

JERSEYS SPORTS PUB & GRILL

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1
2 CITY OF MILWAUKEE
3 LICENSES COMMITTEE
4 *****
5
6 In the Matter of the Class "B" Tavern and Tavern
7 Dance and Video Game Center renewal application as agent
8 for:
9 "JERSEYS SPORTS PUB & GRILL AND 4014 LOUNGE"
10 CHRISTINA ELLIOT
11 Agent for "COMPETITIVE VENTURES, LLC,"
12 4114-24 South Howell Avenue
13 *****
14
15 COMMITTEE MEMBERS
16
17 ALD. JAMES BOHL - Chair
18 ALD. MILELE COGGS - Vice Chair
19 ALD. ASHANTI HAMILTON
20 ALD. T. ANTHONY ZIELINSKI
21 ALD. NIK KOVAC
22
23 LICENSING DIVISION by REBECCA GRILL
POLICE DEPARTMENT by P.O. TRACY TABIADON
OFFICE OF THE CITY ATTORNEY by ATTORNEY BRUCE SCHRIFF

Proceedings had and testimony given in
the above-entitled matter, before the LICENSES
COMMITTEE OF THE CITY OF MILWAUKEE, on
the 17th day of November, 2009.

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1 PROCEEDINGS
2 CHAIRMAN BOHL: Christina Elliot, Agent
3 for "Competitive Ventures, LLC," Class "B"
4 Tavern, and Tavern Dance And Video Game Center
5 renewal application as agent for "Jerseys Sports
6 Pub & Grill at 4014 Lounge" - - and 4014 Lounge"
7 at 4014 through 24 South Howell Avenue.
8 THE APPLICANT: That is correct.
9 MR. HANEY: Good morning. I'm Attorney
10 Robert Haney, and this is Ms. Elliot.
11 CHAIRMAN BOHL: Mr. Haney, H-A-N-E-Y?
12 MR. HANEY: That's correct.
13 CHAIRMAN BOHL: Thank you for stating
14 your appearance here, and for, Ms. Elliot, I'll
15 need to swear you in. If you'd raise your right
16 hand, please.
17 (Whereupon the Applicant was sworn.)
18 CHAIRMAN BOHL: I will need an address,
19 mailing address for the record, please.
20 THE APPLICANT: Christina Elliot.
21 Mailing address, 2712 South 49th Street,
22 Milwaukee, Wisconsin 53219.
23 CHAIRMAN BOHL: Thank you. And, Ms.
24 Elliot, do you acknowledge receiving notice of
25 today's meeting with the possibility your

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1 application could be denied? It is cited for an
2 attached police report, as well as potential of
3 an assortment of neighborhood objections could be
4 used as a basis of denial.
5 THE APPLICANT: Yes, I do.
6 CHAIRMAN BOHL: Thank you. This is a
7 renewal. We should have no holds. Ms. Grill, do
8 we have a hold?
9 MS. GRILL: There's not a hold. But
10 I've been asked by the Department of Neighborhood
11 Services to advise that the outdoor areas of the
12 places have been placarded as the Board of Zoning
13 Appeals required.
14 THE APPLICANT: Yes, we're making an
15 application and I have intended to file that
16 appropriately in the Spring to go in front of the
17 - - in front of the board to rectify that.
18 CHAIRMAN BOHL: Okay. Officer, the
19 police report, please.
20 OFFICER TABIADON: On 5/18/2007 the
21 applicant was charged in Milwaukee County for
22 disorderly conduct. Found guilty. And had a
23 forfeiture on 9/7/2007.
24 On 3/21/2009 at 1:29 a.m. Milwaukee
25 police responded to a battery complaint at 4014-

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1 24 South Howell Avenue, Jerseys Sports Pub &
2 Grill. Investigation revealed a patron at the
3 bar was struck once in face, causing pain.
4 On 6/17/2009 at 11:11 p.m. Milwaukee
5 police responded to a noise nuisance complaint at
6 Jerseys Sports Pub & Grill. Investigation
7 revealed there was several patrons on the patio.
8 These patrons were laughing and talking. Police
9 advised the bartender, Scott Rick, there were
10 still patrons outside and making enough noise
11 that someone had called the police. Rick stated
12 the patio was usually closed by 10:30 and no one
13 should be outside. They were outside and asked
14 the patrons to leave. They complied.
15 On 7/17/2009 at 1:07 a.m. Milwaukee
16 police responded to a battery complaint at
17 Jerseys Sports Pub & Grill. Investigation
18 revealed the applicant and her live-in boyfriend,
19 Rodney J. Lass were involved in a fight in the
20 basement of the business. Lass punched and
21 kicked the applicant causing pain and injury. A
22 battery domestic violence report was subsequently
23 filed. The case was now processed by the
24 Milwaukee District Attorney's office on 8/6/2009.
25 CHAIRMAN BOHL: Thank you. Are there

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1 any questions or comments you have relating to
 2 the items on the police report?
 3 MR. HANEY: Just - - Just a few. We
 4 have a number of letters in support from other
 5 businesses and neighbors in the community. Mr.
 6 Lass had been working at the - - at the tavern as
 7 the - - as a cook, and also, he was coordinating
 8 a number of the outdoor events. After the
 9 domestic violence incident, he has not been a
 10 part of the business there. She does not want
 11 him there. He has not been there. He had been
 12 employed there as a - - for a while. There was a
 13 - - He was actually on probation, and his
 14 probation officer agreed that when the complaint
 15 came to her, he's not allowed to work there and
 16 has not.
 17 The 2000 first disorderly conduct that
 18 was in Circuit Court. That was a matter, I
 19 believe it was addressed at the time the license
 20 was first applied for. I don't really believe
 21 that that amounts to much of an issue.
 22 There has been the other two incidents.
 23 One, the noise complaint was actually a number of
 24 off-duty Milwaukee police officers. They were
 25 very good about leaving the - - the patio area

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1 and say, can we get you some tickets for sporting
 2 events, this type of thing. But apparently, it -
 3 - his attitude towards the neighbors was
 4 apparently very condescending. And the efforts
 5 to try to be a good neighbor were pretty much
 6 received as basically an act of arrogance. And
 7 Ms. Elliot is anxious to try to see to it that
 8 with those neighbors that had a problem, that
 9 better fences can be mended.
 10 CHAIRMAN BOHL: Thank you. Are there
 11 questions by committee members?
 12 ALDERMAN HAMILTON: Mr. Chairman.
 13 CHAIRMAN BOHL: Alderman Hamilton.
 14 ALDERMAN HAMILTON: So Mr. Lass is no
 15 longer involved with the - - with the business?
 16 MR. HANEY: No.
 17 ALDERMAN HAMILTON: Not having contact
 18 with the community and - -
 19 MR. HANEY: No. He might come to the
 20 bar to - - to drop something off, because there -
 21 - there is still a relation with the applicant.
 22 He is not involved with the - - with the
 23 operation, not employed. He's not there in any
 24 kind of working capacity and is - - is no longer
 25 someone that Ms. Elliot is using to try to be a

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1 and then winding down. And I - - I think that
 2 one noise complaint like that is not bad.
 3 There was another incident where
 4 somebody got punched and they called the police.
 5 And by the time the police got there, they were
 6 cleaning up. They had been punched and getting
 7 iced. And so that's - - that's not good,
 8 obviously, to have any kind of disturbances at -
 9 - at any kind of a business. Quite frankly,
 10 given some of the problems we have at some of the
 11 taverns, an incident where somebody gets punched
 12 as opposed to some of the other potentials for
 13 violence, and unfortunately, the violence that we
 14 see in the varied areas of the community at
 15 times, this is - - I don't think this is too bad.
 16 We - - The tavern has tried to keep
 17 pretty good relationships with the neighbors. We
 18 know that there are - - have been some problems
 19 with a couple of the neighbors with apparently
 20 some noise complaints and people - - people
 21 loitering after hours. In fact, Ms. Elliot told
 22 me that, you know, she's - - she's aware that
 23 part of what was exacerbating the problem
 24 apparently, has been that when Mr. Lass was
 25 there, she would have him contact the neighbors

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1 face for the bar in the community.
 2 THE APPLICANT: And no longer are we
 3 together, either.
 4 MR. HANEY: Oh, I stand corrected on
 5 that.
 6 ALDERMAN HAMILTON: Okay. Thank you.
 7 CHAIRMAN BOHL: Other questions by
 8 committee? How long has this location been open?
 9 THE APPLICANT: I purchased the
 10 business last October. So, I've only been part
 11 of the business for the last year. And over the
 12 last Summertime I was hospitalized for several
 13 days and on several occasions, due to medical
 14 problems that I had, and that's when I was being
 15 represented at the time by Rodney, and that no
 16 longer will ever happen again. And I have taken
 17 it upon myself to also hire private security, in
 18 addition to a new operations manager, Scott Rick,
 19 who has been with Jerseys Sports Pub & Grill,
 20 prior to my purchase of the business, for
 21 approximately 11 years.
 22 MR. HANEY: And also, there - - there
 23 are a couple of other things now that the tavern
 24 has done. The 4014 Lounge, which is on the
 25 premises is no longer used as a second bar. It's

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1 strictly used now for just private events,
 2 private parties. So that they don't draw this
 3 kind of - - the two bar crowd that they - - they
 4 had been getting. Also, with regard that in the
 5 - - with the volleyball courts, which we have to
 6 go in front of the zoning about, again, for
 7 variance and things, but they no longer use the
 8 whistles during the game to try and keep noise
 9 down, and instituted a - - a fine for profane
 10 language, which helps. It doesn't completely
 11 eliminate the bouts of swearing sometimes when
 12 people are playing volleyball. But when you're
 13 fined a dollar every time you swear, it has - -
 14 it has made an appreciable effect.

