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1
 2 CITY OF MILWAUKEE
 3 LICENSES COMMITTEE
 4 *****
 5
 6 In the Matter of Class "B" Tavern and Billiard Hall
 7 renewal application with change of member and floor
 8 plan for:
 9
 10 OLD LAMP INN'S FRENCHIES
 11 JOSEF M. LEPOLD
 12 8340 West Lisbon Avenue
 13 *****

14 COMMITTEE MEMBERS
 15 ALD. MILELE COGGS - Chair
 16 ALD. T. ANTHONY ZIELINSKI
 17 ALD. ASHANTI HAMILTON
 18 ALD. NIK KOVAC
 19
 20 LICENSING DIVISION by RICHARD PFAFF
 21 POLICE DEPARTMENT by P.O. PAUL MACGILLIS
 22 OFFICE OF THE CITY ATTORNEY by ATTORNEY BRUCE SCHRIMPF
 23
 24 Proceedings had and testimony given in
 the above-entitled matter, before the LICENSES
 COMMITTEE OF THE CITY OF MILWAUKEE, on
 the 2nd day of June, 2010.

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1 Committee meeting, PA-33 report from the
 2 Milwaukee Police Department, as well as an
 3 outline of potential neighborhood objections that
 4 could be used as a means for denial?
 5 THE APPLICANT: Yes.
 6 CHAIRWOMAN COGGS: This - - I'm calling
 7 this a contested hearing. And in a contested
 8 hearing there are 30 minutes per side of
 9 testimony and statements, excluding the police
 10 report. Additional time may be allotted for
 11 questions of witnesses. Sergeant MacGillis,
 12 could you please read the police report?
 13 SERGEANT MACGILLIS: Yes, I shall.
 14 Item one on page two of the E-book. On
 15 11/11/2009 at 8:33 p.m. Milwaukee Police
 16 responded to an anonymous call of a man beating a
 17 woman outside of Frenchies bar at 8340 West
 18 Lisbon Avenue. Investigation revealed a man and
 19 woman were involved in a loud and heated argument
 20 in front of the business. Both parties denied
 21 being injured. No additional police reports or
 22 citations were written.
 23 Item two, on 2/25/2010 at 2:38 a.m.
 24 Milwaukee Police responded to a shooting at Old
 25 Lamp Inn's Frenchies tavern, 8340 West Lisbon

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1 PROCEEDINGS
 2 CHAIRWOMAN COGGS: Josef M. Lepold,
 3 Agent for "Old Lamp Inn's Frenchies, LLC", Class
 4 "B" Tavern and Billiard Hall renewal application
 5 with a change of member and floor plan for "Old
 6 Lamp Inn's Frenchies" at 8340 West Lisbon Avenue.
 7 MR. MURRELL: Madame Chairwoman, the
 8 owners, principal owners appear by counsel,
 9 Jeffrey Murrell. Good morning.
 10 CHAIRWOMAN COGGS: Good morning. Can
 11 we have - -
 12 MR. SCHRIMPF: Madame Chair, cou I have
 13 that name again, please?
 14 MR. MURRELL: Jeffrey Murrell, M-U-R-R-
 15 E-L-L. Good morning, Mr. Schrimpf.
 16 CHAIRWOMAN COGGS: Can we have the
 17 applicant, the police personnel and Alderman Bohl
 18 sworn in at this time, and the applicant's
 19 father?
 20 (Whereupon those present were sworn.)
 21 CHAIRWOMAN COGGS: Do you acknowledge
 22 receiving notice of today's meeting with the
 23 possibility this application could be denied.
 24 There is an attached police report, transcript
 25 proceedings from the June 22nd, 2009 Licenses

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1 Avenue. Investigation revealed a bartender,
 2 Thomas M. Angelo inadvertently shot the building
 3 owner, a Jacob Lepold while inside the bar. This
 4 occurred while the bartender was reloading a gun
 5 kept behind the bar. The incident was reviewed
 6 by the Milwaukee District Attorney's office and
 7 no charges were issued.
 8 Item three, on 3/13/2010 at 2:03 a.m.
 9 Milwaukee Police responded to a shooting at North
 10 84th Street and West Lisbon Avenue.
 11 Investigation revealed that three people, Vincent
 12 G., Megan P. and Benjamin C. were walking past
 13 Frenchies tavern, 8340 West Lisbon Avenue. These
 14 people became involved in an argument with four
 15 people standing in the parking lot outside the
 16 business. The argument escalated to a fight.
 17 One of the four people standing in the parking
 18 lot retrieved a handgun from an auto parked in
 19 - - parked in the lot of the bar and shot Vincent
 20 G. Milwaukee Police report 100720018 was filed.
 21 Item four, on 4/17/2010 at 9:10 p.m. a
 22 20 year old police aide, working in conjunction
 23 with Milwaukee Police was able to purchase five
 24 bottles of Miller Lite brand beer from the
 25 bartender, Thomas M. Angelo at 8340 West Lisbon

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1 Avenue, Old Lamp Inn Frenchies tavern. Thomas M.
2 Angelo was cited for sale to underage prohibited.
3 The charge sale of underage prohibited, initial
4 court appearance of 6/10/2010, 1:30 p.m. in
5 Municipal Court and the case number has not been
6 entered into Muni Court site yet as of the
7 generation of this document.

8 Item five, on 5/7/2010 at ten p.m. a
9 Milwaukee Police aide who had not yet attained
10 the age of 21, working in conjunction with the
11 Milwaukee Police was able to purchase three
12 bottles of Miller 64 brand beer from the
13 applicant at Old Lamp Frenchies tavern, 8340 West
14 Lisbon Avenue. The applicant was cited for sale
15 to alcohol to underage person prohibited and
16 presence of underage person in places of sale.
17 Charge one, presence of underage person in places
18 of sale, and charge two, sale of alcohol to
19 underage person prohibited. Initial court
20 appearance for both citations is scheduled for
21 7/1/2010, and as with the above case, both cases
22 - - both cases have not been entered into the
23 Muni Court site as of the generation of this
24 document. And that's all I have, ma'am.

25 CHAIRWOMAN COGGS: Thank you. Are

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1 are questions by committee first. I would defer
2 to committee.

3 CHAIRWOMAN COGGS: Any questions of
4 committee? Not at this time. Oh, I'm sorry.
5 Alderman Zielinski.

6 ALDERMAN ZIELINSKI: I just want to
7 dovetail on the objection. I know that the Chair
8 is not going to accept that. But this is an
9 exception to the hearsay rule. The police report
10 is an exception to the hearsay rule. That's all.
11 Thank you.

12 CHAIRWOMAN COGGS: Alderman Bohl?

13 ALDERMAN BOHL: Madame Chair, thank
14 you. Madame Chair, I would like to - - to have
15 the committee refer to the PA-33 report that I
16 just provided to the committee. And I - - And I
17 do have a couple of questions. First and
18 foremost, in referring to this particular report
19 there was a fight that occurred on the premises
20 right outside of - - of Frenchies on this
21 particular early morning hour. I'm wondering if
22 - - if either one of the - - the - - either of
23 the owner or the former partner here were present
24 at that particular incident.

25 MR. MURRELL: Madame Chairwoman, they

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1 there any questions or comments about the police
2 report from the applicant or his attorney?

3 MR. MURRELL: No, Madame Chairwoman.

4 ALDERMAN BOHL: Madame Chair.

5 CHAIRWOMAN COGGS: Yes, Alderman Bohl.

6 ALDERMAN BOHL: Thank you. Madame

7 Chair, at this time I would like to introduce and
8 ask the committee to make consideration of
9 entering officially into the record a PA-33,
10 which was noticed to the applicant relating to
11 the second of the two shooting events, I believe,
12 on 3/13 of 2010.

13 CHAIRWOMAN COGGS: Alderman Kovac would
14 move to accept the PA-33. Hearing no objections,
15 it's accepted.

16 MR. MURRELL: And, Madame Chairwoman,
17 we've had an opportunity to review that, and I'm
18 going to object on it, on hearsay objection, a
19 hearsay objection.

20 CHAIRWOMAN COGGS: Your objection is
21 noted.

22 MR. MURRELL: Thank you.

23 ALDERMAN BOHL: Madame Chair.

24 CHAIRWOMAN COGGS: Alderman Bohl.

25 ALDERMAN BOHL: I don't know if there

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1 were both there. And if I could expound on my
2 objection, we've got one police officer in this
3 report reiterating what two other detectives
4 said. How am I supposed to cross-examine what's
5 in this document without them being here? It
6 unfairly and falsely outlines what happened that
7 evening. Both the owners, and I should make a
8 record now at this point in time, Mr. Angelo is
9 not withdrawing as a member or an officer of this
10 corporation. So there is no change of member
11 issue. We would withdraw that at this point in
12 time. And there's a reason for that. And we
13 will explain that later in our case in chief.

14 CHAIRWOMAN COGGS: Mr. Pfaff, there was
15 a change of member issued?

16 MR. PFAFF: I have, they're dropping
17 one member - - dropping one member from their
18 organization. My understanding is now they're
19 withdrawing that change.

20 CHAIRWOMAN COGGS: So we would have to
21 accept that withdrawal.

22 MR. MURRELL: What's just been
23 explained to me is that Mr. Angelo will plan to
24 inevitably withdraw from the organization. That
25 would be after the end of the current term of

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1 this license, after it expires.
 2 CHAIRWOMAN COGGS: Which this - - This
 3 application today is for?
 4 MR. PFAFF: For the license period
 5 beginning 6/29/10.
 6 CHAIRWOMAN COGGS: So as of 6/29/10 he
 7 will be withdrawing. So it's - - it's currently
 8 filed - - It's correctly filed.
 9 MR. MURRELL: Then that would be
 10 correct. Yes, Madame Chairwoman.
 11 CHAIRWOMAN COGGS: All right. Alderman
 12 Bohl, you still have the floor.
 13 ALDERMAN BOHL: Thank you. I - - I
 14 would actually request a couple of questions,
 15 perhaps of Sergeant MacGillis, if he's aware.
 16 Sergeant, this is a police report in which the
 17 - - the summary was provided to the committee.
 18 This page - - This report actually is three full
 19 typed pages. There was an individual that was
 20 shot there on that particular occasion. Are you
 21 familiar with this particular PA-33 report?
 22 SERGEANT MACGILLIS: Yes.
 23 MR. SCHRIMPF: And who was that written
 24 by, sir, may I ask?
 25 SERGEANT MACGILLIS: I can provide you

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1 ALDERMAN BOHL: As part of the - - the
 2 summary that was completed, this particular text
 3 goes into there being a number of individuals
 4 that are interviewed. Is that something that is
 5 routinely done by the police department? Is that
 6 done by regular officers or is that done by
 7 detectives?
 8 SERGEANT MACGILLIS: It's done by both.
 9 ALDERMAN BOHL: Okay. This particular
 10 summary lists a number of minors that were
 11 interviewed. Are you familiar with that,
 12 Sergeant?
 13 SERGEANT MACGILLIS: Somewhat, yes.
 14 ALDERMAN BOHL: Sergeant, is it, based
 15 on the investigation that was done here, do we
 16 have a number of minors, including these
 17 individuals who were shot, that indicated that
 18 they have been customers in this particular bar?
 19 SERGEANT MACGILLIS: Yes, there is.
 20 ALDERMAN BOHL: And in that effort
 21 there was or was there not, questioning of
 22 individuals, including a number of additional
 23 minors, who have indicated that this particular
 24 location has been a hangout? Would that be a
 25 fair summary, for underage drinking?

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1 a copy.
 2 ALDERMAN BOHL: Officer Darcy Trunkel?
 3 SERGEANT MACGILLIS: Yes. Yes, there
 4 was somebody shot.
 5 ALDERMAN BOHL: Do you know - - Do you
 6 happen to know how many times that that
 7 individual was shot, Sergeant?
 8 SERGEANT MACGILLIS: Let me take a
 9 quick look. I - - He was shot, I believe, twice.
 10 ALDERMAN BOHL: I think it was seven
 11 times, but - - Sergeant? Sergeant, the - - these
 12 individuals that were shot, were they of legal
 13 drinking age or were they minors?
 14 SERGEANT MACGILLIS: I believe they
 15 were minors.
 16 ALDERMAN BOHL: One 20 year old, two 19
 17 year olds?
 18 SERGEANT MACGILLIS: Yes.
 19 ALDERMAN BOHL: As part of the
 20 investigation, was one of the - - the applicants,
 21 Tom Angelo, interviewed? I'll refer you to page
 22 two of the text. If you look at the first
 23 paragraph down, "Angelo indicated he was - -
 24 SERGEANT MACGILLIS: Yes, then he was
 25 interviewed.

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1 SERGEANT MACGILLIS: Yes, that's
 2 correct. Specifically, on page two about the
 3 fifth paragraph down there's a - - a interview of
 4 a minor, whose name I'll leave out, but this
 5 minor clearly indicates that the owner allowed
 6 drinking in the tavern and deleted minor's name
 7 stated that it's common knowledge that her
 8 friends from a certain jurisdiction know that
 9 they can go there and drink underage, and that
 10 it's especially busy to this incident, and on
 11 weekends, and so that - - that's contained in
 12 this document, page two, paragraph - -
 13 ALDERMAN BOHL: Those items were not
 14 included in the summary, but were part of the
 15 report that was filed relating to a number of
 16 shooting instances. Is that correct?
 17 SERGEANT MACGILLIS: That is correct,
 18 and I believe it's in the E-book, also.
 19 ALDERMAN BOHL: Thank you.
 20 MR. MURRELL: Follow-up, Madame
 21 Chairwoman?
 22 CHAIRWOMAN COGGS: One moment, please.
 23 City Attorney, did you have anything - - comment
 24 on the police report?
 25 MR. SCHRIMPF: Well, I haven't seen the

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1 police report or the PA-33 that's in question
 2 here. So that's a difficult question to answer.
 3 However, I can caution the committee, and in all
 4 due respect to the Alderman here, that underage
 5 drinking is something which is very carefully
 6 regulated in Chapter 125 and its use in a renewal
 7 hearing. And the rule is you need two
 8 convictions of underage drinking, underage
 9 service within a year of the first in order to
 10 use it for any purpose imposing punishment on a
 11 licensee. The same rule does not apply if the
 12 citation is for presence of underage. If it's
 13 presence of underage, one is enough. But if it's
 14 underage drinking - -
 15 CHAIRWOMAN COGGS: One conviction?
 16 MR. SCHRIMPF: No, you just need - -
 17 Actually, you don't even need a conviction.
 18 CHAIRWOMAN COGGS: One charge, okay.
 19 MR. SCHRIMPF: But the point of the
 20 matter is if you're dealing with underage service
 21 of alcohol, underage drinking, you need two
 22 within a year of the - - of the date of violation
 23 of the first, and both - - both must result in
 24 convictions. So, a caution to the committee on
 25 that.

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1 Sergeant, do you know - - Do you personally know
 2 Police Officer Darcy Trunkel, who supposedly
 3 wrote this?
 4 SERGEANT MACGILLIS: I know who she is,
 5 yes.
 6 MR. MURRELL: Okay. Do you know
 7 Detectives - - I'm trying to get the name here.
 8 Walter Kapeli?
 9 SERGEANT MACGILLIS: Yes, I do.
 10 MR. MURRELL: Okay. And do you also
 11 - - Are you also familiar with Detective - - Oh,
 12 who is the - - Joseph McLin?
 13 SERGEANT MACGILLIS: Who?
 14 MR. MURRELL: Joseph McLin, M-C-L-I-N,
 15 Jr.
 16 SERGEANT MACGILLIS: Vaguely. Familiar
 17 with the name.
 18 MR. MURRELL: Do you personally know
 19 these officers or detectives?
 20 SERGEANT MACGILLIS: I personally know
 21 Walter Kapeli, Detective, and somewhat, Officer
 22 Trunkel.
 23 MR. MURRELL: And what you just reiter
 24 - - your answers to Alderman Bohl's questions,
 25 you relied strictly on the information that you

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1 CHAIRWOMAN COGGS: Thank you. Attorney
 2 Pederson, did you - -
 3 MR. PEDERSON: Yes, Madame Chairwoman.
 4 For the record, I am Robin Pederson, P-E-D-E-R-S-
 5 O-N. I am with the City Attorney's office. I'm
 6 representing the police department at today's
 7 hearing. And I don't have any follow-up
 8 questions. Thank you.
 9 CHAIRWOMAN COGGS: Thank you. At this
 10 time I'll allow for a commentary opening
 11 statement by the applicants' attorney. And this
 12 will count with your 30 minutes.
 13 MR. MURRELL: May I first have an
 14 opportunity to cross-examine the Sergeant, Madame
 15 Chairwoman?
 16 CHAIRWOMAN COGGS: About the police
 17 report?
 18 MR. MURRELL: About the police report.
 19 Notwithstanding the fact that we - - the two
 20 convictions aren't here and the committee really
 21 can't hold that against my clients. But there is
 22 an allegation of underage presence, I believe.
 23 So - -
 24 CHAIRWOMAN COGGS: I'll allow it.
 25 MR. MURRELL: Thank you very much.

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1 read in this report. Correct?
 2 SERGEANT MACGILLIS: Yes, and other
 3 reports.
 4 MR. MURRELL: And you did not speak
 5 with Officer Trunkel or either of the detectives
 6 regarding this matter who wrote the report?
 7 SERGEANT MACGILLIS: I spoke with
 8 Officer Trunkel pertaining to it, but not
 9 directly to Detective Kapeli or Detective McLin.
 10 MR. MURRELL: Okay. And you did not,
 11 yourself, personally undertake any investigation
 12 regarding this?
 13 SERGEANT MACGILLIS: No, sir. I did
 14 not.
 15 MR. MURRELL: Okay. Thank you. Madame
 16 Chairwoman, I think I - - What I'm going to do is
 17 reserve any of my comments for summary at the end
 18 of our testimony. We have quite a few witnesses
 19 to bring forward.
 20 CHAIRWOMAN COGGS: Okay.
 21 MR. MURRELL: Oh, and I - - I would
 22 like to add, just in rebuttal, regarding the
 23 allegation of the underage sales and presence.
 24 Those are still pending. My clients do have a
 25 very viable defense. There was no physical

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1 evidence. Normally what happens is when you have
2 the police set up a sting like this, they have
3 specifically marked currency, that they will then
4 retrieve from the establishment after the alleged
5 violation. And none of that was found. So just
6 if the committee members will note that
7 and - -

8 CHAIRWOMAN COGGS: Thank you. This
9 item was cited for neighborhood objections. Are
10 there any witnesses present wishing to testify
11 either in favor or in opposition to the license?
12 Please raise your hands. Raise your right hand,
13 please. We have to swear you all in.

14 (Whereupon those witnesses present were
15 sworn.)

16 CHAIRWOMAN COGGS: Who is here in
17 opposition? Please raise your hand. Those in
18 opposition? All right. In opposition? Okay.
19 The code establishes that we hear from objectors
20 to the license first. I would ask that those in
21 objection, if you'd take the standing microphone.
22 And I'd like to say, you say your name and your
23 address, and spell your name if it's a difficult
24 name. But those who are in objection need to
25 begin to - - to move towards the front. If - -

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1 City Attorney, who is in opposition? Can you
2 figure out which, and we'll hear from those
3 people first? Have we got it figured out?
4 Attorney Pederson, have we got it figured out?

5 MR. PEDERSON: Yeah. The people who
6 are up are the people I have not requested to be
7 here. They would actually be the citizen
8 objectors that are here on their own, I
9 understand.

10 CHAIRWOMAN COGGS: Okay. So each of
11 you are the citizen objectors here on your own?
12 Okay. If you could say your name and your
13 address for the record.

14 THE WITNESS: My name is Jessica
15 Jaglowski. Spelled J-A-G - -

16 MR. SCHRIMPF: Say it again.

17 THE WITNESS: Okay. Sorry. I'm
18 nervous. Jessica Jaglowski, J-A-G-L-O-W-S-K-I.
19 My address is 3522 North 87th Street. So I live
20 three short blocks from the location. My husband
21 and I are very worried about the occurrence that
22 have happened here, the two shootings, fights,
23 several other problems. This has been an
24 otherwise safe neighborhood. We've lived here
25 for nine years. We've never had a shooting or

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1 If there is anybody in the front row who is not
2 about to testify, if you could move back so that
3 we can allow the front row to be used, so that we
4 can expedite this.

5 MR. PEDERSON: Madame Chairwoman.

6 CHAIRWOMAN COGGS: Yes.

7 MR. PEDERSON: Just to make you aware.

8 A number of people that are currently standing
9 are actually witnesses that have been brought
10 here at the request of the police department and
11 subpoenaed to provide testimony. I don't think
12 they're objectors, per se, so I don't know if you
13 want to take them at this time or at a later
14 time, when I'm presenting my case.

15 CHAIRWOMAN COGGS: Right. Attorney
16 Schrimpf, what's your recommendation?

17 MR. SCHRIMPF: That's entirely up to
18 you. If - - If - - I suspect under the
19 circumstances if there are some people who have
20 specific testimony that they're going to give
21 that Mr. Pederson wants, you - - you ought to
22 take those people last as part of his case. It
23 probably would be better.

