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CITY OF MILWAUKEE
UTILITIES & LICENSING HEARING

In the Matter of:
GROWN FOLKS LOUNGE
7200 West Fond du Lac Avenue

COMMITTEE MEMBERS

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

ALD. JOE DAVIS - 2nd District

NEIGHBORHOOD SERVICES by PANDORA BENDER
LICENSE DIVISION by JIM COPELAND
POLICE DEPARTMENT by SERGEANT JOHN HOGAN
CITY ATTORNEY'S OFFICE by BRUCE SCHRIMPF

Proceedings had and testimony given in the
above-entitled matter before the UTILITIES &
LICENSING COMMITTEE OF THE CITY OF MILWAUKEE on the
8th day of February, 2005, before Terese M. Schiebenes
of Milwaukee Reporters Associated, Inc.

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PROCEEDINGS

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CHAIRMAN WITKOWIAK: Also in the 2nd

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District, Ice J. Thomas and Cornell Stallworth, Class

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E partnership application for Grown Folks Lounge at

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7200 West Fond du Lac Avenue.

6

Name and address for the record, please.

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MR. STALLWORTH: Cornell Stallworth, 7200

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West Fond du Lac.

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MR. THOMAS: Ice Thomas, 7200 West Fond du

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Lac.

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CHAIRMAN WITKOWIAK: Neighborhood Services?

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MS. BENDER: Hold for occupancy, and the

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current occupancy as of 1990 was 150.

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CHAIRMAN WITKOWIAK: Health Department?

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MR. HULVERT: Health has no objection.

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CHAIRMAN WITKOWIAK: Do you admit to

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receiving a notice in the mail that there's a

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possibility that your application could be denied

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because of items contained in the police report and

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neighborhood objections to loitering, littering, noisy

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patrons, traffic, parking problems, devaluation of

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property values in the area, mismanagement at the

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previously licensed alcohol beverage establishment,

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concentration of alcohol beverage outlets in the area,

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and conduct which is detrimental to the health,

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1 safety, and welfare of the neighborhood?

2 MR. SCHIRO: Yes, sir.

3 CHAIRMAN WITKOWIAK: Sgt. Hogan.

4 SGT. HOGAN: Item No. 1 on the attachment
5 was presented to this committee three weeks ago when
6 this matter was here last. The other two items are
7 regarding Mr. Stallworth, and the first item is a 1995
8 incident. The other incident was on October the 9th
9 of last year. Mr. Stallworth was issued a citation
10 for disorderly conduct, and he paid the fine on that.

11 CHAIRMAN WITKOWIAK: Thank you. And could
12 you legal representatives please acknowledge.

13 MR. SCHIRO: John Schiro and attorney Ed
14 Cameron appearing on behalf of the applicant.

15 Mr. Chairman, with regard to Item No. 3, I
16 can advise the court that that matter was reopened.
17 My client was unaware that a citation had been issued,
18 and that is presently scheduled for a trial in front
19 of Branch 1 of the Milwaukee Municipal Court on March
20 30th.

21 MR. SCHRIMPF: Which item was that,
22 Counselor?

23 MR. SCHIRO: No. 3.

24 CHAIRMAN WITKOWIAK: Are there any questions
25 on the police matters at this time? Who in the

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1 audience is here to testify in this matter? Just
2 raise the hands. Could everyone who's going to
3 testify please raise your hands and be sworn in. If
4 you're going to testify, raise your right hand and be
5 sworn in right now, otherwise you can't testify.
6 (Whereupon all speakers were duly affirmed.)
7 CHAIRMAN WITKOWIAK: Who's here in
8 opposition? Could you come one at a time to this
9 microphone here. I just want the people in opposition
10 first, and then we'll take testimony from the people
11 in support after that. So could you come one at a
12 time to the microphone, identify yourself.
13 MS. RAUK: I'm Doris Rauk, I live 4938 North
14 74th Street Milwaukee, Wisconsin 53218, and I am the
15 Wellington Park Block Watch coordinator and I have
16 been for almost 15 years.
17 We have had a lot of neighborhood
18 disagreement with these two people getting this
19 license. Many of the neighbors in the neighborhood
20 have complained about the previous bar that was there,
21 and I think it closed about a year or two ago, and it
22 was a so-called biker bar. During the time that the
23 other bar was there, there was a lot of loitering in
24 the streets, also a lot of parking on Medford, which
25 is parallel with Fond du Lac. They come across Fond

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1 du Lac, and then they park on Medford because there is
2 not enough parking in this tavern's parking spaces,
3 therefore, the people will park on Medford and then
4 walk at 2:00 and 3:00 in the morning when the bar is
5 closed, they walk across their lawns, and the people
6 said that they found patrons lying on their grass in
7 the morning when they wake up drunk.

8 And that's been the biggest problem with the
9 bar that had been there because there's not enough
10 parking. And so we have had a couple of meetings,
11 block watch meetings in our neighborhood. We consist
12 of 22 blocks in a triangle bordered by Fond du Lac,
13 Hampton, 76th Street and 68th Street, and we're called
14 Wellington Park Block Watch, and we're 22 blocks.
15 Most of the people that this concerns are the people
16 that live on Medford but --

17 MR. SCHIRO: Mr. Chairman, I don't want to
18 cut her off, but I really don't think it's appropriate
19 that she testify for hundreds of other people. She
20 can tell us what she knows and what she believes, but
21 her opinion of what other people think are not
22 relevant and appropriate.

23 CHAIRMAN WITKOWIAK: Yes. In fact, we can
24 accept your personal testimony but not that of
25 hearsay.

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1 MR. RAUK It's not hearsay. We had a
2 meeting last night, and there were people that voted,
3 and there were of 36 people that attended --

4 MR. SCHIRO: This is exactly --

5 CHAIRMAN WITKOWIAK: You can't testify for
6 those people. Are some of those people here, I would
7 assume?

8 MS. RAUK: Yes, yes. I'm just saying there
9 were objections and there were people that said that
10 they have no problems with it, but there were
11 objections, too, and the objections are the problems
12 with the parking, the problems with --

13 CHAIRMAN WITKOWIAK: How far away do you
14 live?

15 MS. RAUK: About four blocks.

16 CHAIRMAN WITKOWIAK: How long have you lived
17 there?

18 MS. RAUK: 35 years.

19 CHAIRMAN WITKOWIAK: And your personal
20 observations.

21 MS. RAUK: My personal observations, I've
22 driven by that a lot of times, and I've seen the
23 problems that have occurred with the previous bar
24 there and with the parking, and Stargazers is right
25 next door, so when they're busy and this bar is busy,

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1 there is no place to park, and that's the problem.
2 Sometimes we think there's parties going on on
3 Medford, which there aren't, it's all from the bars.
4 And the parking is just bad. And since that bar has
5 closed, there has not been a problem at all.

6 CHAIRMAN WITKOWIAK: Thank you. Questions
7 by member of the committee?

8 ALDERMAN PUENTE: Mr. Chair.

9 CHAIRMAN WITKOWIAK: Alderman Puente.

10 ALDERMAN PUENTE: Would it be safe to say
11 that you would be opposed to any bar going in there,
12 not just this bar but any bar?

