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1
2 CITY OF MILWAUKEE
3 LICENSES COMMITTEE

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5
6 In the Matter of Sonja Wright, Class "B" Tavern and Tavern
7 Dance renewal application with an age distinction of 30
8 and greater for Fitzgerald's Jazz & Blues" at 2001 North
9 30 Street.

10 *****

11 COMMITTEE MEMBERS
12 ALD. JAMES BOHL - Chair
13 ALD. MILELE COGGS - Vice Chair
14 ALD. ASHANTI HAMILTON
15 ALD. T. ANTHONY ZIELINSKI
16 ALD. NIK KOVAC

17 LICENSING DIVISION by REBECCA GRILL
18 POLICE DEPARTMENT by SEARGENT CHET ULICKEY
19 OFFICE OF THE CITY ATTORNEY by ATTORNEY BRUCE SCHRIFF

20 Proceedings had and testimony given in
21 the above-entitled matter, before the LICENSES
22 COMMITTEE OF THE CITY OF MILWAUKEE, on
23 the 20th day of October, 2009.

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1 PROCEEDINGS
2 CHAIRMAN BOHL: Sonja Wright, Class "B"
3 Tavern and Tavern Dance renewal application which
4 - - with a age distinction of 30 and greater for
5 "Fitzgerald's Jazz & Blues" at 2001 North 30th
6 Street.

7 THE APPLICANT: Good afternoon.
8 CHAIRMAN BOHL: Good afternoon to you.
9 All right. We will swear you in. If you want to
10 raise your right hand, and anyone else wishing to
11 provide - - Why don't we do it this way? If - -
12 If there are those who are here in the audience
13 who believe you may provide testimony on this
14 matter here, we'll just ask that you all raise
15 your right hand, we'll swear you in. Even in the
16 event that you don't come forward, if there's a
17 chance, just raise your right hand, we'll swear
18 you in.

19 (Whereupon those present were sworn.)
20 CHAIRMAN BOHL: For our Applicant, I'll
21 need your name and address for our record,
22 please.

23 THE APPLICANT: Sonja Donetta Wright,
24 6475 North 55th Street, Milwaukee, Wisconsin
25 53223.

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1 CHAIRMAN BOHL: Thank you. And, Ms.
2 Wright, do you acknowledge receiving notice of
3 today's meeting with the possibility your
4 application could be denied. There is a
5 possibility for denial based on items contained
6 within an attached police report, as well as,
7 also, the possibility of neighborhood objections
8 serving as a means for denial.

9 THE APPLICANT: Yes.

10 CHAIRMAN BOHL: Thank you. This is a
11 renewal, so there should be no holds. Sergeant,
12 we'll go right to the police report, please.

13 SERGEANT MACGILLIS: I'll start with
14 item seven, however, before that, items four,
15 five and six were previously reported
16 dispositions now added on 9/3/2009.

17 Item four on 5/17/2008, Milwaukee
18 Police conducted a license premise check at 2001
19 North 30th Street. Investigation found the
20 tavern capacity permit was 80, and 126 patrons
21 were found inside the tavern. Officers did speak
22 to Robert Tukendahl - - Kuehdahl, correction,
23 was working the front door for 90 percent of the
24 night, and Kuehdahl stated to police that only
25 79 patrons were inside. The citation was issued

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1 to Sonja Wright for over capacity. Charged over
2 capacity, finding of guilty, fined 10,000 dollars
3 with a balance of 9,900 dollars due by 2/7/2011,
4 and that date was 11/7 of 2008.

5 Going back to item five on 5/19/2008 at
6 12:10 a.m. Milwaukee Police observed patrons
7 still inside the tavern at 2001 North 30th
8 Street. Police spoke to the bartender manager,
9 Tasha Wetherahl, who stated out of the ten
10 subjects inside the tavern, all but four were
11 employees. Police cited the licensee, Sonja
12 Wright, for patrons after hours. Charged patrons
13 after hours, finding of guilty, fined 1,094
14 dollars and nine cents with a balance of 858
15 dollars and nine cents due by 2/7/2011. The date
16 of that was 11/7/2008.

17 And item six on 6/29/2008 at 11:15 a.m.
18 Milwaukee Police conducted a tavern check at 2001
19 North 30th Street. Investigation revealed three
20 females under the legal drinking age inside the
21 tavern. These patrons were each cited for
22 presence of underage. Officer spoke to the
23 manager, John Carter, who stated he was unaware
24 how the underage persons gained entry. Carter
25 was issued a citation for presence of underage,

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1 as well as the licensee, Sonja Wright. As to
 2 Sonja Wright, charged presence of underage at
 3 licensed premise, finding of guilty, fined 500
 4 dollars with a balance of 400 dollars due by
 5 2/7/2011, and that was on 10/24/2008. As to John
 6 Carter, charged presence of underage at licensed
 7 premise, finding of guilty, fined 1,101 dollars
 8 on the date of 8/20/2008.

9 We will get back to the superscript
 10 here, Applicant currently has a open warrant for
 11 littering of public property. Letter was mailed
 12 on 10/2 of 2008.

13 On to item number seven, on 9/18/2008
 14 at 12:28 a.m. Milwaukee Police were flagged down
 15 by security for the Fitzgerald's located at 2001
 16 North 30th Street regarding a fight complaint.
 17 Officers observed 30 patrons leaving the tavern
 18 when they heard breaking glass and observed
 19 chairs being thrown inside of the tavern.
 20 Security was then yelling for police to come into
 21 the bar. Officers investigation revealed that
 22 the bartender, John Carter, was involved with a
 23 fight with his son, Levonne Carter, over what
 24 John Carter stated to police was a personal
 25 family matter. Levonne refused to cooperate with

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1 10:04 p.m. Milwaukee Police, along with an agent
 2 from the Department of Revenue, Alcohol and
 3 Tobacco, conducted a license premise check at
 4 2001 North 30th Street. The investigation led to
 5 41 unopened bottles of liquor confiscated due to
 6 liquor being purchased from non-distributors.
 7 Another 11 bottles were suspected of being
 8 refilled and were confiscated and removed by
 9 Agent Kenyon.

10 Item ten, on 12/23/2008 at 12 p.m.
 11 officers from District 3, as well as licensee,
 12 Sonja Wright of Fitzgerald's Jazz & Blues located
 13 at 2001 North 30th Street, met with each other at
 14 District 3 to address problems that were
 15 occurring in the tavern. Also in attendance at
 16 the meeting was Vincent Ashford, who identified
 17 himself as the armed security company for the
 18 tavern. During the meeting it was found that the
 19 security company does not exist in the State
 20 licensing database, however, Ashford was a
 21 licensed private detective and security guard.
 22 Ashford stated to officers he does not have a
 23 Federal employee identification number with the
 24 Department of Revenue, and - - and that he was
 25 just trying to make an honest buck.

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1 officers lawful orders and continued to yell and
 2 cause a disturbance. Levonne Carter was arrested
 3 and issued a citation for disorderly conduct. It
 4 should be noted that one other patron who was in
 5 the bar was cited for disorderly conduct. Police
 6 were later sent to St. Joseph's Hospital for a
 7 victim who sought medical attention for pain to
 8 her neck from being hit by a chair while she was
 9 a patron at Fitzgerald's. The woman stated to
 10 officers that Levonne Carter was upset his
 11 father, John Carter, because he was allowing male
 12 strippers to perform at the tavern.

13 Item eight on 12/14/2008 at two a.m.
 14 Milwaukee Police conducted a license premise
 15 check at 2001 North 30th Street. Investigation
 16 found the tavern's capacity was 80 and that there
 17 101 patrons inside of the tavern. Officer also
 18 found a security monitor which displayed the
 19 exterior of the building and primarily the front
 20 door, which was believed to determine if officers
 21 were about to enter the tavern. The licensee,
 22 Sonja Wright, was issued a citation for over
 23 capacity. On 12/17/2009 the City Attorney's
 24 officer refused prosecution.

25 Item nine, 12 - - on 12/18/2008 at

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1 Sonja Wright was present during the
 2 conversation and she was made aware of the fact
 3 that she hired an unlicensed armed security
 4 agency. It should also be noted that Ashford was
 5 involved in a homicide investigation at a
 6 nightclub where he was employed as an armed
 7 security guard. During this incident Ashford
 8 fired ten rounds. The investigation also found
 9 that Ashford stated he was employed by SPI
 10 Security, but he was free-lancing with his
 11 company, LP&V Armed Security.

12 Item 11, on 12/25/2008 at 11:07 p.m.
 13 Milwaukee Police were dispatched to 2001 North
 14 30th Street for a subject with a weapon fight
 15 complaint. Upon officers' arrival they observed
 16 15 to 20 patrons from the bar crowding the street
 17 and sidewalk making it difficult for squads to
 18 pass. One subject was observed to be wielding a
 19 crowbar, swinging it in the direction of
 20 security, as well as patrons. This patron was
 21 eventually arrested and cited. Officer spoke to
 22 Security Officer Justin Grant, who stated that
 23 there was a verbal altercation inside the tavern
 24 with one patron being escorted out. This patron
 25 refused to leave and attempted to bite Grant on

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1 the hand when he, Grant, punched the patron in
 2 the face. The patron then grabbed a glass bottle
 3 and threw it at Grant, but it struck a window
 4 causing damage. Grant was cited for assault and
 5 battery, and the patron was cited for disorderly
 6 conduct. Several other patrons were cited for
 7 disorderly conduct, because they were inciting
 8 other patrons during this incident. Officer
 9 spoke to John Carter, who identified himself as
 10 the owner/licensee during this incident.
 11 However, officers were aware he was not the
 12 licensee and that Carter did not possess a Class
 13 B manager's license. Pardon me.

14 Item 12, on 12/31/2008 Milwaukee Police
 15 conducted a license premise check at 2001 North
 16 30th Street. Officers spoke with the bartender,
 17 William Harmon, and found that the building had
 18 no heat. Officers observed several extension
 19 cords that ran from the business to 2003 North
 20 30th Street. Officers found several couches, a
 21 kerosene torpedo heater, and video monitors at
 22 2003 North 30th Street. Officers questioned
 23 Harmon regarding this, and Harmon stated he works
 24 for the bar four days a week and that he doesn't
 25 believe that the building uses a furnace for

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1 the male patron was found to have warrants and
 2 was placed into custody. Officer spoke with the
 3 bartender, John Carter, who stated that no one
 4 was indecent or smoking drugs on the premises.
 5 Carter stated that shortly before officers
 6 arrived security removed the disorderly patron,
 7 and that could have been the reason why police
 8 were called.

9 Item 14, on 4/4/2009 at 1:26 a.m.
 10 Milwaukee Police, while on routine patrol,
 11 observed a fight of about ten people in front of
 12 the Fitzgerald's located 2001 North 30th Street.
 13 As officers approached, most of the subjects fled
 14 on foot. However, one subject was detained.
 15 Officers spoke with security and John Carter, who
 16 stated a small verbal argument ensued inside the
 17 tavern, and patrons involved were escorted out
 18 separately and told to leave. As subjects
 19 congregated outside, another subject, unknown if
 20 he was in the bar that night, pulled up and began
 21 to shout obscenities, which caused a fight. No
 22 victims could be located, and the incident was
 23 advised.

24 Item 15, on May 4th, 2009 at 12:52 a.m.
 25 Milwaukee Police were dispatched to 2001 North

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1 heat, and that a wall mounted space heater is all
 2 that is usually turned on for heat. Officers
 3 also observed no beer taps at the bar, and that a
 4 case of Miller Genuine Draft beer bottles were
 5 sitting on the floor next to the bottle drink
 6 holder, which had a Pick'n Save sticker on it.
 7 William stated to officers that the beer was
 8 purchased because they were not going to be
 9 getting a shipment from the distributor in time
 10 for the holiday. Officers did notice that the -
 11 - in the beverage cooler there were - - appeared
 12 to be leftover food items at the bottom. William
 13 stated he rarely ever sees the bar owner, Sonja,
 14 and that if he needs anything, supplies or has
 15 any problems, he usually contacts John F. Carter,
 16 who is there every night.

17 Item 13, on 1/12/2009 at 11:03 a.m.
 18 Milwaukee Police were dispatched to 2001 North
 19 30th Street for an indecent exposure complaint,
 20 as well as patron smoking drugs inside the
 21 tavern. Officers checked the license premises
 22 and found the complaint to be baseless. However,
 23 upon checking the bathrooms, found one of them to
 24 be locked. Eventually two patrons exited, a male
 25 and female. Routine checks were conducted, and

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1 30th Street for an armed robbery complaint.
 2 Officers spoke to Robert Kuehdahl, who stated he
 3 had been working the door at Fitzgerald's when
 4 three subjects approached them across the street.
 5 Kuehdahl stated one actor put a gun to his head
 6 and told him to look at the sky. The subject
 7 then removed cash from Kuehdahl and all - - all
 8 actors fled from the location. Kuehdahl stated
 9 that he did observe the subjects walking around
 10 the area prior to them robbing him. Officers
 11 spoke with the bar manager, John Carter, who
 12 stated that there were cameras on the bar,
 13 however, the cameras do not record. Carter
 14 further stated that the cameras were simply
 15 viewing cameras to watch what was going on
 16 outside.

17 Item 16, on 5/21/2009 at 12:40 a.m.
 18 Milwaukee Police just completed a traffic stop in
 19 the area of 29th and Brown Streets on an auto
 20 where one - - where one occupant was 18 years of
 21 age. Officers observed the subjects enter the
 22 Fitzgerald's located at 2001 North 30th Street.
 23 Officers called for another squad and conducted a
 24 license premise check. Investigation revealed
 25 the underage was served and drinking an alcoholic

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1 beverage. The patron stated she was never carded
 2 by security at the front door, because she knows
 3 the owner. Officer spoke to the bartender
 4 identified as LaKeshia Weathers, who stated she
 5 doesn't check IDs because it's the job of the
 6 security officers who are at the front door. The
 7 licensee, Sonja Wright, was issued a citation for
 8 sale of alcohol to underage prohibited. The
 9 underage patron was also cited for possession,
 10 consumption of alcohol by an underage and
 11 obstructing issuance of the citation. As to
 12 Sonja Wright, sale of alcohol to underage person,
 13 there was a change in the document here. We
 14 updated it on the 16th of October, guilty, 100
 15 dollar penalty, balance due by 12/15/2009. It is
 16 not an open warrant.

