

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

CITY OF MILWAUKEE
COMMON COUNCIL - LICENSES COMMITTEE

IN THE MATTER OF THE APPLICATION FOR RENEWAL OF
CLASS B TAVERN, TAVERN AMUSEMENT AND CABARET-NIGHTCLUB
LICENSE BY: HABIB MANJEE, as Agent for
Ladybug Club, LLC and
618 Live On Water
622 North Water Street
Milwaukee, Wisconsin 53202

TRANSCRIPT OF PROCEEDINGS before the City of
Milwaukee Common Council Licenses Committee taken in the
above-entitled matter on Monday, November 8, 2011,
commencing at 10:27 a.m. and concluding at 2:01 p.m., in
Room 301-C of the City Hall, 200 East Wells Street,
Milwaukee, Wisconsin, reported by LAURIE A. JOHNSON, RMR,
Registered Professional Court Reporter, in and for
Milwaukee County and State of Wisconsin.

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

APPEARANCES

THE LICENSES COMMITTEE:

Alderman Jim Bohl, Chair
Alderman Milele A. Coggs, Vice-Chair
Alderman Ashanti Hamilton
Alderman Nik Kovac

ON BEHALF OF THE CITY OF MILWAUKEE:

Alderman Robert J. Bauman
4th District Alderman
City Hall, Room 205
200 East Wells Street
Milwaukee, WI 53202

COPY

414-286-3532 (phone)
414-286-3456 (fax)

Thomas D. Miller, Esq.
Assistant City Attorney
City Hall, Room 800
200 East Wells Street
Milwaukee, WI 53202

tmiller@milwaukee.gov
414-286-2601 (phone)
414-286-8550 (fax)

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

APPEARANCES (CONT'D)

On behalf of the City of Milwaukee (Cont'd):

Jay Anthony Unora, Esq.

Assistant City Attorney

City Hall, Room 800.

200 East Wells Street.

Milwaukee, WI 53202

junora@milwaukee.gov

414-286-2676 (phone)

414-286-2128 (fax)

On behalf of the Applicant:

David R. Halbrooks, Esq.

Attorney-at-Law

2924 East Lincolnwood Avenue

Milwaukee, WI 53211

dhalbrooks@msn.com

414-840-0228 (phone)

ALSO PRESENT: Attorney Michael Maistelman

Laurie A. Johnson, RMR, Court Reporter

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

I N D E X

| | |
|---|-------|
| WITNESSES TESTIMONY: | PAGE: |
| HABIB MANJEE: Examination by Chairman Bohl..... | 9 |
| PAUL MAC GILLIS: Direct Testimonial Statement..... | 21 |
| Cross-Examination by Mr. Halbrooks... | 30 |
| VIDEO PLAYBACK..... | 76 |
| NICHOLAS MERADO: Examination by Chairman Bohl..... | 78 |
| STEVE BASTING: Direct Testimonial Statement..... | 82 |
| Examination by Alderman Hamilton..... | 86 |
| Cross-Examination by Mr. Halbrooks... | 89 |
| DONALD ARENSON: Direct Testimonial Statement..... | 103 |
| Cross-Examination Mr. Halbrooks..... | 105 |
| HABIB MANJEE: Direct Examination Mr. Halbrooks..... | 116 |
| DVD PLAYBACK..... | 120 |

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

I N D E X (CONT'D)

WITNESS TESTIMONY: PAGES:

DONALD ARENSON: Further Cross by Mr. Halbrooks.....120

BETH NICHOLS: Direct Testimonial Statement.....123
Cross-Examination Mr. Halbrooks.....125

JOHN HALVORSON: Direct Testimonial Statement.....127
Examination by Chairman Bohl.....129
Cross-Examination Mr. Halbrooks.....131

NICHOLAS MERADO: Direct Testimonial Statement.....133
Direct Examination Mr. Halbrooks...141

HABIB MANJEE: Further Direct by Mr. Halbrooks.....143

DVD PLAYBACK.....146

HENNA MANJEE: Direct Testimonial Statement.....149

CLYDE DANGERFIELD: Direct Testimonial Statement....152

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

I N D E X

WITNESS TESTIMONY:

PAGES:

| | | |
|-----------------------------|-------------------------------------|-----|
| EARL POTTS: | Direct Testimonial Statement..... | 155 |
| | Examination by Alderman Hamilton... | 157 |
| BRENDA HARTWIG: | Direct Testimonial Statement..... | 158 |
| | Examination by Alderman Hamilton... | 159 |
| | Direct Examination Mr. Halbrooks... | 160 |
| REGGIE BROWN: | Direct Testimonial Statement..... | 161 |
| RUBEN COTTON: | Direct Testimonial Statement..... | 163 |
| JOHN BURKE: | Direct Testimonial Statement..... | 164 |
| | Examination by Mr. Hamilton..... | 165 |
| HOMER BLOW: | Direct Testimonial Statement..... | 166 |
| | Examination by Mr. Hamilton..... | 168 |
| JUSTIN COSTELLO: | Direct Testimonial Statement..... | 172 |
| (End of witness testimony.) | | |

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

INDEX (CONT'D)

PAGE

CLOSING STATEMENT BY ALDERMAN BAUMAN.....173

CLOSING STATEMENT BY MR. HALBROOKS.....180

MOTION TO RENEW WITH 30 DAYS SUSPENSION

BY ALDERMAN KOVAC.....189

MOTION FAILS.....196

MOTION TO RENEW WITH 20 DAYS SUSPENSION

BY ALDERMAN HAMILTON.....196

MOTION CARRIES.....196

STATEMENT BY MR. MILLER.....196

MOTION TO ADJOURN.....198

PHONETIC SPELLINGS/TRANSLATIONS (First occurrences) PAGE:

Mr. Pap.....19 Officer Klein.....99

Daisman Price.....32 Officer Lalinski.....99

Robert Hayes.....44 Clyde Dangerfield...152

Map.....47 Justin Costello.....172

Octavia Map.....48 call the chair.....198

Potato Brothers.....49

Matado.....78

Carmen Rogers.....96

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

CHAIRMAN BOHL: Our last licensing matter for this morning is for Habib Manjee, agent for Ladybug Club, LLC, Class B Tavern, Tavern Amusement, Cabaret-Nightclub renewal application, as agent for Ladybug Club, 618 Live On Water at 622 North Water Street.

MR. MANJEE: Good morning.

CHAIRMAN BOHL: Good morning. Mr. Manjee, do you have legal representation here?

MR. MANJEE: Yes.

MR. MAISTELMAN: I'll stay up here until Mr. Halbrooks shows up. I'll be like a place holder.

CHAIRMAN BOHL: We'll swear you in at this time here.

MR. MAISTELMAN: Don't answer any questions until your lawyer gets here.

He's not answering any questions until Mr. Halbrooks gets here.

UNIDENTIFIED: I'll go get him.

CHAIRMAN BOHL: We're going to swear you in.

1 THE CLERK: Do you solemnly affirm
2 under the pains and penalty of perjury in the
3 State of Wisconsin that the testimony you are
4 about to give is the truth, the whole truth and
5 nothing but the truth?

6 MR. MANJEE: Yes. I do.

7 HABIB MANJEE, having first affirmed to
8 testify the truth, the whole truth and nothing
9 but the truth, testified as follows:

10 * * * * *

11 EXAMINATION

12 BY CHAIRMAN BOHL: I'll need your name
13 and a mailing address for the record, please.

14 MR. MANJEE: My name is Habib Manjee.
15 My address is 618 North Water Street, Milwaukee,
16 Wisconsin, 53202.

17 CHAIRMAN BOHL: Thank you. Mr. Manjee,
18 do you acknowledge receiving notice of today's
19 meeting with the possibility that your
20 application could be denied? An attached police
21 report should have been part of the notice as
22 well as written correspondence received from the
23 licensing division regarding the application as
24 well as an outline of possible neighborhood
25 objections which could serve as a means for

1 denial?

2 MR. MANJEE: Yes, I do.

3 CHAIRMAN BOHL: Thank you. These are
4 all existing applications so we should have no
5 holds, correct?

6 MS. GRILL: That's correct.

7 CHAIRMAN BOHL: We have no sergeant for
8 the police report here. So -- and Mr. Manjee has
9 no attorney. Maybe they're having a smoke here
10 out in the hallway. So we're going to be in
11 recess here for just a moment.

12 (There was a brief recess.)

13 CHAIRMAN BOHL: This is resumption of
14 Common Council Licenses Committee.

15 Mr. Halbrooks, do you want to just
16 state your appearance here for the record?

17 MR. HALBROOKS: I am Attorney David
18 Halbrooks here on behalf of Mr. Manjee and
19 Club 618 Live, known as the Ladybug Club. You
20 already asked him if he had notice and
21 everything?

22 CHAIRMAN BOHL: Correct. Just for the
23 record, because I know there have been times
24 where you've stated some objections, do you wish
25 to do so, in terms of the notice?

1 MR. HALBROOKS: If I may, this would be
2 great. This would be a great time to do it.

3 CHAIRMAN BOHL: Mr. Halbrooks, did you
4 want to allow the police report or do you wish to
5 include that as part of the objection?

6 MR. HALBROOKS: I do have a couple of
7 things that are kind of new-fangled in terms of
8 the police report.

9 CHAIRMAN BOHL: What I wanted to state
10 and make certain that you are aware of here: I
11 am calling this a contested hearing; and, in
12 doing so here, we will allow 30 minutes for each
13 side. That particular portion here will include
14 opening -- up to and include your raising
15 objection. So I just want to make it known for
16 the record here, I will allow you to do that and
17 allow you the liberty of choosing to balance your
18 own time allotment here; but, in this being a
19 contested hearing, I want you to be aware.

20 MR. HALBROOKS: I appreciate that and I
21 remember that from the last time. If I just may,
22 though, one of the things that's difficult for me
23 in that posture is I can regulate my time and the
24 time from the club, but the citizens I don't.
25 For instance, the last time one person talked for

1 six minutes and very little of it was about the
2 issue.

3 So, if the Chair could help with that
4 or please just acknowledge that the citizens
5 aren't necessarily as cognizant.

6 CHAIRMAN BOHL: Sure.

7 MR. HALBROOKS: I will try to go with
8 all due speed so maybe it will give them some
9 discretion.

10 I'll go as quick as I can. I saw the
11 line on the police report starting at 41. What I
12 would like to add is that Item 41 was discussed
13 somewhat extensively last year. It wasn't on the
14 PA-33; but both Alderman Bauman and
15 representatives here, the aldermen asked
16 questions. I brought the transcript. I'm hoping
17 we can put that particular issue to rest based on
18 the fact that it not only was argued here,
19 Alderman Bauman specifically mentioned it went
20 from 18 to 19 violations and talked about it on
21 the floor of the Council so I would ask you for a
22 ruling to leave that one out this year.

23 ALDERMAN BAUMAN: Mr. Chair, I don't
24 recall that being the case.

25 MR. HALBROOKS: That's why I brought

1 the transcript.

2 ALDERMAN BAUMAN: Adjourn the hearing
3 and read the transcript.

4 MR. HALBROOKS: I have the transcript
5 where the security guards talked about the shots
6 going off, questions from Mr. Schrimpf,
7 questions from Alderman Kovac, Alderman Bauman
8 talked about it, the incidents, so I have -- I
9 can pass you up the transcript if you wanted to
10 take a quick look at it, but --

11 CHAIRMAN BOHL: Yeah, why don't you do
12 that?

13 The question's going to be, though,
14 Mr. Halbrooks, is whether or not -- whether or
15 not it was utilized by the Committee in its
16 finding.

17 MR. HALBROOKS: It was -- it was
18 definitely discussed. It was discussed by
19 Alderman Bauman. It was asked -- questions were
20 asked about shots fired from Alderman Kovac and,
21 again, it was used on the Council floor. So -- I
22 don't have that transcript, but it was brought
23 up; the security guards talked about it, and then
24 Alderman Bauman pounced on it.

25 ALDERMAN BAUMAN: It's not part of the

1 findings that I'm aware of.

2 CHAIRMAN BOHL: That's not at issue,
3 whether or not it's part of the findings.

4 ALDERMAN BAUMAN: Mr. Unora, City
5 Attorney, has something to add.

6 Mr. Unora: Jay Unora, Assistant City
7 Attorney.

8 CHAIRMAN BOHL: Mr. Unora, you're going
9 to have to hold on here.

10 MR. UNORA: Okay.

11 MR. HALBROOKS: Plus, I believe,
12 Mr. Arenson talked about hearing shots fired on
13 Halloween.

14 MR. MILLER: I don't think we should
15 focus too much on the hearing testimony from the
16 transcript. I don't have a copy of the findings
17 of the fact -- finding of fact; but, if it wasn't
18 in the MPD synopsis, which would have been what
19 the Committee adopted, I don't think the hearing
20 testimony is, you know, determinative.

21 CHAIRMAN BOHL: Mr. Miller, the key
22 would be more whether or not it was part of the
23 findings --

24 MR. MILLER: Right.

25 CHAIRMAN BOHL: -- whether or not it

1 was included in terms of their overall decision.

2 MR. MILLER: And I don't have that.

3 CHAIRMAN BOHL: And I don't either.

4 But what I will do at this point -- Is this an
5 additional copy?

6 MR. HALBROOKS: Yes.

7 CHAIRMAN BOHL: I will have Alderman
8 Kovac move to make the portions of the transcript
9 provided by Mr. Halbrooks part of the official
10 record. Hearing no objections, that's so
11 ordered.

12 I do not have a determination here as
13 to whether or not it was part of the findings. I
14 do not recall fully. I don't have any evidence
15 to say that it was and so I will -- I will
16 provide a ruling that Item No. 41 can be included
17 as part of this year's report and I will just
18 note your objection --

19 MR. HALBROOKS: Thank you.

20 CHAIRMAN BOHL: -- for the record.

21 MR. HALBROOKS: Secondly, I would pass
22 up a public records request we made to the police
23 department.

24 CHAIRMAN BOHL: And we'll have
25 Alderman Hamilton move to make this part of our

1 official record of this proceeding; and, hearing
2 no objection, that's so ordered.

3 MR. HALBROOKS: The request filed on
4 September 22nd requires all PA-33 tavern reports
5 for 622 Water Street. We've got a stack of
6 PA-33's which are referenced in the notice, but
7 there are three items in the notice: Item 43,
8 44, 46, which do not, were not provided and, yet,
9 somehow I'm here having to defend against them
10 and I would ask that those three be stricken
11 based on the lack of disclosure by the City that
12 somehow they don't turn them over but then write
13 them up in the synopsis.

14 CHAIRMAN BOHL: Mr. Halbrooks, I will
15 rule that those particular items can be utilized
16 for this individual hearing and I will note your
17 objection to that.

18 The reason for my ruling is that,
19 albeit your concern would appear to me to be one
20 over whether or not the police department
21 adequately responded to an open records request.
22 The police synopsis that you would have received
23 would have been sent to you, was acknowledged by
24 you and included those items, and that is the
25 statutory provision and required by law, is that

1 those items be provided to you with due time and
2 due notice and with your -- the -- the applicant
3 here did knowledge that.

4 So albeit I understand that you were
5 looking for additional information here in
6 advance, I would argue that that is a moot point
7 here given the fact that you were given adequate
8 notice of this police report based on statutory
9 requirements.

10 MR. HALBROOKS: The last thing is along
11 that same line, Item No. 49, the PA-33 was
12 provided to us but redacted all but the first
13 sentence, and so I would object to that Item 49
14 being used as well, everything except the first
15 sentence.

16 CHAIRMAN BOHL: And I will rule, again,
17 given what we have before us here, I will rule
18 that that be included but that your objection is
19 duly noted.

20 MR. HALBROOKS: Now, the notice itself
21 I have some issues with, with regard to the
22 neighborhood objections. Do you want to do that
23 later or do that now?

24 CHAIRMAN BOHL: Why don't you go ahead
25 and do that now?

1 MR. HALBROOKS: Okay. All right.
2 We're back to the boilerplate after a break of
3 several months, and I notice that the -- I'm on
4 the meeting notice dated October 27th, 2010; and
5 just reading neighborhood objections, also
6 written correspondence, one to four, received by
7 license division regarding this application:

8 Neighborhood objections to loitering,
9 littering; objections, loitering, littering, loud
10 music and noise, parking and traffic problems,
11 music and noise, parking and traffic problems,
12 drug and criminal activity, prostitution,
13 trespass, public urination, criminal activity,
14 prostitution, trespassing, public urination,
15 fights, shootings, vandalism, thefts, shootings,
16 vandalism, thefts, past history of --

17 So I'm not certain if the attempted --
18 the repetitiveness proves anything. So I would
19 suggest that all the repetitive be stricken, but
20 I've gone through the neighborhood objections
21 which were provided and now, since we're within
22 45 days of the expiration of the license, the
23 neighborhood objections are locked. And all I
24 find on Mr. Arenson's five E-mails are traffic
25 problems, public urination and vandalism. There

1 are literally no complaints for any of the other
2 things. I know, in the past, you checked with
3 Mr. Pap (phonetic); but I would ask that we check
4 with the City Clerk because we have no notice of
5 any of those neighborhood objections. And I
6 think, based on our past procedure, they should
7 be limited to those three actual neighborhood
8 objections.

9 CHAIRMAN BOHL: Notwithstanding the
10 repetitive nature of some of the language that's
11 in the notice, if it's mentioned once or twice,
12 it's mentioned. So, in addition to that, I'm
13 going to indicate that -- that my ruling will be
14 that the objection will stand as written; and,
15 notwithstanding the letter that you've provided
16 here, any items that are in the objection must be
17 testified to; otherwise, they are a moot point.
18 So I -- I will note your objection to that.

19 And I -- just for you -- the benefit
20 here, when I'm making my ruling here, I'm turning
21 the clock off. Just so you're aware, I'm not
22 counting that against your time here, Mr.
23 Halbrooks. I want to state that for the record.
24 Go ahead if you wish to respond.

25 MR. HALBROOKS: Mr. Chair, I just want

1 to put on here, this is in -- in opposite of what
2 your previous rulings have been over the past
3 several months; but I also want to point out that
4 the ordinance allows testimony for what's in the
5 notice; and, by allowing things that are in the
6 notice that weren't objected to, you're taking us
7 way off course here; and so there is no ordinance
8 that allows for this decision; and I just want to
9 point that out, that there are only three
10 neighborhood objections in Mr. Arenson's E-mails:
11 traffic, public urination and vandalism.
12 Anything beyond that that's testified to is not
13 fair game for this hearing.

14 CHAIRMAN BOHL: I appreciate that,
15 Mr. Halbrooks. I've had consultation with the
16 City Attorney's office; and it is due to that
17 consultation and the interpretation of the City
18 Attorney's office as relayed to me, and that's
19 where my ruling will come from.

20 Okay. Is there anything else that you
21 wish to add at this point in terms of the notice?

22 MR. HALBROOKS: No. No, but I just saw
23 you giving your ruling and leaving the green
24 light on.

25 CHAIRMAN BOHL: I also gave you 45

1 seconds earlier in which I started it -- you
2 know, I gave you the stop, went to reset and I
3 didn't. Okay. I'm off that 45 seconds. You're
4 at 25, 51; I'll round you off at 26. So I'll
5 give you in additional 9 seconds here.

6 MR. HALBROOKS: May I just clarify that
7 the police report -- going through response, the
8 police report doesn't count.

9 CHAIRMAN BOHL: Correct. It doesn't.
10 I'll hit you at 26, but that's fine. Go ahead,
11 Sergeant.

12 PAUL MAC GILLIS, having first affirmed
13 to testify the truth, the whole truth and nothing
14 but the truth, testified as follows:

15 * * * * *

16 DIRECT TESTIMONIAL STATEMENT

17 BY SERGEANT MAC GILLIS:

18 I'll start with 41. On 11-1-2009 at
19 2:11 a.m., Milwaukee police were dispatched to
20 618 North Water for a subject-with-a-gun
21 complaint.

22 Upon arrival, officers observed several
23 subjects in handcuffs next to an auto, along with
24 the Wisconsin State Patrol officers and security
25 from 618 Club standing in the middle of the

1 street in front of the tavern. Officers also
2 observed several patrons entering and exiting the
3 club, screaming and causing disturbance. Due to
4 large crowd and lack of additional squad cars,
5 the scene was slow in being controlled.

6 Officers began to speak with the State
7 Patrol who advised them that they received a call
8 regarding shots being fired and a description of
9 an auto involved. Upon the arrival, they
10 observed the car and recovered a 9-millimeter
11 pistol which was located under the front
12 passenger seat and placed all occupants in
13 custody. While the State Patrol was attempting
14 to investigate, security from the club interfered
15 with the troopers who were attempting to conduct
16 a high-risk traffic stop. The troopers
17 repeatedly asked security to stay back and were
18 unable to identify where all the occupants were
19 seated, except for the driver, hindering the
20 investigation.

21 Milwaukee officers spoke to
22 Habib Manjee, along with security guards for the
23 club to determine what occurred. Manjee was not
24 able to give any accurate details of the incident
25 nor was he able to describe the individuals who

1 were fighting or where the shots came from.

2 Officer spoke to the driver who denied
3 knowledge of the gun being in the car. The
4 driver stated he was at the club to pick up women
5 and that all of sudden a large fight erupted and
6 then he ran from the club because he was scared
7 due to being shot in the past. The driver
8 further stated he ran to his car when three males
9 asked for a ride to their auto and got in. The
10 driver stated he began to accelerate when he was
11 stopped and pulled out of the car by security and
12 cops.

13 The other occupants were interviewed
14 and denied having any knowledge of the pistol in
15 the auto. No one on the scene appeared to be
16 injured or shot, and no reports of any gunshot
17 wound victims came in from area hospitals. The
18 gun was placed on inventory.

19 Item 42. On 11-28-2009 at 1:25 a.m.,
20 Milwaukee Police were flagged down by Ladybug
21 security for trouble-with-subject complaint.
22 Security Guard Jonathan Howard stated a patron in
23 the club had just been removed for causing a
24 disturbance and that he was threatening to beat
25 up Howard and to come back with a gun and shoot

1 up the club. Howard stated he feared for his
2 safety.

3 Officers spoke to the actor, who stated
4 he was kicked out of club but denied making any
5 threats. A citation was issued to the subject
6 for disorderly conduct.

7 Item 43. On 2-5-2010, at 11:43 AM,
8 Milwaukee Police were dispatched to 622 North
9 Water Street for a fight complaint. Officers
10 observed a fight on the sidewalk. An
11 investigation found that one of the subjects was
12 a patron inside the club prior to the fight.

13 Item 44. On 2-6-2010 at 1:43 AM,
14 Milwaukee Police observed a Club 618 security
15 trying to break up a fight in front of the
16 Ladybug Club. The crowd began to gather, and
17 other fights began to break out. Additional
18 officers were called to the scene to help restore
19 order. A total of six patrons were cited for
20 disorderly conduct and fighting. One other
21 subject was arrested on warrants.

22 Item 45. On 2-7-2010, at 1:00 a.m.
23 until 2:30 a.m., Milwaukee Police monitored club
24 activity, during this time, with one minor
25 altercation. The incident was videotaped and

1 placed on inventory.

2 Item 46. On 2-21-2010, at 11:30 p.m.,
3 Milwaukee Police Officer -- a Milwaukee police
4 officer, while on patrol, observed a large amount
5 of vehicular traffic clogging the intersection of
6 Michigan and Broadway. The officer also observed
7 several subjects hanging out of vehicles and
8 heard an unnecessary number of horns being honked
9 for no apparent reason. The officer also heard
10 the unnecessary revving of engines --
11 correction -- unnecessary revving of vehicles'
12 engines and observed a large amount of people
13 standing in the street. Shortly after, the
14 officer then observed several people fighting
15 while other subjects gathered and cheered on.
16 The incident was captured on video by a citizen
17 and it was placed on police inventory. More
18 squads were called to help and -- with crowd
19 control and several citations were issued for
20 assault and battery.

21 As patrons were observed leaving
22 618 Live, they would enter cars and generally
23 drive around in circles around the block.
24 Officers conducted a follow-up at 618 Live and
25 spoke to Manjee. Manjee was irate when

1 questioned by officers regarding the activity
2 that was occurring in and around the club. A
3 citation was issued to Manjee for disorderly
4 conduct by patrons. The citation was not found
5 in the Municipal Court system.

