

CITY OF MILWAUKEE

UTILITIES & LICENSES COMMITTEE

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In the Matter of:

HANA ASSAD, Agent For H. H. Assad, LLC,
 Class A Liquor Application for Parkside Liquor
 And Grocery at 2700 North Murray.

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COMMITTEE MEMBERS

ALD. TERRANCE HERRON - Vice-Chairman

ALD. JAMES BOHL

ALD. ROSA CAMERON-ROLLINS

ALD. ANGEL SANCHEZ

LICENSING DIVISION by LEO WAGNER

NEIGHBORHOOD SERVICES by PANDORA T. BENDER

HEALTH DEPARTMENT by PAUL W. ZEMKE

POLICE DEPARTMENT by SEARGENT JOHN HOGAN

OFFICE OF THE CITY ATTORNEY by ATTORNEY BRUCE SCHRIMPF

Proceedings had and testimony given in
 the above-entitled matter, before the UTILITIES &
 LICENSES COMMITTEE OF THE CITY OF MILWAUKEE, on
 the 23rd day of January, 2001.

MILWAUKEE REPORTERS ASSOCIATED, INC.

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EXHIBIT

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P R O C E E D I N G S

VICE CHAIRMAN HERRON: Moving on to the 2:00 o'clock agenda at 2:50. Han -- Hana Assad, Agent for H. H. Assad, LLC, Clase A liquor application for Parkside Grocery -- Parkside Liquor and Grocery at 2700 North Mayberry -- North Murray, I'm sorry. Um, Health Department.

HEALTH DEPT: Health Department does need an inspection of the premises.

VICE CHAIRMAN HERRON: Department of Neighborhood Services?

HEALTH DEPARTMENT: She indicated she had no objection.

VICE CHAIRMAN HERRON: Okay. Hana, can you raise your hand, please?

HANA ASSAD, being duly sworn, testified as follows:

VICE CHAIRMAN HERRON: Do you admit receiving a notice of this meeting with the possibility that your license may be denied due to an objection from the neighborhood?

THE APPLICANT: Yes, I did.

VICE CHAIRMAN HERRON: Okay. Um, the neighborhood objection is to an overconcentration of liquor outlets in the area, to an increase in

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excess of college age drinking and parties
already in the neighborhood. That liquor sales
will attract or increase noise, littering,
drunks, vandalism, underage drinking, traffic
disturbances and crime, and that this is an unfit
location for liquor sales. Um, with that,
there's no police record here. Why don't we move
on then to you. Give us your opening remarks, or
Mr. -- Attorney --
MR. GIMBEL: Yes. Thank you very much,
Mr. Chairman. My name is Frank Gimbel, and my
partner, Mike Guerin. And we're here
representing the Assads. This is a location
which has had a full Class A liquor license for
thirty years. In 1999, the Assad family and the
young lady to my right bought this property and
closed it for a period of time to make
substantial renovations to the property. At the
time that they reopened, in concert with the
alderman, they limited their Class A license to
fermented malt liquor sales. They began to seek
to take the license back to what it had been
originally, in the predecessor owner's operation
prior to that time. There was a hearing that was
commenced by the predecessor committee, meaning

1 your committee, but with a different cast of
2 aldermen members. That, for one reason or
3 another, was aborted mid stream and put over --
4 it was tabled, and today this is a return to the
5 subject matter.

6 We have with us today, a number of
7 different neighbors who are prepared to give
8 their testimony in support of your affirmative
9 action on this application. Also with us today
10 are the two building owners who can give
11 testimony to their experience and their operation
12 of this business with the predecessor owner and
13 with the Assad family and compare and contrast
14 the operation that's currently ongoing with the
15 prior owner, and I think their testimony will be
16 that the business is vastly improved in -- in
17 both physical and in spiritual operation.

18 VICE CHAIRMAN HERRON: Thank you, Mr.
19 Gimbel.

20 MR. SCHRIMPF: Mr. Chairman?

21 VICE CHAIRMAN HERRON: Attorney
22 Schrimpf?

23 MR. SCHRIMPF: I'm a -- I'm a little
24 confused by Mr. Gimbel's comments. Am -- because
25 you used the term "Class A liquor," and this is a

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Class A liquor and malt. Is this currently a Class A malt operation?

MR. WAGNER: Yes. This is cur --

MR. SCHRIMPF: All right. And --

MR. WAGNER: Yes. This is currently a

Class A malt application. What we do if somebody

wants to upgrade to liquor --

MR. SCHRIMPF: Okay.

MR. WAGNER: -- we have them actually

apply for both because then those two licenses

would run concurrently --

MR. SCHRIMPF: All right.

MR. WAGNER: -- otherwise we'd have

renewal dates for beer separate from renewal

dates for alcohol.

MR. SCHRIMPF: Okay. So, what you're

seek is -- so that I understand this completely,

you're seeking a new license to include beer and

liquor. Currently, it's just beer?

MR. GIMBEL: That is correct. As Mr.

Wagner said, it's an upgrade, I guess. That's

what you call it in your office, and I'll accept

that word.

MR. SCHRIMPF: Well, in the sense that

now they can sell liquor in addition.

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VICE CHAIRMAN HERRON: All right.

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We're going to go to Alderman D'Amato, then we're going to take witnesses both for, and I assume, against. So, Alderman D'Amato, do you want to have some opening remarks on this?

6

ALDERMAN D'AMATO: Thank you. I would.

7

MR. GIMBEL: We have a certain witness we'd like to get on. He's a police officer --

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ALDERMAN D'AMATO: Okay. They do have someone that they know has to leave right away, and I will defer my remarks until after he goes.

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VICE CHAIRMAN HERRON: Okay.

13

MR. GIMBEL: Mr. Heidemann has to go to work, and I cleared that with Alderman D'Amato before.

14

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VICE CHAIRMAN HERRON: Sure. Sir, can you raise your right hand, please?

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(Whereupon, the witness was duly sworn.)

19

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VICE CHAIRMAN HERRON: Go ahead.

21

MR. GIMBEL: Can you state your name for the record, please?

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23

MR. HEIDEMANN: First name's Ryan, R-y-a-n. Last name's Heidemann, H-e-i-d-e-m-a-n-n.

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MR. GIMBEL: And are you employed, sir?

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MR. HEIDEMANN: Yes, I am.

MR. GIMBEL: How are you employed?

MR. HEIDEMANN: By the City of

Milwaukee, Milwaukee Police Department.

MR. GIMBEL: And where do you currently

reside?

MR. HEIDEMANN: At 2634 North Murray,

Apartment No. 1.

MR. GIMBEL: Could you tell the

committee, please, Officer Heidemann, where your

residence is in relationship to the -- ah -- ah--

license applicants?

MR. HEIDEMANN: It's about a quarter of

a block away.

MR. GIMBEL: Have you had occasion to

shop at this store?

MR. HEIDEMANN: I stop in the store

probably about two to three times a week, since

it's so close, I don't have to get in my car and

run to the store, I can just stop and get little

things I need for dinner or whatever, there.

MR. GIMBEL: Have you made any

observations of the method of operation of this

store that concerns you as a neighbor of this

operation?

1 MR. HEIDEMANN: Everything I've seen
2 every time I'm there, he seems very responsible.
3 He's always there. The owner's there every time
4 I go there. Um, seen him card people for beer
5 and cigarettes numerous times that I wouldn't
6 even consider carding. Um, he just seems like
7 he's very responsible.

8 MR. GIMBEL: Do you think, Officer
9 Heidemann, that if this committee were to
10 recommend to the Common Council that the Class A
11 fermented malt beverage be upgrade to a Class A
12 liquor license that that would create any
13 problems in the neighborhood?

14 MR. HEIDEMANN: For me, it wouldn't. I
15 don't -- to me, the neighborhood, as I see,
16 really isn't too many, per se, college kids.
17 Most of the people living in my building and the
18 area around that I've seen, are younger
19 professionals with careers that maybe attend
20 college, but aren't young people that are going
21 to party all night long or anything. I think
22 that's more concentrated -- more concentrated --
23 ah -- on the north side of Locust Street.

24 MR. GIMBEL: And does this store, based
25 on your visits to it and in your observations of

the operations of the store, have a full line of groceries for sale?

MR. HEIDEMANN: Yes.

MR. GIMBEL: That's all I have.

SERGEANT HOGAN: Mr. Chairman?

VICE CHAIRMAN HERRON: Thank you, Mr.

Gimbel. Ah, Sergeant Hogan?

SERGEANT HOGAN: Mr. Heidemann, Mr.

Gimbel keeps referring to you as "Officer". Are you here as a police officer?

MR. HEIDEMANN: No, I'm not. I'm here

as a neighbor.

SERGEANT HOGAN: You're not on duty at

this time?

MR. HEIDEMANN: Nope.

SERGEANT HOGAN: Okay. You're

testifying as a neighbor, not an officer?

MR. HEIDEMANN: Correct.

VICE CHAIRMAN HERRON: Thank you,

Sergeant, for that clarification.

MR. GIMBEL: It wasn't my intent to

deceive you.

SERGEANT HOGAN: Of course not.

My predecessor is spinning even as we

speak.

1 MR. SCHRIMPF: Exactly my observation.

2 VICE CHAIRMAN HERRON: We're going to
3 go to Alderman D'Amato and --

4 ALDERMAN D'AMATO: Thank you very much,
5 Mr. Chairman.

6 VICE CHAIRMAN HERRON: One -- one
7 moment, Alderman. Do you have a question of this
8 witness, Alderman Bohl?

9 ALDERMAN BOHL: I had a question.

10 VICE CHAIRMAN HERRON: Sir -- Sir, can
11 you come back for one moment, please. Alderman--

12 ALDERMAN BOHL: And I guess if this --
13 and I understand that -- that you're one of
14 Milwaukee's finest and -- and need to get out to
15 your job here. Um, just for my own benefit,
16 because I will tell you that -- that I -- that I
17 -- I will not purport to say that I know the East
18 Side very well. In terms of the distance of --
19 of this establishment from UWM's campus, and I
20 mean the immediate campus, not -- not the
21 vicinity around where we have individual housing
22 -- um -- how far would you say that that is?

23 MR. HEIDEMANN: Approximately eight
24 blocks to the north.

25 ALDERMAN BOHL: Eight blocks.

ALDERMAN D'AMATO: Four blocks, just

for the record.

VICE CHAIRMAN HERRON: Thank you for

that clarification, Alderman.

ALDERMAN BOHL: Okay. Thank you.

VICE CHAIRMAN HERRON: Any other

questions, Alderman Bohl?

MR. GUERIN: Somewhere between four and

eight blocks.

ALDERMAN D'AMATO: No, I can show that

it's four blocks.

VICE CHAIRMAN HERRON: Alderman

D'Amato, why don't we have your opening comments

here?

ALDERMAN D'AMATO: Thank you very much,

Mr. Chairman.

VICE CHAIRMAN HERRON: Thank you.

ALDERMAN D'AMATO: I thank the

committee for speeding up its hearing to -- ah --

um -- make up for the time it lost this morning.

I want to talk a little bit about the

history that Mr. Gimbel referred to. This

building was long time the home of Riverside

Drugs, and as many of us know -- um -- drug

stores -- corner drug stores used to be evident

1 all over the city and because of economics and
2 other things, the corner drug store is a thing of
3 the past. Mr. Wagner can tell you that as part
4 of almost each and every one of those corner drug
5 stores, they all had liquor licenses. It doesn't
6 mean that they were liquor stores, but they had
7 little places in the corner where they kept pints
8 and half pints of liquor -- um -- you know, a
9 different kind of medicine for a different kind
10 of illness, and -- um -- and that was a tradition
11 in this -- in this city. Um, the last time we
12 converted one of these corner pharmacies to a
13 liquor store, gave them a liquor license, was
14 when we did so several years ago at the old --
15 the old Oriental Pharmacy on Farwell and North at
16 which time someone said we will -- you know,
17 we're going to continue this license, it's been
18 licensed for thirty years, don't worry about it,
19 we're going to have the same amount of liquor as
20 they did -- um -- back then, which is a little
21 shelf in the -- in the corner -- um -- and lo'
22 and behold, six months later, this was a full
23 blown five thousand square foot liquor store.
24 The conversion of these to full liquor stores is
25 not something that can be controlled by this

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committee. If we give someone a liquor license, they don't have to sell a bag of chips if they don't want to. They can open a liquor store. And what we're talking about here is not whether the Assads run a good business, whether the Assads run a bad business, what we're talking about is the adequacy of this location for a liquor store. The burden is on a new license and not the old license. We will not bring up people here -- um -- for the likelihood, although there might be some witnesses who don't like the way they do things, we won't be bringing people here to say the Assads are bad people. We won't be bringing people here to say that they run a bad establishment. What we'll be saying is that this liquor store is not necessary for the neighborhood. That one who lives anywhere between Lake Drive and the river, and North Avenue and Edgewood in -- on the East Side of Milwaukee doesn't have to walk any more than four blocks to get to a liquor store. And any -- any acceleration of liquor licenses from malt licenses will cause five or six places to also apply, and we will be inundated with alcohol. I'm going to pass these pictures around

1 for you that we had taken just to show you the
2 context of this building. This is a single
3 commercial building in a residential
4 neighborhood. It's not a commercial strip. It's
5 -- it's not anyplace in which a liquor store
6 would most likely be seen.

7 VICE CHAIRMAN HERRON: Hold on. Hold
8 on. Slow down. Excuse me one second, Alderman.
9 You want to show those pictures first to Attorney
10 Gimbel and have him have a chance to review them
11 before you pass them over to us.

12 MR. GIMBEL: Thank you very much, Mr.
13 Chairman.

14 ALDERMAN D'AMATO: They -- again, as
15 you'll see, there are houses surrounding the
16 liquor store. I don't show you them to -- to
17 look at the dumpsters overflowing. I don't show
18 you them to see that there's not a sign with the
19 name of the business up there, even though
20 they've been operating for almost two years now.

21 MR. GIMBEL: I don't think that is --

22 ALDERMAN D'AMATO: I show you -- I show
23 you these photos just to give you the context of
24 the neighborhood they're in.

25 VICE CHAIRMAN HERRON: Alderman

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Sanchez.

ALDERMAN SANCHEZ: Quick question.

Just -- Alderman D'Amato, can you please tell us on what corner, what intersections Murray and --

ALDERMAN D'AMATO: Corner of Park and

Murray.

ALDERMAN SANCHEZ: And where is that in

relationship --

ALDERMAN D'AMATO: Park and Murray

would be -- ah -- ah -- Murray would be two

blocks east of Oakland Avenue, and Park would be

two blocks south of Locust Street.

ALDERMAN SANCHEZ: South. Okay.

ALDERMAN D'AMATO: So, between --

between Locust and North, between Maryland and

Oakland.

VICE CHAIRMAN HERRON: Attorney

Schrimpf, do you have any problem with accepting

these pictures into the record?

MR. SCHRIMPF: No. I mean, if there's

no --

MR. GIMBEL: There's no objection.

MR. SCHRIMPF: -- objection. All

right. That's fine. I --

VICE CHAIRMAN HERRON: Then there will

1 be a motion by Alderman Sanchez to accept the
2 pictures into the record. Any objection to that?
3 Hearing no objection, we'll look at the pictures.
4 Go ahead, Alderman D'Amato.

5 ALDERMAN D'AMATO: Thank you, Mr.
6 Chairman. Um, so I would just have you keep in
7 mind as we listen to testimony both for and
8 against, that the burden here is -- is on the
9 applicant to say that there's a need for liquor
10 here, that liquor -- more liquor is a good thing,
11 that people are being underserved, and I will say
12 that that is not the case. Um -- ah, leading me
13 to the concentration map, which I hope each of
14 you have in your files, and if you don't, I -- I
15 guess I will --

16 VICE CHAIRMAN HERRON: No, I don't
17 believe --

18 ALDERMAN D'AMATO: -- provide you with
19 the one that I have.

20 VICE CHAIRMAN HERRON: We don't have
21 that in our file.

22 ALDERMAN D'AMATO: Or if Barry Sullivan
23 is watching -- Barry, bring up copies for the
24 committee -- um, and what you'll see --

25 MR. SCHRIMPF: I expect in about two

minutes, Mr. Sullivan.

ALDERMAN D'AMATO: -- what you'll see

is that there are thirty-three liq -- licensed

establishment within a mile radius of this

location. You'll see that -- um -- there's a

concentration of alcoholic -- alcohol outlets on

the corner of Locust and Oakland. There's a

concentration on the Downer Avenue strip, which

is -- um -- in the area of Park -- between Park

and Webster on Downer Avenue, and in and around

North Avenue between Prospect and Oakland. Um,

there are three liquor stores in that area, two

liquor stores that are not shown because they're

just beyond the border -- um -- and two Class A

mail Open Pantries that are just beyond the

border, so those aren't shown. And I want to --

I'll pass this around, so you can look at it --

VICE CHAIRMAN HERRON: Hold on. Hold

it.

ALDERMAN D'AMATO: -- while you're

getting them --

VICE CHAIRMAN HERRON: Why don't you

first give those to Attorney Gimbel and let him

review that.

MR. GIMBEL: I have not seen this at

1 all.

2 VICE CHAIRMAN HERRON: Al -- Alderwoman
3 Rollins, do you have a question?

4 ALDERWOMAN CAMERON-ROLLINS: Yes,
5 because I was going to say, could we take a --
6 could we take a moment to let someone give us a
7 copy of it, and as well, let the attorney see it.
8 Just give us a minute, 'cause you're making
9 statements, and asking us to look at something,
10 and we have not been able to have that.

11 ALDERMAN D'AMATO: I understand that.

12 ALDERWOMAN CAMERON-ROLLINS: Could we
13 just take a minute?

14 VICE CHAIRMAN HERRON: I don't -- I
15 don't think -- um -- attorneys are going to
16 object to those being entered into the record,
17 are you?

18 MR. GIMBEL: The facts are the facts.

19 VICE CHAIRMAN HERRON: Right.

20 MR. GIMBEL: I mean I'd have some
21 comments about it, but I'd like it in front of me
22 when I make those comments, but I don't think
23 that I'd want to do it until you've had an
24 opportunity to share the same information with
25 me. Have you got a copy for me?

VICE CHAIRMAN HERRON: Attorney

Schrimpf, do you have any objection to us

accepting this concentration?

MR. SCHRIMPF: No, as a matter of fact,

I would recommend that you do accept it --

ALDERWOMAN CAMERON-ROLLINS: I move --

MR. SCHRIMPF: -- with the proviso that

counsel be provided a copy of it.

VICE CHAIRMAN HERRON: And can someone

get us a copy of the map, please?

ALDERWOMAN CAMERON-ROLLINS: Could we

just take a minute?

VICE CHAIRMAN HERRON: Okay. They're

bringing up some copies. Alderman D'Amato, do

you have more?

ALDERMAN D'AMATO: Thank you, I do, Mr.

Chairman.

Um, so, the second reason is a

concentration of outlets. There's certainly no

shortage of places where people can get a drink

on the East Side -- um -- students, residents,

property owners. Um, I would encourage you, when

people come to testify, that you ask those people

where they live, and where they live in

conjunction to the store, how long they've lived

1 there, whether they own their property, whether
2 they rent, whether they've -- they've been in the
3 area for a number of years, whether they
4 patronize the place. So, I would encourage you
5 to ask those questions. I have passed out
6 articles for each of you to indicate the work
7 we've been going through with neighborhood groups
8 -- um -- and with the university, and with MICAH,
9 Milwaukee Inner City Churches Alive for Hope, and
10 St. Peter's and Paul, to try to get a handle on
11 the drinking issues at UWM. Um, many of you know
12 very well that -- ah -- there are many, many late
13 night parties, mostly concentrated in homes that
14 are student-occupied, and we have had several
15 meetings over the last year with neighbor group--
16 neighborhood groups and institutions and
17 businesses that indicate that the amount of
18 alcohol being sold in the area is a -- ah -- is a
19 big contributor to the amount of parties that are
20 going on, the general drunkenness and
21 disturbances. And so, I think the conclusion of
22 the group and we'll -- we'll hear testimony from
23 some of those, is -- um -- is that the more
24 alcohol may lead to more problems. What we're
25 trying to do on campus, what we're trying to do

around campus, is limit the amount of drinking

and providing alternative sources of recreation

for the students. Um --

MR. GIMBEL: Mr. Chairman -- oh, I --

when you're finished --

ALDERMAN D'AMATO: Okay.

MR. GIMBEL: -- let me know.

ALDERMAN D'AMATO: Lastly, a survey

done by my office showed that two-thirds of the

property owners in the general area opposed the

addition of a liquor license to this Class A

malt. When we came here to talk about a Class A

malt, the Assads knew that I was going to do a --

a postcard survey at that time. The split was

about fifty-fifty. We had -- um -- we had people

on both sides. Um, I thought that given the

Assads' other plan of -- of operation, that a

beer license here would not be a problem. Um,

again, the neighbors were about fifty-fifty split

on it when we did this survey. There were a

number of neighbors who indicated that they had

voted against it last time. They continue to

vote against it because they see -- um -- a

concentration of alcohol to the houses around

there, in particular to young people and to

1 students, and -- ah -- and I want to remind you
2 again that the escalation of this from a Class A
3 malt to a Class A liquor and malt, that would be
4 a full liquor store. Um, two-thirds of the
5 property owners are against it, and the reasons
6 most often given are: We don't need any more
7 liquor where we are. We are well served by
8 existing stores, and secondly, that neighborhood
9 drinking parties are running out of control, and
10 that they are disturbed on a nightly basis, and
11 that any additional alcohol in the neighborhood
12 would just cause more problems.

13 Those are my comments, Mr. Chairman.
14 We have a number of neighbors here who will --
15 who will -- ah -- speak in both in opposition and
16 support.

17 VICE CHAIRMAN HERRON: Right. Now,
18 just a -- there's a couple brief evidentiary
19 matters we need to clean up with these -- with
20 this -- and maybe -- Attorney, do you have --

21 MR. GIMBEL: I am opposed to this
22 article. I think that -- ah -- that this is not
23 a matter that you can consider. This is hearsay.
24 Anybody who provided information that constitutes
25 material from which this article was written is

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not here for me to confront and cross examine on
 behalf of my client, and consequently, I would
 suggest that it does not possess the level of
 reliability that could constitute a basis upon
 which you could predicate an action. I -- I also
 have a problem -- ah -- with due respect to
 Alderman D'Amato. He is my alderman. I live in
 this area myself, and have lived here for thirty
 years -- ah -- with his talking to you about his
 polls. I don't think that this committee ought
 to give any credence to his postcard survey of
 what results may have occurred with respect to
 those in favor of or those against the presence
 of a full Class A liquor license at this
 location, and I would not have the temerity to
 bring you a long list of people who signed their
 name to a petition saying "We support this." I
 think the proper way to do it with respect to a
 recognition of the due process property rights of
 Ms. Assad and her family is to have those people
 who have direct information and opinions present
 themselves, take an oath, and be subject to cross
 examination.

ALDERMAN SANCHEZ: Okay. I have a
 quick question for Alderman D'Amato --

1 ALDERMAN D'AMATO: Mr. Chairman --

2 ALDERMAN SANCHEZ: -- just a quick
3 question.

4 ALDERMAN D'AMATO: Okay.

5 ALDERMAN SANCHEZ: You're not objecting
6 -- are you objecting to the renewal of the malt
7 portion --

8 ALDERMAN D'AMATO: No. In fact, I -- I
9 -- I told the Assads that they should go ahead
10 and -- and ask for renewal on the malt license.
11 So that we don't mix it up with here, because I
12 do think that there aren't any objections to that
13 license, and they've handled it responsibly.

14 VICE CHAIRMAN HERRON: All right.

15 ALDERMAN D'AMATO: Let me -- can I just
16 add, sir, one question --

17 VICE CHAIRMAN HERRON: Just let me --
18 let Attorney Schrimpf answer the questions that
19 were raised by Attorney Gimbel in terms of the
20 pieces of evidence, both the -- the newspaper
21 article that re -- that we received as well as
22 the -- um -- the objection to the postcard
23 survey.