17 Item 17, on 6/8/2009 at 1:54 a.m.
 18 Milwaukee Police were dispatched to 2001 North
 19 30th Street for a shots fired complaint. Officer
 20 spoke with the bar manager, John Carter, who
 21 stated he called for police. Investigation found
 22 that a known patron in the bar, drinking - -
 23 Correction. Investigation found a known patron
 24 was in the bar drinking and became angry because
 25 he thought his girlfriend didn't get her free

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1 gunshots. It was found that one of the security
 2 guards, Ouj Hartfield, was shot to her left
 3 shoulder. She was conveyed to a nearby hospital,
 4 where she was treated and released. Police
 5 recovered three 22 caliber casings, along with a
 6 magazine filled with 14 22 caliber rounds.
 7 Carter stated the video surveillance was not
 8 functioning properly that evening and he could
 9 not retrieve the video images. A total of 12
 10 squads were on the scene to handle this incident.
 11 Several attempts were made to contact licensee,
 12 Sonja Wright, but they were unsuccessful.
 13 Additionally, Applicant - - Correction. On the
 14 bold script at the bottom of this, those warrants
 15 were taken care of as of the 20th, and
 16 additionally, Applicant currently has an unpaid
 17 parking citation for the amount of 90 dollars,
 18 which was due 7/21/2009.

19 CHAIRMAN BOHL: So all, just to
 20 reiterate, all of the warrants have been
 21 satisfied?

22 SERGEANT MACGILLIS: Yes, according to
 23 our checks.

24 CHAIRMAN BOHL: Are there questions or
 25 comments that you have relating to the items in

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1 birthday drink. Both the patron and his
 2 girlfriend were escorted out of the tavern where
 3 the patron continued to be loud and yell
 4 profanities. The subjects left the area, but the
 5 known male returned shortly after, armed with a
 6 gun, and was observed firing six shots into the
 7 bar and fleeing the scene. Carter stated to
 8 police that the security cameras in the business
 9 were not working properly and did not capture the
 10 incident. It should be noted, as of 9/3/2009,
 11 John Carter does not possess a valid bar
 12 manager's license.

13 Item 18, 7/24/2009 at 1:58 a.m.
 14 Milwaukee Police were dispatched to 2001 North
 15 30th Street for a shooting complaint.
 16 Investigation found that an argument fight broke
 17 out in the street that involved seven to ten
 18 subjects. John Carter, who works for
 19 Fitzgerald's advised - - advised police that
 20 these subjects were not patrons of the bar.
 21 Security observed one subject to be unconscious
 22 and attempted to render aid. Carter then stated
 23 he ordered his security personnel back into the
 24 tavern, because "the fight wasn't their problem."
 25 And when doing so, he heard two or three

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1 the police report, Ms. Wright?
 2 THE APPLICANT: Yes, I do. Item seven
 3 is incorrect, because the argument wasn't over a
 4 male stripper. We were having a bachelorette
 5 party, and my stepson, which is Devonne, got into
 6 it with his brother, and he wanted his father - -
 7 to reiterate, and get the situation taken care
 8 of. And apparently his father wasn't coming fast
 9 enough. So that's when he began breaking glasses
 10 or whatever. And the police came and took him to
 11 jail, because that's not what you do. If your
 12 father don't come fast enough, you sit and you
 13 wait.

14 And on item number nine, about the
 15 bottles or whatever from Pick'n Save. Ever since
 16 we got this suspension and we had a meeting with
 17 Captain Hudson, I have every receipt from Badger
 18 Distributors. There is nothing being bought from
 19 any grocery stores. Ever since I found out that
 20 I could not buy them from Pick'n Save, I have
 21 every single receipt.

22 And for number ten, I think it is, with
 23 the Special Op things, when - - at the meeting,
 24 also, which was taken care of last year, Captain
 25 Hudson notified us that he did not have his,

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1 whatever, license or whatever he need. That same
2 day after the meeting, he was fired. The next
3 week we hired a Special Ops, which is - - and we
4 also have Ensin Magelli, is one of our officers,
5 and I'm waiting for him to get his insurance. He
6 have his private investigator license, but I'd
7 rather him have the insurance so this won't come
8 up any more. So that is being taken care of, and
9 that we have Special Ops.

10 Number 11, Justin Grant can talk about
11 that, because he was there.

12 THE WITNESS: On the - -

13 CHAIRMAN BOHL: I'm going to need - -
14 I'm going to need your name and address for the
15 record, please.

16 THE WITNESS: My name is Justin Grant.
17 2102 West Vine, Apartment 205.

18 CHAIRMAN BOHL: Go ahead.

19 THE WITNESS: Milwaukee, Wisconsin. On
20 the day, I was just starting my shift. And as I
21 came inside I heard a altercation going on. Our
22 - - It was getting out of hand, so I took it upon
23 myself to say - - Our operations, when we do have
24 a situation, we remove one - - one side of the
25 party and keep the other side safe. And so when

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1 that other side of the party leaves, then we
2 escort the other side of the party out. And then
3 they leave, as well. So I was escorting one
4 young lady out of the bar, and she got
5 belligerent with me, and she got - - started to -
6 - aggressive with me and push back. And I
7 decided - - I grabbed her by the arms, I said,
8 well, lady, you have to leave. As I was taking
9 her to the door, she decided to try to bite me.
10 As she - - And she had her lips on my arm biting
11 me, I jabbed - - get her away from me. And as I
12 jabbed away, it must have hit her in the mouth,
13 and she left out. After she got outside, we were
14 told leave her, she's outside, leave it alone.
15 We're coming back inside the bar to continue our
16 night. As we all went back inside the bar, she
17 picked up a glass bottle. So she did not throw
18 it at me. She picked up a glass bottle and threw
19 it through the window, just because she was mad
20 because she got escorted out of the bar.

21 I was cited for assault and battery. I
22 did go to court, and the District Attorney threw
23 that out. And I was not charged or - - It did
24 not go anywhere. It was thrown out by a judge
25 and by the District Attorney. She wasn't even

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1 going to pro - - process it.

2 On the night as of - - As saying that
3 John Carter identified himself as the
4 owner/licensee, no, he did not. He didn't see
5 the situation. He did not talk to the police
6 department that night. I was doing all the
7 talking, because the situation was with me.
8 Everyone knows that Sonja is the owner of that
9 bar. He did not say that.

10 THE APPLICANT: And I want to just let
11 you know, he is not the manager. He haven't took
12 the class. And after all these things, that's
13 why I decided not to make him the manager,
14 because all of this stuff comes back on me. So I
15 have Justin here as head of everything, and, yes,
16 John does watch out for him, because he is
17 younger, and John knows the business better than
18 both of us. But far as him being the manager,
19 no, he is not the manager. He is not the owner.
20 I am the owner.

21 THE WITNESS: Could we just look at
22 because of the fact that she works two jobs, me
23 and John just look after the place when she's not
24 there.

25 THE APPLICANT: And I also go to

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1 college, too. I'm going to be a teacher. I work
2 with two jobs. One with children, and one with
3 the elderly. So that's why I am not there all
4 the time. And that's maybe why I don't answer
5 the phone at two or three in the morning, because
6 I'm tired.

7 And number - - As to number 12, I can't
8 speak on that, because I wasn't there. But I do
9 know that when they confiscated all of the
10 bottles and the - - whatever they had, Pick'n
11 Save on, which we had a meeting for, some - -
12 some boxes were left, and we use those for trash.
13 And the boxes were there, empty, but they still
14 had the sticker on it. There was no beer or
15 liquor inside of, because they confiscated
16 everything, but they did not take the boxes with
17 them. So, of course, we're going to use it for
18 trash. And that's why the boxes were still
19 there.

20 And number 13, when the guy and the
21 girl was in the bathroom, they were boyfriend and
22 girlfriend. The ladies' bathroom was full. It's
23 two separate areas in the men's bathroom. That's
24 his woman. She went in with him. As far as him
25 having a warrant, I have nothing to do with that.

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1 That's his business. But when the police came,
2 they found out they had a warrant, and they took
3 care of that. I wasn't supposed to take care of
4 that, because I didn't know anything about his
5 warrants.

6 And number 14, Justin was there. Also,
7 I can't speak for him. He's here.

8 THE WITNESS: As for them - - They did
9 get into it, but they never got into a actual
10 confrontation. They did not get into a fight,
11 because the police were actually on their route,
12 and they drove up on them actually just having
13 words. When the police pulled up, the
14 confrontation died down, and everyone went their
15 own way.

16 And as you may see in here, they're
17 also saying now John Carter is security. He's
18 not the manager now. He's security. I just want
19 you to notice that.

20 THE APPLICANT: And for number 15, my
21 security was robbed. I have no control over
22 someone walking up with a gun saying, give me the
23 money. I have no control over that. But that's
24 what happened. My security got robbed at
25 gunpoint, and that was that.

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1 and ask questions, I did state that it was my
2 fault. I should have checked her ID. I thought
3 that the other security outside did do that, but
4 they did not, in reality.

5 THE APPLICANT: Number 17, this is
6 shots fired, whatever. Justin was there. It was
7 a birthday party. And our policy is whoseever
8 birthday it is, it's a special glass, a big
9 glass, that they get a free drink on us. And the
10 drink was given to her. On that he can talk.

11 THE WITNESS: He came to - - Me and
12 John were sitting at the stage looking at the
13 crowd and watching, do crowd control. And we
14 noticed - - He came to us very belligerent,
15 didn't give my girlfriend a birthday drink.
16 Well, we looked down in his hand, and the
17 birthday drink was in his hand. It was a big
18 glass of Malibu and orange, when he had Hennessy
19 all night. As he started getting belligerent
20 with us, he then, on his own, left out the bar.
21 I - - I saw this all look on his face, so I
22 followed him from the stage towards the door.
23 And as he gets to the door, he breaks our door
24 into half. He literally takes the door, swings
25 it back, and breaks our door in half. We had to

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1 And number 16, the traffic stop, and
2 yes, she was allowed to come in. I don't know
3 why she was allowed to come in. But as of that
4 day, Robert was no longer head of security
5 anymore. Because he let her in. I don't care if
6 she knows Jesus Christ, she don't get in without
7 an ID. And we're currently working on getting
8 that ID scanner thing, but that's about 4,000
9 dollars. It takes time to get that. And number
10 - - My - - My bartender, LaKeshia is here, and she
11 can say what she stated, because I can't talk for
12 her.

13 THE WITNESS: And, also, as that
14 underage minor came into the bar, it was - - it
15 was pretty much a misunderstanding, a
16 miscommunication. It was me, three other people
17 at the door. I thought that the other security
18 was at the bar, checking the ID under the light
19 that we keep at the bar. But he was not. He was
20 getting change, in reality. So I did not search
21 her - - her ID, thinking that he had already
22 searched it. And she came - - I didn't search
23 her as she came on into the bar. So that was a
24 miscommunication on my part. So. And I did
25 state to the police department when they did come

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1 get a new bar door after that day. He goes
2 outside, and his own people that he came to the
3 bar with - - This - - This person is from the
4 neighborhood. His own people that he came to the
5 bar with came outside to check him, to say why
6 did you do this? What are you doing, man? We
7 don't know what he was on. Then they started
8 fighting each other. After he got into a fight
9 with his own people, he left and went down the
10 street. I don't know where he - - He left. And
11 his girlfriend had already left outside the bar
12 and was sitting in the car. She had pulled the
13 car up to the front door to get him in. He was
14 kind of intoxicated. So he left out. And he
15 came back and shot into the window. All
16 customers were gone. Only people that were
17 inside were a couple employees.

18 As to that, also, our bartender,
19 LaKeshia, and our security Oujii, can speak on
20 that, due to the fact that they were sitting in
21 their car, because they wait. We all wait for
22 everyone to leave. All the employees leave
23 together. We don't leave one at a time. We all
24 leave together to watch each other's back. They
25 were outside and witnessed him come and walk down

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1 the sidewalk and shoot into the building. There
2 was a couple of employees inside the bar, but we
3 were all right.

4 THE APPLICANT: And number 18, the bar
5 was closing. Everyone was getting paid, and
6 there was a fight between the neighborhood guys.
7 No one that had to do with the bar. They were
8 fighting. There was one man on the ground,
9 bleeding, and wasn't moving. So security took it
10 upon themself to go and help the guy, because the
11 guy wasn't moving, and the end result was my
12 security guard got shot in the shoulder. She's
13 here right now. She can tell you what happened.
14 And, also, we have a witness that lives directly
15 across the street that was out there watching the
16 whole thing go down. If you need to talk to
17 them, they are here to speak for theirselves.

18 CHAIRMAN BOHL: Thank you. Any
19 questions committee members have on any items on
20 the police report at this time? Mr. Pederson, is
21 this something that the City Attorney's office
22 and/or police department is formally objecting
23 to?

24 MR. PEDERSON: Thank you, Mr. Chairman.
25 I'm Robin Pederson of the City Attorney's office,

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1 and even today, there are certain things she
2 didn't know she needed to do. And she's been
3 learning about what she needs to do.

4 One of the major problems has been
5 security, and I think the police will speak more
6 to this. But I know one of the major suggestions
7 by the police department was that they have
8 uniformed security, because there were times when
9 police would come, and someone would have a
10 hooded jacket, or a T-shirt, and it wasn't clear
11 who was security and who was not.

12 One of the other major themes is the
13 role of John Carter. He said in our last meeting
14 that he's the - - he's a DJ sometimes, he's
15 security sometimes, he's a manager sometimes. I
16 know they're saying he's not a manager, but he
17 seems to answer a lot of the questions, and he's
18 not here today. So that's - - that's of concern.
19 And then, there just seems to be a general lack
20 of control of the establishment. And President
21 Hines just wanted me to convey those - - those
22 concerns. To avoid any appearance of aldermanic
23 privilege he didn't want me to request any
24 specific penalty. But he does believe some kind
25 of significant penalty is warranted, whether that

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1 representing the police department. It's my
2 understanding that the police department will not
3 be making an active objection in this case.
4 However, Officer McNichol and Officer Brown are
5 both present to provide the committee some
6 additional information that they believe may be
7 appropriate for its consideration of what to do.

8 CHAIRMAN BOHL: We'll - - Before we get
9 to that, we just hear from Alderman Hines'
10 office.

11 MR. RUNNER: Sure, thank you, Mr.
12 Chair. As you can guess, probably, President
13 Hines has some major concerns about this
14 establishment. And we've had some meetings with
15 the police department, who are here. It is a
16 nuisance property, which was, I think at our last
17 meeting, a letter was given from District 3
18 Police Department to Ms. Wright and Mr. Carter,
19 letting them know that it is a nuisance property.

20 You know, like any novel or other
21 literary work there are certain themes, and in
22 this lengthy police report there are certain
23 themes. And one of them is there's a lot of - -
24 There seems to be a lot of on-the-job learning.
25 We've heard in - - in the meeting with Ms. Wright

00028

1 be a suspension, or - - or whatever the committee
2 sees fit. I heard some that - - that a lot of
3 this is the neighborhood, but the vast majority
4 of these - - the police record, PA-33s, are
5 internal issues, whether it be not having heat,
6 not having property - - proper security, not
7 having proper license or roles of workers.

