10	OK, Cligo on Teulonia	ondenser	U & L Hearing on 9/10/04
1	CITY OF MILWAUKEE	Page 1	Page 3
2	UTILITIES & LICENSES COMMITTEE	1	CHAIRMAN WITKOWIAK: And do you admit to
۷ ^	Tribilist & Bichnes Committee	2	receiving notice that there's a possibility that your
۵ ,		3	application could be denied because of items contained
4	In the Matter of:	4	in the police report, and that if this location, if
5	TOCR, Surjit S., Agent for "Singh, Inc.", 24-Hour Establishment application for "Citgo on Teutonia"	5	licensed as a 24-hour establishment, will be the
6	at 3531 North Teutonia Avenue.	6	source of littering, loitering, excess traffic,
8	COMMITTEE MEMBERS	7	disorderly conduct, noise generated by traffic, and
9	ALD. JAMES WITKOWIAK - Chairman	8	other conduct which is detrimental to the health,
10	Ald. James Bohl, Jr Vice Chair	9	safety and welfare of the neighborhood?
11	Ald. Joseph A. Dudzik	10	MR. TOOR: Yes, I did.
12	Ald. Robert Puente	11	CHAIRMAN WITKOWIAK: Okay. Thank you.
13	Ald. Willie Wade	12	Do you want to give us a brief opening statement?
14	nau, nizite muut	13	Tell us why you feel that why you're applying for
15		14	this license.
16	DEPARTMENT OF NEIGHBORHOOD SERVICES by PANDORA BENDER	15	MR. TOOR: Well, I built this place in 1999,
17	HEALTH DEPARTMENT by PAUL ZEMKE	16	and since then we are 24 hours, and that's why we'd
18	,	17	like to keep it that way.
19	LICENSING DIVISION by JAMES COPELAND	18	CHAIRMAN WITKOWIAK: So you're currently
20	POLICE DEPARTMENT by SERGEANT JOHN HOGAN	19	operating as a 24-hour establishment?
20	OFFICE OF THE CITY ATTORNEY by BRUCE SCHRIMPF	20	MR. TOOR: Yes.
22	Proceedings had and testimony given in	21	CHAIRMAN WITKOWIAK: For how many years?
23	the above-entitled matter, before the UTILITIES & LICENSING COMMITTEE OF THE CITY OF MILWAUKEE, on	22	MR. TOOR: Since 1999.
23	the 10th day of September, 2004, reported by Donna Gulczynski of Milwaukee Reporters Associated, Inc.	23	CHAIRMAN WITKOWIAK: Okay. So this is a
25		24	renewal?
23		25	MR. COPELAND: This is a new application
	Pa	age 2	Page 4
1	PROCEEDINGS	1	because the law was not in effect. This is the first
2	(NOTE: All City Personnel Were Sworn Under	2	time he's applied for a 24-hour. He's been operating
3	Oath Prior to These Proceedings.)	3	as a 24-hour prior to the establishment of the
4	CHAIRMAN WITKOWIAK: Also in the 6th	4	ordinance. Now he's applying under the ordinance to
5	District, Surjit Toor, agent for Singh, Incorporated,	5	be a 24-hour.
6	a 24-hour Establishment application for "Citgo on	6	CHAIRMAN WITKOWIAK: And the ordinance
7	Teutonia" at 3531 North Teutonia. Would you raise	7	
8	Total Transfer of the Contract	7	requires now that he applies and comes before this
	your right hand and be sworn.	8	body.
9	-	8	
9 10	your right hand and be sworn.	8	body.
	your right hand and be sworn. (Whereupon Surjit Toor was sworn under oath.)	8 9	body. MR. COPELAND: Yes.
10	your right hand and be sworn. (Whereupon Surjit Toor was sworn under oath.) CHAIRMAN WITKOWIAK: Sir, are you going to) 8 9 10	body. MR. COPELAND: Yes. CHAIRMAN WITKOWIAK: Thank you for
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10 11 12	your right hand and be sworn. (Whereupon Surjit Toor was sworn under oath.) CHAIRMAN WITKOWIAK: Sir, are you going to testify in this matter? MR. PAIGE: Yes.) 8 9 10 11 12	body. MR. COPELAND: Yes. CHAIRMAN WITKOWIAK: Thank you for clarifying that. ALDERMAN BOHL: Mr. Chairman? CHAIRMAN WITKOWIAK: Alderman Bohl.
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10 11 12 13 14 15 16 17 18 19 20 21	your right hand and be sworn. (Whereupon Surjit Toor was sworn under oath.) CHAIRMAN WITKOWIAK: Sir, are you going to testify in this matter? MR. PAIGE: Yes. CHAIRMAN WITKOWIAK: Is there anybody else who's going to testify in this matter? All right. Keep your hands up. (Whereupon all witnesses were sworn under oath.) CHAIRMAN WITKOWIAK: Would you state your name and address for the record? MR. TOOR: Surjit Toor. CHAIRMAN WITKOWIAK: And your address, sir?	8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	body. MR. COPELAND: Yes. CHAIRMAN WITKOWIAK: Thank you for clarifying that. ALDERMAN BOHL: Mr. Chairman? CHAIRMAN WITKOWIAK: Alderman Bohl. ALDERMAN BOHL: Mr. Toor, are you presently operating a 24-hour establishment? MR. TOOR: Yes. ALDERMAN BOHL: Do you realize you're doing so illegally? MR. TOOR: No. We've had our approval from Board of Zoning since I opened in 1999. ALDERMAN BOHL: Board of Zoning Appeals is