15 THE APPLICANT: I can only do so much.
 16 I try.

17 CHAIRMAN BOHL: Thank you.

18 MR. HANEY: Did the committee care to,
 19 like I said, I've got the copies of letters from
 20 other businesses and things in the community.
 21 I've got them prepared if the committee would
 22 like to take a look at those. If not, that's
 23 fine.

24 THE APPLICANT: One of which is
 25 directly next door to our property and has two

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1 CHAIRMAN BOHL: Okay. We'll need name
 2 and address from each of you. If you have even
 3 an unusual spelling of a name or something that
 4 an average person might question, would you
 5 please spell that out for us? Ma'am, we'll start
 6 with you, and we'll sort of work my right to
 7 left.

8 THE WITNESS: Jennifer Hansen, with an
 9 E-N. 123 East Norwich, N-O-R-W-I-C-H, Street.
 10 53207.

11 CHAIRMAN BOHL: And your testimony?

12 THE WITNESS: I'm going to begin by
 13 saying that you probably have not gotten a stack
 14 of police reports from me, because I'm a
 15 paramedic in the City. I highly respect the
 16 police department, and have not called the police
 17 probably ten times when I could have. That said,
 18 my neighborhood is full of many young families,
 19 people that just work for a living, nice normal
 20 average people. We don't have big parties.
 21 We're not loud. We don't blast music. The bar
 22 does. And it brings an element into our
 23 neighborhood that none of us are really
 24 comfortable with.

25 I come home, often I work a - - a ten

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1 tenants that also reside above the business that
 2 they spoke of, that have no complaints.

3 CHAIRMAN BOHL: Unless they are present
 4 here, that would be hearsay.

5 MR. HANEY: That's fine.

6 CHAIRMAN BOHL: So that's evidence that
 7 the committee does not typically take. Any
 8 additional questions by committee? Alderman, do
 9 you want to have us hear from neighbors, first,
 10 if they're - - if they're here?

11 ALDERMAN ZIELINSKI: Yeah, I prefer to
 12 hear from neighbors first.

13 CHAIRMAN BOHL: Are there any residents
 14 present here to testify on this matter, on the
 15 matter of Jerseys Sports Bar & Grill at 4014-24
 16 South Howell? Please, come forward, please.

17 There's an additional seat for one of
 18 you here, if you wish to take - -

19 THE WITNESS: I'll take that.

20 CHAIRMAN BOHL: If you could all raise
 21 your right hand, we'll swear you all in at once.
 22 We'll need - - And I just want to say, last call
 23 for Jerseys Sports Bar & Grill, 4014-24 South
 24 Howell. Anyone else present? All right.

25 (Whereupon the witnesses were sworn.)

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1 and two shift. So I'm coming home at bar time or
 2 maybe a little bit later, a little earlier. But
 3 I come home late. A lot of times when I come
 4 home I've seen the patrons leaving the bar. And
 5 a lot of them are parked - - are - - The
 6 neighborhood where most of us live is like right
 7 around the corner from the bar. So within a
 8 block and a half. They come out of the bar. A
 9 lot of them park, even though there is parking
 10 for them, they don't use it, or there's not
 11 enough parking or whatever the issue is,
 12 frequently illegally parked. Again, it's not an
 13 issue like I feel like bothering the police
 14 department with, because somebody's parked on the
 15 wrong side of the street. But it is irritating
 16 and it is a hassle trying to get in and out of
 17 our street.

18 I come home, have found people vomiting
 19 in my front yard, urinating in my front yard. I
 20 - - I'll spare you the detail, but I do have a
 21 nice big bag of cups and beer cans that people
 22 are bringing out. And they're not, you don't get
 23 a plastic cup in a, you know, with some liquor
 24 logo on it like at the grocery store. So they're
 25 coming from the bar.

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1 We had an issue in the warmer months
2 with the volleyball, with, again, the swearing
3 and the cussing. I have small children. Their
4 bedroom faces the back of their volleyball court,
5 kitty-corner. But, you know, having to explain
6 like what the "f" word means to a three year old
7 is like not my style. I don't like it. You
8 know, we've asked repeatedly, and it appears that
9 they tried to make an effort to simmer that down,
10 but, you know, I don't think enough has been
11 changed that the neighbors are really happy about
12 it.

13 Other issues are people coming out and
14 using illegal drugs. You know, I don't think
15 people smoke cigarette tobacco out of a bong, you
16 know, and then they come in, they walk down, they
17 light up in the parking lot, and then they go
18 back. I have actually gone outside often when
19 I'm home, and like followed them just to see
20 where they're really coming from. And this
21 element of people was not around in our
22 neighborhood prior to the change in ownership.
23 We did have some issues were the volleyball was
24 loud, but not - - not quite so significant.
25 There's like a lot of broken glass around. I

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1 in our neighborhood, and - - and we're just
2 hardworking people, trying to raise our families,
3 and want to sleep. We don't want people yelling
4 and waking us up at two a.m., because they're
5 stumbling to their cars drunk. I'm done.

6 CHAIRMAN BOHL: Thank you. Questions
7 by committee of this witness? Alderman Kovac.

8 ALDERMAN KOVAC: When did you notice
9 these problems in terms of the noise and the bike
10 washings and the swearing?

11 THE WITNESS: The bike washings were
12 more like in the Summer. Obviously, it's a
13 little chilly to have a bikini now, but - -

14 ALDERMAN KOVAC: But it was just this
15 past Summer? Not previous Summer?

16 THE WITNESS: Correct. Correct. I - -
17 It may have occurred in the past. I never
18 noticed it in the past.

19 ALDERMAN KOVAC: And then what about
20 the - - the swearing and the noise?

21 THE WITNESS: That's really been an
22 issue over the last Summer. There - - There was
23 previously an issue with noise, but it was
24 typically resolved with a phone call. And that
25 has not been my experience this past season.

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1 don't know why people are walking around with
2 beer bottles, but, you know, it's hard to walk
3 the dog on the sidewalk there, because there's,
4 you know, shards of glass and just junk, just
5 crap all over the neighborhood.

6 Another thing, and I don't know if this
7 is a licensing issue, but it irritates the heck
8 out of me, is like little bikini-clad bike wash
9 on the sidewalk. That is not what I want my
10 children to see. I have two small boys. And the
11 way that I'm raising them is not that girls are
12 going to stand around in the middle of the street
13 in a bikini and wash motorcycles. I don't
14 appreciate it. I don't like it. I don't know if
15 it's legal. You guys can figure that out for me.

16 I guess it's - - eventually I just
17 really feel like it's bringing a - - a really
18 unpleasant element into our neighborhood. And we
19 have made efforts. We have had meetings as
20 neighbors. We, you know, today is the first time
21 I've met Christina. So, perhaps, you know, she's
22 going to make this good will effort to change. I
23 hope so. But I also hope that there's some force
24 behind whatever licensing issue goes down, that
25 it makes her do that. Because we don't want this

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1 CHAIRMAN BOHL: Other questions by
2 committee? Thank you for your testimony. Ma'am
3 we'll take you next?

4 THE WITNESS: I would echo - -

5 CHAIRMAN BOHL: And if you would
6 provide your name and address, first thing.

7 THE WITNESS: I'm sorry.

8 CHAIRMAN BOHL: That's all right.

9 THE WITNESS: Sure. It's Denise. The
10 last name is Borzynski, spelled, B, as in boy, O-
11 R-Z-Y-N-S-K-I. The address is 119 East Norwich
12 Street in Milwaukee 53207.

13 CHAIRMAN BOHL: And your testimony,
14 sentiments? You're pretty much echoing what she
15 has stated?

16 THE WITNESS: Pretty much what she had
17 to say. My concerns have arisen since the new
18 ownership. Prior, I didn't really notice any - -
19 any real problems. I wasn't experiencing any
20 problems.