8 One issue that did come up at the
9 meeting was there's a silent partner on this
10 license, Mr. Quincy Buffing, and they acknowledge
11 that that's, I think, a nephew or - - or someone
12 who has a financial stake in the - - in the
13 establishment. And they committed to amending
14 the license and getting him on the license before
15 this meeting. So President Hines did want me to
16 make sure that he was on there. So those are the
17 major concerns. I'm sure the police will
18 elaborate.

19 I should acknowledge, also, there's a -
20 - This is pretty much maybe the saving grace for
21 Fitzgerald's is that this is a pretty industrial
22 area. It's industrial - - 30th Street industrial
23 quarter, there's not really many homes around
24 there at all. There is a business, Adams
25 Industries, that's had several complaints over

00029

1 the last couple years. But they seem to have
2 come to some kind of understanding, and, you
3 know, I think the - - the fact that Mr. Adams is
4 not here and said he would not speak out against
5 it to our office, perhaps, shows that they've
6 been able - - they've tried to work with
7 residents to some extent. Not residents, but to
8 the other business there.

9 But, nevertheless, President Hines
10 still has some major concerns.

11 CHAIRMAN BOHL: Thank you. Ms. Grill,
12 there was a - - a statement of a - -

13 MR. RUNNER: Quincy Buffing, I think is
14 the name. I mean, Miss - - Ms. Wright would know
15 better, but she - - she acknowledged that he's a
16 silent partner. She said that she would get him
17 on the license before this meeting.

18 CHAIRMAN BOHL: Do we have any - - any
19 indication that a gentleman of that name has - -

20 THE APPLICANT: No, he is not on there,
21 because I'd rather just do it by myself. And
22 that's how I left it. I - - I plan on moving to
23 a new location as soon as I find it, and changing
24 the name.

25 CHAIRMAN BOHL: But, I mean.

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1 THE APPLICANT: No.

2 CHAIRMAN BOHL: I mean, normally - -

3 THE APPLICANT: He's my stepson.

4 CHAIRMAN BOHL: Okay.

5 THE APPLICANT: That's who he is. He's
6 my stepson. But he don't have no - - All the
7 bills are paid by me. Quincy don't pay
8 nothing - -

9 CHAIRMAN BOHL: Are the bills in his
10 name, though?

11 THE APPLICANT: Yes, the - - the gas
12 was in his name, because I didn't know I can have
13 two gas bills in my name. And now that I do know
14 that, I called the light company. They said I
15 can have another light bill in my name, but it
16 would be under a business thing. I never had a
17 bar before. So that's why I do need help from
18 people that knows things about it. But I'm
19 learning as I go. And everything that I learn, I
20 try to correct it.

21 CHAIRMAN BOHL: Okay.

22 ALDERWOMAN COGGS: Mr. Chairman.

23 CHAIRMAN BOHL: Questions by committee?
24 Alderwoman Coggs.

25 ALDERWOMAN COGGS: So, currently, who

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1 MR. RUNNER: Mr. Chair, if he - - if he
2 has - - if he has a financial stake in this, I
3 mean, we're just trying to follow the law.

4 CHAIRMAN BOHL: That's a partnership,
5 yeah. I mean, it is - - it is - -

6 THE APPLICANT: He just loaned me some
7 money. That don't mean he own my business.

8 CHAIRMAN BOHL: He owes you - -

9 THE APPLICANT: He loaned me some money
10 to get things started, but he's not like, my
11 partner that's there and he gets half of this and
12 he goes - - No, he loaned me - - He made me a
13 loan when I first got the place. And the loan
14 has been paid back. So I don't feel his name
15 need to be on there because he gave me a loan.

16 MR. RUNNER: Mister - - I don't want to
17 belabor the point, and we - - we respect Ms.
18 Wright. The reason this came up was the - - the
19 heating issue that this - - this gentleman's name
20 was on the WE Energies.

21 THE APPLICANT: Yes.

22 MR. RUNNER: That's how it came up.

23 THE APPLICANT: Um-hnh.

24 CHAIRMAN BOHL: Is he the - - the
25 landlord of the property or?

00032

1 is the utility bills - - Whose name is on the
2 utility bills?

3 THE APPLICANT: It's in Quincy's. I'm
4 waiting toward the light company. I have to get
5 some things from my house bill to take down there
6 to the light company, so they can do whatever it
7 is that they do to get the service in my name as
8 a business, as well as I can also have my lights
9 and gas on at my house. It's some papers that I
10 have to take down to the light company.

11 ALDERWOMAN COGGS: I have a question
12 for the - - the City Attorney. How does that,
13 what was just described, how does that need to be
14 reflected, if at all, on the application?

15 MR. SCHRIMPF: Well, if it's - -

16 There's not enough information here to really
17 answer the question. If it is simply a loan and
18 that's it, his name does not have to be on the
19 application. On the other hand, if he has some
20 sort of a - - of an outright ownership/interest,
21 and quite honestly, the statements of the
22 licensee are a little bit confusing on this,
23 because if he's described as a silent partner,
24 there might be an ownership/interest. If he is
25 described as somebody who simply floated a loan

00033

1 and has been repaid, he has no ownership
 2 interest. So that's a bit confusing.
 3 ALDERMAN KOVAC: Mr. Chair, if I may
 4 follow up with the City Attorney. The fact that
 5 this gentleman, all the WE Energy bills to this
 6 day are in his name, is that a problem?
 7 CHAIRMAN BOHL: Mr. Schrimpf, might it
 8 show that there's a lease in his name here?
 9 MR. SCHRIMPF: It could be that he's
 10 the owner of the building.
 11 THE APPLICANT: No, there is no lease
 12 in his name.
 13 CHAIRMAN BOHL: Is he the owner of the
 14 building?
 15 THE APPLICANT: No, the owner is Thomas
 16 Holmes, and that's why - - that's why when they
 17 come to the heat issues, the landlord is supposed
 18 to do that. I give him 1500 dollars a month. So
 19 he's supposed to take care of that, but he has
 20 put oil heating in, but he needs to pull a permit
 21 or whatever you do to convert it to come out of
 22 the vents. I don't know about that, because I'm
 23 not an electrician. But he has put oil heat in
 24 there, down in the basement, boiler room or
 25 whatever it is. But far as the heat and all of

00035

1 through in the police department?
 2 OFFICER MCNICHOL: Officer James
 3 McNichol, M-C, capital N-I-C-H-O-L, with the
 4 Milwaukee Police Department, District No. 3,
 5 Community Prosecution Unit. Good afternoon,
 6 everyone.
 7 There's just a couple things that I - -
 8 Obviously by this extensive record, there is - -
 9 there is an issue with ownership, we believe, in
 10 management. I am - - I am concerned that Mr.
 11 Carter is not here today. During a taped audio
 12 meeting that we had just recently on 9/15 of '09
 13 Mr. Carter did indicate that he was security,
 14 management, bartender. I believe, and a DJ.
 15 It's our concern that he's mentioned in almost of
 16 the PA-33s, as being the manager or as Mr. Grant
 17 said, now, one of them mentioned that he was
 18 security. We've heard all three. But to date,
 19 we know of no license that Mr. Carter has, and
 20 we're not quite clear what his interest in the
 21 business is.
 22 Ms. Wright has indicated to us on
 23 several occasions that he watches over the place,
 24 but it's our belief that Ms. Wright has very
 25 little control, if any, over this establishment.

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1 that, the landlord's supposed to take care of
 2 that out of my rent.
 3 MR. RUNNER: Mr. Chair, I guess the
 4 actual results are neither - - neither here nor
 5 there, but Ms. Wright did commit to the police
 6 department and the City Attorney and the
 7 Alderman's office that she would amend the
 8 license before this meeting.
 9 CHAIRMAN BOHL: And has not done so.
 10 THE APPLICANT: No.
 11 CHAIRMAN BOHL: Ms. Grill.
 12 MS. GRILL: The license is held as an
 13 individual. In order to add anyone she would
 14 have to apply as a new legal entity.
 15 THE APPLICANT: No. I don't.
 16 CHAIRMAN BOHL: All right. Thank you.
 17 It is our protocol to take individuals who are
 18 here in opposition or to object to the license
 19 first. Of the individuals who are present and
 20 were sworn in, are there any who are here to
 21 object to the license? We'll - - I suppose we'll
 22 take the police department. Do you have
 23 additional information at this time?
 24 If you could, please, just identify
 25 yourself, your rank and where your position is

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1 We have very few PA-33s that actually show her
 2 there when there are issues. So we're - - We are
 3 concerned on what Mr. Carter's role is. He's
 4 indicated that he's - - does all three and that
 5 he is the person of contact actually. From a
 6 letter in response to the 80-10 Ms. Wright, she
 7 lists him as the contact person, and actually had
 8 manager written over as a title, which she
 9 crossed out after giving it to us. So it's
 10 obviously a concern.
 11 The other concern is the - - the - -
 12 The other concern is the security. There is a -
 13 - There is an issue there that we're - - we're
 14 following up on, as far as Special Op security is
 15 concerned. Last meeting it was our understanding
 16 that, based on what was said by Mr. Carter, that
 17 two - - I believe it was two guards and - - and
 18 maybe, Mr. Grant, you were there, and maybe you
 19 could follow up on this. I believe two guards
 20 that used to work for Special Ops are now working
 21 for the bar. That's not quite clear to us, you
 22 know, they have to have a license. They have to
 23 be uniformed and work for that company. They
 24 can't just go out and - - and free-lance. So, I
 25 guess, the security is an issue. Security

00037

1 cameras is obviously an issue.
 2 The WE Energies, that we discussed that
 3 was brought up. What we determined and actually
 4 was present during this investigation is that
 5 there are two addresses at the location. The one
 6 location that's listed in the PA-33s where the
 7 couches and propane heater are, that location is
 8 actually the one that had the name - - or the,
 9 I'm sorry, I can't pronounce his first name, the
 10 - - is it, Quincy?
 11 THE APPLICANT: Quincy.
 12 OFFICER MCNICHOL: Quincy. Quincy's
 13 name was actually on that building, which they
 14 technically had no affiliation with. And what
 15 they had done is run extension cords to the main
 16 bar, because WE Energies had shut off the power
 17 to the - - the address, and that's why the
 18 Applicant, I believe, does not have the WE
 19 Energies bills in her name, it's because WE
 20 Energies would not put them in her name because
 21 they were turned off.
 22 THE APPLICANT: No.
 23 OFFICER MCNICHOL: But you can - - You
 24 can comment on that. I - - That's just what was
 25 told to me by WE Energies when we were there.

00039

1 PA-33s for possible nuisance. We did meet on, I
 2 believe, two or three separate occasions. As of
 3 the last shooting, which is not indicated in the
 4 PA-33s, but that was recent. It was on 10/03 of
 5 '09. As of that shooting, she is now officially
 6 being billed for police services. That incident
 7 occurred, it was located near the tavern as a
 8 result of patrons exiting the tavern that were
 9 involved in an argument inside the tavern, and is
 10 now on current billing status by our CLO's
 11 office.
 12 CHAIRMAN BOHL: Thank you, Officer.
 13 THE APPLICANT: Could I speak, please?
 14 CHAIRMAN BOHL: I will get to you in a
 15 moment, but the protocol - - Ma'am?
 16 THE APPLICANT: Yes.
 17 CHAIRMAN BOHL: The protocol is always
 18 committee. I - - I will give you always a
 19 chance, okay. So if you'll hold on one moment.
 20 Questions by committee, please, first.
 21 MR. SCHRIMPF: Mr. Chairman.
 22 CHAIRMAN BOHL: Mr. Schrimpf.
 23 MR. SCHRIMPF: Thank you. Officer, you
 24 lost me a little bit on the issue of the
 25 extension cords. The picture that I think I

00038

1 The cable was in the - - The theft of
 2 cable was also an issue when we were there, which
 3 was turned off by the cable company.
 4 Securing the alcohol was also an issue,
 5 where they buy their alcohol from. I understand
 6 that Ms. Wright says that she has receipts from
 7 Badger. However, Badger is not - - only
 8 distributes certain types of alcohol. And is not
 9 a distributor for the - - all the types of
 10 alcohol that they carry there. So I'd be curious
 11 to see where they would - - they get the other
 12 alcohol and/or beer from other distributors. You
 13 have to have - - Different distributors are
 14 responsible for different items. And Badger is
 15 not - - Badger is not responsible for Miller
 16 products, Miller Brands. So if she is purchasing
 17 Miller products from Badger, I find that highly
 18 unlikely.
 19 THE APPLICANT: I didn't tell you that.
 20 OFFICER MCNICHOL: Once - - Once again,
 21 we're - - we're - - our concern is the obvious
 22 amount of PA-33s. The Applicant was given a - -
 23 a notice - - Sorry. Pardon me once, just one
 24 second. Was sent the notice on Sunday, August
 25 9th, 2009 regarding incidents mentioned in the

00040

1 understand is that a building, which is
 2 apparently adjacent to the building where the bar
 3 is - -
 4 OFFICER MCNICHOL: Attached.
 5 MR. SCHRIMPF: Attached. Has got power
 6 from WE Energies. And extension cords are used
 7 to power equipment, lights and equipment in the
 8 bar. Do I have that?
 9 OFFICER MCNICHOL: That's correct.
 10 MR. SCHRIMPF: And Mr. Grant is saying
 11 no.
 12 THE WITNESS: That is untrue. We have
 13 - - It's only a heater that we have used. It's
 14 impossible to connect all that that we do have to
 15 that back room or to whatever he may be - - I'm
 16 really unsure of how that is worked out. It is
 17 one building. It's confusing. So - - But that
 18 is untrue. We do not use extension cords. That
 19 is not seen going through the bar. We do not - -
 20 THE APPLICANT: You all can come visit
 21 and see.
 22 THE WITNESS: - - use extension cords
 23 going through the bar.
 24 CHAIRMAN BOHL: But you use extension
 25 cords.