TOC	OR, Citgo on Teutonia	Condensel	t ^M U&L Hearing on 9/10/04
	Pa	age 5	Page 7
1	now we got this.	1	MR. TOOR: About 30 feet.
2	ALDERMAN BOHL: I'll just let you know now	2	CHAIRMAN WITKOWIAK: Mr. Toor, we'll tell
3	that Alderman McGee is aware, tonight you better shu	ıt 3	you when it's time for you to speak, okay? Mr. Paige?
4	down at midnight, because if he sends the police over	3	MR. PAIGE: Maybe 40 feet, because I just
5	there, you'll be cited every night.	5	walk right across from my house and I'm there. I've
6	MR. TOOR: Nobody told me. I talk to the	6	been living there for 30 years.
7	city all the time.	7	CHAIRMAN WITKOWIAK: And you see that this
8	ALDERMAN BOHL: I'm telling you now. A fact	8	has a detrimental effect on your the peaceful
9	is a fact is a fact.	9	enjoyment of your property?
10	CHAIRMAN WITKOWIAK: Mr. Schrimpf, were all	1 10	MR. PAIGE: Definitely, definitely. You
11	stations that were doing this properly noticed?	11	know, I had one of my neighbors to tell me See, I
12	MR. SCHRIMPF: Yes.	12	was against it when they started building it. I was
13	CHAIRMAN WITKOWIAK: So that anybody that i	s 13	dead against it. And I had one of my neighbors who
14	operating without having gone through this committee	14	told me that this would increase the property value,
15	and subsequently is operating	15	and I can't see how.
16	MR. SCHRIMPF: Right. So that there's no	16	And I said, well, my She said my property
17	confusion about this, there had been a zoning issue,	17	value was raised. I said it was going to go up
18	and previously, whether or not a premises is operated	18	anyways for tax purposes, and that's what I told her.
19	on a 24-hour basis was a zoning issue.	19	And I said it increased it until you get ready to sell
20	As of May 1st, not only do they have to be	20	it. Who's going to buy that property, you know, other
21	zoned to operate 24 hours, but they have to have a	21	than have it for a rental property, and that's going
22	license in addition to operate 24 hours, so it's just	22	to bring the neighborhood further and further down.
23	like a bar. You got to be zoned properly in order to	23	So I know for a fact my property went down, but they
24	be a bar, and you have to have a license.	24	raised it for tax purposes, I know that much. And I
25	You've got to be zoned properly to operate	25	talked to this gentleman concerning the littering.
	P	age 6	Page 8
1	a 24-hour establishment, and you have to be licensed		CHAIRMAN WITKOWIAK: Yes.
2	after May 1st.	2	MR. PAIGE: I don't know if I spoke to him
3	CHAIRMAN WITKOWIAK: Okay. Do you	3	about the noise, but I took pictures of the littering.
4	understand that?	4	I took pictures, you know, of guys that's going over
5	MR. TOOR: I made this application, I think,	5	there in the area just peeing right before our eyes.
6	before May.	6	CHAIRMAN WITKOWIAK: You've seen that
7	CHAIRMAN WITKOWIAK: No, but do you under-	- 7	yourself?
8	stand what the city attorney just said?	8	MR. PAIGE: Yes. I took pictures, but I
9	MR. TOOR: Yes, I do.	9	couldn't find the film to get it developed, but I did
10	CHAIRMAN WITKOWIAK: Okay. Well, you have	e 10	get some developed if you want to look at them. The
11	to adhere to that then. Okay. So far are there any	11	littering I mean it's just terrible.
12	other questions by the committee? Sir, your name an	id 12	ALDERMAN BOHL: Mr. Chairman, I'll move to
13	address for the record, please?	13	have those pictures made a part of the record.
14	MR. PAIGE: Otis Paige. Address, 1929 West	14	CHAIRMAN WITKOWIAK: Alderman Bohl would
15	Keefe Avenue.	15	move to make these photographs a part of the record.
16	CHAIRMAN WITKOWIAK: And Mr. Paige, what	is 16	Hearing no objection, so ordered. Thank you very
17	your testimony?	17	much. Do you have any specific questions? Go ahead,
18	MR. PAIGE: My testimony is the littering,	18	Mr. Paige.
19	the noise and a question as far as why and what kind	19	MR. PAIGE: But the question I still haven't
20	of services is it doing for the community and the	20	got a clear answer on is what is the purpose of it
21	people that live in that area for this establishment	21	being open 24 hours.
22	to be open for 24 hours. How does it help the people	22	CHAIRMAN WITKOWIAK: That's what we're here
23	that live in the area.	23	to discuss.
24	CHAIRMAN WITKOWIAK: Mr. Paige, how far do	24	MR. PAIGE: You know, this is what I've been
1		I	

you live from there?

