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CITY OF MILWAUKEE

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LICENSES COMMITTEE

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In the Matter of the Request to recind the withdrawal
of renewal application for Class "B"
Tavern and Tavern Dance renewal
applications for:

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KAREN D. HUBBARD
"KAREN'S ENTERTAINMENT CENTER"
7330 N. 76th Street

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COMMITTEE MEMBERS

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ALD. JAMES BOHL, JR., - Vice-Chairman

13

ALD. TERRY WITKOWSKI

14

ALD. ROBERT PUENTE

ALD. WILLIE WADE

15

LICENSING DIVISION by REBECCA BARRON

NEIGHBORHOOD SERVICES by TOM WESSEL

HEALTH DEPARTMENT by PAUL ZEMKE

16

POLICE DEPARTMENT by SEARGENT CHET ULICKEY

OFFICE OF THE CITY ATTORNEY by ATTORNEY BRUCE SCHRIMPF

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Proceedings had and testimony given in
the above-entitled matter, before the LICENSES
COMMITTEE OF THE CITY OF MILWAUKEE, on
the 27th day of November, 2007.

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P R O C E E D I N G S

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CHAIRMAN WITKOWIAK: In the 9th

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District, Karen D. Hubbard, Agent for "Hubbard &

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Associates". Request to rescind the withdrawal

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of renewal applications, and if approved, the

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Class "B" Tavern and Tavern Dance renewal

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applications for "Karen's Entertainment Center,"

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7330 North 76th Street.

9

Would you raise your right hands?

10

We'll swear you in, please.

11

(Whereupon the Applicant was sworn.)

12

THE APPLICANT: Yes.

13

CHAIRMAN WITKOWIAK: Name and address

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for the record, please.

15

THE APPLICANT: Karen Hubbard, H-U-B-B-

16 A-R-D, 7330A North 76th Street, Milwaukee 53223.
17 CHAIRMAN WITKOWIAK: State your
18 presence.
19 MR. WHITCOMB: Good afternoon, Mr.
20 Chairman. Attorney Michael Whitcomb appearing on
21 behalf of the applicant.
22 CHAIRMAN WITKOWIAK: And you'll state
23 your presence.
24 MS. CWIKLINSKI: Chris Cwiklinski,
25 Alderman Puente's assistant.

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1 CHAIRMAN WITKOWIAK: Do you admit - -
2 Does the applicant admit to receiving notice in
3 the mail there's a possibility the application
4 could be denied because of items contained in the
5 police report and neighborhood objections to
6 loitering, littering, gunshots, fights, drugs,
7 criminal activity, cruising, failure to comply
8 with license regulations, specifically operation
9 of the premises during suspension periods and
10 sales and presence of underage persons and
11 conduct which is detrimental to the health,
12 safety and welfare of the neighborhood?
13 MR. WHITCOMB: So acknowledged.
14 CHAIRMAN WITKOWIAK: Health department?
15 HEALTH: Health department has no
16 objection.
17 CHAIRMAN WITKOWIAK: Neighborhood
18 Services?
19 DNS: We have no objection. We show
20 capacity for the first floor and lower of 476.
21 CHAIRMAN WITKOWIAK: 476?
22 DNS: Correct. And 164 for the West
23 Beer Garden.
24 CHAIRMAN WITKOWIAK: Thank you. And
25 you both are excused, if you want to come back

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1 after the - - after the bartenders in the
2 afternoon session, that's fine. Okay. So the
3 next - - the next agenda items I think that we
4 would need you for would probably be 2:30.
5 Sergeant, could we hear the police
6 report, please?
7 SERGEANT ULICKEY: On 8/16 of '06 the
8 applicant was cited by the City of Milwaukee for
9 building and zoning violations. She was found
10 guilty and fined 1130 dollars.
11 On 9/2 of '06 at 11:06 p.m. Milwaukee
12 Police were dispatched to 7330 North 76th Street,
13 Karen's Club, for a battery DV complaint.
14 Investigation revealed the caller, Evonna
15 Rawlings, was uncooperative and would not talk to
16 the police regarding a male subject she kept
17 yelling at. The male was identified as Carl
18 Bell. Officers attempted to speak with Bell when

19 he ran into a crowd that had gathered by the
20 tavern. Officers did confront Bell and then Bell
21 punched an officer in the face. Bell was
22 resisting arrest and several subjects who were in
23 the crowd attempted to interfere with officers
24 who were trying to arrest Bell. Both Bell and
25 Rawlings were arrested. Bell was charged with

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1 battery to a police officer, disorderly conduct.
2 Rawlings was charged with disorderly conduct.
3 Officers then spoke to Karen Hubbard,
4 who is the licensee of Karen's Club. She stated
5 that she had security personnel inside the
6 tavern, but not outside. There were no other
7 special - - no other reported incidents regarding
8 Karen's Club.
9 On Thursday, 11/30 of '06 at 8:24 p.m.
10 Milwaukee Police Department was dispatched to
11 North 76th and Good Hope for a battery cutting
12 from an anonymous caller, who said his friend was
13 stabbed inside Karen's Club Tavern. Caller
14 stated he was going to take his friend to the
15 hospital. Did not want any further involvement
16 regarding the incident. The victim nor the scene
17 was ever located, however, the caller stated the
18 suspect was possibly still in Karen's Club
19 Tavern. Milwaukee Police Department squads
20 responded to Karen's Club and discovered a
21 stepping dance being conducted and they knew
22 nothing of the altercation. The suspect was
23 suspended from 10/24 of '06 - - I'm sorry. The
24 tavern was suspended from 10/24 of '06 through
25 12/22 of '06, and this was in violation of that

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1 suspension. The officers were told to close the
2 establishment and have all the people leave.
3 Battery cutting was found to be baseless.
4 CHAIRMAN WITKOWIAK: Thank you. Before
5 we go any further. Does - - Does the applicant
6 wish to rescind the withdrawal?
7 MR. WHITCOMB: Yes, Mr. Chairman.
8 CHAIRMAN WITKOWIAK: That's correct.
9 Okay. I just wanted to clarify that. What's the
10 will of the committee? Do you wish to - - Do you
11 wish to accept the rescind of the withdrawal?
12 ALDERMAN BOHL: Mr. Chairman.
13 CHAIRMAN WITKOWIAK: Alderman Bohl.
14 ALDERMAN BOHL: I want to hear from the
15 applicant, the rationale.
16 CHAIRMAN WITKOWIAK: Why?
17 ALDERMAN BOHL: The rationale for first
18 off why she did not seek to renew, and then now
19 why she's decided otherwise.
20 MR. WHITCOMB: The renewal application
21 was timely filed. There was an interested party

22 seeking to purchase the property. She owns the
23 property and runs another establishment. At that
24 time there was hopes that that would go through.
25 The prospective purchaser had a meeting with the

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1 local alderman, and afterwards, the prospective
2 purchaser said he was not going to go through
3 with the purchase. And she then asked to with -
4 - rescind the withdrawal of her renewal
5 application. Basically, the property was put up
6 for sale. She thought she would sell it and
7 there was no need for her to renew her license,
8 because she thought it would be sold before her
9 present license expired.

10 ALDERMAN BOHL: Thank you.

11 ALDERMAN PUENTE: Mr. Chair.

12 CHAIRMAN WITKOWIAK: Alderman Puente.

13 ALDERMAN PUENTE: For the committee's
14 edification, could you say who that prospective
15 buyer was?

16 MR. WHITCOMB: Yes, that was Mister - -

17 THE APPLICANT: McNeal.

18 MR. WHITCOMB: - - Tom McNeal.

19 ALDERMAN PUENTE: And he owns Club

20 Escape. Is that correct?

21 MR. WHITCOMB: That is correct, Mr.

22 Chairman.

23 ALDERMAN PUENTE: Thank you.

24 CHAIRMAN WITKOWIAK: Are there any

25 questions about the police report?

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1 ALDERMAN PUENTE: Mr. Chair.

2 CHAIRMAN WITKOWIAK: Alderman Puente.

3 ALDERMAN PUENTE: A question for the

4 Assistant City Attorney regarding the police
5 report, because of the process we're going
6 through here. Can we take into consideration all
7 11 items, because of the process we're - - we're
8 going through here right now?

9 MR. SCHRIMPF: Well, with the - - the
10 usual caution that, you know, for example, if
11 some of the items in the police report were the
12 subject of prior disciplines, that kind of thing,
13 what you would - - You can certainly have the
14 entire police report into the record so far as
15 deciding on what to do with this particular issue
16 at this point. If something has been the subject
17 of prior discipline in the past, you would give
18 it that appropriate weight. And you would
19 determine - - try to determine if there is
20 something in the past that is coming forward into
21 the current time.

22 ALDERMAN PUENTE: Well, with that, Mr.
23 Chair, I would move that the entire police report
24 become part of the permanent record.

25

CHAIRMAN WITKOWIAK: And Alderman

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1 Puente moves to make the entire police report
2 part of the permanent record in this hearing.
3 Hearing no objections, so ordered.
4 We're - - We're looking for a motion to
5 accept rescinding the withdrawal before we
6 continue any further. Is anyone willing to make
7 that motion? Perhaps we shall not continue then.
8 ALDERMAN WADE: I'll make that motion.
9 CHAIRMAN WITKOWIAK: Motion by Alderman
10 Wade is that we accept the rescinding of the
11 withdrawal. Are there any objections to that
12 motion?
13 ALDERMAN PUENTE: I'll object.
14 ALDERMAN BOHL: I'll object, as well.
15 ALDERMAN WITKOWSKI: I'll object.
16 CHAIRMAN WITKOWIAK: Hearing three
17 objections, the motion carries.
18 MR. WHITCOMB: For the purposes of the
19 record, Mr. Chairman, there's no legal necessity
20 for the withdrawal to be rescinded. There isn't
21 any provision in the law or in the ordinances
22 which requires this committee, does not entitle
23 this applicant to once again reinstate her
24 renewal application. She filed a renewal
25 application. She withdrew it as an accommodation

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1 to this committee so she would not have a
2 duplicate renewal hearing. When she determined
3 she could not sell her business, she, in effect,
4 refiled, if you will, her renewal application.
5 There is - - Her withdrawal of her application
6 does not require approval by this committee to be
7 able to rescind it, any more than this committee
8 has the authority to accept a renewal application
9 in the first instance.
10 CHAIRMAN WITKOWIAK: I want to ask Mr.
11 Schrimpf, are they - - If someone withdraws an
12 application, are they supposed to go into the
13 License Division and file all new paperwork?
14 MR. SCHRIMPF: Well, I'm just checking
15 the ordinance here, Alderman. And at the point
16 in time that she withdrew the application there
17 was a pending police report which could form the
18 basis of nonrenewal or suspension of the license.
19 Right?
20 THE APPLICANT: Yes.
21 MR. SCHRIMPF: So, Mr. Chairman, under
22 90-13-8(c), when a license is surrendered in lieu
23 of a pending revocation or suspension
24 proceedings, no other alcohol beverage license
25 shall be granted to such person within 12 months

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1 of the date of its surrender, nor shall any part
2 of the money be paid, refunded. At a minimum it
3 would seem to me that the committee would have to
4 decide to approve.