24 MR. SCHRIMPF: Ah -- Mr. Gimbel's
25 objections with respect to the -- um -- newspaper

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-- ah -- he says that the individual who provided information is not available for cross examination -- is well taken. Um, the ordinances of the city spell out that an applicant for a new license, and I'm viewing this as an application for a new Class A liquor and malt license at this location -- um -- does allow the applicant the ability to cross examine the information that is provided, specifically, Section 90-5-8 of the Code of Ordinances.

With respect to the postcard surveys -- um -- so long as the information, and I believe that the information that the alderman provided is of a gross statistical nature. In other words, it's not individual comments. So long as it is of a gross statistical nature, Counsel is able to cross examine the alderman on that particular point -- um -- and so I think, so far, with respect to the alderman's testimony on the gross information he has received, he talked in terms of fifty-fifty, I think, and there was some other statistic that was mentioned, it slips my mind right now, that information, I think, is information that is still within the bounds of cross examination, so the committee can receive

1 it.

2 ALDERMAN D'AMATO: Mr. Chairman?

3 VICE CHAIRMAN HERRON: One moment. Mr.
4 Schrimpf, I'm sorry. I was talking to Mary, and
5 I didn't hear your ending opinion on the
6 newspaper article.

7 MR. SCHRIMPF: On the newspaper
8 article, I think Mr. Gimbel's objection is well
9 taken.

10 VICE CHAIRMAN HERRON: Okay. And on
11 the postcard survey, you believe we can accept
12 that?

13 MR. SCHRIMPF: On the postcard survey,
14 the alderman simply testified to gross
15 statistical information, and he is here for cross
16 examination --

17 VICE CHAIRMAN HERRON: Okay.

18 MR. SCHRIMPF: -- and Counsel can cross
19 examine him.

20 VICE CHAIRMAN HERRON: And Alderman
21 Bohl, do you have a question?

22 ALDERMAN BOHL: No. No, thank you.

23 VICE CHAIRMAN HERRON: All right.

24 ALDERMAN D'AMATO: Mr. Chairman?

25 VICE CHAIRMAN HERRON: Just one moment.

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ALDERMAN D'AMATO: Sure.

VICE CHAIRMAN HERRON: I'm going to

also -- we haven't gotten the copies of the
concentration maps yet, but I'm going to -- while
we're doing this, might as well clean this up.
We'll -- how -- take a motion by Alderwoman
Cameron-Rollins to accept the concentration maps
into the record. Is there any objection to that?
Hearing no objection, those will be in the
record.

Alderman D'Amato?

ALDERMAN D'AMATO: Mr. Chairman, with
regard to the postcard survey, I don't, as you
note, I don't -- I didn't present the survey to
be part of the record. As -- as you know as
elected representatives, many things shape our
opinions on how we -- um -- -- treat our

neighborhood and what opinions we have. What I'm
merely saying is that my opinion and objection is
based, in part, because of this postcard survey,
and the fact that two-thirds of those property
owners surveyed were opposed to this liquor

license.

VICE CHAIRMAN HERRON: All right.

ALDERMAN D'AMATO: And so -- that's --

1 ah -- that's the purpose of it, and I -- and I
2 don't see a problem with that.

3 ALDERMAN BOHL: Thank you. Um --

4 VICE CHAIRMAN HERRON: One moment.

5 Alderman Bohl, just -- I just need to get a sense
6 of where we're going with this. Can you let --
7 all the people here to testify in favor of this
8 license, can you raise your hand? All the people
9 here to testify in opposition to the license, can
10 you raise your hand? Okay.

11 Alderman Bohl, you have a question for
12 Alderman --

13 ALDERMAN BOHL: Yes.

14 VICE CHAIRMAN HERRON: -- D'Amato? Um
15 -- I just remembered. Go ahead, Alderman Bohl.

16 ALDERMAN BOHL: Alderman D'Amato, just
17 one brief question with regards to this survey
18 that you alluded to. I just was wondering about
19 the scope in which it was sent out. How far from
20 the establishment in question here, and how many
21 of those did you receive, in terms of return?

22 ALDERMAN D'AMATO: I believe we -- we
23 sent the survey out -- um -- between Locust and
24 North Avenue, and -- um -- Oakland Avenue and
25 Maryland. So, it would be approximately four

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1

square blocks.

2

ALDERMAN BOHL: Okay.

3

ALDERMAN D'AMATO: And -- um -- and I

4

would say as -- in total, probably received two

5

hundred back.

6

ALDERMAN BOHL: Okay.

7

VICE CHAIRMAN HERRON: All right.

8

We're going to -- um --

9

ALDERMAN SANCHEZ: Sure.

10

VICE CHAIRMAN HERRON: Alderman

11

Sanchez?

12

ALDERMAN SANCHEZ: Thank you very much.

13

Alderman D'Amato, good afternoon. How are you?

14

ALDERMAN D'AMATO: I'm good, Alderman.

15

How are you?

16

ALDERMAN SANCHEZ: Thank you. Doing

17

good. Long day for us. Um, is there a new owner

18

of the existing building? Is Mrs. Assad the new

19

owner?

20

ALDERMAN D'AMATO: Is there a new owner

21

of the building?

22

ALDERMAN SANCHEZ: Yes.

23

ALDERMAN D'AMATO: I don't believe so.

24

ALDERMAN SANCHEZ: So, this is just

25

what would be what, a lease?

1 ALDERMAN D'AMATO: I believe so, yes.

2 ALDERMAN SANCHEZ: Mrs. Assad, how much
3 money have you invested to renovate?

4 THE APPLICANT: I -- I mean rebuilding
5 and every -- I mean, putting everything back -- I
6 mean, I estimate like about thirty, forty
7 thousand.

8 ALDERMAN SANCHEZ: Okay.

9 THE APPLICANT: I mean, it took a -- I
10 mean, groceries and everything. It's -- it took
11 a lot.

12 ALDERMAN SANCHEZ: And you're here
13 today because you'd like a liquor license where
14 you can sell beer and liquor?

15 THE APPLICANT: Yeah.

16 ALDERMAN SANCHEZ: Okay. Alderman
17 D'Amato, um, with the previous licensee, and if I
18 may, the City Attorney, I just want to get a
19 little history on the location.

20 ALDERMAN D'AMATO: Sure.

21 ALDERMAN SANCHEZ: Did you ever have
22 any problems before?

23 ALDERMAN D'AMATO: With -- with when it
24 was Riverside Drugs?

25 ALDERMAN SANCHEZ: Yes.

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ALDERMAN D'AMATO: No. The -- the amount of alcohol sold by the gentleman who ran Riverside Drugs was literally -- um -- twenty square feet. He had a small shelf in the corner with pints and half pints.

ALDERMAN SANCHEZ: How many years was it Riverside Drugs?

ALDERMAN D'AMATO: I assume it was probably Riverside Drugs for thirty years.

ALDERMAN SANCHEZ: Thirty years. How long have you been alderman?

ALDERMAN D'AMATO: Five years.

ALDERMAN SANCHEZ: Is it true, to the best of your knowledge, that every year liquor licenses in the City of Milwaukee come up for renewal?

ALDERMAN D'AMATO: Is it -- is that true? Yes, it is.

ALDERMAN SANCHEZ: So, is it also true that you make decisions whether they should be agenda only or they would be called in before the committee?

ALDERMAN D'AMATO: Yes.

ALDERMAN SANCHEZ: With the previous owner, have you ever called that previous owner

1 before the committee?

2 ALDERMAN D'AMATO: No.

3 ALDERMAN SANCHEZ: Would you -- why
4 would that be?

5 ALDERMAN D'AMATO: Why would I not have
6 called him before the committee?

7 ALDERMAN SANCHEZ: Yes.

8 ALDERMAN D'AMATO: There was never an
9 objection to his license by the neighborhood.

10 ALDERMAN SANCHEZ: Why are there
11 objections here today then?

12 ALDERMAN D'AMATO: There are
13 objections, I think, for several reasons, that --
14 ah -- that -- ah -- there's an understanding that
15 -- ah -- a -- a -- an expansion of liquor to this
16 location would be a problem for the neighborhood
17 because, basically, for the past thirty years, it
18 has been a prescription pharmacy with -- ah --
19 with -- ah -- small home goods and groceries and
20 a very small amount of liquor, based on the way
21 that that man ran his pharmacy. Um, I would
22 argue that the way that the store is today, with
23 the beer license, it's much more -- much close --
24 closer to what the gentleman who was a pharmacist
25 ran it as than if we gave it a liquor license,

and the shelves were stocked with liquor.

ALDERMAN SANCHEZ: The owner of

Riverside Drugs, why did he decide -- did he

decide not to operate the business --

ALDERMAN D'AMATO: He was -- He was an

older man and decided to retire.

ALDERMAN SANCHEZ: Mrs. Assad, do you

believe you've been misled in any way, shape, or

form by Alderman D'Amato regarding the licensing

on this location?

THE APPLICANT: Yes, I do.

ALDERMAN SANCHEZ: Why is that?

THE APPLICANT: Because the first time

when we went to apply for it, I had asked him --

well, we were talking to him about it, and he

kept extending days to come visit us, come talk

to us about the store, and we were asking him,

well, what do you think of us still getting the

liquor license, and -- and he kept putting it

off. He never came to us. He never told us,

"Well, I don't think there's a chance." And the

day finally arrived that we were supposed to come

get the liquor license, and all of a sudden, he

never showed up, and then he had said that he had

to postpone it because I think he had some other

1 important criteria, but -- so then we ended up
2 coming back, and then he came to our store, and
3 he let us know that he will not approve a liquor
4 license. If I had known that before he had, you
5 know, before I had applied, then I probably would
6 not have invested so much money, time, and
7 everything into a store for, you know, just a
8 point, because I thought it would have -- there
9 would be no problem since he, the guy that owned
10 it before, had a liquor license, and I didn't
11 think it would be a problem just, you know,
12 buying into it, having it in my own name and
13 everything. Also, we would have just went in
14 like a partnership with the guy that owned it
15 before.

16 ALDERMAN SANCHEZ: Do you --

17 THE APPLICANT: As an agent --

18 ALDERMAN SANCHEZ: Do you have any --

19 THE APPLICANT: -- yeah, we're -- like
20 it's an agent. So, we were just -- we could have
21 continued it like that instead. But the way --
22 when we were talking to him at first, he didn't
23 seem like he had a problem with us re -- you
24 know, having a renewal of a -- or we -- actually,
25 it would be a renewal for us, for our liquor

license. He didn't seem like he had a problem

with it, because he never talked, say, he never

opposed it to -- to me before the hearing.

Never. Not once. And that's why I -- I thought

it was still a good go, and that's why I decided

to just continue, but then the day came and

that's when we knew. And then --

MR. SCHRIMPF: I -- I just want to jump

in --

VICE CHAIRMAN HERRON: Attorney

Schrumpf.

MR. SCHRIMPF: The word "renewal."

This is not a renewal. And I'm going to caution

everybody about that. Because I don't want to

play silly games with this.

THE APPLICANT: Okay.

ALDERMAN SANCHEZ: Mrs. Assad, did you

ever--

VICE CHAIRMAN HERRON: According to

Attorney Schrumpf, this is not a renewal. He's

very clear.

MR. SCHRIMPF: It's a new license.

VICE CHAIRMAN HERRON: New license.

THE APPLICANT: Clear -- new license.

ALDERMAN SANCHEZ: Mr. Chair, may I

1 continue?

2 VICE CHAIRMAN HERRON: Go ahead,
3 Alderman Sanchez.

4 ALDERMAN SANCHEZ: Mrs. Assad, did you
5 consider any other locations within the City of
6 Milwaukee?

7 THE APPLICANT: Yeah. We had a few
8 other stores. I mean, there is a few other ones.
9 I don't remember. There is another one on the
10 East Side, but I don't --

11 ALDERMAN SANCHEZ: Why did you --

12 THE APPLICANT: -- oh, I'm sorry.

13 ALDERMAN SANCHEZ: Why did you choose
14 this one?

15 THE APPLICANT: Because when we went to
16 go see the people, he was -- I mean, he's really
17 nice, and we seen the facil -- the -- around --
18 the surroundings were really nice, and the store
19 was taken care of. I mean, it wasn't up to date
20 or anything because the guy, like he said, was
21 older, and he didn't have much in there, but it
22 was -- I seen a lot of potential in it, so I knew
23 that if I went in there, I could just remodel it
24 and make it look a lot neater and nicer, and a
25 lot of people would be more attracted -- for

other people to come. And it was a good area,

you know, I -- from what I know, a lot of

neighbors and everything, from the owner from

before, told us he had -- he's never had

problems, and like he -- I think he was thirty

years or something, twenty-seven. He's never had

a problem with selling liquor, and he used to own

a pharmacy, and he's never had problems, and

that's the kind of business I -- I wanted to get

into. I didn't just want to start from -- I

mean, just open any store and then all of a

sudden I knew there was problems to begin with.

I knew it would be so much trouble for me going

into it by myself, you know. So -- I mean, I

could just tell.

ALDERMAN SANCHEZ: When you say you

went to go talk to the people, are you referring

to the owner of the building?

THE APPLICANT: Yeah.

ALDERMAN SANCHEZ: Do you have any --

THE APPLICANT: The owner of the

building, but the owner of the store, too.

ALDERMAN SANCHEZ: Okay. Do you have

any other businesses in the City of Milwaukee?

THE APPLICANT: I don't, no.

1 ALDERMAN SANCHEZ: Okay. Um --

2 ATTORNEY GIMBEL: Her family does.

3 THE APPLICANT: My family -- yeah, my
4 family does.

5 MR. GIMBEL: They have several grocery
6 stores.

7 THE APPLICANT: Yeah.

8 ALDERMAN SANCHEZ: Is that right?

9 THE APPLICANT: Yes.

10 ALDERMAN SANCHEZ: So, you have
11 experience in this type of business?

12 THE APPLICANT: Oh, yeah. Yeah.

13 VICE CHAIRMAN HERRON: Is that it,
14 Alderman Sanchez?

15 ALDERMAN SANCHEZ: Last question is --
16 ah -- do you have a lease with the building
17 owner?

18 THE APPLICANT: Yes, I do.

19 ALDERMAN SANCHEZ: Is there any
20 contingency that your lease would become void if
21 you were not licensed?

22 THE APPLICANT: No.

23 ALDERMAN SANCHEZ: No. And how much is
24 your investment, once again?

25 THE APPLICANT: It was probably from

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thirty to forty -- I mean, I don't know -- money
 here and there went. I didn't really keep track.
 ALDERMAN SANCHEZ: Okay.
 THE APPLICANT: I mean, it was a great
 deal amount.
 ALDERMAN SANCHEZ: Thank you. Mr.
 Chair, that will be all for now. Thank you.
 VICE CHAIRMAN HERRON: Thank you,
 Alderman Sanchez.
 ALDERMAN D'AMATO: Mr. Chairman, if I
 may?
 VICE CHAIRMAN HERRON: Sure. Alderman
 D'Amato.
 ALDERMAN D'AMATO: I want to clarify
 the difference between a Class A malt and a Class
 A liquor license. And -- and what Mrs. Assad
 said. At no time did I ever tell the Assads that
 I was in support of a liquor license, a Class A
 liquor and malt license. My former assistant,
 Jim Plasek, can be brought here to tell you that,
 because I never met with them without him. I
 told Mr. Frinzi, Dominic Frinzi, their first
 attorney, that I did not support a liquor
 license. I told Mr. Gimbel I do not support a
 liquor license. At the time in which they bought

1 the store, it was their assumption that because
2 it was licensed before with liquor, that they
3 would have a right to a full liquor license. I
4 told them that I would not support a full liquor
5 license. I would send a survey out to see if a
6 Class A malt license for them to carry beer was
7 supported by the neighborhood. They received
8 that license. I have been supportive of that
9 license. I have never, and am not now,
10 supportive of a Class A liquor and malt license,
11 and they were never told that.

12 VICE CHAIRMAN HERRON: Thank you.

13 MR. SCHRIMPF: Mr. Chairman, I --
14 there's confusion on the record I want to nail
15 down here?

16 VICE CHAIRMAN HERRON: Go ahead,
17 Attorney Schrimpf.

18 MR. SCHRIMPF: Thank you. Ah, Ms.
19 Assad.

20 THE APPLICANT: Yes.

21 MR. SCHRIMPF: Is it true that at the
22 point in time that you -- are you the owner of
23 the property?

24 THE APPLICANT: An agent, yeah, but
25 not--

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MR. GIMBEL: Not an owner of the

property.

ALDERMAN SANCHEZ: Not an owner of the

property.

MR. SCHRIMPF: Are you the owner of the

real estate?

THE APPLICANT: Yeah -- no. No.

MR. SCHRIMPF: You rent the real

estate?

THE APPLICANT: Yeah.

MR. SCHRIMPF: At the time that you

rented the real estate, did you acquire it from
the previous owner who operated the -- the

pharmacy?

THE APPLICANT: Yeah.

MR. GIMBEL: No.

THE APPLICANT: No?

MR. SCHRIMPF: Your lawyer is saying

no.

MR. GIMBEL: No, I don't believe so.

MR. SCHRIMPF: Mr. Gimbel, what

happened?

MR. GIMBEL: Well, the owners of the

building are here, and they -- they --

the last operator was a tenant of that building,

1 as are the Assads.

2 MR. SCHRIMPF: And he was the
3 pharmacist?

4 MR. GIMBEL: That's correct.

5 MR. SCHRIMPF: And there was a Class A
6 liquor and malt license associated with the
7 pharmacy. Is that correct?

8 MR. GIMBEL: That is correct.

9 MR. SCHRIMPF: Is Alderman D'Amato's
10 remarks correct that that was a relatively small
11 operation, and it was primarily a pharmacy?

12 MR. GIMBEL: I have no clue. I mean,
13 it may very well be true. I'm not -- I have no
14 basis to challenge Alderman D'Amato's statement
15 in that regard.

16 MR. SCHRIMPF: Okay. After the Assads
17 took over the lease, you then operated it as a
18 Class A malt store?

19 THE APPLICANT: Um-hmm.

20 MR. SCHRIMPF: Do you sell any oth --
21 thing other than just beer?

22 THE APPLICANT: No.

23 MR. GIMBEL: Yeah, you sell groceries.
24 Yes.

25 THE APPLICANT: Wine coolers and

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groceries and -- yeah, cigarettes, ah --

MR. SCHRIMPF: So, it's a grocery

store. Is that --

THE APPLICANT: Yeah. It's a full line

grocery store. Yeah.

MR. SCHRIMPF: Okay. What is your

intention once you get this license, what is it

going to be? Is it going to be a grocery store?

THE APPLICANT: It's still -- it's

going to continue to be a full line grocery

store. I mean, that's -- that's the main thing

for us. It's just a full line grocery store.

It's all groceries, cigarettes, and then we're

just going to add the liquor. I mean, it's not

going to be the whole -- liquor store. No. If

that's what you're --

MR. SCHRIMPF: Do you have any idea

right now of what your plan is, in terms of

percentage of the store to be liquor and malt, or

don't you?

THE APPLICANT: Probably like a -- like

one shelf side or something. I mean, it's not --

maybe an aisle -- I mean less than an aisle. I

mean, it's hard to say because the way the store

is now, I mean, everything's full.

1 MR. SCHRIMPF: It sounds like -- it
2 sounds like you're not very sure.

3 THE APPLICANT: No. I mean, it's --
4 the store is full now, you know, so, we'd still
5 have to remove like one of -- there is a shelving
6 syst -- I mean a -- a place where we're going to
7 probably put it next to the beer, but not in its
8 own spot. I mean, it is going to be in -- either
9 behind the register, or right close -- it's --
10 it's hard to explain unless you walk in the store
11 and you see it, yourself, you know.

12 MR. SCHRIMPF: What about Alderman
13 D'Amato's concerns, which are legally correct --

14 THE APPLICANT: Yeah.

15 MR. SCHRIMPF: -- that once you get --
16 if you get a Class A liquor and malt, you could
17 convert the entire store to a liquor store?

18 THE APPLICANT: I mean, I'm not going
19 to do that, but if you feel -- I mean, I'm not --
20 but -- like he says, you know -- he doesn't --
21 how -- how do I -- you know, how does he know
22 that I'm not going to do it? That's true. But I
23 mean, if it does happen, you know, he just pulls
24 the license from me, you know. I don't oppose
25 him --

1 MR. SCHRIMPF: No, no, no. It doesn't
2 work that way.

3 VICE CHAIRMAN HERRON: Attorney --

4 Attorney Schrimpf, could you -- could you help
5 the committee by giving us an idea of the legal--
6 um -- premise you're using now as you de -- as
7 you go through these questions?

8 MR. SCHRIMPF: Once the liquor and malt

9 lic -- Class A liquor and malt license is given
10 to an operator, it is possible for the operator
11 to use that license to the maximum square footage
12 of the store. In other words, right now it may
13 be a small portion of the store.

14 VICE CHAIRMAN HERRON: All right.

15 MR. SCHRIMPF: It could expand to the

16 entire store.

17 VICE CHAIRMAN HERRON: Right.

18 MR. SCHRIMPF: And there's no legal

19 prohibition against that happening.

20 ALDERMAN BOHL: Mr. Chairman --

21 VICE CHAIRMAN HERRON: Hold, one

22 moment. And how is that -- and so, legally, you
23 were just trying to determine whether --

24 MR. SCHRIMPF: Correct. I -- I'm

25 trying to get something of the history of this

1 place, and there was also a confusion because
2 there was some information coming in to the
3 committee that at one point there was a liquor
4 and malt license at this place, and now there is
5 merely a malt license at this place, and I wanted
6 to make sure that the committee understood that
7 at the point in time that it was a pharmacy, it
8 was essentially a pharmacy with a Class A liquor
9 and malt. It then became, in effect, a grocery
10 store with a malt license. It is now a grocery
11 store with a liquor and malt license application
12 pending.

13 VICE CHAIRMAN HERRON: Alderman Bohl.

14 ALDERMAN BOHL: Mr. Chairman?

15 VICE CHAIRMAN HERRON: I got you next,
16 Alderwoman --

17 MR. WAGNER: Ah, just to add something
18 for Mr. Schrimpf -- ah -- who needs to hear this
19 -- ah -- piece of information that Mr. Schrimpf
20 and probably nobody else in this room has, is
21 that the previous operator had something that was
22 actually a particular type of a license under
23 state law called --

24 ATTORNEY SCHRIMPF: Right.

25 MR. WAGNER: -- a pharmacist liquor

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license.

ATTORNEY SCHRIMPF: Right.

MR. WAGNER: That license does not --

no longer exists under state law. That

particular individual had to be a pharmacist and was a pharmacist for many years and just had a

little bit of liquor in addition to his

medications. And at the time that the state

discontinued the pharmacist liquor license, then

there was a question of whether that should be --

ah -- converted to a regular liquor license, and

at that time, I don't recall if this was Alderman

D'Amato's reign or if it was his predecessor, but

they had said, well, basically, this guy is a

pharmacist, he's going -- promises to continue --

operate the way he was, and -- ah -- then that

license was converted, but the -- the great

majority of the history of that previous

operator, that operator held a pharmacist liquor

license in the state.

VICE CHAIRMAN HERRON: Alderman Bohl,

or --

MR. GIMBEL: Thank you for that

clarification.

VICE CHAIRMAN HERRON: I'm sorry.

1 Alderman Bohl, then Alderman Rollins.

2 ALDERMAN BOHL: One -- one brief
3 question for -- for Alderman D'Amato. Alderman
4 D'Amata, just for my benefit and not that -- that
5 I want to make any predetermined -- am I not
6 correct, do you -- do you live on the 2700 block
7 of North Murray Avenue?