listening to. At 1, 2:00 in the morning when you just

Page 11

Page 12

Page 9 get into a sleep, here come a car with boom boxes 1 2 blasting, I mean waking you up. They don't more than 3 maybe \$5 worth of gas or a pack of cigarettes, but 4 look at the damage you're doing to the neighbors. 5 5 CHAIRMAN WITKOWIAK: Right. 6 6 MR. PAIGE: You know, just pulling up in 7 there and -- They got it locked down for their 7 8 protection, but what is it doing for us, you know. 8 9 9 I know the place is there now, but I still can't see 10 where it's helping the community being open 24 hours. 10 11 11 I just can't see it. CHAIRMAN WITKOWIAK: Okay. Thank you. 12 12 Questions, comments by committee? 13 13 14 14 ALDERMAN DUDZIK: Mr. Chairman, CHAIRMAN WITKOWIAK: Alderman Dudzik. 15 15 ALDERMAN DUDZIK: Two real quick questions. 16 16 How long have you said you lived there? 17 17 18 18 MR. PAIGE: Thirty years. ALDERMAN DUDZIK: Thirty years. Wow. And, 19 19 20 sir, you've been in business how long? 20 21 MR. TOOR: In Milwaukee, 25 years. 21 22 ALDERMAN DUDZIK: At that location. 22 23 23 MR. TOOR: Since '99. 24 24 ALDERMAN DUDZIK: Thank you. 25 CHAIRMAN WITKOWIAK: Any other questions by 25 Page 10

my opinion we still don't.

They have provided us with noise, excessive noise, trash that is unbelievable, drugs, prostitutes, gunshots, gang violence, urinating on the premises and in the alley.

Recently my son-in-law and daughter and I were sitting on our front porch. One of his patrons was getting gas at the pumps. The patron's rider, the person that was in the car with him, got out of the car, walked around the fence off of his property, up into the alley which is right next door to his property, urinated, and went back around and got in the car.

CHAIRMAN WITKOWIAK: You saw that personally?

MS. WALLACE-CONNOR: I saw it sitting on my porch. His business is a neighborhood nuisance. I would like to see it closed completely. If that cannot happen, I would really like to see it closed at 9:00 at night when his liquor store, which is right next door, closes.

His patrons are a nuisance. They sell drugs. There was a young man in his store one night, and he stood there in the store and said, "When you all get your blunts, come across the street, I got the

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committee? Mr. Toor, do you have any questions of
this witness.
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MR. TOOR: Not really. I only got a question about those pictures.

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CHAIRMAN WITKOWIAK: Those pictures? MR. TOOR: Yeah, because only one picture shows that I've got soda cans poured out that maybe some kids had thrown away without closing them. The other ones are all on the other side of the street corner. And we go across the street to clean that, too

CHAIRMAN WITKOWIAK: Okay. Thank you. Ma'am, your name and address for the record, please? MS. WALLACE-CONNOR: My name is Carol Wallace-Connor. I live at 1925 West Keefe Avenue, and I've lived there for 36 years.

CHAIRMAN WITKOWIAK: How close are you to 17 18 this location? 19

MS. WALLACE-CONNOR: Maybe 10 feet closer than Mr. Page. I live right next door to him. CHAIRMAN WITKOWIAK: And your testimony?

MS. WALLACE-CONNOR: My testimony is that I have lived on this block for 36 years, and until 1999 there was no gas station on that corner. Up to then we never needed a gas station on that corner, and in

weed for you." This is the kind of people he attracts to our neighborhood.

These people -- We've seen girls stand on the corner on his property where there is a phone booth right across the street from my house. The young lady makes a phone call. A few minutes later a car drives up. She drives off in the car. She's dressed very scantily, very suggestively. Not too much later you'll see her come back, make another phone call, and she's off again. Now I don't know what you think that is, but I think it's prostitution, and it's happening on his property.

The business that he brought to our neighborhood has not enhanced our neighborhood in any way, form or fashion, but it has provided us with excessive trash. We have to clean up because -- He says he cleans up, but he can't clean up after all those people because he has a lot more customers than he has had clean-up people. He can't clean up after all of them. We clean it up every day, sometimes two or three times a day, and the mess is coming from his store.

His concern is not for our neighborhood. His concern is not for beautification or any way enhancing our neighborhood. His concern is for money.

