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CITY OF MILWAUKEE

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UTILITIES & LICENSES COMMITTEE

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In the Matter of the Renewal Application for:
"Extended Hours Establishment License"

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WAQAR HUSSAIN
VRI Petromart
3105 North Holton Street

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COMMITTEE MEMBERS

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ALD. JAMES WITKOWIAK - Chair

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

ALD. JOSEPH A. DUDZIK

12

ALD. ROBERT PUENTE

ALD. WILLIE WADE

13

LICENSING DIVISION by REBECCA BARRON

14

NEIGHBORHOOD SERVICES by PANDORA BENDER

HEALTH DEPARTMENT by KEVIN HULBERT

15

POLICE DEPARTMENT by SERGAENT CHESTER 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 28th
day of March, 2006.

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P R O C E E D I N G S

VICE-CHAIRMAN BOHL: Final item of the afternoon on our 2:45 agenda, Waqar Hussain, Agent for "VRI Petromart, Inc.", Extended Hours Establishment License renewal application for "VRI Petromart" at 3105 North Holton Street.

Good afternoon to you.

THE APPLICANT: Good afternoon, sir.

VICE-CHAIRMAN BOHL: And, good afternoon, Mayor Pratt. How are you?

MAYOR PRATT: I'm good. Thank you very much, Alderman.

VICE-CHAIRMAN BOHL: Glad to have you back here. We'll - - We'll need to swear both of you in. If you could raise your right hand, please.

(Whereupon those present were sworn.)

VICE-CHAIRMAN BOHL: And to the applicant, if you could relate your name and address for the record, please?

THE APPLICANT: My name is Waqar Hussain. And the address is 3105 North Holton Street.

VICE-CHAIRMAN BOHL: I - - What I will do at this point, I need to ask you if you

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1 acknowledge receiving notice of today's meeting,
2 with the possibility your application could be
3 denied. It is cited for a neighborhood
4 objection, that the renewal of this license will
5 lead to disturbing of the peace, loitering,
6 littering, loud music and noise, drug and
7 criminal activity, curfew violations, lewd - -
8 lewd conduct, drinking in public, public
9 urination, harassment of passer - - passers-by,
10 including intimidation of residents, fighting,
11 traffic and parking problems, cruising, vandalism
12 and graffiti, trespassing and conduct which is
13 detrimental to the health, safety and welfare of
14 the neighborhood. Did you - - Did you receive
15 that notice?

16 THE APPLICANT: Yes. Thank you, I did.

17 VICE-CHAIRMAN BOHL: We'll go around
18 the horn. Health Department?

19 HEALTH: Health has no objection.

20 VICE-CHAIRMAN BOHL: Neighborhood
21 Services.

22 DNS: No objection.

23 VICE-CHAIRMAN BOHL: And we have no
24 police reports in that matter. Mr. Chairman,
25 before I pass the gavel over here, this is - -

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1 this is the last item on our agenda here then.
2 Okay. I don't know that we need Health and
3 Neighborhood Services any longer here, do we, Mr.
4 Chairman. We release them. Okay. Thank you.

5 This - - This item is cited for
6 neighborhood objections. I would like to see a
7 show of hands. Are there - - Are there
8 individuals who are here to testify in this
9 matter? Of those who are, I - - I see three
10 individuals who have their hands raised. As an
11 indication are you - - if you are in objection,
12 could you please - - Okay. All three of you are
13 here in objection to the license. Okay. What
14 - - What I'm going to do is I'm going to allow
15 the applicant to make a brief opening statement.
16 At that point we will take your testimony, hear
17 from Alderman McGee, and then move forward.

18 Mr. Hussain, I don't know if - - if - -
19 THE APPLICANT: Yes.

20 VICE-CHAIRMAN BOHL: - - in terms of
21 your - -

22 MAYOR PRATT: I'm going to represent
23 Mr. Hussain.

24 VICE-CHAIRMAN BOHL: Mayor Pratt's
25 going to represent you. Okay.

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1 MAYOR PRATT: Thank you very much. Mr.
2 Chairman, members of the committee. Mr. Hussain
3 has operated this station for about four or five
4 years now. And I know there - - there are three
5 neighbors who are here this afternoon that - - in
6 opposition to the hours. Mr. Hussain is prepared
7 to take corrective action, do what it takes, to
8 maintain the - - his hours of operation, which is
9 24 hours. There is a - - There's a timetable for
10 the complete renewal of the present building and
11 the building of a new structure within the next
12 year.

13 Part of the problem is, I have
14 observed, and I've been at the location a number
15 of times, having a granddaughter going to a
16 school maybe a block from there. Part of the
17 problem is that there are young people who catch
18 a bus on the corner. It's the northwest corner
19 of Holton and Burleigh. There are young people
20 who catch the bus going to Vincent School - -
21 Vincent High School, and also, Madison High
22 School. So they catch the bus there in the
23 morning and, you know, cause problems.

24 I know the other objection that the
25 neighbors would cite is loud music, rowdy music,

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1 all - - all the things that Alderman Bohl
2 mentioned. Mr. Hussain is prepared to have a
3 security person at that location from 12 o'clock
4 until five o'clock in the morning if this body
5 sees fit to continue its present operation. What
6 he has done within the last month is that he has,
7 you know - - There's a problem with graffiti in a
8 number of areas of the City. He has, and he
9 constantly does clean graffiti off the - - off
10 the walls' exteriors, paint it, all the exterior
11 of the building.

12 He will - - He will ensure that there
13 would be no - - He will ensure that there will be
14 no drug paraphernalia like, look, the argument
15 may be a wrap, so cigarette papers, if you
16 advertise, is that drug paraphernalia? You know,
17 that's up in the air, but I'm saying he will
18 ensure that that is not done. Because as I went
19 by there, I did see where wraps were for sale,
20 and I did think those are the kinds of things
21 that I suggested to him that he would not
22 display, that wraps are for sale. That's a legal
23 - - They're a legal product. But I don't think
24 that should be displayed. So he would do that.