21 My big problem has been sleep, lack of
22 sleep. I'll be disrupted in the middle of the
23 night, once, two, three times in the same night.
24 So it's not just one time a night. So my pattern
25 of sleep has not been consistent. You can't

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1 function after you've had two, three nights of
 2 interrupted sleeps. You just can't function
 3 anymore. It's really disrupting me. And the
 4 reason why I'm here is, when I read the notice
 5 about - - it said something about quiet
 6 enjoyment. I don't have quiet enjoyment at my
 7 home. I really do not. I cannot sleep in my
 8 bedroom, literally. And I thought, well, maybe
 9 this is an exaggeration. I took a little
 10 notebook and started logging, and it was every
 11 night. Every night except on Sundays for some
 12 reason seems to be a little quieter. But every
 13 night I'm - - I'm disrupted. So I had to move
 14 from my bedroom into a smaller room with a twin
 15 bed just to have a noise barrier of another door,
 16 and get my - - my bedroom is on the - - the
 17 street side. The guest room is on the back side
 18 of the house. So it's a little quieter back
 19 there, so I can get some rest. But I can't enjoy
 20 my full size bed. I have to sleep in a twin bed
 21 with a not so great mattress. So I don't have a
 22 quiet enjoyment of my home at all.
 23 There is a lot of noise outside. Just
 24 recently there was a fight that broke out. The
 25 police were called and I'm surprised that that

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1 marked signing that says, no parking. It's for
 2 employees and for bank patrons only. So I think
 3 that pretty much summarizes. I could go into
 4 detail in specific situations where there's been
 5 a lot of noise and - - But I don't know that you
 6 want me to go into all the details. Just in
 7 general. And I have not called the police,
 8 because, I, too, like Jen, by the time they get
 9 there, the people are gone, usually. And there
 10 was one night, I will mention. There was another
 11 night when between my home, there's a parking
 12 lot, the bank parking lot next to my home.
 13 There's two. There's one at - - on my corner,
 14 one across the street. The one next to my home,
 15 there was a lot of noise going on. I stepped
 16 outside, and there was a group of people that was
 17 from the bar. And the reason why I know is when
 18 they left, they went to the bar. But they had
 19 congregated again in that parking lot. There's a
 20 garage between my house and the bank parking lot
 21 entrance that the Vice-President of - - or the
 22 President of the bank uses, and they were there
 23 between. So no one on Howell Avenue could see
 24 this group of people, no one on the east side of
 25 my property would be able to see them. I stepped

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1 was not in the report. I don't know why it
 2 wasn't. However, they did call me. And they
 3 were at Packy's. And then I said, well, no, it's
 4 the other bar. So then they went over to
 5 Jerseys. So maybe that's why it didn't show up
 6 in the report. I don't know. But that it may
 7 create some confusion, but there was a fight that
 8 broke out in the street just recently that really
 9 had me quite disturbed. I was really upset.
 10 There was a lot of screaming. There's a lot of
 11 yelling. The people were trying to break up some
 12 individuals that were fighting, going at it.
 13 Tires started squealing, and then slamming on the
 14 brakes, and I was thinking, oh, my God, is
 15 somebody, you know, running down someone on the
 16 sidewalk? I mean, we see these things and hear
 17 these things on the news when things get crazy.
 18 And it was real scary. And I did call the police
 19 and I did report it.
 20 I have observed drug use. Patrons that
 21 have left the bar have gone into the bank parking
 22 lot. Light up a bowl, and then went around to
 23 the other side of the bank and just disregard of
 24 parking signs, in "no parking" areas. The bank
 25 is a private lot. They disregard the clearly

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1 out on the porch. When they saw that I was
 2 there, then they slowly dispersed and went back
 3 to the bar. So what they were doing, I guess is,
 4 you know, use your imagination, but I don't know
 5 specifically. But there's just been a lot of
 6 problems. And it's - - It's just been on a
 7 regular basis, and that's why I'm here.
 8 CHAIRMAN BOHL: Thank you for your
 9 testimony. Questions by committee? Mr. Haney,
 10 did you have any questions of either one of the
 11 first two witnesses at this point?
 12 MR. HANEY: No, not - - not so much a
 13 question. I would like to just let the - -
 14 CHAIRMAN BOHL: I'll - - If you don't
 15 have a specific question of them, you'll be
 16 provided an opportunity to - - to address and
 17 make comments if you will. But this is - - this
 18 is an opportunity if you do have any questions
 19 for their - - for their testimony.
 20 MR. HANEY: Okay.
 21 CHAIRMAN BOHL: Thank you. Thank you
 22 for your testimony. Next witness, please.
 23 THE WITNESS: My name is Kelly Murphy,
 24 M-U-R-P-H-Y. I reside at 4021 South Burrell
 25 Street, and it's Milwaukee 53207.

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1 It is my testimony today that I agree
 2 and concur with the two previous testimonies.
 3 Basically, I've seen the same thing. However, my
 4 home is directly behind the volleyball court of
 5 this bar. I have three children, ages 12, nine
 6 and four. This bar - - I've lived in this
 7 residence for 17 years. There's been three
 8 owners of this bar in my existence at this
 9 residence. I have never had a problem with the
 10 first owner. They've always been polite,
 11 considerate. When he started the volleyball
 12 there, he's always - - came over, asked if there
 13 were any problems, asked if there was anything he
 14 could do. If we had an issue or a problem, he
 15 addressed that issue or problem immediately. Not
 16 - - Not one time did I have to call the police
 17 department, voice a complaint or have an issue
 18 with that owner.

19 The second owner came in, who I - - I'm
 20 under - - I'm under the understanding that this
 21 current owner is under a land contract. I'm not
 22 really sure. But that owner we did have some
 23 issues with. Things had escalated to a point
 24 with the volleyball court, specifically. Not so
 25 much the bar noise, but the volleyball court,

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1 where the volleyballs were coming over and
 2 damaging my property. The people on the deck
 3 were keeping my children awake, keeping my
 4 husband and myself awake, swearing, noise, same
 5 kind of issue. Not to the point or the
 6 escalation of this current owner.

7 Since this owner has taken over, I've
 8 had nothing but horrible night's sleep. I've got
 9 three kids, as per, you know, the other two
 10 testimonies, or one testimony, asking me what
 11 these words mean. I have a four year old who
 12 started swearing consistently, telling me, oh,
 13 that's what they say across the fence, mommy. It
 14 is - - It is very hard, as a parent, to try to
 15 teach your children what acceptable language is
 16 and unacceptable language is when you're hearing
 17 it from adults. I have a 13 year old, and
 18 throughout the Summer, obviously, he's 13 - -
 19 well, going to be 13. He rides his bike with his
 20 friends. I had to keep my son on our side of the
 21 - - not allow him to go to Howell Avenue, not
 22 allow him to go far, because there are string
 23 bikini - - women in string bikinis washing
 24 motorcycles on a sidewalk. This is not something
 25 you want your 13 year old son to see. And then

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1 he starts coming home and asking questions. Not
 2 to mention they're on the sidewalk, walking the
 3 sidewalk. We have a dog. We have to walk and
 4 use a different route to walk the dog, which I
 5 don't mind. However, it shouldn't be an
 6 inconvenience to me.

7 The other problem we had, too, is while
 8 I was taking the children for a walk or bike
 9 rides, they park - - they consistently park their
 10 Jerseys' minibus or whatever on the sidewalk.
 11 You can't - - You have to go into the street to
 12 go around, because there's a fence, there's a
 13 sidewalk and then the bar - - and then the
 14 entrance into the bar. I can't even enjoy my own
 15 neighborhood.

16 Another issue I wanted to bring up
 17 again with respect to the noise. I'm in school.
 18 I'm studying to be a nurse. I'm up quite late at
 19 night, studying. This last couple of weeks,
 20 consistently, having woken - - or alarmed to loud
 21 noises, fights, screams, yells, fighting. The
 22 smell of drug activity. I mean, it's pretty
 23 evident, I'm a little older. I know what
 24 marijuana smells like. You can smell it. You
 25 step outside your house. You smell it. In the

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1 Summertime I have to shut my windows and turn on
 2 the air conditioning, because my children can't
 3 sleep. On a nice cool Summer day, why should I
 4 have to shut my windows and turn on my air,
 5 because a bar wants to have their loud noise and
 6 their patrons? During the volleyball season,
 7 they are out there until 10:30, 11 o'clock at
 8 night. After volleyball, they're out there even
 9 longer. 20 to 40 people at a time, screaming,
 10 yelling, hollering, laughing, creating noise
 11 after volleyball. I know there's an issue being
 12 brought in front of the - - the Board for Zoning
 13 Appeals. We had that. There was a time issuance
 14 when volleyball was supposed to end. This
 15 particular owner didn't want to abide by that
 16 rule, continued to have the volleyball to 10:30.
 17 That issue was brought in front of one of the
 18 supervisors of the City, and from my
 19 understanding the volleyball was placarded. They
 20 weren't allow to use the deck, whatsoever. As of
 21 October 30th, they were on the deck. Patrons
 22 were on the deck.

