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CITY OF MILWAUKEE  
LICENSES COMMITTEE HEARING

In the Matter of:  
KAMRAN AMOCO  
200 North 35th Street      4th Alderman District

COMMITTEE MEMBERS

ALD. JAMES WITKOWIAK - Chairman  
ALD. JAMES BOHL, JR. - Vice Chairman  
ALD. JOSEPH A. DUDZIK  
ALD. ROBERT PUENTE  
ALD. WILLIE WADE

HEALTH DEPARTMENT by PAUL ZEMKE  
DEPARTMENT OF NEIGHBORHOOD SERVICES by PANDORA BENDER  
CITY ATTORNEY'S OFFICE by BRUCE SCHRIMPF  
ALDERMAN ROBERT BAUMAN - 4th District

MICHAEL CHERNIN, 839 North Jefferson Street,  
Suite 501, Milwaukee, Wisconsin, 53202, appeared on  
behalf of the applicant.

Proceedings had and testimony given in the  
above-entitled matter before the LICENSING COMMITTEE  
OF THE CITY OF MILWAUKEE on the 28th day of March,  
2006, before Terese M. Schiebenes of Milwaukee  
Reporters Associated, Inc.

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PROCEEDINGS

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(All City Personnel were duly affirmed.)

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CHAIRMAN WITKOWIAK: In the 4th District,  
Haji Ghaffar, Extended Hours Establishment License  
renewal application for Kamran Amoco at 200 North 35th  
Street.

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(HAJI GHAFFAR and MOHAMMED GHAFFAR were duly  
affirmed.)

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CHAIRMAN WITKOWIAK: Your name and address  
for the record, please.

10

11

MR. MOHAMMAD GHAFFAR: Mohammed Ghaffar,  
1215 West Maryland, Milwaukee, Wisconsin, 53217.

12

13

CHAIRMAN WITKOWIAK: Did you say  
your first name is Mohammed?

14

15

MR. MOHAMMED GHAFFAR: Yes, sir. Haji  
Ghaffar is my brother. He's here.

16

17

CHAIRMAN WITKOWIAK: I called Haji. Pull  
that microphone towards yourself. Your name and  
address for the record?

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19

20

MR. GHAFFAR: Haji Ghaffar.

21

22

CHAIRMAN WITKOWIAK: Let him speak. Does he  
know English?

23

24

MR. MOHAMMED GHAFFAR: A little bit.

25

CHAIRMAN WITKOWIAK: Haji, do you run this  
gas station?

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MR. GHAFAR: Yes.

2

CHAIRMAN WITKOWIAK: You're sure?

3

MR. GHAFAR: Yes.

4

CHAIRMAN WITKOWIAK: Name and address for  
the record.

6

MR. GHAFAR: 1215 West Maryland, Milwaukee.

7

MR. CHERNIN: Michael Chernin appearing on  
behalf of the applicant.

9

CHAIRMAN WITKOWIAK: And ma'am, you are?

10

MS. RICK: Roxanne Rick, 3412 West Park Hill  
Avenue. I'm against it.

12

13

CHAIRMAN WITKOWIAK: Can I just see a show  
of hands who is here to testify to 200 North 35th  
Street. I show three other people in the audience.  
Keep your right hands raised, we'll swear you in.  
Four more people.

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(Speakers duly affirmed.)

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CHAIRMAN WITKOWIAK: Mr. Ghaffar, do you  
admit to receiving notice in the mail there's a  
possibility your application could be denied because  
of neighborhood objections to the renewal of this  
license due to disturbing the peace, littering,  
loitering, loud music, noise, drugs, criminal  
activity, curfew violations, traffic, parking  
problems, and conduct which is detrimental to the

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1 health, safety, and welfare of the neighborhood?

