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CITY OF MILWAUKEE
LICENSES COMMITTEE

In the Matter of the renewal of the Class "B" Tavern and
Tavern Dance, Amusement Machine Premise, Billiard
Hall, with change of hours for th Premise License for:

VICKEY MENDEZ
"LAST CHANCE"
3235 West Scott Street

COMMITTEE MEMBERS
ALD. JAMES BOHL - Chair
ALD. MILELE COGGS, - Vice-Chairman
ALD. ASHANTI HAMILTON
ALD. T. ANTHONY ZIELINSKI
ALD. NIK KOVAC
LICENSING DIVISION by REBECCA GRILL
POLICE DEPARTMENT by SEARGENT CHET ULICKEY
OFFICE OF THE CITY ATTORNEY by ATTORNEY BRUCE SCHRIMPf

Proceedings had and testimony given in
the above-entitled matter, before the LICENSES
COMMITTEE OF THE CITY OF MILWAUKEE, on
the 27th day of January, 2009.

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P R O C E E D I N G S

CHAIRMAN BOHL: In the 8th Aldermanic
District, Vickey Mendez, Agent for "Mendez,
Inc.", Class "B" Tavern, Tavern Dance, Video Game
Center and Billiard Hall renewal application with
change of hours for "The Last Chance" at 3235
West Scott Street. Good morning to you.

ALDERMAN ZIELINSKI: Mr. Schrimpf.

CHAIRMAN BOHL: Bruce.

We're going to swear you in. If you
could raise your right hands here, please.

(Whereupon the applicants were sworn.)

THE APPLICANTS: I do.

CHAIRMAN BOHL: And we'll need for the
agent here, Ms. Mendez, name and address for the
record, please.

THE APPLICANT: It's Vickey L. Mendez.
V-I-C-K-E-Y. 3235 West Scott, Milwaukee,
Wisconsin 53215.

CHAIRMAN BOHL: Thank you. Ms. Mendez,
do you acknowledge receiving notice of today's
meeting with the possibility your application
could be denied? There - - There is, among the
notice, items and attached police report,
additional information that was part of a

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previous revocation complaint date stamped August
22nd, 2008, which included 143 pages of related
information. In addition to that, the minutes
that were part of a previous licenses committee
meeting, as well as an assortment of neighborhood
objections and, furthermore, that - - that the
possibility - - possible denial based on the
premise being occ - - operated in a manner which
causes a public nui - - nuisance and a hazard to
the safety, health, welfare of occupants, making
it an unfit location. Do you acknowledge all
those things?

THE APPLICANT: Yes.

CHAIRMAN BOHL: Thank you. This is an
existing establishment. Sergeant, I know that we
have a number of items, an assortment of police
reports. I'm just going to ask that you read at
this point, the - - the items that are contained
on our standard report that we received, and we
can then perhaps just make other portions part of
our - - our record here, and move to do that, but
the police report then, Sergeant Ulickey, please.

SERGEANT ULICKEY: Just - - Just so you
know, Mr. Chair, Captain Gaglione from the 6th
District is also present, and that may come in

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during that, also.

CHAIRMAN BOHL: Right. And that's
fine, and, you know, we can refer to it then.
But I - - I know that there's so many other
additional documents, including some of the
extrapolations in the CAD reports here, and I
just would prefer for us just to go over the
standard report here, and if there's either items
that get referred to at that point, we can, you
know, we'll have part of the record, and - - and
that will be open for discussion. But I just
want you to articulate the report that you
usually do here. Thank you.

SERGEANT ULICKEY: As indicated, item
number six was previously reported. There is a
disposition of dismissed without prejudice added.

On 3/13 of '07 at 11:41 p.m. Milwaukee
police were dispatched to a fight at The Last
Chance bar. Investigation revealed two patrons
began arguing over one taking the other's beer.
This caused a disturbance, and the bartender
identified as Manuel Mendez stated when he
confronted the patron who was accused of taking
the beer, the patron then became angry and

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1 started to yell at him. Police were then called
2 and there were no longer anyone on scene when
3 officers arrived.

4 On 3/1 of '08 at 9:37 p.m. Milwaukee
5 police conducted a tavern inspection or
6 investigation at 3235 West Scott. Officers from
7 the Anti-gang Unit received information from a
8 confidential informant that The Last Chance
9 tavern was known to have a high volume of gang
10 members from the C14s conducting gang activity.
11 The informant also stated that the tavern owner's
12 son operates the tavern and is also a known gang
13 member. Officers entered the tavern and advised
14 the bartender that they would be conducting a
15 tavern investigation, and the bartender stated
16 she understood. Officers were then approached by
17 a subject who identified himself as Joseph
18 Mendez, and officers requested to see the
19 tavern's license. Investigation found a patron
20 to be in possession of cocaine, and he was
21 arrested and charged with possession of cocaine.
22 Another patron became disorderly and started to
23 yell profanities, and the subject was issued a
24 citation for disorderly conduct. During this
25 investigation police found 26 bottles of liquor

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1 that were observed to be contaminated, and one
2 bottle of Crown Royal that was observed to be
3 refilled.

4 The following incidents were reported
5 during an undercover investigation of drug sales
6 being conducted inside The Last Chance tavern.
7 On 3/8 of '08 at 6:25 p.m. an undercover
8 Milwaukee police officer was able to purchase .43
9 grams of cocaine from the bartender at The Last
10 Chance bar located at 3235 West Scott Street.
11 The bartender was identified as Joseph Mendez.
12 This drug transaction took place while Mendez was
13 bartending at the bar. On 3/12 of '08 at 9:15
14 p.m. an undercover Milwaukee police officer was
15 able to purchase .28 grams of cocaine from the
16 bartender at The Last Chance bar located at 320 -
17 - 3235 West Scott Street. The bartender was
18 identified as Joseph Mendez, and the buy was
19 conducted while Mendez was bartending. It was
20 learned that Mendez lives in the upper residence
21 above the bar with his mother, Vickey Mendez, who
22 is the tavern's licensee.

23 On 3/14/08 at 6:25 p.m. Joseph Mendez,
24 while bartending, again delivered .19 grams of
25 cocaine to an undercover officer who was inside

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1 The Last Chance tavern. On 4/4 of '08 at 7:05
2 p.m. a bartender identified as Santiago Valdez
3 Gomez offered to sell undercover officers eight
4 ounces of cocaine for 120 dollars and told
5 officers to call him back later to make the drug
6 deal. This verbal drug deal took place while
7 Valdez Gomez was bartending at The Last Chance
8 tavern. At 8:40 p.m. Valdez Gomez instructed
9 another subject who was in the tavern to sell
10 1.67 grams of cocaine for 120 dollars to the
11 undercover officer.

12 It should be noted that during the
13 months of March and April on several occasions
14 surveillance was done at this bar during the late
15 afternoon and evening hours, and officers
16 observed on a daily basis several known gang
17 members entering and exiting the tavern. Gang
18 members were identified as members from the Latin
19 Kings and C14s. Officers have made several
20 attempts to locate and arrest Joseph Mendez and
21 Santiago Valdez Gomez and to notify Vickey Mendez
22 about this case, but the bar was found to be
23 closed. In reference to that, Mr. Valdez Gomez
24 was deported. That case was dismissed, and it
25 was dismissed only because he was being deported.

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1 There is another subject mentioned here, Mr.
2 Joseph Mendez. There is an open felony warrant
3 for manufacture and delivery of cocaine.

4 On 4/18 of '08 at 9:44 p.m. Milwaukee
5 police were dispatched to complaints of loud
6 music at 3235 West Scott Street. Officers were
7 about one block away and could hear loud music.
8 Officers found the music to be coming from The
9 Last Chance bar and spoke to the licensee, Vickey
10 Mendez. Mendez stated there was a wedding
11 reception in the back room and that the music was
12 not loud. Officers found the level to be an
13 unacceptable level and advised Mendez that it
14 does disturb her area neighbors. Mendez was
15 instructed to tell the DJ to lower the music
16 level and keep it at an acceptable level for the
17 rest of the night. On 10 - - At 10:50 p.m.
18 officers were again dispatched to 3235 West Scott
19 for a loud music complaint. Police could hear
20 the music being played from over 50 feet away.
21 Officers spoke to Vickey Mendez again and cited
22 her for noise nuisances. That case was dismissed
23 without prejudice.

24 On 7/18 of '08 at 12:05 a.m. Milwaukee
25 police conducted a tavern check at 3235 West

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1 Scott Street. A check for underage patrons was
2 conducted with two patrons not having proper
3 identification on them. The patrons, who
4 provided false names and birth dates to officers
5 were later issued citations for resisting and
6 obstructing. Police spoke to the licensee,
7 Vickey Mendez, and advised her that all patrons
8 in - - inside the tavern need to have
9 identification on their person to enter the
10 tavern.

11 On 7/28 of '08 at 12:33 a.m. Milwaukee
12 police were patrolling in the area of 32nd and
13 Scott when loud music was heard coming from the
14 tavern at 3235 West Scott. Officers spoke to the
15 owner, Vickey Mendez, regarding the loud music.
16 Mendez stated she wanted a warning. A citation
17 was issued due to the past noise nuisances. That
18 citation was dismissed without prejudice.

19 On 7/29 of '08 at 11 p.m. Milwaukee
20 police conducted a tavern check at 3235 West
21 Scott Street. Officers found the rear exit door
22 locked from the inside. Officers spoke to Mickey
23 - - Vickey Mendez regarding the door and issued a
24 citation for safe egress from all entrance doors
25 and serving rooms. She was found guilty and

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1 fined 356 dollars.

2 On 8/23 of '08 at 2:18 a.m. Milwaukee
3 police conducted a licensed premise check at 3235
4 West Scott Street, The Last Chance bar. As
5 officers approached the tavern they were about 50
6 feet away and could hear music being played from
7 inside the tavern. Officers entered the tavern
8 and spoke with Vickey Mendez regarding the loud
9 music. While officers were speaking to Vickey
10 Mendez, her husband, Manuel Mendez, approached
11 officers and began to argue with them. Manuel
12 Mendez continued to obstruct officers as they
13 were attempting to conduct their investigation.
14 Manuel Mendez was cited for restricting,
15 obstructing an officer, and Vickey Mendez
16 received a citation for noise nuisance. As to
17 Vickey Mendez, the noise nuisance citation is set
18 for trial on 2/9 of '09.

