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CITY OF MILWAUKEE
UTILITIES & LICENSING HEARING

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COMMITTEE MEMBERS

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ALD. JEFFREY PAWLINSKI - Chairman
ALD. TERRANCE HERRON - Vice Chairman

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ALD. FREDRICK G. GORDON

11

ALD. JAMES BOHL, JR.

ALD. ROSA CAMERON

12

ALD. MARLENE JOHNSON-ODOM - 6th DISTRICT

13

HEALTH DEPARTMENT by KAREN JACOBS
POLICE DEPARTMENT by SERGEANT JOHN HOGAN
CITY ATTORNEY'S OFFICE by BEVERLY TEMPLE

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Proceedings had and testimony given in the
above-entitled matter before the UTILITIES &
LICENSING COMMITTEE OF THE CITY OF MILWAUKEE on the
10th day of September, 2002, before Terese M.
Schiebenes of Milwaukee Reporters Associated, Inc.

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PROCEEDINGS

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(All City Personnel were previously duly

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sworn.)

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CHAIRMAN PAWLINSKI: Michelle Townsend,
Class B Tavern and Tavern Dance Renewal Application
for Michelle's Club, at 3001 North Richards Street.

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Ms. Townsend, we'll need to swear you in. Raise your
right hand, please.

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(Whereupon, MICHELLE TOWNSEND was duly

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sworn.)

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CHAIRMAN PAWLINSKI: For the record, who are
these folks here?

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AUDIENCE MEMBER: We're actually against the
licensing.

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CHAIRMAN PAWLINSKI: I'll call you up in a
moment. Ms. Townsend, I need to ask you for the
record if you acknowledge receiving notice of today's
meeting with the possibility that your application
could be denied? There is a neighborhood objection --
I'll read it into the record -- listed loitering,
littering, loud noise, shootings, fights, and conduct
which is detrimental to the health, safety, and
welfare of the neighborhood. Did you receive that
notice?

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MS. TOWNSEND: Yes, I did.

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1 CHAIRMAN PAWLINSKI: Health Department?

2 HEALTH DEPARTMENT: No objection.

3 CHAIRMAN PAWLINSKI: Neighborhood Services?

4 MS. JACOBS: No objection.

5 CHAIRMAN PAWLINSKI: Sergeant, anything from
6 the police department?

7 SGT. HOGAN: There was one reported incident
8 in the last licensing period, that occurring on
9 February the 7th of this year about 12:25 in the
10 morning, when a number of individuals leaving the
11 premises -- one of those individuals fired several
12 shots from a handgun reportedly in the direction of an
13 officer who had a traffic stop nearby. A check of the
14 tavern recovered a pistol from behind the bar. The
15 officers are unable to determine the ownership of this
16 pistol, and no suspects were taken into custody over
17 this matter.

18 CHAIRMAN PAWLINSKI: Okay. I want to find
19 out, Alderwoman, how do you want to proceed here? Do
20 you want to make a comment now, Alderwoman
21 Johnson-Odom, or do you want to wait until later?

22 ALDERWOMAN JOHNSON-ODOM: I received several
23 complaints about the fighting there and shooting, and
24 I called Officer Scott over at the 5th District, and
25 he said that the License Division had the information.

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1 Officer Scott was working with the residents in the
2 area. We sent a letter to all of the residents in
3 that area.

4 CHAIRMAN PAWLINSKI: And we're going to call
5 some of them up in a couple of minutes. Okay. Ms.
6 Townsend, I'll ask you to respond to the police
7 report, then I'm going to call the neighbors up and
8 have them testify. What do you want to tell the
9 committee in terms of the establishment as well as
10 what you've heard the sergeant read into the record?

11 MS. TOWNSEND: Okay. Regarding the incident
12 of that night, the police came in and said that
13 somebody was shooting at them, and this was -- we
14 hadn't even closed yet, and they, you know, roped it
15 off and was looking for gunshots. So they came in,
16 asked me had I heard the shots, and I told them that
17 every time I do hear shots, I do call the police,
18 because it is a lot of shooting, you know, when the
19 bar is closed, which I closed my bar before 2:00, to
20 try to get the people out of the neighborhood, you
21 know, and they hang out, and that's when the shots
22 were fired.

23 Regarding the pistol that they found behind
24 the bar, I gave them the pistol. They asked me did I
25 have any weapons in the bar that belonged to me, and I

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1 said yes, and I gave the officer the pistol that
2 belonged to my sister at the time. So I don't know
3 why they said they didn't know the ownership, because
4 I did give them a name and everything of my sister.

5 CHAIRMAN PAWLINSKI: All right. Let me get
6 a show of hands. Who is here to testify in opposition
7 to the license? Sir, is that a yes or no? You're
8 kind of in between there. For the record, if you
9 could turn off cell phones and pagers, it's very
10 helpful to the committee. Sir, are you going to
11 testify? He's not. I have four.

12 Who's going to testify in favor of the
13 establishment? One.

14 We're going to take the individuals first in
15 opposition to the license followed by that gentleman
16 who's here to testify in favor. Now, here's how we're
17 going to proceed. I've got three chairs, one, two,
18 and one on this end. We'll have to swear you all in,
19 we need your name and address for the record, and you
20 have to give us your testimony, not testimony on
21 behalf of somebody else, not petitions, not what some
22 neighbor told you or some friend told you, what you
23 specifically have seen or heard or experienced and why
24 you're opposed to the license. That's the way we'll
25 do it. Three chairs, the first three people up, we're

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1 ready to go. You, sir, you're ready to go, as well?
2 Are you the fourth person? Why don't we swear all
3 swear of you in at the same time. Raise your right
4 hands, please.

5 (Whereupon, DARLENE HOLMES, DAISY BROWN,
6 ANTONIO MICHALO, CHARLIE JENKINS, and MARK PHILLIPS
7 were duly sworn.)

8 CHAIRMAN PAWLINSKI: Ma'am, I'm going to
9 start with you and work my way down this way. Pull
10 the microphone close, because we have a court
11 reporter.

12 MS. HOLMES: My name is Darlene Holmes. I
13 reside at 2943 North Richards Street.

14 CHAIRMAN PAWLINSKI: Ms. Holmes, go ahead.

15 MS. HOLMES: I'm opposed because of the gun
16 shootings that happen almost every night that she's
17 open, which she has a dollar night. That's mostly
18 when it happens. The property is very unkempt; leaves
19 going everywhere, there's a broken down fence that
20 actually is still laying in the sidewalk, she has at
21 least four to five broken windows, and about four
22 years ago, I myself was in that bar and was held at
23 gunpoint.

24 I wrote to Alderman Johnson, which later
25 wrote me and told me she turned it over to the 5th

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1 District, and I was told that that bar was closed, but
2 that bar has never been closed.

3 CHAIRMAN PAWLINSKI: And you want the
4 committee to do what? Our options are to renew the
5 license, to suspend the license for a period of time,
6 or not renew the license. What do you want?

7 MS. HOLMES: To not renew the license.

8 ALDERMAN BOHL: Mr. Chairman, briefly. The
9 question I have is, in the last year, how many
10 incidents are you aware of personally relating to
11 fights and/or shootings?

12 MS. HOLMES: Shootings, about five or six.
13 I even have pictures here where you can see the bullet
14 hole in her property as well as other properties in
15 the neighborhood.

16 ALDERMAN BOHL: And to your knowledge, this
17 is activity that is directly related to the
18 establishment?

19 MS. HOLMES: It stems -- the fights and
20 arguments start right in her bar, and they come right
21 out of her bar with it.

22 CHAIRMAN PAWLINSKI: I'm going to ask you a
23 couple questions about these photographs, and I'm
24 going to pass them along to the rest of the committee.
25 Did you take these pictures yourself?

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1 MS. HOLMES: Yes, I did, and Tony took a
2 couple of them.

3 CHAIRMAN PAWLINSKI: Who's Tony?

4 MS. HOLMES: (Indicating.)

5 CHAIRMAN PAWLINSKI: Are these pictures of
6 your home, or are these pictures of your bar?

7 MS. HOLMES: The bar, Tony's home, and Ms.
8 Daisy's home.

9 CHAIRMAN PAWLINSKI: I will pass these
10 along. Alderwoman Rosa Cameron will make the
11 photographs part of our record.

