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CITY OF MILWAUKEE  
LICENSES COMMITTEE HEARING

In the Matter of:  
NOSTALGIA  
7155 North 43rd Street                      1st District

COMMITTEE MEMBERS

ALD. JAMES WITKOWIAK - Chairman  
ALD. JAMES BOHL, JR. - Vice Chairman  
ALD. JOSEPH A. DUDZIK  
ALD. ROBERT PUENTE  
ALD. WILLIE WADE

POLICE DEPARTMENT by SERGEANT CHET ULICKEY  
CITY ATTORNEY'S OFFICE by BRUCE SCHRIMPF  
ALD. ASHANTI HAMILTON - 1st DISTRICT

FRED GORDON - Consultant for the Applicant

Proceedings had and testimony given in the  
above-entitled matter before the UTILITIES &  
LICENSING COMMITTEE OF THE CITY OF MILWAUKEE on the  
24th day of January, 2006, before Terese M. Schiebenes  
of Milwaukee Reporters Associated, Inc.

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PROCEEDINGS

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(All City Personnel were previously affirmed.)

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CHAIRMAN WITKOWIAK: In the 1st District, Mario Kimbrough, agent for Universal Estates, LLC, Class B Tavern and Tavern Dance renewal applications for Nostalgia Sports Entertainment Supper Club at 7155 North 43rd Street. Good morning. Let the record show Ashanti Hamilton, Alderman Hamilton is here appearing on this matter. Is our applicant here, Mario Kimbrough? Fred Gordon, welcome to the table.

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MR. GORDON: Good morning, Mr. Chairman, members.

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CHAIRMAN WITKOWIAK: What we're going to do is take just take a 5- or 10-minute recess. We want to make sure that Channel 25 is hooked up to show this tape.

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(Recess.)

CHAIRMAN WITKOWIAK: This is a resumption of the License Committee meeting for Tuesday, January 24th. Everyone who is here to testify here today, could you please raise your right hands, we'll swear you in. Raise your right hand now or forever hold your testimony.

ALDERMAN WADE: This is to testify on this

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1 issue.

2 (Whereupon, speakers were duly affirmed.)

3 CHAIRMAN WITKOWIAK: Name and address for  
4 record, please?

5 MR. KIMBROUGH: 3724 West Kiley, Mario  
6 Kimbrough.

7 CHAIRMAN WITKOWIAK: Alderman Gordon, state  
8 your appearance, please.

9 MR. GORDON: Yes, Mr. Chairman. Fredrick  
10 Gordon appearing with Mario Kimbrough as his advocate,  
11 not his attorney, just for the record.

12 CHAIRMAN WITKOWIAK: Let the record show  
13 Alderman Ashanti Hamilton appears here in person. Mr.  
14 Kimbrough, do you admit to receiving a notice in the  
15 mail there's a possibility your application could be  
16 denied because of items contained on the police report  
17 and neighborhood objections to loitering, littering,  
18 loud music, noise, parking and traffic problems,  
19 fights, gunshots, shootings, public urination,  
20 criminal activity and conduct which is detrimental  
21 to the health, safety, and welfare of the  
22 neighborhood?

23 MR. KIMBROUGH: Yes, I do.

24 CHAIRMAN WITKOWIAK: Thank you.  
25 Neighborhood Services?

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1 MR. KAUFMAN: No objection.

2 CHAIRMAN WITKOWIAK: Health Department?

3 MR. ZEMKE: Health has no objection.

4 CHAIRMAN WITKOWIAK: Neighborhood

5 Services and Health Department representatives are  
6 excused until the afternoon portion of this meeting  
7 when they'll be needed. Sergeant Ulickey, police  
8 report, please.

9 SGE. ULICKEY: On 7/28 of '05 at 1:56 a.m.,  
10 Milwaukee police were dispatched to a fight at North  
11 43rd and Good Hope. The victim, a male who was  
12 boisterous and unreasonably loud, stated that he was  
13 slapped in the tavern, was escorted out of the tavern  
14 by their security. An officer who called for an  
15 assist stated that he observed a female and a male  
16 fighting outside of the tavern.

17 As a matter of background regarding this  
18 assignment, the officer who called for an assist was a  
19 Brown Deer officer who was traveling by the scene of  
20 the tavern. And the victim turned out to be very  
21 intoxicated and was uncooperative. As a result, there  
22 were no reports filed except for the tavern report.

23 In a nutshell what this was was a fight that  
24 started or an argument that started inside the tavern,  
25 spilled to the outside, and was dispersed when

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1 Milwaukee police arrived.

2 On 11/27 of '05 at 1:17 a.m., Milwaukee  
3 police were dispatched to a shooting at Nostalgia bar,  
4 7155 North 43rd Street. Investigation showed that two  
5 persons had been shot, possibly a third. One was shot  
6 in the lower back and right ankle area, second person  
7 was shot in the left foot. The third victim was  
8 conveyed to St. Michael Hospital prior to the police  
9 arrival. Bouncer at the tavern stated he had removed  
10 the male from the tavern for being disorderly and  
11 causing a fight. The male was loud and verbally  
12 abusive and very intoxicated. The male stated he  
13 would return to the bar and shoot up the place.

14 CHAIRMAN WITKOWIAK: Thank you. Any  
15 questions of the police report?

16 MR. GORDON: We have no questions.

17 CHAIRMAN WITKOWIAK: Do you wish to start  
18 off, or do you want to wait until after testimony?

19 MR. KIMBROUGH: After the neighbors'  
20 testimony?

21 CHAIRMAN WITKOWIAK: Yes.

22 MR. KIMBROUGH: Yes, I'll wait 'til after.

23 CHAIRMAN WITKOWIAK: Can I see a show of  
24 hands of who is here to testify in opposition to the  
25 renewal of this license? Could we have the people in

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1 opposition come one at a time to this microphone over  
2 here state your name and address for the record and  
3 give us your testimony, please.

4 MR. KIMBROUGH: Excuse me, sir. She's in  
5 support.

6 CHAIRMAN WITKOWIAK: Could you please have a  
7 seat. I want to get testimony from the people in  
8 opposition first. The people who are here to testify  
9 in opposition, please come one at a time to the  
10 microphone.

11 MS. KOESTER: Hello. My name is Gail  
12 Koester, 4404 West Rochelle Avenue.

13 CHAIRMAN WITKOWIAK: How far is that away  
14 from the subject premise?

15 MS. KOESTER: The parking lot and then  
16 there's a lot behind it. I'm across the street from  
17 that.

18 CHAIRMAN WITKOWIAK: And your testimony.

19 MS. KOESTER: Well, actually, before this  
20 bar came up with the other bar when there was fighting  
21 and gunshots in the parking lot, my house took a  
22 bullet, and I was never given a chance to talk at that  
23 time. My testimony now is just the noise. I hear  
24 gunshots. I have picked up the phone already to call  
25 about gunshots, and then I looked out the window, and

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1 the police car with its lights on was coming down the  
2 street on 44th chasing somebody. And at bar time a  
3 lot, I get woken up from the noise of the stereos, and  
4 my wall hangings are shaking. There's a lot of noise.

5 CHAIRMAN WITKOWIAK: Thank you. Do you have  
6 any questions of this witness?

7 MR. KIMBROUGH: Has it been noisy -- I know  
8 there was a period between our time line for like a  
9 10-month time I've essentially been open. The first  
10 five months we got rave reviews as far as noise and  
11 volume in the area, and then I think what happened in  
12 month six and month seven there was an increase in  
13 foot traffic in the area, and we met with the  
14 neighbors and we talked about issues of noise. And I  
15 just wanted to ask her since month six and seven since  
16 we've been open, has it been noisy in the last three  
17 months?

18 MS. KOESTER: Yes.

19 MR. KIMBROUGH: No further questions.

20 MR. SCHRIMPF: Mr. Chairman.

21 CHAIRMAN WITKOWIAK: Mr. Schrimpf.

22 MR. SCHRIMPF: Thank you. First of all,  
23 ma'am, about how far in feet do you live from this  
24 location?

25 MS. KOESTER: I'm assuming that the lot

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1 across the street is probably about 150 feet, that  
2 would be from the back of the parking lot, and then  
3 across the street, and I'm directly there on that  
4 corner.

5 MR. SCHRIMPF: Is your house situated in  
6 such a way so that from your front room you can see  
7 the activities either of the bar or the parking lot?

8 MS. KOESTER: No, I cannot.

9 MR. SCHRIMPF: You can't?

10 MS. KOESTER: No.

11 MR. SCHRIMPF: You just hear it?

12 MS. KOESTER: I'm hearing the noise, yes.

13 MR. SCHRIMPF: Now, how do you know the  
14 noise is coming from this bar?

15 MS. KOESTER: I guess I can't say for sure  
16 that it's coming from the bar, I'm just telling you  
17 that I hear gunshots and that at bar closing time the  
18 stereos are booming and things shake on my wall, it  
19 wakes me up, and that I reach for the phone to call  
20 when I've seen gunshots, and the police are coming  
21 down the street. They were chasing somebody.

22 MR. SCHRIMPF: Is there any other bar in the  
23 area that would account for this noise that you're  
24 hearing?

25 MS. KOESTER: No, no.



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1                   MR. SCHRIMPF: This is the only such  
2 location?

3                   MS. KOESTER: Yes.

4                   MR. SCHRIMPF: And the parking lot that  
5 you're talking about, I take it, is the parking lot  
6 that patrons of this bar would use?

7                   MS. KOESTER: That's correct.

8                   MR. SCHRIMPF: How frequently do you  
9 experience this noise particularly at closing time?

10                  MS. KOESTER: It's about once a week that  
11 I've heard it. It's a little quieter now, if my  
12 windows are closed. You know, when the weather was  
13 warmer, my bedroom window faces the parking lot of the  
14 bar. It has gotten muffled a little bit because  
15 someone built a house on that vacant lot behind the  
16 bar.

17                  MR. SCHRIMPF: And I take it in the  
18 summertime you sleep with the windows up, the sash up?

19                  MS. KOESTER: Sometimes. I have air, so if  
20 if it's real hot, the windows are closed, but yes,  
21 they're open if it's nice.

22                  MR. SCHRIMPF: And when is the last time you  
23 experienced this noise?

24                  MS. KOESTER: This is January. Probably  
25 around the end of -- the beginning of December, the

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1 end of November.

2 MR. SCHRIMPF: You're talking about November  
3 of 2005?

4 MS. KOESTER: That's correct.

5 MR. SCHRIMPF: That's all I have, Mr.  
6 Chairman.

7 CHAIRMAN WITKOWIAK: Questions by members of  
8 the committee? Thank you for your testimony.

9 MS. KOESTER: Thank you.

10 CHAIRMAN WITKOWIAK: Next person. We're  
11 hearing testimony from people in opposition.

12 MR. KOESTER: Good morning. My name is  
13 James Koester, I live at 4404 West Rochelle Avenue,  
14 and I am in opposition of the bar because of all the  
15 problems we're having. Before Mr. Kimbrough opened  
16 the bar, he hung a big sign on the front of the bar  
17 saying that this bar belongs to the neighborhood.  
18 Okay, he's going to make it a good place. He also had  
19 a meeting that I had gone to before he opened the bar  
20 with the alderman, and he had a presentation to show  
21 us what he was going to do, that he had done extensive  
22 remodeling, what kind of music he was going to play,  
23 he was going to have karaoke, and he was going to  
24 cater to the neighborhood because he knew that there  
25 were problems in the past with the previous owner.

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1                   In the beginning, that held true, but as of  
2 late, it's changed, and it's right back to where it  
3 was before with the previous owner with the loud  
4 noise, gunshots. It's no good.

5                   CHAIRMAN WITKOWIAK: Thank you. Do you have  
6 any questions of this witness, Mr. Kimbrough?

7                   MR. KIMBROUGH: No.

8                   CHAIRMAN WITKOWIAK: Questions by members of  
9 the committee?

10                  ALDERMAN WADE: Mr. Chair. Mr. Koester, how  
11 far do you live away from the bar?

12                  MR. KOESTER: I live behind -- I live on  
13 44th Street. That was my wife speaking before.  
14 Whatever the distance.

15                  ALDERMAN WADE: So Gail and James live in  
16 the same house?

17                  MR. KOESTER: Yes, yes, yes.

18                  ALDERMAN WADE: Thank you.

19                  CHAIRMAN WITKOWIAK: Anything further?  
20 Thank you for your testimony. Next person. Is there  
21 anyone else here to speak in opposition?

22                  MS. MEIDE: My name is Marlene Meide, I live  
23 at 7135 North 42nd Street. We've been in the  
24 neighborhood for 28 years. The back of our house  
25 faces west, and we have a clear view of the bar

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1 entrance, parking lot, the whole thing. I have called  
2 numerous times 911 for gunfire, numerous times. And  
3 when the gunfire happens, everybody leaves the parking  
4 lot. By the time the police get there, a lot of  
5 people have left.

6 I believe he has the best of intentions, but  
7 he cannot stop the safety of our neighborhood. The  
8 gunfire is worse. Now finally someone got shot. And  
9 it isn't any good. It's not going to get any better.  
10 It just draws in the wrong people. We have safety  
11 issues. And I'm here because I believe we have a  
12 right to be safe in our homes.

13 CHAIRMAN WITKOWIAK: Thank you. Questions  
14 by members of the committee? Alderman Bohl.

15 ALDERMAN BOHL: Ms. Meide, you've indicated  
16 that you called police --

17 MS. MEIDE: Numerous times.

18 ALDERMAN BOHL: -- a number of times. This  
19 is in the last year?

20 MS. MEIDE: Oh, yes, yes.

21 ALDERMAN BOHL: And in terms of ascertaining  
22 where the gunshots were coming from --

23 MS. MEIDE: It's pretty easy to tell because  
24 you can tell the noise is coming from the bar. You  
25 can see when it happens, everybody leaves. People

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1 come out of the bar telling people to leave, and  
2 everybody tries to scramble. We see people in the  
3 neighborhood that come to the bar from the apartments  
4 and homes there. They are running home to their  
5 houses.

6 MR. KIMBROUGH: I just have a comment to  
7 make.

8 CHAIRMAN WITKOWIAK: Okay. Mr. Kimbrough.

9 MR. KIMBROUGH: I meet with the captain  
10 quite frequently. His name is Andre Williams. Is the  
11 captain of the 4th District. And calls for service, I  
12 actually went down to actually get documentation of  
13 calls for service. And for those who don't know,  
14 that's when they respond when they get a call. There  
15 was only four calls documented on calls for service.  
16 One was actually canceled, and one had to do with the  
17 fight that occurred and the gunshots. So there was a  
18 total of four. And the captain says that -- and I  
19 quote him on this -- he says that Nostalgia is not a  
20 problem whatsoever. We're not even on the radar as a  
21 troubled establishment.

22 So I say in that fact that if you're making  
23 these calls, I don't know who the calls are going to,  
24 but they're not going to the 4th District.

25 MS. MEIDE: I call 911, when I hear gunfire,

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1 I call 911.

2 ALDERMAN BOHL: I know the answer to that,  
3 and the simple answer is when the police department  
4 pulls up its calls for service, they do so based on an  
5 addressed location. If someone were to call the  
6 police and say that on the 4200 block of 67th Street I  
7 hear gunshots and let's say there's a licensed premise  
8 at 4264 North 67th Street, unless they give the  
9 specific address 4264 North 67th Street, when the  
10 police department pulls up that information, it  
11 somehow goes in no man's land in the generic 4200 67th  
12 Street. So if someone were to go in and to say  
13 specifically I want the calls for service for 4264, a  
14 call for police and gunshots in that area would be  
15 4200 in a generic 4200 block, it would not be  
16 specifically for the licensed premise.

17 MS. MEIDE: And when I do call in, I do not  
18 know the address. I do call and say it's the bar, and  
19 I tell them where it's located on 43rd and Good Hope  
20 and it's on the east side of the street because I do  
21 not have the address.

22 MR. SCHRIMPF: Mr. Chairman.

23 CHAIRMAN WITKOWIAK: Mr. Schrimpf.

24 MR. SCHRIMPF: Thank you. Ma'am, you said  
25 that you call 911 when you make these calls?

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1 MS. MEIDE: Yes, I do, when I hear gunfire.