2 MR. GHAFAR: Yes.

3 CHAIRMAN WITKOWIAK: You received that  
4 notice, okay. Health Department?

5 MR. ZEMKE: No objection.

6 CHAIRMAN WITKOWIAK: Neighborhood Services?

7 MS. BENDER: No objection.

8 CHAIRMAN WITKOWIAK: There's no police  
9 report on this. Alderman Bauman.

10 ALDERMAN BAUMAN: Thank you, Mr. Chair. The  
11 first matter is a little concerning as to who exactly  
12 is in charge of this operation, but we'll leave that  
13 for the committee to examine later. This is a station  
14 right off the interstate, it's an appropriate location  
15 for a gas station, as a general matter.

16 Unfortunately, Ms. Ricks lives directly next  
17 door, and unfortunately, in nighttime hours, although  
18 she can tell you what she experiences over the  
19 nighttime hours, I have received numerous complaints  
20 from her about the operation of the station. It was  
21 on the strength of these complaints that I noticed  
22 this matter for a public hearing. The other  
23 witnesses, I certainly welcome to hear their  
24 testimony, as well, and I would leave this matter to  
25 the sound discretion of the committee.

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1                   CHAIRMAN WITKOWIAK: Do you have anything to  
2 say for openers, Mr. Chernin?

3                   MR. CHERNIN: Mr. Chairman, Mr. Ghaffar and  
4 Ghaffar have done what they can to try and remedy some  
5 of what Ms. Rick's concerns are, and I would like to  
6 say that they've acted in a responsive manner. For  
7 example, Ms. Rick said that there was a problem  
8 because of shadows, which allowed for some loitering.  
9 A light was installed at their expense. There was a  
10 car wash that's attached to this business, Ms. Rick  
11 complained of noise, the car wash has been shut down.

12                   What seems to be the principal concern is  
13 that there is loud music between the hours of 12:00  
14 a.m. and 5:00 a.m. that is the result of people coming  
15 to use the business. And part of the problem for the  
16 business is it's somewhat of a victim of its own  
17 success because it is one of the few places that is  
18 readily available off of I-94 and is one of the first  
19 available locations both going -- last location going  
20 into the city and first location going out of the city  
21 directly off of the expressway.

22                   And as I understand from Ms. Rick, one of  
23 the significant problems is after the festivals that  
24 the area is inundated with people who use the  
25 facility, and they are playing their music as they

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1       come off the expressway. The response of the Ghaffars  
2       has been to post a sign asking people to honor that.  
3       I have made a suggestion, and it just occurred to me  
4       after speaking to Ms. Rick, that one of the possible  
5       ways of remedying the situation is to put some audio  
6       receiving equipment in the lot, and in addition to  
7       prepaying for gasoline during those hours, one of the  
8       conditions other than prepaying would be that the  
9       people on the inside of the store would be able to  
10      hear the music if there is music being played and  
11      refuse to provide gasoline, and that is something that  
12      we would be willing to do in addition to the  
13      activities that have already been engaged in by the  
14      business owner.

15                I can certainly understand Ms. Rick's  
16      concerns. She lives immediately next door to a  
17      successful business, and as I said, it's been sort of  
18      a victim of its own success, but we don't want to  
19      victimize Ms. Rick, we want to do what we can to make  
20      her happy.

21                CHAIRMAN WITKOWIAK: Ms. Rick, your  
22      testimony, please.

23                MS. RICK: I've lived in that house all my  
24      life. There's been a gas station there all my life.  
25      Until he took over, I never had a problem over there.

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1 I've been before this committee every time his license  
2 comes up complaining about the music, the people  
3 loitering, whatever over there. Yes, he does post  
4 signs and whatever, but he doesn't follow through with  
5 it.

6 He was told he had to have a security guard  
7 to make the music stop. Granted, yes, he did have a  
8 security guard for a while. The security guard worked  
9 until the security guard got to know the people that  
10 came in overnight. Then the music was on longer, then  
11 all of a sudden the guard disappeared. Every night or  
12 every other night, especially around midnight it  
13 starts, and it goes until like 3:00 or 4:00 in the  
14 morning.