12 ALDERWOMAN CAMERON: And she has some
13 questions.

14 CHAIRMAN PAWLINSKI: Are you ready to go for
15 questions?

16 ALDERWOMAN CAMERON: Yes.

17 CHAIRMAN PAWLINSKI: Alderwoman, go ahead.

18 ALDERWOMAN CAMERON: These pictures were
19 taken when?

20 MS. HOLMES: A couple of days ago. I just
21 had them developed yesterday.

22 ALDERWOMAN CAMERON: When were these bullet
23 holes done?

24 MS. HOLMES: At any time, I mean, because
25 it's like various times various shots happen.

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1 ALDERWOMAN CAMERON: This year, last year?
2 MS. HOLMES: This year, it was this year.
3 ALDERWOMAN CAMERON: Did you call the
4 police?
5 MS. HOLMES: Yes, I did.
6 ALDERWOMAN CAMERON: Do we have a police
7 report?
8 SGT. HOGAN: You heard the police report.
9 CHAIRMAN PAWLINSKI: The police report has
10 four incidents of shootings between last April and
11 today.
12 ALDERWOMAN CAMERON: It doesn't give the
13 date. I mean, four incidents of shooting when, one
14 night, or what?
15 CHAIRMAN PAWLINSKI: 4/21/00, 4/14/2001,
16 4/28/2001, and 2/7/02 reports of shots fired.
17 ALDERWOMAN CAMERON: And there was seven
18 shots fired. Can you tell me, were these people that
19 were doing the shooting, were they coming out of her
20 bar?
21 MS. HOLMES: They were coming out of her
22 bar. It's like you hear the argument, because I'm
23 only like seven houses from the corner --
24 ALDERWOMAN CAMERON: Seven?
25 MS. HOLMES: Seven. That's how loud it is.

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1 You hear the argument, and then you hear shooting, and
2 people are scattering and running, and either some
3 come back in, some run out.

4 ALDERWOMAN CAMERON: And these patrons came
5 out of her bar?

6 MS. HOLMES: Yes.

7 ALDERWOMAN CAMERON: And you don't know what
8 day or what incidents out of the four that was done
9 these --

10 MS. HOLMES: No, no, I actually don't know.

11 ALDERWOMAN CAMERON: You stated in your
12 testimony that you was there and you was at gunpoint?

13 MS. HOLMES: Right. A guy in there say he
14 lost his cell phone, and he wasn't going to let us out
15 until he searched everybody, and me and my nieces
16 refused to be searched, and he brandished a gun and
17 said, well, we couldn't leave.

18 ALDERWOMAN CAMERON: Who said that?

19 MS. HOLMES: The guy that was in the bar.

20 ALDERWOMAN CAMERON: Did he work at the bar?

21 MS. HOLMES: No. He stood in the doorway of
22 her bar. She has several stairs you can go down. He
23 stood right there before you can go down the stairs
24 there, "Ain't nobody leaving out of here until I get
25 my cell phone."

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1 ALDERWOMAN CAMERON: Was that reported?

2 MS. HOLMES: She wasn't in there. It was a
3 male bartender there. He did nothing to help us. And
4 I went into the bathroom to use the cell phone to call
5 the police. I called the police that night, and I
6 called my brothers to come to the bar.

7 ALDERWOMAN CAMERON: Did the police come to
8 the bar?

9 MS. HOLMES: Yes, they did. And somebody
10 was arrested. This was about three years ago, but
11 somebody was arrested.

12 CHAIRMAN PAWLINSKI: Okay. Other questions
13 of Ms. Holmes?

14 ALDERMAN GORDON: Mr. Chairman.

15 CHAIRMAN PAWLINSKI: Alderman Gordon.

16 ALDERMAN GORDON: Thank you. Ms. Holmes,
17 you indicated in your testimony that you live seven
18 houses away from the establishment?

19 MS. HOLMES: Yes.

20 ALDERMAN GORDON: Have you witnessed
21 personally any activity regarding the firing of
22 firearms that you just testified about?

23 MS. HOLMES: To actually be there and see
24 somebody shoot?

25 ALDERMAN GORDON: Correct.

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1 MS. HOLMES: No. You hear somebody
2 shooting, and if you peep out your window or come
3 to the porch, you see everybody running from her bar.

4 ALDERMAN GORDON: Just a question as to the
5 capacity. What's your capacity, Ms. Townsend?

6 MS. TOWNSEND: It's 80.

7 ALDERMAN GORDON: Thank you.

8 CHAIRMAN PAWLINSKI: Ms. Townsend, you have
9 an opportunity to refute what Ms. Holmes has said. Is
10 there anything you want to tell the committee on
11 behalf of yourself?

12 MS. TOWNSEND: She was speaking of that she
13 was held at gunpoint and about the litter and
14 everything, and if you were taking pictures, why
15 didn't you take pictures of I do clean up my property?
16 I'm there.

17 MS. HOLMES: The trash is there.

18 MS. TOWNSEND: Every day it's there, but I'm
19 just saying the majority of the time, I'm there
20 picking up trash, picking up, you know, store stuff from
21 the store, some beer bottles, whatever, and also, I'm
22 always there, you know, around there. Why didn't you
23 come to me and talk to me about this?

24 MS. HOLMES: Well, if you was at your
25 property lately, you see you have five shot-out

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1 windows. Those windows have been shot out for a while
2 now. That fence that's broke down has been on the
3 sidewalk and in between your yard for a while now, the
4 entire summer. The broken down doghouse, that's been
5 there the entire summer, so if you had been there --

6 MS. TOWNSEND: Yes, I've been there. And
7 also, I'm a lessee, and my landlord is Steve Irkus,
8 and he resides in Atlanta, and he is aware of that.
9 He's coming up here to take care of that. He's here
10 every year.

11 CHAIRMAN PAWLINSKI: Alderwoman Cameron.

12 ALDERWOMAN CAMERON: I just want to state
13 that some of the things that's been talked about is
14 not in the notice.

15 CHAIRMAN PAWLINSKI: Right. I was going to
16 mention that. We have to concentrate on the
17 issues of this; loitering, littering, loud noise,
18 shootings, fights. That's what we have to concentrate
19 on, because those are the issues noticed, and that's
20 what she was given information about to come down here
21 and prepare for. So we'll concentrate on those
22 issues.

23 Now, the other thing is, when you want to
24 refute the information that you're going to hear from
25 the next three witnesses, do so to the committee.

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1 We're not going to get into a point/counterpoint
2 between people. That's not real productive. This
3 woman over here, I want to hear from you.

4 MS. BROWN: My name is Daisy Brown. I
5 live at 2974 North Richards Street. I'm the owner of
6 2976 and 2978, right beside 2974, across the street
7 from Michelle's tavern.

8 CHAIRMAN PAWLINSKI: And Ms. Brown, what is
9 your testimony?

10 MS. BROWN: My problem is loud noise,
11 shootings. I have replaced four windows because of
12 the shootings. I got up one morning, and there was a
13 bullet that had landed in my living room right in
14 front of the chair. I own the house next door. My
15 son lives there with three babies, and the windows has
16 been shot out numerous times. I've replaced all of
17 those windows as of now, but if anybody pass by and
18 walk up to the door, they will see around the door
19 basin, there are many bullet holes in the door face.

20 CHAIRMAN PAWLINSKI: In your door or her
21 door?

22 MS. BROWN: In my door. I own the two
23 houses. And I fear for my children's life, and I fear
24 for my grandchildren's life, because there are
25 constant rivalry on that corner, and it starts in the

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1 bar, and it comes out in the streets. And numerous
2 times I have gone to the door and seen them running
3 wild, running out of the bar, just like a heard of
4 cattles.

5 Shootings, noise. I stopped sleeping in the
6 living room -- in the bedroom close to the front
7 because of the noise, because I have to be at work at
8 5:30 in the morning. I can't sleep at night. So I
9 started sleeping in the room in the back, but I still
10 hear the noise.

11 CHAIRMAN PAWLINSKI: Questions, comments by
12 committee of Ms. Brown?

13 ALDERWOMAN CAMERON: Did she witness any of
14 the shooters that's coming out of her bar?

15 MS. BROWN: I didn't witness, but my son
16 did. I know you said that we can't say what somebody
17 else had said.

18 CHAIRMAN PAWLINSKI: But you've said you've
19 seen the result of it, the people scurrying
20 afterwards?

21 MS. BROWN: Yes. There has been people
22 shot, and I've seen them lying in the street and on
23 the sidewalk. I've gotten up two or three times in
24 the morning and seen the ribbon where the police are
25 investigating, and I don't know what's happened to the

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1 reports, but it happens often, very often. It happens
2 too often in an area where we have children roaming
3 around. It happens too often for an area where we
4 have senior citizens, and it's awful.