25 He will work with the three people who

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1 are here, and other community groups from
2 Riverwest, and meet with them quarterly or as
3 often as they would like to meet to see that
4 everything is taken care of. I guess to - - And
5 - - And third, the loud music, as I said, with
6 the security person there, we will - - we have a
7 concern and he has a concern for the residents
8 who have been in that area 20 - 35 years, 50
9 years, that there's a place where they can live
10 and without being disturbed by folks who come
11 over and buy gas and raise a lot of Cain. So he
12 - - Mr. Hussain is prepared to do what he has to
13 do to ensure that he can continue operating in
14 the manner in which he's presently - - not in the
15 manner he's presently operating, but better than
16 he's presently operating.

17 CHAIRMAN WITKOWIAK: Thank you.

18 There's three people here to testify. Is that
19 correct?

20 MAYOR PRATT: Yes.

21 CHAIRMAN WITKOWIAK: Okay. What about
22 the other two people in the room? Are you here
23 to testify? No.

24 THE APPLICANT: They are with me.

25 CHAIRMAN WITKOWIAK: Okay. Are the

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1 three people here testifying in opposition?
2 Could you come to the microphone one at a time,
3 please? Have they been sworn in? Okay.

4 MAYOR PRATT: Mr. Chairman. While
5 we're waiting, I just want to add one other
6 thing. I was listening to a program this
7 morning, and - - and it was a group of ladies
8 that - - that - - on - - on a radio station, and
9 one of the ladies was talking about training for
10 our kids. And what's problematic is - - hits
11 right at that problem. Oftentimes, we have young
12 people going - - going to school, and they really
13 need to have their parents somewhere around so
14 they can observe them. And so a lot of the
15 problems that have been caused with this station
16 and/or by this station has been the result of
17 young people who - - who have been out of
18 control. And I'm saying - - What I'm saying to
19 you is that Mr. Hussain will take necessary
20 action to ensure that - - that he's going to be a
21 good neighbor to all - - not just these three
22 people who are here today, but to the - -to the
23 neighborhood.

24 CHAIRMAN WITKOWIAK: Thank you. Sir,
25 could the three people who are going to testify

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1 raise your right hand? We'll swear you in.

2 (Whereupon those present were sworn.)

3 CHAIRMAN WITKOWIAK: Sir, your name and
4 address for the record, please.

5 THE WITNESS: Ronald Norberg, 3148
6 North Holton Street, Milwaukee, Wisconsin.
7 Excuse me.

8 CHAIRMAN WITKOWIAK: How far away from
9 this location do you live?

10 THE WITNESS: Half a block north.

11 CHAIRMAN WITKOWIAK: Okay. And your
12 testimony is?

13 THE WITNESS: My testimony is I have
14 four points I'd like to make.

15 CHAIRMAN WITKOWIAK: Please.

16 THE WITNESS: The first one is I notice
17 kids under - - under 16 years of age after curfew
18 hours at this establishment.

19 The second one is Friday night I was
20 passing this establishment at 12:45 at night, and
21 there was six young adults there. No one buying
22 gas. There was no car there. Six young adults
23 there. I don't know their age. I would say
24 between 18 and 24.

25 Third point I would like to make is I

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1 drove one block north of the establishment, one
2 block south of the establishment, one block east
3 of the establishment, and one block west of the
4 establishment. In those four blocks there was 91
5 residential addresses, 91 residential addresses.
6 The point I'm making about that is if you go four
7 blocks north, which would be Holton and Keefe,
8 there are 21 residential addresses and there's a
9 gas station there open 24 hours a day, seven days
10 a week. However, that is more of a resi - - more
11 of a industrial area.

12 And my fourth point is if I haven't
13 convinced you yet, "hroom, hroom, hroom, hroom,"
14 two, three, four o'clock in the morning. I have
15 been woken by loud music. Many numerous times,
16 too many to count. That's all I have to say.
17 Thank you ,ladies and gentlemen.

18 CHAIRMAN WITKOWIAK: Okay. Wait.

19 ALDERMAN PUENTE: Mr. Chair.

20 CHAIRMAN WITKOWIAK: Questions.

21 Alderman Puente.

22 THE WITNESS: I'm a little hard of
23 hearing, please, from all of this loud music,
24 maybe. I don't know.

25 ALDERMAN PUENTE: Your item number one

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1 on your list regarding the curfew, the children.

2 THE WITNESS: Yes. Yes.

3 ALDERMAN PUENTE: What time is that?

4 Is it between the hours of 12 midnight and five
5 a.m.?

6 THE WITNESS: No, that was the time I'm
7 making reference to was probably about 11:30.

8 ALDERMAN PUENTE: Okay. And the boom,
9 boom, boom, when you heard that, where is that
10 emanating from?

11 THE WITNESS: It's coming from the
12 automobiles that are on Holton and Burleigh at
13 that facility.

14 ALDERMAN PUENTE: That is coming from
15 automobiles that are parked or getting gas or
16 whatever at that facility.

17 THE WITNESS: "Whatever."

18 ALDERMAN PUENTE: Do you have a clear
19 view of that?

20 THE WITNESS: Yes, I do.

21 ALDERMAN PUENTE: All right. Thank
22 you.

23 ALDERMAN DUDZIK: Mr. Chair.

24 CHAIRMAN WITKOWIAK: Alderman Dudzik.

25 ALDERMAN DUDZIK: Sir, have you ever

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1 called the police regarding the curfew violations
2 that you've observed or any of the other
3 loitering you observed from your residence
4 regarding this property?

5 THE WITNESS: I'm sorry. I didn't
6 understand the question.

7 ALDERMAN DUDZIK: I'm sorry. Have you
8 ever called the police department regarding the
9 curfew violations or any of the other complaints
10 you have regarding this particular property?

11 THE WITNESS: Many years ago, but I
12 find that they do not put that on a high priority
13 in this, so I haven't really kept calling.