23 Rodney, I'm not sure of his last name,
 24 the person that was representing the bar. On
 25 October 30th - - 31st, 2009, came to my home,

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1 representing the bar, telling me that they were
 2 having a live band until 2:30 in the morning. He
 3 offered me a bottle of wine, and said, I am so
 4 sorry. If there's anything I can do. We're
 5 having this live band. I'm not sure if they have
 6 a license to have live bands, music or not, but I
 7 said, Rodney, my concern is not with - - I don't
 8 want your bottle of wine. What I want is quiet
 9 and peace in my neighborhood, in my yard,
 10 surrounding my home. He goes, well, I just want
 11 to tell you we're having a band until two a.m.,
 12 so you might want to shut your windows. Now this
 13 person represented the bar on October 31st of
 14 2009 at my home. He's been consistently at my
 15 home. I've never met Christina Elliot. I've
 16 only known of her. I've never met her. Rodney
 17 has always represented the bar up until that day.
 18 That was the last time he was at my home. He
 19 gave me his phone number, the phone number of the
 20 bar, Scott, I think his name was. And said if
 21 you have any problems, please call. At 1:30 in
 22 the morning on Halloween I called and said, you
 23 have about 22 people - - because I went outside,
 24 literally, and counted how many people were on
 25 that deck and there were approximately 22. Said

00027

1 that. To me, it's all a lot of blah, blah, blah,
 2 blah. Nothing ever happens. Nothing changes.
 3 It just seems to be getting worse.
 4 CHAIRMAN BOHL: Thank you for your
 5 testimony. Questions by committee?
 6 ALDERMAN KOVAC: Mr. Chairman.
 7 CHAIRMAN BOHL: Alderman Kovac?
 8 ALDERMAN KOVAC: I just want to make
 9 sure I - - I have the timeline. So there was 17
 10 years and three owners?
 11 THE WITNESS: Yes.
 12 ALDERMAN KOVAC: And so, the first one
 13 was for how many years?
 14 THE WITNESS: He owned - - He owned,
 15 which is now, I believe it's 4014, and he had
 16 moved from that bar to the - - the establishment
 17 we're talk - - the establishment at 4024, I think
 18 it is. I don't know how long he was there. He
 19 was there prior to my husband and I purchasing
 20 our home.
 21 ALDERMAN KOVAC: And then at what point
 22 did it change ownership?
 23 THE WITNESS: Gee, that was maybe ten
 24 years, I think.
 25 THE WITNESS: Six years, something.

00026

1 could you please remove those patrons from the
 2 deck who are not supposed to be on there anyway
 3 and could you please ask your band to quiet it
 4 down a little and shut the doors to the bar?
 5 About 15 minutes later, the people were off the
 6 deck, the noise came down a little bit. I
 7 continued to study. About - - About 2:05 a.m.,
 8 people back out on the deck, noise was getting
 9 louder, doors were open. I called Rodney again.
 10 I called the alternate number again. I did not
 11 receive an answer.
 12 So this is a continuing problem, and it
 13 seems like it's escalating worse and worse and
 14 worse and worse. And I - - I've talked to the
 15 police department. I've talked to the Sergeants
 16 of the police department. I've talked to the
 17 Captains of the police department, because we
 18 recently switched from District 2 to District 6.
 19 So this is a move for District 6. I've spoken
 20 with the Alderman. I've spoken with Rodney, the
 21 owner. Other - - Other neighbors and I have
 22 spoken in regards to this issue. Something needs
 23 to be done to stop this, because it's just going
 24 to continue to get worse. And I hear, we're
 25 trying, we're going to do this, we're going to do

00028

1 ALDERMAN KOVAC: How long has Rodney
 2 owned it?
 3 THE APPLICANT: Rodney does not own it.
 4 I own it.
 5 ALDERMAN KOVAC: How long has - - this
 6 current ownership?
 7 THE WITNESS: It's just been a year.
 8 ALDERMAN KOVAC: One year, okay. So
 9 you had no problems with it ten or so years with
 10 one owner, and then the five or so years with - -
 11 with another owner.
 12 THE WITNESS: Yeah. The second owner,
 13 we did have issues. We did have, but it's mainly
 14 with the volleyball and the noise from the
 15 volleyball, the damage to our home from the
 16 volleyballs.
 17 ALDERMAN KOVAC: And the second owner
 18 started the volleyball?
 19 THE WITNESS: No, the - - the first one
 20 started volleyball, but we did not have any
 21 issues, whatsoever. He ended at - - The
 22 volleyball always ended promptly at nine p.m.
 23 Lights were off at nine p.m. We did have a young
 24 - - We had a small - - small child at the time.
 25 Swearing did start to happen. I brought it up to

00029

1 the owner at that time. He then kicked that
2 entire team out. And we never had a problem
3 since. So that to me is an owner who cares about
4 the people around his establishment, an owner who
5 cares about family and family values, an owner
6 who tries to make a neighborhood happy.

7 ALDERMAN KOVAC: So you said that there
8 were problems before last year, but they were
9 always being resolved. And last year, you've had
10 problems that were not resolved.

11 THE WITNESS: No, the - - the problems
12 that we had, they were immediately resolved
13 always, with the first owner.

14 ALDERMAN KOVAC: Okay.

15 THE WITNESS: His first name was Pete.
16 That might help. The second owner was Todd. And
17 we - - The issues we had were Todd - - with Todd
18 were not so much noise coming from the bar,
19 because he didn't have live bands. He didn't
20 have - - It was mainly - - It was tolerable. Put
21 it that way. But the problems came with the
22 volleyball with - - with Todd. It just went
23 away. And there was - - They got louder and
24 louder. They swore more, and the volleyballs
25 were coming over the fence, and they were

00031

1 ALDERMAN KOVAC: Okay.
2 CHAIRMAN BOHL: Other questions by
3 committee? Were there any questions that you had
4 of this witness at this time?

5 MR. HANEY: No.

6 CHAIRMAN BOHL: Okay. Sir, we'll take
7 your testimony now.

8 THE WITNESS: My name is Pat Murphy.

9 CHAIRMAN BOHL: And if you could come a
10 little closer, please. Thank you.

11 THE WITNESS: I live at 4021 South
12 Burrell, directly behind Jerseys Bar, with my
13 wife. Basically, every - - everything she has
14 said is what I - - I can say the same thing over
15 again, and waste your time. Numerous nights I
16 tried to go to bed, I can't, because of the
17 volleyball. The noise bouncing off, balls coming
18 in the yard. The other thing is we ended putting
19 up video surveillance, because we had people
20 walking up our drive. I have "no trespassing"
21 signs on the lawn and - - and on my house,
22 because people were coming in to get the balls.
23 And they'd yell, well, those are our balls. And -
24 - And once they hit my land, they're mine. I'm
25 not going to put up with it. I've been told

00030

1 damaging our property. So we got - - At one
2 point we had 44 volleyballs, because we kept
3 putting them in a bag. And we had - - made
4 issuance with him and talked to him. Did not get
5 resolved. Brought it in front of the Board of
6 Zoning Appeals at that time. And now we have
7 this owner, which we've had for a year.

8 ALDERMAN KOVAC: And so you - - You
9 mentioned a couple names. You mentioned Rodney
10 Lass and Scott Rick, and you said Rodney came to
11 your house - -

12 THE WITNESS: Rodney - -

13 ALDERMAN KOVAC: - - just to - -

14 THE WITNESS: Yes, Rod - -

15 ALDERMAN KOVAC: You're sure it was
16 Rodney, not Scott.

17 THE WITNESS: Yes. Rod - - Oh, I'm
18 sure. Rodney is the only one that we ever had
19 contact, physically, in person with. He's the
20 only one who has ever represented the bar in the
21 last year. And he was at my house on October
22 31st, 2009, representing the bar.

23 ALDERMAN KOVAC: So you've never met
24 Scott or Christina before today?

25 THE WITNESS: No.

00032

1 they're going to put new netting up for the
2 volleyballs. That hasn't happened. Then you get
3 the swearing with the volleyball and you get all
4 this - - all the stuff all three of us have said.
5 And it's - - And it's got to come to an end.

6 I've been - - Halloween night I heard
7 people yelling, fighting, breaking up fights, you
8 know. I don't need that. My kids don't need to
9 listen to it. My two daughters sleep in the
10 bedroom right by the volleyball court. They
11 can't sleep. How can I send them to school?
12 Sorry, kids, you got to stay up until 10:30
13 tonight, because they want to be up, when I put
14 them to bed at 7:30. It's - - I can't - - It's
15 been a lot better since the City placarded that
16 volleyball, because my kids can go to bed. I can
17 finally sit in my backyard and enjoy my backyard
18 instead of listening to volleyball. If I want to
19 go to a gym, I'll go to the gym and listen to
20 volleyball. Or listen to a band, I'll got to a
21 band. But I don't want to listen to it in my
22 backyard.