IUU	K, Citgo on Teutoma Conta	711 3V A 1	
	Page 13		Page 15
1	And that's all it's about. He lives out in Franklin.	1	your own knowledge.
2	He doesn't live in this trash pit that he's created.	2	MS. WALLACE-CONNOR: Well, it happens
3	Tell him to take his business out there.	3	frequently. Weekends of course are worse, but it
4	Calling the police is not effective. They	4	happens frequently.
5	never come in time to do anything about what's going	5	MR. SCHRIMPF: That was my question. All
6	on. If there is a noisy car or whatever over there,	6	right.
7	by the time you get the police over there, they're	7	ALDERMAN DUDZIK: Mr. Chair?
8	gone, so it's not effective.	8	CHAIRMAN WITKOWIAK: Alderman Dudzik.
9	And I'm hoping that the initiative that	9	ALDERMAN DUDZIK: Ma'am, you have called the
10	Mr. McGee the community enforcement agency that	10	police on this?
11	you were talking about, that rapid response team, may	11	MS. WALLACE-CONNOR: Yes, I have.
12	be helpful in this matter because the police are not	12	ALDERMAN DUDZIK: And with regards to the
13	able to do what we need done on that corner, and I'm	13	scantily clad female, when you notice her, do you
14	depending on rapid response to help us with this. But	14	contact the police when you notice her?
15	in the meantime this business should not be open 24	15	MS. WALLACE-CONNOR: I never have because
16	hours a day.	16	she's always gone. By the time the police get there,
17	CHAIRMAN WITKOWIAK: Thank you for your	17	she won't be there.
18	testimony. Carol, just so you're aware of this, the	18	ALDERMAN DUDZIK: But you says she comes and
19	actual jurisdiction to say whether this gas station	19	goes?
20	can operate there at all or not is a matter for Board	20	MS. WALLACE-CONNOR: She has come and gone,
21	of Zoning Appeals, but we're here to hear the 24-hour	21	yes, but it's not a thing that you can time or tell
22	thing today just so you're aware of that.	22	the police to sit there and wait for her.
23	MS. WALLACE-CONNOR: Okay.	23	ALDERMAN DUDZIK: Because I know that when I
24	ALDERMAN PUENTE: Mr. Chair.	24	work with the police department on a number of issues
25	CHAIRMAN WITKOWIAK: Alderman Puente.	25	in my own district, what I ask my constituents is to
	Page 14		Page 16
1	ALDERMAN PUENTE: What time is this	1	give them times and days, and it's quite effective to
2	occurring, all the things you're mentioning? What	2	have a squad in the area, you know, in that time
3	time of the day?	3	frame, and the police do the best that they can with
4	MS. WALLACE-CONNOR: Most of the time it's	4	the resources that they have.
5	at night, early evening into the early morning, but in	5	MS. WALLACE-CONNOR: Oh, I know they do.
6	the midday, too, you can see it.	6	ALDERMAN DUDZIK: Thank you.
7	ALDERMAN PUENTE: Is it happening after	7	ALDERMAN PUENTE: Mr. Chair.
8	midnight?	8	CHAIRMAN WITKOWIAK: Alderman Puente.
9	MS. WALLACE-CONNOR: Oh, yes. Oh, yeah,	9	ALDERMAN PUENTE: Just to add to that, if
10	that's when they come out.	10	you see them getting into cars, get the license plate
11	ALDERMAN PUENTE: Thank you.	11	and description of the vehicle, and they can follow up
12	CHAIRMAN WITKOWIAK: Mr. Schrimpf?	12	on that.
13	MR. SCHRIMPF: Thank you, Mr. Chairman.	13	MS. WALLACE-CONNOR: Oh, I never thought of
14	Just to follow up on that, ma'am, is there a time	14	that, Okay.
15	period during the course of the night when the	15	ALDERMAN PUENTE: There's a new task force
16	activity seems to settle down?	16	that the chief has started with prostitution. I don't
17	MS. WALLACE-CONNOR: Probably about 5:00 in	17	know if you've heard or seen it on the media, but it
18	the morning, 4:00 in the morning.	18	will depend on the citizens to give them that informa-
19	MR. SCHRIMPF: Okay, thank you. Does this	19	tion, and it would help them tremendously. Thank you,
20	happen every night, or is it worse on weekends?	20	Mr. Chair.
21	MS. WALLACE-CONNOR: Well, it happens during	21	CHAIRMAN WITKOWIAK: Thank you. Mr. Toor,
22	the week, too. I can't say	22	do you have some questions of this witness?
23	MR. NEWTON: Every night, every night.	23	MR. TOOR: I would just like to answer about
24	MS. WALLACE-CONNOR: Okay. Every night.	24	the one on urinating. We got a bathroom open 24
1	MR. SCHRIMPF: You've got to testify as to	25	hours. We don't even lock that. A customer doesn't
1	MS. WALLACE-CONNOR: Okay. Every night. MR. SCHRIMPF: You've got to testify as to	24 25	the one on urinating. We got a bathroom open 24