24 CHAIRWOMAN COGGS: I'll - - Well, who
25 is here not under subpoena not as a result of

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1 any kinds of problems in our neighborhood. We
2 have two young kids. We plan to stay there long
3 term, and we really care and like the
4 neighborhood. Our - - We're really concerned to
5 see these problems there though. We - - We live
6 very nearby. Our kids walk around. They play
7 all in the neighborhood, and I don't want to - -

8 There's been a bar there for nine years since
9 we've lived there. We've never been - - had
10 problems, big problems that we've known of. But
11 anyway, just we are very concerned about a bar
12 that caters to young kids, and - - and other, you
13 know, dangerous occurrences that have been
14 happening there with our young kids in the
15 neighborhood. There are lots of people in the
16 neighborhood that care about it. Thank you.

17 MR. MURRELL: May I have an opportunity
18 to ask her some questions, Madame Chairman - -
19 Chairwoman?

20 CHAIRWOMAN COGGS: Does - - Does the
21 attorney for the applicant have any questions of
22 the witness? Oh, first, let me see, do we have
23 any questions by committee of the witness? There
24 are no questions by committee, so you can go
25 ahead.

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1 MR. MURRELL: Ma'am, we appreciate your
 2 concerns. But I have to ask you, the - - the
 3 first shooting that's at issue here, you
 4 understand - -
 5 I'm trying very hard. I'm trying very
 6 hard to keep track of this microphone.
 7 The first shooting was an accident. It
 8 was one of the owners who shot, accidentally it
 9 went off and grazed the leg of the landlord.
 10 That was inside after it was closed. So no one
 11 but themselves were really in danger. The
 12 second - -
 13 THE WITNESS: My understanding of that
 14 incident is that they had - - well, there are
 15 things about that that we're not necessarily safe
 16 anyway, but - -
 17 MR. MURRELL: Well, there's been a lot
 18 of false information disseminated about this case
 19 to you people in the neighborhood. So I'm just
 20 going to try to ask you, how is it that you know
 21 that the shooting of the young man had anything
 22 to do with this bar? Who has told you anything
 23 about that?
 24 THE WITNESS: Well, we were at - - We
 25 had a neighborhood meeting with Alderman Bohl,

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1 MR. MURRELL: Okay.
 2 THE WITNESS: People who had been to
 3 the bar.
 4 MR. MURRELL: All right. Thanks.
 5 ALDERMAN ZIELINSKI: Madame
 6 Chairperson.
 7 CHAIRWOMAN COGGS: Alderman Zielinski.
 8 ALDERMAN ZIELINSKI: I have a follow-up
 9 question. All right. Ma'am, you made mention of
 10 the fact that during the neighborhood meeting
 11 there was police officers in attendance at that
 12 meeting. And was it police officers that
 13 indicated that there was a shooting and provided
 14 the details on - - on these events to you?
 15 THE WITNESS: Yes. Yes.
 16 ALDERMAN ZIELINSKI: Okay. Thank you.
 17 CHAIRWOMAN COGGS: Attorney Pederson,
 18 do you have any questions?
 19 MR. PEDERSON: Yes. Thank you. Do you
 20 recall the date of that meeting? If I told you
 21 it was March 18th, would that sound right?
 22 THE WITNESS: Sounds right, but I'm not
 23 sure.
 24 MR. PEDERSON: Okay. At that meeting
 25 were there also representatives of the bar there?

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1 and there were police - - and the police officers
 2 that read the police reports to us.
 3 MR. MURRELL: Okay. Then was it
 4 brought to your attention that this was outside
 5 the bar, and that those people had nothing to do
 6 with it. They were not in the bar at all that
 7 night?
 8 THE WITNESS: Well, there were - -
 9 There was a lot of information given to us about
 10 it. But some said that, and some said that it
 11 wasn't, so.
 12 MR. MURRELL: So there's a lot of
 13 information going around, and you really don't
 14 know what to think.
 15 THE WITNESS: But I know that there
 16 were other fights, and there - - and that there's
 17 underage drinking. There are lots of different
 18 occurrences going on that we're concerned about.
 19 MR. MURRELL: How do you know that?
 20 THE WITNESS: From the police reports.
 21 MR. MURRELL: From the police reports.
 22 And that's the sole source of your knowledge?
 23 THE WITNESS: Well, and - - Well, and
 24 - - and what people - - and what witnesses said
 25 at that neighborhood meeting.

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1 THE WITNESS: Yes.
 2 MR. PEDERSON: Do you remember
 3 specifically who?
 4 THE WITNESS: I'm not sure. I think it
 5 was two owners.
 6 MR. PEDERSON: Okay. And were there
 7 also supporters at that meeting?
 8 THE WITNESS: It's - - It's hard to
 9 say, because people weren't necessarily saying
 10 whether they were in support or against - -
 11 opposition. I think so. I think there were
 12 both.
 13 MR. PEDERSON: Okay. Do you - - In
 14 your opinion, do you believe you got a balanced
 15 representation of the evidence and the
 16 information - -
 17 THE WITNESS: Yes.
 18 MR. PEDERSON: - - from the owners and
 19 the police and - - and other witnesses?
 20 THE WITNESS: Yes, I think so.
 21 MR. PEDERSON: Okay. Thank you.
 22 THE WITNESS: Thank you.
 23 CHAIRWOMAN COGGS: Alderman Bohl, do
 24 you have any questions of the witness? Any
 25 questions?

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1 ALDERMAN BOHL: No, I do have a follow-
 2 up question. Ms. Jaglowski, at that particular
 3 meeting if it - - if it - - If I may ask you, the
 4 gentleman who is sitting next to me, is he one of
 5 the gentlemen that was there?
 6 THE WITNESS: Yes.
 7 ALDERMAN BOHL: And was there an older
 8 gentleman who claimed to be the owner of the
 9 premise?
 10 THE WITNESS: Yes.
 11 ALDERMAN BOHL: Was there any disputing
 12 on the part of those individuals of the shooting
 13 incident, to your recollection?
 14 THE WITNESS: Yes, I think so.
 15 ALDERMAN BOHL: No, did - - Did they
 16 actually say - - What I mean by "disputing," did
 17 they say that there was no shooting, that it was
 18 not affiliated with the bar?
 19 THE WITNESS: No, they did not say
 20 that. I don't recall anything like that being
 21 said.
 22 ALDERMAN BOHL: Was there - - Was the -
 23 - Did the older gentleman indicate that - -
 24 anything about underage drinking, that it would
 25 stop? Do you recall whether or not he made those

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1 Please state your name and address for the
 2 record.
 3 THE WITNESS: My name is Tammy McCanna,
 4 M-C-C-A-N-N-A, 3836 North 82nd Street. My
 5 husband - -
 6 THE WITNESS: My name is Pat McCanna,
 7 M-C-C-A-N-N-A.
 8 CHAIRWOMAN COGGS: Can you testify one
 9 at a time, just so our court reporter doesn't get
 10 confused.
 11 THE WITNESS: That's fine. I am
 12 actually here about an incident that happened on
 13 New Year's eve, New Year's morning. We arrived
 14 home at about 12:45 New Year's morning to find
 15 our neighbor across the street at his front door,
 16 beaten to a pulp, bloodied, extremely emotional,
 17 crying. He was locked out of his house. He
 18 didn't know how he was going to get in. He was
 19 intoxicated, quite a lot intoxicated, and he said
 20 that he had been at Frenchies.
 21 MR. MURRELL: I'm going to object to
 22 that, Madame Chairwoman. It's hearsay. Is he
 23 here?
 24 CHAIRWOMAN COGGS: Your objection is
 25 noted. Go ahead.

00026

1 comments?
 2 THE WITNESS: Not specifically.
 3 ALDERMAN BOHL: Do you recall any
 4 comments that he may have made about alleged gang
 5 members attending the - - the bar?
 6 MR. MURRELL: At this point in time,
 7 Madame Chairwoman, I'm going to object. That's
 8 hearsay. The owner is here. He can give that
 9 testimony himself.
 10 ALDERMAN BOHL: I'll withdraw the
 11 question.
 12 MR. MURRELL: Can I have one short
 13 follow-up? Ma'am, how many police officers were
 14 there that night?
 15 THE WITNESS: Well, at least one.
 16 MR. MURRELL: Was that Police Officer
 17 Trunkel?
 18 THE WITNESS: I don't know.
 19 MR. MURRELL: Thank you.
 20 THE WITNESS: I don't know them by
 21 their name. I'm sorry.
 22 CHAIRWOMAN COGGS: Thank you.
 23 THE WITNESS: I think so. I'm not
 24 sure.
 25 CHAIRWOMAN COGGS: Next witness.

00028

1 MR. MURRELL: Okay.
 2 THE WITNESS: We - - My husband and I
 3 drove to Frenchies to see if we could locate his
 4 keys, thinking that the keys were taken away from
 5 him because he was too drunk to drive. We walked
 6 up to the front of the establishment. The door
 7 was closed. We attempted to open the door. We
 8 couldn't get in. It was locked. But you could
 9 very clearly hear that there were people inside.
 10 We knocked twice. The door was opened by an
 11 Asian gentleman. There was obviously a party
 12 going on inside. So we went in. We went to the
 13 bar where there - - there was an older gentleman,
 14 who to me appeared intoxicated. However, we
 15 asked him about the keys, if they had taken the
 16 keys from a Hispanic gentleman. They knew who
 17 the Hispanic gentleman was immediately. They
 18 said his name. This gentleman said his name.
 19 And said, "Oh, no. We didn't take his keys. Tom
 20 took him home. You should talk to Tom."
 21 So he pointed Tom out to us. And Tom
 22 came over. He was at a table where people were
 23 drinking. He was drinking. He pointed Tom out
 24 to us. Tom came over. Knew who the gentleman
 25 was, that he had taken him home. That he was

00029

1 intoxicated and didn't want him to drive. We - -
 2 He said he'd help us look for his keys. We went
 3 to the parking lot, all three of us together. On
 4 the way out there there was a gentleman vomiting
 5 in the parking lot. And as we walked to the
 6 vehicle to look for the keys, he said he could
 7 have sworn he had the keys, that there had been
 8 two fights, that one fight that the gentleman got
 9 beat up. The second fight happened outside, and
 10 the gentleman that was our neighbor who would
 11 have been killed if he would have left him out
 12 there by himself. And then, Tom proceeded to
 13 follow us back to the residence to - - to help
 14 find the gentleman's keys. Which we did find in
 15 the snow. But had said to us that he was, you
 16 know, concerned about the gentleman being
 17 intoxicated and - - and getting killed that night
 18 by these gent - - from hitting on this girl,
 19 because the gentleman was extremely drunk when he
 20 arrived at the bar, and so they knew that - -
 21 that there was going to be problems. And that
 22 they had had to close the bar down that night on
 23 the busiest night of the year because this fight
 24 occurred. And so they turned it into a private
 25 party, and that's why they locked the doors.

00031

1 THE WITNESS: Right.
 2 MR. SCHRIMPF: Or believed he lost his
 3 car keys.
 4 THE WITNESS: Right.
 5 MR. SCHRIMPF: And you went to the bar
 6 to attempt to find the keys.
 7 THE WITNESS: He had told us he was at
 8 the bar.
 9 MR. SCHRIMPF: All right.
 10 THE WITNESS: It was our impression,
 11 trying to get out of him with his emotional state
 12 and the fact that he was inebriated, where he had
 13 been.
 14 MR. SCHRIMPF: Okay.
 15 THE WITNESS: So we, at that point said
 16 to him, where were you? And after about 15
 17 minutes we were able to get out of him. Because
 18 at first all we could get out of him was that, I
 19 got beat up, I got beat up.
 20 MR. SCHRIMPF: Okay. You went to the
 21 bar and a gentleman by the name of Tom came to
 22 you and assisted you in trying to locate the
 23 keys. Is that correct?
 24 THE WITNESS: He came to us and said he
 25 knew who the gentleman was and that the gentleman

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1 CHAIRWOMAN COGGS: What time of the
 2 evening was this?
 3 THE WITNESS: About 1:45 New Year's
 4 morning.
 5 CHAIRWOMAN COGGS: Thank you. Any
 6 questions of committee?
 7 MR. SCHRIMPF: Madame Chairwoman.
 8 CHAIRWOMAN COGGS: Yes.
 9 MR. SCHRIMPF: Ma'am, I'm just trying
 10 to get the summary of your testimony and the
 11 essential facts. So I'm going to give you my
 12 understanding of what you testified to, and if I
 13 did - - If I say something wrong, would you
 14 please correct me?
 15 It's my understanding that you and your
 16 husband came home. You saw a gentleman, who was
 17 your neighbor, who was apparently very
 18 intoxicated, had been beaten up and he was on the
 19 porch of your home or his home?
 20 THE WITNESS: On the porch of his home.
 21 MR. SCHRIMPF: His home. But he's your
 22 neighbor.
 23 THE WITNESS: Right.
 24 MR. SCHRIMPF: Okay. And he had lost
 25 his car keys.

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1 had his keys with him. And I - - And then he led
 2 us outside.
 3 MR. SCHRIMPF: Okay. And then you - -
 4 You, your husband and Tom looked for the keys in
 5 the parking lot. I take it, this is the parking
 6 lot of Frenchies.
 7 THE WITNESS: It was actually the
 8 parking lot around the side of Frenchies where
 9 the shoe repair shop is. Tom's vehicle was on
 10 one end where the shoe repair shop is, and the -
 11 - our neighbor's car was on the end where Pete's
 12 Pizzeria is. So there was a big gap in between
 13 where there were no vehicles.
 14 MR. SCHRIMPF: And is Tom in the room
 15 today?
 16 THE WITNESS: Yes, it's the gentleman
 17 in the striped shirt.
 18 MR. SCHRIMPF: Okay. And you, with
 19 Tom's help, going back to this gentleman's house,
 20 were able to locate the keys. Is that correct?
 21 THE WITNESS: I was. The gentleman had
 22 been left outside, and it was below zero out, and
 23 we found the keys in the backyard in a snowpile.
 24 MR. SCHRIMPF: Okay. So the keys were
 25 recovered at the gentleman's house. Is that

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1 correct?
 2 THE WITNESS: Yes.
 3 MR. SCHRIMPF: And these were not only
 4 the car keys, but I take it, they were also the
 5 house keys?
 6 THE WITNESS: Yes.
 7 MR. SCHRIMPF: Okay. That's all I
 8 have, Madame Chairwoman, Thank you.
 9 CHAIRWOMAN COGGS: Questions of
 10 committee? To the applicant and his attorney, do
 11 you have any questions of this witness?
 12 MR. MURRELL: No, Madame Chairwoman.
 13 CHAIRWOMAN COGGS: Does the City
 14 Attorney Pederson have any questions?
 15 MR. PEDERSON: I will defer to the
 16 Alderman.
 17 CHAIRWOMAN COGGS: Alderman Bohl.
 18 ALDERMAN BOHL: Thank you. Ms.
 19 McCanna, the -- You spoke of a older gentleman.
 20 THE WITNESS: Yes.
 21 ALDERMAN BOHL: Was that gentleman
 22 working there that evening?
 23 THE WITNESS: He was behind the bar.
 24 ALDERMAN BOHL: Would that
 25 gentleman --

00035

1 that he was -- that he was intoxicated?
 2 THE WITNESS: Slurring his words and
 3 kind of glassy-eyed, and just not -- like the
 4 pressured speech kind of look.
 5 ALDERMAN BOHL: Did you call the police
 6 department?
 7 THE WITNESS: I did not. I learned my
 8 lesson, I guess. I probably should have.
 9 ALDERMAN BOHL: And you -- You don't
 10 have any knowledge of whether or not your
 11 neighbor, George, called the police.
 12 THE WITNESS: It's my -- It's not my
 13 understanding that he did call the police, no.
 14 ALDERMAN BOHL: But you were informed
 15 that there were two fights that particular
 16 evening?
 17 THE WITNESS: I was.
 18 ALDERMAN BOHL: And that the bartenders
 19 -- Which bartender informed you that this place
 20 was closed down for a private party because of
 21 the fights?
 22 THE WITNESS: I believe it was the
 23 gentleman in the blue shirt that told us that.
 24 ALDERMAN BOHL: Thank you. No further
 25 questions.

00034

1 THE WITNESS: I'm assuming.
 2 ALDERMAN BOHL: Would that gentleman be
 3 the gentleman in the blue shirt here?
 4 THE WITNESS: Yes, it would be.
 5 ALDERMAN BOHL: That is the -- the
 6 owner's father, or the owner of the building.
 7 THE WITNESS: Yes.
 8 ALDERMAN BOHL: Was that gentleman, in
 9 your view, intoxicated?
 10 THE WITNESS: Yes.
 11 ALDERMAN BOHL: Was -- When you --
 12 When you went outside with -- with Tom Angelo,
 13 the other owner -- owner of the establishment,
 14 in your view, was he intoxicated?
 15 THE WITNESS: Yes.
 16 ALDERMAN BOHL: And you had seen him
 17 drinking there?
 18 THE WITNESS: Yes.
 19 ALDERMAN BOHL: And you were --
 20 THE WITNESS: I have to -- I have to
 21 qualify that by saying, I saw him with a glass in
 22 his hand at a table where people were drinking.
 23 He had a glass of what looked like beer or
 24 alcohol in his hand, yes.
 25 ALDERMAN BOHL: So what made you think

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1 CHAIRWOMAN COGGS: Thank you. Next
 2 witness.
 3 MR. PEDERSON: Madame Chair, I have one
 4 question.
 5 CHAIRWOMAN COGGS: Oh, I'm sorry. City
 6 Attorney.
 7 MR. PEDERSON: Do you have a position
 8 on whether the license should be renewed or not
 9 based upon your being a -- a neighbor of the
 10 area?
 11 THE WITNESS: Based on everything
 12 that's happened and -- and everything that's
 13 gone on in the past year, I say no. But I've
 14 lived in that neighborhood my whole life. Since
 15 I was six weeks old, I've lived on 84th and
 16 Lisbon. There have been bars there. There has
 17 never been a problem. This is the first time
 18 that there's been a major problem like this.
 19 And, no, I say no. I don't want my kids tempted
 20 to go there and drink. I don't want anybody to
 21 get shot, whether it be accidental or not. I
 22 don't want a gun to go off and go through the
 23 wall of an establishment. What if somebody was
 24 sitting in the restaurant?
 25 MR. PEDERSON: Thank you.

00037

1 CHAIRWOMAN COGGS: Thank you. Next
 2 witness. Name and address for the record, and
 3 please keep - - keep it brief.
 4 THE WITNESS: Kenneth J. Salinger, Jr.,
 5 S-A-L-I-N-G-E-R. 8403 West Keefe Avenue. Live
 6 just a block away.
 7 I was pretty much the sole objector
 8 when this application started a year ago. And I
 9 asked the simple question of this community. How
 10 many licenses, liquor licenses does one building
 11 need? And everybody voted for it. And I heard
 12 about the - - the first shooting. And it was an
 13 after - - after the fact. I heard all the sirens
 14 and whatnot. The second shooting, I actually
 15 heard the gunshots, and that scared the living
 16 crap out of me. Now a couple years before I had
 17 helped the police catch one murderer on my block.
 18 I have caught several burglars on my block. And
 19 I've spent a lot of time helping - - helping to
 20 get this - - get this area cleaned up. And I've
 21 lived there most of my life. And, I mean, how
 22 much more trouble do we need in this - - need
 23 because of one establishment because some people
 24 are - - are careless. And there's the first
 25 shooting, I got news for you. Guns don't

00039

1 establishment is associated or affiliated with
 2 gangs of any kind?
 3 THE WITNESS: It was related from
 4 chatting with police officers at one of the
 5 neighborhood meetings.
 6 MR. MURRELL: And which police officer?
 7 THE WITNESS: Trunkel.
 8 MR. MURRELL: And what specifically did
 9 Officer Trunkel tell you?
 10 THE WITNESS: That the - - That there
 11 had - - There had been this invol - - this - -
 12 this problem, and that after - - after the
 13 shooting, you know, the owner himself said, well,
 14 we're - - we're getting rid of - - we're getting
 15 rid of this problem. And he was even asked - -
 16 So he knew this problem was there, you know, Mr.
 17 Lepold, the property owner. And after that he
 18 was - - he was asked why. He knew about that
 19 there was this problem. He just kept his mouth
 20 shut.
 21 MR. MURRELL: Did she tell you who sent
 22 her to do this investigation, attend this
 23 meeting?
 24 THE WITNESS: Negative.
 25 MR. MURRELL: Thank you.

00038

1 accidentally go off. They go off because
 2 somebody pulls a trigger. That's outright
 3 stupidity and negligence. There is no such
 4 thing as an accidental shooting. That's a
 5 violation of firearms - - laws of firearms
 6 safety. We just - - Now - -
 7 CHAIRWOMAN COGGS: Do you have any
 8 specific instances that you've witnessed?
 9 THE WITNESS: There have been - - In
 10 the past few weeks there have been several
 11 vehicles that - - where people have come around
 12 the corner. From around the corner, like they
 13 came from Frenchies. They got in the vehicles at
 14 two, 2:30 in the morning, and they sat out there
 15 with the music blasting for ten - 15 minutes.
 16 And I don't like - - like living with the
 17 thought, you know - - with, you know, hearing
 18 about, you know, possible gang involvement in
 19 this place and all the rest of that. I want a
 20 safe neighborhood.
 21 CHAIRWOMAN COGGS: Thank you. Any
 22 questions of committee? Does the applicant or
 23 his attorney have any questions of the witness?
 24 MR. MURRELL: Just a couple, Madame
 25 Chairwoman. Sir, where did you hear that this

00040

1 CHAIRWOMAN COGGS: Are there any
 2 questions from Attorney Pederson?
 3 MR. PEDERSON: No, thank you.
 4 CHAIRWOMAN COGGS: Alderman Bohl?
 5 ALDERMAN BOHL: If I may. Thank you.
 6 Mr. Salinger, in the last year how many times
 7 would you indicate that you've heard loud music,
 8 loud noise, in or around your home around closing
 9 hours of the bar would be?
 10 THE WITNESS: Usually every other week.
 11 The last ten - 15 minutes and disappears. The
 12 only reason I haven't called is now when police
 13 are investigating homicides and - - and
 14 shootings, now the last thing they're going to do
 15 is - - is run after loud music complaints.
 16 ALDERMAN BOHL: And how close do you
 17 live to this establishment?
 18 THE WITNESS: A block. One block.
 19 ALDERMAN BOHL: And if I were to - - to
 20 go a - - to ask you if there are - - If I went
 21 four or five block radius around here, are there
 22 any other establishments that you are aware of
 23 that are open?
 24 THE WITNESS: Negative, sir.
 25 ALDERMAN BOHL: So this is the only bar

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1 that is open at that time. There's one other - -
2 There's one other licensed location in that same
3 building. That's Pete's Pizzeria. Is that
4 correct?