6 On 2-27-2010, while on patrol,
7 Milwaukee police officers were flagged down by
8 the owner of 618 Live, Habib Manjee, regarding
9 two patrons who were asked to leave the bar
10 because they were causing trouble. The subjects
11 threatened to come back and shoot up the place.
12 Habib stated the subjects left in an auto with
13 temporary plates. A check of the area was done
14 and officers could not locate the auto. Pardon
15 me.

16 Item 48. On 3-14-2010, at 8:15 P.M.,
17 Milwaukee Police were dispatched to 2356 North
18 47th Street for a battery complaint.
19 Investigation found the victim was a patron at
20 618 Live and got into an argument with a known
21 subject and that it became physical. The subject
22 hit the victim over the head with a glass causing
23 a laceration to the top of the head. The victim
24 sought treatment at a nearby hospital and
25 received six stitches and six staples to close

1 the wound. She then reported the incident to
2 police.

3 On Friday, March 19th, 2010, officers
4 conducted followup at 618 Live and spoke to
5 Manjee regarding the incident. Manjee stated he
6 was unaware of any incident that occurred that
7 day, and there was no video surveillance of the
8 incident.

9 Item 49. On 7-16-2010, at 1:10 a.m.,
10 Milwaukee Police were flagged down by the manager
11 at 618 Live regarding an auto that was driving
12 around pepper spraying -- correction -- driving
13 around spraying pepper spray at patrons who were
14 leaving the club. Officers were provided a
15 description of the auto, which they located and
16 stopped, when they were approached by another
17 auto with a female driver who had an unconscious
18 female in the back seat. Medical personnel were
19 called to the scene and the unconscious female
20 was taken to the hospital.

21 Officers spoke to the driver who stated
22 she and her friend were at the 618 Club when a
23 fight broke out inside the club. Security began
24 pushing people out of the club, when an unknown
25 male punched her friend in the face, causing her

1 friend to fall into some bushes. An unknown
2 female then began hitting her friend in the head
3 with the heel of a shoe until she was
4 unconscious. Police also spoke to the victim who
5 relayed similar events of what occurred only
6 adding she believed she knew who the female was
7 who was hitting her with the shoe. The victim
8 was treated for a fractured nose. Officers
9 reviewed video of the interior of the tavern,
10 which shows security removing the victim and a
11 group of friends she was with. No physical
12 altercation was observed on the video.

13 Item 50 On 9-25-2010, at 12:04,
14 Milwaukee Police were dispatched to 622 North
15 Water Street for a battery complaint. Upon
16 arrival, officers were met by Habib Manjee and
17 his security staff who had a subject in handcuffs
18 laying on the ground in front of the club.
19 Manjee stated the subject had been involved in an
20 altercation inside the club and was removed.
21 Once outside, the subject made threats of
22 returning with a weapon to do the tavern harm. A
23 citation was issued for disorderly conduct to the
24 subject. Several calls were received regarding
25 this incident while police were on the scene.

1 While officers attempted to investigate the
2 complaint, another fight involving patrons who
3 were leaving the club occurred down the street.

4 Item 51. On 10-17-2010, Milwaukee
5 Police were dispatched to the District 5 to
6 investigate a battery complaint. The victim
7 stated she was -- correction. The victim stated
8 he was at the Ladybug Club with his brother and a
9 friend when a fight broke out. The victim stated
10 security then began beating him with an unknown
11 object, possibly, a flashlight or baton, in the
12 head. The victim stated he blacked out; and,
13 when he woke up, he found himself at St. Mary's
14 Hospital. He further stated he did not know how
15 he got there.

16 Police spoke to the victim's friend who
17 stated she was exiting the bathroom and someone
18 told her that her friend got jumped. She then
19 walked to her vehicle where she saw her friend,
20 the victim, stumbling around holding his face
21 which had blood all over it. Officers conducted
22 a follow-up and spoke to Habib Manjee.

23 Manjee stated that he was informed of a
24 fight taking place between two customers with
25 security breaking it up. Manjee provided

1 officers with video surveillance which showed the
2 victim in a fight with another patron and that
3 security did not hit the victim. The victim
4 received numerous stitches under his left and
5 right eyes. And that concludes the report.

6 CHAIRMAN BOHL: Thank you. Questions
7 or comments? Mr. Halbrooks.

8 MR. HALBROOKS: Yes, thank you.

9 * * * *

10 CROSS-EXAMINATION

11 BY MR. HALBROOKS:

12 Q Sergeant, if I may start this document that you
13 just read from is drafted in your office?

14 A Partially, yes.

15 Q Where else?

16 A It's a summary of PA-33's that are received in
17 our office.

18 Q The summary is drafted in your office?

19 A Yes, that's correct.

20 Q So, the -- and you don't actually write the
21 summaries; you have officers that do that?

22 A Yes, that is correct.

23 Q And you supervise those officers?

24 A Yes.

25 Q So I want to go to the -- do you have the PA-33's

1 with you?

2 A No, sir, I do not.

3 Q I want to ask you a couple of questions about the
4 PA-33's.

5 On the first one, on the Halloween
6 incident, the language at the end of the PA-33:
7 Our investigation determined that no one could be
8 held accountable for the firearm due to lack of
9 evidence and witnesses. It was also determined
10 that the pistol had not been fired recently due
11 to having a full-capacity magazine and no smell
12 of gun powder. The subjects from the vehicle
13 were released from the scene. Why was that left
14 out?

15 A What item are you referring to, sir?

16 Q Item 41.

17 A 41. Okay. The Halloween incident, I'm sorry.
18 Okay. Sure. That I cannot answer, sir.

19 Q So, with regard to the report that talks about I
20 thought I heard you say shots fired on -- there
21 isn't actually any proof of any shots. There was
22 a report of one shot, correct?

23 A Once again, we're on the November 1st incident.

24 Q Correct.

25 A Correct?

1 Q Yes.

2 A What I have here, I don't have the PA-33 with me,
3 sir. So what I know is what I just read at this
4 time.

5 Q All right. On the next one, do you have a -- you
6 talked about the person who got arrested for --
7 at the scene. Let me just pull that one up here.
8 Talked about Mr. Howard --

9 MR. MILLER: Counsel, can you first of
10 all direct us to a item number in the synopsis?

11 MR. HALBROOKS: I thought I said Item
12 42. I apologize.

13 BY MR. HALBROOKS:

14 Q Item 42, the person that was eliminated from the
15 club, Daisman Price (phonetic), that was left out
16 of the synopsis, correct?

17 A Yes, I don't see that on Item 42.

18 Q And his conviction in Municipal Court was left
19 out?

20 A Apparently so.

21 MR. MILLER: We do have to have --

22 CHAIRMAN BOHL: Everyone, including the
23 City Attorney, will address and get recognition
24 from the Chair, please; and then, when I call
25 upon you -- then --

1 CHAIRMAN BOHL: I mean I want to just
2 go with an orderly procession of nobody just
3 deciding they want to interrupt. Okay?

4 MR. MILLER: I apologize, Mr. Chair.

5 CHAIRMAN BOHL: Mr. Miller, go ahead.
6 Thank you.

7 MR. MILLER: You know, I think Sergeant
8 MacGillis's testimony is he's got the synopsis in
9 front of him, that officers under his supervision
10 typed up the summaries. The counsel is reading
11 from what may be PA-33's. They're not before the
12 committee and they're not before the witness as
13 well. So I don't know how valuable that
14 information is until that document is made a part
15 of the record for the Committee's review.

16 CHAIRMAN BOHL: And I just want to see
17 if he's desiring to do that here but I'm going to
18 allow him to proceed forward here, Mr. Halbrooks.

19 MR. HALBROOKS: Thank you. Because I
20 didn't hear any questions from you, I presumed
21 there was no issue from the Committee. So I just
22 wanted to make this part of the record.

23 ALDERMAN BAUMAN: Mr. Chair, I will
24 object because as the representative of the
25 citizens and stakeholders of the Fourth

1 Aldermanic District, I have no idea what
2 Mr. Halbrooks is talking about.

3 CHAIRMAN BOHL: What is it you are here
4 attempting to make part of the record because we
5 have to vote on it, Mr. Halbrooks?

6 MR. HALBROOKS: The PA-33, who is
7 not -- didn't provide a full -- the person who
8 was identified was not listed in the synopsis.

9 CHAIRMAN BOHL: Were you relating that
10 to Item 42?

11 MR. HALBROOKS: Item 42.

12 ALDERMAN BAUMAN: May I suggest, Mr.
13 Chair, if I may? If he has all these PA-33's,
14 these incidents, he can give them to us. Make
15 them part of the record. I'm fine with that.

16 CHAIRMAN BOHL: Alderman, I will allow
17 him to be able to address -- I think that you
18 well know what we have are summaries and that, as
19 part of the rebuttal to the police report that is
20 before us and is read into the record and under
21 consideration, he has a bit of additional
22 information. I will allow him the ability to
23 raise those individual questions and to provide
24 an additional basis for that.

25 MR. MILLER: Mr. Chair --

1 CHAIRMAN BOHL: Mr. Miller.

2 MR. MILLER: He needs to provide the
3 documents to the witness and then he can make it
4 an exhibit. We've got to have a process here.
5 We can't have the witness guessing about what is
6 or is not in the PA-33.

7 CHAIRMAN BOHL: I, actually, disagree
8 with that because I believe it is the police
9 department's role to have an understanding of
10 what is before us. It is, actually, this
11 individual's property right, vested property
12 right in which those items come under
13 consideration, Mr. Miller, and are being utilized
14 and subjected to the ability to provide a
15 suspension and/or a -- a nonrenewal of a license.
16 The police department is vouching for this.

17 Now, what I'm going to do is I'm going
18 to allow him to proceed forward here at this
19 point. Is it your desire and I just will ask:
20 Do you have actual PA-33's that you're wishing to
21 make a part of the record here?

22 MR. HALBROOKS: Not at this time. I
23 have the PA-33's that they turned over. So it
24 would be difficult to say. Why do I have to turn
25 in PA-33's on my questions and they get to put in

1 a synopsis and not provide me the PA-33's?

2 CHAIRMAN BOHL: The only question I'm
3 going to raise, Mr. Halbrooks, is the Committee
4 knows no better -- at least, what we have is a
5 report that the police report will state and went
6 in notice to you, that I assume, if I asked him
7 as a sworn witness here, Sergeant MacGillis will
8 say that this was the indeed actual license
9 investigation report that went to you that was
10 prepared by his office.

11 On the other hand, you're citing
12 supposed a document that we don't have any
13 indication are actual PA-33's but could be a mere
14 figment that you created.

15 MR. HALBROOKS: I understand. I --
16 this all started with the City Attorney
17 advocating a position, and I'm just trying to do
18 my case.

19 MR. MILLER: Mr. Chair, I do need to
20 respond to that; but I don't -- I'm trying to
21 protect the record, and what I'm concerned is
22 happening here is counsel has every right to make
23 his case that the synopsis itself is unreliable
24 and, therefore, can't come under the hearsay
25 exception. But, in doing so, he needs to stand

1 on those documents. We can't play a game of
2 guess what's in each particular item on -- you
3 know -- the several items that are in the record.

4 If -- those documents, the PA-33's,
5 will speak for themselves. He can introduce the
6 document. I don't want to put on Mr. Halbrooks's
7 case; but, if he would like to show a document to
8 the Sergeant and ask him if he sees a particular
9 name that isn't in Item 42, he can do that; but
10 we can't just have this game of forcing a witness
11 who's already testified that he doesn't have the
12 PA-33 in front of him, he did not draft the
13 document, but can he guess what is in the PA-33
14 that Mr. Halbrooks is reading from?

15 ALDERMAN BAUMAN: Mr. Chairman, if I
16 could clear this up -- the magic word, Mr. Chair,
17 with all due respect, the magic word is the
18 applicant needs a foundation for their question;
19 and the foundation is the alleged factual record
20 which they're referring to. Put that foundation
21 into evidence and then cross-examine the police.
22 I think that's perfectly legitimate to say the
23 summary leaves out relevant information from the
24 actual document. That's a very relevant line of
25 inquiry. We don't know what the document says.

1 He could ask him anything. That's not in the
2 report. Did they say the sun rose? No, that's
3 not in there. He has to have a foundation for
4 his questions.

5 CHAIRMAN BOHL: Mr. Halbrooks.

6 MR. HALBROOKS: I appreciate all the
7 help from practicing and non-practicing
8 attorneys; but I think that the way it works in
9 putting in evidence is you lay a foundation for
10 an exhibit and then you put in the exhibit.

11 So when I -- I don't understand the
12 City Attorney. He says he's protecting the
13 record. Protecting the record from what? I'm
14 just asking questions. There is no record to
15 protect. And Alderman Bauman saying I could ask
16 him if the sun come up. I could ask him if the
17 sun come out. But I haven't had a reason to do
18 that, but I could ask him whatever I want
19 regarding his police reports; and, if I want to
20 move in the PA-33's or if the Committee asks for
21 them, we'll get to that. But to suggest to tell
22 me that I must proceed in a certain way, when the
23 committee's not -- doesn't seem bothered and plus
24 I'd be done by now.

25 ALDERMAN COGGS: Mr. Chair, I am

1 bothered. Please introduce them.

2 ALDERMAN KOVAC: Mr. Chair, I want to
3 make sure we don't get too far afield from Item
4 41 because Mr. Halbrooks read in, in his
5 question, were statements from the PA-33, which
6 made it -- implied that the gun at the police
7 department was not the gun involved in the
8 shooting. That's relevant information, but I
9 want it in evidence and I want to see what report
10 he's got.

11 MR. HALBROOKS: And, see, there's the
12 trouble right thee. See, there is no shooting,
13 actually. There is no evidence of any shooting.
14 So, if you want the --

15 ALDERMAN COGGS: Mr. Chair, I made a
16 request.

17 MR. HALBROOKS: That's all right.
18 Fine, let's mark it.

19 CHAIRMAN BOHL: What we will need,
20 though, we'll need additional copies. I don't
21 know how many copies he has.

22 MR. HALBROOKS: I have one for me, and
23 we have an additional -- I'll give you a copy.
24 But, again, then I think they need to produce the
25 ones they didn't turn over. I shouldn't have to

1 be suffering from them not giving me the PA-33's
2 on a valid public records request. All right.
3 So, I will --

4 CHAIRMAN BOHL: We'll have
5 Alderman Coggs first make the Municipal Court
6 case information on Daisman Price provided by Mr.
7 Halbrooks part of our official record in this
8 proceeding. Hearing no objection, so ordered.

9 Mr. Halbrooks, are you providing items
10 here for which you are raising questions?

11 MR. HALBROOKS: The two that, this
12 would be 11-1 and this would be 11-29.

13 CHAIRMAN BOHL: So Items No. 41 and 42
14 in our -- in our police synopsis.

15 MR. HALBROOKS: There are two pages in
16 each one. I don't know if we should staple them
17 or what.

18 CHAIRMAN BOHL: Alderman Coggs will
19 move to make the two PA-33 documents provided by
20 Mr. Halbrooks part of our official record in this
21 proceeding; and, hearing no objection to that, so
22 ordered.

23 MR. HALBROOKS: All right. And, if I
24 may, I don't know what happens to the evidence,
25 when we get to texture, the court in texture, the

1 flyers disappeared. I don't know where they get
2 kept, but I just want to make sure that the
3 Committee keeps custody of those things. All
4 right.

5 BY MR. HALBROOKS:

6 Q I wanted to ask you about -- Item 45. You don't
7 have the video here, I presume, correct?

8 A No, sir, I do not.

9 Q For Item 46, on -- when you say citation was not
10 found in Municipal Court system, that's not part
11 of the -- the PA-33; that's something your office
12 checked on?

13 A That is correct. Yes, sir.

14 Q All right. And what does PA-33 not -- or I'm
15 sorry -- citation not found in the system mean to
16 you?

17 A That means that we cross-referenced the name and
18 the citation number that was on the PA-33 and
19 somehow, some way that actual ticket was lost or
20 it's misplaced or it's not filed.

21 Q It was lost or misplaced or not filed?

22 A Yes.

23 Q And you have no way of checking any of that?

24 A Well, a hand search was probably done by the
25 people in traffic records. However, I still -- I

1 have no answer for you.

2 Q Okay. And on the -- it indicates that Mr. Manjee
3 was given a citation for disorderly conduct by
4 patrons?

5 A Yes.

6 Q What -- and what day was he given that citation?

7 A That I do not, sir, know. I'd have to look at
8 the PA-33 to see if there's a cross-reference to
9 that and/or the citation. The citation that
10 cannot be found would address that.

11 MR. HALBROOKS: All right,
12 Mr. Chairman.

13 CHAIRMAN BOHL: This is relating to, I
14 believe, Item 46?

15 MR. HALBROOKS: Yes, I have two pages I
16 would present to the Chair.

17 CHAIRMAN BOHL: Alderman Kovac will
18 move to make these documents provided by
19 Attorney Halbrooks. I'm going to assume, two
20 items that were faxed on the date on the top left
21 of March 10th, 4:13 PM, 4:14 PM. Hearing no
22 objection, that's so ordered for this proceeding.

23 MR. HALBROOKS: And the documents
24 are -- oh, I'm sorry. I thought you were going
25 to identify the documents. The documents are the

1 refusal by the City Attorney and a letter
2 indicating that he wasn't the person to be
3 prosecuted for an incident several blocks away.

4 CHAIRMAN BOHL: Correct.

5 MR. HALBROOKS: Item 47. I apologize.
6 I have the PA-33, sent --

7 BY MR. HALBROOKS:

8 Q Sergeant, I want to talk to you about Item 47 --
9 47 -- you have not reviewed the PA-33 for this
10 one?

11 A I may have seen it, but my best recollection of
12 this incident is on the synopsis.

13 Q All right. So we have the synopsis, and the
14 synopsis indicates that the -- 2-27, police
15 officers were flagged down by the owner, Habib,
16 regarding two patrons who were asked to leave the
17 bar because they were causing trouble. All
18 right. So I'm going to read you the PA-33
19 written by the person you supervised:

20 Narrative section. This report is
21 being typed by Police Officer Jitiki --

22 THE REPORTER: I'm sorry. Can you
23 repeat the name?

24 MR. HALBROOKS: Jitiki, J-i-t, as in
25 Tom, i-k-i, last name X, the letter X.

1 On Saturday, February 27th, I was on
2 patrol in the 600 block of North Water Street and
3 I was flagged down by the owner of Club 618 Live,
4 Ladybug Club, Habib Manjee.

5 Manjee stated that a subject who was
6 standing on the curb was jumping out in traffic
7 as the cars came by. Manjee stated he thought
8 the subject was drunk. I finished speaking to
9 Manjee and I spoke to Robert Hayes (phonetic) --
10 and his address.

11 Hayes stated he was waiting for a bus
12 and was standing in the street to see if the bus
13 was coming. Hayes was intoxicated and smelled of
14 alcohol. Hayes wasn't a patron of Club 618 and
15 was just waiting in the area for the bus. I
16 informed Hayes to stay out of the street and wait
17 on the curb until the bus comes. Hayes walked
18 away from the area and went to the bus stop on
19 the corner of Water and Wisconsin and waited for
20 the bus.

21 None of that was included in Item -- I
22 didn't hear that in the summary.

23 SERGEANT MAC GILLIS: All right.

24 MR. HALBROOKS: Correct?

25 SERGEANT MAC GILLIS: You are correct.

1 BY MR. HALBROOKS:

2 Q Why would that information be left out of the
3 summary?

4 A That I don't know. What else is on the PA-33?

5 Q Well, I'll ask the --

6 ALDERMAN BAUMAN: Well --

7 MR. HALBROOKS: The question is --

8 SERGEANT MAC GILLIS: I don't know why
9 it was left out, sir.

10 BY MR. HALBROOKS:

11 Q So the good stuff that they do was left out. Is
12 that possible?

13 A Items are left out. Just looking at the
14 synopsis, the fact that Mr. Manjee flagged down
15 the police was a good thing. So.

16 Q So the incident -- So, when the police officer
17 drove around the block to see if the person was
18 staying out of the street and then came around
19 and talked to Mr. Manjee about the two people
20 leaving the bar, if Mr. Manjee wouldn't have done
21 this good samaritan activity, there wouldn't even
22 be the PA-33, correct?

23 A That's a fair assumption. Yes.

24 CHAIRMAN BOHL: Alderman Hamilton would
25 move to make the PA-33 provided by Mr. Halbrooks

1 for the date of 2-27-2010 part of the official
2 record in this proceeding. Hearing no objection,
3 so ordered.

4 BY MR. HALBROOKS:

5 Q Item 48. You may recall that, on the incident
6 on -- the incident talked about a woman needing
7 six stitches and six staples?

8 A Yes.

9 Q On Item 48?

10 A Yes.

11 Q And did you review the PA-33 on that one?

12 A I possibly did, yes.

13 Q And are you aware of what was turned over to me
14 when we requested that?

15 A No, I am not.

16 Q So the -- now, when the indication is that there
17 was no video surveillance -- let me get the words
18 for that.

19 There was no video surveillance of the
20 incident. When you write that, do you mean there
21 was no video recording or the surveillance didn't
22 show the activity?

23 A What's written is on the PA-33, and I need to
24 know who wrote the PA-33 that this synopsis was
25 generated from. And we're going to have to

1 address that with that person.

2 Q And the PA-33 does not indicate that the video
3 surveillance showed that there was no person
4 leaving with a cut head?

5 A That I can't answer, sir, because we wrote the
6 synopsis. My office did that. However, the
7 synopsis again is generated from the PA-33; and
8 the author of the PA-33 is probably an officer
9 who put in there there was no video surveillance
10 of the incident. So that's what I have here.

11 Q So the PA-33, when you talk about no video
12 surveillance, that -- also, the PA-33 also
13 indicates that the person, that when the police
14 officers were there looking at the video, that
15 the person that complained, this Map (phonetic),
16 this woman with the last name Map, that she was
17 never actually in the club that night. That's
18 what's in the PA-33?

19 A Well, I don't know what's in the PA-33.

20 Q I don't either because you redacted the entire
21 PA-33.

22 A Is this -- possibly, is this victim a juvenile?
23 If this victim was a juvenile, it would not -- it
24 would have been redacted, I don't know. That's
25 something open records did. That's unknown to

1 me. Sir, after you put in your request for the
2 PA-33's, I do not see them. The copies go to
3 open records, and then what open records does
4 with them is what open records does with them.
5 If there is juvenile information in there that is
6 not to be made public, I could see a good cause
7 for that being redacted or if there is pending --

8 The date of this is last March. If
9 there's some pending investigation still, where
10 other attorneys might want the information
11 redacted, that's a possibility, also.

12 Q I realize you're thinking on the fly, but you're
13 not suggesting that there was an underage
14 individual in the club and the officer doing the
15 investigating didn't check on that such that they
16 would have Octavia Map's (phonetic) birth date of
17 11-23-1985?

18 A I don't know. I don't know why there would be
19 something redacted there. You're going to have
20 to consult with open records.

21 Q So the hours and hours that the police spent
22 there, going over the video surveillance, in
23 verifying that the person was not in the club and
24 there was no fight, that we don't know why that
25 isn't in the summary.

1 A Well, I don't know if there was video
2 surveillance because the last line says there
3 wasn't video surveillance of the incident.

4 Q Right, but you -- neither of us have the PA-33.

5 A Oh, I'm sorry. I thought you did.

6 Q It's been redacted.

7 A My mistake. My mistake.

8 Q Item 49. I noticed that that particular item
9 indicates that -- that there was no -- no
10 physical altercation was observed on the video,
11 which seems to put the -- certainly, the rest of
12 the complainant's story incl -- with some
13 credibility; but what I want to ask you is about
14 the -- the item that says the person -- an
15 unknown male punched her friend in the face
16 causing her friend to fall into some bushes. Are
17 there -- since you -- your office prepared this,
18 or are you aware of any bushes downtown in the
19 area of 618?

20 A Possibly, a little bit north of there, there's a
21 vacant lot where I think -- was it
22 Potato Brothers (phonetic) that was there? Or
23 there's some bushes by a bus stop just south of
24 Wisconsin. I thought. It's been a couple of
25 years, so.

1 ALDERMAN BAUMAN: I can provide that
2 information.

3 MR. HALBROOKS: All right.

4 BY MR. HALBROOKS:

5 Q On Item 50, I notice that this summary doesn't
6 indicate that it was the representatives of
7 Ladybug Club that were the ones that called the
8 police. Any reason why that was left out?

9 A No, sir, I do not. I know they were dispatched;
10 but, insofar as who made the call, that I don't
11 know.

12 Q Just one last question. Item 46, near the bottom
13 it says: As patrons were observed leaving
14 618 Live, they would enter the cars and generally
15 drive around in circles around the block. Is
16 that part of your synopsis?