8 ALDERMAN D'AMATO: On the 2800 block of
9 North Murray.

10 ALDERMAN BOHL: 28-- 2800 block of
11 North Murray.

12 ALDERMAN D'AMATO: Two -- a block and a
13 half from here.

14 ALDERMAN BOHL: Okay. I -- I -- I
15 thought as much and -- ah -- not that I want to
16 make any predetermined judgments against my
17 favorite alderman on the East Side.

18 VICE CHAIRMAN HERRON: Okay.
19 Alderwoman Rollins, please. One moment.
20 Alderwoman Rollins?

21 ALDERWOMAN CAMERON-ROLLINS: Alderwoman
22 Rosa Cameron-Rollins.

23 VICE CHAIRMAN HERRON: Now, first you
24 said you didn't want the "Cameron-Rollins," then
25 you want it. What would you like?

ALDERWOMAN CAMERON-ROLLINS: Alderman

D'Amato?

ALDERMAN D'AMATO: Yes, ma'am.

ALDERWOMAN CAMERON-ROLLINS: I -- I'm

having a -- I want to understand this clearly,

because -- um -- Leo brought up a -- a very --

question that I was going to ask. Since it was a

pharmacy had a liquor license, somewhere we had

the grandfather clause that ends somewhere, or we

had to delete it. So, where was that added

stage, right now, because there's supposed to be

two licenses on the books, and is -- at that

location. It should be a liquor for a liquor

license and a malt liquor license, or full line

liquor license, or what?

MR. WAGNER: There -- there is a --

VICE CHAIRMAN HERRON: Do you want to

answer her question, Leo?

MR. WAGNER: Ah, yeah. I think there's

-- at least I heard two questions here. Ah, the

question regarding the pharmacist liquor license?

ALDERWOMAN CAMERON-ROLLINS: Um-hmm.

MR. WAGNER: That's something that was

discontinued by the state legislature --

ALDERWOMAN CAMERON-ROLLINS: So --

1 MR. WAGNER: -- and that's something
2 the city had no control over.

3 ALDERWOMAN CAMERON-ROLLINS: I know,
4 but I'm saying when we -- this guy had a license.
5 So, what do we do? We grandfathered that clause
6 in to be a full liquor -- line of liquor license,
7 or what?

8 MR. WAGNER: Um-hmm.

9 ALDERWOMAN CAMERON-ROLLINS: What did
10 we do with that? Because if they declared it --
11 deleted that, then he was operating for years
12 illegal.

13 MR. WAGNER: That's true. That's
14 correct. It was converted. When -- when his
15 previous license was no longer available under
16 state law, to prevent him from going out of
17 business it was converted then --

18 ALDERWOMAN CAMERON-ROLLINS: To?

19 MR. WAGNER: -- a regular Class A
20 liquor.

21 VICE CHAIRMAN HERRON: All right.

22 ALDERWOMAN CAMERON-ROLLINS: Okay.

23 ALDERMAN D'AMATO: One more -- one more
24 note --

25 ALDERWOMAN CAMERON-ROLLINS: So -- I

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ain't done --

ALDERMAN D'AMATO: -- Mr. Chairman --

VICE CHAIRMAN HERRON: One moment.

Alder --

ALDERMAN D'AMATO: -- it just came to

my attention --

VICE CHAIRMAN HERRON: -- Alderwoman

Cameron-Rollins has an additional question.

ALDERMAN D'AMATO: Oh, I'm sorry,

ma'am.

ALDERWOMAN CAMERON-ROLLINS: Yes. Now,

how many years was you alderperson when the old

owner was there?

ALDERMAN D'AMATO: Maybe two years.

ALDERWOMAN CAMERON-ROLLINS: Did you

ever bring him in front of this committee?

ALDERMAN D'AMATO: No. Again, because

he didn't operate this as a liquor store. Again,

he -- he sold on literally --

ALDERWOMAN CAMERON-ROLLINS: --

pharmacy --

ALDERMAN D'AMATO: -- one line shelf,

pints and half pints of Schnapps or something,

which he had sold for thirty years under this

license, this previous license. He had never had

1 the intention, nor did we ever support his
2 intention to -- to have a liquor store or provide
3 a full -- full -- ah --

4 ALDERWOMAN CAMERON-ROLLINS: -- line?

5 ALDERMAN D'AMATO: -- line of liquor
6 for people.

7 ALDERWOMAN CAMERON-ROLLINS: Okay. Let
8 me ask you. Have anywhere the new applicant give
9 you or indicated that that's what she was going
10 to do?

11 ALDERMAN D'AMATO: To offer a full line
12 of liquor products?

13 ALDERWOMAN CAMERON-ROLLINS: Yes.

14 ALDERMAN D'AMATO: Yes. Yes, she has.
15 The indication, at the original time in which
16 they applied when I told them that I did not
17 support a Class A liquor and malt, they indicated
18 that they wanted to provide a full line of beer
19 and liquor items.

20 ALDERWOMAN CAMERON-ROLLINS: Now,
21 you're adding two licenses. I asked you -- you
22 said the first one had just liquor, or half --
23 say a twenty percent line of liquor, the old one.
24 Now, this one, you're saying that she wants to
25 have a -- a -- a full line of liquor --

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ALDERMAN D'AMATO: Right.

ALDERWOMAN CAMERON-ROLLINS: Plus beer

license?

ALDERMAN D'AMATO: They have beer -- a

beer license now.

ALDERWOMAN CAMERON-ROLLINS: Yes.

Already. Now. So, she wants to add the full

line of liquor?

MR. GIMBEL: Um-hmm.

ALDERMAN D'AMATO: She wants to add --

she wants to be able to sell liquor.

ALDERWOMAN CAMERON-ROLLINS: Which is a

full line of --

ALDERMAN D'AMATO: Which she has the

opportunity to sell, to fill every shelf in the

entire store.

ALDERWOMAN CAMERON-ROLLINS: I know

that we all have -- that that -- no. Because

You --

ALDERMAN D'AMATO: I --

ALDERWOMAN CAMERON-ROLLINS: -- to me--

I want you to be clear with us.

ALDERMAN D'AMATO: Okay. I'm trying.

ALDERWOMAN CAMERON-ROLLINS: Because,

see, the other owner had the option to do the

1 same thing.

2 ALDERMAN D'AMATO: Yes.

3 ALDERWOMAN CAMERON-ROLLINS: And he
4 chose not to do --

5 ALDERMAN D'AMATO: The other -- ah --
6 the other --

7 ALDERWOMAN CAMERON-ROLLINS: So, now I
8 want to know, is we being fair to this applicant,
9 and we pre-judging her, or not pre-judging her.
10 Is this person going to have a full line of
11 liquor --

12 ALDERMAN D'AMATO: Alderwoman, there
13 are two answers to that. First, the gentleman
14 who held the liquor before, did not have that
15 option for about twenty-seven of the thirty years
16 he was licensed. Under that license he did not
17 have the option. In those last years, this
18 gentleman was ninety years old, and -- and -- and
19 he --

20 ALDERWOMAN CAMERON-ROLLINS: He still
21 had that option.

22 ALDERMAN D'AMATO: -- he had -- he had
23 no intention of -- of improving the store or
24 changing the store.

25 ALDERWOMAN CAMERON-ROLLINS: But he had

ON 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25

that option.

ALDERMAN D'AMATO: Yeah. And I cannot.

speak for the applicant's intention. All I think that is important for the committee and what Mr. Schrimpt was trying to say earlier was that if they -- if the applicant chose to do so, they could take out every single grocery item and put liquor in there and we would have no ability to revoke a license or to comment on that license because she has every right to do so, if

licensed.

ALDERWOMAN CAMERON-ROLLINS: Yes. I

wanted to say one thing, too, because, to me, you sit in -- you're giving out a signal that it might not occur or it could occur.

ALDERMAN D'AMATO: Could occur.

ALDERWOMAN CAMERON-ROLLINS: I don't

know. But we -- ah -- right now what your

testimony that you're bringing to us, that you're looking at all indications that it is going to occur without any indication. Now, that's what

has been happening to us, and we have spent some

time on whether she is or whether she not, and to

-- now she has a grocery store that sells beer,

and you saying, well, we give her this liquor

1 license, she's going to stop selling groceries
2 and she just going to sell all liquor.

3 ALDERMAN D'AMATO: I'm not telling you
4 that she's going to do that. What I'm saying is
5 that the -- if this is approved, then she has
6 every right to do that even though she may
7 provide you with information that that's not her
8 intention.

9 ALDERWOMAN CAMERON-ROLLINS: Okay.

10 ALDERMAN D'AMATO: And that -- and I --
11 and I did provide an example earlier that that
12 did happen to -- to the committee when I sat on
13 it with regard to the old Oriental Pharmacy on
14 Farwell and North. One additional comment, Mr.
15 Chairman, the last comment. Last year, in the
16 year 2000, the committee heard an application on
17 the 2400 block of Murray, three blocks down,
18 where an Open Pantry has a Class A malt license.
19 They asked for a liquor license, and -- um -- the
20 neighbors objected to that at that time, and in
21 the year 2000, they were denied a Class A liquor
22 and malt license. They still hold their Class A
23 malt license. There's a bit of history, at least
24 in this neighborhood, that it is well served by
25 liquor, and that liquor stores do belong and

should stay on commercial strips.

VICE CHAIRMAN HERRON: Okay. I think

we're all clear now of what we're dealing with.

I'm sure everyone is clear. All right. What I'm

going to ask is, everyone who intends to testify,

either in opposition to or in favor of raise your

right hand so you can be sworn in?

(Whereupon, the witnesses were duly

sworn.)

VICE CHAIRMAN HERRON: All right. All

those who will testify in opposition to, we'll

start with the opposition testimony, and then

we'll take the -- those testifying in support of.

So, all of those who are testifying in

opposition, if you could come forward. Um, we

could have as many -- thank you, thank you, thank

you.

I'm going to ask that your testimony,

please try to be as specific as possible.

Remember, there's a lot of people who want to

testify. If you have testimony that's repetitive

of what someone else said, just say you concur

with the previous testimony given. Try to make--

try to -- try to keep your remarks as brief as

possible. As you can see, there are many people

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1 who want to testify -- um -- and -- and I'm sure
2 everyone would like to complete this sometime yet
3 this afternoon. So --

4 MR. GIMBEL: Can I make one
5 observation, please, Mr. Chairman?

6 VICE CHAIRMAN HERRON: Go ahead,
7 Attorney Gimbel.

8 MR. GIMBEL: Just an observation. I
9 have a videotape here of the last time that this
10 matter was before your committee, and I think
11 Alderman Gordon was presiding at that meeting. I
12 know that some of these folks appeared there and
13 testified, and Alderman Gordon told them that
14 their testimony would be recorded and they
15 wouldn't be called again as witnesses. Now, I
16 don't know whether it's the pleasure of this
17 committee to hear that testimony over again, or
18 to look at what their prior testimony was, but I
19 just make that observation because that was the--
20 kind of the -- the rule that was promulgated by
21 your predecessor.

22 VICE CHAIRMAN HERRON: Okay. We're
23 going to -- we're going to go ahead and listen to
24 each --

25 MR. GIMBEL: Okay. That's fine.

VICE CHAIRMAN HERRON: -- person who took the time to come down here. Again, I just ask to keep your comments as brief as possible -- um -- and if your -- what you have to say is repetitive to what you've al -- what you may have heard from someone else, just say "I concur with what the other person has said." Helps --

MR. SCHRIMPF: And Mr. Chairman, if they could give their name, address, --

VICE CHAIRMAN HERRON: Right.

MR. SCHRIMPF: -- and tell us how far they are from the license location, it'd be helpful.

VICE CHAIRMAN HERRON: Right. If you could do what the City Attorney says, that'd be helpful. Why don't we start over here on my right, this gentleman --

MR. BILGO: Thank you. Thank you.

VICE CHAIRMAN HERRON: -- give your name and your address, please.

MR. BILGO: My name is Bradley Bilgo, and --

VICE CHAIRMAN HERRON: Speak into the mike, so that the court re --

MR. GIMBEL: Can they spell their last

1 name, too, so I have some sense of it.

2 VICE CHAIRMAN HERRON: Spell your
3 last--

4 MR. BILGO: Last name is B-i-l-g-o.

5 And I live at 2743 North Cramer, and I'm a renter
6 there. I think I live approximately a block from
7 the grocery store. Um, I do concur with
8 everything that's been said, and I like the
9 representation that Alderman D'Amato has made for
10 us. Um, I just have my -- my own comparison as
11 to what was on the corner prior to that and who
12 ran it. I think that the neighborhood at one
13 time was also a farm, and I don't think we're
14 going to bring back cows and horses either, so I
15 think, with the new owner, it's just a whole
16 another story, and we have to deal with that
17 separately. Thank you.

18 VICE CHAIRMAN HERRON: And so -- hold
19 on -- your testimony is subject to cross
20 examination by --

21 ALDERMAN BOHL: Mr. Chairman, I'd --

22 VICE CHAIRMAN HERRON: -- Attorney
23 Gimbel --

24 ALDERMAN BOHL: Don't we get a crack at
25 it first? Usually?

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MR. GIMBEL: You can -- you can jump

ahead. Sure, why don't you. If you'd like to.

VICE CHAIRMAN HERRON: Do you have

questions?

ALDERMAN BOHL: Ah, yes.

VICE CHAIRMAN HERRON: Go ahead.

ALDERMAN BOHL: Mr. Bilgo, um -- have

you ever, in the, I believe the two years that

this establishment has been in place, have you

ever frequented this establishment?

MR. BILGO: Yes.

ALDERMAN BOHL: Have you foreseen any

problems at this point with its present operation

of a -- of a Class A malt license?

MR. BILGO: No.

ALDERMAN BOHL: Okay. Thank you.

VICE CHAIRMAN HERRON: Attorney Gimbel,

do you have questions of the witness?

ALDERMAN CAMERON-ROLINS: Are you in

favor or against --

VICE CHAIRMAN HERRON: Do you have any

questions, Alderwoman -- Rosa?

ALDERMAN CAMERON-ROLINS: Yes. Yes,

I do.

VICE CHAIRMAN HERRON: Okay. Go ahead.

1 ALDERWOMAN CAMERON-ROLLINS: Are you in
2 favor or against?

3 MR. BILGO: I am against the liquor
4 license.

5 ALDERWOMAN CAMERON-ROLLINS: Okay. I
6 just want to write you in the right column.

7 VICE CHAIRMAN HERRON: Attorney Gimbel,
8 do you have any questions of the witness?

9 MR. GIMBEL: Thank you very much, Mr.
10 Chairman. Yes.

11 Mr. Bilgo, how long have you lived at
12 this address?

13 MR. BILGO: I've lived there four
14 years.

15 MR. GIMBEL: And -- um -- what is your
16 occupation, sir?

17 MR. BILGO: Automotive repair.

18 MR. GIMBEL: And -- ah -- I think you
19 answered Alderman Bohl's question that you have
20 not personally observed any -- ah -- abusive
21 behavior on the part of those people who were
22 working at or managing the store. Is that
23 correct?

24 MR. BILGO: Correct.

25 MR. GIMBEL: Thank you. I have no

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further questions.

VICE CHAIRMAN HERRON: Thank you.

Thank you, sir. We'll move on to you, sir.

MR. DOORNEK: My name is Gerald

Doornek. That's D-o-o-r-n-e-k. I own and live

at the house at 2736 North Oakland Avenue, and I

support the testimony that has gone before me in

opposition to this liquor license --

VICE CHAIRMAN HERRON: And the house on

Oakland, how far is that from the establishment?

MR. DOORNEK: I am two blocks west in

the same hundred block as the liquor store.

VICE CHAIRMAN HERRON: Okay. Thank

you.

MR. SCHRIMPF: Mr. Chairman?

VICE CHAIRMAN HERRON: Members of the

committee -- Attorney Schrimpf?

MR. SCHRIMPF: Is -- is -- are -- is

the neighborhood surrounding this store largely

residential, or largely commercial, or largely

mixed use.

MR. DOORNEK: It's largely residential.

MR. SCHRIMPF: Is it mostly students,

or is it families?

MR. DOORNEK: It's a mixture, but I

1 would say it's probably about fifty percent
2 students. I've lived in this neighborhood for
3 the better part of twenty-seven years.

4 MR. SCHRIMPF: Okay. Twenty-seven
5 years you've lived there, and you'd say it's
6 about fifty-fifty students?

7 MR. DOORNEK: Yes.

8 MR. SCHRIMPF: UWM students, I take it?

9 MR. DOORNEK: Yes.

10 MR. SCHRIMPF: Okay. That's all I
11 have, Mr. Chairman.

12 VICE CHAIRMAN HERRON: Are there any
13 other questions from members of the committee?

14 ALDERWOMAN CAMERON-ROLLINS: I have a
15 question.

16 VICE CHAIRMAN HERRON: Alderwoman
17 Cameron-Rollins.

18 ALDERWOMAN CAMERON-ROLLINS: According
19 to the map -- did you see this map?

20 MR. DOORNEK: No, I did not.

21 ALDERWOMAN CAMERON-ROLLINS: According
22 to the map that Alderman D'Amato shared with us,
23 could you tell me how far -- you see where Murray
24 is -- how far you are from this location?

25 MR. DOORNEK: Okay. If you head west

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on Park --

VICE CHAIRMAN HERRON: Alderwoman, I

think he said two blocks west.

ALDERWOMAN CAMERON-ROLLINS: I know,

but I didn't see. I want him to show it to me on

the --

MR. DOORNEK: Do you see the

intersection of Murray and Park?

ALDERWOMAN CAMERON-ROLLINS: Yes, I do.

MR. DOORNEK: See where this grocery

store is? If you head west on Park to Oakland

Avenue, then turn right, I'm in the middle of

that block. It would take me, literally, less

than a minute to walk to the store.

ALDERWOMAN CAMERON-ROLLINS: Okay.

VICE CHAIRMAN HERRON: Do -- Alderman

Bohl?

ALDERMAN BOHL: Mr. Chairman, thank

you.

Mr. Doornek, you haven't been this

gentleman who's been having these wildliffe --

wild and loud parties on the East Side, have you?

MR. DOORNEK: I'm sorry?

ALDERMAN BOHL: I -- I -- that was a

joke -- trying to lighten it, but --

1 curiosity, and -- and I know, at least from what
2 my own experience was, and as you see, I'm
3 relatively youthful, at least at this point, and
4 it hasn't been all that too long since I had a
5 few college parties -- seemed like a long time,
6 I've been married seven years -- um -- generally,
7 my -- my experience has been that college parties
8 tend to be parties where you try to get it as
9 cheap as you can. And I don't know if you would
10 concur with that, or not -- um -- um -- my
11 general experience has been that, typically, beer
12 is a lot cheaper to buy than hard liquor, and
13 hard liquor's relatively expensive. I don't know
14 if you would necessarily concur with that?

15 MR. DOORNEK: I believe beer is cheaper
16 than -- than hard liquor. What it is that they
17 consume at these parties, I do not know.

18 ALDERMAN BOHL: Okay. I -- I
19 appreciate that. Thank you.

20 VICE CHAIRMAN HERRON: Are there any
21 other questions from members of the committee?

22 MR. SCHRIMPF: Mr. Chairman?

23 VICE CHAIRMAN HERRON: Attorney
24 Schrimpf.

25 MR. SCHRIMPF: Thank you. Um, you said

ON 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25

that half of the neighborhood is students at UWM?

MR. DOORNEK: That's my impression.

MR. SCHRIMPF: Okay. Um, have you

experienced problems in your immediate

neighborhood --

MR. DOORNEK: Yes.

MR. SCHRIMPF: -- with respect to

students that are getting drunk?

MR. DOORNEK: Yes, I have. I've had

people urinating in my front yard, vomiting on my

front steps. I have picked up empty beer bottles

and cans of -- of -- ah -- pints of -- of -- ah--

alcohol from my backyard.

MR. SCHRIMPF: And that is on a regular

basis, or is that an infrequent occurrence?

MR. DOORNEK: Um, the summer before

last, it was about two or three nights a week.

Um, the police had been called to that property

that's immediately south of me a couple of times

the summer before last, and it wasn't as bad this

past year. I think there were maybe only three

or four parties there this summer.

MR. SCHRIMPF: And that is -- that is

without this location having the ability to sell

liquor at the present time?

1 MR. DOORNEK: That's correct.

2 MR. SCHRIMPF: Okay. That's all I
3 have, Mr. Chairman.

4 VICE CHAIRMAN HERRON: Okay. Attorney
5 Gimbel, do you have anything?

6 MR. GIMBEL: Thank you, Mr. Chairman.
7 Yes.

8 Mr. Doornek, have you ever been in this
9 grocery store?

10 MR. DOORNEK: Not recently. I was in
11 it way back when it was still a pharmacy.

12 MR. GIMBEL: I see. So, you've had no
13 dealings with Ms. Assad or any of her employees?

14 MR. DOORNEK: No. No.

15 MR. GIMBEL: It is true, is it not, sir
16 that within one block of your house, there is, in
17 fact, a full service liquor store called
18 Gilbert's. Is that right?

19 MR. DOORNEK: That's correct.

20 MR. GIMBEL: And there are four taverns
21 that are all in one way or another associated
22 with food establishments?

23 MR. DOORNEK: Yes.

24 MR. GIMBEL: Okay. Now, have you had a
25 problem with Gilbert's liquor store?

1 MR. DOORNEK: I don't know where the
2 alcohol comes from that is served at these
3 parties, if that's what you're asking me.

4 MR. GIMBEL: No -- well, the question
5 is, have you had a problem with this Class A
6 licensed establishment that's about one block or
7 less from your house?

8 MR. DOORNEK: If you're asking me would
9 I rather the liquor store weren't there, the
10 answer is yes.

11 MR. GIMBEL: That wasn't the question.
12 The question is, do you -- have you had a problem
13 with customers from that store causing you a
14 problem?

15 MR. DOORNEK: Like I say, I don't know
16 where the alcohol comes from.

17 MR. GIMBEL: I see. Did you appear and
18 -- and notify Alderman D'Amato that you wanted
19 that license not to be renewed at any time?

20 MR. DOORNEK: No, I didn't.

21 MR. GIMBEL: Okay. Thank you. I have
22 nothing.

23 VICE CHAIRMAN HERRON: Okay --

24 MR. DOORNEK: I might also add that --

25 MR. GIMBEL: Sir -- sir, no, there's

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not a question --

MR. DOORNEK: -- while I was living

there that long, I was never aware that when it was a drug store, that they even sold alcohol

there.

VICE CHAIRMAN HERRON: Okay. Thank you

very much.

Sir, we'll move on to you.

MR. CRONWELL: My name is Ron Cronwell.

That's C-r-o-n-w-e-l-l. I live at, and own the

duplex at 2520 and 22 North Frederick. That's

about two and a half blocks from the store's

location, and I frequently walk past the place as

we exercise around the neighborhood. I am

against the -- the -- ah -- granting of a liquor

license to that location -- ah -- for all of the

forementioned reasons. The -- ah -- we have the

opportunity to limit the

number of additional outlets, and that is one of

the reasons we're here.

One of the other things that I want to

bring to your attention is last year I was also

here and spoke against the license that they have

now. Ah, one of the items that was brought out

was the amount of trash and the way in which the

1 garbage cans along Park Place were being kept,
2 which is right next door to the grocery store.
3 At that time, they were going to clean it up,
4 make arrangements to shield it, or something, so
5 that it would look better. I drove by Sunday
6 morning, and there is a big green dumpster
7 overflowing with garbage, and a number of other
8 smaller plastic containers out there, sitting out
9 there, just the same as they were a year ago.
10 Nothing has changed.

