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CITY OF MILWAUKEE

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UTILITIES & LICENSES COMMITTEE

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In the Matter of the Renewal Application for:

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HUMPHREY F. NANGAH

"DIAMONDS, INC."

7

7607 W. Hampton Avenue

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COMMITTEE MEMBERS

10

ALD. JAMES WITKOWIAK - Chair

ALD. JAMES BOHL, JR., - Vice-Chairman

11

ALD. JOSEPH A. DUDZIK

ALD. ROBERT PUENTE

12

LICENSING DIVISION by REBECCA BARRON

13

NEIGHBORHOOD SERVICES by PANDORA BENDER

HEALTH DEPARTMENT by KEVIN HULBERT

14

POLICE DEPARTMENT by SERGAENT CHESTER ULICKEY

OFFICE OF THE CITY ATTORNEY by ATTORNEY BRUCE SCHRIMPF

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Proceedings had and testimony given in

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the above-entitled matter, before the LICENSES

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COMMITTEE OF THE CITY OF MILWAUKEE, on the 3rd day of

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January, 2006.

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P R O C E E D I N G S

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CHAIRMAN WITKOWIAK: In the 5th

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District, Humphrey F. Nangah, Agent for

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"Diamonds, Inc.", Class "B" Tavern and Tavern

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Dance renewal application for "Diamonds Pub" at

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7607 West Hampton Avenue.

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Good morning.

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THE APPLICANT: Good morning.

9

CHAIRMAN WITKOWIAK: Could you raise

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your right hand, we'll swear you in, please?

11

(Whereupon those present were sworn.)

12

CHAIRMAN WITKOWIAK: Name and address

13

for the record, please.

14

THE APPLICANT: Humphrey - - Humphrey

15

Nangah. 5265 North 62nd Street, Milwaukee,

16

Wisconsin 53218.

17

CHAIRMAN WITKOWIAK: Okay. State your

18

appearance, please.

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MR. CONNORS: Attorney Scott Connors,

20

appearing on behalf of Humphrey Nangah and

21

Diamonds.

22

CHAIRMAN WITKOWIAK: Thank you. Mr.

23

Nangah, do you admit to receiving a notice in the

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mail where there's a possibility your application

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could be denied because of items contained on the

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1 police report and neighborhood objections to
2 loitering, littering, parking, traffic problems,
3 loud noise, late night disturbances, fights,
4 shootings, drug activity, presence of underage
5 persons, and conduct which is detrimental to the
6 health, safety and welfare of the neighborhood?

7 THE APPLICANT: I did.

8 CHAIRMAN WITKOWIAK: Okay. Health
9 department?

10 HEALTH: It's a renewal.

11 CHAIRMAN WITKOWIAK: Oh, it's a
12 renewal. Okay. And, Neighborhood Services.

13 DNS: No objection.

14 CHAIRMAN WITKOWIAK: Okay. Sergeant
15 Ulickey, the police report, please.

16 SERGEANT ULICKEY: On 7/23 of '05 at
17 one a.m. officers conducted a premise check at
18 Diamonds Pub, 7607 West Hampton Avenue. They
19 observed a maximum capacity sign posted properly
20 over the main entrance, which had a limit of 100
21 people. Because of the large crowd it was
22 believed that the premise was over capacity. The
23 premises was closed and the patrons were counted
24 as they left the premises. A total of 177
25 patrons and 11 employees were counted, and the

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1 licensee was issued a citation for exceeding the
2 posted capacity. The licensee is scheduled for a
3 trial at 2/6 of '06.

4 And on 8/7 of '05 at 12:50 officers
5 conducted a tavern check at Diamonds Pub, 7605
6 West Hampton Avenue. They observed 20 to 25
7 persons standing on the sidewalk waiting to get
8 into Diamonds. The officers were going to check
9 the premises for over capacity. They observed
10 three females walking along the west side of the
11 building. They appeared upset. They were very
12 vocal. They then attempted to re-enter the
13 premises and confront some of the patrons that
14 were leaving. One of the three punched one of
15 the persons in the face, and then was taken to
16 the ground. She then punched another female
17 twice to the head. This person was an off-duty
18 police officer. The subject was arrested and
19 conveyed to St. Joseph's ER for medical
20 clearance. Witnesses told officers that the off-
21 duty officer was confronted - - Excuse me - - by
22 a group of females inside the tavern, who then
23 followed her to the bathroom. The off-duty
24 officer was hit and punched in the bathroom by
25 the same person who was arrested above.