23 CHAIRMAN BOHL: Thank you. Questions
24 by committee? Mr. Haney?

25 MR. HANEY: No.

00033

1 CHAIRMAN BOHL: Just like - - Just like
 2 to make sure.
 3 MR. SCHRIMPF: Mr. Chairman.
 4 CHAIRMAN BOHL: Mr. Schrimpf.
 5 MR. SCHRIMPF: Thank you. No
 6 questions, but 106-12 of the Milwaukee Code of
 7 Ordinances provides, no person shall bathe or
 8 swim in the public waters of the City unless clad
 9 in a proper decent bathing suit. No person shall
 10 appear in the public highways of the City outside
 11 bathing establishment clad in bathing costumes
 12 unless street clothes are worn on the outside
 13 thereof. And 106-22 of the Ordinances provides a
 14 100 dollar fine.
 15 CHAIRMAN BOHL: So that would have been
 16 something that would have been citable by the
 17 police department if they had been called.
 18 THE WITNESS: Excuse me. I did call
 19 the police department, and I did ask, and they
 20 had told me that as long as they - - They told me
 21 that as long as the women were covered
 22 appropriately with a string bikini they could not
 23 respond to a phone call. And I think that is
 24 Alderman Tony Zielinski - - I may have forwarded
 25 you the date and the time of the phone call. If

00035

1 Thank you.
 2 MR. HANEY: Just a couple of concerns
 3 that I have. First of all, it's my understanding
 4 that on Halloween there's a Georgio that was sent
 5 to go to contact the neighbors. This is the
 6 first that we've heard that it was not Georgio,
 7 and that is was Mr. Lass.
 8 THE APPLICANT: It wasn't Mr. Lass.
 9 He's got a no contact order.
 10 MR. HANEY: At least, he was not - - He
 11 was not sent by the bar. Now if - - If somehow
 12 he took it upon himself, that was not done at the
 13 - - at the bar's direction. And he should not
 14 have been - - And we will certainly follow up
 15 with the - - the staff there to find out why the
 16 person that was sent, and who came back and
 17 reported, in fact, that they had taken care of
 18 this, did not, in fact, do that. Because that's
 19 - - that's not satisfactory, because, as I said
 20 before, the effort has been made to keep Mr. Lass
 21 out of there and away from the business. As Ms.
 22 Elliot has indicated, there's a no contact order
 23 there. So I can't speak to that.
 24 CHAIRMAN BOHL: Alderwoman Coggs?
 25 ALDERWOMAN COGGS: Just for the

00034

1 not, I can do that.
 2 CHAIRMAN BOHL: Okay. I guess, City
 3 Attorney, at present has a slightly different
 4 interpretation of what the police department
 5 said.
 6 MR. SCHRIMPF: The Ordinances are the
 7 Ordinances.
 8 CHAIRMAN BOHL: So that - - I mean,
 9 that - - that's a separate issue where follow-up
 10 may need to go to the police department on that
 11 issue.
 12 ALDERMAN ZIELINSKI: Mr. Chairman.
 13 CHAIRMAN BOHL: Alderman Zielinski.
 14 ALDERMAN ZIELINSKI: Yeah. For anybody
 15 that's listening to this, any time you call the
 16 police department and an officer tells you
 17 something that doesn't seem right, get the badge
 18 number, you know, and then - - You know, contact
 19 us and, you know, verify that that information
 20 you were presented with is accurate. That's it.
 21 CHAIRMAN BOHL: Thank you. Thank you
 22 for your testimony. Mr. Haney, did you have
 23 additional comments or questions at this time
 24 here? If - - If one of you at least could
 25 relinquish a seat here, that would be helpful.

00036

1 resident, did the - - Why do you believe it was
 2 Mr. Lass that came to you? Is that who he
 3 introduced himself as?
 4 THE WITNESS: He's been to my house
 5 several times prior to that.
 6 THE WITNESS: He's well-known - -
 7 THE WITNESS: He's well-known. He
 8 comes to all of our houses. And when I called
 9 that evening of Halloween, he answered his phone
 10 He was at the bar.
 11 MR. HANEY: Well, and I was going to
 12 say, along with that, Ms. Elliot told me that on
 13 Halloween she was - - she was at the bar, and she
 14 was taking all the phone calls. So if Mr. Lass
 15 was receiving phone calls at his phone, he was
 16 not at the bar, and it was not - -
 17 THE WITNESS: Everyone was - -
 18 MR. HANEY: No, that - - There is
 19 obviously, you know, I'm not - - I am in no way
 20 want to be taken as saying that what you're being
 21 told by this witness is not true. I mean, that -
 22 - that I'm not saying at all. But I want to make
 23 it real clear that if, indeed, Mr. Lass was
 24 there, we will - - we will look into that.
 25 Because he was - - He was not - - First of all,

00037

1 he's not an employee. An employee was given the
2 direction to go and talk to the neighbors, and
3 specific with giving the bottle of wine. But it
4 was not - - not Mr. Lass, not his responsibility,
5 not any of his business. And this Georgio
6 reported back that he had taken care of that to
7 Ms. Elliot. So that, as far as any kind of
8 incident there, I am not - - I share the
9 displeasure of these witnesses that that
10 occurred. Because that was not - - not intended.

11 It's my understanding with the volleyball
12 that in the, at least the lighting and stuff,
13 that runs on a timer that turns off at 9:30 - -
14 9:45?

15 THE APPLICANT: 9:45.

16 MR. HANEY: Yeah. So I don't know - -
17 We don't know where - - At that, I don't - - I
18 don't understand how or I got kind of an
19 impression sitting here that we're having
20 volleyball until two in the morning or something,
21 and if it may be that an earlier hour, if 9:45 is
22 too late of an hour, or something, perhaps it's
23 something we can look at in the future. That is
24 not a problem.

25 This whole thing with the motorcycle

00039

1 periodically, just to put that kind of parking -
2 -

3 THE APPLICANT: At bar time I have
4 security for the patrons.

5 MR. HANEY: And that may be that what
6 we need to do is have a little bit of patrolling
7 security just before the bar time, too. So that
8 it becomes known to the clientele that there are
9 these official looking eyes that are - - are
10 going through. I hope that - - You know, I hope
11 that we can work with the - - with the neighbors,
12 to be able to address some of these concerns.
13 Because most certainly, I don't - - I don't in
14 any way doubt the sincerity that these people
15 have some issues, but I - - I don't think that
16 there's anything here that's completely
17 unmanageable, and I hope that - - that they'd be
18 willing to work with Ms. Elliot in the - - in the
19 spirit of being able to address their concerns.

20 ALDERMAN ZIELINSKI: Mr. Chairman.

21 CHAIRMAN BOHL: Thank you. Alderman
22 Zielinski.

23 ALDERMAN ZIELINSKI: I'd like to - -
24 Going back to the bikinis. Are there people with
25 bikinis inside the bar?

00038

1 wash, apparently that was something that took
2 place in July on four different Mondays. It was
3 discontinued just because of a number of problems
4 and happened those four times. So, that's not a
5 - - again, I'm just getting all excited thinking
6 what I was missing by not being there, but
7 apparently it's an event that's already concluded
8 and there's nothing - - nothing ongoing with
9 that.

10 So, I - - I think that - - I think
11 these people are bringing some concerns, and boy,
12 I understand and - - and - - Oh, last one is the
13 parking. There have been a tremendous amount of
14 problems with parking in the area, and the bank
15 was good enough to work with Jerseys and does
16 allow patrons to park there. I mean, this is not
17 that they're just flooding into the bank's
18 parking lot without the bank's knowledge or
19 permission. That was secured. Now, if there are
20 problems with that, there are a couple of things
21 we can do. There is security at the bar that
22 does not let people leave with glass bottles.
23 And if, perhaps, we need to have some type of
24 patrolling security to get out, make sure that
25 they're going through those parking lots

00040

1 THE APPLICANT: Well, the same girls
2 that did the - - the bike wash on the sidewalk
3 were - - They'd come in and out of the bar, yes.

4 ALDERMAN ZIELINSKI: So there's - - So
5 - -

6 THE APPLICANT: And the girls that
7 played volleyball during the Summertime have
8 bikini tops or shorts and things like that.

9 ALDERMAN ZIELINSKI: So what you're
10 telling me is that - -

11 THE APPLICANT: And the police - - I'm
12 sorry. I would like to finish my sentence,
13 please. The police officers on duty in our area,
14 first of all, the - - The bike wash had been in
15 the evenings from seven to nine p.m. And it took
16 place on our portion of our poured concrete of -
17 - of Jerseys, in front. There's quite a large
18 cement slab that is not a part of the city
19 sidewalk. And that is where it took place, it's
20 up by our deck area. And that is something that,
21 you know, it was discontinued. It was just in
22 the month of July, those hours, and it was in an
23 effort to attract all of the Harley-Davidson
24 riders that were coming into town for all of the
25 promotions that Harley-Davidson was doing during

00041

1 the month of July with the anniversaries and the
2 bike weeks and things.

3 I do have quite an extensive stack of
4 papers here, where there is police - -

5 ALDERMAN ZIELINSKI: Well, I'm not
6 finished.

7 THE APPLICANT: I'm addressing their
8 calls on these weeks.

9 ALDERMAN ZIELINSKI: Okay. But I'm not
10 finished with my questions. Okay. I have the
11 floor. Okay?

12 The reason why I asked the question
13 about the bikinis is, I was just speaking with
14 Alderman Witkowski who heard noise so loud
15 emanating from the bar over a month ago, and he
16 went in the bar, and he said that he saw two
17 women with bikinis inside the bar. So I just
18 talked with him this morning to confirm this,
19 because he - - he mentioned that to me awhile ago
20 when he first saw it. So - - So, to your
21 knowledge, that's not the case inside the bar.

22 MR. HANEY: No.

23 THE APPLICANT: No.

24 ALDERMAN ZIELINSKI: Okay. Let me ask
25 you a question about the ownership. You

00043

1 the last year. They've tried to make contact.

2 They - - They spoke with this individual, who you
3 no longer have any dealings with in a
4 professional sense. And, you know, what I'm
5 wondering is, what are you going to do
6 differently than what's been going on for the
7 last year?

8 MR. HANEY: Well, the first - - The
9 first thing is, is that Ms. Elliot should be the
10 contact person when these people call. And we
11 have no problem with giving, you know, that
12 information, so they can get a hold of her and
13 her directly.