11 VICE CHAIRMAN HERRON: Thank you.
12 Members of the committee, do you have any
13 questions? Attorney Gimbel --

14 MR. GIMBEL: No questions.

15 VICE CHAIRMAN HERRON: No. Thank you,
16 sir, --

17 ALDERMAN SANCHEZ: Mr. Chair?

18 VICE CHAIRMAN HERRON: -- for your
19 testimony.

20 ALDERMAN SANCHEZ: Mr. Chair?

21 VICE CHAIRMAN HERRON: Alderman
22 Sanchez?

23 ALDERMAN SANCHEZ: One question. Is --
24 is the gentleman's name Mr. Cronwell? Is that
25 your name?

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MR. CRONWELL: Yes.

2

ALDERMAN SANCHEZ: Sir, how many other

3

locations in your neighborhood have you

4

personally gone to observe regarding garbage

5

overflying?

6

MR. CRONWELL: Oh, maybe fifteen.

7

ALDERMAN SANCHEZ: You have. Okay.

8

Thank you.

9

VICE CHAIRMAN HERRON: Thank you, Mr.

10

Cronwell. Sir?

11

MR. WEINSTEIN: Good afternoon. My

12

name is Steve Weinstein. Last name, W-e-i-n-s-t-

13

e-i-n. I live at 2834 North Murray Avenue,

14

approximately one and one-half blocks north of

15

the store under discussion right now. I have

16

some written comments, and afterwards, of course,

17

whatever questions --

18

ALDERWOMAN CAMERON-ROLLINS: Are you in

19

favor or opposition?

20

MR. WEINSTEIN: Definitely opposed.

21

VICE CHAIRMAN HERRON: Everyone before

22

us right now is opposed.

23

ALDERWOMAN CAMERON-ROLLINS: Oh.

24

VICE CHAIRMAN HERRON: Sir, do you want

25

to --

1 MR. WEINSTEIN: Ah -- yes. On the
2 block that we live, there are twenty-three
3 children, my two daughters, and Lily, Jack, and
4 Nicholas D'Amato. Would that the law dictate my
5 comment on the matter be kept to a single word,
6 as I said, that word would be "no". No liquor
7 license would be my vote. In the UWM
8 neighborhood, the 2700 block of North Murray
9 Avenue, the block on which the Assad store is
10 located, is already a leader in the category of
11 party and decible abuse. It's a good bet that a
12 corner store that sells liquor would only
13 perpetuate the standing. But I've got another
14 bet. This one is based on firsthand information.
15 The bet is that they need to show identification
16 and proof of age a sale is made. It makes no
17 difference in that store. They'll sell anything
18 to anyone no matter the age. How do I know?
19 Approximately two weeks ago, my daughter admitted
20 to her mother and I that she smokes. She
21 regularly buys her cigarettes at their store. My
22 daughter's fourteen years old. She's never been
23 asked to show identification in that store before
24 being sold cigarettes. Last I checked yesterday
25 with the people in the capitol, the law says that

1 you can only sell cigarettes to adults over the
2 age of twenty-one. As a result of the illegal
3 sale of cigarettes to minors, I also understand
4 from Officer Todd Baldwin at the 5th District
5 Police Station, that the store is under
6 investigation, and that sanctions -- sanctions
7 will be enforced. On -- just for the record,
8 last night I asked my daughter if she had
9 purchased cigarettes there since being questioned
10 by Officer Baldwin on January 7th. She said,
11 "Yes". He works second shift. I will be calling
12 him this afternoon to tell him that it's happened
13 again since they've been warned. If they sell
14 cigarettes to children, then one can only presume
15 that if you grant them a license to sell alcohol,
16 they'll carry over the same tactic with hard
17 liquors. It seems that anything for a buck, no
18 matter the age of the child who gives it to them,
19 including the twenty-three children that live on
20 our block, seem to be their rule of business.
21 I'd ask that you don't even given them a chance
22 to continue to break the law by selling hard
23 liquor. I trust that you'll say no when it comes
24 to them granting a license. Thank you.

25 VICE CHAIRMAN HERRON: Any questions

from members of the committee? Alderwoman Rosa

Cameron-Rollins.

ALDERWOMAN CAMERON-ROLLINS: This is

too hard for me to do -- just to let the attorney to do it. The -- um -- I have a question that you made a statement. First of all, I would say -- I would -- I have your address. Any parents come up here and testify if you have -- the consequences of their children breaking the law, I have a problem with it. You told me that your daughter had -- bought cigarettes from this store with your knowledge --

MR. WEINSTEIN: No. Not -- she -- she told me -- she admitted to me, and that's why we had the police officer come over to put a stop to it.

ALDERWOMAN CAMERON-ROLLINS: Did the police give them a ticket?

MR. WEINSTEIN: I -- he said he was going to go over there and give them a warning, because he hadn't witnessed that she had purchased it from them.

ALDERWOMAN CAMERON-ROLLINS: But --

okay. Did -- and now, you come back -- you said it -- that she have done it in January, and you

1 asked her this week that she do it, and you said
2 she did it again, and you're going to contact the
3 police department. That's -- one of the thing
4 the committee here tries not to do is to bring
5 "he say, she say," and what you are doing which--
6 in -- in some of your statement, you gave us
7 secondhand information, and it was quite
8 disturbing to me that you would say that your
9 daughter said that she got it from here. I -- to
10 mean that I was upset if the police -- if you
11 seeing her do it, and it was nothing done about
12 it and there's no record of it. Also, you also
13 made a statement that they will sell to anybody
14 regardless of age, all they interested in is
15 making a-- a buck. Tell me how you can verify
16 that, or how did you come up to that opinion?

17 MR. WEINSTEIN: I don't have fact or
18 proof. What I can tell you is that my daughter
19 did ask her classmates, a freshman at Riverside,
20 where she could buy cigarettes, and they told her
21 that the freshman class goes to that store
22 because it's close to the school.

23 ALDERWOMAN CAMERON-ROLLINS: And -- ah
24 -- ah -- well, let's -- um -- but you still is
25 not giving me information that you are a witness,

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even though --

MR. WEINSTEIN: That's true. I -- I

have not been there to see her do it. I'm going on her telling me as my daughter.

ALDERWOMAN CAMERON-ROLLINS: Okay.

That's one comment I had. And the other one was that -- that you disagreeable -- that you denying

because of the fact that it was too many what?

Is too much liquor in the -- um -- liquor outlets in --

MR. WEINSTEIN: I think there -- there

are enough outlets within -- within the area, is my personal thought. There are -- there are

definitely --

ALDERWOMAN CAMERON-ROLLINS: All right.

If they don't --

MR. WEINSTEIN: -- enough places to go.

ALDERWOMAN CAMERON-ROLLINS: -- say

they do not get a license. Say we don't grant them their full line of liquor license. How

close of your residence to the nearest liquor

store?

MR. WEINSTEIN: One block.

ALDERWOMAN CAMERON-ROLLINS: One block.

Have you had any problems with that liquor store?

1 MR. WEINSTEIN: I've had no problem
2 with the liquor store, but I don't know if any of
3 the students that have torn up my lawn, or
4 dropped bottles, or crashed bottles on my
5 driveway, purchase their liquor there or not?

6 ALDERWOMAN CAMERON-ROLLINS: Of what?
7 I didn't hear you.

8 MR. WEINSTEIN: I don't know if any of
9 the people on any Friday or Saturday night that
10 have broken bottles in my driveway or have torn
11 up my deck purchased their liquor at Gilbert's or
12 not.

13 ALDERWOMAN CAMERON-ROLLINS: Oh, was it
14 liquor bottles in your driveway, or just beer
15 bottles?

16 MR. WEINSTEIN: No. It was liquor
17 bottles.

18 VICE CHAIRMAN HERRON: Let me just
19 clarify something. We are -- you -- we -- we do
20 expect your testimony to be eyewitness testimony,
21 what you see. That's all that you can testify
22 to, and that's all that the committee can take
23 into consideration. Because you have such a
24 capable attorney -- or she has such a capable --
25 we haven't objected, but we would hope that the

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attorney would object --

MR. GIMBEL: I -- I'm going to move --

when you're done.

VICE CHAIRMAN HERRON: -- um -- and you

can object as we're hearing the testimony as

opposed to waiting --

MR. GIMBEL: Sure.

VICE CHAIRMAN HERRON: -- until it's

all done.

MR. GIMBEL: Okay.

VICE CHAIRMAN HERRON: -- um -- that

way it stays out of the record.

MR. GIMBEL: I understand. I -- I

didn't want to be rude, Mr. Chairman, but -- but

I'm going to be a lawyer now, and I'm going to

ask that you strike all of Mr. Weinstein's

testimony because, in all of his prepared

statement, he did not include any personal

knowledge of any of the things that he complained

about. He had third party source information. I

would hate to have to defend anybody in a court

of law charged with a crime, and have Mr.

Weinstein be the source of information that would

be offered to convict him. Okay.

VICE CHAIRMAN HERRON: I'm going to ask

1 that we maintain order in the room. Um, this is
2 a -- a hearing, and we expect people in the
3 audience to act accordingly. Thank you.

4 Attorney Schrimpf, if you could give us
5 your opinion on that, which was --

6 MR. SCHRIMPF: The ordinances are very
7 clear, that an applicant, even a new ap -- even
8 an applicant for a new license, is entitled to be
9 able to cross examine the witnesses. If
10 testimony comes in of a hearsay nature, then that
11 is something that the applicant, in effect, is
12 denied the opportunity to cross examine upon, and
13 that is the situation with that kind of evidence,
14 the kind of evidence here, that what is happening
15 is that this witness has testified that his
16 daughter told him she got the cigarettes from
17 this store. Well, his source of the information
18 is his daughter, who apparently isn't here to
19 testify.

20 VICE CHAIRMAN HERRON: So, the part of
21 your testimony, which could be all of it, that
22 related to what you may have heard and what you
23 did not see, is stricken from the record which,
24 from -- based on what I heard, is the majority of
25 what you testified to.

Do you have any further questions of

the witness?

MR. GIMBEL: I have no further

questions of the witness right now. No.

VICE CHAIRMAN HERRON: Okay. Thank

you, sir. Ma'am?

MS. RAMOS: My name is Janice Ramos. I

live in the 2700 block of North Frederick, which

is directly around the corner from the store --

THE REPORTER: Please spell your last

name?

MS. RAMOS: R-a-m-o-s. I'm a

homeowner. I've owned this home for eight years.

I've lived on the East Side for approximately

eighteen years. The home that my husband and I

purchased had been a flat house prior to our

purchasing it, and we have put great efforts,

financially, emotionally as well, into renovating

our home and contributing positively to the

neighborhood. I believe a grocery store

contributes to the neighborhood, which is a

community of residential, primarily, and -- and

predominantly residential nature. I -- I can't

even -- even when it's -- it's been asked, I

can't really get from Ms. Assad an assurance that

1 this is not going to become a full liquor store.
2 I didn't hear that. And I'm very concerned that
3 it will, and it will impact the quality of lives
4 of residents in this area. I'm afraid it will
5 wreck my property value. On a weekly basis, I
6 pick up, and my husband picks up, both beer and
7 liquor bottles, and there's a number of other
8 fallout from having liquor stores in our area.
9 At this point, they're all in business districts.
10 They're not in residential -- in -- in the heart
11 of my residential neighborhood. This would
12 change. And it would definitely impact me. I --
13 I also don't believe Ms. Assad lives in my
14 neighborhood, and so I don't think it would
15 directly impact her as -- as a resident of the
16 community.

17 VICE CHAIRMAN HERRON: Thank you.
18 Members of the committee, do you have any
19 questions of the witness?

20 ALDERWOMAN CAMERON-ROLLINS: I'm --

21 VICE CHAIRMAN HERRON: Alderwoman
22 Cameron-Rollins.

23 ALDERWOMAN CAMERON-ROLLINS: Thank you.
24 I didn't get your address. What did you say?

25 MS. RAMOS: 2719 --

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ALDERWOMAN CAMERON-ROLLINS: 27.

MS. RAMOS: -- North Frederick Avenue.

ALDERWOMAN CAMERON-ROLLINS: I got that part. Okay. Um, how long you been living there,

honey?

MS. RAMOS: I've lived at that home for

eight years.

ALDERWOMAN CAMERON-ROLLINS: Where is

the next nearest liquor store from your home?

MS. RAMOS: Two and a half blocks.

ALDERWOMAN CAMERON-ROLLINS: And how

long has that liquor store been there?

MS. RAMOS: Since I can remember when I

-- I've been in the area for eighteen years, so

it was a long time.

ALDERWOMAN CAMERON-ROLLINS: Oh, it was

-- it was there when you got there?

MS. RAMOS: Um-hmm.

ALDERWOMAN CAMERON-ROLLINS: When you

recognized that it was a liquor store there on

the corner, did you go to the -- your alderperson

and tell them that you have any pros or cons?

Were you in favor of that liquor store? Or you

felt like that when you bought your house then,

you knowed there was a liquor store, that it

1 wouldn't influence upon the quality of life that
2 you was buying into, or what did you think it
3 would do?

4 MS. RAMOS: I thought it was where it
5 belonged in a business district. It's on Oakland
6 Avenue in the heart of the business district of
7 Oakland Avenue. So, I didn't have the same
8 concerns because it was not in my residential
9 neighborhood, a half a block away from my home.

10 ALDERWOMAN CAMERON-ROLLINS: It is a
11 half a block?

12 MS. RAMOS: Yes.

13 ALDERWOMAN CAMERON-ROLLINS: Okay.
14 Could you also answer now, how -- what is the
15 closest tavern to your house?

16 MS. RAMOS: Probably two blocks away.

17 ALDERWOMAN CAMERON-ROLLINS: And this
18 store is how many blocks from your home?

19 MS. RAMOS: About a half a block. I --
20 that -- this store, a house, and a -- an
21 apartment building separate my home.

22 ALDERWOMAN CAMERON-ROLLINS: Oh. Okay.

23 VICE CHAIRMAN HERRON: Any other
24 questions from members of the committee?

25 Mr. Gimbel, do you have any questions?

1 MR. GIMBEL: Yes. Thank you very much,

2 Mr. Chairman.

3 Ms. Ramos, have you been a customer in

4 the -- at Parkview?

5 MS. RAMOS: Oh, yes. Yes, I have.

6 MR. GIMBEL: Have you had any problems

7 with the way that they run the store, the way

8 they treated you?

9 MS. RAMOS: Not with the way the store

10 is run as a grocery store. Not at all.

11 MR. GIMBEL: Do you know that the Assad

12 family has had two or three grocery stores in the

13 City of Milwaukee for more than twenty-five

14 years?

15 MS. RAMOS: I'm only aware of the one

16 that's around the corner from my home.

17 MR. GIMBEL: Thank you. I have no

18 further questions.

19 VICE CHAIRMAN HERRON: Thank you.

20 Thank you for your testimony.

21 Sir, please state your name and your

22 address, and your rela -- your distance to the

23 location in question.

24 MR. TRIMBERGER: My name is Elliott

25 Trimberger. Spelled T-r-i-m-b-e-r-g-e-r, and my

1 address is 2414 North Oakland Avenue, and I don't
2 support this license. There's too many places
3 where you can get liquor around the area where I
4 live. There's like -- ah -- an Open Pantry just
5 two blocks east of my location -- um -- and I've
6 seen -- ah -- the effects that too much drinking
7 can have on, like, individuals and property and
8 things like that. I was almost involved in a car
9 accident because of a drunk driver, so I -- I
10 don't think that this would be a good idea to
11 convert this to a liquor store.

12 VICE CHAIRMAN HERRON: Thank you. Are
13 there any questions from members of the
14 committee?

15 ALDERWOMAN CAMERON-ROLLINS: I would
16 like to ask, how did he --

17 VICE CHAIRMAN HERRON: Alderwoman
18 Cameron-Rollins?

19 ALDERWOMAN CAMERON-ROLLINS: Thank you.
20 How were you notified of this meeting?

21 MR. TRIMBERGER: Pardon?

22 ALDERWOMAN CAMERON-ROLLINS: How were
23 you notified of this meeting?

24 MR. TRIMBERGER: Ah, postcard through
25 the mail.

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ALDERWOMAN CAMERON-ROLLINS: You was

notified through the mail as well?

MR. TRIMBERGER: Yes.

ALDERWOMAN CAMERON-ROLLINS: And the

young lady beside you?

MS. RAMOS: I'm a part of Marie Hill

Neighborhood Association. I also got a notice of

-- of a card in the mail.

ALDERWOMAN CAMERON-ROLLINS: You got

notice through the mail?

MS. RAMOS: And our association

notified people of the hearing.

ALDERWOMAN CAMERON-ROLLINS: Okay.

Thank you.

VICE CHAIRMAN HEKRON: Attorney Gimbel,

do you have any question?

ALDERMAN BOHL: Mr. Chairman --

VICE CHAIRMAN HEKRON: Oh, I'm sorry.

Alderman Bohl.

ALDERMAN BOHL: Mr. -- Mr. Trimberger,

um, you indicated that you live in the -- this is

2400 block of Oakland?

MR. TRIMBERGER: Um-hmm. Yes. That's

like two blocks north of North Avenue.

ALDERMAN BOHL: Okay. Um, so, you're

1 roughly, about four blocks south and two blocks
2 west of the -- of the site?

3 MR. TRIMBERGER: Correct.

4 ALDERMAN BOHL: Okay.

5 MR. TRIMBERGER: Correct.

6 ALDERMAN BOHL: Okay. That's all.

7 Thank you.

8 MR. GIMBEL: Mr. Trim -- is it my turn?

9 VICE CHAIRMAN HERRON: Oh, I'm sorry.

10 Mr. Gimbel, sure it is.

11 MR. GIMBEL: It's my turn? Okay.

12 VICE CHAIRMAN HERRON: You're up.

13 MR. GIMBEL: I don't want to jump in
14 anybody's face.

15 Are you just opposed to people --
16 people drinking?

17 MR. TRIMBERGER: I don't do any
18 drinking, 'cause I'm on -- ah --

19 MR. GIMBEL: So, you're against the
20 City getting involved in -- in authorizing the
21 sale of intoxicating beverages. Is that a fair
22 statement?

23 MR. TRIMBERGER: I'm not against
24 intoxicating beverages. I just want to limit the
25 places where people can get them. Ah --

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MR. GIMBEL: Limit it to what?

MR. TRIMBERGER: Ah -- well, this --

limited to how many places can sell them.

MR. GIMBEL: Let's see. Where you

live, there are several tavern premises and

restaurant premises within -- ah -- near walking

distance, essentially equivalent to the Parkside

Foods. Isn't that right?

MR. TRIMBERGER: Correct.

MR. GIMBEL: And there is a -- um -- a

full service liquor store up on Locust and

Oakland. Is that correct?

MR. TRIMBERGER: Right. Siegel's?

Yeah.

MR. GIMBEL: Gilbert's. No, not

Siegel's. Siegel's is in Shorewood.

MR. WAGNER: It's in Milwaukee.

MR. GIMBEL: Oh, okay. Well -- Sie --

Siegel's is in Milwaukee. All right.

VICE CHAIRMAN HERRON: Otto's. It's no

longer Siegel's anyway. It's Otto's now.

MR. GIMBEL: Otto's, right.

MR. TRIMBERGER: Gilbert's.

MR. GIMBEL: But -- but the essence is

that you just don't think that there ought to be

1 liquor sold out of grocery stores. Is that
2 right?

3 MR. TRIMBERGER: I think, as I said,
4 there's just too much liquor being sold.

5 MR. GIMBEL: Okay.

6 VICE CHAIRMAN HERRON: All right.
7 Thank you. Alderwoman, do you have additional
8 questions?

9 ALDERWOMAN CAMERON-ROLLINS: No. Thank
10 you.

11 VICE CHAIRMAN HERRON: No? Okay.
12 You're giving me the question poke.

13 MR. LARSEN: All right. In that case--

14 VICE CHAIRMAN HERRON: I'm sorry, sir.
15 We didn't get you, so --

16 MR. LARSEN: No, you didn't, not yet --

17 VICE CHAIRMAN HERRON: -- come back
18 around to you.

19 MR. LARSEN: -- I hopped in here late.

20 VICE CHAIRMAN HERRON: Okay.

21 MR. LARSEN: My name is Ken Larsen, L-
22 a-r-s-e-n. My address is 1915 East Newberry.
23 It's approximately one block north of the
24 Parkview Liquor and Grocery Store.

25 MR. LARSEN: I'm opposed to the

addition of more alcohol to the neighborhood. My wife and I went for a walk last night, and -- ah -- we do live about a block and two houses over from the -- ah -- from that store. We took about a three-block walk to Gilbert's. We went back to the Parkside Store. We took about a five block walk to the south to Farwell and North where there's a large five thousand square foot store, and then we took a short walk to the east, directly to the east to Downer Avenue and took a look at the Downer Liquor Store. All three of those, I guess, have -- have -- or two of them, anyway, have been in business a long time. Um, the -- the Parkside one, which is kind of right in the middle of the -- of the bunch of those three -- ah -- is the only one of the three that's smack dab in the middle of a residential neighborhood. I don't know what the percentages are of students versus homeowners. I'm just not that kind of guy that can do that kind of research. Ah, but my perception is that -- um -- by the way, I should have mentioned that we've -- we've lived at that location as homeowners for three years, a little more than three years. Prior to that, I lived as a tenant, also on the

1 east side, ah, for about fifteen years. So, I've
2 got sort of a student perspective and -- and a
3 homeowner perspective -- or a renter-student
4 perspective and a homeowner perspective. And I
5 haven't changed that much. I've never been a big
6 drinker, so I guess it really doesn't matter to
7 me where liquor stores are, but -- um -- we did
8 recognize on our walk, that it seemed odd that
9 there needed to be another liquor store right in
10 the middle of a residential neighborhood when
11 they're already -- when they're surrounded by
12 liquor stores. And I didn't realize there were
13 thirty-three outlets where you could -- where you
14 could get liquor. I thought -- I was just
15 thinking about stores. I wasn't even thinking
16 about bars and restaurants. Um -- but -- um --
17 with those thoughts in mind, and I talked to my
18 wife about it, and we each have our own opinions.
19 She ended up concurring with me that there just
20 is absolutely no good reason to introduce more
21 alcohol into a residential neighborhood, a
22 neighborhood that is -- although I can't give you
23 specific percentages -- heavily populated with
24 underage students, a neighborhood that is heavily
25 populated with young impressionable children. We

1 just don't need that kind of additional alcohol
2 in this block. I -- I have two, sort of,

3 secondary or additional comments. Um, three

4 years ago when we moved to Newberry and Murray,

5 which is -- we're just off that corner -- ah --

6 we had some concerns. We -- we liked the East

7 Side. I've always liked the East Side, but we

8 had some concerns about being kind of that far --

9 kind of on the western edge of the East Side. We

10 -- we prefer to be over in the Downer Avenue

11 area. We thought the houses were a little nicer

12 and it was a little quieter, but we took a

13 chance. And -- and the first year that we were

14 there, I think we were certainly satisfied, maybe

15 pleasantly surprised, and we felt pretty

16 comfortable being there. The last two summers

17 and falls, party time -- there's a lot of parties

18 in the summer because the weather's warm.

19 There's a lot of parties in the fall because the

20 freshman come in and it's the first time away

21 from home, and they -- they have a hell of a time

22 in September, October, November, before the

23 weather gets cold. In the last two years, and I

24 can't attribute this directly to -- ah --

25 increased beer sales in -- out of a specific

1 store, but the last two years we've had
2 substantially more problems with vandalism, with
3 urination, those sorts of issues, -- ah -- beer
4 bottles and things that we're picking up
5 regularly on our street. Um, so -- for what
6 that's worth, that's an observation, and my last
7 observation is this. I -- I find it interesting
8 and -- ah -- maybe I'm incorrect in my
9 assumption, but for the last hour almost, I've
10 been sitting here looking at the monitor, and on
11 a regular basis, I see the -- the name Parkside
12 Liquor and Grocery, not Parkside Grocery and
13 Liquor. I can only assume that the intent is to
14 make liquor a primary -- ah -- part of that
15 business, and as a resident, as a father, I'm
16 really opposed to it.