15 There's loud music out there, and it's not  
16 just at the gas pumps. They park on both sides of the  
17 station, they park right in front of the door. That  
18 music is so loud, my windows are rattling, it wakes me  
19 up out of a dead sleep, but when I call there to  
20 complain, they can't hear it or I get hung up on. I  
21 have called the cops a couple of times, but I stopped  
22 calling because then they called me back or come to my  
23 house an hour or two later to tell me that the car has  
24 gone. I have finally gone back to sleep, and now I am  
25 reawoken again, and I can't go back to sleep. I have

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1 lost so much sleep, I have been under so much stress  
2 all those years.

3 He keeps saying he wants to help, but he  
4 never contacts me or anything until right before the  
5 committee. I mean, it's awful. I had called the cops  
6 last summer. Cars were out there playing chicken.  
7 They have parties out there. I think I have seen drug  
8 deals, but I can't prove it. They park by the fence  
9 close to one another. You see things go between the  
10 windows. You see people urinating out there. You got  
11 people parking all over the place, not only at the  
12 pumps, and they are having parties.

13 Last night there was people out there. They  
14 meet there, and then they're yelling and screaming and  
15 hugging one another and high fiving and the music is  
16 going, and the other one's got to make it louder than  
17 this one. It's awful. I hate living there. I was  
18 brought up in that house, and I just hate it.

19 CHAIRMAN WITKOWIAK: Thank you, Ms. Rick.  
20 Any questions of this witness? Mr. Chernin, any  
21 questions?

22 MR. CHERNIN: No. Other than I've spoken  
23 with Ms. Rick about ways of ameliorating the problem,  
24 and my client will do what's necessary in order to fix  
25 the problem.



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1                   CHAIRMAN WITKOWIAK: Ms. Rick, just to  
2 clarify things. These occurrences that you're  
3 speaking of, you have witnessed this sometime between  
4 midnight and 5:00 a.m.?

5                   MS. RICK: Yes.

6                   CHAIRMAN WITKOWIAK: Public urination?

7                   MS. RICK: Yes.

8                   CHAIRMAN WITKOWIAK: Loitering?

9                   MS. RICK: Yes.

10                  CHAIRMAN WITKOWIAK: Loud music?

11                  MS. RICK: Yes.

12                  CHAIRMAN WITKOWIAK: What you think may be  
13 drug dealing?

14                  MS. RICK: Right. I mean, they have parties  
15 out there.

16                  CHAIRMAN WITKOWIAK: Okay. Thank you. Next  
17 witness, please, if you could just come up to the  
18 microphone.

19                  MS. RICK: I have a very clear -- My window  
20 goes directly out that way. I can't even open my  
21 window during the summertime. I have to try to put  
22 pillows in that, and I can still hear the vibration of  
23 the windows in there. So I can look directly into  
24 that station because I'm on the second floor.

25                  ALDERMAN WADE: Ma'am, you said before these

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1 gentlemen operated this establishment you didn't have  
2 these problems at all?

3 MS. RICK: Correct.

4 ALDERMAN WADE: So how long have they  
5 operated from this location?

6 MS. RICK: I know it's over 10 years, and  
7 every time they're up for a license, I am down here  
8 complaining.

9 ALDERMAN WADE: Now, before they owned this  
10 establishment, was it a 24-hour establishment at that  
11 time, also?

12 MS. RICK: I believe not.

13 ALDERMAN WADE: So they have operated it as  
14 a 24-hour establishment, and no one had done that  
15 prior to them doing it?

16 MS. RICK: I do not believe so.

17 CHAIRMAN WITKOWIAK: Could I have the next  
18 person testifying in opposition, please come to the  
19 microphone here.

20 MR. RICKS: My name is Dale Rick. I live  
21 next door. I'm her husband. And like what she's  
22 saying, there's loud noise, loitering there, people  
23 waking me up at 12:30 in the morning. Like Sunday,  
24 the cars are out there for a half hour right by our  
25 windows. This is happening like three times a week

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1 they're waking me up, and I have to get up early in  
2 the morning to go to work, and I'm the only person  
3 that's working in the house. So this is happening all  
4 the time. He's always promising things, and he never  
5 follows through. That's about all I have to say.

