

00001

1

CITY OF MILWAUKEE

2

UTILITIES & LICENSES COMMITTEE

3

* * * * *

4

In the Matter of:

5

MICHAEL LEE, Agent, I-43 Incorporated, Class "B" Tavern
renewal application for "Judge's Irish Pub" at 1431 East
North Avenue.

7

* * * * *

8

9

COMMITTEE MEMBERS

10

Ald. James Bohl, Jr. - Vice Chairman

11

Ald. Joseph A. Dudzik

12

Ald. Robert Puente

13

Ald. Willie Wade

14

15

16

17

DEPARTMENT OF NEIGHBORHOOD SERVICES by PANDORA BENDER

18

HEALTH DEPARTMENT by OSCAR L. BOND

19

LICENSE DIVISION by REBECCA BARRON

20

POLICE DEPARTMENT by SERGEANT JOHN HOGAN

21

OFFICE OF THE CITY ATTORNEY by EDWARD EHRLICH

22

Proceedings had and testimony given in
the above-entitled matter, before the UTILITIES &
LICENSES COMMITTEE OF THE CITY OF MILWAUKEE, on
the 21st day of January, 2005, reported by Donna
Gulczynski of Milwaukee Reporters Associated, Inc.

23

24

25

00002

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

P R O C E E D I N G S

(NOTE: All City Personnel Were Sworn Under Oath Prior to These Proceedings.)

VICE CHAIRMAN BOHL: Also in the 3rd District and the last item on our morning agenda is for Michael Lee, agent for I-43 Incorporated, Class "B" tavern renewal application for Judge's Irish Pub at 1431 East North Avenue. Good morning, Mr. Lee. And you are represented by?

MR. GERMANOTTA: Attorney John Germanotta.

VICE CHAIRMAN BOHL: Thank you, Mr. Germanotta. And Mr. Lee, we'll swear you in (Whereupon Mr. Lee was sworn under oath.)

VICE CHAIRMAN BOHL: Mr. Lee, I need to ask you if you acknowledge receiving notice of today's meeting with the possibility that your application could be denied. There is an attached police report as well as a neighborhood objection to loitering, littering, parking and traffic problems, public urination, damage to private property, loud music and noise, and conduct which is detrimental to the health, safety and welfare of the neighborhood.

MR. LEE: I do.

VICE CHAIRMAN BOHL: Health Department?

MR. BOND: No objection.

00003

1 VICE CHAIRMAN BOHL: Department of
2 Neighborhood Services?

3 MS. BENDER: No objection.

4 VICE CHAIRMAN BOHL: Sergeant Hogan?

5 SERGEANT HOGAN: I'll begin with Item 13 as
6 incidents that have occurred in this past licensing
7 period.

8 On August the 7th of last year, an officer
9 was keeping an eye on the Judge's Irish Pub regarding
10 patrons leaving the tavern and creating a disturbance.
11 At about 10:35 p.m., the officer observed a patron
12 leave the tavern and walk across southbound on
13 Cambridge Avenue and urinate on the side of Judge's
14 tavern. At 11:40 p.m., he observed a patron leave
15 the tavern and walk south into the walkway next to
16 2211 North Cambridge where he began to urinate. Both
17 of these individuals were issued citations.

18 On September the 24th of last year at about
19 1:50 in the morning, an officer on patrol was flagged
20 down by a citizen who reported a person urinating on
21 the lawn at 2260 North Cambridge. The officer stopped
22 the subject. The subject told him he had just left
23 Judge's Irish Pub, and this individual was issued a
24 citation.

25 On September the 24th at an unknown time,

00004

1 an officer observed a subject leaving Judge's Irish
2 Pub who walked to the southeast corner, approximately
3 20 feet from the tavern entrance, and urinate into
4 the street. He was also in possession of an open
5 intoxicant he carried from the premises, and was
6 issued a citation for disorderly conduct and removing
7 an intoxicant from a Class "B" premise in the original
8 container.

9 On September the 25th of last year, about
10 2:15 a.m., officers observed a patron exit the tavern.
11 This individual is indicated in the report as having a
12 staggered gait and a loss of balance, and he had to
13 hold on to buildings and street signs to keep his
14 balance. The individual stated that he was
15 intoxicated and was served approximately 10 to 12
16 alcoholic drinks.

17 While investigating this incident, the
18 officer observed another patron exit the tavern with a
19 bottle of intoxicating beverages, a beer, and he was
20 observed coming from the tavern.

21 And then another patron was observed leaving
22 the premises -- it says the Dunbar exit; whatever that
23 is, I don't know, -- and walk across the street to
24 the southeast of North Avenue and urinate in front of
25 a North Avenue address. This individual was cited for

00005

1 disorderly conduct, and the bartender was issued
2 citations for sale to intoxicated person and Class "A"
3 liquor consumed off premises. As you recall, the
4 bartender was here just the other day on that matter.

