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1 CITY OF MILWAUKEE
 2 UTILITIES & LICENSES COMMITTEE
 3 *****
 4 In the Matter of:
 5 TOOR, Surjit S., Agent for "Singh, Inc.", 24-Hour
 6 Establishment application for "Citgo on Teutonia"
 7 at 3531 North Teutonia Avenue.
 8 *****
 9 COMMITTEE MEMBERS
 10 ALD. JAMES WITKOWIAK - Chairman
 11 Ald. James Bohl, Jr. - Vice Chair
 12 Ald. Joseph A. Dudzik
 13 Ald. Robert Puente
 14 Ald. Willie Wade
 15
 16 DEPARTMENT OF NEIGHBORHOOD SERVICES by PANDORA BENDER
 17 HEALTH DEPARTMENT by PAUL ZEMKE
 18 LICENSING DIVISION by JAMES COPELAND
 19 POLICE DEPARTMENT by SERGEANT JOHN HOGAN
 20 OFFICE OF THE CITY ATTORNEY by BRUCE SCHRIMPF
 21
 22 Proceedings had and testimony given in
 23 the above-entitled matter, before the UTILITIES &
 24 LICENSING COMMITTEE OF THE CITY OF MILWAUKEE, on
 25 the 10th day of September, 2004, reported by Donna
 Gulczynski of Milwaukee Reporters Associated, Inc.

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1 CHAIRMAN WITKOWIAK: And do you admit to
 2 receiving notice that there's a possibility that your
 3 application could be denied because of items contained
 4 in the police report, and that if this location, if
 5 licensed as a 24-hour establishment, will be the
 6 source of littering, loitering, excess traffic,
 7 disorderly conduct, noise generated by traffic, and
 8 other conduct which is detrimental to the health,
 9 safety and welfare of the neighborhood?
 10 MR. TOOR: Yes, I did.
 11 CHAIRMAN WITKOWIAK: Okay. Thank you.
 12 Do you want to give us a brief opening statement?
 13 Tell us why you feel that -- why you're applying for
 14 this license.
 15 MR. TOOR: Well, I built this place in 1999,
 16 and since then we are 24 hours, and that's why we'd
 17 like to keep it that way.
 18 CHAIRMAN WITKOWIAK: So you're currently
 19 operating as a 24-hour establishment?
 20 MR. TOOR: Yes.
 21 CHAIRMAN WITKOWIAK: For how many years?
 22 MR. TOOR: Since 1999.
 23 CHAIRMAN WITKOWIAK: Okay. So this is a
 24 renewal?
 25 MR. COPELAND: This is a new application

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1 PROCEEDINGS
 2 (NOTE: All City Personnel Were Sworn Under
 3 Oath Prior to These Proceedings.)
 4 CHAIRMAN WITKOWIAK: Also in the 6th
 5 District, Surjit Toor, agent for Singh, Incorporated,
 6 a 24-hour Establishment application for "Citgo on
 7 Teutonia" at 3531 North Teutonia. Would you raise
 8 your right hand and be sworn.
 9 (Whereupon Surjit Toor was sworn under oath.)
 10 CHAIRMAN WITKOWIAK: Sir, are you going to
 11 testify in this matter?
 12 MR. PAIGE: Yes.
 13 CHAIRMAN WITKOWIAK: Is there anybody else
 14 who's going to testify in this matter? All right.
 15 Keep your hands up.
 16 (Whereupon all witnesses were sworn under
 17 oath.)
 18 CHAIRMAN WITKOWIAK: Would you state your
 19 name and address for the record?
 20 MR. TOOR: Surjit Toor.
 21 CHAIRMAN WITKOWIAK: And your address, sir?
 22 MR. TOOR: 3531 North Teutonia.
 23 CHAIRMAN WITKOWIAK: Is that your business
 24 address or your home?
 25 MR. TOOR: That's business.