5 THE WITNESS: Correct.

6 ALDERMAN BOHL: Do you know
7 approximately when Pete's Pizzeria closes?

8 THE WITNESS: It's before midnight.

9 ALDERMAN BOHL: And you've - - The
10 music that you hear occurs after midnight. Is
11 that correct?

12 THE WITNESS: Yes, sir.

13 ALDERMAN BOHL: You were at the
14 neighborhood meeting that I - - that I hosted on
15 the 18th?

16 THE WITNESS: Yes, sir.

17 ALDERMAN BOHL: You - - Do you recall a
18 discussion that you had with the one co-app - -
19 the one co-applicant regarding his use and
20 discharge of the gun?

21 THE WITNESS: Yes, sir.

22 ALDERMAN BOHL: And did you confront
23 him regarding his bringing that gun out and
24 allowing others to take a look at that gun?

25 THE WITNESS: Yes. He made the

00043

1 out the - - blast out the engine block - -

2 THE WITNESS: Yes, sir.

3 ALDERMAN BOHL: - - of a - - of a
4 vehicle if someone attempted to come in and rob
5 the place.

6 THE WITNESS: Yes, sir.

7 ALDERMAN BOHL: No further questions.

8 Thank you.

9 CHAIRWOMAN COGGS: Thank you. Next
10 witness. Please state your name and address for
11 the record.

12 THE WITNESS: Calvin McIntyre, 3637
13 North 77th Street. I'm representing the Capitol
14 West Neighborhood Association. And our board has
15 taken a position in opposition to the renewal of
16 this license because of the problems that have
17 been arisen with regard to it. I can also state
18 that I've lived in that neighborhood since 1974.
19 As far as I can remember, there has been a bar on
20 that corner. We've never ever had the problems
21 that we've had in the last year.

22 CHAIRWOMAN COGGS: Are there some
23 specific things that you've witnessed?

24 THE WITNESS: No. I can't - -

25 CHAIRWOMAN COGGS: Any questions from

00042

1 statement that - - Excuse me - - that he had
2 emptied it in - - you know, at bar close to count
3 the money and that a friend of the other bar
4 owner wanted to look at it, and he let him look
5 at it and said that this other individual put a
6 loaded clip into the gun and racked it, and - -
7 and I'll quote him, "He didn't know it would be
8 loaded." Come on.

9 ALDERMAN BOHL: He claimed that
10 individual was a - - was a gun expert?

11 THE WITNESS: Yes.

12 ALDERMAN BOHL: Do you recall the - -
13 the type of gun?

14 THE WITNESS: A Desert Eagle 50 caliber
15 semi-automatic, which I guarantee nobody would
16 use for defense, because the liability - -
17 because that 50 caliber slug would punch through
18 anybody.

19 ALDERMAN BOHL: Do you recall there
20 being a discussion at that meeting regarding
21 comments that were made by this gentleman that I
22 raised relating to the police report?

23 THE WITNESS: Yes, sir.

24 ALDERMAN BOHL: Were the allegation
25 that was made was that he would use it to blast

00044

1 committee? Any questions from the applicant or
2 his attorney?

3 MR. MURRELL: No, Madame Chairwoman.

4 CHAIRWOMAN COGGS: Any questions from
5 you, Attorney Pederson?

6 MR. PEDERSON: No, thank you.

7 CHAIRWOMAN COGGS: Any questions from
8 you, Alderman Bohl?

9 ALDERMAN BOHL: Yes, thank you. Mr.
10 McIntyre, the organization, Capitol West?

11 THE WITNESS: Yes.

12 ALDERMAN BOHL: This is - - This
13 particular bar is located within the jurisdiction
14 of that particular neighborhood association?

15 THE WITNESS: Yes.

16 ALDERMAN BOHL: And you are the
17 president of that organization?

18 THE WITNESS: Yes, I am.

19 ALDERMAN BOHL: That's all. Thank you.

20 CHAIRWOMAN COGGS: Thank you. Next
21 witness. Okay. At this time, Attorney Pederson,
22 if you wanted to present your case.

23 MR. PEDERSON: Yes, thank you. I would
24 first call Mr. Vincent Gerke.

25 CHAIRWOMAN COGGS: Be mindful that you

00045

1 have about 12 minutes.
 2 MR. PEDERSON: Could you please state
 3 your name and spell your last name?
 4 THE WITNESS: Vincent Gerke, G-E-R-K-E.
 5 7430 West Burleigh.
 6 MR. PEDERSON: Mr. Gerke, have you ever
 7 been to the establishment, Frenchies?
 8 THE WITNESS: Yes, multiple times.
 9 MR. PEDERSON: What's your date of
 10 birth?
 11 THE WITNESS: 11/2/89.
 12 MR. PEDERSON: How old are you?
 13 THE WITNESS: Twenty.
 14 MR. PEDERSON: And the times you've
 15 gone to Frenchies, has that been in the past
 16 year?
 17 THE WITNESS: Yes.
 18 MR. PEDERSON: Have you ever been there
 19 at any other time?
 20 THE WITNESS: No.
 21 MR. PEDERSON: Can you tell me how many
 22 times you've approximately been inside of
 23 Frenchies?
 24 THE WITNESS: At least ten.
 25 MR. PEDERSON: And on those occasions

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1 MR. PEDERSON: Was that for a specific
 2 reason?
 3 THE WITNESS: I was just told by a
 4 friend to come, play pool and have a couple
 5 drinks.
 6 MR. PEDERSON: Okay. And had you, in
 7 fact, heard that if you're underage, you could go
 8 there and get served?
 9 THE WITNESS: I never heard that until
 10 I started going.
 11 MR. PEDERSON: Okay.
 12 THE WITNESS: But I have heard it
 13 after.
 14 MR. PEDERSON: So after you were served
 15 there and underage, what did you do amongst your
 16 friends?
 17 THE WITNESS: Told to join, you know,
 18 what kid wouldn't, and - -
 19 MR. PEDERSON: So are you indicating
 20 that you went up specifically to your friends and
 21 indicated to them that if you want to get served,
 22 this is where you go?
 23 THE WITNESS: I didn't go running
 24 around saying, let's go to Frenchies. They serve
 25 underagers. You know, I just told a group of

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1 did you see the applicants here, Mr. Lepold and
 2 Mr. Angelo?
 3 THE WITNESS: Yes.
 4 MR. PEDERSON: Were they working at the
 5 bar?
 6 THE WITNESS: Yes.
 7 MR. PEDERSON: Did you consume alcohol
 8 beverages while you were there?
 9 THE WITNESS: Yes, I did.
 10 MR. PEDERSON: Were you served by these
 11 two gentlemen?
 12 THE WITNESS: Yes.
 13 MR. PEDERSON: When you were there,
 14 were you with under - - other underage people?
 15 THE WITNESS: Not at first. When I
 16 first heard about Frenchies, I went there by
 17 myself. Other people started to come.
 18 MR. PEDERSON: So you went there by
 19 yourself.
 20 THE WITNESS: I - - I have gone with
 21 more people, yes.
 22 MR. PEDERSON: Okay. What I'm - - What
 23 I'm interested in finding out is you say you went
 24 there by yourself first. Right?
 25 THE WITNESS: Yes.

00048

1 friends that I hang out with, which are the
 2 people that are with me.
 3 MR. PEDERSON: Okay. But after that
 4 first time, you started bringing some of your
 5 underage friends there.
 6 THE WITNESS: Yeah.
 7 MR. PEDERSON: Were they served, as
 8 well?
 9 THE WITNESS: Yes, they were.
 10 MR. PEDERSON: As time went on, let's
 11 say the 8th, 9th, 10th time you've been there,
 12 then did you start seeing more underage people
 13 there?
 14 THE WITNESS: I saw people that may
 15 have looked underage. I couldn't tell you if
 16 they were or not.
 17 MR. PEDERSON: So these weren't people
 18 you went to school with or anything.
 19 THE WITNESS: I saw one kid from my
 20 school who was younger than me, he was there. He
 21 was two grades under.
 22 MR. PEDERSON: And he was being served?
 23 THE WITNESS: I don't know his name. I
 24 know he was with a group of people who go there
 25 all the time.

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1 MR. PEDERSON: Was he - - Was he being
 2 served, as well?
 3 THE WITNESS: Yeah.
 4 MR. PEDERSON: You observed this
 5 yourself?
 6 THE WITNESS: Yes, I did. Yeah.
 7 MR. PEDERSON: And, in fact, Mr. Gerke,
 8 on March 13th were you, in fact, the shooting
 9 victim that we're talking here?
 10 THE WITNESS: Yes, I was.
 11 MR. PEDERSON: Can you tell us what led
 12 to that that night?
 13 THE WITNESS: We were walking to the
 14 gas station one night. Me, Megan and Ben. And
 15 there was a group of Asian guys by their car,
 16 being loud. Obviously, just left the bar. It
 17 was like 1:30 in the morning.
 18 MR. PEDERSON: Let me stop you right
 19 there. Where was the car in relation to the - -
 20 to the tavern?
 21 THE WITNESS: It was right by Pete's
 22 Pizza, right where it curves, right at the
 23 corner.
 24 MR. PEDERSON: So that's immediately in
 25 front of Frenchies to the side of Pete, because

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1 THE WITNESS: I just - - No, I don't
 2 ask people their names, you know. You just go to
 3 people at bars and, you know, socialize.
 4 MR. PEDERSON: And how many times were
 5 you shot?
 6 THE WITNESS: Seven.
 7 MR. PEDERSON: And do you have a
 8 position on whether or not the license should be
 9 renewed?
 10 THE WITNESS: Personally, I have
 11 nothing against Joe, nothing against Tom, you
 12 know. They're always cool people. I am here to
 13 provide information, and I mostly just want
 14 people caught, you know.
 15 MR. PEDERSON: That is, the people that
 16 shot you and were involved in that.
 17 THE WITNESS: Right. You know,
 18 nothing's been done. It's been almost three
 19 months. I almost lost my life. No one's caught.
 20 We provided pictures of people. Still nothing.
 21 So, I know there was a bartender, or aiding the
 22 bartender. There's a girl who works there. I
 23 know she knows some of them. That's the only
 24 reason that that group would go. All of the
 25 group of underage people go to a bar, it's like

00050

1 they share the same building.
 2 THE WITNESS: Right.
 3 MR. PEDERSON: They're inside the same
 4 building. Okay, continue.
 5 THE WITNESS: Anyway, we were walking
 6 to the bar - - or the gas station. They were
 7 outside the bar. Obviously leaving their group
 8 in their - - They had a SUV. And they said
 9 something to me and Benjamin, a racial remark,
 10 honkey or cracker, something like that. We
 11 turned around. The next thing I know, Ben's
 12 being choked from behind and beat up. I tried to
 13 break the fight up, you know, I'm pushing people
 14 back. And the next thing I know the guy pulls a
 15 gun out. And I'm on the sidewalk.
 16 MR. PEDERSON: And the person who shot
 17 you, have you ever seen him before?
 18 THE WITNESS: Yeah.
 19 MR. PEDERSON: Where had you seen him
 20 before?
 21 THE WITNESS: At Frenchies. I played
 22 pool with him. I played pool with all of them.
 23 MR. PEDERSON: And even though you've
 24 seen him before, you - - you didn't know his
 25 name?

00052

1 the smallest bar in Milwaukee. Why would they go
 2 there for no reason unless they have someone
 3 inside who would hook them up? You know what I
 4 mean? Like it was a huge group of Asians. No
 5 racial remark. It's just a big group of Asians.
 6 They're always there. The problems that happen
 7 at Frenchies are always with that same group. So
 8 really, I want the group of Asians caught. I
 9 don't really care about the bar.
 10 MR. PEDERSON: Okay. And just to make
 11 sure the record is clear. Can you indicate,
 12 again, what time the shooting happened?
 13 THE WITNESS: About 1:30.
 14 MR. PEDERSON: I believe that's all I
 15 have, Madame Chairwoman.
 16 CHAIRWOMAN COGGS: Any questions of
 17 committee of this witness?
 18 MR. SCHRIMPF: Madame Chair.
 19 CHAIRWOMAN COGGS: Yes, Attorney
 20 Schrimpf.
 21 MR. SCHRIMPF: Just to tie this up. I
 22 think it might be appropriate, and I don't mean
 23 any kind of prosecution or anything like that.
 24 But if the witness has his Wisconsin driver's
 25 license, I believe it should be produced, and we

00053

1 ought to have a copy of it in the record. We can
 2 return it.
 3 CHAIRWOMAN COGGS: Do you have a copy
 4 of your license? We'll get copies made of it and
 5 get you back your license, and we'll make it part
 6 of the record. Let the record reflect, though,
 7 that it -- the license does show an 11/02/1989
 8 date of birth.
 9 MS. SCHRIMPF: And the picture is that
 10 of the witness?
 11 CHAIRWOMAN COGGS: And the picture is
 12 that of the witness.
 13 MS. SCHRIMPF: That's all I have.
 14 CHAIRWOMAN COGGS: Any questions of
 15 committee? Any questions of the witness for the
 16 applicant or his attorney?
 17 MR. MURRELL: Yes, Madame Chairwoman.
 18 Mr. Gerke, first off, very sorry. You told
 19 Detective Kapeli when he was doing his
 20 investigation that Asian -- it's an Asian man
 21 who shot you.
 22 THE WITNESS: Yes.
 23 MR. MURRELL: But he had -- I'm a
 24 chronic microphone offender here this morning.
 25 You had told Detective Kapeli when he

00055

1 THE WITNESS: It happened like right in
 2 front of Frenchies.
 3 MR. MURRELL: Which is the unified
 4 parking lot --
 5 THE WITNESS: Right.
 6 MR. MURRELL: Okay. And just for the
 7 record, do you live in the area?
 8 THE WITNESS: 74th and Burleigh.
 9 MR. MURRELL: Okay. And you don't
 10 object to this license renewal?
 11 THE WITNESS: No.
 12 MR. MURRELL: And you're only 20?
 13 THE WITNESS: It has nothing to do with
 14 me.
 15 MR. MURRELL: Okay. Thank you.
 16 THE WITNESS: Nothing to do with the
 17 bar.
 18 MR. MURRELL: I have nothing further,
 19 Madame Chairwoman.
 20 CHAIRWOMAN COGGS: Thank you. At this
 21 time Alderman Zielinski will move to make the
 22 identification card of Mr. Vincent G. Gerke a
 23 part of the record. So moved. Next witness.
 24 MR. PEDERSON: Next we call Kayla Burk.
 25 And I have her driver's license here. She --

00054

1 was doing his interview, that this guy had just --
 2 -- He went back to his car and got this weapon and
 3 then shot you.
 4 THE WITNESS: Right.
 5 MR. MURRELL: But then now you just
 6 said he just pulled it out.
 7 THE WITNESS: That's the same thing.
 8 Went to the car and pulled it out.
 9 MR. MURRELL: Okay. All right. Let's
 10 try and understand the facts, as well. And you
 11 had stated to Detective Kapeli that you had --
 12 "He -- He stated that he has been in the bar a
 13 few times prior to this incident." But you --
 14 You didn't tell him you were in the bar that
 15 night.
 16 THE WITNESS: I wasn't in the bar that
 17 night.
 18 MR. MURRELL: Okay. You were just
 19 walking -- You said you went to a gas station?
 20 THE WITNESS: We were going to walk to
 21 76th and Capitol. I know it's a hike, but it's
 22 the only gas station open at that time.
 23 MR. MURRELL: So you were just walking
 24 by. And this happened in front of the pizza
 25 place, in fact.

00056

1 Would you like a copy of that? Could you please
 2 state your name, and spell your last name, and
 3 provide your address?
 4 THE WITNESS: My name is Kayla Burk, B-
 5 U-R-K. And I'm at 370 North Bobolink Drive in
 6 Brookfield.
 7 MR. PEDERSON: What is your date of
 8 birth?
 9 THE WITNESS: June 10, '92.
 10 MR. PEDERSON: And how old are you?
 11 THE WITNESS: Eighteen.
 12 MR. PEDERSON: Have you ever been
 13 inside the tavern, Frenchies?
 14 THE WITNESS: Once.
 15 MR. PEDERSON: Can you indicate when
 16 that was, if you can recall?
 17 THE WITNESS: I do not recall.
 18 MR. PEDERSON: Was it within the past
 19 year?
 20 THE WITNESS: Yes.
 21 MR. PEDERSON: On that occasion, were
 22 you with other friends?
 23 THE WITNESS: Yes.
 24 MR. PEDERSON: Were they under 21?
 25 THE WITNESS: Yes.

00057

1 MR. PEDERSON: How do you know that?
 2 THE WITNESS: Because we're - - There
 3 was Vinnie, and a couple other people. It's all
 4 people that we hang out with.
 5 MR. PEDERSON: How many underage people
 6 were there at the occasion that you were there,
 7 in your group?
 8 THE WITNESS: Maybe four or five.
 9 MR. PEDERSON: When you were there, did
 10 you observe other people that you know to be
 11 underage in the bar that weren't there in your
 12 party though?
 13 THE WITNESS: I didn't know anybody
 14 else.
 15 MR. PEDERSON: Okay. And when you were
 16 there, were you - - were you served alcoholic
 17 beverages and did you consume them?
 18 THE WITNESS: Yes.
 19 MR. PEDERSON: And were you - - Were
 20 the applicants there, as well?
 21 THE WITNESS: Yes.
 22 MR. PEDERSON: Did they serve you?
 23 THE WITNESS: Yes.
 24 MR. PEDERSON: Amongst your - - your
 25 peer group, your friends in high school, have you

00059

1 MR. MURRELL: I'd just like to ask her,
 2 who - - with whom did you discuss your testimony
 3 today prior to coming here?
 4 THE WITNESS: What?
 5 MR. MURRELL: With whom did you discuss
 6 your testimony today prior to coming in?
 7 THE WITNESS: I think it was Mr.
 8 Pederson.
 9 MR. MURRELL: Okay. Nobody else?
 10 THE WITNESS: Not - - I don't know any
 11 names, no.
 12 MR. MURRELL: Okay. Thank you.
 13 CHAIRWOMAN COGGS: Let the record
 14 reflect that the - - the witness' driver license
 15 for Kayla C. Burk has the birth date of February
 16 10th, 1992, and Alderman Hamilton moves to make
 17 this a part of the record.
 18 ALDERMAN BOHL: Madame Chair.
 19 CHAIRWOMAN COGGS: Alderman Bohl.
 20 ALDERMAN BOHL: Thank you. Ms. Burk,
 21 were you questioned by a member of the police
 22 department following the shooting?
 23 THE WITNESS: There's a detective that
 24 came out to the hospital, and that's how my name
 25 got into it.

00058

1 ever discussed or overheard discussions relating
 2 to Frenchies?
 3 THE WITNESS: Um, no, I just talked
 4 about the whole incident that happened.
 5 MR. PEDERSON: Is it common knowledge
 6 amongst you and your friends and other people in
 7 your peer group that - - that Frenchies is an
 8 underage hangout where you can go to get - - to
 9 get served?
 10 THE WITNESS: It was just that, like
 11 Vinnie said, a couple people that weren't
 12 started to go there, and they told us, and we
 13 just started to play pool, and then that led - -
 14 led to drinking and that's that.
 15 MR. PEDERSON: Do you have a position
 16 on whether or not the license should be renewed?
 17 THE WITNESS: I don't care about the
 18 bar. I just want these guys to get caught.
 19 MR. PEDERSON: Okay.
 20 THE WITNESS: I just want the guys to
 21 get caught.
 22 MR. PEDERSON: That's all I have.
 23 CHAIRWOMAN COGGS: Any questions of
 24 committee of this witness? Does the applicant or
 25 his attorney have any questions of this witness?

