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CITY OF MILWAUKEE

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LICENSES COMMITTEE

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In the Matter of the Class "A" Liquor and Malt  
application for:

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SARIE HASHASH  
"S & M FOODS, LLC"  
"Hinnawi Meat and Deli"  
4737 W. Center Street

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COMMITTEE MEMBERS

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ALD. JAMES BOHL - Chair  
ALD. MILELE COGGS, - Vice-Chairman  
ALD. ASHANTI HAMILTON  
ALD. T. ANTHONY ZIELINSKI  
ALD. TERRY WITKOWSKI

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LICENSING DIVISION by REBECCA GRILL  
POLICE DEPARTMENT by SEARGENT CHET ULICKEY  
OFFICE OF THE CITY ATTORNEY by ATTORNEY BRUCE SCHRIMPF

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Proceedings had and testimony given in  
the above-entitled matter, before the LICENSES  
COMMITTEE OF THE CITY OF MILWAUKEE, on  
the 21st day of April, 2009.

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P R O C E E D I N G S

CHAIRMAN BOHL: Sarie W. Hashah, Agent for "S & M Foods, LLC", Class "A" Liquor and Malt application as agent for S & M Foods for "Hinn - - Hinnaqi Meat and Deli" at 4737 West Center Street, and you can correct me with whatever names I massacred here at this point.

THE APPLICANT: It's Hinnawi Meat and Deli.

CHAIRMAN BOHL: It's Hin - -

THE APPLICANT: Hinnawi. They just misspelled - - It's H-I-N-N-A-W-I.

CHAIRMAN BOHL: Okay. And they put a Q instead of it.

THE APPLICANT: Exactly.

CHAIRMAN BOHL: Okay. Then I would have actually got that better. I don't feel so bad here. How did I do on your name?

THE APPLICANT: Good. Sarie Hashash.

CHAIRMAN BOHL: Okay. And - - And, Mr. Hashash, we'll - - we'll swear you in at this time here, if you want to just raise your right hand. I'm sorry. Just for a moment, Mr. Lerner, you want to state your appearance here, please?

MR. LERNER: Sure. Maistelma &

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1 Associates, Attorney Matthew D. Lerner, appears  
2 on behalf of the applicant, who also appears in  
3 person by his agent, Sarie Hashash.

4 CHAIRMAN BOHL: Okay. At this point  
5 now we will swear you in here.

6 (Whereupon the applicant was sworn.)

7 CHAIRMAN BOHL: Name and address for  
8 the record.

9 THE APPLICANT: Sarie Hashash, 4943  
10 South 15th Street, Milwaukee, 53221.

11 CHAIRMAN BOHL: Thank you. And I'll  
12 ask you if you acknowledge receiving notice of  
13 today's meeting with the possibility that the  
14 application could be denied. There is an  
15 assortment of neighborhood objections to the  
16 granting of the license.

17 THE APPLICANT: Yes.

18 CHAIRMAN BOHL: Thank you. Ms. Grill,  
19 holds?

20 MS. GRILL: The Health Department has a  
21 hold for inspection.

22 CHAIRMAN BOHL: Thank you. We have no  
23 police report on this particular item then?

24 SERGEANT ULICKEY: That's correct.

25 CHAIRMAN BOHL: Thank you. I don't

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1 know, Sergeant, if we'll need either one of you  
2 here at this point forward. It's the last item  
3 on our agenda. Okay. If you - - Mr. Lerner, if  
4 you want to at this point here provide an opening  
5 to the committee as to what the in - - intent is  
6 at this location, the type of business run, any  
7 relevant background that Mr. Hashash has here.

8 MR. LERNER: Certainly, Chairman Bohl.  
9 Thank you. The applicant has owned the store for  
10 a little over four years at this point. As you  
11 heard, he doesn't have any police report, and he  
12 has essentially operated without any incident,  
13 whatsoever, during that time. He's never had any  
14 neighbors or customers, for that matter, approach  
15 him and make any complaints about anything. He  
16 already has a Class "A" Malt license, so he can  
17 sell beer. But he wants to add a Class "A" - -  
18 He wants to add the liquor portion of - - of a  
19 license, so that he can create more or less a  
20 one-stop shop where customers can get all their  
21 groceries, their food, any other items, including  
22 liquor, without having to go to another location  
23 that might be, you know, down the street or in a  
24 different part of the City.

25 It's, also, as I mentioned, he already

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1 has the Class "A" Malt license, so this would not  
2 be a new alcohol outlet. He already can serve,  
3 or can - - can sell certain kinds of alcohol  
4 there. He would really like to sell liquor, as  
5 well. According to my client, and he can go over  
6 this a little more, there aren't any liquor  
7 stores within roughly six blocks of the store.  
8 And also, the closest Class "A" Malt  
9 establishment is about a block and a half away.  
10 So he's here. He's operated without problems. I  
11 don't think he's ever been in front of you guys  
12 before. So that's what he would like to do.

13 CHAIRMAN BOHL: Thank you. Questions  
14 by committee members? Mr. Runner, any questions  
15 that you have based on the opening statement?

16 MR. RUNNER: Yeah, I guess - - I guess  
17 I'm on an island today against, you know, people  
18 that took time out to come and testify.  
19 President Hines is against this, and the reason  
20 being, so they have a Class "A" - - They have  
21 beer right now. And they want to take it to  
22 another level where they'll have hard liquor.  
23 The calls that we've got - - We didn't know there  
24 was any, this much behind it. We didn't know  
25 these people would come and support it. We know

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1 the business improvement district is against it.  
2 We know that neighbors are on there don't - - We  
3 know there is a daycare across the street, and we  
4 believe the spirit of that law is that there  
5 should not be increased liquor. We're really  
6 afraid that this would become a straight liquor  
7 store. You heard counsel say that - - that  
8 there's no other alcohol - - That people have to  
9 walk a whole block and a half. That's not very  
10 far. And I did - - We did have a concentration  
11 map done, if we could share that.