LOC	or, Citgo on Teutonia	Conde	HOOT	O & D Maning on 571070.
		Page 17		Page 19
1	have to have a key to get in. And I got a person	who	1	and
2	cleans from 9 a.m. to 2 a.m. in the morning, who		2	MR. NEWTON: Now wait a minute. I be on
3	out to clean.	4	3	19th Street, and
4	CHAIRMAN WITKOWIAK: Okay. Thank you	ı. Can	4	MR. TOOR: But you
5	we have our next witnesses up here, please? Nan	ne and	5	MR. NEWTON: No, no. Don't tell them that,
6	address for the record, sir?		6	Sam. I be on 19th Street, or I be I'm always in my
7	MR. NEWTON: Yes. My name is Ken New	ton,	7	neighborhood, or I'm down at the bar.
8	2547 North 18th, and I've been in this neighborh	ood	8	MR. TOOR: How many time have I told you
9	for four years.		9	MR. NEWTON: Don't tell a lie, don't tell a
10	CHAIRMAN WITKOWIAK: How close do you	ı live	10	lie.
11	to this?		11	CHAIRMAN WITKOWIAK: Okay, okay. One person
12	MR. NEWTON: I stay right on 18th. All I		12	at a time.
13	have to do is come through the alley to Teutonia.		13	ALDERMAN WADE: Mr. Chairman?
14	CHAIRMAN WITKOWIAK: So you're		14	CHAIRMAN WITKOWIAK: Alderman Wade.
15	MR. NEWTON: I'm about 200 feet away, tw	70,	15	ALDERMAN WADE: Thank you. I didn't under-
16	300 feet away.		16	stand his question, and I would like to hear the
17	CHAIRMAN WITKOWIAK: And your testimo	my?	17	question so I can hear the answer. I got confused
18	MR. NEWTON: All right. Now, Miss Conn.		18	with the back and forth. What was your original
19	and I, she don't know me that well, but I know		19	question?
20	son, but I be out all night because I help my	1	20	CHAIRMAN WITKOWIAK: One person at a time
21	friend at the bar, Young's bar, and I walk patron	is to	21	can speak. Mr. Toor?
22	their cars, and I have seen younger people come	i i	22	MR. TOOR: Okay. My question to the
23	the station vandalizing people's cars.	1	23	gentleman is why he always hangs around the sidewalk.
24	I have seen robberies, I have seen dope		24	I told him so many times if he's waiting for somebody,
25	selling. I have seen the prostitution. I have seen	ì	25	please come inside and wait and don't hang around
		Page 18		Page 20
1	the urinating on the ground. And I don't usually	- 1	1	outside.
2	in until about 5 or 6 in the morning, but I have s		2	ALDERMAN WADE: You told him that.
3	just about everything that has happened over at t		3	MR. TOOR: Yes.
4	station. Sometimes the station do not be open, a		4	ALDERMAN WADE: Okay. All right.
5	have seen, just two weeks ago, a young lady pull		5	CHAIRMAN WITKOWIAK: And your response now?
6	and she just took a squat right there right by the		6	MR. NEWTON: No, that's a lie. Why would I
7	door.		7	hang around the station when I have other things to do
8	CHAIRMAN WITKOWIAK: Okay. Thank yo	13	8	in the neighborhood, or I could go down to the bar.
9	ALDERMAN PUENTE: Mr. Chair?		9	The young lady right over there owns it.
10	CHAIRMAN WITKOWIAK: Alderman Puente		10	CHAIRMAN WITKOWIAK: Okay. Thank you. Any
11	ALDERMAN PUENTE: When it's not open,		11	other questions by committee? Thank you. Sir, your
12	see the same activity?	uo y o	12	name and address?
]	MR. NEWTON: All night, because I keep ar	1	13	MR. BLAIN: Bobby Ray Blain.
13	eye on my neighborhood.	•	14	CHAIRMAN WITKOWIAK: And your address,
14	ALDERMAN PUENTE: So it's happening all	l the	15	Bobby?
15	time?	L VASE	16	MR. BLAIN: 1941 West Vance Place.
16	MR. NEWTON: All the time. Just somethin	ıσ	17	CHAIRMAN WITKOWIAK: And how close do you
17	about the lights bring in the rug rats. That's wh	_	18	live to the station?
18		een i	19	MR. BLAIN: I'm actually right next to the
19	call them.	ir	20	gas station, right by the liquor store. In between
20	ALDERMAN PUENTE: Thank you, Mr. Cha		21	both, I guess.
21	CHAIRMAN WITKOWIAK: Any questions by		21	CHAIRMAN WITKOWIAK: And your testimony is?
22	committee? Mr. Toor, do you have some question	OUS OI		MR. BLAIN: Is that I've worked for Sam off
23	the witness?		23 24	and on there, and I've told a lot of people myself to
24	MR. TOOR: I'd like to ask him how many			
25	times have I told him not to hang out on the side	ewaik	25	stop hanging around outside of the bar, - I mean