19 On 9/20 of '08 at 12:50 a.m. Milwaukee
20 police were dispatched to 3201 West Scott for a
21 call for police. We spoke to the caller who
22 stated she - - he was at The Last Chance tavern
23 around 11:30 p.m. having some beers when the
24 owner of the tavern, Manuel Mendez, started
25 talking to him and an argument started. This is

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1 when Manuel got two other patrons to chase the
2 caller out of the tavern with cue sticks. Police
3 spoke to Manuel Mendez, who stated the subject
4 was making people buy him drinks, and that Manuel
5 asked him politely to leave. Manuel denies that
6 he ever threatened the subject or he had two men
7 chase him with cue sticks. Officers interviewed
8 the bartender, Maria Ramirez Ocoma, who stated
9 she did not see any unusual or any - - see any
10 usual behavior going on. I believe it's unusual.
11 Police also spoke to Vickey Mendez, who stated
12 she was with her husband all evening and no
13 threats were ever made to anyone.

14 On 1/1 of '09 at 3:17 a.m. Milwaukee
15 police were dispatched to 3225 West Scott Street,
16 Last Chance tavern for a fight complaint.
17 Officers arrived and observed a male patron
18 bleeding from the head and observed he had a
19 swollen left eye. Police also observed several
20 broken pool cues strewn about the bar. Officers
21 spoke to the victim who stated he observed two
22 patrons going from the public bar into a private
23 party room, and that the private party patrons
24 asked the two others to leave. The two patrons
25 left the tavern only to return a short time later

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1 with several other subjects who approached the
2 private party patrons, which were now playing
3 pool. The victim stated that one of the subjects
4 threw a beer bottle at one of the guys playing
5 pool, only the bottle struck the victim and a big
6 fight ensued. Reports were filed.

7 CHAIRMAN BOHL: Thank you, Sergeant.
8 At this time Alderman Zielinski would move to
9 make the entire police report part of our - - our
10 permanent record in this particular hearing, and
11 hearing no objection to that, so ordered. We
12 will also have Alderman Kovac move to make the
13 additional information, including the previous
14 summons, previous complaint of the police
15 department, and 143 pages of related information,
16 including additional police reports, both CAD and
17 other expounded PA-33 reports part of our - - our
18 permanent record in this particular hearing. And
19 hearing no objections to that, also, so ordered.

20 Ms. Mendez, are there any particular
21 questions that you have, any comments you'd like
22 to make regarding any items that were read in the
23 record as part of the police report here?

24 THE APPLICANT: Yes. I really feel bad
25 with all the complaints. We are trying to work

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1 the hardest that we can to run a good
2 establishment. And we're trying real hard to
3 control the music, not being the music so loud.
4 You know, we worked a lot of years. We both
5 retired from Briggs & Stratton, and we're trying
6 to run a good establishment. And work with the
7 neighbors. Been trying to work with these two
8 neighbors that are here. I tell Mr. Valdemar
9 that if there is anything, to call me. And he
10 does. He does call me. And I just hope that you
11 give me the license, because we - - we are trying
12 our best to - - to run a good establishment.

13 CHAIRMAN BOHL: Are there questions
14 committee members have at this point here
15 relating to any of the matters on the police
16 report? Alderman Hamilton.

17 ALDERMAN HAMILTON: Just for
18 clarification. I know that there was a
19 revocation application that was withdrawn. I was
20 just trying to get a - - a feel for when that was
21 withdrawn.

22 CHAIRMAN BOHL: That was - - That was
23 just a number of months back. It was within the
24 past license year. I don't - -

25 SERGEANT ULICKEY: September 12th, I

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1 believe it was.

2 ALDERMAN HAMILTON: September - - It
3 was September?

4 CHAIRMAN BOHL: Yup. September 12th,
5 correct.

6 ALDERMAN HAMILTON: Okay.

7 ALDERMAN KOVAC: Was it just because it
8 was close enough to their renewal?

9 CHAIRMAN BOHL: I think that that was
10 part of it. You got to remember that there's a
11 higher threshold on a revocation for less
12 flexibility in terms of - - of items that are
13 listed there, and my suspicions were at the time
14 that the belief was, is the bar is lower here on
15 a renewal than it is on revocation. They wanted
16 to ensure that the - - they were - - they had the
17 broader range of - - of including things here.

18 ALDERMAN KOVAC: Okay.

19 CHAIRMAN BOHL: We can - - You can - -
20 We can certainly get the Captain up and, you
21 know, he can expound on it if there's a question
22 here.

23 ALDERMAN DONOVAN: Mr. Chairman.

24 CHAIRMAN BOHL: Alderman Donovan.

25 ALDERMAN DONOVAN: If I might just

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1 elaborate on that. If you recall, too, there
2 were only three committee members that were
3 available to hear that. And I didn't think that
4 was fair to both sides. Thank you.

5 CHAIRMAN BOHL: Okay.

6 ALDERMAN KOVAC: I assume eventually
7 we're going to hear from the police on this.
8 We've already heard quite a long report. I was
9 actually hoping to hear more from you on some of
10 the details. Like it seems like lately you've
11 had some problems with fights, but going back
12 earlier in the year you had problems with drug
13 dealing on a consistent basis, identified by the
14 police, well documented, including an employee
15 and a relative of yours. So I'd like to hear
16 your side of that story if there is one.

17 CHAIRMAN BOHL: Ms. Mendez, can you
18 expound on any of the - - the drug dealing, that
19 there were a number of instances here with
20 cocaine in your establishment?

21 THE APPLICANT: I - - I was not aware
22 of the selling, because both me - - me and my
23 husband are against that. We've never used
24 drugs. And we never sold drugs. So, I had - - I
25 did not know, and as far as Santiago, he would

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1 just be there, just to bring - - to bring up beer
2 and - - and clean the establishment. But I was
3 not aware of - - of that.

4 CHAIRMAN BOHL: Did you - - You were
5 not - - You're saying you were not aware of it
6 prior to - - to having these items here that
7 occurred. You were, I'm going to guess, at some
8 point here in - - in March you were made aware of
9 it after - - after - -

10 THE APPLICANT: After - - After March,
11 yes. When the police came, yes. But we watched
12 it real - - real close, and I was not aware that
13 my son was doing that.

14 CHAIRMAN BOHL: Are - - Are you or your
15 husband - - How much time do you actually spend
16 in - - in running the bar?

17 THE APPLICANT: We live - - We live
18 upstairs, so we're - - we're constantly
19 downstairs. When it's not him, it's me.

20 CHAIRMAN BOHL: Okay. All right.
21 Additional questions, Alderman?

22 ALDERMAN KOVAC: How was it, then, that
23 this was able to go on? Because it's not just
24 drug activity. There's substantial gang activity
25 alleged.

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1 THE APPLICANT: I know that they say
2 the gang members used to go in there, but I never
3 saw no gang members in there. And I - - I really
4 don't know who - - who brought that about gang
5 members, because it's just guys that go in there
6 with their hats and cowboy boots and - -

7 ALDERMAN KOVAC: Okay. So you
8 didn't - -

9 THE APPLICANT: I have not seen no gang
10 activity at all in there.

11 ALDERMAN KOVAC: And what about
12 recently, there were a couple incidents with pool
13 cues, either threatening or using them
14 in - -

15 THE APPLICANT: I was - - I - - I don't
16 think that happened, the - - You mean, with - -
17 with my husband?

18 ALDERMAN KOVAC: Well, there was the
19 one incident, yeah, that was - - it sounded like
20 there was a dispute on the police report. But
21 then on - - on New Year's Day - -

22 THE APPLICANT: Oh, on New Year's Day,
23 everything was going good, because there was a
24 - - a family party in the back. And from what I
25 understand, one gentleman went back there

1 it that you have - - Do you ever have routine
2 music or DJs that - - that play at all, or do you
3 just have a jukebox? You do have a tavern/dance.

4 THE APPLICANT: Jukebox. Jukebox. But
5 the back is only used when there is parties,
6 family parties, like Baptism, Confirmations,
7 weddings.

8 CHAIRMAN BOHL: So - - So that's where
9 you may have opportunities where there - - some
10 dance associated is typically - -

11 THE APPLICANT: It's in the back.

12 CHAIRMAN BOHL: - - with those - - with
13 those type of events.

14 THE APPLICANT: Yes.

15 CHAIRMAN BOHL: How big of a - - of a
16 hall area do you have there? I mean, is it a - -
17 How big of a party can you actually get in terms
18 of numbers? Number of people?

19 THE APPLICANT: 80.

20 CHAIRMAN BOHL: About 80. Okay. All
21 right. Other questions here at this time by - -
22 Before we even hear from the police department
23 and any more from Alderman Donovan, this is cited
24 for neighborhood objections. Are there any
25 residents who are present here who wish to

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1 molesting them, and they threw him out, and then
2 that same person sent like six kids, young - -
3 real young six kids in there, and they started a
4 big fight, and I - - I could not control that
5 fight, and I didn't know - - not want anybody
6 hurt. So what I did was I called the police.
7 And the police came. I didn't want nobody hurt
8 or - -

9 ALDERMAN KOVAC: Do you have security?

10 THE APPLICANT: Not that day. But we
11 do, but not that day.

12 CHAIRMAN BOHL: Other questions by
13 committee of the police report at this time?

14 Ms. Mendez, how - - how long have you
15 - - have you had this - - this establishment at
16 this location?

17 THE APPLICANT: Since '91.

18 CHAIRMAN BOHL: Since '91.

19 THE APPLICANT: Um-hnh.

20 CHAIRMAN BOHL: And how big of - - of a
21 place is it?

22 THE APPLICANT: It's like a tavern, and
23 then a small spot where they play pool, and then
24 there's a hall in the back.

25 CHAIRMAN BOHL: Is it - - Now where is

1 testify on - - on this particular item for Last
2 Chance? I see two individuals, okay. If we
3 could just have you raise your right hand, we'll
4 swear you in.

5 (Whereupon the witnesses were sworn.)

6 CHAIRMAN BOHL: Okay. All right. We
7 can have you come up and take these two - - these
8 two seats, because there's only two of you. And
9 I believe you both have been here before at the
10 previous revocation hearing. If you want to just
11 make certain you grab the microphone and - - and
12 swing it around. If we could, we'll start with
13 you, ma'am, if we could have your name and your
14 address for the record, and then your - - your
15 testimony.

