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CITY OF MILWAUKEE

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UTILITIES & LICENSES COMMITTEE

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In the Matter of:

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RALPH E. NEELY, Class B Tavern and Tavern Dance
Renewal Application for RALPH'S LOUNGE
at 4538 W. Lisbon Avenue.

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COMMITTEE MEMBERS

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- ALD. JEFFREY PAWLINSKI - Chiarman
- ALD. TERRANCE HERRON - Vice-Chairman
- ALD. ROSA CAMERON-ROLLINS
- ALD. ANGEL SANCHEZ

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LICENSING DIVISION by LEO WAGNER

12

NEIGHBORHOOD SERVICES by PANDORA T. BENDER

13

POLICE DEPARTMENT by SEARGENT JOHN HOGAN

14

OFFICE OF THE CITY ATTORNEY by ATTORNEY BRUCE SCHRIMPF

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Proceedings had and testimony given in
the above-entitled matter, before the UTILITIES &
LICENSES COMMITTEE OF THE CITY OF MILWAUKEE, on
the 21st day of June, 2001.

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P R O C E E D I N G S

CHAIRMAN PAWLINSKI: The matter that we're here to address today is the issue of Ralph E. Neely in the 17th Aldermanic District. This is a Class "B" Tavern and Tavern Dance renewal application for "Ralph's Lounge" located at 4538 West Lisbon Avenue.

Now, a couple ground rules before we start. First of all, we're not being televised today, because there is a Steering Rules committee that begins at two p.m. and a Common Council meeting that begins at three p.m. to address the Summerfest issues, so we are not on television. So for whatever that's worth - -

ALDERMAN HERRON: We'll be out of here much quicker.

CHAIRMAN PAWLINSKI: Could be. Exactly. The other thing, though, is that I am also - - I am a member of the Steering Rules committee and all of us here obviously are members of the Common Council. We're going to do our best to move forward with this public hearing as quickly and as expediently as possible. But at two o'clock, if we're not finished, we'll have to recess it for a portion of this day and come

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1 back and finish it up.

2 ALDERWOMAN CAMERON: Why? You just run
3 on and go to Steering Rules committee. You have
4 your Vice here. He's very capable of doing it.

5 CHAIRMAN PAWLINSKI: Because I would
6 prefer not to have the committee deal with this
7 issue with only three people here. So - - And
8 all of us have to convene in the Common Council
9 chambers at three o'clock, anyway, so we'll see
10 how we do.

11 Having said that, I will try to give a
12 lot of consideration to those neighbors that are
13 here, because I know it is cited for neighbors.
14 There is a neighborhood objection. I don't know
15 if anybody's here to speak. But if you are, I
16 will do my best to get you as quickly as possible
17 so that you do not have to wait around until a
18 later portion of today's hearing. So having said
19 all of that, I just want to make sure that you
20 know that our Assistant City Attorney Bruce
21 Schrimpff is here, as well as Sergeant John Hogan
22 of the Milwaukee Police Department, Pandora
23 Bender with the Department of Neighborhood
24 Services. Alderman Willie Hines is here. He
25 represents the 17th District where Ralph's Lounge

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1 is located. Leo Wagner is on the far right over
2 there. He is our Licensing Manager. Mary
3 Landowski is our Staff Assistant. And we're also
4 joined by Jean as our Court Reporter today.

5 I need to swear in our staff. You can
6 all raise your right hands. Do you solemnly
7 swear to tell the truth, the whole truth, and
8 nothing but the truth, so help you God?

9 THOSE PRESENT: I do.

10 CHAIRMAN PAWLINSKI: And, Jean, could
11 you raise your hand, please? Do you solemnly
12 swear to execute the duties of your office
13 faithfully and impartially to the best of your
14 ability, so help you God?

15 COURT REPORTER: I will.

16 CHAIRMAN PAWLINSKI: With that then I
17 will - - Mr. Neely is here with his attorney.
18 Mr. Neely, I will ask you if you could raise your
19 right hand, as well. Alderman. Thank you. Do
20 you solemnly swear to tell the truth, the whole
21 truth, and nothing but the truth, so help you God?

22 THE APPLICANT: I do.

23 CHAIRMAN PAWLINSKI: And, Mr. Neely,
24 you acknowledge receiving notice of today's
25 meeting with a possibility that your renewal

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1 application for Ralph's Lounge could be denied.
2 There is an objection within the police report,
3 as well as a neighborhood objection to noisy
4 patrons, fights, shootings, damage to private
5 property, parking problems, and illegal drug
6 activity. You did get that notice?

7 THE APPLICANT: I got that, yes.
8 CHAIRMAN PAWLINSKI: Ms. Rodgers,
9 you're representing Mr. Neely?

10 MS. RODGERS: Yes. Karna Rodgers on
11 behalf of Mr. Neely, from Butler, Rodgers and
12 Johnson.

13 CHAIRMAN PAWLINSKI: Let me just,
14 before we move into the police report, get a
15 handle on anyone here from the neighborhood. Is
16 anyone here from the neighborhood who wishes to
17 testify in this matter? Can I just get a show of
18 hands? Two people. Are you here to testify in
19 favor or in opposition to Mr. Neely's?

20 THE WITNESS: In opposition.

21 CHAIRMAN PAWLINSKI: In opposition to?
22 In opposition, as well? Okay. We're going to go
23 through the police report. Ms. Rodgers will have
24 an opportunity to kind of go through that police
25 report, as well, and then I'm going to try and

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1 get to you as quickly as possible. Okay. So at
2 this point I'm going to move on to Sergeant Hogan
3 of the Milwaukee Police Department. He'll enter
4 into the record, the police report.

5 MS. RODGERS: I'm sorry. Before we
6 begin, it's my assumption that we're going
7 through the police report from June of 2000. Is
8 that correct?

9 CHAIRMAN PAWLINSKI: Yes. We have 18
10 items in the police report, and I will ask the
11 Sergeant to read items number ten to 18. All
12 committee members have read the entire report,
13 but we will not - - we will not have to reread
14 those items from the previous license years.

15 MS. RODGERS: Okay.

16 CHAIRMAN PAWLINSKI: So I will ask
17 Sergeant Hogan to just go from items ten to 18.

18 SERGEANT HOGAN: Just for your
19 information, Mr. Chairman, items ten and 11 were
20 part of the last report to this committee. Items
21 ten and 11 were presented to this committee at
22 the last hearing.

23 ALDERWOMAN CAMERON: Item 12.

24 CHAIRMAN PAWLINSKI: Before I have
25 Sergeant Hogan read the report, I just want to

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1 ask if Pandora's got any objections from the
2 Department of Neighborhood Services?

3 MS. BENDER: Building inspection has no
4 problems.

5 CHAIRMAN PAWLINSKI: And you know - -
6 Is there any health objection, at all, do you
7 know?

8 MS. BENDER: As far as I know, there
9 are no health objections.

10 CHAIRMAN PAWLINSKI: Okay. Perfect.
11 Then I know you can move on with the rest of your
12 day. Thank you. All right. So, Sergeant, why
13 don't you just read items 12 to 18 then?

14 MS. RODGERS: I'm sorry. Is it - -
15 Item 12 is dated May of 2000.

16 ALDERWOMAN CAMERON: Item 13.

17 MS. RODGERS: Item 12 is dated - -

18 CHAIRMAN PAWLINSKI: It is - - It is
19 dated May of 2000. However, it's my
20 understanding that that item was not taken up by
21 this committee last year. So we hadn't heard it.

22 MR. SCHRIMPF: Mr. Chairman, I would
23 note that the - - the conviction occurred on July
24 19th.

25 MS. RODGERS: That is correct.

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1 MR. SCHRIMPF: And that could not have
2 been heard by the committee then.

3 MS. RODGERS: That is correct.

4 CHAIRMAN PAWLINSKI: So we'll start
5 with item 12 and move on through the rest of the
6 report. So, Sergeant, go ahead.

7 SERGEANT HOGAN: On May the 7th, 2000
8 at about one a.m., officers conducted a tavern
9 check at Ralph's Lounge, 4538 West Lisbon Avenue.
10 Upon entering the tavern officers found three
11 underage persons inside the tavern. The licensee
12 was on the scene. Citations were issued for
13 underage persons. There was a conviction.

14 On Wednesday, February the 21st, 2000
15 at about 1:35 a.m. officers investigated a
16 battery complaint. The victim stated that he was
17 punched by unknown persons outside Ralph's
18 Lounge, 4538 West Lisbon Avenue. I will note for
19 the committee that there is no supplemental
20 report from the officers, so there's no
21 information further on this matter as to whether
22 the incident precipitated inside the premises or
23 not.

24 On Friday, April the 6th of 2001 at
25 about 12:45 a.m. officers investigated a report

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1 of a wanted subject. A caller stated that her
2 ex-boyfriend had battered her a month ago and
3 charges were issued and that he has warrants.
4 She indicated that he was inside of Ralph's
5 Lounge and gave officers a description of him.
6 After confirming that there were warrants on file
7 and calling for an additional squad, patrons
8 began to exit the premises and the subject was
9 observed leaving the premises. The caller
10 identified this subject, and when approached by
11 officers and informed him that he was under
12 arrest, he became combative and attempted to
13 strike officers. He was eventually taken into
14 custody and a custodial search of him revealed
15 suspected marijuana in a clear plastic baggy and
16 suspected crack cocaine individually wrapped in 16
17 corner cut baggies. These narcotics were found
18 in the subject's front pants pocket and were
19 later tested positive as THC and cocaine. I will
20 note to the committee that the criminal
21 investigation indicates that this subject told
22 the vice-control division officer that he bought
23 the marijuana inside the - - inside of Ralph's
24 Lounge. He would not comment as to where the
25 cocaine came from.

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1 On Friday, April 13th, 2001 at about
2 9:52 p.m. officers were investigating a shooting
3 just east of the premises at 4428 West Lisbon.
4 Officer was instructed to go to Ralph's Lounge to
5 investigate endangering safety by use of
6 dangerous weapon, possibly related to the
7 shooting at 4428 West Lisbon Avenue. The officer
8 spoke to Mr. Neely who stated that his brother
9 closed the bar at about 12:30 a.m. on that date.
10 Both the applicant and his brother came back to
11 the bar at about 8:30 p.m. that date, and the
12 applicant noted some debris on the floor in front
13 of the tavern door and saw what appeared to be a
14 bullet hole in the upper left corner of the door.
15 A mark was found on a decorative pillar about 20
16 feet inside the tavern, and a misshapened round
17 was found by Mr. Willie Neely on the sink behind
18 the serving bar. Investigation indicates that
19 this incident did not appear to be related to the
20 shooting at 4428 West Lisbon Avenue.

21 On May the 12th, 2001 at about 2:22
22 a.m. officers were dispatched to 4538 West Lisbon
23 Avenue to a report of a subject down. They
24 observed a male, about 45 years old, lying in the
25 parking lot of Ralph's Lounge. The victim was

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1 unconscious and bleeding from his head and was
2 conveyed to Froedtert Hospital. A hospital
3 security person, per their policy, searched this
4 individual and discovered a clear plastic baggy
5 containing 20 corner-cut bags containing
6 suspected crack cocaine. This was given to the
7 - - an officer who conveyed it to the vice-
8 control division where it was tested positive as
9 being cocaine. Department records indicate that
10 an anonymous female called in, that a black male
11 was stomped to death and was bleeding. At the
12 scene officers observed a blood trail leading
13 from the victim to the tavern. Officers
14 interviewed the licensee, who the officer
15 describes as being uncooperative. The licensee
16 related that the victim had been given a
17 counterfeit 100 dollar bill and pulled a gun,
18 which was taken away from the victim and used to
19 beat the victim. One of the investigating
20 officers followed the blood trail into the tavern
21 around the bar and into the archway to the back
22 room of the tavern. There was what appeared to
23 be a large area of blood spots in this archway.
24 The area was damp and appeared to have been
25 cleaned up. Directly in front of these spots was

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1 a portable wet carpet cleaner which was plugged
2 in. Mr. Neely denied that there was an attempt
3 to clean up blood and yelled, "You must be
4 fuckin' crazy telling me this is a crime scene."
5 Or words to that effect. He denied that any
6 incident occurred inside the tavern. On the east
7 entrance where the blood trail entered the tavern
8 was a wooden porch with brick stairs. The
9 stairway was wet, consistent with being washed
10 down with water. Mr. Neely denied that there was
11 any attempt to clean up any blood inside or
12 outside the tavern. Mr. Neely was extremely
13 uncooperative with the police, refusing to answer
14 questions, and attempting to order the police to
15 leave his tavern.

16 On May the 30th, 2001 at about 12:59
17 a.m. officers responded to Ralph's Lounge
18 regarding a shooting. Investigation revealed
19 that several patrons had been shot during a
20 gunfight in the tavern. Four patrons received
21 various gunshot wounds, however, none were life
22 threatening. Mr. Neely, who was on the scene at
23 the time, was described by investigating officers
24 as uncooperative. Mr. Neely was observed
25 sweeping up shell casings and bullets. Mr. Neely

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1 was also overheard saying to patrons, "Why are
2 you giving the police all that information? They
3 don't need to know all that." Or words to that
4 substantial effect. Officers also discovered one
5 20 year old patron who had been sold by - -
6 alcohol by Mr. Neely and a citation was issued
7 for a sale to underage. That is pending in
8 municipal court.

9 On June the 8th, 2001 at about 12:30
10 a.m. officers made a lawful inspection of the
11 premises at Ralph's Lounge, observed a man who
12 was identified as a security guard. This guard
13 was armed with a nine millimeter semi-automatic
14 handgun in a holster in plain view. However, he
15 was not in any type of uniform. This incident
16 was reported to the State agency that regulates
17 security guards.

18 And I will note to the committee that
19 this past Monday, June the 19th at about 1:20
20 a.m. there was a shooting in the parking lot.
21 The brief information I have is that the victim
22 stated that he got into an argument over a girl
23 on the premises. He went outside where he was
24 struck by gunfire from an unknown person. He was
25 conveyed by another citizen to the hospital and

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1 is described by the officers as being
2 uncooperative. There is no information that Mr.
3 Neely was even knowledgeable of this incident.

4 CHAIRMAN PAWLINSKI: Alderwoman - -
5 SERGEANT HOGAN: Pending investigation,
6 I have no further information on that.

7 CHAIRMAN PAWLINSKI: Alderwoman Rosa
8 Cameron has a question. Go ahead.

9 ALDERWOMAN CAMERON: Yes, I have some
10 - - several questions. I would like to put into
11 our police record to be entered into the record.

12 CHAIRMAN PAWLINSKI: Okay. Alderwoman
13 Cameron moves the entire police report be made
14 part of our record. Is there any objection to
15 that?

16 MS. RODGERS: I object.

17 CHAIRMAN PAWLINSKI: I'm speaking to
18 committee members.

19 MS. RODGERS: I know. I understand.

20 CHAIRMAN PAWLINSKI: Any objections?
21 Hearing none, so ordered. Your objection is
22 noted, Ms. Rodgers.

23 ALDERWOMAN CAMERON: The second one is
24 that the - - the one that happened Monday.
25 Second time, I think, seeing you, I have no

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1 reflection - - I don't know the applicant. I
2 don't think that we should use that, even though
3 it's knowledgeable, because it wasn't in the
4 package. It's not in his package. It's not in
5 my package. So I would just say that's
6 knowledgeable information for us, but I don't
7 think it can do us any good, because it, you
8 know, due process.

9 SERGEANT HOGAN: You are speaking to
10 the Chairman, of course.

11 ALDERWOMAN CAMERON: I'm speaking to
12 all of us committee members, that it wouldn't be
13 - - Well, you want me to speak directly to you?

14 CHAIRMAN PAWLINSKI: Well, I - - You
15 know, I - -

16 ALDERWOMAN CAMERON: No, I didn't know
17 which way he wanted me to do it. I was just
18 saying that - - question this.

19 CHAIRMAN PAWLINSKI: Well, I'm going to
20 - - I'm going to ask for - - I'm going to ask for
21 an advisory opinion from Mr. Schrimpf, since he is
22 our attorney. He is representing us as a
23 committee. Mr. Schrimpf.

24 MR. SCHRIMPF: Thank you, Mr. Chairman.
25 The notice clearly says that there is a

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1 neighborhood objection to noisy patrons, fights
2 and shootings. So, in addition to whatever was
3 in the police report, the licensee is also
4 notified that there is information regarding
5 shootings. So my recommendation would be that
6 this is properly before the committee.

7 ALDERWOMAN CAMERON: Okay. That's all
8 I wanted to know.

9 CHAIRMAN PAWLINSKI: Good enough for
10 me.

11 MS. RODGERS: I do have a comment on
12 that. Obviously I disagree - -

13 CHAIRMAN PAWLINSKI: I'm going to - -
14 I'm going to turn it over to you right now,
15 anyway, so if you want to go ahead and make your
16 statement and go ahead.

17 MS. RODGERS: Okay. All right. Thank
18 you. I guess I'll start with the - - the last
19 incident first and then go back to the very first
20 one. Obviously, we object to any information
21 that has not - - Mr. Neely has not been given
22 notice of. The police officer himself indicated
23 that no one has ever contacted Mr. Neely to
24 indicate that that June 11th incident ever took
25 place.

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CHAIRMAN PAWLINSKI: June 19th.

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MS. RODGERS: June 19th. I'm sorry.

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June 19th incident ever took place. If he's

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unaware of it, obviously he cannot defend

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anything that he's completely unaware of. And I

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believe the officer also indicated that Mr. Neely

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not only had no knowledge, because they did not

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inform him, and Mr. Neely will testify himself,

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you know, given an opportunity to do that, that

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he's completely unaware of any incident taking

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place in his parking lot on that - - on the

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evening of June 19th.