17 VICE CHAIRMAN HERRON: Thank you very
18 much.

19 MR. LARSEN: Yeah.

20 VICE CHAIRMAN HERRON: Members of the
21 committee, do you have any questions?

22 ALDERMAN SANCHEZ: Mr. Chair?

23 VICE CHAIRMAN HERRON: Alderman
24 Sanchez.

25 ALDERMAN SANCHEZ: Just one quick

question. Mr. Larsen --

MR. LARSEN: Yes.

ALDERMAN SANCHEZ: Um -- ah -- if you

lived on the corner of, perhaps, Prospect and

Newberry, that would put you approximately two

blocks away from the Parkside Grocery --

MR. LARSEN: No --

ALDERMAN SANCHEZ: -- there are how

many --

MR. LARSEN: -- Prospect, did you say?

ALDERMAN CAMERON-ROLLINS: Newberry

and Prospect.

ALDERMAN SANCHEZ: Well, I said

Prospect --

MR. LARSEN: -- that'd put --

ALDERMAN SANCHEZ: -- Prospect and East

Newberry.

MR. LARSEN: That would put me six

blocks from the grocery.

ALDERMAN SANCHEZ: All right. Let's

just put you maybe a few blocks less. How about

Maryland and Newberry?

MR. LARSEN: Okay. Um, okay, that'd

put me three blocks away.

ALDERMAN SANCHEZ: If you -- if you

1 lived at that location, and you wanted to
2 purchase some liquor, don't you think that by
3 having a liquor store, such as a Parkside
4 Grocery, would discourage you from driving your
5 vehicle, knowing that it's only a block away?

6 MR. LARSEN: Well, it would be three
7 blocks away. So -- I'm not quite sure what the
8 question is?

9 ALDERMAN SANCHEZ: Well, let me ask you
10 this. If there is not any liquor sale there, in
11 -- in essence, there could be the possibility
12 that that encourages people who are drinking
13 liquor, to get in their vehicle, then drive,
14 perhaps, even after they've been drinking, to
15 find a liquor store. So, we could argue that --
16 ah -- to an extent, possibly by not having liquor
17 there, people will essentially drink and drive to
18 find a liquor store?

19 MR. LARSEN: Absolutely not. From that
20 location, they can just as easily walk to Downer
21 Liquor.

22 MR. SANCHEZ: Thank you.

23 VICE CHAIRMAN HERRON: All right. Do
24 we have any other questions from members of the
25 committee?

ALDERWOMAN CAMERON-ROLLINS: I --

VICE CHAIRMAN HERRON: Do you have a question, Alderwoman?

ALDERWOMAN CAMERON-ROLLINS: I'll let mine go.

VICE CHAIRMAN HERRON: Okay.

MR. GIMBEL: Thank you very much.

VICE CHAIRMAN HERRON: Okay.

MR. GIMBEL: Mr. Larsen, you have frequented, I assume, the Sendik's Food Market, have you not?

MR. LARSEN: On Downer Avenue?

MR. GIMBEL: Yes.

MR. LARSEN: Yes.

MR. GIMBEL: And that's primarily a grocery store, would you agree with me?

MR. LARSEN: Yeah.

MR. GIMBEL: And they have a liquor license for all kinds of wines and hard liquor, and beer. Is that correct?

MR. LARSEN: I don't know.

MR. GIMBEL: You don't know?

MR. LARSEN: Not sure. I don't -- I don't -- I just go there to buy vegetables and

1 flowers. I never even make it into the other
2 half of that store.

3 MR. GIMBEL: So -- so that store, you
4 don't con -- consider it to constitute a threat
5 to the safety, security, and -- ah -- tranquility
6 of the neighborhood?

7 MR. LARSEN: I find that store to be in
8 the middle of a business district, and the
9 business that goes on there, I think, has been
10 proven over a period of time, to be a responsible
11 one.

12 MR. GIMBEL: Do you know how long
13 they've had a liquor license there?

14 MR. LARSEN: No, I don't.

15 MR. GIMBEL: If I told you it was less
16 than ten years, would you be surprised?

17 MR. LARSEN: No.

18 MR. GIMBEL: Okay. Nothing further.

19 VICE CHAIRMAN HERRON: Okay. Um, if
20 there are no other questions from members of the
21 committee, we're going to take a five -- ten
22 minute recess to allow our court reporter to rest
23 her hands, and when we come back, we'll hear from
24 those in support of this license. Thank you.

25 (Recess taken.)

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VICE CHAIRMAN HERRON: To pick up where

we left off on the matter of Hana Assad and her application for a liquor license. We have

already heard from those in opposition to the

license, and now we will afford those in support of the license an opportunity to have their

comments heard by the committee. I will state

the same -- um -- request that I made for those

in opposition, that you keep your remarks brief

and to the point, as much to the point as you

can, and if your testimony is repetitive to what

someone else said, you can simply say that I

concur with the previous testimony, and we will

not penalize you for your brevity.

MR. GIMBEL: Thank you very much.

There should never be penalty for brevity.

VICE CHAIRMAN HERRON: No. So, all

those who would like to speak in support of the

license, please come forward now.

AUDIENCE MEMBER: Do you have to live

in the neighborhood?

VICE CHAIRMAN HERRON: No, you don't

have to live in the neighborhood.

MR. GIMBEL: Mr. Chairman, the first

person I'd like to ask you to hear from is Andy

1 Arena, that's this gentleman right here to my
2 right.

3 VICE CHAIRMAN HERRON: Sure. Mr.
4 Arena, you've -- if you could begin by stating
5 your name and address, and Attorney Schrimpf,
6 would you like also to know their relationship in
7 -- distance from the --

8 MR. SCHRIMPF: Distance from the
9 license --

10 VICE CHAIRMAN HERRON: -- distance from
11 the potential licensed premise as well, please?

12 MR. SCHRIMPF: The first witness is the
13 owner of the building.

14 VICE CHAIRMAN HERRON: Okay. Go ahead.

15 MR. ARENA: Andrew Arena, A-r-e-n-a,
16 708 North 26th street, Milwaukee, ah -- owner of
17 the property for approximately fifteen years, and
18 for the four years prior to that, was the
19 managing agent for the owner of the property.

20 VICE CHAIRMAN HERRON: Okay. And
21 you're --

22 MR. ARENA: I am the landlord for the
23 Assads. I've had a very good business
24 relationship with them. Everything that we've
25 ever -- they said would ever be done to the store

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has been done. They've lived up to all the

covenants of the lease. They're good business

people, good tenants. They've improved the

appearance of the store. The older gentleman,

Mr. Sokol, who was quite elderly, couldn't really

keep it up the way he used to and liked to, and

these people -- even things like picking up

litter on the outside, they're very attentive to

that. They've been cooperative. Shortly after

they moved in, we wanted them to address the

garbage problem, to get a second commercial

dumpster and pay for it. They did. It was

brought to our attention that we need more

attention on that, and I apologize to the

community for what was shown on some pictures and

we'll -- we'll attend to that, but -- ah -- I

would, you know, be in favor for these people who

operate a very good grocery store for the

neighborhood -- ah -- to be able to enhance their

business and sell liquor.

MR. GIMBEL: Mr. Arena, can you tell

this committee what your view is on the value of

the physical improvements that were made by the

Assad family?

MR. ARENA: I would think it's probably

1 close to \$40,000 improvements with their
2 flooring, refrigeration, general improvements,
3 and air conditioning units that they put in.

4 MR. GIMBEL: And do you notice any
5 difference, can you compare and contrast the
6 difference in the quality of the operation of
7 this location now as against Mr. Sokol, who was
8 the prior tenant?

9 MR. ARENA: It's a -- it's a much more
10 vibrant store. Mr. Sokol, toward the end was --
11 the store kept getting smaller and smaller. He
12 kept, you know, handling less goods, and it
13 almost seemed like it was a -- a hobby for him to
14 get out of the house and -- and set up the store.
15 And this store is using all the space. It's well
16 lit. It's bright, redecorated, and all new
17 equipment. So, it's a vast improvement as far as
18 -- ah -- I think it's an asset to -- to the
19 neighborhood.

20 MR. GIMBEL: Thank you. I have no
21 further questions.

22 VICE CHAIRMAN HERRON: Members of the
23 committee, do you have any questions for -- for
24 the witness?

25 MR. SCHRIMPF: Mr. Chairman?

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VICE CHAIRMAN HERRON: We'll start with

Attorney Schrimpf and then Alderwoman Rosa

Cameron-Rollins.

MR. SCHRIMPF: Thank you. You -- you

indicated that there was refrigeration units that

were added?

MR. ARENA: I believe so.

MR. SCHRIMPF: Was this the meat

lockers, or food --

MR. ARENA: No. I believe it was

coolers for soda.

MR. SCHRIMPF: Okay.

MR. ARENA: And milk.

MR. SCHRIMPF: Okay. That's all I

have. Thank you.

VICE CHAIRMAN HERRON: Alderwoman

Cameron-Rollins.

ALDERWOMAN CAMERON-ROLLINS: Did you --

have you spoken to Alderman D'Amato regarding --

excuse me -- your tenant's intent?

MR. ARENA: I spoke with Alderman

D'Amato a -- a few different times and met him at

the store one time.

ALDERWOMAN CAMERON-ROLLINS: And did

you tell him what your tenant was intending?

1 MR. ARENA: At the time that I met with
2 him, he knew. I think that's why we got
3 together. The -- the tenant let him know what
4 the intent was, and then I -- I became involved.
5 We were both aware of the intent, I -- I believe,
6 when -- when we talked and met.

7 ALDERWOMAN CAMERON-ROLLINS: And what
8 was -- well, okay. Thank you.

9 VICE CHAIRMAN HERRON: Are there any
10 other questions from members of the committee?

11 Thank you, Mr. Arena.

12 Mr. Gimbel, is your intention to call
13 the witnesses by -- do you have a list there?

14 MR. GIMBEL: I -- I think my -- I kind
15 of -- yes, I have a list --

16 VICE CHAIRMAN HERRON: And would you
17 like to --

18 MR. GIMBEL: -- zip through them.

19 VICE CHAIRMAN HERRON: Will you be
20 working with the witnesses on their testimony?

21 MR. GIMBEL: Yes, I think that would
22 be--

23 VICE CHAIRMAN HERRON: Okay.

24 MR. GIMBEL: -- that it'll expedite.

25 VICE CHAIRMAN HERRON: That's fine,

1 sir. Well, you want to call the next one?

2 MR. GIMBEL: Okay. Mr. Cramer?

3 MR. CRAMER: Here I am, sir.

4 MR. GIMBEL: Good.

5 VICE CHAIRMAN HERRON: Mr. Cramer, if

6 you could state your name, your address, and how
7 far your residence is from the property in
8 question.

9 MR. CRAMER: Um, my name's Gene Cramer.

10 Um, my --

11 VICE CHAIRMAN HERRON: Spell your last

12 name, I'm sorry.

13 MR. CRAMER: C-r-a-m-e-r. My address

14 is 2020 East Park Place. Um, I live about a

15 block away. I live on the same block as the

16 store. I live on one end of the corner, and he

17 lives on the other end of the block.

18 MR. GIMBEL: What is your occupation,

19 sir?

20 MR. CRAMER: I manage the apartment

21 building at Park Place and Frederick.

22 MR. GIMBEL: And how many units are in

23 that apartment?

24 MR. CRAMER: Approximately forty-two.

25 MR. GIMBEL: And do you have any other

1 buildings that you provide managerial services
2 for?

3 MR. CRAMER: Maryland Park and Lake --
4 Lake Terrace, right down the street. Maryland
5 Park is across the street from us, and Lake
6 Terrace is a -- about a half a block down, up
7 Frederick.

8 MR. GIMBEL: In all, how many units do
9 you currently manage in and about the area where
10 the Parkside Foods is located?

11 MR. CRAMER: Um, well she's working it
12 out. About two hundred sixty-eight units, but
13 then I assist with the other -- I manage,
14 primarily, the forty-two, but I assist with the--
15 with the other two buildings.

16 MR. GIMBEL: And do you, sir, have a
17 personal opinion as to whether or not this store,
18 with a full Class A liquor license will cause a
19 problem for you, who live in that location,
20 and/or the tenants who are under your management?

21 MR. CRAMER: No, sir.

22 MR. GIMBEL: Do you think that the
23 availability of a full line of intoxicating
24 beverages in that store would provide a
25 convenience for the people who live in the

1 buildings that you manage?

2 MR. CRAMER: It would deter them from
3 drinking and driving to other places, but I don't
4 think it'd get any worse. I mean, everybody's --
5 everybody drinks around there.

6 MR. GIMBEL: Now, there is another
7 liquor store, is there not, in the near vicinity?

8 MR. CRAMER: Yes. There's a few.

9 MR. GIMBEL: And have you seen the map
10 that -- ah -- Alderman D'Amato prepared? I think
11 it's right there in your presence?

12 MR. CRAMER: Yes.

13 MR. GIMBEL: Is that a colored map that
14 you have there?

15 MR. CRAMER: Ah, it's -- yeah, it's
16 got--

17 MR. GIMBEL: Okay.

18 MR. SCHRIMPF: Just for the record,
19 Alderman D'Amato did not prepare it, the
20 Legislative Reference Bureau did.

21 MR. GIMBEL: Fine. Alderman D'Amato
22 kindly provided it to us. Now, this document
23 purports to show, does it not, Mr. Cramer, that
24 there are three Class A liquor and malt beverage
25 licenses in the vicinity that has been earmarked

as a relevant geography. Is that right?

MR. CRAMER: Yes, sir.

MR. GIMBEL: One of them is on Oakland

and -- ah -- ah -- Locust. Is that correct?

MR. CRAMER: Yes, sir.

MR. GIMBEL: And that's -- ah -- about

two blocks from where your apartment building is?

MR. CRAMER: About three.

MR. GIMBEL: Okay.

MR. CRAMER: Three blocks.

MR. GIMBEL: A second of those full

Class A liquor licenses is in the Sendik's Food

Market on North Downer and Park Place?

MR. CRAMER: Yes, sir.

MR. GIMBEL: And then across the street

there's a full liquor store. Is that also

correct?

MR. CRAMER: Yes, sir.

MR. GIMBEL: And -- ah -- that is, in

its entirety, the amount of outlets that exist in

the area that Alderman D'Amato has offered here

as relevant to the consideration of this

committee of the application before it. Is that

right?

MR. CRAMER: Yes, sir. Um, may I add

1 the Open Pantry a couple blocks away, I believe
2 they have a license, too, like that.

3 MR. GIMBEL: Well, it says on this
4 document that it's Class A malt, so that would be
5 a beer only. Is that right?

6 MR. CRAMER: Okay. Um, yeah. I'm
7 sorry. I'm sorry.

8 MR. GIMBEL: Okay. Now, there are a
9 number of different tavern and restaurant
10 locations who have liquor licenses there as well.
11 Is that correct?

12 MR. CRAMER: Yes, sir.

13 MR. GIMBEL: And the -- and -- and it -
14 - and -- um -- and do you think that if this
15 committee acts affirmatively on this application,
16 that it will compromise any rights that your
17 tenants that are in the buildings that you manage
18 now enjoy?

19 MR. CRAMER: Um, I don't think it'll
20 compromise anything, no.

21 MR. GIMBEL: Okay. Thank you.

22 VICE CHAIRMAN HERRON: Alderman
23 D'Amato, you look like you have some comments?

24 ALDERMAN D'AMATO: I'd like to ask some
25 questions of the people as they come up as well--

VICE CHAIRMAN HERRON: Sure. Go right

ahead.

ALDERMAN D'AMATO: -- and have the

opportunity to cross examine.

Mr. Cramer, how far do you have to walk

from your house in order to get a drink?

MR. CRAMER: Um, what do you mean, to--

as far as -- what do you mean. You mean like to

go to a tavern or what do you mean?

ALDERMAN D'AMATO: Any type of

alcoholic beverage, how far would you have to go

to get an alcoholic beverage?

MR. CRAMER: Ah, I can go right to the

corner.

ALDERMAN D'AMATO: So, a couple houses?

MR. CRAMER: I'd say about a block.

ALDERMAN D'AMATO: If you wanted hard

liquor, how far would you have to go?

MR. CRAMER: Ah, to Gilbert's, which is

three blocks.

ALDERMAN D'AMATO: Is that a -- is that

an imposition upon you to do that? Is that

difficult for you to go three blocks to buy a --

a bottle of liquor?

MR. CRAMER: No. No.

1 ALDERMAN D'AMATO: Um, when you -- when
2 you -- um -- speak today, you don't speak for all
3 two hundred and fifty-eight tenants, do you?

4 MR. CRAMER: No, I don't, sir.

5 ALDERMAN D'AMATO: Do you speak for the
6 owner of the building?

7 MR. CRAMER: Ah, actually, no, I don't,
8 sir. No.

9 ALDERMAN D'AMATO: Okay. Thank you.

10 MR. SCHRIMPF: Mr. Chairman?

11 VICE CHAIRMAN HERRON: Thank you,
12 Alderman D'Amato. Attorney Schrimpf.

13 MR. SCHRIMPF: Thank you. Um, do you
14 patronize Parkside Grocery at the present time,
15 sir?

16 MR. CRAMER: Yes, sir, I do.

17 MR. SCHRIMPF: Okay. You go in there
18 for groceries, or malt beverages, or what?

19 MR. CRAMER: Um, usually just for -- um
20 -- for -- ah -- like milk, and bread, and stuff
21 like that. I haven't bought any beer there.

22 MR. SCHRIMPF: Okay. If you do a major
23 grocery shopping, do you use this store, or do
24 you go somewhere else?

25 MR. CRAMER: I go -- usually go to like

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Gold's.

MR. SCHRIMPF: Okay.

MR. CRAMER: Which is a pick 'n Save.

MR. SCHRIMPF: Okay. That's all I

have. Thank you.

VICE CHAIRMAN HERRON: Members of the

committee, do we have any questions?

ALDERWOMAN CAMERON-ROLLINS: Yes, I

just only have one.

VICE CHAIRMAN HERRON: Alderwoman

Cameron-Rollins.

ALDERWOMAN CAMERON-ROLLINS: I want you

to live -- how close to -- you would live from

this store, if it was to be licensed?

MR. CRAMER: How -- I'm sorry, ma'am?

ALDERWOMAN CAMERON-ROLLINS: How close

would you live to this full line grocery and

liquor store?

MR. CRAMER: How close do I live to it?

ALDERWOMAN CAMERON-ROLLINS: Yes.

MR. CRAMER: I live on -- I live on the

same block as it.

ALDERWOMAN CAMERON-ROLLINS: On the

same block?

MR. CRAMER: Yes. I'm -- I'm on

1 Frederick and Park, and he's on -- um -- Murray
2 and Park, which is about a block. Not even.

3 ALDERWOMAN CAMERON-ROLLINS: By this
4 liquor -- I mean this -- liquor store -- by this
5 grocery store having a full line of liquor, would
6 you say that that would have some diminish on
7 your quality of life, or any other residents over
8 in that area?

9 MR. CRAMER: No. I don't think whether
10 he has -- regardless he has a license or not --
11 ah -- the people, they're going to drink there
12 anyway, 'cause I mean, it's just a college area,
13 and that's what they do on their free time.

14 ALDERWOMAN CAMERON-ROLLINS: Would --
15 um -- since you mentioned the college, by having
16 this full line of liquor store -- I mean liquor
17 there in the store, would that make it more --
18 harder for teenagers, underage drinking to occur,
19 or would it make more easy?

20 MR. CRAMER: I think it happens
21 regardless either way. I mean, if it's not
22 there, they're going to get it somewhere else,
23 so, it doesn't really matter. I'm for the
24 license. I don't think it's going to hurt the
25 area in any way. You know, it's -- ah --

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ALDERWOMAN CAMERON-ROLLINS: I have --
VICE CHAIRMAN HERRON: Are you finished
there, Alderwoman Cameron-Rollins?

ALDERWOMAN CAMERON-ROLLINS: Um -- by--
um -- having this liquor store that was mentioned
earlier that you'd only live -- how -- about a
half of a block from the nearest place to go --
MR. CRAMER: Oh, no. The nearest one
besides him is -- ah -- Gilbert's.

ALDERWOMAN CAMERON-ROLLINS: And that's
three blocks away.

MR. CRAMER: About three blocks. And
then I got Downer, and Sendik's, which is about
four blocks to the east of me.

ALDERWOMAN CAMERON-ROLLINS: Um-hmm.
to get a full -- like if you wanted hard liquor,
it was three blocks away?

MR. CRAMER: About three blocks, yes,
ma'am.

ALDERWOMAN CAMERON-ROLLINS: Okay.
Thanks.

VICE CHAIRMAN HERRON: Are there any
other questions from committee members? Thank
you, sir. We appreciate your testimony. Mr.
Gimbel, do you have the next one?

1 MR. GIMBEL: Would you give your full
2 name?

3 VICE CHAIRMAN HERRON: Please state
4 your name, spell your last name, and give your
5 address and the distance you are from the
6 potential location.

7 MS. BOCHANTIN: Ramona Bochantin, B-o-
8 c-h-a-n-t-i-n. We both manage the apartment
9 building together. So, along with his views, I
10 don't know if I may make a couple points, or if
11 you would like to start out.

12 MR. GIMBEL: Sure. Why don't you just
13 make whatever points you think are related to --

14 MS. BOCHANTIN: All right. I think
15 what's getting really totally ignored here is the
16 fact that this is a grocery store for convenience
17 of the neighborhood, and it -- I find it very
18 disgusting that -- well, forget -- okay, forget
19 my opinion. I don't want to have to go down
20 three more blocks in the middle of January if I
21 have to pick up some spices I forgot at the
22 store, and maybe have a bottle of wine to go with
23 dinner. I mean, this is really getting blown out
24 of proportion. I have -- I am very close with
25 the Parkside Grocery. I know them all by first

name. I mean, I know they have no intention of
turning this into any full service liquor store.
That would just kill their business. The whole
basis is the convenience of being able to go down
to your corners, send my son down to the corner
to get a treat, or a popsicle, or whatever. I
mean, that's all getting lost here.
VICE CHAIRMAN HEERON: Thank you. Mr.
Gimbel, do you have anything?
MR. GIMBEL: I have nothing further of
this young lady.
VICE CHAIRMAN HEERON: Okay. Ah,
Alderman D'Amato, do you have any --
ALDERMAN D'AMATO: Thank you. Yeah.
Ramona, why would you think that your son
couldn't get a popsicle or a treat if the liquor
license wasn't -- wasn't afforded?
MS. BOCHANANTIN: No, I'm -- I'm talking
about the basis of that store, I feel, is a
convenience --
ALDERMAN D'AMATO: Right.
MS. BOCHANANTIN: For milk, for bread,
for anything you forgot at your major shopping.
ALDERMAN D'AMATO: How would -- how
would that -- how would that convenience be lost

1 if a liquor license were not granted?

2 MS. BOCHANTIN: Well, I don't think it
3 won't -- I don't feel it will be lost, but I
4 think it would be even more convenient for me if
5 it did have more items, as I said, for an
6 example, if I wanted to have a bottle of wine to
7 go with our dinner, why should I have to go get
8 in my car, or in the middle of January, walk
9 three blocks. It is an inconvenience to me.

10 ALDERMAN D'AMATO: Okay. If you want a
11 steak, can you go over and get a steak at this --
12 at this grocery store?

13 MS. BOCHANTIN: Well, no. It's not a
14 restaurant.

15 ALDERMAN D'AMATO: No. If you want to
16 buy a piece of meat?

17 MS. BOCHANTIN: No, but he is
18 expanding. He's done wonderful expansions, which
19 include fresh fruits and vegetables.