5 CHAIRMAN PAWLINSKI: Alderwoman.

6 ALDERWOMAN CAMERON: Mr. Chairman. I
7 sympathize with the residents, but I also have a
8 problem when the residents have not talked to the
9 merchant not one time, and then they come to us
10 expecting us to do what they should have done. I do
11 agree that the environment that you are living in
12 right now, consequences of that type behavior is an
13 everyday thing. I'm not just saying it's the fault of
14 the bar, it's not the fault of the bar. It could be,
15 I don't know, but so far, nobody has given us
16 information that's saying that yes, I witnessed this,
17 yes, I talked to her, yes, I called the police, on
18 this day it happened.

19 It happens all the time. Shootings happen
20 where I live at. If I don't have specifics, then it's
21 not helping us here to make a clear determination in
22 what we should do. We want to do something, but if
23 you tie our hands before we are allowed to do it,
24 then --

25 CHAIRMAN PAWLINSKI: Well, for the record,

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1 Alderwoman, I want to make sure you're speaking for
2 yourself, not for the committee.

3 ALDERWOMAN CAMERON: I'm speaking for
4 myself. I'm speaking for everybody. We make a
5 decision.

6 ALDERMAN BOHL: No, no, no, no. You're
7 speaking for yourself.

8 ALDERMAN GORDON: No.

9 ALDERWOMAN CAMERON: I'm speaking for
10 myself. I can't speak for nobody else. I'm just
11 speaking about what is being said here. I'd like to
12 be able to do it, I really do.

13 CHAIRMAN PAWLINSKI: For the record, I just
14 want to let you know --

15 ALDERWOMAN CAMERON: Just for myself, not
16 you.

17 CHAIRMAN PAWLINSKI: -- you're never
18 required to talk to the bar owner about your problems
19 associated with the establishment. Whether you do
20 that or not, that's under your own volition, that is
21 not a requirement under law that you needed to do
22 that. So I want to continue with your testimony, and
23 we'll make a decision on what we believe is the best
24 course of action.

25 Mr. Townsend, you have an opportunity to

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1 refute what you heard now from Ms. Brown. Anything
2 you want to tell the committee?

3 ALDERWOMAN JOHNSON-ODOM: This gentleman.

4 CHAIRMAN PAWLINSKI: Your name, sir, address
5 for the record? Please use the microphone, pull it
6 real close.

7 MR. MICHALO: My name is Antonio Michalo. I
8 live at 2971 North Richards, two houses from the bar.
9 And there's too much shooting there, you know, and
10 there's already somebody get killed in there.

11 CHAIRMAN PAWLINSKI: Where?

12 MR. MICHALO: That happened this year. That
13 happened about a month ago, three months, something
14 like that. And there you people ought to do something
15 before I see a whole family get killed or those
16 people, too, you know. And police always show face
17 half hour later everything happen, you know.

18 CHAIRMAN PAWLINSKI: Let me just stop you,
19 Mr. Michalo, for a second. Unless I'm not reading it
20 correctly, I don't have that anybody was murdered at
21 this bar.

22 MR. MICHALO: Yeah, somebody get killed
23 there already. It's a girl.

24 MS. BROWN: Excuse me. Somebody has been
25 killed in that area. I've seen people lying in the

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1 street. I don't know what is happening with the
2 reports of the police, but I do know that whenever the
3 shooting breaks out or everything start running wild,
4 they close the tavern immediately, they turn off all
5 the lights. That's what I've seen.

6 CHAIRMAN PAWLINSKI: Ms. Townsend, let's
7 clear this up. Was someone murdered at your bar?

8 MS. TOWNSEND: Someone was murdered outside
9 of the bar outside on the corner.

10 CHAIRMAN PAWLINSKI: Were they a patron of
11 the bar?

12 MS. TOWNSEND: The girl that got murdered
13 had been in the bar, I don't know what happened to the
14 records, but the guy that ended up doing it was her
15 boyfriend or whatever.

16 CHAIRMAN PAWLINSKI: All right. Fair
17 enough. Mr. Michalo, anything else you want to tell
18 the committee?

19 MR. MICHALO: Yeah. Then I got my new car.
20 I got two windows broken right in front of my house.
21 I got bullets shooting. And I got two grandsons
22 living with me. Every time they hear a shooting, they
23 start running to my rooming crying, "Grampa, Grampa,
24 somebody shoot, somebody shoot." They cannot sleep
25 the rest of the night, you know. And they got my

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1 grandson a little nervous already, you know.

2 CHAIRMAN PAWLINSKI: And what do you want
3 the committee to do today?

4 MR. MICHALO: What do I want to do? Close
5 the bar. They not supposed to be in that
6 neighborhood. Too many kids around.

7 CHAIRMAN PAWLINSKI: Questions, comments by
8 committee members?

9 ALDERWOMAN CAMERON: Mr. Chairman.

10 CHAIRMAN PAWLINSKI: Yes, Alderman Cameron.

11 ALDERWOMAN CAMERON: How long has this bar
12 been here?

13 MR. COPELAND: I could not tell you
14 without --

15 MS. TOWNSEND: In November, I'll be there
16 five years.

17 ALDERWOMAN CAMERON: Then I'm going to ask
18 how long have you been living there?

19 MR. MICHALO: I've been living there five
20 years. All day is like that, you know, shooting every
21 Wednesday, Thursday, Friday, Saturday, and Sunday,
22 too.

23 ALDERWOMAN CAMERON: Was that bar there when
24 you moved there?

25 MR. MICHALO: Yeah.

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1 MS. BROWN: It was there when I moved there
2 -- I've been living there almost 26 years now -- but
3 the owner ran the bar at that time, and we didn't hear
4 noises at all.

5 CHAIRMAN PAWLINSKI: Ms. Townsend, anything
6 you want to say to refute what Mr. Michalo has told
7 the committee today?

8 MS. TOWNSEND: No. He was just saying about
9 the shootings Wednesday, Thursday, Friday, Saturday,
10 and Sunday, and I'm closed on Sundays and Mondays.
11 And regarding the shootings, you know, it happens a
12 lot of the times, and it does, shootings outside the
13 bar. I have not had any shootings inside my bar. I'm
14 there doing door check and weapon check, and I'm in
15 the same -- You know, when I close up the bar, I'm in
16 the same position, too, you know, wondering -- A lot
17 of times the people that does the shooting are not
18 even patrons of the bar.

19 CHAIRMAN PAWLINSKI: Do you have a metal
20 detector?

21 MS. TOWNSEND: The hand metal.

22 CHAIRMAN PAWLINSKI: Do you have a hand
23 wand?

24 MS. TOWNSEND: Um-hum.

25 CHAIRMAN PAWLINSKI: Do you wand everybody

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1 that walks in?

2 MS. TOWNSEND: I wand and I use my hand,
3 too, because the alarm goes off.

4 CHAIRMAN PAWLINSKI: Everybody?

5 MS. TOWNSEND: Yeah. Men and women, yes, I
6 do.

7 CHAIRMAN PAWLINSKI: We're going to hear
8 from this other gentleman who came who's waiting next.

9 ALDERWOMAN CAMERON: Mr. Chairman, has it
10 been determined that a shooting was in the bar
11 or outside the bar?

12 CHAIRMAN PAWLINSKI: Ms. Townsend testified
13 that one of her patrons was shot outside the bar.

14 ALDERMAN BOHL: Mr. Chairman, just one brief
15 question. This establishment is located on the corner
16 of Richards and Chambers?

17 MS. TOWNSEND: Correct.

18 ALDERMAN BOHL: How large of an intersection
19 is this? Is this a highly residential, or is this a
20 fairly sizeable intersection where you got bus stops
21 among other things there?

22 MS. TOWNSEND: No.

23 ALDERMAN BOHL: So it is a primarily
24 residential neighborhood with an older corner kind of
25 tavern?

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1 MS. TOWNSEND: Yes.

2 ALDERMAN BOHL: Thank you.

3 CHAIRMAN PAWLINSKI: Sir, we need your name
4 and address for the record. Tell us what your
5 testimony is, please.

6 MR. JENKINS: Charlie Jenkins, 2958 North
7 Richards.

8 CHAIRMAN PAWLINSKI: Mr. Jenkins, go ahead.

9 MR. JENKINS: I'm down here because I
10 spotted a fourth bullet hole in the house already.
11 There's one behind the piano. It came in through the
12 side of the house -- the bullet is still in the piano
13 -- about two months ago. Then one had come through my
14 bay window, went out the other bay window, and went
15 into the house next door. We tried to trace that
16 down. I found one bullet on the front porch right at
17 the door. And I know that might be a good business,
18 but they got some bad people there that come around
19 there, and they're from around the neighborhood. They
20 -- Some come out the bar acting foolish, and who am I
21 to say who decide who to shut it down, but you ought
22 to know what's going on, and you make a decision.
23 Don't ask me to shut it down.