14 ALDERMAN DUDZIK: Have you called the
15 police within the last four years?

16 THE WITNESS: I would think so, yes.

17 ALDERMAN DUDZIK: You have or you have
18 not?

19 THE WITNESS: I have.

20 ALDERMAN DUDZIK: Thank you.

21 MR. SCHRIMPF: Mr. Chairman.

22 CHAIRMAN WITKOWIAK: Mr. Schrimpf.

23 MR. SCHRIMPF: On a - - On a weekly
24 basis, Mr. Norberg, how many times are you
25 awakened after midnight by activities from this

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1 place?
2 THE WITNESS: On a weekly basis?
3 MR. SCHRIMPF: Yes.
4 THE WITNESS: I'd say at least once,
5 maybe twice.
6 MR. SCHRIMPF: Okay. Thank you.
7 THE WITNESS: There - - Excuse me - -
8 There are different times at night. Sometimes
9 it's two o'clock. Sometimes three o'clock.
10 MR. SCHRIMPF: Just so long as it's
11 after midnight and before - -
12 THE WITNESS: Oh, yeah. Yes. Yes.
13 CHAIRMAN WITKOWIAK: Do you have any
14 questions of this witness?
15 MAYOR PRATT: No, I don't. Thank you
16 very much, Mr. Chair.
17 CHAIRMAN WITKOWIAK: Thank you
18 MAYOR PRATT: Yes, if I could.
19 CHAIRMAN WITKOWIAK: Go ahead.
20 MAYOR PRATT: Do you think it would
21 remedy the situation if - - if the operator would
22 have a security guard there from 12 to five, and
23 he would post a loud music note, "If you have
24 loud music, no gas."
25 THE WITNESS: Yes, I do. I think

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1 that's putting the cart before the horse. Some
2 people can't read. Many people in the community
3 can't read. So you can put all the "No loud
4 music" that you want.
5 MAYOR PRATT: But the security guard
6 would - -
7 THE WITNESS: Security guard, he could
8 have done that years ago.
9 MAYOR PRATT: Right. I understand
10 that. You're right. You're right.
11 CHAIRMAN WITKOWIAK: Thank you.
12 MAYOR PRATT: Thank you.
13 THE WITNESS: My name is Jerrilea
14 Norberg. I live at 3148 North Holton Street,
15 Milwaukee 53212.
16 CHAIRMAN WITKOWIAK: Are you related to
17 the previous witness?
18 THE WITNESS: Yes, he's my husband.
19 CHAIRMAN WITKOWIAK: Okay. And your
20 testimony?
21 THE WITNESS: My testimony is that it
22 is not only between the hours of 12 and many
23 hours after that, that there is loud music. The
24 boom - - The bass from these vehicles is very
25 disturbing. It also happens between the hours of

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1 8:30 up to midnight. Very, very loud. The other
2 night I almost got on my clothes and went down
3 there. It was about, hmm, I'd say 10:30, quarter
4 to 11. By the time I got dressed, probably
5 within five to ten minutes, the vehicle was gone.
6 I went out on the porch to see, because sometimes
7 neighbors will have some loud music, but not like
8 it has in the past, because I've complained to
9 the police department. I filed charges, because
10 I was the one that heard it. By the time the
11 police got there, they didn't.

12 Also, with the gas station. I've
13 called over there. I found out the name of the
14 owner. This was about a year ago. And left
15 messages. I never got a return call. I had
16 complained to the person behind the counter about
17 the litter and the noise. It's not only litter,
18 which is - - You could pick up in the morning.
19 By the afternoon it's back there again. I don't
20 feel that I and my neighbors should have to pick
21 up all this litter from those people who are
22 littering - - littering there. And my other
23 point is that if you want snacks and you want to
24 buy gas, you can certainly buy it by ten o'clock
25 at night. I think it should be closed from ten

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1 until six. And it's disturbing and I'm tired of
2 it. I've lived here for 35 years at that
3 location, but I've lived in the Riverwest area
4 pretty much all my life, and I'm 62. And I think
5 that something should be done about it. I think
6 the owner or the person leasing it had plenty of
7 opportunity to hire a security guard, et cetera.
8 And that's all I have to say.

9 MR. SCHRIMPF: Mr. Chairman.

10 CHAIRMAN WITKOWIAK: Mr. Schrimpf.

11 MR. SCHRIMPF: Ms. Norberg, you
12 indicated that you actually went into the place
13 and tried to talk to the person behind the
14 counter - -

15 THE WITNESS: You can't go in. I
16 talked to him outside the - - the window. You
17 talk to him through the window and get your
18 things through - -

19 MR. SCHRIMPF: And what reply did this
20 person give to you.

21 THE WITNESS: Well, he said he would
22 give me the phone number of the person that owned
23 it, but I think it was the leasee, this gentleman
24 here. And I called and I - - I didn't get a
25 return call. I believe I left a message. I did

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1 that maybe two or three times. I've also gone
2 down there, but you get threatened, and some of
3 these people won't listen to you. And I don't
4 know if a security guard would be of help,
5 because they're going to threaten him or do
6 something to him, too.

7 MR. SCHRIMPF: When you say "you can't
8 get in," you mean, all the transactions go
9 through a window?

10 THE WITNESS: Yes. Yes. All the
11 transactions. You can't - -

12 MR. SCHRIMPF: Anything you buy other
13 than gas?

14 THE WITNESS: Yeah. They buy all these
15 snacks, and soda, and, you know, well, popcorn or
16 chips or candy.

17 MR. SCHRIMPF: But this is - -

18 THE WITNESS: All through this window.
19 And they - - The - - Well, it's through a window
20 and then the drawer is where they pass you the
21 stuff and you put the money through. And I'm
22 saying that people have to make arrangements to
23 get their gas and snacks earlier. And he would
24 still have the same amount of business if they
25 got it earlier, because they're still going to

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1 come there. They live, evidently, around the
2 area. And it's - - Yeah, maybe a convenience,
3 but what are they doing out in the middle of the
4 night like that, getting gas and all these
5 snacks? And I'm sorry, I feel sorry for him, but
6 I live there. He doesn't.