2 MR. SCHRIMPF: When is the last time you  
3 made such a call?

4 MS. MEIDE: It was probably the night that  
5 people got shot.

6 MR. SCHRIMPF: And our records would  
7 indicate that that night was November 27th.

8 MS. MEIDE: That could be. I had written  
9 all the dates down on my calendar, and then I threw my  
10 calendar away, so now I don't have them. I just  
11 forgot.

12 MR. SCHRIMPF: From your memory, about how  
13 many times did you call 911?

14 MS. MEIDE: Five. I'm looking at my husband  
15 because he's there with me.

16 MR. SCHRIMPF: You have to testify from your  
17 own knowledge.

18 MS. MEIDE: I would say four or five.

19 MR. SCHRIMPF: Four or five times?

20 MS. MEIDE: Yes.

21 MR. SCHRIMPF: And that was during the  
22 course of the 2005 year?

23 MS. MEIDE: Since he's had the bar.

24 MR. SCHRIMPF: Did you always call because  
25 of gunshots, or did you call if there was noise or

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1 some other problem?

2 MS. MEIDE: No. The only time there was  
3 some arguing, and I heard them say something about --  
4 it was very intimidating -- and I called and said  
5 there is a fight breaking out, it is getting very  
6 loud. I think that was the only other one.

7 MR. SCHRIMPF: And you're surmising that  
8 this is coming from the parking lot of the bar because  
9 that's the only place --

10 MS. MEIDE: No. Because you hear it, you  
11 see the people, you see people running into the cars.  
12 We've had people park on our street, and they go into  
13 their trunks putting a gun away and driving off. I  
14 have seen that.

15 MR. SCHRIMPF: And did you see them exit the  
16 bar before they did that?

17 MS. MEIDE: Well, they come from the bar.  
18 They park on our street now because he's been very  
19 good about parking on 43rd and stuff, and they walk  
20 around. Between about 11:30 and 2:00 is when the  
21 problems arise.

22 MR. SCHRIMPF: That's all I have, Mr.  
23 Chairman. Thank you.

24 MR. KIMBROUGH: Can I make one more comment?

25 CHAIRMAN WITKOWIAK: Go ahead.



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1                   MR. KIMBROUGH: When I was speaking with the  
2 captain, he mentioned, also, that when there is a call  
3 for service, they come out to a specific location.  
4 Let's say they said there's a shooting at the bar, and  
5 then they come to the bar, they are required to say  
6 okay, we went to 7155 North 43rd Street, and then they  
7 say what occurred, what they saw and the reason why  
8 they were there. So there should still be -- I'm not  
9 saying what she's saying isn't true -- but I'm saying  
10 based on information that he told me that there still  
11 should be some information that says that we were  
12 here, this is what occurred -- how can I put it -- the  
13 log was opened and the log was closed. So there  
14 should be some information based on 7155 North 43rd  
15 Street.

16                   MS. MEIDE: Excuse me. But if they leave  
17 before the police officers get there, how does that  
18 affect the report?

19                   MR. KIMBROUGH: Because they have a call log  
20 and they go to a location, they write down the  
21 address.

22                   CHAIRMAN WITKOWIAK: Alderman Puente,  
23 speaking from personal experience, could you expound  
24 on this for us?

25                   ALDERMAN PUENTE: Thank you, Mr. Chair.

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1 What Alderman Bohl says is correct. The original call  
2 gets logged in as whatever it's called in, and when  
3 they do do a search for calls for services, it's done  
4 by the exact address. You are also correct in saying  
5 that once they get in that general area and it takes  
6 them to another location, they call in that location,  
7 but in the body of the incident, they will have that  
8 address, but it will not over or supersede the  
9 original call address if it's a generic area. Is that  
10 correct, Sergeant?

11 SGT. ULICKEY: That's correct.

12 MS. MEIDE: I have one more question. You  
13 say the fights start in the bar and he moves them out  
14 of the bar into the neighborhood. What stops that  
15 fight, what stops the gunfire?

16 ALDERMAN PUENTE: What was the question?

17 MS. MEIDE: If he moves his fights from the  
18 bar to the parking lot, so you're taking them out of  
19 the bar and putting them in the neighborhood, what  
20 keeps the gunfire down and the fights from continuing?

21 ALDERMAN PUENTE: And even if he displaces  
22 the people from his tavern outside and something  
23 happens, that's for us to decide how we're going to  
24 weigh that.

25 MS. MEIDE: That's when I usually call 911.

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1 ALDERMAN PUENTE: If he displaces somebody  
2 at 11:00 p.m. and then something happens at 2:00 or  
3 3:00 in the morning in and around that area -- So we  
4 have to weigh the totality of the circumstances of  
5 each and every incident.

6 CHAIRMAN WITKOWIAK: Next witness, please.

7 MR. MEIDE: Good morning. My name is Roger  
8 Meide, I live at 7135 North 42nd, and I'm totally  
9 opposed to his bar or any bar being at that location.  
10 Over the last 10 years, it's not just this time, it's  
11 for the last 10 years there's been bars there, nothing  
12 but trouble. And I believe it's the type of bar,  
13 the music they play draws the wrong crowd.

14 He says he gets them out of his bar.  
15 Correct. Then it's our problem. They're in the  
16 streets. And what do we do? They're shooting each  
17 other, they're arguing, they're fighting. I've got  
18 one bad ear, and I can hear them plain as day. And  
19 our window, our bedroom window faces the bar, and our  
20 bed is under that window, so we wake up, we prop the  
21 pillows up, listen to what's going on, the fighting  
22 and arguing; what's that guy mad about, what's that  
23 guy mad about, and it goes on and on.

24 He's fine, his bar is clear, he's closing  
25 up, he's washing dishes, whatever he's doing, now

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1 we've got the problem. Like I said, for the last 10  
2 years, it's just been continuous like this. I said to  
3 the wife what's it going to take, somebody to get  
4 killed? We come awful close this time. How long you  
5 people going to wait before you shut this place down?  
6 Bring something else in, bring a day care  
7 center in there or something, but no more bars. We  
8 have a bar down the road, a tavern/restaurant called  
9 Panache, it plays jazz. Nice people, nice customers.  
10 They come out, they get in their cars, they go home,  
11 all well dressed. We set on our step and listen to it  
12 in the summer. And there hasn't been a lot of  
13 problems because the weather is cold. That's what it  
14 is, they come out, get in their cars, they go home.  
15 Wait until summertime, it's going to be again, like I  
16 said, 10 years. How long are you going to continue to  
17 do this?

18 CHAIRMAN WITKOWIAK: Questions by members of  
19 the committee? Do you have any questions of this  
20 witness?

21 MR. KIMBROUGH: No.

22 CHAIRMAN WITKOWIAK: Thank you very much.

23 Next person.

24 MR. TANNHAEUSER: Patrick Tannhaeuser, 7139  
25 North 43rd Street.

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1                   CHAIRMAN WITKOWIAK: And your testimony.

2                   MR. TANNHAEUSER: I'm opposed of the bar,  
3 the way it is at this point, the type of license it  
4 has, based on all the problems. Mr. Kimbrough took  
5 over the establishment and did a good job of making  
6 improvements, put a lot of his time and money into it,  
7 made representations and promises to us in meetings  
8 before he opened what he was striving to do. At that  
9 point, it sounded all really good, we all agreed to  
10 it. He opened. Everything went fine for a few months  
11 until all of a sudden in June, July of the summer  
12 2005, things went downhill.

13                   So far as the noise and problems, pretty  
14 much everything all my neighbors have said and what  
15 this committee opened with. Every Friday and Saturday  
16 night from that point on, I come home, cars are parked  
17 illegally up and down the streets, parked by my  
18 driveway and at times parked in my driveway. Things  
19 get really noisy around 10:00, 11:00 every night on  
20 Friday and Saturday evenings. They remain noisy until  
21 bar closing. Car alarms going off every 10, 15, 20  
22 minutes, people loud going in, people loud coming out.

23                   The latest incident was end of November, I  
24 believe the 27th, gunshots, several gunshots, two or  
25 three people getting hurt. There was two or three

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1 other instances prior to that, gunshots. My wife and  
2 I have probably made at least four or five calls to  
3 911 between the period of June and November reporting  
4 noise. Incidents at bar closing time, cruising,  
5 customers urinating on our property, neighbors'  
6 properties, fighting.

7 It's a problem. And he did have a meeting  
8 with us again trying to take care of the problem. You  
9 can see he has no parking sign here. He did a few  
10 other things. He increased security to try to control  
11 the problem. He's still is having problems  
12 controlling it. I don't know what we can do. It  
13 can't exist. It's a violation -- It's a quality of  
14 life issue in our neighborhood. I'm not opposed to  
15 having a bar or restaurant establishment there, but  
16 unfortunately the clientele that's brought in or comes  
17 in and frequents his establishment ruins it for the  
18 good.

19 It's been quiet since the 27th. I really  
20 would like to know why. But we can't take a gamble on  
21 this thing and all of a sudden it escalates again  
22 because of the wrong crowd all of a sudden discovers  
23 his establishment or he does something to entice them  
24 in or has problems enforcing his own rules.

25 CHAIRMAN WITKOWIAK: Pat, you said it's been

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1 quiet since the 27th?

2 MR. TANNHAEUSER: Yes, since the shootings.

3 CHAIRMAN WITKOWIAK: Since the shootings.

4 Okay. Thank you.

5 MR. TANNHAEUSER: It's been the way it  
6 should be, not a problem, not a quality of life issue  
7 for the neighbors.

8 CHAIRMAN WITKOWIAK: Questions by members of  
9 the committee from this witness?

10 MR. SCHRIMPF: Mr. Chair.

11 CHAIRMAN WITKOWIAK: Mr. Schrimpf.

12 MR. SCHRIMPF: Thank you. First of all, how  
13 often have you heard gunshots?

14 MR. TANNHAEUSER: Since June of 2005, I  
15 would say four times.

16 MR. SCHRIMPF: And are you situated so that  
17 you can see people coming in and going out of the bar?

18 MR. TANNHAEUSER: Yes.

19 MR. SCHRIMPF: Give me an idea of where you  
20 are in relation to the bar so that you can see what's  
21 going on.

22 MR. TANNHAEUSER: I'm one building south of  
23 his establishment on the same side of the street.  
24 Back of my property has full view of his parking lot,  
25 and the front also has view of the front area and the

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1 street.

2 MR. SCHRIMPF: So you're able to witness  
3 people going in and coming out of the tavern?

4 MR. TANNHAEUSER: Yes. What we can't see,  
5 sometimes I have occasion to go outside and observe  
6 it.

7 MR. SCHRIMPF: With respect to the parking  
8 issue, you said that there were cars -- First of all,  
9 you have been either parked in or parked out of your  
10 own driveway; is that correct?

11 MR. TANNHAEUSER: That is correct.

12 MR. SCHRIMPF: How many times did that  
13 happen?

14 MR. TANNHAEUSER: That's happened two to  
15 three times, and each time the police have been  
16 called.

17 MR. SCHRIMPF: And did you call them?

18 MR. TANNHAEUSER: Yes.

19 MR. SCHRIMPF: How do you know it was a  
20 patron of the bar parked there, or are you surmising  
21 that?

22 MR. TANNHAEUSER: Because I wait there until  
23 someone comes to move the car, and the person that  
24 move their car comes from that establishment.

25 MR. SCHRIMPF: How many times have you had



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1 someone park in your driveway?  
2 MR. TANNHAEUSER: I would say two times it's  
3 occurred.  
4 MR. SCHRIMPF: And the same situation, you  
5 waited until they came, and you found that they were  
6 coming from the bar?  
7 MR. TANNHAEUSER: Yes.  
8 MR. SCHRIMPF: Did you bring these concerns  
9 to the attention of Mr. Kimbrough?  
10 MR. TANNHAEUSER: Yes.  
11 MR. SCHRIMPF: What, if anything, did he  
12 say?  
13 MR. TANNHAEUSER: He promised he would take  
14 care of it.  
15 MR. SCHRIMPF: When is the last time you  
16 were parked in or out of your driveway?  
17 MR. TANNHAEUSER: Probably in October 2005,  
18 September, October.  
19 MR. SCHRIMPF: When the incidents occurred  
20 when somebody parked in your driveway, when did that  
21 occur?  
22 MR. TANNHAEUSER: I'm sorry, I don't have  
23 the exact date. I believe it was late June. There  
24 was an incident where a car was parked in my driveway  
25 and also my neighbor's driveway.

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1 MR. SCHRIMPF: Urination, how often have you  
2 seen urination?

3 MR. TANNHAEUSER: Three, four, five times.

4 MR. SCHRIMPF: Was it on your property or  
5 other properties?

6 MR. TANNHAEUSER: Twice on mine for sure on  
7 my front lawn and across the street at Cessly  
8 Haulsey's place.

9 MR. SCHRIMPF: Same situation, did you see  
10 these people come from the bar before they did this?

11 MR. TANNHAEUSER: Yes, at bar closing time.

12 MR. SCHRIMPF: And did you bring that to the  
13 attention of Mr. Kimbrough, as well?

14 MR. TANNHAEUSER: Yes. And the reason it  
15 was brought to his attention in late June, because  
16 with the incident with the cars parking in our  
17 driveways, mine and my neighbor's, my neighbor got  
18 into an altercation with one of the patrons from the  
19 bar over the incident, and the police were also  
20 called.

21 MR. SCHRIMPF: With respect to noise, you  
22 said the noise is particularly bad on Friday and  
23 Saturday nights?

24 MR. TANNHAEUSER: Friday and Saturdays,  
25 correct.

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1 MR. SCHRIMPF: Have you ever been awoken  
2 because of the noise?

3 MR. TANNHAEUSER: Oh, yes.

4 MR. SCHRIMPF: And did you find that  
5 disturbing?

6 MR. TANNHAEUSER: Well, of course, 2:00,  
7 2:30 in the morning being awoken at closing time, yes.

8 MR. SCHRIMPF: And how often have you been  
9 awoken from the noise?

10 MR. TANNHAEUSER: I would say almost on  
11 every other weekend.

12 MR. SCHRIMPF: And that was pretty much  
13 consistent up until the end of November, November  
14 27th?

15 MR. TANNHAEUSER: Yes.

16 MR. SCHRIMPF: Have you been awoken since  
17 November 27th?

18 MR. TANNHAEUSER: No.

19 MR. SCHRIMPF: Is that because the windows  
20 were closed, or is that because things were quieted  
21 down?

22 MR. TANNHAEUSER: Things quieted down,  
23 business dropped off.

24 MR. SCHRIMPF: That's all I have, Mr.  
25 Chairman. Thank you.

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1 ALDERMAN PUENTE: Mr. Chair. If my memory  
2 serves me correct, the building between you and the  
3 tavern, isn't that set back a little further back than  
4 what the tavern is? The tavern actually sits closer  
5 to the street? It's a liquor store, isn't it?

6 MR. TANNHAEUSER: Yes, it's Vince's liquor  
7 store there.

8 ALDERMAN PUENTE: Is that correct?

9 MR. TANNHAEUSER: That the liquor store sets  
10 back? Just a little bit, yeah.

11 ALDERMAN PUENTE: Like whatever, five, 10  
12 feet maybe?

13 MR. TANNHAEUSER: Yeah. We're able to have  
14 a view from our window. Although if we want more of a  
15 view, we go outside, and we observe it.

16 ALDERMAN PUENTE: Thank you.

17 CHAIRMAN WITKOWIAK: Any other questions by  
18 members of the committee? Mr. Kimbrough, do you have  
19 any questions?

20 MR. KIMBROUGH: I would like to make a  
21 comment. He mentioned that the car was parked in his  
22 driveway in June. That was the months six and seven  
23 area where we had increased foot traffic, and the foot  
24 traffic inspired a meeting with the neighborhood, and  
25 that's when we took action to ensure that no cars

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1 parked on 43rd Street whatsoever. And I have video  
2 footage that shows where I actually videotaped every  
3 Friday and Saturday from that point on to ensure, to  
4 actually show, just in case it was needed, that we  
5 were actually patrolling 43rd Street, and I'll get  
6 into that later on.

