - - If I could add,
15 I have added a security - - private security
16 company to the parking lot, along - - along with
17 the cameras. I have added scanners, so that
18 everyone that comes in has their IDs scanned like
19 this. I guess this is unnecessary then, because
20 this is just a letter of support. You said you
21 don't take those, but it was from his wife, so
22 that's - - There's no need for that.

23 VICE-CHAIRMAN BOHL: Alderman Davis.

24 ALDERMAN DAVIS: Thank you, Mr.
25 Chairman. And let the record reflect that

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1 whenever there's a shooting and a homicide that
2 occurs at an establishment, it's a travesty that
3 the public does not get an opportunity to come in
4 and weigh in on that information. And I'm
5 strongly disappointed in that particular notice
6 that was sent out to neighbors in that area.

7 You know, I have always tried to make
8 sure that businesses along that corridor have a
9 fair opportunity to operate, but in this
10 instance, understanding the summation and, also,
11 doing my due diligence by asking questions, I am
12 concerned about the activity that occurred at
13 that location. And this is not the first time
14 that I've raised my concerns at that particular
15 location, and this has nothing to do with the - -
16 the - - the reflection on - - on the person who
17 is - - who is applying for the license. It has
18 to do with the operation of the establishment
19 itself, which has been a concern of the
20 neighborhood. And I'll represent that
21 neighborhood, since they can't speak, as their
22 alderman.

23 There was numerous times that Ms. Honey
24 could have - - as far as the situation is
25 concerned, in my opinion, take a - - a position

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1 to call the police. The police was not called
2 until after - - The police was not called until
3 after the shot was fired, until a young man lost
4 his life. And I have real big concerns with
5 that. If - - If, in fact, that's true as far as
6 the police record is concerned, I will not be in
7 support of renewal on this license. And if, in
8 fact, the committee would move forward just as
9 another homicide occurred at another
10 establishment, and I advocated that the cabaret
11 license be taken away and a suspension be given.
12 But I think that matters like this should not be
13 - - go - - should not be moved forward without -
14 - without some type of a recommendation by the
15 committee in which the neighbors in that area has
16 an opportunity to say that people will come back
17 to the table and be a very good business owner,
18 as far as part of the - - the neighborhood.

19 VICE-CHAIRMAN BOHL: Thank you. Are
20 there any questions committee members have for
21 Alderman Davis? Ms. Honey, any last comments you
22 would make?

23 THE APPLICANT: Had I known there was a
24 problem, I would have been the first to call the
25 police. I'm 51 years old. I'm not looking to

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1 start all over again. I have two daughters I'm
2 getting ready to send to college this year. I'm
3 not a foolish person. If there were anything
4 that I could have done other than be a mind
5 reader, I would have done it. But I had no way
6 of knowing what was going to happen. I don't
7 mind calling the police if it's necessary, and in
8 this case had I known that this incident would -
9 - would - - would happen, I - - I would have been
10 the first on the police - - on - - on the phone.

11 But like I said, I had no idea. I had
12 absolutely no idea. I thought the night had
13 ended fine. Everybody was leaving. Everybody
14 was leaving. I had no reason to think that
15 anything was wrong. And there - - When - - When
16 it did happen, there was nothing anyone could do
17 other than what my security did, and that was
18 grab the guy and do his best to restrain him.
19 There was - - There was nothing we could do. And
20 as a matter of fact, that's one thing that
21 Detective Formello said that he would testify to.
22 There was nothing we could do.

23 VICE-CHAIRMAN BOHL: Thank you. With
24 that, this matter is in committee.

25 ALDERMAN PUENTE: Mr. Chair.

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1 VICE-CHAIRMAN BOHL: Alderman Puente.

2 ALDERMAN PUENTE: I agree with Alderman
3 Davis that we should, for this committee, have
4 public input. Because it was not noticed for
5 neighborhood objections. If it's the will of the
6 committee, my recommendation is going to be to
7 hold it to the Call of the Chair until the next
8 meeting, which is May 18th. There is a little
9 problem, though, in that the next Common Council
10 after that is May 31st, and this license expires
11 on May 29th. So - - But that's going to be my
12 motion, though.

13 VICE-CHAIRMAN BOHL: Mister - - One
14 second. Ms. Barron, the - - this license expires
15 when?

16 MS. BARRON: May 29th.

17 VICE-CHAIRMAN BOHL: May 29th? Mr.
18 Schrimpf, I'm going to say we have a legal
19 problem.

20 MR. SCHRIMPF: Yes, you do.

21 THE VIDEOGRAPHER: And it's - - Let me
22 just - - Let me just say for the benefit of - -
23 Sir, are you here to apply - -

24 ALDERMAN PUENTE: I withdraw my motion.

25 VICE-CHAIRMAN BOHL: I know. I know.

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1 Are you here to testi - - We're not going to take
2 your testimony. Were you here to testify in
3 favor or against?