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CHAIRMAN PAWLINSKI: I'll ask Mr.

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Neely. Mr. Neely, you own - - you own the

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establishment.

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THE APPLICANT: Yes, I do.

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CHAIRMAN PAWLINSKI: You own the

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establishment.

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THE APPLICANT: Yes.

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CHAIRMAN PAWLINSKI: The incident - -

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The incident - -

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MS. RODGERS: June 19th?

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CHAIRMAN PAWLINSKI: One - - One

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second. I'm asking a question, so why don't we

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go - - why don't we do this in a very civil way.

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1 So, Mr. Neely, you're the owner of the
2 establishment.

3 THE APPLICANT: Yes, I am.

4 CHAIRMAN PAWLINSKI: And the incident
5 that was read into the record by the officer said
6 it took place Monday night, which is nearly three
7 - - 72 hours ago, three full nights ago. And
8 now, are you going to tell the committee today
9 that no employee of yours or no other person
10 associated with you in any way has told you that
11 a shooting took place in the parking lot of your
12 establishment?

13 THE APPLICANT: We wasn't even open on
14 that day.

15 CHAIRMAN PAWLINSKI: Okay.

16 THE APPLICANT: Was that on a Monday?

17 CHAIRMAN PAWLINSKI: This is this
18 Monday, the 19th of June.

19 THE APPLICANT: Wasn't even open. We
20 didn't open up on Monday.

21 CHAIRMAN PAWLINSKI: Okay.

22 MS. RODGERS: So in answer to the
23 question, are you aware or have you ever heard
24 anything about anything related to June 19th?

25 THE APPLICANT: Nobody - - Nobody

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1 contacted me. I haven't heard anything. This is
2 the first I ever heard of it.

3 CHAIRMAN PAWLINSKI: Go ahead, Ms.
4 Rodgers.

5 MS. RODGERS: Starting first of all
6 with the incident of, well, item number 13, I - -
7 we just really - - really want to address item
8 number 12 except to say that Mr. Neely plead no
9 contest - - pleaded no contest to that charge,
10 and he was obviously found guilty because that is
11 the - - the process in which the court system
12 follows in that they find you not guilty - - find
13 you guilty, rather, if you plead no contest. And
14 - - And so that item is properly on the - - on
15 his record, and he was, in fact, fined and he's
16 been - - the fine is his punishment for that
17 item. And now we can move on to item number 13,
18 as you will note on item number 13 the incident
19 occurred outside in the parking lot. And it is
20 - - it is important to know that there are
21 unknown persons in a parking lot outside of the
22 - - the lounge.

23 Item number 14, of course, deals with
24 an incident where an ex-girlfriend called because
25 the ex-girlfriend knew that the ex-boyfriend was

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1 in the lounge. And so, the ex-girlfriend
2 reported where she thought he was, and he,
3 meaning the ex-boyfriend, and the ex-boyfriend
4 was, in fact, in Ralph's Lounge. But if you
5 notice, nothing else related to Ralph's Lounge is
6 involved except the fact that a patron was in the
7 bar, that the police arrested. It's much the
8 same as if there's someone sitting in this - - in
9 this room today. If someone were to call and say
10 the Chairman of the committee is there and he has
11 a warrant out for his arrest, would the rest of
12 the committee be at fault because the police
13 depar - - a policeman came in and arrest the
14 Chairman of this committee. I don't think so.

15 Going on to item number 14. I'm sorry,
16 also in item number 14 you also notice that there
17 is no mention, whatsoever, of Mr. Neely. In item
18 number 15 there was, in fact, a shooting, but the
19 shooting was one block away at 4428 West - - West
20 Lisbon. It is one block from Ralph's Lounge. It
21 is not in Ralph's Lounge or on the - - in the
22 parking lot or - - or anyplace near, except that
23 it's one block away. There are many, many crimes
24 that happen one block or half a block away. I
25 think - - don't think that you - - you can

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1 criticize someone or blame, or somehow punish
2 someone for something that happens a block away.

3 In item number 16, of course, that
4 happened in the parking lot, and there are
5 complaints that - - by the police officer that
6 the victim was bleeding. There was a blood
7 trail, it says from the victim to the - - to the
8 bar. If it's from the victim to the bar, that
9 implies that the incident happened outside of the
10 bar in the parking lot, and - - and the victim
11 went up to the bar as opposed to happening the
12 way the - - the report is written to imply that
13 it happened inside the bar. I mean, the victim,
14 in fact, that it was the other way around. I
15 know there is also some other information in the
16 police report or the report that we have in front
17 of us, that implies that certain other things
18 happened. But if you look at this incident in
19 total, it appears as if something happened in the
20 parking lot. And the police department went into
21 the bar after the incident occurred, and it
22 happened in the parking lot.

23 Going on to item number 17, there's a
24 shooting of the four people. Of course, that is
25 something that is devastating to any community,

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1 and - - and unfortunately those kinds of things
2 are happening in Milwaukee all over the city, not
3 just in that area. That area is one of the
4 highest crime areas there is in the city.
5 Obviously, Mr. Neely has nothing to do with how
6 high the crime rate is in that particular area or
7 any other area in the city. Mr. Neely has come
8 before this committee on several occasions and
9 has made - - has received a suspension for some
10 things, and has made changes to try to make his
11 bar one that is more conducive to an environment
12 where professional people will - - will come and
13 - - and be involved with many different kinds of
14 activities that are all legal and all respectable
15 activities. We, of course, are very saddened by,
16 and Mr. Neely is saddened by the shooting and the
17 injuries to the individuals, but one thing I
18 think you can say in Mr. Neely's favor related to
19 that is that he had security cameras, and
20 voluntarily and willingly volunteered those
21 security cameras, the - - the results of those
22 security cameras to the police department. As a
23 result of those security cameras, the police
24 department was able to apprehend one in - - and
25 know of, at least have some idea who the second

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1 suspect is in that shooting.
2 In terms of item number 18, which is
3 the security officer in the - - in the bar with a
4 gun, the gun was properly holstered. The police
5 department did their routine inspection and found
6 someone there. The guy did not have on a
7 uniform, but he was, in fact, a security officer,
8 and this happened after the May 30th incident
9 where someone had been shot. And just to go back
10 to that incident of May 30th - - 30th for just a
11 moment, it was a situation where there were two
12 people in a bar talking to each other, and one
13 - - one of the victims apparently saw some people
14 walk in that were - - were people that he had a
15 feud with, and those - - the - - the - - one of
16 the suspects went outside, got the gun, came back
17 inside shooting. Did not - - There were
18 security people in place, but the security
19 people, like anyone else, was in fear for their
20 lives. When the shooting started, the guy walked
21 through the door shooting, and when it happened,
22 everyone hit the floor or got down on the floor.
23 And - - And when that happened and - - It's
24 really something that's devastating again to our
25 community, devastating to Mr. Neely, and

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1 devastating to the entire City of Milwaukee. But
2 fortunately no one was - - no one died as a
3 result of the incident, and - - and we - - we are
4 thankful for that. But I just want to say that
5 Mr. Neely has, and I'll give him an opportunity
6 to say briefly how - - how he feels about the
7 incident and, also, briefly state what happened.

8 CHAIRMAN PAWLINSKI: Go ahead, Mr.
9 Neely. Why don't you do that? And then after
10 you're done I'll have a couple questions, and
11 then Alderman Hines - - I'm going to let Alderman
12 Hines - -

13 MS. RODGERS: Just the incident on the
14 30th. Just the incident on the 30th.

15 THE APPLICANT: Okay. Like Ms. Rodgers
16 said, upset about that, you know. It is
17 devastating. My wife is still shaken up because
18 of that. I've been having nightmares. You know,
19 I wake up with a cold sweat and stuff. Because
20 any time anybody does themselves like that it is - -
21 You can't believe it. Then, like I said, we got
22 security guards. We got cameras. I gave the - -
23 the police the - - the tape, so they got what
24 they - - they got one - - they got one person,
25 and they know who the second shooter is, so it's

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1 just a matter of time before they take care of this.

2 MS. RODGERS: And, Mr. Neely, you were,
3 in fact, cooperative with the police department.
4 Is that right?

5 THE APPLICANT: I was cooperative,
6 yeah, real cooperative.

7 MR. SCHRIMPF: Mr. Chairman.

8 THE APPLICANT: Went right in there. I
9 was the only one that told them what happened.
10 Everybody else had left.

11 CHAIRMAN PAWLINSKI: Mr. Neely, one
12 second. Mr. Schrimpf, go ahead.

13 MR. SCHRIMPF: Thank you. Mister - -
14 Mr. Neely, I just have one question. The matter
15 in which you gave the videotapes to the police,
16 that was with reference to item number 17.

17 THE APPLICANT: Thirty.

18 MR. SCHRIMPF: The incident, the May
19 30th?

20 THE APPLICANT: May 30th.

21 MR. SCHRIMPF: Okay. That's my only
22 question.

23 CHAIRMAN PAWLINSKI: Mr. Neely, do you
24 employ like a metal detector of some sort at the
25 bar?

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1 THE APPLICANT: We got - - Yeah, we got
2 a metal detector.
3 CHAIRMAN PAWLINSKI: And - -
4 THE APPLICANT: But, you know, when
5 somebody come into your bar shooting, you know,
6 first thing anybody going to do is hit the floor
7 or get out of the way.
8 CHAIRMAN PAWLINSKI: How much time do
9 you spend at the bar?
10 THE APPLICANT: If you see, I'm there
11 all the time. Mr. Neely, Mr. Neely, Mr. Neely,
12 Mr. Neely.
13 CHAIRMAN PAWLINSKI: Okay.
14 THE APPLICANT: I'm always there.
15 CHAIRMAN PAWLINSKI: Now, you said you
16 weren't open this Monday night on the 19th.
17 THE APPLICANT: No, we weren't open.
18 CHAIRMAN PAWLINSKI: Why weren't you
19 open on Monday night?
20 THE APPLICANT: We don't open on
21 Mondays.
22 CHAIRMAN PAWLINSKI: You're always
23 closed.
24 THE APPLICANT: We try to give the
25 neighborhood a break. We only work - -

00027

1 CHAIRMAN PAWLINSKI: You're always
2 closed on Monday.
3 THE APPLICANT: We close on Monday.
4 CHAIRMAN PAWLINSKI: What do you mean--
5 What do you mean by the - - you try to give the
6 neighborhood a break?
7 THE APPLICANT: I mean, like I said, we
8 try to just - - Sundays and - - and Mondays we
9 always close.
10 CHAIRMAN PAWLINSKI: Okay.
11 THE APPLICANT: To have a little family
12 time.
13 CHAIRMAN PAWLINSKI: How long have you
14 had the metal detector in place?
15 THE APPLICANT: Ever since we had the
16 bar.
17 CHAIRMAN PAWLINSKI: Okay. All right.
18 Alderman Hines?
19 ALDERMAN HINES: Mr. Chairman, I don't
20 - -
21 MS. RODGERS: Just - - format. Since
22 we're on format, I was going to ask Mr. Neely a
23 couple of questions unless you would rather - -
24 ALDERMAN HINES: Go ahead.
25 MS. RODGERS: Mr. Neely, I'll just make

00028

1 a couple of statements just to make it quicker,
2 if - - if you don't mind, and - -
3 CHAIRMAN PAWLINSKI: Go ahead.
4 MS. RODGERS: - - then, Mr. Neely, I
5 would like for you to concur, if, in fact, you
6 do. Mr. Neely has indicated to me that he would
7 willingly, and has willingly in the past, done
8 everything the committee has recommended for his
9 continuation of operating as - - as a bar. He
10 has decided that his new format will include a
11 dress code in which no tennis shoes or gym shoes
12 will be allowed, and there will be absolutely no
13 hip-hop music, whatsoever, and that he will be
14 open three to four days a week, and will not
15 allow T-shirts, or he would also get some
16 additional armed security. He has security
17 cameras currently, and if this - - if it is a
18 desire of this committee, he will add possibly
19 another security camera. As you know, there's a
20 police department that will be opening up, a
21 police station that will be opening up soon,
22 about two or three blocks from Mr. Neely's
23 current location, and Mr. Neely would like to
24 develop a format in which it would be an
25 environment that's conducive to having police

00029

1 officers in the bar as often as - - as possible.
2 Mr. Neely has a facility - - facility that is, in
3 fact, a very nice facility - - facility
4 aesthetically. It is just that he's been
5 unfortunate in that there are incidents that
6 happen in the area, because it is, in fact, a
7 very high crime area. And Mr. Neely, if he had
8 the - - the wherewithal, probably would move to a
9 different location, but at this point that's just
10 not feasible.

11 Now, Mr. Neely, you've heard all of the
12 - - the changes that I've indicated that you're
13 willing to make to change your format. Is - - Is
14 not - - Is that, in fact, the truth or isn't that
15 what you've given me as a format? Okay.

16 THE APPLICANT: Yes.

17 CHAIRMAN PAWLINSKI: Let's do this, in
18 the interest of time, Alderman. I'd like to go
19 to the neighbors at this point.

20 ALDERMAN HINES: I was going to defer
21 to the neighbors, anyhow.

22 CHAIRMAN PAWLINSKI: All right.
23 Because we're going to have to be back here
24 anyway. And - - And I just want to make another
25 comment about the two o'clock meeting for the

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1 record. Even though I have to sit on the
2 Steering Rules committee, it is regarding the
3 Summerfest 20 year lease, and I think it's pretty
4 important that all members of the committee be
5 there to ask questions, and participate in the
6 dialog about the Summerfest lease, and that
7 meeting is important that we all attend. So at
8 some point in the next 20 - 25 minutes we're
9 probably going to walk down the hall and take
10 that matter up. So why don't we do this? I'd
11 like to call the neighbors up. I had two hands
12 before. Ma'am, you came in late. Are you going
13 to testify, as well? There's three now. I think
14 we have - - Is there one chair there? I can't
15 see the ..

16 SERGEANT HOGAN: Mr. Chairman.

17 CHAIRMAN PAWLINSKI: Yes.

18 SERGEANT HOGAN: I think it'd be best
19 if they sat here.

20 CHAIRMAN PAWLINSKI: Let's do that. We
21 have a microphone here. One at a time, first
22 come, first serve. Who wants to start? Now, let
23 - - let's do this. Because there's three people
24 here who want to testify, why don't I swear you
25 all in at the same time. If you could all raise

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1 your right hands, please.

2 Do you solemnly swear to tell the
3 truth, the whole truth, and nothing but the
4 truth, so help you God?

5 THE WITNESSES: Yes.

6 CHAIRMAN PAWLINSKI: Okay. I'll need
7 you to take that microphone close to you so we
8 can hear you. Give us your name and address for
9 the record.

10 THE WITNESS: Okay.

11 CHAIRMAN PAWLINSKI: And then provide
12 your testimony. Now, I do want to just say this
13 is that we do have three people here. We don't
14 want to go through repetitive testimony. Ma'am,
15 sir, I don't want to get into repetitive
16 testimony. So if you agree substantially with
17 the person who previously testified, that's
18 perfectly okay for you to say that. But if you
19 have new information you want to provide, we'd
20 like to take the new information only. Okay?
21 Ma'am, I'll start with you first. Why don't you
22 tell us your position on the issue and - - and
23 we'll go from there.

24 THE WITNESS: Okay. My name is Sister
25 Linda Mohammed.

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1 CHAIRMAN PAWLINSKI: You've got to pull
2 the microphone real close.

3 THE WITNESS: Okay.

4 CHAIRMAN PAWLINSKI: It's very hard to
5 hear.

6 THE WITNESS: My name is Sister Linda
7 Mohammed. I live at 4523 West Garfield Avenue.
8 That's directly across the street from Mr.
9 Neely's bar. My position is that I would not
10 like to see the bar reopened. I've lived there
11 for 13 years, and I've lived there through at
12 least three owners in that bar. There have been
13 some problems with each one. And it seems to me
14 that it's escalating, just like pretty much
15 everything else in society. I've talked to Mr.
16 Neely a few times. We've talked about situations
17 that have happened. We had one incident where
18 people, it looked like the whole bar was running
19 across the street toward my house, hiding around
20 my house, behind my car. There was shooting.
21 People were shooting, and they were running. I
22 have a bullet hole in my house right now that if
23 it had gone a few feet to either side, would have
24 gone through a window or door in my house where I
25 live with my family.

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1 Mr. Neely, I do believe has im - - has
2 tried to implement things that would change the
3 situation. But I don't believe at this point
4 that that's possible. I think the people that
5 are used to coming there are of a nature that
6 he's not - - that the things that he's doing,
7 though he's doing them, he's making an honest
8 effort in my opinion, it's not going to be
9 enough. They are rowdy. It's a huge crowd.
10 They are extremely loud. The shooting, at one
11 point was nightly. Every night that they were
12 open it was shooting. I got to a point where I
13 would fall out of my bed onto the floor and not
14 even really be completely awake. I was so used
15 to hitting the floor from gunfire. And it's
16 because of the clientele that has become
17 accustomed to gathering there. And I - - I know
18 that he's - - I believe that he's trying. I've
19 had conversations with him before, but I just
20 don't see where these changes that he's talking
21 about implementing will really eradicate the
22 problem. I've seen times where it's gone down,
23 where it hasn't been as much, but it has always
24 started back up again. And I don't want to wait
25 until there's more people hurt. I certainly

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1 don't want to wait until a bullet comes through
2 my house and strikes one of my children or myself
3 and somebody's injured. You - - You can only do
4 so much. I don't want to see any bar in that
5 location again.

