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CITY OF MILWAUKEE
LICENSES COMMITTEE

In the Matter of:
Class "A" Malt application for
Lincoln Beer & Food Mart
at 1001 West Lincoln Avenue

Excerpt from the Meeting of the Licenses Committee
Wednesday, September 9, 2009
11:31 a.m.
at
Milwaukee City Hall
200 East Wells Street, Room 301-B
Milwaukee, Wisconsin

Reported by Julie A. Poenitsch, RPR/RDR/CRR

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A P P E A R A N C E S

COMMITTEE MEMBERS:

- Alderman James A. Bohl, Jr. - Chair
- Alderwoman Milele A. Coggs - Vice chair
- Alderman Ashanti Hamilton
- Alderman T. Anthony Zielinski
- Alderman Nik Kovac
- Bruce Schrimpf - Assistant City Attorney
- Sgt. Paul MacGillis
- Rebecca Grill - License Division
- Tobie Black - Staff Assistant

ALSO PRESENT:

- Attorney D. Winthrop Hass
- Mr. McGuire, Alderman Witkowiak's Office

WITNESSES:

- Harshinder Singh
- Rami Kaur
- Neil White
- Robert Tolbert

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TRANSCRIPT OF PROCEEDINGS

ALDERMAN BOHL: Harshinder -- our next item is for Harshinder Singh.

MR. SINGH: Yes, sir.

ALDERMAN BOHL: Class "A" Malt application for Lincoln Beer & Food Mart at 1001 West Lincoln Avenue.

MR. SINGH: Yes, sir.

ALDERMAN BOHL: Good morning --

MR. SINGH: Good morning, sir.

ALDERMAN BOHL: -- to you all. We'll need to swear in our three witnesses here at this time.

And, counsel, if you want to again state your appearance here.

MR. HASS: Yes. My name is Attorney David Hass. My office is D. Winthrop Hass, S.C., located at 205 East Wisconsin Avenue.

ALDERMAN BOHL: You get free advertising twice here today.

For our applicants, as well as our witness, if you could please raise your right hand, we'll swear you in.

(Applicant and witnesses sworn.)

ALDERMAN BOHL: For our applicant,

1 Harshinder, we'll need a name and address for the
2 record, please.

3 MR. SINGH: My name Harshinder Singh,
4 H-A-R-S-H-I-N-D-E-R, and Singh, S-I-N-G-H, Singh.
5 My address, 4417 South 64th Street, Greenfield,
6 Wisconsin, 53220.

7 ALDERMAN BOHL: And if -- and if you
8 could please let us know who you are. And pull the
9 microphone up, if you would, please.

10 MR. KAUR: My name is Rami Kaur, spelled
11 R-A-M-I K-A-U-R. I reside at 1600 West Becher
12 Street, Milwaukee, Wisconsin, 53215. I am the
13 prospective manager for this location.

14 ALDERMAN BOHL: Okay. Very good. Thank
15 you for that.

16 And, Mr. Singh, I'll ask you at this time
17 if you acknowledge receiving notice of today's
18 meeting, with the possibility your application
19 could be denied due to the possibility of
20 neighborhood objections.

21 MR. SINGH: Yes, yes.

22 ALDERMAN BOHL: Very good. Thank you.

23 Ms. Grill, holds?

24 MS. GRILL: The health department has a
25 hold for inspection, and neighborhood services has

1 a hold for occupancy.

2 ALDERMAN BOHL: Thank you.

3 Sergeant, there is no police report here.

4 SGT. MacGILLIS: That is correct.

5 ALDERMAN BOHL: You can -- you can move
6 on your way until the afternoon hearing because we
7 won't need you, so if you have other business.

8 At this point here, I'll ask you,
9 Mr. Hass, or Mr. Singh, either one of you, if you
10 want to provide us with any background of the
11 location, any relevant experience that Mr. Singh
12 does have, as well as what the overall intentions
13 are in terms of the sales of alcohol here.

14 If you could also let us know the --
15 based on the plan that you have, what percentage of
16 sales would be designated or you anticipate to be
17 designated for alcohol versus food.

18 MS. KAUR: I would need at least a year
19 before I can give an answer to that question
20 because the facility is not run right now. For
21 that reason, at this time, I'm unable to give you
22 the percentage on that. I would need a chance to
23 run the store for at least a year before I can
24 answer that question.