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1 CHAIRMAN WITKOWIAK: Do you have any
2 questions of the police report?
3 MR. CONNORS: Is this - - Excuse me.
4 Is this police report an actual police report, or
5 is this a .. incident report?
6 SERGEANT ULICKEY: The synopsis I read
7 was taken from a PA33, which is a licensed person
8 report. It was also a offense report generated
9 for battery to a peace officer.
10 MR. CONNORS: Were there any - -
11 ALDERMAN PUENTE: Mr. Chair.
12 CHAIRMAN WITKOWIAK: Alderman Puente.
13 ALDERMAN PUENTE: Which are both police
14 reports.
15 SERGEANT ULICKEY: That's correct.
16 ALDERMAN PUENTE: Thank you.
17 MR. CONNORS: Were there any follow-
18 ups? Do you know if anybody was charged with
19 battery to a police officer?
20 SERGEANT ULICKEY: That information I
21 do not have.
22 MR. CONNORS: Was the police report
23 generated by the same off-duty police officer
24 that was at the bar?
25 SERGEANT ULICKEY: No.

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1 MR. CONNORS: Okay. And do you have
2 the name of the person that generated the report?

3 SERGEANT ULICKEY: That information I
4 don't have.

5 MR. CONNORS: Okay.

6 CHAIRMAN WITKOWIAK: Questions by
7 members of the committee?

8 How long have you - - I have a
9 question. How long have you been operating that
10 premises? Could you turn the microphone towards
11 yourself there?

12 THE APPLICANT: Since '02, July of '02.

13 MR. SCHRIMPF: I didn't hear that, Mr.
14 Chairman. '02?

15 THE APPLICANT: July. Yeah, 2002.

16 CHAIRMAN WITKOWIAK: What are you doing
17 to control the capacity and the crowd there?
18 Have you done anything to improve the discipline
19 over there?

20 THE APPLICANT: Yes. I've been talking
21 to Alderman Bohl about my problems in the - - in
22 the establishment. Some of the things I've done
23 is cut out most of the - - the different type of
24 musics I will be having over there. That's one.
25 We have a older crowd, which is pretty much older

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1 - - an older crowd. We have security, and we've
2 installed scanners and counters. One of the
3 problems why the capacity is so small today is we
4 have limitations in the bathrooms. I've had an
5 architect work on it and look at ways of - -
6 Technically I don't really want any increase the
7 - - the numbers of people that into the
8 establishment pretty satisfy what it is right
9 now, 100.

10 We've avoided - - Because one of the
11 problems we had was - - had problems with
12 security. I've gone through a number of - -
13 numerous security firms. And I think I had a
14 problem with a security guard that collected
15 money and let people inside, and then that was
16 one of the problems. What I'm doing now is we've
17 had change of security, we increased - - the
18 amount of people that come inside the
19 establishment. The age limit is - - We have a
20 limitation of the age. The people - - The people
21 come inside mostly are older - - older crowd, 30
22 and up. So that has brought the crowd numbers
23 down. We've been closing a little bit earlier,
24 11 and 12 o'clock in the - - the night, instead
25 of the two - - regular 2:30. And just that

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1 controls a lot of the - - those things.

2 We've been having - - On New Year's Day
3 we have - - we have more bands versus having a DJ
4 and stuff. We had - - And so, we - - we working
5 towards that. One of the things the architect
6 look at, I see a problem here is the bathrooms.
7 It's not the room, per se, the number of male
8 stalls in the establishment. I'm looking at
9 doing that, that that's a possibility. I would
10 like to keep the numbers at 100. I don't feel
11 like I want to do that and go up with some top of
12 it. That - - That's what we're doing, looking at
13 doing.

14 And in terms of - - I've been working
15 with my alderman. I talk to him regularly, and
16 tells when I have problems. Because any problems
17 or upcoming problems we work with him in terms of
18 that.