4 THE WITNESS: In favor.

5 VICE-CHAIRMAN BOHL: I mean, it's
6 happened before. So. I - - I - -

7 ALDERMAN PUENTE: I will withdraw my
8 motion, Mr. Chair.

9 VICE-CHAIRMAN BOHL: Okay. The motion
10 is withdrawn. We are still in committee. Is
11 there a motion?

12 ALDERMAN DUDZIK: Mr. Chair.

13 VICE-CHAIRMAN BOHL: Alderman Dudzik.

14 ALDERMAN DUDZIK: Based on the police
15 report, I would move that these - - this
16 application be approved with a 30 day suspension
17 on the license.

18 VICE-CHAIRMAN BOHL: The motion by
19 Alderman Dudzik is to move approval of the
20 license application with a 30 day suspension.
21 Alderman, I just want to pose this, as well, too,
22 before we get into it. Alderman Davis, are you
23 aware that there were additional - - there were
24 additional type of - - of entertainment that was
25 applied for? Do you have any comments regarding

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1 that in terms of recommendation to this body,
2 regarding the addition of a disc jockey and Top
3 40 and hip-hop music being added to the cabaret
4 license?

5 ALDERMAN DAVIS: Well, Mr. Chair, I was
6 - - I was opposed to actually the renewal of the
7 license, but if the committee is going to move
8 forward, I would hope that the committee would
9 only approve what was approved last year without
10 any additional - - without any addition to that
11 particular license.

12 VICE-CHAIRMAN BOHL: Alderman?

13 ALDERMAN DUDZIK: If the - - If the
14 applicant is willing to amend her license - -

15 THE APPLICANT: Yes, sir.

16 ALDERMAN DUDZIK: Then that would be
17 fine.

18 VICE-CHAIRMAN BOHL: All right. You
19 are willing to amend your license - -

20 THE APPLICANT: Yes.

21 VICE-CHAIRMAN BOHL: - - so that the
22 cabaret portion would reflect all the
23 entertainment from the previous year?

24 THE APPLICANT: Yes, sir.

25 VICE-CHAIRMAN BOHL: Then the motion by

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1 Alderman Dudzik would be approval of the renewal
2 of the applications with the - - with a 30 day
3 suspension, based on matters contained in the
4 police report. Is there any discussion on that
5 motion?

6 ALDERMAN WADE: Mr. Chair.

7 VICE-CHAIRMAN BOHL: On the motion,
8 Alderman Wade.

9 ALDERMAN WADE: I just want to ask the
10 City Attorney. Based on this police report that
11 we have here and the motion that has been made
12 from Alderman Dudzik, if we go along with that
13 motion, then this - - this incident, say, for
14 instance, if we get more information, more
15 conclusion, fact finding about this particular
16 incident, we won't be able to consider it in the
17 future. Is that correct?

18 MR. SCHRIMPF: Well, that - - I don't
19 want to foreclose the committee being able to
20 consider matters that were new, that truly are
21 new that you could not have reasonably known
22 about for this license year. So - -

23 ALDERMAN WADE: So your answer is?

24 MR. SCHRIMPF: It would - - It would
25 depend.

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1 ALDERMAN WADE: It would depend.

2 MR. SCHRIMPF: It would depend on lots
3 of things.

4 ALDERMAN WADE: Okay. All right. That
5 - - That will be it, Mr. Chair.

6 VICE-CHAIRMAN BOHL: Any other
7 discussion? And the motion before us is for
8 renewal of the license applications with the
9 issuance of a 30 day suspension. Are there any
10 objections to that motion? Hearing, seeing none,
11 so ordered.

12 MR. SCHRIMPF: Ms. Honey, the committee
13 is going to be doing findings of fact and
14 conclusions of law, recommending renewal of your
15 license with a 30 day suspension. You'll receive
16 a copy of that recommendation and report. And if
17 you submit written objections to that report,
18 you'll have an op - - which you are entitled to
19 do, you will have an opportunity to address the
20 Common Council when it meets and considers this
21 application, which will be on May 9th, 2006 at
22 approximately 9:00 a.m. in the Common Council
23 Chambers of this building. It's the same floor,
24 but the opposite end. Do you understand all
25 that?

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THE APPLICANT: When does the
suspension start?

MR. SCHRIMPF: The suspension will
start at midnight on May 29th, 2006, and if
approved by the Common Council, will continue
until June - - until June, midnight, June 28th,
2006.

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3 STATE OF WISCONSIN)

4 MILWAUKEE COUNTY)

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I, JEAN M. BARINA, of Milwaukee Reporters
Associated, Inc., do certify that the foregoing
transcript was reduced to writing under my direction
and that it is a true and accurate transcription of
the Licenses Committee Hearing held on April 25, 2006.

JEAN M. BARINA - COURT REPORTER

Dated this day of May, 2006