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1 because the law was not in effect. This is the first
 2 time he's applied for a 24-hour. He's been operating
 3 as a 24-hour prior to the establishment of the
 4 ordinance. Now he's applying under the ordinance to
 5 be a 24-hour.
 6 CHAIRMAN WITKOWIAK: And the ordinance
 7 requires now that he applies and comes before this
 8 body.
 9 MR. COPELAND: Yes.
 10 CHAIRMAN WITKOWIAK: Thank you for
 11 clarifying that.
 12 ALDERMAN BOHL: Mr. Chairman?
 13 CHAIRMAN WITKOWIAK: Alderman Bohl.
 14 ALDERMAN BOHL: Mr. Toor, are you presently
 15 operating a 24-hour establishment?
 16 MR. TOOR: Yes.
 17 ALDERMAN BOHL: Do you realize you're doing
 18 so illegally?
 19 MR. TOOR: No. We've had our approval from
 20 Board of Zoning since I opened in 1999.
 21 ALDERMAN BOHL: Board of Zoning Appeals is
 22 not effective, what was it, as of April 1? Or was it
 23 May 1? I think May 1.
 24 MR. TOOR: Since then, I put the application
 25 in, and I got the application in with the city, and

1 now we got this.
 2 ALDERMAN BOHL: I'll just let you know now
 3 that Alderman McGee is aware, tonight you better shut
 4 down at midnight, because if he sends the police over
 5 there, you'll be cited every night.
 6 MR. TOOR: Nobody told me. I talk to the
 7 city all the time.
 8 ALDERMAN BOHL: I'm telling you now. A fact
 9 is a fact is a fact.
 10 CHAIRMAN WITKOWIAK: Mr. Schrimpf, were all
 11 stations that were doing this properly noticed?
 12 MR. SCHRIMPF: Yes.
 13 CHAIRMAN WITKOWIAK: So that anybody that is
 14 operating without having gone through this committee
 15 and subsequently is operating --
 16 MR. SCHRIMPF: Right. So that there's no
 17 confusion about this, there had been a zoning issue,
 18 and previously, whether or not a premises is operated
 19 on a 24-hour basis was a zoning issue.
 20 As of May 1st, not only do they have to be
 21 zoned to operate 24 hours, but they have to have a
 22 license in addition to operate 24 hours, so it's just
 23 like a bar. You got to be zoned properly in order to
 24 be a bar, and you have to have a license.
 25 You've got to be zoned properly to operate

1 MR. TOOR: About 30 feet.
 2 CHAIRMAN WITKOWIAK: Mr. Toor, we'll tell
 3 you when it's time for you to speak, okay? Mr. Paige?
 4 MR. PAIGE: Maybe 40 feet, because I just
 5 walk right across from my house and I'm there. I've
 6 been living there for 30 years.
 7 CHAIRMAN WITKOWIAK: And you see that this
 8 has a detrimental effect on your -- the peaceful
 9 enjoyment of your property?
 10 MR. PAIGE: Definitely, definitely. You
 11 know, I had one of my neighbors to tell me -- See, I
 12 was against it when they started building it. I was
 13 dead against it. And I had one of my neighbors who
 14 told me that this would increase the property value,
 15 and I can't see how.
 16 And I said, well, my -- She said my property
 17 value was raised. I said it was going to go up
 18 anyways for tax purposes, and that's what I told her.
 19 And I said it increased it until you get ready to sell
 20 it. Who's going to buy that property, you know, other
 21 than have it for a rental property, and that's going
 22 to bring the neighborhood further and further down.
 23 So I know for a fact my property went down, but they
 24 raised it for tax purposes, I know that much. And I
 25 talked to this gentleman concerning the littering.

1 a 24-hour establishment, and you have to be licensed
 2 after May 1st.
 3 CHAIRMAN WITKOWIAK: Okay. Do you
 4 understand that?
 5 MR. TOOR: I made this application, I think,
 6 before May.
 7 CHAIRMAN WITKOWIAK: No, but do you under-
 8 stand what the city attorney just said?
 9 MR. TOOR: Yes, I do.
 10 CHAIRMAN WITKOWIAK: Okay. Well, you have
 11 to adhere to that then. Okay. So far are there any
 12 other questions by the committee? Sir, your name and
 13 address for the record, please?
 14 MR. PAIGE: Otis Paige. Address, 1929 West
 15 Keefe Avenue.
 16 CHAIRMAN WITKOWIAK: And Mr. Paige, what is
 17 your testimony?
 18 MR. PAIGE: My testimony is the littering,
 19 the noise and a question as far as why and what kind
 20 of services is it doing for the community and the
 21 people that live in that area for this establishment
 22 to be open for 24 hours. How does it help the people
 23 that live in the area.
 24 CHAIRMAN WITKOWIAK: Mr. Paige, how far do
 25 you live from there?