5 MR. WHITCOMB: The license has not been
6 surrendered. She's always had the license in
7 hand. It's in existence today. We're talking
8 about the renewal application, and - - and the
9 necessity of this committee having to accept the
10 recision of a withdrawal of a renewal
11 application. She never surrendered her license.
12 She's licensed today.

13 MR. SCHRIMPF: But she withdrew her - -

14 CHAIRMAN WITKOWIAK: Withdrew the
15 renewal.

16 MR. SCHRIMPF: She withdrew her renewal
17 application and the license expired, according to
18 the records, on October the 23rd.

19 ALDERMAN PUENTE: Of this year.

20 MR. SCHRIMPF: Of this year.

21 ALDERMAN PUENTE: For the record.

22 MR. WHITCOMB: And the - - One moment,
23 please. Ms. Barron?

24 MS. BARRON: Yes.

25 MR. WHITCOMB: Do your - - Do your

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1 records indicate when the request to reactivate
2 the renewal application was brought to the
3 attention of your division? Was that October
4 3rd?

5 MS. BARRON: It was October 18th.

6 MR. WHITCOMB: Just for the purposes of
7 the record, Mr. Chairman, so we have our dates
8 correct. On September 7th, '07 a written
9 communication was given to the License Division
10 stating that the applicant wanted to withdraw her
11 renewal application. Then on October 18th, '07
12 she requested that the application, in effect, be
13 reactivated. At that time her license was in
14 effect. Her license expired on October 23rd, '07
15 and that has no bearing to the issue before this
16 committee as to whether or not this committee has
17 to approve the reactivation of a - - of a license
18 renewal application. Mr. Schrimpf is correct as
19 regards to the surrender of a license under
20 threat of revocation, which that section relates
21 to. Ms. Hubbard did not surrender her license
22 - - her license. I would agree with Mr. Schrimpf
23 that if at the time she asked to have her license
24 renewal application be reactivated was after the
25 time the license expired, what we might be

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1 talking about is a brand new license application
2 and not a renewal. But in this instance, she
3 reactivated, if you will, her renewal application

4 while she was an existing licensee, and I do not
5 believe this committee has the discretion not to
6 hear her renewal application. Otherwise, you, in
7 effect, are depriving her of a property interest
8 without a hearing, the property interest being
9 her continuation of her license, albeit that
10 since it hasn't been renewed yet, it's not in
11 existence today.

12 I would respectfully ask this committee
13 to consider this case on the merits, and if the
14 issue is whether or not there was sufficient
15 police objections two months ago at the time she
16 withdrew her request to sustain a decision by
17 this committee not to renew it, let's hear it
18 today. I respectfully submit the two objections
19 on the record are not sufficient to nonrenew the
20 license, and I'd like to address those.

21 MR. SCHRIMPF: Well, Mr. Chairman, I
22 would - - The problem with counsel's position in
23 this is that the ordinance in several places
24 makes reference to a pending revocation or
25 suspension. Now, a suspension can certainly

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1 result from a revocation. But the problem is a
2 suspension can result from an ordinary renewal
3 proceeding. And both subsection (c) talks about
4 pending revocation or suspension proceedings, and
5 sub (b) talks about the same thing. In the event
6 a licensee has surrendered his or her license, I
7 really would argue that withdrawing a renewal
8 application at the point in time that there's a
9 possibility your license could be suspended is
10 tantamount to a surrender.

11 MR. WHITCOMB: When - - Getting back to
12 dates, so the record is clean, Mr. Schrimpf.
13 When was the notice provided to the applicant of
14 possible police objections to her renewal of the
15 license.

16 MS. BARRON: Mr. Chair.

17 CHAIRMAN WITKOWIAK: Yes.

18 MS. BARRON: The notice for the
19 September 11th meeting was sent to the applicant
20 on August 29th, 2007. We received the request in
21 writing for the withdrawal of the application on
22 September 7th.

23 MR. WHITCOMB: Was the content of that
24 notice the - - identical to the notice that was
25 submitted for this hearing today, notice for

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1 today?

2 MS. BARRON: It appears to be, yes.

3 MR. WHITCOMB: Thank you.

4 MR. SCHRIMPF: Anyway, subsection (b)
5 of 90-13-7 says, "In the event a licensee who has
6 surrendered his or her license wishes to have the

7 surrendered license returned regardless of
8 whether the license was surrendered pursuant to
9 paragraph (a), the licensee must request in
10 writing permission from the Licensing Committee
11 to do so and appear before the committee at a
12 date and time specified in the notice to be
13 provided to the licensee by the City Clerk. So
14 that would be today's proceeding. The committee
15 may approve the request and return the license
16 without further action by the Common Council, or
17 may make a recommendation to the Common Council
18 to deny the request based on the same grounds set
19 forth in this Chapter for nonrenewal or
20 revocation. If the committee makes a
21 recommendation to deny the request for the return
22 of the license, all committee recommendations
23 shall be prepared in Common Council actions
24 conducted in the same manner as set forth in this
25 Chapter for nonrenewal or revocation." So it

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1 would appear to be that what the committee should
2 do in this instance is take whatever evidence it
3 has, and then you have to come to a decision as
4 to whether or not - - essentially the decision is
5 being collapsed into a single decision, and that
6 is if you're going to renew the license and if
7 you're going to renew the license, are you going
8 to renew it with a suspension or not, or are you
9 going to nonrenew the license. That's really
10 what this is. This isn't that complicated.

11 MR. WHITCOMB: But we are entitled to a
12 hearing.

13 CHAIRMAN WITKOWIAK: Pardon?

14 MR. WHITCOMB: But we are entitled to a
15 hearing.

16 MR. SCHRIMPF: One thing Mr. Whitcomb
17 and I can agree on.

18 CHAIRMAN WITKOWIAK: Okay. So then we
19 shall proceed. I guess we can't - - we - - we
20 have to hear this. Are there any people in the
21 audience here to testify relative to 73 - -

22 ALDERMAN PUENTE: Mr. Chair, before we
23 go any further.

24 CHAIRMAN WITKOWIAK: Alderman Puente.

25 ALDERMAN PUENTE: I just want to make

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1 it perfectly clear that I thought there had to be
2 a motion to hear it, but you're saying that there
3 doesn't have to be that motion. We are mandated
4 to do it. Is that correct?

5 CHAIRMAN WITKOWIAK: That's what the
6 City Attorney just told us.

7 ALDERMAN PUENTE: Is that correct?

8 MR. SCHRIMPF: I'm sorry. There was
9 another conversation going on. What was the

10 question?

11 ALDERMAN PUENTE: The question is that
12 there - - At the beginning of this it was - -
13 there had to be a recommendation to hear the
14 rescinding of the withdrawal of the renewal
15 license application. Now we are compelled to
16 hear it? That's what you're saying to us, even
17 though there has been a motion before us and
18 voted on already not to hear this.

19 MR. SCHRIMPF: There was a motion to
20 not hear it. I agree. I think in light of the
21 way the ordinance is structured what the
22 committee should do is simply take the testimony
23 that you have since the license has already
24 expired. If, for example, I don't know if
25 there's any neighborhood people here, and it may

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1 be that you - - what you want to do is take
2 whatever testimony you can right now. And if
3 there's neighborhood people who weren't noticed
4 and should have been, but there were neighborhood
5 objections. So seems to me you can just go ahead
6 and take the evidence regarding - - the previous
7 motion should be rescinded. You should take the
8 testimony that you have here and listen to it and
9 decide what you're going to do. If you're - - If
10 you're going to renew the license or renew it
11 with a suspension, that sort of takes up the
12 whole issue right there.

13 MR. WHITCOMB: Mr. Chairman.

14 ALDERMAN PUENTE: Mr. Chair, if I may
15 continue.

16 CHAIRMAN WITKOWIAK: Alderman Puente.

17 ALDERMAN PUENTE: Okay. In previous
18 consideration of rescinding the withdrawal, I
19 don't ever hear - - never heard this before. And
20 all of a sudden today, now I'm hearing it. I
21 don't - - I - - I'm very - -

22 MR. SCHRIMPF: I'm not sure we've ever
23 had one quite like this before.

24 ALDERMAN PUENTE: Well, I think the
25 basics of the rescinding of a withdrawal we have

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1 heard before, at least in the three and a half
2 years I've been here, I know I've heard it
3 before, so.

4 MS. CWIKLINSKI: They haven't been
5 accepted - -

6 ALDERMAN PUENTE: Well, that's it.
7 Right.

8 CITY CLERK ELMER: All of a sudden,
9 yes, we'll accept whatever you want. But you
10 surrender your license and you bring it to
11 Council. No, we've never said you can't act.