00060

1 ALDERMAN BOHL: That detective did - -
 2 did ask you questions - -
 3 THE WITNESS: Yes.
 4 ALDERMAN BOHL: - - relating to this
 5 place?
 6 THE WITNESS: Yeah.
 7 ALDERMAN BOHL: And I'll quote from the
 8 police report, and you can tell me if - - if you
 9 believe that this accurately conveys the comments
 10 that you made. And it refers to she, and this is
 11 on the second page. "She stated that Joe, the
 12 co-owner, allowed underage drinking in the
 13 tavern. Burk stated that it is common knowledge
 14 among her friends from Brookfield East, either
 15 current students or recent graduates, that you
 16 can go there and get - - go there and drink
 17 underage, and that it's especially busy on
 18 weekends."
 19 THE WITNESS: Yes.
 20 ALDERMAN BOHL: Did you have
 21 conversation where you made that comment,
 22 something to that effect?
 23 THE WITNESS: Somewhat, yes.
 24 ALDERMAN BOHL: Thank you. That's all.
 25 CHAIRWOMAN COGGS: Attorney Pederson,

00061

1 your 30 minutes is coming to an end. So please
 2 wrap up with these last couple of witnesses
 3 quickly.
 4 MR. PEDERSON: Sure. I'll call
 5 Benjamin Carl next.
 6 THE WITNESS: My name is Benjamin Carl,
 7 C-A-R-L. My birth date is September 6th, 1990.
 8 I live at 8917 West Beckett.
 9 MR. PEDERSON: I'm just going to ask
 10 you a brief similar line of questions. Have you
 11 ever been in Frenchies?
 12 THE WITNESS: Yes, I have.
 13 MR. PEDERSON: Has that been in the
 14 past year?
 15 THE WITNESS: Yes, it is.
 16 MR. PEDERSON: Can you approximate how
 17 many times you've gone?
 18 THE WITNESS: Like - - Like ten.
 19 MR. PEDERSON: Okay. And the times you
 20 were there, were the applicants there?
 21 THE WITNESS: Yes, they were.
 22 MR. PEDERSON: Did they serve you
 23 alcoholic beverages?
 24 THE WITNESS: Yes, they did.
 25 MR. PEDERSON: Did you consume them?

00063

1 MR. MURRELL: No, Madame Chairwoman.
 2 CHAIRWOMAN COGGS: Alderman Bohl, do
 3 you have a question?
 4 ALDERMAN BOHL: Thank you. I do have a
 5 question. When you were - - When you were
 6 present there, did you ever see any of the
 7 bartenders drink when they were on the job?
 8 THE WITNESS: No, I didn't.
 9 ALDERMAN BOHL: You don't have
 10 recollection?
 11 THE WITNESS: No.
 12 ALDERMAN BOHL: Were you paying any
 13 attention to that effect?
 14 THE WITNESS: No, I was playing pool or
 15 watching the game or something.
 16 ALDERMAN BOHL: Have they - - Did the
 17 bartenders ever make any attempt to card you?
 18 THE WITNESS: No.
 19 ALDERMAN BOHL: Did they make any
 20 attempt to card anyone?
 21 THE WITNESS: Not that I - -
 22 ALDERMAN BOHL: That you - - That came
 23 in your group?
 24 THE WITNESS: No.
 25 ALDERMAN BOHL: Thank you. That's all.

00062

1 THE WITNESS: Yes, I did.
 2 MR. PEDERSON: And on the times you
 3 were there, have you seen other people you know
 4 to be underage in - - in the bar?
 5 THE WITNESS: Yes, I did.
 6 MR. PEDERSON: Can you approximate how
 7 many times or how many people you've seen there
 8 that you know to be underage that were consuming
 9 alcohol?
 10 THE WITNESS: Like six or seven of my
 11 friends I've been seeing around the neighborhood.
 12 MR. PEDERSON: And what is your
 13 position on the renewal or non-renewal?
 14 THE WITNESS: I don't have one. I
 15 just - -
 16 MR. PEDERSON: That's all I have.
 17 Thank you.
 18 CHAIRWOMAN COGGS: Do you - - To the
 19 witness, do you have a driver's license or ID
 20 card?
 21 THE WITNESS: No, ma'am. I do not.
 22 CHAIRWOMAN COGGS: You do not. Okay.
 23 Stay there for a second. Are there any questions
 24 of committee? Does the applicant or his attorney
 25 have any questions of this witness?

00064

1 MR. PEDERSON: Next I would call Aubrey
 2 Peterson.
 3 THE WITNESS: I'm Aubrey Peterson, P-E-
 4 T-E-R-S-O-N. My birthday is 6/16/92, and I live
 5 on 9505 West Hope Avenue.
 6 MR. PEDERSON: Ms. Peterson, have you
 7 ever been inside Frenchies bar?
 8 THE WITNESS: Yes.
 9 MR. PEDERSON: And how old are you?
 10 THE WITNESS: Seventeen.
 11 MR. PEDERSON: And when you were there,
 12 were you served alcoholic beverages?
 13 THE WITNESS: Yes.
 14 MR. PEDERSON: And did the applicant
 15 serve you?
 16 THE WITNESS: Yes.
 17 MR. PEDERSON: Did you consume those
 18 beverages?
 19 THE WITNESS: Yes.
 20 MR. PEDERSON: And were you there with
 21 friends?
 22 THE WITNESS: Yes.
 23 MR. PEDERSON: Were these friends of
 24 yours underage, as well?
 25 THE WITNESS: Yes.

00065

1 MR. PEDERSON: And how many times have
 2 you been there?
 3 THE WITNESS: Once.
 4 MR. PEDERSON: And is that the same
 5 occasion that Kayla Burk was there?
 6 THE WITNESS: No.
 7 MR. PEDERSON: That's all I have.
 8 CHAIRWOMAN COGGS: Any questions of
 9 committee? Do you have your driver's license or
 10 an identification card on you?
 11 THE WITNESS: No.
 12 CHAIRWOMAN COGGS: Okay. Do the
 13 applicant or his attorney have any questions of
 14 this witness?
 15 MR. MURRELL: No.
 16 CHAIRWOMAN COGGS: Alderman Bohl, do
 17 you have any questions? Thank you. Next
 18 witness.
 19 MR. PEDERSON: Well, that's all I have
 20 for witnesses. I - - At some point I would - -
 21 At some point I would like to call the police
 22 Captain to give the position of the police
 23 department. This might be a good opportunity to
 24 do that. He's not a witness, per se. Okay. I
 25 call Commander of District 7, Captain William

00067

1 ALDERMAN KOVAC: Thank you, Madame
 2 Chair. The police report mentions that there was
 3 cameras there, but they couldn't record?
 4 THE WITNESS: That is correct.
 5 ALDERMAN KOVAC: Is that still the
 6 case, to your knowledge?
 7 THE WITNESS: To my knowledge, they
 8 still do not have operating cameras that are
 9 capturing for historical purposes, the events.
 10 ALDERMAN KOVAC: And is that something
 11 you brought up with them as something else, other
 12 than wanting them to identify the witnesses for
 13 the shooters if they cannot help you find them.
 14 Were there other - - Was there a list of other
 15 items you wanted them to change that you asked
 16 them to do?
 17 THE WITNESS: We - - We actually had a
 18 meeting with them. In fact, Darcy Trunkel,
 19 Officer Darcy Trunkel was present in that meeting
 20 in the neighborhood to discuss what we would like
 21 to see from them, and what the neighbors would
 22 like to see from them. One of the - - One of the
 23 requests that we made was to get a list of the
 24 young men and women that were in that tavern on
 25 the night of the shooting. And to my knowledge,

00066

1 Jessup.
 2 THE WITNESS: Good morning. My name is
 3 William Jessup, J-E-S-S-U-P. And I am the Police
 4 Captain in charge of District 7, and Frenchies at
 5 8340 West Lisbon is in District 7. Just for the
 6 record, I want to make it clear that on behalf of
 7 the Police Chief we are objecting to the renewal
 8 of this license, based on the facts that were
 9 presented today. The fact that there were two
 10 separate shooting incidents within the past six
 11 months, inside and outside that tavern. The fact
 12 that we have had numerous reports of underage
 13 patrons being served by the bartenders and
 14 owners.
 15 And also, the fact that after that last
 16 shooting incident with Mr. Gerke, we got very
 17 little cooperation with respect to identifying
 18 the suspects responsible for that incident.
 19 We're hoping to get cooperation at some point in
 20 the future, but I can tell you that we did not
 21 get a list, a complete list of the people that
 22 were at that tavern on that evening, and we're
 23 still hoping to get that from the owners.
 24 CHAIRWOMAN COGGS: Any questions of
 25 committee for this witness? Alderman Kovac.

00068

1 we have not been presented with a complete list
 2 of the patrons.
 3 ALDERMAN KOVAC: Has there been
 4 anything else they've been cooperative about?
 5 THE WITNESS: I can tell you in that
 6 meeting, which took place on a Saturday morning -
 7 - I believe it was in April - - a number of the
 8 citizens showed up. Officer Darcy Trunkel was
 9 there, as well. And the Alderman was present.
 10 The citizens voiced their concerns, and I can
 11 tell you that the owners of the establishment
 12 promised that there was no underage drinking
 13 going on in that tavern. Within eight hours of
 14 that meeting we sent a police aide under the age
 15 of 21 into the tavern, and he was served.
 16 CHAIRWOMAN COGGS: Any other questions
 17 of committee?
 18 ALDERMAN HAMILTON: Mr. Chair.
 19 CHAIRWOMAN COGGS: Alderman Hamilton.
 20 ALDERMAN HAMILTON: I mean, Madame
 21 Chair. Just to reiterate. So after the meeting,
 22 after the - - after the shooting of Mr. Gerke,
 23 and after the community meeting, a underage
 24 police aide was sent to this location, and - -
 25 and it is at that time that - - that a underage

00069

1 was - - that they received the citation that is
 2 now in - - in the record.
 3 THE WITNESS: That is the first of two
 4 occasions that we sent an underage police aide
 5 into that tavern within the past two months. And
 6 that was, like I said, within hours of having
 7 that meeting with the owners and with the
 8 citizens in the neighborhood, wherein the owners
 9 promised that that activity was not occurring.
 10 ALDERMAN HAMILTON: And was there any
 11 other police contact after that citation?
 12 THE WITNESS: Yes, approximately one
 13 month later we sent a police aide under the age
 14 of 21 into that establishment again with an
 15 undercover officer monitoring, and again, the
 16 police aide was served alcoholic beverages.
 17 ALDERMAN HAMILTON: Thank you.
 18 CHAIRWOMAN COGGS: Any questions of
 19 this witness by the applicant or his attorney?
 20 MR. MURRELL: Yes, Madame Chairwoman.
 21 Captain, I'm looking at Officer Trunkel's report,
 22 dated March 26th, that if you were here earlier,
 23 you heard me object to it. But it's been used
 24 and referred to. I'm on the last page of that
 25 where it's reported Thomas Angelo, my client to

00071

1 controversy regarding it. But to my
 2 understanding, isn't that - - Can't those people
 3 who have listed their names there go and pull
 4 their names off by themselves?
 5 THE WITNESS: Yes, they can, but - -
 6 MR. MURRELL: Do you know if that
 7 Facebook account was actually set up by these
 8 gentlemen?
 9 THE WITNESS: I don't know that.
 10 MR. MURRELL: Okay. So they provided
 11 you information. They provided you whatever
 12 information they had. What else did the police
 13 department want?
 14 THE WITNESS: I can tell you from my
 15 experience, having investigated many of these
 16 types of incidents, that the detectives and the
 17 supervisors involved in the investigation believe
 18 that the owners and the employees do have more
 19 information that they could give us that would
 20 help identify the suspects.
 21 MR. MURRELL: And you're familiar with
 22 Joe Lepold, who is one of the - -
 23 THE WITNESS: I spoke with him by
 24 phone.
 25 MR. MURRELL: Okay. On what date?

00070

1 my right, had provided the name of Mai, M-A-I, as
 2 a person who was having a party that night. And
 3 he also provided phone numbers and other names.
 4 What other - - Was there follow-up? Did you call
 5 this person?
 6 THE WITNESS: I can tell you that
 7 detectives followed up on this case extensively.
 8 Generally what would occur in an incident like
 9 this in a licensed premise is the owners, the
 10 bartenders, the other people that were witnesses
 11 would provide all information that they had
 12 available to help us identify other witnesses and
 13 potentially the suspects. In this case we did
 14 not get a complete list. I can also tell you
 15 that shortly after the incident, it was brought
 16 to our attention that there was a Facebook
 17 account for Frenchies that listed and had
 18 photographs of an excess of 100 persons, many of
 19 them Asian males and females. When we tried to
 20 access that information after making it known to
 21 the owners that we were aware of that, a number
 22 of those photos, in fact, many of them
 23 disappeared from the website.
 24 MR. MURRELL: I'm not familiar with
 25 Facebook. I don't - - There's too much

00072

1 March 24th, does that sound about right, you
 2 spoke with him?
 3 THE WITNESS: That is approximately the
 4 date I spoke with him. And at that time I
 5 explained to him what I'm explaining to you right
 6 now, which is that we were hoping for a complete
 7 list of the patrons in the establishment on that
 8 night.
 9 MR. MURRELL: Did they keep a list, do
 10 you know? Do you normally do that, you take
 11 names of everyone who comes in your bar?
 12 THE WITNESS: Well, I can tell you that
 13 based on what I just heard with the testimony of
 14 Vincent Gerke, he recognized the person who shot
 15 him as being a frequent patron to that
 16 establishment. In fact, he testified that he
 17 played pool with him on a prior occasion. I am
 18 also aware that the owner of the establishment
 19 was dating an Asian female who, according to our
 20 sources, is friends with a number of the people
 21 who frequent that establishment.
 22 MR. MURRELL: I'm looking at Officer
 23 Trunkel's report regarding what Mr. Gerke said,
 24 and I don't see him identifying that Asian male
 25 anywhere in here.

00073

1 THE WITNESS: Right. That report is a
 2 synopsis of a number of interviews that are in
 3 more detail in a police report.
 4 MR. MURRELL: Okay. All right,
 5 Captain. Thank you.
 6 CHAIRWOMAN COGGS: Thank you. Oh,
 7 Alderman -- Alderman Bohl, you had --
 8 MR. MURRELL: Oh, I did -- I'm sorry,
 9 Madame Chairwoman. I did want to just see --
 10 Captain, do you understand that the video
 11 equipment that night was out of order?
 12 THE WITNESS: Yes, I do understand
 13 that.
 14 MR. MURRELL: And you -- Do you -- I
 15 guess I'll ask you, do you believe that these
 16 guys did not sabotage that video, that that was
 17 not in good working order? It wasn't working.
 18 We have the tech here. The video technician also
 19 works -- he's here. He can testify to that.
 20 Did anyone explain that to -- to you?
 21 THE WITNESS: No. And I'm not implying
 22 that they dismantled the equipment. I'm just
 23 stating a fact, that the equipment did not
 24 capture it for purposes of viewing.
 25 MR. MURRELL: Okay, Captain, thank you

00075

1 provide and did not request a meeting at that
 2 point.
 3 ALDERMAN BOHL: The -- At the time the
 4 owners did not show up for the designated
 5 meeting. Is that correct?
 6 THE WITNESS: That's correct.
 7 ALDERMAN BOHL: And there was no call
 8 to indicate at the time that they were not going
 9 to show up.
 10 THE WITNESS: There was no call to me.
 11 ALDERMAN BOHL: And you did respond
 12 with an e-mail to me, indicating this fact and
 13 stating that they have been less than
 14 cooperative?
 15 THE WITNESS: Yes, I did.
 16 ALDERMAN BOHL: Thank you. That's all.
 17 CHAIRWOMAN COGGS: Thank you. At this
 18 time those who are in support, if -- if people
 19 could clear this front row, and if we could have
 20 the supporters who wish to testify move to the
 21 front so we can expedite this, quickly.
 22 MR. PEDERSON: Madame Chair.
 23 CHAIRWOMAN COGGS: Now I know we asked
 24 you before, but if you wanted any opening type
 25 statements at this point.

00074

1 very much.
 2 CHAIRWOMAN COGGS: Alderman Bohl.
 3 ALDERMAN BOHL: Thank you. Captain, in
 4 rela -- After the second of the two shootings,
 5 did you attempt to conduct a meeting with the
 6 owners/operators of this establishment?
 7 THE WITNESS: Yes, I did. I spoke with
 8 Josef Lepold by phone. Explained to him that I
 9 would like to meet with him, the other owner, and
 10 my committee liaison officer to discuss these
 11 matters, discuss moving forward with the
 12 investigation, and to discuss the problems that
 13 have been occurring at this establishment, in
 14 light of the fact that we had two shootings in a
 15 six month period, and in light of the fact that
 16 that was the only establishment in District 7
 17 where we had two violent crimes of that nature in
 18 a six month period. I explained to him that I
 19 would like to meet with him in a week or so, and
 20 that I expected that he would cooperate with the
 21 criminal investigation by providing the names of
 22 the patrons that could potentially be suspects.
 23 Later in the week my liaison officer, Shelly
 24 Lubis, had contact with Mr. Lepold wherein he
 25 stated he did not have any more information to

00076

1 MR. MURRELL: No, ma'am. I'm -- I'm
 2 going to save time and just save it for a
 3 summary.
 4 MR. PEDERSON: May I -- Madame Chair,
 5 may I excuse the witnesses that I called here
 6 today?
 7 CHAIRWOMAN COGGS: Yes, that's fine.
 8 Could you keep it brief? This is being timed,
 9 and that you just, when you come up, state your
 10 name and address for the record. If you have a
 11 complicated name, please spell it. So at this
 12 time we'll take the first witness. Just come up
 13 to the standing microphone. State your name and
 14 address for the record.
 15 THE WITNESS: My name is Steven Malady,
 16 M-A-L-A-D-Y. and I live at 7202 West Mill Road.
 17 And I support the license.
 18 CHAIRWOMAN COGGS: Any questions of
 19 committee? Any questions from the applicant or
 20 his attorney?
 21 MR. MURRELL: No, Madame Chair.
 22 CHAIRWOMAN COGGS: Any questions from
 23 Attorney Pederson?
 24 MR. PEDERSON: No, thank you.
 25 CHAIRWOMAN COGGS: Alderman Bohl?

00077

1 ALDERMAN ZIELINSKI: One - - One
 2 question.
 3 CHAIRWOMAN COGGS: Alderman Zielinski.
 4 ALDERMAN ZIELINSKI: Where do you live
 5 in relation to this establishment?
 6 THE WITNESS: Off of 76th and Mill
 7 Road.
 8 ALDERMAN ZIELINSKI: And where is that?
 9 THE WITNESS: I mean, I grew up in the
 10 area over there off of 84th and Grantosa, so.
 11 ALDERMAN ZIELINSKI: But in terms of
 12 where you live now, are you would you say less
 13 than a mile, closer?
 14 THE WITNESS: Maybe two miles.
 15 ALDERMAN ZIELINSKI: About two miles
 16 away? Okay. Thank you.
 17 ALDERMAN BOHL: Madame Chair.
 18 CHAIRWOMAN COGGS: Alderman Bohl?
 19 ALDERMAN BOHL: Sir, 76th and Mill
 20 Road, would that be more like about four miles?
 21 THE WITNESS: Maybe so.
 22 ALDERMAN BOHL: Okay.
 23 THE WITNESS: I mean, but I lived close
 24 - - I mean, I grew up in the neighborhood.
 25 ALDERMAN BOHL: I'm not disputing that.

00079

1 CHAIRWOMAN COGGS: Alderman Kovac.
 2 ALDERMAN KOVAC: So you park there even
 3 when you're not going there?
 4 THE WITNESS: I park there every night,
 5 sir.
 6 ALDERMAN KOVAC: So you have an
 7 arrangement with the - - with the owners?
 8 THE WITNESS: The owner is my landlord.
 9 The other thing I'd also like to state is that
 10 I've known Mr. Lepold, Jack Lepold, for about two
 11 and a half years now. I have never observed him
 12 intoxicated. I can't even testify that I've seen
 13 a drink in his hand, to be honest. If he has
 14 drank, it might have been one drink, but I don't
 15 even know if it would have been alcoholic, to be
 16 honest with you.
 17 CHAIRWOMAN COGGS: Any other questions
 18 of committee? Any questions from the applicant
 19 or his attorney?
 20 MR. MURRELL: Yes, Madame Chair. Have
 21 you - - You've been in there frequently as a
 22 patron?
 23 THE WITNESS: Yes.
 24 MR. MURRELL: How often do you see
 25 people who look underage?

00078

1 I'm just asking if it would be more like four
 2 miles.
 3 THE WITNESS: Sure.
 4 CHAIRWOMAN COGGS: Thank you. Next
 5 witness? Name and address.
 6 THE WITNESS: Good morning. My name is
 7 Todd Joseph Coughlin, C-O-U-G-H-L-I-N. I reside
 8 at 8350 West Lisbon Avenue, immediately adjacent
 9 to Frenchies Old Lamp Inn. I'm here to testify
 10 to just say that I do not feel uncomfortable
 11 living immediately adjacent to that property.
 12 I've been a practicing nurse here in the
 13 Milwaukee area for a little over 20 years. I
 14 frequently come home late at night about 11:30 -
 15 one o'clock in the morning. I park immediately
 16 in their parking lot. I frequent the
 17 establishment maybe two or three times per month.
 18 I have never felt uncomfortable while I've been
 19 in that establishment, walking out of that
 20 establishment back up to my apartment, or coming
 21 home from work, parking the car and walking into
 22 my property. That's about it.
 23 CHAIRWOMAN COGGS: Does the committee
 24 have any questions of this witness?
 25 ALDERMAN KOVAC: Madame Chair.

00080

1 THE WITNESS: I - - Very rare. Very
 2 rare do I see somebody in there that I would
 3 question about carding. Most of the clientele
 4 there are neighborhood patrons, and they're - -
 5 I'm 40. Well, I'm 48 years old. I'd say most of
 6 them are - - look at least 30, 30 on up. That's
 7 what I've observed.
 8 MR. MURRELL: So this morning a picture
 9 has been painted that this is a haven for
 10 underage drinking. Is that an accurate picture
 11 in your opinion?
 12 THE WITNESS: Absolutely not. As I
 13 said, I live on the property. I'm frequently in
 14 the parking lot. I don't see kids hanging out
 15 there. I can't say that I've seen underage kids
 16 in the - - in the business.
 17 MR. MURRELL: Have you ever seen any of
 18 the witnesses who were underage who have come
 19 forward today in there?
 20 THE WITNESS: I can't say for sure.
 21 MR. MURRELL: Thank you. And how many
 22 times per week would you say you drop in?
 23 THE WITNESS: Per week, it's actually a
 24 couple times per month. Maybe three or four
 25 times total.

