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CITY OF MILWAUKEE

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LICENSES COMMITTEE

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In the Matter of the Class "A" Malt
renewal application for:

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JATINDER SINGH
PICK N CHOOSE, INC.
1904 West State Street

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COMMITTEE MEMBERS

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ALD. JAMES WITKOWIAK - Chair
ALD. JAMES BOHL, JR., - Vice-Chairman
ALD. TERRY WITKOWSKI
ALD. ROBERT PUENTE
ALD. WILLIE WADE

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LICENSING DIVISION by REBECCA BARRON
NEIGHBORHOOD SERVICES by TOM WESSEL

15

HEALTH DEPARTMENT by PAUL ZEMKE
POLICE DEPARTMENT by SEARGENT CHET ULICKEY

16

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 17th day of July, 2007.

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CHAIRMAN WITKOWIAK: Back in the 4th District, Jatinder Singh, Agent for "Pick N Choose, Inc." Class "A" Malt renewal application with a change of agent for "Pick N Choose" at 1904 West State Street. Good afternoon.

THE APPLICANT: Good afternoon.

CHAIRMAN WITKOWIAK: Please raise your right hand, we can swear you in.

(Whereupon the applicant was sworn.)

THE APPLICANT: Yes.

CHAIRMAN WITKOWIAK: Your name and address for the record, please.

THE APPLICANT: My name is Jatinder Singh. I live on 6129 South 13th Street, Apartment number eight, Milwaukee, Wisconsin.

CHAIRMAN WITKOWIAK: Okay. Did you get that address okay?

COURT REPORTER: I think so.

CHAIRMAN WITKOWIAK: 6129 South 13th Street, right?

MR. AHMAD: Munjed Ahmad on behalf of Jatinder Singh and Pick N Choose, Incorporated.

CHAIRMAN WITKOWIAK: Mr. Singh, do you admit to receiving a letter stating that there's

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1 a possibility your application could be denied
2 because of neighborhood objections to loitering,
3 littering, unruly behavior, drug and criminal
4 activity, conduct which is detrimental to the
5 health, safety and welfare of the neighborhood.
6 Furthermore, objections to the renewal of the
7 license due to the blighted condition of the
8 premises and the applicant's failure to remodel
9 the premises as promised in the last renewal
10 hearing in 2006. Do you remember receiving a
11 letter like that?

12 THE APPLICANT: Yes.

13 MR. AHMAD: We knowledge receipt.

14 CHAIRMAN WITKOWIAK: Health Department?

15 HEALTH: No objections.

16 CHAIRMAN WITKOWIAK: Neighborhood

17 Services?

18 DNS: No objections.

19 CHAIRMAN WITKOWIAK: And can I see a
20 show of hands? Is there anyone here in the
21 audience to testify relative to 1904 West State
22 Street, other than - - Okay. And, sir, are you
23 going to testify in support or objection?

24 THE WITNESS: In support.

25 CHAIRMAN WITKOWIAK: In support.

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1 Alderman Bauman, you want to give us a little - -

2 ALDERMAN BAUMAN: Yeah, thank you,

3 Mister - -

4 CHAIRMAN WITKOWIAK: - - background?

5 ALDERMAN BAUMAN: Mr. Chair. If you

6 recall we had this matter in front of you

7 approximately a year ago, and you have transcript

8 of the entire hearing. And in that tran - - And

9 in that hearing the issue was raised as to the

10 physical condition of the premises, and I believe

11 I showed you a photograph which the - - Linda has

12 copies of. The photograph showing a blue front

13 on this building is the condition as it existed

14 at the last hearing. Basically, it speaks for

15 itself. It had blue ply - - It had plywood

16 painted blue with screens covering what

17 essentially were plexiglass windows above the

18 blue, and then the building was painted white.

19 CHAIRMAN WITKOWIAK: A rather - - A

20 rather pretty blue, but go ahead. Nice blue.

21 ALDERMAN BAUMAN: The issue was joined

22 as to the condition of the building, and this

23 being a major concern of the neighborhood and a

24 major concern of mine. And the - - And Counsel

25 for the applicant, who is also present today, Mr.

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1 Ahmad, made several statements, and I think to
2 expedite things, starting on page seven of the
3 transcript at line four, Mr. Ahmad said, "I have
4 been - - It's funny she should mention the
5 windows," referring to a witness, "because we
6 just got an estimate of 17,500 dollars and some
7 change to actually put windows on the building.
8 We're actually trying to work with Milwaukee
9 Economic Development committee to ease, soften
10 some of the blow of the 17 plus thousand. That's
11 just for the windows. There are other
12 improvement issues that we have actually begun to
13 undertake in terms of remodeling the inside of
14 the building. But, no, we don't own - -
15 Specifically, we don't own the building. It is
16 in the family and it won't matter. The landlord,
17 again, is my cousin. So he's not being asked to
18 pay for any of the work. We're going to take
19 care of this on his own."

20 He goes on to say on page eight,
21 beginning at line four of the transcript. "The
22 siding is relatively new. We're actually going
23 to cut into that siding and put some larger
24 windows. The idea behind this is aesthetic, as
25 well as so what's inside and outside is more

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1 visible to us and to others. And, God forbid, if
2 we are robbed, we would hope that a neighbor
3 would notice that and call the police. So we are
4 actually considering everything that she's
5 already brought up. We've already actually
6 thought of that ahead of today's meeting."