25 ALDERMAN BOHL: If I just may ask that if

1 you were granted a license, now let's say if you
2 were, based on the size of the store, do you even
3 have an idea as to what percentage of the shelf
4 space you would designate to alcohol versus
5 foodstuffs and/or other grocery items?

6 MS. KAUR: I would say --

7 (Discussion off the record.)

8 MR. HASS: The percentage was 40 percent
9 for beer and 60 percent for food.

10 ALDERMAN BOHL: Okay. So a little less
11 than half.

12 MR. HASS: Right.

13 ALDERMAN BOHL: And this is a location
14 that has -- I'm going to guess that this has been a
15 long -- long-serving corner store. Is that not
16 correct? And there has been an alcohol or Class A
17 malt application -- or license, I should say, not
18 application, there's been a Class A malt license at
19 this location here in the past?

20 MR. HASS: I can provide some background
21 on that.

22 ALDERMAN BOHL: Okay. Why don't you --
23 why don't you go ahead and do that, counsel.

24 MR. HASS: The applicant is Lincoln
25 Beer & Food Mart. The location is 1001 West

1 Lincoln Avenue. It's an application for a Class A
2 beer license. The applicant, Harshinder Singh, is
3 a first-time applicant. The property was
4 previously licensed to Paramjit Singh doing
5 business as Beer Town, and that license was
6 transferred to 1027 West Lincoln Avenue.

7 Harshinder Singh and Rami were employed
8 by Paramjit Singh at that location, so they worked
9 at the store at 1001 West Lincoln Avenue.

10 Harshinder Singh and Rami Kaur are both
11 licensed bartenders. They have -- currently hold
12 licenses. The hours of operation for the store
13 would be from eight o'clock a.m. to nine o'clock
14 p.m., seven days a week.

15 In the notice, there were several items
16 cited as possible reasons for denying a license,
17 and I'd like to address those.

18 One was loitering. That was not a
19 problem with the previous operation.

20 And littering was not a problem either.

21 Loud music and noise, there is no music
22 or noise. This is not a tavern.

23 Parking and traffic conditions.

24 Generally, the customers would be persons walking
25 to the store, and there is on-street parking for

1 those that need it.

2 There was a reference to drug and
3 criminal activity and prostitution. We have no
4 evidence of that as ever relating to the prior
5 operation. I think those would be police issues in
6 the neighborhood, not something that the applicant
7 would be responsible for.

8 Trespassing. I don't know what that
9 refers to.

10 Public urination. That was not a problem
11 in the past, and there is a bathroom inside the
12 store.

13 Fitness of location based upon
14 concentration of alcohol beverage outlets in the
15 area. This is a new license, so presumably it
16 would add to the number of licenses within the
17 one-mile range.

18 But I think the experience that the
19 applicant and his proposed manager had in operating
20 the prior food store with its Class B license would
21 indicate that it was a good operation. There were
22 no violations cited for that.

23 And then the final item that was
24 referenced was conduct which is detrimental to the
25 health, safety, and welfare of the neighborhood.

1 The applicant would do nothing to harm the
2 neighbors, and I don't know how you define this in
3 terms of operating a food store if the business is
4 run properly and consistent with the laws in the
5 City of Milwaukee.

6 ALDERMAN BOHL: Thank you.

7 Questions by committee members?

8 Questions?

9 Mr. McGuire, I will -- I know we have one
10 witness here, and we will get to you in one moment
11 here.

12 Were there any comments that you wanted
13 to make at this time? You're from the alderman's
14 office.

15 MR. MCGUIRE: Yes. Alderman Witkowiak is
16 adamantly opposed to this application for the
17 reasons of concentration; also neighborhood
18 objections. People I've -- a couple of people I've
19 personally spoken with include Mr. White.

20 Now, let me point out in this same block,
21 at 1029 West Lincoln, there is a liquor outlet
22 called Beer Town. They were previously at 1001
23 West Lincoln, where this application that stands
24 before the committee today that it pertains to.

25 When they transferred their license to

1 1029 West Lincoln in the same block, a promise was
2 made to Alderman Witkowiak that 1001 would never
3 again attempt to obtain a liquor license. My
4 understanding, that this is the son of the man who
5 transferred the license to 1029 West Lincoln.

6 Now, I have concentration maps here of
7 1001 West Lincoln. And the man who I personally
8 spoke with who objects to this is Mr. White, who is
9 sitting to my left.