00081

1 MR. MURRELL: Thank you very much.
 2 ALDERMAN BOHL: Madame Chair.
 3 CHAIRWOMAN COGGS: I have - - I have a
 4 question.
 5 THE WITNESS: Yes, ma'am.
 6 CHAIRWOMAN COGGS: Have you seen them
 7 card people?
 8 THE WITNESS: Yeah, I have.
 9 CHAIRWOMAN COGGS: Okay. Is it as they
 10 come in the door, as they come up to the bar?
 11 What's - -
 12 THE WITNESS: Usually when they come up
 13 to the bar.
 14 CHAIRWOMAN COGGS: Okay. Thank you.
 15 Attorney Pederson, did you have any questions?
 16 MR. PEDERSON: No questions. Thank
 17 you.
 18 CHAIRWOMAN COGGS: Alderman Bohl.
 19 ALDERMAN BOHL: Thank you. Mr.
 20 Coughlin, you - - Do you live in the apartment in
 21 the same building as Frenchies?
 22 THE WITNESS: I do. I do. And I
 23 actually have a view of the parking lot.
 24 ALDERMAN BOHL: So your arrangement for
 25 parking is part of living in that very same

00083

1 Last name, K-I-P-P. I live at 8416 West Lisbon,
 2 within a block down the road from Frenchies. And
 3 I would just like to say that I'm for the renewal
 4 of the license.
 5 CHAIRWOMAN COGGS: Any questions of
 6 this witness from committee? Does the attorney
 7 or his - - or the applicant have any questions
 8 from this witness?
 9 THE WITNESS: No, ma'am.
 10 CHAIRWOMAN COGGS: Attorney Pederson,
 11 do you have any questions? Alderman Bohl, do you
 12 have any questions? Thank you. Next witness.
 13 THE WITNESS: Hi, my name is Kim
 14 Schaefer, S-C-H-A-E-F-E-R. I live at 3044 North
 15 73rd Street. I just wanted to show my support
 16 for the renewal, and I have been a witness of all
 17 three bartenders using the ID machine now to show
 18 that everyone is 21 in the bar.
 19 CHAIRWOMAN COGGS: Any question of this
 20 witness from committee?
 21 ALDERMAN ZIELINSKI: Madame
 22 Chairperson.
 23 CHAIRWOMAN COGGS: Alderman Zielinski.
 24 ALDERMAN ZIELINSKI: What's the
 25 approximate distance you reside from this

00082

1 building.
 2 THE WITNESS: You are correct.
 3 ALDERMAN BOHL: And the two operators
 4 of Frenchies, one is the son of your landlord.
 5 Is that correct?
 6 THE WITNESS: Correct.
 7 ALDERMAN BOHL: Is your landlord
 8 present in the bar on a - - on a daily basis?
 9 THE WITNESS: I wouldn't say on a daily
 10 basis.
 11 ALDERMAN BOHL: When you have been to
 12 the bar, you - - have you seen him there working?
 13 THE WITNESS: I've been there when he
 14 has been there, and I've been there when he
 15 hasn't been there.
 16 ALDERMAN BOHL: Okay. But he has - -
 17 He has been working behind the bar, ever? Is - -
 18 THE WITNESS: I have witnessed him
 19 working behind the bar. That's correct.
 20 ALDERMAN BOHL: Thank you. That's all.
 21 CHAIRWOMAN COGGS: Thank you. Next
 22 witness. And after you've spoken, if you could
 23 just free up your seat so that other people can
 24 file in. Name and address for the record.
 25 THE WITNESS: My name is Jacob Kipp.

00084

1 location?
 2 THE WITNESS: I live five minutes away.
 3 ALDERMAN ZIELINSKI: So about a mile?
 4 Two miles? A mile to two miles?
 5 THE WITNESS: Half a mile.
 6 ALDERMAN ZIELINSKI: I don't think it
 7 takes you five minutes to drive that.
 8 THE WITNESS: Oh, from here?
 9 ALDERMAN ZIELINSKI: No. No, from - -
 10 In terms of your distance from Frenchies.
 11 THE WITNESS: Correct, it's five
 12 minutes.
 13 ALDERMAN ZIELINSKI: It takes you five
 14 minutes to drive from your home to Frenchies?
 15 THE WITNESS: Correct.
 16 ALDERMAN ZIELINSKI: Okay. And you
 17 also made mention of the fact that you saw them
 18 carding people with the machine. When did you
 19 start witnessing that activity take place?
 20 THE WITNESS: When - - After Joe got a
 21 ticket.
 22 ALDERMAN ZIELINSKI: So how long ago
 23 was that?
 24 THE WITNESS: I'd say four weeks ago.
 25 I'm not sure.

00085

1 ALDERMAN ZIELINSKI: About four weeks
 2 ago? Okay. Thank you.
 3 CHAIRWOMAN COGGS: Any other - - Hold
 4 on just a second there. Any other questions of
 5 committee? Does the applicant or his attorney
 6 have any questions?
 7 MR. MURRELL: No.
 8 CHAIRWOMAN COGGS: Attorney Pederson,
 9 do you have any questions of this witness?
 10 MR. PEDERSON: I don't.
 11 CHAIRWOMAN COGGS: Alderman Bohl, do
 12 you have any questions of this witness?
 13 ALDERMAN BOHL: Yes, I do. Ma'am, you
 14 said that - - You indicated that you've seen them
 15 start do carding using a machine in the last four
 16 weeks?
 17 THE WITNESS: Correct, or
 18 approximately. I know before that - - before
 19 they got the machine I did see them ID.
 20 ALDERMAN BOHL: Okay. Madame Chair, I
 21 would like to introduce for the record, a
 22 document that was provided to me by the
 23 applicants at a recent meeting that indicate the
 24 software that they purchased with an order date,
 25 an order date of May 22nd, 2010. I don't believe

00087

1 Chair.
 2 CHAIRWOMAN COGGS: Yes, Alderman Bohl.
 3 ALDERMAN BOHL: Ma'am, if - - Were you
 4 coached by the attorney here?
 5 THE WITNESS: No, I never met with him.
 6 ALDERMAN BOHL: Did you have any
 7 conversation with others in terms of what to say?
 8 THE WITNESS: No.
 9 ALDERMAN BOHL: In relation to the
 10 carding machine?
 11 THE WITNESS: No.
 12 ALDERMAN BOHL: You just knew to bring
 13 that up on your own today?
 14 THE WITNESS: Yeah, because I know that
 15 the effort that they're putting in to - - to
 16 protect the community. I know that they're
 17 trying really hard to stay open. I feel very
 18 safe there. I know that there's been plenty of
 19 times when they have driven me home, so that I
 20 wouldn't drive if I couldn't find a ride home.
 21 ALDERMAN BOHL: That's all. Thank you.
 22 CHAIRWOMAN COGGS: Thank you. Next
 23 witness. We - - Alderman Zielinski moves to make
 24 the Google Checkout information indicating the
 25 order date for the carding machine a part of the

00086

1 that they would have even received it for
 2 shipment until considerably later. I'd like to
 3 present that to the record. I will provide this
 4 for review.
 5 ALDERMAN ZIELINSKI: So, Madame
 6 Chairperson?
 7 CHAIRWOMAN COGGS: Alderman Zielinski.
 8 ALDERMAN ZIELINSKI: So you're - - So
 9 you're testifying under oath that you saw the use
 10 of these machines prior to May 22nd?
 11 THE WITNESS: I don't know is what I'm
 12 saying.
 13 ALDERMAN ZIELINSKI: You're saying - -
 14 Well, you just testified a few minutes ago that
 15 it was about four weeks ago or so that you - -
 16 you know, that you saw them starting to card
 17 people with the machine.
 18 THE WITNESS: I'm - - It was just an
 19 estimate.
 20 ALDERMAN ZIELINSKI: So now you're not
 21 sure? You're not sure it was four weeks ago?
 22 THE WITNESS: I didn't - - I said
 23 before I wasn't sure.
 24 ALDERMAN ZIELINSKI: Okay. Thank you.
 25 ALDERMAN BOHL: Madame - - Madame

00088

1 record. So moved. Name and address for the
 2 record.
 3 THE WITNESS: David Ellmaurer, E-L-L-M-
 4 A-U-R-E-R. 1512 South 63rd in West Allis. I am
 5 a security specialist that rectified the problems
 6 with their security cameras. In fact, there was
 7 several updates that they asked me to do, also.
 8 They added cameras on the parking lot. Plus,
 9 they also added cameras on the - - all the way
 10 around the entire outside of the building. And I
 11 - - Everything is recording now and can be
 12 accessed at any time.
 13 CHAIRWOMAN COGGS: At the - - Around
 14 the time of the shooting, the - - when the young
 15 man was shot several times that was referenced
 16 today.
 17 THE WITNESS: Yes.
 18 CHAIRWOMAN COGGS: How many cameras did
 19 they have at that time?
 20 THE WITNESS: I believe four, and now
 21 there is nine.
 22 CHAIRWOMAN COGGS: And at that time
 23 were they operable?
 24 THE WITNESS: The cameras were
 25 operable, but the recorder wasn't. The hard

00089

1 drive had run out. And when they original - -
 2 Whenever who originally set it up, did not set
 3 the hard drive so that it would automatically
 4 reloop and start recording again. It just
 5 stopped once it got to the end.
 6 CHAIRWOMAN COGGS: Do you know at what
 7 point the hard drive - - the video - - the - - it
 8 stopped working? Do you know at what point?
 9 THE WITNESS: No, I couldn't tell that.
 10 CHAIRWOMAN COGGS: Okay. Are there any
 11 other questions from committee of this witness?
 12 MS. SCHRIMPF: Madame Chair?
 13 CHAIRWOMAN COGGS: Yes, Attorney
 14 Schrimpf.
 15 MS. SCHRIMPF: When did you do the
 16 upgrades?
 17 THE WITNESS: I believe it was
 18 approximately two - - a week after the - - the
 19 second shooting.
 20 MS. SCHRIMPF: That's all I have,
 21 Madame Chair.
 22 CHAIRWOMAN COGGS: Does the applicant
 23 or his attorney have any questions for this
 24 witness?
 25 MR. MURRELL: Just one, Madame Chair.

00091

1 couple weeks, a few weeks after the second
 2 shooting that you worked on doing street cameras?
 3 THE WITNESS: Yeah, it's the
 4 installation.
 5 ALDERMAN BOHL: And that was for the -
 6 - the exterior of the premises?
 7 THE WITNESS: Yeah, there's - - They
 8 added two cameras - - two newer cameras to the
 9 outside park - - main parking lot of Frenchies,
 10 and then four more cameras on the perimeter, the
 11 rest of the perimeter of the building.
 12 ALDERMAN BOHL: Thank you. Madame - -
 13 Madame Chair, if I just may do a follow-up here
 14 with Joe Lepold, the applicant. Mr. Lepold, we
 15 had a meeting about - - last week Monday. Is
 16 that correct?
 17 THE APPLICANT: Yes.
 18 ALDERMAN BOHL: Do you recall at the
 19 time comments that were made indicating that the
 20 two cameras you had up there were dummy cameras?
 21 THE APPLICANT: Yes, they were - - We
 22 had them up just for security purposes, but they
 23 weren't - - The system wasn't recording for a
 24 little while. The second incident happened,
 25 there wasn't a recording.

00090

1 Now, approximately how long prior to that
 2 shooting on March 13th, if you can recall, did
 3 the owners contact you that that was out of
 4 order?
 5 THE WITNESS: It was about - - I think
 6 about two weeks we had - - They asked for the
 7 estimate on, you know, upgrading the system and
 8 adding to it.
 9 MR. MURRELL: And are you a patron at
 10 the establishment?
 11 THE WITNESS: Yes, I am also a patron.
 12 MR. MURRELL: Do you live in the
 13 district?
 14 THE WITNESS: No, I don't. I have a
 15 friend that lives in the area, and I go and meet
 16 him there. And - - Yeah, I have no problem with
 17 the tavern.
 18 MR. MURRELL: Okay.
 19 CHAIRWOMAN COGGS: Does - - Attorney
 20 Pederson, do you have any questions of this
 21 witness?
 22 MR. PEDERSON: No, thank you.
 23 CHAIRWOMAN COGGS: Alderman Bohl.
 24 ALDERMAN BOHL: Thank you, Madame
 25 Chair. Sir, you said it was a few weeks - - a

00092

1 ALDERMAN BOHL: Do you recall last
 2 year's meeting, making comments to the effect of
 3 we are planning on installing security, having
 4 cameras outside? If there was anybody acting in
 5 that way that disturbs the neighbors, we plan on
 6 identifying them and - - and not have them come
 7 to the building?
 8 THE APPLICANT: I don't recall.
 9 ALDERMAN BOHL: Madame Chair, I would -
 10 - I would ask that the - - that the minutes of
 11 last year's hearing be entered into the record.
 12 CHAIRWOMAN COGGS: Attorney Schrimpf,
 13 aren't they technically already in the record?
 14 MS. SCHRIMPF: No.
 15 CHAIRWOMAN COGGS: Then - - Okay.
 16 Motion by Alderman Hamilton is to make last
 17 year's hearing minutes for Frenchies a part of
 18 the record.
 19 MR. PEDERSON: Madame Chair, I'd just
 20 like one clarification on that. They're actually
 21 the transcript from the hearing, not the minutes.
 22 CHAIRWOMAN COGGS: Okay. The
 23 transcript. My apologies. The motion by
 24 Alderman Hamilton is to make the transcript from
 25 last year's hearing for Old Lamp Inn Frenchies,

00093

1 LLC a part of the record. So moved.
 2 I have a question just for clarity. So
 3 the four cameras that they had, where were those
 4 located again?
 5 THE WITNESS: The original four, there
 6 were two in the bar and two on the parking lot.
 7 CHAIRWOMAN COGGS: And all of them
 8 weren't working because of the hard drives.
 9 THE WITNESS: Right. Because the hard
 10 drive records them all.
 11 CHAIRWOMAN COGGS: Okay. My -- My
 12 concern is this. The reason I asked at what
 13 point the hard drive was full, if you know. The
 14 indication from the witness who was shot was that
 15 these were regulars. So that even if that night
 16 it wasn't working, there may be chances to review
 17 previous video that could show a plate, that
 18 could show who they were mingling with on your
 19 staff, that could show some things that may get
 20 some indication of identification of the people
 21 who actually committed that shooting. So I don't
 22 know. Do you know when it stopped? But that may
 23 be something you want to sit down with the police
 24 about to help them find the person who actually
 25 committed that shooting.

00095

1 how how to program them. Our understanding was
 2 that we thought we had it recording, and then
 3 somebody's coat ended up missing, and I went to
 4 check the tapes and try to play it back, and I
 5 was unable to. At that time I came to the
 6 realization that I didn't know how to program
 7 this thing. I thought I had it recording, but I
 8 didn't. He mentioned his friend who he met at
 9 this bar, or at our bar. He's also in the
 10 security business, and I've been in touch with
 11 him, you know, months and months prior, that we
 12 wanted to get more cameras and we needed to get
 13 our system recording. And that was a
 14 conversation we only had with them, because we
 15 didn't want to make it common knowledge that our
 16 system wasn't recording. So even our technician,
 17 I think, can tell the committee that he actually
 18 had a little bit of hard time programming it, and
 19 it does take some know-how to get those systems
 20 up and going.
 21 CHAIRWOMAN COGGS: Thank you.
 22 ALDERMAN BOHL: Madame Chair.
 23 CHAIRWOMAN COGGS: Alderman Bohl.
 24 ALDERMAN BOHL: This shooting occurred
 25 approximately nine months after they opened, ten

00094

1 ALDERMAN BOHL: Madame Chair?
 2 CHAIRWOMAN COGGS: Alderman Bohl.
 3 ALDERMAN BOHL: I don't -- I'm not
 4 aware that the security cameras ever worked. I
 5 believe that I was informed that there was some
 6 type of language barrier in the installation, and
 7 that's a question I'll put out, that I would ask
 8 for the operators. Were these security cameras
 9 ever operating to the point where they were
 10 actually downloading and bringing clear concise
 11 pictures that were being recorded?
 12 THE APPLICANT: Well, we bought the
 13 system, and we hooked up the cameras, and we
 14 tried programming it, and it just wasn't -- We
 15 couldn't get it to record. And -- But the
 16 cameras were playing real time, but they weren't
 17 recording, and we were working on fixing the
 18 problem, trying to call security people to get
 19 the system recording.
 20 ALDERMAN BOHL: Madame Chair. If I
 21 could continue with additional questions.
 22 THE APPLICANT: Can I speak? We
 23 attempted to hook up the system ourselves.
 24 According to our technician, those units come in
 25 Korean time. So you do have to have some know-

00096

1 months after they opened. A review of the
 2 minutes from last year will show that they
 3 indicated that they have security cameras. It's
 4 not only -- not only --
 5 CHAIRWOMAN COGGS: Mr. Bohl, this is
 6 time for questions for the witness. If you have
 7 a closing statement, it will be a time for that.
 8 ALDERMAN BOHL: How -- How long --
 9 Thank you, Madame Chair. How long was it before
 10 you actually knew that your security cameras
 11 didn't work?
 12 THE WITNESS: I couldn't answer that.
 13 I couldn't answer that.
 14 ALDERMAN BOHL: I would ask that of --
 15 THE APPLICANT: It was the incident
 16 that happened where the gentleman's coat came up
 17 missing. Someone took it by mistake. Had to be
 18 four months prior to the shooting, I would
 19 imagine. And at that point in time I realized it
 20 wasn't working, and I started talking to Dave's
 21 friend who comes into the bar about getting it up
 22 and going. And we wanted to do a full upgrade
 23 and move the unit altogether to a more accessible
 24 spot, and we were holding off on that until we
 25 got some money together where we could buy a

00097

1 bunch more cameras and pay them for their
 2 service.
 3 ALDERMAN BOHL: Madame Chair.
 4 CHAIRWOMAN COGGS: Alderman.
 5 ALDERMAN BOHL: In last year's meeting
 6 do you recall making comments and indicating that
 7 you have security cameras that were working 24/7
 8 coverage?
 9 THE APPLICANT: We thought they were
 10 working. I thought they were working. I went to
 11 check the tape thinking that they were working
 12 and due to me not knowing the ins and outs of
 13 that system, I was incorrect in how I programmed
 14 it.
 15 CHAIRWOMAN COGGS: Thank you. Next
 16 witness? Name and address for the record.
 17 THE WITNESS: My name is Sandy Pavlik,
 18 P-A-V-L-I-K. And I live at 3161 North 87th
 19 Street. That's approximately five blocks from
 20 the bar. And I have never witnessed any of the
 21 kids that said they were in here frequently in
 22 the bar. And I'm there pretty often. I really
 23 find it to be a nice bar. I would associate it
 24 with like Cheers, you know, the television show,
 25 Cheers. You know, most of the people that come

00099

1 ALDERMAN KOVAC: Madame Chair.
 2 CHAIRWOMAN COGGS: Alderman Kovac.
 3 ALDERMAN KOVAC: You say you're there
 4 pretty often. What nights are you usually there?
 5 THE WITNESS: I would say I'm probably
 6 there two - - Well, okay. They're open Monday.
 7 They're closed on Tuesday. I'm there on
 8 Wednesday, Thursday, usually Friday night. Might
 9 not go there on a Saturday. And then I usually
 10 come in on Sunday. I'm usually there pretty
 11 often.
 12 ALDERMAN KOVAC: So the ones you miss
 13 would be Saturday and sometimes Friday.
 14 THE WITNESS: Right.
 15 ALDERMAN KOVAC: Okay. Because based
 16 on some of the testimony and the police report,
 17 that was when the underage parties were - - were
 18 most common. That's why I'm asking.
 19 THE WITNESS: Okay. Well, that might
 20 be why I never saw them in there, but I - - I've
 21 seen them card everybody since the accident, you
 22 know, since they got their ticket. And like I
 23 said, I feel that they are young kids and they're
 24 learning from their experiences, and they're just
 25 trying to do everything right to make it better.

00098

1 in there are - - are my age and, you know, maybe
 2 some a little younger than me. But I've always
 3 felt very comfortable there. I recently started
 4 working for them, so it actually got me a job,
 5 because I clean the bar. So I think that was a
 6 good thing for, you know, helping people get
 7 work. And I just think that the kids are young
 8 and - - that are the owners, and that they're
 9 learning through their experiences. And they did
 10 get that machine, and that machine has been in
 11 there, that I've seen it for approximately at
 12 least three weeks. That's what I would guess it
 13 at three weeks, that I've seen it three weeks
 14 that they've used the card regularly.
 15 CHAIRWOMAN COGGS: Do we have any
 16 questions of committee for this witness? Does
 17 the applicant or his attorney have any questions
 18 of this witness?
 19 MR. MURRELL: No, Madame Chair.
 20 CHAIRWOMAN COGGS: Attorney Pederson,
 21 do you have any questions for this witness?
 22 MR. PEDERSON: No, thank you.
 23 CHAIRWOMAN COGGS: Alderman Bohl, do
 24 you have any questions of this witness?
 25 ALDERMAN BOHL: No.