12 CHAIRMAN WITKOWIAK: Right.

13 CITY CLERK ELMER: And this time we're
14 saying - - you're saying no. The committee
15 basically has no ability to say no.
16 ALDERMAN PUENTE: Is that correct?
17 MR. SCHRIMPF: It seems to me that that
18 is the result of the effect of 7(b).
19 ALDERMAN WITKOWSKI: Mr. Chairman.
20 CHAIRMAN WITKOWIAK: Alderman
21 Witkowski.
22 ALDERMAN WITKOWSKI: Then I'll move for
23 reconsideration of that vote.
24 CHAIRMAN WITKOWIAK: Okay. Alderman
25 Witkowski moves to reconsider - - reconsider the

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1 rescinding of the withdrawal, and are there any
2 objections to that motion?
3 ALDERMAN PUENTE: I'll object.
4 CHAIRMAN WITKOWIAK: And hearing - -
5 hearing one, the motion carries. So some - -
6 someone should make a motion now to proceed with
7 the hearing.
8 ALDERMAN WITKOWSKI: So moved.
9 CHAIRMAN WITKOWIAK: Alderman Witkowski
10 moves that we proceed with the - - with the
11 hearing on this license at this point. Are there
12 any objections to that motion?
13 ALDERMAN PUENTE: I'll object.
14 CHAIRMAN WITKOWIAK: Hearing one, the
15 motion carries. Okay, now let's continue where
16 - - where we were. I - - I want to ask, is there
17 anyone in the audience here to speak relative to
18 7330 North 76th Street?
19 (Whereupon the witnesses were sworn.)
20 CHAIRMAN WITKOWIAK: Okay. Are any of
21 you here to testify in opposition to the place?
22 They're all supporters. Okay.
23 MR. WHITCOMB: Mr. Chairman.
24 CHAIRMAN WITKOWIAK: Yes.
25 MR. WHITCOMB: Might I address the

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1 police report before we start on the - -
2 CHAIRMAN WITKOWIAK: Yeah, go ahead.
3 MR. WHITCOMB: Thank you. Sergeant,
4 directing your attention to incident number 11,
5 and perhaps the City Attorney's representative
6 could assist you as well. Is there any
7 prohibition preventing the use of property for
8 other than tavern purposes during the period of
9 suspension by a license?
10 SERGEANT ULICKEY: Yes.
11 MR. WHITCOMB: And where is that
12 written?
13 SERGEANT ULICKEY: If they are going to
14 use that facility for anything other than a Class
15 "B", they have to have the proper licenses. I

16 couldn't name them all. But if you want to refer
17 to number 11, a stepping and dance class would
18 require a dance studio license, and the applicant
19 does not have that.

20 MR. WHITCOMB: But that would have
21 nothing to do with the suspension of the license,
22 would it? They'd still have to have that license
23 in any event.

24 SERGEANT ULICKEY: Well, they - - Yes.

25 MR. WHITCOMB: So the - - If they were

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1 in there - - If the same people were in there
2 playing cards, but no booze was being sold, no
3 booze was on display, that wouldn't be a
4 violation of the - - of the licensed statutes,
5 would it?

6 SERGEANT ULICKEY: Well, that also
7 doesn't refer to number 11.

8 MR. WHITCOMB: Pardon me?

9 SERGEANT ULICKEY: They weren't playing
10 cards. They were - -

11 MR. WHITCOMB: No. No, I'm just trying
12 - -

13 SERGEANT ULICKEY: - - in a dance
14 class.

15 MR. WHITCOMB: I'm trying to understand
16 the prohibition. It appears from the reading of
17 the police report that during a period of
18 suspension the physical property cannot be used
19 for any purposes until they get the license back.
20 That's not correct.

21 SERGEANT ULICKEY: Well, until they
22 have either - - No, not until they get their
23 license back. Until either they have the proper
24 license to conduct that activity, or they have
25 the proper occupancy to conduct that activity, or

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1 zoning. And I - - I'm not 100 percent with
2 zoning and occupancy regulations myself, but - -

3 MR. WHITCOMB: Okay. Then - - Then I
4 would be correct in stating that the second to
5 the last sentence of incident number 11 is
6 incorrect. That sentence states, "The tavern was
7 suspended from October 24, 2006 through December
8 22nd, 2006, and this was in violation of that
9 suspension." The dance activity was not in
10 violation of the suspension. The dance activity
11 was in violation of not having a dance class
12 permit. Correct?

13 MS. BARRON: Mr. Chair.

14 VICE-CHAIRMAN BOHL: Ms. Barron.

15 ALDERMAN PUENTE: Mr. Chair, may we
16 take a two minute recess while she does that?
17 Oh, you did?

18 (Reporter changes paper)

19 VICE-CHAIRMAN BOHL: That would
20 actually turn out too long. We'll still on the
21 morning agen - - Once we get done with this one,
22 we'll have a short recess before the afternoon.
23 ALDERMAN PUENTE: I don't know if some
24 of us can wait that long. I'm just trying to
25 tell you.

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1 VICE-CHAIRMAN BOHL: Jean, are you set?
2 COURT REPORTER: Yes.
3 VICE-CHAIRMAN BOHL: Okay. Ms. Barron?
4 MS. BARRON: The location had a tavern
5 dance license, so dancing would be allowed under
6 that. When the tavern license is suspended, the
7 tavern dance license is also - - was also
8 suspended. So there were no licenses allowing
9 any kind of entertainment on the premises.
10 VICE-CHAIRMAN BOHL: And what I'll - -
11 What I'll - - What I'm going to guess is that
12 it's a fine line here in part that if you have a
13 Class B tavern license, you still have the
14 ability to serve non-alcoholic beverages if you
15 are a neighborhood tavern. You can serve sodas.
16 You can serve orange juice. You can serve non-
17 alcohol eggnog if you - - if you will. If you
18 have the proper licenses, you can serve a frozen
19 pizza. If on the other hand you have a tavern
20 dance license and you have the ability to utilize
21 that establishment for dancing purposes, whether
22 it may be the course of a class or not, you are
23 actually running into some real gray area when
24 you're offering dance classes at an establishment
25 where the - - during the 60 day period there is

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1 not the allowance for dancing, whether it be in
2 the form of a class or not. Theoretically, I
3 know of one - - one establishment downtown where
4 as part of that establishment's dance license
5 it's a - - it's a Latino place, and they actually
6 offer before - - They actually offer Latino dance
7 lessons when they first opened up before they - -
8 they get the big crowds in there. That's all
9 part of the same establishment's ability to have
10 that dancing. I think that if you were smart,
11 you would have avoided it like the plague. And
12 it would have probably been a judgment call on
13 the part of the officer because of the conduct of
14 having a Class - - a - - a tavern dance
15 supplement and having that activity in that
16 establishment. That would be my guess. But - -
17 And if you want to object to that, for the
18 record, Mr. Whitcomb, I'll be happy to duly note
19 that.
20 MR. WHITCOMB: No, I - - I'm just
21 trying to get an understanding. Because I - - My

22 understanding of it was that this activity was
23 not unlawful, and that a premise during a period
24 of suspension can engage in non-alcohol related
25 activities.

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1 VICE-CHAIRMAN BOHL: I think - - I
2 think that I - - My - - I'm going to go out on a
3 hunch and guess that it was not a violation of
4 her operating as a - - as a tavern, which minus
5 their - - their Class B license still could
6 operate sodas. I'm going to guess that it was a
7 violation of the fact that in addition to the - -
8 the Class B premises which was suspended for 60
9 days, there was also a corresponding suspension
10 to the Class B tavern and dance license. That
11 dance activity was taking place when the dance
12 license was prohibited, and there was no other
13 license in lieu of that to properly allow this to
14 be a dance studio. Therefore, dancing activity
15 was taking place in a establishment where dancing
16 was prohibited during 60 days. It was there for
17 a violation of that respective license.

18 MR. WHITCOMB: But had she known to
19 have - -

20 MS. BARRON: Mr. Chair.

21 MR. WHITCOMB: - - obtained a dance
22 studio license during that 60 days and obtained
23 it, that activity would have been fine.

24 VICE-CHAIRMAN BOHL: I'm not - - I
25 can't say that. But I'll be willing to bet that

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1 a judge will side with me on this one here, and
2 I'll put that on the tape.

3 ALDERMAN PUENTE: Ms. Barron.

4 VICE-CHAIRMAN BOHL: Ms. Barron.

5 MS. BARRON: I just would further like
6 to say when you have a license as a Class B
7 tavern, typically your occupancy is as a tavern,
8 and so when you're having other activities, then
9 you would probably need, and Mr. Schrimpf can
10 correct me if I'm wrong, you probably need a
11 different type of occupancy - -

12 MR. SCHRIMPF: That's right.

13 MS. BARRON: - - permit to allow any
14 type of activity in that location.

15 MR. SCHRIMPF: That's right. And the
16 fact of the matter is, Ms. Barron, I don't know
17 if she said it specifically, but a tavern dance
18 license is a tavern-related kind of license, and
19 so when the licenses were suspended, there was no
20 permission to operate, at least this dance
21 operation, within that tavern at that time.

22 ALDERMAN WADE: Mr. Chair.

23 VICE-CHAIRMAN BOHL: Alderman Wade.

24 ALDERMAN WADE: Since we're getting

25 this - - this lesson, I want to be clear on some

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1 things as I move forward in my district. It
2 would have been proper for her to have a
3 gathering of people in the establishment as long
4 as they didn't partake in alcohol or dance
5 related situations. So she should - - She could
6 have had them there - -

7 MR. SCHRIMPF: Ah, because there's a
8 problem, Ms. Barron pointed that out, there's a
9 problem with the occupancy. The occupancy is as
10 a tavern, and the license for the tavern was
11 suspended.

12 ALDERMAN WADE: So you have a building,
13 you have space, and you - - you want to get
14 together and play cards with your friends, or you
15 want to - - You can't do it inside.

16 MR. SCHRIMPF: No occupancy permit.

17 ALDERMAN WADE: But you can't do it
18 inside the - - that building while the suspension
19 is in place. Learn something new every day.

20 MR. SCHRIMPF: Let me - - Let me
21 differentiate a situation that's just a little
22 bit easier to comprehend. Let's say you have a
23 restaurant with a service bar only license, and
24 the Class B license gets suspended for one reason
25 or another, or lapses for one reason or another.