14 Frankly, and - - and I make no bones
15 about it. It was a mistake to be using Mr. Lass
16 in the capacity of trying to be a peacekeeper in
17 the neighborhood. That was - - That was flat out
18 a mistake. And I don't think - - I don't think
19 any of these three ladies or Mr. Murphy would
20 disagree with that in - - in any - - by any
21 stretch of the imagination. That was just, you
22 know - - Sometimes you, you know, Mister - - Mr.
23 Lass, as I say, he was there as a cook. He had
24 some - - He was involved with coming up with some
25 of the promotional ideas. And he just seemed to

00042

1 mentioned that you own it. I'm on-line here, and
2 it says, Todd Sakolowski owns the - - owns the
3 property. Have you just recently bought it?

4 THE APPLICANT: I own the business.
5 Not the property.

6 ALDERMAN ZIELINSKI: Okay. But not the
7 property.

8 THE APPLICANT: I have a - - a land
9 contract that I'm establishing ownership of the
10 property for, but I purchased the business.

11 ALDERMAN ZIELINSKI: Okay. Was - - Was
12 there any robberies that occurred at your
13 establishment in the last week or so?

14 THE APPLICANT: We had an issue with
15 our entertainment machines, that we had a few of
16 the machines that were broken into, but it wasn't
17 a - - a robbery. There has been a few
18 establishments in our area that have had problems
19 with their machines being broken into, but that's
20 it.

21 ALDERMAN ZIELINSKI: You know, I - - I
22 just have a question here, you know, the - - You
23 know, the attorney mentioned that, you know, you
24 want to work with the neighbors. I've been
25 getting phone calls from the neighbors for like

00044

1 be, at the time, kind of a good person, yeah,
2 we'll send him out, that he can explain these
3 things. He did a very poor job, did a very poor
4 job on it, and didn't deal with it. So the
5 answer to your question is what can be different?
6 Is I think if we can establish the kind of direct
7 relationship with Ms. Elliot that would not have
8 any intermediaries getting in between to be able
9 to get some direct communication and direct
10 responsibility and direct accountability, that
11 that - - that hopefully will be able to address
12 it.

13 Now, as I say, the - - One of the
14 issues that came up is the netting with the
15 volleyball. It's my understanding that the bar
16 recently spent over 2,000 dollars putting in new
17 netting. So, if there is an issue here about,
18 you know, the netting and stuff, I believe that
19 that's been addressed.

20 I know some of these other issues, as I
21 said, discontinuing the bikini bike wash, you
22 know, that - - and to be honest, in - - in theory
23 something like that - - I live - - I live down on
24 the south side in that area, too. You know,
25 there's times when you will say, hey, that sounds

00045

1 like it's kind of exciting. If from a legal
2 standpoint that, yeah, this is going to bring in
3 some business. Sometimes there's not always the
4 thought of what is the effect going to be on
5 people that are - - are living in the residential
6 part of the neighborhood. And hopefully, that
7 with improved communication and direct
8 communication, some of these issues can - - can
9 be addressed. If anybody thinks - - Oh, and
10 also, the history about bands. My understanding
11 is in the last year there's been three live
12 bands. Okay. So if - - And again, getting the
13 impression that, as I said, listening to it, I
14 was wondering if this was like some kind of
15 weekly or monthly thing, and it was just on - -
16 on three separate occasions where - - where there
17 were live bands.

18 THE APPLICANT: No, and Halloween.

19 MR. HANEY: And apparently, Halloween,
20 they were shut down. And occasionally, you know
21 if - - if anybody believes that any tavern is
22 never going to have any kind of a problem with
23 its neighbors, I mean, obviously everybody here
24 realizes that that's not going to happen. And as
25 we say, we - - we have not in the last year,

00047

1 premises, they never had any problems with him.
2 He ran a good upstanding responsible business.
3 The next guy was a step down. There was
4 problems. We had - - We had neighbors down here
5 last year. And now it's gone completely down.
6 Based on what I'm, you know, based on what I'm
7 hearing over here, and, you know, the neighbors
8 have been calling up about the volleyball courts.
9 There's been no satisfaction, whatsoever, with
10 respect to working with the neighbors on the
11 volleyball courts. You know, and then sending,
12 you know, I mean, there's a lot of questionable
13 judgment here. I mean, having this individual
14 going around talking to neighbors, based on what
15 I'm hearing, he doesn't sound like he's the most
16 diplomatic, you know, guy in the world, based on
17 the police report, you know, domestic violence,
18 based on, you know, his interaction with people
19 in the neighborhood, that's the last person you
20 send around to try and mediate problems with the
21 neighbors.

22 So, you know, this place is just
23 fraught with all sorts of decisions that are
24 lacking in judgment, and that's why I think we've
25 got problems with - - with the neighbors over

00046

1 which has been the first year that the - - that
2 this license holder has been at the bar, made a
3 couple of mistakes. Made some big ones, and we
4 apologize for it. And we believe that we can
5 address these issues, and we ask that we be given
6 the chance to. Certainly, we have noticed in no
7 uncertain terms that there are some issues here
8 that the - - that the neighbors feel need to be
9 addressed. And we do not want to just, you know,
10 say, gee, we're just going to, you know, act,
11 you know, like bad neighbors. Because that's not
12 what it is. What makes a neighborhood a
13 neighborhood is the fact that businesses and the
14 residents should be able to get together and - -
15 and work better. We have not done the best job
16 of it, and we're going to see what we can do to -
17 - to strive to be there.

18 ALDERMAN ZIELINSKI: Well - - Mr.
19 Chairman.

20 I'll tell you, I have to - - You know,
21 I sit on this committee, members sit on this
22 committee. We hear everything. And I'll tell
23 you, there's plenty of bars where there's no
24 problems, whatsoever. And these people alluded
25 to the fact that the first owner of this

00048

1 here.
2 MR. HANEY: And then, specifically
3 addressing some of the - - the points that you
4 raised. The - - When the first owner had it, it
5 was only what is now the 4014 Club, the - - the
6 rest of the bar in the back and stuff did not
7 exist.

8 THE APPLICANT: No, that's not true.

9 MR. HANEY: If - - You said - -

10 THE APPLICANT: I said - -

11 MR. HANEY: It has - - hasn't got - -

12 He owned it originally, and then - - and then
13 built that out. Sold it then to the second
14 neighbor. So it was at that point that the - -
15 that, just the size of the operation expanded.
16 CHAIRMAN BOHL: Staying at that point.
17 Alderman Zielinski and everyone else applies, I
18 think we - - I've been very lenient in us talking
19 about establishments from 17 years ago. I mean,
20 it gives us perspective. The neighbors say they
21 didn't have any problems then. I don't want to
22 focus on them. I need to speed this up right now
23 here. I mean - -

24 MR. HANEY: I feel - -

25 CHAIRMAN BOHL: If you may. If you

00049

1 may, because I hold the gavel, and I'm in charge
 2 here. Okay. So - -
 3 MR. HANEY: That's fine.
 4 CHAIRMAN BOHL: And I don't want to be
 5 that way, but you're interrupting here. Okay.
 6 I'm reigning in, okay. I've been very, very
 7 lenient with allowing everyone with the
 8 opportunity to provide full testimony, but we're
 9 falling very, very far behind. So I'm going to
 10 allow you to summarize what you need to do here
 11 and then we're going to call it a day. I mean,
 12 everybody else - - I'm not asking any more
 13 questions, because I don't - - I think that - -
 14 Yeah, you're going to have the opportunity to
 15 provide your closing, but I think that everything
 16 that we need to hear has been told. And we'll
 17 allow them to make a response and then we're
 18 going to render a decision on this. However you
 19 wish - - Ma'am, no.
 20 THE WITNESS: May I make just one
 21 comment?
 22 CHAIRMAN BOHL: No. I - - I think that
 23 I've provided each of you the opportunity to
 24 speak at will.
 25 THE WITNESS: There's something that

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1 would be able to get it taken care of.
 2 ALDERWOMAN COGGS: Mr. Chairman.
 3 CHAIRMAN BOHL: Alderwoman Coggs.
 4 ALDERWOMAN COGGS: You said that there
 5 will be no more bikini car washing upon your
 6 site?
 7 THE APPLICANT: That's not a problem.
 8 It was a promotional event that took place. And
 9 I would like an opportunity, please, just to have
 10 my - -
 11 CHAIRMAN BOHL: Go ahead. Sure.
 12 THE APPLICANT: - - my say, because,
 13 I'm sorry, but my attorney has not covered a few
 14 of the things I feel are very important here.
 15 I, first and foremost, have a wonderful
 16 staff at Jerseys. I employ 15 people in the City
 17 that have families, as well. I, too, have small
 18 children. I, too, am a hardworking person that
 19 is trying to provide. I have police reports from
 20 our district for the calls that they are speaking
 21 off, all with C9 and C10, where there has been,
 22 no problem, filed by the police when they had
 23 come to our establishment. 28 different pages
 24 here with no problems for the times where the
 25 police have been called. If at any time I