00100

1 And I don't find any danger, and I - - I've lived
 2 in the neighborhood ten years myself, and I just
 3 don't see a problem. I think that they, you
 4 know, now that through learning that they're
 5 going to do better and everything will be fine.
 6 CHAIRWOMAN COGGS: Thank you. Next
 7 witness?
 8 ALDERMAN BOHL: Madame Chair.
 9 CHAIRWOMAN COGGS: Oh, sorry. Can you
 10 hold on just a second for Alderman Bohl?
 11 ALDERMAN BOHL: Thank you. Ma'am,
 12 could you state your address again, please?
 13 THE WITNESS: 3161 North 87th Street.
 14 ALDERMAN BOHL: Is that - - Is that a
 15 home or is that an apartment?
 16 THE WITNESS: It's a house.
 17 ALDERMAN BOHL: You started employment
 18 with these gentlemen approximately when?
 19 THE WITNESS: Approximately two months,
 20 about two months.
 21 ALDERMAN BOHL: Do you - - Do you
 22 receive a paycheck stub from them?
 23 THE WITNESS: No.
 24 ALDERMAN BOHL: They pay you cash?
 25 MR. MURRELL: I'm going to object.

00101

1 What's the relevance of this?
 2 CHAIRWOMAN COGGS: Attorney Schrimpf.
 3 What are your thoughts?
 4 MS. SCHRIMPF: Well, I think there's a
 5 certain - - I think one of the issues always is
 6 whether or not a witness is reliable. She has
 7 testified that she's employed by them. The
 8 question goes to whether or not she is, in fact,
 9 employed by them.
 10 THE WITNESS: I - - I clean for two
 11 hours.
 12 CHAIRWOMAN COGGS: Go ahead. You clean
 13 for two hours.
 14 THE WITNESS: I just clean - - I clean
 15 the bathrooms and the - - It gives me something
 16 to do to - - during my daytime. So it's helping
 17 my depression, and I thought it was a good thing
 18 to be doing.
 19 CHAIRWOMAN COGGS: Alderman Bohl?
 20 THE WITNESS: So maybe I shouldn't call
 21 it a job, but to me it's a job.
 22 MS. SCHRIMPF: And you get paid, either
 23 in cash or in kind?
 24 THE WITNESS: Yeah.
 25 MS. SCHRIMPF: Thank you.

00103

1 but - -
 2 MS. SCHRIMPF: Butler Inn?
 3 THE WITNESS: No. The Nugget - -
 4 Golden Nugget. But since then, the lady had
 5 died. In fact, I lost my job there because I
 6 drink behind the bar. She had said that I was
 7 insulting at people. Well, I don't think it's an
 8 insult, because I'm not going to drink with you
 9 and get stuff. But I have not seen it.
 10 CHAIRWOMAN COGGS: Any - - Any
 11 questions form the applicant or his attorney of
 12 this witness?
 13 MR. MURRELL: No. No, Madame.
 14 CHAIRWOMAN COGGS: Attorney Pederson,
 15 any questions?
 16 MR. PEDERSON: No, thank you.
 17 CHAIRWOMAN COGGS: Alderman Bohl, any
 18 questions? Thank you. Next witness. Name and
 19 address for the record.
 20 THE WITNESS: Michael A. Scott, S-C-O-
 21 T-T. 6609 West Lisbon Avenue, apartment three.
 22 And I'm in favor of this license. And a bunch of
 23 Vietnam Veterans, like him and I, a lot of them
 24 couldn't come. We go there because he's a war
 25 vet - - a war veteran and we're treated like

00102

1 CHAIRWOMAN COGGS: Thank you. Next
 2 witness. Name and address for the record.
 3 THE WITNESS: My name is Dan Pavlik.
 4 That's my wife, Sandy. 3161 North 87th Street.
 5 I've been a bartender for 15 years. That's the
 6 nicest bar I've ever been in. Tom does not drink
 7 behind the bar. I've never seen Tom drink. He
 8 may drink soda, orange juice or all kinds of
 9 goofy Gatorade or whatever it is. And to me, as
 10 long as I've been going into that bar and I go
 11 quite a bit, I - - I would never - - Maybe once I
 12 carded somebody. I would never see anybody in
 13 there that I thought that I would card. Because
 14 I wouldn't want to lose my license. So, I have
 15 seen these two fellows card people before this
 16 time. So whatever happened, I don't know. But I
 17 have never personally seen. To me, that is the
 18 nicest bar I've ever been in.
 19 CHAIRWOMAN COGGS: Any questions of
 20 this witness from committee?
 21 MS. SCHRIMPF: Madame Chair. Do you
 22 bartend at this place?
 23 THE WITNESS: No, I don't.
 24 MS. SCHRIMPF: Okay.
 25 THE WITNESS: I bartended in Butler,

00104

1 gentlemen.
 2 CHAIRWOMAN COGGS: Any questions of
 3 committee of this witness?
 4 ALDERMAN ZIELINSKI: Madame
 5 Chairperson.
 6 CHAIRWOMAN COGGS: Alderman Zielinski.
 7 ALDERMAN ZIELINSKI: What's - - What's
 8 the relation of your residence to this bar?
 9 THE WITNESS: Well, I moved there when
 10 I got divorced. I used to live on 81st and Auer.
 11 ALDERMAN ZIELINSKI: What's the
 12 distance that you presently reside from this
 13 location? Is it a mile?
 14 THE WITNESS: Seven minutes, 30 miles
 15 an hour up Lisbon.
 16 ALDERMAN ZIELINSKI: Thank you.
 17 CHAIRWOMAN COGGS: Any - - Any
 18 additional questions from committee? Does the
 19 applicant or his attorney have any questions of
 20 this witness?
 21 MR. MURRELL: No, thank you.
 22 CHAIRWOMAN COGGS: Attorney Pederson,
 23 do you - - Hold on just a second. Attorney
 24 Pederson, do you have any questions? Alderman
 25 Bohl, do you have any? Thank you. Next witness.

00105

1 THE WITNESS: My name is Don Askenette,
 2 A-S-K-E-N-E-T-T-E. And I reside at 4572 North
 3 67th Street. And I started frequenting Frenchies
 4 when my friend Mike told me that Joe was a
 5 veteran, and I'll back veterans 100 percent
 6 anyway I can. And I don't object to their
 7 licensing.
 8 CHAIRWOMAN COGGS: Any questions from
 9 committee of this witness? Does the applicant or
 10 his attorney have any questions of this witness?
 11 MR. MURRELL: No, Madame Chair.
 12 CHAIRWOMAN COGGS: Attorney Pederson,
 13 do you have any questions of this witness?
 14 MR. PEDERSON: No, thank you.
 15 CHAIRWOMAN COGGS: Alderman Bohl, do
 16 you have any questions?
 17 ALDERMAN BOHL: Thank you. Very
 18 briefly. Sir, you live on 67th Street between
 19 Congress and Hampton?
 20 THE WITNESS: Yes, I do.
 21 ALDERMAN BOHL: Which is at least a
 22 couple of miles away?
 23 THE WITNESS: At least, and I
 24 previously owned a home at 4079 Auer for about 15
 25 years.

00107

1 THE WITNESS: Well, after hearing the
 2 speech about how we got to keep an open mind in
 3 - - in our society, we have a judge - - judgment
 4 system that is based on facts, I felt that the
 5 letter that he sent out contained - - Well, the
 6 police report wasn't in his hand when the letter
 7 went out, which is understandable, because it
 8 takes some time for a police report to be drawn
 9 up. But I just felt that there was some obvious
 10 bias in information that was disseminated at that
 11 time. It was rumor, conjecture. That's what I
 12 felt.
 13 MR. MURRELL: What - - What was the
 14 Alderman's response to your question?
 15 THE WITNESS: As I recall, it wasn't
 16 much of a response. I think the fact that he
 17 spent so much time dealing with, you have to keep
 18 an open mind, I might have caught him off guard
 19 with the fact that this report wasn't in his hand
 20 until just a few days before he spoke to us.
 21 MR. MURRELL: Have you ever had any
 22 other interactions with Alderman Bohl prior to
 23 that meeting?
 24 THE WITNESS: Once before when they
 25 removed the basketball courts from Kopps

00106

1 ALDERMAN BOHL: Thank you. Thank you
 2 for your service, as well.
 3 THE WITNESS: You're welcome.
 4 CHAIRWOMAN COGGS: Thank you. Next
 5 witness.
 6 THE WITNESS: My name is Paul
 7 Carpentier, C-A-R-P-E-N-T-I-E-R, and I have lived
 8 at 3328 North 86th Street for 20 years, this
 9 year. I'm here to say that I have no issues,
 10 whatsoever, with the renewal of Frenchies tavern.
 11 CHAIRWOMAN COGGS: Any questions of
 12 committee for this witness? Any questions from
 13 the applicant or his attorney?
 14 MR. MURRELL: Yes, Madame Chair. Just
 15 a few. Were you at the neighborhood meeting on
 16 Saturday, April 17th at the Progressive Baptist
 17 Church at 8324 West Keefe Avenue?
 18 THE WITNESS: Yes.
 19 MR. MURRELL: And at any time during
 20 the meeting did you ask Alderman Bohl a question
 21 in regards to an e-mail he sent out to the
 22 neighborhood?
 23 THE WITNESS: An e-mail and letter that
 24 he sent out to the neighborhood, yes, I did.
 25 MR. MURRELL: What was your question?

00108

1 Park.
 2 CHAIRWOMAN COGGS: I would ask that we
 3 keep the testimony about Frenchies.
 4 THE WITNESS: I understand. Okay.
 5 Just answering his question. And then it wasn't
 6 necessarily personal contact with him, but I was
 7 robbed in my garage by four guys - -
 8 CHAIRWOMAN COGGS: Again, I would ask
 9 that - -
 10 THE WITNESS: I just want to mention
 11 that he did not - -
 12 CHAIRWOMAN COGGS: About Frenchies.
 13 That's what we're hearing about.
 14 THE WITNESS: - - send any letters in
 15 the neighborhood about that particularly.
 16 CHAIRWOMAN COGGS: Again, I'll have to
 17 ask that we keep this testimony about Frenchies.
 18 THE WITNESS: Okay. All right.
 19 CHAIRWOMAN COGGS: Any questions,
 20 Attorney Pederson, of this witness?
 21 MR. PEDERSON: No, thank you.
 22 CHAIRWOMAN COGGS: Alderman Bohl, any
 23 questions of this witness? Any questions?
 24 ALDERMAN BOHL: No, thank you.
 25 CHAIRWOMAN COGGS: Thank you. Next

00109

1 witness. And just to let you know, we're coming
 2 very close to the 30 minutes, so if you'd keep it
 3 as brief as possible.
 4 THE WITNESS: My name is John Olson.
 5 Live on 3401 North 95th. I've been living with
 6 my mother all the time. I mean, I wouldn't bring
 7 my mother to a place that I didn't feel safe,
 8 that had - - Like I can say, they got the machine
 9 maybe two weeks ago. We even made my ma pull her
 10 ID out to put it in there. She resisted, oh my
 11 God. I gave them - - I've never seen any
 12 problems in there, like all them kids that were
 13 here. Never seen them. And I've been going
 14 there probably about eight months, so to speak.
 15 As of that time, there's no gang bangers in this
 16 room. You're talking about being a gang bar.
 17 There's no gang people in there. I've never seen
 18 a gang member in there.
 19 CHAIRWOMAN COGGS: Any questions of
 20 this witness from committee? Any questions of
 21 the applicant or his attorney of this witness?
 22 MR. MURRELL: No, ma'am.
 23 CHAIRWOMAN COGGS: Any questions from
 24 Attorney Pederson of this witness?
 25 MR. PEDERSON: No, thank you.

00111

1 THE WITNESS: My name is Sebastian
 2 Martinez, M-A-R-T-I-N-E-Z. I live at 8338 West
 3 Lisbon, right in the building of the bar, and I
 4 support the license, the renewal of the license.
 5 CHAIRWOMAN COGGS: Thank you. Any
 6 questions of committee of this witness? Any
 7 questions of the applicant or his attorney?
 8 MR. MURRELL: Just one, Madame Chair.
 9 Sir, have you noticed the make-up of the
 10 clientele in this bar? Would you say it is a
 11 diverse crowd?
 12 THE WITNESS: Yes, sir.
 13 MR. MURRELL: And do the owners welcome
 14 a diverse crowd into the bar?
 15 THE WITNESS: Yes, sir.
 16 MR. MURRELL: Thank you.
 17 CHAIRWOMAN COGGS: Any questions by
 18 Attorney Pederson?
 19 MR. PEDERSON: No, thank you.
 20 CHAIRWOMAN COGGS: Any questions,
 21 Alderman Bohl? Thank you. Next witness.
 22 THE WITNESS: John H. Fraker, 3728
 23 North 73rd Street. I'm here to support them, and
 24 I'd also like to attest that the stuff about Jack
 25 and Tom drinking, never seen them.

00110

1 CHAIRWOMAN COGGS: Alderman Bohl, do
 2 you have any questions?
 3 ALDERMAN BOHL: No, thank you.
 4 CHAIRWOMAN COGGS: All right. Thank
 5 you. Is that all the witnesses?
 6 MR. MURRELL: No, Madame Chair.
 7 CHAIRWOMAN COGGS: Okay. I will just
 8 ask that you all keep it brief. We - -
 9 THE WITNESS: My name is Phillip Dolan,
 10 D-O-L-A-N. I live at 3535 North 91st Street,
 11 about seven blocks away. I have no problem going
 12 in that bar, and I've never had a problem with
 13 the other people who go in that bar. So I - - I
 14 don't see why they couldn't have their license,
 15 so that's all I have to say.
 16 CHAIRWOMAN COGGS: Okay. Thank you.
 17 Are there any questions of committee? Any
 18 questions of the applicant?
 19 MR. MURRELL: No.
 20 CHAIRWOMAN COGGS: Any questions of
 21 Attorney Pederson? Any questions of Attorney - -
 22 I mean, Alderman Bohl?
 23 ALDERMAN BOHL: No, thank you.
 24 CHAIRWOMAN COGGS: Thank you. Next
 25 witness.

00112

1 CHAIRWOMAN COGGS: Okay.
 2 THE WITNESS: I'm not saying they don't
 3 drink. I'm saying I didn't see it.
 4 CHAIRWOMAN COGGS: Spell your last name
 5 for us, please.
 6 THE WITNESS: F-R-A-K-E-R.
 7 CHAIRWOMAN COGGS: Does the committee
 8 have any questions of this witness? Does the
 9 applicant or his attorney have any questions of
 10 this witness?
 11 MR. MURRELL: No.
 12 CHAIRWOMAN COGGS: Attorney Pederson,
 13 do you have any questions of this witness?
 14 Alderman Bohl, do you have any questions? Thank
 15 you. Next witness.
 16 THE WITNESS: My name is Karen Fraker,
 17 F-R-A-K-E-R. 3728 North 73rd. I'm in favor of
 18 the license.
 19 CHAIRWOMAN COGGS: Does the committee
 20 have any questions of this witness? Does the
 21 applicant or his attorney have any questions?
 22 MR. MURRELL: No.
 23 CHAIRWOMAN COGGS: Attorney Pederson,
 24 do you have any questions of this witness?
 25 MR. PEDERSON: No, thank you.

00113

1 CHAIRWOMAN COGGS: Alderman Bohl?
 2 ALDERMAN BOHL: Thank you. Ma'am, that
 3 was - - Was that your husband that just testified
 4 here?
 5 THE WITNESS: Yes.
 6 ALDERMAN BOHL: And you - - Would it be
 7 fair to say that you live very near Capitol
 8 library, so approximately a couple miles away?
 9 THE WITNESS: Yes.
 10 ALDERMAN BOHL: Thank you. That's all
 11 I have.
 12 CHAIRWOMAN COGGS: Next witness.
 13 THE WITNESS: Good morning, panel. My
 14 name is Steven M. Schiro, S-C-H-I-R-O. I live at
 15 3440A North 84th Street, which is right above the
 16 shoe shop. I live there with my wife. I have a
 17 four month old son, and a year and a half year
 18 old. So I've got, just like the lady that spoke
 19 before, I can understand her concern about
 20 safety. That's my concern, as well. And
 21 they've, you know, I've known them for ten years,
 22 both of them. They've made every step I think
 23 possible, and I'll keep this short, to rectify
 24 the situations that have occurred. And I'm in
 25 favor of this renewal.

00115

1 landlord. Is that correct?
 2 THE WITNESS: They are.
 3 MR. PEDERSON: Okay.
 4 CHAIRWOMAN COGGS: Alderman Bohl, do
 5 you have any questions of this witness?
 6 ALDERMAN BOHL: I do. Sir, are you
 7 friends with the operators?
 8 THE WITNESS: Yes, I'm actually their
 9 son-in-law.
 10 ALDERMAN BOHL: So you are their son-
 11 in-law?
 12 THE WITNESS: Yes. So his
 13 grandchildren are at the building, and Joe's my
 14 uncle.
 15 ALDERMAN BOHL: You testified last year
 16 to that, as well, too. Correct?
 17 THE WITNESS: That's correct.
 18 ALDERMAN BOHL: And you indicated just
 19 like this concerned citizen here, I don't want
 20 loud music. I don't want a lot of things, you
 21 know, going awry in the location?
 22 THE WITNESS: Yes, I did testify.
 23 ALDERMAN BOHL: Would you say that
 24 multiple fights is "awry" in your definition?
 25 THE WITNESS: Well, there have been

00114

1 CHAIRWOMAN COGGS: Thank you. Are
 2 there any questions of this witness from
 3 committee? Does the applicant or his attorney
 4 have any questions of this witness?
 5 MR. MURRELL: No.
 6 CHAIRWOMAN COGGS: Attorney Pederson,
 7 do you have any questions of this witness?
 8 MR. PEDERSON: Just one point for
 9 clarification. The shoe store you're referring
 10 that you live above, is that immediately next
 11 door to the tavern? Is that correct?
 12 THE WITNESS: No, it's actually around
 13 the corner. You have Pete's, and then it's a
 14 little north of Pete's. So it's - -
 15 MR. PEDERSON: Oh, so it's actually in
 16 the same building. Is that - -
 17 THE WITNESS: It is in the same
 18 building. And, you know, to add to just briefly
 19 if I could, is the security cameras. Jack didn't
 20 just put security cameras in the bar area, but
 21 now we have right outside our stairwell. So just
 22 gives a little more reassurance of having that
 23 extra presence.
 24 MR. PEDERSON: And just like the prior
 25 gentleman, the owners here would actually be your

00116

1 mistakes made. There's no doubt about that.
 2 There's no contesting that. But I think they've
 3 - - they've taken steps. Like we're looking,
 4 going forward here, and making changes and - -
 5 and certainly they're both very young. I'm a
 6 farmer, a new farmer, I'm making mistakes every
 7 day. I mean, that's something - - Obviously
 8 these mistakes affect other people. I want a
 9 safe neighborhood. I can tell you that the - -
 10 Before Pete's moved in, the other establishment
 11 there was loud noise all the time, and we were
 12 up, and people partying. It's much better than
 13 it was then. So as far as from where I sit, I've
 14 never had - - I've never heard any noise. I've
 15 never heard any complaints about there being any
 16 type of problems. But obviously we - - And
 17 they're well documented here, you know, what - -
 18 what occurred, and I think going forward I have a
 19 lot of faith in these two gentlemen. These are
 20 very good people.
 21 ALDERMAN BOHL: No denying that. No
 22 one's going to question that either. If you were
 23 - - you were living in a place where this wasn't
 24 your father-in-law and your brother-in-law that
 25 operated and you had multiple shootings, would

00117

1 you have concerns, if you had a bar that had
 2 multiple shootings that you lived above?
 3 THE WITNESS: Absolutely.
 4 ALDERMAN BOHL: That's all. Thank you.
 5 CHAIRWOMAN COGGS: Next witness.
 6 THE WITNESS: My name is Ramona Brown,
 7 B-R-O-W-N. I live at 9905 West Grantosa.
 8 I'm - - I'm in favor for their license to be
 9 renewed. I did witness on Friday nights when I
 10 came in there, they had somebody sitting at the
 11 door to card people. They carded people, too.
 12 CHAIRWOMAN COGGS: Are there any
 13 questions of this witness from committee? Does
 14 the applicant or his attorney have any questions
 15 of this witness?
 16 MR. MURRELL: No, ma'am.
 17 CHAIRWOMAN COGGS: Attorney Pederson,
 18 do you have any questions of this witness?
 19 MR. MURRELL: No, thank you.
 20 CHAIRWOMAN COGGS: Alderman Bohl, do
 21 you have any questions?
 22 ALDERMAN BOHL: Yes. Ma'am, briefly.
 23 Do you live in Wauwatosa?
 24 THE WITNESS: Yes, I do.
 25 ALDERMAN BOHL: Thank you. That's all.

00119

1 MS. SCHRIMPF: Okay. Thank you.
 2 That's all I have, Madame Chair.
 3 CHAIRWOMAN COGGS: Thank you. Next
 4 witness.
 5 THE WITNESS: Jacob Lepold, L-E-P-O-L-
 6 D. I am one of the co-owners of the building at
 7 84th and Lisbon. And I'm in favor - - I am in
 8 favor of this renewal.
 9 CHAIRWOMAN COGGS: Thank you. Any
 10 questions of the committee?
 11 ALDERMAN KOVAC: Madame Chair.
 12 CHAIRWOMAN COGGS: Alderman Kovac.
 13 ALDERMAN KOVAC: Can you give us some
 14 more details on the night of the first shooting,
 15 how that occurred?
 16 THE WITNESS: The night of the first
 17 shooting, I was shot in the leg. The bar was
 18 closed. We were getting ready to leave out of
 19 the bar, and I was closing the lights in the
 20 bathroom and was walking out of the bathroom, and
 21 the bullet came through the wall and hit me in
 22 the leg. I have no - - I know it was completely
 23 accidental, and there was no intent involved, and
 24 I did not press charges, because there was no - -
 25 There was not anything that was intentional.