00041

1 THE WITNESS: No, negative.
 2 CHAIRMAN BOHL: Okay.
 3 THE WITNESS: We do not - - We may use
 4 an extension cord for a projector if I have the
 5 - - if I don't have a area to plug it up in, to
 6 plug it up somewhere else in the bar. But no, we
 7 do not run extension cords through the bar.
 8 OFFICER MCNICHOL: The issue was
 9 rectified upon our inspection. However, the
 10 property owner - - Once again, Ms. Wright is not
 11 sure on who pays for what and who is doing what.
 12 THE APPLICANT: I'm sure - -
 13 CHAIRMAN BOHL: Wait, wait, wait, wait.
 14 You know what? I've been getting this from my
 15 committee members. Everyone - -
 16 OFFICER MCNICHOL: I apologize.
 17 CHAIRMAN BOHL: Everyone asks the
 18 Chair, says, Mr. Chair. When I call on you and
 19 say, yes, Officer McNichol, yes, to our
 20 Applicant, Ms. Wright, that's when you - - you
 21 can talk.
 22 THE APPLICANT: Okay.
 23 CHAIRMAN BOHL: I mean, we're - -
 24 Everybody is getting loose and slippery here, and
 25 - - and I'm going to say, I'm drying you all off.

00043

1 because it had been turned off by WE Energies.
 2 I believe that was rectified, and I
 3 don't have the dates, but they rewired it,
 4 somehow, so they - - all the buildings are the
 5 same. And then the bill was put in this
 6 stepson's, Quincy's name, after that was - -
 7 after that was done.
 8 MR. SCHRIMPF: Mr. Chairman, if - - if
 9 DNS is watching this, it might be useful if - -
 10 if they could come and indicate if they've been
 11 out there to run any inspections for wiring that
 12 kind of thing. Okay. That's all the questions I
 13 have right now, Mr. Chairman.
 14 CHAIRMAN BOHL: Did you have - - Mr.
 15 Grant, did you have anything you wanted to
 16 respond to that one issue?
 17 THE WITNESS: Yes.
 18 THE APPLICANT: I'd like to respond
 19 when he gets - -
 20 THE WITNESS: As for the torpedo
 21 heater, the room that is in question is used for
 22 storage. It's a old bar - - I mean, pool table
 23 back there. The couches were being used in the
 24 bar at one point, but we put the couches in the
 25 back room. It's used for storage and it's junk,

00042

1 THE APPLICANT: Okay.
 2 CHAIRMAN BOHL: Okay. Right now,
 3 Alderman Kovac.
 4 ALDERMAN KOVAC: Well, I - - I have
 5 nothing to say after that.
 6 CHAIRMAN BOHL: Officer McNichol.
 7 OFFICER MCNICHOL: Thank you, Mr.
 8 Chair. I apologize. And after that, I - - I
 9 forgot what I was going to say. The - - The
 10 issue with - - Let's just re - - recap, because I
 11 believe you were asking a question. I apologize
 12 for answering.
 13 The issue was that there's two
 14 addresses that - - in this building. It's one
 15 building, but there's two separate addresses, for
 16 whatever reason. The bar is on one side, that
 17 would be the left side. And the other address is
 18 on the right side. I believe it was a small
 19 candy shop at one time. They can confirm that it
 20 was a small candy shop. So they had taken over
 21 that side, and there was - - there was no heat in
 22 the building, as well. So there was a torpedo
 23 heater on the right side, and a gas heater on the
 24 left side, and then some extension cords running
 25 between the two buildings to power the left side

00044

1 boxes everywhere. There's a cooler back there
 2 that - - used for ice. A microwave for
 3 employees. It's used for storage.
 4 And we keep - - We did have a torpedo
 5 that I kept back there, because I did not feel -
 6 - I stay with my 99 year old grandmother, and I
 7 did not feel applicable to leave a big torpedo
 8 heater in her house with her there with
 9 Alzheimer's. So I kept it in the back room of
 10 the bar.
 11 CHAIRMAN BOHL: Thank you.
 12 THE APPLICANT: And as far as him just
 13 - - He - - The officer, and I do apologize for
 14 interrupting, but some of the things he was
 15 saying were very, very untrue, but is if the
 16 officers say it, it's supposedly true, but that's
 17 not true all the time. Some of the things he was
 18 saying about the electricity. That was the
 19 landlord. That's him. He got that switched
 20 over, so he had to get that corrected. I do not
 21 own the building. I pay my rent. I pay my
 22 bills. If the landlord don't do what he - - Why
 23 don't you go talk to him sometimes and ask him
 24 when is he going to get this thing corrected, so
 25 we won't get in trouble all the time? It's

00045

1 everything is just about what we're doing, and
 2 the things in the neighborhood - - We can't
 3 control if a person walk past and say, give me
 4 your money. If that's the case, there wouldn't
 5 be no crime in Milwaukee at all. I can't control
 6 what other peoples do. But when it comes to,
 7 just because my bar is here on this corner, and
 8 there's four more corners in this area, it just
 9 leads right to my bar. The other three corners
 10 don't matter no more. It's just that corner
 11 right there where Fitzgerald's is.

12 CHAIRMAN BOHL: Can I just - - I want
 13 to make certain, because I don't know - - You
 14 spoke a little bit earlier about saying that
 15 you're kind of new to the process.

16 THE APPLICANT: Yes.

17 CHAIRMAN BOHL: There's a process in
 18 our meetings, and our meetings happen this way.
 19 First off, someone provides testimony. I then
 20 say, questions by committee.

21 THE APPLICANT: Um-hnh.

22 CHAIRMAN BOHL: People on this side,
 23 who are aldermen. After that, when we are all
 24 done, you, as an Applicant, are able to raise a
 25 question about their testimony, and that is only

00046

1 if you have a question for what something, for
 2 them. Now, if you have - - if you have comments
 3 that you want to make, you are very, very - - You
 4 are very able to write little notes and you can
 5 respond to that later on. I will provide you
 6 time later to provide commentary. What you are
 7 doing now is called commentary.

8 THE APPLICANT: Okay.

9 CHAIRMAN BOHL: You're making comments
 10 about - - You disagree.

11 THE APPLICANT: Yes.

12 CHAIRMAN BOHL: If you wanted to say,
 13 officer, were you in my place of business where
 14 you personally saw this heater? That would be a
 15 question.

16 THE APPLICANT: I know.

17 CHAIRMAN BOHL: That's what you're able
 18 to do. If you don't have questions, it's not
 19 time for commentary. You'll be given another
 20 opportunity for that.

21 THE APPLICANT: Okay.

22 CHAIRMAN BOHL: But that is - - That's
 23 the procedure. It actually is delineated out in
 24 code. So that's why I say, questions. Now I'm
 25 going to go back to committee, and I'm going to

00047

1 say, any additional questions for Officer
 2 McNichol by committee.

3 ALDERMAN KOVAC: Mr. Chair.

4 CHAIRMAN BOHL: Alderman Kovac.

5 ALDERMAN KOVAC: Well, Officer McNichol
 6 reminded me of a question I wanted to ask the
 7 Applicant, which is, did you ask John Carter to
 8 be here, and why isn't he here?

9 THE APPLICANT: No, I didn't ask John
 10 Carter to be here, because I don't need him to be
 11 here. I know how to handle my own business, and
 12 he's not the owner. He's not the manager. I was
 13 considering making him the manager, but from all
 14 of this, what I have to go through, reading all
 15 of this stuff, no, he will not be the manager.
 16 And he did not go and take the class. So he's
 17 not the manager.

18 ALDERMAN KOVAC: So you mean, from
 19 reading all this, you're going to fire him or?

20 THE APPLICANT: Oh, he already been
 21 fired once, but then I really don't know what I'm
 22 doing. I really don't know what I'm doing. I'm
 23 trying to make some money. But I'm new to this.
 24 I don't know what I'm doing, and he has
 25 experience in this business. So, yes, I brought

00048

1 him back, but I didn't bring him back as a
 2 manager, as they keep stating in this thing. He
 3 is not a manager.

4 ALDERMAN KOVAC: The reason I ask,
 5 legally, he doesn't have to be here, because
 6 you're the licensed agent.

7 THE APPLICANT: Yes.

8 ALDERMAN KOVAC: And you're the only
 9 one who has to be here or an attorney on your
 10 behalf. However, because he is mentioned so
 11 often in these reports, he would probably be the
 12 person who could best, on our behalf, explain - -

13 THE APPLICANT: Um-hnh.

14 ALDERMAN KOVAC: - - your side of the
 15 story. So it would be useful if he was here.
 16 That's why I asked.

17 THE APPLICANT: Okay.

18 ALDERMAN ZIELINSKI: Mr. Chair.

19 CHAIRMAN BOHL: Alderman Zielinski,
 20 question.

21 ALDERMAN ZIELINSKI: Okay. You
 22 mentioned that you have two jobs.

23 THE APPLICANT: Yes.

24 ALDERMAN ZIELINSKI: You're a teacher
 25 and you work with the elderly.

00049

1 THE APPLICANT: No, I'm not a teacher.
 2 I'm going to college to be a teacher. I work
 3 with the children, with children from zero to 12
 4 years old, and then I take care of the elderly.
 5 ALDERMAN ZIELINSKI: So you're going to
 6 school, you're working with children and you're
 7 working with the elderly.
 8 THE APPLICANT: Um-hnh.
 9 ALDERMAN ZIELINSKI: Okay. And - - And
 10 you still have time to be a manager for this
 11 place.
 12 THE APPLICANT: Yeah. I'm not a
 13 manager. I'm the licensee.
 14 ALDERMAN ZIELINSKI: Okay. And you
 15 have time to be the licensee?
 16 THE APPLICANT: Yes, I do. I'm there
 17 three days a week in the - - in the morning time.
 18 And if they would like to stop in and talk and
 19 visit with me, they're welcome.
 20 ALDERMAN ZIELINSKI: And - - And who
 21 orders the supplies, the liquor, stuff like that?
 22 THE APPLICANT: The bartenders make a
 23 list of what they need, and this is one of my
 24 bartenders right here.
 25 ALDERMAN ZIELINSKI: Okay. That's all.

00051

1 right. No, you will not be a manager, because if
 2 you was the manager that I wanted, I wouldn't be
 3 getting all these calls. And so I had to
 4 reconsider that, and, no, he is not a manager,
 5 because we did not go through with him taking the
 6 class.
 7 CHAIRMAN BOHL: It's at one point or
 8 another, was he considered the manager?
 9 THE APPLICANT: Yes, he was going to be
 10 the manager, because he knows more about this
 11 business than me, and I was like, well, with me
 12 going to school and working and only can be here
 13 during the daytime, I'm going to need somebody
 14 there at night. And I figured he would be the
 15 best one to do it. But with all these calls in
 16 the middle of the night, no, I changed my mind.
 17 No, you will not be a manager.
 18 CHAIRMAN BOHL: Just in terms of the
 19 relationship with Mr. Carter, did he contact you
 20 and approach you, initially, or did you know him
 21 from the outside or?
 22 THE APPLICANT: I have a daughter by
 23 Mr. Carter. My 17 year old daughter is his
 24 child.
 25 CHAIRMAN BOHL: Okay.

00050

1 Thank you.
 2 MR. SCHRIMPF: Mr. Chairman, I have one
 3 follow-up question.
 4 CHAIRMAN BOHL: Questions - - Mr.
 5 Schrimpf.
 6 MR. SCHRIMPF: To Mr. Grant. Other
 7 than the torpedo heater, does this building have
 8 heat as of this moment?
 9 THE WITNESS: Yes. The owner put in a
 10 oil-based heater. He's working on doing that.
 11 MR. SCHRIMPF: That's all I have, Mr.
 12 Chairman.
 13 CHAIRMAN BOHL: Others? Questions,
 14 committee?
 15 I have a question for you, Ms. Wright,
 16 as follow-up.
 17 THE APPLICANT: Yes.
 18 CHAIRMAN BOHL: You - - You've
 19 indicated that you disagree that Mr. Carter - -
 20 in anything that he's indicated about being a bar
 21 manager.
 22 THE APPLICANT: He was supposed to be a
 23 manager. But after getting all these complaints
 24 and two or three o'clock in the morning phone
 25 calls, I changed my mind, because I have that

00052

1 THE APPLICANT: And I approached him,
 2 because I had some money saved up, and I wanted
 3 to do something with it that would make me some
 4 more money.
 5 CHAIRMAN BOHL: And you knew that he
 6 had been involved - -
 7 THE APPLICANT: Yes. Yes, sir.
 8 CHAIRMAN BOHL: - - in a club or - - or
 9 bar business. All right.
 10 THE APPLICANT: Yes, sir. I been
 11 knowing him since I was 19 years old. I'm 40
 12 years old now.
 13 CHAIRMAN BOHL: What - - Ms. Grill, he
 14 had a place on - - on North Avenue, 5th and North
 15 Avenue, and that - - that particular place, do we
 16 know how long he had that place for? He did turn
 17 in his license, is that correct?
 18 THE APPLICANT: Yes.
 19 MS. GRILL: Yes, he did.
 20 CHAIRMAN BOHL: And I'm going to guess
 21 that he turned in that license because it had
 22 considerable police report, not because he
 23 just - -
 24 ALDERMAN KOVAC: Homicide, right?
 25 MS. GRILL: I believe there was - -

00053

1 Yeah.
 2 MR. RUNNER: Mr. Chair, I can speak to
 3 that. That was Alderwoman Coggs' predecessor,
 4 Alderman McGee, and what happened was there was a
 5 shooting inside the bar. President Hines called
 6 Mr. Carter in and said we're going to fight to
 7 revoke your license unless you turn it in. He
 8 voluntarily came and turned it in. But someone
 9 had - - One of the customers was leaving, stuck
 10 the gun in the door and shot into the place.
 11 CHAIRMAN BOHL: Thank you.
 12 MR. SCHRIMPF: Mr. Chairman, was that
 13 Carter's House of Booze?
 14 CHAIRMAN BOHL: Yes.
 15 MR. SCHRIMPF: Is that correct?
 16 THE APPLICANT: Yes, sir.
 17 THE WITNESS: Excuse me, Mr. Chair.
 18 CHAIRMAN BOHL: Yes.
 19 THE WITNESS: My name is LaKesha
 20 Weathers. My present address is 38 - - 3854
 21 North 78th, Milwaukee, Wisconsin 53222. And I
 22 just want to comment on the fact that the
 23 shooting that the officer had brought up on October
 24 3rd, I was the bartender that night. I have been
 25 currently going to the 3rd District - -

00055

1 Weathers. You want to just hold tight. Because
 2 when you provide testimony, then there's always
 3 the possibility of questions here. Questions by
 4 committee.
 5 ALDERMAN KOVAC: Mr. Chair?
 6 CHAIRMAN BOHL: Alderman Kovac.
 7 ALDERMAN KOVAC: Is there another bar
 8 across the street that's open?
 9 THE WITNESS: No. That's someone's
 10 house.
 11 ALDERMAN KOVAC: So I'm just trying to
 12 be clear. You're claiming that this is being
 13 misidentified because it's actually coming from
 14 the house?
 15 THE WITNESS: Yes, um-hnh. It's
 16 misidentified because I have been currently going
 17 to 3rd District every day, every other day,
 18 trying to get this report, because I knew that
 19 they had made the bar lose it, because I was also
 20 present at the last meeting that we had with 3rd
 21 District, and I been trying to get this report.
 22 Every time I go, they tell me it's not ready.
 23 They give me the case - - the file number, and a
 24 number to call for the report. I been calling
 25 every time I go, every time I call, the report is

00054

1 CHAIRMAN BOHL: I don't think she's
 2 been sworn in.
 3 THE WITNESS: - - every other day,
 4 every day. Did try to get this report. This
 5 report is not ready yet. On top of it not being
 6 ready, they told me it did not have anything to
 7 do with our bar, because the address on that
 8 report is 2002, which is the address across the
 9 street. So that's what I did have a comment on,
 10 and also, the other comment I had on we was cited
 11 for the underage that was served. I was the
 12 bartender that night, also. The woman never came
 13 to the bar. She was not served. The gentleman
 14 that she was with was served, and he gave her the
 15 alcohol.
 16 CHAIRMAN BOHL: Okay.
 17 THE WITNESS: So those are the two
 18 comments that I did have, and if you - - I - - I
 19 got the case number, if I really just go through
 20 my purse, for this report that this officer is
 21 bringing up about the shooting on the 3rd. That
 22 was not - - nothing to do with the Fitzgerald's.
 23 THE APPLICANT: And may I - - May I
 24 speak.
 25 CHAIRMAN BOHL: One moment, Ms.