12 CHAIRMAN BOHL: Do you have a - - a  
13 copy you could provide here to the applicant?  
14 The - -

15 ALDERMAN ZIELINSKI: Mr. Chairman.

16 CHAIRMAN BOHL: We'll have Alderman  
17 Zielinski move to make the concentration map  
18 centered on - - on 4737 West Center Street dated  
19 April 1st, 2009 part of our official record in  
20 this proceeding. Are there any objections to  
21 that? Hearing none, so ordered. Alderman  
22 Zielinski.

23 ALDERMAN ZIELINSKI: I have a question  
24 of the City Attorney. I was under the impression  
25 we - - that there was some sort of legislation

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1 passed recently about daycare centers in  
2 proximity to alcohol establishments.

3 MR. SCHRIMPF: I believe there is a  
4 proposal in the legislature. I'm not sure that  
5 it has passed.

6 THE APPLICANT: Can I answer the  
7 question?

8 CHAIRMAN BOHL: Could we just have  
9 Alderwoman Coggs address that here? Go ahead.

10 ALDERWOMAN COGGS: State Senator  
11 Spencer Coggs does have legislation pending to  
12 expand the current State law to include child  
13 care facilities, the - - the law that prohibits  
14 liquor establishments from opening within 300  
15 feet of churches and other things now to be  
16 expanded to include daycares and child care  
17 facilities. As of our last full Council meeting,  
18 myself and Alderman Davis did propose a - - a  
19 resolution in support, where the City would take  
20 a position in support of that legislation. The  
21 last Council meeting it was unanimously supported  
22 by the City. So the City is officially on record  
23 in support of a law prohibiting 300 feet, a  
24 liquor establishment being within 300 feet of - -  
25 of a daycare.

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1 ALDERMAN ZIELINSKI: And this would be  
2 within 300 feet or not within 300 feet?

3 MR. RUNNER: I'm certain it is.

4 ALDERMAN ZIELINSKI: So, in effect, if  
5 we - - Mr. Chairman, if I may, so, in effect, if  
6 we - - if we support this, we'd be, in effect,  
7 voting against what the full Council voted for,  
8 what, last month?

9 CHAIRMAN BOHL: I don't think so,  
10 because a resolution, I believe, is in favor of  
11 the State legislation. First off, the State  
12 legislation hasn't been enacted, first off.  
13 Secondly, if I'm not incorrect, I believe the  
14 State legislation, if it mirrors the current  
15 legislation, that the current State legislation  
16 that exists with regard to - - with regard to the  
17 churches and schools, it does allow for an  
18 exception for those facilities that are  
19 grandfathered. This currently holds a liquor  
20 license to it. It is a previously licensed  
21 establishment. It would be grandfathered.

22 ALDERMAN ZIELINSKI: But the - - the  
23 grandfathered would pertain to - - to merely one  
24 portion of - - of that license, of that liquor  
25 license, not allowing it to be expanded. So - -



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1 So the - - the license that's in place right now  
2 would be grandfathered in, but I don't think that  
3 would allow an existing place to expand the scope  
4 of - - of the liquor.

5 CHAIRMAN BOHL: I don't know how that  
6 individually - - I - - I think that that's very  
7 possible. I don't know - - I mean, perhaps, Mr.  
8 Schrimpf could - - could opine to that. I don't  
9 know if he is fam - - has that much familiarity  
10 with the current legislation or the way that the  
11 current law, it reads.

12 MR. SCHRIMPF: The current legislation  
13 would merely add daycare centers and child care  
14 facilities to the existing Statute. The existing  
15 Statute, and we have in place an ordinance that  
16 mirrors the existing Statute, allows for a couple  
17 of things. Number one, if a business is in  
18 operation and is resold, then that is one of the  
19 exceptions to the - - to the requirement. There  
20 is a blanket ability for the governing body to  
21 carve out an exception in individual cases, and  
22 the 300 feet is not as the crow flies. The 300  
23 feet is by meets and bounds using established  
24 roadways, walkways, and crosswalks. So even  
25 though something is across the street, you still

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1 have to measure it.

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3 CHAIRMAN BOHL: Front door to front  
4 door.

5 MR. SCHRIMPF: Front door to front  
6 door, correct.

7 MR. RUNNER: Mr. Chair, if I may add, I  
8 think - - I know that there are a few groups and  
9 other neighbors that wanted to - - wanted to  
10 protest this increase in liquor, and - - and they  
11 - - We told them they didn't need to come down.  
12 We didn't think they - - And maybe you could hold  
13 it, in that case, so that everyone can testify.

14 MR. LERNER: Can I make a point of  
15 order here?

16 CHAIRMAN BOHL: Sure.

17 MR. LERNER: First of all, all this - -  
18 the people who wanted to oppose had an  
19 opportunity to come down here. And this is the  
20 hearing. So I would object to holding it over  
21 and making us come back another day. I think  
22 that's inappropriate.

23 The other thing, I'd like to clarify  
24 some of the comments that Mr. Runner made. He  
25 said that he was quite certain that this daycare

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1 was within - - within 300 feet. We don't have  
2 any data. We don't know where it is. We don't  
3 know if it is or if it isn't - -

4 MR. RUNNER: I can tell you where it  
5 is. We know where it is. It's not hiding.

6 MR. LERNER: I'm not saying that it's  
7 hiding. My point is, is that we don't know how  
8 far away it is. And if the State law says 300  
9 feet, are we talking 300 feet or are we not? I  
10 don't think anybody has an answer to that  
11 question. That's - - That's the only point I'm  
12 trying to make.