00118

1 MS. SCHRIMPF: Madame Chair.
 2 CHAIRWOMAN COGGS: Yes.
 3 MS. SCHRIMPF: Ma'am.
 4 CHAIRWOMAN COGGS: Could you please go
 5 back to the microphone?
 6 MS. SCHRIMPF: When did you see them
 7 carding individuals?
 8 THE WITNESS: I've seen them on Friday
 9 night. It was like - - It was three occasions I
 10 came on Friday nights. They came in and there's
 11 somebody sitting at the door in a chair,
 12 particularly, just to card people.
 13 MS. SCHRIMPF: Was it before or after,
 14 let's say, April of 2010?
 15 THE WITNESS: It was in April.
 16 MS. SCHRIMPF: In April of 2010.
 17 THE WITNESS: Correct.
 18 MS. SCHRIMPF: You don't know an
 19 exact - -
 20 THE WITNESS: I don't know the exact
 21 dates.
 22 MS. SCHRIMPF: Except that it was
 23 probably a Friday night.
 24 THE WITNESS: I know it was a Friday
 25 night. And I know on three occasions.

00120

1 ALDERMAN KOVAC: So you were in the
 2 bathroom, and the bullet came through the wall.
 3 THE WITNESS: Correct. Complete, you
 4 know, accident.
 5 ALDERMAN KOVAC: And the attorney
 6 previously had mentioned it grazed your leg. How
 7 would you describe the injury?
 8 THE WITNESS: Well, it was more than a
 9 - - a graze. It was - - It went through my leg,
 10 and I was laid up for a little while. But I'm
 11 - - I'm good now.
 12 CHAIRWOMAN COGGS: Any other questions
 13 by committee? Does the applicant or his attorney
 14 have any questions for the witness?
 15 MR. MURRELL: Yes, Madame Chair. Now
 16 you have, along with your son, as the primary
 17 owner - -
 18 Along with your son, as the primary
 19 owner, you have had extensive conversations with
 20 Alderman Bohl regarding this license renewal.
 21 Correct?
 22 THE WITNESS: Yes, I have.
 23 MR. MURRELL: Specifically, can you
 24 recall a telephone conversation you had with him
 25 on March 19th?

00121

1 THE WITNESS: Yes, it was a very heated
2 phone call from Mr. Bohl on March 19, which is my
3 daughter's birthday, so I remember it very well.
4 And at that time I will - - I will quote what Mr.
5 Bohl said. He said, "Young Asian males are prone
6 to violence and gun violence, and we should not
7 let them into our bar."

8 MR. MURRELL: Did anyone else witness
9 this conversation?

10 THE WITNESS: My wife witnessed it, and
11 also, my daughter.

12 MR. MURRELL: Did Joe Lepold, your son,
13 Thomas Angelo and yourself have a meeting with
14 Alderman Bohl in his office on March 23rd?

15 THE WITNESS: Yes, we did.

16 MR. MURRELL: Did Alderman Bohl make
17 any statements regarding the crowd at the
18 meeting, crowd at your bar?

19 THE WITNESS: Yes, he did.

20 MR. MURRELL: What did he say?

21 THE WITNESS: He said that we should
22 keep young Asian males, who are prone to violence
23 and gun violence, and we should not let them into
24 the bar.

25 MR. MURRELL: Thank you.

00123

1 ALDERMAN BOHL: Do you know why he has
2 done that?

3 THE WITNESS: No.

4 ALDERMAN BOHL: Did you have, prior to
5 this past weekend, an Attorney Scott Winkler
6 representing you? Representing the - - you - -
7 you or your sons, the operation?

8 THE WITNESS: Yes, we did.

9 ALDERMAN BOHL: When you have had
10 meetings with me, do you collectively refer to
11 this particular location as being "we", "we own"?
12 Do you consider yourself part of the ownership?

13 THE WITNESS: No, I'm not part of the
14 ownership. It's my son, so I say "we." My son
15 owns the bar.

16 ALDERMAN BOHL: But Mr. Winkler did
17 represent you. Correct?

18 THE WITNESS: Yes, he did.

19 ALDERMAN BOHL: Madame Chair, I would
20 like to introduce for the record, two letters
21 that came from Attorney Winkler, who did
22 represent these gentlemen. I would be happy to
23 provide a copy to you and to the attorney here.
24 Mr. Lepold, the attorney representing the
25 establishment, would you be surprised to know

00122

1 CHAIRWOMAN COGGS: Any questions,
2 Attorney Pederson, of this witness?

3 MR. PEDERSON: No, thank you.

4 CHAIRWOMAN COGGS: Alderman Bohl, do
5 you have any questions?

6 ALDERMAN BOHL: Yes, I do, Madame
7 Chair. Thank you. Mr. Lepold, have you in
8 conversations to me where you have admitted that
9 individuals here were gang bangers?

10 THE WITNESS: No.

11 ALDERMAN BOHL: You've never had
12 conversations with me stating that? Making
13 admissions to that effect?

14 THE WITNESS: No gang bangers.

15 ALDERMAN BOHL: Have you ever had
16 conversations with me, admitting that there was
17 admitted underage presence in that location?

18 THE WITNESS: No.

19 ALDERMAN BOHL: Never.

20 THE WITNESS: No.

21 ALDERMAN BOHL: So if I were to bring
22 my legislative assistant to actually testify that
23 he had been - - Has my legislative assistant sat
24 in meetings with - - with me and you?

25 THE WITNESS: Yes, he has.

00124

1 that there was a promise here that Tom Angelo was
2 going to be out of the loop as one of the
3 operators? Is that something that you guys made
4 an - - an admission that was going to happen?

5 THE WITNESS: That is going to happen,
6 yes.

7 ALDERMAN BOHL: And why was it that - -
8 that you were offering to have Mr. Lepold out of
9 the - - the loop?

10 THE WITNESS: Because it seemed as
11 though you didn't want him to - -

12 ALDERMAN BOHL: I'm sorry. Mr. Angelo.

13 THE WITNESS: Because you really - -
14 You have a problem with Tom - - with - - with Tom
15 Angelo, and so, we were - - we were just trying
16 to comply with your wishes.

17 ALDERMAN BOHL: You offered that up on
18 your own, sir. Would it surprise you if your
19 attorney indicated and - - and were you aware of
20 these - - Did you sanction these particular
21 letters going out?

22 THE WITNESS: No, I did not. I was not
23 aware that those letters went out. I did not
24 proofread them. I did not see them in advance,
25 and I - - and I recant those letters.

00125

1 ALDERMAN BOHL: You - - You were copied
 2 on these letters?
 3 THE WITNESS: No, I was - - I was
 4 copied after it was already sent to the committee
 5 members and to you. I was very upset with those
 6 letters. And that's why he's not here today.
 7 ALDERMAN ZIELINSKI: Is it - -
 8 ALDERMAN BOHL: Madame Chair, I'm still
 9 requesting to ask questions.
 10 CHAIRWOMAN COGGS: Alderman Bohl.
 11 ALDERMAN BOHL: Madame Chair. So when
 12 one of the letters says that, "Mr. Angelo's
 13 involvement in the operation and management was
 14 incapable with ongoing security applied inside
 15 and outside the establishment, the Lepolds
 16 astutely recognized this and took quick and firm
 17 steps to remove him from the ownership of his
 18 operational responsibilities," you don't believe
 19 - - That you did not come to a meeting and offer
 20 that yourself?
 21 THE WITNESS: No. No. Our meeting was
 22 to discuss ways to keep our license and try to
 23 work with you, and all I got was opposition and,
 24 you know, negativity from you.
 25 ALDERMAN BOHL: So a follow-up letter

00127

1 not be served. So you - - You are going to
 2 state, if I pulled up other witnesses on - -
 3 under oath, that you have not indicated that - -
 4 that there are gang bangers there?
 5 THE WITNESS: No, I have never said
 6 anything like - -
 7 ALDERMAN BOHL: Sir, I have a very
 8 drastic - - drastic difference of opinion.
 9 THE WITNESS: So do I.
 10 ALDERMAN BOHL: My recollection between
 11 myself and you.
 12 THE WITNESS: So do I. So do I, with
 13 your opinions.
 14 CHAIRWOMAN COGGS: All right. Thank
 15 you. At this time both sides have far exceeded
 16 the 30 minutes that they've been allotted and - -
 17 ALDERMAN ZIELINSKI: I just have one
 18 quick question, Madame Chair.
 19 CHAIRWOMAN COGGS: Alderman Zielinski.
 20 ALDERMAN ZIELINSKI: Just one question
 21 here. You testified under oath that you have
 22 never indicated that there are gang bangers that
 23 have entered your establishment at any time. Can
 24 you - - Can you answer my question why your
 25 previous attorney had indicated in - - in a

00126

1 that says the underage, and I'll quote the one
 2 May 25th, 2010. And I've highlighted it, as
 3 well, too. "The underage problem is over,
 4 finished. There was no admission at any of the
 5 meetings that there was an underage problem."
 6 Have I not - - Have I not raised multiple
 7 occasions and multiple meetings and phone calls
 8 with you, underage issues?
 9 THE WITNESS: We talked about underage
 10 issues, and I haven't seen underage issues. So
 11 that's why, you know, I'm questioning what - -
 12 what you're saying.
 13 ALDERMAN BOHL: You were never present
 14 with - - when these individuals, these youngsters
 15 were here in the bar? You've never seen these
 16 individuals in the bar?
 17 THE WITNESS: I have not.
 18 ALDERMAN BOHL: Were you aware of the
 19 underage citations that were received?
 20 THE WITNESS: Yes, I am.
 21 ALDERMAN BOHL: So there was no other
 22 talks about the evidence involving the gun. We
 23 have - - We now have - - We know that the
 24 underage bangers are now on notice that they
 25 cannot enter and they are not welcome. They will

00128

1 letter here that, "But we now know that underage
 2 bangers are now on notice that they cannot enter.
 3 They are not - - They are not welcome. They will
 4 not be served." Why would your - - Why would
 5 your attorney give this impression? Your
 6 previous attorney?
 7 THE WITNESS: I have no idea, and
 8 that's why he's not representing us.
 9 ALDERMAN ZIELINSKI: Okay.
 10 CHAIRWOMAN COGGS: Um - -
 11 MR. MURRELL: Alderman Zielinski, I can
 12 tell you none of my clients saw those letters. I
 13 was able to review them shortly in his office
 14 yesterday. He was doing them a favor. He had
 15 helped them before in their initial application.
 16 But he did not send them to them.
 17 CHAIRWOMAN COGGS: At this time,
 18 Alderman Zielinski would move to make these
 19 letters from Winkler Law Firm, dated May 17th,
 20 2010 and May 25th, 2010, respectively, a part of
 21 the record. So moved. Both sides have far
 22 exceeded the 30 minutes. Our rules will allow a
 23 brief closing for each side if you so - - so
 24 choose to use it. Attorney Pederson?
 25 MR. PEDERSON: Madame Chair, I believe

00129

1 Alderman Bohl has a lot to say, and I'll defer
 2 much of my time to him. I would just like to
 3 indicate that - - and underscore that the police
 4 department has specifically chosen to object, and
 5 for the Commander to show up. And I know that's
 6 been happening on a greater frequency. But I
 7 think that's something that the Council to take
 8 into consideration. We appreciate the fact that
 9 the committee and the Council has a greater - - a
 10 more complex and numerous considerations than the
 11 police. It's easy for them to show up and say,
 12 this is a bad place. However, the mission of the
 13 - - of the police department, as the Chief likes
 14 to say, is to suppress fear, crime and disorder.
 15 And the police department believes that that will
 16 be accomplished if this bar is not allowed to
 17 operate anymore. So we respectfully request the
 18 committee to recommend non-renewal. Thank you.
 19 CHAIRWOMAN COGGS: Alderman Bohl.
 20 ALDERMAN BOHL: Thank you, Madame
 21 Chair. Madame Chair, this was a bar that a year
 22 ago I had strong reservations about. I had
 23 expressed it to the owner/operators when they
 24 attempted to apply. Told them that I would give
 25 them a fair shake, but let them know my

00131

1 because they are not forthright. I have had - -
 2 When I've raised the issue of a - - a November
 3 11th fight that was called to me by neighbors, I
 4 was told by - - by Jake Lepold, the owner, that
 5 he was aware the incident was not related to the
 6 bar. Lo' and behold it turned out that that very
 7 instance - - that very instance, he said that it
 8 was somebody who lived upstairs. It was a
 9 domestic altercation, and the problem was gone.
 10 It was resolved, because those people were out.
 11 Well, the person that was involved in the fight
 12 was the gentleman next to me, Tom Angelo,
 13 involved with an argument with his girlfriend.
 14 Now, the allegation in the CAD report that I
 15 have, would be happy to enter it into the record,
 16 indicates one thing. Something that wasn't
 17 stated to the police when they responded.
 18 Last year we were promised that there
 19 would be cameras. We were promised that if
 20 there's a situation in the parking lot and we
 21 feel we need to get a doorman to check the
 22 parking lot, we'll definitely do that. They had
 23 instances of a fight on New Year's Eve. There
 24 was no doorman that came after that. There
 25 weren't working cameras. We were promised

00130

1 expectations. We had a neighborhood meeting, and
 2 in that neighborhood meeting these individuals
 3 indicated that they were going to operate a
 4 neighborhood bar. That this was going to be a
 5 quiet place. That this was going to be the type
 6 of place that would not have violence. There
 7 were many, many promises that were made to
 8 neighbors, to myself. I had reservations because
 9 it was another location that had a liquor license
 10 in that very same building. But they said all
 11 the right things.
 12 Unfortunately, the problems are very
 13 evident. When we look at these young - - young
 14 women and men that were sitting in the front row
 15 that looked like babes, the underage problem is
 16 very, very evident. The fact that - - that the
 17 police reports the shooting, this is a place that
 18 had violence. The very violence that was
 19 perpetrated in the shooting was very evident even
 20 on New Year's Eve. There was another incident
 21 besides that where there was another fight that
 22 involved one of the operators with the allegation
 23 that he was beating up his girlfriend, that's in
 24 the police report.
 25 I've had problems with these operators

00132

1 cameras. We really respect our neighborhood. We
 2 have a very tight plan. We want a comfortable
 3 peaceful quiet gathering place for drinks for
 4 people in the neighborhood. There are security
 5 cameras. We have 24/7 coverage. Just a place
 6 for the neighbors to come in and enjoy. We want
 7 to be a low key small operation.
 8 Well, the fact of the matter is, is the
 9 problem with violence here is systemic. It is
 10 the operators. It is individuals who are in
 11 denial, who I have been unable to deal with
 12 because, unfortunately, the very same response of
 13 not showing up to the police department meeting
 14 with - - with the police officer. If you
 15 actually read the PA-33, it talks about how in
 16 - - in the applicants they are very defensive,
 17 confrontational. Using expletives with the
 18 police department.
 19 This is not the type of operators here
 20 that are able to realistically deal with the
 21 situation. We've had a tremendous amount of
 22 violence there. Look at what the reaction is. I
 23 had a number of meetings with these gentlemen,
 24 called and talked to them on the phone, met with
 25 them. Brought up the issue and the concerns of

00133

1 underage. One of the gentlemen here was very
2 confrontational at the neighborhood meeting
3 saying that that's just bologna. That doesn't
4 happen. What's happened? A couple of additional
5 citations for underage.

6 The problem is more than just the
7 underage. It is individuals who are willing to
8 say anything to get a license and ultimately the
9 fact and reality is, is there's a huge neglect of
10 the law. There's a huge neglect for authority.
11 there's a huge neglect for responsibility. The
12 very acts of violence here are - - are something
13 that just doesn't happen. It is something that
14 is responsible and has come because these
15 gentlemen here are too young and too immature to
16 adequately handle a license.

17 I'm sorry that what has happened. I'm
18 thankful that the individual here who was shot
19 didn't lose his life. I'm actually thankful that
20 Mr. Lepold wasn't shot and killed. But it is
21 grave irresponsibility on the part of these
22 operators that led to situations like that.
23 There's just great neglect.

24 I ask the committee here to not renew,
25 because I don't want to deal with continued

00135

1 tavern, but that was after hours, and there were
2 no customers in there.

3 The shooting that happened outside, you
4 know, you've got this police report. I've
5 objected to it. You had an Officer Trunkel
6 making accusations against my clients that they
7 were going to be criminally prosecuted, perhaps.
8 I, of course, had to say, don't make any more
9 statements to her. If she had not said that,
10 they would have been able to be free to go ahead
11 and discuss the things that the Captain wanted to
12 discuss with them. But since she's making
13 allegations and threats that they may be
14 criminally prosecuted, I have to work myself and
15 tell them to shut up.

16 The - - They've taken great strides to
17 go ahead and take advantage of remedial measures.
18 They've got their cameras working. As Mr. Angelo
19 testified, he thought they were working until
20 they had an incident where they had to go back
21 and review the tape, and found out, hey, they're
22 not working. It's on some crazy Korean time. We
23 have to have our guy come in here, fix this.
24 It's too much for us.

25 They're on a learning curve, as some of

00134

1 problems here. The very - - The very
2 responsibilities that these gentlemen promised a
3 year ago were ignored. And we see the results.

4 CHAIRWOMAN COGGS: Thank you.
5 ALDERMAN BOHL: Thank you.
6 MR. MURRELL: Thank you, Madame Chair.

7
8 CHAIRWOMAN COGGS: Closing for the
9 applicant.

10 MR. MURRELL: To revoke this license as
11 Alderman Bohl wishes this committee to do would
12 be far overstretching, overreaching and a severe
13 sanction I've seen in 15 years of appearing
14 before this committee for these licenses. To say
15 that Mr. Josef Lepold is an Afghan War Veteran
16 with half a decade of honorable military service
17 for our country is too young and inexperienced to
18 hold a license like this is disingenuous.