7 MR. SCHRIMPF: Thank you.

8 MAYOR PRATT: If I - - If I could.

9 CHAIRMAN WITKOWIAK: Alderman Pratt.

10 MAYOR PRATT: You don't think, Ms.
11 Norberg, a security person there after, say,
12 after, say from 12 to five, would - - would
13 alleviate the problem?

14 THE WITNESS: No. Not from 12 to five.
15 Maybe from ten until five, it might, and I also
16 suggested that he close down. He doesn't want to
17 do that, because it will cost him money, and
18 maybe somebody will break into the establishment
19 and steal his property, his things that he sells.
20 I don't know about that, but I know that we put
21 up with this for many years. And if I would have
22 known that we could come and speak, today, I
23 would have been here a lot sooner, and I thank
24 Alderman McGee for sending out a letter. And
25 when we called his office, they were concerned.

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1 MAYOR PRATT: Have you - - If you
2 could, Ms. Norberg, have you ever come to a
3 Utilities and Licenses Committee before on,
4 relative to this license?
5 THE WITNESS: No, because I didn't know
6 we could do that.
7 MAYOR PRATT: I guess one of - - just a
8 point of clarification to Attorney Schrimpf.
9 There are a number of locations in the central
10 city that do not open the doors, and there are a
11 number of locations in the central city, maybe
12 elsewhere, that after a certain hour you can't go
13 into the store.
14 MR. SCHRIMPF: And everything goes
15 through this drawer?
16 MAYOR PRATT: That's correct.
17 THE WITNESS: All day long. Yeah.
18 MAYOR PRATT: Yeah, there are other
19 locations that you cannot go into the - - to the
20 premises.
21 ALDERMAN WADE: Mr. Chair.
22 CHAIRMAN WITKOWIAK: Alderman Wade.
23 ALDERMAN WADE: This is - - Mayor
24 Pratt?
25 MAYOR PRATT: Yes, sir.

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1 ALDERMAN WADE: The new building that
2 this gentleman is considering building, would
3 that be the same situation with the new building?
4 People wouldn't be able to go inside or - -

5 MAYOR PRATT: No.

6 ALDERMAN WADE: Do you know?

7 MAYOR PRATT: It would be - - It would
8 be - - I do have a drawing of it. It would be a
9 convenience - - convenience store that would - -
10 would be open. It would add a lot in - - That is
11 it will be a goal to, say, within the year. It
12 would add a lot, and it would be open to the - -
13 to the public. Now may be - - It may be closed
14 at certain times.

15 ALDERMAN WADE: But you could go into
16 this new facility.

17 MAYOR PRATT: That's correct. That's
18 correct.

19 ALDERMAN WADE: Thank you.

20 CHAIRMAN WITKOWIAK: Alderman Puente?

21 ALDERMAN PUENTE: Thank you, Mr. Chair.
22 If I missed it, I apologize, but the loud music
23 between midnight and five. I know you testified
24 ten and 11.

25 THE WITNESS: Yup.

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1 ALDERMAN PUENTE: Have you heard
2 anything between midnight and five?

3 THE WITNESS: Yes.

4 ALDERMAN PUENTE: And you have a clear
5 sight of this station - -

6 THE WITNESS: Yes, I do.

7 ALDERMAN PUENTE: - - and you know it's
8 coming from that location?

9 THE WITNESS: I do, because I go out on
10 my porch and I listen. Because in the past we've
11 had a lot of rental units in the area, and we've
12 had some neighbors who were not courteous to
13 everybody, like playing cards on their porch at
14 3:30 in the morning. I've confronted them. The
15 police department says don't go across the
16 street. But they don't come. And I thought if I
17 could be a neighbor and say, "Please, could you
18 turn this down? We're trying to get sleep?" It
19 would help. But not with some people. And with
20 this establishment I always go outside on my
21 porch to listen, because sometimes down to the,
22 it seems like it's coming from one place, but
23 it's really coming from another. And it's coming
24 from down there. And, like I said, it's been
25 early in the evening, and I - - That's not - - Of

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1 course - -

2 ALDERMAN PUENTE: Well, I'm mostly
3 concerned between midnight and five o'clock.

4 THE WITNESS: Yeah, but I don't think
5 that's going to alleviate it. It's before that,
6 too. And if I go to bed at ten o'clock, it's
7 waking me up. It's also so loud if I'm listening
8 to my TV, which is in the front of the house, I
9 can't hear it.

10 ALDERMAN PUENTE: Regarding the - - the
11 litter.

12 THE WITNESS: Yes.

13 ALDERMAN PUENTE: Do you see people
14 coming - - or not coming out, because they don't
15 get to go in. But after they get their stuff out
16 of the drawers, taking the wrappers and throwing
17 them down, and so you know it's from there?

18 THE WITNESS: It's got to be from
19 there, because it's all over both sides of the
20 street. And that was complained about in the
21 past, and they said they were putting barrels
22 out, and, also, they would have their people
23 clean up around there. So they know it's coming
24 from there, and you can see it on their area when
25 the wind blows, it blows it down the block.

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1 ALDERMAN PUENTE: There's no other
2 establishments in the - -
3 THE WITNESS: No.
4 ALDERMAN PUENTE: - - immediate area
5 where that can come from?
6 THE WITNESS: Well, there - - there is
7 a bar across the street, but we've never had
8 problems with them. It's now called Love's Bar,
9 and no, I don't think - - That's a liquor store,
10 I'm sorry. Yes. Excuse me. A liquor store.
11 There's also a bar on the southeast corner.
12 There's no problems there, either. And then on
13 the northeast corner, there is the YMCA and a
14 picture and hardware store, picture framing
15 store.
16 ALDERMAN PUENTE: Thank you, Mr. Chair.
17 CHAIRMAN WITKOWIAK: Thank you. Next
18 witness, please? Name and address for the
19 record.
20 THE WITNESS: Jeff Johnson, 513 East
21 Burleigh.
22 CHAIRMAN WITKOWIAK: And how close to -
23 -
24 THE WITNESS: 120 feet.
25 CHAIRMAN WITKOWIAK: Thank you.