24 CHAIRMAN PAWLINSKI: Well, you're here,
25 obviously, to give us some advice, so I'm asking you

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1 what your advice is. We make this decision and the
2 Common Council.

3 MR. JENKINS: No more than one of us. So I
4 figure this way, that if you can see the evidence, if
5 you can see the problem, I think you would think for
6 the line of doing what ought to be. Now, police come,
7 and they ask questions. I know I was sitting in the
8 living room there, and she said, "Come, this guy
9 running down the street with the gun," he come from
10 that tavern. He shot the guy about four houses down.
11 He lay in the street about 45 minutes. That was about
12 two years ago.

13 CHAIRMAN PAWLINSKI: How long have you been
14 at your address?

15 MR. JENKINS: Since '91. They came to the
16 house and asked. My wife wouldn't testify or
17 anything, because she was scared because sometimes
18 they treat the innocent worse than the criminals
19 sometimes, you know, as far as questioning. You get
20 that pushy. She didn't want to do that.

21 But anyway, there's just -- I'm not afraid.
22 It's just that I have a grandson, he's three years old
23 now. And you want to think, what's going on? I mean,
24 the tavern may not be bad, but the individuals that
25 come around there hang around there. Now, if people

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1 hang around the house, they're going to take me down,
2 too.

3 CHAIRMAN PAWLINSKI: Ms. Townsend, anything
4 you want to say to the committee on what you've heard
5 from Mr. Jenkins?

6 MS. TOWNSEND: No. Only thing I have to say
7 is that if you're in the neighborhood like going on
8 probably right now, if you go down and see the
9 activities that's going on, it's not the patrons a lot
10 of times, it's not the patrons in the bar, it's mostly
11 the neighborhood, and you know, the kids in the
12 neighborhood.

13 MR. JENKINS: I refute some of that, because
14 I've seen some coming out. Now, I heard -- we counted
15 22 shots summertime, usually on the weekends.

16 CHAIRMAN PAWLINSKI: 22 shots when?

17 MR. JENKINS: Rapid fire.

18 CHAIRMAN PAWLINSKI: When, this past
19 weekend?

20 MR. JENKINS: Not this past weekend. 22, I
21 counted 15 different times, just several times in the
22 period of time, just shots, somebody just firing
23 outside of the tavern there. And you go around and
24 listen and everybody scattering, taking off in cars.
25 Police come maybe half hour later sometimes, 20

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1 minutes later, they don't know what's going on. And I
2 found out there's not much reports on these things and
3 evidence.

4 ALDERMAN BOHL: Mr. Chairman, question for
5 Ms. Townsend. I know that you have a tavern dance
6 license presently. You did not specify the type of
7 music that you are seeking. I assume that you
8 currently have that license in place now, seeing
9 as you're listed as a club.

10 MS. TOWNSEND: Um-hum.

11 ALDERMAN BOHL: Is there a specific type of
12 music that you do play in the club, or, in particular,
13 what I guess I'm looking at is if you are a club that
14 generally caters to younger persons versus individuals
15 who are in their 30s, 40s, 50s, 60s --

16 MS. TOWNSEND: Okay. I have a DJ. Is that
17 what you're asking? Yes, I do.

18 ALDERMAN BOHL: He's not playing Frank
19 Sinatra, I'm assuming?

20 MS. TOWNSEND: No.

21 ALDERMAN BOHL: R & B?

22 MS. TOWNSEND: R & B, um-hum.

23 ALDERMAN BOHL: I guess for any of the
24 neighbors, who I assume -- I'm going to guess that
25 your patrons are not coming in at 6:00, 7:00, it's

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1 probably later, 9:00 or 10:00 through closing time.
2 Are any of you witnessing patrons where you can give
3 me -- Are we talking the vast majority of patrons are
4 under the age of 30, under the age of 25, 21 to 25,
5 very young?

6 MS. BROWN: They're very young, 20 and 30, I
7 would say.

8 ALDERMAN BOHL: So they look like me.

9 MS. BROWN: Between 20 and 30.

10 ALDERMAN BOHL: Thank you.

11 MR. JENKINS: The music is geared to them.
12 Some of it's loud, way around in my bedroom, boom,
13 boom, boom. The neighbor next door asked me, "Do you
14 hear all the noise? What should we do?" Well, I
15 don't call the police. I usually take care of it
16 myself.

17 ALDERMAN BOHL: I'm actually just perplexed
18 at this point that I haven't heard complaints about
19 boom, boom, boom in car stereos. I realize that
20 that's not the most egregious thing. I'd be more
21 worried about gunshots than anything else.

22 MS. BROWN: Sir, we are concerned about
23 that, too, but the cars move on, where this is
24 happening right here.

25 ALDERMAN BOHL: I agree. I think that

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1 you're obviously addressing the more egregious of
2 problems.

3 CHAIRMAN PAWLINSKI: What I'm going to do is
4 move on to the individual who now is here to testify
5 in favor of the bar. After this gentleman is done,
6 we're going to wrap this up in the next few minutes.
7 I remember this gentleman. You were here before the
8 committee on a bartender's license several months ago,
9 as I recall.

10 MR. PHILLIPS: That's correct.

11 CHAIRMAN PAWLINSKI: I don't remember your
12 name, however. Your name and address?

13 MR. PHILLIPS: My name is Mark Phillips,
14 address 2551 North 38th Street, 53210.

15 CHAIRMAN PAWLINSKI: You're here to testify
16 on behalf of Ms. Townsend?

17 MR. PHILLIPS: That's correct.

18 (Whereupon, MARK PHILLIPS was duly
19 affirmed.)

20 CHAIRMAN PAWLINSKI: Mr. Phillips, go ahead.

21 MR. PHILLIPS: I work at Mechelle's Club
22 Riviera in the capacity of a bartender or head
23 bartender, what you would have. In response to the
24 Alderman's question about the music platform, it's
25 very similar to what is played on V-100, the radio

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1 station V-100, so there's a mix of hip-hop influence,
2 some people call it rap music, R & B. We also play
3 blues. Michelle is involved in the Great Lakes
4 Beverage Association and caters to an older crowd.
5 Also on our juke box it's probably a 60/40 mix of
6 blues, Gladys Knight --

7 CHAIRMAN PAWLINSKI: Hold on a second.
8 Ma'am, I asked for a show of hands earlier. Are you
9 guys here to testify?

10 AUDIENCE MEMBER: We didn't know we were
11 supposed to come to this.

12 CHAIRMAN PAWLINSKI: I specifically even
13 looked at you folks and said are you here to testify.
14 Are you here to testify?

15 AUDIENCE MEMBER: Not to testify but to
16 support.

17 CHAIRMAN PAWLINSKI: That's what I was going
18 to ask you. That's what I'm trying to get at, because
19 I need to do this efficiently. Are you here to
20 support the license?

21 ALDERWOMAN CAMERON: She wants to talk.

22 CHAIRMAN PAWLINSKI: I understand that. I'm
23 trying to figure this out.

24 AUDIENCE MEMBER: We want to support.

25 CHAIRMAN PAWLINSKI: We'll get to you

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1 folks in a minute. Why don't you sit down, I'll call
2 you up after Mr. Phillips is done. Alderwoman?

3 ALDERWOMAN JOHNSON-ODOM: If you will ask
4 them their addresses, please.

5 CHAIRMAN PAWLINSKI: We will, we will. Mr.
6 Phillips already gave us his address. Continue on.

7 MR. PHILLIPS: I generally open the bar five
8 nights a week. Tuesday through Saturday are the
9 nights that we're open. We open at 8:00, and we're
10 closed 1:30, 2:00 every evening.

11 Some of the issues that were raised here
12 deal with a certain segment of the neighborhood
13 population, because we are a neighborhood bar in a
14 residential area, and so a lot of the issues that
15 they're saying begin in the bar have begun earlier
16 that day, in the preceding week, preceding years about
17 people that know each other and have known each other
18 for a great period of time.

19 The incident in which Mickie, the young lady
20 who was killed in mid May, she was shot outside the
21 bar. She had been in the bar earlier that evening,
22 left. About an hour later, I was in the process of
23 closing, because it was slow, and someone said, "Did
24 you hear that?" I was like, "Hear what?" "There was
25 gunshots outside." I was like, "Yeah, I heard them."