19 This establishment has been around
20 since about 1948 - '49, as you've heard
21 testimony. It's been around a long time with
22 zero record of incidents up until now,
23 unfortunately. The shooting that happened inside
24 with Mr. Jake Lepold, yeah, that was an accident.
25 Any shooting is a very serious matter in any

00136

1 the other witnesses have testified. The - - You
2 know, I - - I hate to say this, but I have seen
3 this. The usual and ordinary way I've seen
4 little tavern owners operate is they will only
5 card people who come up and order. And I've
6 talked with them since this has happened, since
7 the ticket's been issued. Said you've got to
8 have someone stationed there at the door. You've
9 got to be checking constantly. So they've gone
10 ahead and instituted that. Now, they have
11 someone sitting at the door. They've got their
12 carding machine, which verifies that the IDs that
13 are shown are - - are real. If there is a
14 problem with underage presence, I think it's kind
15 of murky. You can hear it from the tavern
16 regulars that they didn't see any people in there
17 they normally would suspect to be underage. I
18 think that that should be taken at face value and
19 that some - - some credit - - or some weight
20 should be given to that. And as far as the
21 owners go, and them being able direct to
22 underagers, if we had time for their testimony,
23 they would tell you they don't recognize the
24 young girls who came up. They've never seen them
25 there. And that - - that might be indicative of

00137

1 another problem, just not paying attention. But
 2 as far they're concerned, they've never seen them
 3 on those premises before.
 4 Keep in mind that the second shooting
 5 happened outside. We have Mr. Gerke saying he's
 6 seen the shooter before inside, but he did not
 7 see him inside that night. This is a matter,
 8 another case, yet another case, where you have a
 9 shooting outside one of these establishments
 10 where the whole neighborhood automatically makes
 11 a connection. That there may be some truth to
 12 that, but then again, it may be wholly unrelated
 13 to what was going on in that place that night.
 14 The New Year's Eve situation where the
 15 neighbor was escorted back to his house. Again,
 16 if we had more time, you would heard that there
 17 was no indication he was intoxicated upon
 18 entering the bar, and I think Mr. Angelo took the
 19 responsible course by escorting him home, when it
 20 became obvious that that was a problem.
 21 My biggest concern here is - - is with
 22 Alderman Bohl. I don't like - - I don't like the
 23 testimony I heard from Mr. Lepold. I don't like
 24 the fact that I just heard, and this is not the
 25 first time that I've heard it, and I've heard

00139

1 surveillance video. I was concealing evidence
 2 because my girlfriend who I lived with is Asian.
 3 I am the owner of an Asian gang bar. At the time
 4 of the shooting there were 80 people at the bar.
 5 She personally was going to harass us every
 6 chance she gets. And she said she had spoke with
 7 Alderman Jim Bohl, and they were trying to shut
 8 down the bar.
 9 ALDERMAN KOVAC: I just want to - - I
 10 mean, if you really are the subject of a criminal
 11 investigation, obviously, your lawyer should tell
 12 you to remain silent. But potentially, if you
 13 had been involved in the shooting, why would you
 14 want to volunteer information that could lead to
 15 your prosecution over the shooting? On the other
 16 hand, it sounds like police are trying to solve a
 17 shooting where someone almost died. And it's
 18 pretty common police tactic to say, hey, look at
 19 these details that we could nail you on. If
 20 you'd cooperate and help us solve the shooting,
 21 maybe we could overlook them. I'm not sure if
 22 that was exactly your tone. I'm just
 23 speculating.
 24 My question is, assuming that the only
 25 violations you had were potentially, you know,

00138

1 that Alderman Bohl at his neighborhood - -
 2 neighborhood meeting with Mr. Angelo and Mr.
 3 Lepold and Joe Lepold was confronted about his
 4 opinions regarding Asians. And at that meeting
 5 someone asked him about the Asian crowd. He's
 6 told both of my clients, Mr. Joe Lepold and Tom
 7 Angelo that he thinks all Asian males are gang
 8 related and violent. That makes me sick. And I
 9 would ask this committee to give the appropriate
 10 weight and credit to his opinions that they
 11 deserve.
 12 CHAIRWOMAN COGGS: Thank you. This
 13 matter is in committee.
 14 ALDERMAN KOVAC: Madame Chair.
 15 CHAIRWOMAN COGGS: Alderman Kovac.
 16 ALDERMAN KOVAC: I just have a couple
 17 questions for the applicant. You mentioned that
 18 the police officer had threatened criminal
 19 prosecution of your clients. What did - - What
 20 did they threaten that they were going to
 21 prosecute them with?
 22 THE APPLICANT: One second, sir.
 23 ALDERMAN KOVAC: Go ahead.
 24 THE APPLICANT: She - - She stated that
 25 I didn't have a bartender license. I erased the

00140

1 lack of a license display, assuming that you
 2 lived with your girlfriend and don't commit
 3 criminal acts, why wouldn't you cooperate with
 4 the police in order to solve a shooting, and
 5 especially when that shooting jeopardizes your
 6 livelihood and because of the action this
 7 committee may take?
 8 THE APPLICANT: I'm glad you asked
 9 that. I was working with Joseph Mcllin. He was
 10 the detective there on the scene that night,
 11 along with Walter Kapeli. We were cooperating
 12 with them. They were coming back every other
 13 day, trying to get more information. I was
 14 cooperating with them. Joseph Mcllin requested
 15 the name of the girl that was having the birthday
 16 party. I retrieved that for him. I gave him her
 17 name and her number. And just recently I
 18 followed up with her to see if they had any luck,
 19 any headway, as far as finding the - - you know,
 20 the people involved in the shooting. And she
 21 says she was never even contacted. So it's my
 22 opinion that this isn't about finding the people
 23 involved in the shooting. It's about something
 24 more than that.
 25 ALDERMAN KOVAC: So you're saying that

00141

1 you think the police would rather shut the bar
 2 down than solve the shooting?
 3 THE APPLICANT: She's a key - - She was
 4 a key witness. She was the one that had the
 5 birthday party. I gave her information. She was
 6 never contacted.
 7 ALDERMAN KOVAC: Have you talked to
 8 your girlfriend, to your regulars that you know,
 9 about this and asked them to cooperate with the
 10 police?
 11 THE APPLICANT: Absolutely. And we
 12 were cooperating up until the point that Officer
 13 Darcy Trunkel came to my residence and started
 14 making these accusations that I was involved in
 15 the shooting. At that point we contacted our
 16 lawyer, and got him involved, and he suggested
 17 that we shouldn't make any more statements, based
 18 upon these serious accusations that are being
 19 made against us.
 20 ALDERMAN KOVAC: So, yeah, I mean, if
 21 you really think you're a suspect in the
 22 shooting, then you shouldn't cooperate.
 23 THE APPLICANT: Because I'm told I'm
 24 being a suspect.
 25 ALDERMAN KOVAC: Because, you know,

00143

1 leave. She's Asian. She's Hmong. The things
 2 that she was hearing about how Alderman Bohl had
 3 told these two gentlemen not to let the Asians
 4 into this place anymore, how they were not going
 5 to follow that order for all kinds of reasons,
 6 one, it's just immoral, and two, it's illegal.
 7 CHAIRWOMAN COGGS: There is a question
 8 asked, and I'm not sure what you're saying is
 9 answering the question.
 10 MR. MURRELL: They just gave him - -
 11 Because of the uneasy connection between Alderman
 12 Bohl's position and the fact that he has an Asian
 13 girlfriend, this made him feel very
 14 uncomfortable, and his conclusion was, I am just
 15 out of here.
 16 ALDERMAN KOVAC: Whatever him and his
 17 girlfriend think of Alderman Bohl, this is the
 18 previous lawyer saying - -
 19 MR. MURRELL: Scott Winkler.
 20 ALDERMAN KOVAC: Yeah, saying that the
 21 whole problem with the bar was his bravado, not
 22 whether his opinion of Bohl and how he felt
 23 uncomfortable about - -
 24 MR. MURRELL: Okay.
 25 ALDERMAN KOVAC: I'm talking about - -

00142

1 frankly I'd be more concerned about criminal
 2 prosecution than I would about the fate of this
 3 license. But if you're concerned about the fate
 4 of this license, I - - I would have cooperated.
 5 One other quick question. The letter
 6 - - I know you - - you're saying the letter that
 7 you said was disavowed from the previous lawyer,
 8 Mr. Winkler. So, I mean, you - - you completely
 9 disavow this. There's a particular sentence in
 10 it that I was curious about, and now Tom is at
 11 the table, and you say that he's involved until
 12 the license expires, not after. Not that it's
 13 all Tom's fault, but you and your committee ought
 14 to know that not throw the book at the Lepolds
 15 just yet. With Tom gone, it's a whole new ball
 16 game, and he poisoned this friendly speakeasy
 17 atmosphere with his bravado. So when I received
 18 this letter last week, the effects, I'm thinking,
 19 okay, they're throwing an X employee under the
 20 bus here. I'm going to try and blame him for
 21 everything, and - - But that's not what I've
 22 heard today. So what's the story today?
 23 MR. MURRELL: Here's the - - Here's the
 24 story. At that neighborhood meeting with
 25 Alderman Bohl Mr. Angelo's girlfriend had to

00144

1 MR. MURRELL: There's a lot of
 2 miscommunication.
 3 ALDERMAN KOVAC: That's my question.
 4 MR. MURRELL: When asked, he never saw
 5 the letter before it went out. He never approved
 6 it.
 7 THE APPLICANT: I didn't see the
 8 letter. Joe didn't see the letter. Jack didn't
 9 see the letter. We don't know why Winkler sent
 10 that information out to all of you, and he is no
 11 longer the attorney because of that. The money
 12 being paid for our attorney is also my money.
 13 Why would I pay this guy to, like you said, throw
 14 me under the bus? I didn't do anything wrong.
 15 This - - He's gone. He's no longer the attorney
 16 because of those letters, and all three of us are
 17 asking for those letters to be recanted. We
 18 didn't approve of those before they went out. He
 19 just sent them out.
 20 ALDERMAN KOVAC: Okay. So are you
 21 going to continue to be employed by the bar if
 22 the license is renewed?
 23 THE APPLICANT: Like my attorney said,
 24 I can't be a part of a business in a district
 25 where the Alderman's a bigot.

00145

1 ALDERMAN BOHL: Madame Chair. I'm --
 2 CHAIRWOMAN COGGS: Wait, wait, wait.
 3 Alderman Bohl. Wait a minute. Wait a minute.
 4 And I know you want to save yourself, but let's
 5 be clear on something right now. The allegations
 6 of bigotry and all of that, those are not
 7 considerations, and whether are not we -- we
 8 renew or not renew Frenchies, okay, you made it
 9 clear of your allegations of what -- what you
 10 believe he said. And Alderman Bohl has made it
 11 clear that he didn't say that. That's fine. But
 12 to beat that dead horse, stop. I'm tired of
 13 hearing it. The committee doesn't need to hear
 14 it. And it's all become a big argument between
 15 you all. And you going to keep calling bigot,
 16 I'm going to keep letting him answer, argue with
 17 you. That's not what we're here for. We're here
 18 for this license.
 19 THE APPLICANT: I'll be staying out. I
 20 was just saying why I'm -- I'm choosing --
 21 CHAIRWOMAN COGGS: You answered.
 22 That's your answer. Thank you.
 23 THE APPLICANT: I'm choosing that to
 24 be --
 25 CHAIRWOMAN COGGS: Alderman Kovac, did

00147

1 life. And for that to happen is the most
 2 sickening, upsetting thing that has ever happened
 3 to me in my life, and I don't wish it upon
 4 anybody. But that's what happened. It was an
 5 accident. I would never hurt anybody
 6 intentionally. The reason the firearm was on the
 7 premise of business was in case somebody came in
 8 and was trying to harm the patrons. That's the
 9 only time it would come out.
 10 ALDERMAN KOVAC: Thank you.
 11 CHAIRWOMAN COGGS: We're in committee.
 12 Is there a motion?
 13 ALDERMAN HAMILTON: Madame Chair.
 14 CHAIRWOMAN COGGS: Alderman Hamilton.
 15 ALDERMAN HAMILTON: After -- After
 16 sitting through about two hours, I think one of
 17 the most frustrating things that I've had to go
 18 through here is basically two things. One, I
 19 really didn't hear any acceptance of the
 20 responsibility of the reason why you're where
 21 before this committee from the applicants. You
 22 didn't accept any responsibility of -- of what
 23 went wrong. And that's a major problem. You
 24 know, if there's no acceptance of -- of what you
 25 did wrong, I mean, there was pretty much a denial

00146

1 you have any more questions?
 2 ALDERMAN KOVAC: One last question.
 3 Can you describe what happened the night of the
 4 shooting, when Mr. Lepold was shot?
 5 THE APPLICANT: We were closing up the
 6 bar. It was me, Jack and a mutual friend of
 7 ours. I was -- We -- I had put my money bag on
 8 the end of the bar. I put my firearm on the end
 9 of the bar. It had nothing in the chamber. The
 10 safety was on. I went to go turn off the lights.
 11 Our mutual friend asked Jack if he could look at
 12 it. Jack said that he may. After looking at it
 13 he had put one in the chamber, and it was locked
 14 and open. When he handed it to me, I did not
 15 look at it, but the thought that he would be
 16 handing me a locked and loaded firearm didn't
 17 cross my mind. It was my gun. It's my
 18 responsibility, and it's my fault. I take full
 19 responsibility for what happened. He handed it
 20 to me, and it just went off in my hand. And it
 21 went through a wall into the bathroom, and it's
 22 something that happened, that it makes me sick to
 23 my stomach every time I think about it. I
 24 consider Jack and Joe my family. They're the
 25 close -- They're the closest people I have in my

00148

1 of everything. I mean, even to the point where
 2 people -- When your attorney said, well, you
 3 can't even prove that those young people were
 4 even in there. Why would they even be here?
 5 They wouldn't even be here. And then, to propose
 6 to this committee that it's possible, by the
 7 preponderance of the evidence, that they might
 8 not even be there. We don't even have any hard
 9 evidence to prove that they were actually in the
 10 establishment. Come on. You have to accept some
 11 responsibility for -- for the license that you
 12 came to this committee and said that you were
 13 responsible enough to operate in the City.
 14 That's ridiculous. For one.
 15 Two. I have some life experience. I
 16 have been the -- on the receiving end of
 17 bigotry. I've -- I've been on the receiving end
 18 of -- of ignorance. And it's very difficult to
 19 fight that battle in our community when we accuse
 20 people who actually have a partner in fighting
 21 big -- bigotry in our community. And this --
 22 He's been a partner in that. And so it's very
 23 difficult for me to accept the fact that he is
 24 this horrible person who is prejudging everyone
 25 in the Asian community because of this one

00149

1 incident. This -- This has been a partner in -
2 - in fighting that, and -- while I've been in
3 this seat. So, it's -- it's hard for me to --
4 to accept that as -- as a blanket statement. So
5 for someone to say something that's ignorant at
6 some point, for someone to say something that's
7 misconstrued, people do that all the time. Maybe
8 they -- they say something that's not exactly -
9 - It comes across the wrong way. It's confusing
10 or whatever the case may be. But to then stamp
11 that person across the forehead and define them
12 as -- as -- as just as ignorant, all right. So
13 those two things really made me uncomfortable.
14 So I wanted to -- wanted to say that.

15 But to -- to get to the matter at hand
16 when it comes to this license. It is -- It is
17 clear to me that the presence of underage at this
18 establishment has been proven, that there has
19 been an ongoing problem with the presence of
20 underage at this location. Having said that,
21 there is also a level of -- a level of violence
22 that's been occurring at this location that's
23 been affecting the neighbors that live around in
24 the area. And I think you should -- If when you
25 came here a year ago, and from reading the

00151

1 as contentious. I don't -- I don't even
2 understand if -- I don't even understand why it
3 would degenerate to that -- to that level. Why
4 would you have a contentious relationship with
5 the police department when they are trying to
6 help solve a crime that occurred at your
7 establishment that you -- you want to keep those
8 types of things from happening and it's your
9 relationship with them that's going to help solve
10 those things and to keep those things from
11 happening at your establishment in the future.
12 So it's almost as if, you know, you want to --
13 you want to nip that in the bud and make sure
14 that you have open lines of communication with
15 the police department as you move -- as you move
16 -- move forward. So I have -- I have some
17 issues with the commitment to keeping those types
18 of things out of this establishment, the violence
19 and -- and the presence of the underage. I'm
20 not even going to bring up the drinking. The
21 presence is -- is a problem, because they go to
22 the -- It goes to the heart of the two main
23 things that the responsibility of having this
24 license go to, you know, the drinking age and
25 maintaining a -- an establishment that's as free

00150

1 transcript that's in the record, you made it seem
2 as if this was going to be a local place where
3 you were going to reach out to people in the
4 neighborhood. You were going to be receptive to
5 what they complained about. And if they
6 complained to you, then you were going to change
7 those things, and you were going to -- I mean,
8 this -- I think the words in the transcript were
9 some of the same things that were said during the
10 testimony. This -- This was going to be a
11 Cheers atmosphere, you know, where everybody
12 knows your name, and, you know, everybody comes
13 in and it's, you know, how you doing, Bob? How
14 you doing, Jim? How you doing, Susan? And
15 that's not what it developed into.

16 One of the other frustrating things.
17 You had communications with the -- with the
18 police department, about some of when these
19 problems occurred with the neighbors and you had
20 community meetings and you were aware of the
21 problems that existed at the location, then you
22 walked away from the meeting, and the problems
23 continued. And to the point where your
24 relationship with the police department
25 degenerated to a point where -- It was described

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1 of -- of problems that's affecting the
2 neighborhood.
3 So I just think that this is --
4 Because this license only existed for a year,
5 because the incidents that occurred were numerous
6 enough where there had to be a number of
7 community meetings to address the issue, and by
8 and large because your ineffective in addressing
9 those issues to date, that I think the
10 responsible thing for this committee to do would
11 -- would be to grant a non-renewal of that
12 license. And I don't think that this is a
13 question of -- of whether or not a -- a liquor
14 establishment, a liquor license should be at this
15 location. I think that -- I mean, I agree. I
16 don't -- I don't know if -- if the operators
17 are -- are capable of addressing community
18 issues, dealing with police departments, dealing
19 with the community, so that the issues that you
20 have when they do come up, that you can address
21 them, that you can solve them, and that you can
22 continue to operate an establishment without
23 those -- without those issues. I mean, that's
24 one of the responsibilities of having the license
25 is being able to when an issue occurs, it's --

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1 it's not as if this committee expects for there
2 to be no issues. The committee expects for - -
3 when there are issues, for you to solve them, to
4 work with the entities that are in place to help
5 you solve them, and then, for you to act
6 responsibly in that process. And I - - From the
7 - - the testimony here today I just - - I have no
8 confidence that - - that you would be able to go
9 through that process and - - and maintain a
10 respectable establishment.

11 So the motion that I have, Madame
12 Chair, is - - is for non-renewal.

13 CHAIRWOMAN COGGS: The motion by
14 Alderman Hamilton is to recommend denial of the
15 license based upon - - or non-renewal of the
16 license based upon the police report and
17 neighborhood testimony.

18 ALDERMAN ZIELINSKI: Madame
19 Chairperson.

20 CHAIRWOMAN COGGS: Is there discussion
21 on the motion? Alderman Zielinski.

22 ALDERMAN ZIELINSKI: I'm going to
23 support that motion. I, as well, do not have any
24 confidence that these issues are going to be
25 adequately addressed. There's just, you know, a

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1 And then, you know, to - - to say that there was
2 never any mention of any gangs. There's no gang
3 activity over here, irrespective of what we have
4 in the reports, irrespective of what the - - the
5 previous attorney said. I'm - - So, this
6 attorney just totally made this up about gang
7 bangers no longer - - He just totally made this
8 up. He got this out of - - out of nowhere. You
9 know, to try and, you know, refute that just
10 really hurts your own credibility. And so, you
11 know, just, you know, denying all this and then
12 make personal attacks on people and people's
13 reputation just doesn't give me confidence that
14 these problems will be resolved. So, I'm going
15 to support that motion.

16 CHAIRWOMAN COGGS: The motion, again,
17 by Alderman Hamilton is to recommend non-renewal
18 of - -

19 ALDERMAN KOVAC: Madame Chair.

20 CHAIRWOMAN COGGS: Alderman Kovac.

21 ALDERMAN KOVAC: I'm going to support
22 the motion, as well. I just want to make a quick
23 comment about my - - my rationale. When you look
24 just at the facts of the case before we heard any
25 testimony and got into details, which is why we

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1 blatant outright, in my opinion, refutation of
2 the facts. First they take potshots at the
3 Alderman here, and then they take potshots at the
4 - - the police officer. The Captain testified.
5 I'm surprised they didn't say anything against
6 the, you know, the Captain or the neighborhood
7 association that's opposed to this granting of
8 the renewal of the license, as well. And to, you
9 know, put on this act and have people testify
10 that oh, no, there is - - there is no underage
11 people at this establishment, even though there's
12 police officer aides that have been served here.
13 We've had, you know, kids come down here and - -
14 and testify. These people are not going to come
15 down and - - and testify and make this stuff up.
16 And so, you know, the people that, you know, came
17 down and testified in opposition are people that,
18 you know, live in the immediate area. Everybody
19 that's come down here to testify for the bar,
20 either they live real far away, miles away, like
21 five minute drive, seven minute drive, we're
22 going through all that. And then, you know, the
23 people that live in the area, they're renting
24 from the owner. They live upstairs. So they're,
25 you know, obviously trying to help somebody out.

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1 have this committee meeting. Because if it was
2 just about facts, there was a direct formula,
3 number of incidents, this, then this penalty,
4 then we wouldn't need a committee to take
5 testimony.

6 There is, you know, a couple underage
7 citations, but there's no conviction yet, and
8 your lawyer has a plan for defending you in court
9 against that. And until there's a conviction,
10 we, as a committee, can't legally consider either
11 one of those. However, we can consider the
12 general - - We can't use it as a basis for our
13 motion. But it's not just that. You've also got
14 two shootings. One of the shootings was in a bar
15 by a gun that was regularly behind the bar by an
16 employee of the bar. That doesn't look good.
17 Now you said it's an accident, but I'm not sure
18 that that - - It's certainly better than it being
19 on purpose, but it doesn't make it good.

20 And then we have another shooting where
21 it happened in the parking lot. So at first we
22 don't know. Then we find out it happened from
23 somebody who has been in the bar before. Two
24 people have been in the bar before who have been
25 shot. One of them is definitely underage. We

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1 have testimony. So all these things start to
 2 become connected, the violence, the underage
 3 activity. It's all connected.
 4 Hypothetically, if you guys had come in
 5 here and said, we had a couple of really bad
 6 incidents. One was an accident. I'm sorry. The
 7 other one, we don't ever want to see happen
 8 again. We've got the cameras up and running now.
 9 We immediately got the ID machines. We
 10 immediately took ownership of all this, and we're
 11 cooperating with the police as best we can.
 12 We've given them every name we could think of.
 13 We won't get a night's sleep until this case is
 14 solved, because it's our bar, and our safety and
 15 our customers and our neighbors that matters. If
 16 you had said all that, I think you have a chance.
 17 But you - - You actually gave a rationale for why
 18 you wouldn't cooperate with the police to solve
 19 this shooting. Enough said.
 20 CHAIRWOMAN COGGS: So the motion again
 21 by Alderman Hamilton is to recommend non-renewal
 22 of the license based upon the police report and
 23 neighborhood testimony. Are there any objections
 24 to the motion? Hearing none, so ordered.
 25 MS. SCHRIMPF: The committee will be

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1
 2 STATE OF WISCONSIN)
 3 MILWAUKEE COUNTY)
 4
 5 I, JEAN M. BARINA, of Milwaukee Reporters
 6 Associated, Inc., 5124 West Blue Mound Road,
 7 Milwaukee, Wisconsin 53208, certify that the foregoing
 8 proceedings is a full and complete transcript of Old
 9 Lamp Inn's "Frenchies" taken in the foregoing
 10 proceedings.
 11
 12
 13
 14
 15
 16
 17 JEAN M. BARINA
 18 Court Reporter
 19
 20 Dated this day of June, 2010.
 21
 22
 23

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1 doing findings of fact and conclusions of law
 2 recommending non-renewal of this license. You
 3 will receive a copy of those. You will have an
 4 opportunity to submit written objections. If so,
 5 they must be received by June 10th at the close
 6 of business in Room 205 of this building. If you
 7 submit written objections, then you also have the
 8 opportunity to appear before the Milwaukee Common
 9 Council when they meet on this matter on June
 10 15th, 2010 in the Common Council chambers of this
 11 building. Okay?
 12 * * * * *