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1 THE WITNESS: I'm diagonal.

2 CHAIRMAN WITKOWIAK: Your testimony,

3 please.

4 THE WITNESS: Just the last week. Loud
5 music. Thursday, March 23rd, 1:44 a.m. It woke
6 me up. Friday - - or Saturday morning, March
7 25th, 12:35 a.m., it woke me up. Sunday, 3:30
8 a.m., March 26th, it woke me up. Monday, 12:40
9 a.m., woke me up. March 27th, Monday 1:26 a.m.,
10 woke me up. I have actually gotten out of my
11 house, put on my sweatpants, gone across the
12 street, and confronted the people with the - -
13 with the loud music, asking them, as politely as
14 I could under the circumstances, to please turn
15 it down, and have been threatened. Was terribly
16 scared. Walked back to my house, because these
17 people are watching me go back to my house.
18 Called the police. And they said, "Jeff, don't
19 ever do that again, or we will be mopping you
20 up."

21 So I'm scared. I mean, I - - I am - -
22 I am frightened to go over there at night. I
23 have - - I have written out the police reports.
24 I mean, I'm close enough that I can go out the
25 door. If - - If I go out the door, I can read

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1 the license plates. But from my house, I can't
2 read the license plates. So in order for me to
3 - - to make the report to the police, I have to
4 go out the door, get close enough so I can read
5 the license plate, write it down and go back in.
6 And that's like at one o'clock in the morning. I
7 have done that. I have done that. But I'm
8 getting tired, you guys. I'm really tired.

9 ALDERMAN PUENTE: Mr. Chairman.

10 CHAIRMAN WITKOWIAK: Thank you.
11 Alderman Puente?

12 ALDERMAN PUENTE: Just for the record,
13 every incident you mentioned, you know for a fact
14 that the noise was coming from the gas station.

15 THE WITNESS: I can't guarantee that,
16 no.

17 ALDERMAN PUENTE: Oh, well, which ones
18 do you know for a fact that came from the gas
19 station, other than the one where you put on your
20 sweats and went over there?

21 THE WITNESS: I can't - - None of
22 these. I can't - - I can't - - I can't testify
23 to that effect.

24 CHAIRMAN WITKOWIAK: But that - - that
25 one was, right?

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1 THE WITNESS: But the one was, yes.

2 ALDERMAN PUENTE: Thank you.

3 THE WITNESS: Can I just follow up on
4 that? I - - I assume, and this - - this is an
5 assumption. This is an assumption. But if the
6 music is staying there for two or three minutes,
7 I mean, there is a stoplight there. So there are
8 cars that go through at the stoplight, you know.
9 But that's 30 seconds. If the music is going on
10 for three, four, five minutes, that's someone at
11 the gas station. Now, that's an assumption. I
12 don't always get up and look. And this week, I
13 should have. I should have. You know, I'm - -
14 I'm thinking, you know, it's the hearing. I
15 didn't get out of bed. God damn it. And I
16 should have.

17 MAYOR PRATT: Mr. Chairman.

18 CHAIRMAN WITKOWIAK: Alderman Pratt.
19 Mayor Pratt.

20 MAYOR PRATT: Let me ask this. Have -
21 - Have you - - You - - You think possibly it
22 could be - - Have you had cruising on Holton?

23 THE WITNESS: Oh, yeah. There's
24 cruising on Holton.

25 MAYOR PRATT: Do you think any of it's

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1 related to cruising that may be happening on
2 Holton?
3 THE WITNESS: You mean, the music?
4 MAYOR PRATT: Yeah.
5 THE WITNESS: Mayor Pratt, when I get
6 up - - when I do get up and go out and look, most
7 often it is at the gas station. This week, I
8 didn't. I'm tired. I'm under a lot of stress at
9 work right now. I really need my sleep. I'm
10 sorry. I didn't get up. I should have. Sorry
11 to my neighbors that I didn't.
12 MAYOR PRATT: I apprecia - - We
13 appreciate you coming down.
14 THE WITNESS: Okay.
15 MAYOR PRATT: I'm going to say with - -
16 THE WITNESS: And I did take the day
17 off to do this. I should be working right now.
18 ALDERMAN PUENTE: Mr. Chairman.
19 CHAIRMAN WITKOWIAK: Alderman Puente.
20 ALDERMAN PUENTE: Well, you can then
21 testify to other incidents.
22 THE WITNESS: Yes.
23 ALDERMAN PUENTE: Oh, well, please do.
24 THE WITNESS: I can't give you a date,
25 though.

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1 ALDERMAN PUENTE: Well, that's okay.
2 Just give us ..

3 THE WITNESS: I just - - I just gave
4 you the incident where I got up, got out of
5 my - -

6 ALDERMAN PUENTE: That's the only other
7 one in the last year?

8 THE WITNESS: I - -

9 ALDERMAN PUENTE: We don't need dates
10 and times, just you can say that - -

11 THE WITNESS: I can say that there's
12 been more than one.

13 ALDERMAN PUENTE: Okay.

14 THE WITNESS: I can say that there's
15 been more than one.

16 ALDERMAN PUENTE: Okay. Within the
17 last year.

18 THE WITNESS: Oh, yeah. Oh, yeah.

19 ALDERMAN DUDZIK: Mr. Chair.

20 CHAIRMAN WITKOWIAK: Alderman Dudzik.

21 ALDERMAN DUDZIK: Just because you were
22 so accurately - - your distance of your house to
23 the store, are you the closest home to that?