5 VICE CHAIRMAN BOHL: The bartender was here
6 on what is listed as Item No. 2. I don't remember
7 there being public urination. I thought there was a
8 citation for --

9 SERGEANT HOGAN: The bartender was here as
10 the responsible person for sale to intoxicated person
11 and permitting the person to walk off the premise.

12 VICE CHAIRMAN BOHL: To walk off the
13 premise.

14 SERGEANT HOGAN: Yes.

15 VICE CHAIRMAN BOHL: And what's listed under
16 three here, Sergeant Hogan, correct me if I'm wrong,
17 you're indicating that that is another incident on
18 September 25th?

19 SERGEANT HOGAN: That's the way I read it,
20 yes.

21 VICE CHAIRMAN BOHL: Thank you. Before we
22 get to questions by committee, Mr. Germanotta, I'm
23 going to allow you or your client to respond to any of
24 these incidents that are mentioned in the police
25 report.

00006

1 MR. GERMANOTTA: Fine. With respect to the
2 August 7th incident, the first time the applicant was
3 made aware of this incident was with this notice.

4 With respect to the September incident, as
5 I'll bring out later, he has a camera attached to the
6 outside of the building to identify anybody who leaves
7 and violates any rules, so that they can be banished,
8 and they have been banished. And I have a picture of
9 that camera and some of the internal cameras that are
10 used that I would like to submit to the committee for
11 their review.

12 VICE CHAIRMAN BOHL: How many photographs do
13 we have in the entirety?

14 MR. GERMANOTTA: There are three in
15 connection with the camera, and there are numerous
16 others -- you might as well take them now, -- in
17 connection with signage that he uses to try and quell
18 any neighborhood parking problems.

19 VICE CHAIRMAN BOHL: Before you proceed,
20 Alderman Wade would move to make these photographs
21 submitted as part of our record. Hearing no objection
22 to that, so ordered. Please go on.

23 MR. GERMANOTTA: The September 24th
24 incidents again relate to people doing things outside
25 the tavern. As soon as we can identify them, -- We

00007

1 would try to identify them by looking at the tapes to
2 see who these people are, and they will be banished,
3 as people have been before and will in the future for
4 this activity.

5 The September 25th incident has not come to
6 court, and so I'm hopeful that that will not be used
7 in any way here.

8 I would relate though in general that this
9 operation has been at this location 17 years. By my
10 count that's over 62 hundred days it's been in
11 operation. Its record, I think, is an outstanding
12 one. You'll see nothing for violence, you'll see no
13 noise ordinance violations, you'll see no fights. I
14 don't think you'll see any neighborhood objections
15 today. He has a record of being there a long time and
16 accommodating everyone. I'm confident we'll have
17 support from the alderperson, and you already do have
18 on file a letter from a neighborhood association, from
19 Mr. Jim Plaisted, who was formerly Alderman D'Amato's
20 aide and now works for the East Side BID and East Side
21 Association. I have copies of his letter here. I
22 thought maybe he would send it to Chairman Witkowiak
23 since --

24 VICE CHAIRMAN BOHL: I didn't have it in my
25 book. I don't know if other members have it.

00008

1 MR. GERMANOTTA: Okay. I would like to
2 submit that also. So the association is aware of the
3 long history here, and --

4 VICE CHAIRMAN BOHL: Mr. Germanotta, just so
5 you're aware, I will accept that, but I just want to
6 imply that that is hearsay evidence as well, too, as
7 long as Mr. Plaisted is not here to provide that. As
8 much as I like Mr. Plaisted, and he's a virtual
9 neighbor of mine, I trust that, but -- And Alderman
10 Puente will move to make a copy of this letter part of
11 our record.

12 MR. GERMANOTTA: Yes. We were hoping he was
13 going to be here today, but he had other commitments.

14 VICE CHAIRMAN BOHL: I'm just going to say
15 that it's taken for what it's worth, and it's a piece
16 of paper with no signature on it. Again, not to
17 distrust what you're stating here, but we'll just
18 allow you to proceed forward at this point here.

19 MR. GERMANOTTA: All right. I'd like
20 these things to be taken in the totality of the
21 circumstances and the background here, because Mr. Lee
22 has a reputation for being extremely attentive to the
23 concerns of the neighbors. Last year, for example,
24 in 2004, he met at a housing unit down the street with
25 neighbors, with the alderperson, with police, to take

00009

1 care of their concerns. I think he's completed that.
2 I don't see anybody here objecting.

3 In March he received a complaint. He has
4 these tapes of everybody that enters and leaves on
5 Cambridge. He took it to the police station. The
6 alderman was there, the police were there. They found
7 nothing.

8 In April he had another meeting at Judge's
9 with the neighborhood group and the alderman to again
10 review any issues. He's had really no complaints
11 since about that time. So I think he has a history of
12 being a long-term good neighbor.