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1 needs to be clarified, though, that he said.
 2 CHAIRMAN BOHL: I'm not worried about
 3 it. Because he may be incorrect. That's
 4 testimony, okay. Thank you.
 5 MR. HANEY: Just - - Just - -
 6 CHAIRMAN BOHL: Your closing.
 7 MR. HANEY: The 4014, one of the two
 8 establishments there is no longer used regularly
 9 as a bar, just for private parties. That will
 10 cut down some of the - - some of the traffic
 11 areas. We can increase some of the security
 12 presence in the lots that are being used from the
 13 bank, be able to make sure that there's not the
 14 kind of problems that these people have talked
 15 about. And the - - As the volleyball season, as
 16 it comes up, we'd be more than happy to meet with
 17 people and see if maybe there does need to be
 18 some kind of adjustment with the hours. If - -
 19 If from the 9:45, that's a problem, and it used
 20 to be nine o'clock, there - - there may be some -
 21 - some way we can reach some kind of a compromise
 22 with all of this. But, ultimately, I don't - - I
 23 don't think that - - I don't think there's
 24 anything here that we've - - that we've discussed
 25 that seems to be insurmountable in the way we

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1 thought that there was a problem, I would fix it.
 2 This is my livelihood. This - - I'm a single
 3 mother with three children. I don't want to lose
 4 my business, and I most definitely don't want to
 5 upset my neighbors.
 6 My intent in purchasing this business
 7 was to - - to - - to make it better, because it
 8 was decrepit, to say the least, when I took over
 9 the business. I have put in literally, 100,000
 10 dollars in improvement in the property alone, to
 11 - - to the value of the appearance on the
 12 outside, to the inside. I am gearing the
 13 clientele more towards a - - a chance of
 14 Americana type of atmosphere, whereas before it
 15 had more of a - - a corner bar type feel when I
 16 took over the business.
 17 I have business owners that,
 18 unfortunately, they had to run their businesses
 19 this morning, but they did their best and they -
 20 - they wrote letters to say that I have done a
 21 good job. This Summer, yes, my management staff
 22 that was in control with Scott Rick and Georgio,
 23 obviously, they did not make some good judgment
 24 calls. And that will have to be rectified. It's
 25 been rectified, my actually knowing a lot of

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1 these things. I have a staff that can take
2 messages for me. I've never received one message
3 to return a phone call from not one of these
4 neighbors, and I'm not depleting, we know what
5 they're saying. I'm sure that they obviously
6 feel this way, because they wouldn't be taking
7 time out of their important days. And I
8 appreciate what is being said, but I really wish
9 I would have had the opportunity to speak with
10 them prior to. They all said that they've known
11 of me or knew of my existence, yet, no attempt
12 was made to contact me directly. And I'm very,
13 very, very, very sorry that they feel that they
14 have not been heard. I've heard them loud and
15 clear, and things will change, or I will
16 surrender my license. I don't want problems. I
17 want a good business, and I want a good
18 relationship with my neighbors. That's all I
19 have to say.

20 CHAIRMAN BOHL: Thank you. Alderman
21 Kovac.

22 ALDERMAN KOVAC: Just a couple very
23 specific questions. Your lawyer mentioned
24 compromise was possible, and they said previously
25 an hour issue, they said previously volleyball

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1 reports here where there are times that they were
2 called, and the police officers have in these
3 reports that there wasn't swearing, there was no
4 loud music, lights were off, though the calls
5 were made, lights were off when the police got
6 there and hadn't been on. I - - The proof is
7 right here in these papers, as far as that is
8 concerned.

9 ALDERMAN KOVAC: My other specific
10 question is you mentioned, I think you told your
11 lawyer, your lawyer mentioned that on Halloween
12 you closed at - -

13 THE APPLICANT: The band was done at
14 midnight.

15 ALDERMAN KOVAC: We have specific
16 testimony - -

17 THE APPLICANT: I gave the band until
18 midnight. No.

19 ALDERMAN KOVAC: - - that 2:05 there
20 were people on the porch?

21 THE APPLICANT: No. No. We had
22 security. It was on lock down. I - - Where the
23 porch is, there - - there is a sidewalk directly
24 in front, so I can see how it could be
25 misconstrued or if the voices were heard, because

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1 closed at nine and now we're at between 9:45.
2 Are you willing to commit to stopping volleyball
3 at nine?

4 THE APPLICANT: I'm sorry. I really
5 can't, because when you're in the league, you
6 have to abide by what everybody else's hours are.
7 And it's ten p.m. And I'm already shutting it
8 down as early as I can without losing my
9 business. And it's only two nights a week, three
10 tops, if we have the Sunday free - - free league.

11 MR. HANEY: But as far as that may be
12 the setting what the league rules are. So if we
13 can get - - If we can get some rules, that as a
14 member of the league, we can influence people to
15 get some of those city league rules changed. But
16 that's - -

17 THE APPLICANT: But a lot of people
18 work, and we can't start a game - - I mean, I'm
19 doing the best I can, and I am open to compromise
20 to try and fix it. I don't know about the hours.
21 I have turned down the lights. I - - I know that
22 - - that more has been done that what has been
23 alluded to by - - by my neighbors. I have
24 invited our Alderman, Mr. Zielinski, to come at
25 any time and do a surprise check. I have police

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1 that was the time when everybody was dissipating,
2 I - - I won't deny it was a very busy night. It
3 was a busy night for our entire block. Rookies,
4 which is across the street from me, they had
5 Mount Olive as a live band that night, as well.
6 Packy's had their Halloween party that night.
7 The street was full of business that night.

8 ALDERMAN KOVAC: I mean, I - - If you
9 were a neighbor and, you know, you had several
10 years where the place closed up at nine.

11 THE APPLICANT: I can appreciate what
12 they say, yes.

13 ALDERMAN KOVAC: And you have - - You
14 do have small children. I assume you don't - -
15 they don't live next to a volleyball court that
16 goes past bedtime.

17 THE APPLICANT: No.

18 ALDERMAN KOVAC: So you say you
19 understand where they're coming from. You hear
20 them loud and clear, and yet on their specific -
21 - When it gets to specifics, I don't feel like
22 you are. That's a comment on the question.

23 CHAIRMAN BOHL: All right. With that,
24 we're in committee.

25 ALDERMAN ZIELINSKI: Mr. Chairman.

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1 CHAIRMAN BOHL: Alderman Zielinski.
 2 ALDERMAN ZIELINSKI: Yeah, well, they
 3 just got done saying, you know, that they can't
 4 close down early. Well, they can't close the - -
 5 the volleyball courts early. Well, according to
 6 the records that our license division has, the
 7 previous owner agreed, and it's in the records
 8 here, to close down the volleyball courts at
 9 8:30. That's someone that's willing to
 10 compromise and work with the neighborhood here
 11 I really don't sense that there's any sincerity
 12 to really - - I think there's a lot of denial
 13 going on here. You know, Todd was - - had some
 14 issues. He came down here. He agreed to
 15 compromise, close at eight - - 8:30, but he
 16 didn't have all this other stuff that people are
 17 referring to with, you know, seeing bongos
 18 outside, you know - - you know, stuff like that
 19 going on. You know, I - - I - - Mr. Chairman,
 20 based on the police report, based on the
 21 neighborhood testimony, I would move approval of
 22 the renewal of the license with a 45 day
 23 suspension and non-renewal of the - - of any
 24 liquor to be consumed outside the premises.
 25 CHAIRMAN BOHL: Okay. The - -

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1 certain - - I'm guessing he is correct. We do
 2 have the ability to amend the application that
 3 would include the floor plan, if you will, to - -
 4 to deny the extension of premises to exclude the
 5 exterior of the property outside of the building?
 6 MR. SCHRIMPF: What's going on here is
 7 that there is - - I would assume there is a
 8 permanent extension of the Class "B" for the
 9 volleyball court, and what's going on, the way I
 10 understand Alderman Zielinski's motion, would be
 11 to deny renewal of the permanent extension of the
 12 Class "B" to the volleyball court and to renew
 13 the Class "B" of the entire facility with a 45
 14 day suspension.
 15 ALDERMAN ZIELINSKI: Exactly, because
 16 the - - And - - And that includes the patio,
 17 because of the ongoing problems out there.
 18 MR. SCHRIMPF: And just so that
 19 everyone is clear, that doesn't necessarily stop
 20 volleyball. It just means you can't serve
 21 alcohol and you can't carry alcohol out onto the
 22 volleyball court.
 23 CHAIRMAN BOHL: Ms. Grill, was there
 24 anything that you needed to add to that?
 25 MS. GRILL: I was just going to add

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1 ALDERMAN ZIELINSKI: And my - - My
 2 intention is to send a very strong message with a
 3 45 day suspension, that next time, if we have the
 4 same people here next year, and we've got the
 5 same issues next year, we're going - - we're
 6 going to go for something, you know, stronger.
 7 But I think a message needs to be sent that, you
 8 know, denial is not acceptable, you know, and,
 9 you know, this gives them a chance with a 45 day
 10 suspension, gives them a chance to straighten
 11 things out, to - - to work with the neighborhood,
 12 and don't send anybody else and then, you know,
 13 blame it on someone else dealing with the
 14 neighbors instead of you directly. You could
 15 have went, you know, to the neighbors directly
 16 yourself. But I've been getting phone calls
 17 from, you know, from the neighbors all throughout
 18 the year. We've been keeping records and tabs,
 19 and this is definitely worse than - - than what
 20 Todd had. Thank you.
 21 CHAIRMAN BOHL: Thank you. That has to
 22 deal with the extension of premises, Alderman
 23 Zielinski?
 24 ALDERMAN ZIELINSKI: Yes.
 25 CHAIRMAN BOHL: Mr. Schrimpf, I'm