7 Now the second exhibit I submit to you
8 is a photograph dated June 28th, 2007, showing
9 the identical storefront with the blue painted
10 white and the screens taken off the windows. And
11 that is their renovations.

12 THE APPLICANT: That's incorrect.

13 CHAIRMAN WITKOWIAK: Alderman Bau - -

14 ALDERMAN BAUMAN: And then they go on
15 to say - -

16 CHAIRMAN WITKOWIAK: Alderman Bauman,
17 can I ask?

18 ALDERMAN BAUMAN: Yes.

19 CHAIRMAN WITKOWIAK: Who took these
20 pictures?

21 ALDERMAN BAUMAN: I did. Both cases.

22 CHAIRMAN WITKOWIAK: Both cases. I - -
23 I have to compliment you in standing on the
24 exact, same spot a year later. If you look at
25 both of those pictures. I've taken before and

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1 after pictures before, and I - - I never seem to
2 remember the exact same spot. I always get a
3 little bit different angle. But I compliment you
4 in standing the exact same spot.

5 ALDERMAN BAUMAN: Getting ahead to Mr.
6 Ahmad's promise to this committee, go to page 19
7 of the transcript, line eight. "So I would note
8 that" - - This is Mr. Ahmad talking. "So I would
9 note that, with respect to Alderman Bauman, I
10 reject the notion that he - - that we're trying
11 to put a facade for - - for the committee. It's
12 - - This couldn't be further from the case. The
13 remodeling, it's - - it's something that we have
14 - - It's been near and dear to us. We've been in
15 constant conversation regarding that. Whether we
16 get an MADC approved loan or not, it's going to
17 happen. We won't be here next year. And if we
18 were here next year, I hope we're not going to be
19 here next year, but if - - if we are here next
20 year, you'll find that Alderman Bauman will be
21 able to tell you that the remodeling has been
22 done." Alderman Bauman: "If it's not, do you
23 agree to surrender the license." Mr. Ahmad: "I
24 do." Alderman Bauman: "On the record?" Mr.
25 Ahmad: "I do. I have no problem with that.

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1 Alderman Bauman wants to make it look like I'm
2 lying, or wants to make - - look like I'm trying
3 to mislead this committee. And with due respect
4 to Alderman Bauman, that - - that's not the case.
5 I respect Alderman Bauman. I know what he's
6 trying to do with the community. And for that, I
7 appreciate that. I'm a resident in Milwaukee,
8 and I do appreciate what you're trying to do,
9 Alderman. But to paint me and my father as
10 people who are going to lie to this committee, I
11 take offense to that. I would respectfully
12 request that if we're here next year, that we do
13 address that issue." And then I think the - -
14 Mr. Chair, you had some outstanding comments in
15 which you were suggesting - - and I'll read your
16 comments. I think they should be part of the
17 record.

18 ALDERMAN WADE: What page?

19 ALDERMAN BAUMAN: That's page 21,
20 beginning at line 23. Chairman Witkowiak:
21 "Before we put this matter in committee, I just
22 have a couple of comments. When you - - I'm - -
23 I'm pleased to hear that you're going to do
24 something about the appearance of that building.
25 What I would suggest, before you actually do

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1 that, is make sure that you have an architect
2 design the windows. Because that's just why I
3 was asking if it was a - - I figured - - figured
4 where this was coming from. If it's a brick
5 building, it's usually predetermined where the
6 windows are supposed to go. But, oftentimes, I
7 see on these wood frame buildings, that somebody
8 says they're going to put in windows, but the
9 windows are out of scale. Usually they are too
10 small. So then they'll say, well, I said I was
11 going to put windows in, you know, and they put
12 three little windows in like this along the whole
13 side of the building. So make sure that you have
14 an architect look at it and say that these
15 windows are the correct scale for the building
16 this size. The point I'm trying to make is - -
17 is you're going to do improvements. You're going
18 to make - - spend some money on the place. Make
19 sure you do it absolutely right." Mr. Ahmad:
20 "Absolutely."

21 And, of course, Exhibit A and B show
22 substantially no improvements, and I would argue,
23 a changing of the blue to white, actually cause
24 the building to look worse. So that - - that's
25 my case. This is almost a contract case. A

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1 promise was made, representations were made and
2 they weren't delivered. So I move that this be
3 nonrenewed.

4 CHAIRMAN WITKOWIAK: Alderman Puente
5 moves to make the - - the pictures presented of
6 the 2006 photograph and the 2007 photograph part
7 of the permanent record in this hearing. Hearing
8 no objections, so ordered. Alderman Bauman, you
9 presented a very compelling case. Could you
10 respond to - - to that, please?

11 MR. AHMAD: Absolutely, I can. First,
12 Alderman Bauman - - Bauman is incorrect about the
13 windows being the exact same windows. Those
14 windows were, in fact, replaced. Those are brand
15 new windows. Yes, and that whole wall there,
16 that whole blue wall is a brand new wall. That's
17 not the same wall. It's not just a painted wall.
18 It's a brand new wall.