19 The other incident, if you don't mind,
20 I can explain the other incident, the incident of
21 8/7/05, which is the battery to the police
22 officer. What happened here is - - I'm still
23 trying to contest this with the Captain. The
24 story's not true. It's just not correct. This
25 is inaccurate right here. What happened here,

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1 the police officer was actually a detective, and
2 she was off-duty. She was - - walked outside.
3 There was a Sergeant sitting on the sidewalk. So
4 he literally saw what happened. When the police
5 officer walked outside, she threw the first
6 punch. There was patrons that went outside were
7 kicked out of the club for misconduct. And when
8 the police officer walked outside, she was upset,
9 because nothing was done at a point at that time
10 she - - technically she was the one that started
11 the fight outside. I'm talking to the Captain,
12 trying to see if I can rectify this one here.

13 ALDERMAN PUENTE: Mr. Chair.

14 CHAIRMAN WITKOWIAK: Alderman Puente.

15 ALDERMAN PUENTE: Didn't the incidents
16 happen inside your tavern? Was there a fight in
17 the bathroom as indicated in the report?

18 THE APPLICANT: No, there was - - No,
19 there wasn't any fight in the bathroom. There
20 was an altercation between the - - this verbal
21 exchange between the officer's boyfriend and the
22 young - - the young female. There was no fights
23 in the bathroom. I know for a fact that if an
24 officer is abused or - - or hit in the bathroom
25 and there'll be more than one or two squad cars

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1 outside, if she makes a call. We have - - all
2 have cell phones, and I think that if she was
3 being beaten in the bathroom, and I have security
4 on the premises, we would have had more than two
5 or three squad cars outside.

6 ALDERMAN PUENTE: Was there any
7 incident inside your tavern this night regarding
8 the off-duty officer and any other of your
9 patrons?

10 THE APPLICANT: Yes, there was a
11 confrontation.

12 ALDERMAN PUENTE: Can you - - Can you
13 explained that then.

14 THE APPLICANT: Yeah. The off-duty
15 officer was accompanied into the tavern with her
16 boyfriend, and he, at the time, was talking to
17 another group of females. She got upset. And
18 based on what stories that I got was she got
19 upset with him having conversations with all the
20 patrons in the - - in the establishment. And at
21 that point security got there and separated
22 whatever argument, stop the arguments. And the
23 patrons were kicked out of the club. And the
24 officer was still upset. And when she walked out
25 of the door, she hit the patrons as they were

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1 walking on the sidewalk, because they were kicked
2 out. And that's why they were outside.

3 ALDERMAN PUENTE: Do you know of the
4 off-duty officer and her boyfriend?

5 THE APPLICANT: I know her, yeah. She
6 - - She frequent - -

7 ALDERMAN PUENTE: You know both - -
8 both of them?

9 THE APPLICANT: Yes, yes, yes. She
10 frequents the establishment. I know her by the
11 name - - I know her, and I personally went and
12 talked to her. I personally - - That night I
13 personally went and talked to her. I told her it
14 would be okay. And I knew that if she had any
15 problems, there will be more than two squad cars
16 outside. When she walked outside, there was a
17 Sergeant sitting right out front and saw what
18 happened. So this story is not what happened.
19 She was not hit in the bathroom.

20 ALDERMAN PUENTE: So you talked to her
21 prior to her going outside.

22 THE APPLICANT: Correct.

23 ALDERMAN PUENTE: And after the
24 incident.

25 THE APPLICANT: I talked to her.

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1 ALDERMAN PUENTE: Inside your place.

2 THE APPLICANT: I talked to her prior
3 to her going outside. I didn't talk to her after
4 the incident outside.

5 ALDERMAN PUENTE: No, the incident
6 inside.

7 THE APPLICANT: Yes. Yes, sir.

8 ALDERMAN PUENTE: Thank you.

9 CHAIRMAN WITKOWIAK: This item is
10 noticed for neighborhood objections. Is there
11 anyone here to testify in objection to the
12 renewal of the license at 7607 West Hampton
13 Avenue? Anyone here to testify in objection to
14 the renewal of this license at 7607 West Hampton
15 Avenue? Please raise your hand. Let the record
16 show that no one acknowledges.