00056

1 not ready, or none - - nothing to fetch. The
 2 only thing that they were able to give me was the
 3 address that called in the report, and the
 4 address that was called in was 2002 North 30th,
 5 and the call was "shots fired." Even when they
 6 blocked the street off, it was everything from
 7 across the street, down Brown.
 8 SERGEANT MACGILLIS: Mr. Chair.
 9 CHAIRMAN BOHL: Sergeant MacGillis.
 10 SERGEANT MACGILLIS: If I may add
 11 something here, a police report was generated on
 12 September 3rd, 2009. The PA-33 was generated on
 13 10/9/2009, this year.
 14 CHAIRMAN BOHL: So it wasn't ready for
 15 the mailing and the notice.
 16 SERGEANT MACGILLIS: That is correct.
 17 I have it on your number here. If the board, and
 18 you choose, I can read the document here. But
 19 they weren't given that discovery data.
 20 CHAIRMAN BOHL: Well, and my concern
 21 would be that it would provide good fodder for
 22 the court system without having had proper due
 23 process notice, unless they're willing to waive
 24 that. I mean, that's their discretion. But
 25 unless you're willing to waive that, you were not

00057

1 provided proper notice of that particular
 2 incident.
 3 THE WITNESS: Mr. Chairman, may I,
 4 please?
 5 CHAIRMAN BOHL: Mr. Grant, yeah.
 6 THE WITNESS: Also, I was there that
 7 night, as well, of the shooting. Once again,
 8 just to reiterate what she did say, that was a
 9 neighborhood argument. That did not have to do
 10 with our bar. We stayed to give insight to what
 11 we witnessed outside. So we did stay until four
 12 o'clock, five o'clock in the morning. Then - -
 13 So - - to talk to the police, but that was not
 14 one of our problems. It happened across the
 15 street at - - outside of a residence. They had
 16 everything taped off but the bar. We were
 17 actually free to leave, but we chose not to, to
 18 assist. Our security stayed, as well, to assist.
 19 So that last one should have nothing to do with
 20 the Fitzgerald.
 21 CHAIRMAN BOHL: Thank you. Was there
 22 any other questions that anyone had from our
 23 previous witness?
 24 ALDERMAN KOVAC: So this last shooting
 25 we're talking about, is this something that's not

00059

1 - slipped Sergeant MacGillis, but the actual
 2 incident didn't occur on September 3rd. It
 3 actually happened on October 3rd, and then the P
 4 generated was October 9th. Just for
 5 clarification, when the Sergeant said it was
 6 September. So I just wanted to - -
 7 CHAIRMAN BOHL: No, I - - I - - I
 8 believe that he indicated that - - that they
 9 conducted the investigation as part of when this
 10 application came in on September 3rd.
 11 SERGEANT MACGILLIS: Yes, we did our
 12 application - - Pardon me.
 13 OFFICER MCNICHOL: Oh, on September
 14 3rd. I see. I understand.
 15 CHAIRMAN BOHL: And then, yeah. It
 16 just is - - The slip of one month, the incident
 17 occurred a month after they got the application
 18 to start conducting their own background
 19 investigation for this.
 20 OFFICER MCNICHOL: I misunderstood. My
 21 error. I apologize.
 22 CHAIRMAN BOHL: No problem. So there
 23 was no - - no additional commentary testimony
 24 from the City Attorney's office, from the police
 25 department?

00058

1 on the police report, so it's - -
 2 CHAIRMAN BOHL: It is not on the police
 3 report we have before us, correct.
 4 MS. TAYLOR: Excuse me.
 5 CHAIRMAN BOHL: No, ma'am. I know
 6 you've been waving your hand, and even with - -
 7 with you, I thought you had to answer one
 8 question. I indicated before that there's a
 9 protocol, and the protocol is individuals who are
 10 objectors first. You snuck in, and you
 11 immediately said hello, hello. I - - I know you
 12 may have places to go, but I'd love to, too. And
 13 if there's anybody else who is here in objection,
 14 including anybody from the police department, the
 15 DA's office, they're going first, because that's
 16 just the way it goes. That's nothing that I
 17 create or make up. So if you could, please, be
 18 patient. I know you've been waving your hand,
 19 and I'll get to you. I promise, okay. Is there
 20 anyone else from the police department, from the
 21 DA's office, from anyone else, the City
 22 Attorney's office, who wishes to provide any
 23 additional testimony?
 24 OFFICER MCNICHOL: Mr. Chair. Just one
 25 point of correction, and I believe it's just a -

00060

1 OFFICER MCNICHOL: No, Mr. Chairman.
 2 CHAIRMAN BOHL: Then, okay, thank you.
 3 All right. Were there any additional questions
 4 that individuals have of Officer McNichol or any
 5 of the individuals who have already spoken thus
 6 far? Good. Okay. Ma'am, now we'll take you.
 7 Thank you.
 8 THE WITNESS: I apologize.
 9 CHAIRMAN BOHL: No problem.
 10 THE WITNESS: Carmen Taylor.
 11 CHAIRMAN BOHL: We'll need your name
 12 and your address.
 13 THE WITNESS: 2002 North 30th, which is
 14 that address that he - - 53208, Milwaukee,
 15 Wisconsin. First I want to speak on the shooting
 16 with the security guard.
 17 CHAIRMAN BOHL: Um-hnh.
 18 THE WITNESS: This body was laying in
 19 the middle of the street. No one was there but
 20 two people and the people that were quarreling
 21 with these people. I live at - - I live right
 22 across, 15, 17 feet from the bar. When I looked
 23 out and saw the body, then I - - I noticed that a
 24 male and a female came to assist this person that
 25 was laying in the street, not moving. They

00061

1 turned - - Somebody said to them, this has
 2 nothing to do with us. The bar was closed. This
 3 person still laying unconscious. They came to
 4 assist this person. When they came to give this
 5 person assistance, when they turned to go back in
 6 the bar after someone told them that it wasn't
 7 their business, the bar was closed, this was
 8 outside. There was shots went off. And that's
 9 when I found out that the security - -
 10 Number two, I been living at 2002 for
 11 42 years. As far as a nuisance, it's the
 12 neighborhood that's the nuisance, not the bar.
 13 I've seen numerous people have that bar, and it's
 14 never been the bar. It's the neighborhood crowd.
 15 The little guys in the neighborhood that are
 16 standing on - - There's not a day you wake up in
 17 the morning, there's not a crowd of them from the
 18 neighborhood standing on the corner. So it's not
 19 the bars. There's numerous peoples at the bar.
 20 It's never business with the bar. It's the
 21 neighborhood that's the nuisance.
 22 As far as the litter, I've watched Mr.
 23 Carter clean up two blocks from that bar, picking
 24 up, taking his garbage can going down the block.
 25 So it's not the litter. We get it every day. I

00063

1 throughout the neighborhood and aren't specific
 2 to - -
 3 THE WITNESS: All the - - All the drama
 4 that I've seem from the shootings and everything
 5 came from the neighborhood boys in the bar. And
 6 I know them, because I've lived there that long,
 7 and they grew up, you know, up under me. You
 8 know, I'm 53 years old. And they - - They're
 9 neighborhood boys. They be out there every
 10 single day. They grew up there.
 11 ALDERMAN KOVAC: Do - - Do these boys
 12 go to the bar?
 13 THE WITNESS: Unless they act crazy,
 14 then they don't get to go in, or if they're not
 15 of age, they don't get to go in. And I - - You
 16 know, I can understand that. Because I know them
 17 all.
 18 ALDERMAN KOVAC: Since you know that
 19 corner so well, do you think it's possible that
 20 you've got these neighborhood boys that you think
 21 might be trouble anywhere, but is the reason the
 22 trouble tends to happen on that corner because
 23 they sometimes go to that bar and so do other
 24 people and - -
 25 THE WITNESS: No, because they been

00062

1 go out and pick up my yard, because the wind
 2 sometimes - - I'm on the corner, it's going to
 3 blow it right to my yard. So it's not the
 4 neighborhood. I mean, it's not the bar that's a
 5 nuisance. He tries hard to clean up. He - - He
 6 cleans up two blocks down the road, and I know
 7 that he does it, because I seen him, watching.
 8 There's nothing I miss with that bar, because I
 9 live directly across the street, and I sit out
 10 there, because it was nice, and just watch
 11 sometimes. I don't go to bars, because I don't
 12 drink. But I just observe, and I did it ever
 13 since they had the bar there when other people
 14 had it. So, you know, it's not the bar. It's
 15 the neighborhood.
 16 CHAIRMAN BOHL: Thank you. Thank you
 17 for your testimony.
 18 THE WITNESS: Thank you.
 19 CHAIRMAN BOHL: Are there any
 20 questions, members? Of this witness? Alderman
 21 Kovac.
 22 ALDERMAN KOVAC: So - - So you don't
 23 dispute that a lot of the things on this police
 24 report, the fightings and the shootings and the
 25 robberies occur, but you - - you think they occur

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1 trouble with other bars that I know about, also.
 2 ALDERMAN KOVAC: But always at bars.
 3 THE WITNESS: It's not - - It's not
 4 just that bar.
 5 ALDERMAN KOVAC: Okay.
 6 THE WITNESS: They're just trouble
 7 people.
 8 ALDERMAN ZIELINSKI: Mr. Chairman. Mr.
 9 Chairman.
 10 CHAIRMAN BOHL: Alderman Zielinski.
 11 ALDERMAN ZIELINSKI: The kids that are
 12 causing trouble in the bar, do they come back
 13 later and you let them in when they behave better
 14 down the road, or this is actually to the owner
 15 over here.
 16 THE WITNESS: That - - Oh, is that for
 17 her?
 18 ALDERMAN ZIELINSKI: To the licensee.
 19 THE APPLICANT: To me?
 20 ALDERMAN ZIELINSKI: Yeah. The lady
 21 that just got done testifying indicated that
 22 there's a number of kids that cause problems in
 23 the neighborhood that go into the bar, and they
 24 don't - - You don't allow them in the bar when
 25 they're acting up. So does that mean down the

00065

1 road when they're not acting up, you allow them
 2 in the bar?
 3 THE APPLICANT: No, because I know some
 4 of them, too. My sister used to live right
 5 around the corner on 29th and they call me
 6 Auntie. They calls me on my phone. Auntie, can
 7 we get in? No. You cannot go in. Tell Uncle
 8 John let us in. No, you will not be in there,
 9 because you always doing stuff.
 10 ALDERMAN ZIELINSKI: So if you're not
 11 allowing the kids that are causing problem in the
 12 neighborhood to go into the bar, where is the
 13 problem coming from?
 14 THE APPLICANT: They - - They cause
 15 trouble outside the bar, sir. We can't stop them
 16 from doing what they doing outside. As long as
 17 they're not on the inside.
 18 ALDERMAN ZIELINSKI: So these problems
 19 - - Okay, so these problems have nothing to do
 20 with people that are patrons in your bar.
 21 THE APPLICANT: Some of the problems do
 22 with the patrons, but people that's just outside
 23 doing what they do, I'm not going to go outside
 24 and, you know.
 25 ALDERMAN ZIELINSKI: How do you account

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1 the other side of town.
 2 ALDERMAN ZIELINSKI: Right. If they
 3 leave your bar. Let's say they walk out of your
 4 bar and they start fighting outside of your bar,
 5 you're - - you're responsible for that behavior,
 6 even though they're no longer in your bar and
 7 they didn't start the fight in the bar.
 8 THE APPLICANT: Oh, I - - I never knew
 9 that I was responsible for what everybody else
 10 does. I did not know that. Seriously, I didn't
 11 know that.
 12 ALDERMAN ZIELINSKI: In that context
 13 you are. You should - - You should be familiar
 14 with the State law, because you are responsible.
 15 THE APPLICANT: I'll make it my
 16 business to get a printout of the State law that
 17 was for bars, because I don't - - I didn't know
 18 that I was responsible for people who is outside
 19 starting trouble and it's my fault and I haven't
 20 done a thing. And I never knew that.
 21 ALDERMAN ZIELINSKI: The only thing I
 22 could say is that we've got a lot of bars in a
 23 lot of problem areas.
 24 THE APPLICANT: Um-hnh.
 25 ALDERMAN ZIELINSKI: And they've never

00066

1 for the behavior of your patrons then?
 2 THE APPLICANT: How do I account for
 3 them? When they start getting destructive, out
 4 the door they go. What they do once they out the
 5 door, I cannot control that. If they decide to
 6 call the police and say this or throw something
 7 at - - Once you're outside of my door, you're
 8 outside. You can do whatever you want to do.
 9 ALDERMAN ZIELINSKI: Are you - - Are
 10 you familiar with State law that indicates that
 11 the owner of - - of this type of business is
 12 responsible for the behavior of the patrons once
 13 they leave the premises?
 14 THE APPLICANT: Oh, no. I didn't know
 15 I was responsible for people robbing people. So
 16 if someone leaves my bar and go rob a person,
 17 that's my fault?
 18 ALDERMAN ZIELINSKI: That goes on your
 19 record.
 20 THE APPLICANT: Oh.
 21 ALDERMAN ZIELINSKI: If it's been
 22 like - -
 23 THE APPLICANT: I haven't robbed
 24 anybody.
 25 CHAIRMAN BOHL: Not if they travel to