19 So Alderman Bauman has ignored those
20 improvements. Alderman Bauman has ignored the
21 paint - - I don't know what Alderman Bauman
22 wants. Because Alderman Bauman refuses to return
23 my phone calls. So it becomes a little bit
24 difficult for me to comply with what he wants,
25 when I can never get him to return my phone

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1 calls. For example, when I had the gentleman at
2 the store for the windows, I called Alderman
3 Bauman and left him a message saying, you know, I
4 have some issues with the windows. Would you
5 like to come and see them? Nobody returned my
6 call. I had a issue with the pay phone that you
7 can see on the side there, and I called Alderman
8 Bauman's office, left a message indicating, you
9 know, Alderman Bauman, I'd like to talk to you
10 about this pay phone issue. Alderman Bauman
11 never returned my call. Why? I don't know. I
12 don't know if he just doesn't want to have
13 personal contact with me or - - or if he just
14 wants to do his best to ensure that this license
15 is not renewed. I don't know. But I called him
16 at least two or three occasions, and Alderman
17 Bauman for some reason, again, refuses to return
18 my calls. That's fine. That's - - That's within
19 his right, I guess, not to return my calls. I
20 have no problem with that.

21 But for him to suggest that nothing was
22 renovated is absolutely false. I'm sure even the
23 witness will tell you that those windows are all
24 brand new windows. It's not just a matter of
25 taking out the security gate. These are brand

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1 new windows. When I was here last year, it was
2 in my mind that I would do larger windows.
3 That's true. However, frankly, to be honest with
4 you, in speaking with the employees, they were
5 scared for - - for me to do that. They were
6 scared to have a large window, because there's a
7 large exchange of cash pretty often. We cash
8 checks there every once in a while, so they're
9 worried that, it being so visible, that there's
10 going to be problems there. However, again, I'll
11 note that the siding has always been nice. The -
12 - And I have some pictures. We added new lights.
13 We added security cameras to the exterior of the
14 building. If - - I have two photos. I'll show
15 one to Alderman Bauman.

16 CHAIRMAN WITKOWIAK: Okay.

17 MR. AHMAD: We added security cameras
18 to the outside. We removed the pay phone.

19 ALDERMAN BAUMAN: Is the crack in the
20 wall you want us to look at or what?

21 MR. AHMAD: It's the security camera.

22 ALDERMAN BAUMAN: Ah.

23 MR. AHMAD: You're - - You're - - You
24 know, him being facetious shouldn't reflect on
25 the fact that this is a security camera, and it

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1 does - - it does do its job, and that's
2 surveillance. What essentially happens with this
3 security camera is there's a TV, if you will,
4 inside the store. So if there are any people
5 hanging out in the front or anything of that
6 nature, that the people inside know to tell
7 somebody from the outside, from the inside, to go
8 out and tell people to go - -

9 ALDERMAN BAUMAN: Do you agree this
10 photograph shows plywood, major plywood covering
11 an opening?

12 MR. AHMAD: I don't know. I don't have
13 the picture, so.

14 ALDERMAN BAUMAN: Here. Take another
15 look. Do you agree that that one shows plywood
16 covering the window opening?

17 MR. AHMAD: There is plywood there, but
18 that's not the intent of the - - I mean, you
19 know, there's no - - there are no underage sales.
20 There are no underage cigarette sales. There are
21 no loose cigarette sales. There are no single
22 cigarettes being sold there. There are no single
23 beers being sold there. This store has been in
24 the - - in the family since 1992 or '93, okay.
25 Last year and this year were the first two - -

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1 first times in years that we've been here, and
2 you can check with the Sergeant. You can check
3 with Mr. Schrimpf, and they'll tell you that as
4 well. For some reason Alderman Bauman has
5 something against either the store itself, or the
6 store owners. I don't know what the problem is.
7 He's never responded to me to find out. He wants
8 me to make improvements. He wants the store to
9 become improved. But yet, won't do anything to
10 sit down and tell me what he exactly wants. He
11 wants to come here and tell this committee don't
12 - - don't give him the license. You don't renew
13 it. You don't do this. But at the same time, he
14 doesn't want to do anything to help the
15 situation. He just wants the store closed. It
16 seems to me Alderman Bauman just wants a closed
17 building in his neighborhood. That's what it
18 seems to me.

19 You know, the pay phones being removed.
20 I have more pictures of the store if - - if you
21 want to see. We added a - - a larger waste bin,
22 as you can see.

23 ALDERMAN BAUMAN: On the sidewalk.

24 MR. AHMAD: It's not on the sidewalk,
25 actually. Did you go to - - Have you ever been

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1 to the store, Alderman?

2 ALDERMAN PUENTE: Mr. Chair. Point of
3 order, Alderman.

4 CHAIRMAN WITKOWIAK: Alderman Puente.

5 ALDERMAN PUENTE: You know, last time I
6 remember we did this, and we've got - - one
7 person at a time.

8 MR. AHMAD: I'm try - - I let him
9 speak.

10 ALDERMAN PUENTE: I know.

11 MR. AHMAD: I let him speak.

12 ALDERMAN PUENTE: Both parties.

13 MR. AHMAD: Alderman Bauman has not
14 even set foot inside the store. We spent over
15 20,000 dollars inside the store. He has never
16 been inside the store. He hasn't - - He refuses
17 to do anything. I've dealt with many aldermen
18 before. I've dealt with many, many situations of
19 this sort before, you know, as an attorney. I
20 have never, except for Alderman Bauman, I have
21 never seen an alderman that refuses to talk to
22 the people in his neighborhood, to the businesses
23 in his neighborhood. I have - - This is the
24 first alderman ever to do that. I don't know
25 why. I don't know if there is some hidden agenda

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1 here or what. I don't know.