6 CHAIRMAN WITKOWIAK: Thank you. Any  
7 questions of this witness? Mr. Chernin, any  
8 questions?

9 MR. CHERNIN: Yes. My only question is what  
10 would you like to see the Ghaffars do?

11 MR. RICKS: I'd like to see them close down  
12 at 12:00.

13 MR. CHERNIN: And nothing short of that  
14 will satisfy you?

15 MR. RICKS: Nothing short of that because  
16 there's always loud music. As the summer comes by,  
17 it's going to get worse. And we're always getting the  
18 same people there all the time, and they leave their  
19 cars on, and they go into the gas station for a half  
20 hour, and they sit in there and start talking with the  
21 people. This goes on all the time.

22 ALDERMAN WADE: Mr. Chair.

23 CHAIRMAN WITKOWIAK: Alderman Wade.

24 ALDERMAN WADE: Sir, when you go into the  
25 gas station, do you ever go --

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1 MR. RICKS: No, I do not go into the gas  
2 station.

3 ALDERMAN WADE: So these two gentlemen at  
4 the table, which one of them do you normally deal with  
5 when you have your complaints, do you know?

6 MR. RICKS: Usually my wife calls the gas  
7 station, and I've called the gas station a couple  
8 times, and they -- They used to talk to you, then  
9 eventually they started hanging up on you, they didn't  
10 want to talk to you anymore.

11 CHAIRMAN WITKOWIAK: But you don't know  
12 which one of these gentlemen?

13 MR. RICKS: No, because it was somebody  
14 different at that time.

15 ALDERMAN WADE: So it may not even be one of  
16 these gentlemen?

17 MR. RICKS: Right. It was a person on third  
18 shift that was doing it, hanging up.

19 ALDERMAN WADE: Mr. Chair, can I continue,  
20 please?

21 CHAIRMAN WITKOWIAK: Continue.

22 ALDERMAN WADE: To the gentlemen that own  
23 the gas station, which one of you work at the gas  
24 station and what hours -- I mean which one of you  
25 work between 12:00 and 5:00 in the morning at the gas

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1 station, which one of you?

2 MR. MOHAMMED GHAFFAR: I'm there once a week  
3 during that hour, and another guy works there  
4 from 11:00 a.m. to 7:00 p.m. -- a.m.

5 ALDERMAN WADE: So you're there once a week,  
6 and he's there six days a week?

7 MR. MOHAMMED GHAFFAR: Yes, sir.

8 ALDERMAN WADE: What about this gentleman?

9 MR. MOHAMMED GHAFFAR: He goes in the  
10 daytime. I manage it. When we need it, he goes  
11 there.

12 ALDERMAN WADE: So he works before 12:00?

13 MR. MOHAMMED GHAFFAR: Yeah, in the daytime.

14 ALDERMAN WADE: My question is which one of  
15 you are hanging up on the neighbor when they're  
16 calling about complaints?

17 MR. MOHAMMED GHAFFAR: Anyone there don't  
18 know the phone number, they can't tell me the phone  
19 number. I gave my personal phone number to them, my  
20 cell phone. How many times they call me? So there is  
21 no sense. They never ever called. Yes, they used to  
22 call. In 1990 they called me, and I tried to solve  
23 their problem. I gave my personal phone number to Ms.  
24 Roxanne, and I told them any time there's a problem,  
25 please call me. How many times she call me?

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1 ALDERMAN WADE: So they haven't called you?

2 MR. MOHAMMED GHAFAR: No, sir.

3 ALDERMAN WADE: So neither one of you have  
4 hung up on them before?

5 MR. MOHAMMED GHAFAR: No.

6 MR. CHERNIN: And in fact, Alderman Wade,  
7 one of the responses to the telephone call was that he  
8 shut down the car wash. He's trying to be responsive.