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1 Because you also have an occupancy as a
2 restaurant, you also have a license as a
3 restaurant, the restaurant operation can
4 continue. The alcohol beverage operation must
5 cease.

6 MR. WHITCOMB: She has a food dealer's
7 license.

8 MR. SCHRIMPF: But you weren't serving
9 food. You were dancing. That's the - -

10 MR. WHITCOMB: I think it's incumbent
11 upon the City to tell suspended licensees what
12 they may or may not do during the period of
13 suspension.

14 MS. BARRON: Mr. Chairman.

15 MR. WHITCOMB: Often - - Oftentimes,
16 people still use the facilities for activity
17 other than serving alcohol during that time just
18 to be able to pay the rent. Now it appears that
19 the rule is you cannot do anything related to
20 that particular license activity if it's not
21 specifically listed on - - on the occupancy
22 certificate for which it takes six to eight weeks
23 to obtain.

24 MR. SCHRIMPF: Mr. Chairman.

25 VICE-CHAIRMAN BOHL: Mr. Schrimpf, go

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1 ahead.
2 MR. SCHRIMPF: Most licensees, when
3 they incur this problem, contact the police
4 department or contact the licensing office with
5 as to what activities can or cannot be done.
6 MR. WHITCOMB: We contacted Lieutenant
7 Johnson, and he advised the client contrary to
8 what this decision of the committee is.
9 MR. BARRON: Mr. Chair.
10 MR. SCHRIMPF: Well, then maybe you
11 ought to have the testimony of Lieutenant
12 Johnson.
13 VICE-CHAIRMAN BOHL: Well, and the
14 other thing that I will tell you is, I - - As
15 much as - - Boy, I would be very reluctant even
16 if I were a Lieutenant of a - - of a police
17 district to start offering legal advice. I don't
18 - - I don't even want to go there. So I ain't
19 going to recognize that.
20 ALDERMAN PUENTE: Mr. Chair.
21 VICE-CHAIRMAN BOHL: Hold on. I have
22 the gavel and who to recognize, and I'll
23 recognize Ms. Barron.
24 ALDERMAN PUENTE: Well, that's what I
25 just asked.

00031

1 MS. BARRON: I did speak with Ms.
2 Hubbard. We talked about these issues regarding
3 the - - her location, her needing a dance studio
4 license, her probably needing an occupancy permit
5 as a restaurant.
6 (Construction noise.)
7 MS. BARRON: Her needing an occupancy
8 permit as a restaurant, her needing a dance
9 studio license. We talked for several minutes on
10 various different occasions regarding this. Now,
11 I don't know when she talked to someone from the
12 police department. I believe that was after I
13 talked to her.
14 SERGEANT ULICKEY: Mr. Chair.
15 VICE-CHAIRMAN BOHL: You know what?
16 Sergeant Ulickey, I'm going to - - Here's my
17 ruling right now. As - - Unless Alderman
18 Witkowiak wants to come back, I'm going to say 11
19 stays on the books. We're going to consider it,
20 and we're going to move on. So - - How about
21 that?
22 MR. WHITCOMB: That's fine.
23 VICE-CHAIRMAN BOHL: Otherwise, we'll
24 be here until four o'clock discussing item number
25 11.

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1 MR. WHITCOMB: The point, Mr. Chairman,
2 as to that question on behalf of my applicant,
3 that the violation was not a knowing and willing

4 violation or disregard of the laws concerning
5 licensure. She didn't think she was doing
6 anything wrong by permitting a group of people
7 who go to the establishment every Thursday night
8 and - - and take dance lessons from people who
9 are here to testify to that effect, a social
10 event, by permitting that to continue. The
11 incident wasn't reported on the police report
12 necessarily because of that violation. It was
13 because there was a report of a stabbing, which
14 was totally unfounded.

15 Directing the committee's attention to
16 the two other incidents that were mentioned on
17 the - - by Officer - - by Sergeant Ulickey.
18 Incident number nine relates to a building and
19 zoning code violation. If I might just address
20 that.

21 VICE-CHAIRMAN BOHL: Please.

22 MR. WHITCOMB: That was for - - The
23 applicant owns the property. Received an order
24 to paint a porch. She hired a tradesman to paint
25 the porch. He painted the porch. Upon

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1 inspection, it was found out the tradesman did
2 not obtain a permit. She went to court. They
3 imposed a forfeiture of 1130 dollars for not
4 getting a permit, for not complying with an
5 order. In order to comply with the order, you
6 have to have a permit. The understanding with
7 the City Attorney's office was that if she gets a
8 permit for the work that was already done and
9 completed, she comes back to court, they would
10 reduce the forfeiture to 200 dollars. That court
11 date is on December 4th. I have the documents
12 establishing that. That incident was basically
13 the error of a tradesman she hired to paint a
14 porch, failed to get a permit. She subsequently
15 got the permit, paid the 40 dollars, and because
16 of the error of not getting the permit to paint
17 beforehand, she'll be paying a forfeiture of 200
18 dollars. Mr. Chairman, if I may approach the
19 clerk with copies of the zoning documentation for
20 the record?

21 VICE-CHAIRMAN BOHL: Sure. Are those -
22 - Those are copies that we can provide for our
23 records here?

24 MR. WHITCOMB: Yeah, there's five sets.

25 VICE-CHAIRMAN BOHL: Okay. And we'll

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1 have Alderman Wade will move to make these
2 documents related to board - - the zoning
3 violation and permit part of our official record
4 of this proceeding, and hearing no objection to
5 that, so ordered. Please proceed, Mr. Whitcomb.

6 MR. WHITCOMB: Thank you, Mr. Chairman.

7 By way of introduction before we have the people
8 in support testifying I would like to advise - -
9 or inform the committee that even though this is
10 a tavern and tavern dance license, this is not
11 operated as a tavern. It's a banquet facility.
12 The only time this facility is open is when it's
13 rented out to people for their basically private
14 use. The facility is only open on Thursdays,
15 Fridays and Saturdays for booked events, for
16 weddings, birthdays, retirement parties, business
17 meetings. This is not a tavern operation, per
18 se. It's a banquet facility with a tavern
19 license. So please understand that when you
20 consider, basically, the police report, and the--
21 Mr. Chairman, should I have the people
22 come forward?
23 VICE-CHAIRMAN BOHL: Yeah, why don't -
24 - What we'll do is if anyone who - - who is sworn
25 in and intends to testify, you can just take a

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1 seat in the front row here. We'll ask that - -
2 You can - - You can stay there, Chris. We'll ask
3 that you actually come up one by one to the
4 microphone here. .. microphone here. Again,
5 your - - your name and your address for the
6 record, please.
7 THE WITNESS: Joelle Carter. 8665 West
8 Fond du Lac.
9 VICE-CHAIRMAN BOHL: And you said that
10 was?
11 THE WITNESS: Joelle.
12 VICE-CHAIRMAN BOHL: Joelle, okay. All
13 right. Your testimony, please.
14 THE WITNESS: Actually I'm an event
15 coordinator for Karen's Entertainment Center. I
16 have worked there with her approximately eight
17 months, and I am in charge of coordinating
18 events, speaking with the individuals that book
19 the hall. I have been there dealing with like
20 staffing issues or what not, if we're short on
21 staff. I do the scheduling. I also have done
22 lots of DJs for the specialty events that come
23 through.
24 VICE-CHAIRMAN BOHL: Okay. Any other
25 questions by committee first?

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1 ALDERMAN PUENTE: Mr. Chair.
2 VICE-CHAIRMAN BOHL: Alderman Puente?
3 ALDERMAN PUENTE: How far away do you
4 live from this place?
5 THE WITNESS: I'm about ten minutes
6 away.
7 ALDERMAN PUENTE: So several miles?
8 THE WITNESS: Yes, probably.
9 ALDERMAN PUENTE: Thank you.

10 VICE-CHAIRMAN BOHL: Other questions by
11 committee? Mr. Whitcomb?
12 ALDERMAN PUENTE: I got one more, Mr.
13 Chair.
14 VICE-CHAIRMAN BOHL: Alderman Puente.
15 ALDERMAN PUENTE: On the incident on
16 item ten regarding this battery DV complaint,
17 were you working that night?
18 THE WITNESS: What date was that?
19 ALDERMAN PUENTE: On 9/02/06 at 11:06
20 p.m.
21 THE WITNESS: No.
22 ALDERMAN PUENTE: Huh?
23 THE WITNESS: No, I wasn't.
24 ALDERMAN PUENTE: You weren't. Okay.
25 THE WITNESS: I started this year.

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1 ALDERMAN PUENTE: Okay. What about
2 11/30/06 when they were dancing. Were you there
3 that day?
4 THE WITNESS: I started this year.
5 ALDERMAN PUENTE: Okay. Never mind
6 then.
7 MR. WHITCOMB: She started in '07.
8 THE WITNESS: '07.
9 ALDERMAN PUENTE: I got it now. All
10 right. Thank you. Sorry about that.
11 VICE-CHAIRMAN BOHL: Other questions by
12 committee.
13 ALDERMAN PUENTE: Probably all that
14 noise in the background.
15 VICE-CHAIRMAN BOHL: Mr. Whitcomb.
16 MR. WHITCOMB: Just one question. So
17 you started employment as the event coordinator
18 in January of '07, approximately?
19 THE WITNESS: Yes.
20 MR. WHITCOMB: And since that time
21 there has been no problems at the establishment.
22 THE WITNESS: That's correct.
23 MR. WHITCOMB: Thank you.
24 ALDERMAN PUENTE: Well, since you've
25 started, Mr. Chair, I'm sorry.