17 A Yes. Just one minor thing here. Let me find --
18 okay. I see. About the fourth sentence from the
19 bottom.

20 Q Correct.

21 A Got you, yes.

22 Q But at the very beginning, right next to Item 46,
23 it says: On 2-21-10 at 11:30 p.m.?

24 A Yes.

25 Q There's no -- there's no -- You didn't

1 investigate or that's not a mistake in the PA-33.
2 You're actually suggesting in the summary the
3 customers were leaving at 11:30 at night?

4 A I don't know if they're leaving, but what the
5 synopsis --

6 Q I'm sorry. Here's what it says: As patrons were
7 observed leaving 618 Live -- What part don't you
8 know?

9 A Okay. I'm sorry. I thought you were referring
10 to the first sentence where it says 11:30 p.m.

11 I would have to look at the
12 computer-aided dispatch record for that night to
13 get you clarification because there's a very good
14 possibility that officers were on scene there for
15 two and a half hours. Does that answer your
16 question or make sense?

17 Q But there's no --

18 A Time language?

19 Q I don't know. You didn't turn over the PA-33. I
20 can't -- I have to ask you.

21 A Did you get the PA-33, regarding this?

22 Q No, you didn't give it to us. I mean we're blind
23 here.

24 A Oh.

25 Q We have to defend ourselves from what you say,

1 and I want to ask you a question about: it says
2 they were leaving at 11:30.

3 MR. MILLER: Well, that's not -- that's
4 not what it says. Let's make the record clear.
5 It does not say that people were leaving at
6 11:30.

7 SERGEANT MAC GILLIS: I know in the
8 first sentence it states, at 11:30 p.m.,
9 Milwaukee police officer, while on patrol,
10 observed a large amount of vehicular traffic
11 clogging the intersection of Michigan and
12 Broadway.

13 There's at least ten sentences and
14 halfway through the fifth sentence from the
15 bottom, it says: as patrons were observed leaving
16 618 Live.

17 BY MR. HALBROOKS:

18 Q Well, I notice in the middle it says shortly
19 after.

20 A Okay. Maybe the verbiage isn't the greatest; to
21 further investigate, sir, I could get CAD
22 information that, as I said earlier, might
23 indicate that there were officers on scene for
24 two and a half hours.

25 Q You're speculating; you don't have any idea?

1 A Well, not at this time, but -- put the meeting on
2 hold, and I could get the information.

3 CHAIRMAN BOHL: Well, Sergeant, but
4 here's what's at issue. I mean, if police
5 officers were there as part of this investigation
6 two and a half hours and that was in the PA-33,
7 that should be in this report. I mean it
8 shouldn't be left as a guessing game and,
9 additionally, it shouldn't be left here for us to
10 go back and put the pieces of the puzzle back
11 together afterward.

12 Anybody who's watching this, it doesn't
13 look good. It just doesn't.

14 MR. HALBROOKS: Okay. I have a few
15 questions now for Mr. Merado, now that I've gone
16 through the basis. Do you want -- he's already
17 on the record.

18 CHAIRMAN BOHL: I'm going to -- I mean,
19 if this is part of your questioning of a witness
20 here --

21 MR. HALBROOKS: No, no, this is the
22 police report.

23 CHAIRMAN BOHL: Mr. Halbrooks, you have
24 the ability to raise questions here of the police
25 report. If you're going to bring a witness in,

1 I'm going to count that against your time. Okay.
2 Just to let you know that.

3 MR. HALBROOKS: Every single time we've
4 been here, we're absent a person. Mr. Merado was
5 absent with Mr. Lerner; now we've got Mr. Lerner
6 not here. I think I asked good questions to
7 clarify the summary. But now I think that the
8 Ladybug gets to respond to the police report.
9 It's a prepared thing --

10 CHAIRMAN BOHL: Why don't you state
11 what -- you can question him later and telling
12 us, as a statement here what your concerns are
13 relating to the police report; and, if you want
14 to later on, as far as him being one of the
15 witnesses, you can actually have him provide that
16 additional testimony.

17 MR. HALBROOKS: Mr. Chair, what I'm
18 asking to do is what in the past you have ruled
19 is appropriate and shouldn't count against our
20 time; and it's very difficult to plan for these
21 meetings when you -- every single time it
22 changes. I got rid of the extra person so it
23 would go faster. I think you can see it doesn't
24 go faster with me doing it. But I didn't ask
25 silly questions. I asked questions that led to

1 answers that were probative, but I needed that
2 foundation for Mr. Merado's explanation to make
3 sense. And I think that, for me to sit here and
4 testify as opposed to have a person who was there
5 give firsthand knowledge, I think that's the
6 appropriate thing to do. I think in the past,
7 you said we need firsthand explanations and the
8 attorneys couldn't do it. And so I think there's
9 only these few items so it should go pretty fast.

10 CHAIRMAN BOHL: My ruling's going to be
11 my ruling here, Mr. Halbrooks. If the Committee
12 wants to overrule that, the Committee can
13 overrule that. But I need a motion by the
14 Committee.

15 ALDERMAN HAMILTON: Mr. Chair, just as
16 a -- the presentation, as the format we're going
17 in, I think it's a time-saving measure and I
18 think we're going to end up getting the same
19 information except it will be in chopped-up
20 format as opposed to just getting it in a nice
21 wrapped-up package.

22 CHAIRMAN BOHL: I actually don't
23 object, Alderman Hamilton, to doing that;
24 however, what I will state is that is a witness
25 providing testimony. That is a witness and, as

1 such, it should count toward the time of
2 witnesses.

3 The witness has the ability, and they
4 will bring witnesses that will rebuff any measure
5 of potential informational before us, but that is
6 witness testimony. So I wanted to count it as
7 time. It's not as though I'm saying no to them
8 doing it. I'm saying, if you choose to do that,
9 it counts against the 26 minutes you have left.

10 ALDERMAN COGGS: Mr. Chair.

11 CHAIRMAN BOHL: Alderman Coggs.

12 ALDERMAN COGGS: Would it also have to
13 come after objection?

14 CHAIRMAN BOHL: After what objection?

15 ALDERMAN COGGS: If it counts as
16 witness testimony, would it also have to come
17 after objection? Usually, witnesses for --

18 CHAIRMAN BOHL: Yes.

19 ALDERMAN COGGS: -- come after
20 objection.

21 CHAIRMAN BOHL: I would make an
22 exception, just as Alderman Hamilton indicated,
23 if it is part of dealing with this to avoid the
24 break-up. Yes.

25 MR. HALBROOKS: Mr. Chairman, I would

1 just add --

2 CHAIRMAN BOHL: Let me add: Is there a
3 desire to make a motion and say let's take this
4 testimony and not count it against the clock?
5 That's what my ruling is, if he wants to do it,
6 it counts against the clock.

7 ALDERMAN HAMILTON: That would be my
8 motion. I think it's in direct response to the
9 police report. So, just in order to keep
10 things -- I mean I don't think the police report
11 counted against objector's side; maybe the
12 response to the police report should not as well.
13 That would be my motion.

14 ALDERMAN COGGS: On the time thing?

15 CHAIRMAN BOHL: Yes. Alderman Hamilton
16 is making a motion, notwithstanding the Chair's
17 ruling, that the additional questions that
18 Mr. Halbrooks wishes to ask of this witness would
19 not count against the time.

20 Are there objections to that motion?

21 ALDERMAN COGGS: Objection.

22 CHAIRMAN BOHL: I will object as well,
23 too. It fails on a 2-2 vote.

24 MR. HALBROOKS: Mr. Chair.

25 CHAIRMAN BOHL: Mr. Halbrooks.

1 MR. HALBROOKS: I would remind the
2 Chair that last time I was here --

3 CHAIRMAN BOHL: Mr. Halbrooks,
4 notwithstanding that, I'm going to ask you to
5 move on or I'm hitting the clock. Okay.

6 MR. HALBROOKS: I would like --

7 CHAIRMAN BOHL: You know what? You
8 know what? You can take that to court,
9 Mr. Halbrooks.

10 MR. HALBROOKS: Does the Chair realize
11 that last time that was exactly what I did and
12 you yelled at me and said, no, you want response
13 to police report --

14 CHAIRMAN BOHL: Mr. Halbrooks, my
15 ruling is my ruling. I'm going to ask you to
16 move on at this point or I will hit the clock.

17 MR. HALBROOKS: Move on to what? I
18 want it --

19 CHAIRMAN BOHL: The clock is starting
20 right now on you. Are you finished with your
21 raising of questions? Do you desire to actually
22 put him on and put it on the clock? There's a
23 2-2 ruling. The Committee has not overruled the
24 Chair. The Chair's ruling stands, period. I'm
25 not going to debate this any more with you.

1 Now, I'm asking you, sir, if it is your
2 desire, if you have any other questions to raise
3 regarding the police report.

4 MR. HALBROOKS: I do and I -- and I
5 would request discretion to ask him to respond to
6 the police report. I don't --

7 CHAIRMAN BOHL: I would provide you
8 discretion. I will provide you discretion and I
9 will state that it is individual witness
10 testimony.

11 MR. HALBROOKS: I have you yelling at
12 me in the past, saying it doesn't count; I should
13 have done it at the beginning. And now you're
14 telling me --

15 CHAIRMAN BOHL: Mr. Halbrooks, I will
16 again ask you: Do you have any other questions
17 that you wish to raise regarding the police
18 report?

19 MR. HALBROOKS: Okay. I need to ask a
20 different question. I want to respond to the
21 police report now. You're saying that now has to
22 count against my time?

23 CHAIRMAN BOHL: No, I'm saying that you
24 can raise additional questions of the police
25 report. If you want to start to go into

1 probative questions of a witness, it will count
2 as witness testimony.

3 MR. HALBROOKS: Okay. So my argue --
4 so the statement of the lawyer, even though I'm
5 not a witness and I'm not sworn, you want that?
6 Okay.

7 CHAIRMAN BOHL: Yes.

8 MR. HALBROOKS: Okay.

9 ALDERMAN HAMILTON: Mr. Chair, just so
10 I'm clear. That part wouldn't be counted against
11 the time?

12 CHAIRMAN BOHL: No, no.

13 ALDERMAN HAMILTON: It's the witness
14 portion.

15 CHAIRMAN BOHL: Everything that -- if
16 he literally -- what he wants to ask this
17 witness, if he provides that as a statement,
18 additional statements of our concern is because
19 this gentleman is the manager who will rebut and
20 says that he was here A, B and C and this wasn't
21 the case. We also will make a claim that that
22 occurred and that didn't occur based on --

23 ALDERMAN HAMILTON: Okay. That's
24 clear. And I think you -- just proceed.

25 CHAIRMAN BOHL: You know what?

1 Everyone can question every little nuance here.
2 I mean one thing is very clear. The Chair makes
3 a ruling. There is the ability of the Committee
4 to make a motion to overrule the Chair.

5 ALDERMAN HAMILTON: And that was done.

6 CHAIRMAN BOHL: The Committee didn't do
7 it so we stand where we're at.

8 MR. MILLER: Mr. Chair, just so that
9 everybody's clear that the statements provided by
10 counsel are not testimony that can be relied on.

11 CHAIRMAN BOHL: We understand that.
12 I've been on this committee for ten and a half
13 years. I fully understand that.

14 MR. MILLER: I know. Just putting it
15 on the record.

16 CHAIRMAN BOHL: Mr. Halbrooks.

17 MR. HALBROOKS: I also have
18 Mr. Merado's notes that I'm going to be reading
19 from. I'm going to ask your patience. When you
20 ask me to read from something, it's going to take
21 a lot longer. I cannot get around it, and I'm
22 going to have to translate his notes into
23 something I would say..

24 ALDERMAN BAUMAN: And I would object on
25 hearsay grounds to that happening.

1 MR. HALBROOKS: See what I mean?

2 CHAIRMAN BOHL: Well, he's not -- I'm
3 going to allow you. That's okay. His objection
4 will be duly noted.

5 MR. HALBROOKS: On Halloween night,
6 four individuals were exiting the club and were
7 observed entering a parked vehicle located in
8 front of the Club Bari. At that point, there was
9 a sound that may or may not have been a gunshot.
10 They could not be certain because it was
11 Halloween and guns were part of the costumes.
12 Upon further information, then the car -- they
13 saw the car pull away, make a U-turn and begin to
14 travel south on Water Street.

15 Now, one thing that you'll find in the
16 transcript from last year was that there was
17 testimony that it was a State trooper and you --
18 the Chair made a comment about what are they
19 there to eat or whatever? Upon investigation, it
20 turns out the State trooper was there because of
21 the construction on the interstate and the State
22 was taking responsibility for that. So that's
23 why the State trooper was, at least, in the
24 vicinity of Water Street. He then called other
25 State troopers; and, when the police got there,

1 there was a debate about who was in charge and
2 got into the problems that occurred there.

3 Finally, ten minutes later, MPD arrived
4 and MPD was the one that found a nine-millimeter
5 gun under the passenger's front seat. The -- the
6 club doesn't believe there was a gunshot because
7 there was no -- the magazine was full and there
8 was no smell of gun powder from the weapon.

9 The other subjects in the vehicle that
10 denied any knowledge were -- the testimony -- the
11 PA-33 indicates that they were all there getting
12 a ride from the driver and they didn't know him,
13 but they were just all getting a ride and they
14 denied any knowledge of pistol. So there was not
15 only no proof that there was a gunshot, there was
16 no proof that that gun was fired. So whatever
17 happened nobody knows at this point.

18 On Item 42, an individual was asked to
19 leave the club due to being a disruption to the
20 patron and staff. The individual was reluctant
21 to comply and left in a -- in an abusive and
22 hostile manner. As he continued to argue with
23 618 Live on Water Street security staff as to why
24 he was asked to leave, he made threats of harming
25 the security personnel. The individual claimed

1 he would come back and shoot up the club. They
2 determined that this crossed the line and that it
3 would be appropriate to call the Milwaukee Police
4 Department.

5 So that is the first of the 11 items,
6 that is the first one in which 618 called the
7 police. Of the -- well, who called? So, also,
8 I'm -- I'm now provided information that it was
9 actually 618 Live that went and got the State
10 trooper. So they were both -- so for both items
11 were brought on by the -- 618 calling it in.

12 Item 43, again, 618 Live On Water staff
13 called MPD for assistance with two disorderly
14 individuals engaged in a fight. When the police
15 arrived, the individuals calmed down and the
16 fighting stopped.

17 So that was, again, of the three that
18 I've gone through, three were caused by 618
19 notifying the police. Items 43 and 44 were the
20 items that I indicated we don't have PA-33's for.
21 We have literally no other information other than
22 what is in those seven sentences there. Again,
23 those were the first 43 was -- was dispatched
24 from a call from 618 Live and it appears that
25 they observed the incident on 44. So the first

1 one may have been observed by the police officers
2 without being flagged down. But, because I
3 don't -- I wasn't provided any information by the
4 police department, I don't have anything further.

5 Item 46. I'm sorry. Oh. Item 45
6 is -- appears to be a self-initiated item from
7 the Milwaukee Police Department in -- I don't --
8 I guess I would ask for the video. I don't know
9 what a minor altercation is, appears to be
10 something along the line of an argument. If
11 somebody's here from the police to flesh that
12 particular one out; otherwise, I don't believe
13 there's anything there that can really be used
14 against the club since it was itself initiated by
15 the police and they, apparently, didn't even feel
16 the need to talk to anybody and it certainly
17 doesn't indicate that the altercation had
18 anything to do with 618 Live.

19 On 2-21, on the Item No. 46, you know,
20 obviously, the club would respond by indicating
21 that the club closes at 1:30, between 1:30 and
22 2:00 a.m., and doesn't believe that whatever was
23 going on there at 11:30 had anything to do with
24 618 Live.

25 I would indicate that the -- that it

1 certainly seems to me that there was a problem
2 with this particular police officer. I hope he
3 would come and explain himself based on my
4 reading of the PA-33. I'm not going to get into
5 it if they're not going to but, simply, to
6 suggest that -- that all of the patrons in the
7 parking lot and I think what the Committee should
8 realize is that there -- after the lengthy
9 discussions about the parking lot last year,
10 there aren't those discussions except for this
11 particular one; and the suggestions, if you read
12 the summary, I don't agree with
13 Sergeant MacGillist's analysis; it appears to be
14 an incident in which something happened shortly
15 thereafter and more squads were called. So
16 whoever the people were, they clearly at 11:30
17 were not customers.

18 Item 47. You have the PA-33. Again, I
19 provided that so you could show that it was Mr.
20 Manjee who flagged down the police and that Mr.
21 Manjee then -- when the police, only with the
22 police coming back around to check on the safety
23 of the individual who was drunk and without a
24 shirt on and probably homeless that, if he had
25 not started that particular concern and raised

1 that with the police, this item wouldn't be there
2 either.

3 Item 48 indicates that this -- the
4 statement from 618 Live is unequivocal that this
5 incident did not happen at 618 Live. There was
6 no process from the DA after a lengthy
7 investigation, it appears, from the blurb at the
8 end of the report from the DA, even though the
9 person showed up, the DA didn't believe it and
10 didn't file a case. There is no evidence, and
11 what this says in there, there's no video
12 surveillance. There is every inch of the club is
13 covered by video.

14 So there was not any video evidence of
15 a fight, of a person getting their head cut open,
16 of any blood. Every single exit is under video
17 surveillance at every moment. The police viewed
18 all of the exiting for the entire night and
19 none -- no exit showed any kind of person leaving
20 with any concern; and, upon checking the
21 surveillance and the ID machine, no information
22 indicated this individual. She didn't show up in
23 the entrance and her ID didn't show up.

24 So, unless the police have something
25 further to add to that, we believe we've

1 significantly challenged that particular item,
2 the credibility of that particular item.

3 Now, I would indicate that that item
4 took place on the -- that that item took place on
5 March 14th, 2010. After that time, there was
6 a -- the suspension was served, the 60-day
7 suspension that was imposed over your ruling at
8 the Common Council. And there are only three
9 items after that particular incident, and one
10 occurred on July 16th at 1:10, Item 49. And the
11 explanation -- I'm going to read Mr. Merado's
12 explanation:

13 Thursday night, slash, ladies night,
14 while On 618 Live was in the process of closing
15 for the night, security staff observed a vehicle
16 driving around and arbitrarily spraying what
17 seemed to be pepper spray at our patrons and
18 Club Bari patrons.

19 At this point, also, Club Bari has
20 opened, and I hope you will take into
21 consideration from this point on that Club Bari
22 was there; and we will have a chance to talk
23 about later about their pattern and practice and
24 what they've told this committee.

25 But it seems to me to be a valid reason

1 to call the police at that point. The security
2 escorted a group of females from the facility
3 earlier that evening for arguing. They're not
4 sure whether this is the same group of females.
5 They noticed an MPD vehicle coming in their
6 direction and flagged the officer down to inform
7 him of the incident. They provided the officer
8 with a description of the vehicle and that would
9 be the vehicle with pepper spray. The officer
10 subsequently found the vehicle and stopped it in
11 front of the Riverside Theater. Upon speaking to
12 the officers, the person in the vehicle claimed
13 to be at 618 where a fight broke out. 618
14 security pushed her out of the club where a male
15 then punched her in the face, causing her to fall
16 into some bushes. There are no bushes, trees,
17 shrubs, grass or any type of vegetation on Water
18 Street anywhere around the club. Officers --

19 ALDERMAN BAUMAN: That is blatant
20 hearsay, and false I might add.

21 MR. HALBROOKS: I'm sorry. Why is he
22 interrupting?

23 ALDERMAN BAUMAN: He's offering
24 out-of-court testimony for the truth of the
25 matter asserted. That's just false and hearsay.

1 MR. MILLER: Well, I assume, Mr. Chair,
2 he's -- you're reading a statement that you're
3 attributing to your witness who's sitting right
4 beside you.

5 MR. HALBROOKS: Within the past he's
6 been able to testify, yes.

7 MR. MILLER: With all due respect, it's
8 not a hearsay problem we have here but it is not
9 testimony that the Committee can consider. So
10 it's a curious exercise. It's an opening
11 statement the Committee won't be relying on --

12 (Unintelligible.)

13 CHAIRMAN BOHL: I'm not disputing that,
14 Mr. Miller. I'm just stating that he has the
15 ability to raise questions or make comments
16 related to the police report. This would be the
17 comments.

18 MR. HALBROOKS: Officers viewed video
19 of the interior and exterior of the facility
20 which shows 618 Live security moving the victim
21 and a group of females that they escorted out
22 earlier that night. No -- absolutely no physical
23 altercation was observed on the video. And,
24 again, if I had the PA-33, it's probably on
25 there.

1 Now, on item 50. Again, this is
2 another incident in which the club called the
3 police and the synopsis does not provide that 911
4 was called a number of times. An individual was
5 asked to leave the facility due to his erratic
6 and abusive behavior. Individual became very
7 animated and violent and refused to leave. At
8 this point, 618 Live staff assisted the gentleman
9 out of the club at 11:30. The patron kept acting
10 out of control, threatening to fight the security
11 guards, jumping in and out of traffic as he
12 walked down Water Street. At this point, he
13 threatened to come back and shoot up the club.
14 We then handcuffed the individual and called MPD
15 for assistance. MPD arrived and the individual
16 was uncuffed and cited for disorderly conduct.
17 Subsequently, while MPD was on site, an
18 altercation occurred at the club next door, at
19 Club Bari, between two of their patrons.

20 Now, there's one item left, which is
21 kind of interesting. Two individuals who were
22 involved in a physical altercation that was
23 addressed by 618 Live security. Both parties
24 were separated and were escorted from the
25 facility through different exits at approximately

1 1:00 a.m.

2 CHAIRMAN BOHL: Now, which item?

3 MR. HALBROOKS: Item 51. I was just
4 going to go back to it.

5 CHAIRMAN BOHL: Okay.

6 MR. HALBROOKS: Item 51 starts out
7 talking about police being dispatched to No. 5 to
8 investigate a battery complaint where the victim
9 stated he was at Ladybug with his brother and a
10 friend when a fight broke out. Security then
11 began beating him with an unknown object, a
12 flashlight or baton, in the head. Victim stated
13 he blacked out; and, when he woke up, he found
14 himself at St. Mary's Hospital.

15 So, keeping that in mind, MPD came in,
16 viewed all the surveillance videos and determined
17 that 618 Live security broke up a fight between
18 the individual and another individual. They
19 concluded from the video surveillance that
20 security did not hit the victim.

21 Now, I have an exhibit to go along with
22 this, which is Incident 51, a DVD.

23 MR. MILLER: Let's put evidence in
24 through a witness.

25 MR. HALBROOKS: You know, in the past

1 the attorneys have waited until you asked them
2 for -- I'm not sure who I'm appearing before. I
3 know, when we get to court, I'll be with the City
4 attorney --

5 MR. MILLER: Mr. Chair, we have to lay
6 a foundation.

7 CHAIRMAN BOHL: No, no, no.
8 Mr. Miller, you're jumping the gun. You are
9 jumping the gun, sir. I am going to ask you,
10 despite the fact that you are an Assistant City
11 Attorney, to direct yourself through the Chair
12 and the Chair will acknowledge you. That is the
13 second time I've asked to do that, sir, please.
14 At this point, I will gather the amount of
15 foundation. I'm allowing him to continue at this
16 point, and we will have to do that.

17 Right now it is not even evidence.
18 Because there has to be a motion before this
19 committee, we have to lay a foundation for that.
20 I'm going to allow him to establish that. Please
21 do not interrupt, sir. Thank you.

22 Please go ahead, sir.

23 MR. HALBROOKS: Thank you. This is a
24 video surveillance from outside the club on
25 October 17th at 2 o'clock in the morning, an hour

1 after the individual who indicated blacked out
2 after being beaten by security, woke up at
3 St. Mary's and didn't know how he got there.

4 So there is video of the individual on
5 the videotape, taken and kept in a chain of
6 command by individuals at 618 Live. Mr. Merado
7 provided -- brought it here himself, provided it.
8 And it clearly shows the individual talking to
9 police officers and walking around an hour after
10 he was escorted from the club.

11 CHAIRMAN BOHL: Is that something, if
12 we put it in and were to view it right now, that
13 we would see it instantly at the very beginning
14 here with a timer or is this something we'd have
15 to fish through for half an hour or an hour or
16 whatever else?