9 ALDERMAN WADE: Lines of communication have  
10 to be open. Just hanging up on your next door  
11 neighbor when they got a complaint, I don't know where  
12 a person gets the attitude that they can conduct  
13 themselves in that manner. If this gentleman and this  
14 lady are your next door neighbors and they call you,  
15 just general common courtesy would say you would  
16 listen to what they have to say.

17 I'm an elected official, all of us at the  
18 table. Our constituents hang up on us when we don't  
19 say what they want us to say. We still call and  
20 listen and hear them out. Hanging up on your next  
21 door neighbor when they're calling to tell you that  
22 they got a problem with your business, to me, that's  
23 unacceptable. They're saying that they're calling the  
24 number and somebody who's answering the phone is  
25 hanging the phone up. I want to know who's doing that

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1 and what makes you think you can just hang up on your  
2 next door neighbor when they're calling you about you  
3 disturbing --

4 MR. MOHAMMED GHAFFAR: I don't think they  
5 have the phone number.

6 ALDERMAN WADE: So you think they're calling  
7 someone else, a wrong number, and that explains why  
8 they're getting hung up on, because it's the wrong  
9 number?

10 MR. MOHAMMED GHAFFAR: I gave them my cell  
11 phone number, and I did not receive any call.

12 ALDERMAN PUENTE: What number do you call,  
13 sir?

14 MR. RICKS: Usually she has the number on  
15 the board and stuff at home.

16 ALDERMAN PUENTE: Do you remember the  
17 number offhand, ma'am?

18 MS. RICK: No. That's why it's on the  
19 board. We call the station.

20 ALDERMAN PUENTE: How recently did you call  
21 the station?

22 MS. RICK: I haven't called there for over a  
23 year, because the last time it's just so frustrating.  
24 They tell me that they're in fear of their life for  
25 going out to tell the people to turn off the music, or

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1 if I tell them to make them turn off the damn music,  
2 then they hang up on me.

3 ALDERMAN PUENTE: Sir, did you change the  
4 phone in a year, year-and-a-half or whatever?

5 MR. MOHAMMED GHAFAR: Since '92 my cell  
6 phone and phone the same.

7 ALDERMAN PUENTE: I'm talking about the  
8 phone at the gas station.

9 MR. MOHAMMED GHAFAR: No, sir.

10 ALDERMAN PUENTE: So they probably have the  
11 right number?

12 MR. MOHAMMED GHAFAR: One time they call me  
13 on my cell phone.

14 ALDERMAN PUENTE: I'm talking about the  
15 gas station. I already heard your testimony about  
16 the cell phone. We want to establish the phone at the  
17 gas station. I'd like to clear it up for Alderman  
18 Wade if they do have the accurate phone number or not.

19 MR. MOHAMMED GHAFAR: They should.

20 ALDERMAN WADE: Thank you, Alderman Puente,  
21 because this is important to me that people actually  
22 respect. How long has this gentleman that operates  
23 between 12:00 and 5:00 in the morning, how long has he  
24 been working there? Has he been working there over a  
25 year?



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1                   AUDIENCE MEMBER: I've been there since  
2                   2002.

3                   ALDERMAN WADE: So you would be the person  
4                   who would answer the phone?

5                   CHAIRMAN WITKOWIAK: Wait, wait. You can't  
6                   testify yet.

7                   ALDERMAN WADE: But I just want to know  
8                   because, to me, that's just totally unacceptable for  
9                   your next door neighbor to call you with a problem and  
10                  you just hang up on them. And if that's going on,  
11                  that's definitely a management issue that we need to  
12                  get to the bottom of right away.

13                  CHAIRMAN WITKOWIAK: Thank you. Next  
14                  witness. The next people are testifying in support;  
15                  is that correct? All three, come sit in front here.  
16                  Name and address for the record, please.