1 CHAIRMAN WITKOWIAK: Yes.
 2 MR. PAIGE: I don't know if I spoke to him
 3 about the noise, but I took pictures of the littering.
 4 I took pictures, you know, of guys that's going over
 5 there in the area just peeing right before our eyes.
 6 CHAIRMAN WITKOWIAK: You've seen that
 7 yourself?
 8 MR. PAIGE: Yes. I took pictures, but I
 9 couldn't find the film to get it developed, but I did
 10 get some developed if you want to look at them. The
 11 littering -- I mean it's just terrible.
 12 ALDERMAN BOHL: Mr. Chairman, I'll move to
 13 have those pictures made a part of the record.
 14 CHAIRMAN WITKOWIAK: Alderman Bohl would
 15 move to make these photographs a part of the record.
 16 Hearing no objection, so ordered. Thank you very
 17 much. Do you have any specific questions? Go ahead,
 18 Mr. Paige.
 19 MR. PAIGE: But the question I still haven't
 20 got a clear answer on is what is the purpose of it
 21 being open 24 hours.
 22 CHAIRMAN WITKOWIAK: That's what we're here
 23 to discuss.
 24 MR. PAIGE: You know, this is what I've been
 25 listening to. At 1, 2:00 in the morning when you just

1 get into a sleep, here come a car with boom boxes
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 CHAIRMAN WITKOWIAK: Right.

6 MR. PAIGE: You know, just pulling up in
7 there and -- They got it locked down for their
8 protection, but what is it doing for us, you know.
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.
11 I just can't see it.

12 CHAIRMAN WITKOWIAK: Okay. Thank you.
13 Questions, comments by committee?

14 ALDERMAN DUDZIK: Mr. Chairman.

15 CHAIRMAN WITKOWIAK: Alderman Dudzik.

16 ALDERMAN DUDZIK: Two real quick questions.
17 How long have you said you lived there?

18 MR. PAIGE: Thirty years.

19 ALDERMAN DUDZIK: Thirty years. Wow. And,
20 sir, you've been in business how long?

21 MR. TOOR: In Milwaukee, 25 years.

22 ALDERMAN DUDZIK: At that location.

23 MR. TOOR: Since '99.

24 ALDERMAN DUDZIK: Thank you.

25 CHAIRMAN WITKOWIAK: Any other questions by

1 my opinion we still don't.

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

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

14 CHAIRMAN WITKOWIAK: You saw that
15 personally?

16 MS. WALLACE-CONNOR: I saw it sitting on my
17 porch. His business is a neighborhood nuisance. I
18 would like to see it closed completely. If that
19 cannot happen, I would really like to see it closed at
20 9:00 at night when his liquor store, which is right
21 next door, closes.

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

1 committee? Mr. Toor, do you have any questions of
2 this witness.

3 MR. TOOR: Not really. I only got a
4 question about those pictures.

5 CHAIRMAN WITKOWIAK: Those pictures?

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

12 CHAIRMAN WITKOWIAK: Okay. Thank you.
13 Ma'am, your name and address for the record, please?

14 MS. WALLACE-CONNOR: My name is Carol
15 Wallace-Connor. I live at 1925 West Keefe Avenue, and
16 I've lived there for 36 years.

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

19 MS. WALLACE-CONNOR: Maybe 10 feet closer
20 than Mr. Page. I live right next door to him.

21 CHAIRMAN WITKOWIAK: And your testimony?

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

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

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

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

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

1 And that's all it's about. He lives out in Franklin.
2 He doesn't live in this trash pit that he's created.
3 Tell him to take his business out there.

4 Calling the police is not effective. They
5 never come in time to do anything about what's going
6 on. If there is a noisy car or whatever over there,
7 by the time you get the police over there, they're
8 gone, so it's not effective.

9 And I'm hoping that the initiative that
10 Mr. McGee -- the community enforcement agency that
11 you were talking about, that rapid response team, may
12 be helpful in this matter because the police are not
13 able to do what we need done on that corner, and I'm
14 depending on rapid response to help us with this. But
15 in the meantime this business should not be open 24
16 hours a day.