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1 VICE-CHAIRMAN BOHL: As follow-up,
2 Alderman Puente.
3 ALDERMAN PUENTE: Yeah, follow-up. How
4 often has this been open since you've been
5 employed there?
6 THE WITNESS: Um - -
7 ALDERMAN PUENTE: How many months out
8 of the last eight months?
9 THE WITNESS: The last event I did was
10 the end of September. It was a - - I think it
11 was a graduation party or something for - - No,
12 not a graduation party. It was a retirement

13 party for this older guy, and I did the DJ in
14 there, and it was in the back hall. So that was
15 like the end of September.
16 ALDERMAN PUENTE: The date of the event
17 was in September. Is that correct?
18 THE WITNESS: That's correct.
19 ALDERMAN PUENTE: Of this year?
20 THE WITNESS: That's correct.
21 ALDERMAN PUENTE: And you - - So since
22 then you have not done anything?
23 THE WITNESS: No, just waiting.
24 ALDERMAN PUENTE: Oh, then you got
25 employed approximately when? Like April, you

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1 said?
2 THE WITNESS: No, I said the beginning
3 of January. It had to be right after New Year's.
4 ALDERMAN PUENTE: I thought you said
5 eight months earlier.
6 THE WITNESS: Yeah.
7 ALDERMAN PUENTE: Well, eight months
8 from now would not be January. That's why I
9 questioned that.
10 THE WITNESS: Okay. I'm saying from
11 when I start - - Since I'm ending until then. So
12 that's - -
13 ALDERMAN PUENTE: Oh.
14 THE WITNESS: Yeah. So a total of like
15 eight months.
16 MR. WHITCOMB: From January until
17 September.
18 ALDERMAN PUENTE: From January until
19 September. I have it.
20 THE WITNESS: That's correct.
21 ALDERMAN PUENTE: All right. Thank
22 you.
23 THE WITNESS: Um-hnh.
24 ALDERMAN PUENTE: That's all I have,
25 Mr. Chair.

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1 VICE-CHAIRMAN BOHL: Thank you for your
2 testimony. Next. Sir, your name and your
3 address, please.
4 THE WITNESS: My name is Darryl Quincy
5 Jackson. My address is 6478 North 53rd Street in
6 Milwaukee.
7 VICE-CHAIRMAN BOHL: Please proceed,
8 Mr. Jackson.
9 THE WITNESS: I am the dance
10 instructor, and I was there, I believe the date
11 was November 6. I'm not sure about that. But
12 you, Alderman Puente, you asked about that. If
13 you have any questions, I can answer any
14 questions you have about that.
15 ALDERMAN PUENTE: Were people dancing

16 that day?
17 THE WITNESS: Yes, we were.
18 ALDERMAN PUENTE: And did the police
19 come in?
20 THE WITNESS: Yes, they did.
21 ALDERMAN PUENTE: And what did they
22 tell you?
23 THE WITNESS: They asked me did anybody
24 get stabbed in the parking lot, and I told them I
25 didn't know anything about it. Did anybody come

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1 in, complain about anything. I said no, there
2 are people here. We're having a good time. He
3 asked me if I knew that the estab - -
4 establishment was supposed to be closed. And I
5 said I was not aware of that. That particular
6 day Karen was trying to do everything the correct
7 way. She didn't even want to sell soda. So I
8 brought in - - I brought in soda. I brought in
9 chips. She asked me not to sell it. I said,
10 "All right. I'll - - I'll give it away." That
11 was my intentions all along, to give it away. We
12 were playing soft music. There were maybe 40
13 people there. I was instructing them how to - -
14 to dance.
15 ALDERMAN PUENTE: So do you lease that
16 from her?
17 THE WITNESS: I have an agreement with
18 Karen where the people come in and they patronize
19 her place and she makes her money that way. So
20 it's a win/win situation for the both of us.
21 ALDERMAN PUENTE: But she wasn't making
22 any money on this one.
23 THE WITNESS: No, she wasn't. She was
24 just doing it for me.
25 ALDERMAN PUENTE: Okay. So you don't

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1 pay her any money.
2 THE WITNESS: No, I don't.
3 ALDERMAN PUENTE: Okay. Thank you, Mr.
4 Chair.
5 VICE-CHAIRMAN BOHL: Other questions by
6 committee? Mr. Whitcomb.
7 MR. WHITCOMB: What is your occupation,
8 sir?
9 THE WITNESS: I'm a police officer for
10 Wauwatosa.
11 MR. WHITCOMB: Wauwatosa Police
12 Department?
13 THE WITNESS: Yes.
14 MR. WHITCOMB: And what dance
15 instruction do you provide?
16 THE WITNESS: Chicago style stepping.
17 MR. WHITCOMB: And you indicated that
18 on November 20th when the police arrived, you had

19 approximately 40 people learning from you?
20 THE WITNESS: Yes, sir.
21 MR. WHITCOMB: Customarily, is it the
22 same 40 people?
23 THE WITNESS: I usually get about five
24 to ten new people that come in every Thursday.
25 Some of them stick around. Some of them don't.

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1 But I usually have about 30, 35 regulars. The
2 class was growing. I had gotten up to about 70
3 people until someone made a bogus phone call that
4 was unsubstantiated.
5 MR. WHITCOMB: And that was - - And you
6 do this every Thursday night, starting at seven
7 o'clock at night?
8 THE WITNESS: Yes, sir.
9 MR. WHITCOMB: Until about nine, 9:30?
10 THE WITNESS: Yes, sir.
11 MR. WHITCOMB: Never any problems?
12 THE WITNESS: I have never had any
13 problems and don't anticipate any.
14 MR. WHITCOMB: No further questions.
15 ALDERMAN PUENTE: Mr. Chair.
16 VICE-CHAIRMAN BOHL: Alderman Puente.
17 ALDERMAN PUENTE: When officers
18 investigated this incident, did you tell them
19 your occupation to them?
20 THE WITNESS: Yes, I did.
21 ALDERMAN PUENTE: Okay. Thank you.
22 VICE-CHAIRMAN BOHL: Thank you, Mr.
23 Jackson. Next - - Next witness. Same protocol.
24 Your name and your address, please.
25 THE WITNESS: My name is Jessica

00044

1 Hubbard, 7330A North 76th Street.
2 VICE-CHAIRMAN BOHL: Please proceed.
3 THE WITNESS: Are there any questions?
4 I'm Karen's assistant and daughter.
5 VICE-CHAIRMAN BOHL: No, it would
6 actually be any testimony you want to provide.
7 THE WITNESS: Oh, just pertaining to
8 any of these incidents. It's a banquet hall.
9 There is never any problems that would be serious
10 enough to be closed down, have the license
11 suspended for any purpose. Every time that it
12 has happened, it has been something that was out
13 of our control. We couldn't do anything about
14 it.
15 VICE-CHAIRMAN BOHL: Okay. Thank you
16 for your testimony. Questions by committee?
17 ALDERMAN PUENTE: Mr. Chair.
18 VICE-CHAIRMAN BOHL: Alderman Puente.
19 ALDERMAN PUENTE: How long have you
20 been working for Karen's? Or did you say you
21 were an associate?

22 THE WITNESS: I'm her daughter.
23 VICE-CHAIRMAN BOHL: Daughter.
24 ALDERMAN PUENTE: Oh, daughter. I'm
25 sorry.

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1 THE WITNESS: So I've been around since
2 she's been open.
3 ALDERMAN PUENTE: This background noise
4 is killing me today. I apologize. Okay. So you
5 live with your mother upstairs?
6 THE WITNESS: Um-hnh.
7 ALDERMAN PUENTE: Okay. Do you - - Do
8 you have - - also own a home in Mequon?
9 THE WITNESS: Do I own a home in
10 Mequon?
11 ALDERMAN PUENTE: Your mother?
12 THE WITNESS: No.
13 ALDERMAN PUENTE: No, okay. Thank you.
14 That's all I have, Mr. Chair.
15 VICE-CHAIRMAN BOHL: Thank you. Other
16 questions by committee? Mr. Whitcomb?
17 MR. WHITCOMB: No, Mr. Chairman.
18 VICE-CHAIRMAN BOHL: Okay. Thank you.
19 THE WITNESS: Thank you.
20 VICE-CHAIRMAN BOHL: Last witness.
21 THE WITNESS: Travis Landry, 7065 North
22 58th Street, Milwaukee, Wisconsin 53223.
23 VICE-CHAIRMAN BOHL: And, Mr. Landry,
24 how close is that approximately to this
25 establishment?

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1 THE WITNESS: Maybe six blocks away.
2 About a mile and a half, maybe not even that
3 much.
4 VICE-CHAIRMAN BOHL: Thank you. Please
5 proceed.
6 THE WITNESS: I've been knowing Karen
7 for approximately 20 years. Been selling her
8 real estate, buying real estate. We've been
9 working together for a very long time. I don't
10 visit bars that often, but when I do go to a bar,
11 it would be Karen's Club, because she's been in
12 the bar business for a while, and she's
13 maintained a pretty comfortable atmosphere with
14 an older clientele, which, you know, it's just
15 comfortable to be around. It's not a rowdy
16 crowd. You don't have - - You don't have much
17 going on, but just socializing. So I've been
18 following her bar business since she's been in
19 the bar business from every location as she's
20 pretty much been - - been a part of.
21 In regard to her - - I'm a licensed
22 real estate broker, so I've been advising her
23 what contract agreements as far as the people who
24 did come to buy her establishment. When I

25 received a contract agreement from the person who

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1 wanted to buy that, me and her agreed that it
2 wasn't a good sell because of many other reasons.
3 It didn't have anything to do with whoever the
4 other guy was trying to purchase the bar at the
5 time. It was different reasons why we didn't
6 accept the offer for that property. So.

7 I mean, I was there that night on one
8 of the incidents that the police report with the
9 - - with the fighting incident. It was
10 something, you know, it was - - It was not even
11 on the property at the time. It was brought back
12 to the property after everything happened. And
13 it was a domestic dispute between a boyfriend and
14 a girlfriend that had nothing to do with the bar
15 at all.

16 VICE-CHAIRMAN BOHL: I have a follow-up
17 question. How many - - How many days a week or
18 how often would you say that - - that you - - you
19 go to this bar?

20 THE WITNESS: Not often. I'm not - -
21 I'm not a bar person. Once every two months.

22 VICE-CHAIRMAN BOHL: Okay.

23 THE WITNESS: I'm not - - And I don't -
24 - I don't - - And I just stop there because I've
25 been knowing Karen for so long. So whatever

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1 incidents she have going on in the bar as far as
2 parties or anything, I can knock on her door. It
3 could be whatever time. She there, she's letting
4 me in, because I just know her.