13 He bought the house next door, he bought the
14 house across the street, to provide a buffer. He has
15 his camera system that identifies everybody who comes
16 in, everybody who walks down the street. He has
17 employees, after the premises closes every night, that
18 walk down the street to pick up litter. He has
19 employees that 45 minutes after before closing walk
20 down the street to see if there's any problems, people
21 urinating, doing anything else that's improper.

22 He has substantial signage that you'll be
23 seeing all around the building, "Please don't park on
24 Cambridge to bother neighbors. Park here." All sorts
25 of signage that I don't think you've probably seen at

00010

1 any other place. So he has a reputation of being very
2 sensitive to neighborhood concerns and will always
3 continue that way.

4 I'd also like to circulate a little diagram,
5 and I do this just to give you the whole picture and
6 not just emphasize these recent citations, none of
7 which were given to him, but I think you're concerned
8 about.

9 I have a diagram here that I'm going to
10 circulate showing that he's located on a corner that
11 has recently had some changes. Across the street from
12 Judge's there's a place called The Node. The Node is
13 open 24 hours. Tons of activity, tons of traffic of
14 all ages. We have witnesses here to establish that.
15 That's new. That's adding to the congestion in the
16 neighborhood.

17 There is a tavern called RC's around the
18 corner. It was closed for a couple years and now
19 reopened. People drink there, drive, et cetera.
20 The Open Pantry has recently become open 24 hours.
21 There's a lot to look out for in this neighborhood,
22 and no one is doing it like Mr. Lee is doing it.

23 So, a couple people may have come out with
24 too much to drink and urinated. As soon as he finds
25 out their names, as I say, he will, because he has in

00011

1 the past and will again in the future, banish those
2 people.

3 So you have a person here who has not an
4 absolutely perfect record, maybe none of us here do,
5 but in light of 17 years, I think he's demonstrated
6 tremendous effort to be a good citizen. So I ask you
7 to take into consideration the entire background, what
8 he's done, what he's invested, what he's accomplished,
9 and not let these recent instances stand in the way of
10 any continuation of this license.

11 VICE CHAIRMAN BOHL: Thank you. Are there
12 any questions? First, before we proceed with that,
13 Alderman Dudzik would move to make this diagram map
14 part of our record, and hearing no objection to that,
15 so ordered. Questions by committee relating to items
16 in the police report?

17 ALDERMAN PUENTE: Mr. Chair.

18 VICE CHAIRMAN BOHL: Alderman Puente.

19 ALDERMAN PUENTE: What did you do with your
20 manager? I know he got cited for this and that. What
21 if any discipline or instructions did you give your
22 manager?

23 MR. LEE: As of this time nothing, because I
24 reviewed the tape, and when the guy walked out the
25 door, whoever this guy was, he did not -- no one was

00012

1 walking out with a beer bottle or anything like that.
2 Now, when he got outside, you know, he pulled it out
3 of somewhere, and the police were right on the corner
4 there, so we're not disputing that this guy took the
5 beer out of Judge's.

6 We have a doorman at the door checking
7 people when they leave to make sure they're not taking
8 any glass out of anything, you know, plastic or
9 whatever. And nothing showed on my tape, so the guy
10 somehow snuck it out.

11 As far as the intoxicated person goes, the
12 police wouldn't give me the guy's name, so I can't
13 tell when he came in. When I know that, when we go to
14 court and we can get that discovery, I can look up on
15 my video system and find out what time the guy came
16 in, and then I can take measures.

17 ALDERMAN PUENTE: On the tape with the first
18 incident you mentioned, does it show the individual
19 bringing out any type of intoxicant?

20 MR. LEE: No, no. There was nothing. He
21 hid it somewhere, and then he got outside and started
22 drinking.

23 ALDERMAN PUENTE: But you can't see that on
24 the tape, so then you don't know that.

25 MR. LEE: Well, the police arrested him for

00013

1 that.

2 ALDERMAN PUENTE: Right. But you saw none
3 of that.

4 MR. LEE: Correct. On my tape I saw none of
5 that, that's correct.

6 ALDERMAN PUENTE: That's what I'm asking.
7 Thank you.

8 MR. LEE: You bet.

9 VICE CHAIRMAN BOHL: Other questions by
10 committee? I do have a question for Sergeant Hogan.
11 When we see Item No. 13, clearly a citation was issued
12 for disorderly conduct to someone who described
13 themselves as a patron leaving this establishment and
14 urinating somewhere in the immediate vicinity.

15 The counsel for Mr. Lee has indicated that
16 Mr. Lee was never aware of this situation. When a
17 citation is issued to an individual, if there is a
18 corresponding PA-33 that is made out, is it the normal
19 nature to then forward to the licensed applicant a
20 copy of that, or is that something that may not be
21 unusual here?

