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 1
 2 CITY OF MILWAUKEE
 3 LICENSES COMMITTEE
 4
 5 * * * * *
 6 Request for a permanent extension of premises for "Club
 7 Passion" at 2579 N. Teutonia Avenue to include new
 8 restrooms, ventilation and sprinkler systems and exits to
 9 increase capacity. Special Letter
 10 "CLUB PASSION"
 11 2579 N. Teutonia Avenue
 12 KANISHA T. KING
 13 * * * * *
 14 COMMITTEE MEMBERS
 15 ALD. JAMES BOHL - Chair
 16 ALD. MILELE COGGS - Vice Chair
 17 ALD. ASHANTI HAMILTON
 18 ALD. T. ANTHONY ZIELINSKI
 19 ALD. NIK KOVAC
 20 LICENSING DIVISION by REBECCA GRILL
 21 POLICE DEPARTMENT by SEARGENT PAUL MacGILLIS
 22 OFFICE OF THE CITY ATTORNEY by ATTORNEY BRUCE SCHRIMPFF
 23
 24 Proceedings had and testimony given in
 the above-entitled matter, before the LICENSES
 COMMITTEE OF THE CITY OF MILWAUKEE, on
 the 29th day of September, 2009.
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 1 CHAIRMAN BOHL: Her husband. Okay.
 2 And same address here?
 3 MR. GRAY: Yes, sir.
 4 CHAIRMAN BOHL: Thank you. And I've
 5 met you before at your home, as well, too.
 6 MR. GRAY: Yes.
 7 CHAIRMAN BOHL: And, Ms. King, I will
 8 ask you at this point here if you acknowledge
 9 receiving notice of today's meeting with the
 10 possibility your application could be denied. It
 11 is cited for an attached police report, as well
 12 as potential neighborhood objections to be used
 13 as a means of denial.
 14 THE APPLICANT: Yes.
 15 CHAIRMAN BOHL: Thank you. Ms. Grill,
 16 are there any holds on this?
 17 MS. GRILL: Health Department has hold
 18 for inspections, submittal plans and inspection
 19 of the new restaurant portion. It says the
 20 appointments have not been kept to meet the
 21 Health Department. And Neighborhood Services has
 22 holds for occupancy and completion of orders
 23 dated July 6, 2009.
 24 CHAIRMAN BOHL: It sounds like you have
 25 to make a couple phone calls and ensure that you

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 1 P R O C E E D I N G S
 2 CHAIRMAN BOHL: Kanisha T. King.
 3 Request for a permanent extension of the premises
 4 for new restrooms, ventilation and sprinkler
 5 systems and exits to increase the capacity for
 6 "Club Passion" at 2579 North Teutonia Avenue.
 7 Good afternoon. Which of you is
 8 Kanisha King?
 9 THE APPLICANT: I am.
 10 CHAIRMAN BOHL: We'll swear you in. If
 11 you could raise your right hand, please? Are all
 12 of you here, the rest of you here to provide
 13 testimony, as well? Okay. Ms. DuPriest, you've
 14 already been sworn in 47 times over today. We
 15 don't need to swear you in again. Everyone else
 16 who intends to provide testimony, raise your
 17 right hands, please.
 18 (Whereupon those present were sworn.)
 19 CHAIRMAN BOHL: We'll need name and
 20 address from our Applicant, please.
 21 THE APPLICANT: Kanisha King Gray, 4422
 22 North 85th Street, 53223.
 23 CHAIRMAN BOHL: Thank you. And, sir,
 24 you are?
 25 MR. GRAY: Doug Gray, her husband.

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 1 have to meet up with a couple departments here
 2 then. Okay.
 3 Sergeant, police report.
 4 SERGEANT MACGILLIS: Item one on
 5 5/3/2009 at 1:14 a.m., Milwaukee Police were
 6 dispatched to Teutonia and Clarke for a reckless
 7 auto complaint. Officers observed patrons who
 8 were exiting the tavern, Club Passion, yelling
 9 and walking in the middle of the road causing
 10 traffic congestion and disturbing the
 11 neighborhood. Police also observed patrons who,
 12 once inside their vehicles, would drive down the
 13 block, stop and purposely back up traffic. Four
 14 squads were on scene and - - and took about an
 15 hour to clear the area of patrons and traffic
 16 congestion. Police spoke to Douglas Gray, who
 17 was the bar manager, regarding the patrons and
 18 traffic. Gray stated he does have about ten
 19 security guards who would help control patron
 20 behavior, both in and outside the tavern. Gray
 21 further stated that he closes the club before
 22 regular closing hours, and that he did raise the
 23 age of his patrons allowed in to 25.
 24 Item two, on 5/13/2009 at 12:54 p.m.,
 25 Milwaukee Police monitored Club Passion due to a

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1 high volume of patrons. Security was observed on
2 the scene and no incidents were observed.

3 On 5/30/2009 at 11:50 p.m., Milwaukee
4 Police observed a large amount of cars parked in
5 the area near Club Passion, and a large amount of
6 foot traffic in the immediate area of the club.
7 Officers conducted a license premise check of
8 Club Passion and observed the bar to have at
9 least underage patrons inside. On checking the
10 taverns license and occupancy, it was found that
11 the bar's capacity was 160, and a head count was
12 performed with 388 patrons found inside the club,
13 228 over posted capacity. The bar manager, Doug
14 Gray, was ordered into District 5 to meet with
15 Captain Mitchell regarding this matter, and the
16 licensee, Kanisha King, was issued a citation for
17 posting occupancy capacity required. On that
18 charge of that citation, pretrial is set for
19 10/26/2009 at 8:30 a.m.