13 ALDERWOMAN COGGS: Mr. Chair. Mr.  
14 Chair.

15 CHAIRMAN BOHL: Alderwoman Coggs.

16 ALDERWOMAN COGGS: We can get that  
17 answer, and this can be held while we get that  
18 answer. Department of Neighborhood Services can  
19 be asked by the Alderman's office to go out and  
20 measure.

21 MR. LERNER: That's up to the  
22 committee. The final point I'd like to make is  
23 that when I talked about the block and a half you  
24 need to go to get - - or the closest Class "A"  
25 establishment being a block and a half away, Mr.

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1 Runner made a point that you only have to go a  
2 block and a half to get liquor. Well, you can't  
3 go a block and a half to get liquor, because  
4 there's only one Class "A" liquor license within  
5 the whole one square mile area on his  
6 concentration map. And the closest place is at  
7 least four blocks away, and those are - - they  
8 look like long blocks on the sheet, so - -

9 MR. RUNNER: Mr. Chair, if I may, there  
10 is an establishment right across the street, and  
11 there are eight establishments that sell alcohol  
12 within one - - within one mile of this  
13 residential neighborhood. And they're not long  
14 blocks. That, if anything, is - -

15 ALDERMAN ZIELINSKI: Mr. Chairman.

16 MR. RUNNER: - - conjecture. That's  
17 conjecture.

18 CHAIRMAN BOHL: Okay.

19 ALDERMAN ZIELINSKI: Mr. Chairman.

20 CHAIRMAN BOHL: Alderman Zielinski.

21 ALDERMAN ZIELINSKI: If I may  
22 streamline this - - this process here. I think  
23 that, you know, the committee is going to want  
24 to, you know, get verification it's within 300  
25 feet, and that's going to take some time. But

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1 these people are busy people. They took time out  
2 of their schedule. I respect them taking time  
3 out of their schedule. What I'd like to do is  
4 request that we go straight to public testimony,  
5 so that their - - that their time will not be  
6 wasted here. They can testify before the  
7 committee, and we can enter that into the record.  
8 And that will - - will factor into our decision,  
9 you know, when we take a final vote on this when  
10 we get all of the information. So if - - If I  
11 could respectfully request that - - that we do  
12 that and save everybody some time.

13 CHAIRMAN BOHL: Well, I don't have a  
14 problem going to - - to public testimony. I have  
15 a problem with holding a matter for - - for 300  
16 feet, given the fact that it - - there is no  
17 legislation anywhere, City or State, which  
18 prohibits it based on that criteria.

19 ALDERWOMAN COGGS: Mr. Chair.

20 CHAIRMAN BOHL: Alderwoman Coggs.

21 ALDERWOMAN COGGS: I just will have to  
22 respectfully - - Although the legislation isn't  
23 existing, the City has taken a position on how we  
24 feel about the legislation. So the vote to - -  
25 to vote now not know - - Like I wouldn't feel - -

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1 I'll be honest with you. I wouldn't feel  
2 comfortable supporting this for a variety of  
3 reasons, but one being the possibility of 300  
4 feet. Because as sponsor of the resolution, how  
5 contradictory would that be to say that - - that  
6 I - - And I'll say, we supported it, that we want  
7 you to be 300 feet away, but then we sit here and  
8 support the expansion of something that isn't. I  
9 just - -

10 CHAIRMAN BOHL: I don't - -

11 ALDERWOMAN COGGS: Without knowing when  
12 we can find out.

13 MR. LERNER: Chairman Bohl.

14 CHAIRMAN BOHL: I don't - - I don't dis  
15 - - I don't discount your viewpoint. However,  
16 there have been a lot of times where there is  
17 legislation that is pending in which there are  
18 applications that get in right under the squeak  
19 of the - - the wheel, and those things must be  
20 taken into consideration, based on what the law  
21 currently stands, not what the City's position is  
22 for seeking a law change. I think it - - One of  
23 the standards is, is the body acting arbitrary  
24 and capricious, and I think that if we are not  
25 abiding by and we're actually doing this based on

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1 a position on paper based on a - - a resolution  
2 which has no binding effect and no legal affect,  
3 it is arbitrary and capricious. I mean, that - -  
4 We can do - - We can hold for whatever reason - -  
5 And if there's a majority of us that desire to do  
6 so, the majority rules, and I'll respect that.  
7 But I just - - I want to state that for the  
8 record, I - - I appreciate and I support that,  
9 too, and - - and earlier this morning the - - the  
10 one item that I had that was the first item at  
11 nine o'clock, I should have just made it a point  
12 that right across the street from it, less than  
13 300 feet, is a daycare, and they're really just  
14 boom, reject it.

15 ALDERWOMAN COGGS: No, because that's a  
16 restaurant. And the law says that if 51 percent  
17 of your receipts are food-related, you are not  
18 affected by their legislation.

19 CHAIRMAN BOHL: Well - -

20 ALDERWOMAN COGGS: This is different.  
21 this is a liquor and malt license they're  
22 seeking.

23 MR. LERNER: Can I make a point,  
24 Chairman Bohl?

25 CHAIRMAN BOHL: Yeah, go ahead. Go

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1 ahead, Mr. Lerner.

2 MR. LERNER: There is nothing in the  
3 notice about being too close to a daycare center.  
4 And also, this is not just a liquor or beer  
5 establishment. He sells - - It's - - It's - -  
6 And he can tell you what he sells there. It's  
7 more of a grocery store than it is a liquor store  
8 or a beer store. Do you want to tell them what  
9 kind of things you sell there?

10 THE APPLICANT: Well, we provide  
11 everything from groceries, to meat, to  
12 restaurant, pizzas, hamburgers.

13 ALDERWOMAN COGGS: What percentage of  
14 your sales are your alcohol - - is alcohol?

15 THE APPLICANT: Well, I'll say probably  
16 30 percent or 25 percent.

17 MR. RUNNER: Mr. Chair, the Alderman  
18 has no objection. He can continue to sell food.  
19 We're not - - That's not what's at stake here.  
20 This is increased hard liquor.

