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CITY OF MILWAUKEE

UTILITIES & LICENSES COMMITTEE

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In the Matter of:

HUBBARD, Karen D., Agent for Hubbard & Associates NA, Inc.,
Class B Tavern and Tavern Dance renewal applications for
"Karen's Club" at 7330 North 76th Street.

* * * * *

COMMITTEE MEMBERS

ALD. JAMES WITKOWIAK - Chairman

Ald. James Bohl, Jr. - Vice Chairman

Ald. Joseph A. Dudzik

Ald. Robert Puente

Ald. Willie Wade

DEPARTMENT OF NEIGHBORHOOD SERVICES by BRIAN KAUFMAN

HEALTH DEPARTMENT by OSCAR L. BOND

LICENSE DIVISION by REBECCA BARRON

POLICE DEPARTMENT by SERGEANT JOHN HOGAN

OFFICE OF THE CITY ATTORNEY by BRUCE SCHRIMPF

Proceedings had and testimony given in
the above-entitled matter, before the UTILITIES &
LICENSES COMMITTEE OF THE CITY OF MILWAUKEE, on
the 28th day of September, 2004, reported by Donna
Gulczynski of Milwaukee Reporters Associated, Inc.

COPY

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P R O C E E D I N G S

(NOTE: All City Personnel Were Sworn Under Oath Prior to These Proceedings.)

CHAIRMAN WITKOWIAK: Karen D. Hubbard, agent for Hubbard and Associates NA, Inc. Class B Tavern, Tavern Dance renewal application for Karen's Club at 7330 North 76th Street. Good morning. How are you today?

MS. HUBBARD: Good morning. How are you?

CHAIRMAN WITKOWIAK: Would you raise your hand and be sworn in, please?

(Whereupon Karen D. Hubbard was sworn under oath.)

CHAIRMAN WITKOWIAK: And state your name and address for the record, please.

MS. HUBBARD: Karen Hubbard, H-u-b-b-a-r-d, 7330A North 76th Street.

CHAIRMAN WITKOWIAK: Miss Hubbard, do you admit to receiving a notice in the mail that there's a possibility that your application could be denied because of items contained in the police report and neighborhood objections to loitering, littering, and fights, shootings, and conduct which is detrimental to the health, safety and welfare of the neighborhood?

MS. HUBBARD: Yes.

1 CHAIRMAN WITKOWIAK: Health Department?

2 MR. BOND: No objection.

3 CHAIRMAN WITKOWIAK: Neighborhood Services?

4 MR. KAUFMAN: No objection.

5 CHAIRMAN WITKOWIAK: Sergeant Hogan?

6 SERGEANT HOGAN: Two incidents in the last
7 licensing period. The first occurred on May the 8th
8 of this year. Shortly before 2 a.m. officers were
9 dispatched to the premises for a shooting.

10 The officers indicate in the report that the
11 applicant was on the scene and stated that she called
12 the police because of a fight in the tavern with about
13 five females. She had initially denied calling in the
14 shooting.

15 Police learned that there was a large fight
16 involving many people in the tavern, and that two
17 females left the tavern and came back into the tavern
18 stating that they were shot in the parking lot.

19 The applicant, her son, a security person
20 and the bartender denied hearing any gunfire and were
21 indicated as reluctant to provide the police with what
22 had occurred.

23 The victim stated that they were at a party
24 on the premises, a fight broke out between 30 and 40
25 people, and when security pushed everybody out, shots

1 were fired into the crowd. I have no further
2 information on that.

3 The other incident is regarding a fatal
4 shooting that occurred in the parking lot of the
5 premises on August the 27th of this year shortly
6 before 2 a.m. In that incident, as was conveyed to me
7 by investigating officers, the suspect in that matter
8 observed his girl friend or a female acquaintance of
9 his with another man on the premises, and when they
10 left, the suspect obtained a handgun from apparently
11 outside of the premises, walked up to the victim while
12 he was sitting in his car and fatally shot him.