20 CHAIRMAN BOHL: Thank you. I'm sorry.
21 What was the date again on the pretrial?

22 SERGEANT MACGILLIS: That was
23 10/26/2009.

24 CHAIRMAN BOHL: Okay. Any questions or
25 comments you have relating to the items in the

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1 curiosity, what is your current capacity at the
2 club?

3 MR. GRAY: 160.

4 CHAIRMAN BOHL: And with -- with the
5 changes that you're proposing here, what are you
6 looking -- Have you had any discussions with the
7 Department of Neighborhood Services as to what
8 the capacity might change to?

9 MR. GRAY: Once we have the architect
10 come out and pull the proper permits that we
11 need, it could have been 500. But we said we
12 didn't need a capacity of 500, because we still
13 want the respect of the neighborhood. But at the
14 same time we have quite a few people coming
15 around for wedding receptions, repasts and things
16 like that. And most of those are between 250,
17 275, 300. So we pretty much came to a number of
18 300. Like I said, with the size of the
19 establishment, which is 13,000 square feet, it
20 could have been a capacity of 500. But at the
21 same time, trying to respect the neighborhood and
22 make a honest living at the same time, we just
23 came up with a number of 300.

24 CHAIRMAN BOHL: And based on the
25 additional size, you needed those -- the

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1 police report?

2 MR. GRAY: The only comment that I have
3 in regards to the capacity ticket was that we're
4 going to court about it, and they were counting
5 people that were outside of the establishment
6 that day. That's -- That's the way that they
7 came up with the number of people that they had.

8 CHAIRMAN BOHL: Did you have a line
9 outside of -- of people, like waiting to get in
10 the club here, something or?

11 MR. GRAY: Well, actually, that night
12 it was a wedding reception going on, and people
13 were in and out. So it was a line outside. And
14 it was a large amount of people there that night.

15 CHAIRMAN BOHL: Okay. Thank you. Any
16 questions by committee members? You want to --
17 You want to take a little bit of time here and
18 let the committee know what you're applying for
19 here, and what your intentions are with -- with
20 what you're applying for?

21 MR. GRAY: Well, I have pretty much a
22 copy of what we have going on down at the
23 establishment. I can just give you guys a copy
24 of it.

25 CHAIRMAN BOHL: Mr. Gray, just

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1 addition of the sprinkler system. You need
2 additional restrooms. I'm assuming that you had
3 a sufficient number of exits and entrances. You
4 just needed the additional lavatory capacity and
5 the fire suppression system to meet this code.
6 Is that --

7 MR. GRAY: Yes, sir.

8 CHAIRMAN BOHL: So you're adding the
9 additional -- And what you're proposing is
10 adding the -- doing those particular ventilation
11 and other items to -- to get you to a higher
12 capacity of 300. Correct?

13 MR. GRAY: Yes, sir.

14 CHAIRMAN BOHL: In terms of parking,
15 where -- How much parking do you have on site?
16 How much parking is there, I mean, is provisional
17 largely in the neighborhood. Where -- Where is
18 the parking largely held?

19 MR. GRAY: It's largely -- largely in
20 the neighborhood. But also, up the street by
21 North Division High School it's a parking lot.
22 And east and west on Clarke Street, it's parking
23 over there, also. And we also park up and down
24 Teutonia, as long as it's, I believe, 80 feet
25 from the bus stop, or what have you. But, I

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1 mean, it's -- it's ample amount of parking, but
2 like I said, we -- we go to the meetings and we
3 talk to the CPC and do what's needed to try to
4 work with them. And early on, there were a few
5 problems here and there, but as Ms. DuPriest can
6 attest, I'm quite sure she can tell you the last
7 five months there's been nothing, so.

8 CHAIRMAN BOHL: Okay. All right.
9 Thank you. Was there anything else? I didn't
10 want to sort of pre-empt you with questions. Was
11 there -- Were there other things that you wanted
12 to state or provide here?

13 MS. GRAY: Pretty much right now with
14 the capacity being 160, it's pretty -- I'm not
15 going to say it's super difficult, but in order
16 to, you know, to stop having to turn down
17 receptions and repasts and things like that, we --
18 we figure we need to take the necessary steps
19 to raise the capacity, because we didn't want to
20 have anything going on there, and then, you know,
21 you come in and say, well, you're over capacity.
22 So, we just figured we would do the necessary
23 things that were needed to run a productive
24 business.

25 CHAIRMAN BOHL: Okay. All right.

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1 MS. GRILL: The license is issued to
2 her, as the Applicant. So if he's man -- doing
3 any managing, he would need to get a manager's
4 license.