10 ALDERMAN BOHL: Is there a particular map
11 that you wish to provide this location? If you
12 could, please provide a copy to the applicant of
13 that particular location.

14 MR. HASS: I think the address to which
15 the license was moved was 1027, not 1029. I
16 checked my records on that this morning.

17 ALDERMAN BOHL: But it ultimately moved
18 just further down the same block; is that correct?

19 MR. HASS: That's correct.

20 ALDERMAN BOHL: And that was something
21 that was done sometime within the last calendar
22 year, I would guess.

23 MR. HASS: I believe that's correct.

24 ALDERMAN BOHL: Because I have an
25 expiration date of the previous license at this

1 location as 11/11/08, if that doesn't -- is not
2 incorrect.

3 We'll have Alderwoman Coggs move to make
4 a concentration map based on the location of 1001
5 West Lincoln Avenue part of our official record in
6 this proceeding, and hearing no objection to that,
7 so ordered.

8 Are there questions by committee members
9 of Mr. McGuire at this time?

10 Mr. Hass, did you have any questions
11 relating to the testimony of the alderman's office
12 or the concentration map at this point?

13 MR. HASS: Well, the reference to
14 neighbors objecting, if those neighbors aren't
15 here, I would have a problem with that.

16 With respect to discussions that Paramjit
17 Singh may have had with the alderman, I have
18 difficulty with that. Paramjit Singh is not making
19 the application for this location; his son is. And
20 I don't think his son would be bound by any
21 representations that his father would have made to
22 the alderman.

23 ALDERMAN BOHL: Correct. And there's --
24 even in gentlemen's agreements, there's nothing
25 ironclad from other individuals who may have a

1 valid lease and/or the ownership of this location
2 from applying for a liquor license here, I guess
3 now or at any point in the future.

4 MR. HASS: And the lease for this
5 premises has been assigned by Paramjit Singh to his
6 son.

7 ALDERMAN BOHL: Okay. Thank you for that
8 clarification. And I will just note, and I note
9 the committee is very much aware that the -- that
10 the committee can only accept testimony of
11 individuals who provide that testimony and are
12 present, rather than representations of other
13 individuals.

14 All right. Thank you for that.

15 The one question that I have for you is,
16 is there -- I wonder now, your father was operating
17 a liquor store in this location.

18 MR. HASS: It was a food -- food mart
19 with a Class A beer license.

20 ALDERMAN BOHL: Okay. But he has -- he
21 has now currently moved down the block and also has
22 a Class A malt license down the block?

23 MR. HASS: That's correct. It was
24 transferred from this location to that location.

25 ALDERMAN BOHL: Is there -- is there a

1 reason why there's an application for a second
2 similar license on the same block? I mean, are you
3 attempting to corner the market here on the block?
4 I just --

5 MR. HASS: Well, I think if you have a
6 concentrated population, you have people to serve
7 in the community, and I think there were many
8 people that were used to going to this location for
9 their food and beverages, and why not give them the
10 opportunity to do that again.

11 ALDERMAN BOHL: So is the location where
12 the previous license here was transferred down the
13 block, is that also operating as a corner store, or
14 is it exclusively -- is that -- I'm going to guess
15 it's a corner store because they have a Class A --

16 MR. HASS: Yes.

17 ALDERMAN BOHL: -- malt license, not a
18 liquor and malt.

19 MR. HASS: That's correct.

20 ALDERMAN BOHL: So you're operating two
21 corner stores on each corner of the same block
22 under the same family? I mean, not that I'm trying
23 to get personal here. Has there been a falling out
24 or --

25 MR. HASS: No.

1 ALDERMAN BOHL: Boy, it's almost like --
2 this isn't even like a McDonald's and Burger King.
3 It's like you open two McDonald's on the same block
4 in case one wants to go to Solid Gold McDonald's
5 and the other one wants to go to McDonald's with a
6 different theme, but essentially you're offering
7 the same burgers and the same French fries.

8 I guess this is -- it's a free world to
9 do that, and you can apply for this, but it just, I
10 guess, strikes us as a little bizarre.

11 MS. KAUR: I would like to say something.

12 ALDERMAN BOHL: Sure. Go ahead.

13 MS. KAUR: I think what he is trying to
14 do is run a business independent from his father's
15 business. This is a free world, and I think he
16 should be -- he should have a chance to separate
17 his business from his father's business and run it
18 independently from -- from the other location.