16 THE WITNESS: My name is Claire
17 Zellner, and I live at 3224 West Scott Street.
18 And I brought information. What happened was I
19 came to the revocation and the dismissal on
20 September 12th, and what I did was I started a
21 log of date, time and what I observed. And I
22 don't have everything written down here, because
23 it would go on and on and on, and I don't want to
24 take up the committee's time. But the day of the
25 revocation, the day after, Saturday, September

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1 13th, I observed a trailer in front of The Last
2 Chance moving in very large speakers. There was
3 very loud music that night, the day after the
4 revocation.

5 Okay. On the 13th I also observed
6 public urination. It was still daylight hours,
7 at 6:30 p.m. There was a silver Jeep. I have
8 their license number here. I had a friend
9 helping me re-deck my front porch, and at
10 approximately 6:30 a male Hispanic with a white
11 and blue checkered shirt, jeans and cowboy hat
12 was standing at the curb between the open front
13 door of the passenger side, - - and the car, and
14 as I was approaching the front of his car to
15 cross the street to move my car, there is a
16 sleeping boy in the front seat. He wasn't in a
17 car seat at all. And as I approached, the man
18 tried turning his back to me, and I challenged
19 him saying, "Hey, what are you doing?" And I saw
20 he was trying to quickly zip up his pants. I put
21 my car in the garage and I came back out to check
22 the front yard. And that same man was carrying
23 the young boy into The Last Chance tavern.

24 Okay. On Saturday, September 20th at
25 7:45 a.m. I had a friend of mine, Andy, who was

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1 helping me re-deck my porch, was approached by a
2 Hispanic male as he pulled up in front of The
3 Last Chance tavern, and the man reportedly said a
4 witness in a drug dealing at the tavern was
5 killed last night in jail, and if we can get to
6 him, we can get to her. And I took that as a
7 personal threat. I am concerned about the safety
8 of myself and my two children that live in my
9 house. This - -

10 ALDERMAN KOVAC: Could I ask you to
11 clarify the previous incident.

12 THE WITNESS: Yes.

13 ALDERMAN KOVAC: Where the man was
14 zipping his pants. Were you alleging that he was
15 publicly urinating or - -

16 THE WITNESS: Yes.

17 ALDERMAN KOVAC: Not any sexual
18 activity.

19 THE WITNESS: No, I'm saying - - I
20 started out saying public urination.

21 ALDERMAN KOVAC: Okay. I wanted to
22 make sure. Because then you later mentioned him
23 carrying a young boy into the bar.

24 THE WITNESS: Right. And after that
25 incident I did report it to Alderman Donovan, and

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1 I talked to the 6th District Captain, that I was
2 pretty shaken up about my safety.

3 Okay. On October 11th at 8:15 p.m. I
4 observed the following event. I looked outside,
5 because there was some loud shouting. And it was
6 still light outside, and there was a group of
7 five to six males loitering outside The Last
8 Chance tavern front door. The crowd of people
9 moved to my side of the block. So I went outside
10 on my front porch as the argument escalated.
11 Vickey and Manny Mendez came outside after a
12 minute and Manny crossed the street. One young
13 lady, she was probably in her 60 - - Sorry - - in
14 her 20s was shouting at her male friend, let's go
15 before the cops come. So I went inside and
16 called the Milwaukee Police Department at 8:27
17 p.m. And then I go on to talk to who I talked to
18 at the 6th District. They actually transferred
19 me, when I told them that I needed an immediate
20 dispatch to 33rd and Scott for a possible fight
21 and loud noise, the 6th District female PO
22 transferred me to the non-emergency number. And
23 that operator stated they were busy, and they
24 would have a PO call me back, and I got no
25 response from the Milwaukee Police Department

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1 that night. And outside the crowd dispersed,
2 some of the people leaving in a white car. The
3 Last Chance temporarily turned down their music,
4 but it was loud again by bedtime at 10:30 p.m.

5 Okay. I called the Milwaukee Police
6 Department the next day to ask whatever happened,
7 if they sent a squad car. They said they drove
8 by my house at 11 p.m. and didn't stop out of
9 courtesy because it was too late. Now if I call
10 the police department, I do want a response. I
11 do give my name. I do give my address.

12 Okay. And then after midnight, that
13 same time at 2:24 a.m. I observed the following.
14 Loud patrons outside the front of The Last Chance
15 tavern laughing and loudly - - loudly yelling.
16 And I observed Vickey Mendez was in an upstairs
17 window watching the patrons leave. And for the
18 record, I don't see any security outside there
19 helping out with noise in the neighborhood in
20 front of the bar.

21 The next morning on October 12th, I'm
22 - - I'm always picking up beer bottles. I pick
23 up beer bottles, and I put it right on their
24 patio. They have a stone patio that's made of
25 bricks. I pick up all the beer bottles that I

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1 can find in front of my house, every time they're
2 open. I'm sure they got quite a collection.

3 Okay. Loud music and a car sitting
4 outside in front of the - - the door of The Last
5 Chance. This was on a Wednesday, October 5th at
6 10:27 p.m. The Last Chance, a passenger from the
7 car went inside and came out approximately 12
8 minutes later, while that music was playing. And
9 this is also a school night. We have a lot of
10 children in our neighborhood that go to Doerfler
11 School. And a lot of these incidents are during
12 the week or on Sunday night.

13 November 12th, loud music, patrons in
14 the bar. They can't even hear their car alarms
15 going off that are annoying the neighborhood.
16 And that music is so loud that they come out of
17 the bar shouting. You know when you go to a
18 concert and your - - your hearing is temporarily
19 gone, that's, I think, is part of the issue.
20 That's my assumption, my opinion.

21 Okay. I previous went to Manny Mendez
22 about patrons parking. They have no off-street
23 parking. The parking is all on the street, and
24 The Last Chance patrons park anywhere they want.
25 Our neighborhood is pretty good about parking on

1 morning to go to school, and they kick them in
2 the street, and the cars hit them, and they
3 shatter. And I'm out - - sometimes I'm out in
4 the street, sweeping glass up. I have num - -
5 numerous, numerous pictures.

6 I also have pictures of some car tires
7 down my sidewalk. In front of my house on my
8 sidewalk there's a tree between the street and my
9 sidewalk. Why would there be tire tracks down my
10 sidewalk? There's also one sign on our side of
11 the street that says, no parking 3:30 to 5:30,
12 because of school buses on school days. That - -
13 That sign has been hit so many times it's not
14 even there anymore.

15 So I do - - did want to talk about that
16 we had a neighborhood watch after the revocation,
17 a block meeting, with our liaison, Jesus Gloria.
18 He came and we had the meeting in The Last Chance
19 bar, which I did not think was a - - a neutral
20 location for some of the neighbors that object to
21 the bar. There's a school down the street. We
22 could have had it in another church. But it was
23 mostly a neighborhood block party - - I mean,
24 block party - - block meeting for getting to know
25 each other. We weren't addressing the problems

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1 the correct side of the street for parking and
2 snowplowing. I only park on the street when the
3 snow is so deep I can't get up the alley and get
4 in the garage. So as you know, the snow falls
5 and the streets get narrower. Well, this
6 particular night a snowplow came down a street
7 and came to the front of The Last Chance tavern,
8 and the driver of the plow couldn't get through,
9 and he couldn't back up, so he laid on his horn
10 for ten to 15 minutes. Now, this is 1:30 in the
11 morning. Eventually some patron came out and
12 moved their vehicles. And I have pictures of how
13 narrow our streets are when it snows, and you're
14 welcome to look at these pictures.

15 And the last one I have here is this
16 week, as a matter of fact. I came home from a
17 conference in Sheboygan this past Saturday
18 afternoon to find a tequila bottle - - bottle
19 sticking out of a snowbank in front of my house.
20 I mean, the litter is just ridiculous. I don't
21 know if they're letting the carry - - their
22 patrons carry it out, which is illegal, or - - or
23 what the answer is there, but I have numerous
24 pictures. And the reason I pick up the beer
25 bottles is because the kids come by in the

1 there at The Last Chance.

2 And I guess I wanted to know who
3 manages the bar and do they have a management
4 license. That was one of the questions I had.

5 CHAIRMAN BOHL: Otherwise, is your
6 testimony finished, Ms. Zellner?

7 THE WITNESS: I just want to know the
8 capacity, because of the street parking issues,
9 also. What is the capacity for the bar?

10 CHAIRMAN BOHL: Ms. Grill, is that
11 something you provide?

12 MS. GRILL: I'll have to check on that.

13 CHAIRMAN BOHL: Ms. Mendez, do you know
14 what the capacity of your club is overall?

15 THE APPLICANT: 80.

16 CHAIRMAN BOHL: 80 including the hall?

17 THE APPLICANT: Um-hnh.

18 CHAIRMAN BOHL: Okay.

19 THE WITNESS: Where are all those
20 people going to park, I guess is my issue.
21 Because, you know, the street fills up fast.