17 CHAIRMAN WITKOWIAK: Thank you for your
18 testimony. Carol, just so you're aware of this, the
19 actual jurisdiction to say whether this gas station
20 can operate there at all or not is a matter for Board
21 of Zoning Appeals, but we're here to hear the 24-hour
22 thing today just so you're aware of that.

23 MS. WALLACE-CONNOR: Okay.

24 ALDERMAN PUENTE: Mr. Chair.

25 CHAIRMAN WITKOWIAK: Alderman Puente.

1 your own knowledge.

2 MS. WALLACE-CONNOR: Well, it happens
3 frequently. Weekends of course are worse, but it
4 happens frequently.

5 MR. SCHRIMPF: That was my question. All
6 right.

7 ALDERMAN DUDZIK: Mr. Chair?

8 CHAIRMAN WITKOWIAK: Alderman Dudzik.

9 ALDERMAN DUDZIK: Ma'am, you have called the
10 police on this?

11 MS. WALLACE-CONNOR: Yes, I have.

12 ALDERMAN DUDZIK: And with regards to the
13 scantily clad female, when you notice her, do you
14 contact the police when you notice her?

15 MS. WALLACE-CONNOR: I never have because
16 she's always gone. By the time the police get there,
17 she won't be there.

18 ALDERMAN DUDZIK: But you says she comes and
19 goes?

20 MS. WALLACE-CONNOR: She has come and gone,
21 yes, but it's not a thing that you can time or tell
22 the police to sit there and wait for her.

23 ALDERMAN DUDZIK: Because I know that when I
24 work with the police department on a number of issues
25 in my own district, what I ask my constituents is to

1 ALDERMAN PUENTE: What time is this
2 occurring, all the things you're mentioning? What
3 time of the day?

4 MS. WALLACE-CONNOR: Most of the time it's
5 at night, early evening into the early morning, but in
6 the midday, too, you can see it.

7 ALDERMAN PUENTE: Is it happening after
8 midnight?

9 MS. WALLACE-CONNOR: Oh, yes. Oh, yeah,
10 that's when they come out.

11 ALDERMAN PUENTE: Thank you.

12 CHAIRMAN WITKOWIAK: Mr. Schrimpf?

13 MR. SCHRIMPF: Thank you, Mr. Chairman.

14 Just to follow up on that, ma'am, is there a time
15 period during the course of the night when the
16 activity seems to settle down?

17 MS. WALLACE-CONNOR: Probably about 5:00 in
18 the morning, 4:00 in the morning.

19 MR. SCHRIMPF: Okay, thank you. Does this
20 happen every night, or is it worse on weekends?

21 MS. WALLACE-CONNOR: Well, it happens during
22 the week, too. I can't say --

23 MR. NEWTON: Every night, every night.

24 MS. WALLACE-CONNOR: Okay. Every night.

25 MR. SCHRIMPF: You've got to testify as to

1 give them times and days, and it's quite effective to
2 have a squad in the area, you know, in that time
3 frame, and the police do the best that they can with
4 the resources that they have.

5 MS. WALLACE-CONNOR: Oh, I know they do.

6 ALDERMAN DUDZIK: Thank you.

7 ALDERMAN PUENTE: Mr. Chair.

8 CHAIRMAN WITKOWIAK: Alderman Puente.

9 ALDERMAN PUENTE: Just to add to that, if
10 you see them getting into cars, get the license plate
11 and description of the vehicle, and they can follow up
12 on that.

13 MS. WALLACE-CONNOR: Oh, I never thought of
14 that. Okay.

15 ALDERMAN PUENTE: There's a new task force
16 that the chief has started with prostitution. I don't
17 know if you've heard or seen it on the media, but it
18 will depend on the citizens to give them that informa-
19 tion, and it would help them tremendously. Thank you,
20 Mr. Chair.