22 SERGEANT HOGAN: I think if I understand
23 your question, do they get a copy of the so-called
24 tavern report?

25 VICE CHAIRMAN BOHL: Correct.

00014

1 SERGEANT HOGAN: No. They get that through
2 open records request. I don't send it to anybody.

3 VICE CHAIRMAN BOHL: So what could happen is
4 somebody could walk out of an establishment, be cited
5 for activities right in the immediate vicinity,
6 because it's in the area where they could be out in
7 the back in the alley, they could urinate, be cited
8 for it, and it could go on the tavern report because
9 the officer could determine that it would be
10 substantially related to the licensed premise and the
11 location, but it's not a -- What you're saying is it
12 may not be incorrect here as what's being stated that
13 he had no knowledge of that.

14 SERGEANT HOGAN: That's true.

15 VICE CHAIRMAN BOHL: That's a problem. You
16 know, because if you have a busy place, how are you
17 able to respond to a problem if you're not aware the
18 problem occurs until you show up before the committee?
19 Ouch.

20 SERGEANT HOGAN: Mr. Chair, if I may just
21 add to that, I think the bigger question to ask is is
22 it appropriate to take this into account. Now, the
23 officer can file that report or whatever he thinks is
24 appropriate. Whether this committee thinks it's
25 appropriate is entirely up to this committee. So

00015

1 give it whatever weight you desire.

2 VICE CHAIRMAN BOHL: Thank you. I concur
3 with that. I do want to clarify one measure here,
4 Mr. Germanotta. This committee does have a legal
5 right to take into consideration a pending charge.
6 Now, however much weight it does provide to that is
7 up to the discretion of the committee, but pending
8 charges are something that this committee can take
9 into consideration.

10 I do want to ask you one question because
11 you provided some photos, and I see that no doubt
12 there's -- I'm assuming that parking has been a
13 concern, and that you probably have some neighbors,
14 and you're trying your due diligence to try and direct
15 some of your customers to park in an area where
16 they're not overly burdening your neighbors.

17 You know, it occurs to me from seeing
18 several items on the police report that there are
19 some issues with public urination in and around the
20 facility. Mr. Lee, what have you done to try to stem
21 that? I know that there have been some issues in the
22 past and it may not be directly related to that, but
23 we did have a gentleman from some elderly housing on
24 previous occasions here that appeared before the
25 committee.

00016

1 MR. LEE: Forty-five minutes before bar
2 close on the busy nights, Thursday, Friday and
3 Saturday, I have someone outside. If it's real busy,
4 I call a couple people, and I put them right on
5 Cambridge Avenue about -- I'm going to say 50 feet
6 down from the tavern, and we keep trying to keep an
7 eye on everything, and they do the best they can.

8 I mean there's an unbelievable amount of
9 traffic around there now, so we do the best we can,
10 and if we see somebody that's attempting to do that,
11 we tell them, no, you can't do that, and you can't
12 come back in the bar.

13 VICE CHAIRMAN BOHL: Not only because you
14 have a fairly large-sized place, but there's also
15 other establishments, as the map would indicate, in
16 close proximity, so there's a lot of volume and
17 traffic.

18 MR. LEE: Yes.

19 MR. GERMANOTTA: I would just add that the
20 camera that's in the photo goes down Cambridge Street,
21 it views Cambridge. So that's another way of trying
22 to determine if there are problems down there. That
23 camera produces a picture inside the tavern that they
24 can watch to see if they can see anything develop.

25 VICE CHAIRMAN BOHL: You ought to put a sign

00017

1 that says if you're going to use our neighbors' lawns
2 to urinate, smile.

3 MR. LEE: We don't want to encourage
4 anything.

5 ALDERMAN PUENTE: I think he was joking.

6 VICE CHAIRMAN BOHL: That was joking. I do
7 want to see if -- Are there any neighbors here who are
8 here to testify in objection to this license?

9 MR. GERMANOTTA: These people that are left
10 in the room are all supporters; the employees that do
11 the surveillance we talked about, do the cleaning up,
12 we talked about, other neighbors who know of the
13 establishment and its reputation and how it polices
14 itself.

15 VICE CHAIRMAN BOHL: All right. I don't
16 want to -- I do want to get to them, and we'll get
17 them to shortly, but I do want to hear from Alderman
18 D'Amato first before we consider residential
19 testimony.

20 ALDERMAN D'AMATO: Thank you, Mr. Chairman.
21 Much of what you've heard is what I had intended to
22 say. Mr. Germanotta did correctly indicate the
23 meetings that we've had with Mr. Lee. I think we all
24 have taverns and situations like this in our district.
25 This is a very busy tavern on a busy commercial

00018

1 street, and it's directly adjacent to a residential
2 area that has a number of single-family homes.

3 Mr. Lee has worked with us to add additional
4 parking on the North Avenue Bridge to service his
5 customers. He has worked with us to empty his tavern
6 on the North Avenue side and not on the Cambridge side
7 which is the residential side. He puts up sandwich
8 boards telling people not to park on that street but
9 instead to park on North Avenue. He's tried to
10 acquire parking across the street in the gas station
11 to service his customers.