17 MR. HALBROOKS: No, having been a
18 veteran of these, I think it's very short. But I
19 can't -- I don't know if I can tell what you can
20 see. I know what I can see up close, but I think
21 you'll be able to see very clearly.

22 CHAIRMAN BOHL: Is there a desire to
23 play this here, briefly? And then we'll have a
24 motion by Alderman Kovac.

25 ALDERMAN COGGS: Mr. Chair, before the

1 motion?

2 CHAIRMAN BOHL: Before the motion,
3 Alderman Coggs.

4 ALDERMAN COGGS: I know now that, you
5 know, Mr. Halbrooks' response wasn't timed
6 because it was considered his response to police.
7 So, if we show this video, will this be counted
8 against time or will it not?

9 CHAIRMAN BOHL: I'm going to
10 allow it -- usually, we provide a minute or two.
11 If we allow the minute or two to go here, it
12 would be faster than our debating the issue for
13 five minutes. I just --

14 ALDERMAN COGGS: I think there's some
15 inconsistency there. I don't know another case
16 where we let the video play and didn't use the
17 time.

18 MR. HALBROOKS: This is in direct
19 response to the police report. And, you're
20 right, it would have been done.

21 CHAIRMAN BOHL: Alderman Kovac, is
22 there a motion to make this video provided here
23 part of our official record of the proceeding?

24 ALDERMAN KOVAC: Yes.

25 CHAIRMAN BOHL: Are there any

1 objections to that motion?

2 (No response.)

3 CHAIRMAN BOHL: Hearing none, so
4 ordered. We'll see a minute or two here. I
5 mean, if it starts at the point where we don't
6 have to stop and we're dragging and looking for
7 it here, we're going to pull the plug on that
8 one. It will be part of the evidence for
9 whatever is not witnessed here.

10 (The video was played.)

11 Mr. Halbrooks, is there any sound?

12 MR. HALBROOKS: No. This is just the
13 outside surveillance and the individual will come
14 walking. Here he comes, the guy with his pants
15 down closer to his knees.

16 ALDERMAN BAUMAN: Who comes?

17 MR. HALBROOKS: This is at 2 o'clock.
18 This was an hour after he was escorted for the
19 fight where he says he was beaten inside the
20 club.

21 ALDERMAN BAUMAN: Mr. Chair, who says
22 so? Who's --

23 CHAIRMAN BOHL: If I may -- one moment,
24 Alderman Bauman. How do we know that this is,
25 first off, the witness? And, two, how do we know

1 the time? Because -- it's just going to be your
2 contention that it's the witness in question here
3 and that this is the appropriate time?

4 MR. HALBROOKS: If you -- that's the
5 difficulty of asking me those questions. If you
6 want, I could do that during a later part, I
7 could certainly ask; but here comes the
8 individual again. And, again, this is at two --
9 this is at closing time because you can see all
10 the people come walking out and here he still
11 comes -- and there he is. While the club is
12 letting out, he's still hanging around there.

13 ALDERMAN BAUMAN: Is this some kind of
14 joke? Could he at least use a pointer who he
15 claims this person is on this video, which is
16 almost comical? What person?

17 CHAIRMAN BOHL: Alderman Bauman, he
18 stated initially, one -- there were just two
19 individuals, that he was one individual with the
20 pants down.

21 Mr. Halbrooks.

22 MR. HALBROOKS: Thank you. Just one
23 statement on that. That video was shown to the
24 police and that's why -- nothing -- That's why,
25 when the police indicated that, when they did

1 their investigation, that's why nothing happened
2 to the club because the person clearly did not
3 get his eye cut open and bleeding inside the club
4 given that this was taken an hour later.

5 Again, if you want further information
6 on that, firsthand testimony is available.

7 So most -- except for a couple -- were
8 self-initiated by the Ladybug Club, and we would
9 hope that the Committee would take that into
10 consideration down the line. We stand ready to
11 hear from the objectors.

12 CHAIRMAN BOHL: Mr. Matado (phonetic).

13 MR. HALBROOKS: Merado.

14 CHAIRMAN BOHL: Mr. Merado, have you
15 been previously sworn?

16 MR. MERADO: In conjunction with
17 everyone else here, yes.

18 NICHOLAS MERADO, having first affirmed
19 to testify to the truth, the whole truth and
20 nothing but the truth, testified as follows:

21 * * * * *

22 EXAMINATION

23 BY CHAIRMAN BOHL:

24 Q State your name and address for the record.

25 A Nicholas Merado, 2747 South 74th Street.

1 Q Just in response to the video portion here, how
2 is it that the determination or at least the
3 allegation being made here, that this was the
4 gentleman that was in question? How is it that
5 you may know that this was the gentleman in
6 question?

7 A I do know. I do know. The police department
8 identified him. Once they were done with their
9 investigation outside, they came in and said:
10 Oh, there he is. That's why we saved this little
11 excerpt just in case this came up later on in
12 testimony.

13 So the victim wa -- or the person who
14 was complaining about us who woke up at
15 St. Mary's, was brought to our attention by the
16 police department and they identified him on the
17 video. We have 24 surveillance cameras. We've
18 got a clear picture of him with the police
19 assistance from that angle. So they identified
20 him for us and we happened to save it just in
21 case it came up today.

22 Q Just as a follow-up to that, how is it that your
23 determination is that this was at 2 o'clock?

24 A Because on our computer -- it didn't relay in
25 taping it to the DVD player -- it is synchronized

1 in time. We have a state-of-the-art surveillance
2 system, as you'll probably see later. We knew it
3 was exactly at 2:08.

4 ALDERMAN COGGS: Mr. Chair.

5 CHAIRMAN BOHL: Alderman Coggs.

6 ALDERMAN COGGS: Just a point of
7 clarity. So that was shown to rebut what?
8 Because, as I read 51, 8, the police concede that
9 they were showed the video and it was shown in
10 the video security did not hit him. So we saw
11 that video for -- to rebut what.

12 MR. HALBROOKS: The victim's story.

13 ALDERMAN COGGS: Oh.

14 MR. HALBROOKS: Someone says I was at
15 618 and it gets into a police report which then
16 gets into a PA-33 which then gets into this and
17 so there's this whole graphic story of this guy
18 getting beaten with a baton; and then you get to
19 the end, and then it says it didn't happen. And
20 then we thought we'd prove it to you.

21 So I don't think you should consider
22 Item 51 for anything other than, you know, what
23 it's worth at this point, which is that a guy
24 claimed he was beaten up. If you want those
25 claims, go to the club next door where they don't

1 have video surveillance because you're not going
2 to get away with it at Club 618.

3 CHAIRMAN BOHL: Any other questions by
4 the Committee at this time?

5 (No response.)

6 CHAIRMAN BOHL: We're going to hear
7 from individuals who are here to testify. Raise
8 your hands to be sworn to testify in this matter,
9 either in favor or opposed, any way, shape or
10 form.

11 Swear them in. Hands raised, please.

12 THE CLERK: Do you solemnly affirm
13 under the pains and penalty of perjury in the
14 State of Wisconsin that the testimony you are
15 about to give is the truth, the whole truth and
16 nothing but the truth?

17 THE WITNESSES IN UNISON: I do. Yes.

18 CHAIRMAN BOHL: Committee's procedure
19 is to hear from individuals who are here who are
20 opposed to the license first. What I would ask
21 is that individuals who are here to testify who
22 are opposed are in the front row, so that we can
23 take you in order. Otherwise, if you are here in
24 support, we would ask that the front row be
25 relinquished here at this point and that

1 individuals here in opposition would begin to
2 line up.

3 I believe that the police commander for
4 the First District has limitations on time so
5 we'll hear from him first here, so we will hear
6 from him first here, so Captain Basting, you've
7 already been sworn in. If you could please,
8 acknowledge yourself into the record.

9 STEVE BASTING, having first affirmed to
10 testify the truth, the whole truth and nothing
11 but the truth, testified as follows:

12 * * * * *
13 DIRECT TESTIMONIAL STATEMENT

14 BY CAPTAIN BASTING: Good morning,
15 everyone. I'm Steve Basting. I'm captain of the
16 First District which includes the North Water
17 Street area and Club 618 Live.

18 The police department is taking a
19 position of nonrenewal in this matter.

20 MR. HALBROOKS: Objection. There is
21 no -- The objections are -- time is over with.
22 The police issued their report, and I would
23 object to their coming to the table now without
24 notice to the applicant and objecting. If he
25 wants to state things based on the notice, but

1 that is not proper, given that Sgt. McGillis did
2 not file his proper objection that he does when
3 the police department objects.

4 CHAIRMAN BOHL: That will be -- your
5 objection to that will be duly noted. The police
6 department -- if the captain through his
7 testimony indicates that he is here on behalf of
8 the police department through the chief of
9 police, to fully state that, so be that.

10 CAPTAIN BASTING: Thank you, Mr. Chair.
11 While the department is taking a position of
12 nonrenewal, I would like to acknowledge all the
13 work that Mr. Manjee has done while I've been the
14 commander of First District since back on May
15 16th.

16 The gentleman is on scene every night
17 that the establishment is open. He's got an
18 extensive internal and now external video system.
19 He has a database of all of his customers and has
20 assisted us with that database when we're looking
21 for suspects. He has a security group of
22 individuals that actually have a roll call prior
23 to the beginning of their shift every night. He
24 has on occasion even closed early when he sees
25 things that he doesn't like and knows from his

1 experience they're going to turn into trouble, he
2 will close early, which assists us. He has on
3 many occasions, and I've got my night shift
4 commander here, actually stood side-by-side with
5 my night shift commander and to work in
6 disbursing his customer base and the acts of
7 disorder that are going on.

8 Couple things do disturb me. He has
9 armed security. It's the only nightclub downtown
10 that does have armed security. Mr. Manjee also
11 now is licensed to carry a firearm as a security
12 officer and has on occasion carried firearm down
13 on Club 618. I'll be real honest with everybody,
14 I just don't even wear guns downtown. Bad things
15 happen when we have security officers that don't
16 have the level of training in law enforcement
17 carry guns in a nightclub setting, and we've seen
18 and you have all seen on your committee what has
19 happened in the past with that.

20 I am tasked with supplying a safe
21 environment downtown to where the VFW convention
22 wants to come back again, the 20,000
23 conventioners that come into our city, the
24 10,000 members of Northwestern Mutual Life that
25 come to our city and spend a lot of money and

1 create jobs for us.

2 We all know that whatever goes on, even
3 if it's limited to a nightclub, what we have
4 coming out in the newspaper the next day is man
5 gets shot downtown, another shooting downtown.

6 MR. HALBROOKS: Objection. There's
7 nothing in the record to talk about shooting.
8 That is so inappropriate.

9 ALDERMAN BAUMAN: I hope I can object
10 to his witnesses.

11 CHAIRMAN BOHL: That objection, I will
12 indicate, I'm hoping that you stick to the record
13 of Club 618 rather than get into general
14 platitudes.

15 CAPTAIN BASTING: Yes, sir. I will.
16 That certainly is a concern of mine. As a
17 commander now since May, I've identified a couple
18 of issues and Club 618 has been an issue. And I
19 will be honest that the club next door is also
20 becoming an issue. So much to the point where I
21 have four officers on overtime assigned to that
22 block; and, while we have seen a dramatic
23 decrease as we've all been talking about here
24 this morning and I think a lot of that has to do
25 with the partnership that we both have, that

1 disorder continues.

2 I've spent upwards of \$15,000 since
3 June 3rd in trying to keep a lid on what's going
4 on down in the 600 block of North Water Street.
5 My night shift commander has also taken some
6 steps. We have gone and cut back on our staffing
7 at the jail for half of a shift so he can bring
8 extra officers out on the street to help manage
9 what's going on with these general acts of
10 disorder.

11 I guess in -- in closing, again, the
12 police department's position is that of
13 nonrenewal, although we do know all the work
14 that Mr. Manjee has done. It has been extensive,
15 and I thank him for that.

16 CHAIRMAN BOHL: Thank you, Captain.
17 Questions by the Committee.

18 ALDERMAN HAMILTON: Mr. Chair.

19 CHAIRMAN BOHL: Alderman Hamilton.

20 * * * * *

21 EXAMINATION

22 BY ALDERMAN HAMILTON:

23 Q I have to ask this because I think we have to
24 just be clear on the basis of -- of the decision
25 of -- you know, if you -- if you can be?

1 A Sure.

2 Q Because your discussion of the operator in the
3 club was -- I mean that was actually a
4 compliment?

5 A And that's the truth. He really has. He's
6 stepped up to the plate.

7 Q And one of the things that we at this committee
8 tries to encourage, just to try to make sure that
9 the operator of the facility is not contributing
10 to the disorder that's -- that's coming from the
11 operation.

12 And it seems through your testimony,
13 that -- that the way that they operate, they're
14 not contributing to the disorder.

15 A That's correct. No, they are not contributing.

16 Q And so the basis of the objection would be --
17 would you -- it would be patrons outside of the
18 club?

19 A Yes.

20 Q Or -- and -- and I guess from the -- from the
21 testimony, is there anything else that the
22 operator can do to address the issues that are
23 occurring outside of the establishment, or are
24 they of the manner that it's beyond the control
25 of the operator?

1 A You know, I think, Alderman, you've hit it right
2 on the head. Mr. Manjee has at certain points
3 even gone probably a lot further than I would
4 like him. We understand that the cruising issue
5 and we've all seen plenty of video on cruising.
6 He has taken steps to go out and he will actually
7 have his security officers go out and start
8 directing traffic. He's very proactive.

9 As you know, we've got a very large
10 police district now downtown. And my officers
11 are spread throughout, and we also have policing
12 that we need to do throughout the district. So
13 he does. He goes out. His security officers
14 actually go down a block or two, where most
15 securities at taverns will push everybody out and
16 close the door and say, you know what, it didn't
17 happen in my establishment. Mr. Manjee's
18 security will go down the street and around the
19 corner to assist any people to go home.

20 To be honest with everybody here, at
21 this stage of my life, I'm at home on Saturday
22 night and I'm praying it's going to rain. That's
23 the point I have now, that I'm so afraid that
24 something's going to happen and it's going to
25 affect the perception of downtown during the day

1 that people will not want to come to our city and
2 spend money.

3 CHAIRMAN BOHL: Other questions by the
4 Committee?

5 (No response.)

6 CHAIRMAN BOHL: Mr. Halbrooks, do you
7 have questions of the captain?

8 MR. HALBROOKS: Yeah, thank you. Thank
9 you, Captain, for your kind words. I know it
10 means a lot to Mr. Manjee and Mr. Merado.

11 * * * * *
12 CROSS-EXAMINATION

13 BY MR. HALBROOKS:

14 Q I realize your hands are tied with respect to
15 nonrenewal statement, and I presume that does
16 come from the chief, correct?

17 A I represent the chief; that's correct.

18 ALDERMAN BAUMAN: But you reached that,
19 also, independently.

20 CAPTAIN BASTING: It's true; but,
21 Mr. Halbrooks, I also came to that conclusion
22 myself.

23 BY MR. HALBROOKS:

24 Q You did?

25 A Yes. I represent the chief of police here, but

1 it's also my position for nonrenewal.

2 Q What incidents, what activities caused you to
3 recommend nonrenewal?

4 A The general disorder that --

5 Q No, no, specifically, what -- what -- When you
6 say I'm here personally asking for nonrenewal,
7 what specific thing causes you to request
8 nonrenewal?

9 A The continued history and the synopsis that you
10 have there from the police reports and the
11 PA-33's.

12 Q So about nine of the eleven where 618 contacted
13 your district, we could cut down on the synopsis
14 by not contacting you, that would be better?

15 A No, and what I'm seeing going on, on the street
16 and what I'm being reported to by my officers on
17 the street.

18 Q Have you filed any police reports based on what
19 you've seen on the street?

20 A I have not, no.

21 Q You want the club to nonrenewed, but you haven't
22 seen fit to make a report on anything that you've
23 seen asking for nonrenewal?

24 A No, sir, I have not.

25 Q You have been in 618 when it's been operating in

1 the evening?

2 A I've been in once when it's operating.

3 Q And have you been inside Club Bari?

4 A Once.

5 Q Now, what can you tell me about the security

6 inside Club Bari?

7 A Much less than what goes on at 618.

8 Q Is there any?

9 A I'm sorry?

10 Q Is there any security?

11 A I think they would call some of their -- I think

12 they have bouncers for security in there.

13 Q But not out on the street?

14 A Not on the street, no.

15 Q Now, I understand from their application process,

16 Club Bari, that they play Frank Sinatra music,

17 things like that for married couples to go in

18 there. That's what you heard when you were in

19 there?

20 A That's not what I heard when I was in there.

21 Q Can you tell the Committee what you heard?

22 CHAIRMAN BOHL: Mr. Halbrooks --

23 MR. HALBROOKS: I'm getting to a point.

24 CHAIRMAN BOHL: No, and I understand;

25 but, you know, you raised a point about general

1 platitudes and trying to stay focused to the club
2 at hand.

3 MR. HALBROOKS: Oh, these are not
4 platitudes.

5 CHAIRMAN BOHL: I understand where
6 you're going, but you're asking the captain to
7 address a club other than what is before us here.

8 MR. HALBROOKS: No, I'm only addressing
9 it with regard to the hearing last year and the
10 captain's testimony last year that this was an
11 isolated club. So I have now Alderman Kovac's
12 testimony about how --

13 CHAIRMAN BOHL: The testimony last year
14 is not what is before us and is not under
15 consideration by this body at this time.

16 MR. HALBROOKS: Mr. Chairman, last
17 year --

18 CHAIRMAN BOHL: I don't want to focus
19 on last year. I don't think that you want us to
20 open up and reconsider all the items from last
21 year either.

22 MR. HALBROOKS: I don't. I want to
23 talk about this year. And I want to talk about
24 why --

25 CHAIRMAN BOHL: And that's what I'm

1 asking you to do, is focus on this year. And
 2 focus on the testimony that he's provided and
 3 your rebuttal of the testimony that he's provided
 4 strictly here today.

5 BY MR. HALBROOKS:

6 Q When the customers from -- first of all, does
 7 Club Bari and 618 let out at the same time?

8 A On many occasions, yes.

9 Q And are the customers easily distinguishable,
 10 this Frank Sinatra, older married couples and the
 11 customers at 618?

12 A They're not distinguishable.

13 Q They are not distinguishable?

14 A Mr. Halbrooks, if I may at this point, I have
 15 also started the revocation process for Club Bari
 16 as well.

17 Q Need any help?

18 ALDERMAN BAUMAN: Sure.

19 BY MR. HALBROOKS:

20 Q So you -- you are -- you're suggesting that when
 21 an individual leaves Club Bari and leaves
 22 618 Live, walks down to the corner of Michigan,
 23 turns east and goes towards that parking lot,
 24 that someone on the corner of Broadway and
 25 Michigan, is there any way to identify whether

1 they're coming from 618 or Club Bari?

2 A I believe, no.

3 Q And why -- when you say they're not
4 distinguishable, what do you mean?

5 A (No response.)

6 Q What's the non -- what's the -- what are we
7 talking about here?

8 A They -- they look like a nightclub group. They
9 don't carry signs: I'm from 618 or I just went to
10 Club Bari. No, they -- they look the same.

11 Q If the customers from 618 and Club Bari went to
12 their cars on North Water Street bars, would you
13 be able to identify them there?

14 A Possibly, no. We have a good mix up on North
15 Water Street and, possibly, no.

16 Q So, when you say we have a good mix on Water
17 Street, we have a good mix at Club Bari and
18 618 Live?

19 A On most nights, no.

20 Q All right.

21 A This for me is a behavior issue, strictly
22 behavior. The behaviors that are going on --

23 Q I didn't ask a question.

24 THE REPORTER: I'm sorry; I didn't
25 hear.

1 MR. HALBROOKS: I said I didn't ask a
2 question.

3 ALDERMAN BAUMAN: Well, finish your
4 answer.

5 CAPTAIN BASTING: For me, it's a
6 behavior issue; it's not a race issue.

7 BY MR. HALBROOKS:

8 Q How many individuals at 618 are armed?

9 A How many individuals at 618 are armed?

10 Q You testified that your problem was that they're
11 armed. How many are armed?

12 A I have an issue tat they are armed. How many
13 guns --

14 Q How many are armed?

15 A I'd have to refer to my licensed premise officer
16 here. I know they have armed security that drive
17 around and Mr. Manjee's armed as well, on some
18 occasions.

19 Q So the only individuals that you're aware of are
20 those two? I'm asking you.

21 A Yes.

22 Q That's fine. I'll stop there. And were they
23 armed before Club Bari opened, or did that just
24 start when they opened?

25 A I believe that started when they -- shortly after

1 they opened again back in June or July.

2 Q And Club Bari was open at that point?

3 A Yes.

4 Q When you go look around at Club Bari, you're

5 armed, right?

6 A Yes, sir. I am.

7 Q Would you be willing to join me there unarmed

8 some night?

9 A (No response).

10 Q Yes?

11 A Sure.

12 Q Okay. Are you aware of a Police Detective

13 Carmen Rogers (phonetic)?

14 A I know the name.

15 MR. HALBROOKS: May I show the witness

16 a --

17 CHAIRMAN BOHL: Is this something

18 relating to either the Captain's testimony or

19 something that came out of the First District

20 because I don't want to rely on Captain Basting

21 to guess as to some detective's investigation

22 that was independent of something that he has

23 full knowledge of.

24 MR. HALBROOKS: No, it dovetails into

25 the testimony that he gave, actually.

1 CHAIRMAN BOHL: Okay. Could you
2 identify what you are speaking of?

3 MR. HALBROOKS: I'll pass it up.

4 CHAIRMAN BOHL: And then why don't you
5 lay a foundation here for the Committee as to
6 what you're addressing here.

7 MR. HALBROOKS: Okay. As soon as he
8 finishes his reading.

9 CHAIRMAN BOHL: Well, I don't know that
10 I'm going to want you to start going into
11 questioning him if I don't agree with what you're
12 doing it for.

13 MR. HALBROOKS: The captain testified
14 regarding the assistance of other matters in the
15 district that were provided by Club 618 Live, and
16 I just wanted to ask him if this is the type of
17 assistance that he was referring to.

18 CAPTAIN BASTING: Yes, it is.

19 BY MR. HALBROOKS:

20 Q And are you familiar with this incident?

21 A No, I'm not.

22 CHAIRMAN BOHL: Could you lay a
23 foundation for this body here?

24 MR. HALBROOKS: That's what I'm trying
25 to do.

1 CHAIRMAN BOHL: What is -- first off,
2 why don't you tell us what this is that you're
3 referring to, that you handed the captain?

4 MR. HALBROOKS: All right. This is an
5 E-mail from Police Detective Carmen Rogers from
6 the sensitive crimes division, late power shift,
7 expressing to Mr. Merado, who's seated here:

8 For appreciation for your security
9 officer helping me out with my traffic stop on
10 the morning of September 23rd, 2010. This was
11 when the male in the van was driving the wrong
12 direction and then attempted to flee the scene
13 after I activated my emergency lights and sirens.
14 That was very brave of him putting himself in
15 such a compromising position. As I'm sure you
16 are aware, we police officers are stretched
17 fairly thin with all the calls for service,
18 especially on the weekends. If I hadn't received
19 the assistance from your employee, I would have
20 been there alone.

21 That was the second time this year that
22 I received help during a stop from your
23 employees. The gentleman stated that he was
24 coming from the south side and was driving around
25 looking for girls. He was also a wanted subject

1 which is why he was attempting to leave the area.
2 You and your security officers really put in
3 extra work to help in keeping the downtown as
4 safe as possible. I just wanted to extend my
5 appreciation to you and your employees once
6 again. You are appreciated despite the negative
7 stigma that surrounds you and your business.

8 CHAIRMAN BOHL: Alderman Kovac will
9 move to make that part of the official record in
10 this proceeding.

11 Hearing no objection, that's so
12 ordered.

13 BY MR. HALBROOKS:

14 Q Captain, that's the kind of activity you were
15 referring to, correct?

16 A That's correct.

17 Q And the other clubs in that South Water Street
18 don't provide you that kind of assistance, do
19 they?

20 A No, they don't.

21 Q And so I also wanted to ask about an
22 Officer Klein (phonetic). Is that person in your
23 shop?

24 A Yes.

25 Q And Lalinski (phonetic), I believe, is a female?

1 A Yes.

2 Q Did you dispatch them recently to come and meet
3 with the -- with Mr. Manjee, Mr. Merado of
4 618 Live regarding an investigation where they
5 were being set up by the neighboring club,
6 Club Bari?