6 CHAIRMAN PAWLINSKI: And - -

7 THE WITNESS: That's a beautiful
8 building. It could be some other kind of
9 business. I don't want to see a tavern there.
10 Once people get used to hanging out at a certain
11 spot, even if he closed and he reopened later,
12 many of those same people, I believe, are going
13 to come back. Even if somebody else got it and
14 it was a bar. I'm concerned that some of those
15 same people are going to come back, and they're
16 not the kind of people that behave in a way that
17 in a neighborhood like that, that's - - you know,
18 that's that many people around, it's just not
19 conducive.

20 CHAIRMAN PAWLINSKI: Ma'am, you
21 mentioned that at some point the shootings became
22 a nightly occurrence. When - - When was that
23 specifically?

24 THE WITNESS: When - - Your police
25 report would probably do a better job than I

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1 would, because I don't have dates. I apologize.
2 I did not record dates.

3 CHAIRMAN PAWLINSKI: Was that 2001 or
4 2000? What year?

5 THE WITNESS: I know that the incident
6 that I told you where I got the bullet hole in my
7 house, that would have been early 2000.

8 CHAIRMAN PAWLINSKI: So are you saying
9 this is more of a summertime occurrence or a year
10 round occurrence? I mean, are there bad times in a
11 year and good times, or is it always the same way
12 that you've described?

13 THE WITNESS: Well, to me it's just - -
14 It's pretty bad. I can't really go back and say
15 in the wintertime it's different. It probably is
16 worse in the summertime, because pretty much
17 activity heightens in the summer and kind of
18 mellows out as the weather cools off, but - -

19 CHAIRMAN PAWLINSKI: You also described
20 for us a situation where it's very loud.
21 Specifically, what do you mean by that?

22 THE WITNESS: I mean that when the
23 tavern closes and everybody's coming out, there's
24 a lot of loud talking, just a lot of loud
25 shouting, talking. The music comes on, cars are

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1 peeling out. There was a point at which there
2 was somebody that used to go over there where he
3 used to just do donuts. I mean, he would just go
4 up and down the street, peeling out, back and
5 forth and around and around.

6 CHAIRMAN PAWLINSKI: Is this a
7 situation in which you've been awoken up during
8 sleep or that you - -

9 THE WITNESS: Oh, yeah.

10 CHAIRMAN PAWLINSKI: - - you were
11 already up at the time?

12 THE WITNESS: You - - You don't sleep
13 when the tavern closes. You don't sleep. If
14 you're already asleep, you're not sleeping
15 anymore. Because I live right across the street.
16 There's nothing to block the sound. So I get all
17 of it, and I - - and - - and you hear all the
18 voices, and I'm - - You know, you got several
19 people. He - - He has a big crowd that comes
20 there, and they come regularly. The streets are
21 lined with cars. There's a little gas station on
22 the front. They fill that up. They park in
23 front of my house. And all, you know, all down
24 the block. So he has a great, you know, a good
25 size crowd of people that come - - come on a

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1 regular basis.

2 CHAIRMAN PAWLINSKI: And then - - And
3 then you mentioned you have children?

4 THE WITNESS: I have six children.

5 CHAIRMAN PAWLINSKI: Six children live
6 at that house with you?

7 THE WITNESS: Well, five live in the
8 house with me. Well, no, actually, all six are
9 there.

10 CHAIRMAN PAWLINSKI: All six.

11 THE WITNESS: But the three - - The
12 older three are grown, so it's almost like
13 they're not there, but they're there.

14 CHAIRMAN PAWLINSKI: At any point
15 during the past several years, as you've described
16 your time there, have you had a situation where
17 your children had been woken up by - - by this
18 disturbance that you described?

19 THE WITNESS: My daughter, my youngest
20 child, is ten. And all the time. Whenever
21 there's a shooting, you know, she's affected by
22 it, and, you know, you - - You don't like to see
23 your children feeling like that, where, you know,
24 as soon as they hear gunfire, that's - - that's
25 their instant reaction. Hit the floor. Hit the

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1 floor. Hit the floor. That's not healthy for
2 the mind of children. We have an area, like they
3 said, that's high crime. So you hear shooting
4 from time to time, but whenever now because of
5 the shooting that used to happen over there on a
6 regular base - - regular basis, as soon as you
7 hear the voices, as soon as you know the tavern
8 is closing, this is how, you know, you're feeling
9 that this is going to happen. And, yes, she's
10 been woke - - awakened out of her sleep many times.

11 CHAIRMAN PAWLINSKI: Let me see if
12 there's other questions of committee members of
13 you. Anybody on the committee have a question
14 for Sister Mohammed? No.

15 MR. SCHRIMPF: Mr. Chairman?

16 CHAIRMAN PAWLINSKI: Yes, Mr. Schrimpf.

17 MR. SCHRIMPF: Thank you. You

18 indicated that there was a period of time when
19 the shootings were nearly nightly?

20 THE WITNESS: Whenever the tavern was
21 open, I should say.

22 MR. SCHRIMPF: Whenever the tavern was
23 open.

24 THE WITNESS: Was open.

25 MR. SCHRIMPF: But not when the tavern

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1 was not open.

2 THE WITNESS: No. I don't - - I don't
3 recall hearing things going on when the tavern
4 was not open. But it seems like at first the
5 tavern was only open weekends, and then it got to
6 the point where then tavern night, we call it
7 tavern night, became Thursday, too. Now it seems
8 like Tuesday or one other day during the week,
9 too, there's also - - It - - It seems like it's
10 open more now than it used to be. It used to
11 seem like only weekends.

12 MR. SCHRIMPF: That's all I have.
13 Thank you.

14 CHAIRMAN PAWLINSKI: Ms. Rodgers.

15 MS. RODGERS: I do have one, maybe two
16 or three questions.

17 CHAIRMAN PAWLINSKI: Go ahead.

18 MS. RODGERS: Sister Mohammed, you've
19 indicated that the shootings are almost a nightly
20 event. Are you saying that all of those
21 shootings come from the Lounge?

22 THE WITNESS: No. When I say
23 "shootings," I'm talking about people that come
24 out and just fire their guns.

25 MS. RODGERS: Out in the neighborhood.

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1 THE WITNESS: They - - They come out of
2 the tavern and they just - - I don't know if
3 they're shooting in the air or what they're
4 doing, but they've got guns and they're just
5 shooting them.

6 MS. RODGERS: So your testimony is that
7 all of the shootings in the area come from
8 Ralph's Lounge?

9 THE WITNESS: No, ma'am.

10 MS. RODGERS: Okay. I just want to
11 understand.

12 THE WITNESS: We live in a high crime
13 area.

14 MS. RODGERS: Um-hnh.

15 THE WITNESS: And - - And I thought I
16 said that we hear shooting from time to time, but
17 tavern night used to be almost a guarantee that
18 you were going to hear shooting at that time of
19 night. When the people came out of the tav - -
20 When the tavern closed, everybody's coming out,
21 hearing the loud talking and the music coming and
22 the cars starting up and all of that, the peeling
23 out of the tires, usually along with that was
24 also shooting. So often. And - - And listen, I
25 didn't write down dates. I didn't say - -

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1 MS. RODGERS: I understand that.

2 THE WITNESS: - - this date, this time.

3 It happened this time, this time, this time it
4 didn't. I didn't do that. But I live across the
5 street, and I experienced it on a regular basis.

6 MS. RODGERS: I understand. And - -

7 And you have indicated that it's tavern night.

8 Can you tell me what tavern night is? Is that
9 one night or?

10 THE WITNESS: Well, that's what I was
11 just saying. It used to be just the weekend it
12 seemed like. But then it got to the point where
13 it was expanded now, too, and I don't know
14 exactly what dates he's open, because I don't - -
15 I don't make note of it. I didn't document it.
16 I just know that it's more than just Saturday and
17 Sun - - or Friday and Saturday now. It used to
18 seem like it was just Saturday and Sunday. Then
19 it got to the point where it was more nights than
20 that. How many more, I did not write down.

21 MS. RODGERS: Okay. What time do you
22 - - you think the tavern closed, or what time in
23 your memory does this occur on tavern night or
24 tavern night - - tavern nights?

25 THE WITNESS: Well, I - - The usual

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1 nights, I mean, time that taverns close, one
2 o'clock, 1:30, two o'clock, something - - I don't
3 - - I don't really know what time tavern closing
4 is, because I don't go look at the clock when I
5 hear this going on. Usually I look out the
6 window. I try to see if, you know, if I hear
7 voices that sound like fighting is going to
8 happen or whatnot, I look out. Other than that,
9 I try to stay away from the windows and that kind
10 of thing.

11 MS. RODGERS: Are there other taverns
12 in the area?

13 THE WITNESS: There is one other bar
14 that I know of that's open.

15 MS. RODGERS: Thank you. I have no
16 further questions.

17 ALDERMAN HERRON: I have a question.

18 CHAIRMAN PAWLINSKI: Yes, Alderman
19 Herron has a question.

20 ALDERMAN HERRON: Sister Mohammed, have
21 you ever called the police on any of these
22 incidents?

23 THE WITNESS: I have called. Usually
24 I'll call my neighbor if we hear shooting that's
25 really close, and sometimes they've indicated

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1 that they've already called or something. There
2 have been times when I've called. There was - -
3 Usually I don't end up calling, though. There
4 was one point at which where the - - the police
5 used to sit out there. They would just come and
6 sit, just before the tavern closed. So we didn't
7 feel that we needed to call for that reason, but
8 in the beginning I think we used to call more
9 often than toward the end. It just didn't seem
10 like it was having an effect. And then, too,
11 people were aware of it. And like I said, I
12 talked to Mr. Neely before, and I know that he
13 was concerned about what was going on, and was
14 trying to take steps and whatnot. It's just that
15 I don't believe that those kind of steps are
16 going to alleviate the problem. And I think that
17 it's time to do something before more problems
18 happen.

19 ALDERMAN HERRON: When did you find the
20 bullet hole in your house?

21 THE WITNESS: That had to be early
22 2000, because I have work that started on my
23 house in the summer of 2000, and I know the
24 bullet hole was already there then. I showed it
25 to the inspectors. I think that's one of the

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1 things that they needed to - - to do on the
2 outside of my house, but the exact date I don't
3 know.

4 ALDERMAN HERRON: And when were the
5 last three times you heard gunfire?

6 THE WITNESS: That I really probably
7 could not tell you.

8 ALDERMAN HERRON: Would you say it was
9 in the last three months?

10 THE WITNESS: I - - I would say, yeah,
11 within the last three months.

12 ALDERMAN HERRON: Thank you.

13 CHAIRMAN PAWLINSKI: Thank you very
14 much.

15 ALDERWOMAN CAMERON: I didn't hear what
16 the question was. What did - - What the question
17 was?

18 ALDERMAN HERRON: My question was when
19 was the last time she heard gunfire, was it in
20 the last three months, and her answer was she'd
21 say it would be in the last three months.

22 ALDERWOMAN CAMERON: In the last three
23 months she did hear gunfire.

24 ALDERMAN HERRON: Yes.

25 ALDERWOMAN CAMERON: Mr. Chairman. I'm

00045

1 sorry.

2 CHAIRMAN PAWLINSKI: Alderman Sanchez
3 had a question, but if - - Do you have a
4 clarification on that?

5 ALDERWOMAN CAMERON: I just wanted to
6 follow up on that, what she said, because I'm
7 concerned that she stated - - she live right
8 across from the place, so I'm very - - I'm very,
9 very deeply concerned about what she's saying and
10 what we have.

11 CHAIRMAN PAWLINSKI: Okay. Alderman
12 Sanchez, go ahead.

13 ALDERMAN SANCHEZ: Mrs. Mohammed, good
14 afternoon.

15 THE WITNESS: Good afternoon.

16 ALDERMAN SANCHEZ: You said that during
17 times when you've heard gunshots that you've
18 called your neighbor.

19 THE WITNESS: Yes.

20 ALDERMAN SANCHEZ: Which neighbor would
21 that be?

22 THE WITNESS: He lives right to the
23 west of me.

24 ALDERMAN SANCHEZ: So how many houses
25 away from you would that be?

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1 THE WITNESS: His house is right next
2 door to mine, and he - - he and I have a policy
3 where whenever we hear gunshot, their family and
4 my family, whenever we hear anything going on, we
5 always check with one another, do you see
6 anything, did you hear that, and so on and so
7 forth. So whenever there's gunfire, we do that.
8 If I don't call them first or somebody in my
9 family calls them, they'll call us.

10 ALDERMAN SANCHEZ: And how far away do
11 you live from this tavern? Would you say 100
12 feet, 200 feet? Across the street?

13 THE WITNESS: I'm across the street,
14 but I'm on an angle, and there's - - You have to
15 cross two streets. He's on Lisbon, and then I'm
16 on Garfield, and there's a - - Let's see. How
17 would I estimate it? Do you know what the width
18 of a city street is?

19 CHAIRMAN PAWLINSKI: It's about 30
20 feet.

21 THE WITNESS: It's about what?

22 CHAIRMAN PAWLINSKI: 30 feet.

23 THE WITNESS: So then it would be about
24 60 feet - - 60 - 70 feet.

25 ALDERMAN SANCHEZ: From your home can

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1 you personally see the - - the establishment?

2 THE WITNESS: Yes. There's nothing
3 that blocks my windows from that establishment.

4 ALDERMAN SANCHEZ: So from your - - the
5 front of your home, from the front porch you can
6 observe the location?

7 THE WITNESS: Right.

8 ALDERMAN SANCHEZ: At closing time on
9 any given time, what have you personally observed?
10 Have you observed people leaving the
11 establishment?

12 THE WITNESS: I've seen - - Yeah, I've
13 seen people leaving out. I've seen different
14 confrontations taking place, arguments, that kind
15 of thing. It's mostly rowdy kinds of behavior.

16 ALDERMAN SANCHEZ: So is it loud noise
17 then?

18 THE WITNESS: A lot of loud noise, a
19 lot of - -

20 CHAIRMAN PAWLINSKI: You testified
21 already to the fact that you heard loud music,
22 and unruly patrons.

23 THE WITNESS: Yes, I have.

24 ALDERMAN SANCHEZ: Let me ask you this.

25 CHAIRMAN PAWLINSKI: Is there anything

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1 additional to that?

2 ALDERMAN SANCHEZ: Miss - - Mrs.
3 Mohammed, how did you find out about today's
4 meeting?

5 THE WITNESS: I found out through
6 Yolanda. She was - - She told me that there was
7 going to be a hearing for his license. I called
8 my Alderman's office, and I asked them were the
9 neighbors going to be given a - - a postcard or
10 something to come down if we had something to
11 say.

12 ALDERMAN SANCHEZ: Did you ever receive
13 anything in the mail to be notified?

14 THE WITNESS: I did get something. It
15 wasn't from the Alderman's office, though.

16 CHAIRMAN PAWLINSKI: License division.

17 THE WITNESS: From the license
18 division.

19 ALDERMAN SANCHEZ: This neighbor of
20 yours, is he or she aware of a meeting taking
21 place today?

22 THE WITNESS: Yes.

23 ALDERMAN SANCHEZ: And do you know if
24 any reason at all why that person decided not to
25 show up?

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1 THE WITNESS: Basically, he said he had
2 already talked to Mr. Neely, himself, and that he
3 was satisfied that what needs to be done was
4 going to be done. But he didn't really say one
5 - - one way or another.

6 ALDERMAN SANCHEZ: So it was kind of
7 vague.

8 CHAIRMAN PAWLINSKI: Well, I'm - - At
9 this point - -

10 THE WITNESS: I know he knows there's a
11 meeting here today.

12 CHAIRMAN PAWLINSKI: We're going to get
13 into hearsay right now, and I don't want to get
14 into that area.

15 ALDERMAN SANCHEZ: That's fine.
16 Finally, Mrs. Mohammed, if you will, please,
17 personally, for the last ten minutes just tell me
18 what you feel should be done?

19 THE WITNESS: I feel that it should not
20 be reopened as a tavern. I would not like to see it
21 at any point in the future, reopened as a
22 tavern. It's a beautiful building. It could be
23 some other kind of business, a restaurant, a
24 coffee shop, something that would not attract the
25 kind of clientele that is coming there presently,

00050

1 but not a tavern.

2 ALDERMAN SANCHEZ: And you do feel that
3 it threatens the safety of your family and your
4 neighbors?

5 THE WITNESS: It definitely threatens
6 the safety. If you came and saw the bullet hole
7 - - if it was six inches to the right, it would
8 have gone through my door. It - - It went
9 through the column on my porch, which probably
10 has stone in the center. But if it had gone a
11 few feet to the left, it would have gone through
12 my windows.

13 CHAIRMAN PAWLINSKI: Okay. Thank you.
14 Sir, we're going to move onto you, if you - - Do
15 you have a question?

16 ALDERWOMAN CAMERON: Yes, I did.

17 CHAIRMAN PAWLINSKI: I can't hear you
18 unless you ask for recognition.

19 ALDERWOMAN CAMERON: I had said it
20 before Sanchez said it. What did you say your
21 name was?

22 THE WITNESS: Sister Linda Mohammed.

23 ALDERWOMAN CAMERON: Sister Mohammed,
24 you stated earlier that you usually hear the guns
25 fired, and you stated that the last - - I'm sorry

00051

1 - - the last three months - - It ain't on, so - -
2 The last three months that you said is the last
3 time hearing some gunfire?

4 THE WITNESS: He asked me when was the
5 last time - - the last three times I heard
6 gunfire.

7 ALDERWOMAN CAMERON: And you said
8 within the last three months.

9 THE WITNESS: And I - - I said - -
10 Because I can't give you dates, he asked me would
11 you say it was in the last three months, and I
12 would say estimating, yes, within the last three
13 months.