00068

1 been before this - - this body. There's just
 2 certain bars that they're always here for one
 3 reason or another.
 4 THE APPLICANT: Okay.
 5 THE WITNESS: Mr. Chairman.
 6 CHAIRMAN BOHL: Yeah, go ahead.
 7 THE WITNESS: May I reiterate on that,
 8 also? We - - When we do have problems inside the
 9 bar, and we do escort them outside, we have
 10 outside security. And they do secure the
 11 outside. They do take care of our - - We take
 12 care of outside. So when there is a problem, we
 13 do take care of outside. So we're many times in
 14 the street directing traffic. We're many times
 15 when there is a problem outside, we are in the
 16 middle of that problem taking care of it.
 17 ALDERMAN ZIELINSKI: So - - Mr.
 18 Chairman, may I?
 19 CHAIRMAN BOHL: Sure.
 20 ALDERMAN ZIELINSKI: So if that's the
 21 case, why are you saying that and why am I
 22 hearing something else from - - from the
 23 licensee?
 24 THE APPLICANT: Saying what?
 25 ALDERMAN ZIELINSKI: Well, you're

00069

1 saying when they leave, you're not responsible,
 2 and you're - -
 3 THE APPLICANT: Oh, I didn't know I was
 4 responsible for everybody in the City. If
 5 somebody leave my bar, I didn't - - How am I
 6 responsible for them?
 7 ALDERMAN ZIELINSKI: We're not saying
 8 you're responsible for everybody in the City.
 9 THE APPLICANT: Okay. Well, I don't
 10 - - I did not know that information.
 11 ALDERMAN KOVAC: Just jump in, Mr.
 12 Carter, very quickly on this issue. It's really
 13 up to the judgment of this committee whether
 14 you're responsible or not. But the - - the
 15 State law gives us some latitude in that, as
 16 Alderman Zielinski said, if it's a week later
 17 across town and they - - there's evidence they
 18 had a drink at your bar on Tuesday, why - - why
 19 does that matter? On the other hand, if it's
 20 immediately outside your bar, and a lot of the
 21 reason they were on that street corner was
 22 because they left your bar, that the people they
 23 were fighting with their messing with were there,
 24 because of the general, even if it wasn't your
 25 particular fault and it wasn't something where

00071

1 around the building. We just had that
 2 discussion. In the event that there are some
 3 questions for you, want to just raise your right
 4 hand. We'll swear you in.
 5 OFFICER MCNICHOL: Mr. Chair, before
 6 you do that, I'd ask that you - - Mr. Carter
 7 gives his full name, first, last and middle name,
 8 please, for the record.
 9 MR. CARTER: John Fitzgerald Carter.
 10 CHAIRMAN BOHL: We'll put him under
 11 oath here, first, please.
 12 (Whereupon Mr. Carter was sworn.)
 13 CHAIRMAN BOHL: Name and address for
 14 the record, please.
 15 MR. CARTER: John Fitzgerald Carter.
 16 108 East Meinecke Street, Milwaukee, Wisconsin.
 17 CHAIRMAN BOHL: Thank you. Any
 18 testimony you want to proffer here, Mr. Carter?
 19 I know that - - I know that you probably missed
 20 some of the testimony here, as well, too.
 21 MR. CARTER: Well, how far did you guys
 22 get?
 23 CHAIRMAN BOHL: Were there - - Let me
 24 just ask this much. Were there any questions by
 25 committee of Mr. Carter? His name has come up in

00070

1 you actively did something to cause trouble, you
 2 kind of become responsible for the neighborhood
 3 when you open up a bar, and because if you lived
 4 on that block, as you used to do - -
 5
 6 THE APPLICANT: My sister used to live
 7 there for about 20 years.
 8 ALDERMAN KOVAC: It would matter to you
 9 because you would - - Everybody expects that bar
 10 owners take that kind of responsibility because
 11 the behavior that's immediately consequential
 12 from that bar being there is something that
 13 you're responsible for. So you are - - It may
 14 seem like a tall order to you today, but you are
 15 responsible for how people behave on that block
 16 when they leave your bar.
 17 THE APPLICANT: Okay. Well, now I know
 18 that. I didn't know I was responsible for other
 19 people's actions.
 20 CHAIRMAN BOHL: Mr. Carter, did you
 21 wish to provide some testimony here now?
 22 MR. CARTER: I just tried to hurry up
 23 down. Whatever they want to ask me.
 24 CHAIRMAN BOHL: You just got done
 25 finishing the clean-up of the two block radius

00072

1 the police reports. I know that you probably
 2 heard and then came down and this testimony - -
 3 ALDERWOMAN COGGS: Mr. Chairman.
 4 CHAIRMAN BOHL: Alderwoman Coggs.
 5 ALDERWOMAN COGGS: What role do you
 6 play with Fitzgerald?
 7 MR. CARTER: Well, when we started it
 8 was - - She told me to come in with her to help
 9 her to get the bar going. She knew I had one.
 10 Later, we talked about me getting a manager's
 11 license. I got the application. I never
 12 finished the application. She got angry with me
 13 at one time, because she's constantly seeing
 14 reports, constantly hearing phone calls at night
 15 saying there's problems after problems after
 16 problems. And I'm trying to explain to her some
 17 of the problems that's going on, and some of
 18 these problems are problems that happens at bars,
 19 and stuff happens outside, and we're somewhat
 20 responsible for some of the stuff that goes on on
 21 the outside. So she said, well, I don't - - I
 22 don't want you to manage the place, just look
 23 over it.
 24 That's what I tell the police. A lot
 25 of them when they were hearing manager, they just

00073

1 stuck with manager. One officer in one of these
2 arrests that I said I was the owner. Never told
3 no officer I was the owner of that business,
4 never. That's too easy to go inside and look on
5 the wall and see that I'm not the owner.
6 Wouldn't have never told them that.

7 But she decided not to do me as far as
8 manager. I said, okay, fine. In fact, I still
9 got the application at the house. After that,
10 the police that were the same police that would
11 come there, and that's what they would call it,
12 whenever they write something up. We always deal
13 with the same cops, 3rd District, I mean, third
14 shift, same officers. So they were writing it
15 up, and I noticed it when I looked, and I said,
16 when did I tell them. There's a lot of stuff
17 here that didn't come from me, definitely didn't
18 come from the other employees here. Some of it
19 looks like, it just was rewrote, altogether.

20 Like the incident when this gentleman
21 asked about the free drink thing that we do. He
22 had - - He had the drink in his hand, his
23 girlfriend's drink in his hand. It said that we
24 escorted him and his lady friend out. His lady
25 friend was already outside waiting on him in a

00075

1 I'm seeing the fight with the police. It's a 9-
2 1-1 call. Should be somewhere. I'm on the phone
3 going when the fight is going - - when we first
4 looked out the window, saw these guys were
5 fighting. This guy is laying here. And they're
6 fighting still over him and around him. Nobody's
7 helping this guy. And I'm on the phone. I'm
8 saying it's a fight across the street. There's a
9 guy unconscious in the middle of the street.
10 He's been laying here at least eight minutes now.
11 And I'm still answering questions on the phone.
12 No police arrive yet. So that was when Oujj,
13 security officer, Demarcus, the other security
14 officer, say, well, we going out. They went out.
15 I gave them towels. I gave them water. When
16 they - - Finally this guy came to and he lift up,
17 I said, now come inside. Come inside now. The
18 fight, come on inside now. Plus, these guys are
19 still fighting around them. That's when the
20 shots rung out as she was coming into the bar,
21 she got hit here in the shoulder, right on the
22 doorstep coming back into the bar. That's what
23 happened with that. Those are the more serious
24 of things. I know all of it is serious, but
25 those two things were one of the serious - - some

00074

1 car. He walked up to us and said, well, I spent
2 a lot of money in here. Why didn't you all buy
3 her a drink? Like, we did buy her a drink, and
4 then he noticed that's the drink in your hand.
5 So he looks at the drink, looked kind of dumb and
6 walked over, puts the glass down on the bar,
7 walked out the door. As he's walking out the
8 door, he breaks the door, leaving out. We still
9 didn't - - We didn't touch him, as far as
10 employees. His friends outside told him he was
11 wrong. Why did you do that? So now him and his
12 girlfriend start yelling, come and get in the
13 car, blah, blah, blah, all this. We never really
14 said anything to this guy all the way through
15 this whole thing. We didn't escort him and his
16 girl. His girl was already out in the car
17 waiting on him. So.

18 Anything else, as far as the shooting,
19 it's said that I told them to come back inside,
20 it wasn't our fight. It wasn't. After I let the
21 security go out when - - when they - - One of
22 them yelled out, someone's outside fighting. Not
23 knowing we had just cleared the area and came
24 back in. Went outside. There's a guy stretched
25 out, unconscious. I'm on the phone from the time

00076

1 of the seriouser stuff that I was there to see.
2 ALDERWOMAN COGGS: So when you there
3 looking over the place, who was actually
4 managing?
5 MR. CARTER: I still would say the
6 position I was doing is kind of manager's type
7 stuff. I just didn't have a manager's license,
8 and I no longer told anybody I was a manager.
9 ALDERWOMAN COGGS: Well, correct me if
10 I'm wrong, Ms. Grill. If the licensee themself
11 is not there, a licensed manager is supposed to
12 be?
13 MS. GRILL: A licensed bartender has to
14 be on the premises at all time.
15 MR. CARTER: Licensed bartender.
16 ALDERWOMAN COGGS: Okay.
17 MR. CARTER: And all of us - - And I do
18 own - - I do have a license.
19 ALDERWOMAN COGGS: I see.
20 MR. CARTER: From bartending. I have a
21 license on the wall. They said that I have no
22 license in there at all. I do have a license.
23 It's a bartender's license, and it expires in
24 this year, in fact.
25 ALDERWOMAN COGGS: Thank you.

00077

1 CHAIRMAN BOHL: Other questions by
 2 committee? One - - One other question here for
 3 you, Mr. Carter. What was, again, the name of
 4 your establishment?
 5 MR. CARTER: It was the House of Jazz.
 6 CHAIRMAN BOHL: Was that the full name?
 7 MR. CARTER: Carter's House of Jazz.
 8 CHAIRMAN BOHL: Carter's House - -
 9 House of Jazz. Okay.
 10 MR. CARTER: I surrendered the license.
 11 I ran that business like three years before that.
 12 The shooting there involved a friend of mine, he
 13 got killed. And I just gave the license up like
 14 the next day.
 15 CHAIRMAN BOHL: The - - And I know that
 16 the officer was trying to - - Is there any
 17 connection at all with the - - the building,
 18 Fitzgerald, along the lines of the name of this
 19 establishment is Fitzgerald's Jazz & Blues?
 20 MR. CARTER: Well, she named the bar
 21 after the hotel out in Las Vegas, actually. My
 22 middle name just happens to be Fitzgerald, and
 23 some of the officers that came from, when they
 24 went to switching around, officers from down on
 25 5th Street ended up on - - in 3rd District, oh,

00079

1 CHAIRMAN BOHL: Based on you having the
 2 experience, so.
 3 THE APPLICANT: Um-hnh.
 4 CHAIRMAN BOHL: All right. Thank you.
 5 Any other questions by committee?
 6 ALDERMAN ZIELINSKI: Mr. Chairman.
 7 CHAIRMAN BOHL: Alderman Zielinski.
 8 ALDERMAN ZIELINSKI: What's the status
 9 of the warrants for incidents three and 16?
 10 THE APPLICANT: I went to the
 11 courthouse on Friday, the 16th, and everything's
 12 been taken care of. One been paid off. I think
 13 he said that earlier.
 14 ALDERMAN ZIELINSKI: I'm sorry.
 15 THE APPLICANT: I got the paperwork
 16 right here if you need it.
 17 ALDERMAN ZIELINSKI: You paid the
 18 citation, as well?
 19 THE APPLICANT: Yes, sir.
 20 ALDERWOMAN COGGS: Are you saying
 21 citation? Was that a parking ticket?
 22 ALDERMAN ZIELINSKI: She said - -
 23 THE APPLICANT: Well, I didn't pay the
 24 parking ticket. But that's not a warrant. I'm
 25 going to pay it. But I haven't paid it as of

00078

1 yeah, sure, Carter, that you - - Well - -
 2 CHAIRMAN BOHL: Otherwise - -
 3 Otherwise, you could have - - You could have said
 4 that it was named after John F. Kennedy's middle
 5 name, as well, too, here.
 6 MR. CARTER: That's true. So, but
 7 that's what they're concerned about. No, I'm not
 8 the owner. She's fired me before.
 9 CHAIRMAN BOHL: I mean, the only other
 10 - - The only other commentary that I'll make is
 11 I'm going to just go on the record and say that,
 12 protest, if you will, in terms of you didn't have
 13 a formal manager's license. I think in
 14 everything else but name, you were serving in
 15 that capacity in some way, shape or form. I
 16 mean, I think that sort of in terms of the day-
 17 to-day operations, you probably - - I don't know
 18 if this was a - - I might garner that it wasn't a
 19 committee decision where all of the bartenders
 20 came together and said, we're all co-equal.
 21 Let's decide on whether this happens here. I'm
 22 going to guess that when there were decisions
 23 that were made, they would say, John, do we do
 24 this, or something else.
 25 MR. CARTER: Yeah.

00080

1 yet, but it is not a warrant. And I went, and I
 2 think I talked with Ms. Valerie Hill, Judge
 3 Valerie Hill, and I got everything taken care of.
 4 ALDERMAN ZIELINSKI: Mr. Chairman, a
 5 follow-up. So are you paying a parking ticket?
 6 THE APPLICANT: Yeah, I'm going to pay
 7 it. But I didn't pay it Friday. I paid the
 8 other ticket that was a warrant, and I got the
 9 other ticket reduced down. Because I - - I'm
 10 already on a payment arrangement for the other
 11 tickets that - - the citations that's in here.
 12 So I'm keeping up with all of my payments, but
 13 it's kind of hard when the business is up and
 14 down. But up and down or not, the bills get
 15 paid.
 16 ALDERMAN ZIELINSKI: Okay. So you - -
 17 You didn't pay the parking ticket. You didn't
 18 have money?
 19 THE APPLICANT: No, I didn't. I did
 20 not have money. I get paid on the 23rd from my
 21 job.
 22 ALDERMAN ZIELINSKI: Okay.
 23 ALDERMAN KOVAC: Mr. Chair.
 24 CHAIRMAN BOHL: Alderman Kovac.
 25 ALDERMAN KOVAC: Mr. Carter, Ms. Wright

00081

1 said before that the bartenders make a list in
2 order to get the beer bought and supplies bought.
3 They give that list to you and you then order the
4 beer?