2 CHAIRMAN WITKOWIAK: Alderman Puente.

3 ALDERMAN BAUMAN: Mr. Chair.

4 CHAIRMAN WITKOWIAK: Hold it. Alderman

5 Puente moves to make the photographs submitted by

6 the Applicant's attorney part of the permanent

7 record in this hearing. And hearing no

8 objections, so ordered. But we're not going to

9 get into tit for tat here. But - - But briefly,
10 you want to just - -

11 ALDERMAN BAUMAN: I'll respond very
12 briefly.

13 CHAIRMAN WITKOWIAK: Okay.

14 ALDERMAN BAUMAN: Since the last

15 hearing, Mr. Ahmad or anyone on his behalf has

16 never contacted my office. Absolutely,

17 unequivocally not. That's a bald-faced lie. I

18 can bring my assistant down here, too. She can

19 testify at the appropriate time. It's

20 irrelevant. He made a promise, and the - - the

21 photographs are all the testimony that's needed.

22 CHAIRMAN WITKOWIAK: Okay.

23 ALDERMAN BAUMAN: He made a promise,

24 and he figures the one way to weasel out of this

25 promise is somehow blame me that I'm not

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1 interested in the condition of - - of this
2 property or whatever the allegation is. It's a
3 bald-faced lie. There have been no attempts to
4 contact my office. There have been no attempts
5 to communicate with the Department of City
6 Development regarding facade grants, process to
7 help him get involved in, been no communication,
8 whatsoever.

9 CHAIRMAN WITKOWIAK: There's one
10 witness here that wishes to testify. Sir, would
11 you come and give us your testimony, please.

12 THE WITNESS: Up here.

13 CHAIRMAN WITKOWIAK: Yeah, go ahead.
14 Got to raise your right hand. We have to swear
15 you in.

16 (Whereupon the witness was sworn.)

17 CHAIRMAN WITKOWIAK: Your name and
18 address for the record, please.

19 THE WITNESS: Kenneth Edwards. 845
20 North 26th Street, Apartment 311.

21 CHAIRMAN WITKOWIAK: How close do you
22 live to the store?

23 THE WITNESS: Approximately five
24 blocks.

25 CHAIRMAN WITKOWIAK: Are you employed

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1 by the store?

2 THE WITNESS: No, I'm not.

3 CHAIRMAN WITKOWIAK: Okay. Then your
4 testimony, sir.

5 THE WITNESS: Okay. For the record, I
6 would like to note that my permanent address is
7 2122 West Highland, which I was born and raised
8 in the house which is three blocks from the
9 store.

10 CHAIRMAN WITKOWIAK: Okay.

11 THE WITNESS: Okay. I can contest that
12 the store has made improvements. I can't say
13 that if they lived up to the requirements that
14 the Alderman has requested or not. But the store
15 is a landmark. I've been there when it was Vice
16 Lords and GD, graffiti all sprawled across the -
17 - the storefront, when the pay phone outside the
18 store was shot up by bullet holes. I was at the
19 basketball park. That's across the street from
20 the store working on my game, which got me
21 through college. And I've been there for over 20
22 years, so I would just like to say the store
23 serves in the community, and there are still
24 neighbors that can play, as almost a safe haven.
25 And the people that's been at the store has been

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1 good to us, and has been fair to us since the
2 beginning. And there are no windows at the
3 store, because I remember going in the store
4 myself last year looking out the window, and it
5 was scratched, and I could barely see my car
6 outside the window, to go in the store just
7 recently a few weeks ago and see clearly across
8 the whole field and across the houses across the
9 street. You could not do that last year. Are
10 they expensive windows? I don't know. Is the
11 outside panel the same or not, I don't pay that
12 much attention. We usually walk through the
13 door, we get what we need, and - - and we walk
14 out. But I can say they have made improvement
15 after improvement on trying to make the
16 storefront better, and I know they're working
17 with a limited amount of money. They don't make
18 as much as some corner stores make, but they have
19 served a good purpose in the community for 20
20 years and counting. That's before the alderman
21 was the alderman, and that they were store
22 owners. I knew the previous store owners before
23 that. And taking that store away would do a very
24 dangerous and unfortunate harm to the community.
25 And since we all are intelligent people here, I

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1 can look at you and tell, I'll just cut right to
2 the results. If you take the store away, what
3 happens then? Where - - Where do the children
4 go? How far do the little girls have to walk,
5 considering the nature of Milwaukee inner city,
6 and considering the violence that this summer,
7 last summer has produced alone, multiplied the
8 previous summers. It wouldn't be a very safe
9 thing to do. There's no other area around there
10 that's close that would present a storefront for
11 that area.

12 CHAIRMAN WITKOWIAK: Tell me something.

13 THE WITNESS: Yes, sir.

14 CHAIRMAN WITKOWIAK: Besides - -
15 besides beer, what can you purchase in that
16 store?

17 THE WITNESS: Oh, you can purchase hot
18 Hoghead cheese, which is my grandmother's
19 favorite. Bread, rice. My mother loves Pepsi
20 and 7-Ups, which they get from there. You can
21 get my favorite, which is Gatoraid after I'm done
22 playing basketball. You get fruit, bananas. You
23 get potato chips. You can get cookies. There's
24 a frozen food aisle for the people that just
25 don't have food that night. That's a pretty good

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1 price, too, 99 pieces, 2.99 pieces, and then some
2 expensive food that I don't purchase, the hot
3 wings. You can for a dollar - - You can get meat
4 measured by the dollar. A dollar worth, or two
5 dollar worth of ground beef, hot dogs, polishes,
6 cheese.