14 ALDERWOMAN CAMERON: So if he hadn't a
15 said that, could you give us approximate what - -

16 THE WITNESS: Not really, because I
17 don't - -

18 ALDERWOMAN CAMERON: No, because
19 you - -

20 THE WITNESS: I haven't documented
21 anything. I don't have that kind of information,
22 so that's why.

23 ALDERWOMAN CAMERON: So it could have
24 been in March.

25 THE WITNESS: You know - -

00052

1 CHAIRMAN PAWLINSKI: Let me say this.
2 I want to be very cautious that we don't lead
3 witnesses on to answer questions.

4 ALDERWOMAN CAMERON: That's what
5 I'm - -

6 CHAIRMAN PAWLINSKI: She cannot
7 recollect, and the question was can you say it's
8 in the last three months. She says yes, it's in
9 the last three months.

10 ALDERWOMAN CAMERON: But I'm saying
11 since March.

12 CHAIRMAN PAWLINSKI: Well, she can't be
13 more specific than that.

14 ALDERWOMAN CAMERON: That's more than
15 three months.

16 CHAIRMAN PAWLINSKI: She can't be more
17 specific than that.

18 THE WITNESS: I really can't, and I
19 don't want to give information that's not
20 factual, and I don't have - -

21 CHAIRMAN PAWLINSKI: Okay. And I think
22 that's - - I think that's very fair to Mr. Neely.

23 THE WITNESS: - - a real recollection,
24 so I just can't answer the question.

25 ALDERWOMAN CAMERON: The reason I'm

00053

1 asking you this is because I'm looking at - - I
2 was going off of the report, and you're saying
3 you haven't heard nothing in the last three
4 months.

5 CHAIRMAN PAWLINSKI: No, no. She said
6 she did.

7 ALDERWOMAN CAMERON: But that's what I
8 asked. Did she or didn't she.

9 THE WITNESS: But I'm not specific - -

10 CHAIRMAN PAWLINSKI: But she can't
11 remember specific dates.

12 ALDERWOMAN CAMERON: No, I don't want
13 dates. I just asked within the - - when - -
14 since March. Okay. When - - Could you tell me
15 exactly, have you heard some gunshot within May,
16 June? Have you heard anything over there within
17 those two months? April?

18 THE WITNESS: I believe that I have. I
19 don't think it's been that long since the last
20 time I heard anything.

21 ALDERWOMAN CAMERON: The rea - - The
22 reason why I'm asking you that is the policeman
23 just told us something happened this week.

24 THE WITNESS: Right.

25 ALDERWOMAN CAMERON: It was a shooting.

00054

1 So that's the reason why I, you know, respect
2 your opinion and recol - - recollections of
3 what's going on, because you live across the
4 street.

5 THE WITNESS: That's right.

6 ALDERWOMAN CAMERON: And if you haven't
7 heard nothing in this month, then I'm kind of
8 wondering - - Well, you want to finish up, Jeff,
9 or let me, please?

10 CHAIRMAN PAWLINSKI: Well,
11 Alderwoman - -

12 ALDERWOMAN CAMERON: I would like to be
13 able to say something - -

14 CHAIRMAN PAWLINSKI: I would simply say
15 that you should not lead a witness on. She
16 cannot recollect. I don't know how much more
17 clear she can be, and - - and let - - Just
18 because the incident report is in the file
19 doesn't mean it necessarily coincides with her
20 own experience. She might have heard a shooting
21 in which the police weren't called. She might
22 have heard a shooting in effect that the police
23 were called.

24 THE WITNESS: Thank you.

25 CHAIRMAN PAWLINSKI: Her testimony is

00055

1 very clear.

2 ALDERWOMAN CAMERON: I appreciate that.

3 I appreciate that.

4 CHAIRMAN PAWLINSKI: She cannot

5 remember the specific days.

6 ALDERWOMAN CAMERON: I appreciate that.

7 I didn't ask - -

8 CHAIRMAN PAWLINSKI: It's not fair to

9 Mr. Neely if we try and lead her on to give her

10 specific days.

11 ALDERWOMAN CAMERON: I appreciate that,

12 Mr. Chairman. My question is did you hear

13 anything in the month of June or the month of

14 May? I don't want to lead you on, because I'm

15 not giving you specifically. I gave you within

16 the last three months, May - - April, May, June.

17 She - - You can't remember that one.

18 The other one that I wanted - - you

19 stated - - that you said did - - in that

20 neighborhood is a bad neighborhood and a high

21 crime area. And you said that gunfire happens

22 occasionally. Do it happen sometimes when Mr.

23 Neely is not open or just all the time, because

24 you said, and I'm only going by what your and his

25 attorney said that his attorney said that it's

00056

1 not open on Sundays. You said that you heard
2 gunfire on Sat - - on Fridays and Sundays - - No,
3 she said Friday and Saturday, because I
4 definitely was listening. She said sometime it
5 used to be Fridays and Saturday, but now it's
6 Fridays and Sundays. So is you still - - Are you
7 still hearing gunfire on the times that he's not
8 open?

9 THE WITNESS: Let me - - Let me correct
10 something, because I - - What I said was that the
11 tavern used to seem like it was only open on the
12 weekends. Now, then it got to the point where it
13 was other days besides just Fridays and Saturdays
14 that it was open. So if I said Sunday, I'm not
15 trying to - - On a weekend, you know, and I won't
16 say it was Sunday or whatever day. I'm just
17 saying the weekends. Because I didn't write it
18 down. If I had documented this stuff, then I
19 could come to you and tell you well, this is this
20 and this is that. I have heard gunfire in the
21 last - - I've heard gunfire in June in our
22 neighborhood. And I've heard gun - - But see
23 what I'm telling you is I can't say that it
24 happened over there. The only time I know it's
25 coming from over there is when it's tavern night,

00057

1 and you hear all these people coming out. The
2 tavern closes. You heard all the people coming
3 out. You hear the cars. You hear the music.
4 You - - You hear the gunfire. That all goes
5 together. You know it's all coming out of that
6 activity of the tavern closing, but lately there
7 hasn't been.

8 ALDERWOMAN CAMERON: When is tavern
9 night held?

10 THE WITNESS: That's what I'm trying to
11 get you all to understand. I don't know exactly
12 what days it is. I just know - - I don't pay
13 attention to that until I hear the people coming
14 out. When I hear the people coming out, I don't
15 try to say oh, well today is this day, so this
16 is, you know. I know that it's more days than it
17 used to be. That much I can tell you for sure.

18 ALDERWOMAN CAMERON: Okay. Thank you.

19 CHAIRMAN PAWLINSKI: It is now exactly
20 two o'clock, and I got to be honest with you,
21 sir, we're not going to be able to start your
22 testimony and then finish it before we have to go
23 to the other meeting. So I apologize to you.
24 But we need to go and convene with the Steering
25 Rules committee.

00058

1 ALDERMAN HERRON: I mean, hey, start.
2 Maybe he can give his testimony briefly or you
3 want us to - -

4 THE WITNESS: Real - - Real short. I'm
5 right next to him. I'm across the street from
6 her.

7 CHAIRMAN PAWLINSKI: Well, sir, what is
8 your name and address, for the record?

9 THE WITNESS: My name is Howard Tice.

10 CHAIRMAN PAWLINSKI: For the record
11 Sister Mohammed was here for 20 minutes. If
12 we're going to start this gentleman, we're going
13 to finish him, okay. And we do have - - We have
14 a 20 year lease of Summerfest to address today,
15 and if you don't want to go to that meeting.

16 ALDERMAN HERRON: Three o'clock Common
17 Council.

18 CHAIRMAN PAWLINSKI: Three o'clock,
19 Common Council meeting.

20 ALDERWOMAN CAMERON: And it's not fair
21 if we - -

22 CHAIRMAN PAWLINSKI: And we got - - got
23 to give Ms. Rodgers an opportunity to cross-
24 examine him and then we've got to ask questions
25 of him. I just don't think that's fair.

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ALDERMAN SANCHEZ: I object. I think

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that we should make a motion to adjourn.

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CHAIRMAN PAWLINSKI: You got to speak

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up.

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ALDERMAN SANCHEZ: Mr. Chair.

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CHAIRMAN PAWLINSKI: Yes.

7

ALDERMAN SANCHEZ: I think that the

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appropriate thing to do at this time would be to,

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you know, stop this meeting and move over to the

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following meeting that we have committed to, and

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perhaps, if - - if you think it would be best to

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resume this later today or a different day, I'd

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be fine with that.

14

CHAIRMAN PAWLINSKI: Well, we have to

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resume today. My commitment would be to resume

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at right around 3:15. Steering Rules committee

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will take about an hour. I don't believe the

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Common Council meeting will take more than 15

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minutes. So we're talking about an hour and 15

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minutes from right now.

21

MS. RODGERS: Mr. Chairman, what if it

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does? What do you have us do? Sit and wait for

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that entire time?

24

CHAIRMAN PAWLINSKI: Yes. That's

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exactly the case, as we'll have to be here - - If

00060

1 we have to be here until nine o'clock tonight,
2 we'll be here until nine o'clock tonight. I
3 mean, I - - I don't want to be.

4 ALDERMAN HERRON: I have a question,
5 Mr. Chairman.

6 CHAIRMAN PAWLINSKI: Alderman Herron.

7 ALDERMAN HERRON: Sir, and all the
8 people who are here to testify, would it - - and
9 even for the - - the alderman, is it better for
10 you to readjourn this or just - - I mean, better
11 for you to wait until later on today or would you
12 like us to come back another day and do this?

13 THE WITNESS: Well, everything she says
14 is right. She says I've got three holes in my
15 building - -

16 ALDERMAN HERRON: You don't have to
17 give your testimony.

18 CHAIRMAN PAWLINSKI: Let me clear
19 something up. It's my understanding from the
20 licensing division that we have to do this today.
21 We don't have an option to do it tomorrow. Mr.
22 Schrimpf, am I correct on that? The reason we're
23 having a meeting today is because I was told that
24 today was the only day we could do it.

25 MR. SCHRIMPF: That's right.

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1 CHAIRMAN PAWLINSKI: We can't do it
2 tomorrow.

3 ALDERMAN HINES: Mr. Chairman, if I
4 may. I think it was also predicated that because
5 we are meeting for the Common Council at three
6 o'clock that this needed to be wrapped up, so
7 adequate action could be taken at the Council,
8 because the license come to expire.

9 ALDERWOMAN CAMERON: Well, maybe it's
10 Wednesday, because it's a Thursday.

11 ALDERMAN HINES: And I was under that
12 assumption.

13 CHAIRMAN PAWLINSKI: What's the
14 expiration date on this matter?

15 MR. SCHRIMPF: June 30th.

16 ALDERMAN SANCHEZ: Mr. Chair, we have a
17 Common Council meeting on the 29th of June.

18 CHAIRMAN PAWLINSKI: This is not to go
19 to today's Common Council meeting. It's supposed
20 to go to the 29th, but because of the findings of
21 fact and the other issues that go into these
22 kinds of things, today is the day we have to
23 legally hear it, and we have to finish it today.
24 So, that's why we're doing it today. I mean,
25 this is not a - - This is not a regularly

00062

1 scheduled day of the committee

2 MS. RODGERS: You have to finish it
3 before the - - before your next meeting, before
4 the 30th, otherwise, we'll have a special
5 meeting.

6 CHAIRMAN PAWLINSKI: Mr. Schrimpf.

7 MR. SCHRIMPF: No, we have to finish it
8 today. If the committee ultimately decides to
9 recommend renewal of the license, it becomes a
10 nonissue. If, however, the committee decides to
11 impose a suspension or a nonrenewal, then I need
12 the time, Ms. Rodgers needs the time, in order to
13 get the findings of fact, process the appeals,
14 get it set before the Common Council which is set
15 for the 29th. That's why we need the time.

16 MS. RODGERS: Because we need the time.
17 We have to file our objections, yes.

18 CHAIRMAN PAWLINSKI: The motion on the
19 table is to adjourn until at least 3:15, and is
20 there - -

21 MR. SCHRIMPF: Recess.

22 CHAIRMAN PAWLINSKI: Recess. I'm
23 sorry. Recess until 3:15. Is there any
24 objection to that motion?

25 ALDERMAN HINES: I object. I know I'm

00063

1 not a part of the body, but I object.

2 CHAIRMAN PAWLINSKI: Well, I'm talking
3 to committee members.

4 ALDERMAN HERRON: I object.

5 CHAIRMAN PAWLINSKI: Are you objecting
6 to that motion?

7 ALDERMAN HERRON: Yeah. I actually
8 think we should hear this now, but, you know, I
9 understand what you're saying.

10 MS. RODGERS: Is it possible just to
11 ask a few questions of the witness?

12 CHAIRMAN PAWLINSKI: Ms. Rodgers, you
13 know how that works. Because you're going to
14 want to cross-examine them, and we're going to
15 have questions - -

16 MS. RODGERS: Maybe not.

17 CHAIRMAN PAWLINSKI: - - that come up
18 based on your cross-examination.

19 ALDERMAN SANCHEZ: Motion carries, Mr.
20 Chairman.

21 CHAIRMAN PAWLINSKI: The motion carries
22 on a three to one vote. We're going to readjourn
23 - - reconvene at 3:15.

24 (Off the record.)

25 (Back on the record.)

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CHAIRMAN PAWLINSKI: Good afternoon.

2

We are back in session as a reconvening committee

3

of the Utilities & Licenses Committee for the

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afternoon of Thursday, the 21st of June.

5

Everyone has been sworn, although Timothy

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McMurtry, representative of Alderman Hines'

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office, I assume you'll be representing the

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Alderman for the rest of the afternoon.

9

MR. MCMURTRY: Correct, Mr. Chairman.

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CHAIRMAN PAWLINSKI: Mr. McMurtry has

11

not been sworn, so we'll swear you in. Do you

12

solemnly swear to tell the truth, the whole

13

truth, and nothing but the truth, so help you

14

God?

15

MR. MCMURTRY: Yes, I do.

16

CHAIRMAN PAWLINSKI: Now, when we broke

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at two o'clock, and again, I apologize for that

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inconvenience, but obviously we had other city

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business to attend to, and I really appreciate

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the patience of everybody here, sincerely. We

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are about to take the testimony of this gentleman

22

here, and after him, we are going to then move on

23

to the other woman that was in the room at the

24

time. Now, I - - To be honest with you I was

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approached by this woman in the back, Yolanda, I

00065

1 believe your name is, and you said that you had
2 two other individuals here who wanted to testify
3 - -

4 THE WITNESS: They live - -
5 CHAIRMAN PAWLINSKI: Right. In
6 opposition to this license. Now, I contacted the
7 City Attorney on that question, because I was
8 concerned about that, and he has said it is my
9 decision, and I am deciding that I will not hear
10 from those two individuals, because when I made a
11 call for any individuals here to testify in favor
12 or in opposition to at 1:30 there were three
13 people in the room. I think it would be unfair
14 to Mr. Neely and unfair to the attorney, having
15 not been able to prepare, and I think in that two
16 hour interim period, I don't think we should
17 rally neighbors to come down and - - I'm not
18 saying you did that, but in fairness to Mr.
19 Neely, I think we should take the people that
20 were here at the time at 1:30. So we will finish
21 with the gentleman here in the Wisconsin Badger
22 shirt, and then move on to you, ma'am, and we'll
23 allow for cross-examination. At that time we
24 will then hear from Mr. McMurtry, and then have
25 Ms. Rodgers make any final comments before we go

00066

1 into deliberation.

2 MR. MCMURTRY: May I also add, Mr.
3 Chairman, that Alderman Hines is planning on
4 trying to come back. So I'm just filling in
5 until he gets here. If he gets here before his
6 testimony comes up - -

7 CHAIRMAN PAWLINSKI: That's fine. Just
8 based on where we are right now I would expect
9 that about 4:30 or so we probably will take this
10 matter into committee. I'm going to guess we
11 probably need about another half an hour - 40
12 minutes. If he's not here at the time, we'll
13 just simply take it into committee and make a
14 decision at that point. So, sir, you were about
15 to testify. You were sworn in before. Can you
16 give us your name and address again?

17 THE WITNESS: My name is Howard Tice.

18 CHAIRMAN PAWLINSKI: Address?

19 THE WITNESS: 4520 West Lisbon Avenue.

20 CHAIRMAN PAWLINSKI: Mr. Tice, how do
21 you spell your last name?

22 THE WITNESS: T-I-C-E.

23 CHAIRMAN PAWLINSKI: 45 - -

24 THE WITNESS: - - 20 West Lisbon
25 Avenue.

00067

1 CHAIRMAN PAWLINSKI: Okay. Now, you
2 were here for the testimony of Sister Mohammed.
3 You heard her testimony when you were here in the
4 room, and it was extensive and expansive and - -
5 and so on and so forth. I would ask you to give
6 us your testimony, but not be repetitive as to
7 the things she discussed. If you agree
8 substantially with what she said, you can say
9 that. If you have new information to provide,
10 we'd like to hear it. So why don't you go ahead,
11 Mr. Tice.

12 THE WITNESS: She is perfectly right.
13 I've been in the neighborhood for 40 years. 40
14 years, my family's been in the business there.
15 We lived upstairs, and I still live upstairs. I
16 have four windows facing Ralph's Lounge. I
17 haven't - - We haven't slept in nights for a long
18 time. In the summertime, yes, it is twice as - -
19 worse. Wintertime, it's worse, too. Same thing
20 that this lady said before that lives across the
21 street from me. After the tavern's closed it's
22 just - - it's just chaos. And shootings, and
23 whatever goes on, there is dozen - - dozens and
24 dozens, and then probably there's time where it's
25 not even reported, because it got to a point

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1 where it got out of hand and everybody thought
2 they were going to call theirselves, and it's
3 just got out of hand, and it - - I have a couple
4 of - - three bullet holes in my place right now
5 you can see. And they park in my lot. I
6 confront them at two in the morning, and they
7 tell me more or less I got the problem.
8 Something's wrong with this picture. And then
9 they urinate on me.