5 CHAIRMAN BOHL: Okay. Now if -- If
6 his wife owns the establishment, even in her
7 name, and he is the husband, spouse of the owner
8 of a bar, is he allowed to bartend? Is he
9 allowed -- Is that --

10 MS. GRILL: Bartending is --

11 CHAIRMAN BOHL: Bartending.

12 MS. GRILL: -- allowed.

13 CHAIRMAN BOHL: Okay. All right.

14 MR. SCHRIMPF: Mr. Chairman, just for
15 clarification. The marital property act is
16 something that really deals with property upon
17 death of one of the marital partners. It does
18 not really control --

19 ALDERWOMAN COGGS: Or divorce.

20 MR. SCHRIMPF: -- title.

21 CHAIRMAN BOHL: What?

22 ALDERWOMAN COGGS: Or divorce.

23 MR. SCHRIMPF: Well, or divorce.

24 But --

25 CHAIRMAN BOHL: More often divorce

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1 Thank you. Questions by committee? Mr. Runner?

2 MR. SCHRIMPF: Mr. Chairman?

3 CHAIRMAN BOHL: Mr. Schrimpf.

4 MR. SCHRIMPF: Mr. Gray, do you have a
5 manager's license?

6 MR. GRAY: No, sir, I don't. Jonathan
7 Moore is the manager of the establishment. He
8 spoke to both of us, the officer that was there,
9 and he wrote down my name.

10 MR. SCHRIMPF: I see.

11 CHAIRMAN BOHL: He actually -- He,
12 along with his wife, are the owners of the
13 establishment.

14 MR. GRAY: Yes, sir.

15 CHAIRMAN BOHL: Even though -- Even
16 though the -- she's listed as the agent. Ms.
17 Grill?

18 MS. GRILL: This location is held as an
19 individual.

20 CHAIRMAN BOHL: It is.

21 MS. GRILL: Not --

22 CHAIRMAN BOHL: But how does that work
23 with marital property? If my wife owns
24 something, even in her name, and I'm married to
25 her?

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1 before death here then.

2 MR. SCHRIMPF: But it does not control
3 title.

4 CHAIRMAN BOHL: Okay.

5 MR. SCHRIMPF: So something --

6 CHAIRMAN BOHL: But I knew -- But I
7 knew that we had situations where individuals did
8 not have to have a bartenders license, being the
9 spouse of a bartender owner, who had it in their
10 name.

11 MR. SCHRIMPF: If they live in the same
12 household.

13 CHAIRMAN BOHL: Yes. If they live in
14 the same household. All right. Okay. Mr.
15 Schrimpf, did you have an additional question
16 here then or was that -- that's sufficiently
17 answered you?

18 MR. SCHRIMPF: Pardon?

19 CHAIRMAN BOHL: That sufficiently
20 answered your question?

21 MR. SCHRIMPF: Yes.

22 CHAIRMAN BOHL: Okay. Mr. Runner, did
23 you have comments at this point here from --
24 from the Council President's office?

25 MR. RUNNER: Sure. Yeah. Alderman

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1 Hines wanted me to convey he's -- he's very
 2 appreciative of Mr. Gray and -- and Ms. King's
 3 investment, and they have made several attempts
 4 to communicate with the neighborhood. We've been
 5 to meetings where they've met with the
 6 neighborhood. But he has some concerns, and he
 7 can't support the expansion, increase of
 8 capacity, at this time. There are some -- I
 9 mean, we have some residents here who are all in
 10 opposition. I don't think they would have waited
 11 until 5:30 if there weren't some concerns in the
 12 neighborhood. The Community Planning Council,
 13 which Mr. Gray referenced, did call our office
 14 today to say they were in opposition, and that
 15 they had not met, and -- and they would have
 16 liked to be apprised of this before this
 17 application. So, you know, with -- with the
 18 Phyllis Wheatly Neighborhood, St. Paul
 19 Neighborhood Association Community Planning
 20 Council, all of these are in opposition. So the
 21 Alderman, although we really appreciate Mr. Gray
 22 and he's communicated with us, there's just no
 23 way he can support it right now with the issues
 24 at 160 -- 165. Although, Alderman Hines did
 25 tour himself, he said, and -- and was informed

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1 that -- that they were going to do some
 2 renovations with the sprinkler system and the
 3 bathrooms and such. He doesn't recollect being
 4 informed that this was for increased capacity.
 5 And so, just feels like if -- if they can get
 6 their hands around things right now, then we can
 7 entertain that. But right now it seems that they
 8 have some challenges.
 9 CHAIRMAN BOHL: Have you already made
 10 the investment in -- in doing this, sir?
 11 MR. GRAY: Yes, sir. We're three-
 12 fourths of the way done. And we've put a -- We
 13 contacted Design and Fire Fill Protection. They
 14 told us that we needed to do a new roof. So
 15 55,000 dollars into a new roof. And then we've
 16 given Design and Fire Bill Protection roughly
 17 25,000 dollars, also, and we have an investment
 18 of so far to date of 105,000 dollars, because we
 19 also are 90 percent completed with the bathrooms
 20 in the back. As far as issues or concerns that
 21 are being brought to the table, once the age
 22 limit was raised to 25, we pretty much don't have
 23 a crowd anyway down there, maybe 75 to 100 people
 24 during the week. That's what we have, and, I
 25 mean, the neighbors are here right now, so I'm