7 A I -- I dispatch officers to clubs for
8 investigations all the time. Not that they
9 particularly were being set up. I'm not familiar
10 with that.

11 Q You're not familiar with the officers coming and
12 talking to -- to the two gentlemen in between us?

13 A I send officers all the time to different clubs
14 regarding many different issues.

15 Q What I'm asking is: you don't -- either don't
16 recall or you don't remember, or this one was
17 something that was happening at a lower level?

18 A When you say being set up by Club Bari, that does
19 not remind me of anything.

20 Q Okay. All right. Now, you were here when the
21 synopsis was read?

22 A Correct.

23 Q Are there other police officers who are going to
24 testify today?

25 A Not unless you require them to.

1 Q Which one of the eleven can you testify about of
2 your own personal knowledge either regarding
3 Sergeant MacGillis's comments or my comments
4 regarding the police report?

5 A The only one I could testify regarding my
6 personal knowledge would the pepper spray
7 incident. I was on my way home working late and
8 I responded to the final scene over in front of
9 Riverside on Wisconsin Avenue and did hear the
10 people say, the victims of this, that they were
11 at Club Bari prior to this. That's the only
12 thing I can testify to. Or excuse me. I mean
13 Club 618. I'm sorry.

14 Q No, you were doing fine.

15 A I know, you -- 618.

16 Q Seriously, I -- but you didn't investigate
17 whether they were at the club?

18 A No. No, I did not.

19 Q You did have officers go and check?

20 A Yes.

21 Q And you don't have any reason to dispute the
22 follow-up that the officers did?

23 A No, I do not.

24 Q So, with regard to all the challenges that you
25 heard me make, understanding that the --

1 Alderman Bauman is talking about hearsay, and
2 we're going to turn in a second to hearsay.

3 But everything's been hearsay. There
4 is nobody here that can provide, from the police
5 or the City side, any firsthand knowledge for any
6 of the items that we challenged here today.

7 A I could supply two officers -- a lieutenant and
8 an officer -- excuse me -- regarding the general
9 disorder that goes on --

10 Q No, no --

11 A -- but not the specific.

12 CHAIRMAN BOHL: One at a time.

13 MR. HALBROOKS: I apologize.

14 BY MR. HALBROOKS:

15 Q I'm only asking about the 11 hearsay items. Is
16 there anybody here that, if challenged, each and
17 every one, is there anybody here that can testify
18 firsthand other than what you've just provided
19 us?

20 A No, sir.

21 Q So, with regard to the Riverside one, is that
22 where the person was in the bushes over by the
23 Riverside?

24 A No, they weren't. They were in vehicles, when I
25 responded to the scene.

1 Q So you didn't see anybody get pushed in the
2 bushes or any bushes at all?

3 A No, sir.

4 MR. HALBROOKS: Nothing further.

5 CHAIRMAN BOHL: Thank you. Thank you,
6 Captain. Next witness, please.

7 DONALD ARENSEN, having first affirmed
8 to testify the truth, the whole truth and nothing
9 but the truth, testified as follows:

10 * * * * *

11 DIRECT TESTIMONIAL STATEMENT

12 BY MR. ARENSEN: My name is Donald
13 Arensen, A-r-e-n-s-e-n. I live at 608 North
14 Broadway.

15 I'm in favor of nonrenewal for this
16 bar, 618. I have personally witnessed numerous
17 issues that have all been brought to bear here
18 with respect to loitering, loud noise, swearing,
19 urination by both male and female, excessive
20 traffic and police on duty almost every night
21 they are open with very few exceptions.

22 Since the revocation in March, shortly
23 thereafter, in 60-day period --

24 MR. HALBROOKS: Objection.

25 CHAIRMAN BOHL: I don't even know what

1 you're objecting to here, Mr. Halbrooks. Let's
2 continue here.

3 MR. HALBROOKS: I'm objecting to the
4 revocation in March. There was no revocation in
5 March.

6 MR. ARENSON: Suspension, pardon me; I
7 stand corrected. With respect to both
8 Mr. Manjee's efforts and the highly-skilled
9 efforts of Mr. Halbrooks, the fact of the matter
10 is that nothing has changed down here.

11 Has it increased because of this other
12 bar? I can't answer that. To me, it's all the
13 same, all run together. I don't even know when
14 the other bar opened. I do go over there and see
15 excessive people in front of 618 late at night.
16 We have provided a videotape to the police
17 department relative to these various issues we
18 have.

19 But the most alarming thing for me, as
20 a substantial taxpayer and a citizen, resident
21 and businessman of Milwaukee, Wisconsin, is the
22 fact that there's armed guards at this place,
23 people carrying open firearms and, also, in the
24 parking lot, the attendants have to have guns. I
25 have seen them. They carry guns to protect

1 themselves. This is totally insane.

2 I have no other thing to say. It's
3 pretty evident by the other issues that we've got
4 in place here, with both the videotape and the
5 police report. Be happy to answer any questions.

6 CHAIRMAN BOHL: Thank you. Any
7 questions by committee?

8 (No response.)

9 CHAIRMAN BOHL: Mr. Halbrooks.

10 MR. HALBROOKS: Thank you.

11 * * * * *

12 CROSS-EXAMINATION

13 BY MR. HALBROOKS:

14 Q I read your E-mails which were attached to the
15 notice and -- Hold on one second, please.

16 CHAIRMAN BOHL: Mr. Halbrooks, I just
17 want to remind you, however, that may be -- that
18 may, in some way, shape or form, serve as a basis
19 for triggering a neighborhood objection. That
20 was not made an official part of the record and
21 that in and of itself is not considered by the
22 Committee as long as anything is not specifically
23 testified to by Mr. Arenson. So, in some way,
24 shape or form, what I'm indicating is you're
25 entering into the record by bringing this forward

1 something that isn't into the record.

2 MR. HALBROOKS: Oh, I'm sorry. I
3 thought they were attached to the notice.

4 CHAIRMAN BOHL: Individually, those
5 items either have to be read into the record or
6 made part of the record. They're not.

7 BY MR. HALBROOKS:

8 Q Mr. Arenson, you sent a number of E-mails to
9 Alderman Bauman in the fall of 2010?

10 A I don't remember the specific dates. Yes, I send
11 Alderman Bauman E-mails frequently.

12 Q And you indicated that on -- that -- and so your
13 problems were traffic and you -- your concern is
14 that the police are using -- deciding to use
15 their resources to block the traffic and to
16 manage the traffic over there, correct?

17 A Yes, some of it, yes.

18 Q Now, when you say that the -- you don't --
19 You're under oath so I'll take your word that you
20 don't know anything about Club Bari?

21 A No.

22 Q You, obviously, must have guessed that the
23 testimony that I elicited from the Captain was
24 with regard to your statements about individuals
25 coming from Club 618 Live?

1 A Well, I just -- yes. I don't know anything about
2 Club Bari.

3 Q So you heard the -- So you don't know whether
4 the individuals that you're seeing are coming
5 from Club Bari or Club 618 Live?

6 A No, I do not.

7 Q So the individuals that you've testified about,
8 you see them -- You can't see either Club Bari
9 or 618 Live from your apartment?

10 A No, from my building, no.

11 Q You just see them coming down, coming east on
12 Michigan to Broadway?

13 A Yes.

14 Q Now, last year we had quite a discussion about
15 the parking lot; do you remember that?

16 A Of course.

17 Q And the result was that those armed guards you
18 talked about are not anyone related to 618 Live,
19 are they?

20 A I have no idea. They work for the -- I talked to
21 the manager of CPS Parking and asked him about
22 the armed guards.

23 Q Right. But what I'm asking you is those guards
24 are not 618 guards, are they?

25 A No.

1 Q So your complaints are about the parking lot
2 people?

3 A Not necessarily. I'm concerned about the armed
4 guards at the bar.

5 Q Who are the armed guards at the bar?

6 A Well, I've been told that Mr. Merado carries a
7 gun.

8 Q No, no, no. I'm asking you: Who carries a gun
9 in your own personal knowledge?

10 A Personal knowledge, I've seen only the people at
11 the parking lot.

12 Q So you don't have any personal knowledge of
13 anybody carrying a gun?

14 A That's not true. I just said I saw the people in
15 the parking lot.

16 Q Now, you aren't -- you aren't necessarily against
17 these young people having fun downtown?

18 A Absolutely not. I love it.

19 Q And you are not -- what you don't want is you
20 don't want traffic on Broadway?

21 A It's not true.

22 Q What do you mean it's not true?

23 A I don't want chaos and uncontrolled behavior.
24 The patrons of these -- of this bar or whoever
25 else is on Water that you said; it's out of

1 control.

2 Q What's out of control?

3 A The conduct of the people.

4 Q I thought you indicated that it was the police
5 were there and there were lots of police?

6 A There are police there. Without the police, it
7 would be more chaotic.

8 Q I see. And so isn't it -- isn't it your
9 testimony that you have previously stated that if
10 the police just blocked off Broadway, that you
11 would be fine with that?

12 A No, I never said that. If I did, I retract it.

13 Q And, when you talk about the young people that
14 are coming from Water Street or wherever, moving
15 down east, what is your impression of those
16 people?

17 A Be more specific, please.

18 CHAIRMAN BOHL: I don't --
19 Mr. Halbrooks, I don't believe that that was part
20 of his testimony here today.

21 BY MR. HALBROOKS:

22 Q Well, who's causing the chaos?

23 A Bar patrons that come off of Water Street.

24 Q And, when you say they're causing chaos, how are
25 they acting? What are they doing?

1 A Loud, vandalism. I saw people climb and break
2 trees, urination in the street by both male and
3 female. I've witnessed it myself. And fights,
4 arguments, and traffic, it's horrible.
5 Commercial traffic, if you want to get by late at
6 night, you can't get through there.

7 Q But you heard testimony earlier about State
8 troopers down there, right?

9 A Yes.

10 Q And there was a lot of construction going on.
11 For instance, I think Clybourn's shut down now
12 for construction right now?

13 A I don't think so.

14 Q But the police were diverting traffic just
15 because of the -- just the police were deciding
16 where to divert traffic and how they were doing
17 it, weren't they?

18 A Not always. There were some other people that
19 appeared to be security people that would put the
20 barricades up, park their cars until the police
21 would come.

22 Q So but what I'm trying to understand is: is your
23 objection to how the police are barricading the
24 traffic and where they're directing it?

25 A No, I have no problem with the police.

1 Q You have no problem with the police. What
2 they're doing is fine. You don't want them to
3 alter what they're doing at all?

4 A Why should the police have to monitor the bar?

5 Q What I'm asking is: Are the police there to
6 monitor traffic for just general downtown traffic
7 or are they there because of the bar?

8 A Because of the bar.

9 Q And not because of the construction?

10 A I don't know where you're referring to
11 construction. I lived there for 25 years. I
12 don't know what construction is you're talking
13 about. Can you explain that to me?

14 CHAIRMAN BOHL: Mr. Halbrooks, what are
15 we introducing here?

16 MR. HALBROOKS: A DVD.

17 CHAIRMAN BOHL: For what purpose?

18 MR. HALBROOKS: This is a DVD that is a
19 conversation between Mr. Manjee and Mr. Arenson,
20 which was recorded recently, in which Mr. Arenson
21 makes statements directly contradictory to what
22 he just testified to.

23 CHAIRMAN BOHL: In -- and the
24 foundation is: Who was taping this here?

25 MR. HALBROOKS: Mr. Manjee.

1 CHAIRMAN BOHL: Was Mr. Arenson aware
2 of this taping?

3 MR. ARENSEN: No.

4 CHAIRMAN BOHL: And how long ago and
5 when?

6 MR. HALBROOKS: No, but there's --
7 that's not illegal.

8 CHAIRMAN BOHL: I just --

9 MR. HALBROOKS: I presume, given what
10 he says, he wasn't aware he was being taped and I
11 guess you'll guess that, too, when you hear it.

12 CHAIRMAN BOHL: And when was this
13 taking place and what was the nature of the
14 meeting --

15 MR. HALBROOKS: Okay.

16 CHAIRMAN BOHL: -- and that's the
17 foundation.

18 MR. HALBROOKS: Sure. And
19 understanding that in -- in terms of moving
20 evidence, that I wouldn't necessarily be moving
21 it until I finished all of that and that would
22 obviously have to take Mr. Manjee's testimony to
23 dovetail with it. I don't think you could
24 receive it necessarily until he testified and
25 provided all those details.

1 So I think that would have to come
2 later. But I think I can ask Mr. Arenson about
3 his part of the tape right now. So whether or
4 not -- based on the statements, I'm sure he'll
5 agree it was him and -- and then we can finish
6 the foundation later. But the foundation is it's
7 a taped conversation between Mr. Manjee and
8 Mr. Arenson.

9 CHAIRMAN BOHL: And that doesn't help
10 me. Was it two years ago? Was it one month ago?

11 MR. HALBROOKS: It was on September
12 4th, 2010, at approximately 9:30.

13 CHAIRMAN BOHL: In the morning, at
14 night?

15 MR. HALBROOKS: P.M.

16 CHAIRMAN BOHL: And the nature was
17 Mr. Arenson approached Mr. Manjee?

18 MR. HALBROOKS: Yes.

19 CHAIRMAN BOHL: And is there desire to
20 take this in as evidence here by the Committee?

21 ALDERMAN KOVAC: Is this a phone call?

22 MR. HALBROOKS: No, it's out on the
23 street and it clarifies Mr. Manjee's position.
24 And it clarifies Mr. Arenson's position as to his
25 testimony here today.

1 Obviously, Mr. Manjee can fill in the
2 details if you have any additional foundational
3 questions. But they were both out there, and I
4 think you should hear it.

5 CHAIRMAN BOHL: Approximately how long
6 is its length here?

7 MR. HALBROOKS: This is the entire
8 transcript.

9 CHAIRMAN BOHL: A minute?

10 UNIDENTIFIED: 50 seconds.

11 CHAIRMAN BOHL: Do you want to hear it?
12 Alderman Hamilton will move to make the disk --
13 is this the correct date on which it occurred?
14 There's a 9-4-2010 date on it.

15 MR. HALBROOKS: Yes.

16 CHAIRMAN BOHL: Are there any
17 objections to proceeding?

18 (No response.)

19 CHAIRMAN BOHL: Hearing none, so
20 ordered.

21 MR. HALBROOKS: We attempted to put the
22 transcript with the video.

23 CHAIRMAN BOHL: Do you have a copy of
24 the transcript here?

25 MR. HALBROOKS: Yeah.

1 ALDERMAN BAUMAN: Mr. Chair -- this is
2 not how you do this.

3 CHAIRMAN BOHL: I understand.

4 ALDERMAN BAUMAN: I'm going to object
5 to this entire -- This is not how you do this.

6 CHAIRMAN BOHL: You know what, duly
7 noted. The Committee made a motion to accept it.
8 The Committee accepted it. This is not a court
9 of law, Alderman Bauman. This is not a court of
10 law.

11 ALDERMAN BAUMAN: That's true.

12 MR. MILLER: Mr. Chair, the Committee
13 made a fine motion. I just think the foundation
14 needs to come in through the witness testimony.
15 I'm sure it will be summarizing what
16 Mr. Halbrooks said, but --

17 ALDERMAN BAUMAN: And I have one
18 more -- it is hearsay. It can be offered to
19 contradict a contrary statement that Mr. Arenson
20 may make. There's been no -- I don't know
21 what's being contradicted.

22 CHAIRMAN BOHL: I don't know either.

23 MR. HALBROOKS: That's the reason I can
24 introduce it.

25 ALDERMAN BAUMAN: But that's not how

1 it's done.

2 CHAIRMAN BOHL: Lay the foundation
3 here, Mr. Halbrooks.

4 CHAIRMAN BOHL: Alderman Coggs, before
5 she does -- before he does.

6 ALDERMAN COGGS: I just want to record
7 an objection to hearing it.

8 CHAIRMAN BOHL: The motion will carry
9 on a 3-to-1 vote.

10 HABIB MANJEE, having previously
11 affirmed to testify the truth, the whole truth
12 and nothing but the truth, testified as follows:

13 * * * * *
14 DIRECT EXAMINATION
15 BY MR. HALBROOKS:

16 Q Mr. Manjee, you're under oath?

17 A Yes, I am.

18 Q On September 4th, 2010, at approximately 9:30 in
19 the evening, did you have a conversation with
20 Mr. Arenson?

21 A Yes, I did.

22 Q Where did that conversation take place?

23 A It was at the Broadway and Michigan parking lot
24 right by my surveillance camera was there. At
25 night I wear the camera all the time. I record

1 from the time I start to time I'm off at night.

2 Q All night long you record your activities?

3 A Yes, I do.

4 Q Each night you work?

5 A Yes, I do.

6 Q And, when you talk about a surveillance camera,
7 that is a camera that the parking lot company has
8 allowed you to post there to do surveillance?

9 A Yes. I was with the detective showing the night
10 something happened. And Mr. Arenson and his wife
11 were walking and they happened to stop and talk
12 to me.

13 Q What -- explain to me. You were showing the
14 detective something that happened?

15 A Something happened, from one of the persons got
16 beat up down in the alley and we were showing all
17 the videos, the footage, you know, from the
18 civilian.

19 Q Now, we'll get into that later. But your video
20 surveillance camera --

21 A Which is this one that I wear nightly on my
22 uniform always on my shirt.

23 Q No, I'm talking about the camera at the parking
24 lot. That's what the police wanted to look at?

25 A Yes.

1 Q So you actually bring a laptop there, plug it in.
2 And your pole camera -- it's a pole camera,
3 right?

4 A Right, it's a pole camera.

5 Q Everybody that's coming up and down Michigan sees
6 they're on camera?

7 A We put it on the west of Michigan and one goes to
8 the parking lot, at intersection on Broadway and
9 Michigan.

10 CHAIRMAN BOHL: Mr. Halbrooks, you're
11 going above and beyond. I mean I understand that
12 that's why he was there and that's all separate.

13 MR. HALBROOKS: Fine.

14 CHAIRMAN BOHL: That's not a foundation
15 here.

16 MR. HALBROOKS: Okay.

17 BY MR. HALBROOKS:

18 Q So you were there -- but the thing you were there
19 on was something unrelated to 618 --

20 A -- the detective -- They wanted to see
21 something.

22 THE REPORTER: Wait, wait. You're
23 going to have to slow down and speak one at a
24 time, please. Start over.

25 BY MR. HALBROOKS:

1 Q The reason you were there was for something other
2 than 618?

3 A Right.

4 Q You were assisting the police on some other
5 matter?

6 A Yes.

7 Q And Mr. Arenson came walking up?

8 A Yes.

9 Q And you had a discussion with him?

10 A Yes.

11 Q And the discussion was about the traffic patterns
12 and what the police were doing?

13 A Right.

14 Q And did he have complaints about you at that
15 particular time of the police?

16 A No, he was complaining about police and,
17 basically, he was stating that, you know, what
18 kind of crowd I get, you know.

19 Q And he indicated that a minute ago that, what
20 he -- that he's never said that. The infor --
21 the conversation you had with him directly
22 conflicts with that?

23 A He told me that, you know, police -- I told him
24 that the police have allowed the people to
25 cruise. He says, police not doing their job. If

1 they block my street from Broadway to Michigan,
2 then I'm fine with that.

3 CHAIRMAN BOHL: Mr. Halbrooks --

4 MR. HALBROOKS: Yes.

5 CHAIRMAN BOHL: -- you've established
6 foundation. We're going to hit the camera -- hit
7 the DVD.

8 (The DVD was played.)

9 DONALD ARENSEN, having previously
10 affirmed to testify the truth, the whole truth
11 and nothing but the truth testified as follows:

12 * * * * *

13 FURTHER CROSS-EXAMINATION

14 BY MR. HALBROOKS:

15 Q So, Mr. Arenson, you indicated in that tape that
16 all you want is your street blocked off, correct?

17 A That's not the impression I gave. If you thought
18 that, I -- I don't agree with that.

19 Q You don't agree with what you said?

20 A No. I mean, if the street is blocked off, it
21 does help the traffic and the noise.

22 Q It sounded like you and Mr. Manjee were getting
23 along pretty well in this conversation?

24 A We didn't have any conflict. I was out walking
25 my dog.

1 Q But you were talking about people having fun and,
2 you know, God bless 'em, right, or something like
3 that?

4 A I'm sorry. Say that again?

5 Q You were talking about it was fine for people to
6 have fun downtown?

7 A I don't remember saying -- Yes, I enjoy it.

8 Q Could you just tell the Committee who are the
9 animals you were referring to?

10 A Some of the people do conduct themselves that way
11 there. I can't specifically tell where they came
12 from. But, when you urinate in the street, fight
13 and break trees, those are issues that I have a
14 great problem with. My dog wouldn't do what
15 they're doing.

16 Q But you called them animals, and then you used
17 your dog as an example. But you're indicating
18 that --

19 But the examples you gave, you don't
20 have any idea whether they came from -- whether
21 they came -- what club they came from or whether
22 they came from a club at all?

23 A No, I do not.

24 Q And, in fact, all of the calls that you've made
25 have been in the fall after Club Bari opened,

1 correct?

2 A No.

3 Q No? You made other calls before that?

4 A To the best of my knowledge, whenever there was a
5 problem, I call in or send an E-mail.

6 CHAIRMAN BOHL: Mr. Halbrooks, here's
7 what I have issue with:

8 What Mr. Arenson states to the
9 Committee here today is what this Committee has
10 under consideration. The fact that you start
11 introducing evidence above and beyond, outside
12 whatever other conversations, is not what's
13 before the Committee, in which case, that is a
14 waste of the Committee's time.

15 So I don't recall him stating that he's
16 made calls and what the nature of the calls were.

17 MR. HALBROOKS: Okay.

18 CHAIRMAN BOHL: So move on, please.

19 MR. HALBROOKS: Okay.

20 CHAIRMAN BOHL: Anything valid to what
21 he has stated before us today, anything that he's
22 introduced as evidence today. Anything that he
23 may have sent as an E-mail to the alderman,
24 that's not part of this record, and it's not
25 considered and, therefore, it shouldn't be

1 cross-examined.

2 MR. HALBROOKS: Okay. I don't think I
3 have anything else. I don't think he testified
4 to anything.

5 MR. ARENSON: Thank you. My apologies
6 to anyone who took offense at my comments. That
7 wasn't my intention.

8 CHAIRMAN BOHL: Understood.

9 MR. HALBROOKS: Why are you looking at
10 them?

11 MR. ARENSON: I'm looking at you.

12 CHAIRMAN BOHL: Thank you. Next
13 witness, please.

14 BETH NICHOLS, having first affirmed to
15 testify the truth the whole truth and nothing
16 but the truth, testified as follow:

17 * * * * *

18 DIRECT TESTIMONIAL STATEMENT

19 BY MS. NICHOLS: Beth Nichols. I'm
20 with Milwaukee Downtown, the Downtown Business
21 Improvement District. My address is 600 East
22 Wells Street.

23 I'm here today to share with you the
24 mission of the Business Improvement District,
25 No. 21, is to revitalize downtown Milwaukee, to

1 be focused on providing a secure, safe
2 environment that is conducive to economic
3 development. I do want to also indicate that
4 we're strong proponents of building a strong
5 nighttime economy. We think it's critically
6 important for downtown to be an attractive
7 destination and we are working on initiatives to
8 help enhance downtown Milwaukee as an attractive
9 destination and hope that we become a magnet for
10 successful club and restaurant operators.

11 I do want to indicate that our board,
12 who represents businesses in downtown Milwaukee,
13 has asked today that you consider not renewing
14 this license.

15 Regardless of whether it's hearsay or
16 not, our market research shows us that negative
17 perceptions create negative economic development.
18 This problem location, whether it's Club Bari or
19 Ladybug Club, 618 Live, is becoming a nuisance
20 and has become a nuisance destination. It's a
21 problem area.

22 I have personally witnessed it in the
23 evening. We have property owners who have
24 witnessed it, unfortunately, who can't leave
25 their businesses for four hours for a public

1 hearing. I know that one manager is here to
2 speak specifically regarding this. But,
3 unfortunately, even with meetings with Mr.
4 Manjee, on numerous occasions where we have said
5 to him, we want this to be successful. It's
6 important for us. The unfortunate situation is,
7 with all the effort and initiatives that Mr.
8 Manjee and the money and the investment he has
9 put into his security, into his identification of
10 his patrons, we are still experiencing problems
11 that are, unfortunately, a nuisance in downtown
12 and have an adverse impact.