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1 I'm kind of immune to them it. They happen throughout
2 the day. I'm sure if you check with the police,
3 there's a record of gunfire happening in the
4 neighborhood throughout the day. It's a neighborhood
5 plagued by drug activity both using and selling and
6 all of the negative social stigma that go along with
7 that. So there's a lot of issues that I feel
8 personally are being directed toward the bar and are
9 aggravated by the circumstances and situation of the
10 neighborhood.

11 There are lifelong residents in the
12 neighborhood. My grandmother lives across the alley
13 from Ms. Daisy and has lived there her whole entire
14 life. My uncle stays in the house directly across the
15 street from there. They have lived there so long, I
16 don't even know the addresses, I just go there. I
17 grew up in the neighborhood as a young child, and I
18 wasn't allowed to go outside, and that was 20 years
19 ago. So a lot of the issues that are going on right
20 now are issues of the neighborhood and issues with the
21 lack of alternative means for youth to express
22 themselves and have things to do.

23 CHAIRMAN PAWLINSKI: I understand that, but
24 I want to concentrate on the issue of the bar. Are
25 you telling the committee that it's your belief, Mr.

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1 Phillips, that the bar -- Let's look at the
2 alternative. If the bar had been closed for the last
3 year --

4 MR. PHILLIPS: If the bar had been closed --

5 CHAIRMAN PAWLINSKI: -- are you telling me
6 that the shootings -- I'm asking the questions, Mr.
7 Phillips. Are you telling me that the shootings would
8 never have occurred, or they would have occurred
9 anyway?

10 MR. PHILLIPS: They would have occurred
11 anyway.

12 CHAIRMAN PAWLINSKI: One way or the other,
13 the bar has no impact on that neighborhood whatsoever,
14 is that what you're telling me?

15 MR. PHILLIPS: No, I'm not saying that the
16 bar has no impact on the neighborhood. We have both a
17 positive and a negative impact on the neighborhood
18 just as every resident in the neighborhood has a
19 positive and negative impact on the neighborhood.

20 CHAIRMAN PAWLINSKI: So do you believe that
21 young woman would have been dead today or alive today
22 if the bar wasn't open?

23 MR. PHILLIPS: I believe what transpired
24 with that young lady would have transpired, if not on
25 that corner, on another corner on another given day.

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1 It was a situation that was domestic in orientation
2 and a situation that was ongoing.

3 There's a lot of, not really gang-related
4 activity, but there's a lot of concentration on what
5 areas you live in. PC/BC, Buffum and Chambers, Palmer
6 and Chambers. The young people in the neighborhood
7 have reserved themselves to forming little cliques and
8 enclaves based on where they stay in a residential
9 district. She lived both on Palmer and Chambers or
10 that area as well as on the other area, and her
11 activity was basically as a go-between, so there was a
12 lot of drama behind it and a lot of he say, she say.

13 CHAIRMAN PAWLINSKI: Let me see if there's
14 questions by committee members. Let's keep it
15 questions and not any kinds of comments.

16 ALDERWOMAN CAMERON: This is a question.
17 I'm appalled that you said that -- you asked the
18 question did he believe, whether the bar was there or
19 not, that the young lady would have been killed, would
20 still be alive? I'm trying to get where you're coming
21 from, because you, to me, has pre-judged the bar, that
22 it's the reason why the young lady was dead is because
23 of the bar. I do believe that the environment that
24 that bar is in is a part of the problem, and I want us
25 to be -- and we so quick to judge here, but first you

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1 got to know the environment before you can hop up and
2 look like, oh, we're creating a sin by even making
3 comments.

4 CHAIRMAN PAWLINSKI: Alderman, I asked a
5 question, and I'm sorry, but in my belief, I think
6 it's unacceptable there are shootings anywhere at any
7 time for any reason, and I'm upset about it, so I'm
8 asking Mr. Phillips questions, and he gave me a
9 straightforward answer, and I appreciate it.
10 Alderwoman, do you have a comment?

11 ALDERWOMAN JOHNSON-ODOM: This bar has been
12 a problem for about the last three years. Years ago
13 it was owned by Steve -- Steve's Riviera it was
14 called. It was a nice place for people to go who
15 lived in the community. This is not a bad community.
16 The community is bad because of this place. People
17 coming outside is coming in. People who live in the
18 area, not too many of them frequent the bar. We gave
19 her a chance last year. There were two incidents of
20 shootings, and I was here opposed to, but the
21 committee gave her the okay, but it keeps on
22 continuing.

23 It closed down after the young lady -- You
24 ask Ms. Brighten, her grandmother, how she feels about
25 her granddaughter being killed over there. She

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1 wouldn't tell you that it would have happened right
2 there or wherever if the bar was closed.

3 CHAIRMAN PAWLINSKI: I understand. Mr.
4 Phillips, I'm going to give you one quick comment
5 because there are three other people who do want to
6 testify on behalf of Ms. Townsend, so I'm going to
7 give you one last very brief comment.

8 MR. PHILLIPS: I would just like to say, a
9 lot of people today have testified about how things
10 used to be 20 and 30 years ago. The neighborhood is
11 changed, the neighborhood is different. In direct
12 response to that, Mickie's mother came down to the bar
13 the week following right after the funeral when we did
14 a memorial and a fundraiser for her and her children
15 and as well as the clothes drive, and everyone that
16 comes in that bar -- correction -- 80 percent of the
17 people that come in the bar do live in that
18 neighborhood from 2nd and Bremen down to Holton --
19 excuse me -- to Bremen and Meineke, so that's
20 basically the geographical borders. 80 percent, eight
21 out of 10 people that come in that bar are regulars
22 and come in that bar from the neighborhood.

23 CHAIRMAN PAWLINSKI: Mr. Phillips, I'm going
24 to call these folks up. There are three chairs left.
25 Ma'am, you, I believe your husband, perhaps, and the

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1 other lady that's with you, if you folks want to come
2 up to testify, now is your opportunity. You want to
3 testify, as well? Why don't we swear all four of you
4 in at the same time, so if you all can raise your
5 hands.

6 AUDIENCE MEMBER: If it's all right with
7 you, take them, but call me last, because I have a lot
8 of things to clear up that you all really doesn't know
9 anything about.

10 CHAIRMAN PAWLINSKI: We still need to swear
11 you in.

12 (Whereupon, LORISSA McCLAIN, SALLY FERGUSON,
13 BOOKER T. GARRETT, and ROOSEVELT MILTON were duly
14 sworn.)

15 CHAIRMAN PAWLINSKI: You first.

16 MS. McCLAIN: Lorissa McClain, 3111-A North
17 34th Street.

18 CHAIRMAN PAWLINSKI: And your testimony?

19 MS. McCLAIN: Well, I listened to both sides
20 here, and I can sympathize with both sides of the
21 situation. If the community won't be able to work
22 with Michelle, you know, to sort of clean up whatever
23 is going on around there, I think she should be given
24 a chance to see what she can do herself now that she's
25 presented with all the problems that's going on around

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1 there.

2 CHAIRMAN PAWLINSKI: Let me ask you a
3 question, because I think it's a fair question to ask.
4 Your address doesn't appear as if it's right near the
5 bar. Is that right, or am I wrong about that?

6 MS. McCLAIN: Right.

7 CHAIRMAN PAWLINSKI: You don't live near the
8 bar?

9 MS. McCLAIN: No, no.

10 CHAIRMAN PAWLINSKI: What is your
11 relationship to Ms. Townsend?

12 MS. McCLAIN: Well, I am a friend, and I
13 frequent her bar a few times.

14 CHAIRMAN PAWLINSKI: As a patron, okay, fair
15 enough. Questions by committee? If not, thank you
16 very much. We're going to move on with this woman
17 here and then the gentleman next to you. Your name
18 and address?

19 MS. FERGUSON: My name is Sally Ferguson,
20 3350 North 27th Street.

21 CHAIRMAN PAWLINSKI: Ms. Ferguson, go ahead.

22 MS. FERGUSON: I'm also a proprietor, and
23 I'm also a friend of Michelle's, and I'm experiencing
24 some of the same problems that she's having, and I'm
25 trying to -- Outsiders and neighbors in the

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1 neighborhood causing the same problems. We're trying
2 to solve them together under the Great Lakes Beverage
3 Association. We try to get together and discuss how
4 we can help each other to solve all these problems.
5 And basically, we can't do it by ourself. We need
6 help from you and our districts. We try to take care
7 of the inside, and we also expect to take care of the
8 outside. We need your help. We are taxpayers, and we
9 enjoy what we doing, but we still need help just like
10 Grand Avenue to keep us in business.