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1 quite sure you will be able to ask them, you
 2 know, what type of crowd are you seeing and with
 3 the security that we have, there have been no
 4 issues at all. So, I mean, I thought once the
 5 permits and things like that were pulled, that
 6 the Alderman's office and things like that would
 7 have been notified. And we -- We've been
 8 working roughly three months on it.
 9 CHAIRMAN BOHL: I wonder, because this
 10 is -- We're not -- We're not considering a
 11 renewal of your establishment at all.
 12 MR. GRAY: Right.
 13 CHAIRMAN BOHL: What we're considering
 14 is -- is the additional work that would increase
 15 capacity. Let me -- I just wonder here at this
 16 point, are we looking at a capacity, a concern
 17 that the capacity is largely parking and the
 18 other issues that will result from bigger crowds?
 19 I mean, I see one person nodding. There are two.
 20 THE WITNESS: Yes.
 21 CHAIRMAN BOHL: Three. I wonder if --
 22 if this is a situation where if with like the
 23 larger weddings, if -- if they were granted the
 24 ability to do this and they had larger weddings,
 25 if there was additional parking where there would

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1 be like a van or a transport service that would
 2 be able to take somebody from a remote lot and
 3 take them to and from, so they wouldn't be
 4 parking in the neighborhood, if that -- if that
 5 even has the ability to resolve some of the
 6 issues.
 7 MR. RUNNER: At least in the interim
 8 Mr. Chair, save some time. Another thing, the
 9 Committee Planning Council would like to meet
 10 with Mr. Gray and hear more about his plan. I
 11 know that the other neighborhood associations
 12 would like to. So I don't know if Mr. Gray is
 13 amenable to it, but, perhaps, we could hold it so
 14 that they could have those meetings and -- and
 15 communicate.
 16 CHAIRMAN BOHL: I mean, it -- To me,
 17 your options are this much. I think you have
 18 four dedicated neighbors who are here to testify
 19 and say no, and the Common Council President's
 20 representative, who is saying that if it has to
 21 be where we're at right now, they're opposed. I
 22 don't think that it hurts you any bit,
 23 whatsoever, to at least look at other
 24 alternatives and see if you can find a -- a way
 25 to, at least, resolve the concerns of the

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1 neighbors. At the very least, we can have you
 2 back here in -- in a few weeks. But your
 3 options are to go ahead, knowing that you have
 4 fair opposition in front of you.
 5 ALDERWOMAN COGGS: Mr. Chair, and if
 6 they're denied today and the Council supports
 7 that denial, it's a year -- Is it a year for
 8 this?
 9 CHAIRMAN BOHL: 12 months.
 10 ALDERWOMAN COGGS: Yeah.
 11 CHAIRMAN BOHL: 12 months before you
 12 can apply again.
 13 MR. GRAY: Okay. We'd like to go to
 14 the table with them and sit down and talk to
 15 them.
 16 CHAIRMAN BOHL: Okay. I'm not -- I
 17 don't -- I don't think any of them are agreeing
 18 that they'll be able to resolve their opposition,
 19 but --
 20 MR. GRILL: Mr. Chair.
 21 THE WITNESS: I'm sorry. I'm one of
 22 the residents that -- that --
 23 CHAIRMAN BOHL: You want to -- We're
 24 happy to take your testimony.
 25 THE WITNESS: We --

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1 an alley. I have to park halfway down my block
 2 in order to get a parking spot, or be home before
 3 ten. My family has a outing, I can't -- I got
 4 to get home, or I ain't going to be able to park.
 5 I'm going to park a half a block away.
 6 My family's been in this neighborhood
 7 since 1964, in this house. And I'm -- I am
 8 against an expansion, because I know what
 9 happened when he had those 300 people here. I
 10 walked down there. I talked to him when those
 11 300 people were there. And they -- He had no
 12 control. He does have his security, but he had
 13 no control. They were doing what they want to
 14 do. And I'm concerned about that. I get up at
 15 4:30 in the morning to go to work. And I'm
 16 supposed to sleep through this stuff? Yes, he
 17 closes at 1:30. He -- He has attempted to be
 18 cooperative, okay. But making 300 people able to
 19 come in that bar is not going to help our
 20 neighborhood. That has been a neighborhood bar,
 21 I'm 52 years old, since I was born. And now it's
 22 a club. There is a difference in a neighborhood
 23 bar and a club. And the clubbing, I just can't
 24 handle. There's trash, there's alcohol bottles.
 25 It ain't coming from his bar, but it's coming

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1 ALDERMAN HAMILTON: You're going to
 2 have to identify yourself for the record.
 3 THE WITNESS: My name is Julie Thorne.
 4 I live at 2564 North 14th, Milwaukee, Wisconsin
 5 53206. I'm sorry. I was one of the residents
 6 who diligently went, every other week, to meet
 7 with him with the St. Paul Association, and then,
 8 all of a sudden, we don't need to meet no more.
 9 I went up to the YMCA, and I was not even told
 10 that we're not meeting with him any more. And
 11 now we just stopped. Now, I haven't been to the
 12 CPC for two months, and neither has he, okay. He
 13 just stopped coming. I had no idea that he was
 14 doing this expansion. None.
 15 Back in May, when all this stuff
 16 happened with the police reports, I live directly
 17 behind him, the part -- There's an empty lot,
 18 and I live behind the empty lot, okay. It took
 19 me over 30 minutes to get from Center to North
 20 Avenue to drop my sister off on 15th and come
 21 back to 14th. I should not have to spend a half
 22 an hour getting to my home, or I got to be home
 23 before ten o'clock, because I can't get a parking
 24 spot. I got to park halfway down my block,
 25 because we don't have garages. I don't even have