13 CHAIRMAN WITKOWIAK: Thank you, Sergeant
14 Hogan. Do you have any questions of the sergeant on
15 this police report?

16 MS. HUBBARD: No.

17 CHAIRMAN WITKOWIAK: Questions by members of
18 the committee?

19 MR. SCHRIMPF: Mr. Chairman, I would simply
20 ask the licensed applicant if she agrees with the
21 nature of the testimony that the sergeant gave.

22 MS. HUBBARD: The only thing with the first
23 incident, when -- I think he mentioned that I denied
24 calling the police, and that was because we didn't
25 know anybody had got shot. We called the police about

1 the fight. We didn't know what was going on in the
2 parking lot, and basically that was it.

3 MR. SCHRIMPF: That's all I have.

4 ALDERMAN BOHL: Mr. Chairman?

5 CHAIRMAN WITKOWIAK: Alderman Bohl.

6 ALDERMAN BOHL: Thank you. Miss Hubbard,
7 during the typical evening, do you have security staff
8 for your club?

9 MS. HUBBARD: Yes.

10 ALDERMAN BOHL: And approximately how many
11 individuals would you have on a night -- Does anybody
12 have a calendar? The evening or early morning of 5/8,
13 do you know what day of the week it was?

14 ALDERMAN PUENTE: I believe Saturday night,
15 Sunday morning.

16 ALDERMAN BOHL: On Saturday night, how many
17 security staff would you have present?

18 MS. HUBBARD: It depends on the function
19 because we do all kinds, you know, wedding receptions,
20 parties, banquets. Sometimes there might be two at
21 one event, one at another event. So it just depends
22 on what type of a crowd I have.

23 ALDERMAN BOHL: Miss Hubbard, what is your
24 capacity at the club?

25 MS. HUBBARD: My back hall capacity holds up

1 to 300 people. My front bar is 100, and the lower
2 hall has a capacity of 100 people.

3 ALDERMAN BOHL: So if we were actually going
4 to look into the entirety, we're talking you could max
5 out at about 550?

6 MS. HUBBARD: Exactly.

7 ALDERMAN BOHL: And two security -- If you
8 were going to bring in a large crowd of, say, three,
9 400 individuals, you would have two security staff?

10 MS. HUBBARD: I wouldn't bring in a crowd
11 that large.

12 ALDERMAN BOHL: On the night of -- or the
13 event that occurred around May 8th, do you recall how
14 large a crowd you had?

15 MS. HUBBARD: About a hundred people.

16 ALDERMAN BOHL: About a hundred people and
17 two security staff. Are one of those security persons
18 at the door, or how do you work the security staff?

19 MS. HUBBARD: Like I said, it depends on the
20 event. That particular event it was maybe two at the
21 door and two inside the bar.

22 ALDERMAN BOHL: If there is a fight
23 occurring in the parking lot, what are your expecta-
24 tions, or what is the practice of your security staff?
25 Are they to intervene, are they to call the police,

1 are they to go out and see what's going on? Or is
2 what occurs in the parking lot just fair game? I'm
3 curious as to the response if the security staff is
4 aware of a fight.

5 MS. HUBBARD: Normally what we do is we
6 clear the bar. In an effort to clear the bar, we do
7 go outside and clear the parking lot.

8 ALDERMAN BOHL: This fight started in the
9 bar; is that correct?

10 MS. HUBBARD: No. Which incident are you
11 speaking of?

12 ALDERMAN BOHL: May 8th.

13 MS. HUBBARD: May 8th, yes. There were some
14 girls fighting in the back of the bar, correct. And
15 then security broke up the fight, and then we escorted
16 everybody out of the bar.

17 ALDERMAN BOHL: Now, but you're saying
18 security was not present outside, so they were not
19 aware of the particular shooting?