13 CHAIRMAN BOHL: Thank you. Questions
14 by the Committee?

15 (No response.)

16 CHAIRMAN BOHL: Mr. Halbrooks.

17 * * * * *

18 CROSS-EXAMINATION

19 BY MR. HALBROOKS:

20 Q Do you have any specific responses to any of the
21 items in the synopsis that was read?

22 A No, I do not.

23 Q When you talked in -- You gave a lot of vague
24 statements. Are there any specific incidences
25 that you can refer to regarding your statements?

1 A Not specifically here today. I have a very large
2 file.

3 Q Do you often appear against members of your
4 organization?

5 A Rarely.

6 Q What was the voting for?

7 A It's not our practice. It was voted unanimously
8 by my executive committee.

9 Q Did you ask Ladybug to appear at that meeting?

10 A No, we did not.

11 Q So you had a one-sided meeting and then had a
12 unanimous vote?

13 A I wouldn't call it a one-sided meeting. We've
14 been reaching out to Mr. Manjee for -- for years
15 and asked him to sit on our responsible
16 hospitality committee.

17 Q How did you learn about the meeting today?

18 A Uh, from several property owners, from
19 representatives of the City.

20 Q What representatives of the City?

21 A Captain Basting, had a conversation with
22 Alderman Bauman.

23 Q You didn't hear Captain Basting. Captain Basting
24 didn't talk to you?

25 A We have ongoing conversations.

1 Q About Ladybug?

2 A About a variety of issues -- affecting safety --

3 Q About Ladybug?

4 A -- downtown Milwaukee. We've probably had two
5 conversations about Ladybug Club.

6 Q And you did have conversations with
7 Alderman Bauman?

8 A Generally, one conversation about the hearing
9 this morning; and that was it.

10 Q Why didn't you invite Ladybug to your meeting?

11 UNIDENTIFIED: You don't have to answer
12 that.

13 MS. NICHOLS: It's a publically noticed
14 meeting. Tom Daykin, a reporter from the
15 Journal-Sentinel, was there.

16 MR. HALBROOKS: How did he vote?
17 Withdrawn. I have nothing further.

18 CHAIRMAN BOHL: Thank you. Next
19 witness, please.

20 JOHN HALVORSON, having first affirmed
21 to testify the truth, the whole truth and nothing
22 but the truth, testified as follows:

23 * * * * *

24 DIRECT TESTIMONIAL STATEMENT

25 BY MR. HALVORSON:

1 Good morning. My name is
2 John Halvorson. I'm the operations manager for
3 Bartolotta Catering at the Grain Exchange.

4 CHAIRMAN BOHL: Is there an address
5 that you can provide us for that place, please?

6 MR. HALVORSON: I'm sorry.

7 CHAIRMAN BOHL: The address?

8 MR. HALVORSON: Oh, I'm sorry. The
9 address is 225 East Michigan Street.

10 CHAIRMAN BOHL: Thank you.

11 MR. HALVORSON: I'm here today with
12 three areas of concern.

13 There's a parking lot that is directly
14 located behind the Grain Exchange, the Mackie
15 Building property that is rented to our brides
16 and grooms and our clients; and the parking lot
17 starts to fill at around 10 o'clock at night with
18 patrons from the Ladybug Club. We've had
19 papering of windshields in our parking lot.
20 We've actually had clients who've observed
21 parking in our lot without paying for it and have
22 gotten refunds from CPS for that, directly
23 related to that.

24 I've observed urinating in back of our
25 property as well, and we've had lewd frivolous

1 exchange with patrons and staff regarding these
2 people.

3 Another area of concern is the front
4 door of our property that's located directly on
5 Broadway. I've had to have the doors locked at
6 nine o'clock to prevent people from coming in.
7 Our clients actually leave the reception hall to
8 go out and smoke, and they've had interaction
9 with clients up and down the street. About two
10 weeks ago someone was asking for money.

11 And then, finally, the two o'clock
12 closing, streets are closed, police are around
13 regularly and I have issues with my staff leaving
14 the property. They're afraid. Broken bottles of
15 booze all over our parking lot. I've actually
16 resorted now to having staff leave in pairs, and
17 last weekend someone wouldn't even take the trash
18 out.

19 CHAIRMAN BOHL: Questions by committee.

20 (No response.)

21 * * * * *

22 EXAMINATION

23 BY CHAIRMAN BOHL:

24 Q The -- the -- where your parking lot is situated,
25 you said that there was papering. I assume that

1 you mean flyers; is that correct?

2 A Flyers. Club flyers left underneath the
3 windshield wiper.

4 Q Was there any specific club or clubs that were
5 identified in those flyers?

6 A Probably. I don't have physical evidence of it
7 today.

8 Q Do you have a recollection as to whether any of
9 it was 618 or --

10 A I don't at this time.

11 Q And, in terms of the individuals that you've had
12 interactions with or witnessed urinating, do you
13 have a timeframe as to when that occurred? How
14 long ago? Do you recall?

15 A Oh, it -- it's an ongoing occurrence. My -- my
16 shifts at the Grain Exchange are from 2 o'clock
17 in the afternoon to 2 o'clock in the morning.
18 Generally, traffic starts to come into our
19 parking lot at around 10 o'clock at night, and
20 I've observed things from between 10 to 2 a.m.

21 Q No, I just mean has this occurred in the last
22 year, in the last half year in terms of --

23 A We've been on the premise at Grain Exchange for
24 two and a half years now, and it's been occurring
25 since -- since our inception there.

1 Q But the Committee can only consider items in the
2 last year?
3 A Yes, there have been --
4 Q I just wanted to make certain that items you are
5 detailing are not from two years ago; they're
6 from the last year?
7 A It's been within the last year.
8 Q You've personally witnessed them?
9 A Yes.
10 Q Now, it's going to be the more difficult
11 question: Given that there are multiple clubs on
12 this street, can you differentiate patrons from
13 one location to another?
14 A No.
15 CHAIRMAN BOHL: All right. Thank you.
16 Mr. Halbrooks.
17 MR. HALBROOKS: Maybe I can do this
18 short.
19 * * * * *
20 CROSS-EXAMINATION
21 BY MR. HALBROOKS:
22 Q In your entire testimony, do you have any proof
23 that any one of the individuals that you
24 testified about had anything to do with Club 618
25 Live?

1 A I do not.

2 Q Who asked you to be here today?

3 A I came of my own.

4 Q How did you find out about the meeting?

5 A Through this notice.

6 MR. HALBROOKS: Nothing further. Thank
7 you.

8 CHAIRMAN BOHL: Thank you for your
9 testimony, sir. Are there others who are here in
10 opposition? Any others in opposition?

11 (No response.)

12 CHAIRMAN BOHL: All right. We're going
13 to hear from individuals who are here in support
14 of the item.

15 MR. HALBROOKS: Wait. Hold on. Okay.
16 Where are we at in time?

17 CHAIRMAN BOHL: 26 minutes.

18 MR. HALBROOKS: 26 minutes.

19 CHAIRMAN BOHL: And that includes a
20 closing, Mr. Halbrooks.

21 MR. HALBROOKS: What I want to do is
22 have Mr. Merado make a presentation. We'll take
23 a couple of minutes with that. He has a number
24 of things he would like to tell you about.

25 NICHOLAS MERADO, having previously

1 affirmed to testify the truth, the whole truth
2 and nothing but the truth testified as follows:

3 * * * * *

4 DIRECT TESTIMONIAL STATEMENT

5 BY MR. MERADO:

6 I just want to go over a couple of
7 operational things that we've implicated -- or
8 implemented since the last time we met.

9 As far as our staffing goes and
10 security, as Captain Basting so kindly
11 complimented us on, the way we operate and the
12 way we train our people and the way we try to
13 identify individuals and help and assist. We've
14 hired quite a few new security personnel. We've
15 eliminated some of the people that maybe were not
16 as great. And they've all successfully passed
17 our instructions manuals. We have bi-weekly
18 refresher classes. We have roll call like
19 Captain Basting mentioned. We have about twenty
20 people that we employ every night, and I can
21 certainly provide you with a schedule of their
22 duties whether it be during the night or at the
23 end of the night. Everyone has a specific place
24 to be at a specific time and knows how to react
25 to specific situations and incidents. So I'm

1 very proud of those guys.

2 In addition to that, we have equipment
3 that has been paying dividends since the last
4 time we were here. The last time we were here,
5 we introduced this identification reader to you
6 and we showed you a demonstration. We can do it
7 again. If you remember, we won't have to. This
8 is what every single person coming into the
9 facility must provide us with their ID. It is
10 put into the reader. A picture of the person is
11 taken simultaneously and entered into a database.
12 When people who are deemed problematic, we then
13 retrieve their information, make a notation:
14 Person's banned, persons did this, person -- we
15 note when someone is undesirable to us. So, over
16 the past year, year and a half, this has paid
17 dividends in gathering the database of
18 undesirables, which has minimized the amount of
19 risk factor we have from people coming back and
20 repeating situations or they maybe have done in
21 the past. So that's a pretty cool thing we have
22 there.

23 In addition to that, we also have a
24 failsafe. We have a secondary identification
25 system. When people come into the club, they

1 will also give us their ID for a second time. I
2 do have some photos I can give to you to show you
3 how things work. We do have a second photo
4 identification where their ID is downloaded into
5 another database so we have a cross-referencing
6 just in case this goes down.

7 We have also leased what you've heard
8 before, a mobile surveillance unit that we put in
9 the parking lot on the corner of Wiscon -- excuse
10 me, the corner of Michigan and Broadway. It's
11 called ClearCom. We have photos of that as well.
12 It's a mobile surveillance unit that covers an
13 area that our 24 surveillance units in an around
14 our club cannot get.

15 We are very interested in knowing
16 what's going on, on Michigan and Broadway. That
17 seems to be the crux -- one of the cruxes of
18 contention with us. So we've taken to great
19 expense to put this mobile unit on the corner to
20 videotape things that have been going on. So we
21 can identify people that may have caused
22 troubles, whether they're in our club or not,
23 whether their vehicle is a nuisance vehicle so we
24 can identify them, hopefully, and avoid them from
25 coming into our establishment.

1 This has proven invaluable not only to
2 us but to the Milwaukee Police Department on
3 other situations that have happened in and around
4 that area because we've provided them with
5 videotape of other problems that have happened
6 even -- that has nothing to do with us.

7 So I have a few pictures of our mobile
8 unit that we put there every night that we're
9 open. It's there before we open, half hour to 45
10 minutes. And it's there half hour to 45 minutes
11 after everyone has left the parking lot.

12 MR. HALBROOKS: If I may just quickly,
13 it's a small trailer and a pole goes up and you
14 can see all the way down the street.

15 MR. MERADO: Right. It's a trailer we
16 tow over there. And the camera goes up 20 to 30
17 feet. The vantage point is incredible. This is
18 the computer just to show you that we download
19 all of our information in and we save it. So we
20 have that.

21 We've also purchased a -- Before I get
22 to that, we also have a SBT, Security Building
23 Technologies, video surveillance system, which
24 consists of 24 video cameras, 19 inside and 5
25 outside, which theoretically reviews or tapes

1 every inch of the club. As was noted many times
2 in the report read to you, when the police come,
3 we show them these 24 camera angles that
4 Mr. Halbrooks is going to show you now.

5 MR. HALBROOKS: And this is how you
6 knew that Octavia Map was not on the premises
7 that night.

8 MR. MERADO: Octavia Map, the young
9 lady who claims to have gotten the six staples
10 and six stitches. Someone had gotten hit that
11 violently, there would have been blood
12 everywhere. We would not have been notified
13 about it six days later. We reviewed the
14 videotape inside and out. We cross-referenced
15 her name in our incoming database, and there was
16 no evidence or no proof of Octavia Map being
17 there that night or an incident.

18 In addition to the identification
19 reader and the secondary backup reader, we also
20 check the ID's because the ID has to be right.
21 This will tell you if it's good or not. It won't
22 tell you if the person handing it to you is the
23 same person that's in the picture. We have over
24 a hundred forty-eight ID's right here -- I'm
25 going to pass a little bit -- to show you that

1 these people were identified by our diligent crew
2 and were not allowed to come into our facility.

3 Now, I'm pretty sure these 148 people
4 will have to go out and get another ID, the real
5 people. So I just want to show you that we're
6 doing our due diligence to provide --

7 We purchased a Chevy Impala. This is a
8 mobile vehicle that we have equipped with three
9 cameras that gives a 360-degree view of the car
10 which we just drive around the perimeter of our
11 facility and the perimeter of the neighborhood.

12 We just want to know, if someone's
13 driving a white van, and our guy videotapes this
14 white van with people hanging out of the windows,
15 and they happen to notice that those people got
16 out of the white van and are coming into our
17 facility, we want to know that ahead of time so
18 that we can avoid that problem. That's why we
19 have this.

20 This is the vehicle, also, that
21 assisted Detective Rogers in detaining that one
22 individual who tried to flee, in addition to
23 another one that wasn't mentioned most recently.

24 So, as you can see, this -- as you can
25 see from the photos, if you have them, it is

1 equipped with the cameras. We also have a mobile
2 DVR system and everything that we videotape in
3 here we save. We also have a log book that we
4 refer to and jot everything down just in case
5 something was to go out of whack.

6 We have 11 barricades, and
7 Mr. Halbrooks will show you an example of how we
8 stage our customers coming in so that there's not
9 chaos on our block. That's an example right
10 there of the sidewalk being clear and everybody
11 being tight up against the building so
12 pedestrians can come and go freely, whether they
13 come to our club or another club on the block or
14 anywhere else. So that's barricades that we put
15 out on a nightly basis.

16 We also have signage. I know signage
17 in the past has been important to everyone. And
18 we have a very, very stringent dress code, which
19 I'm going to show you. We have the gentleman
20 standing next to that sample of the dress code is
21 about six foot six. So we have a seven-foot sign
22 right on the outside of our facility so you can't
23 miss it. In addition to that, we're identifying
24 people in or out of the dress code as they walk
25 up and we have two others, 24-by-36 posted on the

1 building.

2 Another thing we implemented since the
3 last time we were here because it was brought up,
4 is that: Are you telling people or have you told
5 them about the noise and all of that? It's our
6 practice that towards the end of the night,
7 throughout the course of the night, that we
8 remind people: Please, please, be respectful of
9 our neighbors. Please keep it down. Please, you
10 know, do the right thing. And that will show you
11 a secure -- a noise code ordinance on our exit
12 door, which is the one in the middle of the two
13 stainless steel doors that everyone will see as
14 they leave, and we put another one on the facing
15 of our building. Another 6-to-7-foot sign as
16 they're heading towards Michigan.

17 We also -- I didn't bring you the
18 actual sign, but I'm also providing you with a --
19 with a sign that we have in our foyer that every
20 single person is checked for illegal substances
21 or anything of that nature, every person,
22 regardless. That's posted right inside of the
23 foyer as you're coming in. Everyone, bar none,
24 gets checked.

25 Those are some of the things that we've

1 been doing. As you see, we -- we spend a lot of
2 our resources on the 25 cameras, the mobile unit,
3 the two sets of identification systems, the
4 vehicle.

5 MR. HALBROOKS: Okay. I just have a
6 couple questions for you, if I may.

7 * * * * *

8 DIRECT EXAMINATION

9 BY MR. HALBROOKS:

10 Q The Halloween incident, Item 41.

11 A Yes.

12 Q The police turned up no evidence that a gunshot
13 actually occurred?

14 A That's right.

15 Q Correct? 42, you called the police?

16 A Right.

17 Q 43, you called the police?

18 A Right.

19 Q And 46, you don't -- the 11:30 incident, you
20 don't have any -- that is not a time when you
21 were closing on February 21st at 11:30 p.m.?

22 A Which item number was that?

23 Q 46.

24 A No. We weren't closing at 11:30 p.m. Hardly no
25 one's even there by 11:30 p.m. We close

1 routinely at 1:30, 1:35, depending on how many
2 people are there.

3 Q So your statement as to the credibility of the
4 police report that people were leaving 618 at
5 that time is what?

6 A False. Or --

7 Q That's good.

8 A Yeah.

9 Q 47, the person going out into the street to the
10 bus stop, that was initiated by you guys?

11 A Yes.

12 Q And 49, it says 7-16, 1 a.m., the police were
13 flagged down, that was initiated by you?

14 A Yes.

15 Q Item 50 was initiated by you?

16 A Yes.

17 Q And Item 51, do you have anything further to add
18 to the video that we saw earlier?

19 A Like I stated earlier, we were -- we were
20 notified that the person who was supposedly at
21 St. Mary's Hospital unconscious, we were -- we
22 were told by the police department, as they
23 viewed the video with us, that that definitely
24 was the person and, during their investigation
25 identifying that person, they were able to

1 identify that that same person did not get hit by
2 us with a baton or a flashlight or some hard
3 object.

4 MR. HALBROOKS: Okay. Just a couple of
5 quick questions for Mr. Manjee.

6 * * * * *

7 HABIB MANJEE, having previously
8 affirmed to testify the truth, the whole truth
9 and nothing but the truth, testified as follows:

10 * * * * *

11 FURTHER DIRECT EXAMINATION

12 BY MR. HALBROOKS:

13 Q Mr. Manjee, on a Saturday afternoon recently, you
14 were at the club and saw an incident outside your
15 door?

16 A Yes.

17 Q Could you tell the Committee about that, please?

18 A Well, the person that owned the -- I think owned
19 the store at the Luci shop and I don't know his
20 name's Kevin or -- and he happened to be walking
21 in front of my door and dumped all the trash and,
22 in the past, we used to find a lot of trash in
23 front of my door. So I was wondering who was the
24 guy, you know. So it happened to be I opened the
25 door; he had two dogs and he had trashes over

1 there. And, as soon as I opened the door, he had
2 my -- two dogs start barking at me and he said:
3 Man, I'm going to shut you N down, you know. And
4 I'm tired of take you N people in, you know, the
5 hood, you know, drag down here. He was going on
6 and on. So I just called nine -- you know,
7 calling the police. I saw the police car and so
8 I flagged the officer and they gave him a ticket
9 for that.

10 Q I'm sorry. I didn't catch that. Did you say the
11 name of the person?

12 A His name's Kevin or Clay. Clay. Last name is
13 Clay or first name is Clay.

14 Q That seems kind of an incredible story. Do you
15 have any proof for us here?

16 A Yes, I do. I have a video and, also, my daughter
17 was sitting in the van, and she heard it and
18 she's here to testify.

19 MR. HALBROOKS: And, Mr. Merado, do you
20 have anything to add to that story?

21 * * * * *

22 FURTHER DIRECT TESTIMONIAL STATEMENT

23 BY MR. MERADO: Yes. The gentleman's
24 name is Clay Green, who we have a history with
25 who is a neighbor in our area, who routinely

1 walks his two big dogs in-between our customers
2 as they're leaving and calling my staff the N
3 word, calling my customers the N word, and we
4 just caught him on videotape I believe that
5 afternoon, which I viewed of him, dumping trash
6 in our foyer area, which goes to show you that
7 it's very possible that this venomous gentleman
8 could have done it at other locations and blamed
9 it on us.

10 MR. HALBROOKS: Thank you. I move the
11 DVD. It's very short.

12 CHAIRMAN BOHL: Let me just first off,
13 before we go to that, are there questions by the
14 Committee regarding the testimony thus far?

15 CHAIRMAN BOHL: Alderman.

16 ALDERMAN COGGS: This is being
17 introduced to show us?

18 MR. HALBROOKS: This is being
19 introduced to show you the kinds of difficulties
20 that Ladybug has in the neighborhood with the
21 neighbors who do not want the club there. It's
22 pretty self-evident when you see it. It's
23 surprising. It's surprising he didn't know he
24 was on video.

25 ALDERMAN COGGS: The Clay Green person,

1 though, is not here today?

2 MR. HALBROOKS: No, he is not. But it
3 is a video, video and audio that is kept by Club
4 618.

5 ALDERMAN COGGS: Thank you.

6 CHAIRMAN BOHL: Is there going to be
7 to -- first off, we'll have Alderman Kovac move
8 to make the large quantity of photos and
9 accompanying -- I guess these we'd call summaries
10 of some of your signage as part of the official
11 record in this proceeding. Hearing no objection
12 to that, so ordered.

13 Is there any objection to watching the
14 footage, for what it is worth? It's not
15 rebutting anything. So if you want to do it on
16 your time.

17 ALDERMAN BAUMAN: This is on their
18 time?

19 CHAIRMAN BOHL: On their time.

20 ALDERMAN BAUMAN: Very good.

21 CHAIRMAN BOHL: Alderman Kovac will
22 move to make the video provided part of the
23 official record in the proceeding. Hearing no
24 objection, that's so ordered.

25 (The DVD was played.)

1 MR. HALBROOKS: That's Mr. Green with
2 his two dogs walking up to our front door and
3 throwing glass and bottles at 3:30 in the
4 afternoon on a Saturday, October 9th. That's
5 Habib going outside confronting him about it,
6 saying: What are you doing?

7 At this point, Habib will have a
8 witness that was standing in the foyer with us,
9 as Clay Green was swearing up and down and there
10 was another one in the car coming up right here,
11 saying --

12 This is what he said: I'm going to
13 close you N's down. You got to get out of my
14 neighborhood. And, shortly, you will hear
15 Mr. Clay Green's voice and the tone and the type
16 of a person that we need to deal with that we
17 feel is sabotaging or possibly putting our
18 facility in jeopardy with his obvious actions.
19 You've seen it. It's not hearsay. There it is.
20 There are the two dogs we mentioned. And you saw
21 the trash on our driveway. As you see, the
22 street is crystal clear and clean right in front
23 of our facility.

24 All right. There's more.

25 MR. HALBROOKS: Did you stop it? It

1 wasn't done.

2 MR. MERADO: It's real quick. Now,
3 it's our practice and I train my guys to pick up
4 trash.

5 CHAIRMAN BOHL: Okay. If you want to
6 hold on. I'm counting against you here until we
7 get to that point.

8 ALDERMAN BAUMAN: How much time is
9 left, by the way, Mr. Chairman?

10 CHAIRMAN BOHL: 10 minutes and 42
11 seconds.

12 ALDERMAN BAUMAN: And we're counting
13 all these citizen testimonies in that ten
14 minutes?

15 CHAIRMAN BOHL: Yup.

16 ALDERMAN BAUMAN: Very good.

17 CHAIRMAN BOHL: And his closing. It's
18 shutting off on its own.

19 MR. MERADO: All right. Well, we have
20 a very, very nasty voicemail which you can't hear
21 now obviously, but it's telling.

22 ALDERMAN BAUMAN: Mr. Chair, I'm going
23 to have to object and ask you to strike this
24 testimony. We've heard nothing verbally other
25 than his testimony as to what the conversation

1 was in that video.

2 CHAIRMAN BOHL: Alderman Bauman, short
3 of there being any evidence, I think I would
4 concur; but what I will say is just this much:
5 The Committee considers and has full knowledge of
6 what we need to accept and not accept as well,
7 too, and we're supposed to make a record at the
8 end of saying what we include or don't include in
9 terms of a decision.

10 So I would concur, what was provided
11 here, there's no evidence to substantiate that.
12 So, for witnesses, go ahead. We'll need your
13 name and address for the record, please.

14 HENNA MANJEE, having first affirmed to
15 testify the truth the whole truth and nothing
16 but the truth, testified as follows:

17 * * * * *

18 DIRECT TESTIMONIAL STATEMENT

19 BY MS. MANJEE:

20 Henna Manjee, 1926 West Wisconsin
21 Avenue.

22 THE REPORTER: Will you spell your
23 first name, please?

24 MS. MANJEE: H-e-n-n-a.

25 THE REPORTER: Thank you.

1 MS. MANJEE: M-a-n-j-e-e.

2 CHAIRMAN BOHL: Go ahead, please.

3 MS. MANJEE: On October 9th, in the
4 early afternoon, I was sitting in our family van
5 outside of the 618 establishment, waiting for Mr.
6 Manjee. Heading north on Water Street, I saw a
7 middle-aged Caucasian man walking down the
8 street. He had about a half dozen or so bottles
9 of beer and cans, and he was also walking two
10 very large dogs. When he approached the front of
11 the 618 establishment, he dropped the bottles and
12 cans in front and kept walking as if nothing had
13 happened.

14 I was in shock as to why someone would
15 do such a thing and I had no prior knowledge of
16 this man. Mr. Manjee, though, was right inside
17 the front entrance about to leave the
18 establishment when he saw the man committing this
19 act. He quickly ran outside and yelled at the
20 man outside, asking: What are you doing? You've
21 been the one who's been doing this for a while in
22 the alleys, too, haven't you? Which indicated
23 they had a prior relationship.