7 CHAIRMAN WITKOWIAK: Thank you for your  
8 testimony. Gail, did you have something you wanted to  
9 add?

10 MR. SCHRIMPF: Mr. Chairman, the witness  
11 should be reminded that she continues under oath.

12 MS. KOESTER: I understand. The only thing  
13 I wanted to add was they were talking about the issue  
14 of calls to the police department, and I had called to  
15 report when there was a lot of problems the last time  
16 with the bar, and when we came to the hearing, it came  
17 out with the same thing, there was no record of any of  
18 the phone calls. So I kind of gave up on calling that  
19 that would be a matter of record. So I just kind of  
20 wanted to say that there would have been many more  
21 calls I would have made if it would have been on  
22 record to add to the problem that the problems do  
23 exist.

24 And when some of that was moved off of 43rd  
25 Street, the parking, they came down on 44th. But

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1 that's it, that's really all I wanted to say.

2 CHAIRMAN WITKOWIAK: Thank you. Anyone else  
3 to testify in opposition?

4 MS. DOLPHIN: My name is Rebecca Dolphin,  
5 and I live at 7139 North 43rd Street, and I've been  
6 there 10 years. And I oppose of the bar being there  
7 or any bar being there because the violence, the  
8 shootings. It's horrible being woken up at night and  
9 hearing this.

10 CHAIRMAN WITKOWIAK: Questions by member of  
11 the committee?

12 MR. SCHRIMPF: Mr. Chairman.

13 CHAIRMAN WITKOWIAK: Mr. Schrimpf.

14 MR. SCHRIMPF: Ma'am, first of all, how is  
15 your home situated in such a way that you can see  
16 what's going on at the bar, or don't you, do you  
17 simply hear it?

18 MS. DOLPHIN: I am right by the liquor store  
19 and the bar.

20 ALDERMAN PUENTE: She lives with the guy  
21 that testified before.

22 MR. SCHRIMPF: So about how far away are  
23 you?

24 MS. DOLPHIN: I'm right next door. I can  
25 see right in front, and I can see in the back from my

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1 window.  
2 MR. SCHRIMPF: The back, I take it, is where  
3 the parking lot is?  
4 MS. DOLPHIN: Yes.  
5 MR. SCHRIMPF: And the front is where the  
6 entrance is?  
7 MS. DOLPHIN: Yes.  
8 MR. SCHRIMPF: How often have you been woken  
9 up by activities from the patrons?  
10 MS. DOLPHIN: Numerous times.  
11 MR. SCHRIMPF: Can you give me twice a week,  
12 once a week, once a month?  
13 MS. DOLPHIN: Once a month.  
14 MR. SCHRIMPF: And what wakes you up, is it  
15 noise or is it shooting?  
16 MS. DOLPHIN: Gunshots.  
17 MR. SCHRIMPF: So you've heard gunshots one  
18 time per month from this location?  
19 MS. DOLPHIN: Yes.  
20 MR. SCHRIMPF: Have you called the police?  
21 MS. DOLPHIN: Yes.  
22 MR. SCHRIMPF: Each time or not every time?  
23 MS. DOLPHIN: Each time.  
24 MR. SCHRIMPF: Have you talked to Mr.  
25 Kimbrough about this?

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1 MS. DOLPHIN: It was a concern of ours at  
2 the meeting, yes.

3 MR. SCHRIMPF: When was that meeting?

4 MS. DOLPHIN: I'm not sure, I don't  
5 remember.

6 MR. SCHRIMPF: Well, was it the summer, was  
7 it the fall?

8 MS. DOLPHIN: The fall.

9 MR. SCHRIMPF: Of 2005?

10 MS. DOLPHIN: Yes.

11 MR. SCHRIMPF: You said that you can also  
12 see the parking lot?

13 MS. DOLPHIN: Yes.

14 MR. SCHRIMPF: Do the shootings occur in  
15 front of the place or in the parking lot?

16 MS. DOLPHIN: What I heard was in front of  
17 our house. But there have been times when it's in the  
18 back of the parking lot, too. People will shoot, and  
19 they just shoot because they want to, I don't know, to  
20 show off.

21 MR. SCHRIMPF: Do you see these people  
22 actually leaving the bar and then engaging in this  
23 conduct?

24 MS. DOLPHIN: No, I have not. I've been  
25 woken up by it.



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1

MR. SCHRIMPF: So it awakes you?

2

MS. DOLPHIN: Yes.

3

MR. SCHRIMPF: And it's occurring in the parking lot of this tavern; is that correct?

4

MS. DOLPHIN: Yes.

5

MR. SCHRIMPF: Do you actually witness the people after you're awoken, do you actually witness the people there, or have they left by then?

6

MS. DOLPHIN: They leave by then.

7

MR. SCHRIMPF: So tell the committee, please, exactly what you've seen when you've been awoken by a gunshot.

8

MS. DOLPHIN: I hear the gunshots, I call the police, and people are just scurrying around and running to their homes.

9

MR. SCHRIMPF: So these are neighborhood people some of them, and they run to their homes after the gunshots?

10

MS. DOLPHIN: Yes.

11

MR. SCHRIMPF: Do any of them run to their cars?

12

MS. DOLPHIN: And they run to their cars, yes.

13

MR. SCHRIMPF: In terms of the noise, is that basically the problem that you've experienced,

14

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1 the gunshots and the noise, or was there other --

2 MS. DOLPHIN: The gunshots and the noise are  
3 a problem.

4 MR. SCHRIMPF: And that awakes you at least  
5 one time a month?

6 MS. DOLPHIN: Yes.

7 MR. SCHRIMPF: That's all I have, Mr.  
8 Chairman. Thank you.

9 CHAIRMAN WITKOWIAK: Are there questions by  
10 members of the committee? Mr. Kimbrough, do you have  
11 any questions of this witness?

12 MR. KIMBROUGH: No, no questions.

13 CHAIRMAN WITKOWIAK: Thank you for your  
14 testimony. Anyone else here to testify in opposition?  
15 Okay. Thank you. Now, I will assume that the rest of  
16 you are here to testify in support. I would like to,  
17 since we have such a large number of people, first of  
18 all, I want you to understand your testimony is very  
19 important to us, I want you to understand when you  
20 come up here you have to state your name and address  
21 clearly for the record, and I would also like you to  
22 tell us how far away you live from the establishment,  
23 because we realize that there are some people here in  
24 support that are possibly customers of the place, and  
25 not that your testimony is not important, it is, but

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1 we have to know how close you live to the place. So  
2 rather than wait until we ask you that question, if  
3 you could tell us that right away.

4 And try not to be redundant. State the  
5 facts that you know them in your own personal  
6 experience, not what you hear from other people. And  
7 we'll take testimony from everybody that's interested  
8 in speaking today. So first person.

9 MR. ROBINSON: My name is Bob Robinson, and  
10 I live 3718 West Kylie Avenue. That's approximately  
11 seven blocks from the establishment.

12 CHAIRMAN WITKOWIAK: And your testimony.

13 MR. ROBINSON: Personally, I have known this  
14 young man here, Mr. Kimbrough, for more than 20 years.  
15 In fact, we are next door neighbors. And I feel that  
16 he is entitled to a fair shot at operating his  
17 business. He is a tax contributor, he is an employer,  
18 he's one that grew up in the neighborhood that is  
19 known by most of us, someone that you can reason with.

20 Now, as far as if I may add this little bit,  
21 controlling what happens outside of his establishment  
22 is beyond his control, and your illustrious police  
23 department is having problem with that same thing.  
24 They cannot control what's happening outside. Thank  
25 you.

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1                   CHAIRMAN WITKOWIAK: Thank you for your  
2 testimony. Any questions of this witness? Okay, next  
3 witness, please.

4                   MS. WILLIAMS: My name is Maryanne Williams,  
5 I stay at 6852 North 42nd, Apartment 3, and that's  
6 like right down the street from the bar. He has  
7 improved the bar a whole lot. There is no parking on  
8 43rd. And as far as the music, if you stand outside  
9 the bar, yes, you can hear the music, but it's not  
10 that loud. It's a washer across the street. By the  
11 time you make it across the street, you can't hear the  
12 music. I don't know how can they hear the music that  
13 loud.

14                   And gunshots, it can come from anywhere.  
15 It's not necessarily saying that it's coming -- Even  
16 if they had trouble outside the bar with everybody  
17 leaving, whatever, if they come back, he can't control  
18 who comes back after the bar is closed. And that's  
19 it.

20                   CHAIRMAN WITKOWIAK: Any questions of this  
21 witness?

22                   MR. SCHRIMPF: Mr. Chairman. Ma'am, have  
23 you heard gunshots when you've been at the bar?

24                   MS. WILLIAMS: Since the accident that they  
25 had recently, because I was there.

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1 MR. SCHRIMPF: You mean on November 27th,  
2 you were there?

3 MS. WILLIAMS: Yes.

4 MR. SCHRIMPF: So obviously you heard that  
5 one?

6 MS. WILLIAMS: Yes.

7 MR. SCHRIMPF: Have you heard anything else?

8 MS. WILLIAMS: I mean not coming from the  
9 bar. I have heard gunshots from -- It's apartments  
10 down the street. And just like on 42nd, it was just a  
11 gunshot recently yesterday, to be matter of fact,  
12 because I was at work. I work at the Citgo Service  
13 Station on the corner. And it was like about -- it  
14 was daylight, and the police was over there. So they  
15 can't say that it's coming from the bar. You don't  
16 know where it comes from once you hear a gunshot.

17 MR. SCHRIMPF: When you go to the tavern, do  
18 you walk or do you drive?

19 MS. WILLIAMS: I walk.

20 MR. SCHRIMPF: That's all I have, Mr.  
21 Chairman.

22 CHAIRMAN WITKOWIAK: Thank you. Next  
23 witness.

24 MR. HUNT: Good morning. My name is Malcolm  
25 Hunt, I live 3940 North 61st Street. I don't live in

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1 the neighborhood.

2 CHAIRMAN WITKOWIAK: How far away is that?

3 MR. HUNT: I live on 61st and Capitol.

4 That's nowhere near the bar.

5 CHAIRMAN WITKOWIAK: It's a few miles away?

6 MR. HUNT: Yes. For the last 33-1/2 years  
7 I worked for the City of Milwaukee. I did 8-1/2 years  
8 with the Department of City Development Housing  
9 Authority, and in June of last year, I retired from  
10 the Milwaukee Police Department doing 25 years of  
11 service with the police department.

12 I call him Mario because I've been knowing  
13 him since he was a kid. Matter of fact, I had my  
14 retirement party there, and also another lieutenant  
15 just recently had his retirement party there. There's  
16 lot of police officers that patronize his bar, and  
17 most police officers do not patronize bars that  
18 there's a problem with.

19 I know that he's trying to run a good  
20 establishment there. I go there, talk with him about  
21 how he can make his bar a whole lot better. He's  
22 doing the right thing. He's got a camera system  
23 outside, he's got security people there that will  
24 search people when they come in. If there's a problem  
25 or something that's going on, he addresses the

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1 problem.

2 Now, they was talking about in July where  
3 there was a parking problem. That was on a Friday  
4 night, and that was at my retirement party. And quite  
5 a few of those people that probably parked there were  
6 probably police officers, because there was lots of  
7 police officers there. So what I'm trying to say is  
8 that he's running a good establishment there. He's  
9 from the neighborhood, he lived in the neighborhood  
10 for years, he was raised in the neighborhood. He's  
11 trying to do the right thing, and because of one  
12 person's action, I don't think this body is opposed  
13 because of one person's action.

14 You cannot control -- Like I say, I know  
15 for a fact if you got a bar, you can't control what  
16 people going to do on the outside of your bar. It's  
17 just impossible. There is no cure for what people  
18 going to do outside of your bar, you can't control  
19 that. And at any given bar in the city, there's  
20 always going to be some fight. There's no bar in this  
21 city that I know that haven't had problems with people  
22 fighting inside the bar or fighting outside of the  
23 bar. There's no bar in this city, there's no bar that  
24 can say that they never had problems with fights  
25 inside their bar. If they've been in the service 20

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1 years, 25 years, how long they've been in business,  
2 they going to have problems, every now and then,  
3 they're going to have problems. There are some bars  
4 should be closed up and there are some bars should be  
5 open, and this bar should be open. That's all I have  
6 to say.

7 CHAIRMAN WITKOWIAK: Thank you for your  
8 testimony. Any questions of this witness?

9 MR. SCHRIMPF: Mr. Chairman.

10 CHAIRMAN WITKOWIAK: Yes.

11 MR. SCHRIMPF: First of all, sir, have you  
12 heard gunshots?

13 MR. HUNT: No, I've never heard gunshots at  
14 that place. The times I've been there I've never seen  
15 a rowdie crowd. Matter of fact, when they come in,  
16 they search people. They have security there. They  
17 have cameras inside the building, they also have  
18 cameras on the outside of the building that covers the  
19 parking lot and stuff.

20 MR. SCHRIMPF: When you go to the tavern,  
21 when do you normally leave the tavern?

22 MR. HUNT: A few times I've stayed to  
23 closing, and sometime I've left early.

24 MR. SCHRIMPF: How often have you attended  
25 the tavern? What's your frequency of going there?



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1 MR. HUNT: I've been there several times.

2 MR. SCHRIMPF: Even if it was your  
3 retirement party, I take it parking in someone's  
4 driveway is not appropriate?

5 MR. HUNT: No, no. I'm not saying I condone  
6 it.

7 MR. SCHRIMPF: That's all I have. Thank  
8 you.

9 MR. KIMBROUGH: We also have, each and every  
10 night we have a license bonded security service that  
11 is there every night to check for IDs. Some nights we  
12 only get two or three people that may come in the bar,  
13 but we think it's important for the patrons and  
14 the staff to be somebody on site every night at the  
15 door checking everyone.

16 CHAIRMAN WITKOWIAK: Thank you. Sir.

17 MR. DICKEY: My name is Steven Dickey, I  
18 live at 4121 West Kiley, which is like two blocks  
19 south, a block east of Mario's. I've been there for  
20 like 15-plus years. I've seen the people that have  
21 had the place before.

22 We're talking about that banner that said  
23 that the bar was a nuisance, the neighborhood bought  
24 it. The man's got a lot of money invested in it.  
25 It's high on security. I suggest the people that go

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1 there at work for after-work parties. I myself go  
2 there. I don't know if the other neighbors do. I  
3 don't think I've ever seen them in it. But I go  
4 there. And I think that the concerns of this should  
5 be outside the bar. Mario can take care of what goes  
6 on inside.

7 It would be different if the riffraff had a  
8 scarlet letter, but they ain't got one. There ain't  
9 nothing wrong with the way the man runs the business.

10 CHAIRMAN WITKOWIAK: Thank you for your  
11 testimony. Questions of this witness? Thank you for  
12 your testimony. Next witness, please.

13 MR. SLEDGE: My name is Jerome Sledge, I  
14 live at 5851 North 42nd Street. I'm a consultant  
15 bartender, and I also work security for them.

16 CHAIRMAN WITKOWIAK: How far away do you  
17 live from there?

18 MR. SLEDGE: I live about, I'd say, nine, 10  
19 blocks.

20 CHAIRMAN WITKOWIAK: Your testimony.

21 MR. SLEDGE: I've known Mario, I've known  
22 him for years. I know when there's a problem in the  
23 neighborhood, the neighborhood address -- you know,  
24 tell him about it. Mario is the type of person he  
25 addresses that problem right away, he don't wait until

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1 the next day or what, he does this right away.

2 Any neighbor in that area knows when they  
3 bring something to him, he does not wait, he take care  
4 of it. He has got security there. When I say  
5 security, I mean we got walking the streets, cleaning  
6 the streets, we got parking signs, make sure people do  
7 not park in their lot.

8 He's a good person, he runs a very good  
9 establishment. When he put the sign up that the  
10 neighborhood bought the place, he's doing it because  
11 he's working with the neighborhood. He asked the  
12 neighborhood on a regular basis what can we do to make  
13 this neighborhood or have you come to the  
14 neighborhood? I think he has gone beyond.