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1 from his patrons. They -- They don't want to
 2 pay that price in his bar, so they bring their
 3 stuff and drink it, and throw it in our yards,
 4 and I have bushes in front of my house. There's
 5 all kind of stuff up in there. I let her
 6 testify, but I'm understanding there's condoms
 7 all out there and stuff. We don't need that. I
 8 don't have any children at home. But there are
 9 children in the neighborhood. But I'm -- I'm
 10 totally against it. The parking is terrible.
 11 There is nowhere for them to park. They don't
 12 know how to act. And expansion would just be
 13 detrimental to our neighborhood, and for us that
 14 are homeowners, it ain't right. You know, he
 15 talking about what he invest. What about what we
 16 invest? You know. What about what we working
 17 for? You know, he leaves that bar and he go to
 18 his home. And there ain't no bar at his home.
 19 But I got to deal with this every night. You
 20 know, my husband works third shift, and obviously
 21 when he leave, he was coming home 12:30 on Friday
 22 nights, it be a bunch of people out there. Why
 23 do we as homeowners have to deal with that? 160
 24 -- And -- And since, and I'm assuming that's
 25 when he went to the 160, is when all this mess

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1 happened. Because, yes, they -- they don't come
 2 down 14th Street no more. They park on Clarke
 3 only, and I don't know if they been directed to
 4 or not. But very, very seldom are they on 14th
 5 now. They don't even both coming in the 2500
 6 block on 14th. But you can still hear the noise,
 7 and the cars, and all that, all summer long. And
 8 this -- We started this back in February, March,
 9 because we didn't want our summer to be like
 10 this. Our windows would be open. We didn't want
 11 this mess. So I am opposed, and I wish you guys
 12 would decline his expansion. I'm sorry that he's
 13 invested that money, but we invested in our
 14 neighborhood, and we want to be able to have what
 15 we want in our neighborhood, too.

16 CHAIRMAN BOHL: Thank you for your
 17 testimony. Questions by committee members of
 18 this neighbor?

19 ALDERMAN HAMILTON: Mr. Chair.

20 CHAIRMAN BOHL: Alderman Hamilton.

21 ALDERMAN HAMILTON: Not of her, but
 22 just from her testimony. Why did -- Why did you
 23 all invest the money to the property for the
 24 expansion prior to meeting with them and taking
 25 care of all of this -- this part?

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1 And I respect that totally. But at the same time
 2 we have a right to make a living, also.

3 CHAIRMAN BOHL: Can I just ask a
 4 follow-up question to that? Now granted this is
 5 a -- a large jump. You're nearly doubling the
 6 capacity. I know of a number of other
 7 establishments that have done -- that have
 8 actually made changes to raise the number of
 9 their capacity and never appear before the
 10 committee here. Is that routinely sent as a
 11 notice to neighbors where -- where it triggers
 12 here? Not -- I'm going to guess that not
 13 everyone that's applied for a change or an
 14 increase in capacity automatically comes before
 15 the -- the committee. Is that the case, Ms.
 16 Grill?

17 MS. GRILL: Well, it depends if it's
 18 going to change their floor plan or if it's going
 19 to be a permanent extension.

20 CHAIRMAN BOHL: Okay.

21 MS. GRILL: A change of floor plan,
 22 this is kind of the reason why before permits are
 23 allowed to be pulled, they're supposed to get
 24 permission first, what we were discussing earlier
 25 today.

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1 MR. GRAY: I thought once -- We had
 2 about ten or 15 wedding receptions that were
 3 booked, and once I talked to those people, I
 4 said, well how many people do you expect for your
 5 reception. Some people said two, others said
 6 275, things like that. So once the capacity
 7 issue was brought to the table, I said, well, I
 8 had to contact all the people and tell them that
 9 I'll refund their money and we wouldn't be able
 10 to do that, because I don't want to have a
 11 reception or anything like that going on, and
 12 then they came in, we were over capacity. So at
 13 that time we initiated to call BMR Design and the
 14 architects to take the necessary steps to
 15 increase the capacity.

16 I understand what she's saying. I
 17 respect that totally, but her husband is the same
 18 guy that walked down the street a few weeks ago
 19 and said, you're doing a great job. I understand
 20 that, but at the same time we have a 14,000
 21 dollar tax bill that we pay on the building that
 22 we bought for 400,000 dollars. They made an
 23 investment, and so did we. And, I mean, I
 24 understand that, that they have a right to sleep
 25 at night and, you know, be peaceful with that.

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1 CHAIRMAN BOHL: Gotcha'.

2 MS. GRILL: So they do come before the
 3 committee, but a lot of times it's at renewal
 4 period. It's --

5 CHAIRMAN BOHL: Or we've seen other
 6 places where it doesn't necessarily add to a
 7 permanent extension of the existing floor plan.
 8 They may actually change the ingress or egress of
 9 the door that was old and existing. That
 10 sometimes adds a change to capacity, or take the
 11 existing bathroom and add an additional stall.