19 There are many numerous locations where
20 there are stores in Milwaukee next to each other,
21 within the same block. If it can be done before,
22 why can't it be done now?

23 ALDERMAN BOHL: All right. Thank you. I
24 appreciate your comments.

25 Questions by committee members?

1 ALDERMAN COGGS: Question.

2 ALDERMAN BOHL: Alderman Coggs.

3 ALDERMAN COGGS: I have a question, more
4 of a comment. I believe in a free world and all of
5 that, and I wish --

6 ALDERMAN BOHL: Usually we say free
7 country as opposed to free world.

8 ALDERMAN COGGS: I believe in all of
9 that, and I encourage small business people as
10 well, but I will say something that is kind of
11 alarming to me besides the two locations right next
12 to each other, which is your choice to do that, but
13 is when asked what percentage of sales liquor would
14 be, the not knowing and then coming up with a
15 percentage of 40/60, and then looking back on the
16 application and seeing submitted it says
17 25 percent.

18 Yeah, it's a free world. Yeah, you can
19 do whatever kind of business -- you can try to do
20 whatever kind of business you want, but I would
21 just hope that you are not ill-advised in the
22 business that you are attempting to do.

23 And right here today, within a few
24 minutes, there's an extreme inconsistency what you
25 plan to do with this license and how big a part of

1 your business it will be.

2 MR. HASS: Well, I think it's fair for
3 Alderman Coggs to say that you -- you know, you can
4 estimate and project percentages.

5 ALDERMAN COGGS: But be consistent in
6 those projections.

7 MR. HASS: And you can say I think that
8 40 percent of the shelf space would be beer and
9 60 percent would be food. And the person who was
10 giving the testimony was not the person who filled
11 out the application.

12 But I don't know that you can say it's an
13 inconsistency, but I'm assuming that the
14 concentration in this store would be similar to
15 what the concentration was in the store when it was
16 previously operated.

17 ALDERMAN BOHL: And what you mean by
18 concentration is you mean --

19 MR. HASS: Percentage.

20 ALDERMAN BOHL: -- percent of sales and
21 of shelf space.

22 MR. HASS: Yes.

23 ALDERMAN BOHL: Was the indication
24 provided -- usually it's percentage of sales versus
25 shelf space. Was that the experience, about

1 25 percent of sales or -- I don't know. I know
2 people take inventory, but I don't know that you
3 sort of do the breakdown necessarily of dollars as
4 opposed to sales of bottles versus -- for ordering
5 purposes.

6 MR. HASS: That question would have to be
7 addressed by Mr. Singh. I don't have access to
8 those financial records.

9 ALDERMAN BOHL: All right. Thank you.

10 Questions by committee?

11 Mr. White, welcome. We'll take your
12 testimony. We'll need a business address here for
13 you.

14 MR. WHITE: Neil White, 1133 West Lincoln
15 Avenue.

16 ALDERMAN BOHL: And your title with
17 the --

18 MR. WHITE: Executive director of the
19 Lincoln Village Business Association.

20 ALDERMAN BOHL: Thank you.

21 MR. WHITE: I'll be brief in my summary
22 with the count-up of this process.

23 Paramjit Singh, who operated at this
24 location previously, wanted a larger location and
25 sought a building on the block, 1027/29, to

1 completely renovate, which he did, under our
2 guidance, to expand his operation.

3 The agreement in writing that we
4 submitted to Rebecca and to the alderman's office
5 was that he would transfer that license and not
6 have two licenses on the same block for the same
7 product.

8 That store has since opened up, and he
9 still holds the lease on the property in question
10 here.

11 I've met with Mr. Singh at length about
12 this. I am aware we would stand on it, and our
13 position has not changed. We do not want another
14 Class A malt for reasons of both neighborhood
15 objection to our office and overconcentration.

16 I've invited them to share with me
17 potential concepts for the store that they have, at
18 least for goods and services that are needed in the
19 neighborhood. But another Class A malt license is
20 not something that is even adequate right now for
21 our neighborhood.

22 ALDERMAN BOHL: Thank you for your
23 testimony here.

24 Questions by committee members?

25 ALDERMAN HAMILTON: Mr. Chair?

1 ALDERMAN BOHL: Alderman Hamilton?

2 ALDERMAN HAMILTON: Just in light of that
3 testimony, we got bits and pieces of it before, but
4 I'll ask the applicant again. You had no
5 intentions on opening this store when the expansion
6 conversations were had with the business
7 association and the alderman's office?