13 MS. RAUK: Yes.

14 CHAIRMAN WITKOWIAK: Questions by any other
15 members of the committee? Thank you very much. Next
16 witness, please.

17 MS. HONEY: Ereta Honey, 7158 West Fond du
18 Lac Avenue, Milwaukee.

19 CHAIRMAN WITKOWIAK: And your testimony?

20 MS. HONEY: I am here to -- I've been told
21 that the people in the neighborhood at the block watch
22 meetings were told that there was an agreement made
23 with me that these gentleman would be able to use the
24 parking at Stargazers, and that is not true. I have
25 no agreement with them. I did not agree to let the

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1 previous bar use the parking there, and I have no
2 intention of letting them use it either.

3 CHAIRMAN WITKOWIAK: Thank you. Any
4 questions by members of the committee?

5 ALDERMAN WADE: Mr. Chair. Do you have any
6 feelings one way or the other regarding this bar
7 opening up next door to your business?

8 MS. HONEY: I prefer it not. There have
9 been -- They did open for several weeks already, and
10 during that time, people came from there over to
11 Stargazers and caused problems on two occasions.

12 ALDERMAN WADE: You say they've been open
13 four weeks already?

14 MS. HONEY: A month or so ago -- I can get
15 the exact date because I had to hire two extra
16 security, post them in the lot to keep people from
17 parking on the lot. They were opened several weeks.
18 Yeah, I thought they were already open because they
19 were open on a frequent basis. People would go in the
20 back door.

21 CHAIRMAN WITKOWIAK: I have a question for
22 License Division. Is there a previous or an existing
23 license in there?

24 MR. COPELAND: The last license for this
25 establishment was 2003. At this time, it was called

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1 T.R. Smooth.

2 CHAIRMAN WITKOWIAK: So that was expired?

3 MR. COPELAND: Right.

4 MS. BENDER: And the last occupancy that was
5 in there was Big Mama's, and it was 05/05 of '04.
6 These gentlemen currently do not have an occupancy of
7 any kind.

8 CHAIRMAN WITKOWIAK: I'm just curious, did
9 you actually see activity in their building?

10 MS. HONEY: Yes. I did, my security did. I
11 personally went in Sunday and asked them to move cars
12 off of my lot. They had a bar full of people, a lot
13 of young kids, maybe 15 young kids, and there were
14 older people in there at the same time, also. So they
15 were open Sunday, and before Sunday, they were open
16 probably for three weeks.

17 And the last incident that happened at my
18 establishment I talked to this gentleman about, he
19 told me that he had been out of town, his nephews had
20 been going in and out of the bar. He said that they
21 came over to Stargazers, caused a problem, and he
22 apologized for it.

23 ALDERMAN WADE: Mr. Chair.

24 CHAIRMAN WITKOWIAK: Alderman Wade.

25 ALDERMAN WADE: Can the owners comment to

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1 her accusations?

2 MR. SCHIRO: Sure. I'll give a general
3 answer, and then I'll let Mr. Stallworth and Mr.
4 Thomas answer more specifically. There have been two
5 occasions when the police were called, and we believe,
6 quite frankly, by her.

7 MS. HONEY: I did not call the police, I did
8 not do that.

9 MR. SCHIRO: Excuse me, ma'am. We believed
10 it was her calling, and I now believe that more
11 strongly claiming that there was a party going on.
12 The one was referenced in the police report where they
13 went and they found there was nothing going on.

14 The other was on Sunday when the police came
15 and because there had been an anonymous report of a
16 Super Bowl party and they found three or four children
17 with my client, Mr. Stallworth, having a little
18 birthday party with cake and ice cream playing some
19 video games. There had been a birthday party
20 upstairs, and they came down to let the kids play with
21 the video games. The officer came and said there was
22 nothing wrong -- he allowed them to look around -- and
23 they left.

24 My clients haven't been open for business
25 one day. I've been in there. The place is not in a

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1 position to be open.

2 MS. HONEY: Excuse me. I have a
3 lot of security --

4 MR. SCHIRO: I'm talking.

5 CHAIRMAN WITKOWIAK: We'll give you a
6 chance.

7 MR. SCHIRO: I'm not certain -- Other than
8 the fact that she doesn't want competition, I don't
9 know what her motive is. Because we also will provide
10 testimony that my client's brother, Reginald
11 Stallworth, did discuss with her parking, yes, and I'm
12 only really open for business on Wednesday and Sundays
13 and maybe we can work something out. Nothing in
14 writing, they agreed they would talk more about it.
15 They thought it would be something that they can work
16 out because she is not that busy. But did you two
17 have some parties?

18 MR. STALLWORTH: There's never been any
19 parties there, never. As a matter of fact, when the
20 police officers came on Sunday --

21 CHAIRMAN WITKOWIAK: You just described a
22 birthday party there.

23 MR. STALLWORTH: I guess I should say
24 anything dealing with liquor. Sunday was my niece's
25 birthday. We were upstairs, there's an apartment

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1 upstairs. For her birthday she wanted to play video
2 games. When they see lights on, they automatically
3 assume the place is open for business. If you heard
4 her earlier, she said somebody told her there were
5 kids in there. Yes, they were. We were playing video
6 games. When the police came and looked around, they
7 didn't find any wine, beer, liquor, or anything like
8 that. There was nothing like that there.

9 ALDERMAN WADE: Can I just continue?

10 CHAIRMAN WITKOWIAK: Alderman Wade, go
11 ahead.

12 ALDERMAN WADE: Is there beer, wine, and
13 liquor inside the establishment at this time?

14 MR. STALLWORTH: No, there's none.

15 ALDERMAN WADE: None on the premises?

16 MR. STALLWORTH: None at all.

17 MR. SCHIRO: For clarification, there are
18 two apartments upstairs where Mr. Stallworth lives.

19 ALDERMAN WADE: Right. I'm talking about in
20 the business, there is no alcohol inside the business
21 at this point?

22 MR. STALLWORTH: No, zero. There hasn't
23 been.

24 CHAIRMAN WITKOWIAK: Question for
25 Neighborhood Services. Can that be used for a

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1 birthday party?

2 MS. BENDER: No, it cannot be. He cannot
3 occupy the building. If you wanted to, you cannot
4 have birthday parties, you can't have anything at all
5 related to that occupancy other than making repairs on
6 the property, so if there was any activity that was
7 going on, it was an illegal activity.

8 CHAIRMAN WITKOWIAK: Thank you.

9 MS. HONEY: They are absolutely wrong. I
10 talked to this gentleman Sunday, and I told him --

11 MR. SCHRIMPF: The record should reflect
12 which gentleman?

13 MS. HONEY: I don't even know his name,
14 sitting in the striped shirt.

15 CHAIRMAN WITKOWIAK: Would you care to
16 identify yourself.

17 MR. SCHIRO: That's Reginald Stallworth.

18 CHAIRMAN WITKOWIAK: Your brother?

19 MR. STALLWORTH: Yes, sir.

20 MS. HONEY: I've only seen him and met him
21 one time, and that is when he came into my parking lot
22 one day, and I let him know the problem that had
23 happened. I talked to this gentleman Sunday, and he
24 told me, he said don't you remember me, because he
25 came in, he worked for the electric company, and I

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1 told him, I said I really feel bad about what I have
2 to do because it's you, and I told him I could not
3 start something that I could not finish, and that
4 means there's no sense in me letting them use my
5 parking sometimes if I can't let them do it all the
6 time, because that's just going to cause a problem,
7 sometimes you can, sometimes you can't. Customers
8 don't know when the time is they can and when the time
9 is they can't.