20 MS. HUBBARD: No, security is not on the
21 parking lot outside. At the end of the night we do
22 have security go outside and clear the parking lot.
23 They stand at the door. They're monitoring the
24 parking lot. They're making sure there's no one
25 outside loitering, but no one is patrolling outside

1 or anything like that. They are standing outside and
2 making sure people are not leaving with liquor and
3 standing around. If you can't get in, you have to
4 leave.

5 ALDERMAN BOHL: So if there is a fight, the
6 effort is just to push the combatants outside?

7 MS. HUBBARD: No. The effort is to clear
8 the bar. If a fight occurs, what we do is we close
9 the bar down. We stop the music, and we start, you
10 know, just making sure everyone's out safely. That's
11 what we do.

12 ALDERMAN BOHL: Okay. I don't know, and I
13 don't want to put words in your mouth or even question
14 you, but if I have five people who are fighting; three
15 on one side, two on another, is there an effort to
16 detain two, send three out -- tell three to leave the
17 premises, and then tell the other two now you may
18 leave? Because otherwise I think what we're doing --

19 MS. HUBBARD: No. See, it's kind of hard
20 for me to answer because I don't have a bar like that,
21 you know what I mean? We don't usually have
22 situations. I've been in this business since 1993,
23 and we very, very seldom have this.

24 So, in this case here, they did detain the
25 girls, and then they cleared the bar, and then we

1 called the police and let the police handle it because
2 this is -- you know, like I said, I don't have a
3 nightclub. It's more like a hall rental, so if
4 there's a birthday party, it's no problem. If it's a
5 wedding reception, it's no problem. So I'm not used
6 to anything like that because we don't have a bar like
7 that. It's more of a hall rental, so each situation
8 is different.

9 ALDERMAN BOHL: Mr. Chairman, you know, that
10 may be, but all I'm going to say is we have a police
11 report dating back to June of 2001, shots fired in the
12 parking lot; October of 2001, approximately 100 people
13 in the parking lot engaging in disruptive behavior.
14 Several subjects were observed fighting by the police
15 department. And then we have two incidents this year,
16 two shootings.

17 So, you know, it's not as though there was
18 one instance -- this is the one lone isolated instance
19 in your record. We have at least four incidents where
20 there was either a substantial fight or a shooting. I
21 mean you're telling me that this is the exception to
22 the rule. I'm telling you four is four too many.
23 Thank you, Mr. Chair.

24 CHAIRMAN WITKOWIAK: Thank you, Alderman
25 Bohl.

1 ALDERMAN PUENTE: Mr. Chair?

2 CHAIRMAN WITKOWIAK: Alderman Puente.

3 ALDERMAN PUENTE: How long have you been at
4 this establishment?

5 MS. HUBBARD: I've been on 76th since 1999.

6 ALDERMAN PUENTE: You had stated earlier you
7 would not get to a large crowd. What is the maximum
8 you allow for the rental of your hall?

9 MS. HUBBARD: Probably up to 200.

10 MR. KAUFMAN: With the occupancy, she's got
11 a limit of 476 on her permit.

12 ALDERMAN PUENTE: Okay. But you say you
13 don't max out?

14 MS. HUBBARD: Right, exactly. I have three
15 different places that I rent out, and each hall
16 basically has a different capacity, and then that's
17 the way we handle each event, depending on what
18 capacity.

19 ALDERMAN PUENTE: Getting back to the May
20 8th incident, was your hall rented out for that?

21 MS. HUBBARD: Yes.

22 ALDERMAN PUENTE: And what was that about?
23 Was it for a wedding or something else?

24 MS. HUBBARD: On May 8th it was a birthday
25 party.

1 ALDERMAN PUENTE: Birthday party. Okay.
2 And when the shooting occurred, was that also a rental
3 of your hall?

4 MS. HUBBARD: That was in the parking lot.

5 ALDERMAN PUENTE: I understand, but they
6 were in your establishment prior to the shooting; is
7 that correct?

8 MS. HUBBARD: Correct.

9 ALDERMAN PUENTE: All three of them, as I
10 understand.

11 MS. HUBBARD: I think so.

12 ALDERMAN PUENTE: Even though there was no
13 incident per se in your parking lot. Okay. And what
14 kind of party did you have that day?