10 CHAIRMAN PAWLINSKI: Okay, Mr. Tice.

11 THE WITNESS: On my property.

12 CHAIRMAN PAWLINSKI: Let me ask a
13 couple questions, because I don't want to get
14 ahead of ourselves here. You own a business and
15 they parking in your business lot?

16 THE WITNESS: Yes.

17 CHAIRMAN PAWLINSKI: What's the name of
18 the business?

19 THE WITNESS: Schiffman Moving &
20 Storage.

21 CHAIRMAN PAWLINSKI: That's the first
22 question I had. Second question is you made a
23 comment that you believe things happen more often
24 than are in the police report. Do you call the
25 police department when you hear gunshots?

00069

1 THE WITNESS: Sometimes. Sometimes I
2 don't. Like I said - -

3 CHAIRMAN PAWLINSKI: Tell us why you
4 do sometimes, and you don't sometimes?

5 THE WITNESS: Well there are so many of
6 them. In 90 percent of the time - - Like I said,
7 my windows face Ralph's Lounge. The incident - -
8 you people, there are so many of them. You
9 mentioned about the blood, about the trail, well,
10 when that night happened, that's particular - -
11 particular night my wife and my son looked out
12 the window and seen that somebody carried
13 somebody out of the tavern and laid them by the
14 tree.

15 CHAIRMAN PAWLINSKI: You saw that
16 personally with your own eyes?

17 THE WITNESS: Well, it's dark.

18 CHAIRMAN PAWLINSKI: No, no, no. It's
19 a very specific - -

20 THE WITNESS: I seen somebody carry
21 somebody - -

22 CHAIRMAN PAWLINSKI: It's a very
23 specific question, and it's very important that
24 you answer the question correctly. Did you
25 specifically see that?

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1 THE WITNESS: Yes, myself. I was - - I
2 don't sleep at night. I'm up every night. I
3 don't sleep at night no more. Very seldom.
4 Lucky I own my own business, and I can take a
5 couple catnaps during the afternoon. Yes.

6 CHAIRMAN PAWLINSKI: And you live
7 upstairs from your business?

8 THE WITNESS: Yes, I do, for 40 years
9 my family's been in that neighborhood.

10 CHAIRMAN PAWLINSKI: Okay.

11 THE WITNESS: And my mother's been
12 doing this, and she's dead now, but she goes back
13 way - - all the times I - - I go - - We go back
14 when the first people had that tavern, and since
15 Ralph owned it, it escalated and it's the worst I
16 ever seen it before in my life.

17 CHAIRMAN PAWLINSKI: Okay. Is there
18 anything else that you want - - any new
19 information you want to provide us at this point
20 besides what you've already told us?

21 THE WITNESS: No, that - - but 90
22 percent of the time when I look out the window
23 the shooter comes out of the tavern or is by on
24 the - - on the premises.

25 CHAIRMAN PAWLINSKI: Okay. Let me see

00071

1 if there's questions of committee members of you
2 specifically.

3 ALDERWOMAN CAMERON: Mr. Chairman.

4 ALDERMAN HERRON: Mr. Chairman.

5 CHAIRMAN PAWLINSKI: Alderman Herron,
6 first, and then Alderwoman Rosa Cameron.

7 ALDERWOMAN CAMERON: Thank you.

8 ALDERMAN HERRON: Mr. Tice, and again
9 we appreciate you coming down and appreciate your
10 testimony. It is difficult sometimes to do this,
11 so I want you to know we appreciate it. Can you,
12 to the best of your recollection, give us the - -
13 be a little more specific around the incident.
14 We have a little bit from the police report, but
15 if - - In our police report it doesn't speak
16 specifically to some of the things you may have
17 saw. Can you speak specifically to what you saw
18 on the evening when we have in our report, I
19 guess these two times correspond, our report
20 talks about a patron in the parking lot who was
21 severely beaten on 5/12/2001. Can you give us
22 additional insight? Our report says that - -
23 that they believe that the patron was inside, and
24 then brought outside. But maybe you can provide
25 further proof that that, indeed, occurred.

00072

1 THE WITNESS: Well, just like - - My
2 window is right there, and that's his door, and
3 it was dark, two o'clock, 1:30 in the morning
4 whatever, and people screaming, and once people
5 were screaming and women were screaming, I
6 definitely automatically look out the window.
7 And then my wife, my son, and - - and I said to
8 my wife, I says it looks like somebody's being
9 carried out and laid - - being laid by the tree.
10 And that's when the police came and that's where
11 they found him. Now that's what I seen.

12 ALDERMAN HERRON: Thank you. That's
13 all I have.

14 CHAIRMAN PAWLINSKI: Okay. Alderwoman,
15 go ahead.

16 ALDERWOMAN CAMERON: Good afternoon. I
17 wanted to ask you how many times in the run of
18 the last six months have you called the police?

19 THE WITNESS: Have I called them?

20 ALDERWOMAN CAMERON: Um-hnh.

21 THE WITNESS: Maybe - - Maybe twice. I
22 gave up on calling them. I let the rest of the
23 neighborhood take care of it. Like I said, I've
24 been there 40 years. My mother - - My mother and
25 father's been doing it years, so, you know, and

00073

1 I'm still there, and I believe in the
2 neighborhood. I have nothing against Ralph. I
3 don't even know the man.

4 ALDERWOMAN CAMERON: You been living
5 there 40 years and out of the last six months you
6 seen the neighborhood shift from semi-bad to
7 semi-worse. Well, you got to say something.

8 THE WITNESS: I know there's been
9 shootings. Every time he's been open, there's
10 been shootings. I been looking out the window.
11 I mean, I could have brought my wife and son
12 down, too.

13 ALDERWOMAN CAMERON: Shootings only
14 occurs when he open.

15 THE WITNESS: Yes. Well, 90 percent of
16 the time. Ten percent, sure. There's - - My
17 other window faces another tavern. No problem.
18 No problem. Like I said, I'm up all night. I
19 don't sleep no more. I've never been sleeping,
20 because I've been in - - all this happened for
21 years.

22 ALDERWOMAN CAMERON: Well, I do want to
23 first say I admire you for living there for 40
24 years.

25 THE WITNESS: Well, my family owned

00074

1 that property for 40 years, I guess, and I
2 believe in the neighborhood. And I own the
3 property, you know. I'm still there.

4 ALDERWOMAN CAMERON: Have you - - Have
5 the neighborhood changed within the 40 years?

6 THE WITNESS: Yeah - -

7 CHAIRMAN PAWLINSKI: Within the last 40
8 years.

9 THE WITNESS: Yeah, I guess it did
10 change in the last 40 years, yes. Yes, I was - -
11 I graduated from Steuben, Washington High School.
12 I'm not the new kid on the block.

13 CHAIRMAN PAWLINSKI: Okay.

14 ALDERWOMAN CAMERON: And one more
15 question I want to ask. Type of peoples that
16 visit his bar, could you describe them, since you
17 be up?

18 THE WITNESS: Very loud, very loud.
19 When they get in the car, they turn that boom box
20 on. You can hear it for three blocks, three
21 blocks. No exaggeration.

22 ALDERWOMAN CAMERON: All you know they
23 just loud, but you don't know what type - -

24 THE WITNESS: Loud, shootings, and when
25 I look out the window, I see the shooter run.

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1 And that's many times. And then they shot. And
2 they had a crossfire, and that's when I got a
3 couple shots in my building. They had a
4 crossfire across the street in the station
5 because they park over there. So the bullet
6 holes are still there because I never - - I
7 reported them, but - -

8 ALDERWOMAN CAMERON: In that parking
9 lot, how many lights is in that parking lot?

10 THE WITNESS: Which parking lot, ma'am?

11 ALDERWOMAN CAMERON: The parking lot
12 that you seen them, you said was very dark in
13 there, and you seen them taking somebody out in
14 the dark, throw them under the tree.

15 THE WITNESS: Ralph's parking lot,
16 directly - - I'm directly across.

17 ALDERWOMAN CAMERON: How many - - How
18 many lights out there?

19 THE WITNESS: It's pretty - - It's
20 pretty well lit up because of Lisbon Avenue and
21 he's got a couple lights out there, and - - I - -
22 You know, I - - I know they weren't taking
23 nothing out to the garbage.

24 ALDERWOMAN CAMERON: But you - - you
25 was assuming it was a person they threw under

00076

1 the tree.

2 THE WITNESS: Well, my wife looked at
3 it, too. After - - I told my wife. She got up
4 and - -

5 ALDERWOMAN CAMERON: Can you - - You
6 would say that it was a body - - a person or some
7 garbage?

8 THE WITNESS: Yes, a body.

9 ALDERWOMAN CAMERON: Oh, okay.

10 CHAIRMAN PAWLINSKI: Alderman Sanchez,
11 and then I'm going to turn it over to the
12 attorney, Ms. Rodgers.

13 ALDERMAN SANCHEZ: Thank you, Mr.
14 Chair. Just a few questions for you, Mr. Tice.
15 You said after the bar closed you said you
16 experienced chaos. How would you define chaos?
17 What does that mean?

18 THE WITNESS: Ah, loud music, loud
19 talk, swearing, arguing, always arguing at the
20 top of their lungs. Sometimes I call the police.
21 They don't - - They have other things, too, and
22 by the time they get there it's - - it's over.

23 ALDERMAN SANCHEZ: You said that
24 there's three bullet holes in your property.

25 THE WITNESS: Yes, sir.

00077

1 ALDERMAN SANCHEZ: Do you know who
2 fired off that gun?

3 THE WITNESS: No, sir.

4 ALDERMAN SANCHEZ: Do you know if it
5 was anyone who was at Mr. Neely's place?

6 THE WITNESS: Yes.

7 ALDERMAN SANCHEZ: How do you know
8 that?

9 THE WITNESS: Because it was a
10 crossfire, because they were in the station by
11 Dave - - Dave's gas, and they were parked in my
12 lot, and they started shooting each other back
13 and forth. And they're there right now.

14 ALDERMAN SANCHEZ: So are you saying
15 that the person who discharged this gun came out
16 of - -

17 THE WITNESS: Yes.

18 ALDERMAN SANCHEZ: - - personally, and
19 - - and it is it your testimony that you
20 personally saw this person exit Mr. Neely's bar?

21 THE WITNESS: I didn't see him exit,
22 but I can - - I know they all ran out, because we
23 were watching them through the window.

24 ALDERMAN SANCHEZ: But if you were
25 watching them, sir, did you see them exit the

00078

1 place or not? Yes or no, sir.
2 THE WITNESS: Yes.
3 ALDERMAN SANCHEZ: You did see them.
4 THE WITNESS: They all ran out, yeah.
5 They all ran out. Yes, I did. All of them.
6 ALDERMAN SANCHEZ: Mr. Tice, your
7 testimony is that you say they park on your lot.
8 How do you know whose cars they are?
9 THE WITNESS: I don't know whose cars
10 they are. I just call - - I just ask them to - -
11 When they do come out, I ask them not to, and
12 they more or less are so inebriated, I'm in the
13 wrong.
14 CHAIRMAN PAWLINSKI: Well, I want to
15 make sure you understand the question that he
16 asked you. He asked you how do you know whose
17 cars they are? I don't think he meant - -
18 THE WITNESS: I don't - -
19 CHAIRMAN PAWLINSKI: Wait. I don't
20 think - - He did not mean which specific person,
21 like John Smith.
22 THE WITNESS: Right.
23 CHAIRMAN PAWLINSKI: But do you know
24 that they're patrons of Ralph's Lounge?
25 ALDERWOMAN CAMERON: Customers.

00079

1 THE WITNESS: Yes, yes. Yes, I know
2 that for a fact.
3 ALDERMAN SANCHEZ: Mr. Tice, how is it
4 that you know that they're patrons.
5 THE WITNESS: Because I watch them at
6 night. I'm up every night. If I'm not, my wife
7 is. If not mine, it's my son's.
8 ALDERMAN SANCHEZ: Do you see them
9 either exit their vehicle - -
10 THE WITNESS: Yes.
11 ALDERMAN SANCHEZ: - - walk into Mr.
12 Neely's establishment. You can see that?
13 THE WITNESS: Yes. Yes, I do.
14 ALDERMAN SANCHEZ: And you see them
15 exit the establishment and go back to their
16 vehicle.
17 THE WITNESS: Yes, I do.
18 ALDERMAN SANCHEZ: The people who are
19 urinating on your property, who are they?
20 THE WITNESS: Same people.
21 ALDERMAN SANCHEZ: Same people. Are
22 they patrons of Mr. Neely?
23 THE WITNESS: Yes.
24 ALDERMAN SANCHEZ: And how do you know
25 this?

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1 THE WITNESS: I watch them drop
2 bottles, and then - - and throw them - - Because
3 I - - I'm afraid to say something, because I
4 ain't going down there at two o'clock in the
5 morning.

6 ALDERMAN SANCHEZ: One of the
7 statements that you made is you say - - you said
8 that shooters come out of the tavern. Have you
9 personally seen people exit the tavern - -

10 THE WITNESS: Yes.

11 ALDERMAN SANCHEZ: - - that are
12 shooters. Have you seen them discharge guns?

13 THE WITNESS: Yes.

14 ALDERMAN SANCHEZ: And you said since
15 Ralph owned this establishment it's been the
16 worst.

17 THE WITNESS: Yes.

18 ALDERMAN SANCHEZ: Okay. Thank you.

19 CHAIRMAN PAWLINSKI: Ms. Rodgers.

20 MS. RODGERS: Thank you, Mr. Chairman.

21 And thank you, again, Mr. Tice, for - - Thank
22 you, Mr. Chairman, and thank you, Mr. Tice, for
23 being here, but I do have a few questions for
24 you.

25 You've indicated on several occasions

00081

1 that you - - your family has been in the
2 neighborhood for 40 years. How long have you
3 lived there, personally?

4 THE WITNESS: 40 years. My family's
5 business is there. I'm there every day.

6 MS. RODGERS: You've never lived
7 anyplace else.

8 THE WITNESS: Every day. Oh, I lived
9 somewhere else, but my mother lived there, my
10 dad.

11 MS. RODGERS: No, no. I'm asking you
12 how long have you lived there, personally?

13 THE WITNESS: I grew up there. I told
14 you, I graduated from Steuben, Washington High
15 School.

16 MS. RODGERS: Let me ask the question
17 differently.

18 CHAIRMAN PAWLINSKI: Mr. Tice, it's a
19 very simple question.

20 MS. RODGERS: Let - - Let me ask it
21 differently then. I'll rephrase. Have you lived
22 anyplace other than where you're living now?

23 THE WITNESS: Yes.

24 MS. RODGERS: Where else have you
25 lived?

00082

1 THE WITNESS: In Milwaukee.
2 MS. RODGERS: Where in Milwaukee?
3 THE WITNESS: 2778 North Carlton.
4 MS. RODGERS: That's a different
5 neighborhood altogether?
6 THE WITNESS: A little bit, up to
7 Lisbon Avenue. It's not far.
8 MS. RODGERS: Is it in the same
9 aldermanic district?
10 THE WITNESS: I'm not sure. But, no, I
11 don't think so.
12 MS. RODGERS: And how long did you live
13 at that address?
14 THE WITNESS: About 12 years.
15 MS. RODGERS: Okay. So you moved away
16 from the time you were a child, you moved to this
17 new address. Is that correct?
18 THE WITNESS: Yes.
19 MS. RODGERS: And did you move anyplace
20 else after you left - -
21 THE WITNESS: When I was a child, you
22 said?
23 MS. RODGERS: Well, I assume that when
24 you were a child you lived there with your
25 parents. Is that correct?

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1 THE WITNESS: That's right.
2 MS. RODGERS: Okay. After you were an
3 adult you moved out.
4 THE WITNESS: No, I got divorced first.
5 I lived there again.
6 MS. RODGERS: No, just - - After you
7 were an adult did you move out?
8 THE WITNESS: Yes.
9 MS. RODGERS: Did you move out right
10 away when you were an adult?
11 THE WITNESS: No.
12 MS. RODGERS: When did you move out?
13 THE WITNESS: Well, when I went to
14 Vietnam, that would be 1960 - - '69.
15 MS. RODGERS: How old were you?
16 THE WITNESS: Twenty - - Nineteen.
17 MS. RODGERS: And so you moved out when
18 you were 19. How long were you in Vietnam?
19 THE WITNESS: Two years.
20 MS. RODGERS: And when you moved back
21 - - When you came back from Vietnam, where did
22 you live?
23 THE WITNESS: Home.
24 MS. RODGERS: Home with your parents.
25 THE WITNESS: 4520 West Lisbon, yes.

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1 MS. RODGERS: And then how long were
2 you there that time?

3 THE WITNESS: A couple years, then I
4 got married.

5 MS. RODGERS: Okay. So you were there
6 for two years. Then you got married. Did you
7 move out when you got married?

8 THE WITNESS: Right.

9 MS. RODGERS: When you moved out, where
10 did you move to?

11 THE WITNESS: Right across the street
12 where this lady was from, I owned a house.

13 MS. RODGERS: You owned a house. So it
14 was in the same neighborhood, but across the
15 street from where you're - -

16 THE WITNESS: Same neighborhood.

17 MS. RODGERS: And that was
18 approximately what year?

19 THE WITNESS: I don't know. That's
20 '76, '78 - nine.

21 MS. RODGERS: So, so far in your
22 testimony you - - you've only been away from that
23 location for two years, and that was the two
24 years you were in Vietnam.