8 MR. HASS: Those conversations were
9 between Mr. Paramjit Singh and the alderman, not
10 the applicant.

11 ALDERMAN HAMILTON: Not the applicant.

12 MR. HASS: That's correct.

13 ALDERMAN HAMILTON: But was he -- it's a
14 family business; isn't that correct?

15 MR. HASS: No, no. They would be two
16 distinct businesses in terms of ownership.

17 ALDERMAN HAMILTON: So he didn't work in
18 the store? He didn't --

19 MR. HASS: He worked. I indicated before
20 that he worked at his father's store.

21 ALDERMAN HAMILTON: Okay. That's
22 generally how family businesses work.

23 Would his father be working with him in
24 this store?

25 MR. HASS: No.

1 ALDERMAN HAMILTON: No. Okay. But the
2 issues of concentration were brought up when the
3 other store was conceived and they purchased it.
4 The issues of concentration were brought up to the
5 neighborhood and to the alderman's office and to
6 this committee.

7 MR. HASS: That was a transfer. That did
8 not involve a concentration question. And I
9 believe I was at that hearing with Mr. Singh, but I
10 can't recall if that was an issue.

11 Is concentration an issue with this
12 application? I admitted that it is because we're
13 talking about a new application.

14 ALDERMAN HAMILTON: All right. I just --
15 you know, I think you can appreciate the
16 appearances of getting around something and the
17 need to kind of address that and explain it.
18 Because it's clear to -- it's clear to us that had
19 the neighborhood, the alderman's office, the
20 neighborhood association, and this committee
21 understood that there would be two licenses, that
22 the issue of concentration would have -- would have
23 been an issue. Had there continued to be a license
24 at this location and a new application for a
25 license just a half a block away, that that would

1 have been an issue.

2 MR. HASS: At the time of the application
3 for transfer of the license, there was no plan to
4 apply for a new license a half a block away.

5 ALDERMAN BOHL: Okay. Other questions?
6 Alderman Kovac?

7 ALDERMAN KOVAC: You said that you had
8 something in writing about this promise not to
9 reapply?

10 MR. WHITE: It was not a promise to
11 reapply. It was describing the situation. So I
12 just forwarded that to Ms. Grill and to the
13 alderman's office. There was no signed contract
14 between the Singhs.

15 ALDERMAN KOVAC: That wouldn't be
16 something you could contract out, but there was
17 a -- it was in writing what the understanding was.

18 ALDERMAN BOHL: And then we understand
19 what a gentleman's agreement is. A gentleman's
20 agreement, and it requires an individual to comply,
21 and there's really no legal binding authority.

22 I can tell you that I'm not going to wear
23 my shoe on my head. I may take it off and put it
24 on my head here. Don't ask where that came from.

25 Is there -- is there another gentleman

1 here? Do you wish to provide testimony on this
2 particular license here as well, too?

3 (Gentleman nods head.)

4 ALDERMAN BOHL: Neil, we could either ask
5 you to relinquish -- were there any other questions
6 that you have of this appli -- of this witness
7 here? Mr. Hass.

8 MR. HASS: Just your last name, Neil, is?

9 MR. WHITE: White, W-H-I-T-E.

10 MR. HASS: Okay.

11 ALDERMAN BOHL: Great. Thank you.

12 Sir, you have not been sworn in, though;
13 is that correct?

14 MR. TOLBERT: No.

15 ALDERMAN BOHL: We'll swear you in.
16 Raise your right hand, please.

17 (Mr. Tolbert sworn.)

18 ALDERMAN BOHL: Okay. And if you could
19 come a little closer to the microphone, please.

20 We'll need your name and your address
21 first, for the record.

22 MR. TOLBERT: My name is Robert Tolbert.
23 I live at 2306 South 11th Street.

24 ALDERMAN BOHL: Okay. And that's
25 T-O-L-B-E-R-T?

1 MR. TOLBERT: Correct.

2 ALDERMAN BOHL: And your testimony, sir?

3 MR. TOLBERT: I live in the building
4 which is right adjacent to the new store, and my
5 building -- my entrance to my door is right around
6 the corner.