7 CHAIRMAN WITKOWIAK: That's fresh?
8 There's a fresh meat counter?

9 THE WITNESS: There's fresh meat every
10 day. I never been sick. Never got sick from it.
11 I've been eating there for years. You can even
12 buy shoestrings, season salt. I can go on. I
13 mean, I've been a resident in that area forever.
14 I can almost name every item they have in that
15 store, including Pick 3 tickets.

16 MR. SCHRIMPF: The Health Department is
17 relieved to hear that. Thank you.

18 MR. AHMAD: I would also just note,
19 just quickly. He said that he's been going to
20 the store for 20 years. Before my dad had it in
21 '93, it was my uncle's store for ten years. So
22 this store's been in the family for over 30 some
23 years.

24 ALDERMAN BAUMAN: Mr. Chair, if I could
25 just wrap up.

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1 CHAIRMAN WITKOWIAK: Yes.

2 ALDERMAN BAUMAN: You know, the last
3 hearing we had testimony about owner occupants
4 moving out, because of the store, and the
5 loitering and the disorder this store creates,
6 the litter that this store creates, resident
7 being afraid to live kitty corner from this
8 establishment. Residents who had bought homes
9 and who have subsequently moved out of those
10 homes. But we're not going to get into all that,
11 because we - - This boils down to the simple
12 promise, simple representation made to this
13 committee, when a major issue at the last hearing
14 was the issue of the physical condition of this
15 property. It is the same facade. They repainted
16 the plywood boards. We can all go out there and
17 make a field trip if you want. You will see that
18 those are old plywood on there. And the windows
19 are plexiglass windows. If they spent 750
20 dollars, I'd be surprised, much less 17,000
21 dollars. They didn't have to say they were going
22 to spend 17,000 dollars last time. They didn't
23 have to say they were going to open up all these
24 windows. They came in here. Made grandiose
25 promises in order to convince this committee to

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1 get them another chance, despite neighborhood
2 objections at the time and my objections at the
3 time.

4 MR. AHMAD: If we're going - -

5 ALDERMAN BAUMAN: And they didn't
6 deliver. It's very simple. And they didn't have
7 to make those promises. They didn't have to
8 promise they'd surrender the license if they
9 didn't do the improvements and make all these
10 assurances, don't worry, you won't see us back
11 next year. This is going to be new and improved.
12 We're going to spend this money and we're - - The
13 record speak for itself. This is not even a
14 close case.

15 MR. AHMAD: If I could respond to that.

16 CHAIRMAN WITKOWIAK: Go ahead.

17 MR. AHMAD: We were going to be here
18 anyway. No matter what. Alderman Bauman does
19 not want this store in there. Okay. No matter
20 what happened. We're going to be here. He talks
21 about all the neighborhood objections. I haven't
22 heard one yet. Okay. He talks about litter. He
23 took this picture. I didn't. I don't see any
24 litter there. He talks about loitering. He took
25 this picture. I didn't. I don't see any

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1 loitering. I haven't seen one shred of evidence
2 of anything that he says here. He says that
3 there wasn't improvements. No, there weren't
4 improvements the way he expected or wanted them.
5 Okay. But that's his own fault. He could have
6 returned my calls. And I - - You know what,
7 Alderman can say I didn't call him. I'm an
8 officer of the court. I have no reason to lie
9 about that. I did call him, and I did speak to
10 his assistant. If he wants to bring her down, he
11 can. He can put her under oath, because I know I
12 spoke to her. I'm not stupid. I'll get my phone
13 records, Alderman. I'll show you.

14 ALDERMAN BAUMAN: So if she would say
15 no, you'd call her a liar.

16 MR. AHMAD: Yes, I would.

17 ALDERMAN BAUMAN: Okay.

18 MR. AHMAD: Because I did speak to her.

19 CHAIRMAN WITKOWIAK: We're not - -

20 We're not - - We're not going to go any further
21 with this argument. Okay. Do we have any - -
22 any more questions by members of the committee?
23 Alderman Puente?

24 ALDERMAN PUENTE: Mr. Chair.

25 CHAIRMAN WITKOWIAK: Go ahead. Do you

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1 have records on what you spent on the store, or
2 your clients has records, receipts of the windows
3 and what he's all done in the last year?
4 MR. AHMAD: Yeah, I'm sure I can get
5 you receipts. Absolutely.
6 ALDERMAN PUENTE: You don't have them
7 here, though.
8 MR. AHMAD: I don't have them here, no.
9 ALDERMAN PUENTE: Can you ask him
10 approximately what he has spent?
11 MR. AHMAD: Interior and exterior?
12 ALDERMAN PUENTE: Everything.
13 MR. AHMAD: I'm going to estimate
14 20,000 - 25,000 dollars, interior and - -
15 interior and exterior.
16 ALDERMAN PUENTE: Right. I understand.
17 Those are all improvements.
18 MR. AHMAD: Right.
19 ALDERMAN PUENTE: And you know that
20 because you've discussed it with him, or?
21 MR. AHMAD: Well, the store is owned by
22 my father.
23 ALDERMAN PUENTE: Oh, that way, okay.
24 MR. AHMAD: So I know, because I have
25 some firsthand knowledge.