24 THE WITNESS: No. There - - There
25 would be a home right next to Love Liquors that

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1 would be closer. There's a - - There's a - -
2 There's a residence right behind it - -

3 ALDERMAN DUDZIK: And how - - how - -

4 THE WITNESS: - - but I'm awfully
5 close.

6 ALDERMAN DUDZIK: How close is the
7 closest home in your estimate?

8 THE WITNESS: I didn't - - I didn't - -
9 I didn't step that off. I - - I just stepped it
10 off. It's like a pace, so that's - -

11 ALDERMAN DUDZIK: 60 feet? Half the
12 distance to your - - your house?

13 THE WITNESS: Probably across the
14 street, so probably 60 feet, yeah. Yeah.

15 ALDERMAN DUDZIK: Thank you.

16 THE WITNESS: And you know what? If I
17 had been a little bit more energetic, I probably
18 would have gone - - gone out and knocked on doors
19 and probably would have had more people here, but
20 I didn't.

21 MR. SCHRIMPF: Mr. Chairman?

22 CHAIRMAN WITKOWIAK: Mr. Schrimpf.

23 MR. SCHRIMPF: Just - - Just so that my
24 notes are right. The one that you did go out and
25 put your sweats on was March 27th at one p.m.?

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1 THE WITNESS: No, no. It wasn't any of
2 the - - It wasn't any of the ones that I
3 enumerated. That was earlier in the year.

4 MR. SCHRIMPF: Oh, all right. That's
5 all I have.

6 CHAIRMAN WITKOWIAK: Okay. Thank you.

7 THE WITNESS: Okay.

8 CHAIRMAN WITKOWIAK: Next person to
9 testify. Could you raise your right hand so we
10 can swear you in, please?

11 (Whereupon the witness was sworn.)

12 CHAIRMAN WITKOWIAK: Name and address
13 for the record.

14 THE WITNESS: Lucy Krajna, K-R-A-J-N-A,
15 3305 North Bremen Street, but which is not close
16 to the filling station, but which I pass ten
17 times a week during the day, coming and going to
18 work. I've lived in the Riverwest 50 years.
19 Wasn't born here. When I moved in, I moved in
20 here and I stayed.

21 This filling station is a disgrace.
22 It's filthy. It gets noticed every time. As far
23 as I'm concerned, tear it down and put a condo.
24 Because even now the filling station over on
25 Keefe has where you can go in and out and park

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1 over there. It's the same problem he has. You
2 go there. It's loud music. It's people - - If
3 you looked a funny way, you're called names. So
4 go - - Being able to go - - go in is nice. But
5 that's no safety thing in our neighborhood,
6 believe me. Putting a door to go in and out
7 doesn't cut the noise. It's coming down Holton
8 Street, loud music, and when I do stop by,
9 sometime to buy a pack of cigarettes in the
10 morning, and there's like a 100 little kids there
11 trying to get their breakfast through the window,
12 and I don't hurry up, I'd like to tell you some
13 of the names that I'm called, which I just let
14 go.

15 Holton Street is the entranceway to the
16 Riverwest to the part where I live. I live east
17 of that. For years I've been - - I'm trying to
18 clean up Holton Street. You can ask Marty
19 Collins. Putting these filling stations there
20 isn't going to do it. Door, no door, because
21 it's just like a highway. And whoever comes
22 there, whether they go in and pay, or slip their
23 money through a window, has the radio pounding,
24 got people hanging there, litter. It's way
25 beyond litter. So I say no filling station. I'm

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1 sorry. It's time to clean up Holton Street. I
2 don't even like the other one that's down
3 further. And, in fact, most of the people who
4 live over on my side. And it doesn't sound
5 right, but over on the other side, will not go on
6 Holton Street and buy gas. So you can take them
7 - - They drive over to Shorewood. Because
8 they're harassed when they go there. And the
9 radios are pounding. So I say forget it. Thank
10 you.

11 MAYOR PRATT: If I could, Mr. Chairman.

12 CHAIRMAN WITKOWIAK: Mayor Pratt.

13 MAYOR PRATT: Yes, Ms. Krajna, let me -
14 - let me ask this. So you have gone in. You
15 bought cigarettes there?

16 THE WITNESS: Yup, in the morning
17 before I come to work.

18 MAYOR PRATT: Now, as an option, right?
19 I mean, it's - - it's your option.

20 THE WITNESS: You know, it happens to
21 be, in all honesty, Marvin, it's the first
22 filling station I hit, because, otherwise, I can
23 go to North Avenue. That filling station seems
24 to be run a little bit better. Cleaner, and I'm
25 not giving that five stars either. But I'm

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1 saying, you can go in there.

2 MAYOR PRATT: The other - - The other
3 service stations, they don't sell cigarettes?

4 THE WITNESS: They do.

5 MAYOR PRATT: Okay. All right. So,
6 you know - -

7 THE WITNESS: I'm not doing this every
8 day, Marvin. This is just once in a while.

9 MAYOR PRATT: And then another thing I
10 would - - I would suggest to the committee and -
11 - and Lucy will verify this, that - - What I
12 mentioned was that if you know that the students
13 or the kids are there in the morning, catch a bus
14 going to Madison High School and going to Vincent
15 High School - -

16 THE WITNESS: I don't know where
17 they're going. A lot of them are crossing the
18 street, because there is Asquala down that way
19 and Messmer Academy. So they - - So they do.
20 But they do, and I see it, open up stuff and
21 throw the paper on the ground. And once I got
22 out of the car and said, "You should put that
23 over there," and I won't tell you what I was
24 said. So rather than get in an argument - -

25 MAYOR PRATT: Put it over where?

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1 THE WITNESS: This - - There was a - -
2 at that time a green city basket there.
3 MAYOR PRATT: Is there a receptacle or
4 a - - dumpsters there?
5 THE WITNESS: I can't remember.
6 MAYOR PRATT: This was there?
7 THE WITNESS: Yeah.
8 MAYOR PRATT: Have you noted if it's
9 been cleaned? If the premise or the exterior was
10 clean?
11 THE WITNESS: I just glance over and
12 check it out. No, I don't hang around and check
13 it out.
14 MAYOR PRATT: Okay.
15 THE WITNESS: Okay.
16 CHAIRMAN WITKOWIAK: Is there anyone
17 here to testify in support besides the people at
18 the table? No. Okay. Alderman McGee.
19 ALDERMAN MCGEE: Yes, thank you, Mr.
20 Chair. I want to preface my comments by saying
21 that my constituency, when I did survey all the
22 24 hour establishments, I would say 90 percent of
23 the 24 hour establishments in my constituency, if
24 they had an opportunity, this hearing would be
25 going longer, and because of the mix-up between

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1 my office and the license division, we didn't
2 schedule the other applicants. But a lot of
3 those other applicants, especially on Holton,
4 have all had serious objections to 24 hours,
5 because of some of the activity that you've
6 witnessed today.