12 Just this year, as Mr. Germanotta has
13 indicated, we've had three meetings with the tavern
14 to talk about issues. We've actually sat down at the
15 police department with a crime prevention officer,
16 Bruce Scott, and reviewed the tapes with the neighbors
17 who had complaints on the nights that they've
18 complained. We've run through the tapes and looked at
19 how many people actually are going up and down the
20 street, and given the popularity of the tavern and the
21 other taverns in the area, there actually are very few
22 people who go down Cambridge compared to before those
23 actions were taken.

24 The neighbors continue to have complaints,
25 but again, the complaints are more the situation with

00019

1 the busy street and the neighborhood, and those
2 complaints are few and far between. When they are
3 made, Mr. Lee has made himself available, made his
4 tapes available, and has met with people to try to
5 take care of those situations. I think that the
6 bouncers going up and down the street have helped
7 tremendously.

8 I can tell you that there is -- I probably
9 have 110 licenses in my district. There isn't a
10 tavern owner or bar owner or restaurant owner who's
11 gone to greater lengths in taking their staff and
12 putting them outside to try to police the area, and I
13 think it has worked out pretty well.

14 As well, Mr. Lee has discontinued some
15 specials on some certain nights that had caused
16 problems in the past. And, again, although we have
17 one letter in the file from a neighbor who has not
18 appeared, I think that given the location and given
19 the type of tavern this is, that we don't have an
20 issue here. And if there are issues, as they come
21 up, they'll be taken up by my office and by Mr. Lee
22 as well.

23 VICE CHAIRMAN BOHL: Thank you. Questions
24 by committee of Alderman D'Amato?

25 ALDERMAN DUDZIK: Mr. Chair.

00020

1 VICE CHAIRMAN BOHL: Alderman Dudzik.

2 ALDERMAN DUDZIK: Alderman D'Amato, what is

3 The Node?

4 ALDERMAN D'AMATO: The Node is a 24-hour
5 cafe, coffee house.

6 ALDERMAN DUDZIK: Okay. Thank you.

7 VICE CHAIRMAN BOHL: Any other questions?

8 Mr. Germanotta, I do want to afford you the
9 opportunity to bring your individuals forward here
10 and provide testimony.

11 What we will do is we will swear you all in.
12 We would ask you if you are able, -- and I see one
13 woman who has crutches, so if you're not able, please
14 take a seat. If you are able, if you could take this
15 microphone here.

16 I'm going to ask you to be very brief in
17 your testimony. This is not testimony that we're
18 going to use against you. If at some point we hear
19 redundant testimony, something's that already been
20 stated, we would just ask that you substantially
21 concur with that which has already been stated. I
22 just don't want to get to the point where we hear
23 that Mr. Lee is the greatest guy in the world and has
24 the best burgers.

25 So, if you could all move to the front row,

00021

1 and when we get you all seated here, we'll have you
2 all raise your right hands and swear you in.

3 (Whereupon all witnesses were sworn under
4 oath.)

5 VICE CHAIRMAN BOHL: Sir, because you're
6 sitting here, we'll take you first. Your name and
7 address for the record, please?

8 MR. MEYER: My name is Charles Meyer, and I
9 live at 2069 North Cambridge.

10 VICE CHAIRMAN BOHL: Mr. Meyer, because
11 there's multiple ways to spell it, is it M-a-y-e-r or
12 M-a-i-e-r, or --

13 MR. MEYER: M-e-y-e-r.

14 VICE CHAIRMAN BOHL: Okay. Thank you.
15 Please proceed.

16 MR. MEYER: I've lived on Cambridge Avenue
17 now for about 13 years, and I've actually lived on the
18 east side of Milwaukee for the last 37 years, so I'm
19 very familiar with the trials and tribulations of
20 businesses and neighbors trying to get along with each
21 other on the east side of Milwaukee.

22 I worked for a period of time at the Open
23 Pantry, and I've dealt with Mr. Lee when I worked
24 there, and then I also have been an occasional patron
25 of Mr. Lee, so I've been at the tavern and observed

00022

1 what goes on. I've been on the street at various
2 times of the night and observed what goes on, and I
3 really believe that I have honestly never seen a
4 business that has done more to try to meet the
5 problems of trying to get along with the neighbors.

6 And this is one of those unique corners
7 where a very strong business district abuts onto a
8 very busy residential area, and Cambridge Avenue in
9 and of itself is a very busy street just because of
10 the fact that it's one of those back-street ways of
11 getting across town. So the traffic that comes down
12 that street is far beyond than just the businesses
13 on that street.

14 VICE CHAIRMAN BOHL: Thank you, Mr. Meyer.
15 Questions by the committee? Thank you for your
16 testimony, Mr. Meyer. Sir, we'll take you next.
17 Again, your name and address for the record. And if
18 you have a difficult name, would you spell it for the
19 record.