20 ALDERMAN D'AMATO: But if you -- if you
21 do want fresh meat, do you -- do you go to this
22 store?

23 MS. BOCHANTIN: No.

24 ALDERMAN D'AMATO: Do you drive to a
25 grocery store and --

ON

1 MS. BOCHANTIN: That would be in the --
2 I would think, the terms of my larger grocery

3 shopping.

4 ALDERMAN D'AMATO: Thank you.

5 VICE CHAIRMAN HERRON: Are there any

6 questions from members of the committee? There
7 are no questions. Thank you very much for your

8 testimony.

9 MR. GIMBEL: Thank you. Pamela Woods.

10 VICE CHAIRMAN HERRON: Pamela Woods.

11 Pamela Woods.

12 MR. GIMBEL: Pamela must have gone

13 away. Mr. Phillips.

14 VICE CHAIRMAN HERRON: Mr. Phillips.

15 MR. PHILLIPS: Yes. Right here. Um,

16 my name is Dale Phillips, P-h-l-l-l-p-s, and I

17 live at 2544 North Frederick which is about two

18 blocks from the store, and I -- ah -- just want

19 to say that these people have -- did a tremendous

20 job of updating this store. I go in there almost

21 every day for chips, or soda, or sometimes beer,

22 cigarettes, and -- um -- as far as carding

23 people, I was in there yesterday. I was talking

24 to Omar. We were talking about the basketball

25 game, and a girl came in and she wanted a pack of

1 cigarettes, and he said, I need to see an I.D.,
2 you know, and -- um -- I -- I was telling him, I
3 says, you know, it's a shame that you don't sell
4 liquor and wine, you know, 'cause I -- if you --
5 if you have to go to two or three places, you
6 know, where, if he would sell that, the -- you'd
7 only have to go to one place, so sometimes, you
8 know, I'll have -- ah -- you know, a little
9 drink, you know. So, and I -- and then he said
10 he was -- he wanted to put in liquor, and I said,
11 well, that's -- that's a good idea. He said he
12 just wanted enough, you know, to have people --
13 accommodate people, you know, and -- ah -- so I
14 just think that -- you know -- they've done --
15 did a tremendous job on their store, and as far
16 as the garbage goes, if you go by Gilbert's,
17 around 6:00 or 7:00 o'clock at night, you can see
18 all the garbage from the dumpsters that they have
19 there also.

20 MR. GIMBEL: Mr. Phillips, Omar is Ms.
21 Assad's father. Is that correct?

22 MR. PHILLIPS: Yes. Yes.

23 MR. GIMBEL: And -- ah -- you -- you
24 made this as a personal observation, this carding
25 of a -- of a young person seeking cigarettes?

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MR. PHILLIPS: Yes, I did.

MR. GIMBEL: Okay. And you're in favor

of -- ah -- this committee acting affirmatively

on the application for the license. Is that

correct?

MR. PHILLIPS: Yes, I am.

MR. GIMBEL: No further questions.

VICE CHAIRMAN HERRON: Alderman --

ALDERMAN BOHL: Mr. Chairman?

VICE CHAIRMAN HERRON: I'm sorry.

Alderman Bohl?

ALDERMAN BOHL: Thank you. Mr. -- Mr.

Phillips, do you own a home, or do you rent?

MR. PHILLIPS: I rent.

ALDERMAN BOHL: In -- in this area.

Have you experienced, in -- in your area here, on

your block, problems with -- with parties, late

night drinking parties?

MR. PHILLIPS: No.

ALDERMAN BOHL: Um, are you aware that

that there is a purported East Side problem with

regards to -- to parties on the East Side, in

particular in the UWM area?

MR. PHILLIPS: Well, I've been --

'cause I used to live on Bellevue, you know, and

1 I -- um -- ah -- I've passed by places where
2 they've had parties, you know, and -- ah -- I've
3 never seen anybody get out of line, I mean, they
4 didn't bother me.

5 ALDERMAN BOHL: Okay. And a final
6 question. How -- how long have you lived in --
7 in the area, at the present location?

8 MR. PHILLIPS: Well, I've lived on the
9 East Side off and on for about thirty years.

10 ALDERMAN BOHL: Okay. And in your
11 present location here?

12 MR. PHILLIPS: Ah, two years.

13 ALDERMAN BOHL: Okay. Thank you.

14 MR. PHILLIPS: You're welcome.

15 VICE CHAIRMAN HERRON: Any other
16 questions from members of committee? Alderman
17 D'Amato, do you have any questions?

18 ALDERMAN D'AMATO: Thank -- yeah, I do.
19 Just one. Mr. Phillips, how far do you have to
20 go to get a -- a drink of hard liquor?

21 MR. PHILLIPS: Ah, well, let's see.
22 The Oriental is about -- ah -- I'm guessing.
23 It's at least four blocks. It might be five. If
24 I go to Gilbert's, it's -- oh, about four blocks.

25 ALDERMAN D'AMATO: Walking distance?

Would you --

MR. PHILLIPS: Yes. Yes. I don't

drive.

ALDERMAN D'AMATO: Thank you.

MR. PHILLIPS: You're welcome.

VICE CHAIRMAN HERRON: Okay. Is that--

is that it? Thank you, sir.

ALDERWOMAN CAMERON-ROLLINS: I have a

question.

VICE CHAIRMAN HERRON: Alder --

ALDERWOMAN CAMERON-ROLLINS: I have a

question.

MR. PHILLIPS: Yes, ma'am.

VICE CHAIRMAN HERRON: Alderwoman

Cameron-Rollins, please.

ALDERWOMAN CAMERON-ROLLINS: If you

wanted to have, since it was brought to my

attention, -- um -- maybe you're a steak and

potatoes man and --

MR. PHILLIPS: I am.

ALDERWOMAN CAMERON-ROLLINS: You are?

MR. PHILLIPS: Yes.

ALDERWOMAN CAMERON-ROLLINS: I'm going

to take him --

MR. PHILLIPS: I'm also a bachelor, so

1 I don't -- ah -- cook very well, so --

2 ALDERWOMAN CAMERON-ROLLINS: That
3 almost take away my second question to you. My
4 question, I was concerned about if you wanted to,
5 you know, cooking your supper or some -- a
6 dinner, and you wanted some wine, you just wanted
7 to run out and have a little glass of wine, would
8 -- how -- would it be more convenience for you to
9 have it to run like about how many blocks would
10 this store be from your home than you already
11 previously stated it would be seven or -- I mean
12 five to four blocks, I guess, in different
13 directions of your home?

14 MR. PHILLIPS: Yes, it would be more
15 convenient, you know, to go to one store -- ah --
16 and you can pick up everything.

17 ALDERWOMAN CAMERON-ROLLINS: And how
18 far you live from this?

19 MR. PHILLIPS: About two blocks.

20 ALDERWOMAN CAMERON-ROLLINS: About two
21 blocks. Thank you.

22 VICE CHAIRMAN HERRON: Okay. Thank you
23 very much, sir.

24 MR. PHILLIPS: You're welcome.

25 MR. GIMBEL: Doris Bondar?

ON

MS. BONDAR: I --

MR. GIMBEL: Could you state your name

for the record here?

MS. BONDAR: Doris Bondar, B-o-n-d-a-r.

MR. GIMBEL: Sit up a little closer to

the microphone.

VICE CHAIRMAN HERRON: Talk into the

microphone, please.

MS. BONDAR: And I live --

MR. GIMBEL: Your address?

MS. BONDAR: My address is 2731 North

Murray. It's about a half a block away from the

drug store, and I've been there for forty-five

years. And I've never had problems with cans,

bottles, drunks around the store. I have more

problem, actually, with papers from potato chips

and candy bars than cans. Um, another thing is,

I worked for the former owner for about fifteen

years, and it was not a pharmacy for the last

twenty years. It was a convenience store then,

with beer, alcohol, and the groceries. And he

was not ninety years old. He was seventy-six.

Whether that matters or not.

ALDERMAN D'AMATO: Sorry, Mr. Sokol.

MS. BONDAR: We also had a -- yes. We

1 also -- when I worked there we had a woman, an
2 elderly woman that would come in every day for a
3 bottle of booze. She liked her alcohol. And so,
4 her daughter came in one day and asked us not to
5 sell to her any more, and so, he told me not to
6 sell her any more booze because her daughter
7 doesn't want -- well, the next day -- she lived
8 across the street -- the Gilbert truck was in
9 front of her house, so she had her alcohol
10 whether it was on the corner or two blocks away.

11 MR. GIMBEL: Are you familiar, Ms.
12 Bondar, with the Assad family?

13 MS. BONDAR: I just met them since
14 they've been there.

15 MR. GIMBEL: Have you shopped in the
16 store?

17 MS. BONDAR: Occasionally, not a lot.

18 MR. GIMBEL: Have you seen any problems
19 in the level of service -- level of attentiveness
20 that they've given to their customers?

21 MS. BONDAR: Absolutely not.

22 MR. GIMBEL: And are you in favor of
23 the committee recommending to the Common Council
24 that this license be granted?

25 MS. BONDAR: Yes, I think so. I think

they bought it with that in mind, and I think she -- they should have it.

MR. GIMBEL: Thank you.

ALDERMAN BOHL: Mr. Chairman?

VICE CHAIRMAN HERRON: Alderman Bohl.

ALDERMAN BOHL: Thank you. Mrs.

Bandar, could you just reiterate again --

MS. BONDAR: Bandar, please.

ALDERMAN BOHL: I'm sorry?

VICE CHAIRMAN HERRON: Bandar.

MS. BONDAR: Bandar.

ALDERMAN BOHL: Bandar. My apologies.

MS. BONDAR: It's all right.

ALDERMAN BOHL: You indicated that you

worked for the pharmacy. Is that -- is that

correct? I just want to reiterate this --

MS. BONDAR: It was -- it was a drug

store.

ALDERMAN BOHL: The drug store.

MS. BONDAR: Riverside Drug Store, and

I worked there for fifteen years, off and on.

ALDERMAN BOHL: And you stated now that

for prior to its closing, for approximately

twenty years it was not a --

MS. BONDAR: Pharmacy.

1 ALDERMAN BOHL: -- quote, unquote,
2 pharmacy?

3 MS. BONDAR: Correct. He did keep his
4 -- his pharmaceutical license, but he -- ever
5 since -- actually, since Walgreen's moved into
6 the neighborhood --

7 ALDERMAN BOHL: It did -- basically
8 defeated the purpose?

9 MS. BONDAR: -- and so he just --

10 ALDERMAN BOHL: So, in essence, it was,
11 essentially, a convenience store --

12 MS. BONDAR: -- with a liquor and beer
13 license.

14 ALDERMAN BOHL: Now, I know that it --
15 it has been talked about, up until this point,
16 that -- that it had a small selection of schnapps
17 and -- and whatever, all purpose -- ah -- ah --
18 castor oil, you used to --

19 MS. BONDAR: But it was right --

20 ALDERMAN BOHL: -- used to get at --

21 MS. BONDAR: -- it was directly behind
22 us.

23 ALDERMAN BOHL: Behind the counter.

24 MS. BONDAR: Behind the cashier.

25 ALDERMAN BOHL: Behind the counter.

MS. BONDAR: And -- and he had, I can
 quote, rum, vodka, brandy, whiskey, scotch, not--
 I mean, he had a few bottles of each of it so
 anyone that came in there --
 ALDERMAN BOHL: But it was -- it was
 just a limited part of the business. Is that --
 MS. BONDAR: Oh, very small.
 ALDERMAN BOHL: Okay.
 MS. BONDAR: Very small part. But it
 was there for everyone to see when they walked
 in.
 ALDERMAN BOHL: I know -- ah -- I know
 that this is difficult for you to ascertain, but
 how long have you been a resident of this area?
 MS. BONDAR: Forty-five years.
 ALDERMAN BOHL: For forty-five years.
 MS. BONDAR: And I have a duplex. I
 rent it to students, and I have had no problem.
 ALDERMAN BOHL: How long ago was it --
 were you employed up until the end with -- with
 the previous establishment, up until two years
 ago?
 MS. BONDAR: Ah, up until the last
 month.
 ALDERMAN BOHL: Up until the last

1 month. So, then, roughly now, a little -- what,
2 in excess of two and a half years.

3 MS. BONDAR: Correct.

4 ALDERMAN BOHL: Did you have a problem
5 in terms of sales of hard liquor to students in
6 the area. I know maybe in the last two years,
7 it's -- would you say it's fair to say in the
8 last couple years that there's been increasing
9 number of students who --

10 MS. BONDAR: Absolutely not. I never
11 had any problem with the alcohol.

12 ALDERMAN BOHL: Now, did the --

13 MS. BONDAR: More so with the beer
14 actually.

15 ALDERMAN BOHL: -- establishment, it
16 also sold beer then?

17 MS. BONDAR: Yes.

18 ALDERMAN BOHL: Okay. But you did not
19 find an excessive amount of alcohol that was
20 going for sale to the students in the particular
21 area?

22 MS. BONDAR: No.

23 ALDERMAN BOHL: Okay. Thank you.

24 VICE CHAIRMAN HERRON: Any other
25 questions from members of the committee?

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Alderman D'Amato?

ALDERMAN D'AMATO: Thank you. Ah, Mrs.

Bondar, where would -- how far would you have to

go to get -- um -- hard liquor?

MS. BONDAR: About two and a half

blocks.

ALDERMAN D'AMATO: And in fact, you --

you wouldn't even have to go that far since

Gilbert's delivered, you could sit in your house

and call, and they would bring it to you. So,

you're -- are you well served -- is it an

inconvenience for you to get hard liquor if you

had to?

MS. BONDAR: I don't really drink hard

liquor, but no, I --

ALDERMAN D'AMATO: If you had to, would

that be an inconvenience?

MS. BONDAR: No.

ALDERMAN D'AMATO: Thank you.

VICE CHAIRMAN HERRON: All right. Any

other questions?

ALDERWOMAN CAMERON-ROLLINS: I have one

question.

VICE CHAIRMAN HERRON: Alderwoman

Cameron-Rollins. I knew you did, that's why I

1 asked.

2 ALDERWOMAN CAMERON-ROLLINS: I didn't
3 want to let you down. Know what I mean.

4 Um, you -- you've mentioned something
5 earlier. You said for the last twenty years,
6 that it has not been a pharmacy.

7 MS. BONDAR: He had his license.

8 ALDERWOMAN CAMERON-ROLLINS: He had his
9 license, but he wasn't doing any --

10 MS. BONDAR: -- but he wasn't doing --

11 ALDERWOMAN CAMERON-ROLLINS: -- filling
12 prescriptions and that nature?

13 MS. BONDAR: Right.

14 ALDERWOMAN CAMERON-ROLLINS: And he had
15 his -- was -- let -- the question I want to ask
16 you, was the store, or the pharmacy, at a full
17 capacity for the last ten years?

18 MS. BONDAR: No.

19 ALDERWOMAN CAMERON-ROLLINS: It was
20 just in a small capacity?

21 MS. BONDAR: Right. And it was because
22 he was not feeling well. He was not the most
23 pleasant gentleman to deal with.

24 ALDERWOMAN CAMERON-ROLLINS: And -- and
25 he was about seventy-some years old?

MS. BONDAR: He was seventy-six, um-

hmm.

ALDERWOMAN CAMERON-ROLLINS: Um, you

haven't been in the store since the new owner

have taken --

MS. BONDAR: Oh, yes, I have.

ALDERWOMAN CAMERON-ROLLINS: Do it look

like -- is it almost at a full capacity now?

MS. BONDAR: Yes. I would think so.

And it's very clean and -- ah -- bright.

ALDERWOMAN CAMERON-ROLLINS: Was eighty

percent of her stock groceries, or was it beer

and empty spaces waiting to be filled with

liquor?

MS. BONDAR: Where?

ALDERWOMAN CAMERON-ROLLINS: In the

store now?

MS. BONDAR: No.

ALDERWOMAN CAMERON-ROLLINS: Is it

eighty percent of it groceries?

MS. BONDAR: I would say eighty

percent.

ALDERWOMAN CAMERON-ROLLINS: Okay.

MS. BONDAR: Or more. Eighty percent.

ALDERWOMAN CAMERON-ROLLINS: Let me --

1 okay. Then let me ask you this question. If,
2 since you've seen it in both conditions, that we
3 would be granting a license for her to have her
4 full line of liquor, do you think that she would
5 cut back on her line of groceries just to sell
6 liquor?

7 MS. BONDAR: No, I don't think so.

8 ALDERWOMAN CAMERON-ROLLINS: I'm sorry.

9 MS. BONDAR: No, I don't think so.

10 ALDERWOMAN CAMERON-ROLLINS: Oh, okay.

11 Thank you.

12 VICE CHAIRMAN HERRON: Okay. Thank
13 you. Um, and Mr. Gimbel, do you have another
14 witness for us?

15 MR. GIMBEL: Thank you. Richard Wirth?
16 Richard.

17 MR. WIRTH: Yes.

18 MR. GIMBEL: Will you state your full
19 name and spell your last name for the record, Mr.
20 Wirth?

21 MR. WIRTH: My name is Richard Wirth.
22 It's spelled W-i-r-t-h.

23 MR. GIMBEL: Where do you live, Mr.
24 Wirth?

25 MR. WIRTH: I live right across the

street, right -- the cor -- I -- his grocery

store is on one corner, and I live on one of the

other corners.

MR. GIMBEL: What is your address

there?

MR. WIRTH: 1924 East Park Place.

MR. GIMBEL: And how long have you

lived there, sir?

MR. WIRTH: I've lived there fifteen

years.

MR. GIMBEL: Fifteen years. Have you

been a patron of that grocery store?

MR. WIRTH: Oh, yes, every day. Every

day.

MR. GIMBEL: And have you interacted

with the owners since --

MR. WIRTH: Yes. Yes.

MR. GIMBEL: -- they've worked there?

MR. WIRTH: Yeah.

MR. GIMBEL: Have you found them to run

a clean and efficient and service-oriented store?

MR. WIRTH: I think they've done a

really -- a superb job and -- and -- um -- I

remember when Irving had the -- it wasn't a

pharmacy. It was a very small grocery store, and

1 -- um -- they've expanded it. They've added --
2 they've just done a great job, and I -- and I
3 think they've spent a lot of money in their
4 investment. It's a business. Um --

5 MR. GIMBEL: And are you asking this
6 committee to -- ah -- recommend to the Common
7 Council that their application for a full Class A
8 liquor license be approved?

9 MR. WIRTH: Yes, I think -- I would
10 like to just make a comment, that I think -- you
11 know, the whole issue here seems to be -- um --
12 these people bought a business, they invested so
13 much money, they should have just as much right,
14 as anybody else, to prove themselves and their
15 business. So far, they've done a great job.
16 There hasn't been any -- ah -- I don't think
17 whether or not this specific building, what they
18 sell there, has very much to do with the crime
19 rate or anything in the -- in the neighborhood.
20 Um, and I feel that if -- if I would have bought
21 a business and there were other people around
22 that bought businesses and they have liquor
23 licenses, I would think that I would have a right
24 to at least prove myself. If you give them a
25 liquor license and it doesn't turn out, you can

1 always take it back. I mean -- ah -- that's all

2 I want to say.

3 MR. GIMBEL: Thank you very much. Ah,

4 do you -- ah -- have you frequented any of the

5 licensed establishments in the area?

6 MR. WIRTH: Yes, I have.

7 MR. GIMBEL: Gilbert's, for example.

8 How far is Gilbert's from your house?

9 MR. WIRTH: Gilbert's is almost --

10 about four blocks.

11 MR. GIMBEL: And -- and Downer Liquor

12 or -- or Sendik's?

13 MR. WIRTH: Downer Liquor's maybe five

14 blocks. Yeah. Five blocks. And Sendik's --

15 MR. GIMBEL: And -- and would you find

16 that if this establishment were to be able to

17 have a stock of some liquor products, that it

18 would be a convenience for you and add to the

19 value of your enjoyment of the neighborhood?

20 MR. WIRTH: Not at all -- I would -- un

21 -- you know, they're -- they're run -- they're

22 doing a really good business right now as a

23 grocery store. Um, I -- it would be -- you know,

24 I -- I think as business people, I don't think

25 they would change that into a liquor market when

1 there's liquor marts all over the neighborhood.

2 MR. GIMBEL: So, you think it would be
3 a convenience for you if they put -- if they had
4 some supply of liquor?

5 MR. WIRTH: If it -- yes. If it was
6 nighttime, and I wanted to get myself a half
7 pint, I would greatly appreciate being able to
8 run across the street to get it and run back in
9 the safety of my house than to have to walk three
10 or four blocks, yes.

11 MR. GIMBEL: Thank you very much. I
12 have nothing, Mr. Wirth.

13 VICE CHAIRMAN HERRON: Members of the
14 committee?

15 ALDERWOMAN CAMERON-ROLLINS: I yield to
16 Alderman -- Alderperson D'Amato.

17 VICE CHAIRMAN HERRON: Alderman
18 D'Amato.

19 ALDERMAN D'AMATO: I don't want Mr.
20 Wirth to feel left out, that you aren't going to
21 ask him --

22 ALDERWOMAN CAMERON-ROLLINS: I'll go
23 after you.

24 ALDERMAN D'AMATO: Thank you. Mr.
25 Wirth -- um -- is Gilbert's Liquor within walking

distance for you?

MR. WIRTH: Is it what?

ALDERMAN D'AMATO: Within walking distance?

MR. WIRTH: Yes, it is.

ALDERMAN D'AMATO: Okay. Um, you had talked about the convenience of going across the street and getting a half pint and -- um-- having alcohol at least convenient to you. Is it your opinion then that anybody who applies for a liquor license should be given a liquor license?

MR. WIRTH: Well, I'm not --

ALDERMAN D'AMATO: Should everybody be given a chance?

MR. WIRTH: -- wait. I'm -- yes. I'm not familiar with the specific laws and that, but yes, I -- I think that everybody should be given a chance to prove themselves, or disprove themselves, yes.

ALDERMAN D'AMATO: So that every license applicant should not have to necessarily go in front of the committee --

MR. WIRTH: I didn't say that.

ALDERMAN D'AMATO: -- but they should give -- be given a chance to -- to --

ON 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25

1 MR. WIRTH: They should be given a
2 chance.

3 ALDERMAN D'AMATO: -- serve alcohol and
4 then afterwards be proven that they've been
5 irresponsible?

6 MR. WIRTH: Well, let me -- after
7 they've got their license?

8 ALDERMAN D'AMATO: Right. Right.

9 MR. WIRTH: Yes. Yes.

10 ALDERMAN D'AMATO: That's what I'm
11 asking.

12 MR. WIRTH: Yeah.

13 ALDERMAN D'AMATO: Okay. Um, so if the
14 Open Pantry down the street, which now serves
15 beer, asked for liquor, we should give them
16 liquor?

17 MR. WIRTH: Sure. I think you should.

18 ALDERMAN D'AMATO: And -- and if the
19 Sen --

20 MR. WIRTH: You let them sell
21 cigarettes. You let them sell beer. You let
22 them sell condoms. Tampax. Eggs. Milk. Why
23 not whiskey if -- you know.

24 ALDERMAN D'AMATO: If the Sentry on
25 Oakland asked for a liquor license and --

MR. WIRTH: It wouldn't bother me at

all.

ALDERMAN D'AMATO: Okay. So, you --

so, you don't -- you don't mind --

MR. WIRTH: I believe in free

enterprise.

ALDERMAN D'AMATO: Excellent.

Excellent.

MR. WIRTH: And giving people the

benefit of the doubt.

ALDERMAN D'AMATO: How'd you hear about

the hearing today, Mr. Wirth?

MR. WIRTH: I think I got a card from

you.

ALDERMAN D'AMATO: You did. That --

good job by me. Um, and you came down here on

your own volition? You -- you walked down, or

took the bus, or drove down?

MR. WIRTH: I drove down.

ALDERMAN D'AMATO: Okay. And have you

met with the Assads and Mr. Gimbel before this

time to talk about?

MR. WIRTH: Well, I know them very

well, yes, since they've moved into that

building, yes.