10 When I used to deal with the other bar, I
11 was called nigger more times than I care to remember
12 about that parking lot, and I'm not going to start
13 anything with them because it might not just be words.
14 I'm not going to deal with it. Badger Fence is going
15 to fence the whole place in in about a month. If I
16 had told him he could use parking, I wouldn't have an
17 estimate from Badger Fence right now.

18 I have pictures of people in the bar, I have
19 pictures of people in that bar. What they also don't
20 know is I have video cameras on the outside that will
21 show people going in and out of his bar. So I don't
22 have to call the police, I could just simply give them
23 a tape.

24 CHAIRMAN WITKOWIAK: Alderman Wade.

25 ALDERMAN WADE: Mr. Schrimpf, do we have any

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1 documentation from the police department? I guess I
2 should be asking Sgt. Hogan, but he cut out.

3 MR. SCHRIMPF: Sgt. Hogan has paperwork
4 here. I don't know what he has in the PA-33.

5 ALDERMAN WADE: Do you have in our documents
6 that there was any evidence of the police having
7 contact with them regarding a party?

8 MR. SCHRIMPF: That is something Sgt. Hogan
9 would have to --

10 SGT. HOGAN: Are we referring to the
11 incident on Sunday? Yes, there were people in there,
12 and I got the information pretty much third-hand, but
13 it pretty much agrees with what counsel had said.
14 There was 10-year-old in a birthday party. No alcohol
15 was present, minimal number of people.

16 ALDERMAN WADE: Thank you.

17 CHAIRMAN WITKOWIAK: Ms. Honey, you're
18 referring to other occasions, though, is it that what
19 you have seen?

20 MS. HONEY: Yes. The birthday party Sunday
21 when I went in the second time, there was at least 20
22 people in there. That was about 3:00-something. When
23 the police came -- and I know because that's when I
24 opened -- it was about 6:00-something. Maybe the
25 birthday party was winding down. I didn't call them,

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1 so that's not an issue to me, but there are times in
2 the past for a period of two to three weeks that they
3 were open.

4 CHAIRMAN WITKOWIAK: You don't have any
5 record of that, do you?

6 MS. HONEY: You couldn't tell they were open
7 because they were using the back door.

8 CHAIRMAN WITKOWIAK: Okay. Thank you.

9 MR. STALLWORTH: The reason why we use the
10 back door is because the stairway to get to the
11 upstairs apartments in the back, we live upstairs, so
12 if we have friends come over, they have to come
13 through the back door, that's the only way to get to
14 the apartments upstairs. So she's seeing people going
15 through the back door, they come in and go upstairs.

16 MS. HONEY: They have a big picture window
17 in the front, and when you drive down the street, you
18 can see people sitting at the bar. I have a whole
19 security team that has been in there when they were
20 open to ask them to move cars off the lot.

21 ALDERMAN WADE: Mr. Chair, just one more
22 time I just want to ask the attorney, have you been
23 inside this establishment?

24 MR. SCHIRO: I have.

25 ALDERMAN WADE: Did you see any liquor or

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1 anything inside the establishment?

2 MR. SCHIRO: No, nothing. It's a place that
3 obviously was once a bar. It's obviously not being
4 used now, the bar itself is not stocked, there's
5 nothing there. It needs to be fixed before it could
6 be open. It's not ready to be open.

7 CHAIRMAN WITKOWIAK: Thank you. Next person
8 to testify, please.

9 MR. ZILLMER: Robert Zillmer, 4975 North
10 72nd Street, Milwaukee, 53218.

11 CHAIRMAN WITKOWIAK: Thank you, Robert.
12 Your testimony?

13 MR. ZILLMER: I'm pretty much in agreement
14 with the rest that it's the noise, the traffic and the
15 parking and stuff, the littering and stuff like that.

16 CHAIRMAN WITKOWIAK: Can you tell us some
17 specific things that you've seen.

18 MR. ZILLMER: Well, I found -- I live right
19 on the corner of Medford and 72nd and stuff, and I
20 found hub caps on my front yard already, beer cans and
21 stuff like that and the noise about 1:32 in the
22 morning.

23 CHAIRMAN WITKOWIAK: Are you referring to
24 when the place was open previously?

25 MR. ZILLMER: Yes.

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1 CHAIRMAN WITKOWIAK: And now since it's been
2 closed, it's been what?

3 MR. ZILLMER: I can sleep through the whole
4 night.

5 CHAIRMAN WITKOWIAK: How far distance-wise
6 do you live?

7 MR. ZILLMER: I'm a block away.

8 CHAIRMAN WITKOWIAK: Questions by committee?

9 ALDERMAN BOHL: Mr. Chairman.

10 CHAIRMAN WITKOWIAK: Alderman Bohl.

11 ALDERMAN BOHL: Thank you. Sir, you
12 describe the problems you've encountered with the
13 previous establishment at this location. I don't know
14 -- Ms. Honey, who operates the tavern next door, I
15 don't know how long she's been in existence, have you
16 experienced any issues with her tavern?

17 MR. ZILLMER: Not to date, no.

18 ALDERMAN BOHL: So your problems were more
19 with the current place in which these gentlemen --

20 MR. ZILLMER: The last place, yes.

21 ALDERMAN BOHL: Thank you.

22 CHAIRMAN WITKOWIAK: Any other members
23 questions?

24 ALDERMAN PUENTE: Mr. Chair. So you'd be
25 against any tavern going in there, not just this

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1 tavern, anyone?

2 MR. ZILLMER: Yes, I would.

3 ALDERMAN PUENTE: Did you witness when the
4 other tavern was open people causing littering,
5 loitering, noise?

6 MR. ZILLMER: No. I was usually in bed, but
7 I could hear it.

8 ALDERMAN PUENTE: You can't tell us, the
9 committee, that they came out of this previous tavern
10 or where they came from?

11 MR. ZILLMER: Sometime Stargazers wasn't
12 even open prior to that.

13 ALDERMAN PUENTE: It was a process of
14 elimination?

15 MR. ZILLMER: Yes.

16 ALDERMAN PUENTE: Thank you, Mr. Chair.

17 CHAIRMAN WITKOWIAK: Any questions of this
18 witness?

19 MR. SCHIRO: No, thank you.

20 CHAIRMAN WITKOWIAK: Thank you very much.
21 Next witness, please. I saw about five or six people
22 had their hands up to testify. Your name and address
23 for the record, please.

24 MS. MURPHY: Joan Murphy, 4723 North 40th
25 Street, 53209. I'm here to represent Wellington Park

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1 Lutheran Church, I'm Chairman of the Council.

2 CHAIRMAN WITKOWIAK: We appreciate that, Ms.
3 Murphy. We can't accept hearsay testimony, but we can
4 accept your personal testimony. How do you know about
5 this place?