21 CHAIRMAN BOHL: And what I will just  
22 say is Mr. Lerner is correct about one other  
23 point, and that is an issue, if the committee is  
24 going to consider something, it should be listed  
25 in the notice. Now what I will also say is there



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1 is no vested property rights. So if there was a  
2 desire by a committee member to hold this matter,  
3 you could be re-issued a notice which included  
4 300 feet or some other issue, because there is  
5 such a desire and that's where the majority votes  
6 are. So I - - I'll agree with you, but it  
7 doesn't prevent that - - that issue from - - from  
8 being addressed by actually holding the matter  
9 one cycle and having language reflect in a re-  
10 issued notice 300 feet as - - as an additional  
11 item.

12 ALDERWOMAN COGGS: Mr. Chair.

13 CHAIRMAN BOHL: Alderwoman Coggs.

14 ALDERWOMAN COGGS: And given, you know,  
15 your statements about 31 percent, I think I'm  
16 looking at your application in front of me and it  
17 says, alcohol is only 11 percent. You wouldn't  
18 be affected by the legislation. Am I - - Am I  
19 wrong? Isn't a percentage of sales - -

20 CHAIRMAN BOHL: I don't think so.

21 MR. SCHRIMPF: No.

22 CHAIRMAN BOHL: I don't think it is  
23 even for restaurants.

24 ALDERWOMAN COGGS: It's - - It's a  
25 carve out within the legislation.

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1 MR. SCHRIMPF: The - - The percentage  
2 of sales relates to whether or not something is  
3 defined as a restaurant, and it becomes important  
4 not so much for whether it's across the street  
5 from a church or a school, but becomes important  
6 as to whether or not underage persons can be in  
7 there unaccompanied by an adult. If it is a  
8 restaurant and 51 percent of the sales, and the  
9 Statute specifically is silent on whether we're  
10 talking gross or net.

11 ALDERWOMAN COGGS: Okay.

12 MR. SCHRIMPF: Revenues. If 51 percent  
13 of the revenues are coming from food, it's a  
14 restaurant and the significance is an underage  
15 person can be in there unaccompanied.

16 ALDERWOMAN COGGS: My point is being  
17 I'm not going to make the motion to hold it based  
18 on that, based on the percentage.

19 CHAIRMAN BOHL: By the way, I do agree  
20 with the legislation. So I - - I'm not - - I'm  
21 hoping not to - - to seem hypocritical. I hope  
22 that it moves forward expeditiously, but we have  
23 applications that proceeded that and are pending,  
24 and we have to take it into consideration based  
25 on where the laws currently stand. With that,

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1 I'll - - We'll - - We'll bring forward - - We'll  
2 swear everyone in at this point. If you could  
3 all raise your raise your right hands, please.  
4 Swear them in.

5 (Whereupon the witnesses were sworn.)  
6 CHAIRMAN BOHL: I'm going to take just  
7 a few seconds and give you guidelines. And I'm  
8 going to - - I will apologize. We've been here  
9 - - I've been here since - - for over 12 hours  
10 here. I'm going to have a quick hook. Okay. My  
11 quick hook is this much. I don't want to hear  
12 how good of a guy that - - that Mr. Hashash is.  
13 I don't want to hear that he has great meats and  
14 fresh fruit, because that's not what's before us.  
15 If he's - - If he doesn't get this license, he'll  
16 still continue to have great meats and fresh  
17 fruits. He'll hopefully still be a good guy.  
18 Okay. What we are talking about specifically is  
19 the ability for him to have additional sales of  
20 hard liquor and/or wine beyond just beer. And  
21 it's - - And it's your desire to say that it's  
22 something that you want, and this would be a  
23 convenience for you and a good thing. That's it.  
24 So how you relay that, your testimony into that,  
25 I'm going to ask you to be specific. But I don't

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1 want to hear great store, has the best fresh  
2 fruit, great meats, good guy. We'll - - We'll  
3 give all that and we'll say that that's a given.  
4 Your testimony must be specific to what's being  
5 applied for, because that won't change. All  
6 right with that. If we could get individuals  
7 here to come forward, and we can just get you to  
8 take front - - front row seats here. Unless - -  
9 Unless - - You know what? Unless otherwise  
10 somebody is not able to stand, I would prefer  
11 that we use the - - the standing - - the standing  
12 microphone. Otherwise, people get comfy in the  
13 chair, too, and then it just drags on testimony.  
14 I'm not - - I understand, if you're not able to -  
15 - to do the standing, we'll allow you take a  
16 seat. Sir, if you want to just start here, your  
17 name and your address for the record, please.

18 THE WITNESS: Hello, Councilman. My  
19 name is Pastor James H. Willis. Address is 5141  
20 North 85th Street. I'm pastor of New Recovery  
21 and Love Life Changing Ministry Church at 4723  
22 West Center 53210.

23 CHAIRMAN BOHL: And your testimony,  
24 sir?

25 THE WITNESS: I heard everything that

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1 was said. I'm not here to talk about how good or  
2 how nice he is. I'm just saying how it would be  
3 a good idea for him, because I've been at the  
4 store every morning at least four or five times.  
5 And I watched the percent of him in his alcohol  
6 sale. And when I make the ratings of the blocks  
7 that the people have to buy - - the length that  
8 they go to 38th and Center, all the way to 48th  
9 and Brown, which is five blocks or four and a  
10 half blocks. So I felt that in the past it would  
11 be a good idea. It does not bother our church,  
12 because we don't have no addicts in our church,  
13 or no alcoholics, period, in our church. So I  
14 feel that it would be a good idea to give him a  
15 chance to help him fill a need in the community.  
16 And the daycare center across the street, I don't  
17 believe there would be any - - any complaint, so  
18 it's not that close to his store. I couldn't  
19 tell you exactly how far it is, but I believe it  
20 would be a good idea. It would not affect our  
21 church. And we do buy food from him.