21 CHAIRMAN WITKOWIAK: Thank you. Mr. Toor,
22 do you have some questions of this witness?

23 MR. TOOR: I would just like to answer about
24 the one on urinating. We got a bathroom open 24
25 hours. We don't even lock that. A customer doesn't

1 have to have a key to get in. And I got a person who
 2 cleans from 9 a.m. to 2 a.m. in the morning, who goes
 3 out to clean.
 4 CHAIRMAN WITKOWIAK: Okay. Thank you. Can
 5 we have our next witnesses up here, please? Name and
 6 address for the record, sir?
 7 MR. NEWTON: Yes. My name is Ken Newton,
 8 2547 North 18th, and I've been in this neighborhood
 9 for four years.
 10 CHAIRMAN WITKOWIAK: How close do you live
 11 to this?
 12 MR. NEWTON: I stay right on 18th. All I
 13 have to do is come through the alley to Teutonia.
 14 CHAIRMAN WITKOWIAK: So you're --
 15 MR. NEWTON: I'm about 200 feet away, two,
 16 300 feet away.
 17 CHAIRMAN WITKOWIAK: And your testimony?
 18 MR. NEWTON: All right. Now, Miss Connor
 19 and I, -- she don't know me that well, but I know her
 20 son, -- but I be out all night because I help my
 21 friend at the bar, Young's bar, and I walk patrons to
 22 their cars, and I have seen younger people come out
 23 the station vandalizing people's cars.
 24 I have seen robberies, I have seen dope
 25 selling. I have seen the prostitution. I have seen

1 and --
 2 MR. NEWTON: Now wait a minute. I be on
 3 19th Street, and --
 4 MR. TOOR: But you --
 5 MR. NEWTON: No, no. Don't tell them that,
 6 Sam. I be on 19th Street, or I be -- I'm always in my
 7 neighborhood, or I'm down at the bar.
 8 MR. TOOR: How many time have I told you --
 9 MR. NEWTON: Don't tell a lie, don't tell a
 10 lie.
 11 CHAIRMAN WITKOWIAK: Okay, okay. One person
 12 at a time.
 13 ALDERMAN WADE: Mr. Chairman?
 14 CHAIRMAN WITKOWIAK: Alderman Wade.
 15 ALDERMAN WADE: Thank you. I didn't under-
 16 stand his question, and I would like to hear the
 17 question so I can hear the answer. I got confused
 18 with the back and forth. What was your original
 19 question?
 20 CHAIRMAN WITKOWIAK: One person at a time
 21 can speak. Mr. Toor?
 22 MR. TOOR: Okay. My question to the
 23 gentleman is why he always hangs around the sidewalk.
 24 I told him so many times if he's waiting for somebody,
 25 please come inside and wait and don't hang around

1 the urinating on the ground. And I don't usually go
 2 in until about 5 or 6 in the morning, but I have seen
 3 just about everything that has happened over at that
 4 station. Sometimes the station do not be open, and I
 5 have seen, just two weeks ago, a young lady pulled up,
 6 and she just took a squat right there right by the
 7 door.
 8 CHAIRMAN WITKOWIAK: Okay. Thank you.
 9 ALDERMAN PUENTE: Mr. Chair?
 10 CHAIRMAN WITKOWIAK: Alderman Puente.
 11 ALDERMAN PUENTE: When it's not open, do you
 12 see the same activity?
 13 MR. NEWTON: All night, because I keep an
 14 eye on my neighborhood.
 15 ALDERMAN PUENTE: So it's happening all the
 16 time?
 17 MR. NEWTON: All the time. Just something
 18 about the lights bring in the rug rats. That's what I
 19 call them.
 20 ALDERMAN PUENTE: Thank you, Mr. Chair.
 21 CHAIRMAN WITKOWIAK: Any questions by
 22 committee? Mr. Toor, do you have some questions of
 23 the witness?
 24 MR. TOOR: I'd like to ask him how many
 25 times have I told him not to hang out on the sidewalk

1 outside.
 2 ALDERMAN WADE: You told him that.
 3 MR. TOOR: Yes.
 4 ALDERMAN WADE: Okay. All right.
 5 CHAIRMAN WITKOWIAK: And your response now?
 6 MR. NEWTON: No, that's a lie. Why would I
 7 hang around the station when I have other things to do
 8 in the neighborhood, or I could go down to the bar.
 9 The young lady right over there owns it.
 10 CHAIRMAN WITKOWIAK: Okay. Thank you. Any
 11 other questions by committee? Thank you. Sir, your
 12 name and address?
 13 MR. BLAIN: Bobby Ray Blain.
 14 CHAIRMAN WITKOWIAK: And your address,
 15 Bobby?
 16 MR. BLAIN: 1941 West Vance Place.
 17 CHAIRMAN WITKOWIAK: And how close do you
 18 live to the station?
 19 MR. BLAIN: I'm actually right next to the
 20 gas station, right by the liquor store. In between
 21 both, I guess.
 22 CHAIRMAN WITKOWIAK: And your testimony is?
 23 MR. BLAIN: Is that I've worked for Sam off
 24 and on there, and I've told a lot of people myself to
 25 stop hanging around outside of the bar, -- I mean