12 MS. GRILL: Right.

13 CHAIRMAN BOHL: But it doesn't --
 14 doesn't require a floor -- floor plan change.
 15 Is that --

16 MS. GRILL: Well, most of the time that
 17 would be at least a floor plan change. But a lot
 18 of the times those are done at renewal, so
 19 they're not always scheduled for a hearing before
 20 the --

21 CHAIRMAN BOHL: Gotcha'.

22 MS. GRILL: It would be done
 23 administratively.

24 CHAIRMAN BOHL: Okay. All right.
 25 Thank you. I just -- I -- I know I have to

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1 figure that in my almost ten years on this
 2 committee I don't recall any stand-alone
 3 applications of this sort.
 4 MR. SCHRIMPF: It happened once before,
 5 and while you were on the committee, and I
 6 believe Mr. Whitcomb was representing the - - the
 7 parties in question. The - - The legal theory
 8 behind it, and there's a couple of opinions by
 9 the legal municipalities, and there's some court
 10 opinions on the subject. The legal theory of it
 11 is, is that you have a footprint of real estate
 12 that was licensed as a tavern at one point in
 13 time. If you change that footprint, okay, what's
 14 happening is your licensing areas that were
 15 previously not licensed.
 16 CHAIRMAN BOHL: Right.
 17 MR. SCHRIMPF: And, therefore, you have
 18 to have the approval of the governing body.
 19 CHAIRMAN BOHL: And I understand, when
 20 you're changing capacity of this nature, you
 21 could have a significant change in the
 22 neighborhood, as well, too.
 23 ALDERMAN ZIELINSKI: I remember that,
 24 Mr. Chairman, very vividly. It was one of the
 25 ones in my district. Remember, we had the whole

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1 life on my block. I've been here since '97 on
 2 14th Street. I went to the door one evening, I
 3 mean, it was so loud. And I went to the door,
 4 I'm like, what is going on out here? What is
 5 going on? I opened the curtain up, and you got
 6 people lined up in cars from Center all the way
 7 down past North Avenue. They were standing on
 8 top of the vehicles, jumping, cursing. I don't
 9 know what all they was doing out there. It
 10 scared me, because I had never seen nothing like
 11 it before it in my life. I'm like, what in the
 12 world is this? I thought it was a rock concert,
 13 something I've never been to. So it's like, I
 14 don't ever want to see this again on my block.
 15 It has calmed down considerably, and maybe it is -
 16 - maybe it is because of the capacity. And if
 17 that's the way it's got to be, that's the way
 18 it's got to be. I have come out in the morning,
 19 like Julie said, garbage, paper, condoms,
 20 feminine products. I have to clean this up
 21 before I let my - - my grandchildren come out and
 22 play. I got to go out and investigate quickly.
 23 Because, you know, kids get up, run outside and
 24 play, especially in the summertime, whatever. I
 25 got to get up quick, run out there, you know,

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1 room full.
 2 CHAIRMAN BOHL: It was the Cactus Room.
 3 ALDERMAN ZIELINSKI: Club, Cactus Club.
 4 CHAIRMAN BOHL: Cactus Club, okay.
 5 Cactus Club, yeah.
 6 MR. SCHRIMPF: That was - - I think
 7 that was the case, yeah.
 8 CHAIRMAN BOHL: Cactus Club, okay.
 9 Were there others? I'm - - I'm happy to take
 10 your testimony here if you wish to do that.
 11 THE WITNESS: Yes, I'd like to say
 12 something.
 13 CHAIRMAN BOHL: All right. Go ahead.
 14 Go ahead.
 15 THE WITNESS: I'm opposed - -
 16 CHAIRMAN BOHL: I just want to say, I
 17 don't know if we'll hold this matter. We may
 18 hold this matter, notwithstanding that, but your
 19 testimony will be - - will stand. So, go ahead.
 20 Name and address, please.
 21 THE WITNESS: My name is Gwendolyn
 22 Jones. 2561 North 14th Street, Milwaukee, 53206.
 23 I'm opposed to the expansion, too, because when
 24 it was a large crowd back when the mess happened,
 25 I had never seen anything like this before in my

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1 clean up everything before I let them out there.
 2 I don't - - I have never seen that before. Like
 3 I said, I've been on 14th Street since 1997. I
 4 stay with my mother, and then I bought the home
 5 that I'm in now. I'm happy at that house. I
 6 could have bought me a house somewhere else. I
 7 choose to live there. And he talking about
 8 money, investment. We've invested a lifetime
 9 there. This lady here, a lifetime there. My
 10 mother, me, my children. That's a lifetime
 11 investment. You can pick up a business and go
 12 anywhere. You can buy another house, true
 13 enough, but that's where I choose to stay. And,
 14 no, I'm opposed to the expansion.
 15 CHAIRMAN BOHL: Okay. Thank you for
 16 your testimony, ma'am. Questions by committee
 17 members of this witness? Ma'am, did you wish to
 18 provide testimony here today?
 19 THE WITNESS: Yes.
 20 CHAIRMAN BOHL: Name and address,
 21 please, for the record.
 22 THE WITNESS: My name is EarlJean
 23 Stokes. 2576 North Teutonia, Milwaukee,
 24 Wisconsin 53206. Well, when this young man first
 25 started his business, it was pretty rough. I

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1 mean, like the lady said, it was ridiculous, you
2 know. But for the last three months it -- it
3 hasn't been that bad. It's -- He's got security
4 and all that, but -- And the parking has been
5 better. We've been able to -- Before we
6 couldn't even get in and out of our house to park
7 our cars in the -- up in the yard, but it's been
8 better. The last three months it's been real
9 much better.