5 VICE-CHAIRMAN BOHL: Do you - - And how
6 many years - - So you - - So you - - Every - -
7 Every couple months, how often have you been
8 attending, going to the bar here?

9 THE WITNESS: Not often. Once every
10 two months, maybe. Once every three months.

11 VICE-CHAIRMAN BOHL: When would the
12 last time you have been there?

13 THE WITNESS: It's been a while. I
14 would say maybe in the summertime.

15 VICE-CHAIRMAN BOHL: When do you go
16 there, weeknight, weekends?

17 THE WITNESS: It would be a weekend.

18 VICE-CHAIRMAN BOHL: Typically a
19 weekend. It - - And - - And what is - - What's
20 the general format? Is it - - Is it usually - -
21 Is it usually a dance every time that you're
22 there then, as well, too?

23 THE WITNESS: No, I'm normally - -
24 Dancing, I normally don't see. My - - My general
25 format is call Karen on her cell phone and say,

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1 "Hey, I'm at the door. Open up." That's my
2 general format. You know, it's not - - I'm not a
3 bar person, so I don't even stop to have a drink.
4 I stop to socialize for a minute.

5 VICE-CHAIRMAN BOHL: Okay. All right.
6 When you're there, you're telling me that - -
7 that there aren't other people in the bar at the
8 time or?

9 THE WITNESS: Sometimes it is other
10 people at the bar, but it's not - - It's a - -
11 It's a comfortable atmosphere. I wouldn't go to
12 any other general bar and just - - just hang out,
13 because I'm not - - I'm not a bar person. But
14 when I go to Karen's bar, I'm - - I'm
15 comfortable. I feel fine. I don't feel
16 intimidated by anybody that's around me, or - -
17 or feel that something's about to happen to me.
18 Or feel uncomfortable walking back and forth to
19 my car.

20 VICE-CHAIRMAN BOHL: I'm going to - -
21 My only comment would be to that is - - is I
22 don't know that if that would corroborate with -
23 - with what counsel has indicated that - - that
24 Ms. Hubbard exclusively runs parties. The fact
25 that if she's there and there are times other

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1 people are at the bar, I don't know if she's
2 renting out to - - to Joe's Bahmitzvah that she's
3 allowing other interlopers to come in. But
4 that's just my comment. Alderman Puente.

5 ALDERMAN PUENTE: Sir, could you repeat
6 your address again? Again, the background noise.

7 THE WITNESS: 7065 North 58th Street.

8 ALDERMAN PUENTE: 7065 North 58th?

9 THE WITNESS: Yes.

10 ALDERMAN PUENTE: Okay. Thank you.

11 The other question is you were there the night of
12 the battery, you said?

13 THE WITNESS: Yes.

14 ALDERMAN PUENTE: Boyfriend/girlfriend
15 trouble?

16 THE WITNESS: Yes.

17 ALDERMAN PUENTE: Were those people
18 inside that tavern?

19 THE WITNESS: They were in the tavern
20 at - - before everything happened outside the
21 tavern.

22 ALDERMAN PUENTE: Okay. Thank you.

23 MR. SCHRIMPF: Mr. Chairman.

24 VICE-CHAIRMAN BOHL: Mr. Schrimpf.

25 MR. SCHRIMPF: Thank you. When is the

00051

1 last time you were at Karen's on this sort of
2 socializing?

3 THE WITNESS: I would say the last time

4 I was there actually enjoying myself was that
5 night after - - at the party. Other than that, I
6 don't - - If I call her, I'll go there and just
7 stop in for a minute and talk to her about
8 different - - We do real estate transactions, so
9 that's pretty much our meeting spot. And when I
10 go in there, it's not to be a loafer or to - - to
11 say give me a drink or anything like that. It's
12 socializing. It's me and her socializing about
13 different transactions then.
14 MR. SCHRIMPF: And when was the party?
15 THE WITNESS: About a year ago.
16 MR. SCHRIMPF: Okay. And when is the
17 last time you were there for any reason at all?
18 THE WITNESS: I would say I met her
19 there maybe about two months ago.
20 MR. SCHRIMPF: And that was one of
21 these business transactions?
22 THE WITNESS: Yes.
23 MR. SCHRIMPF: That's all I have, Mr.
24 Chairman.
25 VICE-CHAIRMAN BOHL: Okay. Other

00052

1 questions by committee? Mr. Whitcomb, anything?
2 MR. WHITCOMB: No questions of this
3 witness, Mr. Chairman.
4 VICE-CHAIRMAN BOHL: Okay. Thank you.
5 All right. Alderman Puente, were there any
6 comments that you wanted to make at this time
7 here or?
8 ALDERMAN PUENTE: Just a procedural
9 thing. I assume we're still on for deciding of
10 whether or not to hear the rescinding of the
11 withdrawal?
12 VICE-CHAIRMAN BOHL: No. No, I - -
13 ALDERMAN PUENTE: We're past all that
14 now?
15 VICE-CHAIRMAN BOHL: We're - - We're
16 - - This is - - This is the normal - - This is
17 the normal hearing renewal.
18 MR. WHITCOMB: Mr. Chairman, if you
19 asked me if I had anything further, I thought you
20 were directing to the witness. I do have a
21 closing statement I'd like to make.
22 VICE-CHAIRMAN BOHL: Yeah, I - - I will
23 hear from you.
24 MS. CWIKLINSKI: Mr. Chairman, I have a
25 couple questions for the applicant.

00053

1 VICE-CHAIRMAN BOHL: Okay. Ms.
2 Cwiklinski, go ahead.
3 MS. CWIKLINSKI: If the renewal is
4 granted, would you be doing the same plan - -
5 same plan as you had had in the past with just
6 banquets and things like that?

7 THE APPLICANT: Correct. That's what I
8 do is banquet - - banquet halls.
9 MS. CWIKLINSKI: And are you
10 anticipating having anyone else do any type of
11 operation at that location other than your event
12 coordinators?
13 MR. WHITCOMB: And as - - as a follow-
14 up for (construction noise.)
15 VICE-CHAIRMAN BOHL: Please use the
16 microphone.
17 ALDERMAN PUENTE: Yeah, it's terrible.
18 VICE-CHAIRMAN BOHL: You know what? As
19 long as - - As long as - - as Alderman Witkowiak
20 isn't here, I'm going to make the request you
21 call the City Clerk and tell them that the
22 building's big and to go on the north side of the
23 building.
24 MR. WHITCOMB: Mr. Chairman, if I may?
25 VICE-CHAIRMAN BOHL: Go ahead.

00054

1 MR. WHITCOMB: As a follow-up question
2 - - Ms. Hubbard, would you please explain the
3 manner of your operation. The Chairman indicated
4 through a witness that it appears that you have
5 your establishment open to the public, other than
6 those that are booking events. Is that accurate?
7 THE APPLICANT: No.
8 MR. WHITCOMB: Explain - -
9 VICE-CHAIRMAN BOHL: And, Ms. Hubbard,
10 if you could also use the microphone, as well.
11 I'll tell you, it - - it pulls out.
12 MR. WHITCOMB: Explain the - - the
13 layout of your facility.
14 THE APPLICANT: I have three halls. I
15 have a banquet hall in the back that holds up to
16 300 people. I have a lower hall that holds up to
17 100 people, and then I have my front sports bar,
18 which holds up to 125 people. And then I have a
19 patio that holds up to 180 people. And I have a
20 full service kitchen. I'm usually renting out
21 the halls on Fridays and Saturdays. If the front
22 hall isn't rented out, that is open sometimes to
23 the public where people can come in and sit and
24 have a cocktail while there's a party downstairs,
25 since the hall has to be open, because they have

00055

1 to go through the front sports bar to get to the
2 lower hall. So that hall is open. So we don't
3 turn away a person that wants to come in and have
4 a cocktail or something like that. So it
5 sometime open to the public.
6 MR. WHITCOMB: But if you do not have
7 an event at the establishment.
8 THE APPLICANT: Then it's not open.
9 MR. WHITCOMB: At all.

10 THE APPLICANT: At all.
11 MR. WHITCOMB: All right. Closing
12 statement, Mr. Chairman.
13 MS. CWIKLINSKI: Oh, Mis - - Mr.
14 Chairman, one more thing.
15 VICE-CHAIRMAN BOHL: Go ahead. Go
16 ahead, Ms. Cwiklinski.
17 MS. CWIKLINSKI: My understanding is
18 that Ms. Hubbard has indicated that she would, on
19 her tavern dance, would withdraw the rap and
20 hiphop music from her application.
21 VICE-CHAIRMAN BOHL: Is that - - Is
22 that accurate here, Mr. Whitcomb? Ms. Hubbard?
23 MR. WHITCOMB: It's the first I've
24 heard of it.
25 THE APPLICANT: Because the Alderman

00056

1 just asked me if I would do that right out in the
2 hallway, and I told him I wouldn't have a problem
3 with that, because we don't really play that type
4 of music in the first place.
5 MR. WHITCOMB: The music is usually
6 chosen by the type - - by - -
7 THE APPLICANT: Type of event.
8 MR. WHITCOMB: - - the event renter,
9 and she does provide an assist with disc jockeys
10 and certainly she can make that a restriction on
11 any event that wants to have - - any person or
12 group that wants to have an event there. That's
13 not a problem at all.
14 VICE-CHAIRMAN BOHL: Okay. So you're
15 indicating that - - that you do not have a
16 problem with that?
17 THE APPLICANT: No, I do not.
18 VICE-CHAIRMAN BOHL: Okay.
19 THE APPLICANT: Because most of the
20 50th birthday parties and 40th, they don't want
21 that type of music anyways.
22 VICE-CHAIRMAN BOHL: Is that - - If
23 that's acceptable, Alderman Puente, would move to
24 accept the withdrawal of those two provisions
25 from the tavern dance supplement, the - - the rap

00057

1 and hiphop. And hearing no objections to that,
2 so ordered. Okay. Ms. Cwiklinski, anything else
3 here?
4 MS. CWIKLINSKI: That's all.
5 VICE-CHAIRMAN BOHL: Okay. Other
6 questions by committee at this point here?
7 Alderman Puente, I don't know if there's anything
8 else you want to add?
9 ALDERMAN PUENTE: No.
10 VICE-CHAIRMAN BOHL: Mr. Whitcomb, go
11 ahead.
12 MR. WHITCOMB: Thank you, Mr. Chairman.