7 I live a block and a half away from
8 this Citgo - - not Citgo station, but - - I guess
9 it is a Citgo. I couldn't tell it was, but - -

10 MS. KRAJNA: Generic.

11 ALDERMAN MCGEE: But it is a Citgo
12 station, and has a lot of things that I can't say
13 that are definitely true about the location.
14 Imagine being elected into office and the first
15 person you meet is Lucy, and she's like, "Make
16 that one of your priorities." So imagine that.
17 Just imagine that. "Make that station one of
18 your priorities." That was one of the first
19 things, you know, I've heard from her. And she
20 has - - She has every reason. In the
21 neighborhood they definitely - - If more people
22 would come. I have had a lot of people from
23 different associations that have had this station
24 on their list to just tear it down, period.

25 When I did first meet the owner

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1 recently, Mr. Hussain, I let him know that, you
2 know, that station was subject to a lot of
3 scrutiny from the community, and it looked - - it
4 was in terrible shape. And he understands that,
5 and he made some suggestions of things that he
6 would do in light of the concern, and I - - and I
7 agree. And I think he should try to work on
8 those different aspects of making the
9 improvements to the store. I know that he
10 doesn't own the store, and the owner is very much
11 reluctant to make changes. But if you - - You're
12 hearing about these stations, and there's not a
13 customer, a constituent or - - or a
14 customer/owner relationship at all. It's just
15 like you walk up to the - - to the station and
16 you put money into the box, and then you, you
17 know, you receive the change back or you have to
18 point out of a litany of items within the store.
19 I really thought somebody just lived in the store
20 24 hours. I never seen anybody come out of it.
21 I thought it was a mattress literally on the
22 ground, and somebody just woke up and, you know,
23 took the money. I really thought that. And - -
24 And I really don't know if a security guard at
25 this point would - - would really make anything

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1 better over there, because there's not anywhere
2 for the security guard to be unless he had a
3 squad car. Maybe that would be helpful.

4 I coached basketball this summer, and a
5 lot of my young guys that play on my team, they
6 go to the Y. After they're at the Y at ten
7 o'clock at night or nine o'clock at night, they
8 go to the station. They hang out at the station.
9 After curfew is - - is a different story.
10 Between 12 and five, I really think the place
11 should not be open until, you know, the owner can
12 show that he's willing to make some serious
13 changes. Because this is a safety hazard. I'm
14 just keeping an eye on this, that the location
15 remains open as it is without customers being
16 able to go in and out the store. So if he can
17 show those changes within the next year, I would
18 support - - you give him more support. But I
19 don't know if 24 hours would ever be a option
20 along any of those street for any of those
21 locations on Holton Street.

22 CHAIRMAN WITKOWIAK: Thank you. Mayor
23 Pratt, do you have any closing?

24 MAYOR PRATT: If I could. Yeah, to - -
25 to the alderman. Alderman, you think a new

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1 station would - - would remedy the problem?

2 ALDERMAN MCGEE: I don't think a new
3 station would garner a 24 hour interest either.
4 There's still some conditions in the neighborhood
5 that we would have to work on to make - - make it
6 more of a safe neighborhood before 24 hours
7 should be any - - any location in that area. So
8 a new station would make it look nicer, because
9 it does not look like it should. It looks like
10 one of the worst stations in this whole City.

11 MAYOR PRATT: It's probably one of the
12 old - - oldest stations in the City, and I just
13 noted even today the infrastructure, concrete
14 sidewalk, is - - is one of the - - I'm sure it's
15 one of the older stations in the City. And what
16 I am saying though is that the owner will build a
17 new station in the next year. In other words,
18 that station will be replaced. It will be open
19 to the public. He will have security people
20 there from 12 to five. Will meet with the
21 residents in the area, and insofar as - - insofar
22 as any kind of negative feedback or negativity
23 coming from that station, he would do everything
24 that's humanly possible to correct that, and to
25 - - to take corrective action to right any - -

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1 any wrongs relative to the people who live there.
2 Graffiti has been off the walls. If I
3 could, just one other question, alderman, and I
4 know you've been by there lately. It is cleaner,
5 right? The station is clean right around the
6 station.

7 MR. MCGEE: I wouldn't say and lie
8 about that. I live down the street from it.
9 It's gonna always be dingy. It's always going to
10 be a dingy station.

11 MAYOR PRATT: Oh, right. I agree.

12 MR. MCGEE: I actually had pictures,
13 you know, today. I didn't want to just come in
14 and - - and I would say to totally disrespect
15 yourself or the owner, but, you know, I could
16 have brought pictures and show that there's
17 wrappers. I never seen a store like this where
18 you come to the store, you have to look through
19 all the different tobacco blunt wrappers, just to
20 see the face of whoever is running the
21 establishment. Because it's so many - - It's
22 just like bombarded, blanketed, and right now it
23 might not be as many, but there's still a lot of
24 signs there, and because of the language
25 barriers, people have to say I want the grape

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1 blunt, or I want, you know, the strawberry blunt,
2 or this one or that one. Pointing is not a real
3 communication going on between the owner of the
4 store and - - and the patrons that come to the
5 store.