15 And as far as the stuff that happens inside,  
16 like he moves it out, but not only does he move it  
17 out, he tries his best to secure the outside. I mean,  
18 as far as up and down the block -- and the neighbors  
19 can tell the same thing -- he does his best outside  
20 that premise for that whole entire block. If it goes  
21 any further, I don't know what to do. If you say it's  
22 going down another block, tell us it's going down  
23 another block, we'll get on that block, too.

24 Other than that, that's all I have to say.

25 CHAIRMAN WITKOWIAK: Thank you. Any

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1 questions of this witness?

2 MR. KIMBROUGH: We have two security cars on  
3 the weekend that patrol the outer areas. I did have a  
4 neighbor that came to me and said that since you've  
5 moved the traffic off of 43rd it's kind of filtering  
6 in other areas and you need to tend to that, and we  
7 jumped on it right away. We had one security car at  
8 first, then we increased it to two security cars to go  
9 throughout the area to ensure that traffic moved out  
10 quickly after the bar closed.

11 CHAIRMAN WITKOWIAK: Thank you. Next  
12 witness.

13 MS. MCBETH: Good morning, everyone. My  
14 name is Laronda McBeth, and I live at 4231 North 63rd  
15 Street, which is several miles away from the  
16 establishment. I would like to say that my brother  
17 Mario has done a tremendous job and he has held firm  
18 to the banner that was posted on the building.

19 Now, granted, there are some issues, but I  
20 feel that Mario has made great progress in the first  
21 year, and I would like any of the neighbors who are in  
22 opposition to say that they have come to Mario with a  
23 problem he has not addressed that problem. I just  
24 feel as a neighborhood, if there are problems, that we  
25 need to stand together and the problems that continue

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1 to persist, continue to bring those problems to Mario,  
2 and I know that Mario will address each and every one  
3 of those problems.

4 Mario goes over and beyond. I want to know  
5 how many people do you know that after each night he  
6 make sure that his employees are out picking up trash  
7 in the neighborhood, he is patrolling the  
8 neighborhood, there are security in the parking lot  
9 making sure that we women get home safely -- get to  
10 our car safely, that is. He goes over and beyond, and  
11 I'm not just saying this because he's my brother, I'm  
12 saying this because he's a good businessman, and I'm  
13 saying it because he's a man of his word.

14 So I am definitely hoping that if this  
15 establishment stays open that you as the neighbors  
16 reach out to Mario and keep these dollars in your  
17 neighborhood. Thank you.

18 (Applause.)

19 CHAIRMAN WITKOWIAK: No reaction from the  
20 crowd here, please. I appreciate your enthusiasm, but  
21 that's not allowed here.

22 MS. MOORE: Hi. My name is Vanessa Moore, I  
23 live at 4461 North 55th Street. I actually don't live  
24 near the bar at all, but I do work there, so I have a  
25 lot of personal experience. I attended the prior bars

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1 that were there, so I know personally that none of  
2 those occupants have cared about the neighbors as much  
3 as Mario does, if at all.

4 I attended the meeting with the neighbors  
5 where he addressed all of their issues and all of  
6 their concerns. That meeting was taken place on a  
7 Wednesday. Over 50 percent of their complaints were  
8 handled by that Friday, over 50 percent, and he has  
9 the footage, and that will be shown.

10 As far as closing the bar, that's not going  
11 to stop all the crime in the neighborhood. Not once  
12 have any of those neighbors said they personally seen  
13 anybody shooting, they said they were woken up by it,  
14 which doesn't say a lot because that doesn't mean it's  
15 coming from our bar. I've personally worked there,  
16 and I can't say I've seen any of those neighbors  
17 patronize our bar, so they don't know what type of  
18 crowd we have in there nor the type of music that we  
19 play. So a lot of that is hearsay, and the bar is a  
20 place for them to point the finger to act like there  
21 will be no more crime in the neighborhood if it is  
22 closed down. And that's all I have to say.

23 CHAIRMAN WITKOWIAK: Thank you. Any  
24 questions of this witness?

25 ALDERMAN BOHL: Mr. Chairman. What type of

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1 music is playing in the bar?

2 MS. MOORE: R & B, old school, and a little  
3 bit of hip-hop.

4 ALDERMAN BOHL: And in terms of the type of  
5 crowd that it draws in terms of age?

6 MS. MOORE: 25 and up, preferably 30 and up,  
7 but we do 25 sometimes.

8 ALDERMAN BOHL: Would you characterize it as  
9 a popular establishment? Does it bring in good crowds  
10 on weekend days?

11 MS. MOORE: Yes. We have a lot of police  
12 that patronize our club, we have all the teachers from  
13 Webster Middle School that patronize our club, a lot  
14 of older crowd, fire department, anything you can  
15 name.

16 CHAIRMAN WITKOWIAK: Thank you. Next  
17 witness, please.

18 MR. HALL: Good afternoon, my name is Sean  
19 Hall, I live at 7355 North 38th Street. That is five  
20 blocks east and one block north. I patronize this  
21 bar, I go there, I'd say, two to three times a week. I  
22 never had a problem in there. Like they've said  
23 already, they have security guards who search you, so  
24 you must feel safe while you're in there because they  
25 search you at the door, so you know nobody will have

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1 problems with you in there.

2 Any problem that does happen in there, he  
3 escorts you out right away. I was actually there the  
4 night there was a fight out there and the woman  
5 slapped a guy. He was out diffusing it, and a Brown  
6 Deer cop was sitting over in the gas station and just  
7 came over. But I think he runs a great establishment.  
8 I frequent all the bars in the neighborhood, and he's  
9 one of my favorite ones to go to. You can sit, relax,  
10 have a good time, chill. That's it.

11 CHAIRMAN WITKOWIAK: Thank you. Any  
12 questions of this witness? Thank you. Next witness,  
13 please.

14 MR. MAYCROFT: Hi. My name is Samuel  
15 Maycroft, I live at 2664 South 31st Street. I live  
16 nowhere near the club, but I'm there on an average of  
17 about 4:00 in the afternoon 'til sometimes midnight,  
18 sometimes later remodeling it, and I have seen nothing  
19 happen that seem to be a problem. I used to own two  
20 bars in Milwaukee, so I'm pretty much aware of what  
21 goes on, and I haven't seen one problem in there  
22 since.

23 CHAIRMAN WITKOWIAK: What were you  
24 remodeling?

25 MR. MAYCROFT: His club. So for the



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1 neighbors to say that there's a lot going on, there is  
2 not. I see it every day. And they say it's loud  
3 about music. I think they just don't like the type of  
4 music. If it draws the wrong crowd, I'm kind of  
5 wondering why am I the wrong crowd? I bring my wife  
6 there for dinner there. It's a nice place.  
7 CHAIRMAN WITKOWIAK: Questions by member of  
8 the committee?  
9 ALDERMAN DUDZIK: Mr chair.  
10 CHAIRMAN WITKOWIAK: Alderman Dudzik.  
11 ALDERMAN DUDZIK: Sir, how late are you  
12 there?  
13 MR. MAYCROFT: Anywhere from 4:00 in the  
14 afternoon until midnight, sometimes later, just  
15 depends on what work I'm doing. I've been there  
16 through pretty much every night.  
17 ALDERMAN DUDZIK: How late are you there as  
18 a customer as opposed to a --  
19 MR. MAYCROFT: I'll stay there until bar  
20 close sometimes as a customer.  
21 ALDERMAN DUDZIK: What's your favorite meal  
22 there?  
23 MR. MAYCROFT: Usually it's the chicken.  
24 ALDERMAN DUDZIK: Just in case I stop, you  
25 know.

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1 MR. MAYCROFT: The food is good, good  
2 service.

3 CHAIRMAN WITKOWIAK: Thank you. Next  
4 witness, please.

5 MR. MANGUM: Hi. My name is Jimmy Mangum,  
6 I'm security for the bar. My wife owns the security  
7 company, ABB Security. I live at 6108 North 40th  
8 Street, so that's right off 40th and Kaul.

9 We were employed by Mr. Kimbrough to do  
10 services for his business. When I got there, I was  
11 kind of skeptical because I didn't know what kind of  
12 clientele he had or how the neighborhood was going,  
13 but when I got there, I found out it was a peaceful  
14 bar. A lot of people come patronize.

15 He told me about a situation about parking  
16 on the street. We came up with an idea about parking,  
17 and what we do is we set these out. I have a guy come  
18 in early, he set those out on the street, and then  
19 when the people come in like on Fridays and Saturdays,  
20 we're standing out there to make sure that no one  
21 parks on the street. We'll tell them you park on the  
22 street, no coming to the club. When you say no coming  
23 to the club, it's like oh, I got to move.

24 We don't have any problems. We search  
25 anyone that comes in the club, male, female. We had a

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1 couple celebrities come in like Tom Pippin. We search  
2 him. We make sure that we run a nice, clean club.

3 About the incident that night in question  
4 with the shooting, there was a patron in there that  
5 kind of got kind of rowdie. We put the individual  
6 out. Matter of fact, I think we -- I wasn't there at  
7 the time, but I think we escorted him to his car just  
8 to make sure. And we always talk to them before we do  
9 anything. Like when he first started, it's like can  
10 you calm down; if you don't calm down, we'll put you  
11 out. We don't just grab you and put you in a lock and  
12 carry you out, we always give you the benefit of the  
13 doubt.

14 So when he left, we thought he was gone.  
15 But we also was coming back into the bar to call the  
16 police because we know how the situation goes. I'm  
17 sitting out here waiting for whoever he was fighting  
18 with to come outside, we going to handle it. Coming  
19 back into the bar, he still had friends in there that  
20 this guy was fighting with. So my security guard felt  
21 that we should get this other guy out of the bar so  
22 that his friends don't jump on him. So he escorted  
23 him out of the back door, and as he was escorting him  
24 out the back door to his car, shots rang out.

25 Like he said, we're not knowing who's going

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1 to be out there doing anything, all we know is we did  
2 what we were supposed to do. So the individual shot  
3 my guard and he also shot the individual that he was  
4 fighting with. My guys are not armed. We try to make  
5 it a point not to be armed, because if I got a gun, he  
6 got a gun, he shooting at me, I'm shooting at him, no  
7 telling where my bullet is going to go. So we make it  
8 a point to stay unarmed.

9 When we went to check on my guard -- And  
10 incidents happen. If it don't be that bar, it will be  
11 somebody else's bar, be somebody else's house,  
12 whatever, in any neighborhood. By the time we got to  
13 the hospital, my guard had walked out, went home on  
14 his own. Other people say he was in critical  
15 condition and this, that, and the other, which is not  
16 true.

17 This man runs a nice establishment. I mean,  
18 I haven't seen a bar that I've walked into -- and my  
19 security company does The Jungle, and I'm pretty sure  
20 you're aware of The Jungle downtown -- we have 15  
21 guards on Thursday night, and it still didn't stop the  
22 crowd, and we're talking about 21. And depends on  
23 their bouncers that they had in their club, some might  
24 be 17 or 18, you know. So I had to quit The Jungle  
25 because I didn't know. I'm thinking about the safety

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1 of my guards. So compare The Jungle to him, I go to  
2 his establishment any night because I know where I'm  
3 respected. And that's all I have to say.

4 CHAIRMAN WITKOWIAK: Thank you. Any  
5 questions of this witness?

6 MR. SCHRIMPF: Mr. Chairman.

7 CHAIRMAN WITKOWIAK: Mr. Schrimpf.

8 MR. SCHRIMPF: Sir, do you know who the  
9 identity of the shooter was on the night? I take it  
10 we're talking about November 27th?

11 MR. MANGUM: Right. No, I don't know his  
12 identity.

13 MR. SCHRIMPF: Do you know if he was a  
14 patron that night?

15 MR. MANGUM: He was in the bar, he was in  
16 the bar, and he had got a little drunk. First time I  
17 approached him, I let him know that we would not  
18 tolerate this in the bar. He said, "I'm calm, I'm  
19 calm, I'm cool, I'm calm, I'm calm." I said, "Okay.  
20 Next incident, we'll put you out." So later on that  
21 evening, that's when the incident occurred. We put  
22 him out. And from what I heard, once we put him out,  
23 the guard outside escorted him to his car and asked  
24 him was everything cool, was everything all right.

25 So we walked back across the street, I

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1 guess, you know. And then, like I said, in the bar  
2 itself, he had friends, the guy that got in the fight,  
3 because we left one in and one out. The guy that was  
4 fighting with we kept in the bar. And, you know, when  
5 something like this happens, we usually call the  
6 police because we know that sooner or later  
7 something's going to happen once you walk out that  
8 door. But before we had the chance to call the  
9 police, that's when the guard had escorted him because  
10 he was fearing for the other guys jumping on the guy  
11 that was fighting. So they took him out the back door  
12 and tried to escort him to his car. That's when they  
13 said the bullets rang out.

14 ALDERMAN WADE: Mr. Chair. Your first name  
15 is Jimmy, right?

16 MR. MANGUM: Yes.

17 ALDERMAN WADE: So it was only two people  
18 who got shot?

19 MR. MANGUM: That's what I heard, two  
20 people, the guy that he was escorting plus my guard.

21 ALDERMAN WADE: Only two people that got  
22 shot. Sergeant Ulickey, is that what the police  
23 report says?

24 SGE. ULICKEY: The information I have is  
25 that a third person may have been shot. I would have

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1 to pull the entire report to review it.

2 MR. MANGUM: That individual stepped on a  
3 glass at the bottom of his foot. That's what we're  
4 talking about, right?

5 ALDERMAN WADE: So there were only two  
6 people who got shot in this particular instance?

7 MR. MANGUM: Right, the person that was  
8 fighting, plus my guard that was escorting him.

9 ALDERMAN WADE: It states something about a  
10 third victim, and when I hear you talk about it and  
11 I've heard other people mention, I've only heard two  
12 people. So just for clarity, there were only two  
13 people that got shot in this incident?

14 MR. MANGUM: There were only two people.  
15 The third individual, through the ruckus, you know how  
16 you have those glasses and they got the big bottoms?  
17 It broke the wrong way. So when he ran back in the  
18 building, it cut up into the bottom of his foot. And  
19 even the police officer when she came in said he  
20 didn't get shot, he got cut at the bottom of his foot  
21 with a piece of glass. So it was two people.

22 ALDERMAN WADE: Is there anybody who would  
23 say that's not the case, that it was someone else that  
24 did get shot? Is anybody saying that? No one? Thank  
25 you, sir.

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1 ALDERMAN PUENTE: Sir, you've testified that  
2 your people escorted the first individual out of the  
3 bar and you escorted him or your people escorted him  
4 across the street, across 43rd Street?

5 MR. MANGUM: From what I heard, yes. Now,  
6 we put him out, and we have guards outside to make  
7 sure --

8 ALDERMAN PUENTE: Because of the altercation  
9 that occurred inside?

10 MR. MANGUM: Right. But we have guards  
11 outside to make sure that no one parks on that street.

12 ALDERMAN PUENTE: That's fine. So then you  
13 take the second subject that was in the bar who had  
14 the altercation with the first individual and escorted  
15 him to the back of the bar?

16 MR. MANGUM: Yes.

17 ALDERMAN PUENTE: And that's where he gets  
18 shot, correct?

19 MR. MANGUM: Right. From what I heard, his  
20 car was parked in the back, but there's an opening  
21 between buildings. The individual that was supposed  
22 to have left was standing, from what I heard, was  
23 standing in the island. So as they was walking past  
24 going towards this guy's car, he saw the person that  
25 he was fighting with along with my security guard.



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1 That's when the shots rang out. So they caught him  
2 right in the middle of that building.

3 ALDERMAN PUENTE: So did this individual  
4 have time to go to his car and get the gun, if they  
5 are escorting him?

6 MR. MANGUM: No, no, no. The individual  
7 that we had took to his car, the guards had left, the  
8 guy was sitting in his car, so when the guards came  
9 back in the building, he got out of his car. So now  
10 he's standing the middle island because he know he  
11 ain't coming back into the club. So the guys that he  
12 was with were standing there thinking about jumping on  
13 this guy for jumping on him.