20 MR. GERMANOTTA: Mr. Chairman, would you
21 like me to do the questioning? Maybe I can get to
22 more of the important points.

23 VICE CHAIRMAN BOHL: I would prefer to hear
24 testimony from the individuals themselves here. If at
25 some point it becomes necessary, -- I mean we don't

00023

1 have anybody in objection. We don't want to prolong
2 this any longer than we have to.

3 MR. SCHULTZ: My name is J.J. Schultz,
4 S-c-h-u-l-t-z, and I'm head doorman at Judge's. And
5 just as they said before, 45 minutes before the end of
6 the night, we have somebody out on the corner, and we
7 have somebody down the street to try and prevent
8 people from doing things that are not necessary.

9 And as they said before, we also try and
10 watch the videotape that is to our side throughout
11 the night to make sure there aren't any problems. If
12 there are, we try to identify those people as soon as
13 possible, and we do not let them back in. I think
14 that's just about it.

15 VICE CHAIRMAN BOHL: Questions by committee?

16 ALDERMAN WADE: Mr. Chair.

17 VICE CHAIRMAN BOHL: Alderman Wade.

18 ALDERMAN WADE: So with your observation of
19 the camera and with you being out on the street, how
20 often -- how frequently do you actually have to deter
21 people from doing things like that? I mean would you
22 say that the general population gets the point, or --

23 MR. SCHULTZ: Yeah, for the most part
24 they get the point throughout the night, and we also
25 make an announcement at the end of the night to be

00024

1 courteous to our neighbors and to use our bathrooms
2 and not the neighbors' lawns or the sidewalk, things
3 of that nature, so not very often, I would say, we
4 don't have to deter people, but when it does happen,
5 it's quickly and quietly for the most part.

6 ALDERMAN PUENTE: Mr. Chair?

7 VICE CHAIRMAN BOHL: Alderman Puente.

8 ALDERMAN PUENTE: The incident on 9/25/04,
9 were you the doorman that evening?

10 MR. SCHULTZ: Was that when the man was
11 drinking outside?

12 ALDERMAN PUENTE: Yes.

13 MR. SCHULTZ: No, I was not there that
14 evening.

15 ALDERMAN PUENTE: All right. Thank you.

16 VICE CHAIRMAN BOHL: Other questions?

17 Mr. Germanotta, are there any questions you wanted to
18 ask?

19 MR. GERMANOTTA: Just one, Mr. Chair. There
20 have been cases where you've stopped people, got their
21 name, and they're not permitted to come in the tavern
22 anymore?

23 MR. SCHULTZ: Right.

24 VICE CHAIRMAN BOHL: Thank you, Mr. Schultz.

25 Sir?

00025

1 MR. WOLF: I'm Greg Wolf. I live at 2206
2 North Cambridge. And I also clean up there, and I
3 clean up the neighborhood four times a week. I go
4 down the street two blocks and back.

5 VICE CHAIRMAN BOHL: Mr. Wolf, you are hired
6 by Mr. Lee to do this then?

7 MR. WOLF: Yes, I am.

8 VICE CHAIRMAN BOHL: Anything else you want
9 to add?

10 MR. WOLF: No.

11 VICE CHAIRMAN BOHL: Questions by committee?

12 ALDERMAN WADE: Mr. Chair.

13 VICE CHAIRMAN BOHL: Alderman Wade.

14 ALDERMAN WADE: In your job do you find that
15 there's not a lot of people actually bringing bottles
16 or containers outside the bar? I mean do you --

17 MR. WOLF: I very rarely see that kind of
18 stuff outside the bar. It's mostly fast food garbage
19 and stuff of that nature.

20 ALDERMAN WADE: So you're not picking up
21 beer bottles and beer cans and things like that?

22 MR. WOLF: Very rarely. Most of the stuff
23 is like from the homeless and stuff like that.

24 VICE CHAIRMAN BOHL: And that's not to say
25 that somebody couldn't drink and bring something from

00026

1 their vehicle, or --

2 MR. WOLF: Yeah.

3 VICE CHAIRMAN BOHL: Because there's other
4 establishments in the general vicinity, and since
5 parking is at a premium, if you've got to park a block
6 away and you park in front of his establishment to go
7 across the street, it's not to say the customer is
8 going to his place necessarily or vice versa.

9 ALDERMAN PUENTE: Mr. Chair.

10 VICE CHAIRMAN BOHL: Alderman Puente.

11 ALDERMAN PUENTE: Real quick, what time of
12 day do you pick up?

13 MR. WOLF: Usually in the afternoon around
14 1:00.

15 ALDERMAN PUENTE: Thank you.

16 MR. GERMANOTTA: Mr. Chairman.

17 VICE CHAIRMAN BOHL: Mr. Germanotta.

18 MR. GERMANOTTA: To summarize then, Mr. Lee
19 pays you to clean the neighborhood for two blocks even
20 though almost none of the refuse there is as a result
21 of his tavern?