7 I'm opposing them getting the license
8 again because of the simple fact that we have a
9 numerous amount of homeless people that live in the
10 neighborhood. They do go to his store, buy liquor.
11 They come around the building. They stick around
12 the corner of the building from nine o'clock in the
13 morning till nine o'clock at night. We know it's
14 coming from their building. There's garbage
15 everywhere. They don't clean up the front of their
16 building. It's just a nuisance more from when they
17 were on the corner at 1001.

18 It's now that they moved there, we have
19 more of the problems coming around to 11th Street
20 from 10th Street, and it's just -- I've been
21 dealing with it since they opened this building,
22 since they've been doing the construction on it.
23 My building is two feet from their building, and
24 it's just -- it's something that we don't need in
25 our neighborhood no more. It's just getting to be

1 more of a nuisance than anything.

2 ALDERMAN BOHL: Thank you for your
3 testimony.

4 Are there questions by committee members
5 of this witness? Questions that you have?

6 MR. HASS: Just a clarification. The
7 license that Mr. Paramjit Singh has at 1027 is a
8 Class B beer license, not -- I'm sorry, a Class A
9 beer license, not a Class A liquor license, so no
10 liquor is being sold.

11 With respect to homeless people, I think
12 that's a problem in the community, and I don't know
13 that you can blame conditions resulting from that
14 on any given individual or business. I have it in
15 front of my building at the corner of Water and
16 Wisconsin. Does it upset me at times because of
17 urination in the alley next to the building, the
18 Iron Block building? Yes, but this is a problem
19 that the community has to deal with, and I don't
20 think that it's relevant to this application.

21 ALDERMAN BOHL: Let me -- let me just
22 pose a follow-up to that. Clearly, because each of
23 you were employees in an existing store at this
24 location where you're seeking to operate a very
25 similar store to what you had -- I understand that

1 right now your father has an application down the
2 block, which is his own store -- given the fact
3 that there are problems within a short block's
4 range, what has been your experience, what has been
5 your response to some of the concerns that have
6 been expressed; namely, litter and how you pick it
7 up; and/or, two, even if there is a situation where
8 you have homeless people who are in the area, the
9 issue doesn't amount to the fact that individuals
10 have a right to be present, it's an issue of
11 loitering.

12 You know, if someone is drinking, you
13 know, you don't have the ability to just stand out
14 in front of a business and sit there and consume
15 drinks and/or literally do nothing for an undue
16 amount of time.

17 And, you know, a prospective business
18 owner then at that point literally says, sir, you
19 have to move along. Are you going to come in and
20 purchase something? You can't just sit here for an
21 hour or two hours. That's what the law does have a
22 restriction against.

23 So the question is, is what has been your
24 response, if you had any, and what would change if
25 this is something that's been relayed as a concern

1 in the area?

2 MR. HASS: Well, I think you're asking a
3 question about the operation of Mr. Paramjit
4 Singh's business. I'm not aware that there had
5 been complaints previously by the neighbors
6 regarding either loitering or littering with
7 respect to his new business.

8 I suppose we could delicense all
9 purveyors of malt beverages and liquor, and that
10 would solve the homeless problem --

11 ALDERMAN COGGS: Mr. Chair?

12 MR. HASS: -- this gentleman is referring
13 to.

14 ALDERMAN COGGS: Mr. Chair?

15 ALDERMAN BOHL: I'm not insinuating that
16 that is going to solve any problem whatsoever.
17 Neither do I -- will I say that there are going to
18 be -- we're going to end the homeless problem in
19 our community, let alone any other community.

20 What I am insinuating, though, is when
21 you do own a business, it is in your best interest
22 to ensure that you are picking up litter in or
23 around that business.

24 Additionally, whether it is individuals
25 who are homeless or whether it's kids or other

1 groups, the last thing you want is necessarily
2 groups of 10 or 20 kids skateboarding, doing
3 whatever else, sitting in front of your business
4 chewing candy for 20, 30 minutes, yelling, you
5 know, playing around. At some point they have the
6 ability to eat and move on. But it's not in
7 anyone's best interest just to have people just
8 stand around and mull.

9 MR. HASS: My experience in representing
10 Mr. Paramjit Singh in the past is that he has
11 always addressed these issues with respect to his
12 operation, in terms of loitering and in terms of
13 littering.

14 ALDERMAN COGGS: Mr. Chair?

15 ALDERMAN BOHL: And that's fine. I'll
16 just say that you have a neighbor here who
17 testifies otherwise, and it's regarding the father
18 here, not necessarily this applicant, but it is a
19 concern he's expressed.