15 MS. HUBBARD: Birthday party.

16 ALDERMAN PUENTE: Birthday party. Thank
17 you. Getting back to the security guard, is your son
18 one of the security guards?

19 MS. HUBBARD: No, he works there, helps me
20 out.

21 ALDERMAN PUENTE: So he has nothing to do
22 with the security?

23 MS. HUBBARD: No.

24 ALDERMAN PUENTE: Does security that you
25 hire, are they trained, or is it just somebody you

1 know?

2 MS. HUBBARD: It's a hired security company.
3 Yes, they are trained.

4 ALDERMAN PUENTE: What is the name of the
5 security company?

6 MS. HUBBARD: Grady Anderson Security
7 Company.

8 ALDERMAN PUENTE: Brady?

9 MS. HUBBARD: Grady.

10 ALDERMAN PUENTE: Are they armed?

11 MS. HUBBARD: No.

12 ALDERMAN PUENTE: Do they have batons or
13 anything, mace?

14 MS. HUBBARD: No.

15 ALDERMAN PUENTE: Okay. Do you tell them to
16 cooperate with the police if they should come?

17 MS. HUBBARD: Oh, without a doubt.

18 ALDERMAN PUENTE: Do you know that at the
19 incident of the shooting that your security guards
20 left?

21 MS. HUBBARD: Because we close up early. We
22 close at 1:30.

23 ALDERMAN PUENTE: Don't you think they
24 should have stuck around?

25 MS. HUBBARD: I think they did stick around.

1 I think at the time -- I'm not for sure, because I
2 read in the report that one of the security people
3 talked to someone.

4 ALDERMAN PUENTE: Yeah, in the beginning of
5 it.

6 MS. HUBBARD: Okay.

7 ALDERMAN PUENTE: And then they wanted to do
8 follow-up with your security people, and they had left
9 the scene.

10 MS. HUBBARD: I heard that Grady Anderson
11 did talk to the detective, so --

12 ALDERMAN PUENTE: Yeah, later.

13 MS. HUBBARD: Okay.

14 ALDERMAN PUENTE: That is correct, but that
15 was later on. It's very important for the police
16 department to gather information immediately, -- and
17 that's why I was curious as to why they had left the
18 scene, especially at a shooting, a homicide on top of
19 it, -- so they can apprehend the suspect possibly,
20 depending on what information the security guards had.
21 It could have helped in -- You know, I understand this
22 gentleman was apprehended, but it could have been that
23 he wasn't, and they could have provided information to
24 the police department but were nowhere to be found
25 after the incident.

1 MS. HUBBARD: But when I talked to Grady
2 Anderson, he told me that his security did talk to the
3 police, and that's what I understood. And then I
4 asked him was there anything we needed to do, and he
5 said no. I guess they, you know, handled it. They
6 told him that they had all the information they
7 needed.

8 ALDERMAN PUENTE: Right, I agree with you
9 that they talked to them, but do you understand what
10 I'm saying? The time had elapsed, they had left the
11 scene, and they were not readily available to the
12 police to talk to them regarding the incident.

13 MS. HUBBARD: Okay.

14 ALDERMAN PUENTE: That's what I'm saying.
15 If they talked to them a day or two later, that
16 doesn't do the police too much good when they're
17 looking for a suspect immediately.

18 MS. HUBBARD: I didn't know that, I didn't
19 know that.

20 ALDERMAN PUENTE: That's all I have. Thank
21 you.

22 CHAIRMAN WITKOWIAK: Any other questions by
23 members of the committee? Is there anyone else in the
24 audience here to testify in this matter? No one else
25 in the audience here to testify? Okay.