22 CHAIRMAN BOHL: Well - -

23 THE WITNESS: People that live there,
24 we're - - You know, you can't have anybody over
25 to your house, because - -

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1 CHAIRMAN BOHL: Ms. Zellner, I
 2 understand - - I understand that, and I
 3 sympathize with that, but, you know, that - - And
 4 maybe you weren't present at the time when this
 5 originally opened. That was a question to be
 6 asked at that time.
 7 THE WITNESS: Okay. When I first
 8 bought my house - -
 9 CHAIRMAN BOHL: Which is - - Which was
 10 when?
 11 THE WITNESS: When - - Just before they
 12 opened.
 13 CHAIRMAN BOHL: Okay.
 14 THE WITNESS: I had gone to the
 15 neighborhood and asked about the bar. They said,
 16 oh, they just closed down. A prior bar had
 17 closed down. It was a biker bar.
 18 CHAIRMAN BOHL: Okay.
 19 THE WITNESS: So they weren't open yet
 20 when I bought my house. We've been there about
 21 the same time. So - -
 22 CHAIRMAN BOHL: Okay. Well, and - -
 23 and I'll tell you that none of the individuals
 24 before us were members of the Common Council back
 25 in '91, as well, too. I mean - -

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1 THE WITNESS: I understand that.
 2 CHAIRMAN BOHL: - - we only deal with
 3 what we can deal with now in 2008.
 4 THE WITNESS: And all these incidents
 5 are since September.
 6 CHAIRMAN BOHL: I - - And what I'll say
 7 is I - - I - - I do appreciate. You're very - -
 8 You're very thorough in this here on that. If
 9 - - If you're going to provide any photos here to
 10 the - - the committee, could you please let the
 11 Mendez' see the photos, first, here, as well?
 12 THE WITNESS: Sure.
 13 CHAIRMAN BOHL: And - - And is it your
 14 desire to also provide your - - your diary or
 15 your log of - - of incidents to the committee?
 16 THE WITNESS: I can, because I have - -
 17 CHAIRMAN BOHL: That would actually be
 18 helpful in terms of - - of having that for our
 19 records on this - - this particular item. So - -
 20 THE WITNESS: I certainly can.
 21 CHAIRMAN BOHL: Okay. The - - The
 22 motion then by Alderman Hamilton would be to - -
 23 to accept the - - the documented materials from
 24 Ms. Zellner here as a log, part of our official
 25 record in this proceeding. And hearing no

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1 objection to that, so ordered. Are you going to
 2 also submit photos then, as well, too?
 3 THE WITNESS: I can.
 4 CHAIRMAN BOHL: As I said, if you could
 5 at least let them see the photos, as well, too,
 6 before we wind up accepting that. And we'll have
 7 Alderman Zielinski move to accept the photos
 8 provided by Ms. Zellner part of our official
 9 record in this proceedings. Hearing no
 10 objections, so ordered. You've already - -
 11 You've already documented your - - your time in
 12 terms of creating these observations after the
 13 September 12, 2008 meeting. In terms of the
 14 photos were you the person who took these photos?
 15 THE WITNESS: Yes, I am.
 16 CHAIRMAN BOHL: And what was the
 17 timeline of - - of when these photos were taken?
 18 THE WITNESS: Some of them are dated on
 19 the back. I'm not sure. The ones that I put on
 20 the wall, I know for sure - - Well, I'm - - I do
 21 it all the time.
 22 CHAIRMAN BOHL: Well, and are these - -
 23 THE WITNESS: I keep a running film.
 24 CHAIRMAN BOHL: Are these photos from
 25 two years ago, three years ago? Are these photos

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1 typically photos taken in - -
 2 THE WITNESS: I'd say in at least the
 3 last year.
 4 CHAIRMAN BOHL: The last year, okay.
 5 That's what I just wanted to - - I just wanted to
 6 get from you. All right. Any questions
 7 committee members have at this time of Ms.
 8 Zellner?
 9 Ms. Mendez, Mr. Mendez, are there any
 10 questions that you have of - - of any of our
 11 testimony here?
 12 THE APPLICANT: Yes. Some of these
 13 beer - - beer cans, we do not sell. We don't
 14 sell some of these, so sometimes I can be
 15 standing in my window and the bar is closed, and
 16 there is cars passing by. And I can hear them
 17 throwing a - - a bottle or a can, and we - - and
 18 some of those we don't sell, and some of them,
 19 the bar is closed. And I know on one of the
 20 incidents - - on one of the incidents Ms. Zellner
 21 told my husband that she was thankful that the
 22 music was now down. And now she - -
 23 THE WITNESS: He was standing on the
 24 street corner as I was driving by.
 25 MR. MENDEZ: We were outside.

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1 THE WITNESS: We talked - -
 2 MR. MENDEZ: We were outside.
 3 THE WITNESS: But it didn't stay down.
 4 It didn't stay down.
 5 CHAIRMAN BOHL: First off, hold on.
 6 Hold on. Hold on. Hold on. First off, here.
 7 The way - - The way this committee works.
 8 THE WITNESS: Right.
 9 CHAIRMAN BOHL: Is it's an opportunity
 10 for questions. You will be given an opportunity
 11 if you want to just say general things later.
 12 And you can speak later to that. It's - - It's
 13 an opportunity to raise questions, first off.
 14 Secondly, if you raise a question, you direct the
 15 question to the Chair, and the - - the Chair will
 16 ask Miss - - Ms. Zellner to answer that question
 17 as opposed to you going back and forth. I mean,
 18 you want to have your discussion about whether or
 19 not you had - - whether you went to the
 20 restaurant together, or whether you saw each
 21 other on the street, you can do that afterwards,
 22 okay. The committee here is - - is - - has a
 23 procedure, and the procedure is if you have any
 24 questions, meaning if you didn't get something or
 25 if you want to clarify something, you raise a

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1 question as to what she stated, as opposed to
 2 making comments. You will be provided an
 3 opportunity for the comment, I assure you, you
 4 can have all day for it. But are there any
 5 questions you have as to her commentary?
 6 THE APPLICANT: No.
 7 CHAIRMAN BOHL: Okay. That's what I
 8 wanted to clarify. All right. Alderman Donovan,
 9 any questions from you?
 10 ALDERMAN DONOVAN: No.
 11 CHAIRMAN BOHL: Thank you. Thank you,
 12 Ms. Zellner. I'll just grab the photos. Are
 13 there any questions you have regarding the photos
 14 then?
 15 THE WITNESS: Do you want to see these?
 16 CHAIRMAN BOHL: Thank you. Mr. Mendez?
 17 MR. MENDEZ: Those bottle of tequila,
 18 we don't sell the big - - I mean, the whole big
 19 bottles to take them outside. I don't know where
 20 the bottle - - she pick it up and there is - -
 21 put everything, is more garbage in there, like
 22 plastic, soda, McDonald's. Why don't you pick up
 23 the garbage?
 24 THE WITNESS: I do pick up the garbage.
 25 CHAIRMAN BOHL: Mister - - Mr. Mendez,

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1 I'm going to ask you to refrain, please, okay.
 2 The - - Are there any other bars on your block,
 3 on your immediate block?
 4 MR. MENDEZ: No.
 5 THE APPLICANT: No.
 6 CHAIRMAN BOHL: Okay. Now here's - - I
 7 have no doubt that - - that there are - - that
 8 there are times and/or occasions where you may
 9 find individuals that are driving by and tossing
 10 their bottles out of - - out of their doors.
 11 What I've also seen and - - and I would just
 12 surmise this. I would just guess this. Is that
 13 you may have patrons, as well, who have a bottle
 14 on their way over to - - to your place, kind of
 15 look into their car as they're getting out, say,
 16 I don't want this here. Instead of walking in
 17 somewhere, typically deposit it on the curb as
 18 they get out of the car. I've seen it over and
 19 over again with - - with a lot of businesses.
 20 I've seen it with businesses where people stop at
 21 McDonald's before they hop into the bar, and, you
 22 know, are eating the cheeseburger on their way
 23 over to the bar, and then, ah, I don't want to
 24 deal with this. As opposed to carrying it in,
 25 they - - they typically deposit it on the side of

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1 the curb and leave it for someone else. What - -
 2 What steps do you take to pro-actively go out and
 3 clean the area?
 4 THE APPLICANT: We do. We - - We go
 5 out and we pick up bottles, bags of McDonald's.
 6 Sometimes plastic bags of El Rey, anything we
 7 find.
 8 CHAIRMAN BOHL: How often are you doing
 9 that, Ms. Mendez?
 10 THE APPLICANT: Every day.
 11 CHAIRMAN BOHL: So you must be finding
 12 an awful lot out there every day if what I'm
 13 seeing in the photos is indicative of what you
 14 have out there.
 15 THE APPLICANT: No, not basically.
 16 Sometimes a whole night will go through and there
 17 will be no bottles outside.
 18 CHAIRMAN BOHL: It varies?
 19 THE APPLICANT: It varies.
 20 CHAIRMAN BOHL: All right. Thank you.
 21 THE WITNESS: Can I say just one more
 22 thing? If we don't suspend or revoke their Class
 23 "B" liquor license, at least could we talk about
 24 taking away some of the loud music by their
 25 tavern/dance or their video game center or their

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1 billiard hall or something that's causing other
2 issues? Thank you.

3 CHAIRMAN BOHL: All right. Thank you.
4 Thank you, again, for your - - your diligence in
5 - - in compiling those - - those observations
6 here for us. Sir, we'll - - we'll take your name
7 and - - and address for the record first, and
8 then your testimony.

9 THE WITNESS: Valdemar Gonzalez, 3234
10 West Scott Street. I live directly across from
11 The Last Chance. I will keep my comments very
12 brief. I would ask the aldermen and alderwoman
13 to, when they look at the police reports that are
14 involving the monitoring by the police
15 department, specifically the arrests that were
16 made, to note that the arrests were made not all
17 on one day but over a period of time. And then
18 to consider Ms. Mendez' testimony today where she
19 said that either her or Manny are always - -
20 they're always there. Well, if one arrest for
21 cocaine arrest happened, and it was the
22 bartender, there's no way that she - - that - -
23 There is no way that you could not know that it
24 happened, and then let it continue to the point
25 where five days later her son gets arrested for

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1 the same thing. So there's discrepancies there
2 over knowledge.

3 CHAIRMAN BOHL: Mr. Gonzalez, I - - I
4 just want to clarify one thing. I don't believe
5 that there were multiple arrests.

6 THE WITNESS: There were.

7 CHAIRMAN BOHL: What I believe is that
8 there were multiple buys, and then subsequently
9 arrest was made. Is it - - Is that not
10 incorrect, Captain Gaglione?

11 CAPTAIN GAGLIONE: For which incident?
12 There was multiple buys and - -

13 CHAIRMAN BOHL: We have - - We have - -
14 We have several incidents in terms of cocaine
15 buys. I'm going to guess that you were - - Do we
16 want to just swear you in and bring you - - And
17 we'll allow you to - - to expound on - - on
18 additional commentary. I just want to get you
19 sworn in and have you answer that question first.

20 (Whereupon Captain Gaglione was sworn.)

21 CHAIRMAN BOHL: And if you could, just
22 identify yourself for the record.

23 CAPTAIN GAGLIONE: Regarding the
24 investigation by - -

25 CHAIRMAN BOHL: Just for our record, if

1 you could identify yourself.

2 CAPTAIN GAGLIONE: Oh, I'm sorry.
3 Captain Donald Gaglione, G-A-G-L-I-O-N-E,
4 District Commander of District No. 6. Regarding
5 the Vice-Control Divisions investigation there
6 were more than one individual arrested for
7 delivery of a controlled substance.