1 ALDERMAN D'AMATO: And you had
2 discussions with Mr. Gimbel about --

3 MR. WIRTH: Who?

4 ALDERMAN D'AMATO: -- You had
5 discussion with Mr. Gimbel about the license?

6 MR. WIRTH: I've never talked to him
7 before.

8 ALDERMAN D'AMATO: Okay. Thank you.

9 VICE CHAIRMAN HERRON: Okay.

10 ALDERWOMAN CAMERON-ROLLINS: I have a
11 question.

12 VICE CHAIRMAN HERRON: I knew you did.
13 Alderwoman Cameron-Rollins.

14 ALDERWOMAN CAMERON-ROLLINS: Thank you.
15 I'm not trying to plead your case.

16 MR. GIMBEL: You're doing fine. If you
17 are, I -- I turn over my gavel.

18 ALDERWOMAN CAMERON-ROLLINS: I have --
19 since Alderman D'Amato brought it up, that --
20 that anybody have -- should -- should have a
21 license or something of that nature and that they
22 -- you -- do you -- don't believe that everybody
23 that -- like you say that Open Pantry down the
24 street, they have the condoms and everything
25 else. You would not want everybody that got a

grocery store to come in here and get a liquor
 license. Would you think everybody would -- has
 that opportunity, or do you feel like it's a
 privilege for them to have that license, and
 there's procedures that we must follow for them
 to get their license. I think that's what he was
 trying to say.

MR. WIRTH: No. I -- I -- like I said,
 I'm not familiar with the whole rigamarole and
 that, but people that have -- it -- it's
 considered a privilege, but the only time it
 should be taken away is when it's proven that
 they're misabusing it -- they're abusing that --
 that privilege. Um, I don't think the Assads
 have shown any way that they have -- um -- ran
 their business shabbily.

ALDERWOMAN CAMERON-ROLLINS: You said
 that the nearest liquor store since you drink a
 half a pint --

MR. WIRTH: No. No, I didn't say that.

ALDERWOMAN CAMERON-ROLLINS: Oh, but
 you would like to get a half a pint --

MR. WIRTH: I said if I would like to.

ALDERWOMAN CAMERON-ROLLINS: If you
 would like to get a half a pint, is how many

1 blocks from your home?

2 MR. WIRTH: It's four blocks.

3 ALDERWOMAN CAMERON-ROLLINS: Four
4 blocks. And it would be easier for buy, you
5 being able to get a half a pint within a block of
6 your home. Would that influence, take any effect
7 upon the quality of life that you enjoy right
8 now, or your neighbors enjoy right now? If you
9 could -- instead of walking those numbers of
10 blocks to go get this --

11 MR. WIRTH: Well, other than the fact
12 that I might drink more and then maybe I'll
13 become an alcoholic and rave the neighborhood and
14 burn a bunch of houses down and all that, other
15 than that, I mean, you know, I'm not going to --
16 ah -- it wouldn't matter to me if there's liquor
17 there or not. If I did want a half pint, I'd
18 walk two miles to get one.

19 ALDERWOMAN CAMERON-ROLLINS: Um-hmm.

20 MR. WIRTH: If I wanted it.

21 ALDERWOMAN CAMERON-ROLLINS: Okay.

22 Okay. Thank you.

23 VICE CHAIRMAN HERRON: All right.

24 Okay.

25 MR. GIMBEL: Mr. Flakes?

1 VICE CHAIRMAN HERRON: Do you have
2 other witnesses, I assume.
3 MR. GIMBEL: Would you kindly state
4 your full name and spell your last name for the
5 court reporter, please?
6 MR. FLAKES: My name -- my name is
7 Wardell Flakes, F-l-a-k-e-s.
8 MR. GIMBEL: And where do you live, Mr.
9 Flakes?
10 MR. FLAKES: I live at 2616 North
11 Frederick. I'm in Apartment 122.
12 MR. GIMBEL: Where is that residence
13 with respect to the location of the Parkside
14 Grocery?
15 MR. FLAKES: Approximately a block and
16 a half.
17 MR. GIMBEL: Okay.
18 MR. FLAKES: One -- one and a half
19 blocks away.
20 MR. GIMBEL: Are you employed, sir?
21 MR. FLAKES: Yes, I am.
22 MR. GIMBEL: How are you employed?
23 MR. FLAKES: I work for City of
24 Milwaukee Street Maintenance.
25 MR. GIMBEL: And how long have you

1 worked for the City?

2 MR. FLAKES: Twenty-five years.

3 MR. GIMBEL: How long have you lived at
4 this address?

5 MR. FLAKES: Five years.

6 MR. GIMBEL: Have you had occasion, in
7 those five years, to do business with the
8 operator of the store that was located at 2700
9 North Murray Avenue, that is the same place that
10 is now being run by the Assad family, in other
11 words, the prior owner?

12 MR. FLAKES: Yes.

13 MR. GIMBEL: And can you share with
14 this Utilities and Licensing Committee what your
15 experience was with respect to your being a
16 consumer at the store run by Mr. Sokol?

17 MR. FLAKES: Okay. Um, on numerous
18 occasions after coming in from work, I'd stop
19 over, and believe it or not, I'd have a long
20 conversation with him. I'd buy beer from him.
21 I'd buy food from him -- ah -- such as pizzas and
22 stuff like that, and I'd buy little bottles of
23 gin. At that time when he was running the store,
24 he would always have -- ah -- something to -- ah
25 -- you know, to appease the appetite, so I would

1 always buy from him.

2 MR. GIMBEL: Was -- was the alcoholic

3 beverages that he had other than beer, was it --

4 was it concealed in the store? Was it open and

5 notorious so that a customer coming in would know

6 that it was available for their purchase?

7 MR. FLAKES: It was -- it was open to

8 be seen. You could see it.

9 MR. GIMBEL: Now, have you done

10 business with Parkside Foods since the Assad

11 family took over that place?

12 MR. FLAKES: Yes, I have.

13 MR. GIMBEL: And -- and have you found

14 the quality of their service and the environment

15 of the store to be satisfactory to your tastes

16 and needs?

17 MR. FLAKES: They have a very -- they

18 have a very nice store. I mean, let me show you

19 guys. Take a look. It's really nice. Um, I

20 think they run a beautiful business.

21 MR. GIMBEL: And are you asking this

22 committee, as a neighbor, to support the

23 application that they've filed, to recommend to

24 the Common Council, the approval of the issuance

25 of a full Class A liquor license?

1 MR. FLAKES: I think that'd be nice. I
2 think so.

3 MR. GIMBEL: And -- and would that
4 permit you, sir, to accommodate the appetites
5 that you were able to take care of when Mr. Sokol
6 ran the store?

7 MR. FLAKES: I would say yes. I think
8 it would be very nice for them to have that as an
9 added feature.

10 MR. GIMBEL: I have no further
11 questions.

12 VICE CHAIRMAN HERRON: Members of the
13 Committee, do you have any questions?

14 Alderman D'Amato?

15 ALDERMAN D'AMATO: Thank you, Mr.
16 Chair. Mr. Flakes, since Mr. Sokol closed the
17 store, have you stopped your consumption of gin?

18 MR. FLAKES: No, not really. To be
19 honest with you, normally, when I do drink gin,
20 I'm -- ah -- I'm at Applebee's -- Applebee's. In
21 Bay Shore Shopping Mall, Applebee's.

22 ALDERMAN D'AMATO: Mr. Sokol had no
23 control over whether you went to a restaurant,
24 but when you went to a store to buy it -- um --
25 have you stopped going to stores to -- to

purchase it?

MR. FLAKES: Upon occasion, I will bring home a bottle of gin.

ALDERMAN D'AMATO: Has it been overly inconvenient for you to do that?

MR. FLAKES: Not the least in terms of -- ah -- if I really wanted it, my desire, I'll go buy it.

ALDERMAN D'AMATO: Drive -- buy it, --

MR. FLAKES: Ah, true.

ALDERMAN D'AMATO: -- or you can walk-- you can walk. How far would you have to walk to get it, to Gilbert's?

MR. FLAKES: Ah -- I think Gilbert's would be about five blocks, five and a half blocks, something like that.

ALDERMAN D'AMATO: Okay. Thank you.

VICE CHAIRMAN HERRON: Okay.

ALDERMAN BOHL: Mr. Chairman?

VICE CHAIRMAN HERRON: Alderman Bohl.

ALDERMAN BOHL: Um, Mr. Flakes, how was -- how was it that you were notified of -- that this item was coming before our committee today?

MR. FLAKES: How did I become aware of this? I believe I got something in the mail.

1 I'm sure I did. I don't really recall exactly
2 anyone telling me anything.

3 ALDERMAN BOHL: From -- from the
4 alderman?

5 MR. FLAKES: I would think that's how I
6 got it.

7 ALDERMAN BOHL: Okay.

8 MR. FLAKES: I'm sure -- I'm pretty
9 sure. I'm not too sure about -- but I do recall
10 that I -- I think I might. I think I might.

11 ALDERMAN BOHL: Okay. Thank you.

12 ALDERWOMAN CAMERON-ROLLINS: I have a
13 question.

14 VICE CHAIRMAN HERRON: Alderwoman
15 Cameron-Rollins.

16 ALDERWOMAN CAMERON-ROLLINS: Thank you.
17 Good afternoon, Mr. Flakes. I want to ask you,
18 since you do notice that you like gin. I don't
19 care what kind it is, but since you -- this store
20 been out of business for the last two years, out
21 of --

22 MR. FLAKES: I -- could I say? I would
23 always ask for -- by -- by chance, are you going
24 to have a chan -- are you going to be able to
25 sell any liquor at all? I'd ask him that all the

time.

ALDERWOMAN CAMERON-ROLLINS: You asked him before you go to the other places to seek the gin?

MR. FLAKES: Yeah, I'd ask that. I'd say are you going to sell --

ALDERWOMAN CAMERON-ROLLINS: How close is this store from your home?

MR. FLAKES: About a block and a half.

ALDERWOMAN CAMERON-ROLLINS: So --

MR. FLAKES: It's a block and a half.

ALDERWOMAN CAMERON-ROLLINS: You would always go across the street, a block and a half, and ask this store do they have it so you wouldn't have to go the other five blocks?

MR. FLAKES: Pretty much that would be it.

ALDERWOMAN CAMERON-ROLLINS: Um-hmm.

MR. FLAKES: It was a real convenience before.

ALDERWOMAN CAMERON-ROLLINS: And now it's a little inconvenient, but you -- is it a little inconvenient, or is -- it doesn't make a difference?

MR. FLAKES: Well, in terms of the time

1 -- in terms of time, I would say it is a real
2 convenience.

3 ALDERWOMAN CAMERON-ROLLINS: All right.
4 Thank you.

5 VICE CHAIRMAN HERRON: Thank you.

6 ALDERMAN SANCHEZ: Mr. Chair?

7 VICE CHAIRMAN HERRON: Alderman
8 Sanchez.

9 ALDERMAN SANCHEZ: Just one question,
10 if I may, for Alderman D'Amato.

11 Alderman D'Amato, for a business such
12 as this one who has operated without any problem
13 -- with any problems, do you have any type of
14 reward system or -- or do you believe in your --
15 to the best of your knowledge, that they deserve
16 any additional privileges for operating a
17 business that has not had any problems?

18 ALDERMAN D'AMATO: Do I believe that
19 they deserve a reward for operating without
20 problems? I believe -- I believe --

21 ALDERMAN SANCHEZ: Or do -- or do you
22 believe that they deserve any additional
23 privileges? I mean, I think that, you know,
24 often there are times when businesses are not --
25 you know, haven't proven themselves, and that's one

situation --

ALDERMAN D'AMATO: Um-hmm.

ALDERMAN SANCHEZ: This is an entirely

different situation, and -- ah -- I'm -- I'm

wondering if -- if you believe that businesses

that behave in such a fashion, perhaps, deserve

the opportunity to move on and expand their

business, provided that, and proven in this case,

that they have operated professionally?

ALDERMAN D'AMATO: I -- there's no

question as to whether they have operated well or

not. Nobody is asking -- nobody is asking that

they no longer operate as a convenience grocery

store with beer. That must be clear. I believe

it is -- it is completely inappropriate to drop a

liquor store in the middle of a residential

neighborhood. I think you've heard that

testimony from people. Liquor stores deserve to

be on commercial strips, and they do not belong

in the middle of a residential neighborhood. I

would ask each of you to think, in your mind,

where a liquor store is at the corner of two

residential streets -- um -- and not at the

corner of at least one busy thoroughfare and a

residential street, or more commonly, at the

1 corner of two busy thoroughfares or on a
2 commercial strip. This is a -- this -- whether
3 they perform well or not, this is an appropriate
4 place for a grocery store complemented by beer.
5 It is an inappropriate place for a liquor store.

6 ALDERMAN SANCHEZ: So, if you had --
7 one final question.

8 VICE CHAIRMAN HERRON: Just a point of
9 clarification for committee members. Currently,
10 the licensee is not operating a liquor store.
11 She's operating a grocery store with a request to
12 sell liquor. I don't believe she's made any
13 statements that she would be operating a full-
14 fledged liquor store. And that needs to be clear
15 for everyone.

16 ALDERMAN D'AMATO: It is. It's just
17 the easiest way --

18 ALDERMAN SANCHEZ: Mr. Chair --

19 ALDERMAN D'AMATO: -- to clarify the
20 difference between the existing condition and --
21 and the --

22 ALDERMAN SANCHEZ: Mr. Chair, if I may
23 continue?

24 VICE CHAIRMAN HERRON: Alderman
25 Sanchez, please go on.

ALDERMAN SANCHEZ: Right. My second
 and, I believe, final question at this moment,
 so, if you had a tavern that was in the middle of
 a neighborhood who decided that they wanted to
 sell steaks, and they had a clean record, what
 would your position be in that situation?
 ALDERMAN D'AMATO: We don't license the
 sale of steaks, Alderman.
 ALDERMAN SANCHEZ: All right. But I
 mean, so -- let me ask you this. So, why is it
 that earlier in your testimony, you raise that
 issue regarding steaks? I -- they're a grocery
 store and liquor store. They're not a butcher
 shop.
 ALDERMAN D'AMATO: That my--my point--
 ALDERMAN SANCHEZ: How is it different?
 ALDERMAN D'AMATO: -- my point was that
 every store can't offer you every convenience,
 that the argument to say that I'd like to go to
 the corner to get a bottle of wine, is comparable
 to the argument of saying, I'd like to go to the
 corner to get fresh meat. A store that is two
 thousand square feet can't offer you every single
 product. There is inconvenience everywhere that
 you go. You must travel certain distances for

ON 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25

1 certain items, and that's my point with regard to
2 that. This store cannot be everything to every--
3 every person, and liquor cannot be on every
4 corner. My question to you would be the same
5 question I asked Mr. Wirth. Would it therefore
6 follow that every store that wants a liquor
7 license should be granted one because it's more
8 convenient for somebody?

9 ALDERMAN SANCHEZ: Well, that's a great
10 question, but I think it gets down -- that's an
11 ethical question, but I think the issue here is
12 based on behavior. I mean, this committee makes
13 decisions when there are problems at locations,
14 and obviously earlier today we had another
15 instance where there was an operator who had no
16 problems at all operating a business for over
17 five years in the City of Milwaukee and therefore
18 -- and still, even with that, we -- I think we
19 denied to move forward.

20 VICE CHAIRMAN HERRON: Alderman
21 Sanchez, just a quick point of order here. The
22 alderman and those opposed to have made a case
23 that there's overconcentration of alcohol outlets
24 in the area, which is a legitimate reason.
25 Whether they're a good operator or a bad

operator, it is a legitimate reason for denying a license. I think on that basis, you can make the decision whether you believe that argument or you don't believe that argument, but we -- we certainly -- I -- I don't think that -- um -- the questions are the questions that you're asking at this point.

ALDERMAN SANCHEZ: Um-hmm.

VICE CHAIRMAN HERRON: But you can move

forward if you have additional questions, but

just understand what we're -- that we -- that

what they've said is that their arguments --

their argument is that there's too many outlets,

and whether they're a good operator or a bad

operator is -- is not necessarily relevant to

that particular point.

ALDERMAN D'AMATO: We're not asking

that the beer license be revoked. We're asking

that a liquor license, license for liq -- hard

liquor not be granted, and there's a very big

difference there.

ALDERWOMAN CAMERON-ROLLINS: Alderman--

VICE CHAIRMAN HERRON: Alderman --

Aldermoman Rosa Cameron -- are you finished,

Alderman Sanchez?

1 ALDERMAN SANCHEZ: Thank you very much,
2 Mr. Chair.

3 VICE CHAIRMAN HERRON: Thank you.
4 Alder --Alderwoman Cameron-Rollins?

5 ALDERWOMAN CAMERON-ROLLINS: Yes, I --
6 since you -- um -- said what you said to Alderman
7 Sanchez --

8 VICE CHAIRMAN HERRON: Just clarifying
9 a point.

10 ALDERWOMAN CAMERON-ROLLINS: Well, I'm
11 glad -- it's clarifying, because it wasn't a
12 point made clear. It was a point brought out
13 that this -- and it's focusing on a liquor store,
14 a full line of liquor store, and that's not the
15 case here. And it's -- it's sending out a mix --
16 a mixed signal to us, and it's not the truth, not
17 that I'm in favor or against, but the point of it
18 is, we kind of -- to me, being slightly misled,
19 because this lady, or any other merchant is not
20 going to give up eighty percent of her re -- of
21 her retail market just for another -- um -- part
22 of a retail market that she haven't even explored
23 yet, which is liquor. She is asking to add on to
24 it, which is -- over eighty percent of her
25 business is a grocery store, and that has not

1 been focused on. Everybody's focusing on the
2 liquor part, and it's -- it's -- it's to indicate
3 that this woman is going to drop all her grocery
4 items and fill those up with liquor. It's not
5 true. All we are supposed to be looking at is
6 the point that it is a possibility, and it's not
7 been focused on, a possibility. It's also a
8 possibility that we all walk out this door and
9 fall and break our necks.

10 MR. SCHRIMPF: Mr. Chairman?

11 VICE CHAIRMAN HERRON: Attorney
12 Schrimpf.

13 MR. SCHRIMPF: There was reference to
14 numbers like eighty percent. Quite frankly, I
15 don't recall any testimony of how much.

16 ALDERWOMAN CAMERON-ROLLINS: Yes, it
17 was -- she said eighty percent.

18 MR. SCHRIMPF: Eighty percent --

19 MR. GIMBEL: There was a witness who
20 talked about that as being the constitution of
21 the inventory in the store.

22 MR. SCHRIMPF: Oh. Okay. Um -- all
23 right. Then I withdraw.

24 VICE CHAIRMAN HERRON: Okay. Do you
25 have any other questions, Alderwoman Cameron?

ALDERMAN CAMERON-ROLLINS: No.

ALDERMAN BOHL: Mr. Chairman, I -- I have one more --

VICE CHAIRMAN HERRON: Alderman Bohl.

ALDERMAN BOHL: -- brief question for Alderman D'Amato. Um, Alderman D'Amato, I guess in light of -- of the testimony that was provided, I don't remember the -- the name of the -- I believe it was Mrs. Bandar or -- or what --

ALDERMAN D'AMATO: Bon -- Mrs. Bandar.

ALDERMAN BOHL: -- Bandar, the one I mispronounced now twice. Um, in light of -- of her testimony which stipulated that, in essence, the previous shop that -- that occupied this particular location was quote-unquote, "not a exclusive pharmacy," in that they did have liquor sales -- um -- how would you respond to the -- to the argument that -- that this is an unlo -- unfit location for liquor sales provided that she -- that she made the only testimony in terms of saying she didn't think that it was problematic and she lives right down the block from it as well, too, in terms of some of the other things that have been going on with this particular location area with regards to, maybe college

1 parties, et cetera, et cetera?

2 ALDERMAN D'AMATO: Mr. Sokol operated
3 his store in the same -- in the same way for
4 thirty years. His -- his selection of liquor --
5 um -- again, I guess, was probably less than five
6 percent of his total -- um -- stock. When he
7 operated in that way, he didn't have half gallons
8 of liquor. He didn't have a full selection of
9 liquor available for people.

10 ALDERMAN BOHL: Flasks?

11 ALDERMAN D'AMATO: He had mostly pints
12 and half pints for consumption -- for
13 consumption, all behind the counter. If Mrs.
14 Assad is willing to stipulate today that she's
15 going to have less than five percent of her stock
16 in liquor, and it's only going to be pints and
17 half pints, that's a whole different story. The
18 fact of the matter is, and this answers
19 Alderwoman Cameron-Rollin's question, the fact of
20 the matter is, it's not a possibility for her to
21 expand the store into a liquor store. It is her
22 right to expand into a liquor store if she is
23 given a license. It's very different. It is her
24 right to turn the store into a full liquor store,
25 and I will tes -- I will bring up every grocer in

town that tells you the mark-up on diapers is not
the same as the mark-up on a half gallon of gin.
There is money in liquor, and that's why -- and
that's why they want to sell it. So, if it comes
down to it, the ability for her to expand into a
full liquor store is not a question of mine.
It's not my ability to say no. It's not the
committee's ability to say no. It is her full
right to do so.

ALDERMAN BOHL: Okay.

ALDERMAN D'AMATO: So, if you want to
ask Ms. Assad if it's her intention to have five
percent behind the counter --

ALDERMAN BOHL: I -- I -- I was

certainly intending to do that. Mrs. Assad, my
understanding is you have -- your family has two
other convenience stores. Is that correct?

THE APPLICANT: Yes, we do.

ALDERMAN BOHL: Where are they located?

THE APPLICANT: One of them is on -- um

-- 27th and Greenfield, right on the corner.

ALDERMAN BOHL: Okay. And the other

one was?

THE APPLICANT: The one, they -- they

sold it a year ago, though, but it was located on

1 -- um -- Grant, 25th and -- 26th and Grant.

2 ALDERMAN BOHL: 26th and Grant.

3 THE APPLICANT: Yeah, and that one

4 was--

5 ALDERMAN BOHL: Whose aldermanic
6 district, do you know, by chance, whose -- my
7 understanding is Grant ran parallel with Sherman
8 Boulevard. Is that not right?

9 AUDIENCE MEMBER: It's up by Lincoln.

10 ALDERMAN BOHL: Okay.

11 AUDIENCE MEMBER: Parallel to Lincoln.

12 ALDERMAN BOHL: Okay.

13 VICE CHAIRMAN HERRON: Are you done --

14 ALDERMAN BOHL: Um, at -- at the
15 current site on 20th and Greenfield --

16 THE APPLICANT: 27th and Greenfield.

17 ALDERMAN BOHL: I'm sorry. 27th and
18 Greenfield.

19 THE APPLICANT: Um-hmm.

20 ALDERMAN BOHL: Is -- is this a liquor
21 -- do you have a -- the ability to sell --

22 THE APPLICANT: It's malt. It's beer
23 and groceries.

24 ALDERMAN BOHL: It's beer and
25 groceries?

1 THE APPLICANT: Yeah.

2 ALDERMAN BOHL: The -- the other site

3 that you gave up a year ago, did you have --

4 THE APPLICANT: That's also -- that's

5 also beer and groceries.

6 ALDERMAN BOHL: Okay. Thank you.

7 VICE CHAIRMAN HERRON: We -- do you

8 have any other witnesses, Mr. Gimbel?

9 MR. GIMBEL: Well, I do, but I -- I'm

10 looking at the time, and I'm just going to ask

11 all the people that came here to support this, if

12 they'd stand up, please? Ah, and is it

13 true that all of you would essentially say the

14 same things that -- ah -- that these -- ah --

15 prior witnesses said, identifying this store as

16 being a place where there is not any fear of the

17 neighborhood going to the dogs. Is that a fair

18 statement?

19 (Witnesses agree.)