24 The Caucasian man was obviously angry
25 he'd gotten caught this time, and yelled back at

1 Mr. Manjee, saying: I'm going to shut you, using
2 the F word, down and don't bring your F'ing trash
3 from the hood downtown, and other profanities and
4 racial slurs. He also mentioned that him and his
5 neighbors are going to shut you down for good
6 this time. While making the statements, he held
7 the dogs in front of him in a threatening
8 fashion -- threat.

9 MR. MILLER: Mr. Chair, just
10 interrupt --

11 CHAIRMAN BOHL: Mr. Miller.

12 MR. MILLER: You should strike the
13 reference to the man walking down the street,
14 making the statements. You don't have any of
15 that before you. This is an out-of-courtroom
16 declarant, a hearsay statement.

17 CHAIRMAN BOHL: I'm going to allow her
18 to proceed here forward with what she claims she
19 saw, personally, for what it's worth. Go ahead.

20 MS. MANJEE: Mr. Manjee then rebuttaled
21 and said he was going to call the police as the
22 man was walking away.

23 After he had left, my father noticed a
24 squad car at the intersection heading south on
25 Water Street. He flagged them down and told the

1 police what had happened. The police then went
2 and found the Caucasian man and he stated that he
3 had apologized for what had happened, that he
4 knew it was wrong, yet he was still doing all
5 this alley trashing. Then they proceeded to ask
6 Mr. Manjee if he wanted them to issue a ticket to
7 the man or let him go. My dad stated he wanted
8 to issue him a ticket and shortly thereafter he
9 left the scene.

10 Personally, I was offended at the
11 racial slurs were going on in downtown Milwaukee,
12 since it's a culturally diverse neighborhood.
13 And it's kind of sad to know that racism still
14 does exist in Milwaukee even though it is such a
15 culturally diverse neighborhood. That's all I
16 have to say.

17 CHAIRMAN BOHL: Questions by Committee?
18 (No response.)

19 CHAIRMAN BOHL: All right. Thank you
20 for your testimony. Next witness, please.

21 * * * * *

22 CLYDE DANGERFIELD (phonetic), having
23 first affirmed to testify the truth, the whole
24 truth and nothing but the truth, testified as
25 follows:

1 * * * * *

2
3 DIRECT TESTIMONIAL STATEMENT

4 BY MR. DANGERFIELD: My name is
5 Clyde Dangerfield. I live at 231 West Wisconsin
6 Avenue.

7 Just quickly, the parking lot over by
8 the Grain Exchange, I go to Club 720, I go and I
9 watch UFC fights at Star Bar, which are over on
10 Broadway behind there; and a lot of the club,
11 they have like valet services, a lot of those
12 places. If they don't use the valet service at
13 any of those other clubs, the patrons from all of
14 those clubs in that area walk over to those
15 parking lots over in that area.

16 Also, the club -- the violence and all
17 that stuff, I don't see it, personally, for the
18 simple fact, I live downtown, number one. Number
19 two, I spoke last time about my annual event that
20 I have, Sincere Day, which is an anti-domestic
21 violence and is a time to basically help our
22 community.

23 This club, in conjunction with me this
24 year alone, raised over \$6,000 to give to the
25 Battered Women's Shelter, Sojourn Truth and The

1 Hunger Task Force this year. We also collected
2 over 400 coats and hats and scarves for our less
3 fortunate kids this year. This club has been
4 doing everything they can behind the last year's
5 hearing to try to make a different situation.

6 I, actually, can go into any club in
7 the city, because of the respect level I have and
8 I can wear whatever attire I want, baseball caps,
9 whatever I want to. This club has actually, you
10 know, slowed that down with me. And so there's
11 no white T-shirts, no baggy clothes. You have to
12 come with a certain attire to be in this
13 establishment. They even changed the music up.
14 We started bringing live bands into the situation
15 to get different music, basically, so -- it's --
16 I just think that is a good establishment and
17 it's, basically, you know, neighborhood. There's
18 traffic coming from all over, basically, and I
19 don't think that it's just from, you know, this
20 area.

21 CHAIRMAN BOHL: Thank you. Questions
22 of this witness?

23 MR. HALBROOKS: Mr. Chairman, I'm going
24 to ask the Chair's discretion on citizen
25 testimony. People come here at 9:45. We do our

1 best to move through, but -- or the Committee to
2 acknowledge that these people should get a couple
3 of minutes to say their piece.

4 ALDERMAN BAUMAN: It's mainly him who's
5 causing these delays.

6 CHAIRMAN BOHL: No. The testimony's
7 going to be the testimony here.

8 MR. HALBROOKS: All right. Thank you.

9 CHAIRMAN BOHL: Thank you. Next
10 witness, please.

11 MR. HALBROOKS: How much time do we
12 have left?

13 CHAIRMAN BOHL: Five minutes and 39
14 seconds.

15 MR. HALBROOKS: Okay. You've got 30
16 seconds.

17 EARL POTTS, having previously affirmed
18 to testify the truth, the whole truth and nothing
19 but the truth, testified as follows:

20 * * * * *

21 DIRECT TESTIMONIAL STATEMENT

22 BY MR. POTTS: My name is Earl Potts.

23 CHAIRMAN BOHL: Did you say Earl --

24 MR. POTTS: Potts.

25 THE REPORTER: Spell your last name,

1 please.

2 MR. POTTS: P-o-t-t-s.

3 CHAIRMAN BOHL: And address, please,
4 sir.

5 MR. POTTS: My address is 29 -- wait --
6 excuse me, 2829 West Wisconsin Avenue.

7 CHAIRMAN BOHL: Go ahead.

8 MR. POTTS: Okay. I do security across
9 the street at the Chase Tower on Water and
10 Wisconsin and I work third shift there 10 to 6 in
11 the morning. And I'm usually out on patrol
12 during the time that they close up, and I notice
13 how they have the security set up; and, normally,
14 when the security lets out, they close up, they
15 disburse the crowd, they direct the traffic, they
16 make sure that, you know, they have a security
17 officer that's on the corner that's, you know,
18 directing the traffic, blocking off traffic where
19 it can't come down to back in front of the place.
20 So that's all I have to say.

21 CHAIRMAN BOHL: Thank you. Are there
22 questions by Committee?

23 ALDERMAN HAMILTON: Mr. Chair.

24 CHAIRMAN BOHL: Alderman Hamilton.

25 * * * * *

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

EXAMINATION

BY ALDERMAN HAMILTON:

Q As the person that's doing security in the evening, do you feel as if the security that's out there and the way that they manage the club, is that a benefit to the area or do you think that the -- that the patrons that they bring down -- and don't worry this is not counting against your --

A Right.

Q -- that the patrons that are coming down because of the business being there are a hindrance to the neighborhood?

A No, I think that their security's doing a fine job and I don't have any problems, because I have to do outside patrols as well; and, no, I don't have any problems with any of the patrons that come downtown.

CHAIRMAN BOHL: Any other questions by Committee?

ALDERMAN HAMILTON: No, that's it.

MR. HALBROOKS: Time, please.

CHAIRMAN BOHL: 4, 45. Again, name and

1 address.

2 * * * * *

3 BRENDA HARTWIG, having first affirmed
4 to testify the truth, the whole truth and nothing
5 but the truth, testified as follows:

6 DIRECT TESTIMONIAL STATEMENT

7 BY MS. HARTWIG: My name is Brenda
8 Hartwig. I live at 5616 West Notre Dame Court.
9 I am a Milwaukee city homeowner. And I had the
10 opportunity to go to the 618 Club with my son and
11 his group of friends from Marquette University
12 High School for a little reunion that they had.
13 And I was really reluctant to go because, you
14 know, as you can tell, I'm not really in the
15 hip-hop age. But I got down and I had a good
16 time. And security was fantastic inside and out.
17 Every aspect of the club was great. And I wasn't
18 intimidated. I didn't fear anything. We didn't
19 fear when we walked outside. But you guys should
20 look at your other area on Water Street because
21 I've had to walk into the PAC with vomit on my
22 feet from the other clubs.

23 CHAIRMAN BOHL: Could you spell your
24 last name, please?

25 MS. HARTWIG: Sure. H-a-r-t-w-i-g.

1 CHAIRMAN BOHL: Questions from the
2 Committee, please? If you could hold on.
3 Questions from the Committee, please.

4 ALDERMAN HAMILTON: Mr. Chair?

5 CHAIRMAN BOHL: Alderman Hamilton.

6 * * * * *

7 EXAMINATION

8 BY ALDERMAN HAMILTON:

9 Q You mentioned Water Street?

10 A Correct.

11 Q Do you see the activity -- I mean, since you went
12 to 618 and you're familiar with the activity
13 there, in the evening?

14 A Hm-hm.

15 Q Do you see the activity being any different or --
16 what would you say the difference is between the
17 activity that you saw on 600 and Water --

18 A Versus by the PAC.

19 Q -- versus --

20 A I would say that, when I drive by the 618 Club
21 and we have driven by there a lot and I was,
22 actually, there a couple of New Year's Eves ago,
23 also. We've driven by there several times, and
24 everybody's always very orderly and behind a
25 gate; and, when we walked on the other Water

1 Street down by the PAC, actually, my husband and
2 son have had the girls go down their pants and
3 steal their underwear tags for a bachelorette
4 party. And I don't know where you guys come
5 from, but that's assault. To me, I don't know
6 whether she was a bachelorette or what, I don't
7 think that's right. But there's that kind of
8 activity all the time, and there's always bottles
9 on the street there.

10 This bar, in front, is completely
11 clean. So I would -- and having a 28-year-old
12 son who loves hip-hop music and his friends, I'd
13 rather have him go to a bar where there's 24
14 video cameras and surveillance outside than just
15 any old random club, to be honest with you, and
16 that's from a mom who's quite protective.

17 ALDERMAN HAMILTON: All right. Thank
18 you.

19 MS. HARTWIG: Anything else?

20 MR. HALBROOKS: Well, I have a
21 question.

22 * * * * *

23 CROSS-EXAMINATION

24 BY MR. HALBROOKS:

25 Q Did you contribute your thoughts to the Committee

1 members and to Alderman Bauman?

2 A I did. I sent an E-mail because I heard they
3 were up for renewal and there was maybe some
4 opposition. And I decided to send that because
5 we went on August 27th, and it was a very nice
6 time.

7 Q Did you hear back from Alderman Bauman?

8 A I did not.

9 Q Thank you.

10 A I heard back from Mr. Bohl, who is this one right
11 here.

12 MR. MAISTELMAN: The good looking one?

13 MS. HARTWIG: The good looking one in
14 the middle, yeah.

15 CHAIRMAN BOHL: Thank you. Thank you
16 for your testimony. Next witness, please.

17 REGGIE BROWN, having first affirmed to
18 testify the truth, the whole truth and nothing
19 but the truth, testified as follows:

20 * * * * *

21 DIRECT TESTIMONIAL STATEMENT

22 BY MR. BROWN: Hello. My name is
23 Reggie Brown. V100 WKKV.

24 CHAIRMAN BOHL: We'll need an address,
25 even for that business.

1 MR. BROWN: 12100 West Howard Avenue,
2 Greenfield. All right.

3 Thank you, Ashanti Hamilton,
4 Alderman Hamilton, for bringing up a good point.
5 I believe that people will calm down and relax if
6 they see police presence. On the north side of
7 Water Street, you can see horses, police horses,
8 cars, trucks, motorcycles, everything; but, on
9 our side, we only have police cars that are
10 present. And every time that 618 calls the
11 police, it's a strike against him; and I just
12 want to say that they do a great job with
13 security and I appreciate that. I work there as
14 well, so. Thank you very much.

15 CHAIRMAN BOHL: Just one second, Mr.
16 Brown. Any questions by Committee?

17 MR. BROWN: And, Alderman Bauman, stop
18 hating on V100. Any questions for me,
19 Mr. Bauman?

20 CHAIRMAN BOHL: Sir, no comments.
21 Let's not make this personal, please.

22 MR. BROWN: He's a hater. I'm sorry.

23 CHAIRMAN BOHL: Thank you for your
24 testimony here. Thank you.

25 MR. MAISTELMAN: How much is remaining?

1 CHAIRMAN BOHL: I have 2 minutes 37
2 seconds here. That would include your closing
3 here so.

4 MR. HALBROOKS: Can you stop to tell me
5 when there's a minute?

6 CHAIRMAN BOHL: Sure.

7 RUBEN COTTON, having first affirmed to
8 testify the truth, the whole truth and nothing
9 but the truth, testified as follows:

10 * * * * *

11 DIRECT TESTIMONIAL STATEMENT

12 BY MR. COTTON: Now you doing? My name
13 is Ruben Cotton, R-u-b-e-n, C-o-t-t-o-n. I
14 reside at 5699 North Center Parkway. My
15 organization, Omega Psi Phi Fraternity,
16 Incorporated, has held various charitable events
17 throughout the city over the years and at
18 different establishments, never had any problems.
19 Because of the events that we do sponsor and run,
20 the Ladybug Club 618 has reached out to us on
21 various occasions and trying to get the
22 professional clientele that we cater to -- and,
23 by professional clientele, I'm 40 years old and a
24 college graduate -- trying to get those members
25 of our social network into their establishment.

1 MR. MAISTELMAN: Any questions?

2 CHAIRMAN BOHL: Questions by the

3 Committee?

4 (No response.)

5 CHAIRMAN BOHL: Thank you.

6 MR. MAISTELMAN: How we doing on time?

7 CHAIRMAN BOHL: 1, 52.

8 JOHN BURKE, having first affirmed to

9 testify the truth, the whole truth and nothing

10 but the truth, testified as follows:

11 * * * * *

12 DIRECT TESTIMONIAL STATEMENT

13 BY MR. BURKE Good afternoon. My name

14 is John Burke, III, 622 North Water Street. I'm

15 the landlord of the building.

16 I want to say that they're great

17 tenants, a thriving business, been there five or

18 six years now. I also have my office in the

19 building. Every day I get there it's very clean.

20 I've also own the parking lot at 638.

21 I've on multiple occasions during the day between

22 eight and five seen multiple people there

23 urinating so I don't see how that's an issue

24 between -- or from -- and that's all.

25 MR. MAISTELMAN: Any questions?

1 CHAIRMAN BOHL: Questions by the
2 Committee?

3 ALDERMAN HAMILTON: Mr. Chair.

4 CHAIRMAN BOHL: Alderman Hamilton.

5 * * * * *

6 EXAMINATION

7 BY ALDERMAN HAMILTON:

8 Q You say you operate a business on the same block?

9 A In the same building.

10 Q And exactly what is it?

11 A It's Burke Properties and Westbrook Management.

12 Q And you're saying some of the activities that's
13 being complained about happens during operations
14 when the club is not open?

15 A That's correct. I've heard multiple people talk
16 about public urination. I see that in the middle
17 of the day when the club is not open. I've
18 also -- you know, routinely asked for money
19 walking down the street. So I don't see any
20 connection between the club and those two
21 activities.

22 Q Are you ever there in the evening?

23 A I am from time to time.

24 Q And what are your observations then?

25 A I do get together with some friends in my office

1 and play acoustic music on some evenings,
2 Wednesday or Thursday nights. We leave at about
3 ten o'clock, usually, about the time when the
4 club is setting up. They are organizing
5 barricades, getting ready for the night. There's
6 not really a crowd there yet. I'm not even sure
7 if they're officially open at that time. Like I
8 say, the next morning, I go to work and it's
9 cleaner than it was when I left that evening.

10 ALDERMAN HAMILTON: All right. Thanks.

11 CHAIRMAN BOHL: Any questions by
12 Committee?

13 (No response).

14 CHAIRMAN BOHL: Okay. Thank you.
15 We're at 1, 17, so. If you want to do this here,
16 you can eat up the rest of your time. I will
17 allow you to do this and allow you a very brief
18 closing.

19 MR. HALBROOKS: I've got this guy.

20 CHAIRMAN BOHL: Mr. Halbrooks, I'm not
21 going to allow that here. You have 1, 17.

22 HOMER BLOW, having first affirmed to
23 testify the truth, the whole truth and nothing
24 but the truth, testified as follows:

25 * * * * *

1 DIRECT TESTIMONIAL STATEMENT

2 BY MR. BLOW: Homer Blow,
3 blowradio.com, 3441 North 14th Street. I'm
4 employee of 618 Live. I think that, when we talk
5 about progression and you bring people before
6 this Common Council and this license hearing,
7 they have went above and beyond and definitely
8 shown that they're working with the City, working
9 with the police department working with the
10 neighbors. Really, what more can you do?
11 They've shown constantly that they are concerned
12 and want to be a good part of the community and
13 work with the downtown district as well.

14 So I feel that they have went above and
15 beyond. You could always do more, but I'm just
16 telling you, I don't see why they should try to
17 progress this to say you need another suspension,
18 you need this. They've shown that they are
19 willing to work and they came to the table and
20 they're willing to work with anybody. I just say
21 I support it, and they've done more than a lot of
22 other establishments have ever tried to do.

23 CHAIRMAN BOHL: Questions by Committee.

24 ALDERMAN HAMILTON: Mr. Chair.

25 CHAIRMAN BOHL: Alderman Hamilton.

* * * * *

EXAMINATION

BY ALDERMAN HAMILTON:

Q I want you to try to help me understand something. Okay? Martini Mike's was not far from this location, right?

A Correct.

Q We had some complaints about them, and then they were not recommended for renewal.

A Correct.

Q And you were not supportive of that establishment?

A Absolutely not.

Q Right. And I don't know if -- and this is where I -- you help me. What's the difference in the clientele? What's the difference in the operations?

Because, you know, there's -- they're both in downtown, and I think with some of the overtones with the testimony that's been given at the Committee here today, I think we -- I think we probably would want to highlight some of those differences.

So, if you could just, you know, in a

1 short synopsis, what's different about this
2 place?

3 A Well, both places cater to young black adult
4 males and females and, of course, with their
5 clientele, people hear the word hip-hop and they
6 run and they see different situations.

7 One of the things you have to notice
8 that, when some of these other establish -- and
9 since you brought up Martini Mike's, when
10 situations were brought up, how far above and
11 beyond did they go to try to address those
12 issues?

13 618 has went very far above and beyond,
14 even if you heard the officer testify and if
15 you're Sergeant or Captain -- I don't want to
16 disrespect your title -- but say how he was
17 impressed with how above and beyond 618 as went
18 in order to try to address any of the concerns
19 that the neighbors have had, that the police
20 department have had. Some of these other
21 establishments, when the police are brought up,
22 they come up with what they think are quick fix,
23 a little bit of makeup here, little makeup there.
24 Then it's business as usual.

25 618, again. They have shown that

1 they're dedicated to this. They want to be a
2 part. They're doing everything I think that you
3 can do when somebody says that they have an
4 issue.

5 They want to work with the downtown
6 district. They want to work with the alderman.
7 They want to work with the neighbors. But
8 sometimes people have objectives and that is what
9 it is. But I think, unfortunately, if business
10 is downtown that happened to cater to not afraid
11 to say we play hip-hop. It's such a bad stigma,
12 so that when some things do happen that do play
13 hip-hop, they put a blanket statement on it
14 overall; but I think from the dress code to
15 security, to the security cameras, just trying
16 to do all that you can do.

17 You see this happening anywhere, you
18 know, the police are trying to govern the city.
19 But I mean, again, even with all the presence,
20 crime still happens. So we've got to say, at
21 least, the chief is doing something. The chief
22 is trying to address it. Is it going to solve
23 everything? Not exactly. But do you have to
24 give credit for them trying to take the steps
25 that are necessary to make things better?

1 Absolutely, in my opinion.

2 Q Is there a problem with behavioral issues with
3 patrons coming out of the club?

4 A No, the security addresses issues before they
5 become an issue. So they're very proactive. And
6 anybody who knows anything about Homer Blow, I'm
7 also proactive instead of reactive.

8 And one of the things again that will
9 continue me to be involved with the establishment
10 is to see that they are being proactive about
11 situations from making sure that the fake ID's
12 don't get in and any trouble makers that we see.
13 Me as DJ and host at the establishment, I also
14 work with security as well as other staff. So,
15 if I see anything we can address it before it
16 can turn into this big problem or, you know, a
17 situation to where we have to come in front of,
18 you know, the license committee. I love to see
19 more establishments be able to get their licenses
20 in the mill.

21 ALDERMAN HAMILTON: Thank you,
22 Mr. Chair.

23 CHAIRMAN BOHL: Any other questions by
24 the Committee?

25 (No response.)

1 CHAIRMAN BOHL: All right. Thank you.
2 I have 22 seconds.

3 MR. HALBROOKS: That's my closing.
4 That's my closing. I made the decision to let
5 Homer Blow make my closing. There's a couple
6 people here. Let them make their statements for
7 ten seconds. That's my closing. That's the
8 alternative of me giving a closing.

9 CHAIRMAN BOHL: For the remaining 22
10 seconds, let's get somebody else on board here.

11 JUSTIN COSTELLO (phonetic), having
12 previously affirmed to testify the truth, the
13 whole truth and nothing but the truth, testified
14 as follows:

COPY
* * * * *

15
16 DIRECT TESTIMONIAL STATEMENT

17 BY MR. COSTELLO: My name is Justin
18 Costello. My office branch is at 229 East
19 Wisconsin Avenue. I am the CEO of VIP Limousine
20 here in Milwaukee, Chicago, Minneapolis and
21 Madison, Wisconsin. I just want to say that Mr.
22 Manjee and Nick, they do a very good job at
23 running the club. I deal with hundreds of clubs
24 a year, nightclubs. We take care of politicians.
25 We take care of a lot of people in the

1 entertainment, a lot of VIP's; and whenever I
2 have a VIP in town or someone who's an athlete in
3 town and I need special security from them, I
4 call them and they're very accommodating.
5 They're very proactive and they follow protocol
6 to a T.

7 CHAIRMAN BOHL: Thank you. All right.
8 Any questions by the Committee?

9 (No response.)

10 CHAIRMAN BOHL: Alderman Bauman.

11 ALDERMAN BAUMAN: Thank you, Mr. Chair.

12 First of all, regarding Club Bari,
13 there's been an obvious effort to divert
14 responsibility to that establishment. And, as
15 indicated by Captain Basting, there's some
16 factual basis for that. But, just so the facts
17 are clear, Club Bari was granted their license
18 for the first time on April 13th, 2009. And, by
19 my count, 8 of the 11 police incidents in the
20 police report predates the date they received
21 their license.

22 So, while some of the disorder that has
23 been testified to on the streets may be a result
24 of that club -- and the police are aware of
25 that -- it does not account for the entirety of

1 the evidence that has been presented here.

2 And I might add this just leads us into
3 a trick bag situation where, when we do proceed
4 with the revocation complaint against Club Bari,
5 you'll have Club Bari coming in and testifying:
6 It's all 618 people causing the trouble. And so
7 then the argument, the more clubs we grant the
8 less accountable any club actually has.

9 What does appear to be clear here and
10 beyond dispute are several things, despite all
11 the controversial testimony and confusion over
12 the process:

13 No. 1, there continues to be a
14 significant amount of disorder on the streets at
15 closing time of this establishment. That has
16 been testified to historically. It appears to
17 not have abated in any significant degree.
18 Whether it's contributed to by other club members
19 or other clubs -- clearly, it wasn't before April
20 13th when there was no other clubs -- bottom line
21 is it is undisputed that a significant level of
22 disorder continues.

23 MR. HALBROOKS: Objection. There is
24 nothing in the record --

25 ALDERMAN BAUMAN: The police have

1 testified to that.

2 MR. HALBROOKS: (Unintelligible).

3 CHAIRMAN BOHL: Mr. Halbrooks --
4 (unintelligible).

5 ALDERMAN BAUMAN: The police have
6 testified to that.

7 (Unintelligible discussion.)

8 ALDERMAN BAUMAN: The police have
9 testified to that. Mr. Arenson has testified to
10 that.

11 THE REPORTER: I'm sorry. I can't --

12 CHAIRMAN BOHL: One second. One
13 second. Your objection is on the record.

14 MR. HALBROOKS: Thank you.

15 ALDERMAN BAUMAN: The police have
16 testified to that. Mr. Arenson has testified to
17 that, eye witness. The gentleman from the Grain
18 Exchange has testified to that, eye witness
19 testimony. Fine.