25 THE WITNESS: I've been there every day

00085

1 - - every day since about all my life, because
2 I - -

3 MS. RODGERS: Except for the time you
4 were in Vietnam.

5 THE WITNESS: - - because I - - No.
6 Yeah.

7 MS. RODGERS: Except for the 12 years
8 you lived - -

9 THE WITNESS: 12 years up the street,
10 right. But I'm there every day, because I work
11 there.

12 MS. RODGERS: When did you move back to
13 4520 West Lisbon?

14 THE WITNESS: Oh, about three - four -
15 - three years ago.

16 MS. RODGERS: Three years ago. Okay.
17 Now - - So now it's clear to me you - - you've
18 lived there for the last three years.

19 THE WITNESS: Um-hnh.

20 MS. RODGERS: But prior to that for 12
21 years you did not live at 4520 West Lisbon. Is
22 that correct?

23 THE WITNESS: No, but I slept there
24 occasionally with my mother because she was
25 scared.

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1 MS. RODGERS: Mr. Tice, is it correct
2 to say that you did not live there from 45 - -
3 4520 West Lisbon for 12 years prior to your
4 moving back three years ago?
5 THE WITNESS: No - -
6 MS. RODGERS: Yes or no would be fine.
7 THE WITNESS: No, I guess, no.
8 MS. RODGERS: All right. You testified
9 that there were three bullet holes in your
10 building.
11 THE WITNESS: Yes.
12 MS. RODGERS: Do you know how those
13 bullet holes got in the building?
14 THE WITNESS: Yeah, crossfire, I guess.
15 It was across the street and the other guys were
16 in my lot parked on Lisbon Avenue.
17 MS. RODGERS: Okay. Do you know how
18 those bullet holes got in your building?
19 THE WITNESS: Do I know how they got in
20 there?
21 MS. RODGERS: Yeah.
22 THE WITNESS: They pulled the trigger,
23 I guess.
24 MS. RODGERS: Did you see it happen?
25 THE WITNESS: Yes.

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1 MS. RODGERS: Okay. And what did you
2 do when that happened?
3 THE WITNESS: Hit the deck.
4 MS. RODGERS: Okay. And when was that?
5 THE WITNESS: How many times is there a
6 shooting? I don't know. Dozens, and dozens, and
7 dozens.
8 MS. RODGERS: But only - - How many
9 times - -
10 THE WITNESS: I don't know. I - - You
11 can't pin me down, because there's too many of
12 them.
13 MS. RODGERS: Okay. How many times
14 have bullet holes come into your - - into your
15 building?
16 THE WITNESS: Three.
17 MS. RODGERS: Three times.
18 THE WITNESS: They're still there. You
19 can see them.
20 MS. RODGERS: Okay. Three - - On three
21 separate occasions bullet holes came - -
22 THE WITNESS: No. I don't know. Maybe
23 it's all at once, because there was pretty many
24 shots going back and forth. So it could have
25 been all at once.

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1 MS. RODGERS: So that was one occasion
2 then.
3 THE WITNESS: That's the only one,
4 yeah.
5 MS. RODGERS: Okay. And on that one
6 occasion three bullet holes went into your
7 building. Is that a yes?
8 THE WITNESS: Yes.
9 MS. RODGERS: And on that occasion you
10 - - you were there.
11 THE WITNESS: Yes.
12 MS. RODGERS: And you saw the shooter.
13 THE WITNESS: Yes.
14 MS. RODGERS: And approximately when
15 was that?
16 THE WITNESS: What time?
17 MS. RODGERS: How many years ago?
18 THE WITNESS: Oh.
19 MS. RODGERS: How many months ago?
20 THE WITNESS: Hnh, hnh.
21 MS. RODGERS: Was it a year ago?
22 THE WITNESS: No.
23 MS. RODGERS: Two years ago?
24 THE WITNESS: No. It was in the last
25 year.

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1 MS. RODGERS: Okay. So within the last
2 year.
3 THE WITNESS: In the last year, right.
4 MS. RODGERS: Okay. And did you report
5 that to the police?
6 THE WITNESS: Yes.
7 MS. RODGERS: What did the - - Did the
8 police come out to investigate?
9 THE WITNESS: Yeah. Sure, he was right
10 across the street. Right.
11 MS. RODGERS: They did come out to
12 investigate?
13 THE WITNESS: Well, if you want to call
14 it an investigation. He asked, you know, I said,
15 well, you're a little late. They're gone.
16 MS. RODGERS: That's what you said to
17 him. Okay.
18 THE WITNESS: You're a little late.
19 MS. RODGERS: And did you - - Did they
20 apprehend anyone? Did they catch anyone?
21 THE WITNESS: No. No.
22 MS. RODGERS: You've indicated that
23 you've called the police department when you
24 thought that there were bullet - - when bullet
25 holes - - well, when gunfire took place. Is that

00090

1 correct?

2 THE WITNESS: Yes.

3 MS. RODGERS: How many times did you
4 call the police, approximately?

5 THE WITNESS: I don't know. I don't
6 - - Like I said there's so many of them that I
7 - - It got to a point where I didn't call them no
8 more.

9 MS. RODGERS: Okay. So the police
10 department would have so many times on the record
11 that you couldn't call them anymore. Is that
12 correct?

13 THE WITNESS: Right. I mean, they - -

14 MS. RODGERS: Then would the reports- -

15 THE WITNESS: They got a sheet - -

16 CHAIRMAN PAWLINSKI: One at a time.

17 THE WITNESS: They got a - - They got a
18 track record you wouldn't believe, so why - - why
19 would any more testimony from any - - why, I mean,
20 you should have it right there.

21 MS. RODGERS: There is - - There is a
22 report - - You believe that there would be a
23 report for each and every time you called the
24 police department.

25 THE WITNESS: Check around, I guess.

00091

1 You have to check - - My mother called them, too,
2 I guess.
3 MS. RODGERS: What - - What do you - -
4 What - - What do you think, is my question? Do
5 you believe that the police department has a
6 record of each and every time you called?
7 THE WITNESS: I don't know.
8 MS. RODGERS: What do you think?
9 THE WITNESS: I don't think.
10 MS. RODGERS: How many times
11 approximately did you call? Ten? 20?
12 THE WITNESS: Could be. My wife
13 called. My son called. I called. I don't know.
14 MS. RODGERS: Okay. I understand that.
15 But how many times did you call?
16 THE WITNESS: Haven't - - Haven't
17 counted them. Haven't kept track, there's too
18 many of them probably. I don't know.
19 MS. RODGERS: Well, is it closer to 50
20 or closer to 500?
21 THE WITNESS: Probably 50.
22 MS. RODGERS: And it's over what period
23 of time?
24 THE WITNESS: In the last few - - three
25 years probably.

00092

1 MS. RODGERS: Okay. How did you hear
2 about this hearing today?
3 THE WITNESS: Well, I was interested in
4 it.
5 MS. RODGERS: No, how did you hear
6 about it?
7 THE WITNESS: Well, the license
8 committee said that he's coming up for license.
9 MS. RODGERS: That's the only - - only
10 time you've heard about it?
11 THE WITNESS: Yeah.
12 MS. RODGERS: No one else talked to you
13 about coming to the hearing?
14 THE WITNESS: No.
15 MS. RODGERS: You're under oath. No
16 one talked to you about coming to the hearing?
17 THE WITNESS: No. I was going to come
18 anyways, because I knew his license was up. I
19 talked to Oscar. We're talking - - The whole
20 neighborhood's talking about it. It ain't
21 nothing new.
22 MS. RODGERS: Okay. I know that, you
23 know, you were going to come anyway, but did
24 anybody else talk to you about it, is my
25 question.

00093

1 THE WITNESS: We all talked about it,
2 yeah.

3 MS. RODGERS: But did anyone else talk
4 to you and ask you to come to this hearing to
5 testify?

6 THE WITNESS: No. I came on my own
7 free will.

8 MS. RODGERS: I understand that, Mr.
9 Tice. And - - But no one else ever talked to you
10 about coming here today.

11 THE WITNESS: No, he did not threaten
12 me to come here or nothing, no.

13 MS. RODGERS: I didn't ask - -

14 THE WITNESS: I don't need to be - -
15 No.

16 CHAIRMAN PAWLINSKI: Mr. Tice - -

17 MS. RODGERS: I didn't ask if someone
18 threatened you.

19 CHAIRMAN PAWLINSKI: One second, Ms.
20 Rodgers. Mr. Tice, I know Ms. Rodgers is
21 wrapping up her questions to you, but I'm just
22 going to ask you very kindly, answer the question
23 specifically and concisely. Because it's very
24 difficult for us to figure out unless you answer
25 the question specifically and concisely. So do

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1 your best to do that, please.
2 THE WITNESS: I'm trying.
3 CHAIRMAN PAWLINSKI: Thank you. Ms.
4 Rodgers.
5 MS. RODGERS: Did anyone else - - Did
6 you get any - - I'll rephrase that. Did anyone
7 ask you specifically to come to this hearing?
8 THE WITNESS: Specifically? What do
9 you mean? I don't understand what you - -
10 MS. RODGERS: Spec - - Specifically.
11 THE WITNESS: I wanted to come to the
12 meeting.
13 MS. RODGERS: Mr. Tice, I know you
14 wanted to come. I want to know if anybody asked
15 you to come.
16 THE WITNESS: Yeah, my wife.
17 MS. RODGERS: Anyone other than your
18 wife.
19 THE WITNESS: My son.
20 MS. RODGERS: Anyone - - Any neighbor
21 or anyone in the community.
22 THE WITNESS: Oscar. Oscar. There's a
23 gas station guy. I don't know. I mean, what's
24 the big deal.
25 MS. RODGERS: All right. All right,

00095

1 Mr. Tice. I'm done. Thank you.
2 CHAIRMAN PAWLINSKI: Thank you, Mr.
3 Tice. Ma'am, you're next.
4 MS. RODGERS: I'm sorry. Just one
5 quick question. I promise.
6 CHAIRMAN PAWLINSKI: All right.
7 MS. RODGERS: Mister - - Mr. Tice, I'm
8 sorry, just a minute. You said that you own a
9 business and that people park in your parking
10 lot. Is that correct?
11 THE WITNESS: Um-hnh.
12 MS. RODGERS: What are the hours of
13 your business?
14 THE WITNESS: Seven in the morning to
15 five.
16 MS. RODGERS: Seven to five. So people
17 are parking in your parking lot at night.
18 THE WITNESS: Um-hnh.
19 MS. RODGERS: Okay. Thank you.
20 CHAIRMAN PAWLINSKI: One second, Mr.
21 Tice.
22 THE APPLICANT: This parking lot, your
23 parking lot is locked.
24 THE WITNESS: No, it's not locked.
25 THE APPLICANT: You got a gate - - You

00096

1 got a gate on your parking lot.

2 CHAIRMAN PAWLINSKI: We're not going to
3 argue about it. We're not going to argue about a
4 gate.

5 THE WITNESS: I got a gate, but it
6 ain't locked.

7 MS. RODGERS: Is there a gate, Mr.
8 Tice?

9 THE WITNESS: It hasn't been locked for
10 two years.

11 CHAIRMAN PAWLINSKI: Please, Mr. Tice,
12 Ms. Rodgers, Mr. Neely.

13 MR. SCHRIMPF: Mr. Chairman.

14 CHAIRMAN PAWLINSKI: We're not going to
15 argue about that. Okay.

16 MS. RODGERS: Okay.

17 CHAIRMAN PAWLINSKI: All right. I'll
18 defer to Mr. Schrimpf. I know Alderwoman Rosa
19 Cameron has a question. Mr. Tice, why don't you
20 just stay right there for a second.

21 MR. SCHRIMPF: Have you ever given
22 permission for the patrons of Mr. Neely's lounge
23 to park in your parking lot?

24 THE WITNESS: No.

25 MR. SCHRIMPF: Okay. That's my only

00097

1 question.

2 CHAIRMAN PAWLINSKI: Very good. Thank
3 you for answering that question right away.
4 Alderwoman?

5 ALDERWOMAN CAMERON: I have a question
6 to ask you. Mr. Tice, would you say the location
7 that this tavern is in is a good location?

8 THE WITNESS: No.

9 ALDERWOMAN CAMERON: Would you say the
10 location your business is in, is it in a good
11 location?

12 THE WITNESS: Been there for over 40
13 years.

14 ALDERWOMAN CAMERON: Is it a good
15 location?

16 THE WITNESS: For my business,
17 trucking, yes.

18 ALDERWOMAN CAMERON: I ask you minutes
19 ago about how many times in the last 40 years
20 that you called the police, you told me two.

21 CHAIRMAN PAWLINSKI: No.

22 ALDERWOMAN CAMERON: Yes, he did.

23 CHAIRMAN PAWLINSKI: I remember - - I
24 remember the question being in the last three
25 years.

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1 ALDERWOMAN CAMERON: Well - -

2 CHAIRMAN PAWLINSKI: Not 40.

3 ALDERWOMAN CAMERON: I said 40 years,

4 how many time you call the police. He didn't

5 know. I asked him how many time in the last

6 three years - two years, he said two. The

7 attorney asked him, he said, oh, about 50 or ten

8 or something. I can understand that the place

9 - - well, I'll just hold that, but I don't - -

10 So which one is it?

11 CHAIRMAN PAWLINSKI: Why don't you just

12 rephrase the question, because I'm not sure he

13 understands, Alderwoman.

14 ALDERWOMAN CAMERON: How many times in

15 the last two years have you called the police?

16 CHAIRMAN PAWLINSKI: Specifically

17 regarding Ralph's Lounge.

18 ALDERWOMAN CAMERON: The shooting.

19 THE WITNESS: Maybe half - - I don't

20 know. Half a dozen times, I don't know.

21 CHAIRMAN PAWLINSKI: Six times.

22 THE WITNESS: Six times.

23 CHAIRMAN PAWLINSKI: Thank you. Thank

24 you very much. All right. We're going to move

25 on to the next witness. Thank you.

00099

1 Ma'am, I'm going to ask you to give us
2 your name for the record and your address, and
3 I'm going to ask - - ask - -
4 THE WITNESS: Yolanda - -
5 CHAIRMAN PAWLINSKI: Yolanda what?
6 THE WITNESS: Yolanda Staples Lassiter,
7 2118 North 36th Street, Milwaukee.
8 CHAIRMAN PAWLINSKI: 2118 North?
9 THE WITNESS: 36th Street, Milwaukee.
10 L-A-S-S-I-T-E-R.
11 CHAIRMAN PAWLINSKI: Ms. Staples
12 Lassiter.
13 THE WITNESS: Yes.
14 CHAIRMAN PAWLINSKI: I'm going to just
15 ask you, if you can, to give us testimony that is
16 new information, not repetitive of what we've
17 heard before. We would appreciate if you agree
18 substantially with the previous two individuals,
19 that you say that.
20 THE WITNESS: Okay.
21 CHAIRMAN PAWLINSKI: Okay. It - - It's
22 a question of - -
23 THE WITNESS: I understand.
24 CHAIRMAN PAWLINSKI: - - important to
25 us that we have new information, not repetitive.

00100

1 THE WITNESS: I understand. The reason
2 why I'm here today basically is because when I
3 was running for County Supervisor, Fifth
4 District, in April, it was called to my attention
5 about the safety and well-being, the violence and
6 crime coming from Ralph's bar, Ralph's Lounge.
7 At that time I told the constituents in that area
8 that that was not a County Supervisor's position
9 to take on that, but it was up to the alderperson in
10 that district, and I referred them to give Willie
11 Hines a call at that time. The problems that
12 were brought to my attention was gunshot holes in
13 people homes, the home next door to the lounge
14 and the crime and violence, screaming in the
15 streets, the cars, the parking lot, structure
16 across the street, the gas - - Dave's gas
17 station, I patronize that, business - -

18 CHAIRMAN PAWLINSKI: Ma'am, are you
19 referring - -

20 THE WITNESS: Yes.

21 CHAIRMAN PAWLINSKI: Because right now
22 you're moving into some hearsay information about
23 what you heard when you're knocking on doors - -

24 THE WITNESS: Exactly. That's what I
25 have - -

00101

1 CHAIRMAN PAWLINSKI: Wait. Let me
2 finish the question. What I'm trying to get at
3 is when you're referring to all these other
4 issues - -

5 THE WITNESS: Yes.

6 CHAIRMAN PAWLINSKI: - - and then you
7 mentioned Dave's - - Dave's gas station across
8 the street - -

9 THE WITNESS: Yes.

10 CHAIRMAN PAWLINSKI: I mean, what's
11 germane for us is what is specifically going on
12 with Ralph's Lounge, not - -

13 THE WITNESS: Yes.

14 CHAIRMAN PAWLINSKI: - - what may be
15 going on in the other - -

16 THE WITNESS: Yes. No, Dave's gas
17 station across the street, sir, also has the same
18 problems from people parking in his lot, also.
19 Okay. That's what I'm referring to, okay. You
20 know, you people want these people to come down
21 and speak about the places, the businesses, the
22 bars, the liquor stores, in their district.
23 These people are coming down to speak to you
24 today, and I mean, they don't need to be
25 ridiculed by anybody. They're speaking the

00102

1 truth.

2 CHAIRMAN PAWLINSKI: And no one is
3 trying to do that, ma'am.

4 THE WITNESS: They're speaking the
5 truth.

6 CHAIRMAN PAWLINSKI: It's important
7 that people understand this is a quasi-judicial
8 body - -

9 THE WITNESS: Exactly.

10 CHAIRMAN PAWLINSKI: Whatever action we
11 take, either adversely in Mr. Neely's case or
12 not - -

13 THE WITNESS: Right.

14 CHAIRMAN PAWLINSKI: It's potentially
15 reviewable by Circuit Court.

16 THE WITNESS: Exactly.

17 CHAIRMAN PAWLINSKI: And when we ask
18 you questions, we're not trying to badger you,
19 but we're trying to get specific information so
20 we can make a valuable judgment, a judgment that
21 we can then justify in Circuit court.