8 CHAIRMAN BOHL: I - - What my question
9 is, is there were multiple instances, I believe,
10 where there were buys that were - - that were
11 conducted. The arrests didn't come af - - Was it
12 not part of a larger investigation in which there
13 were multiple buys staged before an arrest was
14 made?

15 CAPTAIN GAGLIONE: There were multiple
16 buys made, and there was more than one suspect
17 charged with the delivery.

18 CHAIRMAN BOHL: Right.

19 CAPTAIN GAGLIONE: Or warrants issued.

20 CHAIRMAN BOHL: When - - When the
21 warrants were issued, there were several
22 instances of buys being made without there being
23 an arrest at the time of the buys. Isn't that
24 correct?

25 CAPTAIN GAGLIONE: Correct.

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1 CHAIRMAN BOHL: Okay. That's what I
2 wanted to clarify. It's not as though they - -
3 they bought, you're arrested, the guy gets out a
4 week later, they go back, buy, you're arrested
5 again, let him out, a week later, go back, buy,
6 arrest. That - -

7 THE WITNESS: Controlled - - Controlled
8 observations, multiple arrests, it still boils
9 down to the same thing.

10 CHAIRMAN BOHL: I am not - -

11 THE WITNESS: For the same - -

12 CHAIRMAN BOHL: I am not disputing
13 that, Mr. Gonzalez, but - -

14 THE WITNESS: There were multiple - -

15 CHAIRMAN BOHL: I am not disputing, and
16 I'm not - - Hold on, sir. I know you - - you - -
17 you have a propensity of - - of being very
18 passionate, and I appreciate that.

19 THE WITNESS: I know the details of the
20 case, intimately.

21 CHAIRMAN BOHL: All right. Well, I - -
22 I think I just clarified something that you were
23 stating, so - -

24 THE WITNESS: That there were multiple
25 observations and there were multiple arrests.

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CHAIRMAN BOHL: I don't dis - -

THE WITNESS: In any event, I'd like to move on past the drug observations. The fine officers in blue will cover that whole period. I don't need to rehash that.

CHAIRMAN BOHL: Sure. Go ahead.

THE WITNESS: You can ask them all the questions you'd like. Number two, their licensing for the dance hall, that it's just not just a jukebox. That they have people come in that pull up with a truck in front. They are pulling and carrying huge speakers, huge receivers, huge woofers. I mean, it's not just a jukebox. They are having - - They are in - - you know, making the conscientious decision to say, hey, go ahead, and allowing either themselves, their manager, whoever they're having run their bar, because they're obviously not, to bring in all this equipment and - - and, hey, after all this has happened. Even after - - after the drug buys in - - in March and all that trouble, and after the revocation hearing that happened in September. It, you know, it still happens. They just don't care. So the - - the speakers and the music equipment that they're bringing in is a

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huge part of the problem.

The third thing that I have an issue with is the fact that there is no control over the business. You know, we're upstairs, we're downstairs, we're always there. Do either one of them have a manager's license? I've sat here this morning, and unfortunately, had the displeasure of seeing individuals who wanted to start a business, who wanted a fresh chance, who wanted to prove themselves, and their licenses were denied because of, you don't have this, you don't have experience, you don't have a manager's license, and this bar is out of control.

Number four - -

CHAIRMAN BOHL: Mr. Gonzalez?

THE WITNESS: Hmm?

CHAIRMAN BOHL: Owners do not need a manager's license. It is only - - It is only if I own the place and am not present and you are my manager that you need a manager's license.

THE WITNESS: That's just - - Someone needs to be in control. They're not in control.

CHAIRMAN BOHL: Okay.

THE WITNESS: It's obvious.

CHAIRMAN BOHL: Which is - - Which is

the point, but I - - You raise a question, and I want to clarify that. So now you can - -

THE WITNESS: I'm making a statement. You're trying to clarify my statements. You don't live across the street from the bar.

CHAIRMAN BOHL: I'm not disputing, Mr. Gonzalez. I'm not disputing that you have concerns and that they're not valid. What I'm just telling you is when you're - - Essentially your statement demanding that somebody have a manager's license, I'm telling you that a manager's license is required for somebody who actually is running the place as a manager in the absence of the owner and who doesn't have it.

THE WITNESS: Then in that case, I would ask you to hold Ms. Mendez fully accountable for every action that's happened in that bar. There is no shifting blame this time. As the committee can see, she has gone into court. I do not - - Maybe it's a lack of Mrs. Zellner and I going to Municipal Court to follow up on the citations, why these citations are being dismissed without prejudice. You know, I got a problem with Municipal Court, but that's another venue. Okay.

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THE WITNESS: We haven't been notified of their nuisance hearings.

THE WITNESS: I'm - - I'm going by what I have observed this morning. I'm going by the standards that you are holding new business people to. I'm asking you to hold them accountable to the same standards and make your decisions.

CHAIRMAN BOHL: Okay.

THE WITNESS: The last thing, again, is the zoning. This area is zoned a residential neighborhood. That tavern was allowed to operate back in the '50s at the grace of the residents and the neighbors. And I do believe that in the zoning it says that it is allowed as long as it does not change the nature and character of the neighborhood. And I will once again say on the record that The Last Chance tavern does, in fact, change the nature and character of the neighborhood. And that's all I have to say.

CHAIRMAN BOHL: I'll let your alderman clarify that one for you, if he so desires, how zoning works. Thank you. Are there - - Are there any questions that committee members have of - - of Mr. Gonzalez.

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1 THE WITNESS: One more thing.
 2 CHAIRMAN BOHL: Go ahead. Go ahead.
 3 THE WITNESS: This last December Mr.
 4 Mendez, Mrs. Mendez, there was a gentleman
 5 sleeping, he had fallen asleep. I have to
 6 mention it, Manny, he fell asleep in his truck
 7 with the engine running. And you and I went out
 8 to his truck together and had to be translated.
 9 I had to tell him what the ramifications would be
 10 for him if he chose to drive away. And with your
 11 assistance you got - - you persuaded that patron
 12 to go back into the bar. That's just one
 13 incident in dozens.
 14 CHAIRMAN BOHL: Is it fair for me to
 15 assume, Mr. Gonzalez, that you believe that the
 16 gentleman was intoxicated and he fell asleep
 17 then?
 18 THE WITNESS: He was clearly
 19 intoxicated. There was no way I was going to
 20 allow him to drive away. And then, on the
 21 weekend of October 11th and October 12th of this
 22 last - - of this last fall, which happened after
 23 the police dust, which happened after the
 24 revocation hearing, on that weekend it was - -
 25 the music was so loud that I can't even begin to

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1 tell you. I called the police myself. Which
 2 shows a blatant disregard, hey, what you going to
 3 do? Same thing on November 9th, the weekend of
 4 November 9th. It was - - I believe November 9th
 5 was a Sunday. It was a Sunday night. And it's
 6 so aggravating when the only control is the
 7 peeking out of a window behind curtains by the
 8 licensed owner.
 9 And then, the only other thing I would
 10 add is the incident that was mentioned by the
 11 police department involving complaints about the
 12 bar, the police responded, they get to the bar
 13 where they encounter a combative Mr. Mendez,
 14 where he was - - had to be issued a disorderly
 15 conduct ticket. Because, hey, what are we doing
 16 wrong? They don't - - Sometimes when the police
 17 come, they don't, you know, what are we doing
 18 wrong? Hey, Mrs. Mendez sat here, said that she
 19 - - that, you know, she doesn't see gang members
 20 in the bar. And I won't go into her past, or her
 21 family, or the neighborhood. But I beg of you -
 22 - I - - Really, I am - - To sit here and -
 23 - and watch new applicants and listen to the
 24 language and - - and listen and watch the
 25 criteria, how they would be allowed to stay open

1 in operation - -
 2 CHAIRMAN BOHL: Thank you, Mr.
 3 Gonzalez. I - - I think we get the gist of it.
 4 Okay. Questions committee members have of - - of
 5 this neighbor? Ms. Mendez, Mr. Mendez, any
 6 questions that you have relating to any of the
 7 testimony that he provided?
 8 THE APPLICANT: No.
 9 CHAIRMAN BOHL: Thank you. All right.
 10 Thank you both for coming here again.
 11 THE WITNESS: Thank you.
 12 CHAIRMAN BOHL: Captain Gaglione, is
 13 there anything that - - that you or individuals
 14 from your department want to present here at this
 15 time?
 16 CAPTAIN GAGLIONE: Sir, if it would
 17 please, I have members of the Vice-Control
 18 Division here and of District No. 2, who can
 19 testify regarding the drug transactions at the
 20 tavern, as well as known gang members who are
 21 known to the Milwaukee Police Department who have
 22 been seen coming and going from the tavern on
 23 numerous occasions during those investigations,
 24 which will show that it does, in fact, have gang
 25 members coming and going on a regular basis.

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1 CHAIRMAN BOHL: Are these the two
 2 gentlemen that are right behind you here that
 3 will provide that testimony? Additional officers
 4 here? We do - - We do have a couple of seats
 5 here if they want to just come forward here.
 6 CAPTAIN GAGLIONE: Officer Todd Bohlen
 7 and Officer Evelyn Lazo are here, and the third
 8 officer, unfortunately, is testifying in Circuit
 9 Court at this time.
 10 CHAIRMAN BOHL: That's fine. We'll - -
 11 We'll swear you two in. You - - You've been here
 12 earlier as part of the - -
 13 OFFICER BOHLEN: Yes.
 14 CHAIRMAN BOHL: - - previous - -
 15 previous revocation hearing.
 16 (Whereupon the officers were sworn.)
 17 CHAIRMAN BOHL: Officer Bohlen, we'll
 18 - - we'll take your testimony first. If you
 19 could just identify yourself here again.
 20 OFFICER BOHLEN: Officer Todd Bohlen,
 21 currently assigned to the Neighborhood Task
 22 Force.
 23 CHAIRMAN BOHL: And Jean, that's like
 24 the good alderman's name with an E-N here on it,
 25 so.