10 CHAIRMAN BOHL: Okay. So it's your
11 feelings toward the expansion are you or are you
12 not?

13 THE WITNESS: I don't know. I'm not
14 against it, but I don't think I'm for it, either.

15 CHAIRMAN BOHL: Okay. That's fair
16 enough. Thank you for your testimony. Any --
17 Any questions by committee members of this
18 witness?

19 Mr. Gray, Ms. King, did you have any
20 questions regarding any testimony from any of the
21 neighbors? Do you have any questions of them,
22 based on their testimony?

23 MR. GRAY: No, no.

24 CHAIRMAN BOHL: Okay. Not at this
25 time. All right. Thank you. You've -- You've

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1 Association, they're not here, but they are
2 opposed to it. Their houses are more closer than
3 I am. The people in my neighborhood, I guess,
4 they're more opposed to -- And I guess the thing
5 of it is it caught the neighborhood associations
6 by surprise, because we have not met with him for
7 three months. He, you know, we have -- He has
8 not been to our meetings for the last three
9 months, and we really didn't know anything about
10 this until a couple of days ago. So I think
11 that's why most of the neighbors are very
12 concerned that it was not discussed with us or
13 anything, so.

14 CHAIRMAN BOHL: Thank you. Thank you
15 for your testimony. Thank you for -- for
16 sticking around here this afternoon, as well,
17 too. Questions committee members have of Ms.
18 DuPriest? We know next time we'll order lunch
19 for her here. How about that, huh?

20 Were there any other -- The gentleman,
21 here? Do you wish to provide testimony here,
22 sir? Why don't you come forward here in one of
23 the seats if they could be vacated, please?

24 I would say, good afternoon, but it's
25 closer to, good evening, here, so. Thank you for

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1 been the star of the show so far today here. Why
2 don't we add some more here?

3 THE WITNESS: Virginia DuPriest, 2450
4 North 14th Street. I just want to say that we
5 have been -- There was big major problems when
6 he first opened his club. He did volunteer to
7 meet with us. We were meeting -- since
8 February, we were meeting every two weeks,
9 because problems were that great. And we made
10 recommendations to him. He did follow up with --
11 -- with the recommendations. It took some time,
12 but he did do. But -- But the problem is, you
13 know, like the neighbors are saying, it's not
14 him, per se, it's -- it's the customers that
15 he's drawing to the neighborhood. And that's the
16 big major concern, I think, that everybody's
17 concerned about, is the people that's coming in
18 the neighborhood and the parking. There's no
19 parking lot. He is trying to work on getting a
20 parking lot. But so far -- so far, there's no
21 parking lot. And on 14th Street there is no
22 alley. There is no driveway. People have to
23 park on the street, and, yes, if they're not home
24 at a certain time, they can't get a parking
25 place. And it's just -- And the Clarke Street

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1 your patience, sir. Name and address, please,
2 for the record, first.

3 THE WITNESS: My name is Rodney Smith,
4 and I live at 1219 West Clarke. That's east of
5 Teutonia, east of the -- of the bar. And I've
6 experienced, you know, things where, you know,
7 Mr. Gray has came by, you know, and took kids in
8 the neighborhood, has cleaned up the
9 neighborhoods the next morning. You know,
10 something to help the little kids get a couple
11 dollars to, you know, help out, clean up. And
12 I've seen him go from Teutonia down to 12th, 12th
13 up to about 15th or 16th. One of my kids is one
14 of the ones he's had out there help cleaning up,
15 all the way down on the right, all the way up to
16 Center, picking up, you know, debris and paper
17 and things like this.

18 I've been in the neighborhood for 20
19 years. My mother-in-law, who live right across
20 the street, 2567, has been there for 40 years. I
21 have a niece who is on the sheriff department who
22 lives right across the street, as well. And, you
23 know, people park, come around there and park on
24 13th Street on the lane, you know, and once he
25 got the security out there, you know, we never

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1 experienced as much problems, because they block
 2 off the streets. They get the traffic to going
 3 one way and, you know, so I'm not opposed to the
 4 expansion, because he invest the money into the
 5 security of running his establishment. I've been
 6 to the meetings at the YMCA. He also had a
 7 meeting at - - at the establishment where he
 8 provided food, allowed us to drink, you know,
 9 these ladies - - some of the ladies was there.
 10 Just recently, he just gave a - - a neighborhood
 11 barbecue, you know, gave out free food, you know,
 12 things like that in the neighborhood. So, I
 13 don't live on 14th Street, so I can't, you know,
 14 say what they're experiencing on 14th Street, but
 15 I live just a block away, as well, and I'm
 16 telling you what, you know, I experienced over
 17 there. There's a ex-judge, as well, live right
 18 next door to me, you know, and I think if, you
 19 know, there was that much loud noise, I'm sure
 20 the judge would call, you know, the ex-judge
 21 would call the police, or my niece would have,
 22 you know, complained, as well.
 23 CHAIRMAN BOHL: Very good.
 24 MR. SCHRIMPF: Mr. Chairman.
 25 CHAIRMAN BOHL: Mr. Schrimpf?