5 MR. CARTER: Yes.

6 ALDERMAN KOVAC: Where do you get the
7 beer from?

8 MR. CARTER: Badger. And Badger does
9 sell Miller products. They sell everything.

10 Everything we use inside the bar, Badger carries.
11 Some of those receipts you'll see Miller products
12 all through it. From the Miller Lite, High Life.

13 Everything and anything that we didn't - - that
14 they didn't carry, when I told them we liked - -
15 we use this product, they got it for us, and now
16 they carry the other products that we - - that
17 they didn't have. Quite a few, matter of fact.

18 ALDERMAN KOVAC: So in - - In regards
19 to, I guess, item 15, the item we had talked
20 about. Not 15, I'm sorry. The - - The item
21 where there was the birthday drink issued. It
22 was a fight. And that gentleman came - -

23 MR. CARTER: There was no fight.

24 ALDERMAN KOVAC: Okay. But there was a
25 dispute, and then they - - He did come back and

00083

1 unfortunate, in your case for you, very
2 unfortunate coincidences, but I think, wasn't the
3 story - - wasn't there somewhat a similar story
4 at the place on North Avenue where somebody left,
5 came back in, fired shots into the bar, from - -
6 at Carters? Similar type of story?

7 MR. CARTER: Well - -

8 ALDERMAN KOVAC: In that somebody was
9 in the bar, left, came back and fired shots.

10 MR. CARTER: Well, we were open then.
11 We were open at that. This - - This time, this
12 guy shot into a window when we have the blinds
13 pulled, when we're closed. No one was there.
14 Well, me and maybe two more people was inside.
15 We had already pulled the gate shut. Had we not
16 pulled the gate shut over the broken door, maybe
17 he would have opened that door and did the same
18 thing, so.

19 ALDERMAN KOVAC: So do you feel - -
20 You've had bars at two different locations where
21 two different times now somebody's come back in
22 and shot in the bar. Do you feel safe operating
23 a bar?

24 MR. CARTER: I trust the security we've
25 been having. You know, and, I mean, the area, it

00082

1 fire shots into the bar?

2 MR. CARTER: He shot at - - We were
3 closed. We were already - - We were - - In fact,
4 on the day he left - -

5 ALDERMAN KOVAC: Um-hnh.

6 MR. CARTER: After what he said, he
7 left. He's from the neighborhood. Everybody
8 from this neighborhood is - - for some reason,
9 they come in. They got this attitude, like, this
10 is our area. We should be able to do this. We
11 should be able to do that. One guy told me he
12 was supposed to buy the building. And that, as a
13 matter of fact, the guy that did the shooting in
14 the window is the guy that told me he's supposed
15 to own this building. He did some time in jail,
16 and before he went to jail, he was supposed to
17 buy this building. So he's constantly kind of
18 picking with me. So on his way out - - His
19 girlfriend is already out. She's already had her
20 birthday drink. She's out in her car already.
21 He just had to come up to get one last poke at
22 me, I guess. Well, you guys didn't buy us - -
23 Did that - - That - -

24 ALDERMAN KOVAC: Well, the reason I ask
25 is - - is, you know, it could just be a couple of

00084

1 gets - - it gets hard, yeah. It's scary.

2 ALDERMAN KOVAC: And you don't think
3 there's a pattern here, I mean, from the
4 committee's perspective, you had two different
5 bars in two different neighborhoods with similar
6 tragic, in one case almost tragic, in another
7 case consequences.

8 MR. CARTER: I don't think it's from
9 that. I mean, if it's from me, I'll quit today.

10 CHAIRMAN BOHL: Thank you. Any other -
11 - I - - I went right to the point where we were
12 asking you questions, Mr. Carter. Was there any
13 additional testimony you wanted to relate to the
14 committee relating to your role at this
15 establishment?

16 MR. CARTER: Like I said, I'm just
17 there now, pretty much, and I - - I got - - I,
18 DJ, and help her to watch over everybody there
19 when she's not there. And she's not there a lot
20 of the time, so.

21 CHAIRMAN BOHL: All right. Very good.

22 MR. CARTER: And I bartend.

23 CHAIRMAN BOHL: Thank you. Thank you.
24 All right. If there are no other questions by
25 committee of Mr. Carter, thank you for your

00085

1 testimony. Was there someone else, others who
 2 wish to provide testimony here?
 3 MR. RUNNER: Mr. Chair, we did ask Ron
 4 Roberts to come, because the City Attorney had a
 5 question for DNS. I don't know if it will be
 6 helpful to the committee or not, but he is here.
 7 CHAIRMAN BOHL: Ron, do you want to
 8 come on up or - - If you can take the standing
 9 microphone here or - - Ron, we'll need to swear
 10 you in as well, too, if you want to raise your
 11 right hand.
 12 (Whereupon Mr. Roberts was sworn.)
 13 CHAIRMAN BOHL: We won't need your home
 14 address. If you just want to provide us your
 15 name and your position here with the City.
 16 MR. ROBERTS: Ron Roberts. Department
 17 of Neighborhood Services. I'm the Manager in our
 18 Commercial Inspection Division.
 19 CHAIRMAN BOHL: Mr. Schrimpf, do you
 20 want to just keep the - - the question here for
 21 Mr. Roberts?
 22 MR. SCHRIMPF: Thank you, Mr. Chairman.
 23 Mr. Roberts, during the course of testimony in
 24 this matter there were some issues raised
 25 regarding the electrical service in the building,

00087

1 of electricity.
 2 MR. SCHRIMPF: So basically the
 3 department was unable to confirm it, because the
 4 inspector could not get in?
 5 MR. ROBERTS: That is correct.
 6 MR. SCHRIMPF: That's all I have, Mr.
 7 Chairman.
 8 CHAIRMAN BOHL: Are there any other
 9 questions for Mr. Roberts? Thank you, Ron.
 10 MR. ROBERTS: All right. No problem.
 11 CHAIRMAN BOHL: Again, any additional
 12 testimony from others in the audience? Any
 13 others' testimony? Mr. Carter?
 14 MR. GRANT: When they came out, they
 15 did go down and check the boxes and check that
 16 the wiring and all of that, and found that that
 17 wasn't the case. Somebody would know that. They
 18 did come down and they checked that. And some
 19 things that the owner of the building was told to
 20 do.
 21 CHAIRMAN BOHL: I'm going to guarantee
 22 you one thing. As a person on this end of the
 23 committee, that is the least of my worries at
 24 this point here, so, okay. Spent an awful lot of
 25 time on electricity when there are a whole lot of

00086

1 the heating in the building, whether or not
 2 electrical service was being transferred from one
 3 part of the building to another, and this
 4 involved two different addresses, apparently. Do
 5 you have any information on any of this? Has the
 6 department conducted any inspections of the
 7 properties that you could illuminate for the
 8 committee or not?
 9 MR. ROBERTS: Yeah. We did not conduct
 10 an inspection. We did have a complaint about
 11 theft of electric service. That was a request
 12 for one of our electrical inspectors to go out
 13 and meet, and I'm not sure exactly who, I
 14 believe, it was someone from the police
 15 department, had requested that they come out to
 16 confirm that there was some electricity being
 17 stolen. The inspector was unable to get in. The
 18 inspector sent an advisory and says that he
 19 received no call back. That was in January,
 20 so - -
 21 MR. SCHRIMPF: Of '09?
 22 MR. ROBERTS: Of '09.
 23 MR. SCHRIMPF: Okay.
 24 MR. ROBERTS: Okay. And that's the
 25 only contact we've had with respect to the theft

00088

1 other issues, you know, going on in the area, in
 2 the neighborhood and around there, so. Miss - -
 3 Ms. Wright?
 4 THE APPLICANT: Yes.
 5 CHAIRMAN BOHL: Is there any other
 6 commentary you wanted to provide to the
 7 committee?
 8 THE APPLICANT: No.
 9 CHAIRMAN BOHL: No other commentary?
 10 Officer McNichol?
 11 OFFICER MCNICHOL: I did have a
 12 question, Mr. Chair, for Mr. Carter.
 13 CHAIRMAN BOHL: Sure.
 14 OFFICER MCNICHOL: Mr. Carter did
 15 mention that, you know, if he was the issue, then
 16 he would quit today. I just - - I would like to
 17 - - a point of clarification on if he is
 18 employed, in fact, at Fitzgerald's, because Ms.
 19 Wright did say that she had fired him and he was
 20 no longer working there.
 21 THE APPLICANT: No, I did not say that.
 22 OFFICER MCNICHOL: That is exactly what
 23 she said in her testimony, that she did fire him.
 24 THE APPLICANT: No, did not. I said I
 25 fired him, and I brought him back, because I

00089

1 didn't know what I was doing. That's what I
2 said, sir.

3 ALDERMAN KOVAC: Mr. Chair?

4 CHAIRMAN BOHL: Alderman Kovac.

5 ALDERMAN KOVAC: That reminds me,
6 again, of a question I wanted to ask, because I
7 was the one asking the question, you did say all
8 that.

9 THE APPLICANT: Um-hnh.

10 ALDERMAN KOVAC: But that was after I
11 asked you a follow-up, because you said now that
12 you've listened to all these police reports, he's
13 not going to be involved. Obviously, he's still
14 involved. He's at the table now, so.

15 THE APPLICANT: He's - - He's involved
16 that is now, yes. I don't like - - I don't like
17 going to court. I don't like taking no time out
18 of my work and my schooling to come for something
19 that needs to be in order. Yes, I did say that I
20 fired him before, but I brought him back, because
21 I didn't know what I was doing. I never been in
22 this business. I did not say I fired him and
23 that was it.

24 ALDERMAN KOVAC: See, you fired him at
25 one point previous.

00091

1 I'm doing wrong so I can correct it. Because I
2 been doing it so far, anything I get and they say
3 I'm doing wrong, I try my best to get it
4 corrected as soon as possible. So if I can get
5 help or suggestions or any type of help from the
6 City, the police, that studied them in doing the
7 checks. Give me - - give me a few ideas of what
8 can make this better. They don't - - They don't
9 tend to do that.

10 ALDERMAN KOVAC: So - - So long story
11 short, the police could offer you suggestions - -

12 THE APPLICANT: They really could.

13 ALDERMAN KOVAC: But long story short,
14 the current management structure of the one is
15 going to - - is going to proceed as it is.

16 THE APPLICANT: Um-hnh.

17 ALDERMAN KOVAC: The same structure
18 that created all of these police reports in the
19 future.

20 THE APPLICANT: Yeah, but we're going
21 to - - We're going to be putting Justin in charge
22 of everything. We're going to get the
23 application for Justin, and I think he could
24 probably run it a little better, because it's - -
25 it's a lot of problems going on, but John Carter

00090

1 THE APPLICANT: Yes, because I kept
2 getting calls at three in the morning.

3 ALDERMAN KOVAC: When he was - - That
4 was when he was officially the manager.

5 THE APPLICANT: That's when I was
6 considering him being the manager and he got the
7 application and stuff.

8 ALDERMAN KOVAC: Then you - - Then you
9 brought - - Then you brought him back, not as a
10 manager, just as a bartender.

11 THE APPLICANT: Just as someone to
12 oversee and everything, because I do have a life.
13 I have things to do besides the bar.

14 ALDERMAN KOVAC: So - - And you did say
15 that now he wouldn't be involved, based on your
16 reading of this police report, but I'm gathering
17 we - - we misinterpreted your meaning of that.

18 THE APPLICANT: Yes.

19 ALDERMAN KOVAC: You intend to have him
20 continue working for you.

21 THE APPLICANT: Yes, of course, because
22 he know what he's doing. I really don't know
23 about the business. But I know it can be a
24 lucrative business. If I can get some help, or
25 if I'm doing something wrong, let me know what

00092

1 will still oversee everything, because he's the
2 one who has had the business for the more years
3 than we have.

4 MR. CARTER: I mean, I can go back and
5 if she wanted me to, and if that solves it to get
6 a manager's license or attempt to get the
7 manager's license. As far as the management, I
8 really don't care about the title of that. It
9 doesn't matter to me.

10 THE APPLICANT: Because it's nothing.

11 MR. CARTER: Because I'm going to do
12 the same thing if I'm there. If I see a problem,
13 I'm going to try to help with that problem or
14 stop the problem or from my experience in
15 stopping, and there's a lot of things that I've
16 stopped from happening, lots. I've talked with
17 these guy that's - - that's feuding against each
18 other in that neighborhood, and I've actually
19 brung them both into the bar in the daytime, had
20 both of them sit and talk with each other.
21 Because nobody else would do it. No one else
22 around that neighborhood cares about it, really,
23 if you ask me. But I have done other things. As
24 far as even cleaning up the place. We clean up
25 that whole two blocks each way, like twice - -

00093

1 twice a month.
 2 THE APPLICANT: Um-hnh.
 3 MR. CARTER: You know, just - - We do
 4 whatever we can do. You know, she's planning on
 5 putting a system in there from a company that - -
 6 I got the card in my wallet. But the system is
 7 going to cost about four grand.
 8 ALDERMAN HAMILTON: Mr. Chair.
 9 CHAIRMAN BOHL: Alderman Hamilton.
 10 ALDERMAN HAMILTON: I just - - I just -
 11 - I want to keep it real, all right.
 12 THE APPLICANT: Um-hnh.
 13 ALDERMAN HAMILTON: It's - - It's
 14 pretty obvious to me, right. I don't want to
 15 talk around in circles and ask questions that,
 16 you know, I'm trying to lead you into where I
 17 want you to go. The point of the matter is
 18 you're - - you're invested in this business,
 19 really without you, John, there is no business.
 20 THE APPLICANT: Um-hnh.
 21 ALDERMAN HAMILTON: There is no
 22 business without you. So to present to this
 23 committee as if, you know, you're an employee
 24 and, you know, if it's better that you not be
 25 involved, you know, then this will be a better

00095

1 everything that happens. You know, you're - -
 2 you're the man. Okay. But without you, there -
 3 - there was just a big old question mark up here
 4 before you - - before you got here. And that's
 5 to take nothing away from you, you know what I
 6 mean, but it's pretty obvious what you're saying.
 7 THE APPLICANT: He knows what he's
 8 doing.
 9 ALDERMAN HAMILTON: He knows what he's
 10 doing. You're saying that - - You know, he's the
 11 reason why you even went into this business in
 12 the first place.
 13 THE APPLICANT: Yes.
 14 ALDERMAN HAMILTON: So without coming
 15 to us saying what it is that you're going to do
 16 in order to make things better and to fix this
 17 and let's, you know, let's stop pretending like
 18 you are, you know, three or four people removed
 19 from this location, because I think that's one of
 20 the major concerns that the police department
 21 have with them being here, is the fact that you
 22 want to make this presentation as if there's - -
 23 there's no real connection, and, you know, you
 24 had this business before, and - - and the reason
 25 why we're here making the presentation the way