22 THE WITNESS: I understand.

23 CHAIRMAN PAWLINSKI: Okay. So it's not
24 helpful when people then move into different
25 areas that are not germane to the topic at hand,

00103

1 and it's - -

2 THE WITNESS: Okay.

3 CHAIRMAN PAWLINSKI: - - important for
4 us to understand specifically what's happening
5 with Ralph's Lounge, not with the neighborhood as
6 a whole and not with potentially - - potentially
7 other businesses.

8 THE WITNESS: Okay.

9 CHAIRMAN PAWLINSKI: And we also, by law,
10 cannot hear of information that you specifically
11 don't have knowledge about. If you heard from
12 someone else, that's considered hearsay
13 information - -

14 THE WITNESS: Exactly.

15 CHAIRMAN PAWLINSKI: - - and it's not
16 admissible in court.

17 THE WITNESS: But those individuals are
18 here, sir, and I understand in due respect to you
19 that you really didn't want to hear from these
20 individuals.

21 CHAIRMAN PAWLINSKI: It's not a
22 question of not wanting to hear from them, ma'am.

23 THE WITNESS: However, these
24 individuals are here, and I would hope that you
25 would encourage these individuals, these women,

00104

1 these single mothers to stand up and to speak to
2 you about the problems and the concerns of
3 violence and crime that they seen happen from
4 Ralph's Lounge.

5 CHAIRMAN PAWLINSKI: Well, ma'am, you
6 understand the position we're in at the time.

7 THE WITNESS: I understand.

8 CHAIRMAN PAWLINSKI: And, that's - -

9 THE WITNESS: Yes, I do.

10 CHAIRMAN PAWLINSKI: That's the way
11 we're going to rule on it.

12 THE WITNESS: I understand.

13 CHAIRMAN PAWLINSKI: Okay. And I - - I
14 appreciate the fact that you came down.

15 THE WITNESS: I know.

16 CHAIRMAN PAWLINSKI: Okay. All right.
17 Anything else that you want to add today.

18 THE WITNESS: That's basically it,
19 because what I have to go off of is hearsay
20 knowledge and hearsay from Linda Mohammed, which
21 you heard herself - -

22 CHAIRMAN PAWLINSKI: Exactly.

23 THE WITNESS: - - speak. And I
24 encouraged him to come down and stand up and
25 speak to the Common Council members in regard to

00105

1 the relicensing of that specific lounge. Okay.
2 That's my job.

3 CHAIRMAN PAWLINSKI: Let me see if
4 there's other - - If there's questions of you by
5 this committee.

6 THE WITNESS: Okay.

7 CHAIRMAN PAWLINSKI: Anyone on the
8 committee have a question.

9 ALDERWOMAN CAMERON: I have - - I have
10 just one thing to say. I want to thank Yolanda
11 for her effort in trying to unite the residents
12 to come down, because it's not easy to get
13 them - -

14 THE WITNESS: I understand, Rosa.

15 ALDERWOMAN CAMERON: And I also want to
16 thank you for getting the ones that did come down
17 to come down.

18 THE WITNESS: Um-hnh.

19 ALDERWOMAN CAMERON: I know sometimes
20 people depends on others to voice their opinions
21 because in some way somehow sometime they feel
22 intimidated by the system.

23 THE WITNESS: They do.

24 ALDERWOMAN CAMERON: In voicing their
25 opinion. Which I appreciate it, Yolanda.

00106

1 THE WITNESS: Oh, I know that, Rosa.

2 ALDERWOMAN CAMERON: And I want to

3 thank you and continue - -

4 THE WITNESS: It's my job.

5 ALDERWOMAN CAMERON: And thank you for
6 coming not to the point that I want you to think
7 that we're badgering them for saying that - -
8 that to come down - - I'm sorry - - to come down
9 to badgering anyone to come down. It's just that
10 I would like both sides to be heard. I want to
11 hear everything. I don't want to hear it just
12 from the organizers when I'm organizing hear it
13 from their point of view. I want to hear it from
14 actually what they really seen, actually what
15 they witness, not what someone convinced them to
16 say. Members of the - -

17 THE WITNESS: That's what they're here
18 for, Rosa.

19 ALDERWOMAN CAMERON: Thank you. And if
20 the Chairman don't mind and if - - if it's not
21 completely argument, I wouldn't mind if they
22 lived - - lived next door and they seen some of
23 this, let's hear it.

24 CHAIRMAN PAWLINSKI: Well, I've already
25 made my ruling and I'm standing by my ruling.

00107

1 THE WITNESS: I have no problem with
2 that either.

3 CHAIRMAN PAWLINSKI: Okay. I am.
4 Alderman Herron asked for recognition first, and
5 then Alderman Sanchez.

6 ALDERMAN HERRON: I just wanted to
7 comment, I do think from time to time these
8 hearings can - - can get a bit sticky and - - and
9 it may seem as if the committee is badgering a
10 witness, but I think oftentimes the committee is
11 trying to pull out the information necessary to
12 make a - - a good decision, and - - and we
13 certainly understand both from what we hear, as
14 well as, what we hear formally, and so don't - -
15 and it is tough, and but I want you to know that
16 your work is valued and - - and so are all the
17 neighbors. And we understand.

18 CHAIRMAN PAWLINSKI: Alderman Sanchez.

19 ALDERMAN SANCHEZ: Thank you, Mr.
20 Chair. I was wondering if you'd like to have
21 Alderman Willie Hines come to the table and
22 perhaps - -

23 ALDERMAN HERRON: Who is that handsome
24 young man with Alderman Hines today?

25 ALDERMAN HINES: This is why I

00108

1 objected, Mr. Chairman, but I understand your
2 duties. I had to do mine, and I want to try to
3 represent the interest of the residents, as well.
4 CHAIRMAN PAWLINSKI: Go ahead.
5 ALDERMAN HINES: Let me first say that
6 upon hearing many of the information today from
7 Sister Mohammed, I am knowledgeable of what the
8 other gentleman referenced who is just adjacent
9 to the location. I will say that my office have
10 never been contacted regarding any incidents that
11 have occurred at this location from last events
12 of activities and even prior to that. And so,
13 I've talked to Mr. Neely, and - - and he's aware
14 of the items that he is proposing. By no means
15 and by no stretch of the imagination will I
16 minimize any of the incidents that have occurred
17 either on his facility and the one that recently
18 occurred within his facility. However, as I've
19 communicated to him that because I've not
20 received calls pertaining to litter, which is
21 kind of strange, litter, loud noise. I have - -
22 I mean, I have with the last incident have been
23 contacted about the gunshots, which is
24 exceptionally troubling. So as indicated, I'm
25 not going to minimize that. And we are obviously

00109

1 the events and based on the testimony and - - and
2 the gunshots, the next - - as it has built and as
3 we read through the file, the next possible
4 occurrence appears to be a death. I mean, if I
5 were assessing this file as I have, and if we
6 were to continue to allow it to operate in this
7 capacity, it would be to the extent whereby a
8 death would be probably inevitable.

9 However, I'm hopeful with the change of
10 - - with the change of format, with the removal
11 of hip-hop, with the dress code, with the other
12 additions that he anticipated putting forth with
13 the police station coming up the street, and not
14 to believe that the police station would police
15 his premise, but more importantly, their presence
16 may not only curtail activities that will happen
17 at that location but many of the incidents that
18 are occurring at the residential area. I do
19 believe that if any of the litter issues, any of
20 the noises would have been brought to my
21 attention, I would have contacted Mr. Neely with
22 the residents. We would have put forth some
23 proactive approaches to deal with those issues.
24 If there were gunshot incidents that were brought
25 to my attention prior to now, just in the - - You

00110

1 have this special hearing because of the
2 incidents that have occurred after the regular
3 cycle. We were getting ready to issue a warning
4 letter, and I was under the assumption that he
5 had been doing things well. But obviously the
6 residents being in closer proximities than me, have
7 a different viewpoint. I'm on 46th and Meinecke.
8 this location is 46th and Lisbon. It's a block
9 and a half from my home of residence, and I was
10 rather troubled to find and know these incidents
11 have occurred. Prior to the police report I had
12 not received a call that I can remember from the
13 police department, from anyone. And if - - If I
14 would have been given that opportunity to work as
15 an alderman, I'm of the opinion that we probably
16 could have had the dress codes in place, that
17 this hip-hop format change, a lot of other things
18 that have currently come forth, I think we could
19 have dealt with that. But after the - - We
20 didn't. And - - And so I do appreciate and
21 recognize the difficult position that you're in.
22 I do believe that the incidents merit an element
23 of a suspension. I do. Does it merit a
24 nonrenewal? I don't think that that is the case.
25 However, I would like to believe that - - that we

00111

1 can deal with those issues, provided the - - the
2 format items that are put forth is changed.
3 Secondarily, if - - And we don't have
4 to wait until problems occur at this
5 establishment again to the extent whereby guns
6 are laying there. I mean, I will, if residents
7 contact me to identify many of the problems, in
8 terms of litter, and the noises, and the items
9 that are being put forth by the residents in
10 there - - by his patrons as they're leaving the
11 premise, I will gladly bring this incidents back
12 - - this applicant back before this body for
13 revocation. Because I don't think we need to
14 revisit and wait until it get to this point
15 before we take corrective actions. And as
16 indicated, the final - - when we've asked Mr.
17 Neely to put cameras or do other things, he
18 responded to me. And like I said, I - - I was
19 happy believing that things were fine. And I
20 feel bad not being informed. And - - And so as
21 indicated, it doesn't have to wait until a
22 gunshot if there are some litter complaints and
23 concerns, residential concerns, we will deal with
24 them. And so, that's really what I have to say.
25 And so, thank you, Mr. Chairman and members.

00112

1 Thank you so much. And like I said, I do not - -
2 90 day possibly, but if you choose a nonrenewal,
3 I would have to respect that, as well.

4 CHAIRMAN PAWLINSKI: Ms. Rodgers, at
5 this point what I'd like to do is turn it over to
6 you. I don't know if you want to make the
7 closing statement or you want to have Mr. Neely
8 make - - Mr. Neely make a statement to us. But
9 at this point, I mean, we're going to wrap it up
10 as soon as you're done. So however you want to
11 handle it. You've obviously been defending your
12 client now for - -

13 MR. SCHRIMPF: Mr. Chairman, before Ms.
14 Rodgers makes her remarks, just so that the
15 committee is aware, I want to make sure that I
16 point out that the incident in the police report,
17 item number 12 and the incident with respect to
18 the underage, which is item number 16, cannot
19 count for purposes of your decision simply
20 because it is not two within the same license
21 year and you need convictions.

22 CHAIRMAN PAWLINSKI: Okay. Thank you.

23 MR. SCHRIMPF: And the second one is
24 simply a pending matter. So, whatever your
25 deliberations are cannot include those two

00113

1 underage matters.

2 CHAIRMAN PAWLINSKI: Okay. Ms.

3 Rodgers.

4 MS. RODGERS: I would have appreciated
5 an opportunity to cross-examine Ms. Staples - -

6 CHAIRMAN PAWLINSKI: I'm sorry.

7 MS. RODGERS: But if we're going to
8 move along, I suppose I can - - She left?

9 CHAIRMAN PAWLINSKI: No, she's behind
10 you, but - -

11 ALDERMAN HERRON: There was no real
12 testimony.

13 CHAIRMAN PAWLINSKI: Her testimony was
14 99 percent hearsay, so.

15 ALDERWOMAN CAMERON: Hearsay.

16 CHAIRMAN PAWLINSKI: I mean, to be
17 honest with you I don't think most members are
18 going to consider hearsay. I know - - No one
19 ever does anyway, but - -

20 ALDERWOMAN CAMERON: Thanks a lot.

21 MS. RODGERS: Then I'll have some, just
22 a very brief statement about her - - her
23 testimony. I think we will just stand on the
24 things that we've said earlier today. I think we
25 were fairly thorough in our opening statement. I

00114

1 know that you don't often grant open - - opening
2 statements, and sometimes I - - I take liberties
3 unfairly, and I did take that liberty. And I
4 think I went through each of those - - I think I
5 went through each of - - each incident on the
6 police report, and I'm hoping that your memories
7 are long. If you want me to go through it again,
8 I certainly will.

9 CHAIRMAN PAWLINSKI: I got my notes.

10 MS. RODGERS: There is just one item I
11 would like to share with the committee. You may
12 have noticed that Ms. Staples, Ms. Yolanda
13 Staples, and I'm sorry, I don't remember the last
14 - - I didn't take down the last part - -

15 CHAIRMAN PAWLINSKI: Lassiter.

16 MS. RODGERS: Lassiter. Ms. Staples
17 Lassiter has rallied the community, and I think
18 that is admirable. However, you have to
19 understand sometimes there are ulterior motives,
20 and when there are ulter - - ulterior motives, we
21 have to make those known to you. There was a
22 request made by Ms. Staples - - Staples Lassiter
23 that Mr. Neely denied. When she was running for
24 County Supervisor, she requested an opportunity
25 to use his bar for a fundraiser. Mr. Neely had

00115

1 committed to the incumbent at that time and
2 refused to allow her to also have a fundraiser
3 there. So, I mean, I think, you know, I
4 understand why that happens, and I - - and I know
5 that those things do happen, and - -

6 CHAIRMAN PAWLINSKI: Continue.
7 MS. RODGERS: - - all's fair, I
8 suppose, in politics and war. But that is
9 something that happened, and I think it's
10 something that you should know. Other than that,
11 I think we'll just defer to the committee. We
12 understand the - - how grave this last situation
13 is, the one that is of utmost concern to Mr.
14 Neely and of - - and also to me, that is the one
15 on May 30th, 2001, where four people - - people
16 were injured as a result of a shooting. And Mr.
17 Neely is under the impression, and so am I, and I
18 believe he listens to my counsel sometimes, and
19 he believes that, also, that a suspension is in
20 order in this instance, and we're hoping that the
21 sus - - a suspension is what you decide to do.
22 We voluntarily offer ourselves to a 30 day
23 suspension. Mr. Neely has had one suspension
24 prior to this one, and he's been - - since he's
25 been in business, and that was, I believe, a 15

00116

1 day suspension.

2 CHAIRMAN PAWLINSKI: Actually, for the
3 record, it was a 30 day suspension two years ago.

4 MS. RODGERS: 30 day. Okay.

5 CHAIRMAN PAWLINSKI: The Common Council
6 ratified that on June 10th, 1999.

7 MS. RODGERS: Okay. Thank you.

8 CHAIRMAN PAWLINSKI: You're welcome.
9 Okay.

10 ALDERMAN SANCHEZ: Mr. Chair.

11 CHAIRMAN PAWLINSKI: Yes, Mister - -
12 Alderman Sanchez.

13 ALDERMAN SANCHEZ: Is it at this time
14 appropriate to make a motion?

15 CHAIRMAN PAWLINSKI: We are in
16 committee at this point, yes. We're done with
17 the testimony and now we're in committee. So if
18 you want to go ahead and do that. Go ahead.

19 ALDERMAN SANCHEZ: Thank you, Mr.
20 Chair. I've looked - - looked through this
21 entire file front to back, and, you know, picked
22 up, you know, through the file, where there is a
23 suspension two years ago. But if you take close
24 look at the entire file, you'll find that there's
25 issues here where there's been a lot of

00117

1 shootings, there's been a death, there's been
2 people who have been found with - - with drugs.
3 You'll see that there's underage. Frequent
4 citations for that.

5 CHAIRMAN PAWLINSKI: I thought that Mis
6 - - And, Alderman, let's remember, the underage
7 issue is not under consideration by this
8 committee, so.

9 ALDERMAN SANCHEZ: Thank you, Mr.
10 Chair.

11 CHAIRMAN PAWLINSKI: And it's important
12 not even to mention it.

13 ALDERMAN SANCHEZ: Thank you, Mr.
14 Chair. And - - And what you'll see is that if
15 you look through the file, that you'll see that
16 there has been instances where Mr. Neely's asked
17 to do things, for example, like post his license,
18 and then the officers would come back later, a
19 year later, and his licenses were still not
20 posted. You also see in the report that there's
21 been times when officers have visited and his - -
22 his door was locked, and he's been told that as
23 long as he's open his door must remain open. But
24 then you'll find out that later, a few months
25 later, when officers come back, that the door is

00118

1 also locked again. So it seems to me that the
2 officers have gone there on several different
3 occasions and times and explained to Mr. Neely
4 what the rules are, and it just seems like Mr.
5 Neely has not complied.

6 This particular location seems to be a
7 location in which it's just a matter of time
8 before something very tragic is going to happen,
9 like a death. It's - - Mr. Neely, I'm sure, is
10 - - is a - - is a person who - - who means to do
11 well, but is operating at a location that has a
12 lot of crime, and he's - - and beyond that he's
13 got a track record here that I think is a threat
14 to the community. And I think there comes a
15 point in time where the committee needed to do
16 something about this two years ago and they did,
17 but now it's actually two years later, you have a
18 - - an incredible track record here of more of
19 the same behavior is taking place. So I think
20 it's - - it's well in order to - - to grant
21 revocation of this license at this time, and I
22 hope the committee members would support me. I
23 think that the entire police record speaks for
24 itself, and the testimony here speaks for itself.