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1 OFFICER BOHLEN: B-O-H-L-E-N. As I
 2 said, I'm currently assigned to the Neighborhood
 3 Task Force during the years of 2004 through 2 - -
 4 early 2008. I was assigned to the Gang Squad.
 5 Primary focus was south side gangs. I have many
 6 informants in several different gangs on the
 7 south side gangs. Received information that The
 8 Last Chance bar had a known Latin King gang
 9 member that was working there and selling drugs
 10 from the bar, from behind the bar, I should say.
 11 I notified Officer Lazo here of the information.
 12 She acted on that. I conducted follow-up with
 13 the Vice-Control Division. Had my informant
 14 introduce an undercover police officer to Mr.
 15 Joseph Mendez, who is also known as Gato. The
 16 undercover police officer had made three separate
 17 drug purchases from Mr. Mendez. A 20 dollar
 18 purchase of cocaine, another 20 dollar purchase
 19 of cocaine, and 120 dollar purchase of cocaine
 20 while he was in the bar, I believe, being the
 21 bartender.

22 MR. SCHRIMPF: I'm - - I didn't hear
 23 that.

24 OFFICER BOHLEN: While he was the
 25 bartender.

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1 CHAIRMAN BOHL: While he was bartending
 2 at that bar.

3 OFFICER BOHLEN: While in charge of the
 4 bar.

5 CHAIRMAN BOHL: Yeah. Any - - Any
 6 other information here, Office Bohlen.

7 OFFICER BOHLEN: Not that I can recall.

8 CHAIRMAN BOHL: Okay. Questions
 9 committee members have of - - of this officer?

10 MR. SCHRIMPF: Mr. Chairman.

11 OFFICER BOHLEN: One additional thing.

12 CHAIRMAN BOHL: Go ahead.

13 OFFICER BOHLEN: During this time I
 14 conducted - - I was plain clothes officer at the
 15 time, and I drove an undercover vehicle. I
 16 conducted surveillance on several occasions of
 17 this bar, and I noticed, I believe, it was
 18 Wednesday night was like Latin King night. You'd
 19 see numerous, numerous Latin King gang members,
 20 like as of having a gang meeting there. And
 21 C14s, also, would congregate quite often. I
 22 believe it was on like a Friday or a Saturday
 23 night. It's been awhile ago. I don't recall
 24 exactly. But it would be like a night of the
 25 week for each gang.

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1 CHAIRMAN BOHL: And these are just
 2 individuals that, in your - - your normal course
 3 of work that the department has through bringing
 4 them in and other type of activities, identified
 5 as individuals - -

6 OFFICER BOHLEN: Yes.

7 CHAIRMAN BOHL: - - that are part
 8 of - -

9 OFFICER BOHLEN: Whether it's gang
 10 tattoos that they have on their bodies or from
 11 informants, as well. A lot of people are proud,
 12 when you interview them on the street, you can
 13 tell by the colors, they'll be proud to tell you
 14 I'm an Latin King gang member. They won't say it
 15 as such, but, you know, they'll show you the
 16 crown and that, and they'll tell you they're a
 17 gang member.

18 CHAIRMAN BOHL: Okay. Thank you. Mr.
 19 Schrimpf, you had a question?

20 MR. SCHRIMPF: Thank you. I just want
 21 to make certain this Mr. Mendez, he was
 22 bartending.

23 OFFICER BOHLEN: Yes.

24 MR. SCHRIMPF: And he was also dealing
 25 in drugs.

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1 OFFICER BOHLEN: Yes.

2 MR. SCHRIMPF: How many buys were made
 3 from him?

4 OFFICER BOHLEN: Three buys.

5 MR. SCHRIMPF: Over a period of about
 6 how long?

7 OFFICER BOHLEN: Two weeks, I believe.

8 MR. SCHRIMPF: Okay.

9 OFFICER BOHLEN: Around, around two
 10 weeks.

11 MR. SCHRIMPF: And this individual was
 12 related to the Mendez?

13 OFFICER BOHLEN: He's their son.

14 MR. SCHRIMPF: Okay. Was that the
 15 individual who was deported?

16 OFFICER BOHLEN: No.

17 MR. SCHRIMPF: Okay. All right.
 18 That's all I have, Mr. Chairman.

19 CHAIRMAN BOHL: Thank you.

20 ALDERMAN KOVAC: Mr. Chairman.

21 CHAIRMAN BOHL: Alderman Kovac.

22 ALDERMAN KOVAC: Are there charges
 23 against Mr. Mendez pending or is he - -

24 OFFICER BOHLEN: Yes, I believe he is
 25 still wanted.

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1 ALDERMAN KOVAC: Oh.

2 OFFICER BOHLEN: He was never arrested
3 for it. He fled - - Informant says he fled to
4 Mexico.

5 CAPTAIN GAGLIONE: There's a felony
6 warrant outstanding plus two state warrants from
7 other jurisdictions non-felony.

8 CHAIRMAN BOHL: Other questions by
9 committee members? Thank you, Officer Bohlen.
10 Officer Lazo, would you, just for the record, if
11 you could just identify yourself here.

12 OFFICER LAZO: Officer Evelyn Lazo,
13 Lazo, L-A-Z-O.

14 CHAIRMAN BOHL: And you are which - -
15 with which division of the police department
16 here?

17 OFFICER LAZO: District 2. At the time
18 I was assigned to the Anti-gang Unit.

19 CHAIRMAN BOHL: Your testimony, please.

20 OFFICER LAZO: My testimony is actually
21 going to be information that Todd - -

22 CHAIRMAN BOHL: If you could just twist
23 your microphone around a little bit there. Thank
24 you.

25 OFFICER LAZO: Sure. Information that

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1 was given to me was from Todd Bohlen. And I did
2 the initial tavern investigation, the very first
3 one we made. There was no drug transaction made
4 besides we just arrested somebody for him having
5 possession of cocaine. Which al - - The person
6 was identified and also was deported, so he was
7 never charged.

8 CHAIRMAN BOHL: Okay. Questions
9 committee members have?

10 OFFICER LAZO: Can I just make - -

11 CHAIRMAN BOHL: Sure, go ahead.

12 OFFICER LAZO: I just want to - -

13 CHAIRMAN BOHL: Please, go ahead.

14 OFFICER LAZO: I just want it to be
15 noted that Mr. Mendez, who did the drug
16 transaction and delivery, and Santiago, which was
17 also the one that had possession of cocaine were
18 both residents and they - - and they lived
19 upstairs from the bar.

20 CHAIRMAN BOHL: All right. So they - -
21 they also lived upstairs from the bar then?

22 OFFICER LAZO: Correct.

23 CHAIRMAN BOHL: Mr. and Mrs. Mendez,
24 are - - You know, you indicated that you're
25 downstairs. Were you downstairs working at the

1 bar continuously or from time to time or how
2 often do you actually spend on a given day behind
3 the bar?

4 THE APPLICANT: That day that the
5 arrest was made?

6 CHAIRMAN BOHL: Well, even in - - in
7 the general - - There's weeks around it. I'm
8 going to guess that if the police department were
9 provided information that there was drug dealing
10 that was routinely taking place at your bar, that
11 it didn't just start the day before. So, I mean,
12 how long has your son - - was your son bartending
13 at - - at your place?

14 THE APPLICANT: My son would just - -
15 Because my son goes to Texas and then he comes
16 back. And because he - - He's working in Texas.

17 CHAIRMAN BOHL: He's working in Texas
18 now?

19 THE APPLICANT: Yes, he's in Texas.
20 He's been in Texas all along.

21 MR. MENDEZ: Never been in Mexico. I
22 don't want to hear from the Mex - - He's in
23 Texas. Somebody want to talk to him? I - - I
24 told you when I - - when I went, I said, he's in
25 Texas. We don't want to make him here for when

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1 we had all those problems, I say, you go to leave
2 our place. So he's not - - He's working in
3 Texas. He never went to Mexico. He went to
4 Mexico in December for New Year's. But he come
5 back. And he's still in Texas. He work in
6 roofing. Plus he work in a bus company, clean
7 up, washing those buses. He never delivered
8 cocaine. We had - - We supposed to bring our
9 lawyer, but our lawyer is in Washington. He's
10 there right now. And this is just too short
11 notice for we hire another lawyer. We got to
12 answer for everything with what he says. Too - -
13 Too bad we can never bring no lawyer with us.
14 False - - A lot of false information.

15 THE APPLICANT: You know as far as the
16 - - Excuse me, committee. But as far as the gang
17 activity, I do not know there are gang members
18 that go in there. They don't have scars on their
19 - - on their foreheads that says, I'm a gang
20 member. If they go in there, I don't know
21 they're gang members. But they don't - - They
22 don't start no problems. So, you know, it's the
23 first that I know that even my son's a gang
24 member, because my son has no tattoos. The - -
25 The only tattoo that he has is the Our Lady of

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1 Guadalupe on - - on his left hand.
 2 ALDERWOMAN COGGS: Mr. Chairman?
 3 MR. MENDEZ: Also, I can say something
 4 about the gang members. One time there was a
 5 Marine that came in with really nutty, wasted,
 6 and he asked a person sitting in the bar, he got
 7 up right to him. He said, hey, what kind of
 8 member do you belong to? And the - - And the
 9 customer say, no, I'm not a member nowhere. And
 10 I said, I'm sorry. A lot of persons are over,
 11 just come over here with really, really bad
 12 attitude. I say, Officer Marine, look you - -
 13 you got a real nasty tattoo on your arm. Do you
 14 say what kind of gang member that you belong, and
 15 this police was really upset to me. Because they
 16 - - they always come in and walk over us. And
 17 when I say something, they put the handcuffs on
 18 me, and they give me a ticket for it. They not
 19 come in for our loud music. They come in because
 20 he want to look for who is there. And it's too
 21 bad we cannot bring a lawyer today, but we - - we
 22 try to get a lawyer next time. Because this is a
 23 lot of bad information they bring it over here.
 24 ALDERWOMAN COGGS: Mr. Chair.
 25 CHAIRMAN BOHL: Alderwoman Coggs.