14 So the guard, through the course of taking  
15 him out the back way, he asked him where his car, he  
16 said his car was in the lot. He was taking him out  
17 the back way, he was escorting him to his car. Once  
18 he got right between that little -- I guess the guy  
19 saw him, and that's when he started shooting.

20 ALDERMAN PUENTE: I got it. What time  
21 elapsed from when you escorted the first guy out to  
22 when this shooting occurred?

23 MR. MANGUM: It had to be about five or 10  
24 minutes, couple of minutes. I know that to be true  
25 because when we put him out, I was coming back in the

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1 building. From the time that I was coming back into  
2 the building, because the door is locked, the first  
3 front door is locked, so you have to knock in order to  
4 get in, because there was so much commotion that was  
5 going on from that first incident. So when he finally  
6 let me in, the other guard was escorting him out  
7 because he was scared that these other guys was going  
8 to jump him as he was escorting him out the back door,  
9 I'd say about five or 10 minutes.

10 ALDERMAN PUENTE: So you were there that  
11 evening?

12 MR. MANGUM: Yes.

13 ALDERMAN PUENTE: Did you hear this  
14 individual threaten to come back and shoot up the bar  
15 or shoot up him or any words to that effect?

16 MR. MANGUM: No, no. The only time I heard  
17 him talk was when he talked to one of my security  
18 guards.

19 ALDERMAN PUENTE: What did he say?

20 MR. MANGUM: He told the security guard, he  
21 said you just need to just stand there, he said you  
22 need to just stand there. He said well, I ain't got  
23 time to stand here, we got a bar to run. That's when  
24 the other security guards outside was talking to him  
25 and trying to calm him down. So evidently, what

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1 happened outside as far as them calming him down and  
2 getting him to his car, I couldn't tell you about  
3 that.

4 ALDERMAN PUENTE: When you do these searches  
5 of individuals when they come in the bar, have you  
6 ever confiscated any weapon?

7 MR. MANGUM: One individual, when he came  
8 in, he had a gun. All I can do is say you need to  
9 take that back to your car, and he takes it back to  
10 his car. I caught a screwdriver and a switchblade.

11 ALDERMAN PUENTE: I suggest you do something  
12 more and call the police because they can't do that.

13 MR. MANGUM: The thing that protects the  
14 bar -- The only thing I worry about is what's going  
15 on inside the bar. Now, I can't grab this man or  
16 force him -- Matter of fact, when he came, he had the  
17 gun, he took it back to his car, he came in, didn't  
18 have no problem that night.

19 ALDERMAN PUENTE: That doesn't preclude the  
20 fact that it's illegal what he is doing, and I would  
21 suggest you call the police.

22 MR. MANGUM: That we will do from now on.

23 ALDERMAN PUENTE: Thank you, Mr. Chair.

24 CHAIRMAN WITKOWIAK: Anything further of  
25 this witness?

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1                   MR. KIMBROUGH: I'd like to make a comment,  
2 if I can. When I first opened, my worst fear was  
3 something like this would occur. Before I actually  
4 opened up the business, I worked in West Virginia  
5 right after 9/11 on their contingency plan, and the  
6 reason why they had us come over as far as a team from  
7 Wisconsin was because after 9/11 they wanted to  
8 implement something, what if something like that  
9 occurs again, a bomb occurs or some kind of mass  
10 tragedy would occur. They didn't have a contingency  
11 plan in place.

12                   So that experience inspired me to come up  
13 with a contingency plan for Nostalgia, and what we  
14 created was -- if I can get this on here -- we created  
15 hot zones inside the bar, places where we thought  
16 incidents may occur and where we should have a plan as  
17 to what we should do if an incident occurs within that  
18 area. I guess my worst fear came true.

19                   CHAIRMAN WITKOWIAK: What's your capacity,  
20 Mr. Kimbrough?

21                   MR. KIMBROUGH: 264, but we have a policy to  
22 only go up to 70 percent of that, which comes out to  
23 total of about 181.

24                   CHAIRMAN WITKOWIAK: Your plan says maximum  
25 of 100 people.

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1 MR. PFAFF: Plan of operation says up to

2 100.

3 ALDERMA PUENTE: But they have a hall, too.

4 MR. KIMBROUGH: We have a banquet hall on  
5 the lower level for receptions and so forth. But to  
6 ensure the comfort of everyone, we had a maximum of 70  
7 percent of the capacity.

8 CHAIRMAN WITKOWIAK: Go ahead.

9 MR. KIMBROUGH: This is our dance floor  
10 here, and where the incident occurred, which one of  
11 our hot spots is here. The policy that we implemented  
12 was if a fight incurs, one person is exited through  
13 the rear door and one person is exited through the  
14 front door. And when the incident occurred, that's  
15 when the policy was implemented that we would gain  
16 control of the situation and then remove both parties,  
17 one through the rear door and one through the front  
18 door, and that's exactly what we done that night.

19 I can actually show you the area. This is  
20 actually a frontal view of the bar from the front  
21 door, and that's one of our hot zones is the stage, of  
22 course. We had a security guard positioned here,  
23 security guard at the rear door. So it's a hot zone  
24 here, hot zone here, we had a security guard here it's  
25 a hot zone right by the pool table, and it's a hot

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1 zone right by the front entrance. So the person that  
2 was fighting was taken out of this rear door here, and  
3 the other person was taken out of the front door.

4 I'm just going to show you. This is the  
5 driveway, that actually shows the rear driveway here,  
6 and the person who was escorted to his car and then  
7 got back out of his car, he could see the victim whom  
8 he shot and the security guard as he was escorting him  
9 to his vehicle through the back, and that's when shots  
10 were fired, and that's when the security guard was hit  
11 along with the person that he was fighting with. I  
12 just wanted to explain that to you.

13 CHAIRMAN WITKOWIAK: Okay. Thank you.  
14 Would you like to present your entire case to us? Did  
15 you have a videotape you wanted to show us?

16 ALDERMAN WADE: Are we done with testimony?

17 CHAIRMAN WITKOWIAK: Is there any more  
18 testimony? Please, come forth.

19 MS. WATKIN: Good morning. My name is  
20 Brenda Watkin, and I live at 4035 West Cheyenne  
21 Street, and that's about four blocks from Mario's  
22 establishment. I've known Mario for about 20 years.  
23 He grew up with my son, he and my son grew up  
24 together, and I've always felt that Mario is a very  
25 responsible person. Very proud of Mario, I guess

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1 because he's always been this type of person to plan  
2 things out. And like I say, he's a good person, he's  
3 a responsible person, and I'm glad to know him, and  
4 I'm very glad that my son grew up with him.

5 CHAIRMAN WITKOWIAK: Thank you. Any  
6 questions of this witness?

7 ALDERMAN PUENTE: Mr. Chair. Have you been  
8 to his establishment?

9 MS. WATKIN: Yes, I have.

10 ALDERMAN PUENTE: How often do you frequent?

11 MS. WATKIN: To tell you and be honest with  
12 you, one time, and that's when he was opening up, and  
13 he was having a lot of remodeling done then. Yes, the  
14 time I was there I had a nice time, and I enjoyed  
15 myself.

16 ALDERMAN PUENTE: Thank you.

17 CHAIRMAN WITKOWIAK: Next witness, please.

18 MR. KIMBROUGH: I'd also make another  
19 comment. The Jungle is a nice place. I go there all  
20 the time.

21 MR. MCBETH: My name is Derrick McBeth, I  
22 live at 7017 North Teutonia. That's maybe about five  
23 or six blocks from the bar. I started out working  
24 there, and I did security, checking people at the door  
25 and stuff like that, and it's always been safe inside

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1 the whole time it's been open from day one checked  
2 IDs, searched everybody, men and women. Even if you  
3 come every day, you get searched.

4 As far as outside, I don't know what else  
5 you can do, you know. After the bar closes, we go out  
6 and take care of everything. While the bar is open,  
7 there's of plenty of people posted outside. Like you  
8 said, you're always going to have somebody, so it's  
9 not a lot -- I don't know what else we can do.

10 CHAIRMAN WITKOWIAK: You're rather small for  
11 a security guard.

12 MS. WATKIN: I hear that all the time.

13 CHAIRMAN WITKOWIAK: But we admire your  
14 courage. Questions by members of the committee?  
15 Next witness, please.

16 MR. MCKINNEY: My name is Reginald McKinney,  
17 I live at 6901 West Darien.

18 CHAIRMAN WITKOWIAK: How far away is that?

19 MR. MCKINNEY: It's approximately about four  
20 blocks from the bar.

21 CHAIRMAN WITKOWIAK: And your testimony is?

22 MR. MCKINNEY: I used to be a security guard  
23 along with Derrick, and really not like security,  
24 actually just checking, like he said, IDs, searching  
25 the people properly before they come in with a metal



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1 detector and things like that, making sure like on  
2 some nights that the age matters, like to me I kind of  
3 stood on 30 with Derrick. So we did things like that.  
4 Like ladies when they were leaving the bar, we would  
5 walk them to their car. We also had certain  
6 guidelines or things that we followed, too, like when  
7 the club would close, we would go to each and every  
8 area that the people could park and make sure that  
9 they were leaving properly and stayed there until they  
10 were gone, you know, go up and down the neighborhood  
11 on both -- I believe that's like Rochelle Street or  
12 something like that and another block over and cleaned  
13 those areas up, also, up and down Sherman, also.

14 Now, when I was there -- I've known Mario  
15 also like 17 years. We were little boys that grew up  
16 in this neighborhood. We've pretty much known the  
17 liquor store owners all our life, you know, people who  
18 have been in and out and owning the bar all our life.  
19 So the bar, number one, to me is more open with pride.  
20 With Mario, you know what I mean, he's pretty proud to  
21 own that bar right now in that neighborhood. It's  
22 really special because like a lot of people in the  
23 community know us from working at Triple I Country  
24 Club, little caddies and things like that. So we go a  
25 long way in the neighborhood.

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1                   The effects come from, like with shooting  
2 and things like that, it comes from where you have two  
3 people or a group of people that you may let in that  
4 have issues and you don't know this, and then you have  
5 a situation that may occur inside the bar, and then  
6 you put this person out. We would escort this person  
7 completely away. This person was, obviously, let go  
8 and he came back or whatever. That's never happened  
9 when I was there. We were like this close to certain  
10 situations like that where someone would get -- We  
11 had a guy that posted up right in the middle of the  
12 street like Rambo, but we were able to minimize the  
13 situation, and he left without police or nothing, no  
14 firearms or nothing.

15                   So I believe that this situation just maybe  
16 got out of hand on a personal level, because it's  
17 covered, you know, you have cameras that are pointed  
18 the correct angles to catch any kind of trouble that  
19 would go on in the parking lot. There is a guy that  
20 is posted in a car that drives around the outside of  
21 the club while it's going on to make sure that there's  
22 nothing foul going on outside as far as urinating and  
23 maybe fraternizing or anything like that in cars or  
24 what have you.

25                   Like I say, the motivation right now with

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1 Mario with his club is coming from bringing something,  
2 I believe, really back to his neighborhood, you know  
3 what I'm saying, where he's grown up there. We've  
4 seen what's happened with the club time and time again  
5 and things like that. I believe what it needs is that  
6 he needs the proper time to be able to put the correct  
7 face on it. I mean, you can't build the world in one  
8 day. He's putting different looks on it, he's trying  
9 different things for the community. But I believe  
10 when you open something up and it creates a hot point,  
11 you're going to pull in the people that want to kind  
12 of party, get a little wild, blah, blah, blah, but at  
13 the same time it does have the environment to sit down  
14 and eat, you got big screen TVs in there, watch  
15 sports, all kind of things. So it's not just like  
16 this hip-hop box where everybody is just in there  
17 getting drunk going crazy, no.

18 It has a lot of class. It's very upscale on  
19 certain levels with memorabilia that's in there. We  
20 have wallful of Wisconsin Badgers and stuff like that  
21 and autographed things. Jeanette Lee autographed a  
22 cue ball for our club, you know what I mean. That's  
23 kind of hot, so when people see things like that,  
24 autographed Admiral hockey, we got a lot of stuff in  
25 there that's really hot.

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1                   But you got some people, like I said, that  
2 will come in with a personal issue, and then they'll  
3 see someone else, and then something will happen.  
4 That is kind of like out of security's hands, to me,  
5 because you've done your job, you make sure that they  
6 haven't come in with a weapon -- I've never searched  
7 anyone that had something. To me, that's a little  
8 personal. I'm speaking as far as the person that owns  
9 it and the things that he does, you know.

10                   And the guy is great, you know. I mean,  
11 I've known him over 17 years, and in the 17 years I've  
12 known him he's owned two businesses on his own, did a  
13 lot. I can't really vote for him to be shut down. I  
14 think the neighborhood deserves a chance, to give him  
15 a chance to be able to put the correct face on it.  
16 He's not going to be able to do that right away.  
17 Right away everybody from down the street, around the  
18 corner and everything like that is going to come  
19 first. It's getting out here. I know people through  
20 radio, we went to school with Wolf D, the guy on  
21 V-100, he knows us. We can get a lot of promotion.  
22 It's out there, it's just the correct face has to be  
23 put on it. He's working on that with remodeling and  
24 extending the food and the menu and stuff like that.  
25 Because when he started, it wasn't that much.

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1                   It's getting bigger in the correct areas to  
2 me, you know what I'm saying. It just needs to be  
3 a little adjusted to where when people come they can  
4 really appreciate something with class instead of  
5 always trying to turn it out on a personal level, you  
6 understand. You got people that will do that, they  
7 will come to a club and they'll feel like they got a  
8 little room to do this, and they'll do personal  
9 things. We got people that will set drinks in the  
10 pocket of a pool table. You go to say something to  
11 them, "Man, I got money, I can buy this pool table,  
12 stuff like that.

13                   What you have to handle unarmed, not  
14 licensed either and stuff like that, so you can't  
15 really approach. You got to be kind of cautious,  
16 careful how you approach people. So I think he's done  
17 an excellent job not to have certain things on his  
18 side, and he's doing it on his own. That's what I  
19 think people are forgetting here, Mario is doing this  
20 all alone. He doesn't have a staff of people working  
21 with him and everything. He has to take 100 issues  
22 every day and try to sort at least 20 of them out to  
23 make people satisfied.

24                   And I see that, like wow, man, he's going to  
25 look like one old gray-haired dude is what I told him

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1 if he keeps it up. That's him. To me, he could have  
2 had a place anywhere he wanted to if it was granted to  
3 him, but he chose there because it was the cornerstone  
4 for quite some time in our neighborhood, The Cape and  
5 so forth, whatever it has been. I didn't see him for  
6 like months because I was out of town, and I seen him  
7 at a local Wal-Mart, and he was like, "You know I  
8 bought the old Cape?" I'm like whoa. It blew me  
9 away, like what, something that's been around since we  
10 were little.

11 I think the main focus should be that the  
12 guy works alone. He has a lot of family, he has a lot  
13 of friends, true, but when it comes to his business  
14 and running things, the guy works alone. And that's  
15 pretty much all I would have to say.

16 CHAIRMAN WITKOWIAK: Thank you for your  
17 testimony. Any questions of this witness?

18 MR. CANNADY: Hello. My name James Cannady,  
19 I live at 4151 North 96th Street. I hope this  
20 committee give him his license. I've known him a long  
21 time, and I'll guarantee you he going to get on top  
22 his stuff. That's the type of person that he is, if  
23 he's given another chance, you know. Like I say, I've  
24 been knowing him since he was like this, and it's in  
25 y'all's hands, so I hope y'all give him another

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1 chance.

2 ALDERMAN PUENTE: Have you frequented his  
3 bar, sir?

4 MR. CANNADY: Yeah. Matter of fact, I was  
5 there the night it happened, I had just left about a  
6 half an hour. And the food is good. It was just  
7 something that got out of hand. But I still say if he  
8 had the chance, he going to find a way to deal with  
9 that.

10 CHAIRMAN WITKOWIAK: Alderman Wade.

11 ALDERMAN WADE: Sir, you said you were there  
12 the night that it happened. How often are you at his  
13 bar?

14 MR. CANNADY: A lot of times. You know,  
15 sometimes I go by there after I close up and have a  
16 drink, some food and go home. I don't really stay out  
17 that late.