17                  MR. HUNN: My name is Makuz Hunn, and I work  
18                  at 200 North 35th Street.

19                  CHAIRMAN WITKOWIAK: Do you live nearby?

20                  MR. HUNN: I live in West Allis.

21                  CHAIRMAN WITKOWIAK: Your testimony is?

22                  MR. HUNN: I work there like seven days a  
23                  week, and the noise that she's complaining about,  
24                  honestly, it's just like people passing by straight or  
25                  something. That's the only thing I've noticed. Or

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1 maybe like getting a pack of cigarettes or something  
2 at the most, like maybe two minutes or something, just  
3 passing by.

4 CHAIRMAN WITKOWIAK: What hours do you work?

5 MR. HUNN: It varies, actually, it's not  
6 fixed hours for me. I've worked morning, I've worked  
7 nights, if someone takes a day off or something, they  
8 will call me in.

9 CHAIRMAN WITKOWIAK: Do you ever work  
10 between the hours of 2:00 a.m and 5:00 a.m.?

11 MR. HUNN: Yes, I have worked, yes. On  
12 weekends I work on the night shift.

13 CHAIRMAN WITKOWIAK: And you hear no noise  
14 from boom boxes and loud car stereos?

15 MR. HUNN: It's just passing by most often,  
16 that's the thing, like at the street light or  
17 something, they just park their car over there and  
18 just wait.

19 CHAIRMAN WITKOWIAK: Any other questions of  
20 this witness?

21 ALDERMAN BOHL: Sir, when you work third  
22 shift, I'm assuming you're sleeping during the day  
23 after your shift ends, correct?

24 MR. HUNN: Yes.

25 ALDERMAN BOHL: So you're telling me if

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1 you're in the middle of your sleep and I rang your  
2 doorbell and pounded on your door for two minutes,  
3 that would okay, right, because it'd only be two  
4 minutes?

5 MR. HUNN: No, it's not.

6 ALDERMAN BOHL: It was your testimony that  
7 sometimes people buy cigarettes and their boom boxes  
8 only go two minutes, and that's okay. I come over to  
9 your house and just pound on the door and ring the  
10 doorbell nonstop and scream and yell. If it awakes  
11 you, as long as it's only two minutes, it's okay  
12 right?

13 MR. HUNN: I'm just saying for the most,  
14 it's going to be two minutes or something. Most often  
15 it's just people passing by.

16 ALDERMAN BOHL: We'll invite a band, and  
17 we'll a pound on your windows for only two minutes,  
18 then we'll leave, maybe come back two minutes later,  
19 pound for only two minutes, too, again.

20 CHAIRMAN WITKOWIAK: Thank you for your  
21 testimony. Next witness, please.

22 MR. DEXTER-FLOWERS: Robin Dexter-Flowers,  
23 222-B North 35th Street.

24 CHAIRMAN WITKOWIAK: How far is that from  
25 the station?

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1 MR. DEXTER-FLOWERS: Right behind it.

2 CHAIRMAN WITKOWIAK: And your testimony is?

3 MR. DEXTER-FLOWERS: I've been living there  
4 for four years. I understand what they're saying  
5 about the loud music and this and that, but really  
6 it's looking like a black and white issue, a racist or  
7 a prejudice issue because I don't see that many white  
8 people with boom boxes coming through the area, so I  
9 can't say it's white people. I understand my own  
10 people, too. They got their loud music and this and  
11 that, but I don't see coming against the store itself  
12 for that. The people who boom the boxes, that's the  
13 person that should be dealt with, and that should be  
14 by the police. I wouldn't see Ms. Rick coming out  
15 there and confronting these people.

16 CHAIRMAN WITKOWIAK: Have you ever  
17 experienced, have you heard loud music?

18 MR. DEXTER-FLOWERS: No. My window is right  
19 here. I sleep good. I don't have any complaints  
20 toward the station with loud music. Maybe that's  
21 just because I'm African-American, maybe I can  
22 understand the issue a little bit. But the main thing  
23 I'm concerned about is why is it only the boom boxes  
24 and the music? Are we just talking about black people  
25 booming the boxes?

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1                   CHAIRMAN WITKOWIAK: I didn't hear any  
2 reference in the testimony to any ethnic group.