20 Alderman Coggs?

21 ALDERMAN COGGS: With liquor licenses,
22 oftentimes there are similar issues that arise
23 always with these licenses. Loitering and
24 littering is one of them. We're not asking you to
25 solve the homelessness problem, we're not asking

1 you to do anything miraculous except for come to
2 the table with suggestions on how you plan to
3 prevent those things from happening at your
4 location. I do not believe that is an unreasonable
5 request.

6 And more so than banter back and forth,
7 just tell us your plan. What are you going to do
8 about littering to prevent it from becoming a
9 problem? What are you going to do about loitering
10 to prevent it from being an issue for the
11 neighborhood? That's all.

12 MS. KAUR: Can I say something? I would
13 like to say that we do keep the premises clean, we
14 do plan to clean the area. We will invest in a
15 pressure wash.

16 As far as the comment this gentleman has
17 made about there being littering or loitering in
18 front of the store, there is no evidence or no
19 record that indicates that that has ever been a
20 problem.

21 But as far as if there -- supposedly, if
22 there would be problems in the future, we would
23 address the problems with our clients, we would
24 talk to them, and if there -- if there is a need to
25 get the police involved in that, we would do that,

1 if there were to be problems in the future.

2 As far as I know, there hasn't been
3 problems in the past with loitering and littering,
4 and there is no proof that suggests that that has
5 ever been the case.

6 ALDERMAN COGGS: Thank you.

7 MR. TOLBERT: Can I say something?

8 ALDERMAN BOHL: Yes, please.

9 MR. TOLBERT: I have brought it to his
10 father's attention quite numerous times since he
11 has -- they have opened the new establishment, and
12 he more or less told me to shut the bleep up and
13 mind my own business, more or less.

14 ALDERMAN BOHL: What I'll just say is
15 there's a fine line on saying there's been no
16 direct testimony here by this witness to say that
17 it's occurred as a result of the former
18 establishment, it's occurred next to him, but he's
19 sort of wedged on the same block, and if there's
20 homeless individuals who are loitering at one
21 location, it's not necessarily a stretch to say
22 that they -- that they may loiter at either -- that
23 they may move down the block.

24 They're in the proximity. They're in the
25 area. They're doing it. If there's littering, you

1 yourself would have to establish your own plan and
2 your own effort to deal with the littering issue,
3 but he's saying that at your father's location,
4 there's a littering problem. He just wants to
5 ensure you have a plan rather than we're going
6 to -- that there's no evidence of it.

7 I mean, clearly, if you're working with
8 your father and he hasn't -- if there's an issue
9 with littering at his current location, my guess is
10 there may -- there possibly was a problem with
11 litter at his old location, which is just a few
12 doors down.

13 I don't know that individuals pick up bad
14 habits. If they're not picking up as a business at
15 the current location, chances are he just didn't
16 decide to get lazy. I don't know, but I'm just
17 telling you that's a concern.

18 Okay. Any other questions of this
19 witness present?

20 (No response.)

21 ALDERMAN BOHL: No other questions.
22 Thank you for your testimony here.

23 Counsel, I'm going to let you make a
24 closing if you so desire it.

25 MR. HASS: I would only say that I think

1 this applicant should be considered independently
2 from his father and from the business his father
3 operates, and his plan is to operate a business
4 that complies with the law and does not create
5 problems in the neighborhood.

6 ALDERMAN BOHL: Thank you, Mr. Hass.

7 Any other comments, Mr. McGuire?

8 MR. MCGUIRE: Yes. I'd like to point out
9 that Kosciuszko Park is about two blocks away from
10 10th and Lincoln. We have had this summer a
11 significant amount of complaints regarding homeless
12 in the area, littering, rummaging through the
13 alleys in the approximate area, largely because of
14 the proximity of Kosciuszko Park, where the
15 homeless tend to reside in the summertime, camp
16 out. So the homeless problem is city-wide, of
17 course, but it's aggravated in the area of 10th and
18 Lincoln.

19 ALDERMAN BOHL: Thank you. Any other
20 questions by committee? Otherwise we are in
21 committee.

22 ALDERMAN KOVAC: Mr. Chair, I'm going to
23 move for denial based on concentration and
24 neighborhood objections. I could certainly point
25 out that it is an independent relation. You are

1 not bound by any gentleman's agreement that your
2 father made. But as you saw from the previous
3 applicant a few blocks north, this area has got a
4 lot of licenses, and if you're trying to get a new
5 one, you better have some neighbors on your side.