00094

1 business, than that's what you would do, or if
 2 you help - - If you help, you know, you help
 3 manage or oversee if that's what's better.
 4 You're the business - - You're the - - You know
 5 what's going on, and there's question as to
 6 whether or not, you know, you're the financial
 7 support for the business. You know, I'm not
 8 trying to go there right now, but I'm just
 9 telling you there's question.
 10 THE APPLICANT: Um-hnh.
 11 ALDERMAN HAMILTON: Well, there's
 12 question as to that.
 13 MR. CARTER: I understand what you're
 14 saying.
 15 ALDERMAN HAMILTON: But one of the
 16 major concerns is without you, there is no
 17 business, and with you, there are issues. And so
 18 if we just don't - - If we don't put that on
 19 front street and deal with that, then I can't
 20 even support a license, because I want the truth,
 21 and I want you to just be up front, real with
 22 everything, instead of this presentation of, you
 23 know, I am, but I ain't, I'm invisible, but I'm
 24 not. I won't testify, but, you know, when you do
 25 testify, you got all the answers. You know

00096

1 that we are is because you have a history. And
 2 so, we really don't want to bring your history
 3 into the issues here, so we're going to try to
 4 put you in the back pocket and, you know, make
 5 this clean presentation. And it's not coming
 6 across well. And so, if we don't deal with what
 7 is real, then a license shouldn't be here at this
 8 place.
 9 CHAIRMAN BOHL: Do you have any
 10 additional commentary? Any other questions by
 11 committee members? Mr. Runner, was there
 12 anything else that you wanted to add at this
 13 point here?
 14 MR. RUNNER: I think everyone has
 15 pretty well covered it. I think Alderman
 16 Hamilton summarized it pretty well.
 17 CHAIRMAN BOHL: Thank you.
 18 ALDERWOMAN COGGS: Mr. Chair.
 19 CHAIRMAN BOHL: Additional questions,
 20 or Alderwoman Coggs?
 21 ALDERWOMAN COGGS: Just - - Just a
 22 comment. I - - I don't know how this is going to
 23 go here today. But if by chance you are allowed
 24 to keep your license, and you said several times
 25 here today what you don't know.

00097

1 THE APPLICANT: Um-hnh.
 2 ALDERWOMAN COGGS: Ignorance is no
 3 defense.
 4 THE APPLICANT: Okay.
 5 ALDERWOMAN COGGS: In the law or before
 6 this committee. Because at the point at which
 7 you take out a license, you take on the
 8 responsibilities of all laws, ordinances, State
 9 Statutes that impact that license.
 10 THE APPLICANT: I understand that.
 11 ALDERWOMAN COGGS: It's your
 12 responsibility as a business owner to know those
 13 laws well. So - - You also said, though, that
 14 you're willing to learn.
 15 THE APPLICANT: Yes, ma'am.
 16 ALDERWOMAN COGGS: And that as people
 17 share information with you, you are willing to
 18 take that information and build from it.
 19 THE APPLICANT: Um-hnh.
 20 ALDERWOMAN COGGS: Well, I'm going to
 21 share a little information with you. If by
 22 chance you get this license, I would recommend
 23 that you, A, you all get a copy of all State
 24 Statutes that impact a liquor license.
 25 THE APPLICANT: Okay.

00099

1 could do, but that would be like Licensing 101,
 2 to tell you here today, but I'm - - So I'm going
 3 to keep this short, and I'm going to leave you
 4 with this last one.
 5 I heard you say a lot about it's the
 6 neighborhood. It's this. It's that. But when
 7 you take on an establishment in a neighborhood,
 8 you become a part of that neighborhood. So it's
 9 no longer them versus us. The moment you decide
 10 to become a part of that neighborhood, if the
 11 neighborhood got problems, you got problems. So
 12 it is imperative that you, as a business owner in
 13 that problem or challenge neighborhood, invest in
 14 the neighborhood. See what other people do.
 15 People do everything from help with the
 16 blockwatches, to do neighborhood clean-ups, to do
 17 reach-outs, to let them have neighborhood
 18 meetings in the establishment. All kind of stuff
 19 to help bring up the neighborhood. You have to
 20 figure out what you need to do in that
 21 neighborhood so that you don't sit before us next
 22 year and say, well, it's the neighborhood. It's
 23 them. Because you're a part of that
 24 neighborhood. And you're going to have to deal
 25 with whatever those problems are in the

00098

1 ALDERWOMAN COGGS: B, get a copy of all
 2 ordinances that impact your liquor license. C,
 3 sit down and meet with the community police
 4 liaison from the district that you're in. Go
 5 through the establishments and ask for
 6 suggestions in writing that will help to secure
 7 crowd control, all that kind of stuff for your
 8 establishment. Incorporate those suggestions
 9 into your way of business. Whatever security you
 10 use, make sure that they are licensed, bonded and
 11 professional and have done similar work other
 12 places. Whatever management you use, make sure
 13 - All experience ain't good experience, as you
 14 can see from this hearing here today. Just
 15 because people have had a license or have done
 16 something before, if they have not done it well,
 17 that's nothing to learn from.
 18 THE APPLICANT: Okay.
 19 ALDERWOMAN COGGS: If anything, it's to
 20 learn what not to do. So I would suggest that
 21 you look at establishments that have been run
 22 well, that you would like to emulate how they
 23 were run. And you talk to those owners. Talk to
 24 those managers, and see what you need to do to
 25 incorporate. There's a billion other things I

00100

1 neighborhood, regardless if you want to or not.
 2 THE APPLICANT: Yes.
 3 ALDERWOMAN COGGS: So that's just a
 4 couple of suggestions that I hope that you build
 5 upon, if you're able to keep this license. They
 6 may be able to help you not have to come before
 7 us next year. Because this, to me, was the
 8 biggest waste of two hours.
 9 THE APPLICANT: Yes, it probably was.
 10 CHAIRMAN BOHL: We were on time for a
 11 while. I just - - I will reiterate everything
 12 Alderwoman Coggs said in terms of her sort of 101
 13 as to what you ought to do. My only concern, Ms.
 14 Wright, at this point is that - - And I
 15 understand, and I can appreciate you kind of
 16 saying that there's a learning scale, but my
 17 general belief, and it is one of the things at
 18 times where I think we will try to ask people
 19 their experience. You know what? If - - If you
 20 haven't even, at least, had experience as a
 21 bartender or doing some management beforehand,
 22 learning on the job, particularly with a larger
 23 club or a club that can be in a more challenged
 24 neighborhood, isn't always a good thing. Because
 25 you can have a lot of problems while you're

00101

1 learning, and those problems wind up meaning
2 gunshots, meaning violence, and unfortunately,
3 sometimes meaning the loss of life.

4 The only other concern that I - - that
5 I still have at this point, and I - - Look, I'm
6 just kind of, like Alderman Hamilton, I'm just
7 going to call this out. I - - I think that you
8 are a good person. I have no doubt. I
9 appreciate your honesty. I appreciate Mr.
10 Carter's honesty. I have no reason to doubt you
11 coming forward here, that you haven't said
12 anything that is - - that is untrue. You know.
13 But my - - My one concern is ultimately that it
14 just sounds to me that - - that from what you've
15 indicated about your job and your desire to get
16 additional education, that you are very much
17 booked. And what Alderwoman Coggs was saying in
18 short is when you take on this type of business,
19 to do so as a sort of passive owner, is something
20 that really you can't do, that you have to be
21 very, very involved, if - - if you are going to,
22 indeed, do that. And to me it just seemed like
23 from what you are saying is you're very
24 preoccupied with a lot of other things, including
25 your education and, you know, your day-to-day

00103

1 to a point, because I think that there are some
2 challenges in this neighborhood, and, you know,
3 quite candidly, I'm not certain, but, you know, I
4 think that with some of those very issues,
5 probably wouldn't necessarily matter who is
6 operating the business. You may have some
7 problems, and if you have violence in the
8 neighborhood, sometimes that's going to sort of
9 commingle if something's occurring in and around
10 the bar - - in and around the bar time, you may
11 get some of that on your report, but it's - -
12 it's just that it's - - it's a difficult place.
13 It's a difficult task, and frankly, it's just not
14 a - - a type of business where you can really
15 part-time it. Because when we do see that, that
16 type of part-timing often leads to - - to
17 tragedies here in the City of Milwaukee.

18 Was there any additional commentary
19 that any - - any committee members have? I think
20 we've - - we've already hashed this one over and
21 over again here. If there is no additional
22 commentary, then we will take this up in
23 committee then.

24 ALDERMAN ZIELINSKI: Mr. Chairman.
25 CHAIRMAN BOHL: Alderman Zielinski.

00102

1 job. Now, I mean, that's where you really need
2 to - - And, you know - - And that's not to say
3 that you can't be a passive investor, but you - -
4 If you - - If that's the case, you better have a
5 manager or a general manager who - - who knows
6 what they're doing and literally call it what it
7 is. I'm a passive investor here, because I
8 thought of this as an opportunity to make money,
9 and this is the person I rely on. And, you know,
10 ultimately at the end of the day the buck stops
11 with me. But I'm going to, you know, it's like
12 the Packers have a President, and then the - -
13 the General Manager of the team is the person who
14 sees the day-to-day operations. If you're going
15 to call yourself that, call yourself that. I
16 think everything she says applies, but it's going
17 to apply to the general manager, but you're going
18 to have to have a manager, because you can't
19 continue to say that I don't have a manager, but
20 he's doing these duties, and ultimately, I'm - -
21 I'm willing to learn, when you're passive and
22 you're preoccupied in other things. And so I
23 just - - I mean, I just want to say that there is
24 some concern here re - - regarding all that, and
25 it's - - The one thing is is we don't want to get

00104

1 ALDERMAN ZIELINSKI: I really don't
2 have any confidence that you're not going to be
3 before us next year. I feel we're going to be
4 here next year, the same thing, and it's going to
5 be the same old story. You know, when you own a
6 business like this in a high crime area, this is
7 not a place to learn on-the-job. We've invested
8 a tremendous amount of police resources all
9 throughout the year. Police resources today.
10 People have been getting shot, fights. I mean,
11 this record is just atrocious. And then when
12 your response is, well, it's the neighborhood's
13 problem, it's not our problem, it's the
14 neighborhood's problem, I mean, that shows that
15 you have no understanding with respect to the - -
16 to the State Statutes, and - - and if you don't
17 understand what the State Statutes are, and you
18 think that the problem is - - is mostly the
19 neighborhood, you know, that really doesn't give
20 me much confidence that you're going to be able
21 to turn things around. When you say, hey, I'm
22 willing to learn, you know, I want advice from
23 the police. You should come and do your homework
24 before you come to the committee and say, look, I
25 know we've done this, that, and the other thing

00105

1 wrong. We're going to do one, two, three, four,
 2 and five, specifically to make sure that this
 3 problem is, you know, doesn't re-occur.
 4 But, you know, and - - and the fact
 5 that you've got all these other jobs. You've got
 6 two other jobs. You're going to school. All
 7 this other stuff. People that have - - have bars
 8 in high crime areas, that haven't had anywhere
 9 near the history that you've had. We've had
 10 people in high crime areas, we've never seen them
 11 over here. And that's because those licensees
 12 have experience, and they know how to run a bar
 13 in an area that has high crime to prevent these
 14 types of activities from - - from happening. So
 15 I - - I don't know if there's enough votes here
 16 to - - to approve this, but like I said at the
 17 beginning of my remarks, I have no faith,
 18 whatsoever, that you're not going to be here
 19 again next year. And I just want to save the
 20 taxpayers a lot of money, want to save a possible
 21 shooting from occurring, and all kinds of other
 22 problems.
 23 So having said that, I would move that
 24 we don't renew the license.
 25 CHAIRMAN BOHL: The motion by Alderman

00107

1 THE APPLICANT: Okay.
 2 MR. SCHRIMPF: You will receive a copy
 3 of that. You will have until 4:45 p.m., October
 4 29th, 2009, to submit written objections to that
 5 recommendation. If you submit them, they must be
 6 submitted in Room 205, again, by 4:45 p.m. If
 7 you submit written objections, then you'll also
 8 have the opportunity to appear before the
 9 Milwaukee Common Council when it considers this
 10 matter at approximately nine a.m. on November
 11 3rd, 2009 in the Council chambers of this
 12 building, same floor that you're on, but the
 13 opposite end.
 14 THE APPLICANT: Okay. Can I leave now?
 15 CHAIRMAN BOHL: Yes, thank you.
 16 * * * *

00106

1 Zielinski is for a recommendation of denial of
 2 the Class "B" Tavern and Tavern Dance application
 3 for the Fitzgerald's Jazz & Blues club. Is there
 4 discussion on that motion? And, Alderman, this
 5 is based upon the - -
 6 ALDERMAN ZIELINSKI: Police report.
 7 CHAIRMAN BOHL: Based upon items in the
 8 police report. Why don't we do a roll call vote
 9 if there's no additional discussion on this?
 10 STAFF ASST. BLACK: Alderman Hamilton?
 11 ALDERMAN HAMILTON: Aye.
 12 STAFF ASST. BLACK: Alderman Kovac?
 13 ALDERMAN KOVAC: Aye.
 14 STAFF ASST. BLACK: Alderwoman Coggs?
 15 ALDERWOMAN COGGS: No.
 16 STAFF ASST. BLACK: Alderman Zielinski?
 17 ALDERMAN ZIELINSKI: Aye.
 18 STAFF ASST. BLACK: Mr. Chair.
 19 CHAIRMAN BOHL: It's already a
 20 formality. I'll put an aye on it, and the vote
 21 will carry on a four to one basis. Mr. Schrimpf.
 22 MR. SCHRIMPF: Thank you. Ms. Wright,
 23 the committee is going to be doing findings of
 24 fact and conclusions of law, recommending non-
 25 renewal of your license.

00108

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 2
 3 STATE OF WISCONSIN)
 4)
 5 MILWAUKEE COUNTY)
 6
 7 I, JEAN M. BARINA, of Milwaukee Reporters
 8 Associated, Inc., 5124 West Blue Mound Road,
 9 Milwaukee, Wisconsin 53208, certify that the foregoing
 10 proceedings is a full and complete transcript of
 11 Fitzgerald's Jazz & Blues" taken in the foregoing
 12 proceedings.
 13
 14
 15
 16
 17
 18
 19 JEAN M. BARINA
 20 Court Reporter
 21
 22 Dated this day of November, 2009.
 23
 24