13 As indicated before, this - - this establishment
14 is not your traditional tavern. It's more of a -
15 - a banquet facility. It's not in a
16 neighborhood, per se, as other taverns in the
17 City are. It's located basically at 76th and
18 Good Hope. It's a major commercial intersection
19 in the City of Milwaukee. The facility is used
20 for private events. Sometimes a busy season, and
21 this is the busy season, because of the holidays,
22 she has three events going on at the same time on
23 either Friday or Saturday night. It's
24 manageable. There's never been any problems.
25 She does have security at the facility that

00058

1 checks IDs, because even for private parties they
2 have to be of age if you're not accompanied by
3 your parent. And also, they - - they search
4 patrons, not for weapons, per se, but basically
5 for liquor. Because people rent out events, and
6 they know they have to pay for booze at the
7 event, have attempted in the past to smuggle in
8 their own alcohol, avoid having to pay Ms.
9 Hubbard that. But the patrons are - - Eventgoers
10 are searched and they are carded.
11 She owns the property. She's owned it,
12 started purchasing it at the turn of the century,
13 and she now owns it outright. She's satisfied
14 the land contract, and she lives above the - -
15 the residence with her - - with her daughter.
16 She's been open since 1999 without serious
17 incidents. The first eight incidents of the
18 police report, those occurred over a five year
19 period of time, and for which she suffered a ten
20 and a 60 day suspension, if I - - if I'm correct
21 in my time reference. The last year she received
22 a 60 day suspension for all of the incidents
23 reported up until nine, ten and 11. I
24 respectfully submit those incidents cannot again
25 be the basis for any disciplinary action at this

00059

1 time.
2 The only basis for any disciplinary
3 action on the record is the police report, and
4 that's items nine, ten and 11. Item nine was a
5 building code violation, minimal at best, being
6 rectified. It was a failure of a tradesman to
7 obtain a permit to paint a porch. That permit
8 was obtained. The fine is going to be reduced.
9 Her error or the tradesman's error in not getting
10 a permit beforehand is going to cost her 200
11 dollars. She'll pay that on December 4th. Minor
12 violation. If - - and certainly isn't sufficient
13 to sustain a nonrenewal or suspension.
14 The incident number ten on September
15 2nd, 2006 over a year ago, that was a domestic

16 dispute that got out of hand outside the licensed
17 premises. There wasn't anything that occurred
18 inside the premises that would have given Ms.
19 Hubbard a heads-up that any trouble was
20 occurring. It happened outside. The police were
21 called. Both the combatants apparently was a - -
22 one woman that was upset with a man, because at
23 the time he was with another woman at a party at
24 an event at the tavern. She caught up with both
25 of them outside the tavern, confronted the man,

00060

1 and the police were called, and both the jilted
2 paramour and the man were arrested by police for
3 disorderly conduct. That had nothing to do with
4 the licensed establishment, nor was it anything
5 that could have been controlled or foreseen by
6 the licensed establishment.
7 Finally, the last incident on the
8 police report is item number 11. We discussed
9 that at length. There wasn't anything that
10 occurred on the premises that generated the
11 police call, and the fact that the dance lessons
12 continued without a dance hall license or a dance
13 studio license was not something that was
14 intentional. It was not something that they
15 thought they would get away with. It was not an
16 intentional violation of the laws. Based upon
17 the lack of understanding of the law, which by
18 the discourse here today, the discussion by the
19 various municipal officials, there is some lack
20 of clarity as to what a suspended licensee may do
21 on the premises during the period of a
22 suspension. Certainly that conduct error in
23 judgment, if you will, or - - is not sufficient
24 to warrant a suspen - - suspension in this case.
25 It is now the - - the holiday season. It's a

00061

1 very busy season for Ms. Hubbard and her
2 establishment. She has a number of events booked
3 through the remainder of the year. She suffered
4 egregiously last year when she had a 60 day
5 suspension, when she appeared without benefit of
6 counsel. There were numerous contracts she had
7 to cancel. I respectfully request that at this
8 hearing, and based upon this record, that the
9 license be renewed without a suspension and let
10 her continue in operation in providing a banquet
11 facility for the neighborhood. And she's
12 certainly willing to work further in cooperation
13 with the local Alderman and the neighborhood.
14 She has a good support group behind her, and
15 she's really not a tavern operator but a
16 entertainment banquet facility operator. Thank
17 you, Mr. Chairman.

18 VICE-CHAIRMAN BOHL: Thank you, Mr.

19 Whitcomb. Are there any other questions by
20 committee? Otherwise, we're in committee.
21 ALDERMAN WADE: Mr. Chair.
22 VICE-CHAIRMAN BOHL: Alderman Wade.
23 ALDERMAN WADE: Thank you. I'd like to
24 - - This - - This was a strange hearing to me.
25 I'd like to commend Ms. Hubbard for the job that

00062

1 she had done. As - - As a matter of fact, I
2 think it's been extraordinary for you to conduct
3 your business the way you have. And the incident
4 of the having the dancing going on was something
5 that I felt you weren't clear on. I wasn't clear
6 on it. I thought that was something that was
7 permitted. So, I mean, for that incident I think
8 a warning letter is - - is in order. The rest of
9 the things that have gone on in your place or on
10 the police record, item nine has nothing to do
11 with the bar. Item ten was an incident outside,
12 domestic violence battery. And then the last one
13 was someone called a prank call in for - - for
14 some reason or another.

15 I don't see any - - any reason why
16 looking at this record, item nine, ten and 11
17 that you should suffer anything other than a
18 warning letter. I'm - - I'm confused on why in
19 the beginning, you know, and - - and I don't want
20 my committee members to take - - take this
21 personal, but we didn't even want to hear it.
22 And I don't know why we didn't want to hear it.
23 I think you deserve to be heard. I don't see you
24 being grievous enough for us not to give you an
25 opportunity to run a business that is a needed

00063

1 business, a void in the City. We need more of
2 these facilities. I'm just confused on - - on
3 the - - the aggression of not allowing you to
4 have your day in court.

5 My recommendation to this committee is
6 that she is able to continue to operate in a
7 professional manner that she has with a warning
8 letter, and hopefully she'll have as good a year
9 next year as she had this year. Thank you.

10 ALDERMAN PUENTE: Mr. Chair.

11 VICE-CHAIRMAN BOHL: Thank you,
12 Alderman Wade. On the - - On the motion,
13 Alderman Puente.

14 ALDERMAN PUENTE: Point - - Point of
15 order. I don't know if we got to that point yet.
16 I - - And the Assistant City Attorney can correct
17 me. But I believe we have to find out first if
18 we're - - we're even going to give her license
19 back to give her a warning card, or a warning
20 letter.

21 VICE-CHAIRMAN BOHL: Mr. Schimpf, I

22 thought we - - we had already progressed beyond
23 that.
24 MR. SCHRIMPF: I think the - - I think
25 the motion, because of the - - the unique posture

00064

1 this thing is in, I think what the motion has to
2 be is to return the license, and since the
3 license has expired, renew the license with a
4 warning letter. I think that's how it has to
5 occur.
6 ALDERMAN WADE: And - - And I would
7 make that motion, Mr. Chair.
8 VICE-CHAIRMAN BOHL: Okay. All right.
9 The - - The motion that - - that is made is to
10 - - Say that again, Mr. Schrimpf?
11 MR. SCHRIMPF: Return the license.
12 VICE-CHAIRMAN BOHL: Okay.
13 MR. SCHRIMPF: Renew the license with a
14 warning letter.
15 VICE-CHAIRMAN BOHL: And the motion by
16 Alderman Wade then is to return the - - is
17 exactly that. To return the license, renew the
18 license and with a warning letter. Alderman
19 Puente, is there - -
20 ALDERMAN PUENTE: A comment regarding
21 that?
22 VICE-CHAIRMAN BOHL: Yeah.
23 ALDERMAN PUENTE: Absolutely.
24 VICE-CHAIRMAN BOHL: Okay. The floor
25 is yours.

00065

1 ALDERMAN PUENTE: Thank you, Mr. Chair.
2 I'll start with the - - the attorney making the
3 statement that since she's been in operation it
4 has been without major incident. I think a
5 homicide at that location is a major incident. I
6 think the several shootings that have been in
7 that location are major incidents. Whether she's
8 running as a tavern or a banquet facility,
9 neither matters to me, because the problems exist
10 whether you're running a tavern or a banquet.
11 The record speaks for itself. As the attorney
12 stated, we can only take the items nine, ten and
13 11 or any other items that we did not take as it
14 pertains to discipline in the previous ones.
15 So, I - - You know, to say that this
16 person has been a stellar person, business
17 operator, is - - is false. I believe, also, the
18 - - the aldermen in thinking that she was running
19 an establishment, a dancing thing, which we have
20 heard from the Licensing Division, we have
21 learned - - heard from the Assistant City
22 Attorney, she could not do that. She was in
23 violation of operating when she was suspended.
24 And I have been on this committee long enough to

25 see other people who have been operating when

00066

1 they were suspended get a lot more than just a
2 warning letter.

3 Being that said, I - - I will not vote
4 in favor of that.

5 ALDERMAN WADE: Mis - - Mr. Chair.

6 VICE-CHAIRMAN BOHL: Alderman Wade.

7 ALDERMAN WADE: I just want it to be
8 clear. I didn't say that she was without
9 incident. She has had incidents that she has
10 been disciplined for. My statement was in the
11 last year, and it pertained to item number nine,
12 ten and 11. That - - That's what I'm basing my
13 motion on. There have been some incidents there,
14 and there have been some - - some action by this
15 committee and by the counsel pertaining to those
16 incidents. Nine, ten and 11 are the ones that
17 are before us now, and my motion is strictly to
18 those three.