11 CHAIRMAN PAWLINSKI: Questions, comments by
12 committee? Thank you, Ms. Ferguson. Yes, sir.

13 MR. GARRETT: My name is Booker T. Garrett,
14 2927 North 16th Street, and I know Michelle for a
15 while. I even knowed her when she had a bar on 27th
16 and about on Martin Luther King Drive. And also my
17 ladyfriend, she own the bar, and I know like she said,
18 you do have problems, a big problem, you know, peoples
19 outside the building, you know. Because I myself was
20 going the back of my ladyfriend's place parking my
21 car, I even got shot myself in the back -- I'm still
22 carrying a bullet -- because of the drug houses and
23 things down there, you know. But what can you do?
24 You got to do something. And I reported it and
25 everything, but they ain't did nothing about it yet.

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1 It's still going on and stuff.

2 But I said Michelle, as far as I know -- I
3 mean, I know her for a while, and she keep the place
4 clean and stuff like that, you know. She done nice
5 things, and I've been knowing her for a long time.

6 CHAIRMAN PAWLINSKI: Questions, comments by
7 committee of Mr. Garrett? If not, thank you very
8 much. This gentleman has asked to come up last, and
9 I'll give you a couple minutes. Why don't you come up
10 to the table. Just for the record then, when you're
11 finished, I'm going to hear from Ms. Townsend, have
12 her make a closing statement, and then the committee's
13 going to make a decision on this matter.

14 MR. MILTON: My name is Roosevelt Milton, I
15 live at 826 West Dakota. I run Black and Tan Lounge
16 on 2074 South 9th Street. Let me clear up a whole lot
17 of things. I heard both sides of it.

18 Number one, when I was running the place in
19 Racine, I know Mr. -- and I know the gentleman here.
20 A lot of you all are new to me. When I was running
21 the place in Racine and came before the license
22 committee, I didn't even have time to say it, I got
23 100 percent vote all around the board. It was -- I
24 ran one A-1 business. I know Steve before Michelle
25 took over. Sure, it was a quiet establishment, but

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1 bars do not shoot guns, people shoot guns.
2 You can't fault the bar for what happened
3 out there in the street. Since the time that Steve
4 been gone, for a fact, I have had, you can say it time
5 after time -- I don't even live on the north side, I
6 live on the south side -- that whole block all of way
7 up to Locust ain't nothing but drug houses and
8 everything else. These things happen at 3:30 and 4:00
9 in the morning.

10 Now, on the secondhand is this: We do pay
11 our taxes, and we pays it well, for one simple reason.
12 We run a show of hands in here today. I'm going to
13 let it all hang out and hear me out. The thing come
14 on down the line is that we -- some of us a show of
15 hands, it's about five or six of us, but we do have
16 something like 32 bar members -- make a note on what
17 I'm just going to say -- 32 bar members. What we is
18 consist of Great Lakes Beverage Association, our
19 president and chairman isn't here today, but whatever
20 I'm saying, I think I can say it.

21 Our purpose, some of us belongs to as
22 members of the police association that make
23 contributions each and every year for pay raises and
24 to keep our police looking good in clean cut uniforms.
25 During the night, we had a scholarship banquet. Our

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1 goal is to send kids, take kids off the street that
2 finish school that wants to go to college. We sent
3 12 --

4 CHAIRMAN PAWLINSKI: Hold on one second. I
5 really can't -- we have other business to get to -- I
6 can't let you make a big speech on behalf of Great
7 Lakes Beverage. Listen, I really need you to focus in
8 on why you think the committee should let Ms. Townsend
9 keep her license. How are you going to refute what
10 the neighbors have told us about the shootings? You
11 got to be just that specific. I just can't let you
12 make a 15-minute speech when we got so much other
13 stuff to do today.

14 MR. MILTON: Put it this way, the point
15 about it is this, because you -- Something as
16 important as this, you should allow somebody to make a
17 15 or 20-minute speech. The lady's license is at
18 stake here. Do you understand me? I'm asking you for
19 three options, do you understand? Number one, I would
20 like to see her keep her license there, and if you
21 think it's not going to work, put her on a probation
22 license for one year.

23 CHAIRMAN PAWLINSKI: But, no, no, that's not
24 an option under the law. I got to be honest with you,
25 the law allows us to renew the license, suspend for 10

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1 to 90 days, or not renew the license. That's all we
2 have. We have no options. There's no such thing as
3 provisional probationary licenses.

4 MR. MILTON: We're speaking of the
5 neighborhood. What about if she relocate?

6 CHAIRMAN PAWLINSKI: Then she's got to
7 reapply for a separate license at a separate location.

8 MR. MILTON: What is her chances if she
9 relocate?

10 CHAIRMAN PAWLINSKI: I don't know, I don't
11 know.

12 MR. MILTON: You know something, you don't
13 know too much.

14 CHAIRMAN PAWLINSKI: All I'm saying -

15 MR. MILTON: And I'm not going to let you
16 stand up here and railroad me into --

17 CHAIRMAN PAWLINSKI: Sir, quite frankly, as
18 chairman of this committee, I'm trying to run a
19 committee that's efficient, and I'm telling you, if
20 she reapplied in a different neighborhood with a
21 different operational plan, I can't tell you what
22 would happen in that neighborhood.

23 MR. MILTON: You going to make me think
24 twice the way my dollars is going.

25 ALDERWOMAN CAMERON: Mr. Chairman.

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1 CHAIRMAN PAWLINSKI: Yes, Alderwoman.

2 ALDERWOMAN CAMERON: What would you suggest
3 now? You have described the neighborhood, and I know
4 the neighborhood. I don't know how many in this room
5 here on this committee knows the neighborhood, I don't
6 know how many besides one other person would even go
7 in the neighborhood on this committee. So it's not to
8 -- And I know, I understand where the residents are
9 coming from by being a community activist myself. The
10 point I want to know is, the neighborhood and the bar
11 is trying to work to eliminate some of the negative
12 elements that's going on in the neighborhood. Is that
13 occurring? Can you tell me, is that occurring?

14 MR. MILTON: Sure, it can occur. If the bar
15 owner and the neighborhood -- what should have been
16 did, if the neighborhood had any downfall against the
17 bar, they should have come to Michelle personally.
18 That would have been the first step. But ain't nobody
19 took that step. You all haven't heard a thing all
20 these years until today.

21 ALDERWOMAN CAMERON: Well, we had some
22 complaints and some concerns last year about it. But
23 as we say and I say, that one of the things that I
24 look at is that yes, a neighborhood meeting should
25 occur, yes, they should have told her, yes, her and

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1 the neighbors and the alderman should have been
2 meeting. Maybe it did occur, maybe it didn't, but we
3 don't have any indication that it did occur, and yes,
4 we do have a problem in that neighborhood. Whether
5 that is coming from the bar or whether the bar is 80
6 percent of the problem, we was hoping you all would
7 give us that answer. I do have some kind of idea, but
8 that's not for me to say.

9 MR. MILTON: Yeah. I don't think it's the
10 bar, I think it's the neighborhood itself. From the
11 time Steve was here --

12 AUDIENCE MEMBER: Hey, you wrong.

13 MR. MILTON: -- it was altogether different.
14 It's a whole new different ball game now, you
15 understand me, that is coming through there.

16 CHAIRMAN PAWLINSKI: Mr. Miller, I'm going
17 to ask you to wrap it up, because we do need to make a
18 decision.

19 MR. MILTON: All right.

20 CHAIRMAN PAWLINSKI: Alderwoman, I'm going
21 to give you a comment, I'm going to give Ms. Townsend
22 an opportunity to address the committee.

23 ALDERMAN GORDON: Mr. Chairman. I wasn't on
24 this committee when this license came before a year
25 ago, and you had indicated, Alderwoman Johnson-Odom,

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1 that you objected to the renewal at that time,
2 correct?

3 ALDERWOMAN JOHNSON-ODOM: Yes, I did.

4 ALDERMAN GORDON: Since that time, let me
5 find out whether or not there was a suspension that
6 went along with the renewal of the license at that
7 time. Is that what happened? There's never been a
8 suspension at all regarding this license?

9 ALDERWOMAN JOHNSON-ODOM: That's right.

10 COMMISSIONER GORDON: And since the time
11 that you appeared last year, has there been any
12 communication or any meeting with residents regarding
13 this particular establishment?

14 ALDERWOMAN JOHNSON-ODOM: Officer Scott's
15 been working with them. He called. He said that the
16 License Division had the report. People have called
17 me the last time when that young lady was killed, and
18 it was the next morning. They called me around 7:00
19 in the morning. I called the police department. I
20 don't know why they don't put these in there anymore.
21 They haven't done that for a couple of years.