3                   MR. DEXTER-FLOWERS: It's looking that way  
4 to me.

5                   CHAIRMAN WITKOWIAK: You bringing it up was  
6 the first I've heard it. Thank you for bringing that  
7 to our attention. How long have you lived there?

8                   MR. DEXTER-FLOWERS: Four years. I mean,  
9 they had the Harley-Davidson convention one time, and  
10 the motorbikes would come through and keep me up, but  
11 I'm not going to Harley trying to make them stop their  
12 festival because I'm hearing all this loud music -- I  
13 mean the motorcycles coming through that area. That  
14 kept me up that time they had that. I'm like wow,  
15 what is all the motorbikes coming through here? So I  
16 can understand hearing things, but that was my issue.

17                   CHAIRMAN WITKOWIAK: Any questions of this  
18 witness by members of the committee? Mr. Chernin,  
19 anything?

20                   MR. CHERNIN: No.

21                   ALDERMAN WADE: I've got to ask a couple of  
22 questions here.

23                   CHAIRMAN WITKOWIAK: Go ahead.

24                   ALDERMAN WADE: Sir, you live directly next  
25 to the gas station, also?

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1 MR. DEXTER-FLOWERS: Right behind, Alderman.

2 ALDERMAN WADE: So you live approximately  
3 the same distance away from the gas station as this  
4 lady?

5 MR. DEXTER-FLOWERS: You can say that, yes,  
6 you can, Alderman, right behind it. I know her house  
7 is right here at the end of the alley. I'm about,  
8 what, 20 yards down.

9 ALDERMAN WADE: And you're saying that you  
10 never hear --

11 MR. DEXTER-FLOWERS: No. And I have trouble  
12 with sleep, you know, I have to take sleep medication.  
13 I understand what she's saying. My taking the sleep  
14 medication, that's just a personal thing, you know.

15 ALDERMAN WADE: And the reason why you came  
16 to this hearing is because you got a postcard?

17 MR. DEXTER-FLOWERS: No, sir. The reason I  
18 came to this -- I've been frequenting the station for  
19 the four years that I've been here. I really wanted  
20 to help out. They even had me trying to talk to some  
21 people in the community to see if they were having the  
22 same problem. I spoke to a couple of brothers, and  
23 they like well, this station is very detrimental to  
24 this community, and they need it, you know -- He was  
25 explaining to me they need the station there, and they

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1 thought it was a black and white issue, that's what  
2 they thought.

3 I went to Ms. Rick's house to see if she  
4 could give us some type of a communication before this  
5 meeting, but I never got an answer at the door. We  
6 wanted to talk to her.

7 ALDERMAN WADE: I just want to make sure  
8 that you understand that Ms. Rick and her husband say  
9 that they've heard loud music during the hours of  
10 12:00 and 5:00 in the morning, they have testified to  
11 that.

12 MR. DEXTER-FLOWERS: Can they testify to  
13 whether it was black or white?

14 ALDERMAN WADE: That's not really the issue.  
15 If it was Lawrence Welk that was too loud, it's loud  
16 music. That's not the issue. The other part is,  
17 also, the gentleman that works at the gas station  
18 during that time testified that he also has heard  
19 music during that time.

20 MR. DEXTER-FLOWERS: Um-hum. So this whole  
21 thing is about music?

22 ALDERMAN WADE: No. I'm just saying you  
23 saying that you haven't, but there's two other people  
24 who said that they have. Let me finish my point. My  
25 point is, just so you know that it's been testified to

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1 people who have the same proximity that that does  
2 occur during that time, and because you're not hearing  
3 it, I don't want you to think that it does not occur  
4 just because you're not hearing it.

5 MR. DEXTER-FLOWERS: I understand. I'm just  
6 trying to figure are they saying this happens every  
7 night?

8 ALDERMAN WADE: I'm saying that they have  
9 said it happened during that time span, you just  
10 haven't heard it. Maybe you got better windows,  
11 better insulation, the angle of the cars, it could be  
12 a lot of things, but it has been testified under oath  
13 that that noise does occur during those times. And if  
14 it's black, white, Lawrence Welk, the Bee Gees,  
15 whoever, it's loud music that's going on during those  
16 times.