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1 ALDERWOMAN COGGS: So it's - - it's
 2 your contention that your son never sold drugs
 3 out of your establishment? That's what you're
 4 saying?
 5 MR. MENDEZ: Yeah, we never knew. He
 6 is - -
 7 ALDERWOMAN COGGS: Is it that you did
 8 not know, or is it that, are you saying he did
 9 not? It did not happen?
 10 MR. MENDEZ: No.
 11 ALDERWOMAN COGGS: So these buys that
 12 are on the police record did not happen?
 13 MR. MENDEZ: I don't know.
 14 ALDERWOMAN COGGS: You don't know.
 15 MR. MENDEZ: No.
 16 ALDERWOMAN COGGS: Okay. And secondly,
 17 and correct me if I'm wrong, but I was one of the
 18 people here for all those hours for that partial
 19 revocation thing. I - - I could swear at that
 20 meeting you said you didn't know where your son
 21 was, and now you're telling us he's in Texas.
 22 Maybe I'm remembering wrong?
 23 MR. MENDEZ: No. Since - - Since the
 24 - - In March I believe I was come back from
 25 Texas, and I come in and I find out all these

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1 problems. I talk to my son. And I said, tell me
 2 the truth once. And he said, no, I'm not
 3 involved in anything like that. I said, look we
 4 got in a big trouble now. I said, I don't want
 5 you over here. So he get a ticket in the bus
 6 company on 13th and Manitoba, Mars Company buses.
 7 I sent him back to Texas, and he's in Texas,
 8 because I don't want - - I want him to stay away
 9 from all his friends. I don't want no more
 10 problems, and this way he's in Texas.
 11 ALDERWOMAN COGGS: So as of the last
 12 hearing you knew where he was then, too?
 13 MR. MENDEZ: Excuse me?
 14 ALDERWOMAN COGGS: As of the last
 15 hearing you knew where he was then, too?
 16 MR. MENDEZ: Lanky?
 17 ALDERWOMAN COGGS: At the last hearing
 18 you knew where he was then, too?
 19 MR. MENDEZ: Oh, yeah. I - - I told
 20 Officer, that one he make in those meetings. The
 21 neighborhood watch.
 22 THE APPLICANT: Gloria.
 23 MR. MENDEZ: Gloria. I say, he's in
 24 Texas. And I - - I believe they let you know.
 25 And my son talked to you, too. He called you,

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1 right?
 2 CAPTAIN GAGLIONE: After the revocation
 3 hearing. I did receive a phone call from an
 4 individual - -
 5 MR. MENDEZ: Okay. He - - He's been in
 6 Texas all this time.
 7 ALDERWOMAN COGGS: Thank you.
 8 MR. MENDEZ: Yes.
 9 CAPTAIN GAGLIONE: - - from an
 10 individual who claimed to be Joseph Mendez, and
 11 he said he was going to come back into town and
 12 call me when he got back into town, which never
 13 happened. So there is still an outstanding
 14 felony warrant that was issued by the District
 15 Attorney's office to find probable cause that a
 16 felony crime was committed and Joseph Mendez
 17 committed that crime. That warrant is still
 18 open, and we are still seeking him presently.
 19 CHAIRMAN BOHL: Alderman - - Alderman
 20 Hamilton.
 21 MR. MENDEZ: Excuse me.
 22 CHAIRMAN BOHL: Mr. Mendez, you wanted
 23 to say something more here?
 24 MR. MENDEZ: Yes. He don't run away.
 25 I told him to leave. Because I want to, you

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1 know, get rid of all this problems. But I - - I
2 let him know he's in Texas. Anybody wants to
3 talk to him right now? We - - We let him know
4 where it is. Because he - - he not running. I
5 told him to leave.

6 CAPTAIN GAGLIONE: We'll be requesting
7 the address where he's at after - -

8 CHAIRMAN BOHL: I was just going to say
9 - -

10 ALDERMAN ZIELINSKI: Mr. Chairman.

11 CHAIRMAN BOHL: Hold on. Alderman - -
12 Alderman Hamilton.

13 ALDERMAN HAMILTON: No, that's - -
14 that's what I was going to ask, if he had
15 provided that information. Go ahead, Alderman
16 Zielinski.

17 ALDERMAN ZIELINSKI: No, that was - -
18 that was going to be the question.

19 CHAIRMAN BOHL: All right. Any other
20 questions thus far here? Any questions of
21 Officer Lazo? Thank you, officer. Captain
22 Gaglione, any additional commentary?

23 CAPTAIN GAGLIONE: I'd like to say when
24 I met with Mr. Mendez - - Mendez - - Excuse me
25 - - prior to the revocation hearing, he did make

1 drug trafficking that's going on there. And as
2 recently on January 1st they were unable to
3 control the tavern, where individuals that were
4 within the tavern. So it's not as if the
5 problems are solved. There's continuing to be
6 things occurring in there, and I just hate to see
7 us not - - not - - renew the license and have a
8 more serious crime happen, additional drug
9 dealing or, God forbid, somebody get killed
10 within that - - within that establishment.

11 CHAIRMAN BOHL: And, Captain Gaglione,
12 and Sergeant Ulickey isn't here. I'm - - It's
13 probably, I'm assuming that there was an incident
14 over New Year's Day that a PA-33 was drawn up
15 there. Typically what happens is - - is we wind
16 up, based on when the applicant applies, we wind
17 up generating a - - a report based on what we
18 have at that time, and my guess is is that
19 probably followed what - - when our - - Oh, we do
20 have the item from January on our - - Okay. That
21 was the last item. All right. Boy, we were
22 quick on that one. Oftentimes, we miss that.
23 All right. Questions committee members have of
24 - - of Captain Gaglione?

25 ALDERMAN KOVAC: Mr. Chair.

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1 statements to me at District No. 6 that on two
2 occasions within the last year he did find a
3 quantity of what he believed to be crack cocaine
4 in dollar bills on the floor of his
5 establishment, which he washed down the sink. So
6 I would have to question if he did or did not
7 realize there was cocaine trafficking going on.
8 But he - - He admitted to me that he, on two
9 separ - - at least two separate occasions, that
10 he had recovered a quantity of suspected cocaine
11 from his tavern, which he washed down the sink.

12 CHAIRMAN BOHL: Any other commentary
13 here?

14 CAPTAIN GAGLIONE: Obviously based on
15 the - - the neighborhood at this tavern is - - is
16 a neighborhood that's, in my opinion, on a
17 teeter-totter. It could go either way. The
18 police spend a significant amount of resources in
19 this neighborhood throughout that neighborhood to
20 prevent crimes, prevent violent crime, prevent
21 drug dealing. Obviously, based on the testimony
22 that you heard from the officers and from
23 Sergeant Ulickey, this establishment is - - is a
24 menace to the neighborhood. Not only the noise
25 nuisances that are occurring there, but also, the

1 CHAIRMAN BOHL: Alderman Kovac.

2 ALDERMAN KOVAC: I guess I - - So the
3 drug and gang activity has continued since that
4 bust?

5 CAPTAIN GAGLIONE: It has from that - -
6 Since that bust there hasn't been additional drug
7 arrests in that location, according to the police
8 records.

9 ALDERMAN KOVAC: And what - - Well, I
10 guess you wouldn't want to comment on an active
11 investigation, so.

12 CHAIRMAN BOHL: Other questions? Thank
13 you, Captain Gaglione.

14 CAPTAIN GAGLIONE: Thank you.

15 CHAIRMAN BOHL: Alderman Donovan, your
16 comments.

17 ALDERMAN DONOVAN: Thank you, Mr.
18 Chairman, committee members. I - - I've known
19 the Mendez for a number of years, since I assumed
20 this particular neighborhood in the redistricting
21 in 2004. Prior to that, it was represented by
22 Alderman Murphy. I have known them to be
23 individuals who, at least appear to me, to care,
24 and to show up at community meetings. That's a
25 fact. Having said that, though, I think what is

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1 going on here, and we have ample evidence of a
2 bar that - - that they have quite frankly lost
3 control of. And I don't see, for whatever
4 reason, I think they're just in over their heads.
5 And I know they've operated it for a number of
6 years, but times change, and people get older,
7 and people have other interests, or whatever. I
8 know that they go out of town quite a bit, so the
9 testimony that they're always at - - just isn't
10 accurate.

11 Having said that, I totally agree with
12 Alder - - with Captain Gaglione. This is a
13 neighborhood that is on - - on the fence. The
14 police, myself, other neighborhood organizations,
15 are working very, very hard to try and turn the
16 neighborhood around, and there are many
17 positives. But the negatives of drugs and gangs
18 can just devastate this community. I mean, think
19 about it, folks, other bars have Wednesday night,
20 it's ladies' night. Over here it's Latin Kings
21 night. That - - That's got to end. That simply
22 has got to end. And we have ample evidence from
23 the Homicide Review Commission of all the
24 violence that occurs in this city related to
25 taverns. We have ample evidence here of drugs

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1 and gang activity. I can also indicate to you
2 that it's been my experience that sometimes these
3 reports that the police read off really don't
4 give you the full flavor of what's going on at
5 - - at a particular establishment. I know for a
6 fact that I spoke firsthand to the officer who
7 responded to, you couldn't even call it a fight,
8 on January 1st. He had to call for back-up. He
9 could not get involved for his own safety. There
10 were 30 people, blood all over the place, he's
11 telling me. Pool cues busted all over the place,
12 bottles busted all over the place. We have
13 evidence from neighbors, who I might add, have
14 - - have safety concerns of their own, because of
15 them coming forward. Whether it's justified or
16 not, that is a legitimate concern that both of
17 them have. Whenever we have testimony given
18 against an establishment where gangs are
19 associated, that causes concerns to people. We
20 ought to be thanking God that - - that they did
21 have the guts to come forward and tell it like it
22 was. And I had asked Mrs. Zellner to keep that
23 log, since this revocation. And I think that's
24 very important and the evidence that - - that
25 that presents, and the flavor of what's going on

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1 in this particular community. And, again, I say
2 this sits smack dab in the middle of a
3 residential. There isn't any other business
4 around there with the exception of one small
5 convenience store. That's it. It's all
6 residential, and a school a block away.

7 So I believe, and - - And these
8 officers, they're here at my request. I wanted
9 to be able to handle anything that - - that came
10 forward. But it's important that we, as a
11 community, stand up and back these officers in
12 what they're going through, too, and - - and make
13 a statement. Because I feel it's the absolute
14 wrong statement to renew this license, given the
15 evidence of gang and drug activity. What is that
16 telling this community? Thank you.