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1 ALDERMAN PUENTE: Okay.
2 MR. AHMAD: I know - - I know there are
3 receipts.
4 ALDERMAN PUENTE: So your - - your
5 father did the improvements, and not this
6 gentleman.
7 MR. AHMAD: Right.
8 ALDERMAN PUENTE: Okay. And your
9 father has the receipts.
10 MR. AHMAD: Right.
11 ALDERMAN PUENTE: Okay. Thank you, Mr.
12 Chair.
13 ALDERMAN WADE: Mr. Chair.
14 CHAIRMAN WITKOWIAK: Oh, yeah. One
15 second. Just out of curiosity, roughly what
16 percentage of your gross sales are beer related
17 to the other stuff?
18 MR. AHMAD: And - - And that was the
19 question that was asked to me last year, and I'll
20 - - and I'll respond the same. I think between
21 25 to 30 percent. I'm not sure, because I - - I
22 honestly have my own - - my own office. I don't
23 really go to the store that often, frankly.
24 CHAIRMAN WITKOWIAK: Alderman Wade.
25 ALDERMAN WADE: Yeah. Just - - Just

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1 looking at - - You got pictures. You got the
2 pictures of the store.
3 MR. AHMAD: Yes.
4 ALDERMAN WADE: I got to - - I got to
5 be honest with you. I - - I expected something
6 different, too, based on the amount of time we
7 spent on this, and testimony from last year. I
8 expected it to be a totally glass front, and
9 - - and like a lot of other stores in - - in my
10 district and other districts, people are getting
11 glass front back. I think if you would have
12 tinted the windows, maybe that would have
13 discouraged people from being able to see
14 transactions of money in certain areas of the
15 store, whatnot. I don't know. I mean, some
16 things that could be done, but I expected it to
17 look a lot different than what it looks. Just by
18 me looking at it, I - - I don't think it's what -
19 - It's not what you promised, in my opinion. And
20 I'm - - I'm - - I don't like - - It seems like
21 what - - what Alderman Bauman said you did,
22 that's what you did. Now, maybe you did, I mean,
23 it looked like you took the screens off and the
24 windows were behind there, and you got some
25 smaller windows. I thought it was going to be a

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1 lot different, and I - - I didn't - - I don't
2 know if anybody else did, asked you to make the
3 statements that if these are not done, we'll
4 surrender our license. We won't be here next
5 year.

6 MR. AHMAD: Alderman - - Alderman
7 Bauman asked me that question.

8 ALDERMAN WADE: So, I mean, but you did
9 go on record of saying that.

10 MR. AHMAD: Correct.

11 ALDERMAN WADE: Those were your words.

12 MR. AHMAD: Sure. I stand by those
13 words, Alderman.

14 ALDERMAN WADE: Okay. And I just want,
15 just so you know, I'm personally not satisfied
16 with the aesthetics of - - of the improvement. I
17 mean, it may have been 100,000 dollars. I can't
18 see it. And I'm - - I - - You know, I cannot see
19 it.

20 MR. AHMAD: I understand. And I will
21 be honest with you. When I was here last year, I
22 did not expect the response from the employees
23 that I got, that we got. And frankly, I have to
24 weigh their safety concerns with - - with what's
25 going on here, as well. I mean, this is not

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1 just, with respect to the entire committee, this
2 is not just a one-way street. I have to weigh
3 their concerns, as well. They're human beings
4 that have fears. So I have to weigh that, as
5 well. And that's what happened. Whether he
6 wants to believe it or not, that's what happened.
7 And - - And I didn't - - And honestly, excuse me,
8 I don't mean - -

9 ALDERMAN WADE: Um-hnh.

10 MR. AHMAD: I never even considered the
11 tinted windows route. It didn't even come into
12 my head until you mentioned that. I didn't even
13 know you can do that.

14 ALDERMAN WADE: Well, I know I have
15 some stores in my district, and I have
16 recommended that they do that. Some have. But
17 if I may continue, Mr. Chair, I - - I just - -

18 CHAIRMAN WITKOWIAK: Go ahead.

19 ALDERMAN WADE: You know, I don't - - I
20 don't know - - You can do better, is basically
21 what it comes down to. To me, I feel like I'm
22 getting misled. That's how I feel.

23 MR. AHMAD: And that wasn't the
24 intention at all. I'll be - I'll be clear about
25 that. That was never the intention. Alderman

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1 Wade, you and I have had many discussions. I've
2 never ever lied to you, misrepresented anything
3 to you. And I think you - - you know that.

4 ALDERMAN WADE: Well, I would - - I
5 would also like to have, I mean, I can't mandate
6 this or force this, but I would like to have - -
7 have heard that you and Alderman had some dialog.

8 MR. AHMAD: I tried to.

9 ALDERMAN WADE: That you guys talked
10 and worked through this.

11 MR. AHMAD: I tried. I'm sorry.

12 ALDERMAN WADE: But for a whole year to
13 go and no dialog, and - - and none of the things
14 were met. To me, that's - - that's irresponsible
15 on somebody's part. I don't know who.

16 MR. AHMAD: I - - I - -

17 ALDERMAN WADE: These two grown adult
18 people, you know, both attorneys, very educated
19 guys, good speaking skills. I don't know why
20 that you two couldn't get together and come to a
21 - - agreement, so we wouldn't be here.

22 MR. AHMAD: I - - I - - Again, I'll
23 tell you as an officer of the court, I did call
24 him at least twice. Whether he wants to believe
25 it or deny it, that's his problem.

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1 ALDERMAN BAUMAN: There were no calls.