18 ALDERMAN WADE: So how would you classify  
19 his bar as far as an adult bar, a hip-hop bar, reggae  
20 bar?

21 MR. CANNADY: Well, he giving some of us a  
22 little everything. You know, you got young crowd and  
23 you got my crowd.

24 ALDERMAN WADE: So you, as a mature  
25 gentleman, feel comfortable with the music selection,

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1 the clientele in the bar?

2 MR. CANNADY: Oh, yeah.

3 ALDERMAN WADE: You don't have any problems  
4 with it?

5 MR. CANNADY: No. For one thing, his  
6 security, they do a good job. When you go there and  
7 sit down and you can see how they coming in and how  
8 they search people, you feel safe. That's the truth.

9 ALDERMAN WADE: All right. Thank you.

10 CHAIRMAN WITKOWIAK: We're going to let you  
11 do your presentation now. I've been very patient.  
12 The testimony has been good, so you've been running on  
13 a little too far, but we'll let you do your  
14 presentation all at one time. Next person to testify,  
15 please.

16 MS. GARRISON: My name is Heather Ann  
17 Garrison, I live at 5466 North 61st Street, which  
18 ain't near the facility, but I do go there, and every  
19 time I've been there, I feel welcome.

20 I was there the other night, and I came in,  
21 and I got searched, and that was the first time they  
22 searched me when I went there because when it first  
23 opened up, they didn't have all of it, but they did.  
24 They've grown. I never had no problems. They're  
25 respectful. You ask them something, and if you got a



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1 problem, they will help you. And I've been knowing  
2 them since '92, him and his family, and I think he  
3 deserves a chance to -- another chance.

4 ALDERMAN PUENTE: When you leave the bar, do  
5 they escort you to your car?

6 MS. GARRISON: I get a ride. I came with  
7 his mother a couple times or I came with a friend of  
8 mine, they brought me.

9 ALDERMAN PUENTE: But the testimony earlier  
10 was that the women get escorted back to their cars.

11 MS. GARRISON: Yes, you do, yes, you do,  
12 yes, you do.

13 ALDERMAN PUENTE: Thank you. That's what  
14 I'm asking you. Thank you.

15 MR. SINGH: My name is Jagdeep Singh, I own  
16 the liquor store next to the bar, 7141 North 43rd  
17 Street.

18 CHAIRMAN WITKOWIAK: And your testimony?

19 MR. SINGH: I request that his license be  
20 granted and he should be given another chance, because  
21 it is hard to control the public. And what I see is  
22 that he's a hard-working guy. I've known this guy for  
23 six months, and I have talked with him two, three  
24 times about the problems, and I saw him doing his best  
25 to take control of everything.

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1 CHAIRMAN WITKOWIAK: Anyone else to testify?

2 MR. VAUGHN: Hi. My name is Dan Vaughn, and  
3 I don't live in the neighborhood, but I actually own a  
4 large restaurant which is right around the corner on  
5 41st and Good Hope. When my partner and I got ready  
6 to buy The Red Mill a couple of years ago, one of the  
7 things we thought about was actually buying the  
8 location that Nostalgia actually sits at, because just  
9 from living here in Milwaukee, we kind of saw the  
10 things that happened at this establishment, and we  
11 knew what we were trying to open, and we knew that we  
12 didn't want something that was going to be a deterrent  
13 from any of the customers that we were going after  
14 from something being that close. One of the things  
15 that we've been proud of is being able to know Mario  
16 and know what he's been trying to pull off in that  
17 location, given the history that it has.

18 I think the November 27th incident was a  
19 turning point. Just given the fact that all of the  
20 clubs that we've seen in Milwaukee, when they have an  
21 incident like that, a lot of times they go straight  
22 hip-hop, and then they try to get as much money as  
23 they can because they know they're going to come here,  
24 and their opportunity to be in business after that is  
25 pretty much over. One of the things that we sat back

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1 and looked at is how Mario, instead of doing that, he  
2 came up with contingency plans. We actually go down  
3 and we'd sit and talk, I go to karaoke every Wednesday  
4 night and laugh at the people that can't sing and have  
5 a good time.

6 One of the things that we noticed was that  
7 Mario was going -- he was trying to put a plan in  
8 place so that that incident wouldn't happen again and  
9 other incidents wouldn't happen again. I think it's  
10 commendable that he didn't try to turn around and get  
11 as much money as he could at the time knowing that he  
12 wasn't going to be open again, that he was looking at  
13 this as a long-term investment, something that he was  
14 going to be doing in the community much further than  
15 just that one incident.

16 One of the things, like someone said that  
17 was in opposition of him being relicensed, after that  
18 incident, there hasn't been anything, because I think  
19 he's put plans in place to make sure that it doesn't  
20 happen.

21 CHAIRMAN WITKOWIAK: Thank you for your  
22 testimony. Any questions by the committee? Thank you  
23 very much. Next witness? Is there anyone else to  
24 testify?

25 MR. LUCAS: My name is Maurice Lucas, 7155

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1 North 44th Street. For myself, Nostalgia is like an  
2 institution to me. I was working a job one day, and  
3 Mario called me and said he was buying a club, come up  
4 here and put the club together with me. I put the  
5 cameras in, and I did the electrical work, and I also  
6 put the lights outside, as well as spoke the name  
7 Nostalgia. What I can say is Mario put a lot of time  
8 and effort in this club, and I believe that he has the  
9 power and the know-how to make it work, and if given a  
10 chance, I think he'll succeed, if given the right  
11 chance. That's all I have to say.

12 CHAIRMAN WITKOWIAK: Thank you. Any  
13 questions of this witness? Next witness, please.

14 MR. WILLIS: My name is Charles Willis,  
15 I live at 4724 North 44th Street. I'm the owner of  
16 Expectations Cleaning Service and also Sir Charles  
17 Catering Service. I contracted with Mario in May of  
18 2005 to clean his bar and to do catering, and I'm in  
19 there all the time cleaning or catering, and I just  
20 feel that it's a great club.

21 I guess one of the things that I am very  
22 much concerned about sometimes when we're leaving at  
23 night from catering, sometimes I don't think -- what  
24 people think is gunshots is cars backfiring. I've had  
25 times when I've been down there where people start

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1 their cars up and like we have, you know, in this  
2 society. People have cars that are loud, and they  
3 backfire. So I think sometimes -- I think we need to  
4 look at the fact that he has a good establishment, he  
5 does his very best. A lot of times I can't find him  
6 because he's out somewhere patrolling in the truck,  
7 trying to make sure that everybody is safe.

8 He's a manager on-site, he's not an absentee  
9 manager, he's a manager on-site. I really like that,  
10 and I really like patronizing his club and  
11 recommending customers to come to his club to have  
12 functions there. Thank you.

13 CHAIRMAN WITKOWIAK: Thank you. Any  
14 questions of this witness? Next witness, please.

15 MS. TURNER: Good afternoon. My name is  
16 Teon Turner, I live at 7084 North 43rd Street.

17 CHAIRMAN WITKOWIAK: How far away is that?

18 MR. LUCAS: About half a block. I have  
19 heard no gunshots, I have heard no loud music.  
20 Everything that our community asked him to do he does.  
21 The other owners that had the bar, people come by  
22 dropping off bottles and everything. I saw Mario  
23 coming outside, picking up the bottles, I'm like oh,  
24 my goodness. I got tired of picking up the bottles.  
25 He does that all the time. Whatever issue you have,

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1 people parking in the front of the house or whatever,  
2 I'll call the bar, I'm like they're parking by the  
3 house or whatever, he started putting the signs out  
4 and stuff like that. That helps out a lot.

5 I have never seen anybody or heard any  
6 complaints about anybody urinating in anybody's yard.  
7 A lot of things the people are saying are not true.  
8 I've never heard any gunfire or whatever besides the  
9 November 27th issue.

10 It's a safe place to be. I sometimes go in  
11 there to order wings, chicken wings or whatever, and I  
12 take my five-year-old daughter in there. She likes to  
13 get some little drink that Vanessa mix for her, a  
14 little soda and juice or whatever, and then I'll leave  
15 or whatever. It's not a bad place. I wouldn't take  
16 her there if I thought it was a bad place.

17 MR. SCHRIMPF: Ma'am, I was confused by a  
18 portion of your testimony. Did you say you haven't  
19 heard gunshots there, or did you say --

20 MS. TURNER: Besides that one time. I've  
21 never heard any other time anything like that. I've  
22 never heard nobody go by with the boom-boom music. If  
23 they do, they don't get into the establishment. A lot  
24 of things that were said are not true at all.

25 MR. SCHRIMPF: Thank you.

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1                   CHAIRMAN WITKOWIAK: Next witness, please.

2                   MR. LUCAS: My name is Irene Connors, and I  
3 live at 3724 West Kiley Avenue.

4                   CHAIRMAN WITKOWIAK: How far away are you  
5 from the bar?

6                   MS. CONNERS: About six or seven blocks  
7 away. We need this establishment to help with our  
8 taxes and stuff in the neighborhood. And I've gone to  
9 some of the meetings at Our Lady of Good Hope, and I  
10 think that this young man is doing a wonderful job.  
11 I've passed through there, and I've seen these signs  
12 out, and there were no cars parked on the streets. I  
13 go in from time to time, order chicken wings, what  
14 have you, I've gone to parties that were downstairs in  
15 the lower level. But it's a really, really nice  
16 place, so you guys should, if you're ever in the  
17 neighborhood, we invite you to come by. So that's all  
18 I have to say.

19                   ALDERMAN WADE: Since she extended that  
20 invitation, I would extend that invitation to my  
21 colleagues, because I have gone to the bar. I take my  
22 job on this committee very seriously, and a lot of  
23 times I stop into liquor establishments to meet the  
24 owner and see what's going on because I don't want to  
25 be deciding on somebody's livelihood and I've never

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1 gone to their place or don't know what type of  
2 business they run. So people are shocked, I mean  
3 almost paranoid when I walk in, and they're like what  
4 did I do wrong. It's not that. I just want to make  
5 sure when I'm making these decisions on people's  
6 livelihoods.

7 And I would also say that some of my other  
8 colleagues probably should visit Nostalgia. I think  
9 they would have a very positive opinion of it, because  
10 it is one of the nicer establishments as far as decor,  
11 cleanliness, professionalism, and I think I'm out of  
12 time.

13 MS. CONNER: And the thing about it, you  
14 feel so safe there, you feel safe.

15 ALDERMAN WADE: I'm not saying -- The  
16 incident that went there is a serious incident. We  
17 have to look at that incident. I'm not saying that,  
18 but as far as cosigning for what this lady just said,  
19 I second the motion.

20 CHAIRMAN WITKOWIAK: Did you have any  
21 questions of this witness?

22 ALDERMAN DUDZIK: Yes. I'm just curious,  
23 how often do you go there?

24 MS. CONNER: Three or four times a month.

25 ALDERMAN DUDZIK: What's the latest you've



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1 ever been there?

2 MS. CONNER: 1:00. I even go on Sundays  
3 because they have the big screen TV. I'm not a  
4 football fan, but I sometimes watch the basketball and  
5 that sort of stuff. It's just a nice atmosphere.

6 CHAIRMAN WITKOWIAK: Next witness, please.  
7 No. Anymore witnesses, anybody else wishes to speak?  
8 Now, how long will your presentation take?

9 MR. GORDON: Mr. Chairman, in the interest  
10 of brevity and the fact it's going on two hours now,  
11 we'd just like to kind of like summarize what our  
12 position is and certainly hear from Alderman Hamilton,  
13 if the committee so desires.

14 CHAIRMAN WITKOWIAK: Please.

15 MR. GORDON: Thank you. First of all, I  
16 want to thank the committee for its patience. I know  
17 that a lot of statements that were taken from  
18 witnesses kind of went far afield, so I appreciate the  
19 fact that you allow people to speak. And I think it  
20 was constructive to do so given that, as you can see,  
21 a number of people who spoke in behalf of this  
22 establishment live in the neighborhood, and I know  
23 this committee has heard just about every possible  
24 scenario that any committee could hear and certainly  
25 the veterans have been privy to every kind of

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1 explanation, but I would dare say that this particular  
2 establishment is perhaps the prototype of a  
3 neighborhood establishment, and Mr. Kimbrough is one  
4 of those Heratio Algier stories about a young man who  
5 grew up in the neighborhood, left the neighborhood,  
6 and came back and saw an opportunity to do something  
7 good for the neighborhood and to bring employment  
8 opportunities.

9 A number of people that you heard from this  
10 afternoon live in the neighborhood and have worked at  
11 this establishment. This man has, in fact, created  
12 close to 50 jobs in just one year's time, and you can  
13 see a wide variety of entrepreneurial activities going  
14 on that emanate from this establishment, and I think  
15 that out of all the people that I've talked to when I  
16 was first approached by Mr. Kimbrough a few weeks ago  
17 when I visited his establishment, I was stunned. I've  
18 been to a lot of bars in this town and a lot of sports  
19 bars, and this establishment -- I strongly urge you to  
20 follow the recommendation of Alderman Wade and  
21 frequent the establishment, check it out. A number of  
22 officials, elected officials, have frequented this  
23 establishment.

24 Like a lot of establishments, you have these  
25 demarcations in time. During the afternoon happy hour

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1 time, during in the early evening times, you'll go in  
2 there, you'll see a clientele that reflects the  
3 neighborhood, and then when special events take place,  
4 sometimes those crowds change. And this particular  
5 incident on the night of the 27th was Otis Clay, who  
6 is an R & B singer, well known at least in this  
7 community if you listen to the Saturday Blues Brunch  
8 on 1290 WMCS Phil Anderson, you will hear Mr. Clay.  
9 And this was an attempt by Mr. Kimbrough to have  
10 diversity in his entertainment options.

11 He has karaoke, he has comedy, he has rhythm  
12 and blues, he has sports and entertainment, and as a  
13 result, the incident that took place -- and it was a  
14 serious incident, two people were shot, and  
15 fortunately no one else was shot and no one else was  
16 killed, so we have the blessings of God to guide us  
17 from that situation -- but this was the incident that  
18 took place on a blues night. So it wasn't hip-hop, it  
19 wasn't ganster rap, it was blues, and that's what Mr.  
20 Kimbrough sought in terms of bringing the kinds of  
21 diversity of entertainment to this venue.

22 And he's a success story himself. He  
23 invested over \$150,000 of his own money into  
24 refurbishing this establishment. He has a credit card  
25 line of about \$75,000, he has a line of credit. He

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1 has invested well over \$200,000 of his own personal  
2 money into this establishment in just one year's time,  
3 and that's pretty impressive for a 38-year-old  
4 graduate of Whitewater University, who came back to  
5 his community and saw an opportunity to invest in his  
6 community, to create a neighborhood haven for people  
7 who live in the neighborhood and who come from  
8 surrounding neighborhoods to enjoy what the venue has  
9 to offer.

10 Obviously, this incident can't be called an  
11 aberration because in the club business you never know  
12 when something like this is going to happen, and it's  
13 happened at establishments throughout the City of  
14 Milwaukee. I would dare say that hopefully it will be  
15 an aberration, but we can't say that for sure. But I  
16 know he has done as much as he can, and I'm sure that  
17 the testimony has shown that he has hired the best  
18 security that he possibly can at great experience, and  
19 in fact, neighbors have also watched out for what's  
20 been going on at the establishment, as well.

21 I know he wants to speak to you, as well,  
22 but I just wanted to lay just a few factors out to you  
23 for your consideration. Mr. Kimbrough.

24 MR. KIMBROUGH: I don't think I want to take  
25 up too much more of your time today. I did have a

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1 whole presentation of what I wanted to say and talk  
2 about, but I will just talk about a few things after  
3 the incident occurred. No. I'm going to go back to  
4 when the neighbors had some issue about parking.