19 VICE-CHAIRMAN BOHL: Thank you. Any
20 other - - Any other comments on the motion?
21 Okay. The motion again by Alderman Wade is - -
22 is to return the license and renew it with a
23 warning letter. Are there any objections to that
24 motion?

25 ALDERMAN PUENTE: I'll object.

00067

1 VICE-CHAIRMAN BOHL: I will object, as
2 well, and it doesn't matter, because a two - two
3 tie would have been a failing motion. The motion
4 fails on a three - one vote. We're still in
5 committee.

6 ALDERMAN PUENTE: Mr. Chair.

7 VICE-CHAIRMAN BOHL: Alderman Puente.

8 ALDERMAN PUENTE: I would deny
9 returning of the license, based on the police
10 report.

11 VICE-CHAIRMAN BOHL: Okay. The motion
12 by Alderman Puente is to deny returning the
13 license. Mr. Schrimpf, are we going to have any
14 problems with the legality of that?

15 MR. SCHRIMPF: No.

16 VICE-CHAIRMAN BOHL: Based on - - Based
17 on the totality of the police report, Alderman
18 Puente?

19 ALDERMAN PUENTE: Well, just the ones
20 that we can take into consideration, that we have
21 not in the past.

22 VICE-CHAIRMAN BOHL: Okay. Okay. The
23 motion again is to deny the returning of the
24 license based on the police report. Is there any
25 discussion on that motion? Are there any

00068

1 objections to that motion?
2 ALDERMAN WADE: I'll object to that
3 motion.
4 VICE-CHAIRMAN BOHL: I'll object, also.
5 The motion then fails on a two - two vote. Still
6 in committee?
7 ALDERMAN WADE: Mr. Chair.
8 VICE-CHAIRMAN BOHL: Alderman Wade.
9 ALDERMAN WADE: I would say to accept
10 the renewal and - - and give a ten day suspension
11 based on the police report.
12 VICE-CHAIRMAN BOHL: Motion by Alderman
13 Wade is to accept - -
14 ALDERMAN WADE: The renewal - -
15 ALDERMAN PUENTE: Well, it's return the
16 license.
17 VICE-CHAIRMAN BOHL: It would be to - -
18 to return the license - -
19 ALDERMAN WADE: Return the license.
20 VICE-CHAIRMAN BOHL: To accept and
21 renew with a ten day suspension.
22 ALDERMAN WITKOWSKI: Mr. Chairman.
23 VICE-CHAIRMAN BOHL: Yes, Alderman
24 Witkowski.
25 ALDERMAN WITKOWSKI: I won't be able to

00069

1 support that motion. Looking at progressive
2 discipline, we've had a ten, a 30, a 60 in 2006,
3 60 day suspension, and in effect, a violation
4 during suspension. So, I will be objecting to
5 that.
6 VICE-CHAIRMAN BOHL: Any other
7 discussion?
8 ALDERMAN PUENTE: I'll object, also.
9 VICE-CHAIRMAN BOHL: Okay. It already
10 fails. Two votes to the contrary.
11 ALDERMAN PUENTE: Mr. Chair.
12 VICE-CHAIRMAN BOHL: Alderman Puente.
13 ALDERMAN PUENTE: I would recommend to
14 return the license with a 90 day suspension for
15 the renewal.
16 VICE-CHAIRMAN BOHL: Motion by Alderman
17 Puente is to return the license and renew it with
18 a 90 day suspension based on matters contained in
19 the police report and the license as amended, and
20 that would be a 90 day suspension to both
21 licenses.
22 ALDERMAN PUENTE: Yes.
23 VICE-CHAIRMAN BOHL: Discussion on that
24 motion. Are there objections to that motion?
25 ALDERMAN WADE: I'll object, Mr. Chair.

00070

1 VICE-CHAIRMAN BOHL: I will object, as
2 well. That motion does fail on a two - two vote.
3 ALDERMAN WADE: Mr. Chair, I'd like to

4 make the motion, same as the last one I made,
5 except for 20 day suspension.
6 VICE-CHAIRMAN BOHL: Okay. The motion
7 by Alderman Wade is to return, renew with a 20
8 day suspension based on matters contained in the
9 police report as amended. Are there objections
10 to that motion?
11 ALDERMAN PUENTE: I'll object.
12 ALDERMAN WITKOWSKI: I'll object.
13 VICE-CHAIRMAN BOHL: I will object as
14 well. That will be three - - three - one vote.
15 It fails.
16 ALDERMAN PUENTE: Mr. Chair.
17 VICE-CHAIRMAN BOHL: Alderman Puente.
18 ALDERMAN PUENTE: I would recommend
19 returning the license and renewing the license
20 with a 60 day suspension.
21 VICE-CHAIRMAN BOHL: Motion by Alderman
22 Puente would be to return, renew as amend - -
23 with a 60 day suspension as amended. Are there
24 any objections to that motion?
25 ALDERMAN WITKOWSKI: I'll object.

00071

1 ALDERMAN WADE: I'll object.
2 VICE-CHAIRMAN BOHL: Hearing two
3 objections, the motion fails two - two.
4 ALDERMAN WITKOWSKI: Mr. Chair, I'll
5 move for 70 day suspension.
6 VICE-CHAIRMAN BOHL: Okay.
7 ALDERMAN WITKOWSKI: Renewal - -
8 Return, renewal, 70 days.
9 VICE-CHAIRMAN BOHL: Motion by Alderman
10 Puente is to return, renew with a 70 day
11 suspension. Or, I'm sorry. Alderman Witkowski,
12 as amended. Discussion on the motion?
13 ALDERMAN WADE: What was the number?
14 VICE-CHAIRMAN BOHL: Seventy.
15 ALDERMAN WADE: Seventy day.
16 VICE-CHAIRMAN BOHL: Yeah.
17 ALDERMAN WADE: I'll object to that.
18 VICE-CHAIRMAN BOHL: I will object, as
19 well.
20 MR. WHITCOMB: Point of order, Mr.
21 Chairman?
22 VICE-CHAIRMAN BOHL: We're in
23 committee, Mr. Whitcomb. Floor is still open.
24 ALDERMAN PUENTE: Mr. Chair.
25 VICE-CHAIRMAN BOHL: Alderman Puente.

00072

1 ALDERMAN PUENTE: I would return the
2 license and renew the license with a 65 day
3 suspension.
4 VICE-CHAIRMAN BOHL: Okay. Motion by
5 Alderman Puente is to return, renew the license
6 with a 65 day suspension, as amended. Are there

7 any objections to that motion?
8 ALDERMAN WADE: I'll object to that
9 motion.
10 VICE-CHAIRMAN BOHL: Hearing one
11 objection, the motion will carry on a three - one
12 vote. Mr. Whitcomb.
13 MR. SCHRIMPF: Mr. Whitcomb, the
14 committee is going to be doing findings of fact,
15 conclusions of law, returning this license to
16 your client, and renewing it with a 65 day
17 suspension. You will receive a copy of that.
18 You'll have an opportunity to submit written
19 objections to that recommendation. If you do so,
20 they must be received by the close of business,
21 December 6th, 2007, and if you submit written
22 objections to that recommendation, you'll also
23 have the ability to appear before the Council
24 when it takes this matter up on December 11th,
25 2007 at approximately nine a.m. in the Common

00073

1 Council chambers in this building.
2 MR. WHITCOMB: Thank you, Mister - - I
3 - - Am I correct my assumption that this
4 suspension will commence October 23rd, 2007 at
5 the expiration of the license that was - -
6 MR. SCHRIMPF: Oh, no, no, no, no. The
7 - - The suspension will commence from the time of
8 the Council action.
9 VICE-CHAIRMAN BOHL: At the Council
10 meeting.
11 MR. WHITCOMB: Well, then - - Will that
12 be the first day of the - - of the next license
13 here then?
14 MR. SCHRIMPF: No.
15 MR. WHITCOMB: Well, then you're
16 incorrect. That's the point of order I wanted to
17 make. If the license was returned and renewed,
18 the suspension begins at the first day of the
19 next license period, which would be the day after
20 the license expired.
21 VICE-CHAIRMAN BOHL: Because it
22 voluntarily lapsed, Mr. Whitcomb. She - - She,
23 actually, through her own actions, allowed it to
24 lapse. It wasn't due to inaction of the Council.
25 MR. WHITCOMB: No, I understand - -

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1 VICE-CHAIRMAN BOHL: As a result, any
2 suspension would commence upon the date of the
3 Council action on the recommendation of this
4 committee. That would be day one in which the
5 Council would ratify the action of this
6 committee. We still have the ability, as you
7 know, to change the recommendation of the
8 committee.
9 MR. SCHRIMPF: Because the license has

10 been lapsed during this period of time.
11 VICE-CHAIRMAN BOHL: Yeah.
12 MS. BARRON: Mr. Chair.
13 VICE-CHAIRMAN BOHL: Ms. Barron. Do
14 you know what? Why? Can we have this discussion
15 afterwards, as well, too?
16 MR. SCHRIMPF: We'll have to put it on
17 the record, when we come back, we can do it.
18 VICE-CHAIRMAN BOHL: That's fine.
19 That's fine. We're going to - - And - - And I
20 appreciate the patience of everyone who is - -
21 who is in the audience. We've been here since
22 about eight a.m. this morning working
23 continuously. Right now, we are going to have a
24 15 minute recess, and we will commence after
25 that.

00075

1 (Off the record.)
2 * * * * *

3
4
5 STATE OF WISCONSIN)
6)
7 MILWAUKEE COUNTY)
8

9 I, JEAN M. BARINA, of Milwaukee Reporters
10 Associated, Inc., 5124 West Blue Mound Road,
11 Milwaukee, Wisconsin 53208, certify that the foregoing
12 proceedings is a full and complete transcript of
13 KAREN'S ENTERTAINMENT CENTER taken in the foregoing
14 proceedings.
15
16
17
18
19
20

21 JEAN M. BARINA
22 Court Reporter

23 Dated this day of January, 2008.