22 CHAIRMAN BOHL: All right. Thank you.

23 THE WITNESS: That's all I have to say.

24 Thank you very much.

25 CHAIRMAN BOHL: Thank you for your

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1 testimony.

2 MR. RUNNER: Mr. Chair, can I ask a  
3 quick question, or no?

4 CHAIRMAN BOHL: Sure. No, usually I'll  
5 just ask the committee if there's a question  
6 first. Questions by committee? All right. This  
7 will be one of the first that I'll say that we've  
8 had a church officially come out, or at least a  
9 pastor, individually in support, but so be it.  
10 Mr. Runner?

11 THE WITNESS: Yeah.

12 MR. RUNNER: Pastor, I - - Thank you  
13 for coming down to testify. As you know,  
14 President Hines is - - He supports the food  
15 license, supports the beer license, but you're  
16 saying that you and your church really want them  
17 to have hard liquor at this establishment. Is  
18 that right?

19 THE WITNESS: That's exactly.

20 MR. RUNNER: Thank you.

21 CHAIRMAN BOHL: All right. Thank you.

22 Good evening, sir.

23 THE WITNESS: Yes, sir.

24 CHAIRMAN BOHL: Name and address,  
25 please.

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1 THE WITNESS: My name is Victor  
2 Jackson. I reside at 2429 North 47th Street.  
3 Been there 15 years. Also, know Alderman Hines,  
4 also. I think you know that what he's trying to  
5 do is provide a couple jobs for people in the  
6 neighborhood, which is really a good idea. He's  
7 good for the neighborhood. He took time, you  
8 know, to bring people into the store, you know,  
9 teach them their ways of doing things. And I  
10 don't see any harm with adding extra liquor to  
11 the store when he already sell it.

12 CHAIRMAN BOHL: All right. Thank you,  
13 sir, for your testimony. Any questions for this  
14 witness? Any questions on that side of the  
15 table? Anybody? Thank you. Good evening.

16 THE WITNESS: Calvin LeVaughn.  
17 Address, 2500 North 50th.

18 CHAIRMAN BOHL: And the spelling for  
19 LaVaughn, please?

20 THE WITNESS: L-E, capital V, as in  
21 Victor, A-U-G-H-N.

22 CHAIRMAN BOHL: Okay. Thank you.

23 THE WITNESS: And I don't think that  
24 adding hard liquor will be a deterrent to the  
25 community. I mean, alcohol is legal, I mean,

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1 this guy he runs a great store. The community is  
2 great, and I just don't see where it's a problem.  
3 I don't. That's all I have to say.

4 CHAIRMAN BOHL: Thank you, Mr.  
5 LeVaughn. Are there questions committee members  
6 have? Any questions on this side of the table?  
7 Next witness. Thank you.

8 THE WITNESS: Good evening, Council.  
9 I'm Antoine Jones. 2608 North 47th Street.  
10 Spelling of my first name is A-N-T-O-I-N-E, just  
11 in case.

12 CHAIRMAN BOHL: Thank you.

13 THE WITNESS: I am here in - - in  
14 support of the liquor license. He's - - He be  
15 running - - He runs a great store. He currently  
16 already sells alcohol. We don't find bottles  
17 throughout the neighborhood. You know, so, I  
18 mean, how - - how could it - - how could it harm?  
19 I've talked to him on - - on several occasions  
20 about the economy, you know, things are - -  
21 things are bad. And this could - - this could  
22 help him. This could help our community. No one  
23 else can go - - You can't go, like - - like the  
24 pastor said, you got to go like six blocks to get  
25 alcohol. You know, I don't drink. I - - I'm not



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1 a drinker. So for me to be standing here in  
2 support of this is - - It took some soul  
3 searching and understanding. But I don't have  
4 the right to take away from anybody else's  
5 livelihood. This is his livelihood. I don't - -  
6 I don't see a problem with it. But I'm just one  
7 of your constituents.

8 CHAIRMAN BOHL: All right. Thank you.  
9 Appreciate your testimony here. Questions by - -  
10 by committee of this witness? Any questions on  
11 this side of the table? Questions? Thank you.  
12 Good evening.

13 THE WITNESS: Hi. My name is Yatoshia  
14 Straham. The spelling of my name is Y-A-T, as in  
15 Tom, O-S-H-I-A. Straham is S-T-R-A-H-A-M.  
16 Sorry.

17 CHAIRMAN BOHL: No. No, it actually  
18 reaches down more.

19 THE WITNESS: Thank you. But I don't  
20 see a problem with it. I used to drink. I don't  
21 drink anymore, and - - and the - - the closest  
22 liquor store we have is six blocks away. I think  
23 that's a little stretch for anyone to be walking  
24 when he sells everything in his store. What's  
25 the problem adding liquor. I don't see anything

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1 wrong with it.

2 CHAIRMAN BOHL: Okay. But for you  
3 personally, either way, it won't matter, because  
4 whether he has more liquor or less, it's not  
5 going to affect your support of his store. I  
6 mean, from a personal standpoint.

7 THE WITNESS: Right. It's not going to  
8 affect me, but I have family members that come  
9 over and drink, also, and I don't want to walk  
10 six or seven blocks to go to the liquor store for  
11 them.

12 CHAIRMAN BOHL: Gotcha. Okay.

13 THE WITNESS: But we'll have to.

14 CHAIRMAN BOHL: That's about as good an  
15 answer as you can give me in retort to that  
16 question, so. All right. Are there any  
17 questions that committee members have for this  
18 witness? Any questions from either one of you?  
19 Thank you. Next witness.