22 ALDERMAN GORDON: But the question is that
23 since the homicide that took place in front of the
24 bar, there's been no attempt to bring the licensee and
25 the residents surrounding the bar together to talk

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1 about that particular incident or other incidents that
2 are already indicated in this report?

3 ALDERWOMAN JOHNSON-ODOM: Not with me, with
4 the police department. But I tell you, I have 100
5 bars. How in the world am I going to go to all of
6 them? They're supposed to know their business,
7 they're supposed to know what to do. I would just
8 like to defend the neighborhood. That neighborhood
9 isn't any worse than any other neighborhood. Now, if
10 there are some drug houses in there, they let me know,
11 and I call the vice squad, and they send me a report
12 whether they're investigating or whatever. There are
13 not that many, and it's not a bad neighborhood.

14 What makes it bad is that bar. If that bar
15 would go away, it wouldn't be bad. It would come
16 back. It's a block away from the highrise of Holton
17 Terrace. The people over there are afraid. They're
18 elderly. They used to have, when Barbara White was
19 with her, they were trying to do some things with the
20 neighborhood, then Barbara went out of it about three
21 years ago, the whole thing has gone kaput. I don't
22 know why, but nobody who's here speaking for it lives
23 in that neighborhood, so how do they know about the
24 neighborhood? I'm not afraid to go into that
25 neighborhood.

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1 ALDERMAN GORDON: I have a question of Ms.
2 Townsend. My question is, after the shooting took
3 place in which the young woman was killed, Alderwoman
4 Johnson-Odom indicated that there was an officer
5 assigned from the 5th District to work with you or to
6 work on issues concerning the bar; is that correct?

7 MS. TOWNSEND: I have not heard from any
8 officer or anything regarding that. Regarding the
9 young lady that did get killed there has been a
10 customer of my bar, her mother and I, we were all at
11 the funeral and everything. Close relationship. I
12 have not heard what an officer -- and she's stating
13 from last year. I wasn't even down here last year. I
14 didn't have to come in front of the board last year.

15 ALDERMAN GORDON: So you've had no
16 intervention from any police officer from District 5
17 or any other district in the City of Milwaukee
18 regarding the incidences that have happened in this
19 neighborhood regarding this license, this bar?

20 MS. TOWNSEND: No. And she was saying
21 contacting her, Alderman Johnson contacting regarding
22 -- It was calls to you several occasions, and I
23 received a letter from you, because I responded
24 regarding a letter that you sent me on the 4th saying
25 that she had a lot of complaints regarding my business

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1 back in February, and then you sent another letter
2 dated February 4th disregarding the letter that you
3 sent at first that everything was going okay.

4 And it says, "I sent a letter dated February
5 4, 2002 to inform you of the type of complaints that I
6 received about your licensed establishment in the
7 district. This letter was sent with the intent to
8 inform you of the type of complaints my office has
9 received in the past. I received such a rousing
10 response to the letter, I need to let you know that so
11 far this year, we have not received any complaints
12 about your business. I hope it continues to be
13 favorable, and I'd like to support you with all your
14 renewal requests. If I should receive a complaint
15 from your neighbors, I will contact you by phone."
16 And I haven't heard anything from you.

17 ALDERWOMAN JOHNSON-ODOM: That was sent to
18 every tavern, the same thing, form letter.

19 CHAIRMAN PAWLINSKI: Ms. Townsend, I want to
20 give you an opportunity to address the committee now.
21 As soon as you're done, we're going to make a decision
22 on what to do with your license.

23 ALDERMAN BOHL: Mr. Chairman, I just have
24 one follow-up question to Alderman Gordon's question.

25 CHAIRMAN PAWLINSKI: Go ahead.

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1 ALDERMAN BOHL: Ms. Townsend, you responded
2 and the question was raised by Alderman Gordon as to
3 an appearance or potential appearance last year. I
4 believe from September through December of last year
5 I also was not on the committee for that interim
6 period. You indicated that last year you did not
7 appear before the licensing committee?

8 MS. TOWNSEND: No, no.

9 ALDERMAN BOHL: There must have been a
10 snafu.

11 CHAIRMAN PAWLINSKI: I don't recall her
12 appearing before this committee either, and I've got a
13 pretty good memory. I mean, I remember Mr. Phillips.
14 What I'm saying is it's possible the License Committee
15 would have sent her a warning letter.

16 ALDERMAN BOHL: Mr. Chairman, I don't recall
17 if I've made this motion yet, but I would like to move
18 that the entire police report, if I haven't, be made
19 part of the record.

20 CHAIRMAN PAWLINSKI: So moved. Is there any
21 objection to that? Hearing none, so ordered. Ms.
22 Townsend, now is your chance.

23 MS. TOWNSEND: Okay. Like I say, regarding
24 my business is that I worked with a lot of the people
25 in the neighbor -- when I see the patrons, they come

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1 in the bar, and I'm constantly, you know, counseling
2 please leave the bar quiet. And a lot of things that
3 happen outside the bar, I have no control of it, you
4 know, because if gunshots are fired, I am calling the
5 police. Majority of the times when the gunshots are
6 fired, I call the police. My life is, you know, is
7 there, too. I'm walking out, you know, and gunshots
8 are fired or whatever, I tried to keep the bar closed.
9 If I know something's going on, there's been a big
10 fight or a drug bust, I close the bar, I don't even
11 open the bar up, because I know a lot of times they
12 come and retaliate, and if my customers are there, I'm
13 looking out for them, too.

14 Regarding my neighbors in the neighborhood,
15 like I say, I'm there constantly, mostly every day
16 that I'm there. If I'm not there during the daytime,
17 my lunch hour I'm down there, and if someone needed to
18 talk to me, if they had any problems, I have an open
19 door policy. That's with my alderman, too. I have
20 not heard from you or, you know. And I feel that I
21 run a good establishment, it's just that I cannot
22 control every attitude, every customer, you know, I
23 just can't do it. And like I have been there for five
24 years, and I have been the longest licensee there
25 since Steve has not ran it, because there has been

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1 other people there, Chantrell's and Larry's and
2 whatever. I have been the longest one there, and I
3 feel that my customers I have a lot of respect for,
4 they have respect for me, but once that bar is closed
5 and they are leaving, I try my best to get them out of
6 there.

7 And the gunshots, there's no gunshots in
8 that bar, they outside, because I do not allow
9 weapons, drugs, or anything in the bar. So if you
10 closing my bar, I don't foresee that the gunshots
11 would stop because of the bar, I don't foresee that
12 that's what's going to happen. It's just that we have
13 to work with the neighborhood and try -- That's the
14 only thing I can say, just try to work with my
15 neighbors.

16 CHAIRMAN PAWLINSKI: Okay. This matter is
17 now in committee. It's up to the committee to make a
18 recommendation.

19 ALDERMAN GORDON: Mr. Chairman.

20 CHAIRMAN PAWLINSKI: Alderman Gordon, go
21 ahead.

22 ALDERMAN GORDON: Thank you. There's some
23 murkiness about the situation that probably will come
24 out at some point in terms of why the licensee did not
25 appear before this committee, or there's a lapse of

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1 evidence that suggests that she did, but it seems to
2 me that there's been not a lot of opportunity for
3 residents and the licensee to talk about the issues
4 involving this establishment. We have three
5 incidents, two on the same night or morning, which
6 involve large numbers of people and alleged gunplay,
7 and to the extent that some of this can be alleviated
8 or at least curtailed, there has to be communication
9 between the residents and the licensee.

10 Now, there's been no discipline exerted upon
11 this licensee at this point in time, so I'm going to
12 make a motion, Mr. Chairman and committee members, to
13 renew the license with a 45-day suspension, which will
14 allow for several things to take place. The first
15 thing is that a meeting needs to be held between
16 residents in this area and the licensee and the
17 alderperson, because generally when there is gunplay
18 involved and someone gets shot, someone gets killed,
19 particularly in this particular situation, that
20 usually results in a revocation proceeding. And to
21 the extent that that didn't happen, I think that now
22 is the appropriate time for residents and the licensee
23 to come together to work out the issues involving this
24 particular establishment.

25 The second thing is that since there's been

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1 no discipline exerted upon this particular licensee,
2 this committee generally has a progressive discipline
3 policy in that certain things take place based on
4 certain facts. We don't have all the information that
5 we should have relative to the incidences that have
6 taken place, and there's been contradictory testimony
7 proffered thus far regarding some of these concerns.
8 So I think that that, at least in my mind, gives some
9 deference to the licensee to work out these issues
10 with the residents in the neighborhood and the
11 alderperson.