6 MS. MURPHY: I have been sitting in on the
7 meetings at the church and listening to all the
8 information that they were giving, and there were so
9 many inconsistencies for one thing. For another
10 thing, that's a beautiful neighborhood, and it's
11 mostly residential, and I think one bar is adequate to
12 serve the neighborhood. And the streets there are
13 angled, Fond du Lac is angled, Medford where the
14 church is is angled. People leave the bar, they get
15 confused, they're into the church property because it
16 had originally been a park, so there's quite a bit of
17 land around our church, and they're all over there,
18 and you go in the morning --

19 I mean there's nothing more disgusting than
20 to go to your church for Sunday morning services and
21 finding all the leftovers scattered all over from the
22 parking the night before, and you have no idea how
23 many mornings I picked up.

24 CHAIRMAN WITKOWIAK: Ms. Murphy, how close
25 is the church to this bar?

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1 MS. MURPHY: The church is on 70th, it's
2 7017 West Medford. You've got all these crazy angled
3 streets, so it's maybe about two blocks from the bar.

4 CHAIRMAN WITKOWIAK: Thank you. Any
5 questions of this witness?

6 ALDERMAN DAVIS: That's the reason why I
7 brought up the map here, and I do have other maps.
8 These are not concentration maps, these are zoning
9 maps so that we can specifically tell what is
10 residential and what is industrial. Would it be
11 proper for me to submit them at this time, or should I
12 submit them later so that as testimony occurs at least
13 you have something to reference?

14 CHAIRMAN WITKOWIAK: If I could ask you a
15 question. Will you also be presenting a concentration
16 map?

17 ALDERMAN DAVIS: No, sir.

18 MR. SCHIRO: Mr. Chairman, I have a
19 concentration map. I thought the alderman said he was
20 bringing one, but you can use mine.

21 CHAIRMAN WITKOWIAK: That's okay. If you
22 want to submit these at this time, Alderman Davis.
23 Alderman Puente moves to make we'll call it the zoning
24 map part of the record in this matter, and hearing no
25 objections, so ordered.

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1 ALDERMAN DAVIS: Part of the constituent's
2 testimony from Wellington Lutheran Church, if you take
3 a look at the large box, the large box is where the
4 proposed establishment is located at. Wellington
5 Church is located on the corner of 72nd and
6 Wellington, which is right around the corner located
7 in this triangle here.

8 CHAIRMAN WITKOWIAK: That's where the church
9 is?

10 ALDERMAN DAVIS: Yes.

11 CHAIRMAN WITKOWIAK: Alderman Bohl.

12 ALDERMAN BOHL: Ms. Murphy, has your
13 congregation undertaken this matter to a vote? Have
14 you voted upon whether or not --

15 MS. MURPHY: We discussed it when the matter
16 first came up and voted on it, and it was all nay, but
17 that was before they formed the partnership, and right
18 now, we're in between ministers so --

19 ALDERMAN BOHL: Is this like a board of
20 elders who's doing the vote or the entire
21 congregation?

22 MS. MURPHY: The entire congregation, the
23 entire congregation. That was done before our pastor
24 that retired last November, he was still there, and he
25 spoke before the congregation, we discussed it, and

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1 the answer unanimously was no.

2 ALDERMAN BOHL: Thank you.

3 CHAIRMAN WITKOWIAK: Do you have any

4 questions of this witness?

5 MR. SCHIRO: Just very briefly. Ma'am, you

6 indicated that you thought that one tavern or one

7 liquor establishment in that neighborhood is enough?

8 MS. MURPHY: We've got a day care, there's a

9 day care half a block up.

10 MR. SCHIRO: Is that what you testified to?

11 MS. MURPHY: Yes.

12 MR. SCHIRO: You understand that the other

13 establishment is a strip club where ladies are naked?

14 MS. MURPHY: No, the ladies are not naked.

15 They do have erotic dancing, but they are not naked.

16 ALDERMAN DAVIS: Excuse me. I will not have

17 this counsel slandering a business in the area. No

18 one is here to object to his comments --

19 MR. SCHIRO: That's not your job.

20 ALDERMAN DAVIS: -- and he shouldn't be doing

21 that.

22 MR. SCHIRO: Can I continue questioning?

23 CHAIRMAN WITKOWIAK: Wait a minute. To the

24 best of my knowledge, Stargazers does not have a

25 cabaret license, which includes exotic dancers, so if,

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1 in fact, she's doing that, that's illegal activity,
2 but to the best of my knowledge, they're not.

3 MR. SCHRIMPF: Mr. Chairman, it should
4 also be noted that even if you have a cabaret license
5 and even if it provides for strippers, the ordinances
6 of the City of Milwaukee prohibit the dancers from
7 being completely nude in any event.

8 MR. SCHIRO: I wasn't suggesting exotic
9 dancing.

10 MS. MURPHY: You used the word nude.

11 MR. SCHIRO: Thank you. But they have
12 exotic dancers there?

13 MS. MURPHY: I do not know of my own
14 knowledge since I have not been there, but I have
15 spoken to people who have been and they have described
16 to me what they've seen, so anything I say further
17 than that would be hearsay.

18 MR. SCHIRO: You understand there might be
19 people that don't want to go to establishments like
20 that?

21 MS. MURPHY: Oh, yes. If it was up to me,
22 that establishment would not be there. All right?

23 MR. SCHIRO: Okay. Thank you.

24 CHAIRMAN WITKOWIAK: Anything further of
25 this witness?

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1 MR. SCHIRO: No, nothing. Thank you.

2 CHAIRMAN WITKOWIAK: Joan, thank you very
3 much for your testimony. Next person to testify,
4 please. Who else is here to testify in opposition?
5 Anyone else in opposition? Name and address for the
6 record?

7 MR. DAVIS: Howard Davis, address is 5140
8 North 69th Street, 53218, Milwaukee.

9 CHAIRMAN WITKOWIAK: And how close do you
10 live to this proposed establishment?

11 MR. DAVIS: About two-and-a-half blocks
12 away.

13 CHAIRMAN WITKOWIAK: And your testimony is?

14 MR. DAVIS: My testimony and concern is due
15 to the parking, the noise that would congregate in the
16 area at that time, and the inability and lack of
17 people to sleep or rest peacefully in that area during
18 times when their traffic is coming in and out. And
19 also, the one major part is the parking. There's not
20 enough room to park cars for 100, 150 people. That's
21 why they venture off into the neighborhood, and
22 there's where the problem starts and begins.

23 CHAIRMAN WITKOWIAK: Thank you. Any
24 questions of this witness by members of the committee?
25 No. Do you have any questions of this witness?

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1 MR. SCHIRO: No, thank you.

2 CHAIRMAN WITKOWIAK: Thank you very much.

3 Anyone else testifying in opposition? Is someone here

4 to testify in support? Would you please come forth.