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1 neighborhood input and - - and feedback. And
 2 that's the criteria that - - that we use. So
 3 it's important to - - to get them on - - on
 4 board. The Alderman's office of the area has - -
 5 has testified that they're opposed to the
 6 expansion. The residents, the majority of the
 7 residents are opposed to it, as - - as well.
 8 And, you know, in looking at the - - the police
 9 report here, there's - - You know, there's been
 10 - - been some issues, and it seems like, you
 11 know, if you make it even larger, those issues
 12 could get even more exasperated. So based on
 13 neighborhood testimony and the police report, I
 14 would move denial of the expansion of the - -
 15 MR. GRAY: Excuse me. I didn't mean to
 16 interrupt you, but we said that we would take the
 17 hold and talk to the neighborhood, if that's - -
 18 ALDERMAN ZIELINSKI: Oh, okay. Okay.
 19 Scratch all that. And we'll go with the - -
 20 CHAIRMAN BOHL: And we even - - We even
 21 had - - You maybe just for a moment, but - -
 22 ALDERMAN ZIELINSKI: - - hold for that.
 23
 24 CHAIRMAN BOHL: But what I said this
 25 much is the testimony would stand and ultimately

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1 MR. SCHRIMPF: When the streets are
 2 closed off and the traffic is going all one way,
 3 is this his security that's doing it, or the
 4 Milwaukee Police Department?
 5 THE WITNESS: Security and the police
 6 department.
 7 MR. SCHRIMPF: Oh.
 8 THE WITNESS: They provide him with
 9 barricades to put up.
 10 CHAIRMAN BOHL: Any other questions by
 11 committee? Any - - Any additional questions or
 12 comments at this time here? Mr. Runner, was
 13 there anything else that you wanted to add?
 14 Okay. I mean, we had - - We have a few options.
 15 I mean, we can move forward. We can hold the
 16 matter, I think, at this point. The discretion
 17 is up to the committee.
 18 ALDERMAN ZIELINSKI: Mr. Chairman.
 19 CHAIRMAN BOHL: Alderman Zielinski
 20 ALDERMAN ZIELINSKI: I'm ready to make
 21 a motion.
 22 CHAIRMAN BOHL: Go ahead.
 23 ALDERMAN ZIELINSKI: Okay. I would - -
 24 First off, just so you understand the procedure.
 25 This committee pays very close attention to

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1 be on that - - It didn't mean that they would
 2 resolve the desire to - - to seek a change, but
 3 at least - -
 4 ALDERMAN ZIELINSKI: That's what we try
 5 and encourage. We try and encourage the business
 6 owners to - - to work with - - with the
 7 neighborhood and get a dialog and an
 8 understanding before they come to - - to the
 9 committee, because that's the best case scenario.
 10 Just, you know - - you know, piece of advice for
 11 future reference. I mean, we - - we hear these
 12 things all day, you know, two times a month.
 13 We've been down this road many times before. If
 14 you've got a good chunk of the neighborhood
 15 opposed to you, you're going to have a real tough
 16 - - tough battle. You're going to have a real
 17 uphill battle. So hopefully you can work
 18 something out. Maybe there's some sort of
 19 compromise, you know, that you can work out with
 20 them. I'm not sure, but I - - I think that was a
 21 very wise move on your part to - - to extend the
 22 - - the hand of, you know, dialog.
 23 So my motion would be then to hold to
 24 the Call of the Chair.
 25 CHAIRMAN BOHL: Motion by Alderman

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1 Zielinski is to hold the matter at the Call of
 2 the Chair. Is there any objection to that
 3 motion? Hearing none, so ordered. Thank you all
 4 of the neighbors who are here. We'll give you
 5 the opportunity and we'll hear when Alderman
 6 Hines' office requests the item to be heard again
 7 is one that will be heard again. But - -
 8 THE WITNESS: Is our testimony going to
 9 be - -
 10 CHAIRMAN BOHL: No, your testimony
 11 actually will - - No, your testimony - - Ma'am,
 12 your testimony will stand. That's why we heard
 13 you.
 14 THE WITNESS: Okay.
 15 CHAIRMAN BOHL: Otherwise - -
 16 Otherwise, we had - - We could have just held it
 17 to the Call of the Chair immediately. We stuck
 18 around for another half an hour to hear you. I
 19 assure you, I started at eight a.m. today. I
 20 would prefer to have been gone a half an hour ago
 21 as opposed to right now. So - - So we - - That's
 22 why we heard you so that you wouldn't have to
 23 come back again.
 24 THE WITNESS: Thank you.
 25 CHAIRMAN BOHL: Thank you. Thank you

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 2
 3 STATE OF WISCONSIN)
 4)
 5 MILWAUKEE COUNTY)
 6
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 9 Milwaukee, Wisconsin 53208, certify that the foregoing
 10 proceedings is a full and complete transcript of CLUB
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 18 JEAN M. BARINA
 19 Court Reporter
 20
 21 Dated this day of October, 2009.
 22
 23

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1 for coming down.
 2 ALDERMAN ZIELINSKI: It was - - It was
 3 worth it for you to show up, because if you
 4 didn't show up, they would have had the
 5 extension.
 6 * * * * *