1 outside of the gas station. And I've been outside the
2 gas station and have actually talked to people; why
3 would you throw the trash right here on the ground
4 when there's a garbage can right here, and I've picked
5 it up myself a lot of times. And why they're doing
6 that, I don't understand.

7 I mean it does get bad out there, and that's
8 because people will just take the trash and throw it
9 on the ground. They won't put it in the garbage can,
10 after even telling them, you know.

11 And I think the gas station is actually a
12 convenience for the neighborhood there because there
13 wasn't one there. And I've been there for like 20
14 years myself, and we would always have to drive
15 further down to get gas, or when it gets late at
16 night, and you need some milk for the kids or some-
17 thing, you'd have to go a further way to get it. Now
18 you can get it right there. So I don't think it's --
19 You know, I think it's kind of a convenience for the
20 neighborhood, too.

21 CHAIRMAN WITKOWIAK: How do you feel about
22 the station operating 24 hours a day, seven days a
23 week?

24 MR. BLAIN: I've worked there sometime until
25 5:00 in the morning, you know, and I see it gets --

1 MR. NEWTON: Ken Newton.
2 MR. SCHRIMPF: Okay. You've referred to Sam
3 a couple of times. Are you referring to Mr Toor?

4 MR. BLAIN: Mr. Toor.
5 MR. SCHRIMPF: Mr. Toor?
6 MR. BLAIN: Yeah.

7 MR. SCHRIMPF: Okay. I just wanted to
8 clarify that, Mr. Chair.

9 CHAIRMAN WITKOWIAK: Thank you. Are there
10 any other questions by committee? Mr. Toor, do you
11 have any questions of this witness?

12 MR. TOOR: No, sir.

13 CHAIRMAN WITKOWIAK: Okay. And who else is
14 here to testify in this matter? Okay, sir. Your name
15 and address for the record, please?

16 MR. FULLER: My name is Pastor Moses Fuller,
17 and my church is in the 3700 block, right -- just a
18 couple blocks north of the said building.

19 CHAIRMAN WITKOWIAK: Okay. Did we catch his
20 name?

21 MR. FULLER: First name is Moses, and my
22 last name is Fuller.

23 CHAIRMAN WITKOWIAK: Fuller. Okay. Thank
24 you, Mr. Fuller. So how far away is your church from
25 this gas station?

1 after the taverns close, it gets a little wild because
2 people are living the bars, and they're half drunk or
3 whatever. But after that, it quiets down.

4 CHAIRMAN WITKOWIAK: So you're an employee
5 of the station?

6 MR. BLAIN: I help him out sometime, yes.

7 CHAIRMAN WITKOWIAK: Does he pay you?

8 MR. BLAIN: No, sometime I do it just as
9 being a friend, you know.

10 ALDERMAN PUENTE: What about the times
11 you're not a friend?

12 MR. BLAIN: Sam has helped me out, you know.
13 I'll just put it that way.

14 ALDERMAN PUENTE: So he has given you
15 money --

16 MR. BLAIN: At times.

17 ALDERMAN PUENTE: -- for services that you
18 provide.

19 MR. BLAIN: Just for like cleaning up and
20 stuff like that, yes.

21 MR. SCHRIMPF: Mr. Chairman?

22 CHAIRMAN WITKOWIAK: Mr. Schrimpf.

23 MR. SCHRIMPF: Both to Mr. Blain and the
24 previous witness, -- I'm sorry I didn't get your
25 name, --

1 MR. FULLER: Keefe is about -- I think Keefe
2 is about the 35 hundred block, and I'm at the 3700
3 block.

4 CHAIRMAN WITKOWIAK: So you're like two
5 blocks away?

6 MR. FULLER: Two blocks away.

7 CHAIRMAN WITKOWIAK: And what is your
8 testimony?

9 MR. FULLER: Basically, everything I've
10 heard is basically true to an extent, that not only
11 do I have problems around my church where some of the
12 things that people are dealing with, like the young
13 lady urinating, things of that nature, applies.