5 Your name and address for the record, sir?

6 MR. MACICJEWSKI: My name is Thomas

7 Macicjewski, and I live at 4827 North 73rd, 53218, and

8 I've been there going on five years.

9 CHAIRMAN WITKOWIAK: Thomas, how long have
10 you lived there?

11 MR. MACICJEWSKI: Going on five years, my
12 partner and I, five years.

13 CHAIRMAN WITKOWIAK: How far away, roughly, do
14 you live from this location?

15 MR. MACICJEWSKI: Maybe about five blocks at
16 the most.

17 CHAIRMAN WITKOWIAK: And your testimony is?

18 MR. MACICJEWSKI: That I believe that I'm
19 getting a little bit of fear because of some
20 conversations I've had with Mr. Davis already that
21 he's very adamant against this establishment here
22 because when it first started out, it started out to
23 be an alternative bar or a gay bar, and I feel Mr.
24 Davis is, in my conversations on my lawn that I've had
25 with him, you know, in his tone of voice, because I

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1 never let him know my lifestyle personally, but in his
2 conversations, I feel that he is a homophobic person.
3 That's my opinion.

4 And I look at it this way. I tried talking
5 to him, saying look at the money that the Third Ward
6 has made with all the gay bars from back in the '70s,
7 and they're still there, and if you would have bought
8 property in the Third Ward 20 years ago, you'd be a
9 multi-millionaire today, or if you bought on Brady
10 Street where some of the gay bars were at one time,
11 originally when I came to the city back in the '60s,
12 because I've been in the city for 40 years, and Brady
13 Street proves there's not any harm when these bars
14 have happened.

15 I know a lot of gay bar owners who are in
16 the business for 25, 30 years, and they have
17 done nothing but to clean up their establishments.
18 One in particular is Bob Schmidt, who used to own the
19 M & M bar, and I think everybody in this conference
20 area maybe has even eaten a meal there. And I'm just
21 here to say that these young men should have a chance,
22 and I think it's becoming a homophobic situation and
23 it's become a racial situation because I can see if a
24 man were to walk in with a three-piece suit would have
25 a proper what you call quote/unquote haircut, there

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1 would have never been a statement pro or con.

2 Sure, the strip bar is whatever it is. The
3 biker bar that was closed, I've never noticed it, and
4 I never paid attention to it because I don't even go
5 to bars, but I would like to go to a bar which they're
6 saying is going to be a small lounge, light jazz
7 music, no hard core, anything of this. So I say
8 please give these gentlemen a chance because they're
9 not going to want to be shut down, they want to make
10 money. And they've got good looking clothes. I wish
11 I could afford clothes that they buy because they've
12 got some pretty nice suits on today, so I think they
13 want to make money, so give them a chance.

14 CHAIRMAN WITKOWIAK: Thank you. Any
15 questions of this witness?

16 ALDERMAN DAVIS: I do have a question. Sir,
17 were you at a public meeting that we held last night?

18 MR. MACICJEWSKI: Yes, I was.

19 ALDERMAN DAVIS: Did you hear me make a
20 statement that I would not tolerate any type of
21 discrimination on this particular issue?

22 MR. MACICJEWSKI: At that time, you did, but
23 when you were talking to me on my lawn, like I said
24 earlier, you came across very homophobic to me, and I
25 was even afraid to continue the conversation with you.

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1 ALDERMAN DAVIS: And did you commend me for
2 taking that position on being inclusive?

3 MR. MACICJEWSKI: Yes, I did say that night
4 because it sounded very good at that time.

5 ALDERMAN DAVIS: And did you clap for me at
6 that particular time when I made that statement?

7 MR. MACICJEWSKI: And didn't you walk away
8 angry from me last night when I said you made a
9 mistake about our street?

10 ALDERMAN DAVIS: I'm specifically talking
11 about the issue that you talked about me being
12 homophobic, and I wanted to make sure that you
13 understand that I appreciate your support. Thank you.

14 MR. CAMERON: May I address the Council?

15 CHAIRMAN WITKOWIAK: Mr. Cameron, by all
16 means.

17 MR. CAMERON: I was there last night, also,
18 I was at the meeting, and I heard all of the witnesses
19 there give testimony, I heard everything go on. I did
20 hear Alderman Davis specifically say that there was no
21 way that he would be in any way against any type of
22 tavern or any other business for any reasons not
23 legitimate and that were in any way prejudicial,
24 there's no question about it, and the crowd did give
25 him a good round of applause, which he deserved for

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1 saying that.

2 But I also heard a lot of people at that
3 meeting say that they felt that these gentlemen should
4 be given a chance because it wasn't their bar, the
5 biker bar that was there before that there was a
6 problem with. These fellows are willing to invest
7 money in that neighborhood. And the same thing was
8 brought up about values of property being increased in
9 various parts of the city where there is a saturation
10 of bars and that it has increased property values.
11 That was discussed at that meeting, as well. And
12 there were other gentlemen there that definitely stood
13 up and indicated to the group that these gentlemen
14 should be given an opportunity.

15 ALDERMAN PUENTE: Mr. Chairman.

16 CHAIRMAN WITKOWIAK: Alderman Puente.

17 ALDERMAN PUENTE: Approximately how many
18 people attended that meeting yesterday?

19 MR. CAMERON: I would say at the most 50.

20 ALDERMAN PUENTE: And of those 50 people,
21 how many do you believe, approximately, were in support
22 of this?

23 MR. CAMERON: I would say that there were
24 probably 20, 25 maybe, 15, 20.

25 ALDERMAN PUENTE: 15, 20?

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1 MR. CAMERON: Yeah. They were scattered
2 throughout. There were a couple older, there was an
3 older black gentleman in the back of me in the back of
4 the church basement. He stood up twice and indicated
5 to the group that he felt that they were being unfair
6 in not going along with these gentlemen having at
7 least a chance to try their business.

8 And I did see the location, and there's
9 nothing other than a bar that could be there.

10 ALDERMAN PUENTE: Thank you. Alderman
11 Davis, would you concur with that, that there was
12 approximately 50 people there yesterday, and what is
13 your estimation of the people who supported it?

14 ALDERMAN DAVIS: I would say somewhere
15 around five or six people supported it.

16 ALDERMAN PUENTE: Thank you. And there was
17 approximately 50 people there, would you say that?

18 ALDERMAN DAVIS: Correct, correct.

19 CHAIRMAN WITKOWIAK: I'm just going to poll
20 the member of the committee here. Does anybody wish
21 to hear a round two from any of the witnesses that
22 have already testified, because I see some people in
23 the audience raising their hands like they want to add
24 to the testimony. Does any one of the committee
25 members here have any further questions that they

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1 might want to ask somebody that's previously
2 testified?

3 At this point, we will not entertain a round
4 two. Do you have anything to say in closing before I
5 take this matter into committee?

6 MR. SCHIRO: Sure, I do, a couple things.
7 I do have have a concentration map, but I don't know
8 that it's really different than that. I wish I could
9 see better than I do. It appears that in a square
10 mile there is two licensed liquor and Class A liquor
11 and malt and five taverns. It appears that there
12 would be really three taverns along that area with the
13 freeway kind of behind it.

14 I am very sympathetic to neighbors and
15 noise, and we always have to be a little careful in
16 Milwaukee because we're all appreciative that we have
17 Harley-Davidson and all that it does for our city, and
18 while I don't ride motorcycles, I have, and they're
19 fun, but they're unbelievably loud and they're
20 annoying when you're not on it racing down the street.
21 It's just a real loud noisy thing going by, and quite
22 frankly having a loud or having a biker bar across the
23 street from me would be really a disaster, I mean it
24 just would be.