12 And then thirdly, this establishment needs
13 to be fixed, obviously. You've got bullet holes,
14 you've got broken fences, you've got things that have
15 been testified to by the residents. So I think that
16 this will give the licensee the opportunity to work on
17 getting the establishment back in shape, fixing the
18 bullet holes or seeing that they're at least covered
19 to some degree, fixing the fence that has been a
20 source of contention for residents and was testified
21 to. And so that's my motion at this time.

22 CHAIRMAN PAWLINSKI: Committee members,
23 you've heard the motion from Alderman Gordon, a motion
24 for renewal with a 45-day suspension. Any comments on
25 that motion? I'm just going to hand the gavel over to

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1 Alderman Gordon and just briefly make a comment.
2 While I respect Alderman Gordon's tenure on this
3 committee and his willingness to look at this from the
4 perspective of both parties, I personally just think,
5 while I know 45 days is a severe penalty, I'm not
6 satisfied because I really believe that while the
7 committee has had the philosophy of going towards
8 progressive discipline, we're not required to do that,
9 and I really believe that the bar should be closed, I
10 would prefer that we make a recommendation onto the
11 full Common Council for nonrenewal.

12 My point being that I listen to these
13 neighbors that come down to testify that they have to
14 sleep in a back bedroom because they're fearful of a
15 bullet flying through the front room, that they have
16 to literally move their children around the house
17 because they're fearful of one of their children
18 getting killed or shot. We have a situation in which
19 there were gunshots fired at a police officer. If one
20 of those children were killed or shot or a police
21 officer was shot or killed, this wouldn't even be a
22 debate. We would have shut that bar down through a
23 revocation hearing.

24 I'm familiar with that neighborhood. My
25 grandparents are from that neighborhood. They passed

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1 away about 10 years ago. They're from the 2900 block
2 of North Weil. I know that Riverwest area very, very
3 well, and I think it is a wonderful neighborhood, a
4 neighborhood that, quite frankly, doesn't deserve to
5 have these kinds of shooting and this kind of behavior
6 going on. I believe the bar is an attractive
7 nuisance, that people are attracted to the
8 establishment, they're going there, they're getting
9 involved in gunplay. To me, it sounds like the OK
10 Corral, and I just think that it's unacceptable for
11 any neighborhood in any portion of this city. I hear
12 these neighbors, and I sympathize and empathize with
13 them, and I don't think it's the responsibility of the
14 neighbors to go to the bar owner. I think the bar
15 owner knows exactly what was going on at that place
16 and continued to let it happen.

17 You set the tone for your establishment, and
18 if you're playing hard heavy core rap music, I think
19 the kind of people who quite frankly are involved in
20 these kinds of activities are attracted to that kind
21 of music and entertainment, and I think you were
22 asking for it. I just really feel that it's our
23 obligation to that neighborhood to do something more
24 punitive to the bar. So those are my comments on the
25 motion.

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1 VICE-CHAIRMAN GORDON: On the motion,
2 Alderman Bohl.

3 ALDERMAN BOHL: Mr. Chairman, I would concur
4 with Alderman Pawlinski 100 percent. I have extreme,
5 extreme concerns time and again when I hear applicants
6 come before us and indicate that they are responsible
7 only for any problems that go up to their doorway.
8 Clearly the concerns that have been exemplified by the
9 neighbors here have reached a level, in my view, that
10 speaks of no concern. Now, I will concur with the
11 maker of the motion, Alderman Gordon, inasmuch as I
12 feel that there should have been more interaction or
13 play in the interim time, however, I think that the
14 level of concern for the welfare and safety of the
15 neighborhood and the residents who live there have
16 reached beyond a boiling point, and I believe that,
17 without any reservation, that a strong and very
18 significant portion of that has been drawn to that
19 neighborhood by the establishment here before us
20 today, and so I will also not support that motion in
21 hopes that there is something that is considerably
22 stronger.

23 ALDERWOMAN CAMERON: Mr. Chairman.

24 VICE-CHAIRMAN GORDON: On the motion,
25 Alderwoman Cameron.

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1 ALDERWOMAN CAMERON: I'm going to support
2 the motion. Furthermore, Weil is not close to this
3 neighborhood. I think that maybe that it's not -- I
4 know it's not a bad neighborhood. I used to live over
5 in that area, too. It's not a bad neighborhood, but
6 the environment this bar is in creates a different
7 arena than the average person is willing to testify
8 to. I think what is happened that the neighbors --
9 this is just not been going on, and most of their
10 testimony was from years ago, that I think they missed
11 the opportunity because someone didn't share with them
12 they had the opportunity to come in front of this
13 committee years ago. They had it all the time. They
14 should have been giving us history. All of a sudden,
15 they saying that things have gotten so bad.

16 No one have notified us regarding any
17 shooting that was done, we don't have the police
18 record, we don't have the fact that they've been
19 working with the neighborhood group, which is Harambe
20 right down the street, which is Riverwest right on the
21 other side about three blocks down. I think it's
22 Holton -- whatever community center it is. It's a lot
23 of opportunities. I don't know if the neighbors and
24 the merchant is getting long. I think what has
25 happened here, that to suspend this license -- not

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1 renew this license and to not go along with the
2 suspension would be totally, I think would be
3 inappropriate. I think we should suspend it, and if
4 it do come back next year, yes, we will have no choice
5 but to not renew this license, because we given them
6 an opportunity to try to clean up the problem that is
7 occurring there. And in this 45 days, we should see,
8 since everybody saying that the bar is the problem, in
9 this 45 days you will see, well, did these crimes go
10 away? And if they didn't, well they're not going to
11 even be open for a whole year. So 45 days you will
12 see the problems didn't go away. And this
13 neighborhood might need this bar to help them
14 eliminate the problem.

15 CHAIRMAN PAWLINSKI: I think we're going to
16 deadlock. Do you want to take the vote anyway?

17 VICE-CHAIRMAN GORDON: You've heard the
18 motion, and it appears that we are deadlocked two,
19 two. Therefore, the motion fails.

20 CHAIRMAN PAWLINSKI: The matter is still in
21 committee. Is there another motion?

22 ALDERMAN BOHL: Mr. Chairman, I will
23 probably propose another deadlocked motion. I will
24 move for nonrenewal of both licenses at this point.

25 CHAIRMAN PAWLINSKI: Of both -- What do you

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1 mean?

2 ALDERMAN BOHL: There is a Class B Tavern
3 and Tavern Dance.

4 CHAIRMAN PAWLINSKI: The motion then from
5 Alderman Bohl is a motion of nonrenewal. I'm actually
6 going to support that. Alderman Cameron, Alderman
7 Gordon, are you objecting to that motion?

8 ALDERWOMAN CAMERON: Yes, I do.

9 CHAIRMAN PAWLINSKI: Alderman Gordon?

10 ALDERMAN GORDON: I'm not objecting.

11 CHAIRMAN PAWLINSKI: You are or you're not?

12 ALDERMAN GORDON: I'm not.

13 CHAIRMAN PAWLINSKI: Then the motion is for
14 nonrenewal. That is the recommendation onto the City
15 Council for the 24th of September. The matter does
16 carry on a three-to-one vote for nonrenewal. Ms.
17 Temple, anything you want to inform the applicant?

18 MS. TEMPLE: I'm sorry, what was the vote?

19 CHAIRMAN PAWLINSKI: The vote was three to
20 one for nonrenewal. Ms. Townsend, why don't I inform
21 you that you will have an opportunity to appeal that
22 decision onto the full City Council on the 24th of
23 September at approximately 9:00 a.m. You will be
24 notified in writing of your right to appeal. You get
25 to appear before the City Council, and you get to make

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1 a statement to the city counsel for five minutes, at
2 which point members of the City Council may ask you
3 questions, you get a five-minute statement, and then
4 we'll ask you questions and proceed on from there.
5 But if you want to appeal the decision of this
6 committee, you may do so at that date on the 24th, and
7 you will be notified in writing. Thank you.

8 ALDERMAN BOHL: Mr. Chairman, I think that
9 you would also have to convey that she will be
10 receiving findings of fact from the City Attorney's
11 Office.

12 CHAIRMAN PAWLINSKI: What that means is that
13 the City Attorney's Office will be mailing you a
14 document detailing what happened today and what the
15 testimony was that we heard and how we rendered our
16 decision based on the police report and the
17 neighborhood objections, at which point during that
18 five-minute presentation, you can refute that
19 information. So you will have the document with you
20 when you appear before the City Council.

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