гос	R, Citgo on Teutonia	Conden	seIt	U & L Hearing on 9/10/04
		Page 21		Page 23
1	outside of the gas station. And I've been outside the	ne 1	1	MR. NEWTON: Ken Newton.
2	gas station and have actually talked to people; why		2	MR. SCHRIMPF: Okay. You've referred to Sam
3	would you throw the trash right here on the ground		3 :	a couple of times. Are you referring to Mr Toor?
4	when there's a garbage can right here, and I've pick	1	4	MR. BLAIN: Mr. Toor.
5	it up myself a lot of times. And why they're doing		5	MR. SCHRIMPF: Mr. Toor?
6	that, I don't understand.	- 1	6	MR. BLAIN: Yeah.
7	I mean it does get bad out there, and that's		7	MR. SCHRIMPF: Okay. I just wanted to
8	because people will just take the trash and throw it	: {	8	clarify that, Mr. Chair.
9	on the ground. They won't put it in the garbage ca		9	CHAIRMAN WITKOWIAK: Thank you. Are there
10	after even telling them, you know.	1(0 :	any other questions by committee? Mr. Toor, do you
11	And I think the gas station is actually a	1.	1	have any questions of this witness?
12	convenience for the neighborhood there because the	ere 12	2	MR. TOOR: No, sir.
13	wasn't one there. And I've been there for like 20	13	3	CHAIRMAN WITKOWIAK: Okay. And who else is
14	years myself, and we would always have to drive	14	4	here to testify in this matter? Okay, sir. Your name
15	further down to get gas, or when it gets late at	1:	5	and address for the record, please?
16	night, and you need some milk for the kids or som	e- 10	6	MR. FULLER: My name is Pastor Moses Fuller,
17	thing, you'd have to go a further way to get it. No		7	and my church is in the 3700 block, right just a
18	you can get it right there. So I don't think it's	13	8	couple blocks north of the said building.
19	You know, I think it's kind of a convenience for the	he I	9	CHAIRMAN WITKOWIAK: Okay. Did we catch his
20	neighborhood, too.	20	0	name?
21	CHAIRMAN WITKOWIAK: How do you feel at	oout 2	.1	MR. FULLER: First name is Moses, and my
22	the station operating 24 hours a day, seven days a	2:	2	last name is Fuller.
23	week?	2:	3	CHAIRMAN WITKOWIAK: Fuller. Okay. Thank
24	MR. BLAIN: I've worked there sometime unti	1 2	4	you, Mr. Fuller. So how far away is your church from
25	5:00 in the morning, you know, and I see it gets	2.	:5	this gas station?
		Page 22		Page 24
1	after the taverns close, it gets a little wild because	_	1	MR. FULLER: Keefe is about I think Keefe
2	people are living the bars, and they're half drunk of	or :	2	is about the 35 hundred block, and I'm at the 3700
3	whatever. But after that, it quiets down.	ţ	3	block.
4	CHAIRMAN WITKOWIAK: So you're an emple	oyee	4	CHAIRMAN WITKOWIAK: So you're like two
5	of the station?	1	5	blocks away?
6	MR. BLAIN: I help him out sometime, yes.		6	MR. FULLER: Two blocks away.
7	CHAIRMAN WITKOWIAK: Does he pay you?		7	CHAIRMAN WITKOWIAK: And what is your
8	MR. BLAIN: No, sometime I do it just as		8	testimony?
9	being a friend, you know.		9	MR. FULLER: Basically, everything I've
10	ALDERMAN PUENTE: What about the times	1	0	heard is basically true to an extent, that not only
11	you're not a friend?	1	1	do I have problems around my church where some of the
12	MR. BLAIN: Sam has helped me out, you kno	ow. 1		things that people are dealing with, like the young
13	I'll just put it that way.	i	3	lady urinating, things of that nature, applies.
14	ALDERMAN PUENTE: So he has given you	1	4	I wouldn't necessarily say that it was a
15	money	******	5	situation where it just happens around a service
16	MR. BLAIN: At times.	I Landanian		station or a business. It happens around the church.
17	ALDERMAN PUENTE: for services that you	Quint,	7	So I think that the problem is really deeper than a
18	provide.	1		certain service station. I think there's a value
19	MR. BLAIN: Just for like cleaning up and	i i		system that's endemic of certain areas in our city.
1	stuff like that, yes.			I think that that is something that I've been trying
{ Z\				to deal with since I've been there, I think since
20 21	MR. SCHRIMPF: Mr. Chairman?	2	2.l	to dear with since i ve been there, I think since
21	MR. SCHRIMPF: Mr. Chairman?			1995.
21 22	MR. SCHRIMPF: Mr. Chairman? CHAIRMAN WITKOWIAK: Mr. Schrimpf.	2		1995.
21	MR. SCHRIMPF: Mr. Chairman?	2 2	22 23	

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CHAIRMAN WITKOWIAK: Pastor, I just have a question for you. Do you think that this -- do you think that the problem is aggravated or worse because the station is open 24 hours?

MR. FULLER: I think that the station could be open 24 hours, but if they really could control what would happen on the outside of the business would help. I think that problems arise when there is no control on over what people are doing, and the bigger question is how do you control what people want to do.

I mean I've been pastor in the neighborhood, and I go down in front of the service station, and I've witnessed people being vandalized. In fact, I've invited people to come to the church, and Mr. Toor doesn't object to that. I've even given him flyers to come and visit me and to my church, and he doesn't object. So I guess my philosophy, my ideal would be, that it's not necessarily that Mr. Toor is against a value system. I think that he wants that. I think that we all want that. I want that. That's what I meant. That's why I didn't leave.

And I think that what happens, when we look at what we're trying to do and what we're talking about, is -- the way I look at it, is how does one really create value systems in people that maybe they much for your testimony, and thank you for the work that you do in the neighborhood. Alderman Bohl, do you have a question?

ALDERMAN BOHL: More of a comment. Pastor, I appreciate your comments here because I certainly think that you address concerns about what are endemic in our city and society in general, but, you know, the one thing that I would just say in terms of comments to Mr. Blain is 15, 20 years ago, we didn't have a 24-hour Walgreen's. Pick 'N Save wasn't open 24 hours. People still had children who needed milk, and you either had the foreknowledge of having some milk, or you gave them a little bit of water until the morning, and then you went there at 6 a.m. when the store opened, and sometimes I think we were all better for that.

MS. WALLACE-CONNOR: Amen.

ALDERMAN BOHL: You know, people need a little bit of downtime. People who live in the neighborhoods need to have a peaceful sleep and the downtime of having peaceful enjoyment of -- You know, they own a property, and they want to have a reasonable night's sleep so they can wake up in the morning and go about doing their business in their lives as well, too.

Page 26

don't want.

So if there's a way that this station could be open where everybody would benefit, -- and like the gentleman said on the end down there, that maybe late at night somebody might need some milk or whatever. And that neighborhood is also depressed as relates to stores. Actually there isn't a store in the neighborhood since the Kohl's Department Store closed down. I mean where do you really go? You can go to Walgreen's and get something, but there's a big void there.

So I guess to answer your question, if we can work out something where everybody benefits, -- and that seems to be the side that I'm on, everybody has to benefit, you know. And I think that the neighborhoods are going to benefit when everyone is benefited.

And all of the people -- the gentlemen who gave the testimony about the noise, I mean I cannot sit here and say that I don't agree with that because I know it happens, because I've had some issues that have happened around the church. It seems to be a sign of the times that people have no respect for a lot of things, and that's including the church.