22 MR. LEE: That's correct.

23 MR. GERMANOTTA: Thank you.

24 VICE CHAIRMAN BOHL: Thank you, sir. Ma'am,
25 we'll take you next.

00027

1 MS. OSBORNE: My name is Carol Osborne. I
2 also live at 2206 North Cambridge. I lived next door
3 for 15 years next to the bar, and now I live across
4 the street, and I am raising my grandchildren.
5 They're school age. Trust me, if there's any noise,
6 I'm the first one to go to Mr. Lee and tell him, and
7 I'm also a light sleeper. If there's any noise, I get
8 up, it's a two and a half story building. I can see
9 all over. I know when there's something going on at
10 Judge's.

11 I can see across North Avenue to where the
12 coffee shop is, and most of our problems are from
13 there. And in the alleys, since they paved that,
14 there's lots of skateboarders and lots of noise, and I
15 have a lot of problem with street people urinating in
16 my yard during the day in front of my grandchildren,
17 and there has been nothing from the bar. Since they
18 remodeled and added bathrooms, you hardly ever see
19 anyone outside urinating, so that's really helped.

20 Also, if I see a bottle outside, I tell my
21 son about it, and we know what Judge's sells, and a
22 lot of times if there is a bottle, it's something
23 that Judge's doesn't carry, so we know definitely it
24 doesn't come from the bar, and that's all I have to
25 say.

00028

1 VICE CHAIRMAN BOHL: Questions by committee?
2 ALDERMAN PUENTE: Mr. Chair.
3 VICE CHAIRMAN BOHL: Alderman Puente.
4 ALDERMAN PUENTE: If you had issues, -- Have
5 you ever had issues with Mr. Lee?
6 MS. OSBORNE: Oh, yeah, if there's noise.
7 ALDERMAN PUENTE: And how did he address
8 your issues?
9 MS. OSBORNE: He also owns the building
10 right next to us, and these young people have a band.
11 If after 10:00 they're making noise, Mr. Lee takes
12 care of it immediately. The music is off.
13 ALDERMAN PUENTE: In a different location
14 than his tavern?
15 MS. OSBORNE: Pardon?
16 ALDERMAN PUENTE: In a different location
17 than his tavern?
18 MS. OSBORNE: Yes, mostly definitely. So
19 trust me, my kids have to get their sleep, you know,
20 and I do watch for Mr. Lee, and I do talk to the
21 neighbors, you know, and I want to hear their
22 complaints, too, so I can relay them to Mr. Lee.
23 And trust me, I do. And if there's noise or something
24 going on, you know, the next day I'm on the phone.
25 ALDERMAN PUENTE: And he takes care of your

00029

1 concerns immediately?
2 MS. OSBORNE: Immediately.
3 ALDERMAN PUENTE: Thank you.
4 VICE CHAIRMAN BOHL: Thank you, Miss
5 Osborne. Anyone else? Sir.
6 MR. JENSON: Hello, I'm Marshall Jenson.
7 I can pretty much say the exact same things J.J. said.
8 VICE CHAIRMAN BOHL: Mr. Jenson, your
9 address for the record?
10 MR. JENSON: Oh, I'm sorry. 2900 North
11 Newhall Avenue.
12 VICE CHAIRMAN BOHL: You look awfully
13 familiar here.
14 MR. JENSON: You know, like they stated
15 before, 45 minutes before closing we always have
16 doormen outside making sure that if -- not necessarily
17 they don't have to deal with people urinating outside,
18 but more or less the nature that they do more often
19 is, hey, could you please be quiet for our neighbors,
20 respect them, because that is our number one issue
21 because -- I mean we have to get along with the
22 neighbors, there's no doubt about that. We have the
23 surveillance that we have outside. I'm also, when
24 I'm behind the bar, checking occasionally to see if
25 there's anything going on.

00030

1 Cambridge is a really busy place, and
2 especially since Node opened, we've had a lot more
3 traffic on Cambridge Avenue than we ever did before.
4 And I've been working for Mike for about five years
5 now, and you can obviously tell the difference since
6 they moved in.

7 VICE CHAIRMAN BOHL: Just to clarify the
8 comments, you appeared before the committee just a few
9 days ago here.

10 MR. JENSON: That is correct, yes.

11 VICE CHAIRMAN BOHL: Questions by committee
12 of Mr. Jenson? Mr. Germanotta?

13 MR. GERMANOTTA: No, none.

14 VICE CHAIRMAN BOHL: Okay. All right.
15 Mr. Germanotta, I'm going to allow you any last-minute
16 comments you have before we take it into committee.