2 MR. AHMAD: That's your assessment, but
3 I swear to you, I swear to God, I swear to Allah,
4 I called him at least twice.

5 ALDERMAN WADE: That's just my
6 commentary on it.

7 MR. SCHRIMPF: Mr. Chairman.

8 CHAIRMAN WITKOWIAK: Okay. We're going
9 to wrap this up soon. Mr. Schrimpf.

10 MR. SCHRIMPF: Thank you. Just to DNS.
11 Were - - Do you have records? Would there have
12 been any permits taken out on this?

13 DNS: There were no permits for window
14 replacement. We had received a couple of
15 complaints on the property. The most recent one
16 was 3/8 of '07, that said it was a nuisance
17 property. Please inspect for exterior code
18 violations. Our inspector did go out and issue
19 two orders, and they were both complied with.
20 And one in March and one in April of this year?

21 MR. SCHRIMPF: Were those orders from -
22 - Or strike that. Were those complaints from the
23 Alderman's office or were they from another
24 source.

25 DNS: We do keep our complaints

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1 anonymous. Let me see what source is on that
2 one. It says it was from another City
3 department, is all it said.
4 MR. AHMAD: I have a guess.
5 CHAIRMAN WITKOWIAK: Do - -
6 ALDERMAN BAUMAN: Mr. Chair.
7 CHAIRMAN WITKOWIAK: Do you need a
8 permit to replace windows?
9 DNS: If you're changing the size.
10 CHAIRMAN WITKOWIAK: Oh, he put in
11 windows the same size, right? He would not.
12 DNS: If he was changing it and needs a
13 new header size or anything like that, yes, he
14 would need a permit.
15 CHAIRMAN WITKOWIAK: So he may have
16 replaced these windows legally.
17 DNS: Correct.
18 CHAIRMAN WITKOWIAK: Alderman Puente?
19 ALDERMAN PUENTE: What were the orders
20 for? What did they have to do?
21 DNS: There's two separate orders. One
22 was actually interior stuff. He had missing
23 coverplates on junction boxes. Clearance to
24 electrical panel. Obtain smoke detectors. And
25 something, it's called temperature actuator

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1 module. The other one was - -

2 ALDERMAN PUENTE: What is that? What
3 "temperature modular" who?

4 DNS: It says, "switch controlling
5 exhaust fan in front basement near steps," is
6 what it says. The other order was paint all wood
7 surfaces and paint masonry surfaces where needed.

8 ALDERMAN PUENTE: Okay. And they
9 complied to all those.

10 DNS: Those were complied with, yes.

11 ALDERMAN PUENTE: All right. Thank
12 you.

13 VICE-CHAIRMAN BOHL: Are there any
14 other questions by committee at this time? Any
15 additional comments here? Alderman Bauman?

16 ALDERMAN BAUMAN: No. I think that the
17 record's clear.

18 VICE-CHAIRMAN BOHL: We are in
19 committee. I'll pass the gavel.

20 ALDERMAN WADE: Alderman Bohl.

21 ALDERMAN BOHL: Thank you. My motion
22 is actually going to be to hold this matter until
23 next week, Thursday. There's a meeting on the
24 26th. And I'm going to make a couple requests.
25 First off, I'm actually going to, between now and

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1 then, make a personal visit here to look in on
2 the store. Additionally, I would like to see
3 whatever records may be had in terms of the
4 amount of investment that was - - that was
5 actually spent in the past year. I - - One of my
6 - - One of my concerns, and I will just reiterate
7 the comment made by Alderman Wade. That is, my
8 expectations would have certainly been higher in
9 terms of comments that were made last year. But
10 I - - But I do have - - I do have some concerns
11 about how much leeway this - - this committee,
12 this Council has with - - with - - with statutory
13 requirements over - - over liquor licenses. And
14 I just ultimately we - - we've had times where
15 we've had individuals that have come here over
16 and made complaints over beef that was raw. And
17 what relation that may have had with a liquor
18 license, I'm not certain. I do believe that it
19 is - - it is somewhat of a stretch to start
20 regulating with an existing property license,
21 other unrelated aspects to that license and
22 trying to tie it in with - - with the sale of
23 liquor. That may not be adverse secondary
24 effects to that liquor license. So I just - - I
25 personally would like to see that what the - -

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1 what type of investment has been made. I - - I
2 think that that - - that has some bearing on - -
3 on a decision that I would make. But I just
4 ultimately will say that - - that I - - I'm
5 disappointed in that I think that the level of -
6 - of improvement could have been better. I
7 really believe that this committee is somewhat
8 limited in terms of the sanction that it can
9 present.

10 ALDERMAN BAUMAN: Mr. Chair. I don't
11 want to - - I know you're in committee, but I've
12 asked the City Attorney that question, and I
13 think the City Attorney can explain that this is
14 precisely within your purview, based on the
15 promise that was made before the committee.

16 ALDERMAN BOHL: To hold - -

17 ALDERMAN WADE: At this - - At this
18 time - - At this time, Alderman Bohl - - At this
19 time, Alderman Bohl, are you done with your
20 recommendation?

21 ALDERMAN BOHL: Yes. Yes.

22 ALDERMAN WADE: Are there any other
23 committee members that would like to comment on
24 the recommendation?

25 ALDERMAN WITKOWIAK: Mr. Chairman.

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1 ALDERMAN WADE: Alderman Witkowiak.