25 And I am completely sympathetic to these

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1 neighbors, I really am, and I don't know how I could
2 sit up here in front of this committee representing
3 somebody who wanted to open another biker bar under
4 these circumstances, I'd say you're not going to get
5 that because these people have a right to not have
6 that. That just isn't, it's just really not what
7 they're intending to do. They're calling this place
8 the Grown Folks Lounge. It is just that kind of a
9 place. It's for older people.

10 They're not going to have music -- I mean
11 they're not going to have hip hop, they're not going
12 to have live music, they're covering up the dance
13 floor. They're intending on making this a more quiet
14 place, something very different than really what is in
15 that neighborhood. They don't expect to be bringing
16 in patrons who are going to be creating problems.
17 They're not going to be riding motorcycles.

18 They have already received an estimate to
19 repave and reline their parking lot. They intend to
20 have security to not only make certain that there are
21 no problems for the neighbors but to actually watch,
22 because since we learned of the concerns of the
23 neighbors about noise and parking, we've taken that to
24 heart, and my clients have tried to address that.

25 I have to say, Mr. Chairman, that my clients

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1 are not in this for the short term. My clients signed
2 a lease before I knew them and before they had a
3 license, and they did that because they had thought
4 and had every reason to believe that the Alderman was
5 supporting this tavern, and the reason they had done
6 that was because the Alderman had been sending people
7 to the previous owner, who's here today, as
8 prospective buyers or lessors of the place, and it
9 turned out that the owner ended up leasing the place
10 to my clients, but he did so with an option to
11 purchase.

12 My clients intend to paint the place, they
13 intend to repave it, they intend to have security.
14 They want to make this an adult lounge for adults, not
15 kids running around and creating problems and falling
16 asleep in church parking lots and leaving hub caps and
17 beer bottles. That's not going to be the kind of
18 place this is.

19 My clients found out about the meeting last
20 night really through somebody else. We were not
21 notified of it, we hadn't been notified of two other
22 meetings, but where we've known that there was a
23 meeting, they have tried to go address the people. I
24 would say that even those who oppose my clients don't
25 think that they're not nice people who really mean

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1 well. My clients don't take this personally that
2 these people are worried about noise in their
3 neighborhood.

4 It was funny, one of the women who testified
5 last time, I see her and my client kind of shaking
6 hands, and they're practically hugging each other. I
7 said what's up? He said oh, she just wanted to say
8 that she thought it went well last night. She still
9 opposes it, but it's not because they think there's
10 something wrong with my clients or the kind of place.
11 I think they want some peace from a biker bar, and I
12 think they're going to have that, I really do.

13 I think the objections, while I understand
14 them, I think history, if this committee grants them a
15 license, will show that it was unfounded. These
16 people are going to work with the community, they're
17 not going to have a kind of a noisy bar that's going
18 to create the problems. And quite frankly, given this
19 location, I don't know what else this can be. One of
20 the things my clients have already told me they intend
21 on doing, and I think they told some of the people at
22 the meeting last night, though I can't be sure of
23 this, is that they don't even intend to open until
24 after 6:00 because by 5:00 or 5:30 all those
25 businesses on Fond du Lac in the neighborhood are

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1 closed so they can make certain that people aren't
2 parking over on Medford and parking in the residential
3 neighborhood. He wants to keep them in his parking
4 lot and right along Fond du Lac Avenue, which as I've
5 indicated, has freeway behind it, so it's not as if
6 it's ever going to be a completely quiet neighborhood,
7 but they don't intend to increase the noise. I think
8 they will be really good neighbors.

9 I have Reginald Stallworth here, but I don't
10 want to get too sidetracked on this issue of parking.
11 He thought that the neighbor was going to agree
12 that they could talk about this and might work out
13 something, but if they don't want to, that's her
14 prerogative, that's her business. If she
15 doesn't want to do that, that's her prerogative,
16 that's fine. My clients are going to monitor this.
17 They're going to have security, and one of the things
18 that security is going to do is make certain that
19 people are not bothering other neighbors or bothering
20 the community.

21 And I think that this business really only
22 can be this kind of a business, and this is going to
23 work, I think it really will. I think the neighbors
24 will be pleasantly surprised that the noise won't go
25 up and that they will be really good neighbors to

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1 them.

2 CHAIRMAN WITKOWIAK: Just refresh my memory,
3 I think you said this before. How many cars can they
4 put in their own parking lot?

5 MR. STALLWORTH: 35.

6 ALDERMAN DAVIS: That's debatable, Mr.
7 Chairman.

8 CHAIRMAN WITKOWIAK: Alderman Davis.

9 ALDERMAN DAVIS: Counsel, may I ask your
10 client a question, please?

11 MR. SCHIRO: Yes, of course.

12 ALDERMAN DAVIS: Mr. Stallworth, have you
13 ever worked at any other establishments?.

14 MR. STALLWORTH: Yes, I have.

15 ALDERMAN DAVIS: What was the name of that
16 establishment?

17 MR. STALLWORTH: Just For Fun, and it
18 switched over to The Exports.

19 ALDERMAN DAVIS: And what was the location
20 of that establishment?

21 MR. STALLWORTH: Sherman and Good Hope

22 ALDERMAN DAVIS: 7155 North 43rd Street?

23 MR. STALLWORTH: Yes.

24 ALDERMAN DAVIS: Did you work at that
25 particular location as a bartender?

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1 MR. STALLWORTH: Yes.
2 ALDERMAN DAVIS: And what year did you work?
3 MR. STALLWORTH: If I'm not mistaken 2001,
4 2002, something like that.
5 ALDERMAN DAVIS: When you worked at that
6 establishment, did they have any traffic problems at
7 that establishment?
8 MR. STALLWORTH: Yes, they did.
9 MR. SCHIRO: Because I meant to do this,
10 and I apologize. I just wanted to give you a little
11 bit more background on my two clients here. These are
12 both existing businessmen in the community. My
13 client, Mr. Stallworth, owns the the Curl Up and Dye
14 Hair Salon. How many chairs?
15 MR. STALLWORTH: 10.
16 MR. SCHIRO: How long have you been in
17 business?
18 MR. STALLWORTH: I've been in business about
19 seven years.
20 MR. SCHIRO: And Mr. Thomas owns a
21 community-based residential facility at 7554 North
22 87th Street. It's a group home for elderly and
23 mentally disabled. Prior to that, he was the manager
24 of five other group homes. These are serious business
25 people who want to seriously take care of this new

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1 business and the neighbors around them because it
2 won't survive if there's a war there. These are good
3 people who intend to make a serious commitment to this
4 business and to their neighborhood.

5 CHAIRMAN WITKOWIAK: Alderman Davis,
6 anything further?

7 ALDERMAN DAVIS: Yes. Please, Mr. Chairman,
8 if you can give me an opportunity to take my time
9 because I've been accused of a lot of things sitting
10 at this table, and I've tried to keep my composure and
11 be respectful of the committee and my colleagues and
12 also the constituents who are here that I represent.
13 I've been accused of being homophobic, and I've been
14 accused of supporting this particular license. And I
15 think that the people that I represent understand that
16 how we first got to this issue was because I called a
17 public hearing when the license came across my desk.
18 I thought it would be appropriate. I knew the history
19 of the past establishment, and I thought that they
20 deserved to actually at least have a voice and if, in
21 fact, there was any concerns.