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1 about the patio, that is also a permanent
 2 extension.
 3 CHAIRMAN BOHL: Alderman, did you want
 4 to include both of those?
 5 ALDERMAN ZIELINSKI: Yes.
 6 CHAIRMAN BOHL: Okay. The motion by
 7 Alderman Zielinski is to recommend approval of
 8 the renewal of the licenses with the issuance of
 9 a 45 day suspension, and also, to - - to also
 10 deny the sale and consumption of alcohol as part
 11 of any previous permanent outdoor extension to
 12 the property, to include the volleyball area and
 13 the deck. Is there discussion on the motion?
 14 ALDERWOMAN COGGS: Umm - -
 15 CHAIRMAN BOHL: On the motion, Alderman
 16 - - Alderwoman Coggs.
 17 ALDERWOMAN COGGS: I won't be
 18 supporting the motion. But I - - I will say
 19 this. I just want - - this illustrates to people
 20 at home watching other licensees how critically
 21 important it is for you, as the licensee, to talk
 22 to your neighbors. Because there are so many
 23 issues that could be worked out before you get
 24 before us, before you take up hours of our time
 25 and yours, and before you have to face strict

00061

1 penalties, potentially. But I - - I won't be
 2 supporting the motion.
 3 CHAIRMAN BOHL: And I think the same
 4 applies to my discussion with one of the - - the
 5 gentleman that was from a previous license here.
 6 And that is, when you are an owner and operator,
 7 don't believe that the onus is on the neighbors
 8 to come in and complain to you, or that you have
 9 to hear secondhand. I'd be over at their house
 10 frequently, you know, just knocking on the door.
 11 Hey, are there any issues? I mean, that was what
 12 we heard from you with the - - with the owner,
 13 two - - two ago or two removed, where he said
 14 that you didn't have those issues. I mean, if
 15 you, early on, you kind of go in and say, hey,
 16 are you having any other problems, please let me
 17 know. I just wanted to - - to hear from you.
 18 The best way to deal with a potential problem is
 19 to try to address it in advance and be proactive
 20 to try to prevent it, and not just wait for them
 21 to come.
 22 ALDERMAN ZIELINSKI: One - - One more
 23 comment on my motion.
 24 CHAIRMAN BOHL: Okay. I just wanted to
 25 finish. And I will - - I will just say, Alderman

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1 CHAIRMAN BOHL: No, no. We're in
 2 committee. No, no, no. Mr. Haney - - Mr. Haney
 3 - - Mr. Haney, just - - I didn't allow her, and
 4 I'm not going to allow you.
 5 MR. HANEY: No.
 6 CHAIRMAN BOHL: And, Mr. Haney, please,
 7 okay. And - - And, again, if it happens again, I
 8 will ask that you be removed from the - - the
 9 room. We're in committee. That means this side
 10 only. On the - - On the motion, is there any
 11 other discussion?
 12 ALDERMAN HAMILTON: Mr. Chairman.
 13 CHAIRMAN BOHL: Alderman Hamilton.
 14 ALDERMAN HAMILTON: I - - I agree with
 15 you. I'm going to not support the motion, as
 16 well. I think there is a - - a way of forcing
 17 that conversation in compromise when it comes to
 18 the extension of the premises and imposing a - -
 19 a suspension on that, as well, as, you know, and
 20 - - and forcing that conversation with the - -
 21 with the neighbors. But I - - I think it's a
 22 little too - - too strict. So I'm going to
 23 object, too.
 24 CHAIRMAN BOHL: Alderman, I'm doing the
 25 math, and you got three objections.

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1 Zielinski, I'm also not going to support the
 2 motion. I will support a stiff penalty. I think
 3 that that's a little too stringent. And what I
 4 will say is given the fact that we had a couple
 5 of neighbors, I think, testified a couple times
 6 ago who got a warning letter, I - - I - - What I
 7 look at, a comparison, I think that this - - I
 8 would - - I was the one who voted against that,
 9 because I believed in there being a suspension
 10 there. I think that this one is just a little
 11 too stringent. But I do think a severe penalty
 12 does need to take place here. But on the motion,
 13 Alderman Zielinski.
 14 ALDERMAN ZIELINSKI: I'll tell you, the
 15 reason why I made the motion, one of the reasons
 16 why is - - is when we talked about some sort of
 17 compromise with the volleyball court, she said,
 18 oh, no, we definitely can't do anything with
 19 that, when the previous owner and our licensing
 20 division manager referenced the fact that he
 21 agreed to close the volleyball court at 8:30.
 22 But, no, when they know that this is a serious
 23 situation, they're refusing to even acknowledge
 24 any compromise on that.
 25 MR. HANEY: I would just - -

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1 ALDERMAN ZIELINSKI: I'll - - I'll make
 2 a new motion then.
 3 CHAIRMAN BOHL: Okay. You'll withdraw
 4 the original motion then.
 5 ALDERMAN ZIELINSKI: I'll withdraw the
 6 original one, but I - - It makes no sense to have
 7 a suspension on the extension of premises permit,
 8 because there's not going to be any drinking
 9 outside in the Wintertime, anyway.
 10 ALDERMAN HAMILTON: You can't - - Could
 11 you - -
 12 CHAIRMAN BOHL: You can't - - You can't
 13 throw it six months down the line here.
 14 ALDERMAN ZIELINSKI: Yeah. So that's -
 15 - What I'll have to do then is - - Because I know
 16 that the neighbors are going to be fighting the,
 17 you know, the volleyball court in the, you know,
 18 in BOZA. So I'll just withdraw the extension of
 19 premises non-renewal and - - and stick with a 45
 20 day suspension.
 21 CHAIRMAN BOHL: Okay. All right.
 22 Motion by Alderman Zielinski is to recommend
 23 approval of the renewal of the license with the
 24 issuance of a 45 day suspension. Any discussion
 25 on that motion? Are there objections to that

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1 motion?
 2 ALDERWOMAN COGGS: Objection.
 3 CHAIRMAN BOHL: I'll object, as well.
 4 The motion will carry on a three - two vote. Mr.
 5 Schrimpf?
 6 MR. SCHRIMPF: Mr. Haney, the committee
 7 will do findings of fact and conclusions of law,
 8 recommending renewal of the Class "B" tavern
 9 license with a 45 day suspension. You'll receive
 10 a copy of that. I'll need your card, however.
 11 MR. HANEY: Thank you.
 12 MR. SCHRIMPF: And you'll have an
 13 opportunity to submit written objections to that.
 14 If so, they must be received at 4:45 p.m.,
 15 November 24th, 2009 in Room 205 of this building
 16 If you submit written objections, then you'll
 17 also have the opportunity to appear before the
 18 Milwaukee Common Council when it considers this
 19 matter on November 1st, 2009 at approximately
 20 nine a.m. - - I'm sorry - - December 1st. Let me
 21 amend that. December 1st, 2009 when it considers
 22 this matter at approximately nine a.m. in the
 23 Common Council Chambers of this building, the
 24 same floor you're on but the opposite end. And I
 25 assume you will accept service on behalf of the

00067

1 is this is - - this is your living, and - - and,
 2 you know, you're the one - - you're the one that
 3 loses out, not - - not the ex-boyfriends or
 4 whatever else. But these neighbors do deserve a
 5 peaceful - - a peaceful living. They had it for
 6 a while, and they've lost it, and they just want
 7 to regain it. So, hopefully, a compromise can be
 8 made, okay. All right. Thank you all. Thank
 9 you for your testimony here, so.
 10 * * * *
 11

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1 licensee.
 2 MR. HANEY: I will.
 3 MR. SCHRIMPF: And I need your card.
 4 CHAIRMAN BOHL: Just a couple of very
 5 brief comments. If we have similar type problems
 6 of these neighbors here next year, I can assure
 7 you the rest of the committee will shoot much
 8 higher than 45 days and the extension of
 9 premises, including everything else, would be in
 10 play. This may not be the worst thing in the
 11 world. It's certainly not the best thing. The
 12 dollar fine ought to be raised to five bucks. If
 13 you want to participate, each and every time.
 14 How about one time five bucks, two times you're
 15 out of the league. And, I mean, that's - - You
 16 know, I'm just - - I'm just saying - - No, and
 17 this is time for me to speak to you and for you
 18 to actually take crow. Okay.
 19 MR. HANEY: And I'm - - I'm just - -
 20 CHAIRMAN BOHL: You know, that's - -
 21 that's it. You owe five - - five bucks one time.
 22 Second time, you're out. The other thing is
 23 please take this opportunity to reach out to
 24 neighbors and not rely on - - on others. I mean,
 25 it - - it - - What it boils down to, Ms. Elliot,

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 2
 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
 11 Jerseys Sports Pub & Grill and 4014 Lounge taken in
 12 the foregoing proceedings.
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 19 JEAN M. BARINA
 20 Court Reporter
 21
 22 Dated this day of December, 2009.
 23
 24