17 Any further questions by members of the
18 committee?

19 ALDERMAN BOHL: Mr. Chair.

20 CHAIRMAN WITKOWIAK: Alderman Bohl.

21 ALDERMAN BOHL: This particular
22 establishment is located in the 5th Aldermanic
23 District. It is an establishment that I
24 inherited with the reapportionment here in 2004,
25 and part of that was in the 2nd Aldermanic

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1 District. It - - It has been an establishment
2 that I have had some real concerns regarding, and
3 Mr. Nangah and myself have had a number of
4 conversations here over the past year regarding
5 some of the incidents that - - that have
6 transpired. And, you know, one of my concerns is
7 I just, you know, I've gotten back to District 7.
8 I just don't believe that the police report on
9 this particular item is a complete report of - -
10 of incidents that, at least, I've been made aware
11 of in the past, including some items that Mr.
12 Nangah has contacted me on.

13 He is correct in - - in saying, and I
14 do appreciate the fact that - - that he and I
15 have a - - a good stream of communication. Where
16 there have been issues, he has been right on the
17 - - right on the horn to relay items to me and to
18 broach me for suggestions or thoughts about how
19 he may be able to better operate his
20 establishment. He was right away on the horn
21 with me relating to the incident with this - -
22 alleged incident with this police officer, among
23 other items. I have had an opportunity to sit
24 down with him two - - on two occasions here in
25 late summer, early Fall. I just will submit for

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1 the record subsequent letters that I - - that I
2 did provide or did send to Mr. Nangah expressing
3 my concern over the some of the items that I was
4 hearing from neighbors, regarding the - - the
5 operation at this location. And I would be happy
6 to move their admittance into the record at this
7 point.

8 CHAIRMAN WITKOWIAK: The motion by
9 Alderman Bohl is to make the letters provided
10 here part of the permanent record in this
11 hearing, and hearing no objections, so ordered.

12 And, Counsel, are you familiar with
13 these? Do you have - -

14 MR. CONNORS: I haven't seen them.

15 CHAIRMAN WITKOWIAK: We'll - - We'll
16 get you a copy of this.

17 MR. CONNORS: Thank you.

18 ALDERMAN BOHL: Mr. Chairman, if I - -
19 if I may continue.

20 CHAIRMAN WITKOWIAK: Alderman Bohl,
21 please.

22 ALDERMAN BOHL: Among the concerns in
23 and around this establishment has - - has been a
24 couple of shootings that have transpired over - -
25 over the past year. One of the - - the items was

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1 a homicide which took place at a - - at a - - a
2 parking lot of an establishment across the
3 street, a Sav-A-Lot Food Store. There was, also,
4 in September, early September, another shooting
5 of a patron of - - of Mr. Nangah's establishment.
6 It is - - It is not on the police report. I did
7 follow up with - - with Captain Galleoni at - -
8 at District 7. One of the reasons it - - It was
9 also an off-duty officer who was in Mr. Nangah's
10 establishment, who was parked, not on the street
11 or in Mr. Nangah's establishment, but was parked
12 across the street. There's a - - There's a strip
13 mall across the street to the north. And when he
14 was leaving the establishment that evening, he
15 was subsequently robbed in his vehicle, and was
16 shot during that altercation. The reason it is
17 not included in the police report, according to
18 the Captain, is that the police department did
19 not deem that there was a direct correlation to
20 the establishment.

21 Nevertheless, it was part of a larger
22 concern that I had, and what it - - what it
23 boiled down to is Mr. Nangah's establishment,
24 prior to some real changes that took place here
25 - - here late summer, early Fall, was an

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1 establishment that, as a nightclub, catered to a
2 much younger crowd. Would - - And - - And it's
3 no mistake that, you know, that this over
4 capacity issue took place, because he was a - -
5 he had a very popular establishment. Among the
6 complaints that I would hear from neighbors here
7 in the past was that - - that Mr. Nangah's
8 establishment would be very full and there would
9 be overflow crowds on the street. I did have a
10 neighborhood meeting here about a week - - week
11 and a half before Christmas, about December 19th,
12 and there were - - there were a fair number of
13 residents who turned out, some - - some of whom
14 were very supportive of Mr. Nangah, a few which
15 did raise some - - some concerns about some of
16 the past activities.