22 Alderman Puente made a very good point last
23 meeting that we had, and he asked what are the
24 surrounding areas around this particular
25 establishment, and if you take a look in the yellow of

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1 that map, you can see that it is surrounded by
2 residential community. Why is this significant?
3 Because Fond du Lac Avenue is an anti-cruising zone.
4 We did that at council as an ordinance, and I've been
5 having problems in the 2nd Aldermanic District all the
6 way from Capitol Drive to 76th Street as far as
7 cruising is concerned. It happens at the Phoenix Bar
8 and Grill currently, it happens on 60th Street, and
9 the Milwaukee Police Department has done a wonderful
10 job of trying to curb that.

11 As far as my responsibility as an elected
12 official is to represent those who put me in office,
13 and traffic pattern does play a role in how we move
14 forward with this, and I would hope that if you take a
15 look at where the establishment is at and the
16 arterials that feed into the residential community
17 immediately to the left or to the west, that is a very
18 quiet area, it's been a very stable area over the
19 years, and the reason why is because these fine people
20 who sit behind me are part of the Wellington Park
21 Neighborhood Association who's done time and time
22 again -- Alderman Kalwitz used to stay in that area,
23 and that's the reason why they're organized, they care
24 about the community.

25 It's nothing about a discriminatory

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1 practice. It's about what these residents are here
2 for. They are here to try to protect their
3 neighborhood. There's liquor licenses that's coming
4 before this committee that they were very supportive
5 of, and we held the same type of meeting, they said
6 give this guy a chance. But you know what, the reason
7 why there were willing to give this guy a chance is
8 because he came to all of the community meetings and
9 he never misrepresented or gave any misinformation to
10 the constituents. The reason why you see these people
11 so, so adamant and so upset is because they'd been
12 misinformed. Time and time again they had been told
13 publicly that these particular applicants would do one
14 thing, and now they sit before you and they tell you
15 that they're going to do something else.

16 It's not an issue of if I trust them or not,
17 it's an issue if this is good for the community in
18 which I represent. Think about The Maze Nightclub,
19 think about the Exports Bar and Grill where there was
20 a tremendous amount of traffic, and think about the
21 problems that the community had and the public
22 testimony that they received over the years.

23 The agreement with the parking is the lynch
24 pin for me that is just -- it's an egregious assault
25 on these people who have sat here, because last night

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1 publicly these clients indicated to the people who I
2 represent is that they had an agreement with the
3 establishment owner of Stargazers contingent upon
4 granting this license, and that is far from the truth
5 because you heard public testimony from the owner
6 saying that is far from the truth. I don't want to go
7 to the extent to tell people that I can't trust them,
8 but I will go to the extent to say that right now, I'm
9 having a hard time believing that I'm able to work
10 with this particular establishment.

11 Are you asking me do I ever want a liquor
12 establishment at this location? No, because I
13 understand that there are probably some good providers
14 who are able to take this establishment and make it
15 into a good business, but I can't work and I will not
16 work on behalf of the constituents under which I
17 represent for those who give people misinformation and
18 come before this committee and give misinformation.
19 It is uncalled for, it should not be tolerated, and I
20 won't tolerate it.

21 In closing, you know I had a public meeting
22 the day before Thanksgiving, and at that meeting it
23 was very well turned out, and people of this community
24 actually turned out, about 40 people turned out the
25 day before Thanksgiving. Some of the mothers and

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1 grandmother's wanted to put the turkeys on and get
2 things done, but it was important for them to come to
3 this community meeting. And Mr. Stallworth was there,
4 Mr. Thomas was there, and at that time, Mr. Stallworth
5 said he wasn't going to be part of it, he was going to
6 help run it. Last night at the community meeting,
7 which I was invited to -- didn't call it, the
8 community called it and invited me there -- Mr. Thomas
9 didn't show up, and Mr. Stallworth was there to
10 represent this partnership. A lot of misinformation
11 was given to my constituents.

12 That's all I'm here to do is to represent
13 the people who entrust me with their public trust, and
14 I would ask that -- Here in the police report, Mr.
15 Stallworth at the Exports Bar and Grill had -- he had
16 responsibilities at that location, he publicly
17 testified that there were parking problems, and now
18 he's applying for an establishment in the 2nd
19 Aldermanic District, which is in a cruising zone,
20 which has residential communities surrounding this
21 particular establishment, and ultimately the public
22 testimony that you hear not only from the block club
23 captain but also residents in the area and the owner
24 that is adjacent to the establishment. So I won't
25 belabor the fact. I would hope that my colleagues

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1 would deny this application and give us the
2 opportunity to protect our neighborhood and give us
3 the opportunity to work with the current owner to find
4 out if there's a provider who can provide the services
5 who are going to work with the community in which I
6 represent. Thank you.

7 ALDERMAN PUENTE: Mr. Chair. Alderman
8 Davis, other than the meeting and that, did you get
9 any other input from the community through a postcard
10 survey or anything like that, and if so, what were the
11 results of that, or is there any other information you
12 can put before this committee as it pertains to the
13 community?

14 ALDERMAN DAVIS: I did have a postcard
15 survey, and I was going to submit it before, Alderman
16 Puente, and I thank you for giving me the opportunity
17 to submit it. I did a postcard survey prior to the
18 meeting on Thanksgiving. At that time, the residents
19 -- and I have the postcard surveys here to submit if
20 the Chair would like.

21 CHAIRMAN WITKOWIAK: Just the numbers.

22 ALDERMAN DAVIS: At that time, the people
23 with the addresses, four approved and 31 opposed, I
24 had also two letters in opposition that are included
25 here. With the ones with no addresses, one approved

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1 and seven opposed. And how many people attended the
2 meeting? On November 24th, 23 people, and on January
3 20th when we had another meeting, 17 people attended.
4 So we've had extensive discussion, and that's the
5 results that you have, and I would hope that you would
6 support not only the community but --

7 ALDERMAN PUENTE: How many did you put out
8 there with the postcard survey?

9 ALDERMAN DAVIS: Postcard survey, I think I
10 did approximately maybe 200 or 300.

11 ALDERMAN PUENTE: Thank you. Thank you, Mr.
12 Chair.

13 CHAIRMAN WITKOWIAK: Any other questions?
14 Do you have anything further to add for your clients?

15 MR. SCHIRO: No.

16 MR. CAMERON: There's only one thing I want
17 to say to the committee. We didn't know about the
18 meeting last night. The only way we knew, it was Mr.
19 Cornell's mother or a relative in the neighborhood
20 told us about the meeting that was going on. So we
21 talked to Mr. Stallworth and said we should go and
22 attend, and that was agreed, so that's why we were
23 there so that we had an opportunity to speak to the
24 group and let them know exactly what their intentions
25 were.

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1 CHAIRMAN WITKOWIAK: Anything further?