25 CHAIRMAN PAWLINSKI: The proper - -

00119

1 MR. SCHRIMPF: Point of order, Mr.
2 Chairman. It is not a revocation.

3 CHAIRMAN PAWLINSKI: Right. I
4 understand, Mr. Schrimpf.

5 ALDERMAN SANCHEZ: I'm sorry.
6 Suspension.

7 CHAIRMAN PAWLINSKI: Let's be clear.
8 Are you making a motion for nonrenewal or a
9 motion - -

10 ALDERMAN SANCHEZ: Nonrenewal would be
11 the motion, Mr. Chair. Thank you.

12 CHAIRMAN PAWLINSKI: All right. Well,
13 there's a motion on the floor, and I'm going to
14 wait until Alderwoman Cameron comes back in the
15 room. I don't know why she left, but I think we
16 ought to hold this for a minute or so until she
17 comes back. All right.

18 Alderwoman, Alderman Sanchez has just
19 made a motion for nonrenewal of the license,
20 based on the police record and the testimony of
21 - - of the citizens at hand. So that's the
22 motion on the table at this point.

23 ALDERWOMAN CAMERON: So we're
24 discussing the motion.

25 CHAIRMAN PAWLINSKI: Yes. Is there

00120

1 discussion on the motion?

2 ALDERWOMAN CAMERON: Yes, it is.

3 CHAIRMAN PAWLINSKI: Yes, go ahead.

4 ALDERWOMAN CAMERON: I was listening to
5 all of the testimony. I was also listening to
6 the he say, she say testimony. Also right outside
7 then listened to the testimony that wasn't given
8 an opportunity to speak. Yes, it is - -

9 MR. SCHRIMPF: Mr. Chairman, that would
10 be out of order.

11 ALDERWOMAN CAMERON: Well, I take it
12 back. I don't want to hear it then. Just what I
13 heard. Just as said. That his business in a bad
14 location of the City of Milwaukee, along with
15 other business, as well. I also believe that
16 some of the information were - - I believe the
17 majority of it, let's say, 80 percent of it was
18 true. I believe part of it was kind of not
19 totally true. I know that his business is in a
20 bad location, and I look for all of us, and one
21 of the things we have a bad habit of is making
22 judgment according to what's indicated, and you
23 know when you be privileged of looking at
24 reports, knowing how reports can reflect the
25 good, and how reports can reflect the bad, then

00121

1 when you see there's nothing that frays you, I
2 like listening to actual reality.

3 I asked two of them that's been in that
4 neighborhood for at least 13 years how many times
5 they called the police. How many time they
6 called their elected official? 50? First it's
7 two. I didn't. All of a sudden it become two,
8 50, ten. So to say that yes, it is, that we have
9 problems in that neighborhood. Should we make
10 this man pay with his life, which is his
11 business? I say no. I feel like that maybe what
12 we should do is look at saying that - - that the
13 location of his business is unfit for the time
14 being.

15 CHAIRMAN PAWLINSKI: Well, we don't
16 have that option.

17 ALDERWOMAN CAMERON: I'm just stating.
18 I ain't saying what we going to do. Is that we
19 - - At some time maybe we have to look at the
20 location as unfit or the neighborhood unfit for a
21 business, and give that person an opportunity to
22 be able to relocate his business in a better
23 neighborhood. That was one of my suggestions
24 when I - - listening to it in walking out. I
25 also looked at this - - at the really shocked me

00122

1 when the alderperson come here and said he had
2 not one complaint, and he live a block and a half
3 away. That's what's amazing to me. But I know
4 some of us, if one of us come to the table and
5 ask to give you gold and we throw you five
6 millions of gold, oh, we didn't give you enough,
7 so no. And it's not - - It's not fair to the
8 clients to that we're trying to be fair about it.
9 I feel like that the denial of - - of
10 - - of re - - renewal is kind of stiff. I feel
11 like that it should be a 90 day suspension. And,
12 also, after doing the 90 day suspension, I feel
13 like that Mr. Neely needs to look for a new
14 location for his business, personally I do. I
15 also feel like that even if he don't change his
16 practice of business in the area there, and if he
17 can't find a location, I mean, a new location in
18 the 90 days that he is suspended, that he would
19 have more trouble. I know the last time he was
20 here I personally asked you to invest in a
21 security - - a better security system, like get a
22 metal detector, get security. You said you would
23 do it. And the alderman agreed to it, but
24 seriously it is something - - and that
25 neighborhood need to be looked at more than

00123

1 closing your business, telling you to by closing
2 you down is going to justify the neighbors'
3 problem is actually walking outside with a
4 blindfold over your eyes trying to not be hit by
5 a car on a one-way street, because it's not - -
6 It doesn't make a difference of your business.
7 Anybody else's business. It's the neighborhood.
8 We had a shooting in another neighborhood wasn't
9 no tavern was, five - seven peoples got shot. It
10 wasn't about a tavern. It ain't about a tavern.
11 That's what we use to - - And it's not fair.
12 What we have to look at is the neighborhood it's
13 actually in, and I think that's what we're doing,
14 one of the things this committee's doing to any
15 client is a disadvantage is not looking at the
16 neighborhood, looking at the condition of the
17 neighborhood, looking at the resources that the
18 neighborhood is being denied of, and I do - -
19 would ask the committee to, even the client,
20 maybe he should think about and come back to this
21 - - to withdraw his application even for renewal
22 at this time. That way he can think about
23 relocating.

24 CHAIRMAN PAWLINSKI: Alderman Herron.

25 ALDERMAN HERRON: I certainly don't

00124

1 have a problem with Mr. Neely withdrawing his
2 application for renewal if - - if he so chooses
3 to do that, but I would imagine that that's a
4 matter that must be discussed between him and his
5 attorney, who, I might add, I think argued very,
6 very well the case for a case where there is no
7 case. I think the case is pretty clear on - - on
8 this incident. I remember last time when Mr.
9 McNeely - -

10 THE APPLICANT: Neely. Neely.

11 ALDERMAN HERRON: Oh, I'm sorry. Mr.
12 Neely. I apologize, sir. When Mr. Neely was
13 before us, and I thought we were quite clear in
14 asking you to make some significant improvements
15 in this next coming year. I made sure I made
16 what I thought was a very clear statement to you
17 and looked you in the eye, as I'm looking you in
18 the eye right now, and said the incidents that
19 occurred in the last license year would not be
20 tolerated in the new license year, and if that
21 kind of behavior continued on into this new
22 license year, that I would personally vote to
23 close you down. And I told you why, because I
24 thought that there were many kids that lived in
25 that neighborhood. I thought the opportunity or

00125

1 for an accident to happen was high. There was
2 - - I thought I was extremely clear on that, that
3 at any point a child could get hit by a bullet
4 that went through one of these many houses that
5 we heard neighbors testify today, and we'd all
6 have a tragedy on our hands. One, Mr. Neely
7 would not like as much as I would not like.
8 You know, I read the paper this
9 morning. I believe in the paper I read about
10 three shootings over the last couple days, and,
11 you know, people have said, and I've said to
12 myself what can I do, as an alderman, as a person
13 in this community, and as a father, what can I do
14 to make a difference? How can I have an impact?
15 How can I change the situation where many of our
16 brothers and sisters are dying in the street, and
17 there's not a lot that I can do on a day to day
18 basis. But one thing that I can do and one thing
19 I will do is at least vote in a way that I
20 believe will at least stop it from happening at
21 45 - - I don't want to get this wrong - - 4538
22 North Lisbon, and - - West Lisbon, I'm sorry.
23 And - - And - - And as I go through this record,
24 and - - and maybe I'm wrong here, I count three
25 incidents where drugs were found in the

00126

1 establishment, three incidents were not just
2 drugs but crack cocaine. Meaning that if I'm
3 smoking crack, I'm likely to do anything from
4 kill somebody to rob somebody, and I don't think
5 that's unique to your - - this neighborhood. I
6 think it's universal for people who deal with
7 crack cocaine. Six shootings since you've been
8 open. Six shootings. At some point somebody's
9 going to die. You've got - - Even you would have
10 to give at some point a bullet will make the
11 connection to a vital organ and someone will die.
12 I won't - - I can't live with that, knowing that
13 I did something that may contribute to one of
14 your patrons or some innocent bystander, die.
15 There have been three fights and multiple
16 incident - - incidents where guns have been
17 found. Okay. Let's put all that aside. Then we
18 have an incident where you had a fight occur
19 inside your establishment, and we can argue and
20 debate about whether it did or didn't. I
21 believe, based on what I've heard, that it did
22 occur inside. You didn't call us to tell us to
23 tell the police. You dragged the body outside
24 and put it underneath a tree. I'm not - - That
25 to me - - That to me tells me that we're dealing

00127

1 with something here that's beyond - - beyond what
2 - - what - - what I per - - I'd be willing to go
3 with 90 days with Rosa, but to do something like
4 that shows in my opinion, it's just my opinion,
5 no respect for the law, no respect for that human
6 being that was dragged outside bleeding and set
7 underneath a tree, and that to me - - and that
8 - - I have no - - Then I can't have respect for
9 your right to want to earn money in this city.
10 So I believe you've given up your right to want
11 to have that license by doing things that are in
12 direct contradiction to what we asked you to do
13 last year and what you've shown this year. I
14 think again you guys have argued a good case, but
15 it hurts me, because you're another person that I
16 would want to see earn a living in the city, that
17 deserves to earn a living, but you're passing up
18 that right either by abrogating your
19 responsibility to your patrons who have taken
20 over the club and taken over that particular
21 area, or for not being a responsible owner. And
22 so I'm going to support against my - - my every
23 inkling to want to see you grow and have an
24 opportunity to make money in this city. I'm
25 going to support the motion for nonrenewal.

00128

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Alderman Pawlinski.

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CHAIRMAN PAWLINSKI: I'm going to be very brief and simply state that I agree whole heartedly with the comments of Alderman Herron and Alderman Sanchez. Our obligation is to the health, welfare - - welfare and safety of the public. Our obligation is not to guarantee someone a right to earn a living. Our obligation is not to defer necessarily to the local alderman, although we certainly always like to hear from that individual. Our obligation is to the health, welfare and safety of the public.

When you have a situation in which you have bullets flying through homes, people not being able to sleep at night for fear of losing their lives, people having to take their ten year old children and dive onto the floor in their bedrooms with them because they're afraid that they're going to get shot and killed is beyond any reasonable expectation in a neighborhood. I count ten shooting incidents or gun related incidents since October of 1997. Three and a half years ago. Ten. When I read this police report, and I never come to a committee hearing having made up my mind, I read the police report

00129

1 this af - - this morning and then later again
2 this afternoon to refresh my memory. My initial
3 reaction was this is one of the most horrific set
4 of details as it relates to a bar that I think
5 I've ever read as a member of this committee, and
6 I cannot in good conscience support anything
7 short of a nonrenewal of this license, because
8 I'm convinced that if we don't do anything,
9 someone will be dead, and I'm not going to be
10 able to sleep at night. So I'm going to support
11 the motion by Alderman Sanchez. The motion is on
12 the table. The motion is for nonrenewal.
13 And - -

14 MS. RODGERS: Just a point of - - I'm
15 sorry. I don't want to argue the case, but I
16 just want to ask a question. Just a point of
17 clarification. There is an opportunity for Mr.
18 McNeely - -

19 CHAIRMAN PAWLINSKI: Mr. Neely.

20 MS. RODGERS: Mr. Neely to withdraw his
21 request for renewal, and before you take a vote I
22 would like to ask the committee for just a moment
23 to see if we can discuss that, just a half a
24 moment, and I'd like to ask your indulgence for
25 that moment before you vote.

00130

1 CHAIRMAN PAWLINSKI: Well, as a
2 courtesy, we'll do that.

3 MR. SCHRIMPF: Mister - - Mr. Chairman,
4 on that point, Section 90-11-8-c, and I know that
5 Ms. Rodgers has a copy of the ordinances, but for
6 the benefit of the committee. When a license is
7 surrendered in lieu of a pending nonrenewal,
8 proceeding no other alcohol beverage license
9 shall be granted to such person within 12 months
10 of the date of his surrender. So the - - the
11 legal effect in terms of his being able to get a
12 - - a license is the same as if the
13 recommendation had been for nonrenewal.

14 CHAIRMAN PAWLINSKI: Ms. Rodgers, I
15 don't know if you want to talk privately for a
16 moment or how you want to handle this.

17 MS. RODGERS: I would like to talk
18 privately for a moment with my client

19 CHAIRMAN PAWLINSKI: I'll give you - -
20 I'll give you one minute. Is a minute long
21 enough?

22 MS. RODGERS: Two?

23 CHAIRMAN PAWLINSKI: Go ahead. We'll
24 wait. We're going to stay on the record. We're
25 just going to sit right here and wait.

00131

1 MS. RODGERS: Mr. Chairman, we have had
2 a talk with my client, and my client has decided
3 that he would like to withdraw his application
4 for renewal.

5 CHAIRMAN PAWLINSKI: Mr. Schrimpf,
6 procedurally now, what do we need to do on that?

7 MR. SCHRIMPF: Basically speaking, I
8 would ask the indulgence of Mr. Wagner, who might
9 have more operational concerns about this, but if
10 he withdraws, then it's as if there's no
11 application pending before the committee. The
12 committee does not theoretically have to come to
13 a vote on it.

14 CHAIRMAN PAWLINSKI: All right. Well,
15 then, Alderman Sanchez would withdraw his motion.
16 Correct?

17 ALDERMAN SANCHEZ: Mr. Chair, if I may.
18 Does that mean if he wants - - If he would like
19 to withdraw his renewal here, that essentially
20 his license would then just expire and he would,
21 therefore, be out of a license. Is that - -

22 MR. SCHRIMPF: That is correct, but we
23 should make it clear - - Ms. Rodgers should make
24 it clear if this is being withdrawn in lieu of
25 pending nonrenewal proceedings.

00132

1 MS. RODGERS: I'm sorry. What's
2 your - -
3 MR. WAGNER: Point of clarification.
4 Does the ordinance say that the committee may
5 accept the surrender or has to - -
6 MR. SCHRIMPF: That only - - The "may
7 accept surrender" language applies in the case of
8 a revocation proceeding, which this is not. It
9 comes under 8-c, which says, "When a license is
10 surrendered in lieu of pending nonrenewal
11 proceedings", which I think is where we are, "no
12 other alcohol beverage license shall be granted
13 to such person within 12 months of the date of
14 surrender." I guess the surrender date would be
15 effective June the 30th, as that's when it would
16 lapse.
17 CHAIRMAN PAWLINSKI: Okay. Then we're
18 clear on that.
19 MS. RODGERS: I agree with that.
20 CHAIRMAN PAWLINSKI: Okay. All right.
21 Then we're clear.
22 ALDERMAN SANCHEZ: Mr. Chair.
23 CHAIRMAN PAWLINSKI: Yes.
24 ALDERMAN SANCHEZ: And as a committee,
25 do - - do they reserve that right to withdraw and

00133

1 we have no say at all. Is that right?

2 MR. SCHRIMPF: That is correct.

3 ALDERMAN SANCHEZ: So I'd ask this time

4 - -

5 MR. SCHRIMPF: If it were a revocation,
6 the committee could refuse to accept the
7 surrender.

8 CHAIRMAN PAWLINSKI: I understand that.
9 Okay. All right. So essentially we don't even
10 need to vote on Alderman Sanchez' motion, based
11 on Ms. Rodgers' comments about what you're going
12 to be doing here, and therefore, the license will
13 lapse and expire on - - on midnight on June 30th.

14 MS. RODGERS: Just for the record I'd
15 like for Mr. Neely to indicate that he does, in
16 fact, agree that he will not - - he withdraws his
17 application for renewal.

18 THE APPLICANT: Yeah, I do.

19 CHAIRMAN PAWLINSKI: Thank you, Mr.

20 Neely.

21 MR. SCHRIMPF: Well, that it's - - That
22 you're withdrawing it in lieu of the pending
23 nonrenewal proceedings.

24 MR. NEELY: Yes.

25 MR. SCHRIMPF: Which have gone 99

00134

1 percent of the way towards fruition but not all
2 the way because a vote hasn't been taken yet.

3 CHAIRMAN PAWLINSKI: Okay.

4 MR. SCHRIMPF: And that is correct?

5 CHAIRMAN PAWLINSKI: That's correct,
6 Mr. Neely?

7 THE APPLICANT: Yeah, correct.

8 CHAIRMAN PAWLINSKI: Okay. All right.

9 Then what I'll do is I'll - - Then we're done
10 with this portion of the hearing. I need to read
11 just one item into the record, and that's file 01
12 - -

13 ALDERMAN SANCHEZ: Mr. Chair, I'd like
14 to withdraw the motion - -

15 MR. SCHRIMPF: In light of the
16 statements.

17 ALDERMAN SANCHEZ: - - in light of the
18 statements of - - counsel has made on behalf of
19 Mr. Neely.

20 CHAIRMAN PAWLINSKI: You've heard the
21 motion then by Alderman Sanchez to withdraw his
22 motion for nonrenewal. Is there any objection to
23 that? Hearing none, so ordered. Thank you.

24 File 00 - - I'm sorry. File 010090 is
25 a motion to approve recommendations of the

00135

1 Utilities & Licenses relative - - relative to
2 issuance, denial, renewal, nonrenewal, suspension
3 or revocation of licenses and extension of
4 premises. Alderwoman Rosa Cameron will move to
5 lay that over to the 25th of June's meeting. Is
6 there any objection to that? Hearing none, so
7 ordered.

8 File 010091, motion to approve - -
9 approve recommendations of the Utilities &
10 Licenses Committee relative to issuance, denial,
11 renewal, nonrenewal, suspension or revocation of
12 licenses and extension of premises. Alderman
13 Herron is going to move to lay that over, as
14 well, to the 25th of June. Is there any
15 objection to that? Hearing none, so ordered.

16 Do we have any other business to come
17 before the committee? We stand adjourned.

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00136

1 STATE OF WISCONSIN)
2 MILWAUKEE COUNTY)

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JEAN M. BARINA - COURT REPORTER

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Dated this day of July, 2002

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