17 Mr. Nangah has changed his format, and
18 subsequently, has - - has changed his policies in
19 terms of - - of creating a higher age requirement
20 than - - than 21 years of age for the admittance
21 to his establishment. I'm very supportive of
22 those particular changes. What - - What I would
23 just say is - - is that it - - I continue to - -
24 to have concerns about the tavern dance license,
25 particularly issues of the format. And I would

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1 just make it known to Mr. Nangah that, for
2 example, on his - - his - - his tavern alcohol
3 supplement, that he has not checked hip-hop, or
4 rap, or a number of other type of dance musics.
5 And that that ultimately would prohibit him from
6 - - from playing those type of music formats in
7 the future. And so I just want to make you fully
8 aware of that, that - - that by - - by this
9 committee considering your request here, by you
10 not checking those, it would prohibit you from
11 playing those type of musics in - - in the
12 future.

13 I'm - - I'm very leery. I know that
14 - - that with some of the changes here the amount
15 of concerns, at least, has - - has diminished,
16 and residents have fully acknowledged that there
17 are additional concerns in the neighborhood. I
18 know that there is one neighbor who - - who is
19 certainly a supporter of - - of Mr. Nangah's and
20 has been to the establishment and has seen some
21 of the changes.

22 Nevertheless, Mr. Chairman, I - - I
23 have some - - I have some real concerns, because
24 this - - this place has generated problems. I
25 would at the very least believe that - - that

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1 there should be some sanction to the tavern dance
2 license, and I would prefer to see that this item
3 number five, which - - which has a trial date of
4 February 6, would not be included on - - on this
5 particular year. Because I think that that is a
6 serious outcome when we have establishments that
7 - - that are woefully in excess of their
8 capacity.

9 CHAIRMAN WITKOWIAK: Thank you. Any
10 further questions by members of the committee?

11 ALDERMAN PUENTE: Mr. Chair.

12 CHAIRMAN WITKOWIAK: Alderman Puente.

13 ALDERMAN PUENTE: When did these new
14 plan of actions take place, and what impact, if
15 any, has it had?

16 THE APPLICANT: As the alderman said,
17 early summer, late - - late Fall. It's done us -
18 - It has an impact into the neighborhood. We had
19 a neighborhood meeting where some of the concerns
20 where they - - the neighbors acknowledged they've
21 seen some change. They've seen a lot of change.
22 There's been some great - - a lot of change in
23 the - - in the establishment. I - - I understand
24 what the alderman is saying, and one of the
25 problems here is not really - - As a matter of

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1 fact, Sunday there was a robbery across the
2 street, for example. And it's - - it's not - -
3 We have neighborhood problems, we addressed it in
4 the meeting, and I'm trying the best I can - - I
5 can. So far, it's been - - it's been - - You can
6 literally see the changes, because the neighbors
7 acknowledge, and they're supportive of - - of the
8 - - the establishment. The establishment does
9 have - - We do have cooking, and we have food.
10 So we serve food. So those are some of the
11 changes we made in the establishment, and people
12 come inside. So by raising the age, and - - and
13 - - and the limitations, we've done - - we've
14 seen a lot of change in - - in the establishment.
15 Prior to that officer coming in there
16 and having this problems, we've seen a lot of
17 change. The officer, shooting across the street,
18 he walked up to the door. And he walked inside.
19 We - - We don't normally refuse officers coming
20 into the establishment. Especially the off-
21 duties. We know them, and they walk in and he
22 walk right out. Whatever happened across the
23 street, sad situation, we've done a lot of things
24 to limit the crowd, a lot of people coming inside
25 the establishment, and that hip-hop and rap, it's

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1 - - I think that is done by design, that this
2 type of music will not be heard in that
3 establishment. That's why it's not on the
4 license. It's not that we didn't forget to put
5 it on there. But those are some of the changes.

6 ALDERMAN PUENTE: You have country and
7 polka.

8 THE APPLICANT: Yeah, it's on the
9 jukebox. If you come in and you want to play the
10 jukebox, it's on the jukebox. It's there. If
11 that's what your - - your taste is, it's on the
12 jukebox.

13 ALDERMAN PUENTE: Thank you. Thank
14 you, Mr. Chair.

15 ALDERMAN BOHL: Alderman Puente was
16 inquiring because he's a big polka fan.

17 THE APPLICANT: That's fine, too.

18 ALDERMAN BOHL: Mr. Chairman.

19 CHAIRMAN WITKOWIAK: Alderman Bohl.

20 ALDERMAN BOHL: I do - - I do have a
21 copy of a Journal/Sentinel article that relates
22 to this officer shooting across the street from
23 the establishment. I would like to make this
24 part of our permanent record, as well, too.