17 CHAIRMAN BOHL: Thank you, Alderman
18 Donovan. Mr. and Mrs. Mendez, this is your
19 opportunity if you have any questions or any
20 additional comments to - - to relay them to the
21 committee, and then we'll take this matter up.

22 MR. MENDEZ: Yes. Okay. About our
23 neighbors, I think - - I think we do the best - -
24 the best we can. Some of the neighbors, we don't
25 let them know we were supposed to have this

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1 meeting, because otherwise, we should have got
2 them over here. Mr. Valdemar, I don't know if he
3 remember, two months ago he got officer in his
4 house, casa. He got a big shooting in his
5 backyard. And it is one of those, a family, that
6 really bring a lot of problems in there. The
7 police come in - - Police come in by me and they
8 say, you hear that shooting? I say no. It was
9 close. He said, was a big shooting at Valdemar's
10 backyard. And they arrested his father. Why
11 arrested his sister. They only bring - - Guys
12 come in and use - - Now, I'm going to say,
13 marijuana on his front porch. They didn't report
14 it, Valdemar. And why you don't report it,
15 officer - - The officers they come in about two
16 months ago, and they - - they got a big shooting
17 in his backyard. Right? You remember about that
18 report?

19 CAPTAIN GAGLIONE: I don't remember
20 about that report, sir.

21 MR. MENDEZ: Okay. So then later on
22 the police had to stay there like until four in
23 the morning, looking for information. They come
24 back later, arrested his son - - his father. I
25 don't know what happened. Valdemar talked to me.

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1 You hear some shooting? I said no. And they --
 2 Marijuana bring a lot of problems in the
 3 neighborhood. I got a lot of -- My neighbors,
 4 they live across the area. They are really upset
 5 with them, because his family bring all this kind
 6 of problems. And they accusing us for things
 7 that we don't really have nothing to do with. A
 8 lot of things are -- We open like seven, Tuesday
 9 to Thursday. And sometimes no -- no customers.
 10 We close, especially on Wednesdays. We can show
 11 the records. We got no business on Wednesdays.
 12 How can we have meeting of Latin Kings. Mr.
 13 Valdemar, he never has the time to come in and
 14 -- and look what's going on in there. How many
 15 times you come in and -- and see the neighbors?
 16 You should have come in and see what kind of
 17 neighbors, what kind of clients we have in there.
 18 You don't want to spend time with us. You listen
 19 to the other --

20 ALDERMAN DONOVAN: Mr. Chairman.

21 CHAIRMAN BOHL: Yes.

22 ALDERMAN DONOVAN: First of all, if you
 23 care to respond.

24 CHAIRMAN BOHL: Mr. Mendez.

25 ALDERMAN DONOVAN: I did come into your

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1 bar once, sir, and I asked you to turn -- turn
 2 the music down.

3 MR. MENDEZ: And I -- Like in the --

4 ALDERMAN DONOVAN: All right. If I was
 5 asked to attend every bar in my district, I
 6 wouldn't have time to sit here.

7 MR. MENDEZ: We already had you come in
 8 and I changed -- adjust the jukebox. It can go
 9 low as it can. So these people going to keep on
 10 complaining all the time for, I don't know what
 11 reasons. We tried to do the best.

12 CHAIRMAN BOHL: Okay.

13 MR. MENDEZ: I tried to talk to Mr.
 14 Donovan. He refused to talk to us.

15 ALDERMAN DONOVAN: Mr. Chairman, may I
 16 respond to that, as well?

17 CHAIRMAN BOHL: Yes.

18 ALDERMAN DONOVAN: I have met with Mr.
 19 Mendez on many occasions over the years. We have
 20 been at many meetings together. When I did not --
 21 When I said I couldn't talk was when these
 22 investigations were going on.

23 ALDERWOMAN COGGS: Mr. Chair.

24 CHAIRMAN BOHL: Alderwoman Coggs.

25 ALDERWOMAN COGGS: Just for clarity.

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1 The dates and times that the incidents that the
 2 police say happened with the purchasing of
 3 cocaine at your establishment over-the-counter
 4 via your son, were you all present any of those
 5 dates?

6 THE APPLICANT: Yes. I was upstairs,
 7 but I didn't know -- I didn't know what he was
 8 doing there.

9 ALDERWOMAN COGGS: So -- So you were
 10 not in the bar any of those dates that it
 11 happened?

12 THE APPLICANT: No, I -- I just had
 13 gone upstairs to get change. If he did do this,
 14 he did this behind my back, so I wouldn't see.

15 ALDERWOMAN COGGS: Does your son have a
 16 manager's license?

17 THE APPLICANT: No. No.

18 ALDERWOMAN COGGS: Was anyone else
 19 present? Was anyone else present with your son
 20 at the times that you left, at the time that
 21 these incidents occurred?

22 THE APPLICANT: No.

23 ALDERWOMAN COGGS: Was there a licensed
 24 manager on the premises at the times that these
 25 incidents occurred and you were not present?

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1 THE APPLICANT: From what I understand,
 2 since I'm the licensee and he's my son, he
 3 doesn't need a bartender license.

4 ALDERWOMAN COGGS: Ms. Grill?

5 MS. GRILL: Mister -- Mr. Chair?

6 CHAIRMAN BOHL: Ms. Grill?

7 MS. GRILL: That would be if you held
 8 that -- the license as an individual. You hold
 9 it as an, I believe, it's a corporation. Mendez,
 10 Corp -- Incorporated. Corporations can't have
 11 family members, so that only applies if you hold
 12 it as an individual. So if you're not there,
 13 there has to be a licensed bartender or a manager
 14 on the premises. You're the only person on the
 15 application. So this would also apply to your
 16 husband, also. If you're -- If you're not on
 17 the premises, there needs to be a licensed
 18 manager or bartender on the premises.

19 CHAIRMAN BOHL: Is there anything else
 20 that committee members have? Captain Gaglione,
 21 do you want to add something?

22 CAPTAIN GAGLIONE: Sure, I'd like to
 23 add one thing. One of the undercover buys did,
 24 in fact, occur at The Last Chance tavern on a
 25 Wednesday evening. So it was -- and the tavern

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1 was open on that Wednesday evening in question.
2 The officer went in there and purchased a
3 quantity of cocaine at that time on a Wednesday
4 evening. So they were open on Wednesdays, at
5 least on that occasion.

6 CHAIRMAN BOHL: Thank you. All right.
7 We're in committee.

8 ALDERMAN ZIELINSKI: Mr. Chairman.

9 CHAIRMAN BOHL: Alderman Zielinski.

10 ALDERMAN ZIELINSKI: I want to make
11 sure that the entire police report has been
12 entered into the record.

13 CHAIRMAN BOHL: It actually has been
14 already, yeah.

15 ALDERMAN ZIELINSKI: Okay. I just
16 wanted to doublecheck on that. I - - I have to
17 agree with Alderman Donovan. This place is
18 totally out of control. I believe the Mendez
19 family, that they're - - they're sincere.
20 They're trying. They - - They said time and time
21 again that they've done their best. But
22 unfortunately, the best is not good enough. You
23 know, with - - with all the - - the drugs, and
24 the gang activity, and we just found out now that
25 there's been numerous occasions where no licensed

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1 manager was on premises, in violation of the
2 ordinance. That's something else to throw into
3 the equation here. The stuff involving gangs is
4 particularly, you know, disturbing, as well.
5 There's a lot to be really disturbed about. But
6 I think it's critical to send a message that
7 these types of activities, gangs and drugs and,
8 you know, this won't be tolerated. And - - And
9 people that operate these types of establishments
10 have to understand that if the environment exists
11 such as this for this to take place, that the
12 City of Milwaukee will not tolerate it. I mean,
13 look how many police officers we have here right
14 now.

15 Based on the - - the first-hand
16 testimony of the - - of the neighbors, and I - -
17 I have to also give credit to the one lady that
18 kept a very detailed log. That's very telling.
19 Based on neighborhood testimony, based on the
20 police report, based on the Alderman's testimony,
21 I would move for non-renewal.

22 CHAIRMAN BOHL: The motion by Alderman
23 Zielinski is - - is to recommend non-renewal of
24 the licenses based on the police report, and
25 additional neighborhood and police testimony. Is

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1 there any other discussion on the motion? Are
2 there any objections to the motion? Hearing
3 none, so ordered. Mr. Schrimpf.

4 MR. SCHRIMPF: Ms. Mendez, the
5 committee is going to be doing findings of fact
6 and conclusions of law, recommending non-renewal
7 of your license. You will receive a copy of
8 that. You will have an opportunity to submit
9 written objections to that. If so, they must be
10 received by 4:45 p.m., February 5th, 2009 in Room
11 105 of this building. If you submit written
12 objections, then you will also have the ability
13 to appear before the Milwaukee Common Council
14 when it considers this matter at approximately
15 nine a.m. on February 10th, 2009 in the Common
16 Council chambers of this building, the same floor
17 that you're on but the opposite end. Do you
18 understand all that?

19 THE APPLICANT: Yes.

20 MR. SCHRIMPF: Okay.

21 ALDERWOMAN COGGS: Mr. Chair?

22 CHAIRMAN BOHL: Alderwoman Cogg.

23 ALDERWOMAN COGGS: I feel inclined to
24 say this, because this is the second time this
25 happened this morning already. When people come

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1 before us for these types of licenses, ignorance
2 is no defense. It's incumbent upon you as a
3 business owner to research all applicable
4 ordinances so that you are running your
5 establishment as legally as possible. It amazes
6 me how many people come before us and don't
7 understand or know the law. If you can come
8 before us and ask for the license and you take on
9 that responsibility, you're just as responsible
10 to - - to be adhering to the law. Thank you.

11 CHAIRMAN BOHL: Thank you. Thank you
12 for that comment.

13 MR. SCHRIMPF: Thank you.

14 CHAIRMAN BOHL: Good luck here to you,
15 Ms. Mendez.

16 * * * * *

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3 STATE OF WISCONSIN)

4)

5 MILWAUKEE COUNTY)

6

7 I, JEAN M. BARINA, of Milwaukee Reporters
8 Associated, Inc., 5124 West Blue Mound Road,
9 Milwaukee, Wisconsin 53208, certify that the foregoing
10 proceedings is a full and complete transcript of the
11 LAST CHANCE taken in the foregoing proceedings.

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JEAN M. BARINA

Court Reporter

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21 Dated this day of February, 2009.

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