20 Secondly, is what is undisputed is that
21 there were at least five incidents inside the
22 club. They may dispute what took place; but so
23 far we only heard the testimony of really
24 Mr. Halbrooks regarding what took place on these
25 inside incidents. These are incidents inside the

1 bar, that either originated inside the bar or
2 represented acts of violence inside the bar.
3 That they can't divert responsibility to another
4 operator for.

5 In addition, does seem to be undisputed
6 that the owner goes to Herculean lengths to
7 provide security. And we've been through this
8 before. That appears clear. They have the
9 highest. They have the most sophisticated
10 technology. They have huge stacks of false ID's.
11 They have dress codes. They have security. They
12 have armed guards. The owner is armed. The
13 parking lot attendants at the parking lot where
14 many patrons park are armed. It is clear they go
15 to great lengths. It does not seem it is enough
16 to control, A, the disorder that has been
17 established, that does take place at closing
18 time; and, B, the incidents that do take place
19 inside the club.

20 It's a large club, 400 capacity,
21 they're -- You heard testimony that -- well,
22 basically, what we have -- the task of this
23 council is to determine the license that this
24 business is going to be entitled to operate
25 under. It seems to me that the question we have

1 to face, ultimately, is: Does a business have the
2 right to create what amounts to an economic dead
3 zone, multi-block economic dead zone around their
4 establishment on weekend nights because it is
5 very clear that the other businesses that do
6 business at night that are not in the bar
7 business --

8 MR. HALBROOKS: Objection. There's
9 nothing in the record to this. There's no record
10 about this.

11 CHAIRMAN BOHL: You know what? You had
12 that case. You were able to make it and rebut
13 it; and, if you hadn't used up all your time, you
14 would have had a closing.

15 MR. HALBROOKS: I have to object.

16 CHAIRMAN BOHL: Notwithstanding -- you
17 know what? Let the committee make its own
18 record, Mr. Halbrooks. I'm going to ask you
19 please don't interrupt.

20 ALDERMAN BAUMAN: There is no question
21 that this business has external costs to other
22 property owners and external costs to the City of
23 Milwaukee. The captain testified he assigns four
24 officers on overtime every Saturday night just
25 for them, private security, basically, that are

1 being funded by the taxpayers of the City of
2 Milwaukee.

3 So how far are we going to allow these
4 external costs to go and how high are we going to
5 allow them to become? As they testified, they do
6 everything in their power to mitigate these
7 external costs; yet it appears they clearly
8 continue to exist.

9 The negative impacts are real. They're
10 going to become all the more real. We have a
11 hotel proposed for the corner of Broadway and
12 Michigan, going in the Loyalty Building. The
13 Mackie Building is going to be a part of that
14 project. Is a hotel around the corner from the
15 intersection where every Friday and Saturday
16 night, as testified to, there's near chaos,
17 there's a need for private security to be
18 directing traffic, there's a need for streets to
19 be blocked off, there's a need for armed security
20 guards and armed parking lot attendants
21 kitty-corner from this hotel? Is that going to
22 be a positive for economic development at this
23 location?

24 No, there are external costs. I agree.
25 They do everything -- Mr. Manjee's a good guy.

1 I like him, personally. We were friends,
2 originally. I helped him get into the business,
3 provided advice on how to structure his operation
4 and not hire a certain manager that would have
5 been very adverse for their business based on my
6 background in the bar -- representing nightclubs
7 and bars.

8 But the issue here is external costs.
9 We are charged with protecting the public
10 interests, and the public does have an interest
11 in fostering economic development. The public
12 does have an interest in not having guns in the
13 hands of owners, security agents and parking lot
14 attendants because of these nightclubs.

15 So all of everything that they say is
16 true about all the efforts that they go through.
17 And I agree. The captain acknowledged that. I
18 thought it was very forthright and honest
19 testimony. He said, notwithstanding all that,
20 the external costs that are being absorbed by the
21 City and other stakeholders in the area are just
22 too high. And that's ultimately what we're here
23 to decide.

24 I'm going to support my downtown
25 business association and I'm going to support

1 the police department in asking for nonrenewal of
2 the cabaret license.

3 CHAIRMAN BOHL: Thank you.

4 ALDERMAN HAMILTON: Say that again.
5 I'm sorry.

6 ALDERMAN BAUMAN: Nonrenewal of the
7 cabaret license.

8 CHAIRMAN BOHL: Mr. Halbrooks, I'll
9 give you 30 seconds.

10 MR. HALBROOKS: There's no evidence for
11 virtually everything that Alderman Bauman said.
12 I noticed his time wasn't clocked.

13 CHAIRMAN BOHL: His side, if you want
14 to count those in opposition, there was a total
15 of 13 minutes that was provided in direct
16 testimony, probably, about an hour in questions
17 that I allowed and didn't count to give you full
18 luxury to rain questions on those who would be
19 testifying against your individual client.

20 MR. HALBROOKS: Thank you.

21 CHAIRMAN BOHL: So.

22 MR. HALBROOKS: I don't agree with
23 Alderman Bauman. There's no proof to anything he
24 says. And, if there was, it would have been a
25 very different hearing.

1 Mr. Arenson didn't testify to anything
2 about Ladybug. Ms. Nichols and gentleman from
3 Grain Exchange, nothing. There is no evidence.
4 The police captain did not have any specific
5 evidence except for one item. Not one single
6 item in the summary that we challenged as hearsay
7 cannot be used by this Committee under the law.
8 And the law is pretty clear.

9 When we get to court that is the --
10 judges don't disagree with that. When we
11 challenge them, they have to be put to their
12 proof and they didn't prove anything, not a
13 single item that can be used legally against the
14 club; and I would suggest that the myriad of
15 positive things the club -- that the Committee
16 heard about the club, and from the people, I
17 think that the club should be renewed.

18 CHAIRMAN BOHL: Thank you,
19 Mr. Halbrooks. Were there any other questions by
20 the Committee at this time?

21 (No response.)

22 CHAIRMAN BOHL: With that, we're in
23 Committee before I entertain a motion. What I
24 would ask maker of a motion in particular, if
25 there are items that are going to be cited in

1 terms of individuals, specifically, who's
2 testimony helps to elicit a decision and/or if
3 there's a sanction, also, if there are specific
4 items in the police report that are part of that,
5 per our previous discussion with the City
6 Attorney's office, Mr. Adam Stephens, I would ask
7 that members also specifically cite those as part
8 of creating a foundation for a record, if that is
9 something that is believed merited. Okay. With
10 that, we're in Committee.

11 ALDERMAN KOVAC: Mr. Chair.

12 CHAIRMAN BOHL: Alderman Kovac.

13 ALDERMAN KOVAC: Let me just start by
14 establishing some of what the motion I make or
15 somebody else makes should be based on, I guess,
16 looking through the police report items.

17 Item 41. It's very clear that there
18 was a car amidst the people leaving the club and
19 there was definitely a gun in that car. It is
20 less clear what -- it was clear from the report
21 that Mr. Halbrooks provided that that particular
22 gun was not fired that night. There may have
23 been another gun fired that night. That's why
24 officers were present, although that is not
25 clear. But there certainly was a gun, a loaded

1 gun in a car near the club, and it was pretty
2 well established from -- they couldn't establish
3 whose gun it was, but clearly people from the
4 club were in the car with the gun.

5 Item 42. There was --

6 CHAIRMAN BOHL: Is that a specific,
7 yes, that you'll ask to include that as part of
8 your motion?

9 ALDERMAN KOVAC: I'm making
10 observations.

11 CHAIRMAN BOHL: I'm trying to decipher
12 that.

13 ALDERMAN KOVAC: Yes, I'm sorry if I'm
14 not being clear. I'm going to make a motion for
15 a suspension of this license based on these items
16 so I want to be clear that's what I'm basing on.
17 I'll mention some of the testimony, too.

18 Item 42. They were being proactive
19 like we asked them to be. So, actually, Item 42,
20 I think, probably should not count against them.

21 Item 43. There was a fight right
22 outside the club so I'm basing it partially on
23 that.

24 Item 44. Same thing: Fight, disorderly
25 conduct occurred outside the club, clearly

1 related to the club.

2 Item 45. We don't have a lot of
3 details on them, but there was a -- you know,
4 there was a minor altercation. So, for whatever
5 that's worth, it should be included.

6 Item 46. We have direct police
7 evidence of quite a bit of noise and traffic and
8 there was also quite a bit of neighborhood
9 testimony that relates to that, as we had in
10 previous years, that there is consideration of
11 disruption of public right-of-ways, behaviors not
12 condusive to business environment in the evening.

13 Item 47. This one again I think they
14 were pretty proactive here. So I think item 47
15 is not a part of my motion. They did what we
16 asked them to do.

17 Item 48. This one we had quite a bit
18 of discussion on and there seems to be pretty
19 strong evidence provided by the attorney here
20 that this was not -- and their security staff
21 that these six staples were most likely not
22 coming from the club. So Item 48 probably
23 shouldn't be included.

24 Item 49. Here I think this should be
25 included. The security was proactive, but there

1 was an incident and a bit of chaos and some
2 fights going on near the club. So, even though
3 they were being proactive in contacting the
4 police. Item 50 same thing I said for 49. So 49
5 and 50 should be included.

6 Item 51, I believe there was also
7 quite a bit of discussion about whether or not
8 this was accurately attributed to the club. So
9 let's leave Item 51 out. Because I think there
10 was pretty strong evidence.

11 But that still leaves I think six or
12 seven incidents that are of concern that
13 generally relate to fights, to disorder on the
14 streets outside the club. And then there's
15 testimony of the Captain. Captain Basting
16 represents District One, which is everything east
17 of the river, includes quite a bit of my
18 district, so I had a number of discussions with
19 him up to this hearing where he's told me exactly
20 what he's told the Committee that he thinks the
21 staff is doing an excellent job. They're being
22 as proactive as we could imagine. But that there
23 still is a problem downtown. And he is concerned
24 as am I and everyone on this committee is,
25 Alderman Bauman is, that we don't have a repeat

1 of Martini Mike's, where we kind of had similar
2 circumstantial evidence, issued suspensions some,
3 you know, and then we have tragedy.

4 So I think, frankly, a large part of
5 why I'm recommending a suspension rather than
6 something more drastic relates to the question
7 that Alderman Hamilton asked of Homer Blow. Are
8 we going to have a tragedy here? Clearly, is a
9 potential where there's more than one. Clearly,
10 we have a certain amount of chaos. There's
11 definitely guns. So there are people with guns
12 in the area not just the security. And you
13 certainly hope that doesn't lead to anything;
14 although, frankly, the main reason I'm not going
15 to ask for a larger suspension than last year is
16 the proactive nature of their security and the
17 ability of their security both in their proffered
18 testimony and, anecdotally, what you've heard
19 from the witnesses and from the police
20 themselves. They've been cooperating about as
21 well as can be imagined.

22 And I certainly feel that downtown
23 Milwaukee -- Milwaukee in general has an interest
24 in a downtown that has this sort of venue.
25 Clearly it's an economically successful venue. I

1 mean they're able to afford state-of-the-art
2 security. Clearly, people are going. There's
3 lines. Part of the reason there is chaos,
4 there's a lot of people are waiting to get in.
5 And, frankly, part of the reason there's chaos is
6 there's a lot of people who don't go to the club
7 but just come and hang out with the people who
8 are going to the club. It was talked about a
9 little less this year than other years. Clearly,
10 this is a scene and people come down to hang out.

11 In fact, didn't -- on the one incident
12 with the gun, didn't the witness say that he came
13 down to -- because he knew there were so many
14 pretty girls around? I'm not even sure if the
15 driver had been in the club or not.

16 But, in any event, there's a -- there's
17 certainly a value to the City of having a place
18 for people to go and for major acts to go and for
19 our local DJ's to promote shows. This is clearly
20 something the downtown ought to be able to
21 support. The question is: Is it coming at the
22 expense of other things that are happening
23 downtown, too, like people living there?

24 So I have not seen evidence that things
25 have gotten worse here. Clearly, this is a bar

1 we suspended two years running now. Ms. Grill,
2 what's the suspensions?

3 Last year, the Committee, after quite a
4 bit of back and forth, ended up recommending
5 twenty; Council went with sixty, right?

6 MS. GRILL: That's correct.

7 ALDERMAN KOVAC: And previous year was?

8 ALDERMAN HAMILTON: Forty-five.

9 ALDERMAN KOVAC: Forty-five. So I
10 think we'd like to be at a point where we don't
11 have any incidents that are not other than the
12 proactive kind. And I've made it clear that the
13 proactive incidents are not a part of my motion.
14 But it's pretty clear that when the police do
15 come by here, there's still incidents going on.

16 And, obviously, some of what's going on
17 may be attributed to other clubs. But clearly
18 some of it's still coming from Ladybug. I think
19 we can say Ladybug is keeping the best track out
20 of anyone of what's going on and is helping law
21 enforcement in many ways. So it, certainly, is a
22 downtown institution I want to see continue, but
23 I think the advice of the local alderperson, of
24 many of the neighbors, captain of the police
25 department needs to be weighed heavily by this

1 committee and their advice certainly is things
2 are not yet where we want them to be with this
3 club.

4 So given all the all the testimony I
5 mentioned, the police report items I mentioned
6 previously, I will make a motion of renewal of
7 this license with a 30-day suspension.

8 CHAIRMAN BOHL: Alderman, I just wanted
9 to clarify a couple things. First and foremost,
10 I was sort of keeping track of the police report.
11 I wanted to make certain that Item No. 45, I
12 believe that you sought to exclude that. Am I
13 not --

14 ALDERMAN KOVAC: No, I said it wouldn't
15 make much difference but I included it. It just
16 said minor altercation, but I did include that
17 one.

18 CHAIRMAN BOHL: I just don't know what
19 minor altercation is.

20 ALDERMAN KOVAC: Neither do I.

21 CHAIRMAN BOHL: So do you want to
22 exclude that one out?

23 ALDERMAN KOVAC: All right. I mean --

24 CHAIRMAN BOHL: Are you excluding 42,
25 45, 47, 48 and 51?

1 ALDERMAN KOVAC: Yes.

2 CHAIRMAN BOHL: And, as far as I know,
3 you did cite only the testimony of
4 Captain Basting in terms of --

5 ALDERMAN KOVAC: No, also the testimony
6 of several neighbors, business owners and
7 residents mean I didn't mention them by name, but
8 I mentioned them generally as I was rambling on
9 with my motion.

10 CHAIRMAN BOHL: Motion by Alderman
11 Kovac is to recommend approval of the renewal of
12 the license, with issuance of 30-day suspension
13 based on Matters No. 41, 43, 44, 46, 49 and 50 of
14 the police report as well as the additional
15 testimony of Captain Basting and other business
16 and residential individuals who are here in
17 opposition --

18 ALDERMAN KOVAC: Yes.

19 CHAIRMAN BOHL: -- to the license. Is
20 there a discussion on the motion?

21 ALDERMAN HAMILTON: Mr. Chair.

22 CHAIRMAN BOHL: Alderman Hamilton.

23 ALDERMAN HAMILTON: On the motion, I'm
24 going to support the motion. I'm supporting it
25 reluctantly only because I think there has to be

1 a recognition of balance, especially --
2 especially, in downtown and -- and there's an
3 uneasiness that I have about -- about looking at
4 this picture of, I guess, this was the last
5 Halloween party at 618 and the orderliness of it
6 and previous pictures and videotapes that we've
7 seen of the establishment of --

8 You know, there's -- there's an
9 expectation of being downtown and an expectation
10 of going out that exudes some sense of rowdiness,
11 I would say. And we should have a realistic
12 expectation of what it is that can be controlled
13 and what can't be controlled and the types of
14 environments that they're operating in, but I do
15 not see in this picture any animals and I don't
16 see in this picture anybody that is acting like
17 an animal or anything of the sort.

18 And we have had situations where
19 establishments have come before this committee
20 and there was a clear sense of uncontrolled chaos
21 and -- and behavior that -- that offended even
22 this committee. From the police report and from
23 testimony of other businesses and even with the
24 testimony of the police department, there's
25 not -- just simply just not that kind of

1 uncontrolled, over-the-top chaos that's kind of
2 existing in this location and then when it's
3 parallel with other types of activity that's
4 happening downtown some would even say it's
5 milder, that is more controlled than activity
6 that's happening in other places of downtown, and
7 I don't want to continue to put establishments in
8 a position where what they have to prove, the
9 benchmark that we're putting up is actually
10 unattainable and it would be unattainable for any
11 business owner that's trying to operate in such
12 an environment, and so in this balancing act, we
13 just have to be realistic that, if this
14 establishment is doing what is necessary, is not
15 imposing on the peace and quiet to the level
16 where the business needs to be shut down so that
17 you're taking away jobs, you're taking away the
18 vibrancy of downtown, you're taking away the
19 friendliness of being able to open and have the
20 type of relationship with police departments and
21 elected officials that's necessary in order to
22 make sure that these establishments are operating
23 in a respectful and responsible manner. We can't
24 put the type of expectations on businesses that
25 would actually hinder that, and I want to make

1 sure that we don't do that.

2 At the same time, there is a police
3 report, there are some issues that probably need
4 to be dealt with and, you know, quite honestly,
5 with the testimony that was here today and some
6 of the recommendations that are floating around,
7 I think 30 days is probably right in that nitch
8 of being -- being -- being a balance.

9 But, if we come here next year and then
10 there are two fights and then there is, you know,
11 somebody that gets stopped somewhere and they
12 have a gun in the car. I mean let's just be
13 realistic, especially, with the number of
14 businesses and clubs that are operating downtown
15 and the type of environment that we want to
16 create. Let's be realistic with what it is that
17 can be controlled and the responsibility of
18 operators to make sure that they're participating
19 in that as opposed to adding fuel to the
20 negativity. That could happen.

21 CHAIRMAN BOHL: Alderman Coggs on the
22 motion.

23 ALDERMAN COGGS: One thing that sticks
24 out to me, hearing this case this year and last,
25 is the issue of the amount of police services. I

1 share the concern of Alderman Bauman about the
2 thousands of taxpayers' dollars being spent on
3 helping to patrol the area, but I don't direct it
4 at the owners of the club. I direct it at the
5 police department and I do that because, on the
6 weekends, I drive past Water Street and I see the
7 amount of squads and officers there are on the
8 northern side of Wisconsin; but, yet, as a member
9 of this committee, I've yet to see any of those
10 clubs come before our committee and those police
11 services be calculated and put into the record as
12 a strike against them.

13 This council approved through ordinance
14 the opportunity for the Chief of Police at his
15 discretion to allow for businesses to hire
16 off-duty police officers if they so chose to
17 which would alleviate that expense on the
18 citizens. The tool is in the tool box for the
19 chief to be able to use. This council approved
20 it prior to myself even being here, and I think
21 just like the Bradley Center, just like
22 Miller Park and just like a whole lot of other
23 larger places, because this is a really large
24 club, larger than most of the one we see, the
25 opportunity should be there to be able to help to

1 offset that expense from citizens.

2 Because I agree with Alderman Bauman.
3 Citizens shouldn't have to be paying for all
4 those extra services, and the tool is right there
5 in the tool box for the police department to be
6 able to use. And I just think that has to be
7 pushed with the police department and I know that
8 discussions are being had about maybe not to
9 directly with businesses, maybe with business
10 improvement districts or associations, maybe
11 deals can be struck that way to ensure that
12 there's still a level of parity with the police
13 department and individual business owners and
14 whatever way it has to be creatively put
15 together. It has to be done. Because
16 Alderman Bauman's right. Citizens shouldn't have
17 to be paying for what in the eyes of many amounts
18 to private security for the establishments. But,
19 like I said, I don't put that on the owners; I
20 put that onto the police department because the
21 tool is there. And I just hope that Chief Flynn
22 hears the message.

23 Having said that I won't be supporting
24 the 30 days. I applaud the efforts of the owners
25 to attempt to deal with the security issues and I

1 reckon that after today they'll do even more to
2 attempt to address them, but I won't be
3 supporting the 30 days. Thank you.

4 CHAIRMAN BOHL: Motion before us is to
5 recommend approval of the renewal of the license
6 with the issuance of a 30-day suspension. Are
7 there objections to that motion? Hearing my
8 objection, the motion will fail on a 2-2 vote.

9 ALDERMAN HAMILTON: Mr. Chair.

10 CHAIRMAN BOHL: Alderman Hamilton.

11 ALDERMAN HAMILTON: So with that -- I
12 will make a motion for a 20-day suspension and
13 I -- based upon the same --

14 CHAIRMAN BOHL: Same criteria.

15 ALDERMAN HAMILTON: -- criteria.

16 CHAIRMAN BOHL: -- same items? Motion
17 by Alderman Hamilton is to recommend approval of
18 the renewal of license with issuance of a 20-day
19 suspension based on the same items cited by
20 Alderman Kovac in his previous motion.

21 Are there any objections to that
22 motion? Hearing my own, the motion will carry on
23 a 3-to-1 vote.

24 Mr. Miller.

25 MR. MILLER: The Committee will be

1 doing a report of the findings of fact and
2 conclusions of law recommending to the Common
3 Council that your license be renewed with a
4 20-day suspension. You will receive a copy of
5 that report and have an opportunity to file
6 written objections to that report. If you do
7 file written objections, they must be received by
8 the City Clerk by 4:45 PM on November 18, 2010.
9 If you submit written objections, then you will
10 also have the opportunity to appear before the
11 Milwaukee County -- Common Council when it
12 considers this matter on November 23rd at 9:00
13 a.m. in the Common Council Chambers located on
14 this floor.

15 Please be advised that this report is a
16 recommendation to the full Common Council. The
17 Common Council makes the final decision whether
18 your license will be renewed, renewed with a
19 suspension between ten and ninety days or
20 nonrenewed. With that, do you understand that?

21 MR. HALBROOKS: Thank you. Yes.

22 MR. MILLER: And do you accept service
23 on behalf of your client?

24 MR. HALBROOKS: We will accept service,
25 yes.

1 Mr. Chair, I just have a couple of -- I
2 don't know what the Committee's schedule is
3 between now and the renewal date and the Council
4 meetings; but, to kind of short circuit some of
5 the litigation, I'd ask, if there is time for the
6 Committee to reconvene and vote on the report, I
7 would ask that you do that so that we don't get
8 into the same thing and have the practice of,
9 have you read the report, be argued that that's
10 the approval, that's the report of the Committee
11 and have a local judge say that's absurd.

12 I would also note I heard a lot of the
13 negative things get in, but I certainly hope that
14 in the report the positive things will be taken
15 into consideration; and I didn't hear them in the
16 motion as much, specifically. So I would hope
17 that that's another reason for the Committee to
18 actually get back in and vote on the report
19 rather than just send it straight to the Council
20 and you know what will happen after that.

21 CHAIRMAN BOHL: With that we have item
22 number 1005525, the motion related to
23 recommendation of License Committee relative to
24 various licenses. Alderman Coggs would move to
25 call the Chair (phonetic).

1 Having completed the business coming
2 before the Committee today, we will be adjourned
3 until our regular scheduled meeting at 8 a.m.
4 tomorrow.

5 (The proceedings concluded at 2:01 p.m.)

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

COPY

1 STATE OF WISCONSIN :

2 COUNTY OF MILWAUKEE :

3 COURT REPORTER'S CERTIFICATE WITH ACKNOWLEDGEMENT

4 I, LAURIE A JOHNSON, RMR, Registered Professional Court
 5 Reporter, do hereby certify that I was in attendance at the
 6 Common Council Licenses Committee meeting on November 8, 2011
 7 from 10:27 a.m. to 2:01 p.m.; that I reported the proceedings
 8 in the above-entitled matter in machine shorthand and
 9 translated via computer-aided transcription with digital
 10 audio synchronization; that the foregoing transcript of
 11 proceedings consisting of pages 1 through 199 is a true and
 12 correct record of the witness testimony and statements and
 13 arguments of the parties attendant thereto; that I am not
 14 related to or employed by any of the parties nor do I have a
 15 financial interest in the matter; and that I have furnished
 16 this Certified Original Transcript to Joanna Polanco, Staff
 17 Assistant, City Clerk's Office, City of Milwaukee.

18 Dated this 27th day of February, 2011.

19 
 20 Laurie A. Johnson, RMR
 21 Registered Professional Court Reporter
 22 The Court Reporter Registry, Inc.
 23 100 East Wisconsin Avenue
 Skywalk Galleria Suite 215
 Milwaukee, Wisconsin 53202
 24 414-277-9176 (phone)
 25 414-755-7550 (fax)
 crregistry.2010@gmail.com