20 THE WITNESS: Good evening. And I'm  
21 Lawanda Cutwright. And I - - And it's C-U-T-W-R-  
22 I-G-H-T. And I live 2722 North 49th Street. And  
23 I'm new to Milwaukee. I have been here eight  
24 months. And I'm from Chicago. So it's a liquor  
25 store on every corner. But in this case, I don't

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1 have a car. And when my mother comes to visit  
2 from Chicago, she loves her wine. And I - - It  
3 is five to six blocks. I mean, I have to wait  
4 until my sister that lives here come over to get  
5 - - If I want my drink, and I do drink, I'm a  
6 Hennessy drinker, but, I mean, I'm not a ongoing  
7 drinker, but it's - - it's a convenience to me.  
8 I don't have a vehicle, and like I said, when my  
9 mother come, I do have to walk. So that's why  
10 I'm here.

11 CHAIRMAN BOHL: Thank you.

12 THE WITNESS: And I'm 33, and I know I  
13 don't look like it, but I am old enough to drink.

14 CHAIRMAN BOHL: And if you just want to  
15 hold on one second in case there are any  
16 questions here. Are there any questions by  
17 committee members? Any questions?

18 MR. RUNNER: Can I just get your  
19 address one more time, please?

20 THE WITNESS: 2722 North 49th Street,  
21 first floor.

22 MR. RUNNER: That's it. Thank you.

23 CHAIRMAN BOHL: Thank you. Other  
24 witnesses? Anyone else wishing to provide  
25 testimony? Anyone else? I don't - - Last call.

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1 Okay.

2 THE WITNESS: My name is Taliah Aitch.  
3 First name is spelled T-A-L-I-A-H. Last name, A-  
4 I-T-C-H. And I used to live on 2822 North 49th,  
5 and I moved - - Now my new address is 7159 North  
6 Park Manor Drive. And I have been going to that  
7 store for years, but I've been rarely drinking.  
8 Like everybody said, we do have to walk six  
9 blocks just to get to the liquor store. My aunt  
10 lives next door, and I go over there every day.  
11 And we always go to the liquor store, and we do  
12 have to walk all the way about six blocks.  
13 Actually, it's seven blocks from where she stays  
14 at, so I do think it would be a good idea to have  
15 a liquor license for him, so.

16 CHAIRMAN BOHL: I was going to say, did  
17 you move into a neighborhood where you're closer  
18 to liquor, but I don't think that that's the  
19 case. No.

20 THE WITNESS: No, uh-uh. Not at all.  
21 It's no liquor. The closest liquor to my house  
22 is Pick'n Save which is probably ten blocks away,  
23 where I live at now.

24 CHAIRMAN BOHL: Are there any questions  
25 by committee members of this witness? Questions

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1 on this side of the table.

2 MR. RUNNER: Ma'am, you moved to a  
3 neighborhood without a liquor store nearby.

4 THE WITNESS: Yes.

5 MR. RUNNER: Away from a neighborhood  
6 that has a lot of liquor stores.

7 THE WITNESS: Yes. But I very rarely  
8 drink. I don't drink that often at all.

9 MR. RUNNER: Thank you.

10 MR. LERNER: Just one question. You  
11 didn't move from the neighborhood because of  
12 liquor stores.

13 THE WITNESS: No, uh-uh. No, not at  
14 all.

15 MR. LERNER: Thank you.

16 CHAIRMAN BOHL: All right. Thank you.  
17 All right. Sir, last witness? Good evening,  
18 sir.

19 THE WITNESS: My name is Timothy  
20 Caldwell, T-I-M-O-T-H-Y, and I stay at 2540 North  
21 48th. And I think it's a good thing to have it  
22 there, because I'm there from the time they open  
23 up to the time they close. I do all the  
24 stocking. I put all the cooler stuff up, so it  
25 should be a good thing for them to have it there.

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1 Plus, you know, I've been there for years and  
2 that daycare that he's talking about, it hasn't  
3 been there since I've been there, and, you know,  
4 it would be a good thing for him to have it.  
5 Thank you.

6 COURT REPORTER: Last name, sir?  
7 THE WITNESS: Caldwell. C-A-L-D-W-E-L-  
8 L.

9 CHAIRMAN BOHL: All right. Mr.  
10 Caldwell, hold on one moment if you could. Any  
11 questions by committee? No questions on this  
12 side of the table. No. All right. Thank you.  
13 All right. Is that it?

14 MR. LERNER: I think we have one more,  
15 Mr. Chairman.

16 CHAIRMAN BOHL: If there's anybody  
17 else, I want you in the front row, because, you  
18 know, as I said, I shouldn't have to beg you to  
19 come up here. I want to expedite this. Thank  
20 you.

21 THE WITNESS: Yeah, my name is James  
22 Carr. James Carr. I live at 4727 West Center  
23 Street. And I don't drink, but that's a - - It's  
24 a good store and I do all my shopping there, and  
25 by all my groceries, and my kids do. And they

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1 - - And they love that store. And that's where  
2 they buy all their snacks and stuff at. You  
3 know.

4 CHAIRMAN BOHL: Thank you, Mr. Carr. I  
5 - - I don't know that there's any questions to  
6 that, because I'm going to assume that they're  
7 still going to continue to support the store, and  
8 you would, likewise. All right. Thank you for  
9 you testimony, though, and your support. All  
10 right. What I'll do, Mr. Lerner, if there's  
11 additional testimony, I mean, I don't know.  
12 There was some discussion of a motion. I don't  
13 know if one is going to be made at this point,  
14 but until I hear anything, we'll just allow you  
15 to continue to proceed forward if you have  
16 additional testimony and/or - - I mean, any  
17 additional information you want to provide to the  
18 committee.