5 We had a meeting. They contacted the  
6 alderman, we had a meeting, and the issues that they  
7 had was people parking on 43rd Street, because that's  
8 all no parking, and they would come out, they would be  
9 parked in front of their house and people would be  
10 talking and so forth, and there would just be cars on  
11 43rd Street. So I kind of left the meeting like how  
12 can we control no parking on 43rd Street, I just  
13 didn't know what to do, so I kind of went back and  
14 just thought on it, and then I was inspired to go out  
15 to Home Depot and buy those poles that are like fence  
16 poles and on the bottom it's like a red Home Depot  
17 bucket, and what we did was we cut a hole on the top  
18 of the cone and poured concrete inside of the  
19 five-gallon buckets and put the lid back on and  
20 secured the poles into the bucket with the concrete,  
21 and we put the no parking signs on the top. And I do  
22 have video footage of that, but I'm going to just kind  
23 of try to tell you what we did.

24 So we put the cones in front of every house  
25 in front of 43rd Street, and one of the neighbors said

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1 in the meeting, she said, well, they park in the  
2 laundromat lot, and it kind of wakes me up at night  
3 some nights. I said what we'll do is we'll block off  
4 the laundromat parking lot, also. We so placed these  
5 cones in front of every house all the way up 43rd  
6 Street, and we used the caution tape to block off the  
7 laundromat parking lot. I was still thinking how are  
8 we going to stop people from still parking on 43rd.  
9 We don't want to have an altercation with people,  
10 because some people will say you're not the police and  
11 so forth. So then we came up with you can park there  
12 as long as you want, but you can't come into our  
13 establishment. That was the key, because people would  
14 come and park, and they will say you can't stop us,  
15 but then we would tell them that you can't come in,  
16 and then they would move their vehicles.

17 I'd say first two or three weeks we had a  
18 lot of people -- not a lot but some people that had  
19 conflicts with it, but then as time went on, they  
20 understood what we were doing in the process the  
21 reason why we were blocking off 43rd Street. Then I  
22 would say week three into the process, the meter maid  
23 that usually comes around, he comes up the street and  
24 just he'll write his tickets and do whatever he needs  
25 to do, but he came around the corner in week three,

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1 and there was no cars there whatsoever. And it blew  
2 him away. He came over, said you guys, I don't know  
3 how you did it, but there's no cars on 43rd Street.

4 People started to understand what we were  
5 doing, and at that point things were going really  
6 well, and we were kind of feeling pretty good about  
7 ourselves, and then this incident occurred, and it  
8 kind of shook us up a little bit. We closed down for  
9 a week out of respect to the neighbors, out of respect  
10 to those that were injured, and out of respect to  
11 employees to just let people get a grip and kind of  
12 refocus. And we got a lot of support from the  
13 neighbors that came over and understood that we were  
14 trying to do the best we could. The media coverage  
15 didn't help, but I understand that they're just doing  
16 their job.

17 So I just wanted to say that we have done  
18 the best that we possibly can, and we're constantly  
19 growing and learning as we move forward about what we  
20 can do better, how to satisfy the neighbors, and to  
21 make it more of a safe environment for everybody.  
22 When I came into this, my whole notion was the  
23 community bought the bar, so everything I do -- I  
24 still have a sign we place out on the front window,  
25 every decision, major decision that I make, I think

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1 about the sign that we put out on the front window  
2 that says the neighborhood bought the bar and so  
3 forth.

4           So what we did was we actually moved our  
5 finances from a bank that was on the other side of  
6 town to the new bank that's on 76th and Good Hope,  
7 State Bank of Chilton, because it was within our  
8 community. We said let's move our finances to our  
9 area and support the area that's supporting us. And  
10 we have a total of approximately about 60 percent of  
11 the people that actually work at Nostalgia is from the  
12 community itself. And it's not like we're saying  
13 people that work there are 10 blocks away or 12 blocks  
14 away, we're talking about a three- to four-block  
15 radius is 60 percent of the people that actually work  
16 at Nostalgia.

17           So every decision that we make, even if  
18 there's parties that we book, it's a constant decision  
19 to say, okay, what will this do to the neighborhood,  
20 what kind of traffic will it bring. And so every  
21 mindset and everything we do we just try to think  
22 about the neighborhood. We weren't perfect in  
23 everything, and we don't expect you to think that I'm  
24 trying to come off as if I'm some great guy or  
25 anything. I'm just saying we're working at it, and we



00089

1 believe in our neighborhood.

2 I've lived there for almost 30 years now, my  
3 family has been in the neighborhood, and I contracted  
4 for IT over seven years, I've been around the country,  
5 and I've done a lot of things, but I just believed in  
6 my neighborhood, and that's why I came back. That's  
7 about all I'm going to say.

8 ALDERMAN PUENTE: Mr. Chair. I want to  
9 thank you. I don't know how I'm going to decide here  
10 yet, but I do want to thank you for your comments,  
11 especially as putting it back into the community, the  
12 Bank of Chilton, I think that's very, very important  
13 not only for where you are but for this whole city.  
14 If we all got online more where we give back to the  
15 community in which we live and work in, this city  
16 would be a lot stronger, so I want to thank you. That  
17 bank happens to be in my district. And I assume you  
18 went to Home Depot on 76th and Good Hope, too?

19 MR. KIMBROUGH: Sure did

20 ALDERMAN WADE: Do you shop at the Grand  
21 Avenue, not Mayfair?

22 CHAIRMAN WITKOWIAK: Alderman Hamilton.

23 ALDERMAN HAMILTON: Thank you, Mr. Chair. I  
24 will not be brief. You have to work like I had to  
25 work with this incident.

00090

1                   We actually had a number of community  
2 meetings about this place, and one of the problems  
3 that we really have with this facility is the history,  
4 and I think our conversations with Mario before he  
5 actually purchased the building, he understood the  
6 history of the building, and he understood the  
7 sensitivity that the neighbors have to a facility like  
8 this coming into the area. It was very sensitive.  
9 There was a major hurdle just getting the buy-in from  
10 the community to allow the facility to open in the  
11 first place. It was opened with the support of the  
12 community. And we want to create the type of  
13 situation where it's continued to be maintained,  
14 supported by all of the people who live in this  
15 community.

16                   And I think Mario has done a tremendous job,  
17 I have to say, in trying to adhere to those concerns.  
18 There are a couple issues, though, I think that will  
19 help change the face -- I know a couple of people  
20 talked about changing the face of the bar and creating  
21 a type of reputation that Nostalgia would attract, the  
22 type of patrons that wouldn't have these type of  
23 issues, because it's possible to do. I'm not of the  
24 opinion that we can't run an establishment without  
25 having these types of incidents occur. I refuse to

00091

1 believe that. It is possible to do. It's a very  
2 difficult task to do in an environment that we are  
3 trying to operate in, but it's possible, and I think  
4 that he has demonstrated that it's possible to do  
5 initially after opening up the bar.

6 When he opened it up, it didn't have the  
7 same type of patrons coming to it that were there  
8 prior to his ownership, and I think it's possible to  
9 put that type of atmosphere into place and surround  
10 the bar with the type of environment where people feel  
11 comfortable and those who want to cause trouble just  
12 don't want to come there and cause trouble, and I  
13 think he's gone a long way in trying to do that, and I  
14 have to applaud him for those efforts. But I would  
15 like to see some type of dress code enforcement  
16 because it deters a lot of people.

17 And I know that hip-hop is not a major  
18 source of music options for the club, but maybe after  
19 the face changes, then maybe it will change the type  
20 of patrons that will come out to the club. If they  
21 don't like the music, they don't feel comfortable  
22 listening to the music, then they won't come. And I  
23 listen to hip-hop, so it's not as if I'm saying that  
24 that's the sole source of the problem people coming to  
25 the club, but I think that people come out and listen

00092

1 to the type of music that they want to listen to, and  
2 sometimes that is an attraction for those that come  
3 out. I think if we stuck to those, then we will be  
4 able to continue working with all of the other things  
5 that we've discussed.

6 It's becoming increasingly difficult to sit  
7 before this committee and have establishments that are  
8 good establishments but have a couple bad incidents  
9 that happen to them, and you want to support them, but  
10 they're in areas where people are having problems with  
11 the type of activity that comes along with having that  
12 establishment there. But we are working extremely  
13 hard in this area. We have a number of clubs that  
14 come before this committee that have some very touchy  
15 issues, and all of them are working extremely hard to  
16 try to deal with those issues or not be open, and none  
17 of them are working harder than this gentleman sitting  
18 right here.

19 So it's very difficult to suggest this  
20 recommendation to the committee because I know you're  
21 sitting in a very difficult seat, as well, so my  
22 recommendation would just simply be to renew the  
23 license with a 20-day suspension with the  
24 understanding that a lot of these problems that are  
25 continuing to happen at the bar will be corrected and

00093

1 that he'll continue to work with the neighbors,  
2 continue to try to address these issues, and I think  
3 that he's more than capable of running an  
4 establishment that can avoid incidents like the one  
5 that occurred on November 27th. So I appreciate the  
6 time that the committee has given to this issue, and  
7 hopefully next year when Mario comes before the  
8 committee, we won't have this hanging before our  
9 heads.

10 ALDERMAN WADE: Mr. Chair. Alderman  
11 Hamilton, I know how you feel about coming and sitting  
12 in front of this committee because it is extremely  
13 difficult to be the only African-American  
14 representative on this committee and have these type  
15 of events come in front of you daily. The amount of  
16 pressure is immense. I end up dealing with people  
17 throughout the city for that fact. Not that I'm  
18 shunning it, it's my responsibility, I do it, and I do  
19 it with my head up, but it is extremely difficult to  
20 deal with these incidents occurring throughout our  
21 community and us as elected representatives who  
22 represent constituents who are impacted by these  
23 incidents, I'm just going to give a small editorial  
24 that our community have to do a better job of taking  
25 these type of things into consideration when we're

00094

1 frequenting black-owned establishments and businesses  
2 because it's crippling us in a lot of ways. You know  
3 like I know, a lot of people want to locate in the 7th  
4 District, and the number one thing they talk about is  
5 crime, and it's a real difficult proposition.

6 So I just wanted to say that to the people  
7 who are out there listening, our constituents think  
8 that we're not representing them properly, but it is a  
9 difficult position to be in. And I'm prepared to make  
10 a motion.

11 ALDERMAN PUENTE: Mr. Chair, before that, if  
12 I may, because I think it may take into consideration  
13 your motion, Alderman Wade. And that is, you  
14 testified earlier that right after the shooting  
15 incident you voluntarily shut down your establishment  
16 for a week. Could you be more specific in how many  
17 days a week. Was it five?

18 MR. KIMBROUGH: It was five. The incident  
19 happened on November 26th, would have been a Saturday,  
20 and we closed down until the next weekend.

21 ALDERMAN PUENTE: Actually, it occurred  
22 Sunday morning? It was a Saturday night/Sunday  
23 morning.

24 MR. GORDON: It was on the 27th.

25 ALDERMAN PUENTE: Sunday, Monday, Tuesday,

00095

1 Wednesday, Thursday, and reopened Friday?

2 MR. KIMBROUGH: Yes.

3 ALDERMAN PUENTE: Thank you. I just thought  
4 it might be helpful information that he already shut  
5 down five days, in your consideration, Aldermen.

6 CHAIRMAN WITKOWIAK: Are you normally open  
7 seven days a week?

8 MR. KIMBROUGH: Yes. Actually, six. The  
9 neighborhood recommended when I first came in front of  
10 them that we close a day during the week, so we picked  
11 Tuesday to close.

12 ALDERMAN PUENTE: In this time period, you  
13 only sacrificed four days rather than five days  
14 because you normally are closed on Tuesdays?

15 MR. KIMBROUGH: Yes.

16 CHAIRMAN WITKOWIAK: Any other questions by  
17 members of the committee? This matter is in  
18 committee.

19 ALDERMAN BOHL: Mr. Chairman. Boy, this is  
20 not unusual. I know that Alderman Gordon, who has sat  
21 on this side of the table for a number of years, will  
22 tell you that there are times where we hear a tale of  
23 two bars, if you will. And I believe that there are  
24 certainly times when there's proof to what we're  
25 seeing and hearing, and I don't doubt the veracity of

00096

1 individuals who came forward on both sides.

2 I do want to just for purposes of disclosure  
3 just indicate on the record in advance, as well, too,  
4 that Mario and I where in elementary school for I  
5 think a couple years over at Congress. So I did  
6 happen to know him, as well, for a couple years. I  
7 think you left Congress. And Alderman Gordon added  
8 four years to his age.

9 When I look at the photos here, I can  
10 appreciate some things that you've done. I see that  
11 you have certainly put some money into this  
12 establishment to make it what appears to be a very  
13 presentable place for residents to come forward. I  
14 think one of the concerns that I have as a  
15 representative on this particular issue is there  
16 really are two things that we need to reflect; and  
17 that is, there is a truth to the point where when you  
18 are a responsible business owner that you do the  
19 things to try to create a safe atmosphere for your  
20 clientele and certainly for the neighbors in your  
21 neighborhood.

22 It disturbs me to a point -- and I know that  
23 there's certainly a measure of truth to the fact that  
24 you hire security, you pat people down, you have  
25 security blinds, you want to ensure individuals aren't



00097

1 bringing weapons around -- you cannot provide ever a  
2 guarantee that an individual doesn't leave something  
3 in a vehicle or that those things aren't occurring on  
4 the outside. Albeit, I think that we have to really  
5 move beyond the measure of talking about  
6 responsibility in terms of saying that if a business  
7 plan isn't in place and that ultimately that they're  
8 not responsible to any level about what goes on in and  
9 around when somebody walks out of their establishment  
10 and walks 40 feet to their vehicle. I think that  
11 there is a measure of culpability, and I think until  
12 we recognize that point, we will continue to see more  
13 and more and more problems. And that's why I  
14 appreciate the problems of Alderman Wade. There needs  
15 to be a measure of personal responsibility in the  
16 community, as well, too.

17 A business owner can only do so much. They  
18 need to work hand-in-hand with the local  
19 representation, the alderman, to ensure that they're  
20 doing the things that they can do. There needs to be  
21 a level of personal responsibility. Until this  
22 community is willing to stand up and say that, we're  
23 going to continue to see decent establishments close  
24 over and over again, and that doesn't serve anybody's  
25 true interest, either the neighborhood or the

00098

1 community, as well.

2 In saying that, certainly I can appreciate  
3 that you've gone through some kind of learning pains  
4 or struggles over the course of the year. One of the  
5 things that we typically see is, unfortunately, the  
6 type of format of music that gets played, oftentimes,  
7 not always but oftentimes is a harbinger for the  
8 concerns that may come out of a club. We've seen it  
9 over and over again. A place that caters to people  
10 who are a little bit older typically, not always but  
11 more typically, do not have the type of problems than  
12 people who are a little bit younger. And I think that  
13 that's important.

14 I do want to note that -- even there was a  
15 woman who provided testimony earlier, and she talked  
16 about there was some hip-hop mix and there was some  
17 old school in terms of music format that has been  
18 played -- I just want to note that on the previous  
19 application, those were not music format choices that  
20 were approved by this committee or the Council to be  
21 played. That, to me, is potentially problematic.

22 I think that those are issues that when you  
23 come forward and you say you're going to be a comedy  
24 club, you ought to be a comedy club. When that's on  
25 your license, you shouldn't divert from that license,

00099

1 or you need to come back and work with the local  
2 alderman and his counsel for approval of something  
3 else. If you want to switch your format, you need to  
4 get the approval because we license this process.

5 I would move at this time, based on some of  
6 the neighborhood concerns -- I think that you're doing  
7 some things in the right direction, I certainly  
8 believe you ought to be given an opportunity to  
9 continue to try to extend that and work some of those  
10 quirks out, I think that you're moving in many  
11 respects in the right direction -- I would move  
12 approval at this time for renewal of the Class B  
13 license with a 20-day suspension; I would also move  
14 for approval of the Class B Tavern application with a  
15 60-day suspension to that particular license. In  
16 addition to that, I would move at this time point to  
17 amend the Class B Tavern Supplement to exclude dance  
18 by pop, by popular music, top 40 music, and also dance  
19 R & B. That still enables you to play blues, classic  
20 rhythm and blues, contemporary R & B.