17 MR. DEXTER-FLOWERS: Well, you won't hear  
18 any Lawrence Welk like they're saying, I guarantee  
19 you.

20 ALDERMAN WADE: I wanted to make sure that  
21 you don't think that I don't believe you. I'm just  
22 saying that you didn't hear it, and I believe you  
23 didn't hear it, but it does occur during that time  
24 because they've heard it and they testified.

25 MR. DEXTER-FLOWERS: Right. I'm not calling



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1           them a liar.  If the music was booming to the point  
2           where -- like where the car wash is, I'm right there  
3           -- so if the music was booming, I would have heard  
4           something.  I would have complained, too, if it was  
5           loud music.  But the people I'm working with here or  
6           talking with here we're talking about, Mr. Ghaffar and  
7           them, I believe they were doing their jobs, you know.  
8                        I don't think that they are not calling her  
9           to try and make her look like she's not part of the  
10          community or look bad.  Like the gentleman says, he  
11          gave his cell phone number, but he never got a  
12          response.  
13                       ALDERMAN WADE:  I just wanted to make that  
14          point.  Thank you, Mr. Chair.  
15                       CHAIRMAN WITKOWIAK:  Next witness, please.  
16                       MR. FULSON:  Roger E. Fulson, 431 North 34th  
17          Street.  
18                       CHAIRMAN WITKOWIAK:  How far away is that  
19          from this station?  
20                       MR. FULSON:  About three blocks.  
21                       CHAIRMAN WITKOWIAK:  Are you an employee?  
22                       MR. FULSON:  No, I'm not.  
23                       CHAIRMAN WITKOWIAK:  Your testimony, please.  
24                       MR. FULSON:  I don't see any problem with  
25          the gas station.  I stop there in the daytime and at

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1 the night, every night at about 2:30. I haven't seen  
2 anything in about -- I have lived over in that area  
3 my whole life.

4 CHAIRMAN WITKOWIAK: Any questions of this  
5 witness? Mr. Chernin?

6 MR. CHERNIN: No.

7 CHAIRMAN WITKOWIAK: Thank you very much.  
8 Do you have anything to say in closing, Mr. Chernin,  
9 before we attempt to rule on this matter?

10 MR. CHERNIN: The only thing that I would  
11 add is that we will try to do what I proposed earlier  
12 in terms of ameliorating the noise that's emanating  
13 from the gas station. I will instruct my client to  
14 install an audio system so that no gas will be  
15 provided to those who play their music too loud.

16 CHAIRMAN WITKOWIAK: Thank you. Alderman  
17 Bauman, anything in closing?

18 ALDERMAN BAUMAN: Nothing further.

19 CHAIRMAN WITKOWIAK: This matter is in  
20 committee.

21 ALDERMAN BOHL: Mr. Chairman.

22 CHAIRMAN WITKOWIAK: Alderman Bohl.

23 ALDERMAN BOHL: Based on neighborhood  
24 objections as testified to, I would move to deny.

25 CHAIRMAN WITKOWIAK: Motion by Alderman

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1 Bohl is to recommend denial of this application for  
2 Extended Hours at 200 North 35th Street, the motion by  
3 Alderman Bohl is to recommend denial based on  
4 neighborhood objections as testified to in the notice.  
5 Are there any objections to that motion? Hearing  
6 none, so ordered.

7 MR. SCHRIMPF: Mr. Chernin, the committee is  
8 going to be doing findings of fact and conclusions of  
9 law recommending nonrenewal of this Extended Hours  
10 Establishment license. You'll receive a copy of that  
11 recommendation. You'll have an opportunity to submit  
12 written objections to that recommendation as well as  
13 appear before the Milwaukee Common Council when it  
14 meets before this matter at 9:00 a.m. on April  
15 11th, 2006. Thank you.

16 \* \* \*