25 CHAIRMAN WITKOWIAK: Alderman Bohl

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1 moves to make this copy of this article from the
2 Journal/Sentinel of September 3rd part of the
3 permanent record of this hearing. Hearing no
4 objections, so ordered. Would you please make
5 sure counsel gets a copy of this?

6 Okay. Anything further by members of
7 the committee?

8 ALDERMAN DUDZIK: Mr. Chairman.

9 CHAIRMAN WITKOWIAK: Alderman Dudzik.

10 ALDERMAN DUDZIK: I just want to be
11 real clear. Am I to understand through listening
12 to Alderman Bohl, you instituted some type of age
13 guidelines?

14 THE APPLICANT: That's correct.

15 ALDERMAN DUDZIK: And I have to ask Mr.
16 Schrimpf, if such age discrimination is legal
17 and/or enforceable by this committee?

18 MR. SCHRIMPF: No. Because there's an
19 ordinance that specifically says that - - The
20 only age that you can enforce, because it's a
21 State law, is the fact that no one under 21. But
22 if they're over 21, they have a right to enter
23 any premises. And you - - So you can not
24 arbitrarily set a date - - or set an age like 25
25 or 30 or something like that.

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1 ALDERMAN DUDZIK: Thank you. The - -
2 The only reason I asked the question is because,
3 you know, heaven forbid that you should try to
4 discriminate against me for coming into your club
5 because I'm too old or what have you, and - - and
6 I appreciate your effort to kind of weed out some
7 of the more rowdy individuals, but I - - I just
8 don't think it's enforceable and - -

9 THE APPLICANT: There's also a - - I'm
10 sorry - - There's also a dress code. There's
11 also a dress code enforcement, too. There's
12 certain attire that you can't use jeans and - -
13 and stuff after certain times, after nine
14 o'clock. So work - - It's the after work crowd.
15 So there's a dress code. And one of the things
16 we've done, too, is we've expanded the kitchen.
17 Made the kitchen a little bit bigger, more of a
18 restaurant-type environment. And that's what
19 we're trying to do. We're going to health - -
20 And we're working with the health department to
21 increase our - - increase our food sales versus
22 just being a liquor establishment. So we've done
23 that, too.

24 CHAIRMAN WITKOWIAK: Thank you.

25 ALDERMAN DUDZIK: Thank you.

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1 CHAIRMAN WITKOWIAK: I think on that
2 subject, I mean, other - - other people in town
3 have done this, you know, you have to be 25 years
4 old to enter. I mean, that - - the sign,
5 although it's not enforceable by law, it's kind
6 of a suggestion. It's kind of like setting the
7 tone, saying, listen, we don't - - we don't want
8 any - - We don't want any young rowdy people
9 here. But if somebody challenged and said I'm
10 - - I'm 21 and you have to let me in here, you
11 would have to let them in.

12 THE APPLICANT: Correct. But - -

13 CHAIRMAN WITKOWIAK: But it sends a
14 message to the people.

15 THE APPLICANT: It does. And - - And
16 changing the music, Alderman, it has a direct
17 implication on the age limit. And that is the
18 right intention why the - - the hip-hop and the
19 rap is off the thing. Because they - - Literally
20 there's - - there's a direct correlation to
21 changing the - - the music, and that affects the
22 age limit, because most people that are younger
23 - - younger than 25, or younger than 28, will not
24 come in and listen to country and polka.

25 CHAIRMAN WITKOWIAK: Okay. Thank you.

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1 Counsel, anything in closing?

2 MR. CONNORS: (Nods.)

3 CHAIRMAN WITKOWIAK: Okay. Any further
4 questions by members of the committee? This
5 matter is in committee.

6 ALDERMAN BOHL: Mr. Chairman.

7 CHAIRMAN WITKOWIAK: Alderman Bohl.

8 ALDERMAN BOHL: Let me just say I - - I
9 appreciate the changes Mr. Nangah has come
10 forward here, and - - and I'm fully supportive of
11 his suggested sign that would - - would ask for a
12 greater age. And, hey, if some 21 year old wants
13 to hire the ACLU, let them. I'll be there to
14 testify.