17 MR. GERMANOTTA: I don't want to be
18 repetitive here. I think it's obvious he's had a long
19 run at this place. He's taken extraordinary steps.
20 He has the support of his alderperson, neighbors. He
21 wouldn't have that support, he wouldn't have this
22 record, unless he was doing a lot of things right, so
23 I would ask that you do renew this license without
24 conditions.

25 VICE CHAIRMAN BOHL: Any last-minute

00031

1 questions by the committee? This matter is in
2 committee. Is there a motion?

3 ALDERMAN PUENTE: Mr. Chair.

4 VICE CHAIRMAN BOHL: Alderman Puente.

5 ALDERMAN PUENTE: I'm going to recommend
6 approval, not taking into consideration the cases that
7 are still pending as the cases before us. Again, we
8 have to find out what the disposition of those pending
9 cases are before ruling on them. However, I would
10 like to take those into consideration in the next
11 year.

12 Also, Item No. 13, seeing how the owner and
13 the police have acknowledged that there was a
14 likelihood that he didn't even -- wasn't even aware of
15 this incident, so I see just No. 14 as something to be
16 considered at this time. Based on that, I would
17 recommend approval.

18 VICE CHAIRMAN BOHL: The motion by Alderman
19 Puente is for approval of the licensed application,
20 and Mr. Lee, Mr. Germanotta, just so you're aware,
21 what he is indicating is that what is listed here on
22 the last page as three, that his decision is -- or his
23 motion for approval is not considering that item
24 because it hasn't been adjudicated. It would
25 potentially allow the committee to weigh any guilty

00032

1 findings during the next licensing period, so that is
2 an acceptable motion. Are there any -- Is there any
3 discussion by committee on that motion?

4 ALDERMAN DUDZIK: Mr. Chairman.

5 VICE CHAIRMAN BOHL: On the motion, Alderman
6 Dudzik.

7 ALDERMAN DUDZIK: I just want to point out
8 to all those in the viewing audience that this is just
9 another case, in my opinion, of what a reservoir of
10 goodwill can do for a business owner. I don't mean to
11 point out strictly liquor licenses, but I've seen this
12 on more than one occasion where a company has done
13 good work for an extended period of time, does run
14 into a situation where they have bad employees or a
15 streak of bad luck, and this committee sees fit to
16 allow the license to go forward, and that's my only
17 comment.

18 VICE CHAIRMAN BOHL: Okay. On the motion,
19 Alderman Wade?

20 ALDERMAN WADE: Yeah. On the motion I want
21 to congratulate Mr. Lee for doing such a good job for
22 such a long time, unlike a lot of people who come in
23 front of this committee. I've been to the bar several
24 times throughout my life; younger, mid, and while I'm
25 old, but it is a real nice establishment. It's a hot

00033

1 spot in Milwaukee, it's popular, and has been run very
2 professional for a long time.

3 I just like when people come to the
4 committee, and they do the things that's necessary
5 to get along with the residents. I mean I would
6 almost go as far as to say that you may even need to,
7 if you have any spare time, to write a book on "how
8 to" so we can advise people to purchase it. Well,
9 congratulations.

10 MR. LEE: Thank you very much, sir.

11 VICE CHAIRMAN BOHL: Before we take the
12 motion up, Mr. Lee, I just want to say I am going to
13 support the motion, although I won't necessarily go as
14 far as Alderman Wade. I mean we still have five
15 instances.

16 I think clearly, you know, we can say that
17 you are certainly doing some due diligence on your
18 part with cameras and the signage, and that's all
19 appreciated. At the same point, you do have a very
20 large establishment, and that area tends to draw a
21 younger crowd, and many people from the UWM area, a
22 lot of students.

23 You know, I see a number of items with
24 public urination. That's not even to guarantee that
25 every person is coming from your establishment,

00034

1 but as much as you do have the ability, I would
2 encourage you to continue to work on it. It's darn
3 shameful when people want to use the public street and
4 neighbors' lawns as a cesspool to relieve themselves.
5 And as much as you're doing, you know, I'd certainly
6 encourage you to continue to work at it, and so we
7 hopefully don't see any of those items come before us
8 in the future.

9 With that said, motion by Alderman Puente is
10 for approval of the licensed application to exclude
11 the last item that is still pending, and hearing no
12 objections to that, so ordered. It is 12:00. This
13 committee will be recessed until 1:30.

14 * * *
15
16
17
18
19
20
21
22
23
24
25

00035

1

2 STATE OF WISCONSIN)

) ss:

3 MILWAUKEE COUNTY)

4

5

6

I, DONNA GULCZYNSKI, of Milwaukee Reporters
Associated, Inc., 5120 West Bluemound Road, Milwaukee,
Wisconsin, certify that the foregoing transcript,
consisting of pages 2 through 35 inclusive, is a
full and complete transcript of the proceedings taken
in this cause.

10

11

12

13

14

15

16

17

Donna Gulczynski - Court Reporter

18

19

20

21

Dated this day of , 2005

22

Milwaukee, Wisconsin