14 I wouldn't necessarily say that it was a
15 situation where it just happens around a service
16 station or a business. It happens around the church.
17 So I think that the problem is really deeper than a
18 certain service station. I think there's a value
19 system that's endemic of certain areas in our city.
20 I think that that is something that I've been trying
21 to deal with since I've been there, I think since
22 1995.

23 CHAIRMAN WITKOWIAK: Are you -- Can I call
24 you Pastor Fuller?

25 MR. FULLER: Yeah.

1 CHAIRMAN WITKOWIAK: Pastor, I just have a
 2 question for you. Do you think that this -- do you
 3 think that the problem is aggravated or worse because
 4 the station is open 24 hours?
 5 MR. FULLER: I think that the station could
 6 be open 24 hours, but if they really could control
 7 what would happen on the outside of the business would
 8 help. I think that problems arise when there is no
 9 control on over what people are doing, and the bigger
 10 question is how do you control what people want to do.
 11 I mean I've been pastor in the neighborhood,
 12 and I go down in front of the service station, and
 13 I've witnessed people being vandalized. In fact, I've
 14 invited people to come to the church, and Mr. Toor
 15 doesn't object to that. I've even given him flyers to
 16 come and visit me and to my church, and he doesn't
 17 object. So I guess my philosophy, my ideal would be,
 18 that it's not necessarily that Mr. Toor is against a
 19 value system. I think that he wants that. I think
 20 that we all want that. I want that. That's what I
 21 meant. That's why I didn't leave.
 22 And I think that what happens, when we look
 23 at what we're trying to do and what we're talking
 24 about, is -- the way I look at it, is how does one
 25 really create value systems in people that maybe they

1 much for your testimony, and thank you for the work
 2 that you do in the neighborhood. Alderman Bohl, do
 3 you have a question?
 4 ALDERMAN BOHL: More of a comment. Pastor,
 5 I appreciate your comments here because I certainly
 6 think that you address concerns about what are endemic
 7 in our city and society in general, but, you know, the
 8 one thing that I would just say in terms of comments
 9 to Mr. Blain is 15, 20 years ago, we didn't have a
 10 24-hour Walgreen's. Pick 'N Save wasn't open 24
 11 hours. People still had children who needed milk,
 12 and you either had the foreknowledge of having some
 13 milk, or you gave them a little bit of water until
 14 the morning, and then you went there at 6 a.m. when
 15 the store opened, and sometimes I think we were all
 16 better for that.
 17 MS. WALLACE-CONNOR: Amen.
 18 ALDERMAN BOHL: You know, people need a
 19 little bit of downtime. People who live in the
 20 neighborhoods need to have a peaceful sleep and the
 21 downtime of having peaceful enjoyment of -- You
 22 know, they own a property, and they want to have a
 23 reasonable night's sleep so they can wake up in the
 24 morning and go about doing their business in their
 25 lives as well, too.

1 don't want.
 2 So if there's a way that this station could
 3 be open where everybody would benefit, -- and like the
 4 gentleman said on the end down there, that maybe late
 5 at night somebody might need some milk or whatever.
 6 And that neighborhood is also depressed as relates to
 7 stores. Actually there isn't a store in the neighbor-
 8 hood since the Kohl's Department Store closed down.
 9 I mean where do you really go? You can go to
 10 Walgreen's and get something, but there's a big
 11 void there.
 12 So I guess to answer your question, if we
 13 can work out something where everybody benefits, --
 14 and that seems to be the side that I'm on, everybody
 15 has to benefit, you know. And I think that the
 16 neighborhoods are going to benefit when everyone is
 17 benefited.
 18 And all of the people -- the gentlemen who
 19 gave the testimony about the noise, I mean I cannot
 20 sit here and say that I don't agree with that because
 21 I know it happens, because I've had some issues that
 22 have happened around the church. It seems to be a
 23 sign of the times that people have no respect for a
 24 lot of things, and that's including the church.
 25 CHAIRMAN WITKOWIAK: Pastor, thank you so