1 ALDERMAN PUENTE: Mr. Chair, one more. I'm
2 sorry. Do you live above this?

3 MS. HUBBARD: Yes.

4 ALDERMAN PUENTE: Okay. Thank you. So if
5 the police were pounding on your door that evening, --
6 Were you there that evening?

7 MS. HUBBARD: No, I was not there that
8 evening.

9 ALDERMAN PUENTE: Okay. Thank you.

10 CHAIRMAN WITKOWIAK: Did you recently move?

11 MS. HUBBARD: Yes.

12 CHAIRMAN WITKOWIAK: Oh, you did. Okay.
13 From?

14 MS. HUBBARD: I sold my home in Mequon.

15 CHAIRMAN WITKOWIAK: Mequon. Okay. Do you
16 want to give us some closing statements on this before
17 we take this matter into committee?

18 MS. HUBBARD: Yes. What I did, you know, I
19 reviewed everything, because like I said, normally we
20 do so many functions, and they turn out wonderful.

21 In situations like this, what I've decided
22 to do is to hire more security to patrol the parking
23 lot, since all the incidents that happened was in the
24 parking lot. But normally it's never no problem.

25 I really tried to sit and think what could

1 I have done to prevent any of this, and there was
2 nothing. I have no control over what people do when
3 they decide to leave my premise and behave that way.
4 So I just figured the best way to handle this probably
5 was to hire more security for the parking lot at the
6 end of the night.

7 CHAIRMAN WITKOWIAK: Okay. Any other
8 questions by members of the committee? This matter's
9 in committee.

10 ALDERMAN PUENTE: Mr. Chair.

11 CHAIRMAN WITKOWIAK: Alderman Puente.

12 ALDERMAN PUENTE: My recommendation would be
13 a 10-day suspension on her tavern license and a 30-day
14 on her dance hall permit based on the police report.

15 CHAIRMAN WITKOWIAK: Motion by Alderman
16 Puente is to recommend renewal of this license with a
17 10-day suspension of the Class B tavern license and a
18 30-day suspension of the tavern dance license. Any
19 discussion on the motion? Please call the roll on
20 that motion.

21 MS. ELMER: Alderman Bohl?

22 ALDERMAN BOHL: Aye.

23 MS. ELMER: Alderman Puente?

24 ALDERMAN PUENTE: Aye.

25 MS. ELMER: Alderman Wade?

1 ALDERMAN WADE: Aye.

2 MS. ELMER: Alderman Dudzik?

3 ALDERMAN DUDZIK: Aye.

4 MS. ELMER: Mr. Chair?

5 CHAIRMAN WITKOWIAK: Aye. Motion approved
6 five to zero.

7 MR. SCHRIMPF: Ms. Hubbard, the committee is
8 going to be doing Findings of Fact and Conclusions of
9 Law recommending renewal of your Class B Tavern
10 license with a 10-day suspension, and renewal of your
11 Tavern Dance license with a 30-day suspension. You'll
12 have an opportunity to obtain a copy of those written
13 findings. They'll be sent to you at 7330A North 76th
14 Street, as well as to appear and submit written
15 objections to those findings, as well as to appear
16 before the Milwaukee Common Council when it meets and
17 considers this matter and this recommendation on
18 October 11th, 2004 in the Common Council Chambers of
19 this building, this floor, at the opposite end of this
20 floor. Do you understand all that?

21 MS. HUBBARD: Yes.

22 CHAIRMAN WITKOWIAK: Thank you very much.

23 * * *

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25

STATE OF WISCONSIN))
MILWAUKEE COUNTY)) SS:

I, DONNA GULCZYNSKI, of Milwaukee Reporters Associated, Inc., 5120 West Bluemound Road, Milwaukee, Wisconsin, certify that the foregoing transcript, consisting of pages 2 through 17, inclusive, is a full and complete transcript of the proceedings taken in this cause.

Donna Gulczynski - Court Reporter

Dated this _____ day of _____, 2004
Milwaukee, Wisconsin