CHAIRMAN WITKOWIAK: Pastor, thank you so

Page 28

So I do appreciate that, and I do know there are times when there are those needs. And I think the people then -- You know, if you woke up and your child had a fever, and you noticed you didn't have any Tylenol, you would maybe pick up the phone and call that good-friend neighbor of yours and, you know, wake them up because of the situation. That's what neighbors are for. However, as I said, that is one thing that does concern me.

We seem to move to -- And I was the sponsor of this 24-hour legislation, because we just seem to be moving increasingly to an all-night society, and for good people, that isn't always such a good thing. But I'll get off my soapbox now.

CHAIRMAN WITKOWIAK: Okay. Are there any other questions by members of the committee of this witness? Mr. Toor, do you have questions of Pastor Fuller here?

MR. TOOR: No. sir.

CHAIRMAN WITKOWIAK: Okay. Sir, did you wish to testify also, or -- No? You raised your hand before. Did you want to testify?

MR. HOWARD: Yeah.

CHAIRMAN WITKOWIAK: Then you'll be the last person to testify in this matter; is that correct?

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	JK, Citgo on Teutonia Cond	CIIS
	Page 29	
1	MR. HOWARD: Yes.	1
2	CHAIRMAN WITKOWIAK: Okay. State your name	2
3	and address for the record, please.	3
4	MR. HOWARD: Al J. Howard.	4
5	CHAIRMAN WITKOWIAK: Mr. Howard?	5
6	MR. HOWARD: Yes,	6
7	CHAIRMAN WITKOWIAK: And your address?	7
8	MR. HOWARD: 3621 North Teutonia.	8
9	CHAIRMAN WITKOWIAK: Okay. And how close do	9
10	you live to this station?	10
11	MR. HOWARD: About a block and a half.	11
12	CHAIRMAN WITKOWIAK: And what is your	12
13	testimony?	13
14	MR. HOWARD: Well, I clean up around there	14
15	just about every night, you know, clean the paper off	15
16	the street.	16
17	CHAIRMAN WITKOWIAK: Yes.	17
18	MR. HOWARD: And I dump the garbage and	18
19	stuff.	19
20	CHAIRMAN WITKOWIAK: Are you in favor of	20
21	this station being open 24 hours?	21
22	MR. HOWARD: Yes.	22
23	CHAIRMAN WITKOWIAK: And do you see it as a	23
24	detriment to the neighborhood?	24
25	MR. HOWARD: Well, there was things going on	25
	Page 30	
1	before the station was even built there. People were	1

I'd like to thank the Pastor, Alderman Bohl, -- my homeboy, -- and also I definitely want to thank you, on a serious note, for the legislation that would create this ordinance, and also that it would give an opportunity for residents to weigh in on 24-hour establishments that really are a detriment to the neighborhood.

And I really believe that with me, being a so-called champion of cruising, that I wouldn't want to have the situation that's going on in that establishment, and also the tavern -- I mean and also the gas station, between 12 and 5:00.

I've been there between those times several times, and I think that it's a free opportunity for people who want to cruise at night or hang out, loiter, and conduct some of the criminal activity in that neighborhood, and to have a free area to go to between 12 and 5 in that neighborhood.

You've heard that the neighbors have been there for 30 years. I was on the radio, and Miss Connor, if I'm correct, she called and had a complaint, you know, over the years saying, how can I close this establishment down between 12 and 5:00, and I told her she should come here and testify to that fact, and that the U & L Committee would not just rely

before the station was even built there. People were selling drugs on the streets, staying out all night, you know.

CHAIRMAN WITKOWIAK: Yes.

MR. HOWARD: And the station might put in a little more, but all of that was happening before. People leave the taverns, they're out there selling drugs all night, you know. That's been going on.

 $\label{eq:Chairman withowiak: Okay. Thank you. Any questions of this witness?}$

11 ALDERMAN WADE: Mr. Chair.

CHAIRMAN WITKOWIAK: Alderman Wade.

ALDERMAN WADE: So, sir, are you saying that you feel that with or without the station in the neighborhood, some of the complaints that the other witnesses have would go on anyway or would have gone on in the past? Is that what you're saying?

18 MR. HOWARD: Right, right.

ALDERMAN WADE: Okay. Thank you.

CHAIRMAN WITKOWIAK: Any other questions by committee? Do you have any questions of this witness,

22 Mr. Toor?

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MR. TOOR: No, Sir.

CHAIRMAN WITKOWIAK: Alderman McGee.

ALDERMAN McGEE: Yes. Thank you, Mr. Chair.

Page 32 on my testimony and my dispute and objection with said license.

And if you hear Mr. Blain, when he was just here, the reason he speaks so kindly of Sam, Mr. Toor, is because Mr. Toor provided an easement in the back of the area that he built as a liquor store so that Mr. Blain's mother could park there. So they have, of course, -- He probably even drove him here, so, you know, they have, of course, a good relationship.

But I would encourage Mr. Toor to develop a better relationship with the immediate residents because this is really -- And Alderman Wade is very happy with that redistricting to taking this location out of his hair, because he would have a lot of. you know, a lot of white hair right now if he had to deal with this.

And I think from 12 to 5:00, that's just too late of an opportunity for negative activities to take place in that location, and I would just move to deny the 12 to 5 portion of the 24-hour.

CHAIRMAN WITKOWIAK: Thank you, Alderman McGee. Mr. Toor, do you have any closing comments before we take this matter into committee?