20 VICE CHAIRMAN HERRON: Mr. Gimbel -- um

21 -- and I think that was a -- an interesting way

22 of handling it, but --

23 MR. GIMBEL: I'll be glad to identify

24 each one of them. Okay --

25 VICE CHAIRMAN HERRON: Mr. Gimbel --

1 yeah, I think my -- my concern with that type of
2 -- and although it was a timesaver, and we
3 certainly appreciate that at the committee, the
4 only problem is that Alderman D'Amato wouldn't
5 have an opportunity to cross examine each one of
6 them.

7 ALDERMAN D'AMATO: I don't have to ask
8 them questions. I just saw that there were
9 family members who stood up, and let me just ask
10 the show of hands of how many people who are not
11 family members or don't work at the store that
12 live within five blocks, raise their hand, that
13 haven't already testified?

14 MR. GIMBEL: Please stand up.

15 ALDERMAN D'AMATO: That haven't already
16 testified. Those who are not family members who
17 live within five blocks who have not testified?

18 VICE CHAIRMAN HERRON: Why don't -- why
19 don't we do -- Attorney -- Attorney Gimbel -- Mr.
20 Gimbel, why don't we do this, because it's really
21 hard for the court --

22 MR. GIMBEL: Sure.

23 VICE CHAIRMAN HERRON: -- reporter to
24 kind of --

25 MR. GIMBEL: I understand.

VICE CHAIRMAN HERRON: -- say that.

Why don't you have the remaining witnesses that

you have come forward and just say their name

into the mike -- name and address into the

microphone, which will be very helpful for us.

MR. GIMBEL: Everybody who has not

testified, please come forward here who's in

favor of this license being granted. Give us

your name and your address.

MR. ERTTEL: My name is Jerry A. Erttel.

2545 North Maryland Avenue, Apartment 303,

Milwaukee, Wisconsin, 53211.

THE REPORTER: Can you spell your last

name?

MR. ERTTEL: Capital E-r-t-e-l.

MR. GIMBEL: Thank you.

VICE CHAIRMAN HERRON: Thank you.

MR. ERTTEL: Thank you.

MS. BONDAR: My name is Jill Bondar, B-

o-n-d-a-r. Doris is my mother. I visit her four

or five times a week. I run up to the store for

things for her that she needs. Um, I also worked

at Riverside Drugs when Mr. Sokol ran it when I

was a child, and -- um -- he did the -- he got

older, he did a horrible business. These people

1 are making this business nice -- um -- able -- if
2 we have Thanksgiving dinner at my mother's house,
3 we have six children, we all come to my mother's
4 house, run to get a bottle of wine. We did that
5 when Irv ran it, when he had wine and liquor.
6 It's not like it's a horrible thing. I,
7 personally, don't believe so. But --

8 VICE CHAIRMAN HERRON: Thank you.

9 MS. BONDAR: -- it's up to you.

10 VICE CHAIRMAN HERRON: Thank you.

11 ALDERWOMAN CAMERON-ROLLINS: The
12 address.

13 MR. GIMBEL: Thank you.

14 MS. BONDAR: Um --

15 MR. GIMBEL: -- your home address.

16 MS. BONDAR: 1227 East Kane Place.

17 MR. GIMBEL: Anybody else who's not a
18 family member? Okay. Thank you.

19 VICE CHAIRMAN HERRON: Just have a
20 quick comment.

21 MR. GIMBEL: Yes.

22 VICE CHAIRMAN HERRON: And it speaks to
23 the question of whether your liquor -- whether
24 your currently grocery store can ever become a
25 full fledged liquor store, and I believe that

there -- there is market forces that
 play into whether and how much of a particular
 service you can provide and -- and if, in your
 neighborhood, everybody in the neighborhood
 wanted alcohol beverages and didn't want bread
 and other conveniences, then I assume you
 probably -- or then the potential for you to
 become a -- a full fledged liquor store probably
 would exist, but I certainly think that we all
 have to add a little common sense here and
 understand that -- um -- it's probably unlikely
 that you'd be able to compete in that enviro -- as
 a full fledged liquor store, with many of the
 other larger liquor stores that focus on liquor,
 so the likelihood, I believe, and I just want to
 provide that bit of clarification, the likelihood
 that you could become a full fledged liquor store
 is unlikely, based on the way the business is
 currently set up.

MR. GIMBEL: And if I could -- I just
 want to provide --

ALDERMAN D'AMATO: Mr. Chairman, I
 would just challenge each and every committee
 member to tell me the last full fledged liquor
 store that they know that went out of business?

1 MR. GIMBEL: I don't know how relevant
2 that is, but --

3 ALDERMAN D'AMATO: Okay.

4 MR. GIMBEL: I'm just going to ask this
5 young lady, what is your intention, as the
6 applicant for this license, with respect to what
7 percentage of liquor you will put into that store
8 should this committee and the Common Council
9 agree to issue the license you've now applied
10 for?

11 THE APPLICANT: Ten to fifteen percent.

12 VICE CHAIRMAN HERRON: Thank you.

13 MR. GIMBEL: I rest my case.

14 VICE CHAIRMAN HERRON: Okay. We're
15 into closing statements, and I assume that was --

16 ALDERMAN D'AMATO: Can I ask -- can I
17 ask Ms. Assad a question?

18 VICE CHAIRMAN HERRON: Alderman
19 D'Amato, would you -- would you -- are you going
20 to give a --

21 ALDERMAN D'AMATO: May I ask her a
22 question?

23 VICE CHAIRMAN HERRON: Sure. Go ahead.

24 ALDERMAN D'AMATO: Ms. Assad, if -- if
25 -- um -- if we were to go in and inspect the

store and the liquor, the portion of the store
 that -- um -- was occupied by liquor -- um --
 exceeded ten to fifteen percent, and we informed
 you of that -- um -- would you voluntarily turn
 in your license?
 THE APPLICANT: Like you said -- I
 mean, I -- it wouldn't be taken away from me, but
 if you came in and it's more than what I said,
 and you let me know, then I will cut a shelf out,
 or whatever I need to do to make it ten to
 fifteen percent.
 MR. GIMBEL: It's called a cure period.
 Cure opportunity.
 ALDERMAN D'AMATO: Thank you.
 VICE CHAIRMAN HERRON: Alderman
 D'Amato, you now have an opportunity for a
 closing statement.
 ALDERMAN D'AMATO: Thanks very much,
 Mr. Chairman.
 Let me make several different points.
 I'm -- I -- I would like to start first with a
 statement made by Mr. Larsen, and that is, his
 statement that said there is absolutely no good
 reason to introduce more alcohol into this
 neighborhood. The burden here is not upon the

1 neighbors to show that the operators have been
2 poor operators. That's not the burden here. The
3 burden here is to show that a liquor store here
4 either would not further harm the neighborhood
5 with the -- with the issues we have with abusive
6 alcohol and now loud noise, or that it is an
7 underserved neighborhood. Testimony on both
8 parts, those opposed and in favor, indicate that
9 no one would have to walk more than five blocks
10 to get a bottle of hard liquor. Now, again, I
11 would ask you to look in your own neighborhood,
12 and think of any place in your neighborhood that
13 anybody could walk less than five blocks in the
14 service of a square area of about sixty square
15 blocks. This area is well served by liquor.
16 There is absolutely no reason to have more liquor
17 served in the middle of a residential
18 neighborhood. Ms. Assad runs two other stores.
19 Those two other stores are grocery and beer
20 stores. Those stores don't have liquor. If she
21 came here with 27th and Greenfield and asked for
22 a liquor license, if we were to grant this one,
23 it seems the criteria would be -- there would be
24 no criteria by which we wouldn't grant her a
25 liquor license there. If she came up with the --

the liquor license on Grant Boulevard, what would the criteria be that we wouldn't grant a license there to serve liquor?

Mr. Gimbel makes my point wonderfully when he kept on asking questions of -- of the people opposed, if they've ever been to Gilbert's, if they've ever been to Sendik's, if they've ever been to Open Pantry. Certainly they've been to all those places, because they are conveniently located, and they conveniently are opportunities for people to buy hard liquor. There is no shortage of hard liquor to be purchased by anybody here.

It proves also the point that the people in this neighborhood accept the fact that liquor be sold on commercial strips. On Oakland Avenue there's a liquor store. Actually, there's two stores on Oakland Avenue. There's a liquor store on Downer Avenue. There's two liquor -- liquor outlets on Downer Avenue. There is a liquor store on North Avenue. All of those commercial strips, as you can see on your map, are served by alcohol. People can walk to them. They can drive to them. They are conveniently located.

1 It is not the responsibility of this
2 committee to make sure that everybody in the city
3 only has to walk down the street half a block to
4 get a bottle of liquor. It is not the right of
5 anybody who makes an application for a liquor
6 license to receive a liquor license. It is the
7 responsibility instead, of this committee, to
8 make sure that alcohol is dispensed in a way that
9 it doesn't harm neighborhoods. The -- the -- the
10 foremost fact here is the neighborhood and the
11 people who live in that neighborhood. You've
12 heard from property owners, who not only
13 indicated there's plenty of places to get liquor,
14 but that the sheer volume of liquor, with the
15 student population, and the transiency of tenants
16 and other things of this neighborhood, is a
17 recipe that makes things very challenging.

18 This particular block, 2700 block of
19 Murray where this is, is a block that is
20 regularly visited by police in houses that have
21 problems with underage drinking, with drinking by
22 -- having drinking parties that go well into the
23 night. I am not saying that Mrs. Assad is
24 responsible for that, but as this -- this being a
25 new license, it has to enter into the equation

1 that does more alcohol help this or harm this?
2 Now, you may say, that her selling of
3 alcohol doesn't harm that. They can already get
4 it elsewhere. But it certainly does not help.
5 That's a big thing to know. It does not help.
6 And for that fact, we should throw out the entire
7 concentration argument, because if you're going
8 to argue that the addition of more alcohol's not
9 going to harm or make it a situation any worse,
10 then this -- this committee should never con --
11 is -- ah -- concentrate on issues of
12 concentration. There has to be a level of
13 review. There's a reason that people apply to
14 this committee and the Council for liquor. And
15 that is, to make sure that it does not harmfully
16 affect the neighborhood.
17 So, keep in consideration, not only Ms.
18 Assad's rights, and her responsibilities, but the
19 rights of the neighborhood. There is no
20 graduation as Alderman Sanchez argued. There's
21 no -- there's no argument for a graduation
22 through a beer license to a liquor license.
23 There's no understanding of that. Someone who
24 has a beer license may want a beer license
25 forever. They may ask for a liquor license, but

1 given the location of where they are, they may
2 not -- a liquor store may not be appropriate, or
3 the sale of hard liquor may not be appropriate.
4 We classify these things, again, for a reason,
5 because some are proper in some places, and some
6 are improper in other places.

7 And so, I would say that if this
8 committee grants this license to Ms. Assad, who's
9 been there for two years and been selling beer,
10 that they should fully expect that the three Open
11 Pantries that -- within six blocks of this that
12 have had beer license for over ten years, will be
13 coming here for liquor licenses. That they
14 should fully expect that the Sentry store on
15 Oakland Avenue will be applying for a liquor
16 license. That they should fully expect that
17 every place in this area that sells beer now,
18 that knows that they have the ability and the
19 invitation to sell hard liquor will be in front
20 of this committee to get it. And I would ask --
21 I would ask you how you would fight in court the
22 fact that you've given a hard liquor license to
23 Ms. Assad and that you've denied everybody else.
24 We denied the operator of the Open Pantry last
25 year on the 2400 block of Murray liquor because

of a concentration of outlets. That person will

be before you again if this -- if this applicant

is granted this license. So be prepared for

that. We must draw the line somewhere.

I ask you to stand in support of the

neighborhood, support of the people who've

invested money. Ms. Assad may have invested

\$40,000 in the store, but Mr. Weinstein and

others have invested \$250,000 in their homes.

It's a drop in the bucket compared to what people

have there. Consider the neighborhood first, and

Ms. Assad second.

VICE CHAIRMAN HERRON: Thank --

ALDERMAN D'AMATO: Mr. Chairman, I just

have one other thing that has come afterwards.

There's -- um -- copies of letters from the

Oakland Avenue Business Improvement District

representing the property owners of Oakland

Avenue and the East Side Business Improvement

District representing the property owners on

North Avenue indicating their lack of support for

this, and I would just give it to you.

VICE CHAIRMAN HERRON: I don't -- I

don't believe that those can be entered into the

record. It may be --

1 MR. SCHRIMPF: Same problem. There's
2 no cross examination available.

3 VICE CHAIRMAN HERRON: I just have one
4 point of clarification for Mr. Schrimpf, and
5 maybe he can help committee members, or at least
6 help me. On the issue of concentration, can you
7 tell us where the bar is at, or is there a bar,
8 or is the bar in our own mind where we believe
9 the bar to be?

10 MR. SCHRIMPF: There is no -- for a
11 variety of reasons, there is no magic number that
12 occurs, but it is a judgmental thing which is
13 based on all of the evidence which is before you.
14 So, for example, you -- it is possible to look at
15 the grid which is before you. It is also
16 possible to look at the type and nature of the
17 license. For example, a Class B license can be a
18 tavern, but it can also be a restaurant with a
19 bar. And typically, even though it's counted as
20 a Class B license for purposes of the -- of the
21 map, I think the committee members understand
22 that qualitatively you're dealing with two
23 entirely different things. And the same way with
24 a Class A malt and a Class A liquor and malt.
25 Again, qualitatively, you're dealing with two

ON 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25

VICE CHAIRMAN HERRON: So, two -- two

There may be other factors.

that you could typically get taken into account. ordinances. Um, those are all factors, however,

the statutes. They are not laid out in the

MR. SCHRIMPF: They are not laid out in

in the statutes, or is that --

of those factors laid out in the ord -- in the --

VICE CHAIRMAN HERRON: Just -- are any

into the mix and -- and are part of it. The --

their own homes. Those are all factors that go

other areas of the city where people tend to own

transient, or tends to be more transient than

The alderman has pointed out that the area is

numbers, by -- by a student population at UWM.

numbers, I don't know exactly, but in large

ah -- that is an area which is populated in large

committee has to go too far to understand that --

the population. I -- I don't think this

factors you would want to examine is the mix of

case of UWM, I would think that one of the

commercial. You look at, for example, in the

whether it's residential or whether it's

any one area, various factors. You look at

different things. You look at, for example, in

1 in here and automatically get a full Class A
2 liquor license. That's just hogwash.

3 What you would be doing if you grant
4 this application is, you would be recognizing
5 that this location has operated with a full Class
6 A liquor license until 1999 when the Assad family
7 made an agreement with the landlord to rent this
8 place. And they went in and spent a substantial
9 amount of money to create, as we've heard from
10 direct evidence, a clean, high service
11 environment selling groceries, creating great
12 neighborhood satisfaction. And you also heard
13 here on the record from a person who didn't even
14 tell me when I met her in the hall for the first
15 time today that she worked in this store that was
16 run by Mr. Sokol for twenty years, that
17 essentially, the only difference between the way
18 that Sokol ran his store, and the way the Assads
19 ran their store, other than the fact he was an
20 old man and didn't keep up with the times, was
21 that he had a liquor license. And you heard from
22 customers who went in there and bought their
23 liquor needs from him. So what's the difference?

24 The difference is that now Alderman
25 D'Amato says that somehow, between the time of

Mr. Sokol leaving the world of commerce and the
 Assad family visiting the world of commerce in
 this neighborhood, there has been a concentration
 that would essentially preclude your thoughtful
 consideration of this application. I think the
 best evidence we have in this case, to support
 this application, is the diagram that has been
 offered here reflecting concentration of -- of
 beverage places. On this document, you will see
 that in this zone that -- that Alderman D'Amato
 has claimed to be the relevant zone, that there
 are three Class A liquor operations, and mind
 you, mind you, I live a few blocks east of here
 where there are big houses and big lots. If I
 lived in this neighborhood, where my house is,
 there might be fifty people living in the same
 area. I'm telling you, this is a densely
 populated area with lots of apartment buildings.
 We had two people who managed two hundred eighty-
 nine of those apartments, and so you need to have
 service outlets for a densely populated
 neighborhood beyond that, and I think, maybe, our
 -- our chairman, Alderman Herron, made the point
 that some place, two places in five miles may be
 too many, and another place, ten places in two

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1 blocks may be just enough, or not enough, and I
2 think that's what you have to think about when
3 you're thinking about the issue of concentration.
4 You look seriously at this map and I -- I suggest
5 to you that if you combine the fact that this
6 location was a full service Class A operation
7 without problems, the Assads have come in with a
8 grocery background, and they're saying that they
9 want to spend a part of this place as a -- as a
10 liquor outlet. And -- and I don't know how you
11 can differentiate between those people and say
12 that something has happened in the last two years
13 that now makes this an overconcentration of
14 liquor outlets, in light of the record in this
15 case, the evidence in this case that you've
16 heard.

17 There wasn't one person who came in
18 opposition that had one scintilla of information
19 that I suggest -- ah -- supports the notion that
20 -- ah -- giving this license would then somehow
21 harm the neighborhood. It doesn't happen. So,
22 I'm asking you to, as I understand Mr. Schrimpf's
23 interpretation of the law and accept it, you have
24 discretion to decide what concentration is.
25 There is no magic formula. There is no number

per square block or per square mile. You decide
 what's relevant. And I'm suggesting to you that
 as a consequence of the fact that this -- this
 particular location has operated in previous
 years as a Class A full service liquor operation
 in -- in connection with the efforts that the
 Assad family has suggested they will make, I
 earnestly urge you to grant this application and
 move it forward.

MR. SCHRIMPF: Mr. Chairman, just -- ah
 -- one point --

VICE CHAIRMAN HERRON: Attorney
 Schrimpf.

MR. SCHRIMPF: -- that -- um -- Mr.
 Gimbel made and -- and I think there should be
 some caution with respect to the point. Um, when
 Mr. Sokol was coming in, remember the -- the
 testimony of Mr. Wagner was that for many years,
 Mr. Sokol's license was under a very special
 classification because he was a pharmacist. And
 remember that pharmacists are licensed by the
 State Board of Pharmacy to dispense very
 controlled drugs and medication, and that for
 many years, the State of Wisconsin, in
 recognition of that, simply allowed pharmacists

1 to dispense alcohol products as part and parcel
2 of their license, and then later on, that was
3 converted into something else. That resulted in
4 Mr. Sokol getting renewals of his license, and
5 always remember that overconcentration of outlets
6 cannot and never is a consideration in a renewal.
7 So, be very cautious of that.

8 VICE CHAIRMAN HERRON: Thank you.
9 Before we go into committee, I just want to
10 compliment both groups on their presentation
11 today and arguing their case, I think both have
12 done an effective job in laying out their case on
13 both sides, and we certainly appreciate that.

14 Alderman D'Amato and Ms. Assad, thank
15 you. Thanks very much.

16 This matter is now in committee, and I
17 will ask the members for their pleasure. Don't
18 you guys all jump at one time now.

19 ALDERMAN SANCHEZ: I'll make a motion.

20 VICE CHAIRMAN HERRON: Alderman
21 Sanchez.

22 ALDERMAN SANCHEZ: It's been a long
23 afternoon. Um, I think that there's a
24 significant problem in the City of Milwaukee as
25 far as applicants who decide that they want to

open a -- ah -- a location in a given area simply because there's a lot of research that needs to take place with respect to, for example, things like crime and things of that nature that may occur in a district. I think that our system that we have in place is not perfect. It achieves, sometimes, it -- its goals and I think sometimes it fails. But I also think that we have to take a close look at the applicant, and we have to make a decision whether this applicant has been running a business with high levels of integrity and with concern for their neighbors. I think you have to look at the background of the applicant and look to see, if, indeed, this applicant has any experience in operating other stores, or is it the first one. Have they ever had any trouble with the police? Have they taken away from the neighborhood's character, or perhaps invested in it to make it a better place?

There's a lot of testimony that took place today, and it was very good on both sides. But I think if there's any justice left, if there's any way we can leave today knowing that we made the right decision, and I think that

1 decision would be to make a motion for approval,
2 because I think that when you have an applicant
3 that operates in the fashion that they do, they
4 should not be penalized to expand their business
5 and to grow. And if Milwaukee is going to grow,
6 it's going to need operators such as -- I'm sorry
7 -- your name, Mrs. --

8 THE APPLICANT: Assad.

9 ALDERMAN SANCHEZ: -- Assad. So, I'd
10 make a motion for approval.

11 VICE CHAIRMAN HERRON: Thank you.
12 There's a motion for approval. Are there any
13 other comments?

14 Hearing no comments, I'll make some
15 comments.

16 (Court Reporter changes paper.)

17 VICE CHAIRMAN HERRON: It's -- it's a
18 rare -- um -- when things are -- are so black --
19 when -- when the area is so gray, and this is
20 clearly a gray area. We have a operator who has
21 proven to be a good operator and runs a store and
22 -- and does it effectively and does it with the
23 support of the people in the neighborhood. I
24 don't believe any of the people in the
25 neighborhood objected to -- objected to your

store and how it was being run currently. Um, and you have an alderman who is interested in trying to maintain a district that has as little liquor licenses, I believe, as -- as -- as necessary to serve a population where there are many students in the area and -- and I certainly understand his desire to limit the amount of -- the amount of licenses.

However, I also in -- in -- so, for me, the -- the whole argument is based on whether I believe there's an overconcentration of alcohol outlets in the neighborhood and -- while I do think there are many alcohol outlets in the neighborhood, I don't believe there are an overconcentration of them. I do believe -- and I also don't believe, and I think this was the point that made it for me, I don't believe that you can take a convenience store that sells bread and other needed supplies and turn it into a liquor store. I don't believe that the neighborhood itself would support that kind of establishment, nor economically would it work for an operator to turn a convenience store where people need to buy bread and peanut butter and other needed supplies, and fill it up with

1 liquor, because there are other stores that sell
2 lots of liquor, and can sell it for a lot
3 cheaper, and so it wouldn't be in their interest
4 to turn a convenience store into a liquor store.
5 Would, however, work for a convenience store to
6 sell limited amounts of alcohol, probably at
7 prices which are a little bit above what you'll
8 get at a liquor store for the convenience of it.
9 And I think that that, to me, tells me that it'll
10 never reach a point in that store where it goes
11 over the ten to fifteen percent amount, because
12 it just economically would not be feasible. The
13 product would sit on the shelves for months and
14 months and months and months.

15 So, I'm going to support Alderman
16 Sanchez's motion to -- um -- to approve this
17 license, and I'm -- I'm hoping that Ms. Assad,
18 both through market forces and her commitment to
19 us, will keep her liquor products to that ten to
20 fifteen percent range.

21 THE APPLICANT: I sure will.

22 VICE CHAIRMAN HERRON: Thank you. Any
23 other comments by members of committee?

24 I'm going to ask Mary Landowski, the
25 Clerk, to call the roll on this one.

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THE CLERK: Okay. It's a motion to grant?

VICE CHAIRMAN HERRON: Motion to grant.

THE CLERK: Alderman Sanchez?

ALDERMAN SANCHEZ: Aye.

THE CLERK: Alderman Bohl?

ALDERMAN BOHL: Aye.

THE CLERK: Alderman Cameron-Rollins?

ALDERWOMAN CAMERON-ROLLINS: Aye.

THE CLERK: Mr. Chair?

VICE CHAIRMAN HERRON: Aye.

THE CLERK: The vote prevails four to zero.

VICE CHAIRMAN HERRON: Thank you.

MR. GIMBEL: Thank you very kindly for your attention. I appreciate it very much.

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I, THERESE M. SCHIEBENES, of Milwaukee
Reporters Associated, Inc., do certify that the foregoing
transcript was reduced to writing under my direction and
that it is a true and accurate transcription of a portion
of the hearing regarding Utilities and Licenses Committee
of January 23, 2001.

Therese M. Schiebene
TERESE M. SCHIEBENES - Court Reporter

Dated this 5th day of February, 2001.