19 MR. LERNER: Thank you, Chairman. Just  
20 - - Just a short closing. I want to make a  
21 statement, and then Mr. Hashash wanted to make a  
22 statement. You know, again, no police report.  
23 Hasn't had any problems. Nobody came down here  
24 in opposition. There's substantial testimony  
25 from people who live very close by, talking about

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1 that the store doesn't cause any problems, that  
2 there is a need for this, that they don't like to  
3 walk as far as they have to walk to get the  
4 product that - - that he is wishing to get a  
5 license that will allow him to sell. You know,  
6 that - - that, I think, wraps it up as - - as far  
7 as, you know, what we have to say. I think that  
8 the neighborhood's spoken, and his - - his record  
9 in operating the store speaks for itself.

10 CHAIRMAN BOHL: Thank you. Any - -  
11 Anything you want to add, Mr. Hashash? All  
12 right. Are there any questions that committee  
13 members had of Mr. Hashash at this point? Mr.  
14 Runner?

15 MR. RUNNER: I just want to thank the  
16 neighbors for coming out, even though we would  
17 disagree, and thank the committee members for  
18 staying so long, and once again, this is part of  
19 the business improvement district. It's taxpayer  
20 money going to build up this business. They are  
21 not in favor of this. There are neighbors who  
22 are not in favor of it. You know, it's true that  
23 the neighbors who are against it didn't show up  
24 and these people did. So, I think, obviously the  
25 committee needs to take that into consideration.



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1 We understand whatever the judgment of the  
2 committee is, we're find with, but we don't  
3 believe that this would help the neighborhood in  
4 any way.

5 CHAIRMAN BOHL: Thank you. Any other  
6 questions by committee? All right. We're in  
7 committee and what's the pleasure of the  
8 committee? Alderman Hamilton? Do I call you by  
9 default because you're getting closer to the  
10 microphone than anybody?

11 ALDERMAN HAMILTON: I'm going to make  
12 the motion that was suggested by Alderwoman  
13 Coggs, which is to hold.

14 CHAIRMAN BOHL: And, I mean, if - - if  
15 there's support for that, what I'll say is let's  
16 make it one cycle. You know, rather than even to  
17 the Call of the Chair. I mean, there has to be a  
18 due diligence on that part, and - - and, you  
19 know, I - - I would just suggest, even if there's  
20 a concern - - Because I think there's a valid  
21 concern when we run these meetings this long,  
22 that something scheduled for like three or four  
23 o'clock, and we - - I mean, it's as valid a  
24 concern for people who are supporters as are  
25 people who are opponents, as well, too. I'll

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1 acknowledge that. But if it is done, you know,  
2 then essentially work with the Licensing Division  
3 to schedule it first in the morning. That way if  
4 anybody wants to come, they come, you know, boom,  
5 and they know that their day is done.

6 Is that your motion at this point here?

7 ALDERMAN HAMILTON: To hold to the Call  
8 of the Chair.

9 CHAIRMAN BOHL: Alderman Witkowski,  
10 first here?

11 ALDERMAN WITKOWSKI: Mr. Chairman, I -  
12 - As I consider whether or not to support this  
13 motion, I would like to know whether or not this  
14 does any - - any harm to the applicant. Does the  
15 license expire prior to the date of the following  
16 Council meeting?

17 CHAIRMAN BOHL: With his - - With his  
18 current Class - - Class "A" Malt?

19 ALDERMAN WITKOWSKI: With the current  
20 Class - -

21 MS. GRILL: It expires in February.

22 CHAIRMAN BOHL: So it was recently  
23 renewed.

24 MS. GRILL: Yes.

25 MR. LERNER: Could I make a - -

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1                   CHAIRMAN BOHL: Mr. Lerner, once we're  
2 in committee we're usually done. I'll give you a  
3 brief - - brief few seconds here.

4                   MR. LERNER: Thank you, Chairman. My  
5 only concern about holding it over at this point  
6 is that it's giving the opposition another kick  
7 at the can here. Would the - - Would the  
8 committee be willing to entertain any sort of  
9 motion or make a ruling that testimony at this  
10 point is going to be locked up or - - Because  
11 they had their opportunity to - - to show up and  
12 oppose, and now they're going to get a whole  
13 other hearing, if the committee supports it, to  
14 come down here. And I just don't think that  
15 that's fair to my client who waited five hours to  
16 - - to be heard on this, who was - - who was  
17 notified about it weeks ago. I just don't think  
18 that that's equitable.

19                   MR. RUNNER: I know the Alderman would  
20 support all these people's testimony being in the  
21 record. I mean, we shouldn't - - We shouldn't  
22 cancel out - -

23                   MR. LERNER: I'm - - I'm not saying - -  
24 I'm not saying their testimony should be  
25 cancelled out. I'm saying that the testimony at

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1 this point should be - - should be over.

2 CHAIRMAN BOHL: Okay. All right. That  
3 - - With that said, we're now in committee,  
4 though. I gave you the additional two cents.

5 MR. LERNER: Thank you, Chair.

6 CHAIRMAN BOHL: All right. And - - And  
7 the two cents were the whole lot more, because it  
8 don't happen. That - - We will request  
9 transcripts from the current testimony if - - if  
10 that measure is held.

11 MR. SCHRIMPF: Already have done that,  
12 Mr. Chairman.

13 CHAIRMAN BOHL: That's - - You know,  
14 that's to the discretion of the committee, and -  
15 - and not necessarily the Chair.

16 ALDERMAN HAMILTON: Actually, Mr.  
17 Chair, I mean, I think that that's - - I think  
18 we're holding it for a particular reason, and we  
19 have long agendas, and there's no reason for us  
20 to actually open it up for a whole new debate, I  
21 think, you know, part of our reason for holding  
22 and if anybody is not sure of where they are, we  
23 know exactly why. And so, you know, so I don't  
24 mind saying that, you know, hold it to the Call  
25 of the Chair for the purpose of clarifying, you

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1 know, for clarifying our 300 foot distance from  
2 - - from the daycare, whether, you know,  
3 notwithstanding the fact that it's not  
4 necessarily law.