MR. TOOR: Well, at nighttime I do not have much business. It's only my main concern that is

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TOOR, Citgo on Teutonia Page 33 every night, we'll be a victim, and somebody's going 1 2 to break into the place. And there's going to be more cruising 3 4 because now, we have over there, had people who are 5 parking and loitering, and when we can call the 6 police, they will walk away. But once it is closed, 7 you will see more activity than now. That I can 8 guarantee you. 9 If you have problems with people, -- I don't 10 have any problem to close, but I can't guarantee that there's not going to be more problems over there than 11 12 13 ALDERMAN PUENTE: Mr. Chair. 14 CHAIRMAN WITKOWIAK: Alderman Puente. 15 ALDERMAN PUENTE: Have you talked to the 16 police department as to preventive measures for 17 targeting the target? Are you aware of that at all? 18 MR. TOOR: Yes. We have -- I will tell 19 you that at least about 10 times, 10 to 15 times, the 20 police cars drive through our place. This place is 21 more safer than it was before. 22 There was a big -- There was a drug house, 23 the big building that was a drug dealer's house that 24 was open 24 hours, that I tore down when I put up the 25 station. It's more safer now than it was before. And

Page 35 to deny the 24-hour application, and I will cite neighborhood testimony relating to the location being a source of littering, loitering, disorderly conduct, noise generated by traffic, and other conduct detrimental to the health, safety and welfare of the neighborhood.

I truly do believe that there are issues that are endemic to our community and society in general, and I don't think they necessarily fall at the feet of Mr. Toor.

I know that you may have hardened activity, but at the same point, a lot of these locations become focal points, where they become a convenient attraction to individuals who are out late at night who, frankly, don't have anything better to do. And the neighbors who came here to testify, their testimony was very strong.

The activities that they see, -- Nobody should have to look out their window and see somebody zipping their pants down and trying to water the flowers. Nobody should have to deal with issues of litter. And what I would encourage you to do, Mr. Toor, -- I can't tell you exactly what to do, -but I know that in the City of Milwaukee, we have some neighborhoods that are just littered with debris and

20 21 22 23 24 25 Page 36

1 litter.

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So the one thing that I can say is, -because you're a convenience business that has a lot of bags and chips and soda cans and other things that I'm certain that you sell, -- I often will hear from owners who will send somebody out on the perimeter of the property, but they don't step a foot off of it.

And if you do have customers, -- Now, you know, you don't have to go through the neighborhood three blocks away. But I'm going to guess that there are things that may be dropped on your perimeter that blow a house or two down to the neighbors. You know, to be a good neighbor would be to send that person out and go a couple houses down, just kind of on the perimeter of the area. It makes for good neighborhood relations.

But that being said, the neighborhood testimony is very strong in this area here. I do not believe fully that it is necessary, and I think that this station open late at night can and has become an additional nuisance to the neighborhood.

And so I think that those good folks who came here to testify deserve the right to have a peaceful night's sleep and not have this place be a distraction, so that is why I make that motion.

Page 34

if I would close at 12:00, -- I don't have any problem to close, but it's going to be more of a problem than now, because nobody's there to watch, and it's going to be more active.

ALDERMAN PUENTE: But you are aware of the resources available to you through the Milwaukee Police Department as it pertains to crime.

MR. TOOR: Yes, we are.

ALDERMAN PUENTE: Thank you.

MR. TOOR: We contact the police from time to time.

CHAIRMAN WITKOWIAK: And I have a question. 12 What used to be there before the gas station was built?

MR. TOOR: It was a big warehouse, and it

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CHAIRMAN WITKOWIAK: A warehouse building 17 that was empty?

MR. TOOR: Yes, it was empty for what, about the last 15 years.

CHAIRMAN WITKOWIAK: Okay. All right. This 21 matter's in committee. 22

ALDERMAN BOHL: Mr. Chairman.

CHAIRMAN WITKOWIAK: Alderman Bohl.

ALDERMAN BOHL: I would at this point move MILWAUKEE REPORTERS ASSOCIATED, INC. (414) 771-5253

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Page 39
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             CHAIRMAN WITKOWIAK: Motion by Alderman Bohl
                                                                   1
      is to recommend denial of the 24-hour Establishment
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      application. On the motion? Is there any discussion?
      Okay. Are there any objections to the motion?
      Hearing none, so ordered. Motion carries, five-zero.
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             ALDERMAN WADE: Mr. Chairman?
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             CHAIRMAN WITKOWIAK: Alderman Wade.
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             ALDERMAN WADE: I would just like to say on
      the record to Alderman McGee, I miss that area. I
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      mean, really. Since the rezoning, -- I was really --
      I like that neighborhood. I mean, I grew up over
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      there, and I have a good rapport with those people
      over there, and I'm happy that you have that area
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      because I know you're going to look at it the way I
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15
      looked at it, but I do miss that area.
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             CHAIRMAN WITKOWIAK: Thank you.
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      Mr. Schrimpf?
             MR. SCHRIMPF: It's a new application.
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             CHAIRMAN WITKOWIAK: Okay. Thank you all
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      for appearing here today.
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                                                         Page 38
   STATE OF WISCONSIN
    MILWAUKEE COUNTY )
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             I, DONNA GULCZYNSKI, of Milwaukee Reporters
       Associated, Inc., 5120 West Bluemound Road, Milwaukee,
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 8
       Wisconsin, certify that the foregoing transcript,
 9
       consisting of pages 2 through 37, inclusive, is a
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       full and complete transcript of the proceedings taken
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       in this cause.
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