6 CHAIRMAN WITKOWIAK: Thank you. This
7 matter is in committee.

8 MAYOR PRATT: If - - If - - If I - -
9 Just one other comment. I know you, Mr.
10 Chairman, you did say the matter is in committee.
11 To the - - To Ms. Barron. Is it - - Is - - Is
12 there a compromise position? Is it 12 o'clock
13 versus - - versus all 24 hours, or could it be
14 two o'clock or three o'clock versus 12 o'clock?

15 MS. BARRON: It can be anywhere between
16 12 and five, if that would be something that they
17 wanted to amend the application to. But right
18 now, we're considering the 24/7, because that's
19 what the renewal application was filed as.

20 MAYOR PRATT: What I guess I would ask
21 the committee to consider, a two o'clock closing
22 with security being there from ten to two.

23 CHAIRMAN WITKOWIAK: Okay. Do you - -
24 Right now we're hearing the 24/7 versus closing
25 at midnight and opening at five a.m. That's what

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1 we're hearing right now. Do you wish to amend
2 your application at this time?

3 MAYOR PRATT: Yes.

4 CHAIRMAN WITKOWIAK: I guess we're not
5 - - we're not going to play, "Let's Make a Deal"
6 here. You - -

7 MAYOR PRATT: Yes.

8 CHAIRMAN WITKOWIAK: You tell us, you
9 show us what you have, and then we're going
10 to - -

11 MAYOR PRATT: Yes, he would like to
12 amend the application.

13 CHAIRMAN WITKOWIAK: He would like to
14 amend his application to stay open until two a.m.
15 Is that correct? So he would close from two
16 until five.

17 MAYOR PRATT: The other stipulation,
18 you know, and I have the Norbergs behind me, and
19 I, you know, I was, I'm going to say, in the
20 business long enough to - - to be considerate of
21 neighbors and their concerns, that security would
22 be there from ten to two.

23 CHAIRMAN WITKOWIAK: Thank you. And
24 just, Alderman McGee, based on the - - based on
25 the amended application, does that change your

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1 opinion of anything?

2 ALDERMAN MCGEE: No, that doesn't
3 change my opinion. I really think security
4 should be there until 12 o'clock, if that's the
5 case. He really needs to make some serious
6 changes to that location to get the faith and - -
7 and a real good response from the neighborhood.
8 And if he doesn't do that, then they really don't
9 want to even have the store there.

10 CHAIRMAN WITKOWIAK: Okay. All right.
11 This matter is in committee, and this is - - this
12 is the extended hours establishment license
13 renewal application for VRI Petromart at 3105
14 North Holton Street, and the - - the application
15 has been amended to stay open until two a.m.
16 Matter is in committee.

17 ALDERMAN BOHL: Mr. Chairman.

18 CHAIRMAN WITKOWIAK: Alderman Bohl.

19 ALDERMAN BOHL: At this point I would
20 move for denial of the application, based on
21 neighborhood objections as testified hereto. I
22 just believe that given - - given the testimony
23 in our previous - - our previous applicants
24 earlier, this one certainly warrants consistency,
25 and we - - we did motion to - - to close a few

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1 other licenses for similar type problems.

2 CHAIRMAN WITKOWIAK: Motion by Alderman
3 Bohl is to recommend denial of the extended hours
4 establishment license for 3105 North Holton
5 Street. Is there any discussion on the motion?

6 ALDERMAN WADE: Mr. Chair, on the
7 motion.

8 CHAIRMAN WITKOWIAK: Alderman Wade.

9 ALDERMAN WADE: I just want to add a
10 little commentary for people who may be watching
11 and who want to come in front of this committee,
12 is that they may want to take note of this and
13 try to be more pro-active about working with
14 people in the community than being reactive to
15 it. And I - - I will be supporting this motion.

16 CHAIRMAN WITKOWIAK: Thank you for your
17 comments, Alderman Wade. Is there any further
18 discussion on the motion? Is anyone opposed to
19 the motion? Okay. And the - - the motion
20 carries on a vote of five to zero.

21 MR. SCHRIMPF: Mr. Hussain, Mr. Pratt,
22 the committee is going to be doing findings of
23 fact and conclusions of law, recommending
24 nonrenewal of the extended hours license as
25 amended from two a.m. to five a.m. You will

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1 receive a copy of that recommendation. You will
2 have an opportunity to submit written objections
3 to that recommendation, as well as appear before
4 the Common Council when it meets on this matter
5 at approximately nine a.m. on April 11th, 2006 in
6 the Common Council chambers of this building.
7 And Mayor Pratt knows exactly where that is.

8 MAYOR PRATT: If - - If I could, Mr.
9 Chairman. Just one clarification. The motion
10 that was before us was from two to five. So does
11 it - - does it say, is it automatic that the - -
12 the facility is closed from 12 to five? Is that
13 - - Or should another - -

14 CHAIRMAN WITKOWIAK: Well, the
15 application was amended to go to two a.m. and
16 that - - that was recommended for denial.

17 MR. SCHRIMPF: And that was recommended
18 for denial.

19 CHAIRMAN WITKOWIAK: So the other issue
20 is not on the table.

21 MR. SCHRIMPF: Correct. If you don't
22 have an extension, it means you have to close at
23 midnight. You can reopen at five a.m.

24 MS. BARRON: Mr. Chair. And this would
25 be effective on May 1st.

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MAYOR PRATT: May 1st. Thank you very
much.

CHAIRMAN WITKOWIAK: Thank you.
* * * * *

STATE OF WISCONSIN)
MILWAUKEE COUNTY)

I, JEAN M. BARINA, of Milwaukee Reporters
Associated, Inc., do certify that the foregoing
transcript was reduced to writing under my direction
and that it is a true and accurate transcription of
the Licenses Committee Hearing held on March 28, 2006.

JEAN M. BARINA - COURT REPORTER

Dated this day of April, 2006