5 CHAIRMAN BOHL: All right. That's - -  
6 Okay. That's - - I mean, either way, it's a  
7 valid motion. And if you don't agree with it,  
8 you don't agree with - -

9 ALDERWOMAN COGGS: Mr. Chairman.

10 CHAIRMAN BOHL: The motion by Alderman  
11 Hamilton is to hold the matter at the Call of the  
12 Chair. We would - - We would continue to provide  
13 the transcripts over, but it would be with the  
14 explicit intent of - - of garnering information  
15 on the 300 foot from the nearest child care  
16 facility. On the motion, Alderwoman Coggs.

17 ALDERWOMAN COGGS: I'm - - I wouldn't  
18 be against holding it, but I - - I do think that  
19 excluding public input for any time something is  
20 put on it's publicly noticed and it's put on this  
21 agenda, I think is a - - is a slippery slope, and  
22 it's not one that I would want to go down. Now I  
23 - - I do understand what the attorney's point is.  
24 I totally understand that. But to me it's bigger  
25 than this situation. It's just, period, putting

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1 something on the agenda and - - It's not agenda  
2 only items, and - - and having excluding the  
3 opportunity for public input. It is not  
4 something I would want to - - It's not something  
5 I would want to do. And at least for the year  
6 that I've been on this committee, I haven't known  
7 us to do that before. I don't know, maybe in the  
8 past it has been done, but that's not something I  
9 would want to do.

10 ALDERMAN ZIELINSKI: Mr. Chairman.

11 CHAIRMAN BOHL: On the motion - - Let's  
12 try to expedite this, otherwise, we're going to  
13 be debating this motion longer than we would even  
14 just kind of open up and ask neighbors to come  
15 forward now here. Alderman Zielinski.

16 ALDERMAN ZIELINSKI: Mr. Chairman, I  
17 - - I have to, you know, echo the - - the  
18 comments just advanced by Alderwoman Coggs. I  
19 don't know of any situation in the past, ever,  
20 where we've held an item over for whatever  
21 reason, and we specifically provided direction  
22 that we're going to exclude any further public  
23 testimony. And so I think in order to be  
24 consistent, you know, we should leave the public  
25 testimony part open. If we - - If we've done it

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1 before, and we've gone back and forth, whatever,  
2 that's, you know, it could be a different story.  
3 But I think we're set - - we're setting - - we're  
4 going in totally new direction.

5 CHAIRMAN BOHL: The only thing that I  
6 can tell you is that there have been times in the  
7 past where the Chair has said that he will accept  
8 new testimony from both supporters and opponents,  
9 just not additional testimony from people who  
10 have already testified, unless there is something  
11 that is substantially new.

12 ALDERMAN ZIELINSKI: Right. And I  
13 agree. I think that the - - the - - As everybody  
14 agrees, the testimony of the people that took  
15 time out of their busy schedule today to come  
16 down here should remain in the record and that  
17 will be factored into the equation. But I think  
18 we should still, like we've done before, allow  
19 new testimony to - -

20 ALDERMAN HAMILTON: I mean, Mr. Chair.

21 CHAIRMAN BOHL: Alderman Hamilton. I  
22 don't have a problem with that. I just - - I  
23 think that the spirit of it, I think, I mean, it  
24 cuts both ways. You know, do you put an  
25 applicant and the people who came down at a

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1           disadvantage by doing so? Because I don't - - I  
2           don't think the spirit of the motion is to  
3           exclude anybody. The spirit of the motion is  
4           saying we're keeping it open for a particular  
5           reason. There's only - - I mean, if we're not  
6           keeping it open for that reason, then let's vote.  
7           Let's vote today, and then you have the - - You  
8           have the same impact. It's not as if the people,  
9           if this hasn't been noticed for public hearing,  
10          you haven't invited people to come down, you  
11          haven't provided that opportunity. We're saying  
12          there's something that's still left open. We  
13          want to figure out what that is, and then we'll  
14          make our vote. If that's not the case, put it to  
15          a vote.

16                   CHAIRMAN BOHL: Well, you have - - You  
17          have the motion on the table at this point here,  
18          so. If you want to proceed forward, we can  
19          proceed forward with your motion and vote on  
20          that.

21                   ALDERMAN HAMILTON: I'll proceed with  
22          the motion.

23                   CHAIRMAN BOHL: All right. As was  
24          stated.

25                   ALDERMAN HAMILTON: As was stated.



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1                   CHAIRMAN BOHL: Motion by Alderman  
2 Hamilton is to - - is to recommend holding this  
3 matter at the Call of the Chair with the explicit  
4 intent of taking no additional testimony and util  
5 - - utilizing the additional time to factor in -  
6 - to factor in whether or not we are within 300  
7 feet of - - or the licensed application is within  
8 300 feet of the nearest child care facility. Is  
9 there any objection to that motion?

10                   ALDERMAN WITKOWSKI: I'll object.

11                   ALDERWOMAN COGGS: Objection.

12                   CHAIRMAN BOHL: I'll object, as well.  
13 So it does fail. All right. We're still in  
14 committee.

15                   ALDERWOMAN COGGS: Mr. Chair, I move  
16 that we hold to the Call of the Chair.

17                   CHAIRMAN BOHL: Okay. The motion by  
18 Alderwoman Coggs is to simply hold this matter at  
19 the Call of the Chair. Let's just vote it and  
20 let your vote speak for - - for it. Are there  
21 any objections to that motion, other than my own?  
22 Hearing one objection, the motion will carry on a  
23 four to one vote.

24                   MR. RUNNER: Thank you.

25                   MR. LERNER: Thank you.