2 ALDERMAN DAVIS: Mr. Chairman.

3 CHAIRMAN WITKOWIAK: Alderman Davis.

4 ALDERMAN DAVIS: Here's the issue as far as
5 misinformation. I have an e-mail that I prepared for
6 the committee. When Counsel says that he was not
7 contacted for this meeting, it was clearly Ms. Rock
8 sent me an e-mail inviting me to the meeting,
9 contacted my office for Mr. Thomas's number, and I'm
10 pretty sure her testimony will say that she called Mr.
11 Thomas to attend this meeting. I have an e-mail right
12 here for the committee members.

13 CHAIRMAN WITKOWIAK: Anything further? This
14 matter is in committee.

15 ALDERMAN BOHL: Mr. Chairman.

16 CHAIRMAN WITKOWIAK: Alderman Bohl.

17 ALDERMAN BOHL: I can say that in two
18 occasions that I've seen nothing from either applicant
19 other than to say that they've always conducted
20 themselves here before this committee with dignity.
21 It was appreciative of Counsel here at the last
22 meeting to allow some residents to come forward and
23 testify. It seems to me that these gentlemen
24 certainly want to run a good place without issue of
25 concern.

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1 However, I do have some concerns about
2 whether or not there were some operations going on
3 here, the circumstances surrounding that. I don't
4 gather that necessarily all of this came to the
5 forefront. I think that at some point they have a
6 relationship not unlike a previous application in
7 Alderman Wade's district in which one gentleman would
8 have been the primary owner and kind of been long-time
9 friends and didn't see it necessarily as a
10 partnership, but it was a partnership, and they tried
11 to come forward to rectify that.

12 But the one thing that I can say is I've
13 been on this committee now for about five years, and
14 the one thing that I can tell you that speaks to
15 potential disaster is where you have a licensed
16 location where there's not sufficient parking in an
17 area. Alderman Davis is correct about The Maze. That
18 was a club where there were a lot of folks there, and
19 there was not sufficient parking, and what happened,
20 unfortunately when people have a few drinks, they
21 don't act like they would when they're going to
22 church. It tends to bring out the worst in people,
23 they act foolish. Same was true of Daddio's in the
24 13th Aldermanic District. It was an area that was
25 primarily surrounded by residential where there was

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1 very little if no parking, and the majority, the brunt
2 of problems of people that had too much to drink was
3 born out on the adjacent residential area. The same
4 was true with another club -- I'm forgetting the name
5 of it -- that was in the 1st District off of Teutonia,
6 I believe, it was a sports bar, and again, not
7 sufficient parking, corresponding littering, traffic,
8 parking problems, loud noise with people who are
9 obnoxious after they had their beverages and
10 oftentimes unfortunately in excess.

11 I gather that that may be a situation that
12 holds true of this location. Some of the locations in
13 the City of Milwaukee, it's just true that when we
14 look at south side neighborhoods where we see three
15 bars on a block, just because 20 years ago, 50 years
16 ago, and 80 years ago that that neighborhood sustained
17 the fact that there were a lot of factories around
18 there, and everybody went for one or two on the way
19 home from work, all the guys had a beer or two before
20 they stopped at home and the wife had dinner on the
21 table doesn't mean that those neighbors have to
22 sustain that same semblance of three bars on a block
23 50, 40 years after the fact. There are times when the
24 necessity of change brings upon a decision in which we
25 should look at the appropriateness of a location.

00049

1 The unfortunate thing is I don't have all
2 the answers here, but I do have enough concerns to say
3 that there is potential with this location that there
4 would be the overflow that would contain a
5 neighborhood and that we could and would see problems
6 with that. And so due to the sheer neighborhood
7 objections to loitering, noisy patrons, traffic and
8 parking problems, and potential conduct detrimental to
9 the health, safety, and welfare of the neighborhood, I
10 would move for denial of this application.

11 CHAIRMAN WITKOWIAK: The motion of Alderman
12 Bohl is to recommend denial of this application based
13 on items he stated as listed in the notice. Is there
14 any discussion on the motion?

15 ALDERMAN WADE: Mr. Chair.

16 CHAIRMAN WITKOWIAK: Alderman Wade.

17 ALDERMAN WADE: On the motion; these
18 gentlemen have already expressed that they have 35
19 parking spaces on their premises, may be debatable.
20 There are several businesses in that area. They have
21 expressed that they would not open their business
22 until after those businesses close so they can utilize
23 the parking space that's available on the streets in
24 this area.

25 All of the complaints that we've heard about

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1 this establishment was about the previous ownership
2 and the previous establishment. We haven't heard
3 anything negative. We heard that they had a party
4 there, the police checked it out, we got documentation
5 from the police saying that -- Everybody heard what
6 the testimony was. These gentlemen here haven't done
7 anything wrong, they haven't had problems from their
8 establishment. Parking is a concern all throughout
9 the city. Parking is a concern downtown, parking is a
10 concern on the east side, parking is a concern on the
11 south side, parking is a concern in several
12 businesses, not only liquor establishments, regular
13 businesses, hair salons, corner grocery stores in my
14 district, in everybody else's district that's a Common
15 Council member.

16 To say that what happened at the biker bar
17 is going to go on at these gentlemen's bar is a
18 stretch. These are businessmen, they're
19 entrepreneurs. Not only do they bring a place where
20 people can go and enjoy themselves, they also give an
21 opportunity for people to have employment, to have a
22 job. If we give these gentlemen a license, that's not
23 in gold, that don't mean we can't take it back, that
24 don't mean we can't revoke it for a certain amount of
25 days; that means we giving them an opportunity to make

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1 good on what their word is. If they don't do that, we
2 have the opportunity to go back and make some
3 adjustments.

4 I have a serious problems with trying to
5 deny these gentlemen an opportunity to be
6 entrepreneurs based on parking and some of the other
7 concerns. We have bars throughout our districts, we
8 have bars next door to churches, one gentleman lives
9 upstairs from the bar, and we had issues with the
10 business next door. We saw fit to give them their
11 license. Same type of concerns.

12 I think these gentlemen deserve be a
13 opportunity, and I think if they don't conduct
14 themselves in a fashion that we expect them to, then
15 they will be back in front of this committee and at
16 that time we can issue some type of disciplinary
17 measure, but to not give them an opportunity, in my
18 estimation, that's a travesty.

19 CHAIRMAN WITKOWIAK: Thank you. Any further
20 discussion on the motion? The motion by Alderman Bohl
21 is to recommend denial based on neighborhood
22 objections and items contained in the notice. Please
23 call the roll.

24 THE CLERK: Alderman Bohl.

25 ALDERMAN BOHL: Aye.

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THE CLERK: Alderman Puente.
ALDERMAN PUENTE Aye.
THE CLERK: Alderman Wade.
ALDERMAN WADE: No.
THE CLERK: Mr. Chair.
CHAIRMAN WITKOWIAK: Aye.
THE CLERK: Motion is approved three to one.
MR. SCHIRO: Thank you.
* * *

00053

1 STATE OF WISCONSIN)
2)
3 MILWAUKEE COUNTY)

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5 I, TERESE M. SCHIEBENES, of Milwaukee
6 Reporters Associated, Inc., 5120 West Blue Mound Road,
7 Milwaukee, Wisconsin 53208, certify that the
8 foregoing proceedings is a full and complete
9 transcript of my stenographic notes taken in the
10 foregoing proceedings.

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TERESE M. SCHIEBENES
Certified Shorthand Reporter

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Dated this day of , 2005.

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