21 Among other things, you did not have hip-hop  
22 or rap music on your license last year. I will tell  
23 you this much; when somebody talks about top 40, I  
24 listen to a variety of music, not so much country, but  
25 I do listen to a variety of music, and some of that

00100

1 includes certainly some hip-hop now, and I like old  
2 school. I wish more and more music would go back to  
3 more of the old school that I used to attend to when I  
4 was a little bit younger here about 10, 12 years ago  
5 and was still a point where I was attending clubs.  
6 But I think that you need to focus on -- it sounds as  
7 though you have something good going in terms of your  
8 sports bar, in terms of your supper club -- I think  
9 that you should kind of accent that with the music,  
10 but if you're focusing a lot on being a nightclub, you  
11 may be taking on too much at one point. And I think  
12 that an opportunity to have an extended suspension to  
13 the Tavern Dance Supplement will allow you to  
14 hopefully meet with the local alderperson, discuss  
15 these opportunities potentially with the neighbors to  
16 find the right mix that will enable you to draw the  
17 type of crowd that is going to do things to have a  
18 positive atmosphere to be able to accentuate with some  
19 of the music the ability that you have in terms of a  
20 nightclub or in terms of a sports bar and supper club  
21 but also try not to bend over that mix to the point  
22 where it teeter-totters a little too far.

23 So I'm hopeful that this motion will enable  
24 that opportunity to do just that. I know it's a crap  
25 shoot at times in terms of when we make these motions,

00101

1 I think that this provides you an opportunity to take  
2 some time to find the right mix and make this a very  
3 positive club where I think you've already made some  
4 of your efforts to do.

5 MR. SCHRIMPF: I just want to repeat this to  
6 make sure I got it. You're moving a 20-day suspension  
7 of the Class B Tavern license, a 60-day suspension of  
8 the Tavern Dance license, and to exclude popular  
9 dance, top 40, and dance rhythm and blues on the  
10 Tavern Supplement; is that correct?

11 ALDERMAN BOHL: Correct.

12 CHAIRMAN WITKOWIAK: Based on?

13 ALDERMAN BOHL: Based on neighborhood  
14 objections as testified to as well as items contained  
15 in the police report.

16 CHAIRMAN WITKOWIAK: You've heard the motion  
17 and we've clarified the motion of Alderman Bohl. Is  
18 there any discussion on the motion?

19 ALDERMAN WADE: Mr. Chair. On the motion.  
20 My colleague from the 5th District is recommending the  
21 elimination of dance, pop, top 40, and dance R & B; is  
22 that correct?

23 CHAIRMAN WITKOWIAK: That's correct, as far  
24 as his motion.

25 ALDERMAN WADE: I'm not sure if the owner is

00102

1 comfortable with that or not. Maybe I'm being a  
2 little more personal than I need to be, but I think we  
3 should have dance, R & B, or top 40, one of those two  
4 added as a music resource as far as -- I mean, that's  
5 taking a lot away taking top 40, dance R & B, and  
6 dance pop means that we got to sit around and -- Like  
7 I said, I don't know what his comfort level is, but my  
8 comfort level as far as a consumer, that's a bit much.  
9 A friendly amendment -- and my colleague has every  
10 right to deny that -- I would like to see one of  
11 those, at least one of those, included in the  
12 amendment. Thank you, Mr. Chair.

13 ALDERMAN PUENTE: I, too, have concerns on  
14 the proposal. They already testified that Mr. Otis  
15 Clay and his review was there the night of the  
16 shooting, and how these other three things want to be  
17 eliminated reflects onto that evening and the  
18 shooting. I don't see the correlation. Obviously,  
19 there was testimony about hip-hop. He's not even  
20 supposed to be doing hip-hop. I think the police or  
21 the Licensing Division will have to monitor that more  
22 closely to check to make sure that the type of music  
23 that applies to this license is just that and it's not  
24 going further than that.

25 I also believe that the recommendation of

00103

1 the alderman in his district was 20 days, and as he  
2 stated, the applicant has already shut down on his own  
3 for four days, so I think the 20 days would be too  
4 much seeing how he's already done four days. And the  
5 60-day dance, I would question, too. As serious as  
6 this was all, and we've heard testimony here --

7 My law enforcement career. This gentleman  
8 has been very, very proactive. Most of the people  
9 that come before us are reactive. After an incident  
10 has happened at their establishment, it's then that  
11 they implement what this gentleman has already done  
12 prior to the shooting, and I think to me personally,  
13 that weighs something in that he was proactive versus  
14 reactive. And for those reasons, I will not concur  
15 with my colleagues with what he has offered here.

16 ALDERMAN BOHL: Mr. Chairman. As a friendly  
17 amendment, I would be willing to strike from my  
18 amendment the dance R & B portion. In terms of a  
19 rationale to the top 40, the dance pop, top 40 is any  
20 type of music that proceeds top-of-the-line sales in  
21 the country. Top 40 can include any and every one of  
22 these. If Jay-Z has a hit that makes it to number one  
23 or number two that's a rap song, that's top 40. Any  
24 hip-hop song that makes it to the top 40 of the chart  
25 in terms of sale is top 40.

00104

1                   Top 40 and dance popular are sort of very  
2 vague terms that allow many other music genres to kind  
3 of be spread out across the board, and that's my  
4 reason for saying that and making that as part of the  
5 motion. We have just seen over and over again in many  
6 cases that the type of music format that is drawing  
7 younger people tend to create greater problems. It's  
8 not always the case, but there is a certain truth to  
9 that. We've seen it over and over again. And what I  
10 just want to ensure that we're doing, these were not  
11 even there previously, but if there's an indication  
12 and desire not to have rap or hip-hop, the fact is by  
13 having top 40, it allows you to carry a measure of rap  
14 and hip-hop or other type of music genres that may not  
15 be included in other things. That's the reason why I  
16 make that motion.

17                   ALDERMAN PUENTE: Just for clarification.  
18 You hit it right on the head, I believe. So the top  
19 40 overrides hip-hop, so if hip-hop is in the hop 40,  
20 it doesn't matter, you can still have hip-hop.

21                   ALDERMAN BOHL: That is correct.

22                   CHAIRMAN WITKOWIAK: Any further discussion  
23 on the motion? Alderman Dudzik, weigh in.

24                   ALDERMAN DUDZIK: I've been trying to be  
25 quiet all day because I've got a sinus infection



00105

1 that's just ready to kill me, but if you'll just allow  
2 me. First of all, I have to agree with Alderman  
3 Puente and this gentleman, fairly impressive with his  
4 business plan and fairly proactive. That weighs  
5 heavily for me in my decision not to support what is  
6 currently on the table.

7 I do have a couple of concerns, and that is  
8 that the security seems to believe that all they do is  
9 secure the bar, and I disagree with that. I know that  
10 one of my former colleagues had been heard to say that  
11 shootings happen. And shootings do, in fact, happen,  
12 but they shouldn't be allowed to happen, I don't care  
13 whether it's inside the bar or outside the bar. There  
14 has to be some way of addressing the shootings that  
15 occur in conjunction with taverns in this community.

16 I appreciate the fact that the applicant is  
17 working with Alderman Hamilton. I know he's doing his  
18 best to toe the line as the alderman for that area, I  
19 know his predecessor did his best, as well. The idea  
20 of the 60-day suspension sort of rubs me the wrong way  
21 in that I was brought up to believe on this committee  
22 that we use progressive discipline, and I know  
23 sometimes incidents occur where we jump quite a bit,  
24 but I think a 20-day suspension on one end and 60- day  
25 suspension on the other and then to try to dictate

00106

1 what type of music he has is just going a bit beyond  
2 what I think is appropriate. So I'll wait until I  
3 hear the motion.

4 CHAIRMAN WITKOWIAK: The motion on the floor  
5 is a 20-day suspension of the Class B Tavern license,  
6 60-day suspension of the Tavern Dance license, and  
7 excluding pop and top 40 from the entertainment  
8 venues.

9 ALDERMAN BOHL: Mr. Chairman. Just one  
10 other thing for the edification of committee members.  
11 On Mr. Kimbrough's application from last year, dance  
12 pop and top 40 were not on his application. Those are  
13 new requests, FYI.

14 CHAIRMAN WITKOWIAK: Thank you. Motion on  
15 the floor is a 20-day suspension on the Class B Tavern  
16 license, 60-day suspension of the Tavern Dance and  
17 excluding hip-hop and top 40 from the music venue that  
18 can be offered there.

19 ALDERMAN DUDZIK: Just one more question/  
20 comment. What we should be doing is asking the  
21 applicant if the change to his music venue is  
22 acceptable. I don't think that -- and Mr. Schrimpf  
23 can correct me if I'm wrong -- I don't think we can  
24 really say you're not going to have these things. We  
25 have to get him to approve.

00107

1 ALDERMAN BOHL: No, no. Committee has the  
2 jurisdiction.

3 MR. SCHRIMPF: And the committee's policy is  
4 usually not to ask an applicant if some sort of  
5 suspension or denial of an application is acceptable.  
6 You can assume it probably isn't.

7 ALDERMAN PUENTE: If I may clarify, too. We  
8 have in the past asked the applicant to withdraw if  
9 this is new, and that way he can come back rather than  
10 it being suspended a year, he or she can come back  
11 within a year and ask for it again, depending on the  
12 alderman and how circumstances go down the road.

13 MR. SCHRIMPF: That is true.

14 CHAIRMAN WITKOWIAK: I don't think that's an  
15 issue with the selection of music, withdrawing a  
16 selection of music and then coming back to that.  
17 We're just saying we would approve this without those  
18 items, and he could come back next month and say he  
19 wants that.

20 MR. SCHRIMPF: I'd have to check the  
21 ordinance on that, Alderman. I'm not sure about that.  
22 I think if it's denied by the committee, it might be  
23 for a year.

24 CHAIRMAN WITKOWIAK: Don't expound on  
25 anything, but does the applicant wish to withdraw the

00108

1 pop and top 40 from his application?  
2 ALDERMAN WADE: Mr. Chair.  
3 CHAIRMAN WITKOWIAK: Alderman Wade.  
4 ALDERMAN WADE: I thought we were in  
5 committee, that we had a motion before us.  
6 CHAIRMAN WITKOWIAK: The motion before us is  
7 a 20-day suspension of the Class B Tavern, 60-day  
8 suspension of the Tavern Dance, excluding pop and top  
9 40 from the music venues that can be offered. Let's  
10 take a roll call on that one.  
11 THE CLERK: Alderman Bohl.  
12 ALDERMAN BOHL: Aye.  
13 THE CLERK: Alderman Puente.  
14 ALDERMAN PUENTE: No.  
15 THE CLERK: Alderman Wade.  
16 ALDERMAN WADE: No.  
17 THE CLERK: Alderman Dudzik.  
18 ALDERMAN DUDZIK: No.  
19 THE CLERK: Mr. Chair.  
20 CHAIRMAN BOHL: No.  
21 THE CLERK: Motion fails one to four.  
22 CHAIRMAN WITKOWIAK: This matter is still in  
23 committee.  
24 ALDERMAN WADE: Thank you. Mr. Chair.  
25 CHAIRMAN WITKOWIAK: Alderman Wade.

00109

1 ALDERMAN WADE: I'd like to recommend a 20-  
2 day suspension and 20-day suspension of the Dance so  
3 they're matching but recommending renewal. I would  
4 like to emphasize that the application does not  
5 include hip-hop or rap and that that should be  
6 seriously monitored and met, but that's my  
7 recommendation.

8 CHAIRMAN WITKOWIAK: The motion on the floor  
9 by Alderman Wade is the renewal of this license with a  
10 20-day suspension of the Class B Tavern and Tavern  
11 Dance and no change to the music offering as on the  
12 current application.

13 ALDERMAN WADE: Correct, sir.

14 CHAIRMAN WITKOWIAK: Discussion on that  
15 motion?

16 ALDERMAN PUENTE: Mr. Chair. Is it  
17 appropriate to ask if the applicant would like to  
18 withdraw the top 40 and the dance pop at this time?

19 CHAIRMAN WITKOWIAK: Let Mr. Schrimp answer  
20 this. Alderman Puente has a question for the  
21 committee.

22 ALDERMAN PUENTE: Is it appropriate to ask  
23 the applicant if he wishes to withdraw -- because I  
24 wasn't aware until Alderman Bohl mentioned that this  
25 is new, that this was not on the original application,

00110

1 of the music selection, that being the top 40 and  
2 dance pop?

3 MR. SCHRIMPF: The committee certainly can  
4 ask the applicant if he wishes to withdraw it instead  
5 of denying it, because I just checked the ordinance,  
6 and I think although the language isn't as crystal  
7 clear as I'd like it, if the committee denies it, he  
8 can't come back here for a year.

9 ALDERMAN WADE: You're saying he cannot?

10 MR. SCHRIMPF: He cannot.

11 CHAIRMAN WITKOWIAK: Then I will ask you  
12 that question. Do you wish to withdraw as part of  
13 your music venue in this application that addition of  
14 pop dance and top 40 music?

15 MR. KIMBROUGH: What I've learned in the  
16 past year is business is not statistic, and I've  
17 learned a lot. We have a reception hall on the lower  
18 level, and for us to be able to monitor what happens  
19 at the wedding receptions as far as no top 40, we're  
20 on the northwest side of town, and I can guarantee at  
21 least 80 per of the people that live over there listen  
22 to top 40 and R & B. And like I just mentioned,  
23 business is not statistic. I wish I could say that  
24 not having those would work in the area that I'm in,  
25 but it just wouldn't, it just wouldn't. It's just not

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1 smart business.

2 ALDERMAN PUENTE: Mr. Schrimpf, does the  
3 hall also govern this application, or is this music  
4 just for the tavern area?

5 MR. SCHRIMPF: No. It would be for the  
6 whole licensed premises.

7 ALDERMAN PUENTE: So if somebody comes in  
8 rents a hall and has a DJ, they could not play --

9 MR. SCHRIMPF: That's right. That's what's  
10 limited.

11 CHAIRMAN WITKOWIAK: So the motion on the  
12 floor by Alderman Wade is the renewal of this license  
13 with a 20-day suspension, that's the Class B Tavern  
14 and Tavern Dance license, and with no change to the  
15 tavern supplement as to the music offerings as was  
16 applied for. Does everybody understand that? Take a  
17 roll call on that.

18 THE CLERK: Alderman Bohl.

19 ALDERMAN BOHL: Aye.

20 THE CLERK: Alderman Puente.

21 ALDERMAN PUENTE: Aye.

22 THE CLERK: Alderman Wade.

23 ALDERMAN WADE: Aye.

24 THE CLERK: Alderman Dudzik.

25 ALDERMAN DUDZIK: Aye.

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1 THE CLERK: Mr. Chair.

2 CHAIRMAN BOHL: Aye.

3 MR. SCHRIMPF: Mr. Gordon, Mr. Kimbrough,  
4 the committee is going to be doing findings of fact  
5 and conclusions of law recommending renewal of your  
6 Class B Tavern and Tavern Dance license with a 20-day  
7 suspension, as well as to renew the Tavern  
8 Entertainment license as it was issued for the year  
9 2005. I'm going to have to go back and check to see  
10 what's now off of it. You'll get a copy of that  
11 recommendation. You'll have an opportunity to submit  
12 written objections to that recommendation as well as  
13 appear before the Milwaukee Common Council when it  
14 meets on this matter at its meeting of February 7th at  
15 approximately 9:00 a.m. in the morning, the Common  
16 Council Chambers in this building, the room that I'm  
17 certain former Alderman Gordon is very familiar with.

18 MR. GORDON: Thank you, Mr. Chairman,  
19 members.

20 CHAIRMAN WITKOWIAK: I want to thank  
21 everybody that took the time and came down here to  
22 testify today. This was very helpful to the  
23 committee.

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1 STATE OF WISCONSIN )  
2 )  
3 MILWAUKEE COUNTY )

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5 I, TERESE M. SCHIEBENES, of Milwaukee  
6 Reporters Associated, Inc., 5120 West Blue Mound Road,  
7 Milwaukee, Wisconsin 53208, certify that the  
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TERESE M. SCHIEBENES  
Certified Shorthand Reporter

Dated this            day of                            , 2006.