1 So I do appreciate that, and I do know there
 2 are times when there are those needs. And I think the
 3 people then -- You know, if you woke up and your child
 4 had a fever, and you noticed you didn't have any
 5 Tylenol, you would maybe pick up the phone and call
 6 that good-friend neighbor of yours and, you know, wake
 7 them up because of the situation. That's what
 8 neighbors are for. However, as I said, that is one
 9 thing that does concern me.
 10 We seem to move to -- And I was the sponsor
 11 of this 24-hour legislation, because we just seem to
 12 be moving increasingly to an all-night society, and
 13 for good people, that isn't always such a good thing.
 14 But I'll get off my soapbox now.
 15 CHAIRMAN WITKOWIAK: Okay. Are there any
 16 other questions by members of the committee of this
 17 witness? Mr. Toor, do you have questions of Pastor
 18 Fuller here?
 19 MR. TOOR: No, sir.
 20 CHAIRMAN WITKOWIAK: Okay. Sir, did you
 21 wish to testify also, or -- No? You raised your hand
 22 before. Did you want to testify?
 23 MR. HOWARD: Yeah.
 24 CHAIRMAN WITKOWIAK: Then you'll be the last
 25 person to testify in this matter; is that correct?

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

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

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

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

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

1 before the station was even built there. People were
 2 selling drugs on the streets, staying out all night,
 3 you know.
 4 CHAIRMAN WITKOWIAK: Yes.
 5 MR. HOWARD: And the station might put in
 6 a little more, but all of that was happening before.
 7 People leave the taverns, they're out there selling
 8 drugs all night, you know. That's been going on.
 9 CHAIRMAN WITKOWIAK: Okay. Thank you. Any
 10 questions of this witness?
 11 ALDERMAN WADE: Mr. Chair.
 12 CHAIRMAN WITKOWIAK: Alderman Wade.
 13 ALDERMAN WADE: So, sir, are you saying that
 14 you feel that with or without the station in the
 15 neighborhood, some of the complaints that the other
 16 witnesses have would go on anyway or would have gone
 17 on in the past? Is that what you're saying?
 18 MR. HOWARD: Right, right.
 19 ALDERMAN WADE: Okay. Thank you.
 20 CHAIRMAN WITKOWIAK: Any other questions by
 21 committee? Do you have any questions of this witness,
 22 Mr. Toor?
 23 MR. TOOR: No, sir.
 24 CHAIRMAN WITKOWIAK: Alderman McGee.
 25 ALDERMAN MCGEE: Yes. Thank you, Mr. Chair.

1 on my testimony and my dispute and objection with said
 2 license.

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

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

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

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

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

1 every night, we'll be a victim, and somebody's going
2 to break into the place.

3 And there's going to be more cruising
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
11 there's not going to be more problems over there than
12 now.

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

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

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

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

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

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

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

8 MR. TOOR: Yes, we are.

9 ALDERMAN PUENTE: Thank you.

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

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

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

17 CHAIRMAN WITKOWIAK: A warehouse building
18 that was empty?

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

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

23 ALDERMAN BOHL: Mr. Chairman.

24 CHAIRMAN WITKOWIAK: Alderman Bohl.

25 ALDERMAN BOHL: I would at this point move

1 litter.

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

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

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

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

1 CHAIRMAN WITKOWIAK: Motion by Alderman Bohl 1

2 is to recommend denial of the 24-hour Establishment

3 application. On the motion? Is there any discussion?

4 Okay. Are there any objections to the motion?

5 Hearing none, so ordered. Motion carries, five-zero.

6 ALDERMAN WADE: Mr. Chairman?

7 CHAIRMAN WITKOWIAK: Alderman Wade.

8 ALDERMAN WADE: I would just like to say on

9 the record to Alderman McGee, I miss that area. I

10 mean, really. Since the rezoning, -- I was really --

11 I like that neighborhood. I mean, I grew up over

12 there, and I have a good rapport with those people

13 over there, and I'm happy that you have that area

14 because I know you're going to look at it the way I

15 looked at it, but I do miss that area.

16 CHAIRMAN WITKOWIAK: Thank you.

17 Mr. Schrimpf?

18 MR. SCHRIMPF: It's a new application.

19 CHAIRMAN WITKOWIAK: Okay. Thank you all

20 for appearing here today.

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2 STATE OF WISCONSIN } ss:

3 MILWAUKEE COUNTY)

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22 Milwaukee, Wisconsin

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