2 ALDERMAN WITKOWIAK: The problem is we

3 - - we don't have time for findings of fact if

4 there is - - if we hold this matter. Ms. Barron?

5 MR. SCHRIMPF: That would be a problem.

6 CHAIRMAN WITKOWIAK: Would that be a

7 problem?

8 MR. SCHRIMPF: Yeah. Because - -

9 Because you would not have enough time to - -

10 Let's say the committee took some adverse action.

11 You would not have enough time to get the

12 findings out and received in order to - - This

13 license expires when?

14 MR. AHMAD: I believe in September,

15 sometime. I'm not sure exactly.

16 MS. BARRON: September 16th.

17 MR. SCHRIMPF: When is - - When is the

18 next - - When is the Council meeting in

19 September?

20 MS. BARRON: Well, there's one on

21 September 5th, but there's not a License

22 Committee meeting prior to that.

23 MR. SCHRIMPF: Well, couldn't we - -

24 Couldn't we get the findings out and have it

25 scheduled for the 5th? Are you following?

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1 MS. BARRON: I'm following you.

2 MR. SCHRIMPF: I can say that, because
3 my secretary went home.

4 MS. BARRON: I know, just next
5 Thursday.

6 CHAIRMAN WITKOWIAK: That's okay with
7 me.

8 MR. SCHRIMPF: Because - - Yeah, my
9 secretary went home, so she's not hearing me say
10 this. Otherwise, she'd be down here ready to
11 kill me, but - - But we - - We could do it and
12 get the findings out, but schedule it for the
13 5th, if there's adverse action.

14 ALDERMAN WADE: Well, presently we have
15 a recommendation on - - on the floor. If
16 Alderman Bohl wants to stick to his original
17 recommendation, we can proceed. If he would like
18 to amend his recommendation, then we can consider
19 that. Alderman Bohl?

20 ALDERMAN BOHL: No, I - - I do have
21 just a follow-up question for Mr. Schrimpf. And
22 that is - - And that is the question about if we
23 are not talking adverse impacts of the liquor
24 license, how much leeway, and I mean, real legal
25 leeway does this committee, does this Council

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1 have? Do we have strong, and I'm - - I'm going
2 to use the key word "strong" grounds. Not - -
3 Not we're a gray area, stepping it with an
4 attorney, we'll let him sue us, whatever else. I
5 mean, do we have real strong grounds? Because I
6 don't believe we do.

7 MR. SCHRIMPF: Well, there's a - -
8 There's a couple of Wisconsin cases that - - that
9 talk about the fact that even though something is
10 not particularly mentioned in a Statute or an
11 Ordinance, but if it's related to the health,
12 safety and welfare, the - - the Council can
13 consider it in a renewal decision. And I think
14 this sort of thing would go in that direction.
15 In other words, you're - - you're considering the
16 safety of the building, the condition of the
17 building. These things are related.

18 ALDERMAN BOHL: Well, and here's where
19 I'll kind of go on. Does - - Does - - Does
20 somebody's word that they're going to put 17,000
21 dollars worth of windows and the fact that, you
22 know, they put two grand worth of windows that
23 are brand new, actually hit on health, safety and
24 welfare? I think that's an extreme stretch. And
25 if I'm going to - - If I'm a judge, I'd throw you

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1 on your butt. I'll be perfectly candid.
2 MR. SCHRIMPF: You wouldn't be the
3 first one.
4 ALDERMAN WADE: Mr. Chair.
5 CHAIRMAN WITKOWIAK: Alderman Wade.
6 ALDERMAN WADE: In - - In what it's
7 cited for, the last sentence says, and this is
8 for the City Attorney, Assistant City Attorney,
9 the last sentence it says, "Furthermore,
10 objections to the renewal of the license due to
11 the blighted condition of the premises, and the
12 applicant - - applicant's failure to remodel the
13 premises as promised at the last renewal hearing
14 in 2006."
15 MR. SCHRIMPF: They got the notice.
16 ALDERMAN WADE: Because - - Because
17 it's cited for that, can we use that as grounds
18 to - - to proceed in whatever - -
19 MR. SCHRIMPF: Sure.
20 ALDERMAN WADE: I mean, from - - from
21 the ten day all the way to nonrenewal, can - -
22 Because it's cited for that, can we use that?
23 MR. SCHRIMPF: Yeah.
24 ALDERMAN WADE: Okay.
25 ALDERMAN BOHL: I'm going to stand by

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1 my motion.

2 CHAIRMAN WITKOWIAK: Alderman Bohl's
3 motion, which is appropriate, is to hold this
4 matter at the Call of the Chair.

5 ALDERMAN WADE: Mr. Chair.

6 CHAIRMAN WITKOWIAK: Alderman Wade, on
7 the motion.

8 ALDERMAN WADE: Yeah. On the motion, I
9 think his original motion was to the 27th - -

10 ALDERMAN BOHL: 26th.

11 ALDERMAN WADE: 26th.

12 CHAIRMAN WITKOWIAK: Hold it until the
13 meeting on the 26th.

14 ALDERMAN WADE: Right.

15 CHAIRMAN WITKOWIAK: Okay. That's the
16 motion on the floor. Are there any objections to
17 that motion? Hearing none, so ordered. We'll
18 see you back here on the 26th. We're going to
19 take - - We're going to take just a five minute
20 recess.

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3 STATE OF WISCONSIN)

4)

5 MILWAUKEE COUNTY)

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Court Reporter

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22 Dated this day of , 2007.

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