15 You know, as I said, I - - I appreciate
16 the changes that have come forward here. I - - I
17 have had some concerns about some of the - - the
18 past complaints that - - that I have taken. I
19 think that our - - our neighborhood meeting was
20 very productive, at least brought some of these
21 issues forward and - - and certainly there are
22 other concerns in that neighborhood, some of the
23 apartments that are adjacent to that.

24 I would move at this point approval of
25 the Class B Tavern application. I would move for

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1 approval of - - of the Class B Dance application
2 with a ten day suspension, based on matters
3 contained in the police report. I would also ask
4 that item number five dated incident report for
5 7/23 of '05 would be omitted from - - from the
6 decision that would bear in - - in today. I
7 would also ask that the entire police report, Mr.
8 Chairman, with this motion would be included as
9 part of our permanent record in this matter.

10 CHAIRMAN WITKOWIAK: We'll take that
11 separate. First of all, Alderman Bohl moves to
12 make the entire police report part of the
13 permanent record in this hear - - in this matter,
14 and hearing no objections to that, so ordered.

15 I'll try and restate the motion here.
16 Alderman Bohl moves approval of the rec - -
17 recommends approval of the renewal of the Class B
18 Tavern license, with a ten day suspension - -

19 MR. SCHRIMPF: No. No.

20 CHAIRMAN WITKOWIAK: - - of the Tavern
21 Dance.

22 MR. SCHRIMPF: Oh, oh.

23 CHAIRMAN WITKOWIAK: Approval of the
24 Class B Tavern license. Approval of the - - the
25 Tavern Dance renewal with a ten day suspension.

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MR. SCHRIMPF: Yes.

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CHAIRMAN WITKOWIAK: The Tavern renewal only. Excluding item number five from the police report, anticipating eventual conclusion of that. And so we could use it in the subsequent hearing. Does everyone understand the motion? Are there any objections to that motion? Hearing none, so ordered.

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MR. SCHRIMPF: Mr. Nangah, the committee is going to be doing findings of fact and conclusions of law recommending renewal of your Class B Tavern license, and recommending renewal of your Tavern Dance license with a ten day suspension. You'll receive a copy of that recommendation. You'll have an opportunity to submit written objections to that recommendation, as well as appear before the Milwaukee Common Council when it considers this matter on January - - January 18th, 2006 in the Common Council Chambers of this building at approximately nine a.m. That's on this floor at the opposite end.

And, Counsel, could I have a - - a card or something so I can get - -

MR. CONNORS: I hope I have one on me.

MR. SCHRIMPF: If you could just give

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1 me your address.
2 MR. CONNORS: It's 10125 - -
3 MR. SCHRIMPF: 10125.
4 MR. CONNORS: West North Avenue.
5 MR. SCHRIMPF: Okay.
6 MR. CONNORS: Wauwatosa 53226.
7 MR. SCHRIMPF: 53226.
8 MR. CONNORS: Correct.
9 MR. SCHRIMPF: Thank you. Okay.
10 CHAIRMAN WITKOWIAK: Okay. Thank you,
11 very much.
12 ALDERMAN BOHL: Mr. Chairman, I - - I
13 just - - I want to make certain that there's a
14 firm understanding of what - -
15 MR. CONNORS: And that's what I was
16 going to ask. That there's a firm understanding
17 exactly what the suspension entails.
18 MR. SCHRIMPF: It basically means you
19 cannot use with - - This license expires on
20 January 21st. So from midnight January 21st,
21 2006 until midnight January 31st, 2006, you can't
22 engage in any activities in the tavern that
23 requires a tavern dance license.
24 ALDERMAN BOHL: It would prohibit
25 dancing, but it would allow you to continue to

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1 operate as a tavern.

2 MR. SCHRIMPF: You can operate as a
3 tavern.

4 ALDERMAN BOHL: For a ten day period
5 you can operate only as a tavern without a tavern
6 dance. Subsequent to that point - -

7 CHAIRMAN WITKOWIAK: The music can
8 play, but no one can dance.

9 THE APPLICANT: I appreciate it. Thank
10 you.

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3 STATE OF WISCONSIN)

4 MILWAUKEE COUNTY)

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JEAN M. BARINA - COURT REPORTER

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Dated this day of January, 2006

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