6 ALDERMAN BOHL: The motion by Alderman
7 Kovac is to recommend denial based on the testimony
8 provided by neighbors as well as the
9 overconcentration of alcohol beverage outlets in
10 the area based on the concentration map provided.

11 Is there any discussion on the motion?
12 Are there any objections to the motion? Hearing
13 none, so ordered.

14 Mr. Singh, Ms. Kaur, we wish you -- we
15 wish you luck here, but the decision is that there
16 is already a sufficient number of licenses in the
17 area.

18 MR. HASS: Does that determination by the
19 committee mean that this applicant cannot apply for
20 three years unless there's a change? Does it also
21 apply to another applicant at this location, the
22 three-year period?

23 MR. SCHRIMPF: The answer is "yes" and
24 "yes." The ordinance says that for three years,
25 there will be no license granted at this location

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unless there is a change of circumstances. And certainly any other app -- this applicant or any other applicant can file a request for a change of circumstances.

MR. HASS: Thank you for that clarification.

MR. SCHRIMPF: Within that three-year period.

ALDERMAN BOHL: Thank you.

All right. With that, we have no other business on our morning agenda. We will be -- we will be in recess until our afternoon starts at 1:30.

(A recess was taken.)

(Concluded at 12:08 p.m.)

1 STATE OF WISCONSIN)
 2) SS
 3 MILWAUKEE COUNTY)

4 I, JULIE A. POENITSCH, RPR/RDR, Certified
 5 Realtime Reporter, and Notary Public in and for the
 6 State of Wisconsin, do hereby certify that the preceding
 7 hearing was recorded by me and reduced to writing under
 8 my personal direction.

9 I further certify that said hearing was
 10 taken before me at Milwaukee City Hall, 200 East Wells
 11 Street, Room 301-B, Milwaukee, Wisconsin, on the 9th day
 12 of September, 2009, commencing at 11:31 a.m. and
 13 concluding at 12:08 p.m.

14 I further certify that I am not a
 15 relative or employee or attorney or counsel of any of
 16 the parties, or a relative or employee of such attorney
 17 or counsel, or financially interested directly or
 18 indirectly in this action.

19 In witness whereof, I have hereunto set
 20 my hand and affixed my seal of office at Milwaukee,
 21 Wisconsin, on this 23rd day of September, 2009.

22
 23 JULIE A. POENITSCH - Notary Public
 24 In and for the State of Wisconsin

25 My commission expires February 13, 2011.

<p>1</p>	<p>6:9;16:9 64th (1) 4:5</p>	<p>20,25;13:11,17,20; 14:1,12,23;15:1,2,2, 3,6,8;16:3,5,17,20, 23;17:9,16,20;</p>	<p>14:24;20:15 approximate (1) 31:13 area (11) 8:15;25:8;26:1; 28:14;29:25;31:12, 13,17;32:3,10,17</p>	<p>better (1) 32:5 beverage (2) 8:14;32:9 beverages (2) 13:9;26:9 big (1) 15:25 binding (1) 21:21 bits (1) 19:3 bizarre (1) 14:10 blame (1) 24:13 bleep (1) 29:12 block (19) 9:20;10:1,18; 12:21,22;13:2,3,13, 21;14:3,21;17:25; 18:6;20:25;21:4; 24:18;25:2;29:19, 23 blocks (2) 31:9;32:3 block's (1) 25:3 BOHL (59) 3:2,5,9,11,19,25; 4:7,14,22;5:2,5,25; 6:10,13,22;9:6; 10:10,17,20,24; 11:23;12:7,20,25; 13:11,17,20;14:1, 12,23;15:2,6;16:17, 20,23;17:9,16,20; 18:22;19:1;21:5,18; 22:4,11,15,18,24; 23:2,24;2,21;26:15; 27:15;29:8,14; 30:21;31:6,19;32:6; 33:9 both (2) 7:10;18:14 bottles (1) 17:4 bound (2) 11:20;32:1 Boy (1) 14:1 breakdown (1) 17:3 brief (1) 17:21 brought (3) 20:2,4;29:9 building (13) 17:25;23:3,5,11, 12,14,16,21,23,23; 24:15,17,18 Burger (1) 14:2 burgers (1)</p>
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